



**The Town of Hilton Head Island
Regular Town Council Meeting**

November 19, 2014

5:30 P.M.

AGENDA

REVISED

**As a Courtesy to Others Please Turn Off/Silence All Mobile Devices During
the Town Council Meeting**

- 1) Call to Order**
- 2) Pledge to the Flag**
- 3) Invocation**
- 4) FOIA Compliance** – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5) Proclamations and Commendations**
 - a. Zonta Club of Hilton Head Island – 16 Days of Activism**
- 6) Approval of Minutes**
 - a. Town Council Meeting, November 5, 2014**
- 7) Report of the Town Manager**
 - a. Town Manager's Items of Interest**
 - b. Request for Letter of Support from USCB**
- 8) Reports from Members of Council**
 - a. General Reports from Council**
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman**
 - c. Report of the Personnel Committee – Lee Edwards, Chairman**
 - d. Report of the Planning & Development Standards Committee – John McCann, Chairman**
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman**
 - f. Report of the Public Safety Committee – Marc Grant, Chairman**
- 9) Appearance by Citizens**

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2014-25

Second Reading of Proposed Ordinance 2014-25 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of an Amended and Restated Development Agreement for Shelter Cove Mall with Shelter Cove Towne Centre, LLC And Shelter Cove II, LLC for the redevelopment of property known generally as the Mall at Shelter Cove, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

b. Second Reading of Proposed Ordinance 2014-31

Second Reading of Proposed Ordinance 2014-31 of the Town Council Of The Town Of Hilton Head Island, South Carolina, authorizing the sale of real property owned by the Town of Hilton Head Island, South Carolina, in exchange for land owned by Shelter Cove Towne Centre, LLC and/or Shelter Cove II, LLC, in conjunction with the Amended and Restated Development Agreement for Shelter Cove Mall, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

c. Second Reading of Proposed Ordinance 2014-32

Second Reading of Proposed Ordinance 2014-32 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the establishment of covenants and restrictions on real property in conjunction with the Mall at Shelter Cove Development Agreement and any amendments or modifications thereto, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

d. Second Reading of Proposed Ordinance 2014-24

Second Reading of Proposed Ordinance 2014-24 to amend Title 16, “the land management ordinance,” of the municipal code of the town of Hilton Head Island, South Carolina, by amending section 16-4-102, the Official Zoning Map and the Palmetto Dunes Resort Master Plan with respect to the certain parcels identified as parcel 12 on Beaufort County Tax Map #12B, and a 9.3 acre portion of parcel 12 on Beaufort County Tax Map #12C, within the Palmetto Dunes Resort Master Plan under the PD-1 Planned Development Mixed Use District, to decrease the number of multifamily dwelling units on Parcel 26, Tax Map #12B to 50; increase the number of multifamily dwelling units on Parcel 12, Tax Map #12C to 210; the aggregate total of dwelling units for both properties would not exceed 240 units; and no other changes to the Master Plan land use designations and associated densities for the properties; and providing for severability and an effective date.

e. Second Reading of Proposed Ordinance 2014-33

Second Reading of Proposed Ordinance 2014-33 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Spoil Pipeline Easement Relocation Agreement for the purpose of relocating an easement by the Town of Hilton Head Island to Greenwood Communities and Resorts, Inc. on Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2011), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

11) New Business

a. Consideration of a Resolution – Bicycle Friendly Community

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to support the Town's renewal application to the League of American Bicyclists for the Bicycle Friendly Community Award.

b. Consideration of a Recommendation – Rowing & Sailing Center at Squire Pope Community Park

Consideration of a Recommendation that the Master Plan for the Rowing and Sailing Center at Squire Pope Community Park be amended to include a covered boat storage shed within the fenced storage yard.

c. Consideration of a Recommendation – Beach Renourishment

Consideration of a Recommendation that Town Council revise its previous endorsement and recommendation for the direct placement of sand as part of our next Island-wide Beach Renourishment Project. An additional area for sand placement is necessary along a limited reach of Port Royal Sound shoreline from Fish Haul Creek to a point northwest of the Town's Mitchellville Beach Park property.

12) Executive Session

- a.** Land Acquisition
- b.** Legal Matters
- c.** Contractual Matters
- d.** Annual Review of the Town Manager

13) Adjournment

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS, the Zonta Club of Hilton Head Island includes over 40 members that are women of professional and executive backgrounds, who seek to raise awareness of the uncomfortable, often unspoken topic of violence against women; and

WHEREAS, gender violence and abuse can affect women of all ages, living in any community, but it is a topic too often kept secret or highlighted only when horrific acts play out in newspaper and media reports; and

WHEREAS, violence against women is not a women's issue, but a societal issue, often rooted in misinterpretations of history, inadequate laws, culture and religion, traditional ideas of feminine and masculine identities; and

WHEREAS, violence against women is most frequently about power and control, and we know its consequences to women's physical, mental and reproductive health; and

WHEREAS, Zonta Clubs are extending their core mission of improving the status of women through service and advocacy, working locally to specifically reduce violence against women through education and awareness; and

WHEREAS, Zonta Club of Hilton Head Island working along with the United Nations (UN Women) and with Zonta International (ZI) and its 30,000 members worldwide in 64 countries is engaged in a specific anti-violence campaign entitled "Zonta Says NO"; and

WHEREAS, "Zonta Says NO" reaches its focus during a designated "16 Days of Activism Against Gender Violence" which runs from Tuesday, November 25, through Wednesday, December 10, 2014; and

WHEREAS, orange has been designated as the official color for the "Zonta Says NO" campaign, a color also adopted by the United Nations for this topic.

NOW, THEREFORE, I, Drew Laughlin, Mayor of the Town of Hilton Head Island, Beaufort County, South Carolina, on behalf of the members of the Town Council and the citizens of Hilton Head Island do hereby proclaim that on November 25, 2014 and during the "16 Days of Activism" all citizens are urged to support efforts to end violence against women and to eliminate the detrimental consequences it has on the well-being of our community.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this nineteenth day of November, in the year of our Lord, two thousand and fourteen.

Drew A. Laughlin

Attest:

Victoria L. Pfannenschmidt, Town Clerk

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Wednesday, November 5, 2014

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Marc Grant, Kim Likins, Lee Edwards, John McCann, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Brad Tadlock, *Fire Chief*; Charles Cousins, *Director of Community Development*; Nancy Gasen, *Director of Human Resources*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Brian Hulbert, *Staff Attorney*; Teri Lewis, *LMO Official*; Darrin Shoemaker, *Traffic and Transportation Engineer*; Heather Colin, *Development Review Administrator*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*

Present from Media: Dan Burley, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA Compliance – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

a. Pancreatic Cancer Awareness Month

Mr. Richard Boccabella was present to accept the Proclamation.

6) Approval of Minutes

a. Town Council Meeting, October 21, 2014

Mr. Harkins moved to approve. Mr. McCann seconded. Mr. Riley noted two corrections for the minutes on Page 5 of 6.

1. *Mr. Rommell stated the lagoon is a roosting site for 200 birds at a time.*
2. *Mayor Laughlin stated the next public hearing would take place on November 5 at 5:30 p.m.*

The maker and the seconder of the motion were in agreement with the corrections. The corrected minutes of the October 21, 2014 Town Council meeting were unanimously approved by a vote of 7-0.

7) Report of the Town Manager

a. Town Manager's Items of Interest

Mr. Riley reported on some items of interest. He added that there is Community Development Block Grant Program Community Needs Assessment Public Hearing scheduled for November 13, 2014 at 6:00 p.m. in the Benjamin M. Racusin Council Chambers.

8) Reports from Members of Council

a. General Reports from Council

Mr. Williams moved that the November 18, 2014 regular Town Council meeting be rescheduled to take place on Wednesday, November 19, 2014 at 5:30 p.m. The motion was unanimously approved by a vote of 7-0.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

Mr. Williams stated the next meeting of the Committee is scheduled for Monday, November 17 at 10:00 a.m. but discussions were taking place as to the need for the meeting. He said all would be notified if it is cancelled.

c. Report of the Personnel Committee – Lee Edwards, Chairman

No report.

d. Report of the Planning & Development Standards Committee – John McCann, Chairman

No report.

e. Report of the Public Facilities Committee – Kim Likins, Chairman

Mrs. Likins stated the Committee had met earlier in the day to review three items of business. They were consideration of an amendment to the Master Plan for the Rowing and Sailing Center at Squire Pope Community Park to add a storage shed, to allow SCDOT to acquire town owned land for the Spanish Wells Road Bridge placement and to consider scope revisions for the Beach Renourishment Project. She said the items would be coming forward to Town Council.

f. Report of the Public Safety Committee – Marc Grant, Chairman

Mr. Grant reported the Committee met on Monday, November 3 to review the 3rd Quarter Crime Statistics. He said the Committee discussed traffic concerns in the North Forest Beach area and bike path issues. Mr. Grant stated the Committee wanted to obtain further information on the bike paths before moving forward to Council.

9) Appearance by Citizens

None.

10) Unfinished Business

None.

13) Executive Session

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to the proposed relocation of an easement across Town-owned property; and legal matters pertaining to the Shelter Cove Towne Centre Development Agreement.

At 4:27 p.m. Mr. Harkins moved to go into Executive Session for the reasons as set forth by the Town Manager. Mr. McCann seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 5:29 p.m.

11) 5:30 p.m. - PUBLIC HEARING ON THE PROPOSED AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN SHELTER COVE TOWNE CENTRE, LLC, SHELTER COVE II, LLC, AND THE TOWN OF HILTON HEAD ISLAND.

Mayor Laughlin opened the Public Hearing at 5:30 p.m.

Mark Senn addressed Council and reviewed the request. He stated he was prepared to conduct the presentations again and was available to answer any questions Council had concerning the request.

Mr. Aubry Vaughan, on behalf of the Newport Condominium Association; John Phelps, Mary Margaret McGaughey, Owner, Copper Penny; Charles Davis, President, Shelter Cove Harbour Company; Jan Martin, Vice President, Newport Condominium Association; spoke in support of the changes to the development agreement.

Ms. Christine Bokine stated the developer is doing a nice job but expressed her concerns with the size of the apartments, availability of parking, noise level and traffic in the area.

Mrs. Likins stated that since the development was in her ward she tried to speak with her constituents to come up with the best solution for them and the community as a whole. She stated she supported the project and read a statement explaining her support. She said she believes the luxury apartments are needed and a missing amenity on the Island. Mrs. Likins noted that with the new design 42 parking places are available for public parking in the park area noting the hidden parking garage for the apartments is an attractive design and convenient and safe for the tenants. She added that the apartments will add additional revenue for the Shelter Cove Harbour Company and enable them to provide needed infrastructure for the area. Mrs. Likins stated that she believes that 50 years from now all will say this was a really great thing to do.

Mr. Williams stated that early on he felt the project was over the top but as they worked through issues he came to realize the advantages of the parking garage and the additional concessions made by the developer to assist with infrastructure. He stated he has come to the conclusion that this is a much better plan and he would be voting in favor of it.

Mr. Edwards stated that he had been quiet concerning the plan because his company is doing the landscaping for the project. He added that in certain situations he recused himself from executive session. He explained that he would not recuse himself from the vote because it would not be fair to the people who elected him. He expressed concern over the misinformation that was out in the public. He reviewed what could have been developed on the property as to what has been developed noting that working with Blanchard and Calhoun has resulted in a successful project and a good plan. He reminded all that the developer has planted many more trees than required and there are many more to be planted. He stated he would be voting in favor of the plan.

