Town of Hilton Head Island

Planning Commission Meeting

Wednesday, September 16, 2026, 2:00 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. **Pledge to the Flag**

3. **Adoption of the Agenda**

4. **Approval of the Minutes**

   a. Regular Meeting Minutes of August 19, 2026

5. **Unfinished Business**

6. **New Business**

   a. **STDV-000547-2026**: Public Hearing for consideration of a Street Name Request from Benji Elliott to name two streets located off Spanish Wells Road. The affected properties are identified on Beaufort County Tax Maps as Parcels R510 007 000 090A 0000 and R510 007 000 0276 0000. – Kathleen Litchfield, 911 Communications Manager

   b. **DPR-000326-2025**: Public Hearing Request from LJA Engineering INC. to construct a new church building for the St. James Baptist Church, and relocate the historic Cherry Hill School building. The project will take place on land also identified as Beaufort County Tax Map Parcel Number R510 009 000 1199 0000. The parcel is in the PD-1 Zoning District and located within the Town's Corridor Overlay District (COR) and Airport Overlay District. – Bayleigh Howard, Planner

   c. **ZA-000706-2026**: Public Hearing for consideration of a request from North Island Land Bank, LLC to amend the Official Zoning Map with respect to the real property identified on Beaufort County Tax Map as Parcel R511 007 000 0044 0000 to change the base zoning district from the Low to Moderate Density Residential (RM-4) Zoning District to the Stoney (S) Zoning District. – Kyle Brotherton, Principal Planner

d. Consideration of an Ordinance of the Town of Hilton Head Island Adopting Amendments to Title 16 of the Municipal Code, Land Management Ordinance (LMO), Related to the Following Regulations: Natural Resource Protection - Wetland Protection; Natural Resource Protection - Tree Protection; Jonesville Road - Residential Single - Family District -4 (RSF-4); Bradley Circle - Residential Single - Family District -8 (RSF-8); and Subdivision and Residential Development Standards. – Trey Lowe, Interim Planning Director

7. Public Comment - Non Agenda Items

8. Commission Business

9. Chairman's Report

10. Staff Reports

11. Adjournment

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

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

Municipal Association of South Carolina (MASC) Civility Pledge:
“I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town.”

Town of Hilton Head Island
PLANNING COMMISSION MEETING
Wednesday, August 19, 2026, 2:00 PM
Minutes

1. Call to Order

Chair Tom Henz called the meeting to order at 2:01pm. Present were: Vice Chair Ellen Whaley, Commissioners Chuck Lobaugh, Bruce Siebold, Bill Redmon, Joe DuBois. Commissioners Ed Cordes, Margaret Hewitt and Jeff Turnbull were not present.

2. Pledge to the Flag

3. Adoption of the Agenda

Commissioner Lobaugh moved to approve the agenda as presented. Commissioner Siebold seconded. The motion passed unanimously.

4. Approval of the Minutes

a. Regular Meeting Minutes of July 15, 2026

Commissioner Dubois moved to approve the minutes of the July 15 and July 23 meetings as presented. Commissioner Redman seconded. The motion passed unanimously.

b. Special Meeting Minutes of July 23, 2026

Per motion and vote in agenda item 4(a), Commissioner Dubois moved to approve the minutes of the July 15 and July 23 meetings as presented. Commissioner Redman seconded. The motion passed unanimously.

5. Unfinished Business

6. New Business

a. **STDV-000577-2026:** Public Hearing for consideration of a Street Name Request from Amanda Washington to name a street located off William Hilton Parkway. The affected properties are identified on Beaufort County Tax Maps as Parcels R511 007 000 066A 0000 and R511 007 000 066C 0000.

Chair Henz opened the Public Hearing and invited staff's presentation. Kathleen Litchfield, 911 Communications Manager, presented a Street Name Application to name a parcel off William Hilton Parkway and Chamberlain Drive. Staff recommends the Planning Commission approve the Dorothy Lane Street Name Application based on the criteria outlined in Land Management Ordinance. Following the opportunity for public comment and Commission discussion, the Public Hearing was closed.

Commissioner Whaley moved for approval of the Application as presented.

Commissioner Lobaugh seconded. The motion passed unanimously.

7. Public Comment - Non Agenda Items

8. Commission Business

9. Chairman's Report

10. Staff Reports

Staff member Bayleigh Howard presented a summary of outcomes and recommendations resulting from the final LMO (Land Management Ordinance) Task Force meeting. These Priority 1 LMO Amendment recommendations will come before the Planning Commission at the next meeting scheduled for September 16. It is then scheduled to be before the Town Council on October 13th for a first reading and November 10th for a second reading.

11. Adjournment

The meeting was adjourned at 2:11 p.m.

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
COMMUNITY DEVELOPMENT DEPARTMENT

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

STAFF REPORT
NEW STREET NAME

Case #	New Street Names	Public Hearing Date
STDV-000547-2026	Lowcountry Luck Lane Living Proof Lane	September 16, 2026

Parcel Data or Location:	Applicant/Agent
R510 007 000 090A 0000 R510 007 000 0276 0000	APPLICANT – Benji Elliott 262 Spanish Wells Road Hilton Head Island, SC 29926

Application Summary

STDV-000547-2026 – Public Hearing request from Benji Elliott, property owner and applicant, for a new street names request off Grant Drive, which is off Spanish Wells Road. The affected parcels are listed above.

Staff Recommendation

Staff recommends the Planning Commission **approve** the Lowcountry Luck Lane and Living Proof Lane Street name application based on the criteria outlined in Land Management Ordinance Section 16-2-103.O.4 and enclosed herein.

Background

Benji Elliott, applicant, proposes to name driveways located off Grant Drive. Lowcountry Luck Lane will provide access to 1 home on the parcel. Living Proof Lane will provide access to 4 homes on the parcel. Due to the zoning in this area (RM-4– Low to Moderate Density), the dwelling unit density allows for 4 dwelling units per acre. The size of the parcel is 3.67 acres. The parcel can therefore accommodate more homes in the future.

See Attachment A, Site Plan

As set forth in LMO Section 16-2-103.O.3.d, Decision-Making Body Review and Decision, the Commission shall hold a public hearing and make a final decision on the application based on the standards in LMO Section 16-2-103.O.4, Street/Vehicular Access Easement Review Standards.

Summary of Facts and Conclusion of Law

Criterion A: No new street or vehicular access easement, or proposed modification of the name of an existing street or vehicular access easement, shall duplicate, be phonetically similar to, or in any way be likely to be confused with an existing street or vehicular access easement, despite of the use of prefixes or suffixes. (LMO Section 16-2-103.O.4.a).

Findings of Fact:

1. Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Lowcountry Luck Lane and Living Proof Lane are not duplicated within the Town or Beaufort County.
2. Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Lowcountry Luck Lane and Living Proof Lane are not phonetically similar to an existing street or vehicular access easement.
3. Town staff, Town Fire & Rescue Dispatch, and Beaufort County Dispatch have determined Lowcountry Luck Lane and Living Proof Lane will not likely be confused with an existing street or vehicular access easement.

Conclusion of Law:

1. The proposed street names Lowcountry Luck Lane and Living Proof Lane meet the requirements of this criterion.

Summary of Facts and Conclusion of Law

Criterion B: Name(s) shall be simple, logical, easy to read and pronounce, and are clear and brief. Use of frivolous or complicated words or unconventional spellings in names shall not be approved. (LMO Section 16-2-103.O.4.b).

Findings of Fact:

1. Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Lowcountry Luck Lane and Living Proof Lane are simple, logical, easy to read and pronounce.
2. Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Lowcountry Luck Lane and Living Proof Lane are clear and brief.
3. Town staff, Fire & Rescue Dispatch, and Beaufort County Dispatch determined Lowcountry Luck Lane and Living Proof Lane do not include frivolous or complicated words or unconventional spellings.

Conclusion of Law:

1. The proposed street names Lowcountry Luck Lane and Living Proof Lane meet the requirements of this criterion.

Summary of Facts and Conclusions of Law

Criterion C: It is desirable to use names that have some association with Hilton Head Island and specifically with the immediate location of the street or place, such as reference to local history or physiographic features. (LMO Section 16-2-103.O.4.c).

Finding of Fact:

1. The proposed street name Lowcountry Luck Lane reflects the exceptional quality of life, natural beauty, and unique character commonly associated with the Lowcountry and Hilton Head Island.
2. The proposed street name Living Proof Lane conveys a sense of authenticity and pride in the successful balance achieved between development of this parcel, environmental stewardship, and thoughtful community planning.

Conclusion of Law:

1. The proposed street names Lowcountry Luck Lane and Living Proof Lane meet the requirements of this criterion.

Summary of Facts and Conclusion of Law

Criterion D: Use of a common theme is recommended for names of streets that are associated with one another, such as those within a residential development. (LMO Section 16-2-103.O.4.d).

Findings of Fact:

1. The proposed Lowcountry Luck Lane and Living Proof Lane are both off Grant Drive on the parcel. However, the LMO does not prohibit the use of a differing theme for the new street names.

Conclusion of Law:

1. The proposed street names Lowcountry Luck Lane and Living Proof Lane meet the requirements of this criterion.

Summary of Facts and Conclusion of Law

Criterion E: Streets or vehicular access easements that continue through an intersection should generally bear the same name, except where the street crosses a major arterial or where existing address points on a street require that the street given a different name. (LMO Section 16-2-103.O.4.e).

Finding of Fact:

1. The proposed Lowcountry Luck Lane and Living Proof Lane do not continue through intersections.

Conclusion of Law:

1. This criterion does not apply to this application.

Summary of Facts and Conclusion of Law

Criterion F: A street or vehicular access easement making an approximate right-angle turn where there is no possibility of extending the street or vehicular access easement in either direction shall be considered to be continuous and continue the same name. Where there is a choice of direction or a possibility of extending either section in the future, such configuration shall be considered to be an intersection and the street/easement segments extending from the intersection shall bear different names. (LMO Section 16-2-103.O.4.f).

Findings of Fact:

1. The proposed Lowcountry Luck Lane and Living Proof Lane do not make right-angle turns.

Conclusion of Law:

1. This criterion does not apply to this application.

Summary of Facts and Conclusion of Law

Criterion G. New or modified street names should generally use Drive, Lane, Place, Road, Street, or Way as suffixes. The following street designations should only be used if the street design meets one of the following descriptions. This list is not intended to limit the use of other appropriate suffixes.

1. *Alley – A street providing vehicular access to the rear of lots or buildings, usually as a secondary means of access to a property.*
2. *Avenue – A street that is continuous.*
3. *Boulevard – A street with a landscaped median dividing the roadway.*
4. *Circle – A street with a complete loop on the end or a side street that intersects another street at two adjacent intersections.*
5. *Court – A street terminating in a cul-de-sac, not longer than 1,000 feet in length.*
6. *Extension – A section of street forming an additional length.*
7. *Parkway – A street designated as a collector or arterial road, with a landscaped median reflecting the parkway character implied in the name.*

(LMO Section 16-2-103.O.4.g).

Finding of Fact:

1. The proposed roadways are driveways, using the suffix Lane.

Conclusion of Law:

1. The proposed street names Lowcountry Luck Lane and Living Proof Lane meet the requirements of this criterion.

Summary of Facts and Conclusion of Law
Criterion H. The suffixes Manor, Trace, and Common shall typically be used to name vehicular access easements. (LMO Section 16-2-103.O.4.h). **Finding of Fact:** 1. The proposed Lowountry Luck Lane and Living Proof Lane are driveways. **Conclusion of Law:** 1. This criterion does not apply to this application.

Summary of Facts and Conclusions of Law
Criterion I. Where natural barriers, intervening land uses, or developments that break an existing street into two separate streets that are not likely to be reconnected in the future, the streets shall be named in a manner that considers the potential economic impact of the number of address points and type of addresses impacted. (LMO Section 16-2-103.O.4.i). **Finding of Fact:** 1. The subject streets are not broken into two separate streets. **Conclusion of Law:** 1. This criterion does not apply to this application.

PREPARED BY:

KML — September 3, 2026

Kathleen Litchfield — DATE

911 Communications Manager

REVIEWED BY:

TL — 9/9/2026

DATE

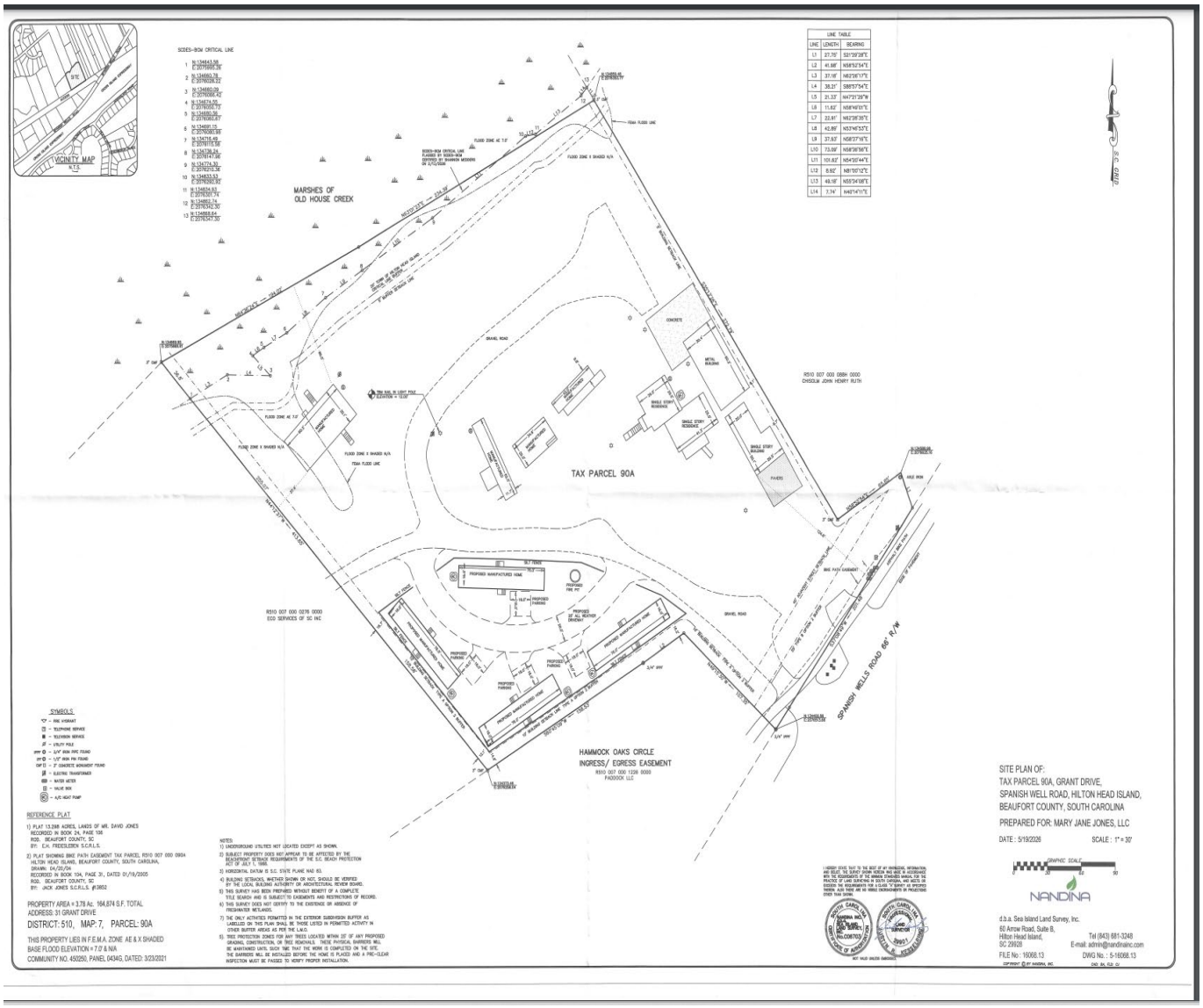
REVIEWED BY:

DATE

ATTACHMENTS:

A) Site Plan
B) Applicant's Narrative

A) Site Plan


VICINITY MAP
MARSHES OF OLD HOUSE CREEK
TAX PARCEL 90A
HAMMOCK OAKS CIRCLE INGRESS/ EGRESS EASEMENT
SPANISH WELLS ROAD 66' R/W
SITE PLAN OF:
TAX PARCEL 90A, GRANT DRIVE,
SPANISH WELL ROAD, HILTON HEAD ISLAND,
BEAUFORT COUNTY, SOUTH CAROLINA
PREPARED FOR: MARY JANE JONES, LLC
DATE: 5/19/2026
SCALE: 1" = 30'
NANDINA

B) Applicant's Narrative

6. Living Proof Lane

This name conveys authenticity and pride, symbolizing the successful balance of development, environmental stewardship, and community planning in the Lowcountry.
Criterion (c): Reflects Hilton Head Island's role as a model for planned coastal development in South Carolina.
Criterion (d): Dignified, concise, and appropriate for long-term public use.

The proposed street names were selected to reflect the character, culture, and lifestyle of the South Carolina Lowcountry and Hilton Head Island, while remaining appropriate for long-term public use. Each name is unique, easily identifiable, non-offensive, and compatible with public safety, emergency response, and navigation requirements. The names collectively convey themes of coastal living, resilience, independence, and quality of life, which are consistent with the general area.

TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO:	Planning Commission
FROM:	Bayleigh Howard, Planner
CC:	Trey Lowe, Interim Planning Director, Interim LMO Official
DATE:	September 16, 2026
SUBJECT:	Development Plan Review

PURPOSE:

As part of the Town's Development Review Program, Development Plan Review applications for Major Development Plan Reviews and Minor Development Plan Reviews adjacent to or across the street from a residential use are shared with the Planning Commission for review in accordance with the Land Management Ordinance. These applications are presented by Staff to inform the Planning Commission and the general public of development activity occurring on Hilton Head Island. There is one new Development Plan Review application ready to be shared with the Planning Commission – St. James Baptist Church, 9 Union Cemetery Road – DPR-000326-2025.

BACKGROUND:

The project proposes a new 11,975 SF church building for St. James Baptist Church and relocation of the historic ±1,000 SF Cherry Hill School building for use as a museum. The project will take place on a portion of an approximately 5-acre area of the 102.75-acre parent tract, identified as Beaufort County Tax Map Parcel Number R510 009 000 1199 0000, and is zoned Planned Development District (PD-1) within the COR and Airport Overlay districts. Site improvements include new drive aisles, 87 parking spaces, fire lanes, accessible walkways, bicycle parking, utilities, and one new driveway connection to Union Cemetery Road. The existing golf course pond will be expanded for stormwater detention, with a new infiltration basin provided for water quality treatment. The site will be selectively cleared as necessary for construction, including the removal of 53 of 214 existing trees, while preserving the historic Cherry Hill School building through relocation.

The property is currently under consideration by Town Council for the zoning map amendment that was reviewed by Planning Commission at the July 23, 2026 meeting. The proposed zoning is Parks and Recreation (PR).

ZONING AND DEVELOPMENT DATA:

Zoning and Development Standards Summary

Zoning district	Planned Development (PD-1) District
Overlay district	COD and Airport Overlay District
Use of the property	Religious Institution
Gross site acres	4.67 ac
Net site acres (gross acres-tidal wetlands)	4.67 ac
Allowed total density (net acres x gfa)	10,000 GFA per net acre
Maximum allowed impervious area percentage	65%
Existing building square footage	N/A
Proposed building square footage	11,975 SF
Total square footage	11,975 SF
Maximum building height allowed	75'
Proposed building height	39'-2"
Current impervious area and percentage	16,002 SF / 7.9%
Proposed impervious area and percentage	78,763 / 38.7%
Minimum number of parking spaces required	1 space per every 3 seats (84 spaces)
Existing number of parking spaces on site	N/A
Proposed parking spaces	86 spaces
Area of disturbance	3.39 ac
Flood zones	Zone X

REVIEW AND ACTION:

Per LMO Section 16-2-103.G.4.d.i, A Major Development Plan Review shall be reviewed by the Planning Commission. LMO Section 16-2-103.G.4.d, Staff Review and Action – Major Development Plan Review, require the following review and action criteria;

i. The Official shall forward the application to the Planning Commission for review, and the Planning Commission shall review the application, staff report, and any public comment at a hearing.

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

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

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

ATTACHMENTS:

A. DPR-000326-2025- Narrative
B. DPR-000326-2025 - Site Plan

843.507.8404
www.LJA.com
100 Calhoun Street, Suite 400, Charleston, SC 29401

February 3, 2026

Town of Hilton Head Island
Community Development Department
One Town Center Court
Hilton Head Island, SC 29928

RE: Project Civil Engineering Site Plan Narrative for the Major Development Plan Review
St. James Baptist Church Site Development
9 Union Cemetery Road
Town of Hilton Head Island
Beaufort County, South Carolina 29926

To whom this may concern:

LJA Engineering, Inc. is submitting the following Project Narrative on behalf of **Your Church Partner, LLC**, the "Developer" and the **Town of Hilton Head Island**, the "Owner", for the proposed St. James Baptist Church and associated improvements on a portion of a +/-5-acre portion of the 102.75-acre parent tract (Plat Book 3245, Page 2210) in the Town of Hilton Head, Beaufort County, South Carolina. The site is listed with County Property ID R510 009 000 1199 0000. The subject site is zoned Planned Development District (PD-1) per Town of Hilton Head Zoning Map, which supports the proposed church and site improvements. The site is vacant and has remnants of previous golf course land use, including a non-wetland pond with an existing outfall pipe, golf cart trails, and various grading, landscaping, and trees. There is no 100-year FEMA floodplain present, according to FEMA FIRM 45013C0454G, effective on March 23, 2021 for Beaufort County. Access to the site can be taken off the adjacent Union Cemetery Road (S-624), which is a SCDOT owned and maintained roadway. Water and sewer services are provided by Hilton Head Public Service District (HHPSD). Stormwater is governed by the Town, which is the local Municipal Separate Storm Sewer System (MS4) authority. A pre-application meeting was held on September 3, 2024.

The project is proposing a new Church building and the relocation of the historical Cherry Hill School building on the site with parking, driveways and fire lanes, sidewalks and connections to existing trails, utilities including a private grinder sanitary sewer pump station, stormwater conveyance system, water quality and detention improvements, and other associated improvements. There are no offsite improvements proposed other than utility connections in the adjacent right-of-way (ROW) (which requires HHPSD and SCDOT approval) and for one (1) new site driveway (which requires SCDOT approval). Access for the site will be along Union Cemetery Road.

Building

- The project proposes an 11,975 SF church building.
- The new building includes a sanctuary, fellowship hall, classrooms for youth and adult Christian education, a kitchen, bathrooms, a covered porch, and various employee amenities.
- The building is proposed with a maximum internal roof height of 27' with a total building height (including the steeple) of 39' - 2".

- The building is proposed to be sprinklered with NFPA 13 system and a remote FDC.
- Cherry Hill School is a ±1,000 SF historic schoolhouse that will be relocated from its original location to the site. The school will be used as a historic museum.

Site Improvements

- Provide drives and associated parking throughout the site.
- Increase the size of the existing golf course pond on-site for stormwater detention and a new infiltration basin is provided for water quality treatment.
- Install accessible walkways leading from the exterior doors to the parking lot around the proposed building.
- Provide a remote FDC and building sprinkler system, as well as new fire lanes, to meet current IFC requirements.
- The project is proposing 87 parking spaces, 8 of those being accessible parking spots, and one an EV space.
- The project is proposing 30 bicycle parking spaces.
- Removal of 53 of the 214 trees currently on the site.
- One (1) new driveway is proposed to Union Cemetery Road (which requires a SCDOT permit) and a driveway stub out is provided to the west site boundary for future connection with the adjacent park master plan (connection shall be made by others).

Utilities

Water and sewer services are provided by Hilton Head Public Service District (HHPSD). This project is being submitted concurrently to HHPSD for utility approval. Water service is provided via an existing 12” public waterline that runs along the south side of Union Cemetery Road within the ROW which will be tapped with a 12” X 6” tee. A 10’ water line easement will be shown for all 6” DIP fire line. There will be a 2” DIP waterline for domestic service and a 2” DIP waterline stubbed for future irrigation service. Sewer service is provided by an existing HHPSD 1.5” diameter force main running along the north side of Union Cemetery Road within the ROW adjacent to the site. A lift station maintained by HHPSD is proposed along the ROW at the southeast corner of the site with a total peak flow assumed of 11 gpm. A 1000-gallon grease interceptor is proposed on the east side of the building for the kitchen in fellowship hall and a 6” PVC SDR-26 gravity line sanitary sewer will connect the church building and Cherry Hill school to the lift station. A 10’ sanitary sewer easement is shown for the force main and lift station. No other water or sewer utility improvements are proposed or required for this project.

Drainage and Water Quality

Compliance to mitigate the risk of flooding and other applicable Town drainage criteria is provided through the reduction of peak flow rates from the subject property. This is achieved by reducing changes to existing drainage patterns in the developed condition drainage study. A storm sewer conveyance system will be used, and improvements will be made to the existing golf course pond on site to act as stormwater detention with a 0.5’ freeboard and provide water quality with an infiltration forebay. Overall, this project will enhance the drainage conditions of the site and surrounding area and does not have any adverse impacts between current existing conditions and proposed final conditions.

Environmental Issues / Floodplain

No environmental features have been identified on site. The tract is located outside of a FEMA 100-year floodplain according to FEMA FIRM 45013C0454G for the Town of Hilton Head, effective on March 23, 2021.

Buffers / Setbacks

The site is subject to 20'-30' side setbacks along the Eastern property line and a 40' ROW buffer along Union Cemetery Road. There are also 25' buffers (Type B Option 1) along Union Cemetery Road and the eastern property line.

Tree Removal

The site currently has 214 trees of various sizes and species. 16 dead trees will need to be removed, and 37 healthy trees will be removed due to necessary parking, fire, utility, and other improvements.

Landscape

See enclosed landscape plans for all landscape improvements, buffers, plantings planting schedules, and other ordinance compliant landscape items. Note that irrigation permit(s) will be permitted separately by others.

Architecture

See enclosed architectural elevations and floor plans. Note that the building permitting will be done separately.

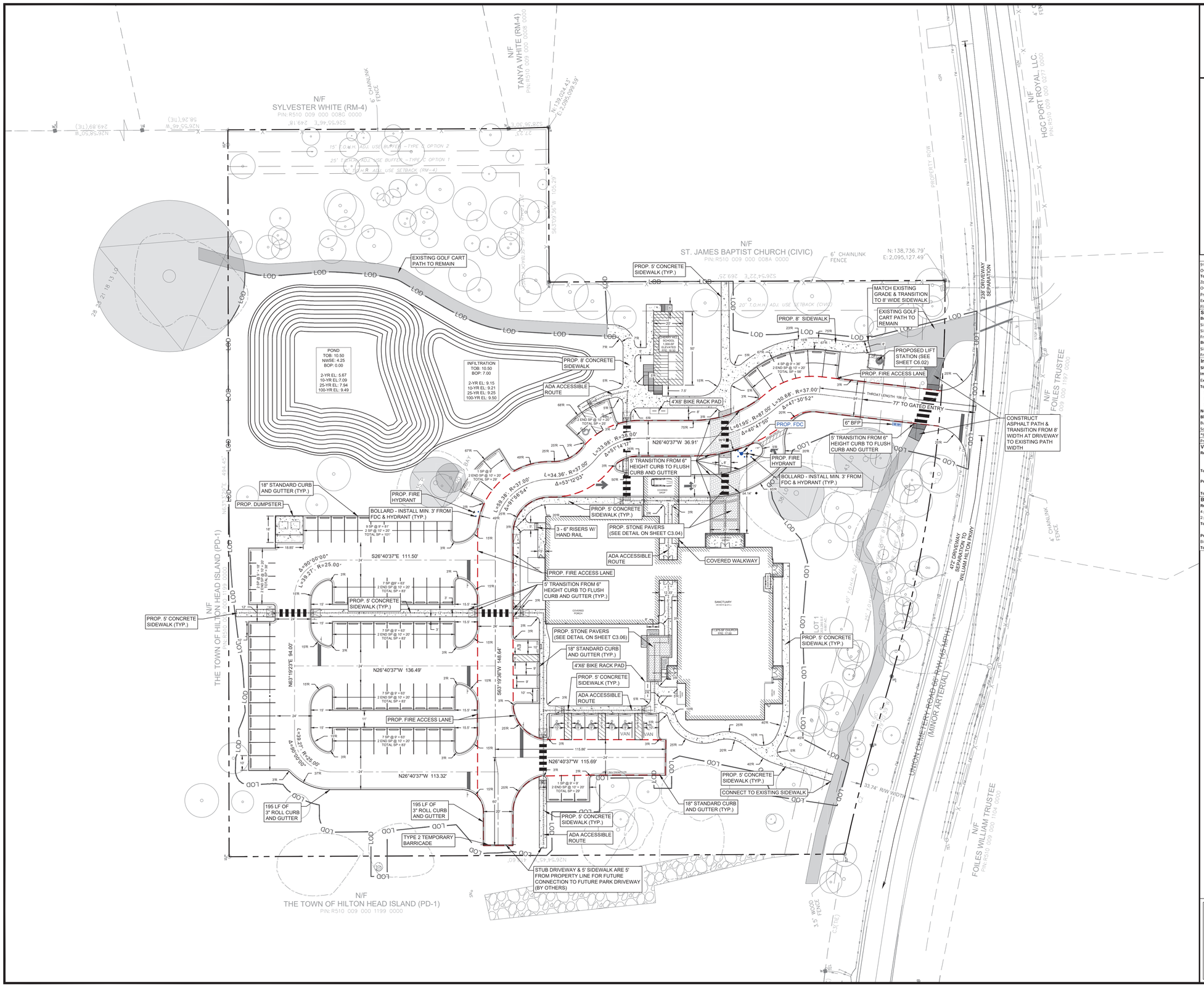
ST.JAMES BAPTIST CHURCH HILTON HEAD ISLAND						
9 Union Cemetery Road, Hilton Head, Beaufort County, South Carolina						
Owner: St. James Baptist Church						
Total Site Area		4.667	Ac.		203,295	SF
Zoning	= Planned Development (PD-1)					
Overlay	= COR and Airport Overlay					
Proposed Use	= Religious Institution					
Existing Use	= Outdoor Commercial Recreation					
Flood Zone	= Zone X					
Setbacks/Buffers						
Building Setbacks						
Side (East - Partial)	=	30	FT	(RM-4)		
Side (East - Partial)	=	20	FT	(Civic)		
Front Street (Union Cemetery Road)	=	40	FT	(Minor Arterial T.O.H.H.)		
Buffers						
Side (East - Partial)	=	Type C		(RM-4 : 25')		
Front Street (Union Cemetery Road)	=	Type B		(Minor Arterial : 40')		
Impervious Cover Calcs						
Site Area	=	4.667	Ac.			
Impervious Cover						
Exist Imp Cover	=	0.367	Ac.	7.9%	16,002	SF
Total Proposed Imp Cover	=	**1.808**	**Ac.**	**38.7%**	**78,763**	**SF**
Total Bldg / Overhang Coverage	=	0.364	Ac.	7.8%	15,863	SF
Total Parking/Drives/Walks	=	1.288	Ac.	27.6%	56,084	SF
Total Wet Pond Surface	=	0.156	Ac.	3.4%	6,817	SF
Net Imp Cover Added	=	**1.441**	**Ac.**	**30.9%**	**62,762**	**SF**
Bldg. Height / Gross Floor Area*		GFA		Height		
Building	=	11,975	SF	39'-2"	(1-story)	(35' Max)
Schoolhouse	=	1,000	SF			
*See Parking Calculations for Hilton Head Island Official Uses						
Proposed Floor Area Ratio	=	0.06				
Vehicle Parking Calculations						
Required Vehicle Parking						
Land Use & Calculation Unit	HHI Use Category		Seats	SP/Seat	Total Spaces	
Religious Institutions (Seats)	Indoor Recreation		250	3	83.3	
Total Required Vehicle Parking	=	**84**	**Spaces**			
Provided Parking	Standard		Accessible	Van Accessible	Electric	Total
Surface Spaces	=	78	6	2	1	87
Total Provided Parking	=	**87**	**Spaces**	(>= 84 Required Spaces)		
Bike Parking Calculations						
Required Bike Parking						
4 per 10 Vehicle Spaces (1st 50 Vehicle Spaces)	=	20				
2 per 10 Vehicle Spaces (50+ Vehicle Spaces)	=	10				
Total Required Bike Parking	=	30				
Provided Bike Parking						
Bike Rack (2 Spaces)	=	15				
Total Provided Bike Parking	=	**30**	**Spaces**			
Fire Safety Summary						
Building Gross Area	=	11,975	GSF			
Building Height	=	39'-2"				
Construction Type	=	CL III A				
Sprinklered?	=	YES	(Type: NFPA 13)			
Required Fire Flow	=	1,250	GPM			

We trust this information will help in your evaluation of the project. If you have any questions, do not hesitate to call or email at (843)-405-5140 or email at chager@lja.com.

Sincerely,

Charles R. Hager V, P.E.
Charleston Manager
LJA Engineering, Inc.

Attachment B



LEGEND

- PROPERTY BOUNDARY
- FIRE LANE
- ACCESSIBLE ROUTE
- CONCRETE SIDEWALK

PAVING AND MARKING NOTES:

1. SEE SITE DIMENSIONAL CONTROL PLAN FOR LAYOUT INFORMATION.
2. ALL PAVEMENT SECTION MATERIALS AND INSTALLATION SHALL MEET THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS (LATEST EDITION).
3. GRADED AGGREGATE BASE COURSE SHALL MEET THE REQUIREMENTS OF THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECS (LATEST EDITION).
4. ASPHALTIC CONCRETE SHALL BE A PLANT MIX MEETING THE REQUIREMENTS OF THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECS (LATEST EDITION).THE JOB MIX SHALL MEET THE REQUIREMENTS OF THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECS (LATEST EDITION), AND SHALL HAVE A MARSHALL STABILITY OF 1250 POUNDS AND A PERCENT VOIDS BETWEEN 4 AND 5.
5. PAINTED PARKING STRIPING SHALL BE 4" WIDE WHITE STRIPES AND BE LOCATED AS SHOWN ON THE PLANS. HANDICAP PARKING STRIPING SHALL BE #154 LIGHT BLUE. DIRECTIONAL STRIPING SHALL BE PAINTED WHITE. PAINT AND ALL WORK SHALL BE IN ACCORDANCE WITH THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECS (LATEST EDITION).
6. ALL PAINTED PARKING AREAS SHALL RECEIVE TWO COATS OF STATE DEPARTMENT OF TRANSPORTATION APPROVED PAINT.
7. ALL PAVEMENT MARKINGS WITHIN THE RIGHT-OF-WAY SHALL BE OF THE THERMOPLASTIC OR EPOXY TYPE PER THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECS (LATEST EDITION).

ST.JAMES BAPTIST CHURCH HILTON HEAD ISLAND

9 Union Cemetery Road, Hilton Head, Beaufort County, South Carolina
Owner: St. James Baptist Church

Total Site Area		4.667	Ac.		203,295 SF
Zoning	= Planned Development (PD-1)				
Overlay	= COR and Airport Overlay				
Proposed Use	= Religious Institution				
Existing Use	= Outdoor Commercial Recreation				
Flood Zone	= Zone X				
Setbacks/Buffers					
Building Setbacks					
Side (East - Partial)	=	30	FT	(RM-4)	
Side (East - Partial)	=	20	FT	(Civic)	
Front Street (Union Cemetery Road)	=	40	FT	(Minor Arterial T.O.H.H.)	
Buffers					
Side (East - Partial)	=	Type C		(RM-4 : 25')	
Front Street (Union Cemetery Road)	=	Type B		(Minor Arterial : 40')	
Impervious Cover Calcs					
Site Area	=	4.667	Ac.		
Impervious Cover					
Exist Imp Cover	=	0.367	Ac.	7.9%	16,002 SF
Total Proposed Imp Cover	=	**1.804**	**Ac.**	**38.7%**	**78,763 SF**
Total Bldg./ Overhang Coverage	=	0.364	Ac.	7.8%	15,863 SF
Total Parking/Drives/Walks	=	1.288	Ac.	27.6%	56,084 SF
Total Wet Pond Surface	=	0.156	Ac.	3.4%	6,817 SF
Net Imp Cover Added	=	**1.441**	**Ac.**	**30.9%**	**62,762 SF**
Bldg. Height / Gross Floor Area*		GFA		Height	
Building	=	11,975 SF		39'-2'	(1-story) (35' Max)
Schoolhouse	=	1,000 SF			
*See Parking Calculations for Hilton Head Island Official Uses					
Proposed Floor Area Ratio	=	0.06			

Vehicle Parking Calculations

Required Vehicle Parking

		Land Use & Calculation Unit	HHI Use Category	Seats	SP/Seat	Total Spaces
		Religious Institutions (Seats)	Indoor Recreation	250	3	83.3
Total Required Vehicle Parking	=			**84**	**Spaces**	

Provided Parking		Standard	Accessible	Van Accessible	Electric	Total
Surface Spaces	=	77	6	2	1	86
Total Provided Parking	=	**86**	**Spaces**	(>= 84 Required Spaces)		

Bike Parking Calculations

Required Bike Parking			
4 per 10 Vehicle Spaces (1st 50 Vehicle Spaces)	=	20	
2 per 10 Vehicle Spaces (50+ Vehicle Spaces)	=	10	
Total Required Bike Parking	=	30	
Provided Bike Parking			
Bike Rack (2 Spaces)	=	15	
Total Provided Bike Parking	=	**30**	**Spaces**

NORTH

GRAPHIC SCALE
30 0 15 30
1 INCH = 30 FT

NOTE: THIS SCALE APPLIES FOR 24"x36" SHEETS ONLY

LOCATION OF EXISTING UNDERGROUND AND OVERHEAD UTILITIES ARE APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING WORK AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT OCCUR.

