



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

**September 15, 2015**

**4:00 P.M.**

**BENJAMIN M. RACUSIN COUNCIL CHAMBERS**

**AGENDA**

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**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 distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5) Proclamations and Commendations**
  - a. Mayor's Honored Islander Awards
    - Logan Fettes
    - Marv Lich
    - Tim Drake
- 6) Approval of Minutes**
  - a. Town Council Public Hearing/Special Meeting, August 12, 2015
- 7) Report of the Town Manager**
  - a. MASC Presentation of the Joseph P. Riley, Jr. Award for Economic Development for the Mall at Shelter Cove
  - b. Semi-Annual Update of the Parks and Recreation Planning Commission - Heather Rath, Chairman
  - c. Quarterly Update of the Economic Development Corporation - Don Kirkman
  - d. Proposed 2016 Town Council Meeting Dates
  - e. Town Manager's Items of Interest
    - (1) Town News
    - (2) Noteworthy Events
- 8) Reports from Members of Council**
  - a. General Reports from Council
  - b. Report of the Intergovernmental Relations Committee – Bill Harkins, Chairman

- c. Report of the Community Services Committee – Kim Likins, Chairman
  - d. Report of the Public Planning Committee – Tom Lennox, Chairman
  - e. Report of the Public Facilities Committee – Lee Edwards, Chairman
  - f. Report of the Public Safety Committee - Marc Grant, Chairman
  - g. Report of the Finance and Administrative Committee - John McCann, Chairman
  - h. Report of the Circle to Circle Committee - Tom Lennox, Town Council Liaison
- 9) **Appearance by Citizens**
- 10) **5:30 P.M. – PUBLIC HEARING – Proposed Addendum #1 to that certain Amended and Restated Development Agreement dated November 19, 2014 between Shelter Cove Towne Centre, LLC, and the Town of Hilton Head Island**
- 11) **Unfinished Business**
- a. **Second Reading of Proposed Ordinance 2015-18**  
 Second Reading of Proposed Ordinance 2015-18 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map and the Palmetto Dunes Resort Master Plan with respect to the certain parcels identified as Parcel 7, on Beaufort County Tax Map #12C, and an approximately 4.4 acre portion of Parcel 2 on Beaufort County Tax Map #12C, within the Palmetto Dunes Resort Master Plan under the PD-1 Planned Development Mixed Use District, to amend the associated uses and densities for Parcel 7, Tax Map #12C to community park and 120-150 multi-family dwelling units; and the portion of Parcel 2, Tax Map #12C to 80-120 multi-family dwelling units and community park; provided the aggregate total of multi-family units does not exceed 240 total and providing for severability and an effective date.
  - b. **Second Reading of Proposed Ordinance 2015-17**  
 Second Reading of Proposed Ordinance 2015-17 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the execution of Addendum #1 to that certain 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 previously known as the Mall at Shelter Cove and surrounding property, 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 2015-20**  
 Second Reading of Proposed Ordinance 2015-20 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the sale of real property owned by the Town of Hilton Head Island, South Carolina, to Shelter Cove II, LLC, in exchange for land to be conveyed to the Town of Hilton Head Island, South Carolina and owned by Shelter Cove II, LLC, in conjunction with Addendum #1 to that certain Amended and Restated Development Agreement, 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 2015-21**

Second Reading of Proposed Ordinance 2015-21 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the establishment of covenants and restrictions on real property in conjunction with Addendum #1 to that certain Amended and Restated Development Agreement, 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.

**12) New Business**

**a. First Reading of Proposed Ordinance 2015-16**

First Reading of Proposed Ordinance 2015-16 of the Town of Hilton Head Island, South Carolina, to amend Title 2 General Government and Administration of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Meetings of Council and Rules of Procedure) Section 2-5-50, Agenda and Order of Business; and providing for severability and an effective date.

**b. First Reading of Proposed Ordinance 2015-19**

First Reading of Proposed Ordinance 2015-19 to adopt an updated Town of Hilton Head Island Design Guide, and providing for severability and an effective date.

