

DESIGNING
WITH NATURE

ARCHITECTURAL
REVIEW BOARD
STANDARDS
AND GUIDELINES

Kiawah Island

Dear Property Owner:

From the beginning, the goal of the development on Kiawah has been to achieve an uncommon and visually pleasing blend of natural beauty and man-made improvements. Resort activity and active recreational areas have been integrated with the residential development. Although in some instances, residential areas have been planned to be separate and very private.

Kiawah's developers, both past and present, have also implemented a well-researched plan to guide home and homesite development (as well as commercial improvements), which they administer through the Architectural Review Board.

Environmentally sensitive design can best be achieved through a careful, well-thought-out response to the configuration of your homesite, the Lowcountry climate, existing vegetation, and topography of the building site. Research over the years has told us time and time again that Kiawah's most outstanding feature is its natural beauty. The Architectural Review Board is committed to protecting and enhancing this precious asset. Thus, one of our primary objectives is to assist you in your planning efforts, and we stand ready to do so.

These guidelines are intended to serve as your benchmark in the complex, yet rewarding, process of planning a new home. While this document has proven to be a helpful tool in planning homes on Kiawah, it can neither provide all the answers nor guarantee ideal solutions for every situation. Nevertheless, as questions arise concerning your building plans, our staff and the ARB itself will be very pleased to assist you. We encourage you to participate when possible in presentations to the ARB, as they are made by your Architect, Builder, or Landscape Architect.

We hope also that you, your Architect, your Landscape Architect, and your Builder will find these guidelines helpful, and we encourage your questions and comments. If we may be of assistance, please do not hesitate to call on us.

Respectfully,

A handwritten signature in black ink, appearing to read "Amanda McNe". The signature is fluid and cursive, with a stylized "A" and "M".

for: The Kiawah Island Architectural Review Board

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INTENT OF THE GUIDELINES

DESIGN OBJECTIVES OF KIAWAH RESORT ASSOCIATES

Kiawah Island will likely be the last large barrier island on the East Coast to be privately developed. Containing about 10,000 acres, the Island enjoys a moderate climate, breathtaking natural beauty, controlled accessibility, and the professional and financial resources necessary to create both a resort and year-round residential community without compromise or parallel.

Over the years of its stewardship as the Island's developer, Kiawah Resort Associates has been dedicated to preserving a unique and ecologically sensitive community. The architectural design and construction philosophy of the Company maintains that homes should generally be unobtrusive in form and color in order to complement their natural setting. No particular period, style, foreign or geographic influence, or traditional approach is specifically endorsed or discouraged. The chief concern is that the residential community be basically homogeneous with certain areas having more architectural diversity than others.

This philosophy suggests that each home be treated not as an individual creation or architectural entity arbitrarily placed on its site, but rather as a carefully planned addition to the natural setting which embraces the site and becomes one with it. Consequently, design solutions should extend beyond the building walls to include the entire site, varying in design to complement and enhance their natural surroundings. Designs and colors appropriate for the mottled shade of forest areas might be inappropriate for open or unwooded sites. Colors and textures of exterior building materials should be compatible with the light reflecting properties of the natural elements such as tree bark, surrounding trees and shrubs, pine needles, natural grasses, and other vegetation.



FUNCTION OF THE ARCHITECTURAL REVIEW BOARD

The Kiawah Island General Covenants delegate the control of Island development to Kiawah Resort Associates (i.e., the "Company") as successor to Kiawah's initial developer. In September of 1994, the Development Agreement was executed by and between the Company and the Town of Kiawah Island (TOKI) in order to set forth certain agreements, restrictions, and guidelines for the development of Kiawah Island. The current Agreement dates from December 2013. The **COVENANTS, RESTRICTIONS, AND AFFIRMATIVE OBLIGATIONS APPLICABLE TO ALL PROPERTIES IN KIAWAH ISLAND**, Article II, Section 1 reads as follows:

"No building, fence, or other structure shall be erected, placed, or altered nor shall a building permit for such improvement be applied for on any property in Kiawah Island until the proposed building plans, specifications, exterior color or finish, plot plan (showing the proposed location of such building or structures, drives, and parking areas), landscape plan, and construction schedule shall have been approved in writing by the Company, its successors, or assigns. Refusal of approval of plans, location, or specification may be based by the Company upon any ground, including purely aesthetic conditions, which in the sole and uncontrolled discretion of the Company shall seem sufficient. No alteration in exterior appearance of any building or structure shall be made without like approval by the Company...."

Obviously, the Architectural Review Board (ARB) was organized for the purpose of controlling and enhancing Island development. The ARB's composition of members is determined by the Company, which may elect at some future time to delegate full responsibility for Architectural Control to the Kiawah Island Community Association (KICA). At that time, the Architectural Review Board shall be set up as specified in Article VII of the Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc. The KICA Livability Department currently assists the ARB in detecting infractions of the Covenants.

Architectural Review Board approval and the subsequent issuance of a Kiawah Island Building Permit are the first steps in obtaining the necessary approvals for the construction of a home. Complete sets of construction documents displaying the stamp of approval of the ARB must be used in following all normal procedures administered by TOKI for obtaining building and zoning permits. Charleston County administers the TOKI zoning ordinance on a contract basis. An Encroachment Permit from the KICA Livability Department will also be required.

The South Carolina Department of Health and Environmental Control (DHEC) Office of Ocean and Coastal Resource Management (OCRM) has jurisdiction over some elements of the

building process on Kiawah. The Owner and his Architect are solely responsible for compliance with OCRM rules and regulations that apply to lots that border salt marsh and certain lagoons which are considered "critical areas."

The OCRM also has jurisdiction for structures near primary, oceanfront sand dunes. As a rule, the subdivision of front beach land at Kiawah has been landward of the interim set back line established by the OCRM and the primary dune line, which along its crest demarks the interim baseline established by the OCRM. All properties must comply with the OCRM Storm Water Management Act.

The approval of the ARB relates to the harmony and compatibility of external design and site design optimization. The ARB does not assume liability for structural design, material sufficiency, nor damage to a neighbor's property during or after construction. ARB approval does not constitute any opinion or representation by the ARB that design plans comply with any municipal, state, or federal laws.

PURPOSE OF THE STANDARDS AND GUIDELINES

The Company is granted the power to establish design guidelines through Article II of the General Covenants, which reads as follows:

"The primary purpose of these covenants and restrictions and the foremost consideration in the origin of same has been the creation of a community which is aesthetically pleasing and functionally convenient. The establishment of objective standards relating to design, size, and location of dwellings and other structures, makes it impossible to take full advantage of the individual characteristics of each parcel of property and of technological advances and environmental values. For this reason, such standards are not established by these covenants. In order to implement the purposes of these covenants, the Company shall establish and amend from time to time objective standards and Guidelines which shall be in addition to these covenants."

It is the purpose then of these *Standards and Guidelines* to encourage construction of excellent architectural design that is appropriate to the surroundings and to the special conditions of climate and other environmental factors indigenous to Kiawah. A strong sense of identity should be developed to create an attractive and harmonious addition to the community.

These *Standards and Guidelines* are intended also to assist Kiawah property owners during the design, construction, and improvement of their Kiawah Island residences. The standards are intended to protect the property values of all owners throughout the Island, and the review procedures are intended to provide a systematic review for all construction requiring Architectural Review Board approval. These *Standards and Guidelines* are amended from time to time by the Company as deemed necessary. The ARB will adjust project review to accommodate the dynamic nature of regulations set by other entities with jurisdiction on Kiawah, i.e. building code adoptions and revisions, flood plain requirements, etc.

DESIGN GUIDELINES

DESIGN ENVIRONMENT

One of the major goals of every architect designing on Kiawah Island should be to integrate harmoniously every man-made structure with its surrounding natural environment. As each building site is unique, it will be necessary for all architects to prepare with a landscape architect a thorough site analysis prior to the design of every project. The ARB will scrutinize closely, while reviewing for approval, the overall design concept and how well it relates to its surrounding environment.

In addition to detailed site data, more general information of the surrounding physical environment must be included. Consideration should be given to prominent and potential views, orientation for privacy from the street, neighbors, golf courses, etc., in addition to the materials, scale, and form of existing homes in the neighborhood. These factors will be very important in blending the proposed design with the existing neighborhood fabric.

The design of each home must also address the prominent climatic characteristics of the Island. The warm temperatures suggest every home have adequate cooling capabilities. Designs should take advantage of the cooling breezes by providing for cross ventilation. With the majority of the days being sunny, there is potential for using passive and active solar systems.

After preparing the site analysis, the uniqueness of each site becomes apparent. Because of this uniqueness, a residential design that was appropriate on one site may not be equally appropriate for another site. Therefore, the repetitive use of residential designs or the purchasing and use of stock plans is inappropriate.

By following these design guidelines, the minimum Sustainable Sites points to achieve LEED for Homes certification are easily attainable and you are encouraged to pursue accreditation while undergoing the design of your home.



SINGLE FAMILY HOMES

Residential homesites on the Island conveyed to individual buyers are subject to extensive deed restrictions and architectural covenants designed to establish strict control of land use and insure that all residences are attractive in appearance and appropriate to their neighborhood. These restrictions and the site analysis data form a basis for the beginning of site development concepts. When developing a site, a concept must be followed in determining site utilization. The best access to the site, as shown in the site analysis, should be the beginning of auto circulation areas including driveways, parking, garages, and turn-arounds. In order to address access requirements that facilitate fire safety and rescue operations, careful evaluation of existing vegetation should occur prior to determination of the proper approach to the site. The functional areas of the home should be related to the most suitable areas of the lot. Particular attention should be given to entry areas, living areas, sleeping areas, and service areas. Resident and visitor circulation patterns should be resolved as well. Often, though not in every instance, driveways entering a collector street will be required to share ingress/egress for a limited distance with the adjoining lot owner.

Successful residential design solutions are those in which it is difficult to distinguish between elements that are a part of the building and those which are a part of the landscape design. Site utilization, interior spaces, exterior spaces, and landscaping concepts should be integrated with the environmental features in the creation of a successful design.

The buildable area of every lot must be delineated to determine the portion of the lot upon which the house may be constructed. This area is sometimes specified by easements and setbacks recorded on the subdivision plat, on specific exhibits attached to recorded deeds or Homeowners' Association Covenants, and in the Development Agreement between the Company and the Town of Kiawah Island (the "Development Agreement"). Any lot line change must receive prior approval from the Company and will require review by the ARB.

All lot combinations on Kiawah Island must first be approved by the Company, and then by the ARB, prior to submittal to the Register of Mesne Conveyance (RMC) office. When applicable, lot combinations must also comply with the Additional Building Standards For Multiple Lot Combinations in the Development Agreement, which regulates lot standards and dwelling unit size based on combined lot size.

During ARB review, setbacks will be determined and existing setbacks may potentially be altered. In particular, side setbacks are likely to be increased depending on the specific circumstance. Reduced massing in areas adjacent to side setbacks and reduced lot coverage may be required as well.

Of note, lots subject to square foot maximums are considered as one property once combined and therefore the maximum is not increased unless specifically addressed by deed or by ARB approval.

① BUILDING SETBACKS: In the absence of setbacks specified on the subdivision plat and/or the covenants, the typical setbacks required by the ARB are:

Front or Side Yard adjoining a street.....	25 feet
Side or Rear Yard adjoining a golf course	30 feet
Rear Yard adjoining another yard.....	20 feet
Side Yard adjoining another yard.....	15 feet
Side or Rear Yard adjoining a lagoon	30 feet
Side or Rear Yard adjoining a marsh	30 feet
Rear Yard adjoining an open area.....	20 feet
Side Yard adjoining an open area	15 feet

Setbacks are dimensioned from the property line or the OCRM “critical line,” using whichever is most restrictive. Larger, as well as irregular sites, may suggest to the ARB that these setbacks be altered. It is imperative that the owner/architect obtain from the ARB a reading on specific setbacks before proceeding beyond the conceptual stage.

② VARIANCES: The building footprint including cantilevered elements, decks, steps, and pools should be located within the buildable area and should not encroach on the setbacks. Rules on setbacks (whether on the subdivision Plat of record or not) are determined by the Company, and slight variances may be permitted by the ARB to save prominent trees, minimize disruption to unusual topographic features, to accommodate an irregularly shaped lot, or when the ARB determines in its sole discretion that a variance is otherwise appropriate to the site. All such determinations are unique to the requested condition and as such are not precedent setting. Such determinations are final and binding on all concerned. If a variance is approved by the ARB, a variance from the Town of Kiawah Island may be required as well. When applying for variances, ample time for accommodation of review requirements from the Town of Kiawah Island Board of Zoning Appeals should be considered. Only variances specifically approved in writing shall be considered granted and valid.

