

**EXHIBIT D**  
**Shelter Cove Mall Redevelopment**  
**Modifications to**  
**Town of Hilton Head Island's Land Management Ordinance**

**A. CHAPTER 3 – DEVELOPMENT REVIEW PROCEDURES**

**1. Article XIII. – Traffic Impact Analysis Plan**

**a. Sec. 16-3-1301. - Applicability**

**The following replaces the requirements set forth in this Article:**

“Traffic study prepared by Pond & Company, titled, ‘Shelter Cove Mall Redevelopment’ Town of Hilton Head Island, South Carolina, Traffic Impact Study, dated June 25, 2012 resulting from the modifications to the Mall Tract resulting from the Zoning Map Amendment.”

**B. CHAPTER 4 – ZONING DISTRICT REGULATIONS**

**1. Article XIII. – Specific Use Standards**

**a. Sec. 16-4-1323. – Gas Sales**

**Omit A. in its entirety.**

**b. Sec. 16-4-1323. – Gas Sales**

**Omit C. and replace with the following definition:**

“C. No more than 8 pumps (defined as a fueling area for an individual vehicle on each side)”

**c. Sec. 16-4-1323. – Gas Sales**

**Omit D. and E. in their entirety**

**1. Article VII. – Setbacks**

**a. Sec. 16-5-704. – Minimum Required Setback Area**

**Modify A. to include the following:**

“Where residential multifamily buildings are adjacent to community park and public open space, setbacks may be reduced to zero with no setback angle requirement”

**b. Sec. 16-5-704. - Adjacent Street Setback**

**Modify B. to include the following:**

“Where non-residential buildings front on-street parking, adjacent street setback may be reduced to zero with no setback angle requirement, provided a minimum 10’ sidewalk corridor is maintained.”

**c. Sec. 16-5-705. – Exceptions For Setback Angle Requirements**

**Add C. to include the following:**

“C. Setback angle is not required for residential multifamily buildings adjacent to community park or public open space and where non-residential buildings front on-street parking”

**2. Article VIII. – Buffers****a. Sec. 16-5-806. – Required Buffers****Modify A. Adjacent Use Buffers to include the following:**

“Adjacent use buffers internal to the overall Shelter Cove master plan amendment area may be reduced to zero.”

**b. Sec. 16-5-806. – Required Buffers****Modify B. Adjacent Street Buffers to include the following:**

“Where community park or public open space and non-residential buildings front on-street parking, adjacent street buffers may be reduced to zero.”

**c. Sec. 16-5-807. – Specific Buffer Requirements****Modify B. Buffer for Loading, Service and Utility Areas to include the following:**

“Loading, Service and Utility areas internal to the overall Shelter Cove master plan amendment area will not require buffers, but shall have screening.”

**3. Article IX. – Planned Unit Development Standards****a. Sec. 16-5-904. – Permitted Uses in PUD****Omit A.3. and replace with the following:**

“3. A perimeter buffer will be maintained at all times adjacent to the Newport Community, the Town’s Veteran’s Memorial, the Plaza at Shelter Cove Shopping Center, and William Hilton Parkway as shown on the Concept Plan. Standards for open space, and impervious coverage shall be fully satisfied for the within the Mall Tract as a whole, including the Community Park and public open space, but do not have to be satisfied on a site-specific basis. In addition, an average 50-foot or greater buffer will be maintained between the Broad Creek marsh critical line and proposed buildings.”

**b. Sec. 16-5-904. – Permitted Uses in PUD****Add A.5. to include the following:**

“5. The entire Shelter Cove Mall Tract as depicted by the conceptual master plan, including the community park, multi-family residential and commercial will be viewed as one development plan (for stormwater, min. tree coverage, open space, pervious/impervious, etc.). Any additional minor modifications based on the intent and purpose of this redevelopment project as documented and shown on the conceptual plan and exclusively pertaining to the regulation of any aspect of the redevelopment of the Mall tract (including minor modifications to the standards for open space and pervious requirements), can be approved by the Administrator.”

**4. Article XII. – Parking and Loading Standards****a. Sec. 16-5-1201. - Off-Street Parking Required****Omit the second sentence in A and replace with the following:**

“On-street parking on non-arterial streets can be utilized for public parks, multi-family residential, and commercial within the Mall Tract.”

**b. Sec. 16-5-1207. – Parking Area Design****Add J. to include the following:**

“J. If not in conformance with standard width requirements, extension of existing parking lot medians and lane widths shall be allowed to align with existing widths.”

## C. Chapter 6 – Natural Resource Protection

### 1. Article II. – Wetlands

#### a. Sec. 16-6-204 – Wetland Buffers

##### C. Prohibited Activities.

##### Revise 3. To include the following:

“grassed lawns and gardens, excluding open space areas within the community park and linear public waterfront corridors. Sufficient wetland buffer vegetation shall be planted and maintained along wetland edges.”

#### b. Sec. 16-6-204 – Wetland Buffers

##### C. Prohibited Activities.

##### Revise 4. To include the following:

“placement of structures, and pervious or impervious surfaces (excluding permitted crossings, fire access lanes and park related pathways (pervious and impervious) and site furnishings (benches, trash receptacles, trellis swings, pergolas, signage, lighting, etc.) associated with the community park and linear public waterfront corridors); and.”

#### c. Sec. 16-6-204 – Wetland Buffers

##### D. Additional Buffer Standards.

##### Omit 4. In its entirety and replace with the following:

“Public access along wetland edges may be provided in wetland buffers by way of a public waterfront promenade, plaza overlooks, and seating areas. Pathways shall be no wider than 10 feet and appropriate water quality measures shall be incorporated into the construction of the project. These pathways and overlooks may be constructed of pervious or impervious materials. Boarded walkways, including public piers, may be permitted within the buffer as part of a boardwalk approved or exempted under Chapter 3, Article V.”

#### d. Sec. 16-6-204 – Wetland Buffers

##### D. Additional Buffer Standards.

##### Omit 5. In its entirety and replace with the following:

“Bulkheads and associated backfill may be permitted in wetland buffers for the purpose of providing public access along the wetland edges.”

#### e. Sec. 16-6-204 – Wetland Buffers

##### D. Additional Buffer Standards.

##### Omit 6. and replace with the following:

“Community park shall have allowances for clearing to provide public access to adjacent wetlands and to establish or improve views for the public. In such cases, additional measures shall be incorporated that address water quality, wildlife habitat, native plant preservation, and other environmental concerns.”

### 2. Article IV. – Trees

#### a. Sec. 16-6-402 – Preservation of Trees and Native Vegetation

##### Revise B. to include the following:

“Impacts specific to utility relocation and road/transportation improvements shall be exempt from the specimen tree requirements of Article IV.”

End of Modifications