Mr. McCann stated that he feels Blanchard and Calhoun did an outstanding and professional job, not only working with the residents of Newport and the Veterans on making changes to benefit all. He complimented the layout of the retail stores and the park. He his concern is and will continue to be the added density in the community.

Mr. Grant said he agrees with the parking garage being placed within the building which would result in on street parking availability for attendees to the park. He commended Blanchard and Calhoun for working with members of the community and stakeholders.

Mr. Harkins said this is a classroom example of a good and excellent private and public partnership. He said he knew there are some in the community that felt the Town should have purchased and developed the property. Mr. Harkins stated he felt that was ill-advised because the Town is not in the business for development but in the business to create a climate for positive development. He further explained the Town should bring quality to the community, not at the expense of the taxpayer but with the investment opportunity of the private sector.

Mayor Laughlin stated everyone has a vested interest in the success of the project. He said he felt Shelter Cove Towne Centre is a great example of the results that can be achieved when parties work cooperatively to achieve mutual success. He said he is very much in favor of the project.

There being no further requests to comment Mayor Laughlin closed the Public Hearing at 6:17 p.m.

12) New Business

a. First Reading of Proposed Ordinance 2014-25

First Reading of Proposed Ordinance 2014-25 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of an Amended and Restated Development Agreement for Shelter Cove Mall with Shelter Cove Towne Centre, LLC And Shelter Cove II, LLC for the redevelopment of property known generally as the Mall at Shelter Cove, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was approved by a vote of 6-1. (Mr. McCann was opposed.)

b. First Reading of Proposed Ordinance 2014-31

First Reading of Proposed Ordinance 2014-31 of the Town Council Of The Town Of Hilton Head Island, South Carolina, authorizing the sale of real property owned by the Town of Hilton Head Island, South Carolina, in exchange for land owned by Shelter Cove Towne Centre, LLC and/or Shelter Cove II, LLC, in conjunction with the Amended and Restated Development Agreement for Shelter Cove Mall, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

c. First Reading of Proposed Ordinance 2014-32

First Reading of Proposed Ordinance 2014-32 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the establishment of covenants and restrictions on real property in conjunction with the Mall at Shelter Cove Development Agreement and any amendments or modifications thereto, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mrs. Likins moved to approve. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

d. First Reading of Proposed Ordinance 2014-24

First Reading of Proposed Ordinance 2014-24 to amend Title 16, “the Land Management Ordinance,” of the municipal code of the Town of Hilton Head Island, South Carolina, by amending section 16-4-102, the Official Zoning Map and the Palmetto Dunes Resort Master Plan with respect to the certain parcels identified as parcel 12 on Beaufort County Tax Map #12B, and a 9.3 acre portion of parcel 12 on Beaufort County Tax Map #12C, within the Palmetto Dunes Resort Master Plan under the PD-1 Planned Development Mixed Use District, to decrease the number of multifamily dwelling units on Parcel 26, Tax Map #12B to 50; increase the number of multifamily dwelling units on Parcel 12, Tax Map #12C to 210; the aggregate total of dwelling units for both properties would not exceed 240 units; and no other changes to the Master Plan land use designations and associated densities for the properties; and providing for severability and an effective date.

Mrs. Likins moved to approve. Mr. Harkins seconded. The motion was approved by a vote of 6-1. (Mr. McCann was opposed.)

e. Consideration of an easement relocation agreement for Shelter Cove Marina area

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt an ordinance authorizing the execution of a soil pipeline easement relocation agreement for the purpose of relocating an easement by the Town of Hilton Head Island to Greenwood Communities and Resorts, Inc. on Hilton Head Island South Carolina, pursuant to the authority of South Carolina Code, Section 5-7-40 and Section 2-7-20, *Code of the Town of Hilton Head Island*, South Carolina and providing for severability and an effective date. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

14) Adjournment

Mr. Williams moved to adjourn. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 6:23 p.m.

Vicki L. Pfannenschmidt,
Executive Assistant/Town Clerk

Approved:

Drew A. Laughlin, Mayor



Items of Interest November 19, 2014

1. Noteworthy Events

a) Some of the upcoming meetings at Town Hall:

- Construction Board of Adjustments & Appeals, November 25, 2014, 5:30 p.m.
- Town offices closed in observance of Thanksgiving – November 27 & 28, 2014
- Public Safety Committee – December 1, 2014, 10:00 a.m.
- Public Facilities Committee – December 2, 2014, 2:00 p.m.
- Town Council – December 2, 2014, 4:00 p.m.

(Meetings subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for meeting agendas.

MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, ICMA~CM, Town Manager

DATE: November 17, 2014

RE: Request for Letter of Support from USCB

As we continue to move forward with plans for the USCB Hospitality Management Program and OLLI facility on Hilton Head Island, the process of adopting a formal Memorandum of Understanding (MOU) requires that USCB appear before several Committees of the USC Board of Trustees before gaining the formal endorsement of the Board.

The first of these is the Academic Affairs Committee of the Board of Trustees, which Chancellor Upshaw is scheduled to meet with in early December. She has asked for a letter of support from the Town to be included in the packet of materials for that meeting.

The attached has been drafted for Council's consideration.

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, S.C. 29928

(843) 341-4600 Fax (843) 842-7728

www.hiltonheadislandsc.gov

Drew A. Laughlin
Mayor

November 19, 2014

William D. Harkins
Mayor ProTem

Council Members

Wm. Lee Edwards
Marc A. Grant
Kimberly W. Likins
John J. McCann
George W. Williams, Jr.

Dr. Jane Upshaw, Chancellor
University of South Carolina-Beaufort
One University Boulevard
Bluffton, SC 29909

RE: USCB Facility on Hilton Head Island

Stephen G. Riley
Town Manager

Dear Chancellor Upshaw:

Please accept this letter as a reaffirmation of the Town of Hilton Head Island's commitment to collaborating with the University of South Carolina-Beaufort to bring the Hospitality Management Program to our Island and to provide a new home for the OLLI programs here.

Our collaborative efforts go back many years, and were manifested most recently in the creation of the USCB Center for Event Management and Hospitality Training in 2011. An outgrowth of the success of that effort is this new undertaking which has been in the discussion stages for several years and is on the verge of moving forward upon the commitment of the University System.

Bringing a higher education presence to the Island is a component of the Town's Comprehensive Plan and a long-held goal of the Town. We have secured the commitment of our funding partners in the extension of a Tax Increment Finance District (TIF District) to assist with the funding for the vision contemplated in this collaboration. Those partners, the Beaufort County Council, the Beaufort County School District, and the Hilton Head Public Service District all see the benefit of bringing the USCB Hospitality Management Program to the Island and to expand and build upon the Adult and Continuing Education offerings of the OLLI Program for our citizens and visitors.

“DRAFT”

Based on your November 2013 letter expressing a preference for a location near Pope Avenue and Office Park Road, the Town has acquired two parcels and has a third under contract. These parcels will facilitate the implementation of the concept plan that has been developed by the Town's consultants in cooperation with USCB faculty and staff. Planned road improvements to serve the general area are also contemplated to occur on a portion of the site.

We look forward to finalizing a Memorandum of Understanding between the Town and the University System so that we can move forward and bring this important facility to our community.

Sincerely,

TOWN OF HILTON HEAD ISLAND

Drew A. Laughlin
Mayor

cc: Town Council
Stephen G. Riley, Town Manager

“DRAFT”



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Heather Colin, AICP, *Development Review Administrator*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE November 6, 2014
SUBJECT: Amended and Restated Development Agreement for Shelter Cove Mall
Proposed Ordinance No. 2014-25

Town Council made no changes to Proposed Ordinance No. 2014-25 as a result of first reading on November 5, 2014.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2014-__

PROPOSED ORDINANCE NO. 2014-25

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR SHELTER COVE MALL WITH SHELTER COVE TOWNE CENTRE, LLC AND SHELTER COVE II, LLC FOR THE REDEVELOPMENT OF PROPERTY KNOWN GENERALLY AS THE MALL AT SHELTER COVE, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. § 5-7-40 (SUPP. 2011), AND § 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, on or about October 16, 2012, the Town of Hilton Head Island, South Carolina and Shelter Cove Towne Centre, LLC entered into that certain Development Agreement for Shelter Cove Mall, which provided for terms and conditions governing the redevelopment of property located on Hilton Head Island and known generally as The Mall at Shelter Cove; and,

WHEREAS, the aforementioned Development Agreement was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina on October 26, 2012 in Book 3185 at Page 1785; and,

WHEREAS, the parties desire to amend and restate the aforementioned Development Agreement to provide for, among other things, a revised Concept Plan and to reflect other matters which have changed since the aforementioned Development Agreement was recorded, in a form entitled as an Amended and Restated Development Agreement for Shelter Cove Mall; and,

WHEREAS, the State of South Carolina has enacted the South Carolina Local Government Development Agreement Act, Section 6-31-10, *et seq.* of the South Carolina Code of Laws (1976), as amended (the "Act"); and

WHEREAS, the Act authorizes local governments, including the city council of a municipality, to enter into development agreements with developers to accomplish the goals as set forth in the Act; and

WHEREAS, pursuant to and under the terms of the Act, the Amended and Restated Development Agreement would provide assurances to the parties that they may proceed with the proposed development, and memorialize certain agreements between the parties with respect to the property and its development; and

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town to execute the Amended and Restated Development Agreement for Shelter Cove Mall, or one substantially similar in form and substance, a copy of which is attached hereto as Exhibit "A".

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

Section 1. Execution of Agreement.

- (a) The Mayor and/or Town Manager are hereby authorized to execute and deliver the Amended and Restated Development Agreement for Shelter Cove Mall in a substantially similar form to that attached hereto as Exhibit "A"; and
- (b) The Mayor and/or Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the transactions contemplated in the Amended and Restated Development Agreement for Shelter Cove Mall, as authorized hereby.

Section 2. Severability.

If any section, phrase, sentence or portion of this Ordinance is, for any reason, held or deemed to be invalid or unconstitutional by any court of competent jurisdiction, then such

section, phrase, sentence or portion shall be deemed a separate, distinct and independent provision and shall not affect the remaining portion thereof.

Section 3. Effective Date.

This Ordinance shall become effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN
OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF
_____, 2014.**

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

First Reading: _____

Second Reading: _____

Approved as to form: _____
Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Heather Colin, AICP, *Development Review Administrator*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE October 23, 2014
SUBJECT: Land Exchange Related to Amended and Restated Development Agreement for
the Mall at Shelter Cove
Proposed Ordinance No. 2014-31

Town Council made no changes to proposed Ordinance No. 2014-31 as a result of first reading on November 5, 2014.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2014-__

PROPOSED ORDINANCE NO. 2014-31

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, IN EXCHANGE FOR LAND OWNED BY SHELTER COVE TOWNE CENTRE, LLC AND/OR SHELTER COVE II, LLC, IN CONJUNCTION WITH THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR SHELTER COVE MALL, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. § 5-7-40 (SUPP. 2011), AND § 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, the Town of Hilton Head Island, South Carolina (the “Town”) is the owner of certain real property located on Hilton Head Island and known as a portion of Beaufort County Tax Map # R520-012-00C-0002-0000, more particularly described as follows:

That certain 4.9 acre tract bounded in red and described as “MULTI-FAMILY RESIDENTIAL (+/- 4.9 ACRES) (AVERAGE MARSH SETBACK 50’)” on that certain “Shelter Cove Mall Concept Plan” dated August 2014 and prepared by Witmer-Jones-Keefer Ltd., a copy of which Concept Plan is attached hereto as Exhibit “A”.

