

SEA PINES
Commercial
Architectural Review
Board

GUIDELINES FOR
COMMERCIAL
PROPERTIES

Approved 12-31-2025

GUIDELINES FOR THE DEVELOPMENT OF COMMERCIAL PROPERTIES

December 31, 2025

The following guidelines will be used by the Sea Pines Commercial Architectural Review Board (CARB) in its consideration of applications for permits for new construction or renovations of Commercial Properties.

These guidelines are derived from legally recorded covenants of Sea Pines and are binding upon the CARB; and from the Land Management Ordinance (LMO) of the Town of Hilton Head Island (Town) which will have great weight in the deliberations of the CARB.

The LMO requirements will usually be regarded as establishing the minimum standards for the areas under the jurisdiction of the CARB. The CARB may impose more restrictive requirements, consistent with its covenants.

Applicants are expected to review and understand all applicable CARB Guidelines and Standards prior to submitting an application. The review process is intended to evaluate compliance, not to substitute for applicant preparation or due diligence. Submittals that demonstrate a lack of familiarity with the guidelines may be deemed incomplete and returned without review.

The terms "Commercial Property", "Property" or "Project", as used herein, are considered interchangeable and applicable to any specific application, irrespective of type of project.

STATEMENT OF INTENT

What we know today as Sea Pines is a very large part – but not the entirety - of the land area that Charles Fraser started with; as he shaped a new vision for creating communities. For the land areas outside the gates of Sea Pines, Charles recognized the need for commercial and service establishments, civic and religious institutions, and homes for workers. And while he understood that greater flexibility was needed to accommodate many of these uses; he also sought to ensure that these areas reflect good design principles and respect for the environment.

Thus, a set of use and building covenants for these areas were introduced. As noted in the language of these covenants, there is a recognition that Hilton Head Island is an environmentally sensitive area, and that any development is a matter of concern to both the developing party and the community at large. The standards are intended to ensure: quality of design, workmanship and materials; harmony of external design; development of an attractive and convenient commercial area of integrated design and function; to preserve and enhance economic value; to prevent congestion and crowding; and prevent development that would tend to decrease the beauty of Hilton Head Island as a whole.

Over the years, there has been inconsistency in the administration of these covenants, but Community Services Associates (CSA), the Administrator of the covenants, has a renewed commitment to ensure a quality environment and that Sea Pines remains a unique community. Particular attention will be paid to properties visible from the vehicular approaches to Sea Pines, and as one gets closer to the entrance gates.

Those areas subject to these covenants are indicated in Exhibit A.

GENERAL

1. No building, fence or other structure shall be erected, placed or altered on any lot in such Commercial Property until the proposed building plans, specifications, exterior color or finish, plot plan (showing the proposed location of such building or structure, drives, parking areas, drainage, and landscaping), and construction schedule shall have been approved in writing by the CARB. Refusal of approval of plans, location or specifications may be based by the CARB upon any ground, including purely aesthetic considerations, which, in its sole and uncontrolled discretion, the CARB shall deem sufficient, provided, however, that such approval by the CARB shall not be unreasonably withheld. Elements that will be considered by the CARB before plans or specifications are approved include, but are not limited to, the following:
 - a. the ratio of hard surface to natural tree or landscaped surface;
 - b. location of utility lines;
 - c. the ratio of parking spaces to building capacity.
 - d. an acceptable plan to provide for the capture and disposition of any surface water run-off on the property;
 - e. whether any of the proposed improvements to be constructed on the Property exceed the maximum allowable height for such improvements which, without the written consent of the CARB, may not exceed two (2) floors or in no event exceed forty (40) feet in height. In the Forest Beach area, height may not exceed five (5) stories or sixty-two (62) feet. Height shall be measured pursuant to Sec. 16-10-102C.1.ii of the LMO.
2. Proposed development shall avoid excessive or unsightly grading, indiscriminate earth moving or clearing of property, and removal of vegetation which could cause disruption of natural water courses or disfigure natural landforms.
3. Proposed development shall be located and configured in a visually harmonious manner with the terrain and vegetation of the parcel and surrounding parcels. Structures shall impede, as little as reasonably practical, scenic views from the main road or from existing structures and the natural environment.
4. The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance, history and cultural heritage of Sea Pines and the island as whole, and demonstrate the community character, that is, structures which are designed to be unobtrusive and set into natural landforms and existing vegetation.

5. Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with these Guidelines.
6. Long monotonous facade designs including, but not limited to, those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided. Shingles, metal standing seam, tile or other non-flammable roof materials may be used.
7. Stucco, tabby, natural wood siding, brick or other materials with similar texture and appearance are appropriate. Reflective surfaces are not acceptable. Generally, prefabricated metal buildings (i.e. "Butler" buildings) are discouraged.
8. Colors of paints, stains, and other finishes or materials shall be nature-blending with generally no more than three colors per building.
9. The location and dimensions of wall signs shall be indicated and shall maintain compatibility with the architectural features of the building. Architectural lighting shall be recessed under roof overhangs or generated from concealed light source, low level light fixtures.
10. Site lighting shall be of low-intensity from concealed light source fixtures, and shall not spill over into adjoining properties or roadways or in any way interfere with the vision of oncoming motorists.
11. The landscape plans for the proposed development shall provide visually harmonious and compatible settings for structures on the same lot and on adjoining or nearby lots and shall blend with the surrounding natural landscape. Natural appearing landscape forms are strongly encouraged; formal plans and the appearance of straight hedges are discouraged. Landscaping shall be required between buildings and sidewalks, parking lots and driveways. The scale of the proposed landscaping shall be in proportion to the building and sites.

A. REVIEW PROCESS AND PROCEDURES

1. PROCESS

a. Board Meetings

The Board will meet on an as-needed basis, upon receipt of an application or a request for informal discussions.

b. Permitting Process

No site clearing, material deliveries, demolition or construction may begin without obtaining approval from CARB, and receipt of the necessary Town of Hilton Head Island approvals.

c. Submittal Requirements

The applicant must first complete an application form and pay the appropriate fee. The application must be accompanied by a description of sufficient detail for the level and type of review being sought; including necessary submittal information as indicated on the appropriate application form.

d. Informal Discussions

Applicants are encouraged to contact the CARB Administrator as early as possible to discuss ideas, plans, and proposals, and to gain an understanding of the review and approval process.

2. TYPES OF REVIEW

a. Preliminary Review

A Preliminary Architectural Review Application and approval are REQUIRED for all applications even if the proposed construction seemingly conforms to all CARB guidelines. This approval is a formal expression of "GENERAL ACCEPTABILITY" of the plan or design. The owner and architect may attend this meeting to present the plan to the Board. IN SOME CASES, AT THE DISCRETION OF THE CARB, THE OWNER AND/OR ARCHITECT MAY BE REQUIRED TO ATTEND THE MEETING TO DISCUSS THE PROJECT.

b. Final Review

A Final Architectural Review Application, including all requisite drawings and data as herein described are mandatory submittal requirements for anyone planning ANY TYPE of construction or development activity within the jurisdiction of the CARB. Digital copies of all plans and related materials are required.

c. Request for Changes after Final Review

The CARB recognizes that field modifications may be necessary. The applicant is responsible for immediately informing the CARB for purposes of review and possible approval of such proposed changes.

3. TIME PERIOD FOR REVIEW

Upon receipt of a complete application, the CARB shall have forty-five (45) days to consider and act on the application. Incomplete applications will be returned to the owner, and forty-five (45) day clock will be suspended. In the event approval of such plans is neither granted nor denied within forty-five (45) days following receipt by the CARB, the applicant may send a demand for action by certified mail. If the application is neither granted nor denied within ten (10) days of receipt of such demand, said application shall be deemed to be approved by the CARB. "Notice" by the CARB to the applicant shall be in writing, delivered to the applicant or its actual or apparent agent personally, by common carrier providing evidence of such delivery, or by United States mail. In the case of United States mail, delivery shall be deemed to occur on the first calendar day following the placement of such notice in the United States mail by the CARB. If the applicant is incapacitated or outside the United States or in similar circumstances making the utilization of normal notice procedures difficult, the CARB shall be authorized to extend the time in which to deliver notice by a reasonable period.

Approvals shall be dated and shall not be effective for construction commenced more than twelve (12) months after such approval. Disapproved plans and related data shall be accompanied by a statement of items found unacceptable and the reasons they are unacceptable.

Refusal of approval of plans, locations or specifications may be based by the CARB upon any reasonable ground which is consistent with the objectives of the Commercial Covenants applicable to CARB's jurisdiction, including but not limited to aesthetic considerations, the harmony and scale, the impact of the bulk, coverage, function or plans on neighboring properties, the view of the structure or property from the road, the placement of parking spaces, and the desirability of preserving significant trees or other unique vegetation.

4. INSPECTIONS

In general, the CARB will defer to The Town of Hilton Head Island for inspections as such are required under the LMO and building codes. There may be conditions imposed by the CARB that cannot be enforced by the Town. The CARB will conduct necessary inspections in all such cases.