811 Know what's below. Call before you dig.

LJA Engineering, Inc.
100 Calhoun Street
Suite 400
Charleston, South Carolina 29401
Phone 843.507.8404
www.LJA.com
FRN-C06168

LJA ENGINEERING, INC. No. C06168 — CERTIFICATE OF AUTHORIZATION — SOUTH CAROLINA

SOUTH CAROLINA PROFESSIONAL ENGINEER — LICENSED — No. 43950 — COURTNEY VITALE — 07/22/2026

NO.	REVISIONS DESCRIPTION	BY	DATE

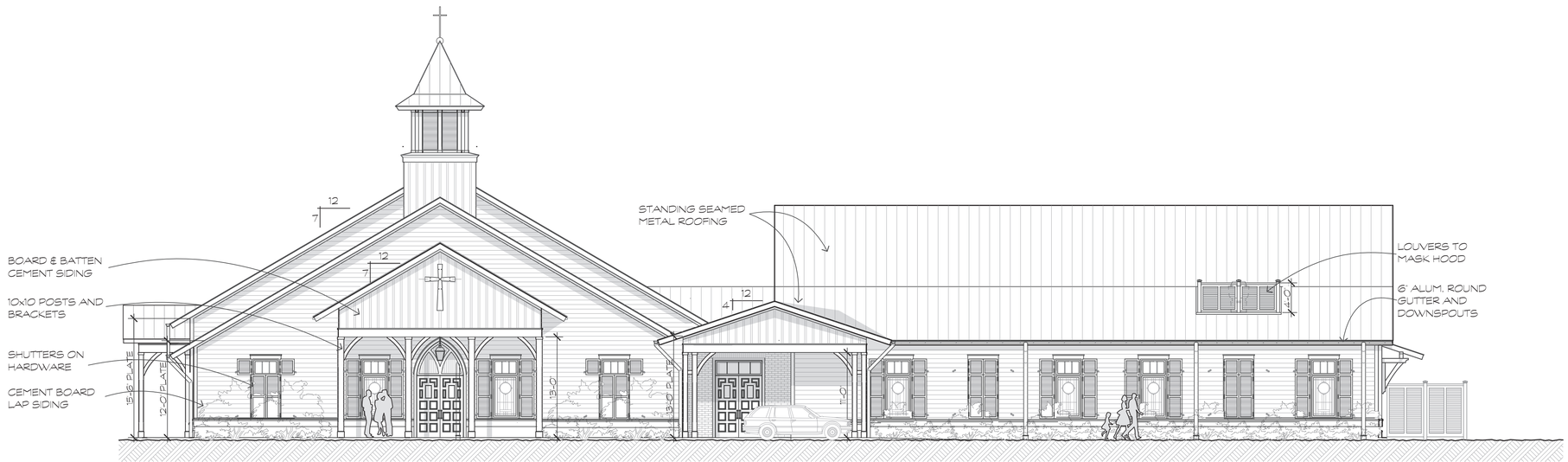
ST. JAMES BAPTIST CHURCH CONSTRUCTION PLANS HILTON HEAD ISLAND YOUR CHURCH PARTNERS

SITE DIMENSIONAL PLAN

DATE: JULY 22, 2026
DESIGNED BY: CCV
DRAWN BY: CCV
CHECKED BY: CRH
JOB NUMBER: SC4671-2401

SHEET NO.
C3.01

I:\SC4671-YCP\2401-St James HHI\CAD\PLAN SHEETS\SC4671-2401 SITE DIMENSIONAL PLAN.dwg
User: jsyrobert
Last Modified: Jul 20, 26 - 10:49
Plot Date/time: Jul 21, 26 - 16:42



ENTRY ELEVATION

SCALE: 1/8"=1'-0"

1
A.2.1

UNION CEMENTARY ELEVATION

SCALE: 1/8"=1'-0"

2
A.2.1

parkerdesigngroup architects
843 785 5171 POST OFFICE BOX 5010 HILTON HEAD ISLAND SC 29938

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PRICING SET

A New Church For:
St. James Baptist
Union Cemetery Road
Hilton Head Island, S.C.

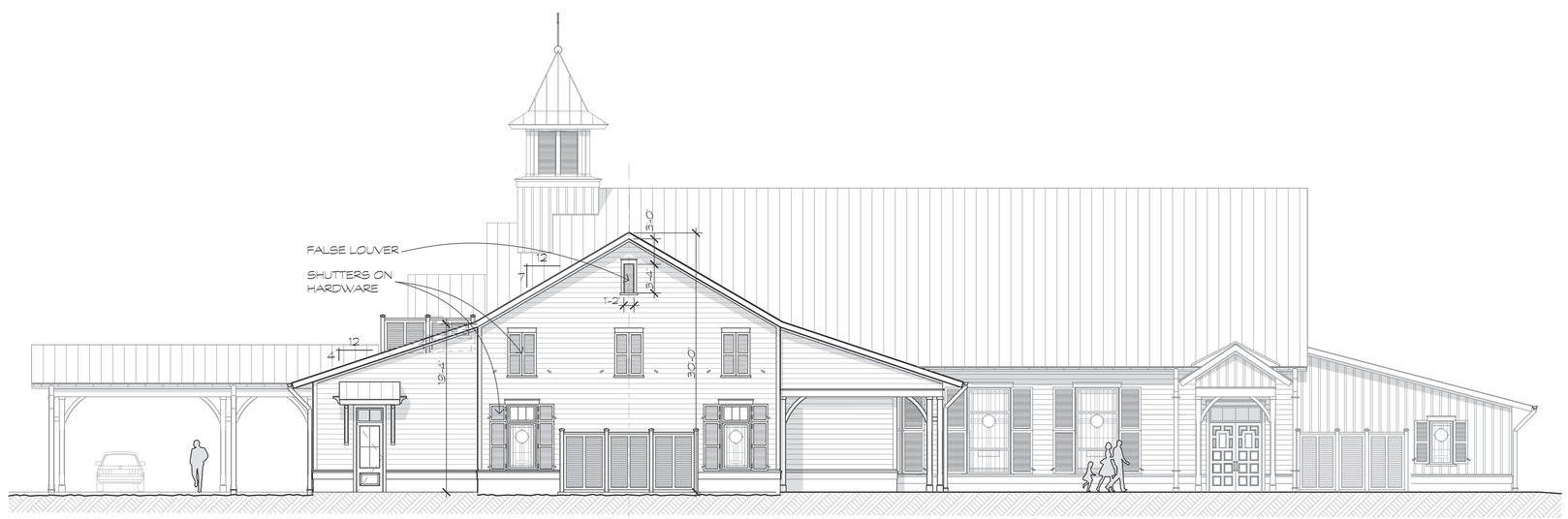
REVISIONS	DATE

DRAWN BY
TP
CHECKED BY
DATE OF ISSUE:
11/25/25
SCALE
JOB NO.
2403
SHEET
CHURCH AND FELLOWSHIP HALL
A.2.1

REAR ELEVATION

SCALE: 1/8"=1'-0"

1
A.2.2



RIGHT SIDE ELEVATION

SCALE: 1/8"=1'-0"

2
A.2.2

parkerdesigngroup architects
843.785.5171 POST OFFICE BOX 5010 HILTON HEAD ISLAND SC 29938

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PRICING SET

A New Church For:
St. James Baptist
Union Cemetery Road
Hilton Head Island, S.C.

REVISIONS	DATE

DRAWN BY
TP
CHECKED BY
DATE OF ISSUE:
11/25/25
SCALE
JOB NO.
2403
SHEET
CHURCH AND FELLOWSHIP HALL
A.2.2

	TOWN OF HILTON HEAD ISLAND **COMMUNITY DEVELOPMENT DEPARTMENT**

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

STAFF REPORT
ZONING MAP AMENDMENT

Case #	Name of Project	Public Hearing Date
ZA-000706-2026	Old Wild Horse Road Parcel	September 16, 2026

Parcel Data	Property Owner	Applicant
Parcel Number: R511 007 000 0044 0000 Size: 0.67-acres Address: Old Wild Horse Road	North Island Land Bank, LLC	North Island Land Bank, LLC

Existing Zoning	Proposed Zoning
Overlay District: Corridor Overlay (COR) District Zoning District: RM-4 – Low to Moderate Density Residential Assigned Density 2 dwellings units per acre or 4,020 square feet nonresidential	Overlay District: Corridor Overlay (COR) District Zoning District S - Stoney Assigned Density: 6 dwelling units per acre or 4,690 square feet nonresidential

Application Summary:

ZA-000706-2026: Public Hearing for consideration of a request from North Island Land Bank, LLC to amend the Official Zoning Map with respect to the real property identified on Beaufort County Tax Maps as Parcel R511 007 000 0044 0000 to change the base zoning district from the Low to Moderate Density Residential (RM-4) District to the Stoney (S) District and to provide for severability and an effective date.

Staff Recommendation:

Staff recommends that the Planning Commission review this application and forward a recommendation of approval to Town Council, based on those Findings of Facts as determined by the LMO Official and enclosed herein.

Background:

The North Island Land Bank, LLC is seeking a Rezoning Amendment for a 0.67-acre property, identified on Beaufort County Tax Maps as Parcel R511 007 000 0044 0000. See Attachment B - Location Map.

The applicant purchased the 0.67-acre subject property on Old Wild Horse Road approximately one year ago. The property is currently zoned Low to Moderate Density Residential (RM-4) and is undeveloped. The subject property has a drainage easement over a natural drainage way that generally bifurcates the property in half, running more-or-less west to east across the property.

The applicant currently owns an office in the building located at 46 Old Wild Horse Road, directly across the street from the subject property, where the applicant's business is located. The applicant is looking to expand their current business operation, and there are currently no opportunities to do so in their current location. As such, the applicant is intending to construct a small, single-story professional office building on the subject property, which would allow the property owner to expand their business. Additionally, the inclusion of a small café-type use is also being considered, and the café-type use would be operated by a local native-island family. The proposed development concept is preliminary, and any future use and site design would be required to comply with the permitted-use provisions and development standards applicable to the Stoney District.

Prior to the adoption of the Stoney Initiative Area Plan in March 2003, the subject property fell within the previous Commercial Mixed Use zoning district, with the intent of that district to "encourage development in a flexible manner in areas where transition is imminent but the direction has not yet been manifest…". Additionally, the property adjacent to the east was also partially included in the Commercial Mixed Use zoning district. However, through the planning process, and with the adoption of the Stoney Initiative Area Plan, the property was placed into a residential future land use category and ultimately rezoned to the current RM-4 District, likely due to the existing mobile home that was occupied on the subject property during the planning process.

The existing RM-4 zoning does not permit the proposed professional office use. The requested Stoney zoning would provide a land-use framework consistent with the applicant's existing office property and nearby properties that are zoned as Stoney (S). Historically, the Stoney area was developed predominantly as residential prior to the Town's incorporation, with some small commercial operations, with the majority of these residential structures being located along Old Wild Horse Road.

The Stoney Initiative Area Plan also proposed the creation of new roads through the planning area, one of which would have connected Squire Pope Road to Wild Horse Road, with an

intersection at Old Wild Horse Road along the western boundary of the subject property. This proposed roadway would have created a transitional line from the Stoney District to the west of the subject property to the existing RM-4 District on the subject property. With this roadway having not come to fruition, the proposed expansion of the Stoney District to the subject property is logical and appropriate.

The William Hilton Parkway Gateway Master Plan designates $4.7 million in streetscape improves for Old Wild Horse Road, designated as Project H within the Gateway Master Plan. The goal of these improvements is to "provide pathway connectivity on the east side of the roadway to better serve businesses."

The Gullah Geechee Historic Neighborhoods Community Development Corporation (GGHNCDC) Strategic Plan mission is "to preserve cultural assets and improve quality of life by promoting entrepreneurship, preventing gentrification, supporting housing and infrastructure needs, and expanding financial and business opportunities." The Stoney community is served by the GGHNCDC. Additionally, the Town's Strategic Action Plan 2026-2028 explicitly calls for "business incubation strategies" in the Gullah Geechee historic neighborhoods and for "expanding and diversifying business sector recruitment and retention."

The subject property is directly adjacent to properties within the Stoney District, and additional Stoney-zoned property is located across Old Wild Horse Road. The existing office property is zoned Stoney, a district that permits professional office uses. Accordingly, the requested amendment would extend an established zoning district rather than create an isolated zoning designation unrelated to the surrounding area.

The zoning of the adjacent properties can be seen on Attachment C, Official Zoning District Map and include the following:

- Adjacent properties along Old Wild Horse Road are zoned Low to Moderate Density Residential (RM-4), Stoney Mixed Use (S), and Parks and Recreation (PR).
- Across Old Wild Horse Road, properties are zoned Parks and Recreation (PR) and Stoney Mixed Use (S).

The property is also within the Corridor Overlay District.

Applicant's Grounds for ZMA:

The applicant contends that the requested rezoning would not constitute spot zoning because the subject property is directly adjacent to properties within the existing Stoney District and is located across Old Wild Horse Road from the applicant's Stoney-zoned office property. The amendment would extend an established zoning district rather than create an isolated zoning classification unrelated to the surrounding area. The applicant further states that the change would facilitate a small, neighborhood-scaled office use that would allow the applicant to expand their current business, consistent with the mixed-use planning direction historically established for the Stoney community. The applicant is also working with native families to potentially bring a small café-type use to the property as well, which would serve the local population.

Summary of Facts and Conclusions:
Findings of Fact: • The application was submitted on September 15, 2025, as set forth in LMO Section 16-2-103.C and Appendix D-1. • Per LMO Section 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing. • The LMO Official scheduled the public hearing on the application for the September 16, 2026, Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission. • Per LMO Section 16-2-102.E.2, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date. • Notice of the September 16, 2026 public hearing was published in the Island Packet on August 30, 2026. • Per LMO Section 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date. • The town mailed notices on behalf of the applicant for the September 16, 2026, public hearing by first-class mail to the owners of record of properties within 350 feet of the subject property on August 31, 2026. • Per LMO Section 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land. • The LMO Official posted on August 31, 2026, conspicuous notice of the public hearing on the land subject to the application. **Conclusions of Law:** • The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1. • Notice of the public hearing was published, mailed and posted, in compliance with LMO Section 16-2-102.E.2.

As set forth in LMO Section 16-2-103.C.3. In determining whether to recommend that Town Council approve or deny a proposed Zoning Map Amendment (Rezoning), the Planning Commission may weigh the relevance of and consider the following:

Summary:

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i):

Findings:

The proposed Zoning Map Amendment is consistent with *Our Plan 2020–2040*, the Town's adopted Comprehensive Plan, and advances several of its core goals related to cultural preservation, community identity, appropriate land use transitions, and provision of community-serving facilities. Additionally, it is consistent with the Stoney Initiative Area Plan, Ward One Master Land Use Plan, and the Gullah Geechee Culture Preservation Project Report.

Ensuring Appropriate Land Use Transitions

Our Plan provides clear guidance for modifying land use regulations to meet community needs while maintaining compatibility and Island character:

- *"Continue to provide an appropriate range of land uses that accommodate the needs of the community."*
- *"Provide appropriate modifications to the zoning designations and land use regulations to meet community needs while maintaining Island character."*

The proposed neighborhood-scale office use on the 0.67-acre property meets the historic mixed-use planning direction historically established for the Stoney community.

Stoney Initiative Area Plan

The Stoney Initiative Area Plan was adopted as an appendix into the Comprehensive Plan and was developed to address the neighborhood's unique parcel configurations, gateway location, infrastructure limitations, development opportunities, and historical mix of residential and commercial uses.

The proposed Stoney District, along with the intended neighborhood-scale office use, supports the vision of the Stoney Initiative Area Plan.

Overall Consistency with Our Plan

Taken together, the proposed rezoning:

- Supports appropriate redevelopment of a vacant property;
- Allows for expansion of an existing office use, creating opportunities for local job growth;
- Reinforces the Island's historic and cultural landscape; and
- Creates an appropriate and harmonious land use transition along Old Wild Horse Road.

Conclusions of Law:

- The proposed rezoning is in accordance with the Comprehensive Plan, as set forth in LMO Section 16-2-103.C.3.a.i.
- The proposed rezoning implements the adopted land use direction of the Stoney Initiative Area Plan through expansion of the Stoney District to allow for appropriate commercial development.

- The proposed rezoning advances the Comprehensive Plan's objectives for economic sustainability, preservation of historic neighborhood character, and continued local use and ownership of property.
- The proposed rezoning supports the mission of the Gullah Geechee Historic Neighborhoods Community Development Corporation Strategic Plan mission and the Town's Strategic Action Plan.

Summary:

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii):

Findings:

- The Stoney District permits a mix of residential, office, commercial, public, civic, institutional, and recreational uses, with uses being permitted by-right, through use-specific conditions, or through special-exception review.
- The Stoney (S) District exists on the property adjacent to the subject property along the southwest, across Old Wild Horse Road, and near the intersection of William Hilton Parkway and Old Wild Horse Road. Additionally, the Parks and Recreation (PR) District exists along a portion of the subject property to the northwest as well as across Old Wild Horse Road, and the Low to Moderate Density (RM-4) District exists along properties adjacent to the subject property and further to the northeast along Old Wild Horse Road.
- An office use currently exists across the street from the subject property, located at 46 Old Wild Horse Road, and the intent is to construct a neighborhood-scale office on the subject property.
- While the proposed Stoney (S) District would permit a broader range of uses than the current RM-4 District, these uses are already contemplated and permitted on properties currently zoned as the Stoney (S) District adjacent to, or within the area of, the subject property.
- The range of permitted uses within the Stoney (S) District are generally consistent with the development pattern in the vicinity, and future proposed development will need to comply with applicable provisions of the Town's Land Management Ordinance (LMO).

Conclusions of Law:

- The proposed rezoning will allow uses that are compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.
- The proposed Stoney District expands the district onto 0.67 acres of property and will permit a mix of uses compatible with the existing development patterns of the area.
- Future development on the subject property will need to comply with the Town's LMO which will ensure compatibility of a proposed development.

Summary:
Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii): **Findings:** • The subject 0.67-acre property is located on Old Wild Horse Road within the historic Stoney neighborhood, north of William Hilton Parkway and near the Town's primary gateway. • The property is within the geographical area addressed by the Stoney Initiative Area Plan, which guides land use, density, infrastructure, development, and neighborhood character. • The subject property is located near an area containing a mix of uses, including residential, professional office, commercial, and recreational uses. • The subject property has direct access to Old Wild Horse Road, consistent with the purpose of the Stoney District which encourages vehicular access to not occur onto William Hilton Parkway where possible. • As the proposed use of the property is an office, the maximum density for nonresidential uses in the Stoney District is 7,000 square feet of gross floor area per net acre, with the net acreage and maximum development potential being verified during development review. • The maximum development potential increases to 4,690 square feet in the Stoney District, which is an increase of 670 square feet from the existing RM-4 District. • The district's standards and other development standards will ensure proposed future development in appropriately scaled to the property. **Conclusions of Law:** • The proposed zoning is appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii. • The subject property is situated within the Stoney Initiative Area, is accessed from an internal neighborhood roadway, and is located within a mixture of residential, office, commercial, and recreational uses. • The Stoney District provides an appropriate mix of permitted uses for the subject property in harmony with the surrounding area.

Summary:
Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv): **Findings:** • The Stoney Initiative Area Plan identifies the desire of Stoney residents and property owners to remain on family land, and to develop their land themselves while being provided flexibility with permitted uses at a neighborhood-scale.

- The Stoney Initiative Area Plan recommends a land use framework intended to balance residential and limited commercial redevelopment, encourages local business ownership and coordination between neighboring property owners to overcome historical challenges such as parcel configuration and access, and to make viable use of their property within the LMO regulations.
- The property owner is a homeowner in the historic Stoney community, also operates an office directly across Old Wild Horse Road from the subject property, and intends to develop the subject property with an office use to move the existing business into.
- While the applicant's personal circumstances do not establish a community-wide need, the request further supports the documented need for property that is locally owned and developed with appropriately scaled developments within, and that serve, the Stoney community.

Conclusions of Law:

- The rezoning would fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv.
- The proposed rezoning advances supporting local land retention, business ownership, economic sustainability, and uses of property consistent with the historic Stoney neighborhood.
- The proposed S District will allow for a broader range of uses while ensuring the scale of development is consistent with historical and existing patterns in the area.

Summary:

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings:

- The proposed Stoney (S) District is consistent with the Town's overall zoning program and future land use vision as articulated in Our Plan 2020–2040 as well as with the recommendations in the Stoney Initiative Area Plan. The Comprehensive Plan emphasizes supporting civic and cultural institutions, preserving historic community identity, and ensuring that land uses respond to community needs in a manner compatible with Island character. Allowing this change directly aligns with these policy principles.
- The Stoney (S) District specifically anticipates a wide mix of residential, civic, institutional, and commercial uses. The proposed use is consistent with this vision.
- The Amendment expands an existing zoning district within and specifically designed for the neighborhood, rather than introducing a general commercial or mixed-use district into the neighborhood.
- The proposed Stoney (S) District is consistent with Our Plan 2020-2024 through supporting an appropriate range of uses and modifications to zoning districts to meet community needs while maintaining Island character.

Conclusions of Law:

- *The proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town in accordance with LMO Section 16-2-103.C.3.a.v.*
- The Stoney (S) District was created to implement the adopted Stoney Initiative Area Plan and the subject property is within the plan's geographic area.
- The proposed amendment supports a coordinated zoning pattern and advances the Town's established approach to appropriately scaled development within the Stoney neighborhood. As such, the Amendment ensures continued compatibility with the Town's vision for this area while responding to a well-documented community need.

Summary:

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi):

Findings:

- The subject property is currently zoned as RM-4 and is located within an area where properties are zoned Stoney (S) and Parks and Recreation (PR).
- The Stoney (S) District exists adjacent to and directly across Old Wild Horse Road from the subject property.
- The proposed amendment would expand the existing Stoney (S) District and would not establish a separate or geographically isolated district.
- The proposed Stoney (S) District permits a mix of uses that are consistent with uses and the zoning pattern in the area.
- The subject property's existing RM-4 District functions as a relatively small residential remnant within an overall area planned and partially rezoned for mixed use and public recreational use.
- The proposed rezoning creates greater consistency between the subject property, the existing and nearby Stoney (S) District zoned properties, and the Stoney Initiative Area Plan.

Conclusions of Law:

- The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi.
- The proposed Stoney (S) District is related to both the surrounding zoning pattern and the adopted planning framework for the overall Stoney neighborhood.
- As the proposed amendment extends an established zoning district, it does not create an isolated or unrelated zoning or land-use area.

Summary:

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings:

- The property is currently vacant, and the RM-4 District permits primarily residential development along with limited nonresidential development. The property is not without potential use under the existing RM-4 District.
- The proposed Stoney (S) District would expand the range of potential uses by permitting additional nonresidential uses including, but not limited to, office and commercial uses, some of which are subject to use-specific conditions.
- Nonresidential development is permitted at a maximum density of 7,000 square feet of gross floor area per net acre, which is a density at a neighborhood scale consistent with the Stoney Initiative Area Plan. Net acreage and all applicable development standards shall be met prior to proposed development being approved.
- The applicant has indicated the desire to develop the property as a neighborhood-scale office use which is a by-right permitted use within the Stoney (S) District.
- Future development or economic feasibility will be determined by market conditions as well as site design, utilities and infrastructure, and construction costs along with receiving appropriate development approvals.

Conclusions of Law:

- The proposed zoning would allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii.
- The proposed Stoney (S) District would expand the uses available to the property while maintaining a development intensity that is in harmony with the Stoney neighborhood.
- The proposed amendment does not establish that the property lacks all viable use under the existing RM-4 District or guarantees the feasibility or approval of a particular development proposal.

Summary:

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings:

- The property fronts Old Wild Horse Road, has existing site access to Old Wild Horse Road, and has access to a trail system.
- The applicant has indicated that public water and sewer service are available in the Old Wild Horse Road right-of-way, and that stormwater infrastructure exists within the corridor.
- Per the LMO, a Development Plan Review (DPR) application would be required to develop the property. As part of the DPR application, any required infrastructure improvements, encroachment permits or approvals from outside agencies such as PSD, Hargray, Palmetto Electric, SCDOT and any applicable private ARB would be required prior to the approval of the DPR.
- Adequacy of public facilities will be determined based on a specific use and size at the time of formal development application submittal.

Conclusion of Law:

- The proposed zoning would result in development that can be served by available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii.
- Approval of the rezoning does not constitute approval of any site-specific development.

Summary:

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings:

- The existing RM-4 District on the property was established after adoption of the Stoney Initiative Area Plan.
- Following adoption of the Stoney Initiative Area Plan in 2003, the Town established the Stoney Mixed Use District to implement the Plan's recommendation, and the Stoney Mixed Use District was carried forward as the Stoney District under the current adoption of the LMO.
- The Stoney Initiative Area Plan proposed a roadway that connected Squire Pope Road to Wild Horse Road which was to be located along the western boundary of the subject property, which would have made a logical transition from Stoney to RM-4.
- The Gullah Geechee Historic Neighborhoods Community Development Corporation, established by Town Council in 2022, has a vision that includes promoting entrepreneurship and expanding business opportunities in the Stoney community.
- Nearby properties are zoned as Stoney (S), Parks and Recreation (PR), and Low to Moderate Density (RM-4) with uses closer to William Hilton Parkway being nonresidential and transitioning to residential uses to the north of Old Wild Horse Road.
- The proposed amendment responds to changing conditions along Old Wild Horse Road and brings the property closer into alignment with the pattern of development and planning framework established within the Stoney neighborhood.
- The proposed amendment responds more specifically to the adoption and implementation of the Stoney Initiative Area Plan and the resulting change in the surrounding zoning due to implementation, rather than solely relying on general development pressures or increased traffic as a justification.

Conclusions of Law:

- The proposed rezoning is appropriate due to the changes in the area, in accordance with LMO Section 16-3-103.C.a.ix.
- Substantive planning and regulatory changes through the adoption of the Stoney Initiative Area Plan, original creation of the Stoney Mixed Use District, continuation of that district to the current Stoney District, and rezoning of properties support the proposed amendment.
- The subject property has not been developed under the existing RM-4 District, and the proposed amendment to the Stoney (S) District is a logical update to allow for future development of the property.

Note: If the proposed amendment is approved by Town Council, such action shall be by <u>ordinance</u> to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by <u>resolution</u>.

<u>PREPARED BY</u>:

KB	9-8-2026
Kyle Brotherton *Principal Planner*	DATE

<u>REVIEWED BY</u>:

E. Thomas Smith, Jr.	9-8-2026
E. Thomas Smith, Jr., PLA, ASLA *Assistant Planning Director*	DATE

<u>ATTACHMENTS</u>:

A) Application Narrative
B) Location Map
C) Official Zoning District Map
D) Ordinance

Attachment A

REZONING NARRATIVE

Response to Rezoning Review Standards

LMO Sec. 16-2-103.C.3

Tax Parcel R511 007 000 0044 0000 — Old Wild Horse Road

Applicant: North Island Land Bank, LLC

Current Zoning: RM-4 (Low to Moderate Density Residential)

Requested Zoning: S (Stoney)

Property: 0.67 acres, Old Wild Horse Road, Hilton Head Island, SC 29926

North Island Land Bank, LLC requests a rezoning of Tax Parcel R511 007 000 0044 0000 from RM-4 to S (Stoney). The parcel is located on Old Wild Horse Road in the Stoney Historic Community. The applicant is a homeowner in the historic Stoney community and owns an office at 46 Old Wild Horse Road, directly across the street from the subject parcel. The parcel is adjacent to properties that are zoned Stoney. The following addresses each review criterion set forth in Sec. 16-2-103.C.3.

Proposed Development Concept

In accordance with the Stoney zoning permitted uses, North Island Land Bank, LLC intends to build a small, single-story professional office building on the property, similar in use and character to the existing offices the applicant owns at 46 Old Wild Horse Road directly across the street, which is also zoned Stoney. The building would accommodate the applicant's own business office. A neighborhood-serving business use such as a café may also be incorporated. The building will be modest in scale, well under the maximum density permitted in the Stoney district, and designed to complement the character of the surrounding neighborhood. Final building plans will be developed following the rezoning and will comply with all applicable Stoney district development standards.

Response to Review Standards (Sec. 16-2-103.C.3.a)

i. Is in accordance with the Comprehensive Plan

This rezoning is consistent with multiple adopted plans and stated priorities of the Town of Hilton Head Island:

The Comprehensive Plan (Our Plan 2020–2040) includes the Stoney Initiative Area Plan as an adopted plan (Ordinance No. 2003-05, March 4, 2003). That plan was prepared by the Town's Planning Department with community input and specifically recommended establishing a zoning district in the Stoney neighborhood to allow offices, restaurants, and neighborhood business uses. The S (Stoney) district was created to implement those recommendations.

The Town's Strategic Action Plan for Fiscal Years 2026–2028, unanimously adopted by Town Council, includes among its priorities: "Supporting the Gullah Geechee Historic

Neighborhoods Community Development Corporation Strategic Plan to implement neighborhood revitalization, land retention, and business incubation strategies." The Stoney community is one of twelve neighborhoods served by the GGHNCDC. This rezoning supports neighborhood revitalization and business incubation on Old Wild Horse Road.

The Comprehensive Plan's Core Value Ec ("Revitalizing and Modernizing the Economy") states there is "a renewed drive to build on the current strengths in the economy and show that the Island is a place for people of all ages, cultures, and income levels to visit, or live and work." The Strategic Action Plan further calls for "expanding access to procurement opportunities for Hilton Head Island-based businesses, including small and minority-owned businesses." This rezoning enables a local, Stoney-based business owner to build on their own property.

The William Hilton Parkway Gateway Corridor Master Plan, presented to Town Council on July 28, 2026, designates $4.7 million in streetscape improvements for Old Wild Horse Road (Project H) and states the design goal is to "provide pathway connectivity on the east side of the roadway to better serve businesses." This rezoning enables the private investment that responds to that public investment.

ii. Would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity

The adjacent properties are zoned Stoney. Rezoning this parcel to Stoney would allow the same range of uses that are already permitted on those surrounding parcels. The range of uses available in the Stoney district already exists in the immediate vicinity — this rezoning does not introduce any use category to the area that is not already available on adjacent land.

Within that range, the more intensive uses — such as nightclubs, liquor stores, and industrial uses — require either a Special Exception (SE) or Permitted with Conditions (PC) approval, meaning each would be subject to its own Town review process before it could be established. The rezoning itself does not grant automatic approval of those uses.

The applicant's proposed use — professional office space — is among the most modest business uses the Stoney district permits (Other Office Uses, Permitted by right). It is the same type of use that already exists directly across the street at 46 Old Wild Horse Road. The applicant owns that office and is a homeowner in the historic Stoney community.

iii. Is appropriate for the land

The S (Stoney) district was created specifically for properties in the Stoney Historic Community. The Stoney Initiative Area Plan identifies Old Wild Horse Road as a road within the Stoney area and envisions the neighborhood as a place where "residential and non-intrusive commercial uses would be allowed."

The Town's William Hilton Parkway Gateway Corridor Master Plan further confirms that Old Wild Horse Road is appropriate for business-serving uses. The plan designates $4.7 million for streetscape improvements on this road and designs the street cross-section to "better serve businesses." The Town's own infrastructure investment on Old Wild Horse Road is designed

for a business-serving corridor — Stoney zoning is the appropriate designation for land the Town is preparing for that purpose.

The Stoney designation is appropriate for this location based on its position within the Stoney Historic Community, the adjacent Stoney-zoned properties, and the Town's own plans for this corridor.

iv. Addresses a demonstrated community need

The demonstrated community need for economic opportunity in the Stoney Historic Community is documented across multiple Town-adopted plans and current programs:

The Stoney Initiative Area Plan (2003) states that property owners "want to retain the ability to live on their land … but to have the flexibility to have some form of commercial development if they so choose." The plan recommends that assistance be provided to "encourage land owners to keep their land as opposed to selling to other developers."

The Gullah Geechee Historic Neighborhoods Community Development Corporation, established by Town Council in 2022, has a stated mission "to preserve cultural assets and improve quality of life by promoting entrepreneurship, preventing gentrification, supporting housing and infrastructure needs, and expanding financial and business opportunities." The Stoney community is served by the GGHNCDC.

The Town's Strategic Action Plan 2026–2028 explicitly calls for "business incubation strategies" in the Gullah Geechee historic neighborhoods and for "expanding and diversifying business sector recruitment and retention."

This rezoning enables a local property owner and Stoney homeowner to build a small professional office on their own land — promoting entrepreneurship, retaining land ownership, and expanding business opportunity in the Stoney community. This directly addresses the community needs documented in the Town's own adopted plans and programs.

v. Is consistent with the overall zoning program as expressed in future plans for the Town

The S (Stoney) district is part of the Town's established zoning program. It was created as a direct result of the Stoney Initiative Area Plan, which recommended establishing a zoning district in the Stoney neighborhood that permits a mix of residential and business uses at a nonresidential density of 7,000 square feet per acre — the same density the S district allows today.

The applicant is aware that the Town's LMO Task Force is currently reviewing the RM-4 district as part of a broader update. The applicant notes that the Task Force's publicly discussed proposals for RM-4 — such as the Jonesville Road area — have involved reducing density and restricting uses, not expanding them. If similar changes were applied to this parcel, the property's economic potential would be further reduced, not enhanced.

The Town's future plans for this specific area are expressed in the William Hilton Parkway Gateway Corridor Master Plan (July 2026), which designates $4.7 million for Old Wild Horse Road improvements designed to "better serve businesses." The Town's Strategic Action Plan

2026–2028 prioritizes the corridor project and calls for "business incubation strategies" in the Stoney community. Rezoning this parcel to Stoney is consistent with these stated future plans.

vi. Would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts

The subject parcel is bordered by Stoney-zoned properties to the west and across Old Wild Horse Road to the south, including the applicant's own office at 46 Old Wild Horse Road. The northwest boundary adjoins Town-owned land designated Parks and Recreation (Taylor Family Park). The properties to the north and east retain the RM-4 designation.

The S (Stoney) district was applied to properties throughout this neighborhood following the adoption of the Stoney Initiative Area Plan in 2003, but not uniformly to every parcel. This created a pattern where Stoney-zoned properties and RM-4 properties exist side by side on the same street. Rezoning this parcel to Stoney extends the existing Stoney designation from the adjacent western and southern properties rather than creating a new or unrelated zoning district. Under South Carolina law, a rezoning that achieves conformity with adjacent properties is not considered spot zoning — rather, it is the current RM-4 designation on this parcel, bordered by Stoney to the west and south, that represents the zoning inconsistency. The applicant already owns Stoney-zoned property directly across the street and is a homeowner in the historic Stoney community.

vii. Would allow the subject property to be put to a reasonably viable economic use

Under the current RM-4 zoning, the parcel does not have an "Office Uses" category. The only business use available is "Other Commercial Services," which is limited to a maximum of 1,200 square feet (LMO Sec. 16-4-102.B.7.l). This cap applies regardless of parcel size.

While RM-4 permits residential development at up to four dwelling units per acre, the physical characteristics of this specific parcel make residential development impractical. A Town drainage easement (Book 133, Page 86) runs diagonally through the center of the property, bisecting the buildable area. The parcel lies in FEMA Zone AE with a Base Flood Elevation of 8.0 feet, requiring elevated construction. These constraints, combined with a parcel size of 0.67 acres, significantly limit the ability to develop a reasonable residential project on this site.

The S (Stoney) district permits "Other Office Uses" by right, subject to the district density standard of 7,000 square feet per acre (approximately 4,690 square feet on this parcel). This allows the property to be put to a viable economic use that works with the site's constraints rather than against them. A single-story office building on one side of the drainage easement is a more practical use of this land than attempting residential development on a flood-zone parcel bisected by a drainage channel.

viii. Would result in development that can be served by available, adequate, and suitable public facilities (e.g., streets, potable water, sewerage, stormwater management)

Public water and sewer service are available on Old Wild Horse Road. The property has direct access to Old Wild Horse Road, a public road with a 66-foot right-of-way. Stormwater infrastructure exists along the corridor.

