

**Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board
(ASPPPO)**

Board of Directors Meeting
Videoconference and YouTube Stream
Thursday, November 12, 2020, 9:00 a.m.

Agenda

1. Call to Order Scanlon
2. Establishment of Quorum Ellis
3. Ratify Approval – Board of Directors Meeting Minutes, September 24, 2020 * Ellis
4. President Remarks – Business Plan Scanlon
5. Financial Update Speer
 - a. Acceptance - Financial Statements, YTD/September 30, 2020 *
 - b. Approval – Budget, 2021 *
6. ASPPPO Updates
 - a. Architectural Review Board (ARB) Richardson
 - b. Communications Ellis
 - c. Website Updates Scanlon
 - d. Land Use Management Committee (LUMC) Guazzo
 - e. Short Term Rental Committee McPhillips
7. Unfinished Business
 - a. Approval – Proposed Refresh, 2010 Land Use Management Rules and Regulations * Guazzo
 - b. Name Change Scanlon
8. New Business Scanlon
 - a. Approval – Appointment, Architectural Review Board Member, 2021 *
 - b. Approval – Board of Directors Meeting Dates, 2021 *

9. Adjournment

Recess – Five Minute
Q & A Session – Questions from the Community

Reference Material Attachments

- Resolutions, November 12, 2020
- ASPPPO Board Meeting Minutes, September 24, 2020
- Business Plan, 2021
- Financial Statements, YTD/September 30, 2020
- Budget, 2021

- ARB Density Report, October 30, 2020
- ARB Status Report, YTD/October, 2020
- LUMC Status Report, November 2, 2020
- Proposed 2020 Land Use Rules and Regulations

* Denotes Action Item

**Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board
(ASPPPO)**

Board of Directors Meeting
Videoconference and YouTube Stream
Thursday, November 12, 2020, 9:00 a.m.

Resolutions

- Resolution for 3. **Ratify Approval – Board Meeting Minutes, September 24, 2020:**
“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc. and The Advisory Board, ratifies approval of the Board of Directors Meeting Minutes, September 24, 2020, as finalized by email”.
- Resolution for 5a. **Acceptance, Financial Statements, YTD/September 30, 2020:**
“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc. and The Advisory Board, accepts the financial statements, YTD/September 30, 2020, as presented”.
- Resolution for 5b. Approval, Budget, 2021:
“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc. and the Advisory Board, accepts Budget, 2021, as presented”.
- Resolution for 7a. **Approval – Proposed Refresh, 2010 Land Use Rules and Regulations:**
“**RESOLVED**, Association of Sea Pines Plantation Property and The Advisory Board, upon recommendation of the Land Use Management Committee, approves the proposed refresh, 2010 Land Use Rules and Regulations, as submitted”.
- Resolution for 8a. **Approval – Appointment, Architectural Review Board Member, 2021:**
“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board, jointly approves, with Community Services Associates, Inc., Board of Directors, appointment of Dan Fuller, as the alternate member of the Architectural Review Board. The one year term will begin January 1, 2021 and end December 31, 2021”.
- Resolution for 8b. **Approval – Board of Directors Meeting Dates, 2021:**
“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board, approves the ASPPPO Board of Director Meeting Dates, 2021, as follows: January 14,

February 4, March 25, May 20, September 23 and November 11
and Annual Meeting Date, 2021: May 3”.

Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board

Board of Directors Meeting

September 24, 2020

A regular meeting of Association of Sea Pines Plantation Property Owners, Inc., and The Advisory Board (ASPPPO), Board of Directors, was held on Thursday, September 24, 2020, via videoconference.

Present from the Board of Directors, were: Paula Scanlon, President; David Ellis, Secretary; Rich Speer, Treasurer; Paul Crunkleton, Director; Dana Guazzo, Director; Bill Johnson, Director; James Richardson, Director and Grover Todd, Director

Absent from the Board of Directors, was: Barry Barth, Vice President

Guests present, were: Tom McPhillips and Ron Thomas

Present from Community Services Associates, Inc., were: Sam Bennett, President and Sandra Archer, Executive Administrator

Call to Order

The meeting was called to order by Paula Scanlon, President, at 9:00 a.m. Eastern time.

Establishment of Quorum

Quorum was met.

Ratify Approval – Board of Directors Meeting Minutes, June 5, 2020

A motion was made by David Ellis, to support the resolution, “Ratify Approval – Board of Directors Meeting Minutes, June 5, 2020”. The motion was seconded and unanimously carried:

“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc., Board of Directors, ratified approval of the Board of Directors Meeting Minutes, June 5, 2020, as finalized by email”.

President Remarks

President Scanlon provided an update. Action taken:

- Land Use Management Committee to present a refresh of the 2010 Rules and Regulations;
- Leaf Blower Task Force to present a policy relating to noise/decibel levels;
- Drafting of Budget, 2021, in progress;
- Credit card transactions for payment of yearly dues, under consideration;
- Per Bylaws, membership dues to be billed by November 15;
- Annual Meeting proxies mailed today, September 24, 2020;
- ASPPPO Board meetings to be held via YouTube/Live Stream, into foreseeable future.

Financial Update

Mr. Speer provided an update. Action taken:

- Financial Statements, YTD/August 31, 2020, reviewed;
- \$12,000 deficit expected year end;
- Investment portfolio to be maintained, investments laddered;
- Reserves Fund should maintain a minimum balance of \$500,000 - \$600,000;
- Maintaining website and communication costs expected to be \$16,000.

Approval – Acceptance, Financial Statements, YTD/August 31, 2020

A motion was made by James Richardson, to support the resolution, “Approval – Acceptance, Financial Statements, YTD/August 31, 2020”. The motion was seconded and unanimously carried:

“**RESOLVED**, Association of Sea Pines Plantation Property Owners, Inc., and the Advisory Board, Board of Directors, approved acceptance of the financial statements, YTD/August 31, 2020, as presented and attached to the minutes of record”.

ASPPPO Updates

Architectural Review Board (ARB)

Mr. Richardson provided an update. No action taken.

- Status report given, to include: 10 new single houses, 44 major alterations, 400 small alterations, 19 pools, 10 commercial and 2 demos.

Communications

Mr. Ellis provided an update. Action taken:

- Progress continues to be made in communications format;
- ASPPPO website is live, ASPPPO.net;
- Anticipation of website to generate an increase in email addresses;
- Website to be important source of information to non-residents.

Website Updates

President Scanlon provided an update. Action taken:

- Official launch of website mid-August, email or postcard sent to membership;
- Website received over 4,000 page views, from 576 users, to date;
- Members encouraged to visit website and access account;
- Website documents protected by firewall;
- Important to know and understand ASPPPO rights.

Land Use Management Committee (LUMC)

Ms. Guazzo provided an update. Action taken:

- Land Use Monitor Report, indicated 386 violations with 258 resolved, several remain active and 11(3%) sit, unresponsive, in Committee, to date;
- Areas of violation include landscape, general maintenance, ARB violations and mailboxes;

- Land Use Monitor generated 120 letters of appreciation to property owners, for maintaining proper conditions of property, this year;
- Expectation that refreshed Rules and Regulations, with ability to enforce penalties, will help to maintain compliance in the community.

Approval – Proposed Refresh, 2010 Land Use Management Rules and Regulations

A motion was made by Dana Guazzo to support the resolution, “Approval – Proposed Refresh, 2010 Land Use Management Rules and Regulations”. The motion was seconded and subsequently tabled. No vote was taken.

- ASPPPO to wait for final CSA comments/review, due October 15, 2020, prior to approval of refreshed Rules and Regulations;

Short Term Rental Committee

Mr. McPhillips provided an update. No action taken:

- In excess of 2,000 rental properties in Sea Pines;
- Past committee meetings, 2021, have focused on rules for renters and beach safety;
- Beach Safety Ambassador program, under consideration. Program to provide volunteers, stationed at the Sea Pines Beach Club/Monarch area, as a source of information to residents and guests;
- Potential future drop off locations for beachgoers under consideration. Toby McSwain, Safety and Security Committee, to respond with possible sites;
- Bikes and parked cars continue to be biggest issue.

Unfinished Business

Nominating Committee Results; Date of Record for Voting

President Scanlon provided an update. No action taken:

- Three open seats for ASPPPO Board of Directors, 2021: Bill Johnson, Greg Thomson, Lee Stevens, nominated.

Annual Meeting – October 27, 2020; Date of Record for Proxy

President Scanlon provided an update. No action taken:

- Date of Record for Annual Meeting, 2020, September 1, 2020.

New Business

Approval – Leaf Blower Task Force Recommendation

Mr. Todd and Mr. Thomas, provided an update. Action taken:

A motion was made by David Ellis, to support the resolution, “Approval – Leaf Blower Task Force Recommendation”. The motion was seconded and subsequently tabled. No vote was taken.