③ ARCHITECTURAL DESIGNS: The architectural design concept for Kiawah Island is that home structures should be generally unobtrusive in form and color in order to complement their natural setting. No particular period styles, foreign or geographic influences, or historical approaches are specifically endorsed or encouraged. Only after extensive site information has been collected and site development concepts have been formulated giving due consideration to neighboring properties, can the building development be considered.

The Company may determine that certain new development areas shall have specific guidelines that are unique to that area. It is important that the Owner and Architect verify the existence of such guidelines with the Architectural Review Board office.

- ④ **BUILDING SIZE:** The recorded Covenants, Contract of Sale, recorded Plat(s), and/or Deed to your lot usually stipulate the minimum and/or maximum square footage that may be contained in a residence built on a lot. The minimum size of the first floor (also sometimes set forth in such documents) may be regulated by the ARB. Building heights shall be determined by the ARB based upon lot location, tree cover, neighboring homes, and other factors affecting the site. Homes shall generally be from one to three stories in height with taller designs to receive approval from the ARB prior to Preliminary Review. Particular attention should be given to the first floor elevation required by Federal flood regulations adopted by the Town of Kiawah Island.

In addition, while maximum building sizes may not be specifically established in your Deed or recorded Covenants, the ARB may, at its discretion, disapprove a submittal that is felt to be inappropriate for the site due to size. The ARB will not approve any submittal that crowds the site and/or is out of context with other structures in the area. In general, designs in which the amount of the site covered by the house, including decks, primary walkways, retaining walls, pervious and impervious required driveway elements, pools, contained areas raised more than 3' from existing grade, and other impervious elements, exceeds 33.00% of the total high ground lot area will be disapproved. Non-primary walkways, boardwalks, at-grade patios, uncontained areas raised more than 3' from existing grade, and ancillary driveway elements set in a pervious manner, along with the elements included in impervious coverage, may not exceed 39.67% of the total high ground lot area. Higher percentages may be considered for smaller properties, as set forth in the Town's zoning ordinances. Specifically impervious coverage not to exceed 50%, and pervious and impervious total coverage not to exceed 55%, of the total high ground lot area may be considered for properties less than 8,000 square feet. For properties less than 12,000 square feet, impervious coverage not to exceed 40%, and pervious and impervious total coverage not to exceed 46%, of the total high ground lot area. In the case of flag lots, the entry access or "the pole" area of the flag site and primary elements within it may be excluded from calculations for the lot coverage percentage.

- ⑤ **HEIGHT RESTRICTIONS:** Generally, the zoning ordinance from the Town of Kiawah Island influences height restrictions. These maximum heights measured from Base Flood Elevation to the ridge height of the dominant roof form exclusive of minor ancillary elements such as chimneys are generally as follows:
- 40' for residences in "developed lands"
 - 45' for residences in "undeveloped lands"

These Development Agreement terms as well as "height" and "ground floor level" are found in Definitions. See the Appendix.

The ARB office should always be contacted to confirm height restrictions for individual properties.

Heights in certain areas may be further restricted by neighborhood covenants. When maximum height is expressed by height range, the ridge height of the dominant roof form may not exceed the upper number of the range, or the average height of the dominant roof form should not exceed the lower number of the range, whichever is more restrictive. When measured from minimum finished floor level, an allowance of freeboard height as determined by the TOKI plus 16 inches for structure above Base Flood Elevation should be used to determine the minimum distance, or the actual finished floor level, whichever is more restrictive. When measured from natural grade, the mean grade of the site prior to development should be used.

⑥ BUILDING FORM: The eventual building form of every residence should be a carefully planned addition to the natural setting and embrace its site. Building shapes should provide interest and be compatible with neighbors. Large homes can be made to appear smaller and small homes to appear larger by the manipulation of shapes and forms, and by the effective use of decks, carports, garages, and screened porches. The roof-scape of each home should complement the design of the home, the natural surroundings, and neighboring designs.

⑦ ARTICULATION: The aesthetic appearance of a residence obviously depends greatly upon the articulation of the siding, roofing, details, fenestration, walls, and fences. Windows should be selected and located to provide for views, light, privacy, and natural ventilation. Fenestration must be compatible with the architecture of the home and detailed with true mullions where divisions are proposed. Decorative glass for windows and doors is generally discouraged. Details and elevations must be submitted for review if decorative glass is proposed.

Walls, fences, and screens should be used to provide privacy, enclose service areas and HVAC units, and to reduce the scale of large masses. Trash enclosures should comply with Town of Kiawah Island and KICA regulations. Details at the soffit, fascia, base, corners, windows, and decks should have common elements that help unify the appearance. Chimney hoods or pots are required to screen flue caps and/or spark arresters. Venting or louvers at foundations and gables should be detailed using substantial materials that indicate form and depth. Skylights and light tubes are rarely approved. When allowed, skylights and light tubes must be tinted to avoid nighttime "glow," and may only be located where not directly visible from neighboring properties or primary view corridors. Shutters should be consistent from elevation to elevation as applicable and must appear operational. Decks and stairs must have either louvers or lattice underneath. Porch columns should be proportionally consistent with the design style of the home. Columns greater than one story in height are generally considered inconsistent with the architectural context of the Island. Solar panels may be incorporated into the roofscape or installed on an ancillary structure provided views are screened from neighboring properties. Solar panels may not be rack mounted unless integrated into the roof design using

roof wells or parapets. External piping is not permitted. Finials must be approved in advance of installation.

- 8 MATERIALS AND COLORS:** All exterior materials and colors should complement the surrounding environment. Color samples for new construction and restaining of existing buildings shall be presented to the ARB in the form of color samples onsite for approval in advance of painting or staining. Siding should have a matte finish. The use of garish and/or overly bright colors is uniformly prohibited. To encourage blending with natural vegetation, the ARB Value Finder should be used to gauge acceptable ranges of color value. For the body of the home, the lightest acceptable value for stucco and wood siding is a 3; the lightest acceptable value for trim must be at least a 0. The siding and trim colors must have a difference of 3 or less in value. Thin concrete faux clapboard or shingle siding must be at least a 5 value. Thicker concrete faux siding may have a value of 4. Lighter color palettes may require additional layers of evergreen landscape to nestle the home into the natural environment. Unless otherwise approved in writing, corner trim elements and bay window projections are to be stained the same as the body color of the home. Bandboarding may be either the body color or foundation color as most appropriate. Trim color is usually applied to bandboarding only at porch locations or in very limited situations deemed appropriate by the ARB. Trim color should be applied to windows, fascia, soffits, columns, balustrades, and pedestrian doors only. Downspout and gutter colors must match the surface to which they are attached except when copper. Garage doors and garage door trim must be the color of the foundation or adjacent siding, or fabricated of a high quality wood stained a dark color. Garage door trim may be the trim color only if the design of the garage doors is fully integrated with the architecture. Sufficiency of integration must be determined in writing at time of elevation review during the review process. All foundation openings, including garage pedestrian doors and trim, should match the adjacent color or be of a non-contrasting color. Brick foundation homes should have dark colored garage doors. The use of natural woods, stucco, and brick is encouraged while the use of imitation or less than highest quality materials is discouraged. The use of plywood siding is never permitted.

Roofing materials shall be wood shakes, wood shingles, fiberglass shingles, slate, tile or standing seam metal. In case of fiberglass shingles these shall be of a high quality, architectural grade "shake" style. Other roofing materials shall be held to a similar standard of quality. Roof vents and accessories should be located away from the front elevation and painted to match the roof color. Roof pitches are required to be a minimum of 5/12 for functional and aesthetic reasons on dominant roof forms. Lower pitches may be acceptable when deemed stylistically appropriate by the ARB.

- 9 SUPPORT FACILITIES:** Circulation patterns should be taken into consideration when designing to avoid conflicts between visitors, service areas, and the like. The Covenants require that every home have an enclosed service area suitable for garbage, bicycles, etc. Electric

meters, air-conditioning units, water heaters, generators, above ground propane tanks and similar exterior equipment must also be screened from view and shown on elevations. Noise generating exterior equipment including but not limited to chillers, generators, pool equipment, and multiple unit air conditioning stands must also be baffled using both barrier and absorption components. Only residential grade units may be used. Television and radio antennas are not preferred on roofs and should be installed in attics, service yards, or well screened areas of the landscape. Personal weather stations and satellite dishes are discouraged in prominent locations. "Yard art" as defined in the Appendix shall be located within the privately used area of a property and screened from neighboring views. Clotheslines are not permissible. See the Appurtenance Guidelines.

LANDSCAPE GUIDELINES

Kiawah Island's natural setting offers a unique environment that must be recognized and preserved as a framework for development. The Island's special natural environment is ecologically fragile and is difficult to replace once it has been disturbed. The Guidelines are intended to indicate the seriousness with which we approach alteration of Kiawah's vegetation. These Landscape Guidelines are intended to protect the property values of all owners throughout the Island, as Kiawah's most outstanding feature is its natural beauty.

- ① EXISTING VEGETATION:** Significant trees and areas of understory growth are essential, natural, and aesthetic resources. They play a critical role in purifying air and water, providing wildlife habitat, enhancing natural drainage, and controlling erosion. These trees and shrubs contribute to the quality of life on Kiawah and are an inseparable part of its historical legacy. Consequently, the Architectural Review Board is most concerned with trees and shrubs and has established these Guidelines to assure their preservation.

The following are a few general guidelines that must be followed regarding existing vegetation:

- a. The removal of any tree or any area of understory growth without the notification of, and permission being granted by, the Architectural Review Board is prohibited. A certified arborist must be used for, and ARB approval obtained prior to, the removal of limbs that are 6" or greater in diameter.
- b. Tree removal required to develop the property (*i.e.*, the building footprint and paved area) may require planting of additional trees as mitigation at the ARB's discretion. See the Tree Replacement Guidelines.
- c. The removal of trees on lots or parcels that have already been developed is discouraged by the ARB. Any such removal without the ARB's approval is prohibited.
- d. Pruning in Sensitive Areas: Lagoon edges, marsh edges, maritime forest, and beachfront areas, contain some of the most sensitive vegetation on the Island. Natural drainage patterns, erosion control, and wildlife habitat may be easily upset by thoughtless overpruning. In addition, certain areas adjacent to marsh edges may be subject to further restrictions imposed in connection with the Storm Water

Management Act. Therefore, the pruning in these areas is prohibited without the ARB's approval. In all cases where such pruning is allowed, it shall be kept to a minimum and conform to existing natural patterns of growth. Pruning should occur after the home has been framed and views are established. Lagoon pruning is reviewed by the KICA Lakes Management department and the ARB.

e. View corridors may be established from time to time by deed, plat, or other written agreement. Tree removals and pruning within these corridors is permitted following ARB review and approval.

f. Natural buffers, especially along lot edges, shall be preserved and enhanced.

Trees, shrubs, and other understory vegetation should remain dense from ground level up to 10 feet and remain intact within 5 feet of the property line.

Violations of the above guidelines may result in substantial fines and mitigation requirements.

If vegetative mitigation does not thrive after 9 months from installation, replacement is required.

② DESIGN GUIDELINES: These guidelines have been prepared to help define the appropriate site planning and landscaping that should be provided for the residences on Kiawah Island. The basic objectives of a designer preparing site and landscape plans for a home on Kiawah should be:

- a. To minimize the impact of the home on the surrounding natural environment, and to see that the site's existing landscape is preserved in its natural state insofar as possible.
- b. To enhance the built environment and integrate structures into the surrounding natural environment.
- c. To consider both long and short views to and from a project. Certain views should be improved with the addition of selected landscape elements that are appropriate for that purpose.

The completed landscaping should complement the residence and provide continuity between it and the surrounding vegetation. Architects and Landscape Architects should incorporate the existing natural vegetation into their plans and add to it in such a way so as to produce a feeling of "modest cultivation" that "blurs the line" between man-made elements and the natural environment. Ideally, property lines should disappear with the use of continuous landscaping.

The use of flowering trees and shrubs, both perennial and annuals, of soft coloration is encouraged.

The extent and complexity of landscaping will depend upon the unique features offered by the site, the owner's desires, the design of the residence, the nature of existing vegetation, and the configuration of the property.

Care should be used in the selection of plants and flowers for size, tolerance of salt-air environment, and resistance to drought and wildlife. Landscape plans may not indicate the use of plant species listed on the *Nonnative Invasive Plants of Southern Forests* registry published by the

US Department of Agriculture. These species must be removed during site development if existing on the property. Because of the rapid drying rate of the sandy soil, it is required that irrigation systems be included in landscaping plans to sustain the initial landscaping planting. The ARB highly encourages moisture-sensing devices for water conservation. It is critical that the storm drainage system and any applicable easements within the immediate area of the site be integrated into the overall landscape design. Open-loop geothermal systems will not be approved as they may adversely affect the drainage of neighboring properties and are not environmentally sensitive. In general, the ARB discourages the use of insect abatement systems that are not environmentally sensitive.