The Town's William Hilton Parkway Gateway Corridor Master Plan designates $4.7 million (Project H) for Old Wild Horse Road improvements including curb and gutter, asphalt pathways, landscaping, and drainage conversion. These planned public facility improvements will further enhance the infrastructure serving this parcel. The proposed development can be adequately served by existing and planned public facilities.

ix. Is appropriate due to any changed or changing conditions in the affected area

Multiple significant changes have occurred in the affected area since this parcel was designated RM-4:

The S (Stoney) district was created following the adoption of the Stoney Initiative Area Plan in 2003. The surrounding properties were designated Stoney. This parcel was not included in that designation and remains RM-4, while the adjacent properties to the west and south now carry the Stoney designation and the Town has acquired the neighboring parcel to the northwest for Taylor Family Park.

The Town acquired adjacent land on Old Wild Horse Road for the Taylor Family Park, one of two new parks planned within Gullah Geechee Historic Neighborhoods as identified in the Strategic Action Plan 2026–2028.

The Gullah Geechee Historic Neighborhoods Community Development Corporation was established by Town Council in 2022 with a mission that includes promoting entrepreneurship and expanding business opportunities in the Stoney community. The GGHNCDC headquarters is being established on William Hilton Parkway within the Stoney corridor.

The William Hilton Parkway Gateway Corridor Master Plan was presented to Town Council on July 28, 2026, designating $4.7 million for Old Wild Horse Road streetscape improvements and identifying this corridor for business-serving infrastructure.

These changes — the creation of the Stoney district, the Town's park acquisition, the establishment of the GGHNCDC, and the corridor master plan — represent a fundamental shift in the conditions affecting this area. This rezoning request brings the parcel's zoning into alignment with those changed conditions.

Conclusion

This rezoning is consistent with the Town's adopted Stoney Initiative Area Plan, the Comprehensive Plan, the Strategic Action Plan 2026–2028, the GGHNCDC's mission of promoting entrepreneurship and expanding business opportunities, and the William Hilton Parkway Gateway Corridor Master Plan's investment in Old Wild Horse Road. The properties to the west and south are zoned Stoney, and the Town's own corridor plan designates this street for business-serving uses. This parcel should receive the same Stoney designation. The applicant respectfully requests that the Planning Commission recommend approval.

Reference Documents

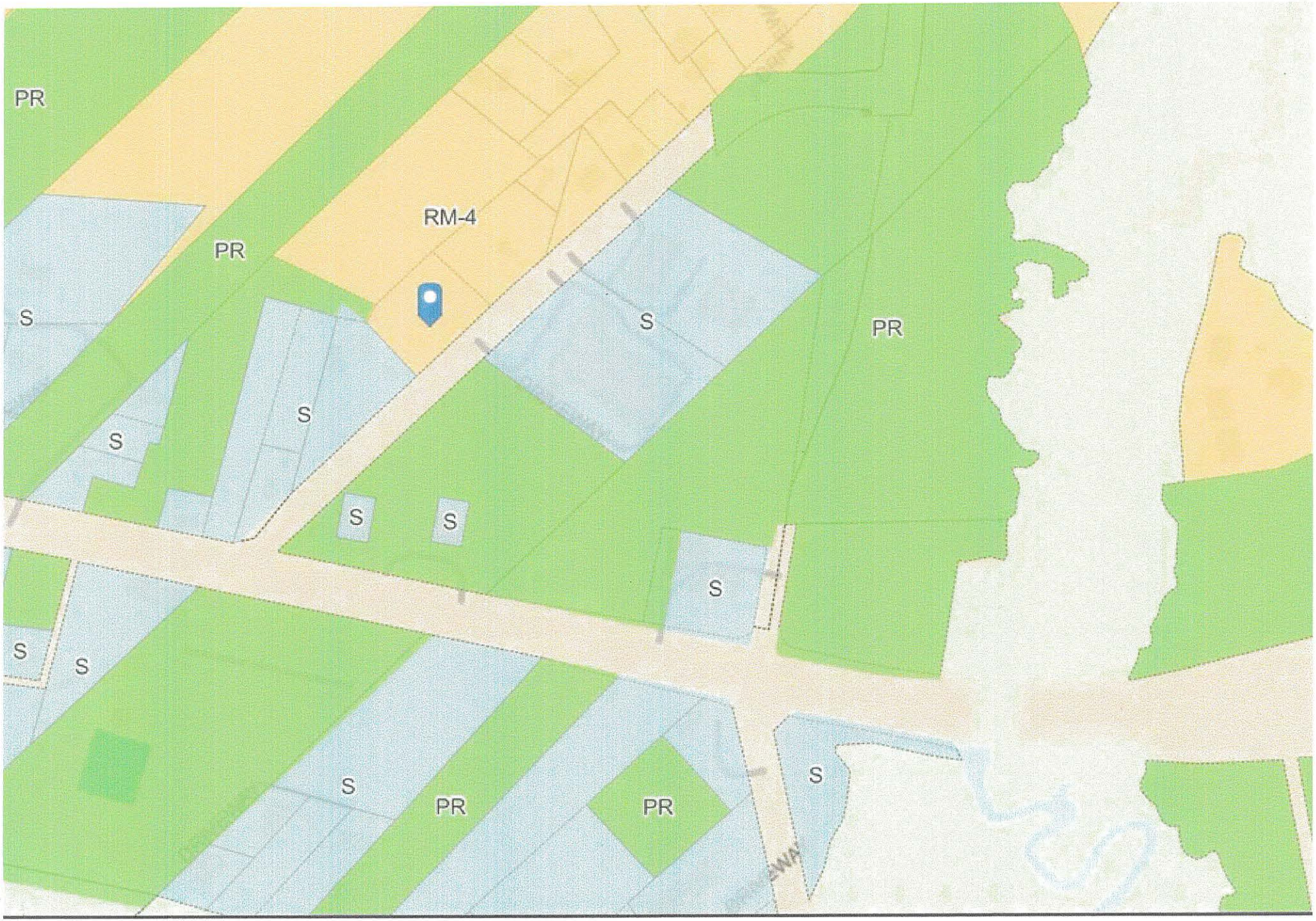
- Stoney Initiative Area Plan, Adopted March 4, 2003 (Ordinance No. 2003-05)
- Our Plan 2020–2040 (Town of Hilton Head Island Comprehensive Plan)

- Town of Hilton Head Island Strategic Action Plan, Fiscal Years 2026–2028
- Gullah Geechee Historic Neighborhoods CDC Strategic Plan 2024–2026
- William Hilton Parkway Gateway Corridor Master Plan (MKSK/Kimley-Horn, Draft July 28, 2026)
- Town of Hilton Head Island Land Management Ordinance
- Town of Hilton Head Island Zoning Map (ArcGIS, accessed July 21, 2026)

Respectfully submitted,

_____

Amara P. Henry
On behalf of North Island Land Bank, LLC
Date: _____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Location Map
Subject Property
August, 2026

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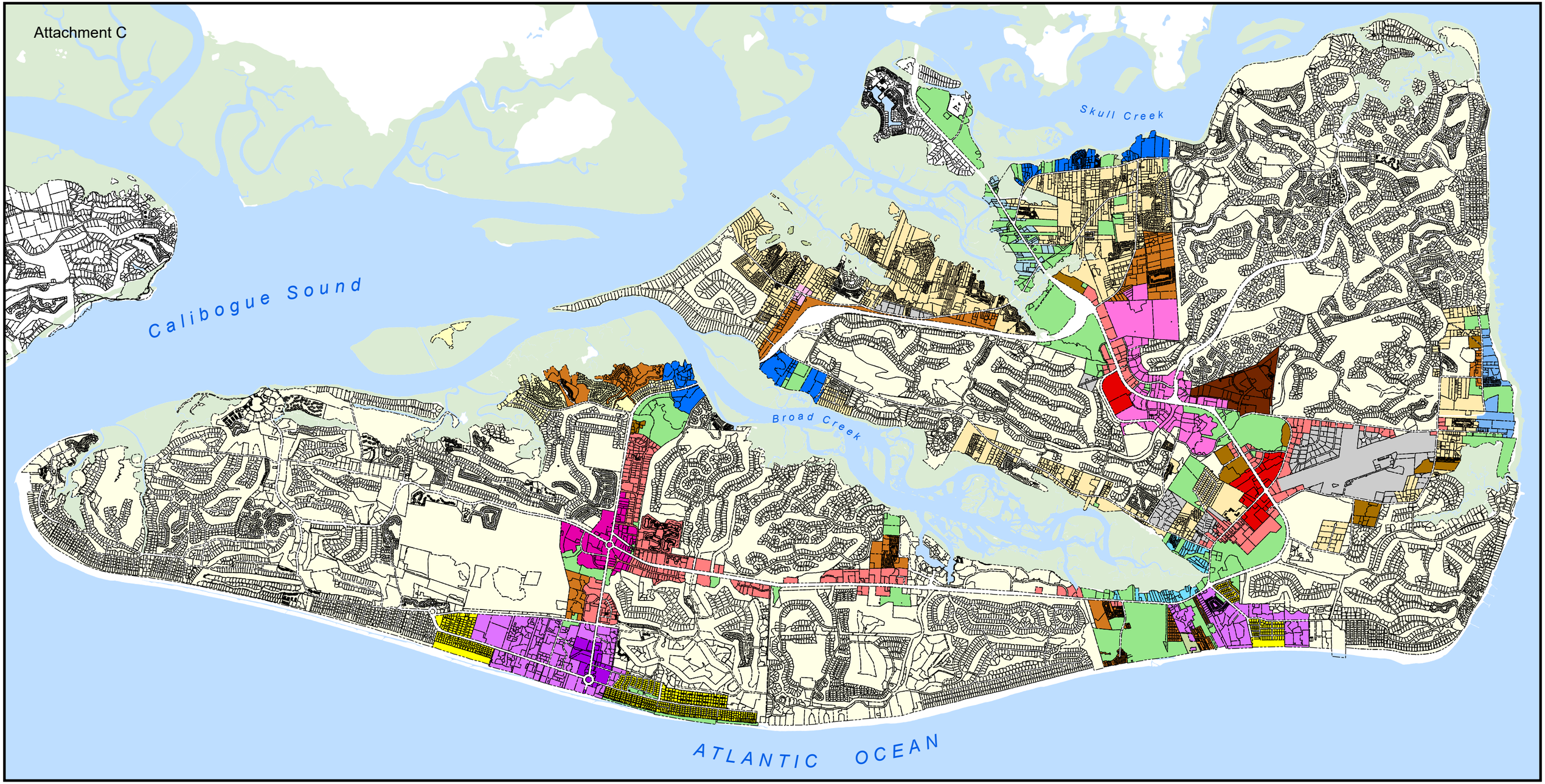
Attachment C



Town of Hilton Head Island

OFFICIAL ZONING DISTRICT MAP

Effective Date*: October 7, 2014
Last Update**: June 3, 2025

* Effective Date is the most recent date the entire Zoning Map was adopted by Town Council.
** Last Update date is the most recent date any amendments to the Zoning District Map were adopted by Town Council.

The Official Zoning Map is composed of this Official Zoning District Map, the Overlay Zoning District Maps, the Ten PUD Maps and the Official Street Map. This Official Zoning District Map is therefore one component of the Official Zoning Map.

The upland boundary of the Conservation Zoning District corresponds to the OCRM Critical Line and therefore, is approximately co-terminus with all tidal wetlands and the upland boundary of the beach as defined in Section 8-1-112 of the Municipal Code and extends outward to the Town Jurisdictional Boundary as entitled within Section 2-1-20 of the Municipal Code of the Town of Hilton Head Island, South Carolina. (Reference: LMO Section 16-4-203, Conservation District)

1:48,000

3,500 1,750 0 3,500 Feet

RESIDENTIAL ZONING DISTRICTS

- **RSF-3** *SINGLE FAMILY*
- **RSF-5** *SINGLE FAMILY*
- **RSF-6** *SINGLE FAMILY*
- **RM-4** *LOW TO MODERATE DENSITY*
- **RM-8** *MODERATE DENSITY*
- **RM-12** *MODERATE TO HIGH DENSITY*

MIXED-USE & BUSINESS ZONING DISTRICTS

- **NC** *NEIGHBORHOOD COMMERCIAL*
- **MS** *MAIN STREET*
- **SPC** *SEA PINES COMMERCIAL*
- **LC** *LIGHT COMMERCIAL*
- **CC** *COMMUNITY COMMERCIAL*
- **MED** *MEDICAL*
- **IL** *LIGHT INDUSTRIAL*
- **PD-1** PLANNED DEVELOPMENT
- **MF** MARSHFRONT MIXED USE
- **S** STONEY MIXED USE
- **MV** MITCHELVILLE
- **WMU** WATER-ORIENTED MIXED USE
- **RD** RESORT DEVELOPMENT
- **CR** COLIGNY RESORT

CONSERVATION & RECREATION DISTRICTS

- **CON** *CONSERVATION*
- **PR** *PARKS AND RECREATION*

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AMENDING THE OFFICIAL ZONING MAP TO REZONE THE REAL PROPERTY WITH TMS NO. R511 007 000 0044 0000 LOCATED ON OLD WILD HORSE ROAD FROM LOW TO MODERATE DENSITY RESIDENTIAL (RM-4) TO STONEY (S) DISTRICT, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, North Island Land Bank, LLC ("***North Island***") is the owner of real property located on Old Wild Horse Road consisting of 0.67 +/- acres with Beaufort County Tax Map Number R511 007 000 0044 0000, collectively hereinafter the "***Subject Property***"; and,

WHEREAS, the Subject Property is currently zoned as Low to Moderate Density Residential (*"**RM-4***"). North Island wishes to rezone the Subject Property to the Stoney (S) District for the purpose of permitting a proposed professional office use. On September 15, 2025, North Island applied to the Town of Hilton Head Island ("***Town***") for the desired rezoning; said application now identified as Case Number ZA-000706-2026; and,

WHEREAS, prior to the Town's adoption of the 2003 Stoney Initiative Plan ("***2003 Initiative Plan***"), the Subject Property fell within the previous Commercial Mixed Use zoning district, with the intent of that district to "encourage development in a flexible manner in areas where transition is imminent but the direction has not yet been manifest…". Through the planning process, and with the adoption of the 2003 Initiative Plan, the Subject Property was placed into a residential future land use category and ultimately rezoned to the current RM-4 District; and,

WHEREAS, the existing RM-4 zoning of the Subject Property does not permit professional office use, but the requested Stoney zoning provides a land-use framework consistent with North Island's existing adjacent property that is occupied by office space, as well as, nearby properties that are zoned as Stoney (S); and,

WHEREAS, after careful review and consideration of North Island's application, Town staff determined that the desired rezoning would extend an established zoning district rather than create an isolated zoning designation unrelated to the surrounding area in compliance with the Land Management Ordinance of the Town of Hilton Head Island ("***LMO***") Sec.16-2-103.C and Appendix D-1; and,

WHEREAS, on September 16, 2026, the Planning Commission held a public hearing and after consideration of the staff presentation and the criteria set forth in LMO Section 16-2-103.C.3.a, the Planning Commission voted __-__ to recommend (approval/disapproval) to Town Council of the Town of Hilton Head Island ("***Town Council***") to approve Zoning Map Amendment Case Number ZA-000706-2026; and,

WHEREAS, following the staff presentation and discussions, the Town Council finds

that the desired rezoning of the Subject Property from RM-4 to S is consistent with all the requirements of LMO Sec. 16-2-103.C.3.a; and,

WHEREAS, the Town Council believes it is in the best interest of the Town and the health, safety, and welfare of its citizens, residents, and visitors to rezone the Subject Property from RM-4 to Stoney District.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1. Amendment. The proposed Zoning Map Amendment, ZA-000706-2026, is approved and the Official Zoning Map of the Town of Hilton Head Island, §16-1-107, *Municipal Code of the Town of Hilton Head Island, South Carolina (1983)*, be amended as follows:

The zoning classification of the real property identified with Beaufort County Tax Map Number R511 007 000 0044 0000 and located on Old Wild Horse Road is changed from Low to Moderate Density Residential (RM-4) to Stoney (S) District.

Section 2 – Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 - Effective Date. This Ordinance shall be effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2026.

_____
Alan R. Perry, Mayor

ATTEST:

_____
Kimberly Gammon, Town Clerk

First Reading: (Month/Day/Year)
Second Reading: (Month/Day/Year)

APPROVED AS TO FORM:

_____
Brittany Ward, Town Attorney

TOWN OF HILTON HEAD ISLAND

Planning Commission

TO: Planning Commission
FROM: Trey Lowe, Planning Director
CC: Tom Smith, Assistant Planning Director
Shawn Leininger, AICP, Deputy Town Manager
Marc Orlando, ICMA-CM, Town Manager
DATE: September 16, 2026
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island Adopting Amendments to Title 16 of the Municipal Code, Land Management Ordinance (LMO), Related to the Following Regulations: Natural Resource Protection - Wetland Protection; Natural Resource Protection - Tree Protection; Jonesville Road - Residential Single - Family District -4 (RSF-4); Bradley Circle - Residential Single - Family District -8 (RSF-8); and Subdivision and Residential Development Standards

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RECOMMENDATION:

That the Planning Commission hold a public hearing to review and consider an Ordinance of the Town of Hilton Head Island Adopting Amendments to Title 16 of the Municipal Code, Land Management Ordinance (LMO), Related to the Following Regulations: Natural Resource Protection - Wetland Protection; Natural Resource Protection - Tree Protection; Jonesville Road - Residential Single - Family District -4 (RSF-4); Bradley Circle - Residential Single - Family District -8 (RSF-8); and Subdivision and Residential Development Standards.

Staff recommends that the Planning Commission forward a recommendation of approval to Town Council of the proposed LMO Priority 1 Amendments based upon the analysis below and finding that the Text Amendment Review Standards in LMO Section 16-2-103.B.3 have been met.

LMO Task Force Recommendation - August 17, 2026

The LMO Task Force voted 17-1, with two members abstaining, to recommend that Planning Commission and Town Council approve the LMO Priority 1 Amendments, subject to retaining workforce housing, open air sales, and community services from the existing RM-4 zoning district in the proposed Jonesville Road RSF-4 zoning district.

Gullah Geechee Land & Cultural Preservation Task Force - August 24, 2026

The LMO Priority 1 Amendment Package was presented to the Gullah Geechee Land & Cultural Preservation Task Force (GGTF), an ad-hoc committee of the Planning Commission, before Planning Commission review. The GGTF voted 4-1, with one member abstaining, to forward no recommendation to the Planning Commission and Town Council for the LMO Priority 1 Amendments.

BACKGROUND:

Since the adoption of the Town's LMO in 2014, the Town has continued to evaluate the effectiveness of its development regulations in implementing the community's long-term vision. Amendments adopted since 2014 have responded to changing development patterns, evolving environmental conditions, implementation challenges, public input, and emerging policy priorities. This ongoing work has also identified opportunities to improve the clarity, consistency, predictability, and effectiveness of the LMO.

The Town has approached this work through targeted priority amendments while reserving broader or more technically complex issues for later phases of LMO review. The priority amendment approach is intended to address matters requiring near-term policy action while minimizing unintended outcomes and allowing issues requiring additional analysis, technical work, or community engagement to proceed on a separate schedule.

Earlier priority amendment phases beginning in 2023 addressed a range of zoning, land use, development, design, and administrative regulations within the LMO. These amendments focused on modernizing development standards, clarifying review and approval procedures, addressing evolving land use and development issues, and strengthening regulations related to community character and growth management. Collectively, this work has also sought to improve the clarity, consistency, and administration of the LMO while ensuring the Town's regulations remain responsive to changing conditions and community priorities.

Strategic Action Plan

The LMO is one of the Town's principal implementation tools for the Comprehensive Plan and Strategic Action Plan. The LMO Priority 1 Amendments directly support the Town's stated goals to Protect Island Character Through Managing Growth, Reinforce Island Resilience, and Protect and Enhance Environmental Sustainability. The amendments address these goals through stronger environmental standards, zoning calibrated to established residential development patterns, and a more coordinated residential development framework.

LMO Task Force

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 and development review experience. The Task Force included representatives from Town Council, Planning Commission, the Board of Zoning Appeals, Design Review Board, Gullah Geechee Land & Cultural Preservation Task Force, Community Development & Public Services Committee, advisory boards, community organizations, professional disciplines, and residents.

The Task Force was established as a policy advisory body. Members reviewed existing regulations, considered staff recommendations and technical information, received public comment, evaluated policy alternatives, and provided consensus direction. The objective was to establish sufficient consensus on policy direction rather than require unanimous agreement on each individual amendment. Staff and the Town's code consultants then prepared draft regulations to implement that direction.

SUMMARY:

The proposed ordinance is the LMO Priority 1 Amendment Package resulting from the 2026 LMO Task Force process. It includes the subjects for which the Task Force established sufficient policy direction to proceed with ordinance drafting. Matters requiring additional technical analysis, stakeholder coordination, public engagement, or policy discussion were deferred as LMO Priority 2 Amendments and are not part of the ordinance presently before Planning Commission.

The LMO Priority 1 package is organized around three principal policy areas: natural resource protection; residential zoning and neighborhood character; and subdivision and residential development standards. Administrative conforming amendments are included to maintain internal consistency in numbering, references, definitions, and related provisions after the substantive changes are adopted.

LMO TASK FORCE REVIEW PROCESS:

Meeting	Principal Focus
January 6, 2026	Task Force kickoff; purpose, scope, expectations, Strategic Action Plan, project schedule, and amendment process.
January 26, 2026	Project overview and guiding principles, including Island character, environmental stewardship, simplification of the LMO, and improved predictability.

Meeting	Principal Focus
February 26, 2026	Natural Resource Protection: Wetland Protection and Tree Protection and Planting.
March 5, 2026	Continued natural resource discussion; Land Use Table; Jonesville Road, Bradley Circle, and Resort Development zoning.
March 26, 2026	Continued zoning review with refined recommendations based on Task Force direction and public input.
April 13, 2026	Mitchelville zoning, RM-4 density/sliding scale, and Forest Beach Neighborhood Character Overlay discussion.
May 7, 2026	Continued RM-4 density discussion and introduction/refinement of Subdivision and Residential Development Regulations.
May 21, 2026	LMO Priority 1 summary; identification of items with sufficient consensus for code drafting; identification of LMO Priority 2 topics; short-term rental policy discussion.
August 17, 2026	Review of the consolidated LMO Priority 1 code package and formal recommendation to Planning Commission and Town Council.

ANALYSIS:

The proposed LMO Priority 1 Amendments are intended to address implementation and development outcome issues documented through staff experience, public feedback, Town Council direction, and the LMO Task Force process. Taken together, these amendments represent a coordinated update to the LMO rather than a series of isolated regulatory changes. As further detailed in the attached Executive Summaries, the amendments address the relationship between land use, neighborhood character, environmental resources, and the development review process. The proposed RSF-4 and RSF-8 zoning districts align permitted uses and development expectations more closely with the established single-family development patterns of Jonesville Road and Bradley Circle, while the natural resource amendments establish clearer and more consistent standards for wetland buffers, tree preservation, significant tree removal, and mitigation.

The Subdivision and Residential Development Standards Executive Summary (Attachment 3.a) further demonstrates how the amendments are intended to integrate these policy objectives into the development review process. The proposed standards establish clearer review tracks and move significant site planning decisions, including environmental preservation, site layout, open space, neighborhood design, transportation, and circulation, earlier in the review process. The Environmental Site Analysis requirement further requires major residential development to identify environmental resources and development constraints before the conceptual site layout is established, allowing those existing conditions to inform development patterns rather than being addressed after detailed design has occurred. Collectively, these amendments provide a more coordinated framework for evaluating future development based on zoning, site context, environmental conditions, infrastructure, and community character, while establishing clearer and more predictable standards for applicants, reviewing bodies, and the public.

The administrative conforming amendments support these substantive changes by updating numbering, cross-references, and related provisions so the amended LMO continues to function as an integrated regulatory document.

The analysis below generally identifies the principal issue and the corresponding proposed regulatory response, along with the anticipated planning effect. It is intended to provide a concise comparison of existing conditions and the proposed amendments while explaining how each change addresses the identified planning or regulatory concern. Additional detail regarding the individual amendments is provided in the corresponding Executive Summaries included as attachments to this report.

Issue	Proposed Amendment / Staff Analysis
Natural Resource Protection - Wetlands	**Existing concern.** The Task Force provided feedback regarding the predictability and administration of existing wetland buffer standards, including the use of buffer averaging. **Proposed direction.** Replace wetland buffer averaging with fixed minimum wetland buffers. The change is intended to establish a clear minimum protection area that is easier to understand and administer consistently from site to site. **Planning effect.** A fixed buffer approach reduces site specific variability and provides a more predictable baseline for site design while maintaining wetland protection as an early development constraint.
Natural Resource Protection - Trees	**Existing concern.** Single-family subdivisions were exempt from minimum tree coverage requirements, and recent subdivision outcomes raised concerns regarding loss of mature tree canopy and premature clearing. **Proposed direction.** Remove the single-family subdivision exemption from minimum tree coverage requirements; require phased clearing; establish clearer findings for tree removal; broaden the authorized use of tree mitigation funds; and establish a tree performance guarantee/bond requirement. **Planning effect.** These changes move tree preservation earlier in site planning and require development sequencing to respond to retained vegetation rather than clearing the site before individual building locations and final site conditions are known.
Jonesville Road - RSF-4	**Existing concern.** The existing mixed residential framework permits development forms that are inconsistent with the established single-family character and community expectations for the Jonesville Road area. **Task Force direction.** Create a new residential RSF-4 zoning district with a maximum density of four dwelling units per acre, retain lower-intensity residential opportunities, preserve the ability to have multiple single-family dwelling units on one parcel, and remove higher intensity multifamily, commercial, and mixed-use development forms. The LMO Task Force recommendation included retention of workforce housing, open air sales, and community services from the existing RM-4 zoning district. **Planning effect.** Establishes a residential zoning framework that better reflects Jonesville Road's existing development pattern while preserving the ability to accommodate multiple single-family dwelling units on a parcel as Family Compounds. The RSF-4 zoning district limits higher-intensity development forms and provides greater predictability for future development consistent with the area's established residential character.
Bradley Circle - RSF-8	**Existing concern.** The current RM-8 zoning district permits multifamily and other development forms beyond the established single-family pattern of Bradley Circle. **Task Force direction.** Create a new RSF-8 zoning district that maintains the existing residential density framework while removing multifamily and higher intensity commercial and mixed-use forms. **Planning effect.**

Issue	Proposed Amendment / Staff Analysis
	The amendment aligns the use framework more closely with the existing single-family development pattern without using a broad reduction in the numeric density assigned to the area.
Subdivision and Residential Development Standards	**Existing concern.** Current standards are fragmented across multiple LMO sections, overlap among subdivision, site design, and zoning provisions, and provide limited clarity regarding development pattern expectations and review criteria. Staff and the Task Force identified recurring concerns including monotony in subdivision form and lotting patterns, loss of mature tree canopy, low quality or fragmented open space, premature mass clearing and grading, and development outcomes that do not consistently respond to environmental features and neighborhood context. **Proposed direction.** Create a coordinated residential development framework that consolidates applicable requirements and provides clearer standards for environmental protection and coastal resilience; transportation, access and traffic management; pedestrian and multimodal mobility; neighborhood design and community character; usable open space; infrastructure and utilities; and review process protections. The framework is intended to apply comparable development quality expectations to residential projects regardless of whether they are processed as subdivisions, condominium developments, rental communities, or other covered residential development types, while clearly identifying standards that differ by development type. **Planning effect.** The revised framework is designed to document and assess critical environmental resources before site design, limit mass grading and clearing, better coordinate stormwater/infrastructure/buffering, address cumulative impacts of contiguous minor subdivisions, and organize common open space, circulation, pathway, and related standards in a more usable format.
Administrative Conforming Amendments	**Purpose.** The substantive amendments require renumbering, cross-reference, definition, section citation, and related administrative revisions throughout the LMO. **Proposed direction.** Make the conforming revisions necessary to maintain internal consistency, accuracy, and usability without changing the policy direction established through the LMO Priority 1 Amendment process. **Planning effect.** Maintains the internal consistency, accuracy, and usability of the LMO by updating numbering, cross-references, definitions, and related provisions affected by the substantive amendments. These revisions support clear and consistent administration of the LMO without changing the underlying policy direction.

Use Analysis – Jonesville Road RSF-4 and Bradley Circle RSF-8

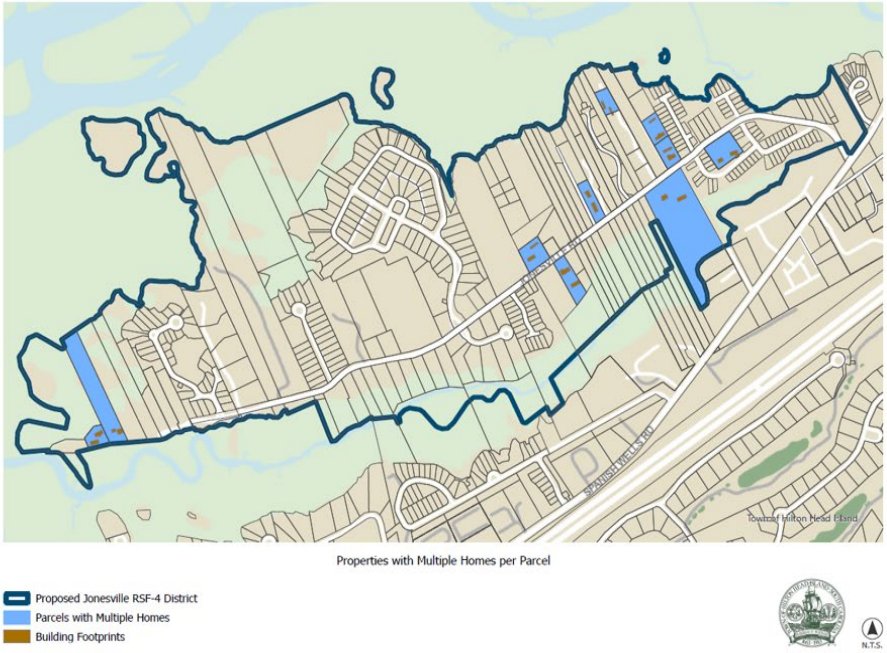
Staff evaluated existing uses within both proposed zoning districts to determine whether changing the zoning from the RM-4 zoning district to the RSF-4 zoning district along Jonesville Road and from the RM-8 zoning district to the RSF-8 zoning district along Bradley Circle would create nonconforming uses. This analysis is particularly relevant because both proposed zoning districts narrow the range of uses currently permitted within the respective zoning districts in order to more closely reflect the established single-family development patterns of each area.

Proposed Zoning District	Nonconformity Analysis
Jonesville Road – RSF-4	Staff identified 10 existing multifamily residential uses that would become nonconforming as a result of the proposed RSF-4 zoning district. One industrial use was also identified; however, that use is already nonconforming under the existing RM-4 zoning district and therefore is not a nonconformity created by the proposed amendment. No additional nonconformities were identified within the other use types evaluated.
Bradley Circle – RSF-8	Existing uses within the area proposed for RSF-8 zoning district consist of single-family residential uses. Accordingly, the proposed change from the RM-8 zoning district to the RSF-8 zoning district would not create any nonconforming uses for the properties accessed from Bradley Circle.

The Jonesville Road analysis demonstrates that the proposed RSF-4 zoning district may create a limited number of use nonconformities as a consequence of transitioning from a mixed residential district to a district principally structured around single-family residential development. The existing multifamily uses may remain subject to the LMO provisions governing lawful nonconformities or as Family Compounds if certain requirements are met, however, future development and changes in use would be governed by the RSF-4 zoning district standards and applicable nonconformity provisions. Generally, this means single-family dwelling units may be added to the property if there is available density, development standards can be met, and the property is subdivided. In contrast, the Bradley Circle rezoning aligns the proposed district with the existing single-family use pattern without creating use nonconformities.

The map below depicts the location of apparent non-conforming multifamily uses that may be created with the adoption and implementation of the RSF-4 zoning district.

- Residential Uses - 10
  - Multifamily
- Public, Civic, Institutional, and Educational Uses – 0
- Resort Accommodations - 0
- Commercial Services – 0
- Other Uses - 0
- Industrial Uses – 1
  - Existing Use is currently nonconforming in RM-4 Zoning District



Residential Density Analysis – Jonesville Road and Bradley Circle

Staff also evaluated existing development and development potential in relation to the maximum residential densities proposed for the RSF-4 and RSF-8 zoning districts. This analysis provides additional context regarding how the proposed zoning relates to the existing development pattern, rather than evaluating the districts solely on their maximum permitted densities.

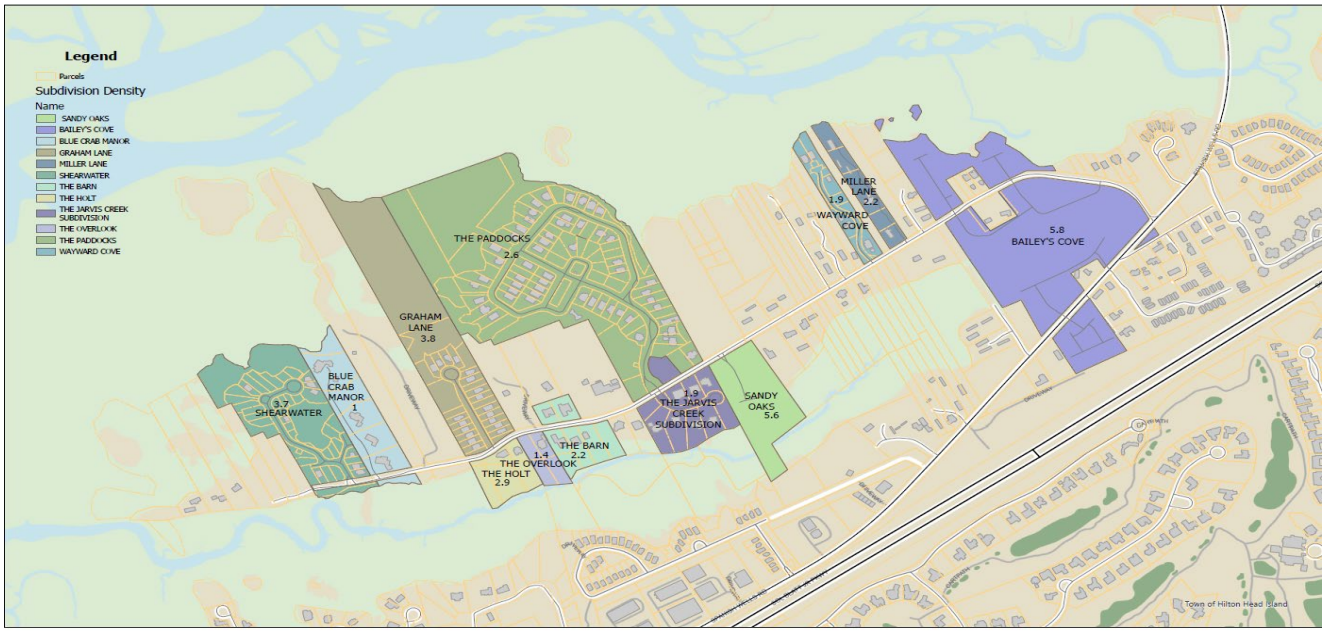
For Jonesville Road, the existing RM-4 zoning district applies a sliding-scale density that permits up to 4 dwelling units per net acre on parcels under three net acres, 6 dwelling units per net acre on parcels of at least three net acres, and 8 dwelling units per net acre on parcels of at least five net acres. A staff analysis using GIS data evaluated existing residential subdivisions and developments along Jonesville Road and identified densities ranging from approximately 1.0 to 5.8 dwelling units per net acre. Of the twelve developments evaluated, ten are below 4 dwelling units per net acre, with only Sandy Oaks and

Bailey's Cove exceeding that density with a density of 5.6 and 5.8 dwelling units per net acre respectively. The proposed RSF-4 zoning district establishes a uniform maximum density of 4 dwelling units per net acre regardless of parcel size, eliminating the potential for larger parcels to achieve the 6 or 8 dwelling units per net acre currently permitted through the RM-4 zoning district sliding scale. The analysis therefore indicates that the proposed 4 dwelling units per net acre maximum is consistent with the predominant existing residential development pattern along Jonesville Road while providing greater predictability regarding the scale of future residential development.

For Bradley Circle, 49 parcels are proposed to be rezoned to an RSF-8 zoning district, comprising of approximately 12 net acres based on GIS data. Based on approximately 54 existing dwelling units or identified development potential, the resulting development pattern is approximately 4.5 dwelling units per net acre. Although the proposed RSF-8 zoning district permits a maximum density of 8 dwelling units per net acre, the existing and anticipated development pattern is therefore substantially below the maximum density permitted by the district, while also allowing for current density entitlements to remain the same. The RSF-8 zoning district amendment retains the existing RM-8 zoning district maximum residential density while changing the permitted use structure to establish a district oriented toward single-family residential development.

Planning analysis of both proposed zoning districts shows that the density analysis supports the proposed zoning framework by demonstrating that the amendments are not solely changes to maximum allowable density, but are principally intended to align the permitted use structure and future development pattern with the established residential character of each area. The RSF-4 zoning district establishes a lower and more predictable maximum density for Jonesville Road, while the RSF-8 zoning district retains the existing maximum density for Bradley Circle. This distinction allows each district to respond to its respective existing development pattern while providing clearer expectations for future residential development.