- Following discussion, the Leaf Blower Task Force’s recommendation is to be reworked, and brought before the Board at the next meeting;
- Links to leaf blower research were provided in September newsletter;

- Rules must be enforceable or are otherwise obsolete;
- Conversation with landscapers cited 10 – 12 batteries/chargers needed and is cause of concern. One battery, all in, costs approximately \$3,500;
- Gas blowers that meet decibel requirements are now available to landscapers at less than \$500;
- Blowers can maintain property using the acceptable decibel level. More powerful blowers could be necessary, following significant storms;
- Focus should be on decibels, noise pollution, not whether gas or battery;
- Residential and commercial blowers are moving towards less noise pollution;
- Make a statement of aspiration to the community, as opposed to enforcement;
- ASPPPO to recommend leaf blower decibel levels to community and affect culture.

Approval – Proposed Refresh, 2010 Land Use Management Rules and Regulations

Refer to Land Use Management Committee (LUMC).

Adjournment

A motion was made by James Richardson to adjourn the meeting. The motion was seconded and unanimously carried.

With no further business to come before the Board, President Scanlon adjourned the meeting at 11:00 a.m. The next regularly scheduled meeting, of the ASPPPO Board of Directors, is Thursday, November 12, 2020, 9:00 a.m., via videoconference.

Respectfully Submitted,

David Ellis
Secretary



2021 BUSINESS PLAN

Situation Analysis:

ASPPPO is completing year one of a digital transition which enables information to flow more freely between members and the Board. ASPPPO.net was launched in late July followed by monthly electronic newsletters. As a result, ASPPPO has been able to establish its presence in Sea Pines with the rights and privileges granted by Covenants and Agreements executed over the last 47 years. While membership continues to increase, we represent +/- 70% of homeowners.

A major hurdle continues to be the lack of membership email addresses which CSA legal counsel has advised is not in CSA's purview to share. Without a complete database of email addresses ASPPPO will never be able to effectively use electronic billing and voting means. Today, ASPPPO reaches +/- 1,800 residential properties of its 3,628 members.

Responsibilities between ASPPPO and CSA continue to crystalize.

- CSA holds the ASPPPO administrative contract and represents that their costs are severely understated.
- Beginning in 2021, three of ASPPPO's nine board members will have seats on the CSA board, down from five in 2020.
- ASPPPO and The Advisory Board operate as one and the same.

ASPPPO reserves have dwindled from a high of over \$600k to \$368k. This undermines ASPPPO's credibility in taking any stance that might meet with blowback from other concerned parties such as the Resort, Commercial, or CSA. It is particularly risky since it is up to ASPPPO to defend the hotel agreement.

Lastly, ASPPPO has not agreed upon a Vision and Mission that will create the benchmark for future decision making.

2021 Initiatives:

Increase Membership

- Currently, 2020 benchmark stands at 3,628, an increase of 91 new members representing a 2.6% increase over 2019
- Send a follow-up postcard to non-responders (three weeks)
- Send a second follow-up to remaining non-responders
- Add people to mailing list upon request, even though they will not have access to website.

Increase Communications

- Issue a monthly email to educate membership and enhance relevance
- Solicit input, via survey, for 2021 priorities and projects

- Use polling during board meetings where appropriate

Increase Website Content

- Establish a task force to address
 - Community calendar
 - All property owner amenities inside the gates
 - Obtain member benefits from inside the gate commercial businesses
- Launch credit card transactions

Business Model

- Establish Vision
- Increase administrative efficiency, including billing
- Select a permanent administrative solution; if transition is necessary, begin late summer
- Transition to credit card billing
- With 2021 billing, offer members an opportunity to pay their dues on the website with an option for auto renewal
- In 2022 and beyond, bill those members electronically
- Evaluate legal services

Email List Build

- Ensure membership information sheets include email addresses
- Send postcards to any member where email is missing
- Continue to pursue email addresses from CSA

Cash Reserves

- Today, it would take \$102 (outside of annual dues) from each member household to replenish our cash reserves to \$500,000
- Begin replenishment with a dues increase
- Evaluate investments that are shared with CSA

Association of Sea Pines Plantation Property Owners
Balance Sheets
September 30, 2020 and 2019, and December 31, 2019

	September 30, 2020	September 30, 2019	December 31, 2019
Assets			
Cash			
Operating	\$ 76,855	\$ 4,913	\$ 1,906
Money Market	1,130	19,889	1,025
Morgan Stanley Money Fund	808	52,265	79,160
Total Cash and Cash Equivalents	<u>78,793</u>	<u>77,067</u>	<u>82,091</u>
Investments			
Marketable Securities	381,233	315,312	298,481
Accrued Interest	2,678	2,154	2,479
Unrealized Gain/ (Loss) on Investments	11,621	(6,048)	3,943
Total Investments	<u>395,532</u>	<u>311,418</u>	<u>304,903</u>
Prepaid Insurance	<u>10,067</u>	<u>13,286</u>	<u>11,743</u>
Total Assets	<u><u>\$ 484,392</u></u>	<u><u>\$ 401,771</u></u>	<u><u>\$ 398,737</u></u>
Liabilities and Fund Balance			
Current Liabilities			
Accounts Payable - CSA	\$ 115,420	\$ 25,923	\$ 52,838
Other Liability	75	165	727
Deferred Revenue	-	-	224
Total Current Liabilities	<u>115,495</u>	<u>26,088</u>	<u>53,789</u>
Undesignated Fund Balance	<u>368,897</u>	<u>375,683</u>	<u>344,948</u>
Total Liabilities and Fund Balance	<u><u>\$ 484,392</u></u>	<u><u>\$ 401,771</u></u>	<u><u>\$ 398,737</u></u>

Year	Number of Members	Percentage of Eligible Members
2013	3,920	77.10%
2014	3,923	77.10%
2015	3,845	75.60%
2016	3,659	71.90%
2017	3,517	69.10%
2018	3,808	74.86%
2019	3,537	69.53%
2020	3,628	71.32%

ASPPPO

Maturity Schedule for Investments
9/30/2020

Security Description	Adjustment Cost	Current Yield	Maturity	2020	2021	2022	2023	2024	2025	Total
BMW US Capital	49,892	2.010%	4/11/2021		50,000					50,000
American Honda Finance Corp.	33,172	2.190%	6/27/2022			33,000				33,000
Shell International	68,672	3.200%	8/12/2023				65,000			65,000
Qualcomm Inc	49,204	2.710%	3/20/2024				50,000			50,000
CIGNA Holding Corp	50,262	3.100%	1/15/2025					50,000		50,000
Exxon Mobil	21,250	2.840%	12/1/2025					20,000		20,000
Assured Guaranty US Holdings Inc.	19,329	5.000%	7/1/2024					17,000		17,000
ORIX Corp	27,630	4.050%	1/16/2024					25,000		25,000
Geico Corp	23,701	7.350%	7/15/2023				20,000			20,000
MSIF Ultra Short Income A	38,122	1.310%	N/A	38,112						38,112
	<u>381,234</u>			<u>38,112</u>	<u>50,000</u>	<u>33,000</u>	<u>85,000</u>	<u>92,000</u>	<u>70,000</u>	<u>368,112</u>

Association of Sea Pines Plantation Property Owners
Income Statement - Current Year Actual versus Prior Year Actual
For the Year-to-Date Ended September 30, 2020 and 2019

	Year-to-Date Actual September 30, 2020	Year-to-Date Actual September 30, 2019	Dollar Variance
Revenues			
Membership Dues	\$ 126,980	\$ 125,271	\$ 1,709
License Plates	245	415	(170)
Interest	8,264	8,516	(252)
Total Revenues	<u>135,489</u>	<u>134,202</u>	<u>1,287</u>
Expenses			
Land Use Monitor	28,068	19,448	(8,620)
Accounting & Compilation	1,450	1,375	(75)
Technology Services	486	731	245
Insurance	21,809	21,673	(136)
Legal & Professional Fees	12,948	7,471	(5,477)
Office Supplies	-	169	169
Postage & Freight	-	205	205
Rent	3,285	3,285	-
CSA Service Fee	14,476	14,476	-
Bank Service Charges	9,061	7,798	(1,263)
Consultants & Surveys	875	-	(875)
Communication Services	4,498	733	(3,765)
Annual Meetings	3,702	13,467	9,765
Website Development	14,800	-	(14,800)
Travel	65	361	296
Computer Hardware	-	323	323
Total Expenses	<u>115,523</u>	<u>91,515</u>	<u>(24,008)</u>
Excess (Shortfall) of Revenues over Expenses from Operations	19,966	42,687	(22,721)
Other Income/ (Expense)			
Bond Premium/ (Expense)	(3,664)	(1,950)	(1,714)
Unrealized Gain/(Loss)	7,678	9,463	(1,785)
Other Income	-	340	(340)
Total Other Income/ (Expense)	<u>4,014</u>	<u>7,853</u>	<u>(3,839)</u>
Excess of Revenues over Expenses	<u>\$ 23,980</u>	<u>\$ 50,540</u>	<u>\$ (26,560)</u>