- ③ GENERAL GUIDELINES:** All landscape plans for new homes and landscape modifications to existing homes must be prepared and stamped by a Landscape Architect licensed to practice in the State of South Carolina.
- a. Tree and topographical surveys are to be dated within twelve (12) months of their submittal to the ARB. Genus and species of trees and major understory vegetation must be indicated.
 - b. The entire site must be planned. If areas are to remain natural they should be indicated as such on the plan.
 - c. Schematic or bubble diagrams may be used for preliminary plans.
 - d. Driveways, parking areas, and visually objectionable elements such as service areas, storage yards, and utilities must be well screened from the street and adjoining lots.
 - e. Planting trees within the right-of-way or locating a driveway within an easement is discouraged. Material within these areas is subject to removal, and replacement is the responsibility of the property owner.

- ④ HARDSCAPE GUIDELINES:**
- a. Each lot is permitted to have only one driveway access from the street. "Straight shot" driveways are greatly discouraged, and will almost never be approved.
 - b. Most Kiawah driveways are paved with either concrete or asphalt; however, in wooded areas, the ARB does not discourage the use of soft pervious material such as gravel, oyster shell, pine straw, or wood chips. Please note that KICA requires impervious hardscape material in the right-of-way between the property line and street. The ARB prefers driveway colors that are subdued and natural in tone.
 - c. Dimension standards:
 - 1. Driveway width should be a minimum of 12' on curves and 10' for straighter drives.
 - 2. Where the driveway meets the street, the width of the drive should be at least 18' wide. Curved driveways should have no less than a 15' radius. Design of driveways must also meet fire department requirements for access.
 - 3. Garage backup area edge of pavement should be a minimum of 26' from garage door, offset dimensioned parallel to the home.
 - 4. Guest parking area must be a minimum depth of 18' and minimum width of 17' (two cars). The maximum width is 20' for two cars; however, these may be placed

- separately depending on the unique site conditions.
5. All walkways to the front entrance should be a minimum of 54" wide.
 6. No driveway or pedestrian path may be sited closer than 5' from side and/or rear property lines. A minimum of 36 inches of planting areas is to be maintained between the driveway and the home.
 7. At-grade seating or outdoor decking areas must be at least 10' from property lines.
 - d. In general, the ARB discourages the use of more than two guest parking areas for a standard building lot, although some neighborhood covenants will require additional spaces.
 - e. The site plan should indicate the location of the required conduit under the driveway in the area of the right-of-way.
 - f. The ARB discourages the use of fountains, arbors, planter walls, or other "yard art." If approved, the fountain, arbors, planter walls, or structural "yard art" must be included in the lot coverage percentage. When allowed, garden elements over three (3) feet tall should be located within the buildable area. Significant landscape screening may be required as well.

⑤ SOFTSCAPE GUIDELINES:

a. Trees

1. Each lot after development must contain a minimum number of healthy trees of an approved type. See Tree Replacement Guidelines for calculation formulas and mitigation requirements.
2. Compliance with the tree calculation formulas does not grant the owner the right to clear existing trees without ARB approval.
3. Of the trees shown to be planted on the landscape plan, at least two-thirds must be native species (oaks, magnolias, hickories, palmettos, etc.).
4. All trees required for mitigation must be native species.
5. Landscape plans must show and label species of existing trees that are to remain.
6. The landscape plan must indicate, in chart form, how the proposed plan fulfills the above tree requirements.
7. Live Oaks which are 16" or greater diameter at breast height (dbh), and are within 12' from the foundation, shall require pre-treatment by a certified arborist when construction commences and may require additional treatment at the conclusion of construction, especially if a variance is granted due to the location of the tree.

b. Shrubs

1. 50% of all shrubs installed must be a minimum size of seven gallons. The remaining installed shrubs must be a minimum size of three gallons.
2. The ARB may require larger material (6'-8' in height) to be planted to help soften tall foundations.
3. Foundation plantings are required to be at least half the height of the foundation and must encompass the entire home.
4. Straight-line plantings (hedges) along the property lines are discouraged unless as part

of an overall neighborhood landscape concept plan.

5. Planting beds near side property lines are encouraged to blend with adjacent properties in both plant material and design. Native plants such as wax myrtles and hollies are also encouraged along these edges.
6. The use of native or drought tolerant plants is recommended to reduce irrigation needs.

c. Grass, ground cover, and mulch

1. The ARB generally discourages the use of large expanses of sod.
2. Areas shown to be grassed must be sodded as opposed to seeded or sprigged.
3. Areas of sod must be a minimum of 10 feet from lagoon edges.
4. Roadside right-of-ways that are disturbed during construction must be regraded and revegetated. This includes areas of nearby lots that are damaged during construction.
5. Ground cover is encouraged in shaded areas where it is difficult to grow grass.
6. Pine straw or mulch can be used in areas of medium or dense shade. Seasonal color and groundcovers shall also be planted so that there is not an unplanted mulch or pine straw area greater than 100 square feet.
7. The ARB may require the use of rain sensor gauges on irrigation systems.
8. Synthetic turf is an allowed material, provided that the specific material is approved, the area is minimal in size, located a minimum of 10' from property lines, and heavily screened with landscaping.

It should be noted that approval of a landscape plan is conditional, pending a field review of the in-place installation. At that time, additional landscaping may be required to reduce the visual height of a tall structure, to provide erosion control and additional screening, to correct damage from construction activity, or for other reasons as deemed appropriate by the ARB.

⑥ TREE REPLACEMENT GUIDELINES: All applications for tree removal and replacement

received by the Kiawah Island Architectural Review Board (ARB) are subject to the following guidelines:

- a. All specimen oak trees on any residential lot of 3" caliper or greater at dbh and all other trees of 6" caliper or greater dbh, shall be entered on a Tree Survey and submitted to the ARB with site plans.
- b. The minimum tree requirements for a developed lot is equal to one (1) tree (3" or greater in caliper dbh) per 1,000 square feet of gross lot area (palmetto trees only count as a third of a tree). Popcorn (Tallow) trees may not be included in the count of existing trees on the undeveloped lot, as they are an invasive species and shall be removed during development of the lot.
- c. Should any such oak or other specimen tree fall within the building envelope approved by the ARB, then the ARB, in its discretion, may require mitigating replacement by way of oaks or other trees of at least 6 (six) inches caliper dbh. The replacement tree preferred shall be native species such as oak, magnolia, palmetto, or hickory. Depending upon the number of trees removed and the landscaping planned by the owner, the requirement of replacement trees may be waived or, in the ARB's

discretion, plant material and shrubbery may be substituted where visually appropriate. All oak trees of 24" or greater caliper dbh must be preserved unless the ARB determines there is no reasonable design solution that would save the tree(s). For every oak tree with a caliper of 24" or greater dbh that is removed, the property owner may be required to plant trees for which the sum of calipers that is equal to or greater than the sum of caliper dbh of the trees removed. Mitigation trees shall measure a minimum of 6 inches in caliper dbh.

- d. Oak trees greater than 6" dbh that are removed outside the building envelope may require mitigation in the ARB's discretion should the ARB permit such removal.
- e. If replacement trees will not "fit" on a lot in the ARB's discretion, the ARB may require location of same in a common, open, or park area of Kiawah.
- f. In exercising its discretion respecting these Tree Replacement Guidelines, the ARB shall take into consideration, among other things, the number and species of trees removed, any hardship to the property owner, the remaining foliage, trees, shrubbery, and other plant species as may exist on a lot and/or as may be proposed to be added by the owner as a part of the landscaping plan, the size, shape, and topography of the lot, the size, species, and value of proposed replacement tree, the neighborhood characteristic including its general topography, foliage, and natural tree canopy, and other relevant factors.

The ARB may consider brief delays in installation due to severe weather conditions that may adversely impact the health of installed material.

PATIO HOMES I & II

Residential lots shown on recorded plats on which a patio wall is designated or subject to the Patio Home Covenants are referred to as "patio lots." Dwelling units constructed on patio lots must be constructed to utilize a patio wall as designated or prescribed on the plat. The patio house emphasizes an indoor-outdoor use relationship and full utilization of the site for living purposes.

Setback restrictions and easement areas are briefly outlined below:

① BUILDING SETBACKS AND EASEMENTS:

Patio Homes I

Zero Lot Line..... 3' Setback to Patio Wall
 Adjoining Zero Lot Line..... 7' Easement
 Front..... 20' Easement
 Wooded Area..... 10' Easement
 Wooded Area..... 10' Easement (rear)
 Golf Course..... 30' Easement (rear)
 Lagoon 30' Easement (rear)
 Marsh 30' Easement (rear)

Patio Homes II

Zero Lot Line..... 3' Setback to Patio Wall
 Adjoining Zero Lot Line..... 12' Easement
 Front..... 25' Easement
 Wooded Area..... 15' Easement
 Wooded Area..... 15' Easement (rear)
 Golf Course..... 30' Easement (rear)
 Lagoon 30' Easement (rear)
 Marsh 30' Easement (rear)

The area included within these setbacks is the “buildable area.” All enclosed dwelling areas of the Patio Home must be contained within the “buildable area.”

The main architectural element of every patio home will be the patio wall. The design criteria for the patio wall will require more imaginative thinking than simply a straight wall or fence. Architects are encouraged to optimize the “private garden-court” character of the patio home where the wall enclosure is employed to provide privacy and obtain a maximum utilization of living space.

Site utilization of patio lots is a particular challenge to architects. Interior spaces should be arranged in such a manner as to allow them to flow into private outdoor spaces. The patio wall must be solid with no openings allowing for potential views to neighboring lots.

In keeping with the concept of a patio home, side yards should be treated as outdoor living extensions of the house itself, and not simply as storage or unusable space typical of traditional side yards. When lots do not adjoin a golf course, lagoon, or marsh, a rear-enclosing wall may extend to and along the rear property line irrespective of the setback requirement to allow the owner maximum use of his property. An integral part of the development of patio lots is a landscape concept that complements the architectural design. Adequate landscaping must be used to “furnish” the outdoor living spaces and to anchor the home and patio wall within the natural surroundings. Thus, the conceptual landscaping plan must be included with the architectural design of the building and the patio wall.

- ② **ARCHITECTURAL DESIGN:** Residential lots shown on recorded plats and designated in deeds and recorded covenants as “patio lots” shall be used for the construction of patio homes. Patio homes must be designed to utilize a patio wall to enclose the portions of the lot used for private outdoor living activity.

Patio homes are to be designed using the existing natural lot features. They are not intended to be normal single-family homes on a small lot without windows in one wall. The side yard, traditionally not private in most homes, is the most private area of a patio lot and should be incorporated into the design of the residence.

- ③ **PATIO WALL:** The patio wall shall be constructed simultaneously with a patio home and shall be located so that the exterior of the same is three (3) feet inside of and parallel to the designated lot lines on the recorded subdivision plat. The wall may be located elsewhere on the lot with ARB approval. Also, two owners of adjacent lots may, with approval, construct a common party wall provided it meets the requirements of all applicable building codes as to height and fire rating.

A patio wall should not be merely a fence. Its purpose is to enclose outdoor space for use as an extension of the living area. Patio walls on the front may turn to form a service or entry court, or connect to the adjacent patio wall. Walls on the rear may not necessarily turn

if they would block views. Each patio home design must include a wall connecting to the adjacent patio wall near the front of the lot to provide continuity in the streetscape.

The patio wall must be 6 to 8 feet in height above the natural grade and/or adjacent floor level. The length of the wall must extend to within 10 feet of the front and rear property lines (unless other setbacks are appropriate) and may extend the entire length of the lot. A higher wing wall will also be required when second story windows provide views in the adjoining lots. The patio wall should be constructed of materials that blend with the home. Variety is encouraged in use of materials, design, detailing, and textures.