The map below depicts the density analysis of subdivisions within the Jonesville Road area.



Town of Hilton Head Island
Jonesville Subdivision Density (Units/Acre)
August, 2024

N

0 300 600 1,200 Feet
1 inch = 500 feet

TEXT AMENDMENT REVIEW STANDARDS:

LMO Section 16-2-103.B.3 of the LMO provides standards for Planning Commission review of Text Amendments. In determining whether to recommend that Town Council adopt or deny the proposed Text Amendment, Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

a. Is in accordance with the Comprehensive Plan.

Findings of Fact: The proposed amendments are directly supported by multiple goals, strategies, and tactics of Our Plan 2020–2040. The Environment Core Value establishes goals to become a recognized leader in environmental protection and sustainability and to protect and preserve the natural environment of Hilton Head Island. More specifically, Environment Strategy 2.6 calls for the Town to maintain or strengthen existing environmental protections for buffers, trees, wetlands, dunes, and special habitat areas, while Strategies 4.4 and 4.5 call for preservation and enhancement of the Island's forested areas and continued adaptation of the wetland management program, with Tactic 4.5.3 further directing the Town to continue evaluating and adopting regulations to ensure wetland buffers are protected. These policies are implemented through the proposed wetland buffer, tree preservation, clearing and grading, Environmental Site Analysis, and related natural resource amendments.

The proposed residential zoning and subdivision amendments are also consistent with the Comprehensive Plan's land use and community character objectives. The Connected Core Value establishes a Built Environment Goal to promote development that capitalizes on the Island's natural beauty and community strengths and reinforces its unique sense of place, with implementing strategies that address neighborhood design, connectivity, and consideration of quality-of-life objectives in residential development review. The Inclusive Community Development Goal further calls for sustainable, inclusive, equitable, and innovative community development throughout the Island. The proposed RSF-4 and RSF-8 zoning districts and revised subdivision and residential development standards advance these objectives by aligning future development with established neighborhood patterns and integrating environmental conditions, circulation, infrastructure, and neighborhood context into the development review process.

b. Is required by changed conditions.

Findings of Fact: The proposed amendments respond to changed development patterns, environmental conditions, implementation experience, and community priorities identified since adoption of the current LMO in 2014. The Town's ongoing administration of the LMO, public engagement, and LMO Task Force review identified opportunities to improve the clarity, consistency, predictability, and effectiveness of regulations governing natural resources, residential zoning, subdivision design, and development review. The Task Force process specifically evaluated implementation challenges and development outcomes related to wetland and tree protection, Jonesville Road and Bradley Circle zoning, and subdivision and residential development standards.

These changed conditions are also consistent with the adaptive approach established by Our Plan 2020–2040. The Comprehensive Plan calls for the Town to maintain or strengthen protections for buffers, trees, wetlands, dunes, and special habitat areas; maintain and adapt the wetland management program; and continue evaluating regulations necessary to protect wetland buffers. The proposed amendments respond to these conditions by strengthening natural resource protections, establishing residential zoning tailored to the existing development patterns of Jonesville Road and Bradley Circle, and updating subdivision and residential development standards to address development outcomes and implementation issues observed under the existing LMO.

c. Addresses a demonstrated community need.

Findings of Fact: The proposed amendments address demonstrated community needs identified through the Comprehensive Plan, development review experience, public input, and the LMO Task Force process. Our Plan 2020–2040 identifies preservation of the Island's natural environment, trees, wetlands, and community character as established priorities and calls for standards that preserve and enhance the natural and physical environments that reflect the character of the Island. The Excellence Core Value provides additional and direct support for responding to changing community land use needs. Goal 3.3 calls for the Town to continue to provide an appropriate range of land uses that accommodate the needs of the community, while Strategy 3.3.1 directs the Town to provide appropriate modifications to the zoning designations

and land use regulations to meet community needs while maintaining Island character. These policies are particularly relevant to the proposed RSF-4 and RSF-8 zoning districts, which modify existing zoning and permitted use frameworks to better reflect the established residential development patterns and community expectations of Jonesville Road and Bradley Circle while maintaining appropriate opportunities for residential development.

These Comprehensive Plan policies are consistent with the recurring concerns identified through the LMO Priority 1 amendment process regarding tree canopy loss, mass clearing and grading, fragmented open space, wetland protection, neighborhood compatibility, predictability of development standards, and residential zoning outcomes. The Comprehensive Plan also calls for residential development and neighborhood design to reinforce the Island's unique sense of place and incorporate quality-of-life considerations into residential development review. The proposed LMO Priority 1 amendments provide specific regulatory responses to these documented community needs through strengthened natural resource protections, zoning modifications tailored to established residential patterns, and a more coordinated subdivision and residential development framework.

d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town.

Findings of Fact: The proposed RSF-4 and RSF-8 zoning districts reinforce the purpose and intent of the Town's residential zoning framework by more closely aligning permitted uses and future development expectations with the established residential patterns of Jonesville Road and Bradley Circle. The RSF-4 zoning district establishes a more predictable maximum residential density for Jonesville Road and limits higher-intensity development forms, while the RSF-8 zoning district retains existing density entitlement for Bradley Circle but establishes a permitted use structure more closely aligned with its existing single-family development pattern.

The subdivision, residential development, and natural resource protection amendments further improve compatibility and efficient development by coordinating site layout, environmental constraints, open space, circulation, infrastructure, and neighborhood context earlier in the review process. The Comprehensive Plan's Built Environment Goal similarly calls for development that capitalizes on the Island's natural beauty and community strengths and reinforces its unique sense of place, including strategies addressing neighborhood design, connectivity, and quality-of-life considerations in residential development review. By coordinating zoning, site design, environmental protection, and infrastructure requirements, the amendments provide a more integrated framework for development that is compatible with surrounding uses and responsive to the physical characteristics of individual sites and neighborhoods.

e. Would result in a logical and orderly development pattern.

Findings of Fact: The proposed amendments establish a more logical and coordinated framework for future residential development by strengthening the relationship among zoning, subdivision design, environmental conditions, infrastructure, open space, and development review. The RSF-4 and RSF-8 zoning districts provide clearer expectations for the future development patterns of Jonesville Road and Bradley Circle, while the revised subdivision and residential development standards move significant site planning considerations earlier in the review process. These standards require major residential development to evaluate wetlands, floodplains, tree canopy, maritime forests, wildlife habitat, historic resources, scenic views, development constraints, and preservation areas before detailed engineering and final site design occur.

The amendments also establish more orderly sequencing of development by tying clearing and grading to approved phases, requiring stabilization and necessary infrastructure before subsequent phases proceed, extending common open space requirements to Major Residential Development Plans, and strengthening phasing and aggregation standards. These provisions are consistent with the Comprehensive Plan's Built Environment Goal, including its direction to foster community connectivity in neighborhood location and design and to consider quality-of-

life objectives when reviewing residential development. Collectively, the amendments establish a clearer progression from environmental analysis and conceptual planning through infrastructure, site development, and individual lot construction, supporting a more logical and orderly pattern of development.

f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Findings of Fact: The proposed amendments would not result in significantly adverse impacts on the natural environment and, in several respects, strengthen the LMO's existing environmental protections. The natural resource amendments establish more consistent wetland buffer requirements, strengthens tree preservation and mitigation provisions, and expand protection of the Island's tree canopy and natural resources. The subdivision and residential development amendments further require an Environmental Site Analysis before detailed engineering so that wetlands, floodplains, tree canopy, maritime forests, wildlife habitat, and other environmental constraints can inform the location and design of development. The amendments also limit initial clearing and grading to areas necessary for infrastructure, require stabilization before subsequent phases proceed, and delay individual lot clearing until required permits are obtained, reducing unnecessary early disturbance of vegetation and natural site conditions.

These provisions directly implement the Comprehensive Plan's environmental objectives. Our Plan 2020–2040 calls for the Town to maintain or strengthen protections for buffers, trees, wetlands, dunes, and special habitat areas, preserve and enhance the Island's forested areas, maintain and adapt the wetland management program, and continue evaluating regulations to protect wetland buffers. The Plan also identifies preservation of healthy watersheds and use of low-impact planning strategies as environmental objectives and directs the Town to preserve and plant trees to reduce urban heat-island effects. Accordingly, the LMO Priority 1 amendments establish a regulatory framework intended to avoid or minimize environmental impacts by identifying sensitive resources earlier, retaining vegetation and natural site conditions longer, strengthening wetland and tree protections, and integrating environmental considerations into the design and sequencing of residential development.

Based on the foregoing, staff finds that the LMO Priority 1 Amendments satisfy the applicable Text Amendment Review Standards in LMO Section 16-2-103.B.3 and recommends approval.

LMO PRIORITY 2 AMENDMENTS:

Several topics discussed during the Task Force process require additional technical analysis, stakeholder coordination, public engagement, or policy direction and are not included in the current LMO Priority 1 ordinance. These topics are anticipated to include zoning districts, use standards, and additional development and design standards primarily related to issues related to mass and scale.

Following action on the LMO Priority 1 Amendments, staff will develop a separate LMO Priority 2 work program and schedule. Deferring these subjects allows the current ordinance to advance without implying that unresolved LMO Priority 2 policy questions have been decided through the LMO Priority 1 process.

NEXT STEPS:

Following Planning Commission action, the proposed ordinance and Planning Commission recommendation will advance through the Town's legislative review process. The schedule anticipates Town Council First Reading on October 13, 2026, and Second Reading on November 10, 2026.

If approved, following adoption, implementation will include updating the LMO, publishing revised ordinance language, revising application materials, updating internal administrative procedures, conducting staff training, preparing public education materials, and implementing the amendments through the Development Review Program.

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
   a. Executive Summary
   b. LMO Chapter 16-2: Administration
   c. LMO Chapter 16-5: General 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
   b. LMO Chapter 16-1: General Provisions
   c. LMO Chapter 16-9: Nonconformities
   d. LMO Chapter 16-10: Enforcement
   e. LMO Chapter 16-11: Disaster Recovery
   f. LMO Chapter 16-12: Definitions, Interpretation, and Measurement
5. Ordinance

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.

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~~3~~5. Beach and Dune Protection

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.

C. Tree Protection Information in Applications

1. General

a. Except as otherwise provided in subparagraph b below, all ***applications*** for a Natural Resources Permit or for new ***development*** shall include at least the following information:

iii. A complete ***tree*** tally sheet listing ***trees*** by category (See Sec. 16-6-10~~4~~6.H, Tree Equivalency Table);

v. A replacement ***tree*** planting schedule, if required by Sec. 16-6-10~~4~~6.I.5, Timing.

D. Pre-Construction Underbrushing

No ***underbrushing*** of property other than public utility ***easements*** shall occur before a ***building*** permit is issued unless approved by the ***Official*** as in compliance with this section.

6. Exemption

a. ***Underbrushing*** on ***land*** by a ***property owner*** in zoning districts RM4, RM8, RM12, RS3, RS5, RS6, MF, MV, S, and WMU is exempt from the requirements of Section 16-6-10~~4~~6.D; however, all significant trees and stands of trees shall be maintained on site and vegetation in required buffers shall be maintained except for a six-foot-wide path providing ***access*** to the interior of the property. Such buffer areas shall be clearly marked and protected prior to the commencement of the ***underbrushing*** activity. A Natural Resources Permit shall be required for such ***underbrushing***.

E. Limitations on Development Applications Subsequent to Exempt Forestry Activity

Clearing of a ***site*** to circumvent the requirements of this section is prohibited. If the forestry exemption in Sec. 16-6-10~~4~~6.B.2.a.vii above is used to remove all or substantially all of the ***trees*** that would have been protected by this section pursuant to a ***development application***, no such ***application*** shall be accepted for a period of one year after completion of the timber harvest, or for a period of five years after completion of the timber harvest if the ***tree*** removal constituted a willful violation of this section.

F. Specimen and Significant Tree Preservation

1. Specimen and Significant Tree Defined

For purposes of this section, a specimen tree is any tree of a species designated by the State or federal government as an endangered, threatened, or rare species, or any tree of a type and with a DBH equal or greater than that indicated in Table 16-6-10~~4~~6.F.1, Specimen Trees, for the tree type. A tree that is within 20% of the size classified as a specimen, is considered a significant tree.

TABLE 16-6-1046.F.1: SPECIMEN AND SIGNIFICANT TREES			
TREE TYPE		**SPECIMEN DBH (INCHES)**	**SIGNIFICANT DBH (INCHES)**
Live oak	Single trunk	30	24
	Multiple trunks	55 (sum of all trunks)	41
Laurel oak		30	24
Water oak		30	24
Red oak		25	20
White oak		20	16
All hickories		20	16
American elm		15	12
Loblolly and slash pines		35	28
Longleaf and pond pines		25	20
Red bay		10	8
Southern magnolia		30	24
Bald cypress and pond cypress		15	12
Black gum and sweet gum		30	24
Red maple		30	24
Spruce pine		Any size	Any size
Red cedar		10	8
Sycamore		30	24
Black cherry		25	20
Sassafras		6	5

2. General Requirements

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

iii. No more than 20 percent of the total area within the drip line of any ***specimen tree*** shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the ***tree*** trunk. (See Figure 16-6-1046.F.2: Limits of Paving or Compaction near Specimen Trees.) The ***Official*** may allow paving or soil compaction beyond the 20 percent limit if low impact ***development*** techniques (e.g., ***pervious*** pavers, materials placed at or above ***grade***, no use of mechanical machinery) are used as an alternative means of protecting the ***specimen tree***.

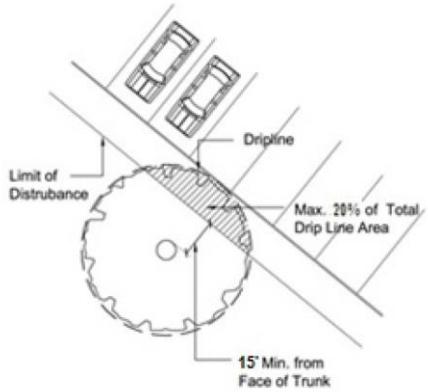


Figure 16-6-~~104~~106.F.2: Limits of Paving or Compaction near Specimen Trees

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. 16-6-10~~4~~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.

2. Measurement of ACI

To measure the ACI of ***trees*** on the ***development site***, the following Tree Value Factors in Table 16-6-1046.G.2, Tree Value Factors, shall be multiplied by the respective ***DBH*** in inches of ***trees*** in each category as listed in the Tree Equivalency Table in Sec. 16-6-1046.H and then totaled.

TABLE 16-6-~~104~~106.G.2: TREE VALUE FACTORS		
TREE CATEGORY		**TREE VALUE FACTOR**
Category I	Broad-leaved Evergreen Overstory Hardwoods and Endangered Species	1.00
Category II	Deciduous Overstory Hardwoods and Broad-leaved Evergreen Understory	0.75
Category III	Cone-Bearing Evergreens and Palms	0.5
Category IV	Ornamentals	0.25

Example: Site has 200 inches of Category I trees; 550 inches of Category II; 1,020 inches of Category III; 100 inches of Category IV for a total pre-development tree value ACI of 1,147.5 for this site.

H. Tree Equivalency Table

The purpose of Table 16-6-1046.H Tree Equivalency Table, is to illustrate the relative value of broad groups of ***trees***, as well as individual ***trees***, provide guidance in choosing ***trees***, and provide guidance in selecting ***trees*** to supplement inadequate buffers.

TABLE 16-6-1046.H TREE EQUIVALENCY TABLE	
COMMON NAME	**LATIN NAME**
CATEGORY I: BROAD-LEAVED EVERGREEN OVERSTORY HARDWOODS AND ENDANGERED SPECIES	
American Holly	Ilex opaca
Bald Cypress	Taxodium distichum
Laurel Oak	Quercus laurifolia
Live Oak	Quercus virginiana
Loblolly Bay	Gordonia lasianthus

Pond Cypress	Taxodium ascendens
Spruce Pine	Pinus glabra
Southern Magnolia	Magnolia grandiflora
CATEGORY II: DECIDUOUS OVERSTORY HARDWOODS AND BROAD-LEAVED EVERGREEN UNDERSTORY	
American Beech	Fagus grandifolia
American Elm	Ulmus americana
American Hornbeam	Carpinus caroliniana
American Sycamore	Platanus occidentalis
Bitternut Hickory	Carya cordiformis
Black Cherry	Prunus serotina
Black Gum	Nyssa sylvatica
Black Willow	Salix nigra
Boxelder	Acer negundo
Buckthorn Bumelia	Bumelia lycioides
Carolina Ash	Fraxinus caroliniana
Carolina Basswood	Tilia caroliniana
Carolina Buckthorn	Rhamnus caroliniana
Carolina Silverbell	Halesia carolina
Carolina Willow	Salix caroliniana
Common Persimmon	Diospyros virginiana
Dahoon Holly	Ilex cassine
Devilwood	Osmanthus americanus
Eastern Cottonwood	Populus deltoides
Eastern Hophornbeam	Ostrya virginiana
Florida Basswood	Tilia floridana
Florida Maple	Acer barbatum
Hercules Club	Zanthoxylum clava-herculis
Honeylocust	Gleditsia triancanthos
Mockernut Hickory	Carya tomentosa
Overcup Oak	Quercus lyrata
Pecan	Carya illinoensis
Pignut Hickory	Carya glabra
Post Oak	Quercus stellata
Red Buckeye	Aesculus pavia
Red Maple	Acer rubrum
Red Mulberry	Morus rubra
Redbay	Persea borbonia
River Birch	Betula nigra
Sand Hickory	Carya pallida
Sassafras	Sassafrass albidum
Scrub Hickory	Carya floridana
Southern Bayberry	Myrica cerifera
Southern Red Oak	Quercus falcata
Sugarberry	Celtis laevigata
Swamp Chestnut Oak	Quercus michauxii
Swamp Cottonwood	Populus heterophylla
Sweet Gum	Liquidamber styraciflua

Sweetbay	Magnolia virginiana
Tough Bumelia	Bumelia tenax
Tupelo	Nyssa biflora
Turkey Oak	Quercus laevis
Water Hickory	Carya aquatica
Water Oak	Quercus nigra
Water Tupelo	Nyssa aquatica
Waterlocust	Gleditsia aquatica
White Oak	Quercus alba
Yaupon Holly	Ilex vomitoria
CATEGORY III: CONE-BEARING EVERGREENS AND PALMS	
Cabbage Palmetto	Sabal palmetto
Eastern Red Cedar	Juniperus virginiana
Loblolly Pine	Pinus taeda
Long Leaf Pine	Pinus palustris
Pond Pine	Pinus serotina
Slash Pine	Pinus elliottii
Shortleaf Pine	Pinus echinata
Southern Red Cedar	Juniperis silicicola
CATEGORY IV: ORNAMENTALS AND SMALL UNDERSTORY TREES	
American Plum	Prunus americana
Carolina Laurelcherry	Prunus caroliniana
Chickasaw Plum	Prunus angustifolia
Common Sweetleaf	Symplocus tinctoria
Crepe Myrtle	Lagerstroemia indica
Dahoon Holly	Ilex cassine
Eastern Coralbean	Erythrina herbacea
Eastern Redbud	Cercis canadensis
Flatwoods Plum	Prunus umbellata
Florida Chinkapin	Castanea floridana
Flowering Dogwood	Cornus florida
Fringetree	Chionanthus virginicus
Littlehip Hawthorn	Crataegus spathulata
Parsley Hawthorn	Crataegus marshallii
Possumhaw Holly	Ilex decidua
Southern Crab Apple	Malus angustifolia
Sparkleberry	Vaccinium arboreum
Swamp Dogwood	Cornus stricta
Witch Hazel	Hamamelis viginiana

I. Standards for Supplemental and Replacement Trees

Supplement and replacement ***trees*** provided in accordance with Sec. 16-6-~~104~~106.G, Minimum Tree Coverage Standard, or Sec. 16-6-10~~4~~6.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. 16-6-1046.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 16-6-1046.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 × 7 = 49 replacement credit inches) satisfy the same replacement requirement.

TABLE 16-6-1046.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

J. Tree and Buffer Protection During Development Activity

1. Tree and Buffer Protection Zones

a. ***Tree and buffer protection zones*** shall include the areas of a ***development site*** that are within the drip lines of the individual ***trees*** and stands of ***trees*** proposed to be retained and protected in accordance with Sec. 16-6-1046.F, Specimen and Significant Tree Preservation, Sec. 16-6-1046.G, Minimum Tree Coverage Standard, areas for any supplemental or replacement ***trees*** proposed to be provided in accordance with Sec. 16-6-1046.G, Minimum Tree Coverage Standard, or Sec. 16-6-1046.K, Tree Damage During Development, as well as buffer areas proposed to be protected in accordance with Sec. 16-5-103.D, Adjacent Street Buffer Requirements and Sec. 16-5-103.E, Adjacent Use Buffer Requirements.

3. Protective Fencing, Marking, and Signage

a. Protective Fencing

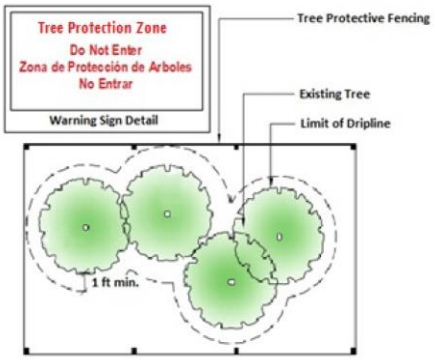


Figure 16-6-~~104~~106.J.2: Tree Protective Fencing and Signage.

b. Warning Signage

Warning signs shall be installed along any required ***tree*** and buffer protective fencing at points no more than 150 feet apart. The ***signs*** shall be clearly visible from all sides of the outside of the fenced-in area. The size of each sign must be a minimum of two feet by two feet. The sign message shall identify the fenced or marked area as a ***tree or buffer protection zone*** and direct ***construction*** workers not to encroach into the area (e.g., "Tree or Buffer Protection Zone: Do Not Enter"). (See Figure 16-6-10~~4~~6.J.2: ***Tree*** Protective Fencing and Signage.)

5. Inspections

b. If any ***tree*** protected by this section is removed, dies, or is destroyed at any time during ***development*** activities or after completion of the ***development***, it shall be replaced in accordance with Sec. 16-6-~~104~~106.I, Standards for Supplemental and Replacement Trees.

K. Tree Damage During Development

3. If the assessment concludes that a ***tree*** has been damaged beyond ***repair***, the ***tree*** shall be replaced with one or more ***trees*** that shall comply with the standards in Sec. 16-6-10~~4~~6.I, Standards for Supplemental and Replacement Trees.

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. 16-6-10~~4~~6.F) or for retention of existing ***tree*** coverage (see Sec. 16-6-10~~4~~6.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 ***Town*** 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 ~~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.

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.16-3-103. Conservation and Recreation Districts

B. Conservation (CON) District

CON Conservation District			
1. Purpose			
The purpose of the Conservation (CON) District is to preserve and protect environmentally sensitive tidal wetland and beachfront ***lands*** subject to natural hazards by ensuring these areas only accommodate very low intensity ***development*** that minimally disrupts natural features or systems (either temporarily or permanently). The upland boundary of this district corresponds to the OCRM Critical Line and therefore is approximately coterminous with all tidal wetlands and the upland boundary of the ***beach***, as defined in Section 8-1-112 of the ***Municipal Code***, and extends outward to the ***Town*** jurisdictional boundary, as identified in Section 2-1-20 of the ***Municipal Code***.			
2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		**USE-SPECIFIC CONDITIONS**	**MINIMUM NUMBER OF OFF-STREET PARKING SPACES**
Other Uses			
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*)		**Lot Coverage**	
All Development	n/a	Max. ***Impervious Cover***	n/a
Max. Building Height			
All Development	n/a		
USE AND OTHER DEVELOPMENT STANDARDS			
See 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.			
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; ft = feet; n/a = not applicable			

C. Parks and Recreation (PR) District

PR Parks and Recreation District
1. Purpose

The purpose of the Parks and Recreation (PR) District is to accommodate and manage the ***land uses*** allowed on publicly held ***land*** used for active or passive recreation purposes, or publicly owned ***land*** preserved in its natural state for public enjoyment. Development in this district shall be allowed and designed to minimize, as much as possible, its impact on both the natural environment and the community.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Public, Civic, Institutional, and Educational Uses				
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of ***maintenance*** 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		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 sf 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***	P		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*)			LOT COVERAGE	
All Development	6,000 GFA		Max. ***Impervious Cover***	45%
MAX. BUILDING HEIGHT				
All Development	35 ft			

USE AND OTHER DEVELOPMENT STANDARDS

See 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.

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

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

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

RSF-3
Residential Single-Family-3 District

1. Purpose

The purpose of the Residential Single-Family-3 (RSF-3) District is to primarily accommodate ***neighborhoods*** of ***single-family dwellings*** at ***densities*** ranging up to three units per acre. It is intended to discourage any ***use*** that would substantially interfere with the ***development*** of ***single-family dwellings*** or would be detrimental to the quiet residential nature of ***single-family neighborhoods***. The district also accommodates agricultural ***uses*** and parks as permitted ***uses***.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
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*)			**LOT COVERAGE**	
Residential	3 du		Max. ***Impervious Cover*** for All Development Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
All Development	35 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable				

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 ***neighborhoods*** of ***single-family dwellings*** at ***densities*** ranging up to four units per acre. It is intended to discourage any ***use*** that would substantially interfere with the ***development*** of ***single-family dwellings*** or would be detrimental to the quiet residential nature of ***single-family neighborhoods***. The district also accommodates agricultural ***uses*** and parks as permitted ***uses***.			
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	
Public, Civic, Institutional, and Educational Uses				
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of ***maintenance*** facilities	
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[2]	4 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***[1]	35%
Nonresidential	6,000 GFA		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans	16%
MAX. BUILDING HEIGHT				
All ***Development***	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 = ***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.				

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

RSF-5
Residential Single-Family-5 District

1. Purpose

The purpose of the Residential Single-Family-5 (RSF-5) District is to primarily accommodate ***neighborhoods*** of ***single-family dwellings*** at ***densities*** ranging up to five units per acre. It is intended to discourage any ***use*** that would substantially interfere with the ***development*** of ***single-family dwellings*** or would be detrimental to the quiet residential nature of ***single-family neighborhoods***. The district also accommodates agricultural ***uses*** and parks as permitted ***uses***.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
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*)			LOT COVERAGE	
Residential	5 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans ~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%

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

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

RSF-6
Residential Single-Family-6 District

1. Purpose

The purpose of the Residential Single-Family-6 (RSF-6) District is to primarily accommodate ***single-family dwellings*** at ***densities*** ranging up to six units per acre. It is intended to discourage any ***use*** that would substantially interfere with the ***development*** of ***single-family dwellings*** or would be detrimental to the quiet residential nature of ***single-family neighborhoods***. The district also accommodates agricultural ***uses*** and parks as permitted ***uses***.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
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

3. Development Form Standards

MAX. DENSITY (per *NET ACRE*)		LOT COVERAGE

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

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

RSF-8
Residential Single-Family-8 District

1. Purpose

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

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	
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.				

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

RM-4
Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and ***neighborhoods*** at ***densities*** up to four ***dwelling units*** per ***net acre***. This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living***. The regulations of the district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, residential character.

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	
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
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 ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Commercial Services				
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
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[2]	4 du (6 du if **lot** area is at least 3 acres; 8 du if **lot** area is at least 5 acres)		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***[1]	35%
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. Common Open Space for Major Residential Subdivisions~~16%	16%
MAX. BUILDING HEIGHT				
All ***Development***	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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.
2. Density for development that includes the Workforce Housing shall be determined based on Sec. 16-4-105.A.

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

RM-8
Moderate Density Residential District

1. Purpose

The purpose of the Moderate Density Residential (RM-8) District is to allow the ***development*** of residential ***uses*** at ***densities*** up to eight ***dwelling units*** per ***net acre***. The district allows a variety of residential ***uses***, along with ***uses*** that support ***neighborhoods***. The district is intended to discourage ***development*** that would substantially interfere with, or be detrimental to, moderate residential character.

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	
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
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				
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
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~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
All ***Development***	45 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

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

RM-12
Moderate to High Density Residential District

1. Purpose

The purpose of the Moderate to High Density Residential (RM-12) District is to allow higher ***density*** residential ***uses*** in locations which are served by adequate infrastructure, while maintaining the character of these areas and ***neighborhoods*** at ***densities*** up to twelve units per ***net acre***. This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living***. The regulations of this district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, moderate to high density residential character.

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	
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
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				
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	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
3. Development Form Standards				
MAX. DENSITY (PER*NET ACRE*)[1]			**LOT COVERAGE**	
Residential	12 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
All ***Development***	45 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable				
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.				

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

B. Coligny Resort (CR) District

CR **Coligny Resort District**
1. Purpose
The purpose of the Coligny Resort (CR) District is to recognize and promote further investment in the area near Coligny Circle as an activity center and a core high-energy and visitor-oriented resort destination that encourages people to live, work, and recreate within the district. The district is intended to accommodate relatively high-intensity commercial, office, residential, and ***mixed-use development*** that is pedestrian-oriented and human-scale. It is also intended to promote ***development*** that integrates civic and public gathering spaces and connects to such places in nearby developments and public places.
2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES[1]	
Residential Uses				
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	PC	Sec. 16-4-102.B.1.b	1 bedroom	1 per du
			2 bedroom	1.25 per du
			3 or more bedrooms	1.5 per du
			Nonresidential	1 per 650 GFA
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 525 GFA	
Education Uses	P		Colleges and High Schools	7.5 per classroom
			Elementary and Junior High/Middle Schools	3 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	P		Fire Stations	3 per bay + 1 per 300 GFA of office space
			Other	1 per 300 GFA of office area
Major Utilities	SE		1 per 2,000 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 4 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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per 1.5 guest rooms	
Hotels	PC	Sec. 16-4-102.B.4.b	1 per 1.5 guest rooms	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 7 ***persons*** + 1 per 300 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	Miniature Golf Courses	1 per 2.5 tees
			Stadiums	1 per 5 spectator seats
			Other	1 per 4 ***persons*** + 1 per 300 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.21	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 450 GFA of office/administrative area	

Other Office Uses	P		1 per 500 GFA
Commercial Services			
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 250 GFA
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 250 GFA
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 150 sf of ***gross floor area*** and outdoor eating area
Grocery Stores	P		1 per 250 GFA
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 250 GFA
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 100 GFA
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 250 GFA of sales/display area
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 500 GFA
Other Commercial Services	P		See Sec. 16-5-107.D.2
Vehicle Sales and Services			
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2
Gas Sales	PC	Sec. 16-4-102.B.8.e	

3. Development Form Standards		
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS		
Adjacent Street Setbacks	Along major and minor arterials, the minimum adjacent ***street*** setback distance shall be 30' as follows:	
	•	The first 15' of the setback (measured parallel to the required ***street*** setback starting from the property line along the ***street*** and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one ***street tree*** planted every 25' along the ***street frontage***. The remaining area may contain a pathway and shall not contain tables, chairs and fountains.
	•	The second 15' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the ***street***) may include plazas, courtyards, tables and chairs, pervious pavers, landscaping and fountains.
	•	The setback angle shall be 60°.
	Along other ***streets***, the minimum adjacent ***street*** setback distance shall be 20' as follows:	
	•	The first 15' of the setback (measured parallel to the required ***street*** setback starting from the property line along the ***street*** and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one ***street tree*** planted every 25' along the ***street frontage***. The remaining area may contain a pathway.
	•	The remaining 5' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the ***street***) may pervious pavers, fountains and benches.
	•	The setback angle shall be 60°.

	Awnings, balconies and overhangs may occupy these setback areas.
Adjacent Use Setbacks	The adjacent use setback standards set forth in Sec. 16-5-102.D, Adjacent Use Setback Requirements, shall apply only along the perimeter of the CR district.

MODIFIED ADJACENT STREET BUFFER STANDARDS
There are no adjacent street buffers in the CR zoning district.

MAX. DENSITY (PER *NET ACRE*)			**LOT COVERAGE**	
All ***development***	Undefined, but limited by applicable design and performance standards such as height and parking		Max. ***Impervious Cover***	n/a
			Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	n/a
Residential[2]				
MAX. BUILDING HEIGHT				
All ***development***	36 ft along the adjacent ***street*** setback line; 60 ft once the setback angle is attained			

USE AND OTHER DEVELOPMENT STANDARDS
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~

TABLE NOTES:
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable
1. Where all required parking spaces are located within a parking ***structure*** (e.g., parking deck or parking garage), the standards for the minimum number of parking spaces shall be reduced by 20 percent.
2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

C. Community Commercial (CC) District

CC
Community Commercial District

1. Purpose

The purpose of the Community Commercial (CC) District is to provide ***lands*** for community-scale commercial activity centers that attract people from the island and the mainland. The district is more auto-oriented than some business districts, and provides ***land*** for moderate-sized retail stores. The district also provides opportunities for limited vehicle sales and service ***uses***.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			

Mixed-Use[2]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily[2]	PC	Sec. 16-4-102.B.1.b	1 bedroom	1.4 per du
			2 bedrooms	1.7 per du
			3 or more bedrooms	2.0 per du
Workforce Housing	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	P		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	
Health Services				
Other Health Services	P		1 per 225 GFA	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	P		1 per 100 sf of ***gross floor area*** and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Indoor Commercial Recreation	P		1 per 3 persons + 1 per 200 GFA of office or similarly used area	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				

Auto Rentals	P		See Sec. 16-5-107.D.2
Auto Repairs	PC	Sec. 16-4-102.B.8.b	2 per service bay + 1 per 200 GFA of office or waiting area
Auto Sales	P		See Sec. 16-5-107.D.2
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2
Gas Sales	PC	Sec. 16-4-102.B.8.e	
Taxicab Services	P		1 per 200 GFA of office or waiting area

3. Development Form Standards

MAX. DENSITY (PER*NET ACRE*)			**LOT COVERAGE**	
Residential[1]				
Nonresidential	10,000 GFA		Max. ***Impervious Cover***	60%
MAX. BUILDING HEIGHT				
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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~

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

1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.
2. The minimum number of off-street parking spaces for mixed-use or multifamily development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.

D. Light Commercial (LC) District

LC
Light Commercial District

1. Purpose

The purpose of the Light Commercial (LC) District is to provide ***lands*** for light commercial ***uses*** such as offices, banks, restaurants, and lower intensity retail sales and services ***uses***. Permitted ***uses*** are generally auto-oriented and easily accessed.

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
Group Living	P		1 per 3 rooms

Mixed-Use[3]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Recreational Vehicle (RV) Park	P		1 per 300 GFA of office and clubhouse	
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				
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	P		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	
Health Services				
Other Health Services	P		1 per 225 GFA	
Resort Accommodations				
Hotels	P		1 per guest room	
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 ***persons***

				max. occupancy + 1 per 200 GFA of office or similarly used area
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	P		1 per 100 sf of ***gross floor area*** and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Landscape Businesses	PC	Sec. 16-4-102.B.7.f	1 per 200 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Tattoo Facilities	PC	Sec. 16-4-102.B.7.k	1 per 200 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	P		See Sec. 16-5-107.D.2	
Auto Repairs	PC	Sec. 16-4-102.B.8.b	2 per service bay + 1 per 200 GFA of office and waiting area	
Auto Sales	P		See Sec. 16-5-107.D.2	
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash	
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Taxicab Services	P		1 per 200 GFA of office or waiting area	
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.e	1 per 200 GFA	
Industrial Uses				
Light Industrial, Manufacturing, and Warehouse Uses	PC	Sec. 16-4-102.B.9.a	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office and administrative area	
Self-Service Storage	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area	
Waste Treatment Plants	SE		See Sec. 16-5-107.D.2	
Wholesale Sales	P		1 per 1,000 GFA	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
3. Development Form Standards				

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

E. Light Industrial (IL) District

IL
Light Industrial District

1. Purpose

The purpose of the Light Industrial (IL) District is to provide for light industrial and service-related ***land uses*** with large ***buildings*** or ***outdoor storage*** requirements.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Public, Civic, Institutional, and Educational Uses				
Aviation and Surface Transportation Uses	PC	Sec. 16-4-102.B.2.a	See Sec. 16-5-107.D.2	
Aviation Services Uses	PC	Sec. 16-4-102.B.2.b	See Sec. 16-5-107.D.2	
Community Service Uses	PC	Sec. 16-4-102.B.2.c	1 per 400 GFA	
Government Uses	P		Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	P		1 per 1,500 GFA	
Minor Utilities	P		n/a	

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
Office Uses			
Contractor's Office	P		1 per 350 GFA of office/administrative area
Other Office Uses	P		1 per 350 GFA
Commercial Services			
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area
Landscape Businesses	P		1 per 200 GFA
Other Commercial Services	P		See Sec. 16-5-107.D.2
Vehicle Sales and Services			
Auto Rentals	P		See Sec. 16-5-107.D.2
Auto Repairs	PC	Sec. 16-4-102.B.8.b	2 per service bay + 1 per 200 GFA of office or waiting area
Auto Sales	P		See Sec. 16-5-107.D.2
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash
Gas Sales	PC	Sec. 16-4-102.B.8.d	
Taxicab Services	P		1 per 200 GFA of office or waiting area
Towing Services or ***Truck and Trailer Rentals***	P		1 per 200 GFA of office or waiting area
Watercraft Sales, Rentals, or Services	P		1 per 200 GFA
Industrial Uses			
Grinding	SE	Sec. 16-4-102.B.9.a	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area
Light Industrial, Manufacturing, and Warehouse Uses	P		1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area
Self-Service Storage	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area
Waste-Related Uses Other than ***Waste Treatment Plants***	P		1 per 2,500 GFA
Wholesale Sales	P		1 per 1,000 GFA
3. Development Form and Parameters			
MODIFIED ADJACENT STREET SETBACK STANDARDS			
Adjacent Street Setback	Except along major or minor arterials, the adjacent street setback distance established in Sec. 16-5-102.C, Adjacent Street Setback Requirements, may be reduced by up to 20 percent, provided the ***applicant*** demonstrates there is no other feasible or practical alternative that will accommodate a permitted ***use*** on the site in compliance with all other requirements of the LMO and the required adjacent street buffer can be provided.		
MAX. DENSITY (PER*NET ACRE*)		**LOT COVERAGE**	

Nonresidential ***Development***[1]	10,000 GFA		Max. ***Impervious Cover***[2]	65%
MAX. BUILDING HEIGHT				
All ***Development***	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, and Chapter 16-7: Non-Residential and Vertical Mixed-Use Development Design Regulations.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. The maximum density for ***self-service storage*** shall be 18,000 GFA. 2. The maximum impervious coverage for ***self-service storage*** shall be 55%.				