**Association of Sea Pines Plantation Property Owners
Income Statement - Current Year Actual versus Budget
For the Year-to-Date Ended September 30, 2020**

	Year-to-Date Actual September 30, 2020	Year-to-Date Budget September 30, 2020	Dollar Variance
Revenues			
Membership Dues	\$ 126,980	\$ 123,306	\$ 3,674
License Plates	245	600	(355)
Interest	8,264	7,688	576
Total Revenues	<u>135,489</u>	<u>131,594</u>	<u>3,895</u>
Expenses			
Land Use Monitor	28,068	25,993	(2,075)
Accounting & Compilation	1,450	-	(1,450)
Technology Services	486	488	2
Insurance	21,809	22,000	191
Legal & Professional Fees	12,948	4,875	(8,073)
Postage and Freight	-	2,000	2,000
Property Cleanup	-	3,750	3,750
Rent	3,285	3,285	-
CSA Service Fee	14,476	14,476	-
Miscellaneous	-	450	450
Bank Service Charges	9,061	11,000	1,939
Consultants & Surveys	875	375	(500)
Communication Services	4,498	-	(4,498)
Annual Meetings	3,702	15,000	11,298
Newsletters	-	1,500	1,500
Public Relations	-	3,000	3,000
Referendum	-	1,000	1,000
Website Development	14,800	-	(14,800)
Travel	65	2,250	2,185
Community Events	-	3,000	3,000
Total Expenses	<u>115,523</u>	<u>114,442</u>	<u>(1,081)</u>
Excess (Shortfall) of Revenues over Expenses from Operations	19,966	17,152	2,814
Other Income/ (Expense)			
Bond Premium/ (Expense)	(3,664)	(1,999)	(1,665)
Unrealized Gain/(Loss)	7,678	-	7,678
Total Other Income/ (Expense)	<u>4,014</u>	<u>(1,999)</u>	<u>6,013</u>



**ASSOCIATION OF
SEA PINES PLANTATION
PROPERTY OWNERS**

DOLLARS IN 000s

	2021 BUDGET	2020 FORECAST	2020 BUDGET	2019 ACTUAL	2018 ACTUAL
REVENUES					
MEMBERSHIP DUES	\$ 177	\$ 127	\$ 123	\$ 125	\$ 133
INTEREST INCOME	\$ 10	\$ 11	\$ 8	\$ 11	\$ 12
OTHER REVENUES	\$ -	\$ 0	\$ 1	\$ 1	\$ 1
TOTAL REVENUE	\$ 187	\$ 138	\$ 132	\$ 137	\$ 146
EXPENSES					
LAND USE MONITOR	\$ 40	\$ 39	\$ 35	\$ 21	\$ 21
ACCOUNTING SUPPORT	\$ 2	\$ 2	\$ 2	\$ 1	\$ 3
INSURANCE	\$ 24	\$ 22	\$ 22	\$ 22	\$ 19
LEGAL / PROFESSIONAL FEES	\$ 10	\$ 14	\$ 7	\$ 23	\$ 15
POSTAGE & FREIGHT	\$ -	\$ -	\$ 4	\$ -	\$ 2
PROPERTY CLEAN UP	\$ -	\$ -	\$ 5	\$ -	\$ 2
RENT	\$ -	\$ 4	\$ 4	\$ 4	\$ 4
ADMINISTRATIVE SUPPORT	\$ 19	\$ 19	\$ 19	\$ 19	\$ 19
BANK SERVICE CHARGES	\$ 6	\$ 9	\$ 11	\$ 8	\$ 8
COMMUNICATIONS / PR	\$ 9	\$ 3	\$ 4	\$ 1	\$ -
ANNUAL MEETINGS	\$ 5	\$ 5	\$ 15	\$ 14	\$ 14
NEWSLETTERS	\$ -	\$ -	\$ 2	\$ -	\$ 3
REFERENDUM	\$ -	\$ -	\$ 1	\$ -	\$ -
ELECTION	\$ 12	\$ 11	\$ 11	\$ 25	\$ 11
WEBSITE SUPPORT	\$ 18	\$ 16	\$ -	\$ -	\$ -
COMMUNITY EVENTS	\$ 5	\$ -	\$ 6	\$ 3	\$ 6
OTHER EXPENSES	\$ 6	\$ 5	\$ 6	\$ 4	\$ 1
TOTAL EXPENSES	\$ 156	\$ 150	\$ 153	\$ 144	\$ 129
NET	\$ 30	\$ (12)	\$ (22)	\$ (7)	\$ 17

YEAREND PAID MEMBERSHIPS	3,628	3,537	3,808
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SEA PINES PLANTATION DWELLING UNITS (DENSITY) REPORT

Class A Units - Single Family Dwelling Units	
Total Lots Remaining	74
Total Homes	<u>3764</u>
Total Class "A"	3838
Class B - Multi-Family Dwelling Units	1989
Uncommitted Dwelling Units	64*
*64 units assigned to Sea Pines Resort	
Lot D4 Density assigned to Sea Pines Resort	
Lot 13 Club Course I assigned to Sea Pines Resort	
Lot 82 Club Course II assigned to 3R Fairway Blk 5-3	
Lot 70 Carolina Place assigned to 5 Royal Tern	
Total Dwelling Units allowed by Covenant	<u>5890</u>

January 1, 2015	
Class "B" DUs permitted	1989
Class A DUs Under Construction/Permitted	3753
January Permits -	1
February Permits -	2
March Permits -	0
April Permits -	0
May Permits -	1
June Permits -	0
July Permits -	4
August Permits -	1
September Permits -	0
October Permits -	2
November Permits -	0
December Permits -	<u>0</u>
Total Permitted	
Improved or under construction	3764

October 30, 2020

**ARB APPLICATIONS FOR 2020
JANUARY THRU OCTOBER**

NEW SFR (INCLUDED NEW LOTS)	33
ADDITIONS/ALTERATIONS - MAJOR	58
SMALL	574
POOLS	28
COMMERCIAL	12
NEW LOTS IMPROVED	7
DEMO	3

Land Use Management Report for 2020 – through November 2nd, 2020.

- 1. Total Violations – 472**
- 2. Active – 115**
- 3. Committee - 11**
- 4. Resolved – 357**
- 5. Thank You Notifications – 160**

(Thank you Emails/Letters are sent out when a homeowner has shown outstanding care to their home and property)(Thank you Notifications are not included in total violations)

Types of Violations – General list of most common violations in Sea Pines.

- 1. Landscaping (mowing/weeding/trimming/ground cover, etc.) - 188**
- 2. Maintenance (Damaged driveways, wood rot, power washing/soft washing, etc.) – 68**
- 3. ARB Violations (working without approval, permit not posted, dumpster without a permit, etc.) – 100**
- 4. Mailboxes (mailbox repair/replacement due to damage/rust/knocked down) – 66**
- 5. Misc. (trailers, flags/signs, trash/recycling, miscellaneous items, etc.) – 50**

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

Deleted: 1a
 Deleted: September
 Deleted: 15,

Proposed Updates to the 2010 Land Use Rules and Regulation	2010 Rules and Regulations	Additional References, Notes
TITLE: SEA PINES LAND USE RULES AND REGULATIONS FOR RESIDENTIAL PROPERTY OWNERS, AND LONG TERM AND SHORT TERM TENANTS – 2020		
PART I. INTRODUCTION		
A. PURPOSE		
The purpose of these Land Use Rules and Regulations is to promote aesthetic excellence of all residential property within Sea Pines, to encourage mutual respect among all residential property owners and tenants, and to foster standards which will maintain Sea Pines as the premier community on Hilton Head Island. These Land Use Rules and Regulations may be enforced by staff of Community Services Associates, Inc. and compliance will maintain Sea Pines’ high standards of excellence in the community.	The goal of Sea Pines in establishing these rules, regulations, and guidelines is to promote safety for all individuals within Sea Pines, to encourage mutual respect among all residents and visitors, and to foster standards which will maintain Sea Pines as the premier community on Hilton Head Island. This document is not meant to be all inclusive, but rather is a dynamic list of the most visible issues. Rules and regulations will be enforced by CSA staff; compliance with guidelines will maintain Sea Pines’ high standards of excellence in the community.	
B. DEFINITIONS AND ACRONYMS		
Sea Pines Architectural Review Board (“ARB”)		
Association of Sea Pines Plantation Property Owners, Inc. and The Advisory Board (“ASPPPO”)		
Community Services Associates, Inc. (“CSA”)		
Development. Any external new construction, additions, alterations, signage, and/or renovation of existing structure and/or appurtenances including, but not limited to, installation or modification of propane tanks, satellite dishes, playhouses, gazebos/pergolas, and pools; repainting (even with the same colors); fence installation; driveway repair/replacement; reroofing (even with the same colors); window/door/garage door replacement (even with same style or color).		Definition by Walt Nester, legal counsel for CSA
Fines Schedule. A listing of monetary fines that may be used as enforcement action for violating these Land Use Rules and Regulations.		
Identified Property. A Residential Property judged by the Land Use Monitor to be in violation of the Land Use Rules and Regulations.		