- ④ **SIZE:** The size of the enclosed dwelling area of all patio homes is usually defined in the Deed Covenants. Except in rare circumstances, the first floor of a patio home may not occupy in excess of 40.00% of the entire area of the patio lot. To maintain the scale of patio home neighborhoods, height will be restricted to two (2) floors of enclosed living space. The impervious lot coverage percentage is limited to 50.00% of the high ground area of the patio lot.
- ⑤ **FORM:** The form of a patio home must relate to the existing natural features, to the desire of attaining indoor/outdoor living spaces, and to neighboring patio homes. Generally, the mass of a patio home will be broken down into smaller elements allowing for the interplay of patios, decks, screened porches, and courtyards. The roofscape must relate to the tree cover and neighboring homes and may be extended to cover a garage or carport.
- ⑥ **ARTICULATION:** The design articulation of a patio home determines the usability and enjoyment of the residence as well as the exterior appearance. Living space should be arranged to preserve existing natural features and to allow indoor space to open out into courtyards, patios, and decks. The fenestration should be designed to optimize the use of the surrounding private exterior space as well as providing for views, natural light, and ventilation. In developing the patio home concept, the articulation of walls, fences, and screens should be used to continue the concept of the house throughout the lot. Complementing details should be used throughout the design to ensure architectural compatibility.
- ⑦ **MATERIALS AND COLORS:** As with all homes on the Island, the exterior materials and colors should be selected to blend with the natural surroundings. Garish and overly bright colors are uniformly prohibited. Generally, exterior materials of wood and stucco are appropriate. Brick may be used but is usually approved only as a minor material, (*i.e.* foundations or a chimney). A variety of materials should be used on patio homes and walls to prevent a monotonous appearance. Colors should reflect the location, taking into consideration whether the site is open or heavily wooded. Roofing materials and pitches are the same as those required for single-family homes.
- ⑧ **SUPPORT FACILITIES:** Because of the compact size of the lot, the careful location of the support facilities for patio homes is critical. An adequately enclosed service yard is required by

the Covenants and should be accessible from the kitchen and parking area. Two parking spaces shall be provided on the property, which are allowed in the twenty (20) foot setback. The parking area should be disguised, if possible, with a carport, walls, or preferably, bermed landscaping. A separate trash and garbage enclosure must be included if not provided in the service yard. Air conditioning units and electric meters must be screened from view and may not be placed on the back of the patio wall. Television and radio antennas may not be exposed, but must be installed in attic spaces. Satellite dish locations must be approved by the ARB prior to installation.

- 9 APPURTENANCES:** Due to the close-knit fabric of patio neighborhoods, appurtenances must be designed with not only the owners' needs in mind, but the adjoining properties as well. Mailboxes must conform to the Graphic Controls included in the Appendix and should be located to complement the landscape design. The dimensioned location and construction details on all swimming pools shall be submitted to the ARB for approval. Noise factors and disturbances of neighbors will determine the positioning of game and play structures that shall be submitted on final landscape plans. The use and selection of exterior lighting should enhance the aesthetic appearance with consideration given to neighbors and nearby traffic. All docks and bridges extending into or crossing over natural or man-made bodies of water require ARB, and possibly Town, approval, and if along golf courses, golf course owner approval. See the Appurtenance Guidelines for additional information.

- 10 LANDSCAPING:** All landscape plans submitted to the ARB must be prepared by a South Carolina registered Landscape Architect. The landscape design of a patio lot must be an integral part of the design of the patio home. In a successful patio home, it should be difficult to distinguish between the building elements and the landscape elements. Walls, fences, and screens should be used to design exterior spaces. Plants should be used to furnish these spaces and enhance the home's appearance. Foundation planting is required along the entire perimeter of the patio home, including within the patio wall easement. The adjacent property owner may plant within the patio wall easement as well. Due to the rapid drying rate of the sandy soil, the provision of an irrigation system is required to sustain the initial landscape installation. Drip irrigation is encouraged in non-sodded areas. This system will also reduce maintenance and improve the appearance of the yard. The storm drainage system in the immediate area of the site must be integrated into the overall landscaping plan by the Architect. Down lights, up lights, stair lights, and low voltage lights are all used in landscape designs for accent, safety, and appearance. The use of exposed, non-hooded spotlights are prohibited. See the Landscape Guidelines for current requirements prior to planning landscape updates to your property.

EXISTING HOMES GUIDELINES

The primary purpose of the Covenants and Guidelines is to foster the creation of a community which is aesthetically pleasing and functionally convenient for all residents and visitors. These restrictions governing proposed homes, homes under construction, and existing homes require every home on the Island to be maintained in a manner conforming to these Guidelines.

- ① **IMPROVEMENTS:** No alteration, including constructive maintenance, painting, staining or reroofing, affecting the exterior appearance of any building, structure, or landscape shall be made without prior approval of the ARB. A request for approval must be submitted to the ARB including a completed Improvement Review Form, the review fee, and all drawings necessary to define the proposed improvement. Additional information such as a landscape plan, color samples, site stake-out, etc. may be requested when appropriate. Please note that the ARB will evaluate elements that do not meet current ARB Standards and Guidelines for correction as part of a property's Improvement. When approved, a Kiawah Island ARB Building Permit must be issued prior to commencement of any clearing, material delivery, painting, or construction.
- ② **LANDSCAPING:** Every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt conditions of buildings or yards, which shall reduce the beauty of the neighborhood as a whole or the specific area. Formally landscaped bed and lawn areas must be maintained and screened from other properties. Return of such areas to a native state must be reviewed as a landscape change. For larger properties, or landscaping of a lot owned adjacently, formal landscaping should be limited to the buildable area and may not exceed 40% of the property. Any proposed changes in landscaping such as fences, fountains, lighting, game structures, drives, walks, landscape structures, and statuary must be approved by the ARB. The modification of an existing landscape requires a landscape plan prepared and stamped by a SC licensed Landscape Architect. The addition of plants to an existing landscape may be performed by either a Landscape Architect or Landscape Designer. Every property owner is required to replace significant trees that die due to natural causes to ensure that the required number of trees per lot is maintained. A deposit for tree removal will be required when mitigation is deemed necessary. Thinning of pines may be allowed following review and approval. See the Landscape Guidelines for current requirements prior to planning landscape updates to your property.
- ③ **TREE REMOVAL:** Generally tree removal for existing homes will not be approved unless the tree is diseased, damaged, or a threat to the home. Any tree that is approved for removal will generally require mitigation with native hardwoods. An extension for installation may be requested in order to accommodate an appropriate planting season. See the Vegetation Removal Request Form for additional information. Thinning of pines may be allowed following review and approval. See Tree Replacement Guidelines.

APPURTENANCE GUIDELINES

All exterior alterations and improvements to a homesite or commercial property require prior approval from the ARB. The following are specific guidelines for the design or alteration of appurtenances.

- ① **MAILBOXES:** Each home is required to have a typical Kiawah mailbox with the appropriate lot number or assigned street number routed in the cross piece. The owner's name may be applied to the side of the mailbox per an approved design detail. The design, color, construction, and installation of every mailbox is required to conform to Kiawah Island Graphic Controls for Mailboxes included in the Appendix.
- ② **SIGNAGE:** The use of any sign, including those for the purpose of identification, renting, or selling of a property, is prohibited. Single-family homes may be identified only by the graphics included on the mailbox as specified by the Graphic Controls included in the Appendix. Owners' names, house names, and lot numbers shall not be placed on the front of homes or on signs placed on lots. Limited temporary signage for golf tournaments or other Island events must be approved in advance and removed within 24 hours of the event's conclusion.
- ③ **PERSONAL WATERCRAFT, BOATS, AND CAMPERS:** The storage of personal watercraft, boats and campers in yards or driveways is prohibited. They are required to be stored out of sight in garages or below houses. Kiawah Island Security and/or the KICA may be contacted for information regarding leasing of space in the storage yard owned by the Company.
- ④ **EXTERIOR LIGHTING:** All exterior lighting shall be installed so as not to disturb Neighbors or impair vision of traffic on nearby streets. Lighting on front beach Homes must be carefully selected so as not to interfere with the Loggerhead Turtles during nesting season. Lights may not shine directly toward the beach as these disorient the newly hatched turtles. Additional guidelines are as follows:
 - a. Landscape plans must indicate all proposed exterior landscape lighting. The use of exposed, non-hooded spotlights will not be approved. Low voltage, high quality metal fixtures are encouraged.
 - b. Exterior lighting should be limited to areas where there will be pedestrian movement and should be extinguished when not in use.
 - c. Lighting within street rights-of-way is not allowed.
 - d. The source of exterior lights should not be visible from property lines or streets.
 - e. Floodlights are almost never permitted. A maximum number of two switched floodlights, or similar types of lighting attached to soffits and fascias, when allowed, must be hooded, low voltage, and approved in advance.
 - f. Exterior lighting towards or near the marsh is strongly discouraged. Only dim path lighting shall be allowed in these sensitive areas.

g. Up-lighting and/or landscape lighting is intended to accent a truly unique or special natural feature. This type of lighting may be allowed at the discretion of the ARB.

Because each design and site is unique, lighting plans will be evaluated based on the unique characteristics of the site. The ARB has discretion to disallow plans that introduce excessive lighting into the landscape.

5 BEACH BOARDWALKS: Construction of new or alteration of existing boardwalks must be approved by the ARB.

The dune area along the beach serves as a trail system for the island wildlife and evolves constantly. Therefore, all boardwalks must be designed so as not to impede the circulation of wildlife or the natural progression of the dunes.

The boardwalk should be maintained at a level near the existing grade, allowing a one-foot clearance between the bottom of the structure and the top of the dune on all private property and within the KICA conservation zone. Handrails are discouraged except when crossing wetlands or as required by building codes. Boardwalks should follow a natural path through vegetation and across the dunes, avoiding dune crests where possible. Boardwalks may be a maximum of five (5) feet wide and must be shore perpendicular at their beach terminus. Steps, ramps, or a combination will be considered as needed to reach the beach within ten (10) feet from the toe of the primary dune.

Depending on the unique characteristics of each site, a small deck measuring 12' – 0" by 12' – 0" maximum may be allowed landward of the property line, and a low bench without a seat back may be located on the deck. The deck must be sited within a natural valley of the dunes and will require landscape screening using indigenous plants. Some building sites may be configured such that no seating area is permitted. Any storage must be integral to the design of the bench and deck.

Boardwalk lighting may consist only of low profile shielded luminaries and shall be positioned so that the beach is not illuminated. To accomplish this, neither the light fixture, nor the light it emits, may be viewed from the beach. These lights shall be turned off after 9:00 pm during the period of May 15 to October 31 of each year, so as not to interfere with turtle nesting. Speakers for music or television shall not be installed on boardwalks.

Signage on boardwalks is discouraged. When allowed, a maximum of one sign may be installed if not seen from the active beach. Post sign boards should be a minimum 8" x 2" with 1" letters and may be a maximum 12" x 3" with 1 ½" letters. Approved verbiage is "private" or "no trespassing" and must be routed in block letters. If a plank sign integral to the boardwalk is used, it must be located on the flat portion of the boardwalk, not on ramps or stairs.

All decks and boardwalks must be staked out, maintaining a three (3) foot setback from all property lines, before review by the ARB. Clearing for stake out, construction, or views may not occur without prior onsite approval of an ARB representative.

- ⑥ FENCING:** All fencing designs must receive ARB approval and a permit is required prior to installation. Maximum fence height, including lights and post caps, shall not exceed five (5) feet. Overly elaborate gate and fence designs, including spiked pickets, are not permitted. Fences, when allowed, should be of simple design, dark color, and heavily screened with continuous ever-green landscaping. Landscaping should screen the entire fence from time of installation. Fences must be located a minimum of ten (10) feet from property lines and should be limited to a portion of the side or rear yard, in order to allow the blending of landscaping with neighboring properties. Entry gates or piers are discouraged. When allowed, these must be located within the buildable area, or aligned with the adjacent buildable area in the case of flag lots, and may not exceed the height of any associated fence.
- ⑦ SATELLITE DISHES:** Satellite dish placement requires ARB notification. A 20" diameter or less satellite dish, or 1 meter if required by FCC regulations, may be placed on the roof of a home provided it is not visible from the street and is properly screened from adjoining property. If ground placement is necessary, locate in areas least obtrusive to viewing from streets or adjoining property. The dish must be painted a color that will blend with the surrounding roof or screening.
- ⑧ PLAY STRUCTURES, BASKETBALL GOALS, ETC:** All play structures, basketball goals, putting greens, and related objects must be approved by the ARB. The ARB will require that the objects be painted to blend with the surrounding environment and may require additional plantings to screen objects from neighboring views.
- ⑨ STORM PROTECTION:** Installation of storm protection systems for doors and windows requires review and approval by the ARB. All elements of the system must match in color the surface to which they are attached and should integrate with the architecture of the home. The ARB encourages the use of removable panels and hinged shutters, where applicable. Storm protection systems may only be utilized when the Island is in imminent danger due to the issue of a hurricane warning by the National Weather Service. Systems must be removed or disengaged immediately after the warning is removed and may not be used as a means of securing property during homeowner absences.
- ⑩ DOCKS AND BULKHEADS:** Installation and improvement of all docks and bulkheads require prior ARB approval. Dock structures and bulkheads should be fabricated with natural and blending materials; however, aluminum gangways are allowable. Lifts, when allowed, should be minimal in form. The use of rip rap may be allowed in limited circumstances and, when approved, must be located below the Mean High Water line. Landscape solutions shall be required to mitigate exposure of bulkheads from marsh views and

adjoining bulkheads should always be consistent in design and materials. The ARB may consider other methods of erosion control that are natural in appearance. Please reference page 5 for additional information.