F. Main Street (MS) District

MS
Main Street District

1. Purpose

The purpose of the Main Street (MS) District is to provide ***lands*** for ***shopping center***, other commercial, and ***mixed-use development*** at moderate to relatively high intensities in the Main Street area and the portion of Indigo Run between U.S. Highway 278 and Pembroke Drive. Generally, the district places an emphasis on moderate-scale ***buildings***, quality design, and pedestrian orientation (balanced with some accommodation of auto-oriented ***development***).

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	
Group Living	P		1 per 3 rooms	
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2

Government Uses	P		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	
Health Services				
Other Health Services	P		1 per 225 GFA	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	

3. Development Form Standards

MAX. DENSITY (PER*NET ACRE*)			**LOT COVERAGE**	
Residential	12 du		Max. ***Impervious Cover***	60%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
Nonresidential	9,000 GFA			
MAX. BUILDING HEIGHT				
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.~~See~~

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

G. Marshfront (MF) District

MF
Marshfront District

1. Purpose

The purpose of the Marshfront (MF) District is to provide for a mix of ***uses*** such a residential, institutional, and commercial ***uses*** at a scale suitable for the district. The district is intended to be a service area for the occupants of the Resort Development (RD) District located in the vicinity of Folly field Road. ***Development*** should take advantage of the views of Broad Creek. Permitted ***uses*** in the district are intended to complement this area and its relationship to the headwaters of Broad Creek, where environmental, aesthetic, or traffic concerns are significant.

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	
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	P		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	
Resort Accommodations				

Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	P		See Sec. 16-5-107.D.2	
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash	
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a

3. Development Form Standards

MAX. DENSITY (PER*NET ACRE*)[2]			**LOT COVERAGE**	
Residential[1]	Along major arterials	4 du (8 du if ***lot*** area is at least 3 acres)	Max. ***Impervious Cover***	60%
	Along other ***streets***	6 du (10 du if ***lot*** area is at least 3 acres)	Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
Bed and Breakfasts		10 rooms		
Nonresidential		7,000 GFA		
MAX. BUILDING HEIGHT				
All ***Development***		45 ft		

USE AND OTHER DEVELOPMENT STANDARDS

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

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

H. Medical (MED) District

MED
Medical District

1. Purpose

The purpose of the Medical (MED) District is to provide ***lands*** for ***development*** directly related to the provision of medical services—including ***hospitals***, medical clinics and doctors' offices, ***nursing homes***, and other health services.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Mixed-Use[32]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily[2]	PC	Sec. 16-4-102.B.1.b	1 bedroom	1.4 per du
			2 bedrooms	1.7 per du
			3 or more bedrooms	2.0 per du
Workforce Housing	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	P		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
Health Services			
Hospitals	P		2 per bed + 1 per 200 GFA of office area
Nursing Homes	P		1 per 3 beds
Other Health Services	P		1 per 225 GFA
Office Uses			
Other Office Uses	P		1 per 350 GFA
Commercial Services			
Other Commercial Services	P		See Sec. 16-5-107.D.2

3. Development Form Standards

MAX. DENSITY (PER*NET ACRE*)			**LOT COVERAGE**	
Residential[1]				
Nonresidential	10,000 GFA		Max. ***Impervious Cover***	60%
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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~

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

1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

2. The minimum number of off-street parking spaces for mixed-use or multifamily development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.

I. Mitchelville (MV) District

MV
Mitchelville District

1. Purpose

The purpose of the Mitchelville (MV) District is to recognize the historical and cultural significance of this area of the Island. A variety of ***uses*** are permitted in an effort to facilitate ***development*** in this area. These ***sites*** have a unique ability to provide an environment conducive to water-oriented commercial and residential ***development***.

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	
Mixed-Use[2]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
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 ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.2	
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	

Other Office Uses	P		1 per 350 GFA
Commercial Services			
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area
Other Commercial Services	P		See Sec. 16-5-107.D.2
Vehicle Sales and Services			
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.f	1 per 200 GFA
Industrial Uses			
Seafood Processing	PC	Sec, 16-4-102.B.9.b	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area
Other Uses			
Agriculture Uses	P		Stables or Riding Academies: 1 per 5 stalls Other: n/a
Boat Ramps, ***Docking Facilities***, and ***Marinas***	P		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*)[3]			**LOT COVERAGE**	
Residential[1]	12 du		Max. ***Impervious Cover***	50%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
Interval Occupancy	12 du			
Nonresidential	8,000 GFA			
MAX. BUILDING HEIGHT				
All ***Development***	75 ft			

USE AND OTHER DEVELOPMENT STANDARDS

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

TABLE NOTES:

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

1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

2. The minimum number of off-street parking spaces for mixed-use or multifamily development that contains workforce housing shall be calculated based on Section 16-5-107.D.2. 3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

J. Neighborhood Commercial (NC)

NC
Neighborhood Commercial District

1. Purpose

The purpose of the Neighborhood Commercial (NC) District is to allow clusters of retail businesses and services that serve the daily needs of nearby residential areas.

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	
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
Government Uses	P		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	
Health Services				
Other Health Services	P		1 per 225 GFA	

Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a

3. Development Form Standards				
MAX. DENSITY (PER*NET ACRE*)[2]			**LOT COVERAGE**	
Residential[1]	4 du		Max. ***Impervious Cover***	45%
Nonresidential	3,000 GFA		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
MAX. BUILDING HEIGHT				
All ***Development***	35 ft[2]			

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

K. Planned Development Mixed-Use (PD-1) District

PD-1
Planned Development Mixed-Use District

1. Purpose
The purpose of the Planned Development Mixed-Use (PD-1) District is to recognize the existence within the Town of certain unique ***Planned Unit Developments*** (PUDs) that are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a high quality resort and residential community. It is the intent in establishing this district to allow the continuation of well-planned ***development*** within these areas. In limited situations, some commercially planned portions of PUDs are placed within other base districts to more specifically define the types of commercial ***uses*** allowed.
2. Included PUDs and Master Plans
The following PUDs are included in the PD-1 District and their Town-approved Master Plans—including associated text and any subsequent amendments—are incorporated by reference as part of the ***Official Zoning Map*** and the text of this LMO. Amendments to these Master Plans and associated text shall be in accordance with Sec. 16-2-103.D, Planned Unit Development (PUD) District.

1 Hilton Head Plantation	6 Port Royal Plantation (and surrounds)
2 Indigo Run	7 Sea Pines Plantation
3 Long Cove Club	8 Shipyard Plantation
4 Palmetto Dunes Resort	9 Spanish Wells Plantation
5 Palmetto Hall Plantation	10 Wexford Plantation

3. Principal Uses Restricted by Master Plan
The Master Plans and associated text, as approved and amended by the Town, establish general permitted ***uses*** for the respective PUDs, except as may be modified by an ***overlay zoning district***. Undesignated areas on these Master Plans shall be considered as ***open space***. The following ***uses*** are restricted to locations where a Town-approved Master Plan or associated text specifically states such ***uses*** are permitted. In addition, the ***use***-specific conditions referenced below shall apply to any new such ***use*** or change to the site for any existing such ***use***.

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Mixed-Use	PC	Sec. 16-4-102.B.1.a	See Sec. 16-5-107.D.2	
Workforce Housing	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations				
Interval Occupancy	P		1 bedroom	1.4 per du
			2 bedrooms	1.7 per du
			3 or more bedrooms	2 per du
Commercial Recreation Uses				
Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	See Sec. 16-5-107.D.2	
Commercial Services				
Adult Entertainment Uses	SE	Sec. 16-4-102.B.7.a	1 per 100 GFA	
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Liquor Stores	PC	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Tattoo Facilities	PC	Sec. 16-4-102.B.7.k	1 per 200 GFA	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	

Auto Sales	P		See Sec. 16-5-107.D.2
Gas Sales	PC	Sec. 16-4-102.B.8.e	
Towing Services or ***Truck and Trailer Rentals***	P		1 per 200 GFA of office or waiting area
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.f	1 per 200 GFA
Other Uses			
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

4. Development Area Densities

MAX. DENSITY (PER*NET ACRE*)			**LOT COVERAGE**	
Residential[1]				
Site specific ***densities*** shall not exceed the ***density*** limits established in approved Master Plans and associated text, except as may be modified by an ***overlay zoning district***. Where the approved Master Plans and associated text do not establish a ***density*** limit, site specific ***densities*** shall not exceed 10,000 GFA per ***net acre***.			Max. ***Impervious Cover*** in Areas without Restricted ***Access*** and Open to the Public	40% - Residential
				65% - Nonresidential
			Max. ***Impervious Cover*** in Areas with Restricted ***Access***	Shall not cause overall ***impervious cover*** for the PUD in that PD-1 District to exceed 45%
			Min. ***Open Space*** in Areas without Restricted ***Access*** and Open to the Public	50% - Residential
				25% - Nonresidential
			Min. ***Open Space*** in Areas with Restricted ***Access***	Shall not cause overall ***Common Open Space*** for the PUD in that PD-1 District to be less than 55%
MAX. BUILDING HEIGHT				
All ***Development***	75 ft		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Open Space*** for Major Residential ***Subdivisions***~~	16%

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

TABLE NOTES:
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception;

du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

L. Resort Development (RD) District

RD
Resort Development District

1. Purpose

It is the purpose of the Resort Development (RD) District to provide for resort ***development*** in the form of ***multifamily development***, ***bed and breakfasts***, and resort ***hotels***. It is also the purpose of this district to provide for commercial ***development*** aimed at serving the island visitor.

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	
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	P		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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du

Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.2	
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	P		1 per 200 GFA of sales/display area	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2	

3. Development Form and Parameters

MAX. DENSITY (PER*NET ACRE*)			**LOT COVERAGE**	
Residential[1, 2]	16 du		Max. ***Impervious Cover***	50%
Bed and Breakfasts	10 rooms			
Interval Occupancy	16 du			
Hotel[1]	35 rooms		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
Nonresidential	8,000 GFA			
MAX. BUILDING HEIGHT				
Non Single-Family Development on property landward of South Forest Beach Drive	60 ft			

All Other ***Non Single-Family Development***	75 ft		
Single-Family Development	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable			
[1] In order to promote flexibility, an ***office, eating establishment*** or ***commercial services use*** that is accessory to and within an existing residential or ***hotel structure*** may be converted to a residential ***unit*** or ***units*** upon the ***Official's*** determination that the ***development*** can support the required amount of parking. The alteration shall not expand beyond the footprint of the existing residential or ***hotel structure***. 2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			

M. Sea Pines Circle (SPC) District

SPC
Sea Pines Circle District

1. Purpose

The purpose of the Sea Pines Circle (SPC) District is to provide ***lands*** for commercial and ***mixed-use development*** at moderate to relatively high intensities in the area around Sea Pines Circle. District regulations emphasize moderate-scale ***buildings*** and ***shopping centers*** that balance the needs of the driving public and pedestrian activity and circulation among the district's retail, dining, and entertainment activities. The district is also intended to accommodate nighttime activities.

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Islander Mixed-Use[1]	PC	Sec. 16-4-102 B.1.g	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom

			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	P		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	
Health Services				
Other Health Services	P		1 per 225 GFA	
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	
Office Uses				
Contactor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Adult entertainment use	SE	Sec. 16-4-102.B.7.a	1 per 100 GFA	
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	P		1 per 100 sf of ***gross floor area*** and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash	
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2	
Gas Sales	PC	Sec. 16-4-102.B.8.e		
Industrial Uses				
Self-Service Storage	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area	
3. Development Form Standards				

MAX. DENSITY (PER*NET ACRE*)			LOT COVERAGE	
Residential	12 du		Max. ***Impervious Cover***	60%
Nonresidential	10,000 GFA		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
MAX. BUILDING HEIGHT				
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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. ***Islander Mixed-Use*** has undefined density but limited by applicable design and performance standards such as height and parking.				

N. Stoney (S) District

S
Stoney District

1. Purpose

It is the purpose of the Stoney (S) District to encourage cooperation between ***property owners*** in the ***development*** of their properties, to provide for connectivity between their properties, and to create an atmosphere that is more pedestrian friendly than traditional commercial ***development***. ***Uses*** permitted in this district allow for a mix of ***multifamily*** residential, commercial, and office ***uses***. ***Development*** should utilize vehicular ***access*** other than U.S. Highway 278 whenever possible, and should take advantage of the views across the tidal creeks in the area.

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	
Mixed-Use[2]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du

Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
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				
Community Service Uses	P		1 per 400 GFA	
Government Uses	P		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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	PC	Sec. 16-4-102.B.4.b	1 per guest room	
Commercial Recreation				
Indoor Commercial Recreation Uses	PC	Sec. 16-4-102.B.5.a	1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used areas	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Landscape Businesses	PC	Sec. 16-4-102.B.7.f	1 per 200 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Car Washes	PC	Sec. 16-4-102.B.8.c	10 per wash unit for automatic wash + 5 per bay for manual wash	
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Taxicab Services	P		1 per 200 GFA of office or waiting area	
Watercraft Sales, Rentals, or Services	P		1 per 200 GFA	
Industrial Uses				

Seafood Processing	PC	Sec. 16-4-102.B.9.b	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a

3. Development Form and Parameters				
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS				
Adjacent Street Setback	Except along major or minor arterials, the adjacent street setback distance established in Sec. 16-5-102.C, Adjacent Street Setback Requirements, may be reduced by up to 30 percent, provided the ***applicant*** demonstrates there is no other feasible or practicable alternative that will accommodate a permitted ***use*** on the site in compliance with all other requirements of the LMO and the required adjacent street buffer can be provided.			
Adjacent Use Setback	The adjacent use setback distance established in Sec. 16-5-102.D, Adjacent Use Setback Requirements, may be reduced to ten feet where a public park adjoins another public park, or where a nonresidential ***use*** other than an industrial ***use*** adjoins another nonresidential ***use*** other than an industrial ***use*** .			
MAX. DENSITY (PER*NET ACRE*)[3]			**LOT COVERAGE**	
Residential[1]	10 du		Max. ***Impervious Cover***	50%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All ***Development***	45 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable				
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.				
2. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.				
3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.				

O. Waterfront Mixed-Use (WMU) District

WMU
Waterfront Mixed-Use District

1. Purpose

It is the purpose of the Waterfront Mixed-Use (WMU) District to recognize certain ***lands*** that are special water-oriented ***sites***, and as such have a unique ability to provide an environment conducive to water-oriented commercial and residential ***development***. In order to service the residents of these ***lands***, and to serve the transient boat and minor tourist ***use*** component of the district, water-oriented commercial ***uses*** are permitted.

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	
Mixed-Use[4]	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 sf
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Workforce Housing	PC	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 ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area	

Outdoor Commercial Recreation Uses Other than ***Water Parks***	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 ***persons*** + 1 per 200 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.2	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of ***gross floor area*** and outdoor eating area	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2	
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.f	1 per 200 GFA	
Industrial Uses				
Seafood Processing	PC	Sec. 16-4-102.B.9.b	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps, ***Docking Facilities***, and ***Marinas***	P		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*)[1, 5]			**LOT COVERAGE**	
Residential[3]	16 du		Max. ***Impervious Cover***	50%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. ***Common Open Space*** for Major Residential ***Subdivision*** Plans and Major Residential ***Development*** Plans~~Min. ***Common Open Space*** for Major Residential ***Subdivisions***~~	16%

Interval Occupancy	16 du		
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT[2, 3]			
All ***Development***	75 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: 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.~~See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.~~			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units***; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. For purposes of calculating new ***density***, only 25% of total square footage devoted to boat dry storage facilities shall be counted. 2. Where a ***parcel*** in the WMU District adjoins a zoning district with a ***height*** limit lower than that in the WMU District, no part of a ***building*** on the WMU-zoned ***parcel*** shall exceed a ***height*** equal to the ***height*** limit in the adjoining district plus 1 foot, or major fraction thereof, for each foot of horizontal distance from the adjoining district. 3. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1. 4. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2. 5. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

Sec.16-3-106. Overlay Zoning Districts

F. Corridor Overlay (COR) District

4. Streetscape Improvement Guidelines

c. Signs

i. New ***signs***, replacement ***signs***, or alterations to existing ***signs*** shall receive approval from the DRB (major ***signs***) or the ***Official*** (minor ***signs***), as provided in Sec. 16-5-~~114~~112, Sign Standards, prior to installation.

iii. All ***signs*** shall meet all requirements of Sec. 16-5-~~114~~112, Sign Standards.

H. Forest Beach Neighborhood Character Overlay (FB-NC-O) District

1. Applicability and Purpose

The purpose of the Forest Beach Neighborhood Character Overlay (FB-NC-O) District is to protect the ***single-family*** residential character of the district and in particular the ***development*** and redevelopment of ***lots*** within the district. All new ***development*** and changes to existing ***development*** in the district are subject to the overlay district regulations in addition to those listed in Sec. 16-3-104.~~C~~D, Residential Single-Family-5 (RSF-5) District.

2. Approval

Compliance with the requirements of this section shall be determined by the ***Official*** at the time the ***building*** permit is reviewed and shall be based upon the standards of Sec. 16-3-104.~~C~~D, Residential Single-Family-5 (RSF-5) District.

4. District Regulations

b. Buffers

iii. If the cumulative size of existing ***trees*** in a buffer is less than two inches ***DBH*** per 100 square feet, supplemental ***tree*** planting shall be required. Supplemental ***trees*** shall be sized to achieve the two inches ***DBH*** per 100 square foot minimum in each buffer. 50 percent of the caliper inches of any supplemental ***trees*** shall be broad-leaved evergreen overstory hardwoods and endangered species as identified in Sec. 16-6-~~104~~106.H.

I. Folly Field Neighborhood Character Overlay (FF-NC-O) District

1. Applicability and Purpose

The purpose of the Folly Field Neighborhood Character Overlay (FF-NC-O) District is to protect the ***single-family*** residential character of the district and in particular the ***development*** and redevelopment of ***lots*** within the district. All new ***development*** and changes to existing ***development*** in the district are subject to the overlay district regulations in addition to those listed in Sec. 16-3-104.~~C~~D, Residential Single-Family-5 (RSF-5) District.

2. Approval

Compliance with these regulations shall be determined by the ***Official*** at the time the ***Building Permit*** is reviewed and shall be based upon the standards of Sec. 16-3-104.~~C~~D, Residential Single-Family-5 (RSF-5) District.

J. Holiday Homes Neighborhood Character Overlay (HH-NC-O) District

1. Applicability and Purpose

The purpose of the Holiday Homes Neighborhood Character Overlay (HH-NC-O) District is to protect the ***single-family*** residential character of the district and in particular the ***development*** and redevelopment of ***lots*** within the district. All new ***development*** and changes to existing ***development*** are subject to the overlay district regulations, in addition to those listed in Sec. 16-3-104.~~D~~E, Residential Single-Family-6 (RSF-6) District. Existing ***nonconforming structures*** and site features may be expanded as long as the site complies with the required floor area ratio (FAR) and maximum ***impervious cover*** listed in paragraph 3 below.

2. Approval

Compliance with these regulations shall be determined by the ***Official*** at the time the ***Building Permit*** is reviewed and shall be based upon the standards of Sec. 16-3-104.~~D~~E, Residential Single-Family-6 (RSF-6) District.

K. Redevelopment Overlay (R-O) District

1. Purpose

The purpose of the Redevelopment Overlay (R-O) District is to create and establish a zoning overlay district to provide flexibility in the design standards of Chapter 16-5: General Development and Design Standards, and to utilize zoning and planning techniques specifically designed to promote and encourage the redevelopment of existing ***nonconforming structures*** and existing ***nonconforming site features***.

6. Additional R-O District Review Standards

In addition to the review standards in Sec. 16-2-103.C.3, Zoning Map Amendment (Rezoning) Review Standards, redevelopment proposed to be classified to a R-O District may modify the dimensional, ***development*** and design, and natural resources protection standards of this ***Ordinance*** in accordance with Table 16-3-106.K.4, Additional R-O District Review Standards.

TABLE 16-3-106.K.4: ADDITIONAL R-O DISTRICT REVIEW STANDARDS	
STANDARD	**ALLOWABLE MODIFICATION**
Uses (see base district standards in this chapter)	Only ***uses*** allowed in the base district are allowed, except for legal ***nonconforming uses***. Legal ***nonconforming uses*** are allowed to continue in accordance with the requirements of this section.
Maximum ***density*** (see base district standards in this chapter)	May not exceed maximum ***density*** of base district, or if a legal ***nonconforming use*** or ***structure***, the existing ***density***. A ***nonconforming use*** that exceeds maximum ***density*** of the base district may be permitted to change the ***use*** if there are no additional impacts of the proposed ***use*** on infrastructure and surrounding properties will result, and if the adequacy of the site ***improvements*** (such as parking and stormwater infrastructure) are evaluated, and determined to be sufficient to support the proposed redeveloped ***use***.
	Nonconforming square footage may be converted to another ***use*** if the ***density*** of the proposed ***use*** is based on square footage and the proposed ***use*** is permitted within the base zoning district where the property is located.
Maximum ***building height*** (see base district standards in this chapter)	A ***structure*** that is nonconforming because of ***height*** may be rebuilt to legally nonconforming ***height***. Such decision shall be based on ability to recapture ***density*** of ***development*** and ***height*** of surrounding ***buildings***.
Maximum ***impervious cover*** (see base district standards in this chapter)	Shall not exceed maximum requirements of the base district, except for ***impervious cover*** that exists as a legal ***nonconforming site feature***, which may be maintained. In no case shall an **application** for rezoning to the R-O district be appropriate for a site where ***impervious cover*** exceeds 80% of the site.
Minimum adjacent street setback requirements (see Sec. 16-5-102.C) and adjacent street buffer requirements (see Sec. 16-5-103)	Up to 20% reduction in setback distance, buffer width, and planting rate for buffer screening.

Minimum adjacent use setback requirements (see Sec. 16-5-102.D) and adjacent use buffer requirements (see Sec. 16-5-103.E)	Up to 50% reduction in setback distance, buffer width, and planting rate for buffer screening.
Maximum adjacent street setback angles (see Sec. 16-5-102.C) and adjacent use setback angles (see Sec. 16-5-102.D)	May be increased based on the ***height*** of the ***structure*** and setback distance, but may not exceed a 75 degree angle.
Minimum ***open space*** requirement (see Sec. 16-5-104)	Shall not exceed minimum requirements of the base district, except for ***open space*** that exists as a legal ***nonconforming site feature***, which may be maintained. In no case shall an **application** for rezoning to the R-O district be approved for a site where ***open space*** is less than 20% of the site.
Minimum number of parking spaces (see Sec. 16-5-107.D.1)	Up to 50% reduction, if it is demonstrated off-street parking can be adequately addressed.
Parallel parking spaces (see Sec. 16-5-107.D.7)	The number of parallel parking spaces may be increased.
Compact parking spaces (see Sec. 16-5-107.D.8)	Compact parking spaces may be maintained up to the number that existed on the site as a ***nonconforming site feature*** prior to redevelopment.
Parking space dimensions (see Sec. 16-5-107.E.1)	Regular parking spaces that are no less than 8.5 feet by 18 feet, or compact spaces that are no less than 8.5 feet by 15 feet may be reconstructed to the same size that existed as a legal ***nonconforming site feature*** prior to the proposed redevelopment.
	Width of parking spaces adjoining a median at the end of a row of parking may be reduced to nine feet, or what existed on the site before redevelopment if the parking space dimensions at the time were a legal ***nonconforming site feature***.
Maximum number of parking spaces between landscaped medians along a row of parking (see Sec. 16-5-107.G.3.a.iv)	May be increased by up to three spaces if it is demonstrated that the parking lot contains sufficient landscaping to mitigate its environmental and visual impacts to an equivalent degree.
Minimum width of landscaped medians in parking lots (see Sec. 16-5-107.G.3.b)	May be reduced by up to 20% if it is demonstrated that the parking lot contains sufficient landscaping to mitigate its environmental and visual impacts to an equivalent degree.
Maximum ***off-site*** parking spaces (see Sec. 16-5-107.H.4.a)	Up to 20% of required parking spaces may be provided ***off-site***, if it is demonstrated that safe and convenient vehicular ***access*** is provided to the ***development*** served by the ***off-site*** parking.
Pedestrian ***access*** to ***shared parking*** (see Sec. 16-5-107.H.3.b) and ***off-site*** parking (see Sec. 16-5-107.H.4.c)	***Access*** to shared or ***off-site*** parking may cross an arterial ***street*** if it is determined there is adequate and safe pedestrian ingress and egress to the ***development*** served by the off-premise parking.
On-street parking (see Sec. 16-5-107.H.6)	May be used to satisfy up to 100% of the number of parking spaces required.
Minimum tree coverage (see Sec. 16-6-~~104~~106.G)	A legal nonconforming site that does not comply with the minimum ***tree*** coverage requirement may be allowed to redevelop without the minimum amount of tree coverage if it is determined all feasible and practical alternative steps have been taken to meet the required amount of tree coverage on the site, and the ***landowner*** deposits a ***tree*** mitigation fee in a Town-administered ***tree*** replacement fund in-lieu of providing additional ***tree*** canopy. (see Sec. 16-6-104.L).

Chapter 16-4:
Use Standards

Sec.16-4-102. Principal Uses

A. Principal Use Table

1. Structure of Principal Use Table

a. Organization and Classification of Principal Uses

ii. The ***Use*** Classifications and ***Use*** Types that make up the Principal Use Table are identified and described in Sec. 16-~~10~~12-103, Use Classifications, Use Types, and Definitions

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				PC			PC	PC	PC	PC				PC	PC	PC	PC	PC	PC	PC	PC			Sec. 16-4-102.B.1.e
Family Subdivision				PC			PC	PC	PC	PC				PC	PC	PC	PC	PC	PC	PC	PC			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								PC	PC	PC					PC	PC	PC	PC	PC	PC			
Recreation Vehicle (RV) Parks																			P				Sec. 16-4-102.B.1.c
Single-Family			P	P	P	P	P	P	P	P					P	P	P	P	P	P	P		
Workforce Housing				PC				PC		PC		PC	PC	PC	PC	PC		PC		PC		PC	Sec 16-4-102.B.1.d
Islander Mixed-Use												PC											Sec. 16-4-102.B.1.g
PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES																							
Aviation and Surface Transportation Uses																						PC	Sec. 16-4-102.B.2.a
Aviation Services Uses																						PC	Sec. 16-4-102.B.2.b
Cemeteries		P		P				P							P			P	P				
Community Service Uses		P		P				P	P	P	P	P	P	P	P	P	P	P	P	P	P	PC	Sec. 16-4-102.B.2.c
Education Uses								P			P	P	P	P						P		P	
Government Uses		PC	PC	PC	PC	PC	PC	PC	PC	PC	P	P	P	P		P	P		P	P	P	P	P	Sec. 16-4-102.B.2.d
Major Utilities		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	
Minor Utilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Parks		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Religious Institutions		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Telecommunication Antenna, Collocated or Building Mounted		PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-102.B.2.e
Telecommunication Towers, Monopole		PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-102.B.2.e
HEALTH SERVICES																									
Hospitals																						P			
Nursing Homes																						P			
Other Health Services												P	P	P					P	P		P			
RESORT ACCOMMODATIONS																									
Bed and Breakfasts								PC			PC			PC	PC	PC	PC	PC			PC			Sec. 16-4-102.B.4.a
Hotels											PC			P	P	PC		P		P	P			Sec. 16-4-102.B.4.b
Interval Occupancy											P				P			P			P			
COMMERCIAL RECREATION USES																									
Indoor Commercial Recreation Uses											P	P	P	P	P	PC	P	P		P	P			Sec. 16-4-102.B.5.a
Outdoor Commercial Recreation Uses *Other than* ***Water Parks***											SE				SE			SE		SE	SE			Sec. 16-4-102.B.5.b
Water Parks											P				P			P			P			
OFFICE USES																									
Contractor's Office											PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		P	Sec. 16-4-

																								102.B.6.a
Other Office Uses											P	P	P	P	P	P	P	P	P	P	P	P	P	

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			PC	Sec. 16-4-102.B.7.d
Eating Establishments											PC	P	P	PC	PC	PC	PC	PC	PC	P	PC		PC	Sec. 16-4-102.B.7.e
Grocery Stores											P	P	P	P		P				P				
Landscape Businesses																PC				PC			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											PC	PC	PC		PC	PC	PC	PC		PC	PC			Sec. 16-4-102.B.7.h
Open Air Sales		PC		PC				PC			PC	PC		PC	PC	PC	PC	PC	PC	PC	P			Sec. 16-4-102.B.7.i
Shopping Centers											PC	PC	PC	PC		PC	PC			PC				Sec. 16-4-102.B.7.j
Tattoo Facilities																				PC				Sec. 16-4-102.B.7.k
Other Commercial Services Uses								PC	PC		P	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											PC	PC	P		PC		P	PC		P	PC		P	Sec. 16-4-102.B.8.a
Auto Repairs													PC							PC			PC	Sec. 16-4-102.B.8.b
Auto Sales													P							P			P	
Car Washes												P	P			PC	P			P			P	Sec. 16-4-102.B.8.c
Commercial Parking Lot											PC	PC	PC		PC						PC			Sec. 16-4-102.B.8.d
Gas Sales											PC	PC	PC			PC	PC		PC	PC			PC	Sec. 16-4-

																								102.B.8.d
Taxicab Services													P			P				P			P	
Towing Services or Truck or Trailer Rentals																							P	

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**	
Watercraft Sales, Rentals, or Services															PC	P		PC		PC			P	Sec. 16-4-102.B.8.e
INDUSTRIAL USES																								
Grinding																							SE	Sec. 16-4-102.B.9.a
Light Industrial, Manufacturing, and Warehouse Uses																				PC			P	Sec. 16-4-102.B.9.a
Seafood Processing Facilities															PC	PC		PC						Sec. 16-4-102.B.9.b
Self-Service Storage												PC								PC			PC	Sec. 16-4-

																							102.B.9.c
Waste-Related Services Other than ***Waste Treatment Plants***																						P	
Waste Treatment Plants																			S E				
Wholesale Sales																			P			P	
OTHER USES																							
Agriculture Uses		P	P	P	P	P	P	P	P	P					P	P	P	P	P	P				
Boat Ramps, Docking Facilities, and ***Marinas***	P C	P	P C	P C	P C		P C	P C	P C						P			P						Sec. 16-4-102.B.10.a

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

a. Mixed-Use

iii. The density for the redevelopment/conversion of an existing nonresidential structure to mixed-use shall be based on the existing gross floor area and minimum unit sizes as described in Sec. 16-~~10~~12-102.B.1.

b. Multifamily

ii. Multifamily use in the CC and MED Districts shall only be permitted as part of a commercial conversion that includes WFH per Sec. 16-~~10~~12-102.B.1.

2. Public, Civic, Institutional, and Education Uses

e. Telecommunications Facilities

iii. **Conditions Applicable to All Telecommunications Facilities**

All ***telecommunications facilities***, including collocated facilities and ***monopole telecommunication towers***, shall comply with the following conditions:

02. No signage shall be allowed on any tower, antennae, ***accessory structure***, or equipment except that provided for in Sec. 16-5-~~114~~112, Sign Standards.

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																								
ACCESSORY USE/ STRUCTURE	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	
Amateur radio antenna			PC	PC	PC	PC	PC	PC	PC	PC					PC	PC		PC	PC					Sec. 16-4-103.E.1
Automatic teller machine (ATM)											P	P	P	P	P	P	P			P	P	P		
Crematory (as accessory to funeral													P										P	

homes)																								
Home Occupation			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC	PC	PC			Sec. 16-4-103.E.3
Outdoor display and sale of merchandise											PC	PC	PC	PC	PC	PC			PC	PC				Sec. 16-4-103.E.4
Outdoor storage (as an ***accessory use***)											PC	PC	PC			PC				PC		PC	PC	Sec. 16-4-103.E.5
Satellite dish	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.6
Small wind energy conversion system (WEC)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.7
Solar collection device			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.8
Telecommunications Facility,	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.9

Collocated																								
Small Wireless Facilities	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.10

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

D. Use-Specific Conditions for Temporary Uses and Structures

4. Farmers' Market (as a temporary use)

A ***farmers' market*** may operate as a temporary ***use*** in accordance with the following conditions:

e. The market shall comply with applicable signage standards in Sec. 16-5-~~114~~112, Sign Standards.

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~~12-102B.1, including:

C. Workforce Housing Income and Employment Regulations

Owner-occupied Units:

2. Per Sec. 16-~~8~~10-102, failure to submit the required documentation prior to change in ownership shall constitute a violation of the restrictive covenants, the conditions of the certificate of occupancy, and this Section, and is subject to code enforcement action by the Town per Sec. 16-~~8~~10-106.

Rental Units:

3. Per Sec. 16-~~8~~10-102, failure to submit the required verification shall constitute a violation of the restrictive covenants, the conditions of the certificate of occupancy, and this Section, and is subject to code enforcement action by the Town per Sec. 16-~~8~~10-106.

D. Occupancy and Eligibility Requirements

Rental Units:

3. Households must be eligible to rent workforce housing units and obtain the appropriate COE from the Town, or its designee. A rental agreement may not be executed before the household receives the COE.

   c. Per Sec. 16-~~8~~10-102, occupancy of a rental unit not consistent with this Section shall constitute a violation and is subject to code enforcement action by the Town per Sec. 16-~~8~~10-106.

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 impactive site-planning decisions earlier in the review process, establishing clearer, more predicable 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, impactive 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 = Review; R = Recommendation; D = Decision; A = Appeal; < > = Hearing; < >* = Public Hearing; E = Encouraged; M = Mandatory

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>*	
Non-Residential Subdivision Review (Sec. 16-2-103.F)	Minor Non-Residential Subdivision Plan	E	D		<A>*		
	Major Non-Residential Subdivision Plan	M	D		<V>* <A>*		
Residential Subdivision Review (Sec. 16-2-103.F)	Minor Residential Subdivision Plan	E	D		<A>*		
	Preliminary Major Residential Subdivision Plan	M	R	D[1]	<D>*		
	Final Major Residential Subdivision Plan	M	D		<V>* <A>*		
Minor Development Plan Review (Sec. 16-2-103.G		E	D		<A>*		

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	D[1]	<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~~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.

E. Hearing Scheduling and Notice

2. Hearing Notice

Table 16-2-102.E.2: HEARING NOTICE REQUIREMENTS

APPLICATION OR APPROVAL	NOTICE REQUIREMENT		
	PUBLISHED NOTICE	MAIL NOTICE	POSTED NOTICE
Text Amendment	Publish notice of the hearing no less than 30 calendar days before the hearing date	None	None
Zoning Map Amendment PUD District	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of ***land*** subject to the ***application*** (if not the ***applicant***), and owners of record of properties within 350 feet of the subject ***land***[1,2] , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or ***adjacent*** to the ***land*** subject to the ***application*** no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject ***land***
Special Exception Variance	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of ***land*** subject to the ***application(if not the applicant), and owners of record of properties within 350 feet of the subject land***[1,2]***, no less than 15 calendar days before the hearing date***	Post conspicuous notice of the hearing on or ***adjacent*** to the ***land*** subject to the ***application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land***
~~Major Subdivision/Major Development Plan~~ Major Non-Residential Subdivision Plan, Preliminary Major Residential Subdivision Plan, Final Major Residential Subdivision Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan,	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice with return receipt of the hearing to the owner(s) of ***land*** subject to the **application** (if not the ***applicant***), and owners of record of properties within 500 feet of the subject ***land***[1, 2] , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or ***adjacent*** to the ***land*** subject to the ***application*** no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject ***land***

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

		from the appellant) no less than 15 calendar days before the hearing date	
Subdivision Amendment	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owners of record of properties located within the subdivision no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing at the entrance of the subdivision no less than 15 days before the hearing date
NOTES: 1. As identified in the latest Beaufort County ad valorem tax record. 2. Where properties within 350 feet of the subject ***land*** are part of a townhouse, condominium, or timeshare ***development***, the notice shall also be mailed to the president or manager of the property owners' association for the ***development***.			