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

Deleted: 1a
 Deleted: September
 Deleted: 15,

Land Use Rules and Regulations ("LU Rules and Regulations"). The Rules and Regulations pertaining to residential property land use management contained herein.		
Land Use Violation ("LU Violation"). A condition that fails to conform to the LU Rules and Regulations.		
Land Use Violation Appeal ("LU Appeal"). A written plea by the Owner to the CSA President challenging the validity of the LU Violation.		
Land Use Violation Notice ("LU Violation Notice"). A written notification to the Owner by the Land Use Monitor describing the LU Violation(s), specifying a deadline for violation resolution, and stating the fine enforcement action. Such notices are also referred to as the "Initial Notice", the "Second Notice", and so forth.		
Land Use Violation Resolution Date ("Violation Resolution Date"). The official date a LU Violation is deemed resolved by the Land Use Monitor, as verified by Property inspection.		
Land Use Violation Resolution Notice ("Violation Resolution Notice"). A written notification to the Owner by the LUM documenting the full remediation of the LU Violation.		
Land Use Violation Timeline Extension Request ("Timeline Extension Request"). A written notification by the Owner to the LUM requesting an LU Violation remediation deadline extension.		
Land Use Monitor ("LUM"). A CSA employee responsible for conducting Property inspections and taking actions in accordance with the LU Rules and Regulations.		
Residential Property ("Property"). A lot or parcel of land located within Sea Pines intended for residential use, both Developed (improved) and Undeveloped (unimproved).		
Residential Property Owner ("Owner"). The owner of a Property within Sea Pines.		
Residential Property Tenant ("Tenant"). The tenant of a Property within Sea Pines for any short- or long-term period.		Definition by Walt Nester
Sea Pines . The planned unit development known as Sea Pines on Hilton Head Island, South Carolina.		
Sea Pines Gate Entry Policy ("Gate Entry Policy" or "GEP"). The Community Services Associates, Inc. Sea Pines Gate Entry Policy. In referencing the GEP, the most current version applies.		
Violation Category ("Category"). A subset of Violations of these LU Rules and Regulations contained within a Fine Schedule that incur a given set of monetary fines.		

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2, October 28, 2020~~ with Tracked Changes)

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C. PREAMBLE		
1. Authority The legal authority to promulgate and enforce these Land Use Rules and Regulations (the “LU Rules and Regulations”) is derived from various restrictive land use covenants and other agreements of record or otherwise applicable to Property in Sea Pines and CSA. The LU Rules and Regulations may be amended from time to time at the sole discretion of the CSA Board of Directors. ASPPPO also has the authority to monitor and enforce these LU Rules and Regulations.		From text by Walt Nester
2. Supersession This LU Rules and Regulations statement, together with subsequent amendments approved by the CSA board, supersedes all rules and regulations pertaining to residential property land use management contained in previous statements of Sea Pines Rules and Regulations for Owners and Long Term Renters, all previous statements of Sea Pines Rules and Regulations for Short Term Renters and Guests, as well as the Sea Pines Land Use Standards and Procedures of the ASPPPO/CSA Land Use Management Committee, Jan 14, 2019. A record of all subsequent amendments to this LU Rules and Regulations statement can be found in APPENDIX I. AMENDMENT LOG.		
3. Enforcement Violations of the LU Rules and Regulations may result in the levy of a fine or fines, as set forth in Exhibit A Schedule of Fines for Land Use Rules and Regulations Violations, attached hereto and made part of these LU Rules and Regulations, and may result in penalties as set forth in the Sea Pines Gate Entry Policy (the "GEP"). Unpaid fines may be subject to interest and costs of collection and CSA and ASPPPO have the right but not the obligation to proceed at law or in equity to compel compliance with these LU Rules and Regulations. Further, CSA and ASPPPO have the right but not the obligation to enter upon any lot to remedy or abate a Land Use Violation (an “LU Violation”) and such entry is not deemed a trespass. Any person, including but not limited to CSA, ASPPPO, and ARB members, has the right to request inspection by the applicable agency of the Town of Hilton Head Island, of Beaufort County, or of the state of South Carolina of any Property for possible violation of law, including, but not limited to, environmental, building, abandoned vehicles, health and/or safety codes. Such a violation may result in penalties as defined by law.		From Text by Walt Nester.

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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4. Responsible Parties		
Owner. The Owner is responsible to ensure the Property remains in compliance with the LU Rules and Regulations at all times, including such Owner's invitees, Tenants, Guests, and contractors.		
Tenants. Tenants, as well as Owners, are responsible to ensure the Property remains in compliance with the LU Rules and Regulations, including, but not limited to, those pertaining to overall appearance, trash and debris, and vehicles.		

END OF PART I

2020 Land Use Rules and Regulation	2010 Rules and Regulations	Additional References, Notes
PART II. LAND USE MANAGEMENT		
A. LAND USE RULES AND REGULATIONS		
1. Development		
<p>1.1. Development of a Property may not commence without prior receipt of all necessary and appropriate approvals from the ARB and applicable governing authorities. Such permits shall be displayed on the Property as required by the ARB guidelines and applicable governing authorities.</p> <p>Development commenced and/or completed without having received the necessary and appropriate permits from ARB and the applicable governing authorities, properly displayed, may be subject to a stop-work order, fine and/or removal. The ARB may consider granting permits for Development done without a prior permit; higher ARB application fees may apply.</p>	<p>All plans for any external new construction, additions, alterations, signage, and/or renovation of existing structure and/or appurtenances within Sea Pines shall be submitted to the Architectural Review Board (ARB) for review and approval before construction is commenced. Examples include, but are not limited to, installation or modification of propane tanks, satellite dishes, playhouses/trampolines, gazebos/ pergolas, and pools; tree removal; repainting (even with the same colors); fence installation; driveway repair/replacement; reroofing (even with the same colors); fence installation; driveway repair/replacement; reroofing (even with the same color); window/door/garage door replacement (even with same style or color); additions; and significant landscape changes.</p>	<p>Written in collaboration with ARB.</p>

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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<p>1.2. All Development shall be completed within the delineated deadline(s) specified in the permit(s), or within the applicable ARB-approved deadline extension(s).</p>		<p>Written in collaboration with ARB.</p>
<p>1.3. Newly completed Development shall comply with the ARB-approved specifications.</p>		<p>Written in collaboration with ARB.</p>
<p>2. Development Maintenance. Completed and ARB-approved Development shall continue to meet ARB-approved specifications, the Town as well as other government requirements, and remain as originally approved. Specific requirements include the following:</p>		<p>Written in collaboration with ARB.</p>
<p>2.1. Exterior building materials (e.g., siding, bricks, decks, porches, railings, windows, fascia/trim boards, roofs), property barriers (e.g., fencing, privacy walls), and hardscapes (e.g., walkways, driveways) shall be kept in good repair. Cleaning is required to remove notable visible buildup of surface contaminants (e.g., dirt, mold, mildew, moss, rust). Replacement or repair is required when damage or deterioration occurs. Repainting/restaining is required of painted/stained surfaces when notable discoloration, fading or peeling occurs. Repair or maintenance work shall be done in a manner that ensures consistency and conformity of the repaired/maintained materials with remaining existing materials of the same type (e.g., re-roofing a section of a roof may be permitted if the new roofing matches the current older roof, otherwise, the entire roof may require replacement).</p>	<p>Exterior siding must be repainted when it fades or begins to peel. Other exterior features (decks, porches, railings, steps, windows, fascia/trim boards) must be replaced when deteriorated. Roofs must be kept in good repair and sidewalks/driveways repaired when significant cracks or settling occurs.</p>	
<p>2.2. Boat docks, piers, seawalls, and bulkheads shall be kept in good condition and repair. Replacement or removal is required when damaged or deteriorated beyond repair.</p>		
<p>2.3. Pools (e.g., swimming pools, whirlpools, spas, hot tubs, wading pools) shall be kept in good condition and repair. Pools shall be kept clean of debris and be properly treated to prevent mosquito breeding, vegetative and/or bacterial growth. The perimeter of the pool, including walkways, shall be kept in good condition and repair. Replacement or repair is required when deterioration of pool surfaces, perimeters, decking, and/or walkways occurs. Pool covers shall be in good condition and repair, and when in use must be well secured so as to fully cover the pool.</p>		
<p>3. Landscaping</p>		
<p>3.1. Owners shall comply with ARB guidelines in obtaining the proper approvals prior to initiating tree removal, landscaping removal, and/or significant landscaping plantings for the Property. Before work commences all permits required by the ARB and applicable governing authorities shall be displayed so as to be visible from the road. Unapproved disruption of government-protected critical environments may be</p>		<p>Written in collaboration with ARB, CSA Maintenance, and SC DHEC.</p>