(hereinafter referred to as “Exchange Parcel”)

; and,

WHEREAS, Shelter Cove Towne Centre, LLC and/or Shelter Cove II, LLC (hereinafter collectively referred to as “SCTC”) is the owner of certain real property located on Hilton Head Island and known as a portion of Beaufort County Tax Map # R520-012-00B-0026-0000, more particularly described as follows:

That certain 5.1 acre tract bounded in red and described as “COMMUNITY PARK (+/- 5.1 ACRES)” on that certain “Shelter Cove Mall Concept Plan” dated August 2014 and prepared by Witmer-Jones-Keefer Ltd., a copy of which Concept Plan is attached hereto as Exhibit “A”.

-and-

That certain tract bounded in red and located along Broad Creek to the southwest of the “Community Park”, which parcel is described as “PROPOSED PUBLIC WALKING TRAIL TO BE INCLUDED IN COMMUNITY PARK (+/- .17 AC) on that certain “Shelter Cove Mall Concept Plan” dated August 2014 and prepared by Witmer-Jones-Keefer Ltd., a copy of which Concept Plan is attached hereto as Exhibit “A”.

(hereinafter collectively referred to as “Community Park Parcel”)

; and,

WHEREAS, contemporaneously with the adoption of this Ordinance, the Town is adopting an Ordinance approving the execution and recording of that certain Amended and Restated Development Agreement for Shelter Cove Mall (“Amended Development Agreement”), by and between the Town, Shelter Cove Towne Centre, LLC, and Shelter Cove II, LLC; and,

WHEREAS, the Amended Development Agreement contemplates that within sixty (60) days after completion of construction and issuance of a Certificate of Compliance of the Community Park, or completion of a survey showing the exact dimensions of the Exchange Parcel and the Community Park Parcel, whichever occurs later, the Town and SCTC will exchange ownership of the Exchange Parcel and the Community Park Parcel through the execution, delivery, and recording of deeds; and,

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town to approve the exchange of property as mentioned herein above, and to authorize the Mayor and/or Town Manager to take such further and other actions as may be necessary to effectuate the above exchange of property, so long as such exchange is in substantial conformance with the Concept Plan attached hereto as Exhibit “A” and the Amended Development Agreement; and,

WHEREAS, under the provisions of S.C. Code Ann. § 5-7-40 (SUPP. 2011) and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983), the conveyance or granting of an interest in real property owned by the Town of Hilton Head Island must be authorized by Ordinance.

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

Section 1. Execution and Acceptance of Deeds.

- (a) The Mayor and/or Town Manager are hereby authorized to (i) execute and deliver a deed, and (ii) accept a deed, evidencing the aforementioned exchange of property so long as such exchange is in substantial conformance with the Concept Plan attached hereto as Exhibit “A” and the Amended Development Agreement;
- (b) The Mayor and/or Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the transactions contemplated herein and as authorized hereby.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance shall become effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

(SIGNATURE PAGE FOLLOWS)

**PASSED, APPROVED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN
OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF
_____, 2014.**

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

First Reading: _____

Second Reading: _____

Approved as to form: _____
Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Heather Colin, AICP, *Development Review Administrator*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE October 23, 2014
SUBJECT: Establishment of Restrictive Covenants and Restrictions for property in
conjunction with the Amended and Restated Development Agreement for the
Shelter Cove Mall
Proposed Ordinance No. 2014-32

Town Council made no changes to proposed Ordinance No. 2014-32 as a result of first reading on November 5, 2014.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE ESTABLISHMENT OF COVENANTS AND RESTRICTIONS ON REAL PROPERTY IN CONJUNCTION WITH THE MALL AT SHELTER COVE DEVELOPMENT AGREEMENT AND ANY AMENDMENTS OR MODIFICATIONS THERETO, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. § 5-7-40 (SUPP. 2011), AND § 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, the Town of Hilton Head Island, South Carolina (the “Town”) is the owner of certain real property located on Hilton Head Island and known as a portion of Beaufort County Tax Map # R520-012-00C-0002-0000, more particularly described as follows:

That certain 4.9 acre tract bounded in red and described as “MULTI-FAMILY RESIDENTIAL (+/- 4.9 ACRES) (AVERAGE MARSH SETBACK 50’)” on that certain “Shelter Cove Mall Concept Plan” dated August 2014 and prepared by Witmer-Jones-Keefer Ltd.

(hereinafter referred to as “Exchange Parcel”)

; and,

WHEREAS, contemporaneously with the adoption of this Ordinance, the Town is adopting an Ordinance approving the execution and recording of that certain Amended and Restated Development Agreement for Shelter Cove Mall (“Amended Development Agreement”), by and between the Town, Shelter Cove Towne Centre, LLC, and Shelter Cove II, LLC; and,

WHEREAS, the Amended Development Agreement contemplates that the Town will convey the Exchange Parcel to Shelter Cove Towne Centre, LLC (“SCTC”) in conjunction with the redevelopment of the Mall at Shelter Cove; and

WHEREAS, SCTC will develop multi-family dwelling units on the Exchange Parcel subject to certain restrictions as agreed upon between SCTC and the Town; and

WHEREAS, the Town Council of the Town has determined that it is in the best interests of the Town to record and establish a Declaration of Covenants, Restrictions, and Limitations in a substantially similar form as attached hereto as Exhibit “A”; and,

WHEREAS, under the provisions of S.C. Code Ann. § 5-7-40 (SUPP. 2011) and § 2-7-20, *Code of the Town of Hilton Head Island , South Carolina*, (1983), the disposition of an interest in real property owned by the Town of Hilton Head Island must be authorized by Ordinance.

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

Section 1. Establishment of Covenants and Restrictions:

- (a) The Mayor and/or Town Manager are hereby authorized to execute and deliver a Declaration of Covenants, Restrictions, and Limitations, or a document substantially similar in form and substance to that, which is attached hereto as Exhibit “A”; and
- (b) The Mayor and/or Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the transactions contemplated herein and as authorized hereby.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance shall become effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2014.

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

First Reading: _____

Second Reading:_____

Approved as to form: _____
Gregory M. Alford, Town Attorney

Introduced by Council Member:_____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Heather Colin, AICP, *Development Review Administrator*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: October 23, 2014
SUBJECT: ZA-000659-2014; Shelter Cove Towne Centre - Apartments
Proposed Ordinance No. 2014-24

Town Council made no changes to proposed Ordinance No. 2014-24 as a result of first reading on November 5, 2014.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2014

PROPOSED ORDINANCE NO. 2014-24

AN ORDINANCE TO AMEND TITLE 16, “THE LAND MANAGEMENT ORDINANCE,” OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP AND THE PALMETTO DUNES RESORT MASTER PLAN WITH RESPECT TO THE CERTAIN PARCELS IDENTIFIED AS PARCEL 12 ON BEAUFORT COUNTY TAX MAP #12B, AND A 9.3 ACRE PORTION OF PARCEL 12 ON BEAUFORT COUNTY TAX MAP #12C, WITHIN THE PALMETTO DUNES RESORT MASTER PLAN UNDER THE PD-1 PLANNED DEVELOPMENT MIXED USE DISTRICT, TO DECREASE THE NUMBER OF MULTIFAMILY DWELLING UNITS ON PARCEL 26, TAX MAP #12B TO 50; INCREASE THE NUMBER OF MULTIFAMILY DWELLING UNITS ON PARCEL 12, TAX MAP #12C TO 210; THE AGGREGATE TOTAL OF DWELLING UNITS FOR BOTH PROPERTIES WOULD NOT EXCEED 240 UNITS; AND NO OTHER CHANGES TO THE MASTER PLAN LAND USE DESIGNATIONS AND ASSOCIATED DENSITIES FOR THE PROPERTIES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on May 7, 1986, the Town of Hilton Head Island granted Preliminary Plan Approval to an update of the Palmetto Dunes Resort Master Plan; and

WHEREAS, on July 21, 1998 , the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance (“LMO”); and

WHEREAS, section 16-4-209 of the LMO incorporates the Palmetto Dunes Resort Master Plan and associated text as a Town-approved master plan under the PD-1 Planned Development Mixed Use District; and

WHEREAS, on October 16, 2012, Town Council approved a Zoning Map Amendment to facilitate the redevelopment of the Mall at Shelter Cove; and

WHEREAS, on October 16, 2012, Town Council approved a Development Agreement to facilitate the redevelopment of the Mall at Shelter Cove; and

WHEREAS, on December 17, 2013, Town Council approved a Resolution identifying Shelter Cove Towne Centre Development Rezoning as an item on the Management Agenda for 2014; and

WHEREAS, on July 29, 2014, Town Council held a public workshop to discuss the proposed changes; and

WHEREAS, the Planning Commission is authorized by Town Council to hold a public hearing on said zoning map amendment application, and said hearing was held on October 1, 2014, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comment, and criteria set forth in Section 16-3-1505 of the LMO, voted 4-3-0 to recommend to Town Council that the rezoning request be approved; and

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

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-4-102 of the LMO, and the Palmetto Dunes Resort Master Plan, PD-1 Planned Development Mixed Use District and associated text, referred to in Section 16-4-209 of the LMO, be hereby amended to modify the density of the multifamily dwelling units, specifically on the parcel identified as Parcel 26 on Beaufort County Tax Map 12B, to 50 multifamily dwelling units, (no other changes in uses or associated densities), and that certain 9.3 acre portion of the parcel identified as Parcel 12 on Beaufort County Tax Map 12C to 210 multifamily units (no other changes in uses or associated densities), and provided that the aggregate total not exceed 240 multifamily dwelling units. The attached Vicinity Map shows the location of the subject properties.

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

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

PASSED, APPROVED, AND ADOPTED, BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND THIS _____ DAY OF _____, 2014.

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

Public Hearing: October 1, 2014
First Reading: _____
Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 942-6000

Vicinity Map
ZA-000659-2014



This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion. Map created May 15, 2014.

300 150 0 300 Feet



MEMORANDUM

TO: Town Council

FROM: Stephen G. Riley, ICMA-CM, Town Manager

DATE: November 6, 2014

RE: **Second Reading of Proposed Ordinance No. 2014-33**

Town Council made no changes to Proposed Ordinance No. 2014-33 as a result of the first reading on November 5, 2014.

PROPOSED ORDINANCE NUMBER : 2014-33 ORDINANCE NUMBER: 2014-____

AN ORDINANCE OF THE TOWN OF HILTON HEAD, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A SPOIL PIPELINE EASEMENT RELOCATION AGREEMENT FOR THE PURPOSE OF RELOCATING AN EASEMENT BY THE TOWN OF HILTON HEAD ISLAND TO GREENWOOD COMMUNITIES AND RESORTS, INC. ON HILTON HEAD ISLAND, SOUTH CAROLINA, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. SEC. 5-7-40 (SUPP. 2011), AND SEC. 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, the Town of Hilton Head Island, South Carolina (“Town”) is the owner of the following real property:

All those certain pieces, parcels or lots of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, known as Parcels B, 35 and 36 as shown and designated as same on that certain plat entitled “Plat of Parcels B, 35 and 36, Shelter Cove, Phase 2, Palmetto Dunes Resort, Hilton Head Island, Beaufort County, South Carolina,” prepared by James M. Sims, SCRLS# 13169, dated November 24, 1998, as last revised March 22, 1999, and which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 69 at Page 182.