H. Post-Decision Actions and Limitations

2. Appeals

b. The following decisions shall constitute final decisions of the Town, and a party aggrieved or adversely affected by such a decision may appeal the decision to the courts in accordance with applicable ***State*** law:

ii. A final decision of the ***Planning Commission*** on ***applications*** appealing decisions by the ***Official*** on applications for Minor Non-Residential Subdivision Plan, Minor Residential Subdivision Plan, Major Non-Residential Subdivision Plan, Preliminary Major Residential Subdivision Plan, Final Major Residential Subdivision Plan, Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, Final Major Residential Development Plan~~Major or Minor Subdivision Review, Major or Minor Development Plan Review~~, Small Residential Development Review, or Development Project Name Review.

J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans

a. General

Approval or conditional approval of an ***application for a Special Exception, Minor Non-Residential Subdivision Plan, Minor Residential Subdivision Plan, Major Non-Residential Subdivision Plan, Preliminary Major Residential Subdivision Plan, Final Major Residential Subdivision Plan, Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, Final Major Residential Development Plan~~Major or Minor Subdivision Review, Major or Minor Development Plan Review~~, Small Residential Development Review, Variance, Family Compound and Family Subdivision shall constitute approval of a site specific development plan that establishes a vested right in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The vested right shall***

expire two years after the approval unless the vested right period is extended in accordance with subparagraph b below.

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

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 A~~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***;

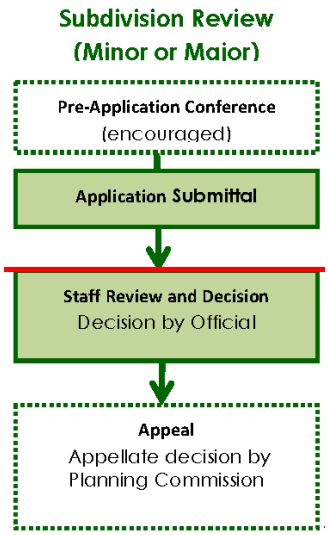
e. Ensuring there is adequate ***open space*** and recreation facilities; and

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***.

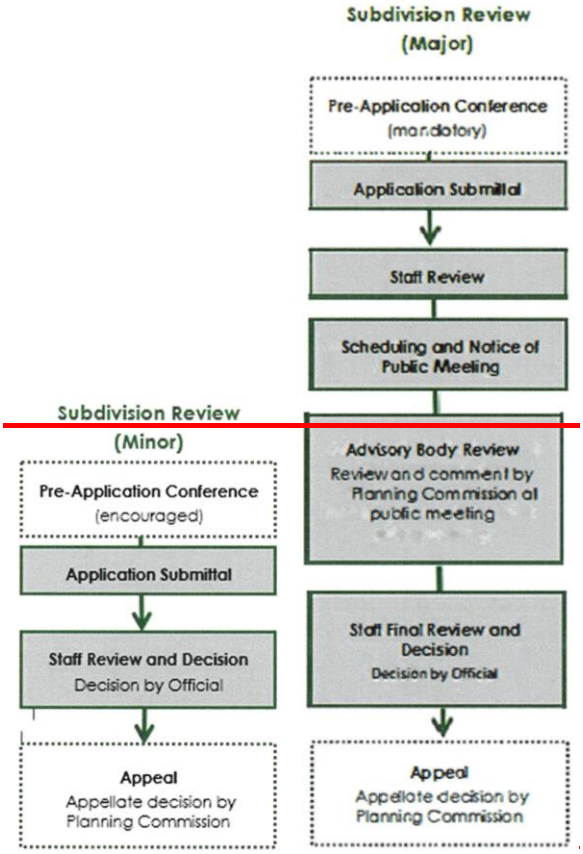
iv. A Major Residential Subdivision is a:

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:

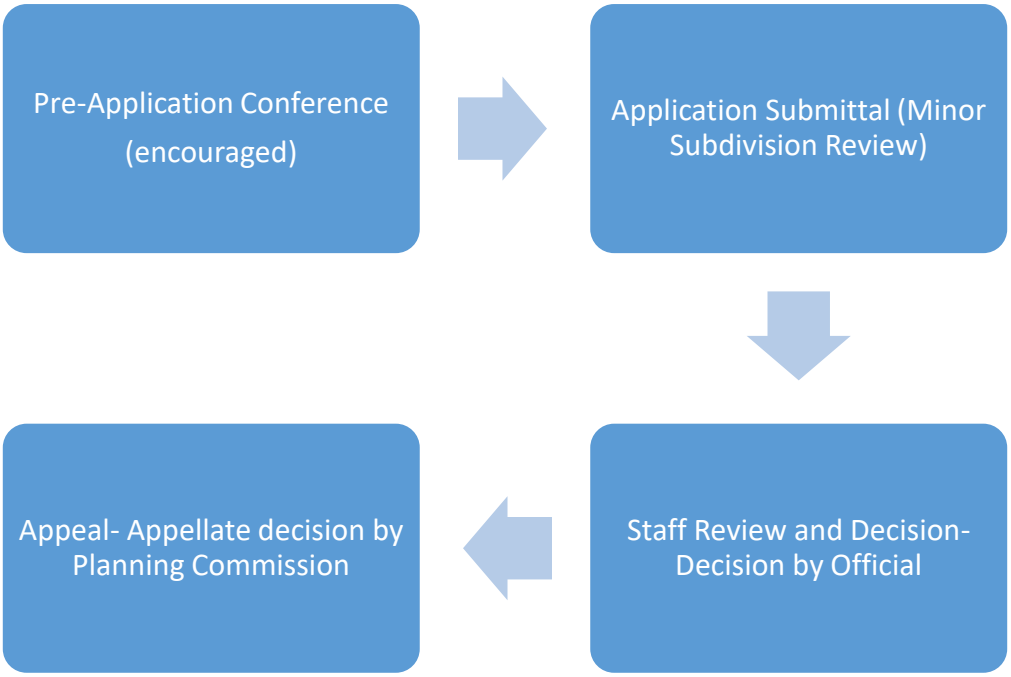
01. Approve the ***application***;

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:

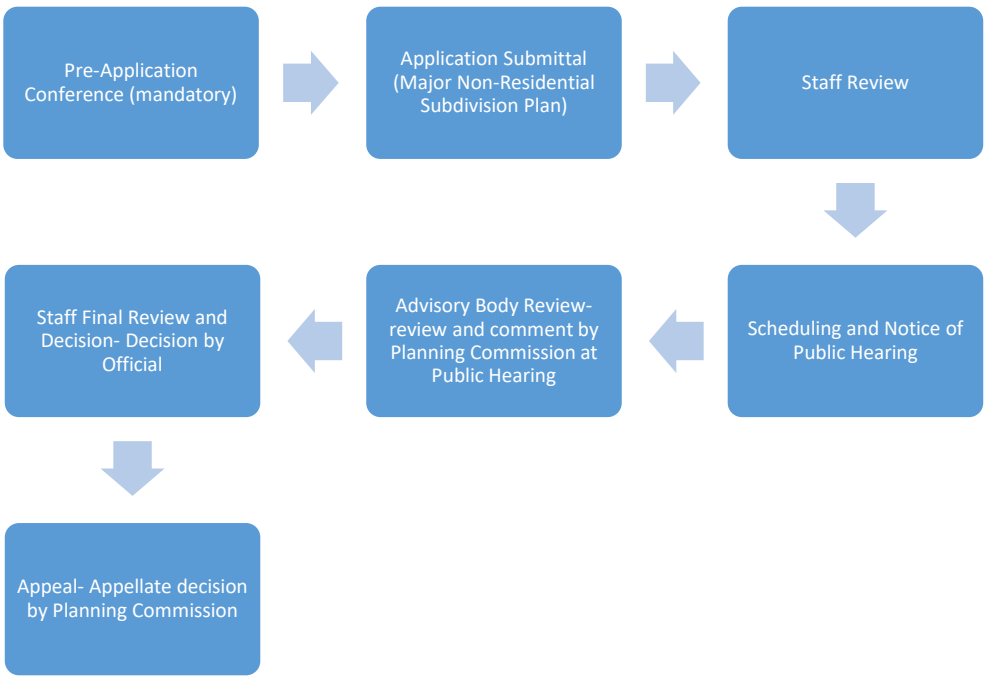
01. Approve the ***application***;

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:

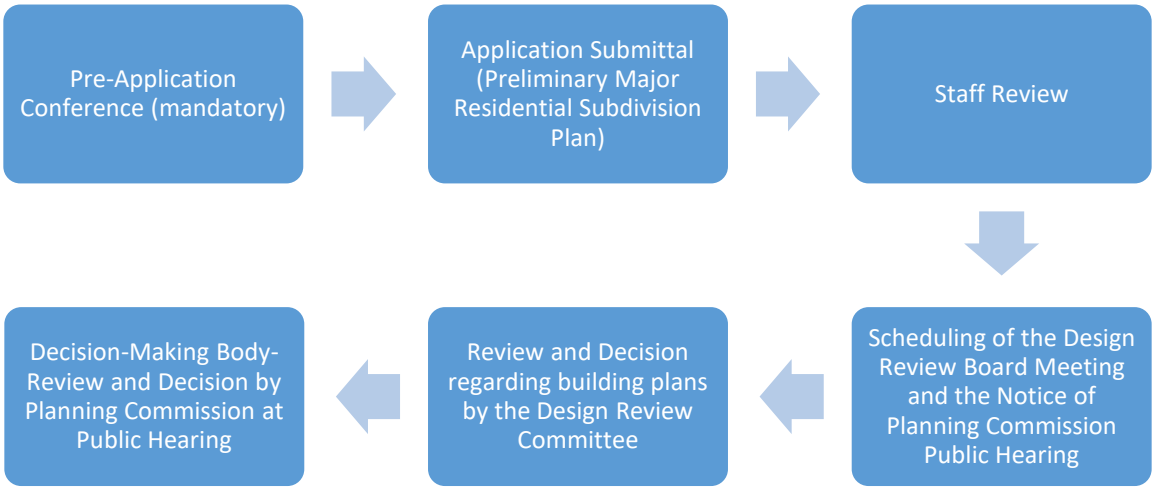
01. Approve the ***application***;

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:

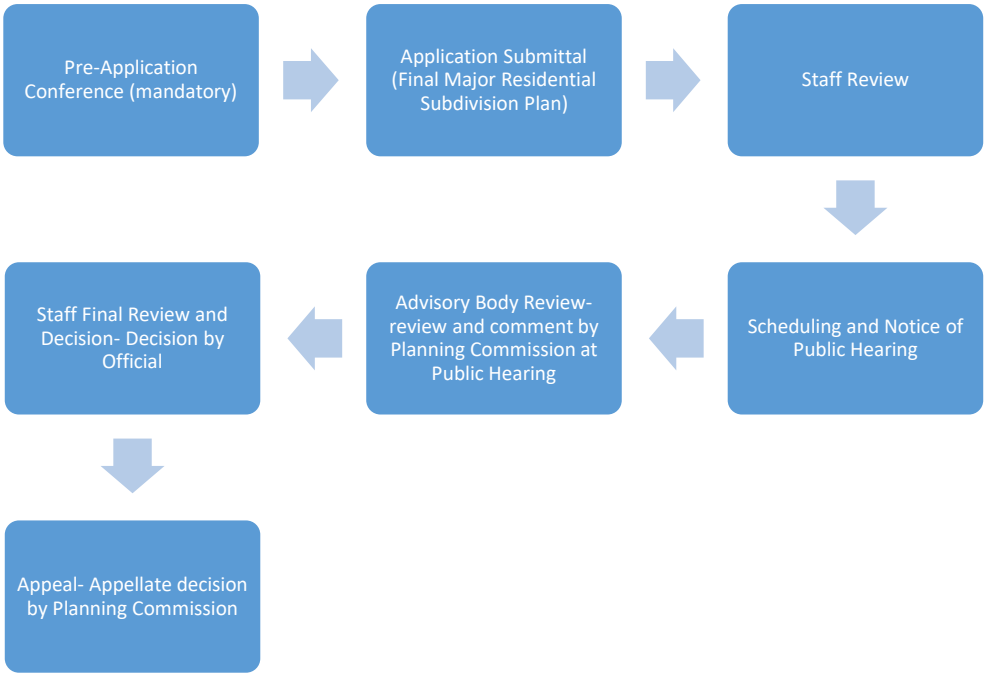
01. Approve the ***application***;

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.***



~~e~~g. 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):

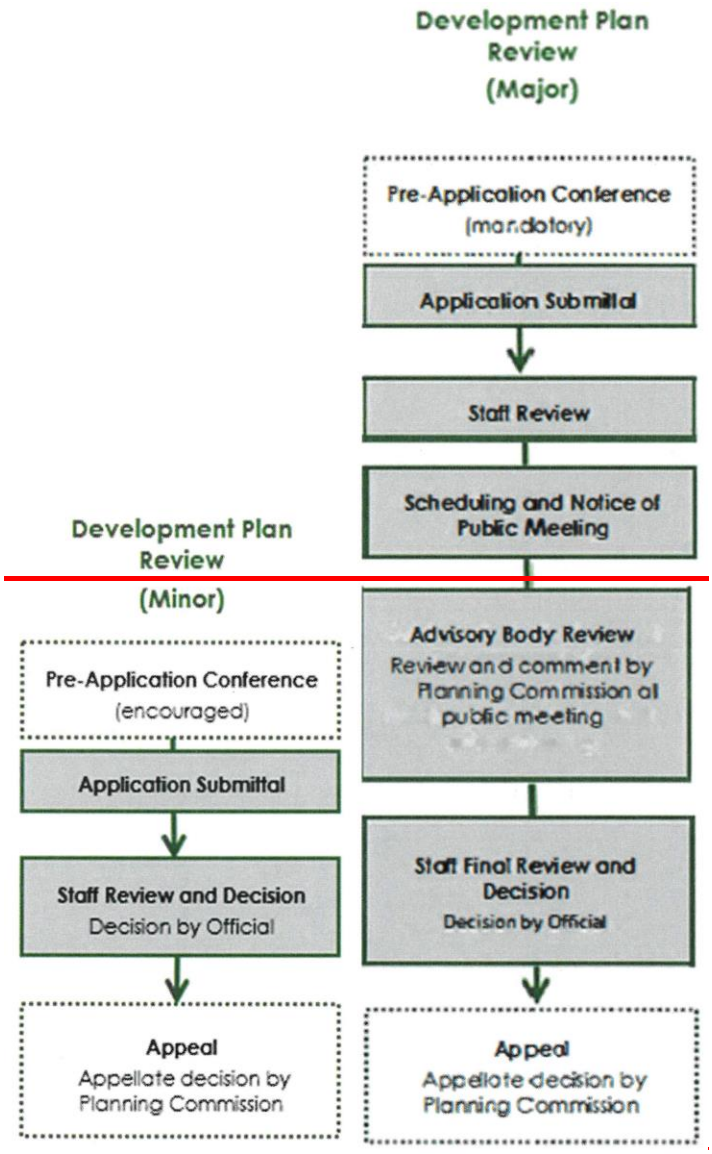
d. All ***structures*** (including factory-built housing) built or placed on an individual ***single-family*** residential ***lot*** with no other ***dwelling*** on it although such structures shall comply with the provisions set forth below:

vii. Section 16-5-105.~~I~~J, 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***;

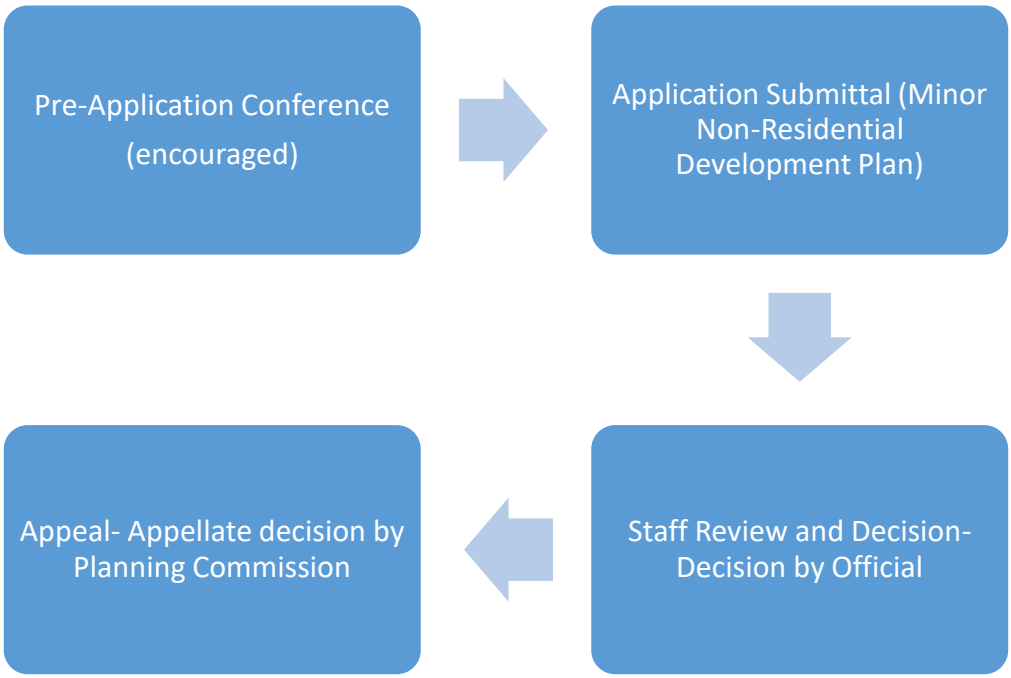
02. Approve the ***application*** subject to conditions of approval; or

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~~v~~. 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***.

~~i~~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:

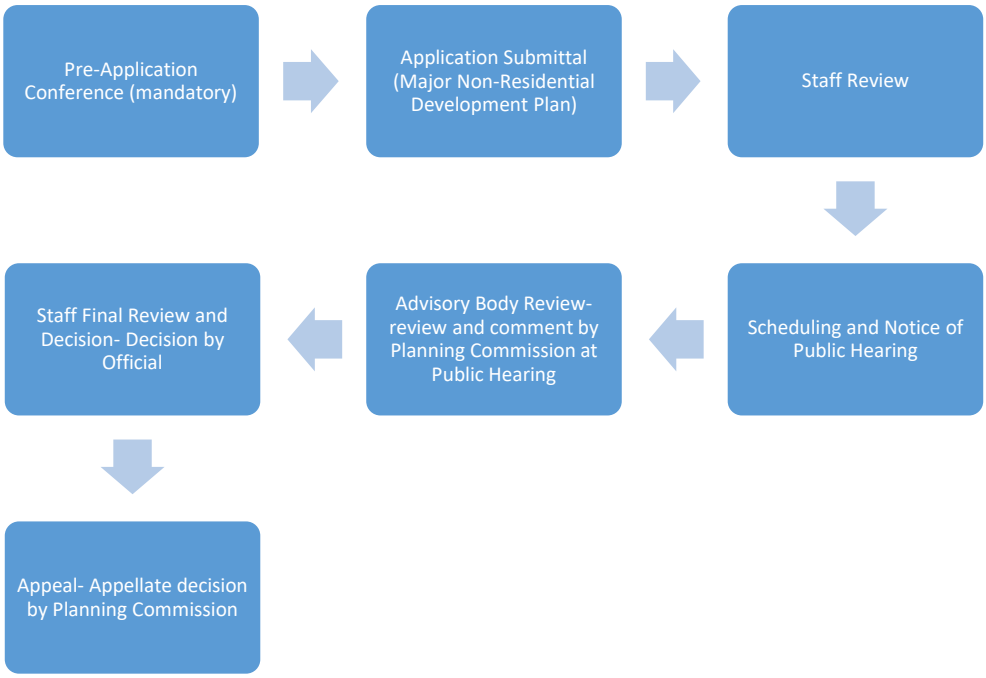
01. Approve the ***application***;

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:

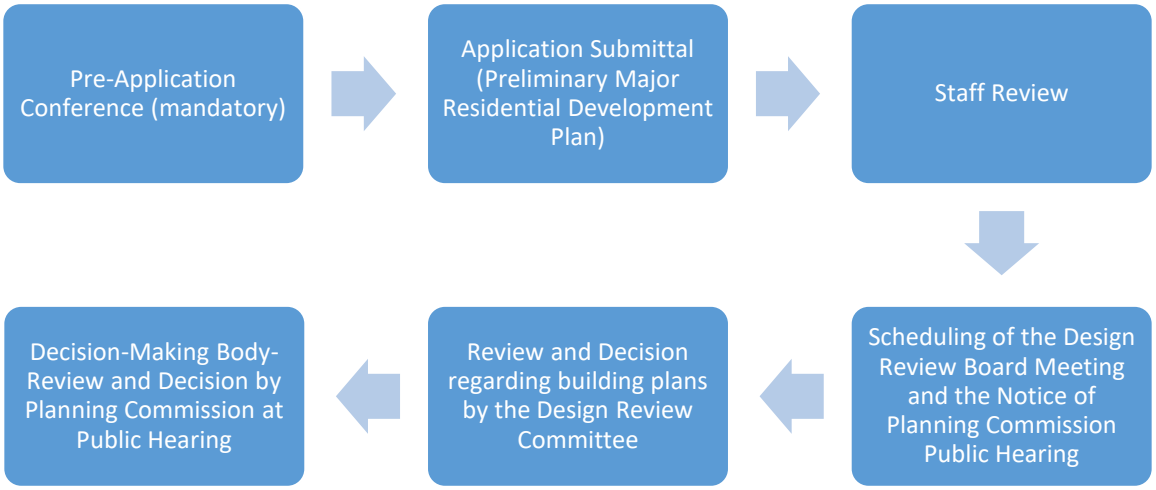
01. Approve the ***application***;

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:

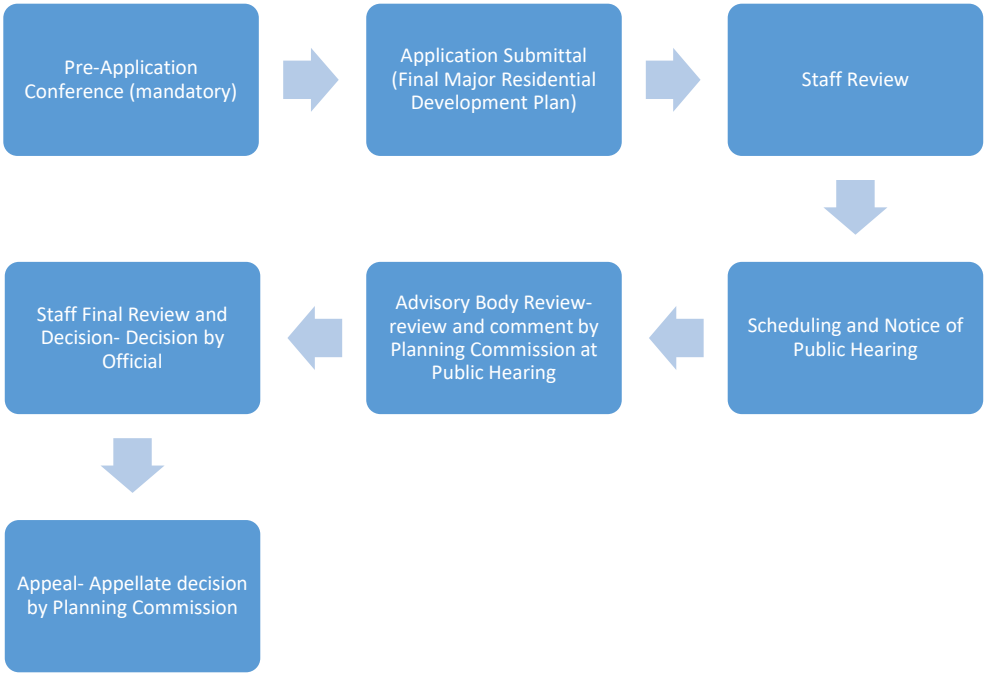
01. Approve the ***application***;

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.***



~~e~~g. 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.

4. Small Residential Development Review Standards

An ***application*** for Small Residential Development Review shall be approved on a finding the ***applicant*** has demonstrated the ***development*** proposed in the Small Residential Development ***application*** complies with:

a. 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;

J. Transportation Impact Analysis Plan Review

4. Exemptions

The following types of ***development*** shall be exempt from the Transportation Impact Analysis Plan and mitigation requirements of this section:

c. A residential ***development*** generating less than 200 ***peak hour*** trips in which at least 20 percent of the units will qualify and be maintained as ~~affordable~~ workforce housing in accordance with this ***Ordinance.***

~~***7. Expiration of Approval***~~

~~A Transportation Impact Analysis Plan approval shall expire one (1) year from the date of approval unless the ***applicant*** submits a complete Development Plan review ***application.***~~

~~***8. Amendment***~~

~~A Transportation Impact Analysis Plan may be amended only in accordance with the procedures and standards applicable to its original approval.~~

~~9~~7. Transportation Mitigation Program Implementation

b. Responsibility for Costs of Improvement; Reimbursement

ii. If an ***applicant*** is required to provide an ***improvement*** that would otherwise be funded by transportation impact fees, a transportation impact fee credit shall be available as provided in accordance with Sec. 16-5-~~116~~113.K, Offsets to Impact Fees.

iii. If an ***applicant*** is required to provide an ***improvement*** which is eligible for a transportation impact fee credit as provided for in accordance with Sec. 16-5-~~116~~113.K, Offsets to Impact Fees, and the cost of the ***improvement*** exceeds the amount of the transportation impact fee otherwise calculated to be due in accordance with that section, the ***applicant*** may submit a plan for reimbursement to the ***Town Council*** for action. Such reimbursement plan shall be consistent with the ***Town's*** contractual obligations with respect to other planned ***street improvements*** and consistent with the ***Town's*** adopted ***Capital Improvements Program*** (CIP).

~~10~~8. Transportation Monitoring and Evaluation Report

9~~11~~. Multimodal Access Analysis

d. The vehicular and multimodal ***access*** requirements approved by the Town Engineer shall be incorporated on ***development*** or ***subdivision*** plans prior to their approval. If an ***applicant*** is required to provide site-related traffic ***improvements,*** the cost of implementing such ***improvements*** shall be borne by the ***applicant*** and no such costs shall be eligible for a credit or offset from any transportation impact fees required in accordance with Sec. 16-5-~~116~~113.K, Offsets to Impact Fees.

~~10~~7. Expiration of Approval

A Transportation Impact Analysis Plan approval shall expire one (1) year from the date of approval unless the ***applicant*** submits a complete Development Plan review ***application.***

11~~8~~. Amendment

A Transportation Impact Analysis Plan may be amended only in accordance with the procedures and standards applicable to its original approval.

L. Wetlands Alteration Permit

3. Exemptions

The following are exempt from the standards and requirements of this subsection:

g. Home occupations (see definition in Sec. 16-1~~0~~2-105, General Definitions);

M. Sign Permit

See Sec. 16-5-~~114~~112.E, Sign Permits.

P. Certificate of Compliance

2. Applicability

All ***development***, or an approved phase thereof, that has received approval of a ~~Subdivision Plan, Development Plan,~~ Minor Non-Residential Subdivision Plan, Major Non-Residential Subdivision Plan, Minor Residential Subdivision Plan, Major Residential Subdivision Plan, Minor Development Plan, Major Non-Residential Development Plan, Major Residential Development Plan, or Small Residential Development—or any other ***development*** that has received a permit or ***development*** approval under this ***Ordinance***— shall obtain approval of a Certificate of Compliance prior to a receipt of a Certificate of Occupancy and occupancy of a ***building*** or ***structure*** or actual occupancy or use of the ***site*** or ***structure*** or portion thereof if no Certificate of Occupancy is required.

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:

i. Following review of the ***application***, the ***Official*** shall schedule and conduct a final inspection for the purpose of verifying compliance with all applicable provisions of this ***Ordinance***—including, but not limited to, the requirements of the approved Minor Non-Residential Subdivision Plan, Major Non-Residential Subdivision Plan, Minor Residential Subdivision Plan, Major Residential Subdivision Plan, Minor Development Plan, Major Non-Residential Development Plan, Small Residential Development, or other applicable permits and ***development*** approvals.

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.

R. Written Interpretation

4. Written Interpretation Standards

c. Text Provisions

Interpretation of text provisions and their application shall be based on the standards in Sec. 16-1~~0~~2-101, General Rules for Interpretation, and the following considerations:

i. The plain language used in the text, considering (a) any defined term set out in Sec. 16-1~~0~~2-105, General Definitions, and (b) the common and accepted usage of other words in the text;

W. Utility Project Permit

4. Utility Project Permit Review Standards

An ***application*** for a Utility Project Permit shall be approved on a finding the ***applicant*** has demonstrated the proposed work complies with:

a. 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

Z. 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:

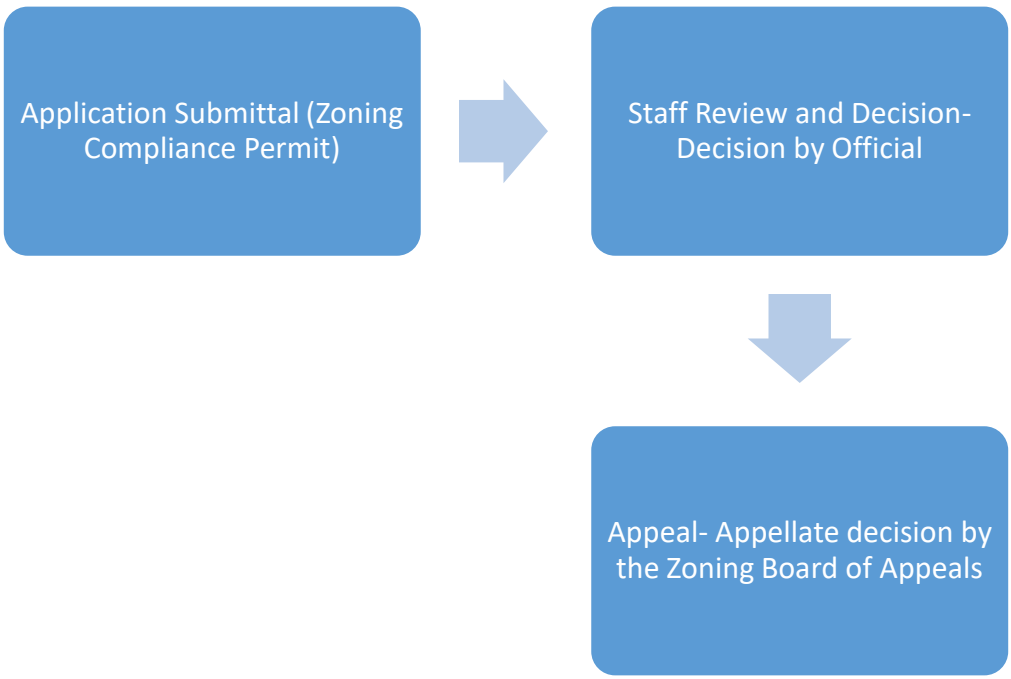
a. The application must comply with the applicable requirements of this LMO; and,

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.


Application Submittal (Zoning Compliance Permit)
Staff Review and Decision- Decision by Official
Appeal- Appellate decision by the Zoning Board of Appeals

Chapter 16-5:
General Development and Design Standards

Sec.16-5-102. Setback Standards

D. Adjacent Use Setback Requirements

1. Unless expressly exempted or modified in this subsection or for the CR and S Districts in Chapter 16-3: Zoning Districts, all portions of a ***structure*** shall be located to the interior of the vertical and angled planes established by the applicable minimum setback distance from ***adjacent*** properties and maximum setback angle shown in Table 16-5-102.D, Adjacent Use Setback Requirements, based on the proposed ***use*** and the existing ***use*** of the ***adjacent*** property (or zoning of a vacant ***adjacent*** property). (See Figure 16-5-102.D, Use Setback Angle.)

TABLE 16-5-102.D: ADJACENT USE SETBACK REQUIREMENTS[1]				
PROPOSED USE[3]	***MINIMUM SETBACK DISTANCE[1]/MAXIMUM SETBACK ANGLE[2]***			
	USE OF ADJACENT DEVELOPMENT PROPERTY[3]			
	SINGLE-FAMILY DWELLING	***ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION***	***PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATION; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS***	***INDUSTRIAL USES***
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	***RM-8, RM-12***	***CR, CC, WMU, S, RD, SPC, LC, MF, MV, MS, NC, MED***	***IL***
Single-Family[6]	20 ft[4,5] /75°	20 ft[4,5] /75°	30 ft[4,5] /60°	40 ft[4,5] /45°
• Any Other Residential ***Uses*** • Commercial Recreation	20 ft/75°	20 ft/75°	25 ft/75°	30 ft/60°
• Public, Civic, Institutional, and Education • Resort Accommodation • Offices • Commercial Services • Vehicle Sales and Services • ***Boat Ramps***, ***Docking Facilities***, or ***Marinas***	30 ft/60°	25 ft/75°	20 ft/75°	20 ft/75°

Industrial ***Uses***	40 ft[4,5] /45°	30 ft/60°	20 ft/75°	20 ft/75°

1. Measured from the common property line to the closest portion of a ***structure***.
2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a ***height*** of 20 feet above 13 feet above Mean Sea Level for residential use or 11 feet above Mean Sea Level for nonresidential use, or ***pre-development grade***, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure 16-5-102.D, Use Setback Angle).
3. See Sec. 16-~~10~~12-103 for a description or definition of the listed ***use*** classification and types.
4. Single family subdivision exterior boundary only.
5. For all Minor Subdivisions and Small Residential Developments, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point; it may be reduced to 5 feet where adjoining another ***single-family dwelling lot*** in the same ***subdivision***; may be reduced to less than 5 feet if it, when combined with the platted setback distance for the adjoining ***lot***, is at least 10 feet.
6. For ***Family Compounds*** and ***Family Subdivisions***, the minimum setback from an adjacent property shall be reduced by 10' from what is required in Table 16-5-102.D except that an adjacent use setback of 5' shall be required between single-family uses.
7. Any further reductions to the adjacent use setbacks for Family Compounds and Family Subdivisions will require a ***variance*** from the BZA.

E. Allowable Setback Encroachments

Table 16-5-102.E, Allowable Setback Encroachments, identifies features that are allowed to encroach beyond the vertical and angled planes defined by minimum adjacent street and use setback requirements.

TABLE 16-5-102.E: ALLOWABLE SETBACK ENCROACHMENTS	
FEATURE	**EXTENT AND LIMITATIONS**
Fences or walls	• Allowed in adjacent use setbacks if located along common property lines and no more than 7 feet high • Allowed in adjacent street setbacks if less than 4 feet high
Open balconies, fire escapes, or exterior stairways	May extend up to 5 feet into any setback
Chimneys or fireplaces	May extend up to 3 feet into any setback if no more than 5 feet higher than the highest point of ***building*** to which it is attached
Roof eaves and overhangs	May extend up to 3 feet into any setback
Awnings	May extend up to 5 feet into any setback
Bay windows	May extend up to 3 feet into any setback if no more than 9 feet wide
Sills or entablatures	May extend up to 1 foot into any setback
Uncovered porches, stoops, decks, patios or terraces	May extend up to 5 feet into any setback
Lighting fixtures	May be located in any setback if no more than 20 feet high
Roof dormers	May extend up to 5 feet beyond the setback angle plane (horizontally or vertically)
Spires, cupolas, domes, skylights, and similar rooftop architectural features	May extend up above the setback angle plane if they occupy no more than 25% of the roof area of the ***structure*** to which they are attached and extend no more than 25% more than the ***height*** limit defined by the setback angle plane at the point(s) of penetration
Solar collection devices	See Sec. 16-4-103.E.8

Television or radio antennas	May extend up to 10 feet above the setback angle plane if they are attached to a side or rear elevation of a ***structure***
Small wind energy conversion systems	See Sec. 16-4-103.E.7
Amateur radio antenna	See Sec. 16-4-103.E.1
Bike racks, bollards and other ***site*** furnishings (such as tables and chairs)	Allowed in adjacent use and adjacent street setbacks
Other architectural features not listed above (parts of a ***structure*** that provide visual interest to the ***structure*** and are nonhabitable and decorative in nature)	May be allowed to penetrate the plane of the setback angle if the ***Official*** makes the following determinations: • The required setback angle cannot be met for the architectural elements using alternate site layouts without major modifications to an otherwise acceptable **application**; • The excepted architectural elements will not be major or dominant features of the ***structure***; • The excepted architectural elements will not penetrate the vertical plane of the minimum required setback distance; • The exception is the minimum reasonably required to achieve the architectural goal; and • If applicable, the placement of the ***structure*** provides protection of prominent natural features on the site, such as ***trees***, wetlands, or historic ***sites***.
Flagpoles/Flags	Unless they constitute a "sign" and thus subject to Sec. 16-5-~~114~~112.E, Flagpoles no more than 20 feet high and flags no greater than 20 square feet in area may be located in setbacks
Signs	See Sec. 16-5-~~114~~112.E

Sec.16-5-103. Buffer Standards

E. Adjacent Use Buffer Requirements

1. Unless expressly exempted or modified in this subsection, ***development*** shall provide a buffer along common property lines with adjoining properties that is of the type designated in Table 16-5-103.E, Adjacent Use Buffer Requirements, for the proposed ***use*** and the classification of the ***use*** of the ***adjacent*** property (or zoning of a vacant ***adjacent*** property). Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.