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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<p>subject to penalties as defined by law. [Refer to Part II Section A.6.1 for rules pertaining to tree removal and pruning. Refer to Part II Section A.6.2 for rules pertaining to landscaping and grounds located on CSA open space, ocean front public trust property, and/or a government-protected critical environment either abutting or on a Property.] Landscaping work commenced and/or completed without having received the necessary and appropriate permits from ARB and the applicable governing authorities, properly displayed, may be subject to a stop-work order, fine and/or removal of said modification. The ARB may consider granting permits for modifications done without a prior permit; higher ARB application fees may apply.</p>		
<p>3.2. All landscaping work shall be completed within the delineated deadline(s) specified in the permit(s), or within the applicable ARB-approved deadline extension(s).</p>		Written in collaboration with ARB.
<p>3.3. Newly completed landscaping on Developed Property shall meet ARB-approved specifications, as well as applicable requirements of CSA and applicable government authorities.</p>		Written in collaboration with ARB and CSA Maintenance.
<p>4. Landscaping Maintenance, Developed Property. Completed and ARB-approved landscaping on Developed Property shall be maintained in such a manner that it continues to conform to ARB-approved specifications, if any, over time. Landscaping shall be maintained in a manner that conforms to and does not detract from the aesthetics of the neighborhood. As landscaping ages, supplemental or replacement plantings may be needed to maintain appearance. Specific requirements include the following:</p>	Yards in Sea Pines range from natural to highly manicured; the amount of work needed to maintain Sea Pines’ standards will, therefore, vary. As landscape designs age, supplemental or replacement plantings may be needed to maintain appearance.	Written in collaboration with ARB.
<p>4.1. Lawns shall be routinely cut and maintained to ensure grass height of 5 inches or less. Bushes shall be trimmed to maintain a neat appearance. Trees and palms shall be maintained in a manner to maintain a neat appearance. Bedded areas shall be kept clear of overgrowth. Vines shall be removed that threaten to encroach onto abutting properties, including CSA open space.</p>	Grass must be cut regularly. Bushes must be trimmed ... Bedded area must be kept weed free...	Written in collaboration with ARB and CSA Maintenance.
<p>4.2. Roofs, gutters, driveways, and other hard surfaces shall be cleared of pine straw and other vegetative debris with reasonable frequency so that there is no accumulated buildup. Fallen leaves are permitted as landscaping ground cover, but shall be removed with reasonable frequency to maintain a neat, clean appearance, without extensive leaf buildup on the Property. Limbs, sticks, fronds, fallen leaves (not used as ground cover of bedded areas) and other such vegetative debris shall be removed from the Property.</p>	...and roofs, driveways, and other hard surfaces cleared of pine straw and other debris with reasonable frequency so that there is no accumulated buildup. Limbs, fronds, and other debris must be picked up.	

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version 2, October 28, 2020 with Tracked Changes)

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<p>4.3. Ground cover (e.g., mulch, pine straw) shall be applied periodically to maintain a neat, clean appearance. Ground (e.g., dirt) shall not be left exposed without landscaping or ground cover. Ground cover materials not fully distributed within three (3) weeks of delivery to the Property may be considered vegetative debris. [Refer to Part II Section A.4.2 regarding the use of fallen leaves as ground cover.]</p>	<p>[Re: bedded areas must be kept weed free]...and ground cover replaced as needed.</p>	
<p>5. Landscaping Maintenance, Undeveloped Property Undeveloped Property grounds and landscaping shall be maintained in a manner to conform to the following:</p>		
<p>5.1. No structure, vehicle, boat, or storage unit of any kind, temporary or permanent, is permitted on the Property. ARB-approved structures, vehicles, or storage units necessary for ongoing construction projects or emergencies are exempt subject to prior written approval.</p>		<p>Written in collaboration with ARB.</p>
<p>5.2. Vegetative undergrowth is permitted in natural areas, but shall be cut in a manner and with sufficient frequency to ensure the Property conforms to and does not detract from the aesthetics of the neighborhood. Vines shall be removed that threaten to encroach onto abutting properties, including CSA open space.</p>		<p>Written in collaboration with CSA Maintenance.</p>
<p>6. Landscaping Maintenance, General</p>		
<p>6.1. Downed trees shall be removed from the Property. A downed tree is one in which all or part of the trunk is lying on the ground or on a structure (e.g., house, car, another tree), and/or is uprooted. Removal of any standing tree having a trunk diameter 6 inches or greater measured 4 feet above grade (living or dead), located on Developed or Undeveloped Property, requires approval by the ARB and any applicable governing authority prior to removal. Tree removal performed without applicable ARB permit(s) may result in ARB fines. Pruning or removal of a protected species (regardless of size) may be regulated by applicable governing authorities. Owners may contact the ARB for further information. Tree stumps left on Developed Property must be removed to below ground level.</p>		<p>Written in collaboration with ARB, and considering local legal ordinances re: tree pruning/removal.</p>
<p>6.2. Special consideration shall be given to vegetation and the land itself bordering waterways, lagoons, the oceanfront and any other government-protected critical environment. If such land is not the property of the Owner, modification of it and/or its vegetation requires pre-approval from its legal owner and/or administrator. CSA owns most of the common property in Sea Pines which includes lagoon banks. The ground, water and vegetation (living or dead) located in such areas may serve a vital role in bird, animal and plant preservation and in shoreline stabilization. Disruption of such areas may be subject to penalties for trespassing and for violations as defined by law. Before altering any CSA Property, an encroachment agreement is required. In</p>		<p>Written in collaboration with ARB, CSA Maintenance and SC DHEC.</p>

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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<p>addition, ARB and other governmental authority pre-approvals may also be required. It is the Owner’s responsibility to be aware of the requirements before proceeding. Even if the Owner has title to and possession of waterfront land, laws regarding protected critical environment may apply. Work commenced and/or completed without having received the necessary and appropriate permits from CSA, ARB, and the applicable governing authorities, properly displayed, may be subject to a stop-work order, fine, removal of said modification, and/or restoration of the said environment.</p>		
<p>7. Overall Property Appearance</p>		
<p>7.1. Mailboxes and mailbox posts shall be properly labeled and maintained in good repair as per CSA standards. A CSA-approved street number sign shall be posted at each Property easily visible from the road, and shall be properly maintained in good repair. Contact CSA Maintenance for mailbox/post repair, maintenance, or label change, as well as for street number sign repair or replacement.</p>	<p>Mailboxes and house numbers must be replaced through CSA, (843) 671-1343, when faded/peeling/damaged. Name plates must be replaced when change of ownership occurs.</p>	
<p>7.2. For security and aesthetic reasons, garage doors shall normally be kept closed.</p>	<p>For security and aesthetic reasons, garage doors should normally be kept closed unless working outside or moving a vehicle.</p>	
<p>7.3. Owners may be permitted by CSA to place or install only certain materials or items on CSA roadside or leisure trail right-of-way that abuts their Property. These materials or items are limited to lawn grass, non-woody landscape vegetation (maintained to 2 feet in height or less to ensure safety and visibility), ground cover (e.g., pine straw, mulch), rocks (6 inches in diameter or less), sand, crushed shell, gravel, bricks, pavers (including turf-grow-through models), and/or underground irrigation systems. Materials such as rocks, bricks or pavers must be placed so as not to protrude more than 2 inches above surrounding ground level. All other temporary or permanent materials or items, including, but not limited to, signage, larger vegetation, woody vegetation, reflective devices, rods, spikes, posts, pilings, boards, walls, fences, ropes, boulders, rocks/bricks/pavers that protrude more than 2 inches above ground level, or any other structure or material is prohibited. Any material or item that acts to block CSA right-of-way access, which limits vehicular traffic visibility, and/or that poses a hazard to vehicular, bicycle or pedestrian traffic is prohibited. Owners may apply for a variance to this rule by applying for an easement agreement with CSA and by applying for approval with the ARB for either existing or new installation of materials or items that do not conform to this rule. CSA has the right but not the obligation to remove any item or material on CSA right-of-way at their sole discretion; CSA bears no responsibility for such material and/or item damage or replacement.</p>	<p>ARB-approved roadside posts are available for use by property owners adjacent to home construction sites to prevent construction contractors from parking or driving on their adjacent properties. For aesthetic reasons, these posts are the only materials that may be used for this purpose. When an adjacent property so requests, installation and costs shall be the burden of the construction contractor.</p>	<p>Written in collaboration with ARB and CSA Maintenance.</p>