The CARB reserves its authority under the covenants to enter upon the property and conduct inspections. The CARB Administrator, members of the Board, and/or other CARB inspectors or representatives may conduct on-site inspections – prior to construction, while construction is in progress, and when construction is indicated by the owner or builder to be complete.

a. Stake-Out and Tree Marking Inspection

A CARB representative shall visit a prospective job site to verify proposed structure positioning, setbacks, and necessary tree removal before final approval can be granted. Failure to complete the needed stake-out in a timely manner will result in deferral of the CARB's final approval of an application.

For all construction where the removal of any tree is contemplated, the permit applicant is responsible for staking out all trees consistent with Town requirements.

In doing the stake-out for new buildings, or additions to existing buildings, it is essential that all property corners be staked and labeled, and that all property lines be shown by strings between corners. The boundary of driveways and walkways should also be marked by short blue or yellow flags set on approximately four-foot centers to assist in verifying needed tree removal.

b. In-Process Compliance Inspections

Throughout the construction period, job sites may be inspected by CARB inspectors and Board members to determine continuing compliance with CARB regulations and guidelines, and special permit conditions, if any. Special attention will be given to noting site cleanliness and orderliness. Failure of any CARB inspector to detect or object to an unauthorized design change or other non-compliance matter during the construction process does not relieve the owner and/or builder of non-compliance.

c. Final Inspection (Clean-Up and Compliance)

This inspection shall be required prior to the issuance of a Certificate of Occupancy from the Town of Hilton Head Island. The inspection will be scheduled when the builder notifies the CARB office that:

- i. Construction is completed pursuant to the CARB-approved plans. If unapproved changes from the plans are observed at inspection, the applicant will be charged a minimum of \$500.00 and be required to submit as-built plans for approval. The CARB shall be entitled, should the as-built plans be disapproved, to require the removal or correction of any work in place which does not comply with the originally approved plans and specifications at the Owners expense.
- ii. All waste containers, portable toilets and temporary utility poles have been removed.
- iii. The job site is clean.
- iv. Any damage to right-of-way, common areas and adjacent properties has been completely repaired.
- v. All signs and permits have been removed.
- vi. All vertical surfaces are painted an approved color.
- vii. The Commercial Architectural Review Board, in its sole judgment, will determine at this final inspection if the Landscape Plan design intent has been met. This holds particularly true for landscaping that is used for screening purposes.

Following this inspection and upon receipt by the CARB of a Town issued Certificate of Occupancy, the Escrow Deposit will be refunded (less penalty deductions, if any), and the project shall be deemed complete.

5. COMPLETION SCHEDULE

The exterior of any structure on Commercial Property must be completed within one (1) year after the construction of same shall have commenced, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergency or natural calamities.

Construction must be reasonably continuous and without interruptions. The construction site cannot be or cannot appear to be abandoned at any time.

B. DESIGN GUIDELINES

1. BUFFER AREAS

- a. The function of buffer areas is to provide visual and noise barriers between adjacent land uses or between a land use and a public road which block out both visual nuisances, such as glare from lights, and shield the source of noise from view, thereby reducing its perceived impacts. Additionally, buffers may serve as a protective or safety barrier, by blocking physical passage. Heavily planted buffers may restrict the movement of dirt or dust and assimilate air carried contaminants.
- b. The design of buffer areas shall utilize three features: (a) distance, (b) plant material and (c) structural elements, such as fences, privacy walls, berms, etc. and may take into account easements.
- c. The following development activity may occur in the required street buffer:
 - i. Roadway and/or driveway access to the portion of the site not in the street buffer provided that it is approximately perpendicular to right-of-way.
 - ii. Water, sanitary sewer, electrical, telephone, natural gas, cable or other service lines provided they are approximately parallel to the road right-of-way, an equal amount of buffer may be required to substitute for the area of vegetation removal. Permission for easement and right-of-way disturbance and clearings for such services shall be more favorably considered when such activity is consolidated with vehicular access routes.
 - iii. Pedestrian and bicycle paths designed to provide continuous connection along the road.
 - iv. Lighting fixtures.
 - v. Signage in accordance with the CARB Sign Guidelines of December 31, 2025.
 - vi. Clear sight distances at the permitted entrances and exits to any development as needed to provide for reasonable traffic safety.
 - vii. Storm drainage provided that it does not impair the basic integrity of the required buffer.