- ⑪ **POOLS:** Pool installation and/or modification require ARB approval and must be performed by a licensed pool contractor. The pool cavity and elevated decking must be entirely within the buildable area and are included in lot coverage calculations. At grade decking must be at least ten feet from the property line. The color of any pool component visible from adjacent properties must be approved including vertical surfaces at waterline and infinity edge troughs. Saltwater conversion is very strongly encouraged, as traditionally chlorinated discharge into the Island's storm water system will adversely affect the environment.

COMMERCIAL STRUCTURES

The design requirements for commercial structures shall be similar in intent to those for single-family homes.

Emphasis should be placed on architectural compatibility with neighboring properties and the Island as a whole. Contact the Town of Kiawah Island for specific height, setback, and size requirements, especially as these vary between categories of commercial structures.

MULTI-FAMILY HOMES

The design requirements for multi-family housing shall be similar in intent to those for single-family homes. Emphasis should be placed on architectural compatibility with neighboring properties and the Island as a whole. Contact the Town of Kiawah Island for specific height, setback, and size requirements.

The Company employs an ARB Staff to assist Owners, Architects, and Contractors during the design and construction of homes. The ARB Staff is available to promptly reply to questions concerning design and construction guidelines. The ARB Staff will preview every project before Conceptual, Preliminary, and Final Review. They will also review the lot stake out and the submission of acceptable working drawings, specifications, landscaping plan, and color samples.

The project will not, however, be presented to the ARB for review until all of these items have been addressed. No site clearing, material deliveries, or construction may begin without first obtaining a Kiawah Island Building Permit from the ARB.

A permit may be issued only after Final Approval is granted by the ARB. Therefore, the review process must begin early enough to obtain approval that coordinates with the construction schedule. All normal procedures set up by the Town of Kiawah Island must be followed as well. If construction of an approved structure has not commenced within six (6) months of its approval, resubmittal to the ARB will be required.

REVIEW PROCESS

EXPLANATION OF THE PROCESS

The Architectural Review Board (ARB) exists to review all building, remodeling, and/or alteration activity proposed on Kiawah Island and to encourage high quality architectural design and characteristics appropriate to the surroundings, the special conditions of climate, and other environmental factors indigenous to the area.

This review process has been organized to establish a systematic and uniform review of proposed residential or commercial construction. Required drawings and submittal forms **must receive** Conceptual and Preliminary Approval before submission for Final Approval. All submittals to the ARB for construction must be made by an Architect registered in the State of South Carolina. Architects must also have a Town of Kiawah Island business license.

Architects should strive to develop a strong sense of identity within a framework of visual continuity so as to create an attractive and harmonious addition to the community. It is not the intention of this ARB to stifle creativity in producing a strong identity provided the design conforms to the Covenants and these Guidelines. However, through its Review procedures, the ARB may disapprove any proposed construction on purely aesthetic grounds where, in its sole judgment, such action is required to protect the enduring natural beauty and attractiveness of an area.

Aesthetic issues may include, but are not limited to neighborhood compatibility, site relationships, and design consistency. Neighborhood characteristics will be considered during the review of the proposed building's materials, style, colors, mass, height, and square footage. The existing vegetation, tree canopy, tree root systems, drainage, and grading will be considered during the review of building mass and drainage. Window style, pattern and proportion, detailing, and overall proportion will be reviewed for consistency with the proposed architectural style.



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The ARB generally meets the first and third Wednesday of every month, or more often if the caseload dictates. Conceptual submittals should be received by the ARB no later than noon on the Wednesday prior to the meeting. Preliminary and Final submittals are due by noon on the Friday before the meeting. To be considered, submittals shall be accompanied by the appropriate Architectural Review Board Form, completed in full. Requested variances must be submitted on a completed in full Variance Request Form. Any review fees due must also be paid in full for a submittal to receive consideration. All requirements shall be completed, or the ARB may refuse to review a submittal. The ARB encourages personal presentations of submittals by Architects and Owners. Design approval is valid for six (6) months.

SITE ANALYSIS

Architect, and Landscape Architect are required to attend a Site Analysis Meeting with an ARB representative prior to beginning the Review Process. The purpose of this meeting is to familiarize attendees with the proposed homesite, to evaluate the health and location of specimen trees, other vegetation, and existing topography, and to increase the homeowners' and design teams' awareness of ARB issues. This information should be represented graphically and sealed by the Landscape Architect on the following Site Analysis Drawings.

- ① TOPOGRAPHICAL AND TREE SURVEY:** One of the first steps in preparing a site analysis is obtaining a Topographical and Tree Survey for the property from a South Carolina Registered Land Surveyor. The survey must be dated within twelve (12) months of its submittal. A full size, hard copy of this survey must be at 1/8" = 1'- 0" or 1" = 10'- 0" scale and is required to show the legal description of the property, including the following:
- Recorded property lines, easements, and setbacks.
 - The topographical contours of the lot, along with spot elevations for existing curbs, the street, and neighboring lot curbing.
 - The location, genus, and species of all oak trees over 3" caliper dbh and other trees in excess of 6" caliper dbh.
 - Any prominent natural features of the site.
 - Adjacent residences with roof heights from MSL, garages, and driveways.
 - Current OCRM critical lines.
 - Utility locations.

The accuracy of the survey is extremely important as this will eventually influence the design of the residence. Minor inaccuracies in the survey can often lead to significant delays and/or increased project budget if not addressed promptly. Surveyor error cannot be considered "hardship" that supports a variance.

- ② EXISTING SITE CONDITIONS:** The analysis should be drawn on a copy of the Tree and Topographical Survey and should include, but is not limited to the following:
- Oak trees 24" caliper dbh or greater highlighted in red.
 - Hardwood trees 12" caliper dbh or greater highlighted in green.
 - Areas and characteristics of natural vegetation or dense understory, including special or unusual site features.
 - Existing oak canopy delineated.
 - Locations of diseased or damaged trees.
 - Locations of trees restricted from removal with respective ground area delineated by shading or hatching (see Tree Replacement Guidelines for criteria).
 - Existing drainage patterns.
 - Sun movement analysis and breeze directions.

- ③ PROPOSED SITE DEVELOPMENT:** The analysis should be drawn on a copy of the Tree and Topographical Survey and should include, but is not limited to the following:
- View orientation.
 - Major features on adjacent properties within 50' of property line.
 - Building, pool, and decking locations with approximate square footage requirements.
 - Site access.
 - Areas requiring minimal or maximal privacy.
 - Potential variances should be clearly and specifically addressed in writing and highlighted on drawings.

All variances must be brought to the attention of the ARB during the review process and cannot be approved after construction begins. Only variances specifically approved in writing shall be considered granted and valid. A Variance Request Form must be submitted in addition to the standard review forms if you are seeking a variance for your project.

An important step is conveying to the ARB the appropriateness of how the design evolved from the site analysis. Thus, it is critical that all pertinent site data gathered be presented to the ARB representative 24 hours prior to the Site Analysis Meeting. The Meeting shall be re-scheduled if the data is not received in a timely manner. To facilitate, ARB may accept digital submittals of the tree and topographical survey in advance of the site analysis meeting with a hard copy of the survey being provided to the ARB at the meeting.

Larger size homes may require upgrades to existing water and sewer systems. Contact Kiawah Island Utility (KIU) to confirm line sizes.

CONCEPTUAL REVIEW

As early as the Owner and Architect are able to identify design objectives, nine (9) sets of Conceptual plans should be submitted for review. These plans must be printed to half scale and should consist of tentative drawings that reflect the general form, spatial relations, materials, articulation, and circulation patterns. Active involvement by the Landscape Architect is required during the initial layout of site plans.

Schematic sketches, dimensioned drawings, models, and perspectives are most appropriate for conceptual submittals. Regardless of what form of presentation is used, all conceptual submittals must contain **nine (9) bound, half scale copies** of the following:

- ① **COMPLETED CONCEPTUAL REVIEW FORM:** After review, the ARB will either grant Conceptual Approval or provide reasons for the rejection of the submittal and normally will offer suggestions for improvement. If the conceptual drawings are substantially changed, either by request of the ARB or desire of the owner, they must be resubmitted and receive Conceptual Approval before proceeding for Preliminary Approval. A Conceptual Approval is valid for six (6) months from date of approval. All necessary forms are provided on the ARB website, www.KiawahARB.com.
- ② **DIMENSIONED SITE PLAN:** The site plan shall be drawn by the Landscape Architect at a scale of 1" = 20'-0" and shall show the ground floor plan of the house and dimensions demonstrating conformity with all required easements and setbacks. Surveyed trees, both those to be preserved and those to be removed, must be indicated. Driveways and walks must be located along with the proposed service yard, HVAC units or closed-loop

geothermal fields, and electric meter. Driveways, garage backup areas, and guest parking areas should be dimensioned, and the following area calculations should be indicated:

- a. The area of building footprint (all heated and unheated spaces in square feet).
- b. The area of all first floor decks, stairs, and porches.
- c. The area of all driveways, walks, pools, and HVAC units.
- d. The total of these areas in square feet (area of improvements).
- e. The total high-ground area of the lot in square feet.
- f. The area of improvements expressed as a percentage of the total high-ground lot area.

Any variance to established guidelines should be clearly noted and highlighted.

- ③ PLANS:** Floor and roof plans at 1/8" scale shall be presented depicting the layout of heated, unheated, screened, and covered square footage calculations as measured from outside face of exterior walls for each level, including steps and mezzanines. For area calculations of unheated space, measure from the centerline of walls that separate heated and unheated spaces. Vaulted space open to below should be calculated at 50% of potential floor space. Stair square footage should be included for each level. The third floor level may have heated square footage no greater than half of the square footage of the largest floor below it. Plans for all proposed floor areas, including garages, basements, or attics, must be submitted.
- ④ ELEVATIONS:** Drawings shall be presented at 1/8" scale representing the view of all exterior sides of the proposed structure. All materials such as wood, stucco and/or masonry elements of all exterior walls shall be accurately and fully depicted. The elevations must be rendered with shadows depicting roof and/or deck overhangs, and changes in wall plane or massing. Roof ridge heights, their relationship to FEMA, and interior floor levels should be indicated as well as the relationship to existing and proposed topographical features.
- ⑤ PERSPECTIVES AND MODELS:** Perspective sketches and models are encouraged at Conceptual Review, although not required.

PRELIMINARY REVIEW

The preliminary submittal drawings are prepared after changes are made from the review of conceptual plans. A written response to any comments from the previous review should be submitted. One (1) complete set of unbound 24" x 36" or 30" x 42" drawings is required along with a PDF or CD copy of the proposed Grading and Drainage Plan. The ARB Staff will preview all submissions and will not present a project to the ARB for Preliminary Review unless the following are completed and have been submitted:

- ① **PRELIMINARY STAKE OUT:** The home shall be staked out on the lot with stakes at least two (2) feet tall marking the corners. A string shall connect all stakes outlining the shape of the home, including decks, stairs, raised planters, and driveway. **Preliminary stake out must be completed by noon on the Friday prior to the ARB Meeting or the submittal will not be reviewed.**
- ② **COMPLETED PRELIMINARY REVIEW FORM:** After review, the ARB will either grant Preliminary Approval or provide reasons for the rejection of the submittal; the ARB will normally offer suggestions for improvement. If the preliminary drawings are substantially changed either by request of the ARB or the owner, they must be resubmitted and in receipt of Preliminary Approval before proceeding for Final Approval. A Preliminary Approval is valid for six (6) months from date of approval. All necessary forms are provided on the ARB website, www.KiawahARB.com.
- ③ **SUBMITTAL FEE:** This fee is for the review process. See the Attachments for the schedule.
- ④ **FLOOR PLANS:** Plans at 1/4" scale must depict the layout and relationship of interior space for all levels of the proposed building. These plans must show the proposed heated, unheated, screened, and covered square footage calculations as measured from outside face of exterior walls for each level, including steps and mezzanines. For area calculations of unheated spaces, measure from the centerline of walls that separate heated and unheated spaces. Vaulted space open to below should be calculated at 50% of potential floor space. Stair square footage should be included for each level. The third floor level may have heated square footage no greater than half of the square footage of the largest floor below it. Plans for all proposed floor areas, including garages, basements, or attics, must be submitted.
- ⑤ **EXTERIOR ELEVATIONS:** Drawings shall be presented at 1/4" scale representing the view of all exterior sides of the proposed structure. Wood, stucco, and/or masonry elements of all exterior walls shall be accurately and fully depicted. Gutters and downspouts must be shown if proposed.
- ⑥ **GRADING AND DRAINAGE PLAN:** The grading and drainage plan shall be drawn at a scale of 1" = 10' or 1/8" = 1' - 0" with the setbacks. These drawings must show the roof plan and ensure that existing trees and vegetation to be preserved are not damaged by fill dirt. They must also show the proposed grading and demonstrate that drainage flow does not adversely affect adjoining property or roadside swales. The proposed grading plan must also demonstrate that stormwater conveyance within the KICA easement will not be impeded.