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version 2, October 28, 2020 with Tracked Changes)

<p>7.4. Laundry items (e.g., towels, bathing suits, clothing) may not be hung on railings/balconies or any other location where visible from adjoining properties, a golf course, the beach or the street. Clotheslines are prohibited. Household items (e.g., coolers, bicycles, skateboards), yard maintenance equipment (e.g., mowers, trimmers, gas cans), and sports equipment (e.g., field sports equipment, basketballs, kayaks, canoes) must be stored out of public view when not actively in use.</p>	<p>Beach accouterments such as towels and bathing suits may not be hung on railing/balconies or any other location where visible from adjoining properties, a golf course, the beach or the road. Household items (coolers, bicycles, and other stored items) and yard maintenance equipment (mowers, trimmers, gas cans, etc.) must be stored out of sight when not in use.</p>	
<p>7.5. Structurally permanent yard toys [e.g., trampolines, swings, basketball backboards, playhouses, hammocks (not attached to trees)], no more than one (1) of each type, are allowed, consistent with neighborhood aesthetic suitability and positioned so as to minimize visibility from nearby streets, homes and golf courses. All items shall be maintained in good repair. <u>Tents or other temporary accommodations such as might be used for overnight camping are prohibited (small play tents for daytime use by children, or tents for parties/weddings are excluded).</u> Tree houses, tree hammocks, tree swings, stairs, platforms or other such recreational structures in or on a tree are prohibited.</p>		<p>Written in collaboration with ARB and CSA Maintenance, and in consultation with Woody Morris, Sea Pines Arborist.</p>
<p>7.6. Outdoor furniture shall be kept clean and maintained in good repair, and shall not detract from the aesthetics of the neighborhood. Lawn accouterments (e.g., statuary elements, windmills, flags/banners) must conform to ARB guidelines in type, size, quantity, and property location; they shall not detract from the aesthetics of the neighborhood. Flags/banners shall not be larger than 3’ x 5’. Flags/banners permitted include those for decorative/holiday purposes, those displaying an educational institution or sports affiliation logo, or any current national or state flag. Other permitted signage on or near Property include items approved by the ARB (e.g., house number signs, contractor signs, ARB notices, building permits), and items approved by CSA (e.g., traffic directives, special event notices, safety precautions). A temporary sign displayed on Property to warn of children playing is permitted, only during times of active play. All other messages or advertisements of any kind displayed in any format on or near Property are prohibited.</p>	<p>Flags/banners (no larger than 3’ x 5’) are permitted, so long as they do not depict a disparaging message.</p> <p>Signs (e.g., real estate, political, or disparaging signs) are not permitted to be placed on any residential lot; exceptions are those approved by the ARB (e.g., house numbers, contractor signs, ARB notices, and building permits).</p>	
<p>7.7. <u>Bright exterior lighting (ARB approval required) may not be left on for extended periods, and/or after 11PM. In no case shall they shine into a neighbor’s residence or Property.</u></p>	<p>Outdoor holiday decorations are permitted, consistent with community standards. Decorations should not be displayed before</p>	<p><u>NOTE written to reflect local ordinances re:</u></p>

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version 2, October 28, 2020 with Tracked Changes)

<p>Outdoor decorations that may include exterior lighting for which ARB approval is not required, used solely for decorative, holiday or celebratory purposes, are permitted, consistent with neighborhood aesthetics. Such lighting may include lights directed onto doorways, or strings of lights on trees, boat docks, or other structures. Such lighting cannot include flood lights, and cannot be so bright so as to shine onto a neighbor’s residence or Property. Such decorations and lighting should only be employed for special occasions and/or holidays and for a limited duration; they are not for daily use; lighting may not be left on after 11 PM. Celebratory or holiday music, noises or other sounds are not permitted as components of such decorations. <u>[NOTE: No lights of any kind or intensity may shine onto or on the beach during loggerhead turtle nesting season during evening hours from May-October as defined by law. Violation may be subject to penalty as defined by law.]</u></p>	<p>the Friday after Thanksgiving and removed no later than mid-January.</p>	<p><u>beaches during turtle nesting season.</u></p>
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<p>▼</p>	<p>▼</p>	<p>▼</p>
<p>8. Trash and Debris</p>		
<p>8.1. All Properties shall be free of trash, garbage, and any type of non-vegetative debris. All trash, garbage, and non-vegetative debris shall be properly contained and routinely removed from the Property. [Construction debris shall be contained and properly disposed of as required by ARB.]</p>		
<p>8.2. Trash cans and recycling bins shall be kept in service yards at all times. Curbside trash pickup is not provided in Sea Pines. Exceptions are outsized items such as broken-down packing cartons, which should be placed curbside just prior to expected pickup.</p>	<p>Trash cans and recycling bins must be kept in service yard from which commercial trash vendors will remove trash. Exceptions are outsized items such as broken down packing cartons which should be placed curbside just prior to expected pickup.</p>	
<p>8.3. CSA landscape debris pickup at CSA designated neighborhood locations is a service provided for use by Owners or Tenants only (not for use by commercial contractors), for debris that Owners or Tenants collect from their Property. Deposit of landscape debris at locations not designated by CSA is prohibited. Permitted items in the debris drop off sites include palm fronds, leaves, sticks, small trees, branches and other vegetative debris. (Tree trunks or branches must be under 6 inches in diameter). Debris left at pickup locations shall not be bagged. The dumping of trash or garbage of any kind, such as paper, plastic, metal, concrete, building materials, food waste, or pet</p>	<p>Roadside pickup of landscape debris is for property owners only. Do not bag your grass, leaves, and other landscape debris.</p>	<p>Written to reflect CSA e-Blasts on debris drop off sites, and local ordinances re: littering.</p>

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

waste is strictly prohibited. Inappropriate disposal may also be a violation of law regarding littering, garbage and trash, and/or health and sanitation and subject the Owner to fines.		
8.4. Pet waste shall be picked up and properly disposed of in trash receptacles. No pet waste or pet waste bags may be disposed at CSA landscape debris pickup locations. [Refer to Part II Section A.8.3 regarding CSA landscape debris pickup sites and their use.]		

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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9. Vehicles		
9.1. Parking of operative motor vehicles on any Property is permitted only on hardscape approved by the ARB for vehicle parking purposes. For those instances where an Owner or Tenant may require temporary accommodations, not overnight, (e.g., when hosting a social event), contact Sea Pines Security.		Written in consultation with ARB.
9.2. Junked, wrecked or abandoned motor vehicles are not allowed to be parked, stored, or kept on any Property visible from any public or private street, right-of-way, or adjacent Property. This includes vehicles not being used for their original purpose or which are incapable of being used, as well as those that have been destroyed, badly damaged, or which are in a state of disrepair. Any such vehicle present on a Property shall be stored in a closed garage or in a carport so as not to be visible from the street, right of way, or neighboring properties. Violation of this rule may also be a violation of law regarding junked, wrecked or abandoned vehicles.		Written to reflect local ordinances' definition for Abandoned Vehicles. Text approved by Walt Nester.
9.3. Only neutral earth-tone colored car covers are permitted for protecting operative motor vehicles. Such covers shall be secured to the vehicle and maintained in good condition. No more than one (1) covered vehicle is allowed per Property. Concealment of junked, wrecked or abandoned vehicles with a car cover is prohibited.	Only neutral-earth tone colored car covers are permitted and must be secured and maintained in good condition.	
9.4. Motorcycles, mopeds, and any motorized or battery-assist scooters or cycles of any kind shall be stored out of sight in an enclosed garage. [Contact Sea Pines Security Department for a listing of vehicles approved for operation within Sea Pines.]		