Beaufort County Tax Map #: R520 012 00C 0002 0000

(“Town Property”); and

WHEREAS, Greenwood Development Corporation, now known as Greenwood Communities and Resorts, Inc. (“Greenwood”) and Hancock Development Company, Inc. established that certain Spoil Pipeline Easement over the Town Property by virtue of that certain Indenture Deed, dated April 23, 1999 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina on April 29, 1999 in Book 1165 at Page 105; and

WHEREAS, the Town is the successor in interest to Hancock Development Company, Inc.; and

WHEREAS, the Town and Greenwood mutually desire to relocate the spoil pipeline easement, subject to certain terms and conditions; and

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town to relocate this easement; and,

WHEREAS, under the provisions of S.C. Code Ann. § 5-7-40 (SUPP. 2011) and § 2-7-20, *Code of the Town of Hilton Head Island , South Carolina*, (1983), the disposition of an interest in real property owned by the Town of Hilton Head Island must be effected by Ordinance.

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

Section 1. Execution of Agreement.

- (a) The Mayor and Town Manager are hereby authorized to execute and deliver a Spoil Pipeline Easement Relocation Agreement in a form substantially similar to that which is attached hereto as Exhibit “A”; and
- (b) The Mayor and/or Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the transactions contemplated herein.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance shall become effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2014.**

By: _____
Drew A. Laughlin, Mayor

ATTEST:

By: _____
Victoria L. Pfannenschmidt, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

Exhibit “A”

STATE OF SOUTH CAROLINA)
) **SPOIL PIPELINE EASEMENT**
COUNTY OF BEAUFORT) **RELOCATION AGREEMENT**
) **(Reference: Book 1165 at Page 105)**

This Spoil Pipeline Easement Relocation Agreement (“Agreement”) is entered into this ____ day of _____, 20____, by and between Greenwood Communities and Resorts, Inc., a South Carolina corporation, having an address of P.O. Box 1546, Greenwood, SC 29648 (hereinafter referred to as “Greenwood”), and the Town of Hilton Head Island, South Carolina, having an address of One Town Center Court, Hilton Head Island, South Carolina 29928 (hereinafter referred to as the “Town”).

WITNESSETH

WHEREAS, the Town is the owner of a parcel of real property located on Hilton Head Island, Beaufort County, South Carolina, as more fully described herein, which parcel is encumbered by a spoil pipeline easement in favor of Greenwood pursuant to that certain deed recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 1165 at Page 105; and,

WHEREAS, the Town and Greenwood mutually desire to relocate the spoil pipeline easement, subject to the terms and conditions set forth herein, and further wish to add certain terms and conditions to the spoil pipeline easement.

NOW, THEREFORE, in consideration of Ten and 00/100 Dollars (\$10.00) and the mutual covenants, agreements, representations, and warranties contained in this Agreement, the receipt and sufficiency of which is hereby acknowledged, the parties, intending to be legally bound, hereby agree as follows:

1. The Town is the owner of the following real property:

All those certain pieces, parcels or lots of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, known as Parcels B, 35 and 36 as shown and designated as same on that certain plat entitled “Plat of Parcels B, 35 and 36, Shelter Cove, Phase 2, Palmetto Dunes Resort, Hilton Head Island, Beaufort County, South Carolina,” prepared by James M. Sims, SCRLS# 13169, dated November 24, 1998, as last revised March 22, 1999, and which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 69 at Page 182.

Beaufort County Tax Map #: R520 012 00C 0002 0000

(Hereinafter, the “Town Parcel”)

2. The Town Parcel is currently encumbered by a spoil pipeline easement shown and described as “5’ SPOIL PIPELINE EASEMENT” on a plat recorded in the Office of the Register of Deeds for Beaufort County, South Carolina (the “ROD”) in Plat Book 69 at Page 182, which easement benefits and was reserved by Greenwood in that certain deed from Greenwood to Hancock Development Company, Inc. dated April 23, 1999, and recorded April 29, 1999 in the ROD in Book 1165 at Page 105 (hereinafter, the “Easement”). Specifically, the terms and conditions of the Easement are set forth in Exhibit “A” of the above-referenced deed.

3. The Town and Greenwood agree that the Easement is hereby relocated and increased in size, and shall now encumber the following described property:

All that certain piece, parcel or lot of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and designated as “25’ Spoil Pipeline Easement” on the Easement Exhibit attached hereto as Exhibit “A” and made a part hereof.

(Hereinafter, the “Easement Property”)

4. Greenwood, through its exercise of the rights granted in this Agreement, shall not obstruct or impede the conveyance of storm water runoff to a level deemed detrimental by the Town. If the Town finds, in its reasonable determination, that Greenwood’s operations or use of the Easement Property have a detrimental effect on storm water conveyance, Greenwood shall be notified in writing and shall be obligated to mitigate this effect within seventy-two (72) hours of receiving such notice.

5. The dredge spoil pipe shall remain in the Easement Property no more than one hundred twenty (120) consecutive calendar days at any time. Upon removal of the dredge spoil pipe, Greenwood shall restore the drainage ditch and Easement Property to its pre-existing condition or better, as acceptable to the Town in the Town’s reasonable determination.

6. Greenwood shall restore, to its pre-existing state and at the expense of Greenwood, any part of the Town’s property (including but not limited to the Town Parcel) that may be damaged as a result of Greenwood’s exercise of the rights granted in this Agreement.

7. If any legal action or other proceeding is brought for the enforcement of this Agreement, or

because of a dispute, breach, default or misrepresentation in connection with any of the provisions or terms of this Agreement, the prevailing party or parties shall be entitled to recover its or their reasonable attorneys' fees and any costs incurred as a result of any such action or proceeding, whether incurred before the commencement of suit or after the commencement of suit, and including appellate proceedings, in addition to any other relief to which the prevailing party or parties is or are entitled.

8. All notices, applications, requests, certificates or other communications required hereunder shall be sufficiently given and shall be deemed given on the date when such is delivered in person, or deposited in the United States Mail, by regular first class mail, postage prepaid, at the following addresses, or at such other address as may be designated, in writing, by the Parties:

To the Town: The Town of Hilton Head Island, South Carolina
Stephen G. Riley, Town Manager
One Town Center Court
Hilton Head Island, SC 29928

With Copy to: Alford Law Firm, LLC
Attn: Gregory M. Alford
P.O. Drawer 8008
Hilton Head Island, SC 29938

To Greenwood: Greenwood Communities and Resorts, Inc.
Attn: President
P.O. Box 1546
Greenwood, SC 29648

With Copy to: McNair Law Firm, P.A.
Walter J. Nester, III
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

9. All other terms and conditions of the Easement, as set forth in the Deed referenced in Paragraph two (2) above, remain unchanged and in effect. In the event of a conflict between the terms of the Easement and/or Deed and this Agreement, the terms of this Agreement shall control.

In witness whereof, the parties hereto have caused the within Agreement to be executed by their duly

authorized officers.

WITNESSES:

**GREENWOOD COMMUNITIES AND
RESORTS, INC.**

Signature of Witness #1

By:
Its:

Signature of Notary Public

STATE OF SOUTH CAROLINA

)

)

COUNTY OF BEAUFORT

)

**UNIFORM ACKNOWLEDGMENT
S. C. CODE ANN. § 30-5-30 (SUPP. 2008)**

I, the undersigned Notary Public do hereby certify that _____ personally appeared before me on this day and, in the presence of the two witnesses above named, duly acknowledged the execution of the foregoing instrument on behalf of Greenwood Communities and Resorts, Inc.

Sworn to and Subscribed before me
on this _____ day of _____, 2014.

Notary Public for South Carolina
My Commission Expires:_____

**** Instructions for Execution:** *All signatures should be in blue ink.
ALL blanks must be filled in.
Grantor signs at line(s) 1)
Witness #1 signs at line 2)
Notary Public signs at line 3)
Notary Public signs at line 4) and affixes notary seal*

WITNESSES

**TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA**

By: Drew A. Laughlin, Mayor

Attest: Stephen G. Riley, ICMA-CM
Town Manager

STATE OF SOUTH CAROLINA

)

)

COUNTY OF BEAUFORT

)

ACKNOWLEDGMENT

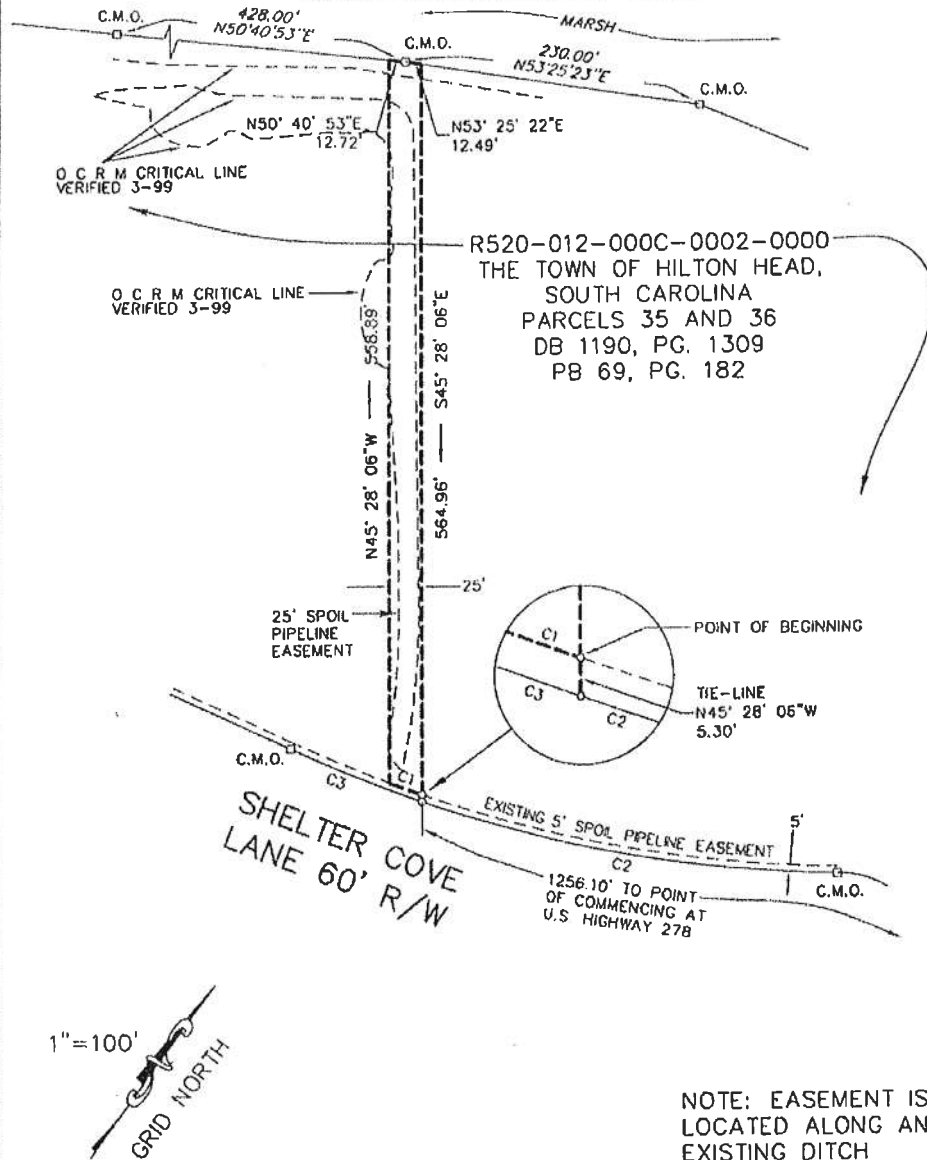
I, the undersigned Notary Public do hereby certify that Drew A. Laughlin and Stephen G. Riley personally appeared before me this day and, in the presence of the two witnesses above named, duly acknowledged the due execution of the foregoing instrument on behalf of the Town of Hilton Head Island, South Carolina.