2. BUILDING HEIGHT

- a. The CARB will limit the maximum height of all future buildings in its jurisdiction to two (2) stories, but in no event to exceed forty (40) feet. In the Forest Beach area, height may not exceed five (5) stories or sixty-two (62) feet. Height shall be measured pursuant to Sec. 16-10-102C.1.ii of the LMO.
- b. Calculations of the height limits shall be to the highest point of the structure.
- c. Equipment such as heating and air conditioning may be installed on top of buildings provided that it is screened from horizontal view and included in the height limitations. Chimneys, tanks and supports, parapet walls, bulkheads, and structures used solely to enclose stairways, tanks, elevator machinery or shafts, or ventilation or air conditioning apparatus, must be included in determining the height limitation.
- d. Minimum finished first floor elevation shall be established by the Federal Emergency Management Agency.

3. DRAINAGE

- a. Drainage swales, culverts, or other appropriate provisions must be installed if the construction will adversely affect the drainage of the natural watershed or cause runoff to adjacent properties.

4. FENCES

- a. All fences must be approved by the CARB. In general, permitted fences are those which surround utility areas. Perimeter fences are generally discouraged but the CARB acknowledges that such fences are a necessity for some uses.
- b. Each Commercial Property owner must construct a screening fence to shield and hide from view any service yards or areas. Plans for all fences delineating the size, design, material, texture, appearance and location must be approved by the CARB prior to construction.

5. FORMS, COLORS AND MATERIALS

- a. The architectural design and construction philosophy of the CARB is that buildings should be unobtrusive in form and color in order to complement their natural setting.
- b. Stucco, tabby, natural wood siding, brick or other materials with similar texture and appearance are appropriate. Reflective surfaces are not acceptable. Generally, prefabricated metal buildings (i.e. "Butler" buildings) are discouraged. Colors of paints, stains, and other finishes or materials shall be nature-blending with generally no more than three colors per building.
- c. One of the purposes of architectural review is to ensure that structures, improvements, materials and colors are visually harmonious with the overall appearance of Sea Pines and adjacent areas, surrounding development, natural landforms and existing vegetation.

6. GARBAGE

- a. Each Commercial Property owner shall provide sanitary receptacles for garbage in a screened area not generally visible from the road, or provide underground garbage receptacles or similar facilities in accordance with reasonable standards established by the CARB and such facilities shall be kept in a clean and sanitary condition.
- b. Materials used for screening must be compatible with those used for the primary buildings on the property.

7. LANDSCAPING

- a. All Commercial areas must be landscaped in a manner appropriate to their use, and setting. Landscape plans must be submitted with the application for approval and shall include:
 - i. Planting plan showing location, quantity, and type of proposed plantings.
 - ii. Planting schedule showing all materials to be used for landscaping, botanical name, common name, quantity, and size at installation.
 - iii. All horizontal landscape construction such as drives, decks, terraces, etc. shall be drawn on the landscape plan and labeled according to material and finish.
 - iv. All vertical landscape construction such as walls, fences, raised decks, shelters, light standards, signs, flagpoles, trellises, seats, mailboxes, etc. shall be drawn and labeled sufficiently to indicate its size, height, materials and general appearance.
 - v. If landscaping is to be irrigated, show approximate extent of coverage and outline performance specifications.
 - vi. Landscape lighting, if used on site, showing location, wattage, typical fixture design, type of bulb and quantity, and illumination patterns.

8. LAND UTILIZATION AND SETBACKS

- a. In order to preserve and enhance the economic value of the Commercial Property and to prevent congestion and crowding which would be detrimental to the value of adjacent areas, no more than fifty percent (50%) of the total acreage of any Commercial Property may be utilized for enclosed and/or covered commercial buildings and similar facilities. The unenclosed portion of any Commercial Property shall be maintained in an attractive manner to include landscaping, walkways and automobile parking areas.
- b. The Land Management Ordinance of the Town of Hilton Head Island sets the minimum setback requirements for commercial construction. At its discretion, the CARB may require greater setbacks.

- c. Structures should be set back from all property lines in order to permit drainage, landscaping, and screening and to avoid interference with the rights and comforts of the owners of adjoining properties.
- d. A single structure should be near the center of the lot about equidistant from all property lines. Variations from the center may be dictated by the usage of the surrounding land for deliveries, parking, trees to be retained, or by the character of the adjoining property, i.e. golf course, lagoon, or road.

9. LIGHTING

- a. All exterior lighting should be installed so as not to disturb neighbors nor impair vision of traffic on nearby streets. Direct lighting shall not invade or illuminate any adjacent properties. All exterior lighting must be approved by the CARB prior to installation. The Town has specific regulations for beach lighting that must be adhered to.