END OF PART II SECTION A

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
 (Version 2, October 28, 2020 with Tracked Changes)

<p align="center">2020 Land Use Rules and Regulations Land Use Enforcement was not included in the 2010 Rules and Regs</p>	<p align="center">Sea Pines Land Use Standards and Procedures of the ASPPPO/CSA Land Use Management Committee, Jan 14, 2019.</p>
	<p>Land Use Management Committee and the Land Use Monitor. The ASPPPO/CSA Land Use Management Committee (“LUMC”) and the land use monitor (“LUM”) exist to ensure residential property in Sea Pines adheres to applicable land use community property standards and restrictive covenants, specifically the Declaration of Rights, Restrictions, Affirmative Obligations, Conditions, Etc., which constitute covenants running with certain lands of Sea Pines Plantation Company – Class “A” Covenants, dated April 1, 1970, and recorded May 1, 1970, in the Beaufort County Register of Deeds in Book 173 at Page 46 (the “Covenants”). See also declarations of Covenants and Restrictions by Sea Pines Plantation Company, Inc. dated October 7, 1974 Book 224 Page 1036 (page 1061¹¹). The LUMC consists of volunteer property owners and is jointly chaired by one member of the Board of Directors of ASPPPO and CSA respectively. The LUM is a CSA employee. The LUMC meets with the LUM regularly throughout the year. Sea Pines property owners may attend LUMC meetings; interested parties are requested to contact a LUMC co-chair prior to the meeting to ensure sufficient attendee meeting space. Meeting minutes are posted on the Sea Pines Living website (https://www.seapinesliving.com).</p> <p>footnote 1[ASPPPO] shall be a proper party and shall have legal standing to institute any legal proceeding at law or in equity to seek enforcement of any covenant herein contained, as representative of the participating property owners”</p>

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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B. LAND USE ENFORCEMENT	
<u>1. Property Inspections</u>	
<p>1.1. The Land Use Monitor (the "LUM") routinely travels through Sea Pines to identify Properties that fail to comply with the LU Rules and Regulations. Additionally, any Owner, Tenant, or CSA staff member may report an alleged violation of the same to the LUM by phone at 843-671-7820 or by email at LUM@csaseapines.com. The LUM shall investigate all such reported properties. The LUM may request property inspections by the applicable government agency, including but not limited to agencies referenced in the LU Rules and Regulations, for possible violation of law.</p>	<p>The LUM routinely travels through Sea Pines to identify properties that fail to comply with the community standards or Covenants (herewith an "Identified Property"). Additionally, any Sea Pines property owner or CSA Security may report an alleged covenant or community standards violation to the LUM by phone at 843-671-1343 or by email at LUM@csaseapines.com. The LUM shall inspect all such reported properties.</p> <p>The LUM may request property inspections by the applicable agency of the Town of Hilton Head Island or Beaufort County for possible violation of building, health and/or safety codes. The LUM may request such inspections at any time, whether or not the owner of the Identified Property is notified of the concern.</p>
	<p>Following such inspection, the LUM shall compile and retain a dated report on each inspected property, including any photos and/or video taken during such inspection. The LUM report shall include recommendations for corrective action of Identified Properties.</p>
	<p>The LUM shall maintain a log with dates and corrective action(s) taken (and not taken) and resolution(s) of each Identified Property. All discussions and agreements between the LUM and an Identified Property owner shall be noted in the LUM log.</p>
<p>1.2. A condition that fails to conform to the LU Rules and Regulations is deemed a Land Use Violation (an "LU Violation"). A Property judged to be in violation by the LUM is an "Identified Property".</p>	
<u>2. Land Use Violation Notices</u>	
<p>2.1. Land Use Violation Initial Notice. If an LU Violation is found, the LUM shall notify the Owner of an Identified Property in writing, describing the LU Violation(s), specifying a deadline for LU Violation resolution, and stating the applicable monetary fine and enforcement actions (the "Initial Notice"). The Initial Notice also informs the Owner of their right to contest the validity of the LU Violation by appeal (refer to Part II Section B.4) or to request an extension of the remediation timeline (refer to Part II Section B.5).</p>	<p>The LUM shall notify the owner of an Identified Property in writing, describing the problem(s) and asking the owner to respond with a remediation plan that includes a timeline for remediation completion (the "Initial Notice"). The LUM may specify a deadline for remediation completion, if appropriate, based on the nature and extent of the problem. The owner must respond to the Initial Notice within a period of time set</p>

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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	by the LUM, but not to exceed 30 days. The Initial Notice shall be in writing sent via email, U.S. mail, express mail or hand delivery, and the LUM may follow up by phone or personal visit at any point during normal business hours or at a time agreed to by the owner.
<p>2.2. Land Use Violation Second Notice. A Land Use Violation Second Notice (the "Second Notice") shall be issued to the Owner by the LUM if the LU Violation remains unresolved after the remediation deadline stated in the Initial Notice, or as per an approved timeline extension. The Second Notice specifies a deadline for full remediation, and states the applicable fine and enforcement actions. The Second Notice also informs the Owner of their right to request an extension of the remediation timeline (refer to Part II Section B.5).</p>	In the event the owner of an Identified Property cannot be reached, or does not respond or take appropriate action within the time frame provided in the Initial Notice, the LUM shall provide additional notice (the "Second Notice") by certified letter to such owner's address as listed in Beaufort County tax records and/or CSA files, reiterating the deficiency and requesting a response within 14 days of the date of the Second Notice.
	If there is still no response from the owner of the Identified Property – or if such owner fails to adequately remedy a deficiency within the stated timelines provided in the Notices – the LUM and a LUMC representative shall visit the property during normal business hours (or at a time agreed to by the owner) in an attempt to discuss the matter with the owner (if possible) and to establish a remediation plan with a final deadline.
	Violations of covenant or community property standards are subject to the State of South Carolina Residential Property Condition Disclosure Statement (Ref. The State of South Carolina Code of Laws Title 27, Chapter 50, Article 1) [1]. Sea Pines CSA retains a record of all such violations. Upon request, the LUM will disclose to the seller or to the buyer of a property in Sea Pines, or to their respective agent(s) or attorney(s), copies of outstanding covenant or community standards violations. [1] SECTION 27-50-65. Knowing disclosure of false, incomplete, or misleading material information; civil liability; attorney fees. An owner who knowingly violates or fails to perform any duty prescribed by any provision of this article or who discloses any material information on the disclosure statement that he knows to be false, incomplete, or misleading is liable for actual damages proximately caused to

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2~~ October 28, 2020 with Tracked Changes)

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	the purchaser and court costs. The court may award reasonable attorney fees incurred by the prevailing party.
2.3. Land Use Violation Third and Subsequent Notices. An LU Violation Third Notice (the "Third Notice"), and all subsequent notices, shall be issued to the Owner by the LUM if the LU Violation remains unresolved after the previously issued Notice deadline, or as per an approved timeline extension. Such Notices again specify a deadline for full remediation, cite the applicable fine and enforcement actions, and inform the Owner of their right to request an extension of the stated remediation timeline (refer to Part II Section B. 5).	
	If proper remediation is not completed prior to a change in property ownership, the LUM and/or a LUMC representative shall contact the new property owner to review the violations in order to agree on a plan for remediation completion.
	If responses to the above actions ...are insufficient, the LUMC recommends a next step to the Boards of ASPPPPO and CSA. Actions that may be taken include, but are not limited to: a) proceeding in law or in equity to compel compliance, and/or b) entering upon such property to abate or remove the violation, as covenants allow, at the expense of the owner, upon prior approval by either one or both Boards agreeing to formal action.
3. Land Use Violation Resolution. The LUM shall perform a final inspection of the Property once the Owner notifies the LUM that the LU Violation(s) have been remediated, or alternatively, after the remediation deadline (or the applicable timeline extension deadline). If the LU Violation remediation is verified, the LU Violation shall be documented as RESOLVED. The official LU Violation resolution date shall be the date of the final inspection. Upon request to the LUM by the Owner, the LUM shall provide a written Land Use Violation Resolution Notice (a "Violation Resolution Notice") to the Owner, documenting the full remediation of the Violation as verified by LUM inspection.	
4. Land Use Violation Appeal	
4.1. Appeal Submission. An Owner in dispute of the validity of an LU Violation in an Initial Notice may appeal to the CSA President. The Land Use Violation Appeal (the "LU Appeal") is to be submitted in writing to the CSA President at 175 Greenwood Drive or by email to LUMappeal@csaseapines.com. LU Appeals are to be postmarked or emailed no later than ten (10) calendar days from the date of the Initial Notice, excluding federal holidays. A delay may waive the Owner's right to appeal.	[The option of an appeal was included in the text of the Violation notices as per 2019 protocol. Appeals were to be submitted to the LUMC for their review/decision, not the CSA President.]