Sworn to and Subscribed before me
on this ____ day of _____, 20__.

Notary Public for South Carolina
My Commission Expires:_____

EXHIBIT “A”
EASEMENT EXHIBIT

CURVE TABLE						
CURVE NO.	DELTA	ARC	RADIUS	TANGENT	CHORD DIR.	CHORD
C1	1°29'51"	26.65'	1019.77'	13.33'	S84°48'52"W	26.65'
C2	17°59'31"	321.80'	1024.77'	162.23'	N54°58'14"E	320.48'
C3	6°05'49"	109.05'	1024.77'	54.58'	N67°00'55"E	109.00'



A Bell Company
Hussey, Gay, Bell, & DeYoung, Inc.
Consulting Engineers
329 Commercial Drive P.O. Box 14247
Savannah, Georgia, 31416

EASEMENT EXHIBIT

25' SPOIL PIPELINE EASEMENT THROUGH PARCELS 35 AND 36, SHELTER COVE, PHASE 2, BEING LANDS OF THE TOWN OF HILTON ISLAND, SOUTH CAROLINA, PALMETTO DUNES RESORT, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA.

for
SHELTER COVE HARBOUR COMPANY
DATE: JUNE 4, 2013



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, *Town Manager*
VIA: Shawn Colin, *Deputy Director of Community Development*
FROM: Marcy Benson, *Senior Grants Administrator*
CC: Charles Cousins, *Director of Community Development*
DATE: November 4, 2014
SUBJECT: Resolution Supporting Bicycle Friendly Community Award Renewal Application

Recommendation: Staff recommends Town Council approve the attached resolution to support the Town's renewal application to the League of American Bicyclists for the Bicycle Friendly Community Award.

Summary: The League of American Bicyclists designated the Town of Hilton Head Island a Bicycle Friendly Community (BFC) at the Silver level in 2011 for a four year validity period. This designation is the highest level of any BFC in the state of South Carolina. This prestigious designation is a testimonial to the Town's commitment to provide outstanding community facilities to benefit residents and visitors. The wealth of multi-use pathways and the hard-pack sand beaches make bicycling an enjoyable island activity. Visitors are drawn to the ease of bicycling on the island and with an estimated 15,000 bicycles for rent at approximately 30 bicycle rental shops, bicycle availability is plentiful. These bicycling attributes coupled with the commitment to the environment and recreation opportunities established by the Town illustrate the importance of supporting the submission of the BFC Award Renewal Application in 2015.

Background: In 1987 the Town of Hilton Head Island adopted a Parks, Open Space and Recreation Resolution which referenced a natural links policy to connect and integrate the island's bikeways and public recreation facilities. As the Town developed, so did the Town's commitment to the environment and recreation opportunities.

In 1995 the Recreation and Open Space Plan was adopted as an appendix to the Town's Comprehensive Plan. This appendix included recommendations for trails and bicycle facilities to meet American Association of State Highway and Transportation Officials (AASHTO) standards; roadway widening projects to include accommodations for bicycle travel; and street intersections to be improved to accommodate bicycles. An individual Recreation Element was adopted and incorporated into the Town's Comprehensive Plan in 2005. As in the 1995 Recreation and Open Space Appendix this element included pathway recommendations.

There were 10.5 miles of Town constructed and maintained multi-use pathways in 1995. As of 2014 that number has grown by 590% to 62 miles of Town constructed and maintained multi-use pathways.

This increase of 51.5 miles of multi-use pathways in 19 years is a strong indicator of the commitment the Town of Hilton Head Island has to bicycling.

Since its formation in 2010 the Hilton Head Island Bicycle Advisory Committee has been comprised of a robust membership of local bicycle advocates, bicycle shop owners, Hilton Head Island-Bluffton Chamber of Commerce staff and Town staff. This group continuously advocates and supports bicycle safety and education, pathway infrastructure, annual bicycle events and has established a seasonal Bike Ambassador Program.

Hilton Head Island Bicycle Advisory Committee members have conducted and participated in League of American Bicyclist supported bicycle safety classes, which promote bicycle and motor vehicle awareness. Since May 2013 the Hilton Head Island-Bluffton Chamber of Commerce has sponsored a Bike-N-Dine Week with area restaurants in conjunction with National Bike Month. In May 2013 Town staff began coordinating and supporting the annual Community Beach Bike Ride to celebrate the start of National Bike Month and saw more than 100% increase in participants between the first and second years. Members of the Hilton Head Island Bicycle Advisory Committee have coordinated bicycle parking at several local events, such as the Heritage Golf Tournament and the Concourse d'Elegance which assisted in alleviating parking congestion during these community events.

Most notably and in response to a League of American Bicyclist recommendation, the Hilton Head Island Bicycle Advisory Committee initiated a Bike Ambassador Program in 2013. Local volunteers have dedicated time annually at the Heritage Golf Tournament and from June through August pedaling the Town's pathway system manned with pathway maps and a first aid kit helping visiting bicyclists who may have questions, or need assistance. Approximately 30 bike ambassador volunteers participated in training sessions before being assigned ambassador shifts on Sundays and Mondays during the program times.

Bearing in mind the strides the Town of Hilton Head Island has made since being designated a Bicycle Friendly Community at the Silver level the continuation of this prestigious award designation will provide not only a competitive advantage when promoting Hilton Head Island as a vacation destination but also maintain and enhance the Town's leadership as a bicycle friendly destination.

These many bicycle related accomplishments illustrate the importance of supporting the submission of the BFC Award Renewal Application in 2015.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA TO SUPPORT THE TOWN'S RENEWAL
APPLICATION TO THE LEAGUE OF AMERICAN BICYCLISTS FOR THE BICYCLE
FRIENDLY COMMUNITY AWARD**

WHEREAS, the Town of Hilton Head Island in 1987 adopted a Parks, Open Space, and Recreation Resolution which references a natural links policy to connect and integrate the island's bikeways and public recreation facilities; and

WHEREAS, the 1995 Recreation and Open Space Plan was adopted as an appendix to the Town's Comprehensive Plan and included recommendations for trails and bicycle facilities to meet AASHTO standards; roadway widening projects to include accommodations for bicycle travel; and street intersections be improved to accommodate bicycles; and

WHEREAS, the Recreation Element, including pathway recommendations, was adopted as an element to the Comprehensive Plan in 2005 and revised in the 2010 Comprehensive Plan update; and

WHEREAS, the number of miles of Town constructed and maintained multi-use pathways has increased from 10.5 miles in 1995 to 62 miles in 2014; and

WHEREAS, the Hilton Head Island Bicycle Advisory Committee in conjunction with the Town of Hilton Head Island and the Hilton Head Island-Bluffton Chamber of Commerce has promoted bicycling education and awareness through annual bicycle events and a seasonal bike ambassador program; and

WHEREAS, the Town of Hilton Head Island is a vacation destination where visitors enjoy bicycling on pathways and the beach; and

WHEREAS, Hilton Head Island residents increasingly ride bicycles for pleasure, exercise and a means of commuting to and from work; and

WHEREAS, the League of American Bicyclists designated the Town of Hilton Head Island a Bicycle Friendly Community at the Silver level in 2011 for a four year validity period.

NOW THEREFORE, BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA DOES HEREBY SUPPORT THE RENEWAL APPLICATION TO THE LEAGUE OF AMERICAN BICYCLISTS FOR THE BICYCLE FRIENDLY COMMUNITY AWARD.

MOVED, APPROVED AND ADOPTED THIS 19TH DAY OF NOVEMBER, 2014.

Drew A. Laughlin, Mayor

Victoria L. Pfannenschmidt, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Scott Liggett, *Director of Public Projects & Facilities*
FROM: Nicole Dixon, CFM, *Senior Planner*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: November 5, 2014
SUBJECT: Rowing and Sailing Center at Squire Pope Community Park – Master Plan Amendment

Recommendation: Staff recommends that the Master Plan for the Rowing and Sailing Center at Squire Pope Community Park be amended to include a covered boat storage shed within the fenced storage yard.

The Public Facilities Committee met on November 5, 2014 to review the proposed Master Plan Amendment and voted 3-0 to recommend that Town Council approve the amendment.

The Parks and Recreation Commission reviewed the amendment at their meeting on October 9, 2014 and voted unanimously to recommend approval to Town Council.

Summary: The Town owns the property known as the Rowing and Sailing Center at Squire Pope Community Park. The park is currently under construction, with an estimated completion date of November 2014. The Hilton Head Island Crew, which operates under the Palmetto Rowing Club, is proposing to fund and construct a covered boat storage shed within the fenced storage yard to provide shelter for rowing shells, oars, small sailing vessels and other equipment. Once constructed, the Town will take over ownership and maintenance of the structure. It is anticipated that the Palmetto Rowing Club will pay an annual fee towards the maintenance of the proposed structure.

Background: On August 3, 2010, Town Council unanimously approved to allocate funds in fiscal year 2011 capital improvement budget to clean-up the proposed sailing and rowing center site, directed staff to apply for a DHEC/OCRM dock permit and designated funding in the 2012 capital improvement budget for site design and construction. A Master Plan exhibit along with a list of proposed park elements was reviewed and approved at this meeting.

The minimum elements identified for the facility were:

1. Demolish existing pier and site clean up
2. Install new replacement pier
3. Floating sail boat dock
4. Fenced boat storage area
5. Community pavilion
6. Restrooms
7. Gravel parking spaces
8. Access gate
9. Paved drive aisle and modified hammerhead turn-around area

The attached Master Plan has been revised to illustrate the proposed covered boat storage shed, and to reflect, more accurately, the locations of the elements listed above as they are currently being constructed.



REV. NO.	DESCRIPTION	DATE
1	ADD BOAT STORAGE SHED	09/17/14
	REVISIONS	

TOWN OF HILTON HEAD ISLAND
 Dept. of Public Projects & Facilities
 Engineering Division

RELEASED FOR	DATE
APPROVALS	
BIDDING	
CONSTRUCTION	
RECORD DWG.	



TOWN OF HILTON HEAD ISLAND
 ROWING & SAILING CENTER

CONCEPTUAL LAYOUT

SHEET
1
OF 1

MEMORANDUM

TO: Stephen G. Riley, ICMA-CM, Town Manager

FROM: Scott Liggett /Director Public Projects & Facilities

DATE: November 5, 2014

RE: **Proposed scope revision – Island-wide Beach Renourishment Project (2015)**

Recommendation

Staff recommends that Town Council revise its previous endorsement and recommendation for the direct placement of sand as part of our next Island-wide Beach Renourishment Project. An additional area for sand placement is necessary along a limited reach of Port Royal Sound shoreline from Fish Haul Creek to a point northwest of the Town's Mitchellville Beach Park property. Please see the attached memorandum from Olsen Associates and a revised map depicting the areas proposed for renourishment.