**c. Consideration of a Resolution – United Way Thermometer Signs**

Consideration of a Resolution by the Town Council of the Town of Hilton Head Island approving the increase in display time of the four official United Way of the Lowcountry thermometer signs during its annual fundraising campaign.

**d. Sewer Service Initiative – Year One Budget Amendment Recommendation**

**13) Executive Session**

**a. Land Acquisition**

Discussion of negotiations incident to the proposed sale, lease or purchase of property:

1. related to a lease for the Hilton Head PSD Aquifer Storage Site.
2. related to a parcel along Dunnagans Alley.
3. related to a parcel near the corner of US 278 and Wild Horse Road.
4. related to parcels on Palmetto Bay Road.
5. related to a parcel in the Mitchelville area.
6. related to leases at the Carolina Office Park.

**b. Contractual Matters**

Discussion of negotiations incident to proposed contractual arrangements:

1. related to Palmetto Hall/Town/County MOU

**c. Personnel Matters**

Discussion regarding the Town Attorney Annual Performance Review.

**14) Adjournment**

# *Honored Islander Award*

*presented to*

***Logan Fettes***

*In recognition and appreciation for outstanding volunteer service and  
personal commitment towards the betterment of our community.*

*Presented this 15th day of September, 2015*

*Mayor David Bennett*



# *Honored Islander Award*

*presented to*

***Marv Lich***

*In recognition and appreciation for outstanding volunteer service and  
personal commitment towards the betterment of our community.*

*Presented this 15th day of September, 2015*

*Mayor David Bennett*



# *Honored Islander Award*

*presented to*

***Tim Drake***

*In recognition and appreciation for outstanding volunteer service and personal commitment towards the betterment of our community.*

*Presented this 15th day of September, 2015*

*Mayor David Bennett*

**THE TOWN OF HILTON HEAD ISLAND**  
**TOWN COUNCIL PUBLIC HEARING/SPECIAL MEETING**

**Date:** Tuesday, August 12, 2015

**Time:** 5:00 P.M.

**Present from Town Council:** David Bennett, *Mayor*; Bill Harkins, *Mayor Pro Tem*, Lee Edwards (arrived at 5:10 p.m.), Marc Grant, Tom Lennox, Kim Likins, John McCann, *Council Members*

**Present from Town Staff:** Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Heather Colin, *Development Review Administrator*; Brian Hulbert, *Staff Attorney*; John Valvo, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*

**Present from Media:** Zach Murdock, Island Packet

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**1) Call to Order**

Mayor Bennett called the meeting to order at 5:04 p.m.

**2) Pledge to the Flag**

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

**4) Approval of Minutes**

**a. Town Council Meeting, August 4, 2015**

Mr. Lennox stated that page 5 of 7 the minutes should be corrected by changing the East #3 parcel reference to the East #2 parcel. All concurred. Mr. Harkins moved to approve the minutes as corrected. Mr. McCann seconded. The amended minutes of the August 4, 2015 Town Council meeting were approved by a vote of 6-0. (Mr. Edwards was not present for the vote.)

**5:00 P.M. – PUBLIC HEARING – Proposed Addendum #1 to that certain Amended and Restated Development Agreement dated November 19, 2014 between Shelter Cove Towne Centre, LLC, and the Town of Hilton Head Island**

Mayor Bennett opened the public hearing noted above and invited Mr. John Lee of Blanchard and Calhoun to speak. Mr. Lee explained that they took the requests made by Council at the August 4 meeting and incorporated the changes into the agreement. He added that they will continue the pathway from Veterans Memorial Park to the East #2 site. Mr. Harkins asked for the record if the pathway would be of similar size, quality and materials as the existing pathway. Mr. Lee said yes.

Mayor Bennett invited members of the public to speak. There were no requests.