The following information must be included on the plan for ARB and KICA review:

- a. Spot elevations at building corners, the base of all stairs, the garage door, and all corners of the driveway.
- b. Spot elevations for top and bottom of planter or retaining walls, if applicable.
- c. Spot elevations for the driveway at regular intervals where it meets the property line and the street and at center of paving. See KICA driveway grading plan data for specific requirements.
- d. Existing roadside swale and flow patterns, if applicable.

Additional information may be requested in case of irregular conditions, including but not limited to: adjacent properties not in conformance with these guidelines, existing storm drainage in disrepair, atypical storm drainage patterns.

The Landscape Architect must include a "note" for the Contractor which states: "Final grading must be completed in such a way that it does not adversely affect drainage or vegetation on adjoining property or roadside swales."

- 7 DIMENSIONED SITE PLAN:** This plan must be 1/8" in scale, must include overall dimensions (depth & width) of the home, and must demonstrate conformity with all required easements and setbacks. Any variances to the established guidelines shall be noted and highlighted to bring attention to the ARB.

Driveways, guest parking, garage backup areas, and walkways must be located, appropriately dimensioned, and proposed materials specified. Proposed driveway dimensions should include length, width, and radii. The service yard, HVAC, and electric meter must be indicated on these drawings. In closed loop HVAC systems, bore hole locations must be located on the site plan. A roof plan must be submitted.

- 8 LOT COVERAGE GRAPHIC:** Provide a lot coverage graphic showing areas and measurements of all elements included in the calculations of the total lot coverage as well as any supplemental pervious elements.

- 9 BUILDING SITE SECTIONS:** Drawn to scale as necessary, these plans must show floor and ceiling heights of each habitable floor.

- 10 TREE/UNDERSTORY PROTECTION PLAN:** The tree and understory protection plan shall be presented at a scale of 1" = 10' with the setbacks. Clearing limits as delineated by protective fencing, trees proposed for removal, areas of dense understory growth, areas where existing vegetation is to be preserved, and areas where the existing grade will be disturbed must be noted. The job material storage, construction dumpster, and temporary toilet locations must also be shown.

FINAL REVIEW

The construction documents are prepared after changes are made, if any, from the review of preliminary plans. If requested, the final stake out, reflecting any changes, must be completed before submitting for Final Review. A written response to any comments from the previous review should be submitted. The ARB Staff will preview all submissions and will not present a project to the ARB for Final Review unless the following are completed and have been submitted.

- ① **FINAL STAKE OUT:** If requested, the preliminary stake out must be updated reflecting changes, if any, in the location of the home or driveway and any additional trees to be removed. No dune lines or oak trees over 3" caliper dbh or other trees 6" caliper dbh may be removed or limbed at any time without prior ARB approval. Extra care shall be taken by fencing to avoid injury to any trees not approved for removal.
- ② **COLOR SAMPLES:** Because color is essential to the overall success of the home, the ARB requires proposed colors of all exterior materials including siding, trim, brick, roofing, stucco, and lattice to be submitted on actual samples of materials proposed for use and attached to a panel. See graphic at www.KiawahARB.com for sample panel information. These sample submissions are most important to both the owner and the ARB in evaluating the eventual appearance of the house as color chips often vary greatly from actual applications on varying materials. The samples submitted at the time of Final Review do not constitute final approval of the color palette. Final approval may only be given after an onsite review of the sample board during the construction of the home.
- ③ **SCHEMATIC LANDSCAPE PLAN:** A landscape plan prepared by a South Carolina registered Landscape Architect, at a scale of $1/8" = 1' - 0"$ or $1" = 10'$ must be submitted showing the following:
 - a. Location of the home, driveway, and walks with proposed landscaping concepts as intended to help integrate the building with its environment and to provide for positive drainage.
 - b. A scale representation of all planting material identified as to size, quantity, common and scientific name, and variety. Include a proposed plant list.
 - c. Tree analysis chart including one (1) tree per 1,000 square feet of high ground and 70% of existing trees on the lot. Mitigation trees should be shown and highlighted.
 - d. Location of landscape lighting with fixture catalogue cuts, sprinkler head locations, walks, fences, pools, decks, patios, play structures, garden structures, and mailboxes. Include a complete light fixture schedule.
 - e. Adequate plant screening for HVAC units, service yards, trash enclosures, and electric meters. Foundation screening must be half of the height of the foundation wall.
 - f. Proposed budget for landscape and irrigation (not to include structural fill or hardscape). See Attachments for budget assumptions.
 - g. Tree and understory protection plan similar to the preliminary submittal.

- h. Height of mature vegetation proposed for location within deeded, platted, or implied view corridors (such as adjacent to side yard setbacks on flag lots) must be noted.
- i. Fence location and fence elevation, if desired or required for pool.
- j. Hardscape material, design, and layout.

Each plan shall indicate the location of a 4" PVC conduit (Schedule 40) below the driveway in the street right-of-way for future cable installation. The conduit should be 3 feet from the edge of the street with an invert 18 inches below grade. The conduit should extend 24 inches beyond either side of the paving and be capped on both ends. Berkeley Electric must be contacted for the delivery of any additional conduit and specifics on its placement. The contractor shall be responsible for locating existing utilities before excavating.

- ④ **DIMENSIONED SITE PLAN:** Similar to preliminary including any changes and proposed utility services.
- ⑤ **FOUNDATION AND FRAMING PLAN:** Plans at 1/4" scale showing locations and sizes of foundation and framing elements and how they relate to nearby trees.
- ⑥ **FLOOR PLANS:** Floor plans shall be drawn at 1/4" scale containing all information necessary for construction.
- ⑦ **ELEVATIONS:** Drawn at 1/4" scale, elevations shall accurately represent the view of all sides of the house. Floor elevations must be delineated and existing and proposed grade levels must be shown. All exterior materials must be labeled. A colored elevation must be submitted for evaluation of proposed color application. The entire front elevation must be rendered and partial elevations throughout the home are encouraged to ensure that all design elements which may require unusual color application are considered and so that color issues in the field can be avoided.
- ⑧ **BUILDING SECTIONS:** Drawn at 1/4" scale as necessary for clarification or construction.
- ⑨ **ELECTRICAL, MECHANICAL, AND PLUMBING PLANS:** Plans submitted at 1/4" scale showing necessary information. Diagrammatic plans to be submitted must show the meter location, generator location, enclosed HVAC areas, on demand water heaters, and propane tanks. Electrical plans must show the meter location and mechanical plans must show enclosed HVAC areas.
- ⑩ **DETAILS:** Submit details including, but not limited to the following:
 - a. Typical wall section.
 - b. Exterior trim.
 - c. Window and door details.
 - d. Exterior walls, fences, or screens.

- e. Railings and/or seating.
- f. Screen porch section.
- g. Patio wall, as appropriate.
- h. Utility screening

- ⑪ **SPECIFICATIONS:** A full set of specifications must be submitted defining the quality of all work and materials.
- ⑫ **COMPLETED FINAL REVIEW FORM:** If the ARB fails to grant final approval of the project, it will designate items to be corrected or resubmitted.

EXISTING HOMES IMPROVEMENT REVIEW

As stated in the Covenants, "no building, fence or other structure may be erected, placed, or altered nor shall a building permit for such improvement be applied for on any property in Kiawah Island until the proposed building plans, specifications, exterior color or finish, plot plan, landscape plan, and construction schedule shall have been approved in writing by the Company..." When submitting for review of proposed improvements, presentations must include when applicable, but may not be limited to, the following:

- ① **LETTER OF INTENT:** The owner should inform the ARB as to the intent and purpose of the proposed improvement.
- ② **IMPROVEMENT REVIEW FEE:** This fee is for the review process. See the Attachments for the schedule.
- ③ **COLOR SAMPLES:** Samples are most important when applying for improvement approval because of the necessity of matching existing materials. When changing the color of a home, color samples must be applied to the home for inspection by an ARB representative. An Approved Final Color form must also be completed and submitted for the ARB's records. There is a distinct preference by the ARB for transparent and semi-transparent stains on residential structures so as to blend with the natural surroundings.
- ④ **SITE PLAN:** The site plan must be based on an existing conditions survey dated within 12 months of the submittal, including a current OCRM critical line when applicable.
- ⑤ **DRAWINGS:** One set of plans and elevations shall be submitted to adequately define and explain the improvement sufficiently. Drawings submitted at half scale are sufficient provided these are legible and printed to scale. Drawings representing the existing structure(s) will also need to be submitted. Major improvements may require a landscape plan indicating how the landscape will be improved to meet current landscape guidelines. Landscape

improvements may require tree protection, grading, and planting plans depending upon the scope of work proposed.

- ⑥ **COMPLETED IMPROVEMENT REVIEW FORM:** After reviewing the project, the ARB will either designate changes or grant Final Approval. As with new construction, the construction deposit must accompany the completed Construction Application Deposit and Agreement Form, two (2) full-size sets of drawings, and one (1) set of reduced drawings (11" x 17") to be stamped before obtaining a Kiawah Island Building Permit. As specified in the Construction Guidelines, the Kiawah Island ARB building permit and the Charleston County permit must be displayed before site clearing, material delivery, or construction may begin.
- ⑦ **REGIME OR ASSOCIATION MANAGED PROPERTIES:** For homeowners with regime or association managed properties, written approval of any exterior changes must be received from the Regime or Association Board prior to submitting to the ARB for Improvement Review.

CONSTRUCTION GUIDELINES

BEFORE CONSTRUCTION

After completing the review process and receiving Final Approval of the stake out and construction documents from the Architectural Review Board, several steps shall be followed before any lot clearing, material deliveries, or construction may begin.

An ARB Building Permit must be obtained for all renovations and new construction. Please be aware that non-conforming items inadvertently not addressed during or prior to permitting may not be considered approved. One (1) full size and one (1) half size set of construction drawings must be stamped by the ARB. The full size set of drawings are required by the Town of Kiawah Island before the Town will issue a Zoning and Building Permit. The contractor must also submit a completed Construction Application Deposit & Agreement, a KICA Encroachment Permit, and the required deposit for new construction or for improvements. Deposit reimbursements can only be returned to the issuer of the deposit check. The deposit is returned to the address on the check; therefore, it is pertinent that the ARB be notified of any address changes.

Upon receipt of these required items, the ARB will review the permit application submittal for Minor Improvements. For New Homes and Major Improvements, the ARB will review the onsite tree protection. Once the tree protection is complete, an ARB Building Permit will be issued within ten (10) business days for the project. The receipt of this Permit does not preclude the necessity of also obtaining a TOKI Building Permit. Both permits are required for construction along with any additional permits that may be necessary from other agencies (e.g., to build a dock you will need a permit from the OCRM). In the case of golf course lots, you may need permission from the golf course owner, specifically if you seek to alter or remove any natural vegetation within 30' of any lot line bordering a golf course. We will advise in obtaining the latter services and approvals.

Every job site must have a job sign. Several area sign companies have the specifications required by the ARB for job signs. Please be aware that only the name and hometown of the Property Owners, as well as the names of the Architect, Landscape Architect, and Builder may be placed on the sign. Telephone numbers and other information are not allowed.



In summary, the following steps shall be completed before New Construction or Major Improvements may begin:

- a. Submit to ARB office one (1) electronic set, one (1) full-size set and one (1) half size set of approved construction drawings with completed Construction Application Deposit and Agreement, KICA Encroachment Permit, and construction deposit check(s).
- b. Install tree protection prior to clearing the site. Any clearing between the setbacks and the property line requires on-site approval.
- c. Obtain Kiawah Island Building Permit from ARB.
- d. Order job sign.
- e. Obtain TOKI Building Permit and Zoning Permit (the Company may require other permits in special situations); also, if applicable, obtain approvals for golf course lot construction and vegetation alteration. Zoning permit applications must contain:
 1. Average Natural Ground Elevation (average elevation of the entire lot to the nearest 6").
 2. Base Flood Elevation. (BFE)
 3. Structural Elevation showing first floor height and peak of roof height (above BFE).
 4. Site Plan with ARB stamp.
 5. Copy of approved recorded plat.
 6. Building plans.
- f. Post Building Permit at job site.
- g. Place dumpster and portable toilet on job site per the locations approved during the review process.
- h. Site clearing may commence following receipt of the Kiawah Island Building Permit from the ARB. At conclusion of clearing, submit dated photographs of the site prior to proceeding with construction.

Steps prior to Minor Improvement construction (including roofing with the same material, painting any color, deck or rot repair, tree removal mitigation, and other minor exterior repairs):

- a. Submit a completed Onsite Color Review Form for review if applicable.
- b. Submit a completed Construction Application.
- c. Submit a KICA Encroachment Permit.
- d. Submit the review fee and construction deposit.
- e. Provide a Kiawah Island Business License Waiver if appropriate.