Summary

The recommendation for the placement of sand is driven by need, considering collectively, three performance indicators:

- Beach Width
- Rate of Shoreline Recession
- Rate of Volumetric Sand Loss

The recommendations contained herein, come as a result current or expected narrow beach conditions and high rates of shoreline recession and volumetric sand loss which can be mitigated with the placement of sand. Conversely, areas falling outside the limits described above are the result of a lack of compelling current or expected conditions in one or more of the indicators through the expected design life of the project in question (7-10 years).

Background

The design of the upcoming beach renourishment project is underway. As has been the case with previous projects, the technical "need" for the proposed sand placement has been driven by the cumulative performance of the prior projects as evidenced in our semi-annual beach condition surveys, accompanying reports, while considering a reasonable use of the finite compatible sediments within our near-shore shoal features and budgetary constraints.

While we have continuously monitored 13 miles of our beachfront for the last 28 years, slightly more than half, just less than 8 miles has fallen within the limits of previous fill projects. This has resulted in the direct placement of sand essentially along the same oceanfront shoreline reach, three times. With the maturity of our Beach Management Program comes the ability to analyze beach conditions using specific measurable performance indicators. One of the goals of our

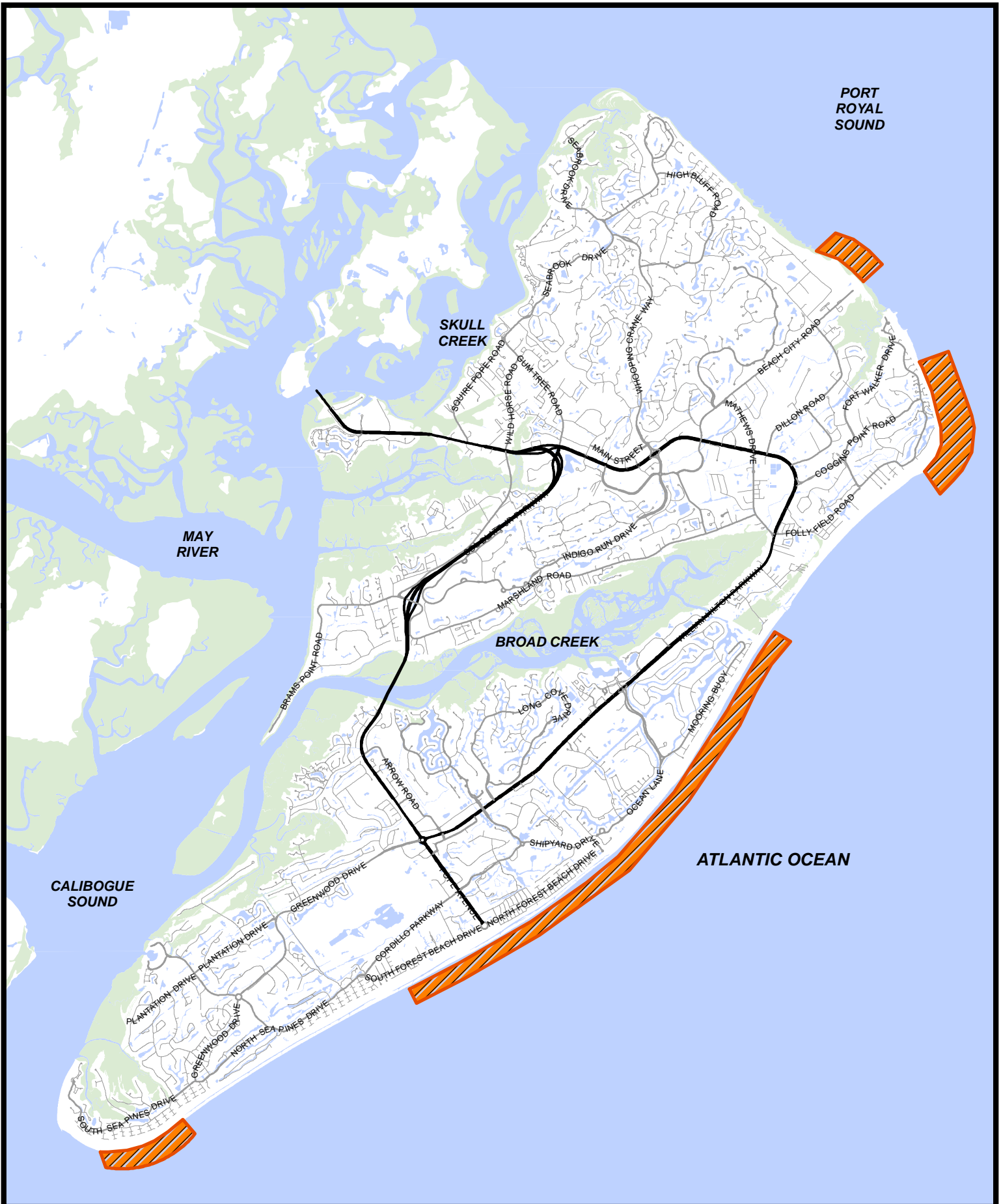
management techniques is to provide a “minimum beach condition” in order to maximize recreational opportunities, natural resource and habitat conditions and storm protection. However, no such quantitative standard has been adopted by the Town.

With the complementary use of these indicators, we can confirm, that as with past projects, the critical segment lies centrally along our open ocean shoreline; more or less between North Forest Beach and the Marriott Resort and Spa in Palmetto Dunes.

Similar to conditions in 2006, just north of the Folly, virtually all of the sand volume placed in 2006 remains. No material shoreline recession has occurred and this shoreline reach stands to benefit indirectly from sand placed along the Port Royal Plantation shoreline in early 2012. Thus, no sand is proposed for placement here.

Along Port Royal Sound, a portion of the reach that was restored in 1997 is proposed to be filled. This includes the portion of shoreline made part of our on-going Ocean Point Project.

Lastly, a portion of shoreline originally restored in 2006 north of Fish Haul Creek adjacent to the Town’s Fish Haul and Mitchellville Beach Parks and the Spa on Port Royal Sound is proposed to be filled.



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-4600

August 28, 2013
Updated: October 24, 2014
Project: BeachRenourishment_2013.mxd

Town of Hilton Head Island Beach Renourishment Fill Placement Areas

2,900 1,450 0 2,900 5,800 8,700 Feet

1 inch = 7,000 feet




The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses arising from the use of the map.

MEMORANDUM

Date: October 28, 2014

To: Scott P. Liggett, P.E.
Town of Hilton Head Island
Director of Public Projects and Facilities and Chief Engineer

From: Christopher G. Creed, P.E. 

Re: Town of Hilton Head Island
Beach Condition Summary and Recommendations for Fish Haul/Spa Shoreline



This memo presents a summary of current shoreline and beach conditions for a portion of the Port Royal Sound shoreline north of Fish Haul Creek including the reach of shoreline seaward of Fish Haul Park, The Spa on Port Royal Sound, and Mitchelville Beach Park that was originally restored in 2006, also known as the 'Fish Haul/Spa' shoreline. The purpose of this memo is to present a summary of current beach conditions, expected future conditions, and recommended action options to address an ongoing shoreline erosion project along this reach of shoreline. The review of beach conditions and possible action options focuses on four principal beach condition parameters. These are (1) the 2006 post-project beach conditions, (2) shoreline change rate, (3) beach volume change rate, and (4) beach width. It is anticipated that future action will be necessary along this reach of shoreline where the combined effects of narrowed beach widths and high shoreline change rates have resulted, or will result, in areas with problematic beach widths. Further, there does not appear to be sufficient sand volumes to the south of the area that could contribute to the natural recovery of suitable beach conditions over the next 5 to 10 years. More specific details of the beach conditions, future expectations, and possible project actions are discussed below.

2006 Fish Haul/Spa Beach Restoration and Stabilization Project. In the fall of 2006, the Town of Hilton Head Island implemented a shoreline restoration and stabilization project along approximately 2,400 feet of shoreline immediately north of Fish Haul Creek (**Figure 1**). The project included the placement of approximately 101,000 cy of sand from the Joiner Shoals offshore borrow area and construction of six detached breakwaters. Subsequently, the Town installed marsh grass plantings leeward of the six breakwaters as required by project permits across about 30,000 square feet of the intertidal flat.

The project increased the sand volume along the beach by 35 to 60 cy/ft, or about 45 cy/ft on average. This increased the beach width by between 120 and 200 feet, or about 160 feet, on average.

Shoreline and Beach Volume Change. Since completion of the Fish Haul/Spa restoration and stabilization project in 2006, the shoreline has experienced significant change that has consisted mostly of sand loss from within the project limits.

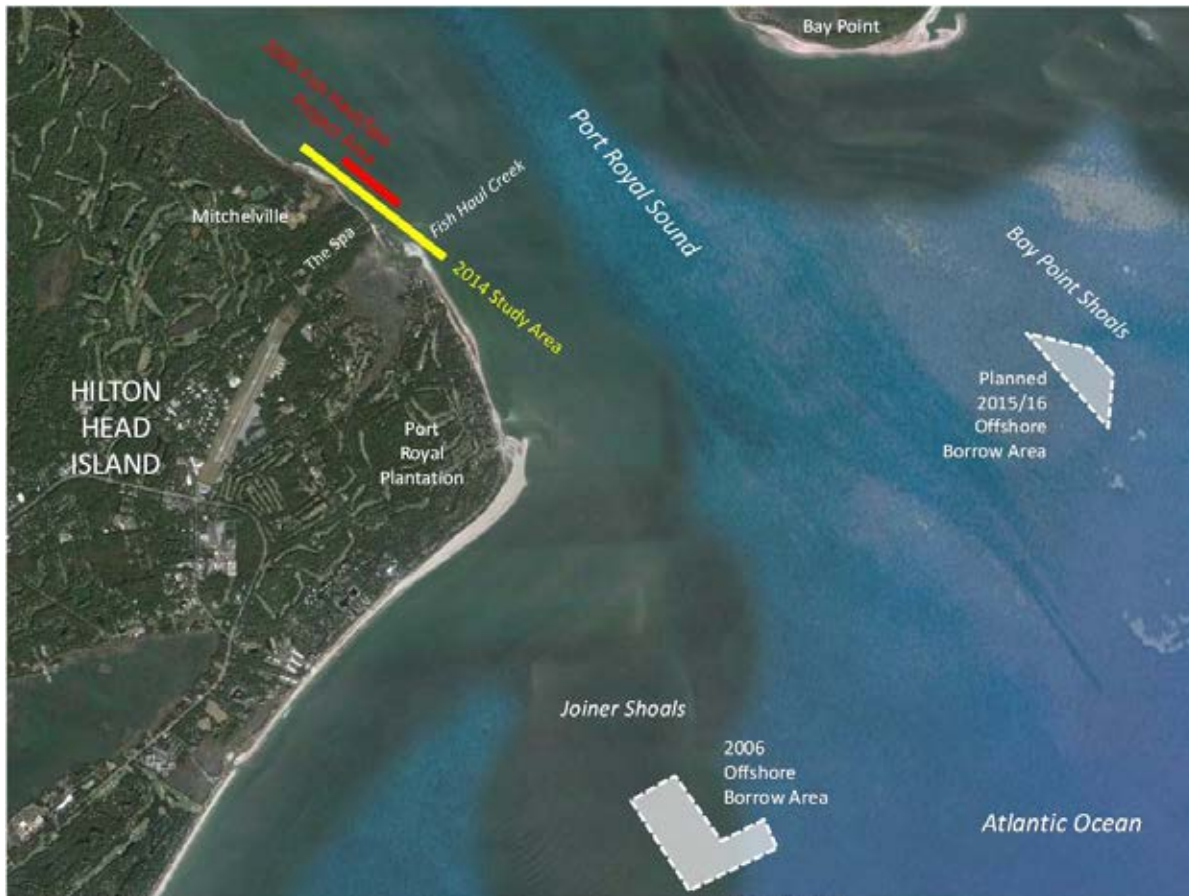


Figure 1: Location map of study area and 2006 Fish Haul/Spa project area.