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version 2 October 28, 2020 with Tracked Changes)

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4.2. Appellate Process	
4.2.1. If so desired, the Owner, and/or their representative (as designated in writing to the CSA President by the Owner), may appear before the CSA President in person if they so request when requesting a review of the LU Violation.	
4.2.2. At the appellate meeting, the CSA President shall consider Property photos, statements by the LUM, any relevant documentation, as well as the Owner’s written appeal. If present, the Owner (and/or their representative) shall be provided the opportunity to state their concerns. Once the CSA President has reached a decision regarding the appeal, the Owner will be informed of the decision in writing.	
4.2.3. If the CSA President denies the appeal, the Initial Notice LU Violation will stand. The timeline for remediation stated in the Notice will apply, with day (1) of the remediation timeline falling on the next business day after the appeal decision. If the Owner continues to dispute the validity of the confirmed LU Violation, the Owner may submit their request for further appeal in writing to the CSA Board.	
4.2.4. If the CSA President upholds the appeal, the record of the LU Violation Initial Notice will be marked resolved by appeal.	
5. Land Use Violation Timeline Extension Request	
5.1. Request Submission. The Owner may request a timeline extension for LU Violation remediation. The written Timeline Extension Request shall include a proposed timeline with detailed target dates for remediation completion, and justification for the requested timeline extension. The Timeline Extension Request shall be submitted in writing to the LUM at 175 Greenwood Drive or at LUMappeal@csaseapines.com. Time Extension Requests are to be postmarked or emailed no later than ten (10) calendar days from the date of the most recent LU Violation Notice, excluding federal holidays.	[The option of a timeline extension was included in the text of the Violation Notices as per 2019 protocol.]
5.2. Land Use Violation Timeline Extension Review Process. The LUM is authorized to review and approve Timeline Extension Requests. If the LUM approves such a request, the proposed timeline extension will apply. The LUM may deny such a request for any reason. The LUM shall provide a written response of this decision to the Owner.	
6. Owner Notification Process. Written communications referred to in Part II Section B, including LU Violation Notices, LU Violation Resolution Notices, and LU Violation Appeal decisions, shall be sent to the Owner’s address as listed in Beaufort County tax records and/or CSA files; in addition, a copy shall be sent by email to the address on file with CSA, if any. Written Timeline Extension Request decisions shall be sent to the Owner’s address and/or to their email address, if any, on file.	
7. Land Use Violation Fines. A Schedule of Fines for Land Use Rules and Regulations Violations are delineated in Exhibit A.	

END OF PART II SECTION B

COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
 (Version ~~2~~October 28, 2020 with Tracked Changes)

<p>2020 Land Use Rules and Regulations No fines were included in the 2010 Rules and Regs</p>
<p>EXHIBIT A FINES SCHEDULE FOR VIOLATIONS OF THE LAND USE RULES AND REGULATIONS</p>
<p>SCOPE. This schedule of monetary fines (the "Fines Schedule") applies to Land Use Violations ("LU Violations") of the Land Use Rules and Regulations detailed in Part II Section A of the SEA PINES LAND USE RULES AND REGULATIONS FOR RESIDENTIAL PROPERTY OWNERS, AND LONG TERM AND SHORT TERM TENANTS (the "LU Rules and Regulations").</p>
<p>VIOLATION CATEGORY. The Fines Schedule is subdivided into four <u>(4)</u> Violation Categories ("Categories"). These Categories are specific for those referenced LU Rules and Regulations within the Scope. The referenced LU Rules and Regulations listed within each Category are described using keywords and phrases; the reader is advised to refer to the actual LU Rules and Regulations for complete wording.</p>
<p>REMEDICATION DEADLINE. For each Category, a standard remediation deadline of ten (10) calendar days from the date of the Land Use Violation Notice (the "LU Violation Notice") shall apply. The Land Use Monitor reserves the right to issue an immediate "Cease and Desist" order, and/or to adjust this deadline for situations requiring more urgent action. The applicable deadline for a given LU Violation is that stated in the most recent LU Violation Notice, or in a written response to an approved LU Violation Timeline Extension Request. Deadline timelines exclude federal holidays.</p>
<p>VIOLATION FINES. Monetary fines shall be assessed for LU Violations as indicated below. As shown, the Initial Notice for a few Categories shall include an immediate fine, others shall result in an Initial Notice with no fine (a warning notice). For all LU Violations, fines shall be assessed for LU Violations not fully resolved after the deadline specified in the most recent LU Violation Notice, or in a written response to an approved LU Violation Timeline extension Request. Delays in LU Violation remediation beyond the applicable deadline shall result in cumulative (additional) fines, according to the Fines Schedule. Fines are not assessed on federal holidays.</p>
<p>RESOLVED VIOLATIONS. Fines shall continue to accrue until the LU Violation is deemed RESOLVED by the Land Use Monitor. The Owner is advised to contact the Land Use Monitor by phone at 843-671-7820 or by email at LUM@csaseapines.com when the Owner has fully remediated an LU Violation, so a final inspection by the Land Use Monitor can be performed to verify such resolution. All fines accrued prior to the official Land Use Violation Resolution Date shall remain due in full. No cancellation or reduction of fines shall apply for full or partial remediation.</p>
<p>RECURRENT VIOLATION FINES. For previously Resolved LU Violations that reoccur three (3) or more times in a 12 month period, more aggressive fines may apply, in which the LU Violation Initial Notice fine is as per that of a Second Notice; Third Notice fines, and all subsequent fines, are doubled.</p>
<p>FINE PAYMENT. Payment in full is due CSA within 30 days of the Land Use Violation Notice fine statement. A delay in payment may result in an interest fee.</p>

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version ~~2, October 28, 2020~~ with Tracked Changes)

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LAND USE VIOLATION CATEGORIES AND FINES	
CATEGORY	FINES AND APPLICABLE LAND USE RULES AND REGULATIONS
1	Initial Notice: \$0 (warning notice)
	Second Notice: \$75
	Third Notice: \$150
	Subsequent Fines: \$30/day (M-F)
	Applicable LU Rules and Regs, Part II, Section A
	7.1 Overall Appearance: Mailboxes, street number signs
	7.2 Overall Appearance: Garage doors
	8.2 Overall Appearance: Trash cans
2	Initial Notice: \$0 (warning notice)
	Second Notice: \$100
	Third Notice: \$200
	Subsequent Fines: \$40/day (M-F)
	Applicable LU Rules and Regs, Part II, Section A
	2.1 Development Maintenance: Buildings, Fencing, Hardscape
	2.2 Development Maintenance: Boat docks, piers, seawalls, bulkheads
	2.3 Development Maintenance: Pools
	4.1 Landscaping Maintenance, Developed Property: Lawns, bushes, bedded areas
	4.2 Landscaping Maintenance, Developed Property: Vegetative debris
	4.3 Landscaping Maintenance, Developed Property: Ground cover
	5.2 Landscaping Maintenance, Undeveloped Property: Vegetation
	6.1 Landscaping Maintenance, General: Trees
	7.4 Overall Appearance: Laundry, household items, sports equipment
	7.5 Overall Appearance: Structurally permanent yard toys, tents, items in or on trees
	7.6 Overall Appearance: Outdoor furniture, lawn accoutrements, flags/banners, signage
	7.7 Overall Appearance: <u>Exterior lighting (ARB approved);</u> Holiday/celebratory decorations and lighting
	▼
8.1 Trash and Debris: Trash containment and disposal	
8.3 Trash and Debris: Disposal at CSA debris pickup locations	

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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
(Version 2, October 28, 2020 with Tracked Changes)

	8.4 Trash and Debris: Pet waste
	9.1 Vehicles: Parking off hardscape
	9.2 Vehicles: Junked, wrecked, abandoned vehicles
	9.3 Vehicles: Car covers
	9.4 Vehicles: Storage of other motorized vehicles
3	Initial Notice: \$0 (warning notice)
	Second Notice: \$500
	Third Notice: \$1,000
	Subsequent Fines: \$200/day (M-F)
	Applicable LU Rules and Regs, Part II, Section A
	1.1 Development: Failure to obtain proper permits
	1.2 Development: Failure to meet ARB deadlines
	3.1 Landscaping: Failure to obtain proper permits
	3.2 Landscaping: Failure to meet ARB deadlines
	5.1 Landscaping Maintenance, Undeveloped Property: Unapproved structures on site
	7.3 Overall Appearance: CSA right-of-way encroachment
4	Initial Notice: \$ 500
	Second Notice: \$ 1,000
	Third Notice: \$1,500
	Subsequent Fines: \$300/day (M-F)
	Applicable LU Rules and Regs, Part II, Section A
	1.3 Development. Completed work fails to meet ARB specs
	3.3 Landscaping. Completed work fails to meet ARB specs
	6.2 Landscaping Maintenance, General: Damage to Critical environments
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COMPARISON OF SEA PINES LAND USE RULES AND REGULATIONS – 2020 VS. 2010
 (Version ~~2~~October 28, 2020 ~~with Tracked Changes~~)

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END OF EXHIBIT A

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- Deleted: Initial Notice: up to \$500
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- Deleted: Third Notice: \$1,500 - \$2,000
- Deleted: Subsequent Fines: \$ 400/day (M - F)
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2020 LAND USE Rules and Regulations No Amendment Log was included in the 2010 Rules and Regs
APPENDIX I. AMENDMENT LOG
[INSERT CSA BOARD APPROVAL DATE] SEA PINES LAND USE RULES AND REGULATIONS FOR RESIDENTIAL PROPERTY OWNERS, AND LONG TERM AND SHORT TERM TENANTS - 2020

END