If bird of prey, alligator, bobcat, or other habitat is discovered during clearing, the ARB office and the Town of Kiawah Island must be contacted prior to continuing work.

Many properties require de-watering prior to and during construction, which must continue constantly for extended periods of time. If this is necessary, please adhere to the following:

- a. All water removed from the site must be discarded to the nearest storm drain managed by KICA. Water should never be drained onto neighboring property,

- including the dune field and marshlands.
- b. Pumps with low decibel ratings are preferred. In addition, pumps should be muffled with sand bags to keep vibration noise to a minimum.
- c. The ARB recommends pre-notification to neighbors when de-watering is scheduled for an extended period of time.

DURING CONSTRUCTION

All construction on Kiawah Island will be under constant observation by the ARB. Four (4) mandatory field inspections will be conducted by the ARB on every residence under construction.

- ① **FIRST INSPECTION:** The first required inspection shall occur when the foundation wall is just above grade. The contractor shall notify the ARB at this time, and the inspection shall be conducted to ensure conformance with the approved drawings as to the location of the structure within the site. At this time, the builder must submit to the ARB a "Foundation Survey" depicting the location of the setbacks and showing the distances from all foundation corners to adjacent property lines. The ARB will fine the Contractor a portion of the deposit should the first floor framing be constructed prior to submitting a foundation survey or if dated photographs are not submitted at conclusion of site clearing prior to construction commencing.. A "stop work" order may be issued until the survey is submitted and corrections are completed.

If during the foundation construction or subsequently during framing, the removal and/or limb cutting of oak trees greater than 3" caliper dbh and other trees over 6" caliper dbh or alteration of existing dune structures becomes necessary, approval shall be obtained from the ARB in advance.

- ② **SECOND INSPECTION:** The Second Inspection shall occur during the Onsite Review of the Color Palette and Material Sample Board, usually occurring during the framing of the home. During construction, a sample board must be erected to show the proposed colors on the proposed materials for onsite review from the ARB. In order to view each sample in its proper context, the sample board must be placed close to the home. Once the sample board has been finalized and is ready for ARB review, an Onsite Color Review Form must be completed and submitted to the ARB office. An ARB representative will perform an onsite inspection and return the Onsite Color Review Form with the appropriate sign off. Should the contractor not submit an Onsite Color Review Form prior to application of color and materials, a fine may be imposed and withheld from the construction deposit in addition to any adjustments needed to comply with ARB guidelines.

③ THIRD INSPECTION: The Third Inspection shall occur during the onsite review of the Final Landscape Plan. The Final Landscape Plan submittal is due sixty (60) days prior to the substantial completion. The Landscape Architect and a representative of the ARB will meet onsite to review any landscape issues, which includes the number of new trees required, tree mitigation requirements, tree locations for filtered views, screening of service and parking areas, foundation and property line plantings, fence and final driveway layout, grading, landscape lighting, and repairing right-of-way damage. Requirements for the Final Landscape Plan submittal are similar to the Schematic Landscape Plan in the Final Review section, however, please note that the Schematic Landscape Plan is not to be used in place of the Final Landscape Plan. Should a Final Landscape Plan not be submitted prior to installation of landscape material, a fine may be imposed and withheld from the construction deposit. The ARB office must be informed if the Landscape Architect of record changes.

④ FOURTH INSPECTION: The Fourth Inspection shall be conducted after the completion of the home and installation of landscaping. See AFTER CONSTRUCTION section for more information, including the Final Inspection checklist. A copy of the Final Inspection shall be sent to the Owner and Builder noting final approval or required items to be corrected.

⑤ SITE APPEARANCE: It is imperative that all sites be maintained in a clean and tidy manner. All construction materials must be kept within the property lines, and a clear, street right-of-way should be maintained. Access to the site should be limited to the proposed driveway location. Access over/through adjoining properties is expressly forbidden. Over-sized delivery items require arrangement with KICA Security at least two (2) business days prior to arrival at the front gate to the Island and any costs incurred must be borne by the contractor. Fires are not permitted on residential construction sites under any circumstances.

Care should be taken when loading trucks hauling trash so as not to have it spill over while in transit. Contractors shall be held responsible for trash and debris falling from construction vehicles. The storage of materials should be in an inconspicuous area of the site and should be neat and orderly. The use of adjoining properties for access or storage of materials without the written permission of the adjacent owner is prohibited. Temporary storage structures approved by the ARB may be used to store materials provided the structure is minimal in size. Storage structures may not be used as living quarters nor may homes/villas under Major Improvement renovation be used as living quarters by construction crews. The ARB generally discourages the placement of job trailers on a residential site. In the event that the ARB approves a job trailer, a minimum-sized, industry standard trailer must be used. The trailer will be required to be screened with vegetation and must be removed once the home is complete.

Residential construction sites must contain the following::

- a. Commercial dumpster.
- b. Job toilet - Each construction site is required to have a job toilet at all times for the use of workers. It must be placed at least twenty-five (25) feet from the street in an inconspicuous location with the door facing away from the street and neighboring homes.
- c. Temporary Utilities - Temporary utilities must be installed in a neat manner. The temporary power pole must be at least fifteen (15) feet from the front property line, installed plumb, and not used for the placement of signs. Installation of the sanitary, sewer, and water lines must be completed using small trenching equipment, as large backhoes may create damage to natural areas.
- d. Standard job sign (with permits) – see APPENDIX for graphic standard

Site cleanliness shall at all times be maintained at an acceptable level. If not so maintained, the ARB will issue a "stop work" order. A commercial dumpster shall be placed on each job site and shall be dumped when necessary. At the end of each work day, materials must be stored neatly, and all trash placed in the dumpster. No trash shall be strewn about the lot or piled openly. As untidy sites present a negative image to visitors and property owners, this requirement shall be strictly enforced. Should the ARB determine, in its sole discretion, that a site is not being maintained properly, it may undertake having it maintained properly and will deduct the cost from the Construction Deposit and/or levy additional fines.

Should construction progress cease for more than ninety (90) days, the ARB must be notified.

Measures may be required to minimize impact to neighboring properties should a cleared jobsite become abandoned. Incomplete construction sites are detrimental to their neighborhoods, therefore once construction has begun, a project must be completed as approved and permitted.

AFTER CONSTRUCTION

When the Construction of a residence has been completed, the owner and contractor must satisfy several requirements before applying for the Final Inspection. The construction of the residence shall be completed, and the landscaping shall be installed conforming to the plans previously approved by the ARB. Any unauthorized changes must be corrected before the Final Inspection Certificate will be issued.

Upon completion of construction and landscaping, all building debris, remnant materials, and tools shall be removed from the site and the surrounding area. The construction site sign and the temporary power pole shall also be removed. At this time, the Contractor should review the Final Inspection Checklist provided by the ARB and notify the ARB that he

is ready for the Final Inspection. If Final Inspection is not requested within a year of the date of Certificate of Occupancy, the ARB may absorb the New Home Construction Deposit as a fine and notice may be sent of items requiring correction. For Improvement construction, Final Inspection must be requested within one year of the ARB building permit expiration or the Improvement Construction Deposit may be absorbed as a fine and notice may be sent of items requiring correction. Deposits may be forfeited to pay fines for noncompliance, but neither the assessment of fines nor their payment relieves the Property Owner of compliance.

As a checklist, the following items shall be completed prior to Final Inspection for New Construction and Major Improvements:

- a. Complete construction.
- b. Remove construction debris.
- c. Remove temporary facilities, utilities, and sign.
- d. Install landscaping.
- e. Install standard Kiawah mailbox.
- f. Submit as-built survey. **The as-built survey must include the setbacks, the lot coverage percentage, (expressed as un-built, pervious, and impervious surfaces), conditioned square footage if there is a maximum, HVAC stands, and the roof ridge height. It must also include spot elevations for the driveway at regular intervals where it meets the property line and the street and at center of paving. See KICA driveway grading plan data for specific requirements.**
- g. Submit landscape certification.
- h. Request a KICA Encroachment Inspection by calling 843-768-2315.
- i. Submit color photos of all elevations.
- j. Submit a completed Onsite Color Review Form if not done previously.
- k. Request for Final ARB Inspection.

For Minor Improvements:

- a. Complete construction
- b. Remove construction debris
- c. Submit as-built survey if a change in footprint
- d. Request a KICA Encroachment Inspection if permit not waived
- e. Remove temporary facilities and sign.
- f. Request Regime inspection if applicable.
- g. Request for Final ARB Inspection.

Should construction progress cease for more than ninety (90) days, the ARB must be notified.

Measures may be required to minimize impact to neighboring properties should a cleared jobsite become abandoned. Incomplete construction sites are detrimental to

their neighborhoods, therefore once construction has begun, a project must be completed as approved and permitted.

GENERAL REGULATIONS

All builders of residences on Kiawah Island must be licensed by the State of South Carolina. At a minimum, a SC residential builder's license is required. All builders must also have a Town of Kiawah Island business license. Access to the Island is controlled by Kiawah Island Community Association. All incoming vehicles must stop at the security gate for identification and permission to enter. Commercial passes may be obtained at the KICA offices. Construction workers are allowed access to and from the construction site only and are strictly forbidden from riding about the Island. Vehicles may be periodically searched to protect all Contractors and Owners from theft of materials and equipment.

The maximum hours allowed for construction personnel on the Island will be from 7:00am to 7:00pm, Monday through Friday and 8:00 am to 5:00 pm on Saturday. No residential construction work will be performed on Sundays or national holidays.

The conduct of all workmen is the responsibility of the General Contractor. Loud cars and speeding are not permitted on the Island. All construction vehicles must be parked on the construction site unless approved by KICA for parking in the street. Workers are required to wear shirts and shoes when not on the job site. Workmen are not permitted to loiter about island businesses (including lunchtime at the General Store). Loud music from radios and disturbance of property owners or guests will not be permitted at any time.

The construction of all residences must be completed within eighteen (18) months of the issue date of the Kiawah Island Building Permit with all exceptions requiring special ARB approval. Contractors must have the Owner or Architect submit all proposals for exterior changes prior to implementation of those changes. Failure to do so may result in fines. The Covenants grant the Company power to employ workers to correct any exterior changes made without approval or to employ persons to clean up an unacceptable lot. These charges will be deducted from the Construction Deposit.

The above regulations are designed to enhance Kiawah Island's overall appearance to our residents and visitors. These regulations are to be used as guidelines and are not intended to restrict, penalize, or impede construction firms who adhere to these regulations.

While performing their duties on Kiawah Island, repeated violation of these regulations could result in the suspension of the building permit for that residence until corrective action has been taken by the contractor. Additionally, a Contractor who repeatedly violates either the letter or "spirit" of these guidelines may be required to post a larger construction deposit or, in the extreme, be prohibited from working on Kiawah Island.

DEMOLITION GUIDELINES

Prior to applying to the ARB office for a permit for structural demolition, the following guidelines must be adhered to:

- a. Submit a current survey indicating existing conditions and the extent of demolition as well as a site plan indicating fencing for the protection of trees, natural areas, existing landscaping, and significant topographical features during demolition.
- b. The demolition contractor will be required to hold a current business license with Town of Kiawah Island and should be insured and bonded. Membership in the National Demolition Association is encouraged.
- c. Vegetative healing of the site access and any needed buffer enhancement must be shown on the plan. Cleared areas must be neatly mulched and maintained. If naturalization intended, a descriptive plan for plant succession in mulched areas must be submitted.
- d. Site cleanliness and access shall comply with specifications in SITE APPEARANCE.
- e. The removal of debris from the demolition site to off Island will need to be coordinated in advance with KICA and shall comply with SITE APPEARANCE.
- f. A Demolition Construction Application Deposit and Agreement Form will need to be completed by the Contractor and Property Owner. See Attachments for current deposit amounts.

When the demolition is complete, contact the ARB office to request an inspection. The deposit will be returned after a satisfactory inspection of the demolition site. No construction activity may commence following demolition until an ARB construction permit is issued.

LANDSCAPE GUIDELINES DURING CONSTRUCTION

- ① **FOUNDATION PLANTING:** The minimum size of foundation planting at the time of installation must be at least half of the height of the foundation wall.
- ② **LANDSCAPE PLAN REVISIONS AFTER CONSTRUCTION BEGINS:** The ARB does not accept changes in the ARB approved landscape plan without the direct supervision of the Landscape Architect of record. Any changes in the approved landscape plan are to be submitted by a South Carolina registered Landscape Architect for approval prior to installation. The ARB requires the Landscape Architect of record to complete and sign a Landscape Certification form certifying that the landscape design is installed in general conformance and the intent of the approved plans. The Landscape Architect of record may be changed to a different Landscape Architect by submittal of a new sealed landscape plan.