Figure 2 illustrates shoreline and beach conditions along the Fish Haul/Spa project shoreline before, immediately after, and 7.5 years after completion of the 2006 project. The top panel shows conditions prior to construction (January 2005); the middle panel shows conditions immediately following construction (March 2007); and the bottom panel shows the conditions as of May 2014. Also shown overlaying the aerial images are lines representing the vegetation line as of the 2005 aerial and the wrack line as of the 2007 aerial. Both the vegetation line and wrack line can be considered rough estimates of the approximate shoreline location at the time of the photography. The figure demonstrates the shoreline widening effect of the 2006 project and the location of most significant sand losses since completion of that project.

As expected, most sand losses have been from the northern half of the project shoreline. This is principally due to the influence of the strong south to north net alongshore transport potential along this reach of shoreline and the shore-stabilizing effects of the six breakwaters and extensive marsh grass areas along the southern half of the project. It also appears that most of the sand loss from the project area has deposited north of the project area and continues to migrate northward, which again is an indicator of the south to north transport potential along this reach of shoreline.



Figure 2: Shoreline change along the Fish Haul/Spa shoreline segment of Hilton Head Island.

Tables 1 and 2 summarize the volume changes that have occurred along the 2006 Fish Haul/Spa project shoreline over two periods. The first, from March 2007 to April 2014, spans the entire post-construction monitoring period and, correspondingly, includes the significant post-construction changes associated with fill equilibration, both planform and cross-shore. The second, from May 2008 to April 2014, spans from a point in time after the majority of equilibration had likely occurred to the most recent survey. Of importance to future management of this shoreline is the expected annualized rate of change following sand placement. For the inter-survey period from March 2007 to April 2014, the annual rate of loss within the project area (FH-04 to FH-13) was about -8,200 cy/yr. For the period from May 2008 to April 2014, the annual rate of loss within the project area was about -6,100 cy/yr. Extrapolating these rates over the period between October 2006 and October 2014 (i.e., 8 years), suggests the project area may have lost between about 48,800 and 65,600 cy of sand, or between 49 and 66 percent of the volume placed, since completion of construction in 2006.

Figure 3 depicts the Mean High Water (MHW, +3.72' NGVD29) shoreline change over the post-construction period. The top panel shows the MHW shoreline position relative to the September 2006 (pre-project) condition, while the lower panel shows the annualized shoreline change rates over the same time periods as used in **Tables 1 and 2** (March 2007 to April 2014 and May 2008 to April 2014). Of particular note is the area of the shoreline that has very narrow beach conditions (less than 50 ft), including FH-10 and FH-11 in particular, which are at or landward of the pre-project condition. The lower panel shows that MHW shoreline erosion rates across most of the project shoreline are on the order of -20 ft/yr and as high as -30 ft/yr. Although the erosion is expected to continue as it reaches the higher elevation upland areas, this loss is not expected to be maintained at as high a rate as observed during the loss of fill sand. Some reduction in the erosion rate is expected to occur. Such erosion, however will impact areas with heavy organic cover including established trees and shrubs.

Construction of the breakwaters and installation of marsh plantings have served to mostly stabilize the southern half of the 2006 project area. However, there has been some loss of sand from this area since construction (comparing the middle and lower panel), particularly between beach monitoring stations FH-5 and FH-9. The beach is particularly narrow between beach monitoring stations FH-6 and FH-7. It is believed that current breakwater and grass conditions could support wider beach conditions along this reach of shoreline.

Table 1: Total and annualized volume change along the Fish Haul/Spa shoreline segment from March 2007 (post-construction) to April 2014.

March 2007 to April 2014		Reach Distance (ft)		Volume Density Change		Volume Change		Cumulative Volume Change	
Monument	Monument Range	Between Stations	Along- shore	Total Change (cy/ft)	Annualized Change (cy/ft/yr)	Total Change (cy)	Annualized Change (cy/yr)	Total Change (cy)	Annualized Change (cy/yr)
FH01			0	10.0	1.4			0	0
	FH01 to FH02	250				1,260	180		
FH02			250	0.1	0.0			1,260	180
	FH02 to FH03	250				1,220	170		
FH03 (HI33)			500	9.7	1.4			2,480	350
	FH03 to FH04	250				2,790	390		
FH04			750	12.7	1.8			5,270	740
	FH04 to FH05	250				1,050	150		
FH05			1,000	-4.3	-0.6			6,320	890
	FH05 to FH06	250				-3,820	-540		
FH06			1,250	-26.2	-3.7			2,500	350
	FH06 to FH07	250				-5,640	-800		
FH07			1,500	-18.9	-2.7			-3,140	-450
	FH07 to FH08	250				-5,150	-730		
FH08			1,750	-22.3	-3.1			-8,290	-1,180
	FH08 to FH09	250				-7,090	-1,000		
FH09 (HI34)			2,000	-34.4	-4.9			-15,380	-2,180
	FH09 to FH10	250				-11,190	-1,580		
FH10			2,250	-55.1	-7.8			-26,570	-3,760
	FH10 to FH11	250				-12,720	-1,800		
FH11			2,500	-46.7	-6.6			-39,290	-5,560
	FH11 to FH12	250				-9,100	-1,280		
FH12			2,750	-26.1	-3.7			-48,390	-6,840
	FH12 to FH13	250				-4,510	-640		
FH13			3,000	-10.0	-1.4			-52,900	-7,480
	FH13 to FH14	250				-80	-10		
FH14 (HI35)			3,250	9.3	1.3			-52,980	-7,490

Fish Haul/Spa Shoreline

Beach Fill Segment

Table 2: Total and annualized volume change along the Fish Haul/Spa shoreline segment from May 2008 (approximate post-equilibration) to April 2014.

May 2008 to April 2014		Reach Distance (ft)		Volume Density Change		Volume Change		Cumulative Volume Change	
Monument	Monument Range	Between Stations	Along- shore	Total Change (cy/ft)	Annualized Change (cy/ft/yr)	Total Change (cy)	Annualized Change (cy/yr)	Total Change (cy)	Annualized Change (cy/yr)
FH01			0	10.6	1.8			0	0
	FH01 to FH02	250				2,640	450		
FH02			250	10.5	1.8			2,640	450
	FH02 to FH03	250				2,140	360		
FH03 (HI33)			500	6.6	1.1			4,780	810
	FH03 to FH04	250				2,060	350		
FH04			750	9.9	1.7			6,840	1,160
	FH04 to FH05	250				2,150	360		
FH05			1,000	7.3	1.2			8,990	1,520
	FH05 to FH06	250				-1,430	-240		
FH06			1,250	-18.7	-3.2			7,560	1,280
	FH06 to FH07	250				-3,700	-630		
FH07			1,500	-10.8	-1.8			3,860	650
	FH07 to FH08	250				-3,090	-520		
FH08			1,750	-13.9	-2.4			770	130
	FH08 to FH09	250				-3,590	-610		
FH09 (HI34)			2,000	-14.8	-2.5			-2,820	-480
	FH09 to FH10	250				-6,170	-1,040		
FH10			2,250	-34.6	-5.8			-8,990	-1,520
	FH10 to FH11	250				-8,840	-1,490		
FH11			2,500	-36.2	-6.1			-17,830	-3,010
	FH11 to FH12	250				-7,480	-1,260		
FH12			2,750	-23.7	-4.0			-25,310	-4,270
	FH12 to FH13	250				-4,070	-690		
FH13			3,000	-8.9	-1.5			-29,380	-4,960
	FH13 to FH14	250				-450	-80		
FH14 (HI35)			3,250	5.3	0.9			-29,830	-5,040

Fish Haul/Spa Shoreline

Beach Fill Segment

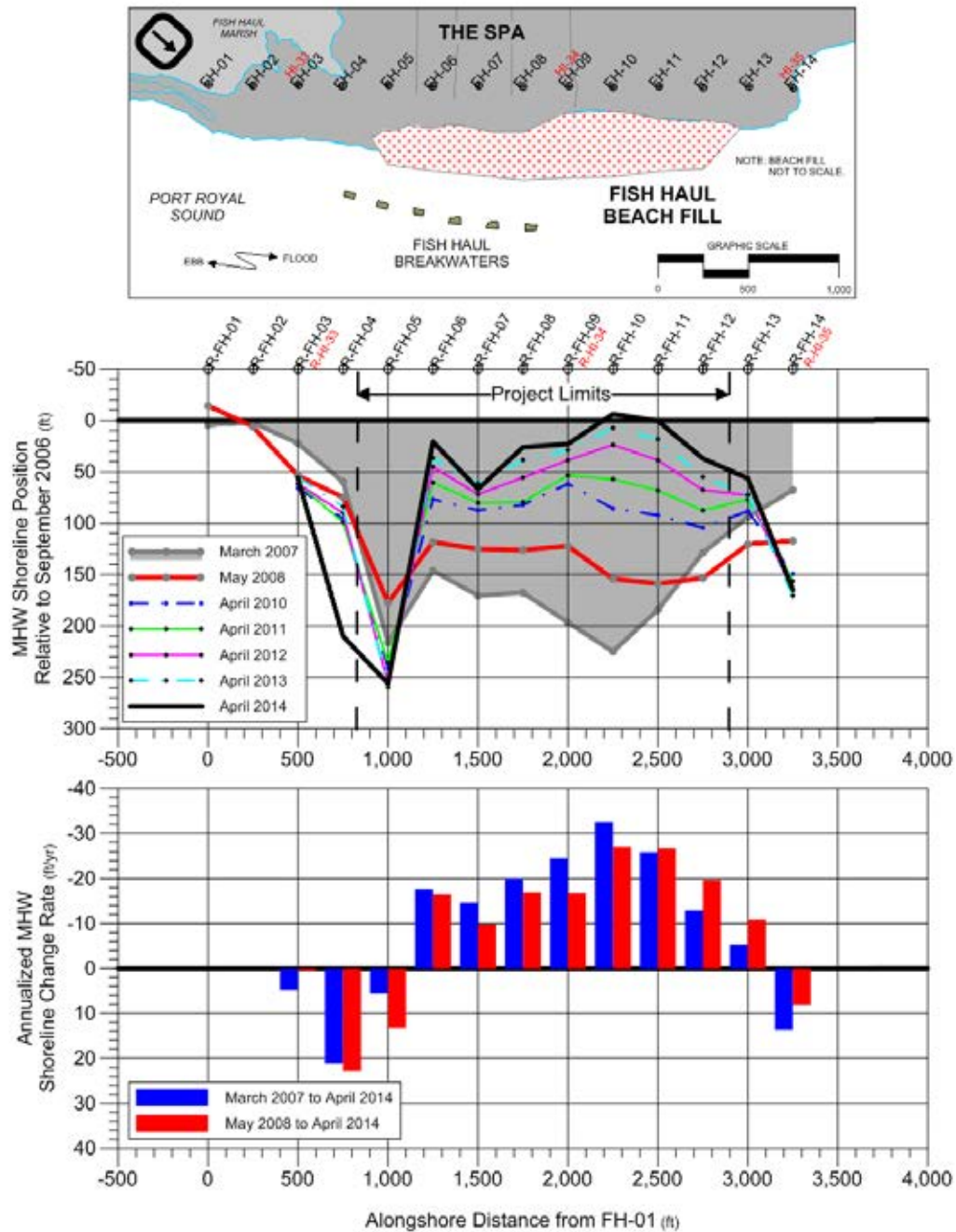


Figure 3: Shoreline positions and change rates along the Fish Haul/Spa project shoreline (2007-2014).