10. PARKING

- a. Each Commercial Property owner shall provide adequate space for off-street parking for all users on the site or on other adjacent-owned areas. Parking for employees and service and delivery vehicles is equally important to that for others.
- b. The minimum number of parking spaces required shall be established by the Town of Hilton Head Island's LMO, but the CARB reserves the right to require a greater number of spaces.
- c. All off-street parking in conjunction with development fronting on a collector or arterial street shall be designed so that vehicles can turn around within the area and enter the street in such a manner as to completely eliminate the necessity of backing into the street.
- d. The size of parking spaces shall be as established by the LMO.
- e. The required parking space for any number of separate uses may be combined in one facility. Generally, the required space assigned to one use may not be assigned to another use; thus, the total available spaces should be the sum of required spaces for each of the individual uses.
- f. Parking areas shall be suitably landscaped to minimize noise, glare and other nuisance characteristics as well as to enhance the environment and ecology of the site and surrounding area. As noted in the Town's design guidelines, projects requiring large numbers of parking spaces should break the lot into several smaller areas separated by landscaped open space, other site features, or structures.
- g. All parking area lighting shall be hooded or directed to the extent practical to shield the light source from direct view from adjacent properties and streets. The maximum allowable height of such lighting shall be twenty (20) feet.

11. T.V. ANTENNA AND DISHES

- a. Television antennas should be installed in an enclosure. TV Dishes must be submitted to the CARB, with a detailed screen plan, for approval. Such plans should include elevations of all sides as well as a plot plan and should show elevations relative to the original ground level.

12. TREE PROTECTION

- a. Recognizing that the Town of Hilton Head Island's Land Management Ordinance contains tree protection policies and guidelines, penalties, and remediation requirements for all properties within the jurisdiction of the CARB, the Board shall generally defer to their requirements.
- b. The CARB shall reserve all its rights under the covenants to require additional preservation of trees, additional planting or replanting of trees as part of an approved landscape plan, additional protections for trees during construction, and additional mitigation measures if trees are damaged or destroyed during construction.
- c. Tree protection standards and regulations are established in order to lessen air pollution, to promote clean air quality by increasing dust filtration, to reduce noise, heat and glare, to prevent soil erosion, to improve surface drainage and minimize flooding, to ensure that noise, glare and other distractions of movement in one area do not adversely affect activity within other adjacent areas, to emphasize the importance of trees as a visual buffer, to beautify and enhance improved and undeveloped land, to maintain the ambiance of the community, to ensure that tree removal does not reduce property values, and to minimize the cost of construction and maintenance of drainage systems necessitated by the increased flow and diversion of surface waters.
- d. The intent of this section is to encourage the protection and replanting of trees consistent with the economic and healthful enjoyment of private property, and to treat all sites equitably for the purpose of protecting and replanting trees and maintaining adequate tree coverage.
- e. No tree measuring six (6) inches or more in diameter at a point four (4) feet above ground level may be removed without the written approval of the CARB. The objective of this provision is to ensure that all Commercial Property has an adequate tree border on all sides of such property, and, further, to ensure that no trees are removed from any Commercial Property except in those specific instances where failure to remove a tree or trees would substantially impair or prohibit the use of the property for the purpose approved by the CARB.

13. SIGNS

- a. The sign policies of the CARB appear in full in the document entitled “*Sign Guidelines*” December 31, 2025.

14. MISCELLANEOUS

1. PROPERTY MAINTENANCE

- a. It shall be the responsibility of each Commercial Property owner to prevent the development of any unclean, unsightly or unkept conditions of buildings or grounds on such lot during construction which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area.

2. SEWAGE AND PUBLIC WATER SERVICE

- a. Prior to the construction and use of a Commercial structure on any property, suitable arrangements shall be made for public water and sewer service with the South Island Public Service District.

3. SUBDIVISIONS

- a. The Sea Pines Resort has expressly reserved to itself, its successors or assigns the right to replat any two (2) or more lots shown on the plat of any subdivision intended primarily for commercial use.

4. TEMPORARY STRUCTURES

- a. No structure of a temporary character shall be placed upon any Commercial Property at any time, provided, however, that this prohibition shall not apply to shelters used by the contractor during the construction of any permanent structure, it being clearly understood that these latter temporary shelters may not, at any time, be used as residence or for any commercial uses or permitted to remain on the lot after completion of construction.
- b. Before or after construction is completed no fence, trailer, tent, barn, tree house or other similar outbuilding or structure shall be placed on any Commercial Property at any time, either temporarily or permanently, without written approval by the CARB.

Exhibit A