- ③ **TREE PROTECTION:** The ARB requires tree protection fencing to enclose the entire work site creating natural areas to be preserved. These areas to be preserved are not to be altered, cleared, or pruned in any way, both during and after construction, without onsite review and approval from the ARB. Clearing or pruning of trees and vegetation for views cannot occur until the home is completely framed. View clearing and pruning requires onsite approval by the ARB Administrator or an ARB representative. The tree protection fencing must also be installed around specific trees to be saved. All protective fencing must be maintained until the completion of construction, and all construction materials and vehicles must remain outside of the preserved areas. Trees that die due to damage during construction must be mitigated.

All properties are subject to the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management storm water runoff regulations. These regulations require strict compliance with the Storm Water Management Plan for your property before trimming any vegetation, moving soil, or otherwise doing any construction on the property. A violation may result in civil penalties as well as other adverse action. Erosion control measures should be installed prior to applying for a building permit from the ARB.

SITE INSPECTIONS

- ① **REGULAR SITE INSPECTION:** Regular site inspections of all single-family home construction sites will be made by the ARB. Compliance with the furnished Construction Guidelines and the permitted construction plans will be checked and reviewed on a regular basis.
- ② **SPECIAL SITE INSPECTION:** A special inspection of a specific site will be made upon receipt of a request for such an inspection which sites a specific violation.
- ③ **VIOLATIONS:** Violations that are discovered at a site will be photographed and described on a pre-printed report form.
- ④ **NOTICE:** A notice will be sent to the Contractor for the first violation of the Construction Guidelines requesting correction of the violations. Copies will also be sent to the Owner and Architect.
- ⑤ **FINES:** Once the initial notice has been sent to the contractors, all future violations of the Construction Guidelines and all noncompliant elements or unauthorized exterior changes to the approved building plan will be photographed, written on a report form, and a fine levied against the deposit posted. Additional fines may be levied as well. A copy of the report form will be sent to the Contractor, Architect, and Property Owner.

- ⑥ **EACH VIOLATION:** Each violation which is not corrected within ten (10) days will be again photographed, documented, and a new fine will be levied.
- ⑦ **APPEALS:** An appeal of a fine or decision must be made in writing to the Kiawah Island Architectural Review Board Chairman within ten (10) days of issue. An appointment may be scheduled during an ARB Meeting for discussion of the issue. The subsequent determination will be final and binding to all concerned.
- ⑧ **LEGAL ACTION:** The ARB may elect to pursue legal action if it feels that it is appropriate.
- a. The ARB will assess fines on a case-by-case basis and may pursue legal action if necessary.
 - b. The amounts of the fines are subject to periodic increases at the sole discretion of the ARB.

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DEFINITIONS

Adjacent – Next to or within 100 feet. Adjacent properties include those properties which abut a property, as well as properties with any portion being located within 100 feet of any boundary of the subject property.

Appurtenance – Architectural accessories including play structures, pools, game structures, docks, bridges, walls, mailboxes, etc.

Base Flood Elevation – Height of the base flood, usually in feet, in relation to the National Geodetic Vertical Datum in the Flood Insurance Study Report, or average depth of the base flood above ground surface.

Buildable Area – Area within allocated setback lines where building can occur.

Caliper – Diameter in inches of tree (bark to bark) measured at a specified height.

Critical Areas – An operational area that requires specific environmental control because of the equipment or information contained therein. Areas of fragile habitat growth that typically border salt marsh and lagoons including all areas designated as critical areas by the Ocean and Coastal Resource Management Division of the South Carolina Department of Health and Environmental Control.

DBH – Diameter at breast height.

Development Agreement – Executed by and between the Company and the Town of Kiawah Island in order to set forth certain agreements, restrictions, and guidelines for the development of Kiawah Island. This public document can be viewed at the Kiawah Island Town Hall or the Charleston County Planning Department, which acts as the planning director for the Town of Kiawah Island.

Developed Lands – All Real Property (as shown on the map attached as Exhibit 1.1 to the Development Agreement) excluding all lands included in the Definition of "Undeveloped Lands".

Fencing – Any barrier, structure, or installation that may enclose, surround, or mark off any part of a yard. All fencing references include deer, electric, wood/lattice, and woven-wire mesh fencing, etc.

Fenestration – Any opening in a building's envelope including windows, doors, and skylights.

Finished Grade – The average elevation of a Lot after construction; provided, however, that Finished Grade shall not be more than 6 feet above Natural Ground elevation, and provided further that the Town may approve more than 6 feet.

General Covenants – The Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property on Kiawah Island (recorded in the Charleston County RMC Office in Book M114, Page 406, and amended by instrument recorded in Book Z124, Page 305.)

Ground Floor Level – Natural Ground or the lowest floor elevation for structures as set forth in the Town of Kiawah's floodplain management ordinance, as amended, whichever is higher; provided, however, that Ground Floor Level shall not exceed 14 feet above Natural Ground. This definition shall not be construed to prevent an owner from constructing his first finished floor higher than Ground Floor Level, provided, however, Height is measured from Ground Floor Level.

Height – Elevation from Ground Floor Level as measured in feet and stories. Building height does not include chimneys, antennae or ventilation pipes. Height in stories is the number of habitable floors (stories) exclusive of the area below the first finished floor. One-half story is a habitable floor which has heated square footage that is no greater than one-half the heated square footage of the largest story.

Lot – Development Parcel identified in a Subdivision Plat recorded in the Charleston County, RMC office.

Natural Ground – The average elevation of a Lot or Development Parcel prior to Development activity.

Open-loop Geothermal Systems – Geothermal heat pump or irrigation system that uses groundwater from a conventional well as a source of heat diversion or water use.

Personal Watercraft – Kayaks, Stand-Up-Paddleboards, Canoes, etc.

Pervious – Materials which permit the absorption of stormwater into the ground.

Undeveloped Lands – In existence on the date of execution of the Development Agreement is the Real Property indicated on Exhibit 1.3. Undeveloped Lands shall, during the term of this Agreement, include only Real Property that either (i) has not received any plat approval or (ii) has received preliminary, conditional or final plat approval but fewer than 100% of the Lots or parcels depicted thereon have been sold to Type A members under the Covenants and fewer than 90% of the potential houses on such platted Lots or parcels (or less than 95% of the buildable commercial square footage on a plat of commercial property) have been constructed. Also included within the definition of Undeveloped Lands is the Real Property made subject to a recorded master deed after the date hereof but fewer than 90% of the condominium units shown thereon have been sold to Type A members under the KICA Covenants.

Yard Art – Decorative elements or objects that are placed in yards or on the outside of houses (that are not part of the approved plans). Yard art includes but is not limited to such items as fountains, columns, columnar adornments, sculptures of all types, certain light-generating structures, weathervanes, flagpoles, etc. These items are monitored by KICA personnel.

CONTACT NUMBERS

Town of Kiawah Island Building Services

843-768-9166 | www.kiawahisland.org/departments/building-services/

Town of Kiawah Island Planning and Zoning

843-202-7200 | www.kiawahisland.org/departments/planning-and-zoning/

Kiawah Island Architectural Review Board

843-768-9166 | www.KiawahARB.com

Kiawah Island Community Association

843-768-9194 | www.KICA.us

Kiawah Island Natural Habitat Conservancy

843-768-2029 | www.kiawahconservancy.org/

Kiawah Island Utility

843-768-0641 | www.kiawahislandutility.com/

Office of Ocean and Coastal Resource Management

843-747-4323 | www.scdhec.gov/HomeAndEnvironment/Water/CoastalManagement/

Register of Mesne Conveyance Office

843-958-4800 | www.charlestoncounty.org/departments/rmc/

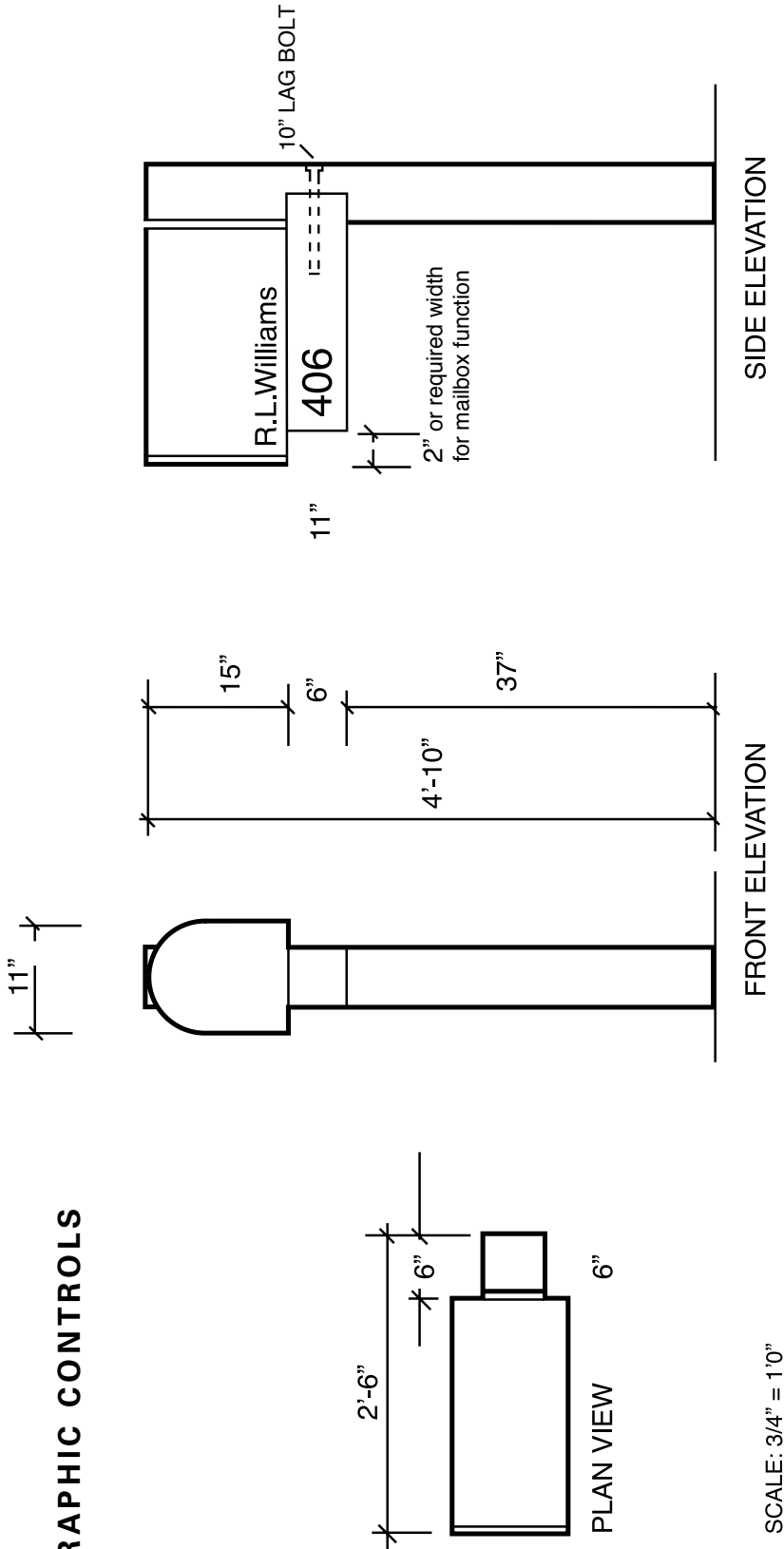
Town of Kiawah Island

843-768-9166 | www.kiawahisland.org/

US Green Building Council

800-795-1747 | www.usgbc.org/

GRAPHIC CONTROLS



SPECIFICATIONS AND NOTES:

- a. A mailbox is required for use at all residences. Its purpose is to give emergency service personnel and visitors a consistent device for locating names and addresses.
- b. The mailbox shall be #2 standard rural size. Material for the post and arm is 6" x 6" treated Yellow Pine with an overall length of 7'-0". A 10" lag bolt is required in the connection of the arm to the post.
- c. The graphics for the mailbox are applied with 2" white letters (Helvetica Medium). Residence name may appear on both sides of the mailbox. The graphics on the arm are flat, white, 3" hand routed numerals (Helvetica Medium).
- d. The mailbox shall be painted Sherwin Williams "Mailbox Blue" or approved equal. The post and arm shall be stained Pittsburg Paint's "Kiawah Brown" or approved equal.
- e. Care should be taken to properly treat post to prevent decay or attack from termites.
- f. Single-family homes shall be identified only by the graphics included on the mailbox as specified above.



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1996 RECIPIENT OF THE URBAN LAND INSTITUTE AWARD FOR EXCELLENCE FOR EXCEPTIONAL COMMUNITY PLANNING

AMERICA'S HOST SITE OF THE 1991 RYDER CUP AND THE 1997 WORLD CUP