Current Beach Condition. Current beach conditions along the 2006 Fish Haul/Spa project shoreline and adjacent areas vary significantly. Within the project area (**Figures 2 and 4**), the remnants of the 2006 project remain along the southern 300 to 400 feet of shoreline. Immediately north thereof, in the lee of the northernmost 4 breakwaters, some of the original project sand volume remains but beach widths have decreased to levels such that some sand placement would improve conditions for both recreational use and shoreline protection. Along the northern half of the project area, almost all of the project related beach width improvement has been eliminated due to the sand losses from that area. Most of the material lost from the project shoreline has been transported northward to the area immediately beyond the northern project limits. North of the project, beach widths have increased since 2006 due to the movement of sand into that area.

It is noted that south of Fish Haul Creek a large sand spit is migrating northward and contributing to a large reconfiguration of the creek itself and the leeward shoreline along the Fish Haul/Spa area (**Figure 4**). This sand spit is similar to other large sand features that have migrated from north to south along this shoreline. Historical aerial photographs from the 1950's through the 1970's capture a similar feature. These sand spits, or sand waves, typically migrate from south to north often resulting in large fluctuations in beach widths. As seen in the past, the beach widths will increase as the wave approaches and subsequently decrease following its passage. Based upon review of historical aerial photos, the rate of movement of the sand waves and effects to any particular area of shoreline can range from years to decades. It is expected that the approaching sand spit south of Fish Haul Creek will eventually migrate to the Fish Haul/Spa shoreline, but it is not expected that any benefit of this event will be realized prior to the development of problematic beach conditions along the northernmost area of the Fish Haul/Spa project shoreline.

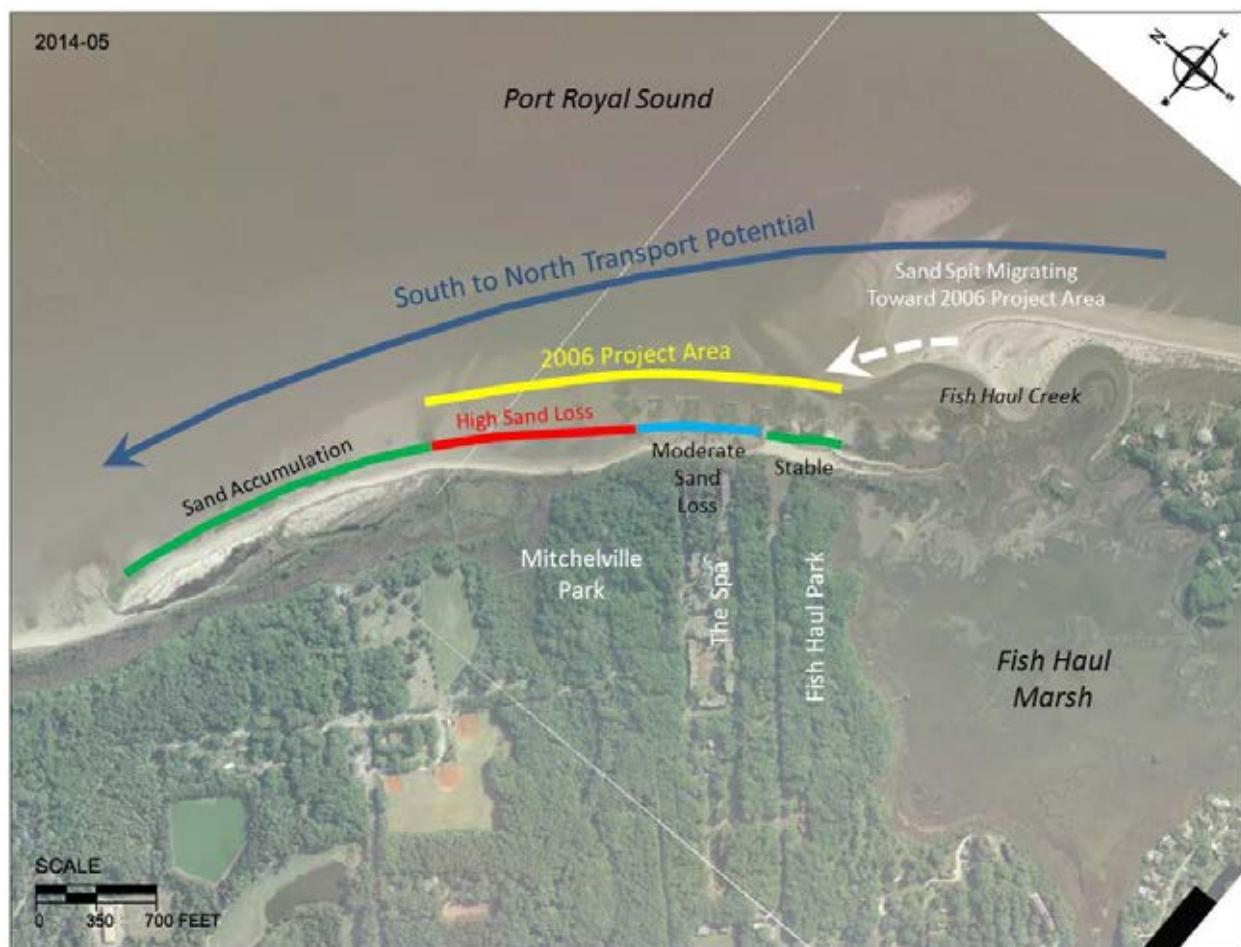


Figure 4: Summary of shoreline conditions and changes that have occurred since the 2006 Fish Haul/Spa shoreline restoration and stabilization project.

Recommendation. It is recommended that action by the Town of Hilton Head Island will be necessary to address the recent sand losses from the Fish Haul/Spa project shoreline and the expected continued erosion rates there along. Two approaches that should be considered by the Town include (1) direct sand placement from either an offshore borrow area or an upland sand mine and/or (2) the relocation of Fish Haul Creek to its historically more southern location (**Figure 5**). The latter would effectively release a large portion of the migrating sand spit from the shoreline south of Fish Haul Creek and accelerate the movement of that sand feature to the Fish Haul/Spa shoreline. Prior to pursuing either of these projects, consultations with the resource agencies and an evaluation of the expected performance and possible adverse effects to the coastal environment should be conducted.

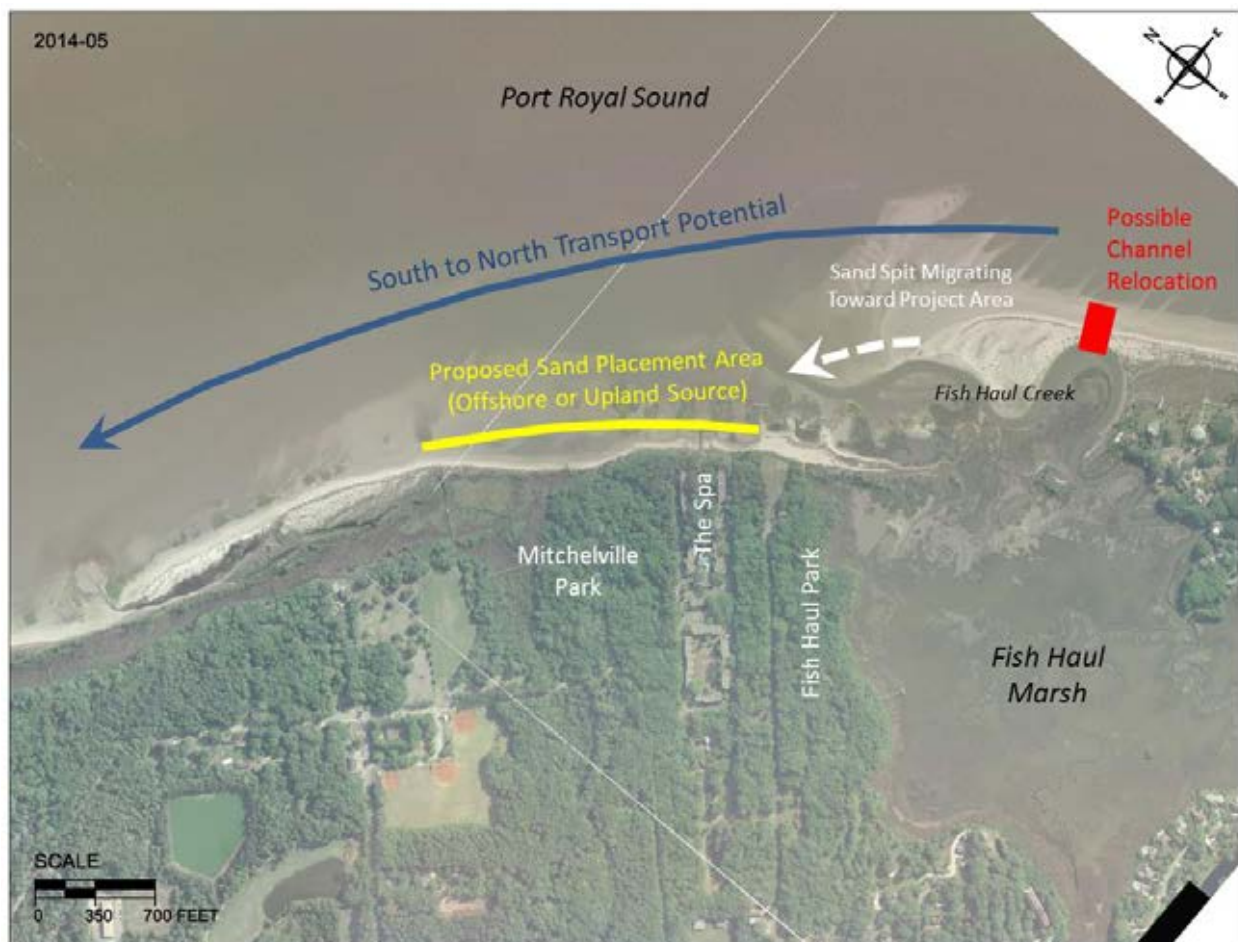


Figure 5: Summary of possible project actions to consider for future management of the Fish Haul/Spa shoreline.