TABLE 16-5-103.E: ADJACENT USE BUFFER REQUIREMENTS[1]				
PROPOSED USE[2]	REQUIRED BUFFER TYPE[2]			
	USE OF ADJACENT DEVELOPED PROPERTY[3]			
	SINGLE-FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATIONS; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS; AGRICULTURAL	INDUSTRIAL USES

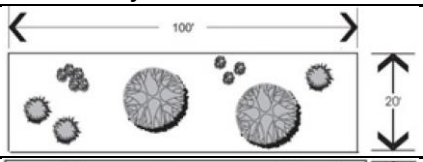
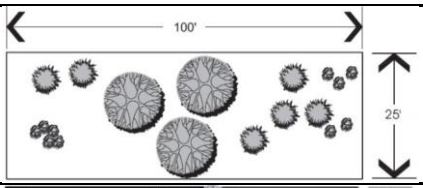
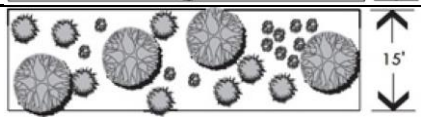
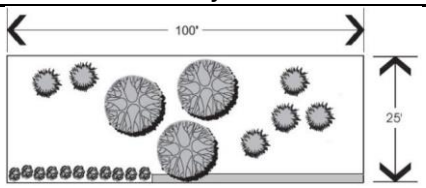
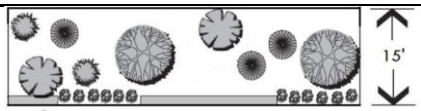
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	RM-8, RM-12	CR, CC, WMU, S, SPC, RD, MS, MV, MF, LC, NC, MED, PD-1	IL
Single-Family[5]	A[4]	A[4]	C[4]	D[4]
• All Other Residential ***Uses*** • Commercial Recreation	A	n/a	B	D
• Public, Civic, Institutional, and Education • Resort Accommodations • Offices • Commercial Services • Vehicle Sales and Services • ***Boat Ramps***, ***Docking Facilities***, or ***Marinas***	C	B	n/a	A
Industrial ***Uses***	D[4]	D	A	n/a

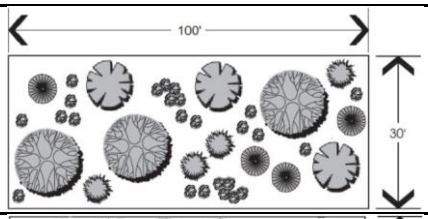
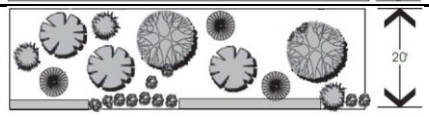
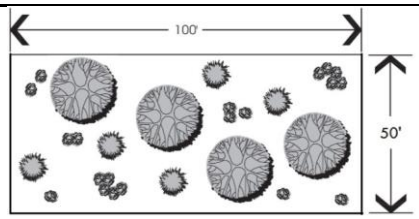
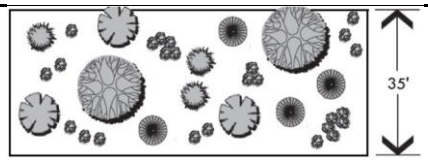
NOTES: n/a = not applicable
1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.
2. When a shared ***access easement*** is located along a common property line, any required buffer shall be provided to the interior of the ***access easement***. An adjacent use buffer from an easement line is not required for non-single-family properties.
3. See Sec. 16-~~10~~12-103 for a description or definition of the listed ***use*** classification and types.
4. Single family subdivision exterior boundary only.
5. For ***Family Compounds*** and ***Family Subdivisions***, the ***adjacent use*** buffers shall include the minimum planting requirements per Table 16-5-103.F.
6. Any further reductions to the adjacent use buffers for Family Compounds and Family Subdivisions will require a ***variance*** from the BZA.

F. Buffer Types

Table 16-5-103.F, Buffer Types, describes the five different buffer types in terms of their function, opacity, width, and planting requirements. The planting requirements should be used as a guide to achieve an aesthetically pleasing landscaped buffer and only apply if the existing buffer does not meet the intent of the prescribed buffer. Either of the options under a specific buffer type may be used at the option of the ***developer/applicant***. If the square footage of an existing building on a site is being increased by more than 50% then the buffers must be brought into compliance with the standards in this table.

TABLE 16-5-103.F: BUFFER TYPES
MINIMUM BUFFER WIDTH AND SCREENING REQUIREMENTS[1,2,3,4,5]
TYPE A BUFFER

This buffer includes low-***density*** screening designed to partially block visual contact and create spatial separation between ***adjacent uses*** or between ***development*** and ***adjacent streets*** with low traffic volumes.		
Option 1		• Width: 20 feet • ***Overstory trees***: 2 every 100 linear feet • ***Understory trees***: 3 every 100 linear feet • Evergreen shrubs: 8 every 100 linear feet
Option 2		• Width: 10 feet • ***Overstory trees***: 2 every 100 linear feet • ***Understory trees***: 4 every 100 linear feet • Evergreen shrubs: 10 every 100 linear feet
TYPE B BUFFER		
This buffer includes low- to medium-***density*** screening designed to create the impression of spatial separation without significantly interfering with visual contact between ***adjacent uses*** or between ***development*** and ***adjacent*** minor arterials.		
Option 1		• Width: 25 feet • ***Overstory trees***: 3 every 100 linear feet • ***Understory trees***: 6 every 100 linear feet • Evergreen shrubs: 10 every 100 linear feet
Option 2		• Width: 15 feet • ***Overstory trees***: 4 every 100 linear feet • ***Understory trees***: 8 every 100 linear feet • Evergreen shrubs: 12 every 100 linear feet
TYPE C BUFFER		
This buffer includes medium-***density*** screening designed to eliminate visual contact at lower levels and create spatial separation between ***adjacent uses***.		
Option 1		• Width: 25 feet • ***Overstory trees***: 3 every 100 linear feet • ***Understory trees***: 5 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide
Option 2		• Width: 15 feet • ***Overstory trees***: 4 every 100 linear feet • ***Understory trees***: 6 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide • At least 50% of all ***trees*** must be evergreen
TYPE D BUFFER		
The buffer includes high-density screening designed to eliminate visual contact up to a height of six feet and create a strong spatial separation between ***adjacent uses***. A Type D buffer is required adjacent to all loading areas per Section 16-5-107.H.8.d, Buffering of Loading Areas.		

Option 1		• Width: 30 feet • ***Overstory trees***: 5 every 100 linear feet • ***Understory trees***: 6 every 100 linear feet • Evergreen shrubs: 25 every 100 linear feet and at least 6 feet high at maturity • At least 50% of all ***trees*** must be evergreen
Option 2		• Width 20 feet • ***Overstory trees***: 6 every 100 linear feet • ***Understory trees***: 8 every 100 linear ft • A solid wall or fence at least 6 feet high or a solid evergreen hedge at least 6 feet high and 3 feet wide • At least 50% of all ***trees*** must be evergreen
TYPE E BUFFER		
This buffer provides greater spacing and medium-***density*** screening designed to define "green" corridors along major arterials.		
Option 1		• Width: 50 feet • ***Overstory trees***: 4 every 100 linear feet • ***Understory trees***: 5 every 100 linear feet • Evergreen shrubs: 20 every 100 linear feet and at least 3 feet high at maturity
Option 2		• Width: 35 feet • ***Overstory trees***: 5 every 100 linear feet • ***Understory trees***: 7 every 100 linear feet • Evergreen shrubs: 25 every 100 linear feet and at least 3 feet high at maturity • At least 50% of all ***trees*** must be evergreen
NOTES: 1. Required ***overstory trees*** shall be distributed and spaced to maximize their future health and effectiveness as buffers. Other required vegetation shall be distributed within the buffer as appropriate to the function of the buffer. 2. Where an ***adjacent use*** is designed for solar access, ***understory trees*** may be substituted for ***overstory trees***. 3. Fences or walls within an adjacent street or use buffer shall comply with the standards of Sec. 16-5-~~113~~111, Fence and Wall Standards. 4. A berm may be provided in conjunction with the provision of a hedge, fence, or wall to achieve ***height*** requirements, provided its side slopes do not exceed a ratio of three horizontal feet to one vertical foot and the width of its top is at least one-half its ***height***. 5. If a buffer length is greater or less than 100 linear feet, the planting requirements shall be applied on a proportional basis, rounding up for a requirement that is 0.5 or greater, and down for a requirement that is less than 0.5. (For example, if the buffer length is 150 linear feet, and there is a requirement that 5 ***overstory trees*** be planted every 100 linear feet, 8 ***overstory trees*** are required to be planted in the buffer (1.5 x 5 = 7.5, rounded up to 8)).		

H. Existing Vegetation

2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with Sec. 16-6-~~104~~106.J, Tree and Buffer Protection During Development Activity.

I. Buffer Materials

At the time of planting, overstory and understory ***trees*** included as part of required buffers shall comply with the size standards for supplemental and replacement ***trees*** in Sec. 16-6-~~104~~106.I, Standards for Supplemental and Replacement Trees; evergreen shrubs shall be at least three feet in ***height*** above ground level. All buffer plantings must be native species of plants, see Appendix C, except where ornamental plantings or plants that have historically been prevalent on Hilton Head Island are approved as part of a Corridor Review approval.

J. Development Within Required Buffers

Development is prohibited within required buffers except in accordance with this subsection.

2. The following features and activities are allowed within adjacent street buffers only:

   a. Signage, to the extent permitted by Sec. 16-5-~~114~~112, Sign Standards.

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

B. Applicability

1. The provisions of this section apply to any Major Non-Residential Subdivisions and Major Residential Subdivisions (six or more ***lots***) creating ***lots*** for residential ***development***, unless expressly exempted in this section.

2. The provisions of this section also shall apply to any Minor Non-Residential Subdivisions and Minor Residential Subdivisions (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.

D. Common Open Space Location and Configuration

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

Sec.16-5-105. Mobility, Street, and Pathway Standards

F. Right-of-Way

Right-of-way shall be measured from property line to property line and shall be sufficiently wide to contain the encompassing ***street*** elements of ***street*** pavement, shoulders, curbing, sidewalks and median (if provided). In addition to a ***street***, It may contain, but is not limited to, utilities (including drainage), ***signs*** as allowed by Sec. 16-5-~~114~~112, Sign Standards, landscaping, and where applicable, pathways. The ***street*** elements required vary depending on intensity of ***development*** and ***street*** order. Minimum ***rights-of-way*** shall be provided in Sec. 16-5-105.E.1, Street Standards.

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

B. Applicability

3. Except as otherwise provided in Sec. 16-~~7~~9-105, Nonconforming Site Features, any ***expansion*** or remodeling of an existing ***use*** or ***structure*** that results in an increase in the number of ***dwelling units***, square feet, rooms, seats, or other unit on which calculation of the minimum number of required parking or loading spaces is based shall provide additional off-street parking and loading spaces as required by ***application*** of the standards of this section to such increase, to the ***maximum extent practicable***.

H. Off-Street Parking Alternatives

1. General; Alternative Parking Plan

The ***Official*** is authorized to approve an alternative parking plan that proposes alternatives to providing the minimum or maximum number of off-street parking spaces required by this section, in accordance with the standards listed below. The alternative parking plan shall be submitted with an ***application*** for Minor Non-Residential Development Plan Review, Major Non-Residential Development Plan Review, Major Residential Development Plan ~~Development Plan~~ Review (Sec. 16-2-103.G), Small Residential Development Review (Sec. 16-2-103.H), or Corridor Review (Sec. 16-2-103.I), as appropriate.

5. Deferred Parking

An alternative parking plan may propose to defer ***construction*** of up to 20 percent of the required minimum number of off-street parking spaces, in accordance with the following standards:

d. Maintenance of Reserve Areas as Common Open Space

As long as areas are reserved for future parking, they shall be maintained as ***common open space,*** without any clearing of ***trees.*** During such time, the reserve areas shall not count as ***common open space*** for purposes of complying with Sec. 16-5-104, Common Open Space Standards, and shall count as ***impervious surface*** for purposes of complying with Sec. ~~16-5-109~~16-6-103, Stormwater Management and Erosion and Sedimentation Control Standards.

~~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.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. 16-10-105, 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 ***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. 16-5-109.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.

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.16-5-109~~10~~. Utility Standards

Sec.16-5-110~~1~~. 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.16-5-111~~3~~. Fence and Wall Standards

Sec.16-5-112~~4~~. Sign Standards

B. Applicability and Provisions

1. Applicability

a. A ***sign*** may be erected, placed, established, painted, created, or maintained in the ***Town*** only in conformance with the standards, procedures, exemptions, and other requirements of this section and this ***Ordinance***. Signs exempt from regulations under Sec. 16-5-~~114~~112.E.1.b.ii, Signs Allowed Without a Sign Permit, shall not otherwise be subject to this ***Ordinance***.

b. With the exception of Sec. 16-5-~~114~~112.H.5, Residential Real Estate Sales Signs, and Sec. 16-5-114.H.6, Residential Short-Term Rental Signs, the provisions of this ***Ordinance*** shall not apply to ***single-family uses***.

e. Any ***legal sign*** that does not comply with the provisions of this section due solely to the enactment of an amendment shall, upon the effective date of such amendment, become a legal ***nonconforming sign*** and shall be subject to the provisions of Title 16, Chapter 16-~~7~~9: Nonconformities.

C. Sign Design, Construction, and Maintenance Guidelines

2. Sign Design, Construction, and Maintenance Standards

To meet these goals, sign design, ***construction***, and ***maintenance*** shall comply with the following standards:

a. Materials, colors, and shapes of proposed ***signs*** shall be complementary to the related ***buildings*** and to nearby ***structures*** and ***signs***. Sign colors shall be non-reflective and shall not contain fluorescent colors. (See Figure 16-5-~~114~~112.C.2: Examples of Signs that are Complementary to Nearby Structures.)

The common architectural elements of the park—cluster posts, hipped copper roofs and caps, Savannah Grey Brick, Tabby—are all incorporated into the Monument sign and reinforce the project's design.

The signature roofline of the church is easily identifiable on the top-line of the monument sign, making it an architectural component of the overall project. All of the elements complement one another and further reinforce the Island's ideal of a ***development*** integrating itself into the site.

Figure 16-5-~~114~~112.C.2: Examples of Signs that are Complementary to Nearby Structures

e. Sign illumination shall comply with the standards in Sec. 16-5-~~114~~112.D, Sign Illumination.

The overall attention to detail makes both ***signs*** outstanding examples of what the Design Guide outlines for sign design. The strength of the graphic design, the subtleties in use of fonts, the shadow lines created by a deep third dimension, and the understated use of rich color to draw the eye, all contribute to the overall craftsmanship and design of the ***signs*** that make them unique. Although they both are predominantly nature blending in color, the ***signs***' overall quality draws attention, as well as more traditional attention-grabbing elements, such as bright lights or colors, typically used in commercial signage.

Figure 16-5-~~114~~112.C.3: Examples of Freestanding Signs that Meet the Intent of The Hilton Head Island Design Guide

E. Sign Permits

1. Applicability

a. General

Unless exempted in accordance with subparagraph b below, a Sign Permit is required for each of the following types of ***signs*** prior to the ***sign*** being erected, placed, or displayed:

i. Freestanding Signs (Sec. 16-5-~~114~~112.F).

ii. Tenant Panels on Freestanding Signs (Sec. 16-5-~~114~~112.F.10.a).

iii. Facade and Hanging Signs (Sec. 16-5-~~114~~112.G).

iv. Temporary Signs for Permitted Signs (Sec. 16-5-~~114~~112.H.1).

v. Construction Signs (Sec. 16-5-~~114~~112.H.2).

vi. Nonresidential Real Estate Sales Signs (Sec. 16-5-~~114~~112.H.3).

vii. Nonresidential Real Estate Lease or Rent Signs (Sec. 16-5-~~114~~12.H.4).

viii. Residential Real Estate Sales Signs (Sec. 16-5-~~114~~112.H.5).

ix. Residential Short-Term Rental Signs (Sec. 16-5-~~114~~112.H.6).

x. Sign Systems (Sec. 16-5-~~114~~112.H.7).

xi. Temporary Special Event Signs (Sec. 16-5-114.H.9).

xii. Signs with Changeable Copy (Sec. 16-5-~~114~~112.H.10).

xiii. Price Displays at Gas Sales Establishments (Sec. 16-5-~~114~~112.H.11).

xiv. Planned Unit Development Off-Premises Signs (Sec. 16-5-~~114~~112.H.12).

b. Exemptions

ii. **Signs Allowed Without a Sign Permit**

The following ***signs*** shall be allowed subject to compliance with the standards of this section, but no Sign Permit shall be required. The ***property owner's*** consent shall be obtained before erecting such signage.

02.Holiday decorations

Decorations that are not internally illuminated shall not require a Sign Permit, provided they are displayed for no more than a total of 60 days per calendar year, excluding the time period between November 1 and January 15. Such decorations shall be maintained in a good condition at all times and shall be removed or replaced when they are overly weathered, torn, broken, or otherwise present a potential safety hazard.

(A) Strings of lights used as holiday decorations shall be subject to the provisions of Sec. 16-5-~~114~~112.E.1.b.ii.12, String Lights for Decoration.

Figure 16-5-~~114~~112.E.1.b.ii.02(A): Example of Conforming Holiday Decorations with String Lights

Figure 16-5-~~114~~112.E.1.b.ii.02(B): Example of Conforming Holiday Decorations Without String Lights

Figure 16-5-~~114~~112.E.1.b.ii.03: Example of a Conforming Incidental Sign

03.Incidental Signs

05.Nonresidential Real Estate for Lease or Rent Signs

Such ***signs*** shall meet the requirements in Sec. 16-5-~~114~~112.H.4, Nonresidential Real Estate Lease or Rent Signs.

07.Parking Signs

Signs that reserve parking spaces for specific ***uses*** or businesses, except that such ***signs*** are not allowed in ***shopping centers*** per Sec. 16-5-~~114~~112.I, Prohibited Signs. Parking ***signs*** shall not exceed 1.5 square feet in area per sign. No more than three parking ***signs*** shall be displayed at any given time on each ***parcel***.

09.Sandwich Boards and Chalkboards

Figure 16-5-~~114~~112.E.1.b.ii.09: Example of a Conforming Sandwich Board Sign

13.String Lights for Ambient Illumination

Figure 16-5-~~114~~112.E.1.b.ii.13: Example of Conforming Strings of Lights Used for Ambient Illumination

14.Towing Signs

Figure 16-5-~~114~~112.E.1.b.ii.14: Example of a Conforming Towing Sign

2. Sign Review

a. Sign Review

i. **Signs Subject to Administrative Sign Review**

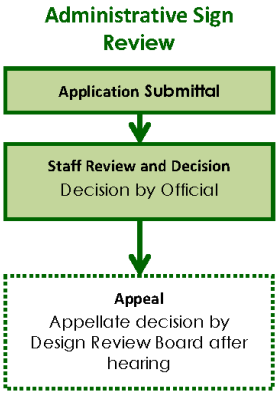
Unless review by the ***Design Review Board*** is required in accordance with Sec. 16-5-~~114~~112.E.2.a.ii below, the following ***signs*** are subject to review and approval of a Sign Permit ***application by the Official:***

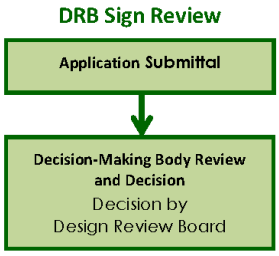
b. Sign Review Procedures

ii. **Staff Review and Action**

01. On receiving a Sign Permit ***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~~112.E.3, Sign Review Standards, and shall be one of the following:***

(A) Approve the ***application***;





(B) Approve the ***application***, subject to conditions of approval; or

(C) Deny the ***application***.

02. On receiving a Sign Permit ***application*** subject to DRB sign review (see Sec. 16-5-~~114~~112.E.2.a.ii), the ***Official*** shall transmit the ***application*** to the DRB.

iii. **Decision-Making Body Review and Decision**

On receiving a Sign Permit ***application*** subject to DRB sign review (see Sec. 16-5-~~114~~112.E.2.a.ii), the ***Design Review Board*** shall review the ***application***, hold a public meeting and make a final decision on the ***application*** in accordance with Sec. 16-2-102.G. The Board's decision shall be based on the standards in Sec. 16-5-~~114~~112.E.3, Sign Review Standards, and shall be one of the following:

3. Sign Review Standards

A Sign Permit ***application*** shall be approved on a finding the ***applicant*** demonstrates the sign complies with the standards in this section, including the standards in:

a. Sec. 16-5-~~114~~112.I, Prohibited Signs;

b. Sec. 16-5-~~114~~112.C, Sign Design, Construction, and Maintenance Guidelines;

c. Sec. 16-5-~~114~~112.D, Sign Illumination;

d. Sec. 16-5-~~114~~112.F, Freestanding Signs;

e. Sec. 16-5-~~114~~112.G, Facade and Hanging Signs; and

f. Sec. 16-5-~~114~~112.H, Standards for Specific Types of Signs.

F. Freestanding Signs

1. The total area and quantity of any freestanding ***signs*** for which a Sign Permit is required shall conform to the standards in Table 16-5-~~114~~112.F, Freestanding Sign Standards. For ***planned unit developments*** that contain more than one category of ***use***, the ***Official*** shall apply the appropriate ***use*** category to each ***building*** or ***development*** to calculate the total area and quantity of freestanding ***signs*** allowed. The number of freestanding ***signs*** for any ***development*** may not exceed the total number allowed in Table 16-5-~~114~~112.F: Freestanding Sign Standards.

TABLE 16-5-~~114~~112.F: FREESTANDING SIGN STANDARDS				
RESIDENTIAL DEVELOPMENT				
NUMBER OF DWELLING UNITS	**NUMBER OF SIGNS**	**NUMBER OF FACES PER SIGN**	**NO SINGLE SIGN FACE SHALL EXCEED**	**TOTAL SIZE OF ALL SIGN FACES**
> 500 Dwelling Units	1 per entrance	4	120 sf	240 sf
300—500 Dwelling Units	1 per entrance	4	80 sf	160 sf
< 300 Dwelling Units	1 per entrance	4	40 sf	80 sf
PUBLIC, CIVIC, INSTITUTIONAL, EDUCATIONAL, HEALTH SERVICES, RESORT ACCOMMODATIONS, COMMERCIAL RECREATION, OFFICE, COMMERCIAL SERVICES, VEHICLE SALES AND SERVICES, INDUSTRIAL OR OTHER USES				
TOTAL SQUARE FEET OF GROSS FLOOR AREA	**NUMBER OF SIGNS**	**NUMBER OF FACES PER SIGN**	**NO SINGLE SIGN FACE SHALL EXCEED**	**TOTAL SIZE OF ALL SIGN FACES**
> 100,000	6, if the ***development*** has ***frontage*** on 4 or more ***streets*** 4, if the ***development*** has ***frontage*** on 2 or 3 ***streets*** 2, if the ***development*** has ***frontage*** on 1 ***street***	4	120 sf	480 sf
40,000—100,000	3, if the ***development*** has ***frontage*** on more than 1 ***street*** 2, if the ***development*** has ***frontage*** on 1 ***street***	4	80 sf	320 sf
2,500—39,999	2	4	40 sf	160 sf
2,499 or Less[1]	1	2	40 sf	40 sf
NOTES sf = square feet 1. If an ***applicant*** in this category shall waive the right to have a ***freestanding sign***, the ***applicant*** shall be permitted to exceed the size limitations of Sec. 16-5-~~114~~112.G, Facade and Hanging Signs, by 50 percent.				

G. Facade and Hanging Signs

These ***facade signs*** both sit within a single architectural element of their respective ***buildings***. Their colors, materials, and fabrication complement the quality of the ***structure***'s design. Their depth and quality of graphic design make the signage a true architectural addition to the ***building*** itself, like any well-conceived roofline, bracket, or window. They complement and reinforce the ***building*** rather than hang from it as an afterthought.

Figure 16-5-~~114~~112.G.1: Examples of Facade and Hanging Signs that Meet the Intent of The Hilton Head Island Design Guide

Figure 16-5-~~114~~112.G.2: Example of a Tenant Space in a Shopping Center with Two Conforming Signs—One Facade Sign and One Hanging Sign Perpendicular to the Storefront

H. Standards for Specific Types of Signs

1. Temporary Signs for Permitted Signs

c. Temporary ***special event signs*** are permitted as specified in Sec. 16-5-~~114~~112.H.9, Temporary Special Event Signs.

 This sign would not be approved as a ***temporary sign*** for the following reasons: 1. It does not provide reasonable identification of a business. 2. The colors are not muted and nature-blending as specified in the Design Guide. 3. The material used for the sign board is corrugated plastic instead of MDO or a material of equal durability.	 This sign would be approved as a ***temporary sign*** for the following reasons: 1. It provides reasonable identification of a business. 2. The colors are muted and nature-blending. 3. The sign is constructed of MDO or a material of equal durability.
Figure 16-5-~~114~~112.H.1.a: Example of A Prohibited Temporary Sign	Figure 16-5-~~114~~112.H.1.b: Example of a Conforming Temporary Sign

2. Construction Signs

Figure 16-5-~~114~~112.H.2: Example of a Conforming Construction Sign

4. Nonresidential Real Estate Lease or Rent Signs

b. Tenant Spaces for Lease or Rent

Figure 16-5-~~114~~112.H.4.b: Example of a Directory Sign with a Conforming Space for Lease Tenant Panel

8. Permanent Special Event Signs

Figure 16-5-~~114~~112.H.8: Example of a Conforming Permanent Special Event Sign

9. Temporary Special Event Signs

The organizer of a special event (see definition in Sec. 16-~~10~~12-105, General Definitions), shall obtain a Temporary Special Event Sign Permit prior to displaying temporary ***signs*** at a special event. The ***application*** shall state the location and dates of the event, the expected number of attendees, and the types and number of proposed temporary ***signs***. The ***application*** shall be submitted no fewer than five business days prior to the event. The following temporary special event ***signs*** may be used as specified:

10. Signs with Changeable Copy

f. ***Changeable copy*** shall be limited to announcing:

iii. Gasoline prices as described in Sec. 16-5-~~114~~112.H.11, Price Displays at Gas Establishments.

g. Permanent Special Event Signs as described in Sec. 16-5-~~114~~112.H.8, Permanent Special Event Signs, are exempt from the requirements of this section.

12. Planned Unit Development Off-Premises Signs

a. Planned Unit Development Off-Premises Directional Signs

ii. Off-***premises*** directional ***signs*** that are viewed from any ***public way*** shall comply with the following requirements:

03. The total area of all ***signs*** for any one ***development*** shall not exceed 200 square feet of ***sign face*** with no single ***sign face*** greater than 80 square feet. Sign ***height***, width, and ***structure*** shall meet the requirements of Sec. 16-5-~~114~~112.F, Freestanding Signs.

b. Planned Unit Development Off-Premises Identification Signs

ii. This sign shall comply with the following requirements:

02. Such sign shall be subject to the standards of Sec. 16-5-~~114~~112.F, Freestanding Signs.

I. Prohibited Signs

4. Banners, except within the boundaries of a special event. (See Sec. 16-5-~~114~~112.H.9, Temporary Special Event Signs.)

11. Internally illuminated ***signs*** that contain a visible light source, except for those ***signs*** complying with the provisions of Sec. 16-5-~~114~~112.D, Sign Illumination.

16. Pennants except within the boundaries of a special event. (See Sec. 16-5-~~114~~112.H.9, Temporary Special Event Signs.)

Figure 16-5-~~114~~112.I.17: Examples of Prohibited Portable and Off-Premises Signs

~~**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.16-5-113~~6~~. Impact Fees

D. Payment of Impact Fee as Condition of Approval

Until any impact fee required by this section has been paid in full, no ***Building Permit***, Electrical Permit, Certificate of Compliance, Certificate of Occupancy, or other permit subsequent to Development Plan Review for any ***development*** that is not exempted by Sec. 16-5-~~116~~113.B, Applicability, shall be issued. A stop work order shall be issued on any ***development*** for which the applicable impact fee has not been paid in full.

I. Expenditure of Impact Fees

Transportation Impact Fees shall only be spent on qualifying public ***street*** and pathway ***improvements***, as set forth in Sec. 16-5-~~116~~113.S, Use of Transportation Impact Fees.

Sec.16-5-114~~7~~. Construction Management Standards

E. Site Management

2. ***Tree*** Protection. ***Trees*** shall be protected in accordance with Sec. 16-6-~~104~~ 106 ***Tree*** Protection, as applicable.

F. Enforcement

Failure to comply with this section may result in the permit holder being issued a Notice of Violation(s), Stop Work Order, and/or fines in accordance with Chapter 16-~~8~~ 10 of this ***Ordinance.***

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

A~~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.

B~~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.

C~~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)

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.

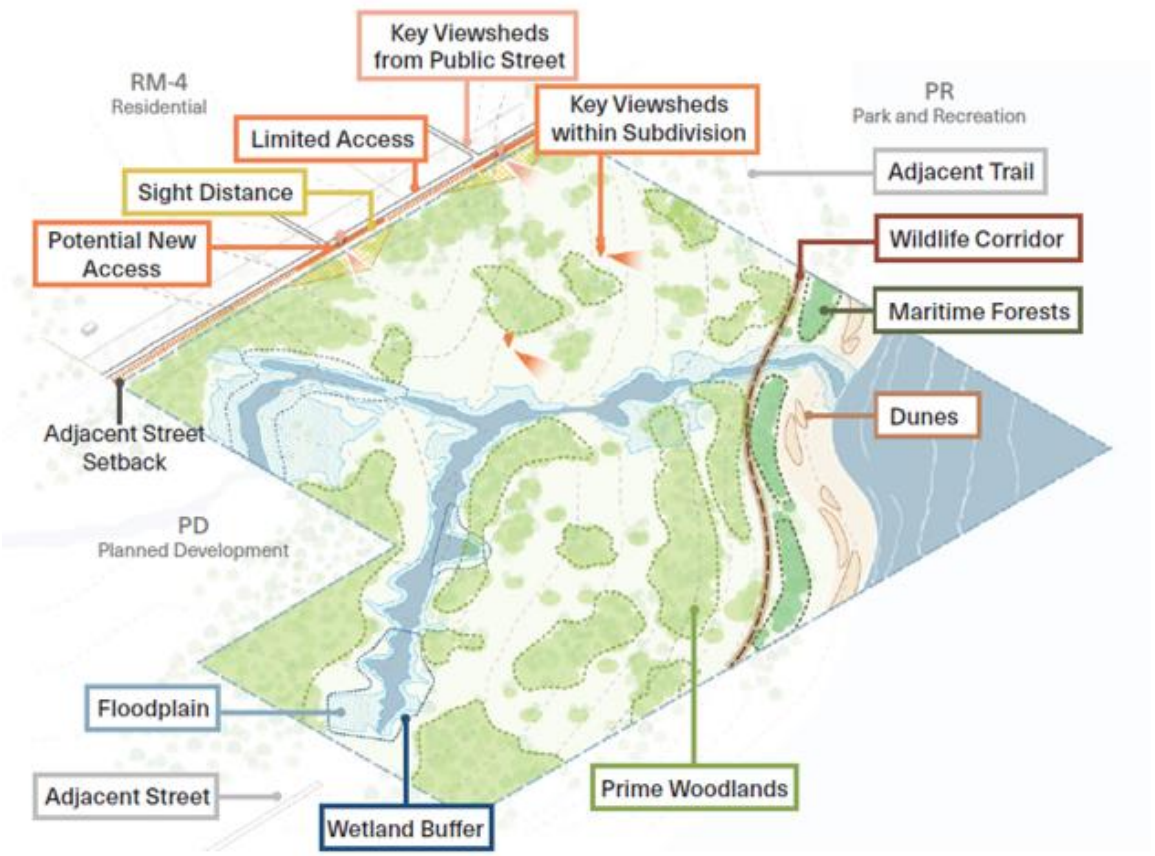
i. Existing buildings and structures, and the location of land uses and buildings abutting the property and across the street

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.

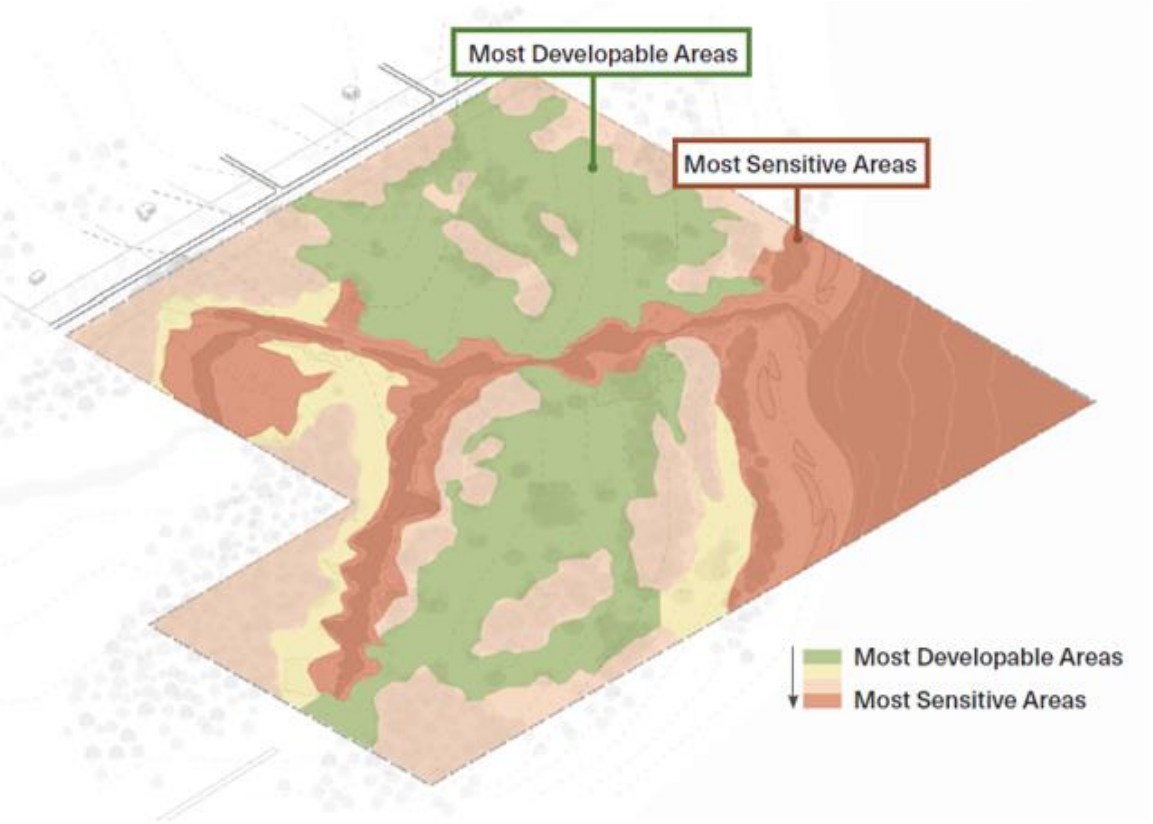
g. Lands and features that will be preserved for passive or active open space including trails, overlooks, parks and similar features. Calculations shall be provided for "Useable Open Space" per Section 16-5, 104.

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

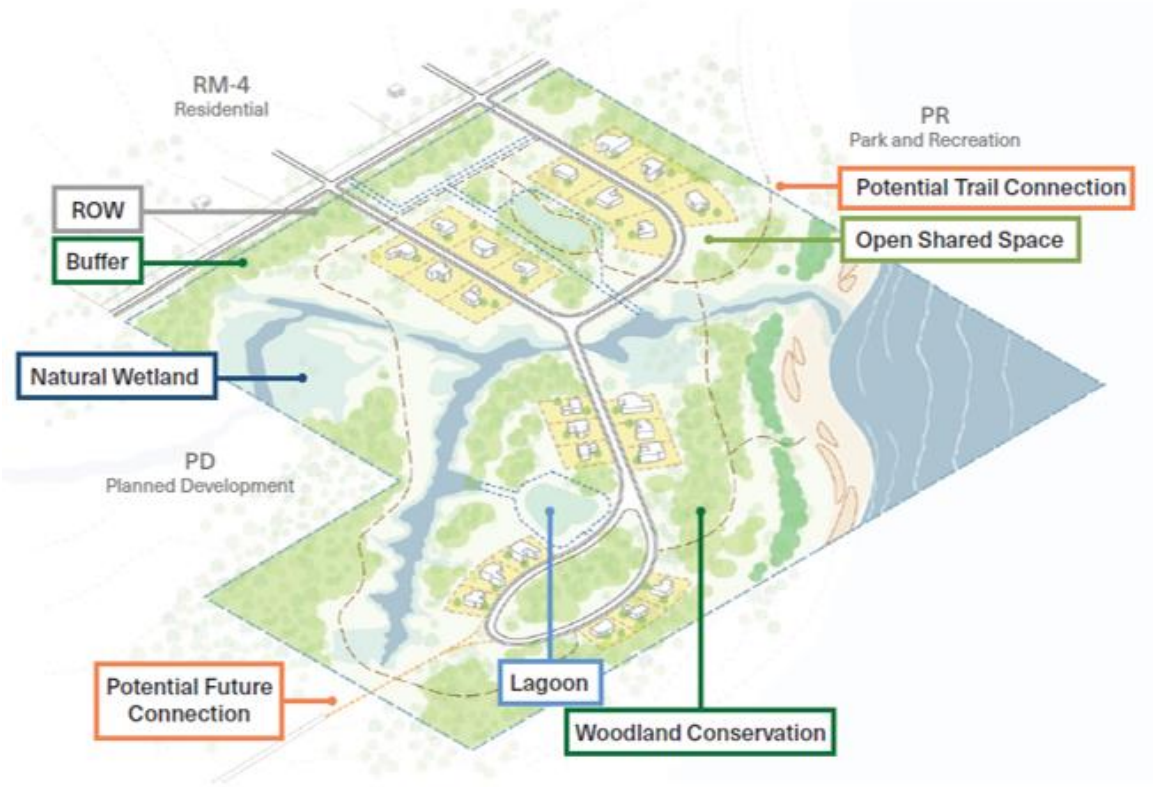


Figure XX. Example of Conceptual Plan NOT Aligned with Preservation and Development Areas

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

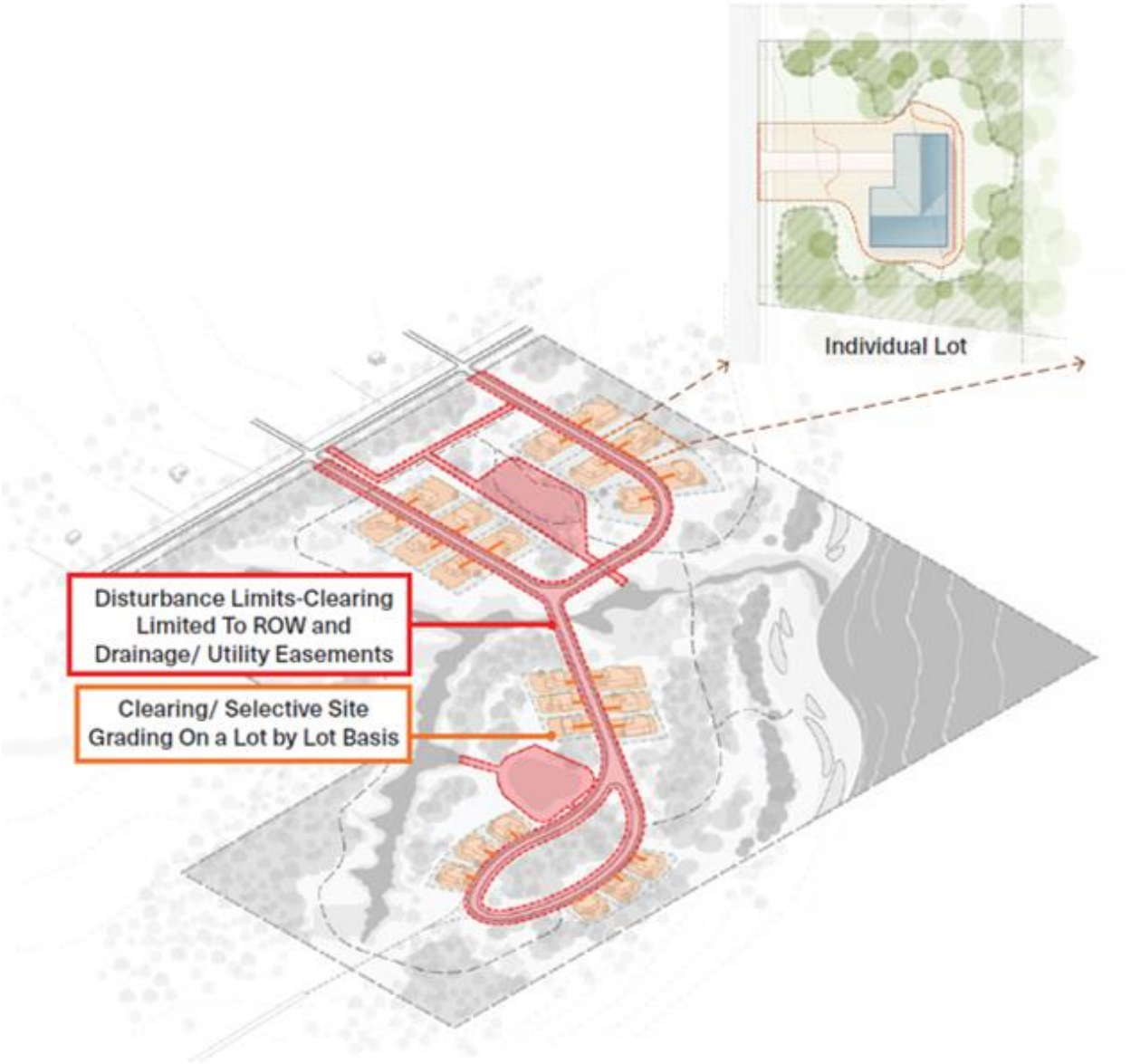
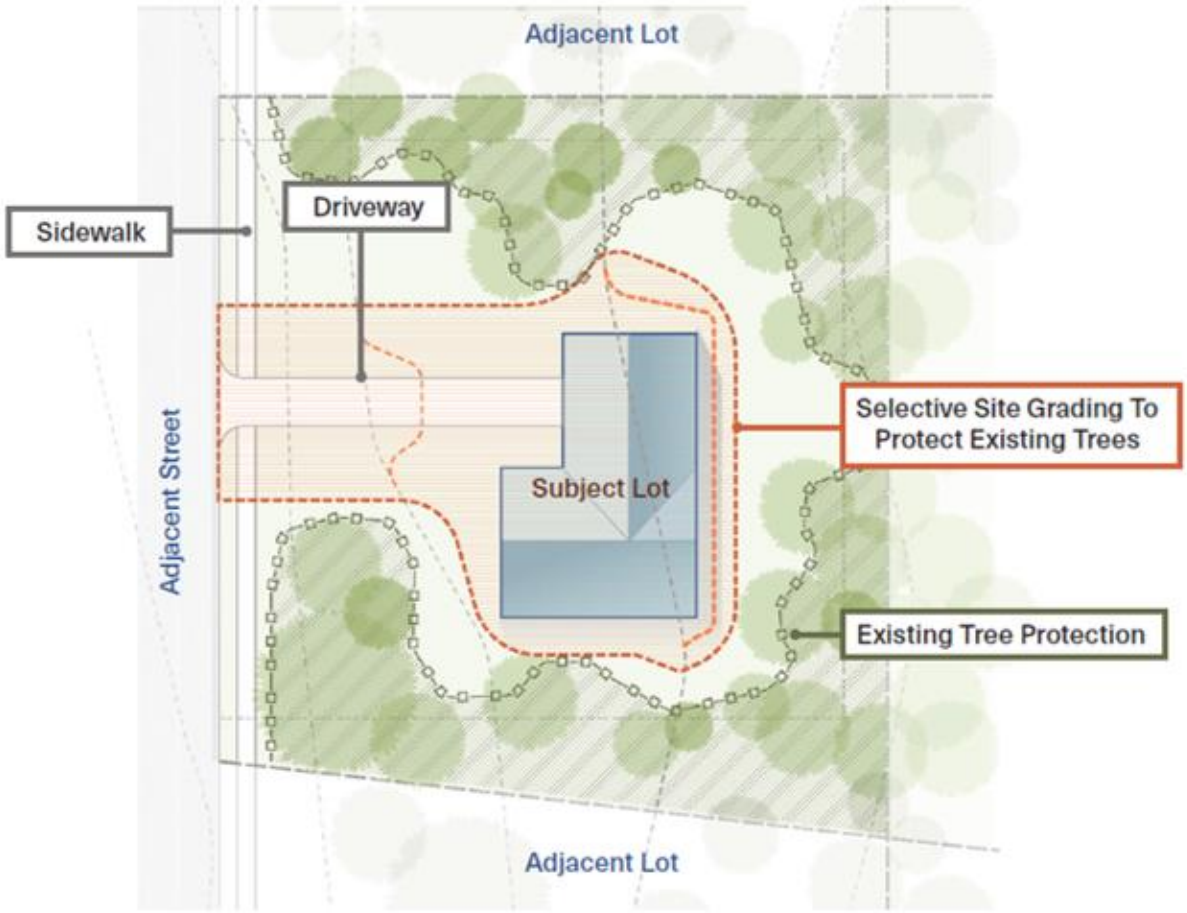


Figure XX. Selective Site Grading to Protect Existing Trees



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

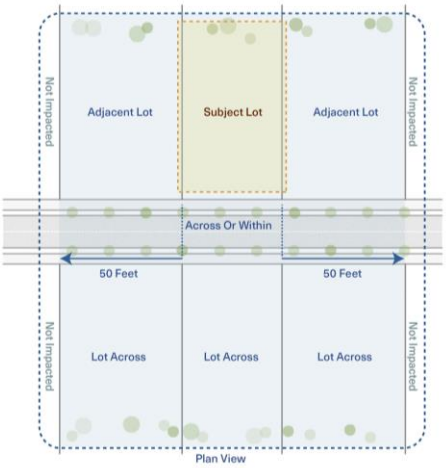


Figure XX. Façade Design Study Area – Offset Lot Pattern

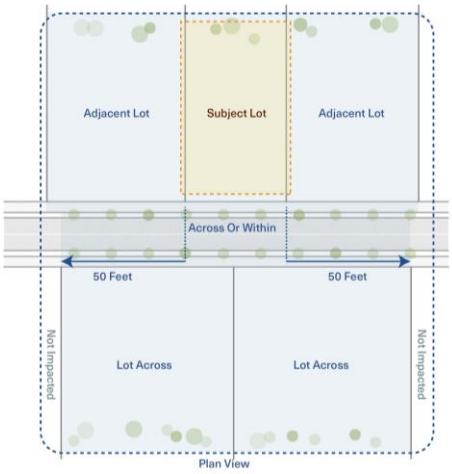


Figure XX. Façade Design Study Area – Corner Lots

Figure XX. Façade Design Study Area - Repeating Assembly

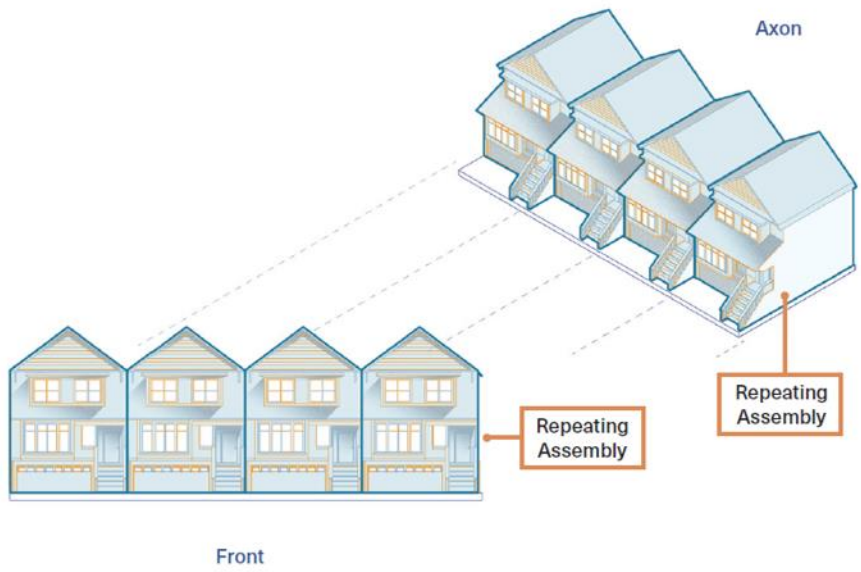
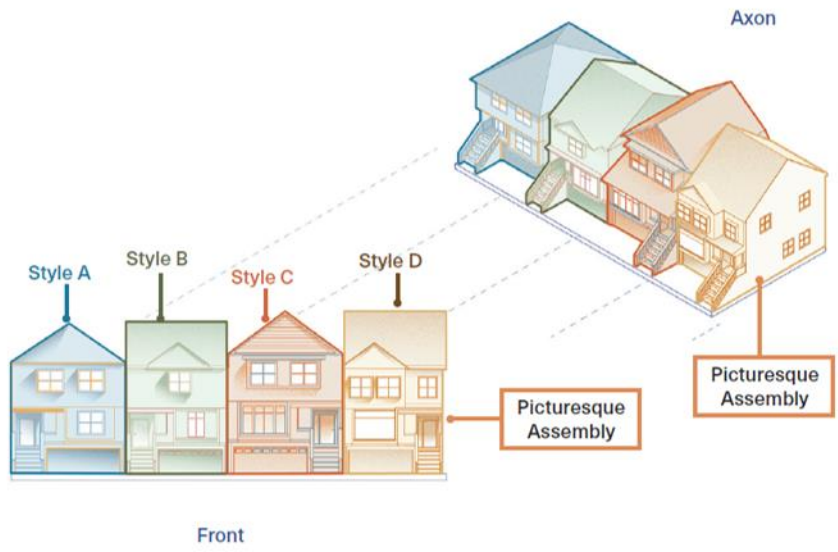


Figure XX. Façade Design Study Area - Picturesque Assembly



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. Façade Configuration and Composition. A building must incorporate features that introduce variation in façade 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 façade, 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);

   ~~e~~g. Major Corridor Reviews (Sec. 16-2-103.I);

   ~~f~~h. Certain Sign Permits (Sec. 16-5-~~114~~112.E);

   ~~g~~i. Street/Vehicular Access Easement Name Reviews (Sec. 16-2-103.O);

   ~~h~~j. Public Project Reviews (Sec. 16-2-103.Q); and

   ~~i~~k. 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).

~~4~~5. Review and make recommendations to the ***Town Council*** on:

a. Text Amendments (Sec. 16-2-103.B);

b. Zoning Map Amendments (Rezonings) (Sec. 16-2-103.C); and

c. Planned Unit Development (PUD) Districts (Sec. 16-2-103.D).

~~5~~6. 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.

~~6~~7. 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

~~e~~f. 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~~

   ~~b~~c. Major Corridor Development Reviews (Sec. 16-2-103.I); and~~.~~

   d. Certain Sign Permits (Sec. 16-5-114~~4~~2.E).~~; and~~

Appendix D:
Application Submittal Requirements

D-1. Zoning Map Amendment

B. Zoning Map Amendment (Rezoning) for Redevelopment Overlay District

After completing conceptual review, ***applicants*** shall submit the following items for a complete rezoning ***application***:

8. An ***as-built survey*** as defined in Sec. 16-~~10~~12-105 that reflects the current condition of the ***site***.

D-4. ~~Subdivison~~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:

F. Site Development Plan

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

22. Fire hydrants and fire lanes in conformance with Sec. 16-5-~~110~~109, Utility Standards.

H. Landscape Plan

Landscape plans shall clearly demonstrate 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. 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~~106, Tree Protection.

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~~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.

N. Stormwater Management

Stormwater management plans and calculations as required in Sec. 16-~~5-109~~6-104, Stormwater Management and Erosion and Sedimentation Control Standards.

D-7. Development Plan Review, Minor

D. Site Development Plan

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

22. Fire hydrants and fire lanes in conformance with Sec. 16-5-~~110~~109, Utility Standards.

E. Landscape Plan

Landscape plans shall clearly demonstrate 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. 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~~106, Tree Protection.

G. Approvals, Certifications and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate ***Town***, ***County***, ***State*** and federal regulations for the proposed ***development***, and documentation of compliance with such, as applicable. Failure of the ***Official*** to request an approval or certification required does not relieve the ***applicant*** of responsibility for compliance. This includes but is not limited to:

9. Recommendations and comments of the following, as applicable, including, but not limited to:

   b. Beaufort County Emergency Management Director for hurricane evacuation/emergency preparedness plan pursuant to ~~E~~D-6b, Development Plan Review, Non-Residential Major and Final Residential Major~~Development Plan Review, Major~~, Item T, Emergency Preparedness Documentation.

D-8. Small Residential Development Review

A. Submittal Requirements

Requirements for a complete ***application*** shall be the same as listed under D-6b, Development Plan Review, Non-Residential Major and Final Residential Major~~Development Plan Review, Major~~, items A, B, and C (or, in lieu of a deed, other proof of ownership such as a property tax receipt or title to the property), plus the following:

D-9. Corridor Review, Major

B. New Development—Conceptual

1. A survey (1"=30' minimum scale) of property lines, existing topography and the location of ***trees*** meeting the ***tree*** protection regulations of Sec. 16-6-~~104~~106, Tree Protection, and if applicable, location of bordering ***streets***, marshes and ***beaches***.

C. New Development—Final

2. Final ***site development*** plan meeting the requirements of D-6b.F, Site Development Plan.
3. Final ***site*** lighting and landscaping plans meeting the requirements of D-6b.I, Site Lighting Plan, and D-6.H, Landscape Plan.

D. Alterations/Additions

2. A survey (1"=30' minimum scale) of property lines, existing topography and the location of ***trees*** meeting the ***tree*** protection regulations of Sec. 16-6-~~104~~106, Tree Protection, and if applicable, location of bordering ***streets***, marshes and ***beaches***.

D-12. Natural Resources Permit

A. Submittal Requirements

A Natural Resources Permit ***application*** shall include the following items:

2. A complete ***tree survey***, as described in Sec. 16-6-~~104~~106.C.2, Tree Survey.

4. A complete ***tree*** tally sheet listing ***trees*** by category (See Sec. 16-6-~~104~~106.H, Tree Equivalency Table).

D-25. Utility Project

C. 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:

12. See Section 16-6-~~104~~106.G.1.c for requirements related to trees.

D-26. Family Compound

G. 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:

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-~~111~~110, Fire Protection Water Supply.

D-27. Family Subdivision

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:

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-~~111~~110, Fire Protection Water Supply.

J. Stormwater Management

Stormwater Management Plans and calculations as specified in Sec. 16-~~5-109~~6-103, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

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.

Chapter 16-1:
General Provisions

Sec.16-1-108. Transitional Provisions

C. Violations Continue

Any violation of previous ***Town development*** regulations replaced by this LMO shall continue to be a violation under this LMO, and be subject to the penalties set forth in Chapter 16-~~8~~10: Enforcement, unless the ***development*** complies with the express terms of this LMO.

D. Nonconformities

If any ***use***, ***structure***, ***lot***, ***sign***, or other site feature was legally established on the date of its ***development***, but does not fully comply with the standards of this LMO, then that ***use***, ***structure***, ***lot***, ***sign***, or other site feature shall be considered nonconforming and subject to the provisions of Chapter 16-~~7~~9: Nonconformities. If a ***use***, ***structure***, ***lot***, ***sign*** or site feature that was legally nonconforming under a prior LMO becomes conforming under this LMO, it shall no longer be deemed nonconforming or subject to the provisions of Chapter 16-~~7~~9: Nonconformities.

G. Pending Applications

3. Development Approved Under Prior Standards May be Nonconforming

To the extent a pending ***application*** is approved in accordance with the requirements of the prior LMO and proposes ***development*** that does not comply with this LMO, the subsequent ***development***, although allowed, shall be legally nonconforming and subject to the provisions of Chapter 16-~~7~~9: Nonconformities.

H. Development with Prior Permits and Development Approvals

3. Development Under Prior Permits and Development Approvals May Be Nonconforming

To the extent a prior permit or ***development*** approval authorizes ***development*** that does not comply with this LMO, the subsequent ***development***, although allowed, shall be nonconforming and subject to the provisions of Chapter 16-~~7~~9: Nonconformities.

Chapter 16-~~7~~9: Nonconformities

Sec.16-~~7~~9-101. General Provisions

H. Expansion, Enlargement, or Extension

For purposes of this Chapter only, the terms "expansion", "enlargement" or "extension" refer to any increase in the size of a legal ***nonconforming structure***, or ***site*** feature. The footprint of any existing ***nonconforming site feature*** or ***structure*** may be maintained or expanded as long as the ***applicant*** receives an approval as provided in Sec. 16-~~7~~9-101.F, Substitution of Nonconformities for Redevelopment, unless one of the following is involved:

1. ***Expansion***, enlargement, or extension associated with a ***nonconforming use***; and
2. Replacement of a nonconforming ***site*** feature with a ***nonconforming structure***; and
3. The demolition or modification of an existing ***nonconforming structure*** with the intent to rebuild or remodel the ***structure*** in accordance with an approved Zoning Map Amendment for the Redevelopment Overlay (R-O) District (see Sec. 16-3-106.K); and
4. ***Nonconforming signs***.

Sec.16-~~7~~9-102. Nonconforming Uses

Sec.16-~~7~~9-103. Nonconforming Structures

The following provisions apply to all ***nonconforming structures*** unless approved in accordance with Sec. 16-~~7~~9-101.F, Substitution of Nonconformities for Redevelopment.

A. Expansion, Relocation or Redevelopment

A legal ***nonconforming structure*** shall not be expanded, enlarged, relocated, or redeveloped, in whole or in part, unless the ***structure*** is made conforming in accordance with the provisions of this ***Ordinance*** or is otherwise allowed by the provisions in this Chapter or Chapter 16-~~9~~11: Disaster Recovery.

Sec.16-~~7~~9-104. Nonconforming Signs

B. Maintained in Good Condition

A legal ***nonconforming sign*** shall be maintained in good and working condition in accordance with Sec. 16-5-~~114~~112.C.2.f. Painting, ***repair***, and refinishing of the ***sign face*** or ***sign structure*** is permitted, as long as the appearance of the sign complies with Sec. 16-5-~~114~~112, Sign Standards.

C. Change to Nonconforming Sign Shall Comply with this Ordinance

If a legal ***nonconforming sign*** is changed in any way (its dimensional standards, message, or any other element) because of a change in ***use***, change in business name, or for any other reason, the sign shall comply with Sec. 16-5-~~114~~112, Sign Standards with the exception of location. An ***off-premises sign*** may remain ***off-***

premises as long as it remains in the same location. Any modification that fails to comply with Sec. 16-5-~~114~~ 112 shall render the prior Sign Permit void and shall result in the sign being in violation of this ***Ordinance***.

D. Repair, Reconstruction, or Replacement After Damage or Destruction

Repair, reconstruction, or replacement of a damaged or destroyed legal ***nonconforming sign*** shall be subject to the same provisions applicable to the ***repair***, reconstruction, or replacement of a damaged or destroyed legal ***nonconforming structure*** in Sec. 16-~~7~~9-103.B, Damage or Destruction of Nonconforming Structure.

Sec.16-~~7~~9-105. Nonconforming Site Features

B. Applicability

1. Examples of Nonconforming Site Features

For the purposes of this Chapter and section, the term "***nonconforming site features***" includes ***site*** features to the extent they fail to comply with the standards in the referenced sections. ***Nonconforming site features*** include, but are not limited to, the following:

d. Fence or wall ***height*** (Sec. 16-5-~~113~~111.C);

Chapter 16-~~8~~10: Enforcement

Sec.16-~~8~~10-101. Purpose

Sec.16-~~8~~10-102. Compliance Required

Sec.16-~~8~~10-103. Violations

Sec.16-~~8~~10-104. Responsible Persons

Sec.16-~~8~~10-105. Enforcement Responsibility, Complaints

Sec.16-~~8~~10-106. Town Enforcement Actions

Sec.16-~~8~~10-107. Private Civil Relief

Sec.16-~~8~~10-108. Tree Protection Violation

Sec.16-~~8~~10-109. Impoundment of Signs

A. In addition to other remedies identified in this chapter, the ***Official*** shall have the authority to remove and impound:

1. Any prohibited sign listed in Sec. 16-5-~~114~~112.I, Prohibited Signs, without notice to the owner; and
2. Any sign that is installed or used in any way that is not consistent with the requirements of this ***Ordinance***, provided that notice has been given as set forth in Sec. 16-~~8~~10-105.C, Notice of Violation, and no action to correct the violation has been taken by the owner within the specified timeframe.

Sec.16-~~8~~10-110. Violations Continue

Sec.16-~~8~~10-111. Penalties

Sec.16-~~8~~10-112. Remedies Cumulative

Chapter 16-~~9~~11:
Disaster Recovery

Sec.16-~~9~~11-101. Emergency Permitting

B. Applicability

1. This chapter shall apply in all cases where any ***structure*** is damaged or destroyed as a direct result of any event that has been declared a State of Emergency due to a disaster, as defined in Sec. 16-~~10~~12-105, General Definitions, by the Mayor in accordance with Title 7, Chapter 7 (State of Emergency) of the ***Municipal Code***.
2. In such cases, this chapter takes precedence over Chapter 16-~~7~~9: Nonconformities. Damage to or destruction of any ***structure*** by any other means shall be repaired, reconstructed, or rebuilt only in accordance with all relevant procedures and standards of this ***Ordinance***.

I. Single-Family Dwelling

1. Planning Emergency Permit

Any ***single-family dwelling unit*** that sustains damage or is destroyed as a direct result of a disaster may be repaired or reconstructed in accordance with this chapter on approval of a planning emergency permitting ***application*** in accordance with Sec. 16-~~9~~11-101.G. The ***application*** shall include such information and documentation as may be reasonably required by the ***Official***, including all the following items:

a. If the ***structure*** sustains damage amounting to less than 50% of the fair market value:

   i. A planning emergency permitting affidavit as described in Sec. 16-~~9~~11-101.H.

b. If the ***structure*** sustains damage amounting to 50% or more of the fair market value:

   i. A planning emergency permitting affidavit in accordance with Sec. 16-~~9~~11-101.H; and

2. Other Requirements

b. For ***applicants*** who cannot meet the requirements of paragraph 1 above, and for all ***applicants*** who do not meet the time period set forth by Sec. 16-~~9~~11-101.G, Planning Emergency Permitting, any ***repair***, reconstruction, or rebuilding that occurs must comply with all requirements of this ***Ordinance***.

J. Non-Single-Family Structures

1. Planning Emergency Permit

a. Any ***structure***, other than a ***single-family dwelling unit*** that sustains damage or is destroyed as a direct result of a disaster may be repaired or reconstructed in accordance with this chapter on approval of a planning emergency permitting ***application*** in accordance with Sec. 16-~~9~~11-101.G. The ***application*** shall include such information and documentation as may be reasonably required by the ***Official***, including all the following items:

   i. A planning emergency permitting affidavit as described in Sec. 16-~~9~~11-101.H.

2. Other Requirements

b. For ***applicants*** who cannot meet the requirements of paragraph 1 above and for all ***applicants*** who do not meet the time period set forth by Sec. 16-~~9~~11-101.G, Planning Emergency Permitting, any ***repair***, reconstruction, or rebuilding that occurs shall comply with all relevant procedures and standards of this ***Ordinance***.

K. Manufactured Homes

Manufactured homes that are damaged or destroyed may be repaired, replaced, or changed to stick built ***construction*** in accordance with the following requirements:

1. If the ***structure*** receives a green placard after a safety assessment in accordance with Sec. 16-~~9~~11-101.D, Placards and Safety Assessment, the ***structure*** may be repaired in accordance with Sec. 16-~~9~~11-101.E, Planning Review Not Required.

5. The ***structure*** may be removed and a stick built home may be constructed in accordance with the current requirements of this ***Ordinance***. (This would be considered a change to the existing condition; therefore, the benefits of Sec. 16-~~9~~11-101.I, Single-Family Dwelling, would not apply.)

Sec.16-~~9~~11-102. Temporary Units for Damaged or Destroyed Single-Family Dwelling Units

B. Applicability

1. This section shall apply in all cases where any ***single-family dwelling unit*** is damaged or destroyed as a direct result of any event that has been declared a State of Emergency due to a disaster, as defined in Sec. 16-~~10~~12-105, General Definitions, by the Mayor in accordance with Title 7, Chapter 7 (State of Emergency) of the ***Municipal Code***. In such cases where the provisions of this section conflict with other LMO provisions, the provisions of this section control.

Sec.16-~~9~~11-103. Temporary Nonresidential Units for Damaged or Destroyed Nonresidential Development

B. Applicability

1. This section shall apply in all cases where any nonresidential ***development*** is damaged or destroyed as a direct result of any event that has been declared a State of Emergency due to a disaster, as defined in Sec. 16-~~10~~12-105, General Definitions, by the Mayor in accordance with Title 7, Chapter 7 (State of Emergency) of the ***Municipal Code***. In such cases where the provisions of this section conflict with other LMO provisions, the provisions of this section control.

Chapter 16-~~10~~12:
Definitions, Interpretation, and Measurement

Sec.16-~~10~~12-101. General Rules for Interpretation

Sec.16-~~10~~12-103. Use Classifications, Use Types, and Definitions

A. Residential Uses

2. Use Types and Definitions

Islander Mixed-Use

Development that includes two or more different uses, which shall include ***workforce housing use*** and one or more of the Office ***uses***, as described in Sec. 16-~~10~~12-103.F. or one or more of the Commercial Services ***uses***, as described in Sec. 16-~~10~~12-103.G. or some combination thereof. Such ***uses*** should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian ***access***.

Mixed-Use

Development that includes two or more different ***uses***, which shall include ***multifamily or workforce housing use*** and one or more of the Office **uses,** as described in Sec. 16-~~10~~12-103.F or one or more of the Commercial Services ***uses***, as described in Sec. 16-~~10~~12-103.G or some combination thereof. Such ***uses*** should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian ***access***.

Sec.16-~~10~~12-104. Table of Abbreviations

Table 16-~~10~~12-104, Abbreviations, includes the abbreviations and their corresponding terms as used in this ***Ordinance***.

TABLE 16-~~10~~12-104: ABBREVIATIONS	
ABBREVIATION	**COMPLETE TERM**
ac	Acre
AADT	Annual Average Daily Traffic
ACI	Adjusted Caliper Inches
ADA	Americans with Disabilities Act
ADT	Average daily trips
ANSI	American National Standards Institute
AASHTO	American Association of State Highway and Transportation Officials
AMI	Area Median Income
BFE	Base flood elevation
BMP	Best management practice
COE	Certificate of Eligibility
DBH	Diameter at breast height
DRB	Design Review Board

CIP	Capital Improvements Program
DHEC	South Carolina Department of Health and Environmental Control
du	Dwelling unit(s)
EV	Electric vehicle
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
ft	Feet
GFA	Gross floor area
HHI	Hilton Head Island
HUD	U.S. Department of Housing and Urban Development
IBC	International Building Code
IESNA	Illuminating Engineering Society of North America
ITE	Institute of Transportation Engineers
LMO	Land Management Ordinance
LOS	Level of service
MSL	Mean sea level
NAD	North American Datum
NAVD	North American Vertical Datum
NPDES	National Pollutant Discharge Elimination System
OCRM	(DHEC) Office of Ocean and Coastal Resource Management
PD	Planned development
PSD	Public Service District
PUD	Planned unit development
SC	South Carolina
S.C. Code of Laws	Code of Laws of South Carolina
SCDOT	South Carolina Department of Transportation
sf	Square feet
USACOE	United States Army Corps of Engineers
WEC	Wind energy conversion
WFH	Workforce Housing

Sec.16-~~10~~12-105. General Definitions

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

Base Flood Elevation

See Sec. 16-~~10~~12-102.C.3, Base Flood Elevation.

Density

See Sec. 16-~~10~~12-102.B.1, Density.

Grade

See Sec. 16-~~10~~12-102.C.4, Grade.

Grade, Finish

See Sec. 16-~~10~~12-102.C.5, Grade, Finish.

Grade, Pre-development

See Sec. 16-~~10~~12-102.C.6, Grade, Pre-development.

Graphics

For the purposes of Sec. 16-5-~~114~~112, Sign Standards, any drawing, symbol, picture, motif, or logo displayed on a ***sign face***.

Gross Floor Area

See Sec. 16-~~10~~12-102.B.2, Gross Floor Area.

Height

See Sec. 16-~~10~~12-102.C, Height.

Impervious Cover

See Sec. 16-~~10~~12-102.E.1, Impervious Cover.

Impervious Surface

See Sec. 16-~~10~~12-102.E.2, Impervious Surface.

Net Acre

See Sec. 16-~~10~~12-102.B.3, Net Acre.

Sign, Illegal

Any existing sign that does not have a Sign Permit issued by the ***Town*** in accordance with Sec. 16-5-~~114~~112, Sign Standards. ***Persons*** responsible for such ***signs*** are subject to the enforcement provisions in Chapter 16-~~8~~10: Enforcement.

has light transmitted outward through its face or any part thereof.

Sign, Legal

Any ***permitted sign*** that complies with the provisions of Sec. 16-5-~~114~~112, Sign Standards.

Sign, Permitted

Any sign for which a Sign Permit has been issued by the ***Town*** in accordance with Sec. 16-5-~~114~~112, Sign Standards.

Specimen Tree

A ***tree*** that is an outstanding representative of its species in size, as listed in Sec. 16-6-~~104~~106.F.1, Specimen Tree Defined.

Tree and Buffer Protection Zone

A defined area containing one or more healthy ***trees*** designated for preservation and protection in accordance with Sec. 16-6-~~104~~106, Tree Protection, delineated generally by the outermost drip line of the ***tree(s)*** or a buffer area designated to be protected in accordance with Sec. 16-5-103.D, Adjacent Street Buffer Requirements and Sec. 16-5-103.E, Adjacent Use Buffer Requirements.

Tree Survey

A survey of ***trees*** protected by Sec. 16-6-~~104~~106, Tree Protection. See Sec. 16-6-~~104~~106.C.2.

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

ORDINANCE NO. _____

CONSIDERATION OF AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND TITLE 16 OF THE MUNICIPAL CODE, LAND MANAGEMENT ORDINANCE (LMO), RELATED TO THE FOLLOWING REGULATIONS: NATURAL RESOURCE PROTECTION - WETLAND PROTECTION; NATURAL RESOURCE PROTECTION - TREE PROTECTION; JONESVILLE ROAD - RESIDENTIAL SINGLE - FAMILY DISTRICT-4 (RSF-4); BRADLEY CIRCLE - RESIDENTIAL SINGLE - FAMILY DISTRICT-8 (RSF-8); SUBDIVISION AND RESIDENTIAL DEVELOPMENT STANDARDS; AND THE SECTIONS OF THE LMO CONTAINING CROSS-REFERENCES TO THE AMENDED SECTIONS; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina ("***Town Council***") has identified a continued need to review the Land Management Ordinance of the Town of Hilton Head Island ("***LMO***") for the adoption of amendments to address needs and issues in the Town of Hilton Head Island ("***Town***") as such arise; and

WHEREAS, on August 17, 2026, the Land Management Ordinance Task Force voted 17-1, with two members abstaining, to recommend to the Town of Hilton Head Island Planning Commission ("***Planning Commission***") and the Town Council for the Town of Hilton Head Island ("***Town Council***") to approve the amendments to the LMO as shown in "**Exhibit A**" ("***LMO Amendments***"), attached hereto and incorporated herein by reference, and the public had an opportunity to comment on the proposed amendments; and,

WHEREAS, on August 24, 2026, the Gullah Geechee Land and Cultural Preservation Task Force, an ad-hoc committee of the Planning Commission, voted 4-1, with one member abstaining, to forward no recommendation to the Planning Commission and Town Council for the LMO Amendments; and,

WHEREAS, on September 16, 2026, the Planning Commission held a public hearing and after consideration of the staff presentation and the criteria set forth in LMO Section 16-2-103.C.3.a as applicable, voted _____ to (recommend/disapprove) adoption of the LMO Amendments to Town Council; and,

WHEREAS, following the staff presentation, discussions and review of requirements of LMO Sec. 16-2-103.C.3 as applicable, the Town Council finds that it is in the best interest of the Town and the health, safety, and welfare of its citizens, residents, and visitors to amend the Land Management Ordinance as shown in Exhibit A.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1 - Amendment. That the Land Management Ordinance of the Town of Hilton Head Island is amended as shown in Exhibit A, attached hereto and incorporated herein by reference, showing newly added language is illustrated with underline text and deleted language is illustrated with ~~strikethrough~~ text.

Section 2 – Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 - Effective Date. This Ordinance shall be effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2026.

_____
Alan R. Perry, Mayor

ATTEST:

_____
Kimberly Gammon, Town Clerk

First Reading: (Month/Day/Year)

Second Reading: (Month/Day/Year)

APPROVED AS TO FORM:

_____
Brittany Ward, Town Attorney