Mayor Bennett read the following statement:

*The Town of Hilton Head Island Town Council will hold a third Public Hearing on a proposed Amendment #1 to the Amended and Restated Development Agreement between the Town of Hilton Head Island and Shelter Cove Towne Centre, LLC at 5:30 p.m., Tuesday, September 15, 2015, in the Benjamin M. Racusin Council Chambers and Town Hall.*

Mayor Bennett closed the public hearing at 5:12 p.m.

**5) Unfinished Business**

None.

**6) New Business**

**a. First Reading of Proposed Ordinance 2015-18**

First Reading of Proposed Ordinance 2015-18 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map and the Palmetto Dunes Resort Master Plan with respect to the certain parcels identified as Parcel 7, on Beaufort County Tax Map #12C, and an approximately 4.4 acre portion of Parcel 2 on Beaufort County Tax Map #12C, within the Palmetto Dunes Resort Master Plan under the PD-1 Planned Development Mixed Use District, to amend the associated uses and densities for Parcel 7, Tax Map #12C to community park and 120-150 multi-family dwelling units; and the portion of Parcel 2, Tax Map #12C to 80-120 multi-family dwelling units and community park; provided the aggregate total of multi-family units does not exceed 240 total and providing for severability and an effective date.

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

**b. First Reading of Proposed Ordinance 2015-17**

First Reading of Proposed Ordinance 2015-17 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the execution of Addendum #1 to that certain 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 previously known as the Mall at Shelter Cove and surrounding property, 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. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

**c. First Reading of Proposed Ordinance 2015-20**

First Reading of Proposed Ordinance 2015-20 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the sale of real property owned by the Town of Hilton Head Island, South Carolina, to Shelter Cove II, LLC, in exchange for land to be conveyed to the Town of Hilton Head Island, South Carolina and owned by Shelter Cove II, LLC, in conjunction with Addendum #1 to that certain Amended and Restated Development Agreement, 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. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.



**d. First Reading of Proposed Ordinance 2015-21**

First Reading of Proposed Ordinance 2015-21 of the Town Council for the Town of Hilton Head Island, South Carolina, authorizing the establishment of covenants and restrictions on real property in conjunction with Addendum #1 to that certain Amended and Restated Development Agreement, 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. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

**e. Performance Evaluation and Compensation of the Town Manager**

Mr. McCann stated that after conducting a review of the Town Manager's performance during the past year, July 1, 2014 through, June 30, 2015, Council recommends that Mr. Riley receives a one-time, lump sum bonus of \$5,000 effective with his contract term starting July 1, 2015 and he therefore so moved. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

**7) Adjournment**

Mayor Bennett adjourned the meeting at 5:18 p.m.

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Vicki L. Pfannenschmidt  
Executive Assistant/Town Clerk

Approved:

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David Bennett, Mayor



## **TOWN OF HILTON HEAD ISLAND**

### **2016 TOWN COUNCIL MEETING DATES**

<b>January 5</b>	<b>July 5 - cancelled**</b>
<b>January 19</b>	<b>July 19</b>
<b>February 2 - cancelled*</b>	<b>August 2 - cancelled**</b>
<b>February 16</b>	<b>August 16</b>
<b>March 1</b>	<b>September 6 - cancelled***</b>
<b>March 15</b>	<b>September 20****</b>
<b>April 5</b>	<b>October 4</b>
<b>April 19</b>	<b>October 18</b>
<b>May 3</b>	<b>November 1</b>
<b>May 17</b>	<b>November 15</b>
<b>June 7</b>	<b>December 6</b>
<b>June 21</b>	<b>December 20</b>

**Meetings are generally held the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month at 4:00 PM, subject to change with notice.**

**\*Recommend cancelling February 2 Town Council meeting due to Hometown Legislative Action Day in Columbia on February 3.**

**\*\*Traditionally, only one meeting is held in July and August.**

**\*\*\*Recommend cancelling September 6 Town Council meeting due to Labor Day Holiday observance.**

**\*\*\*\* September 20<sup>th</sup> meeting will start at 4:00 pm or upon completion of the Constitution Day Celebration; whichever is later.**



# ITEMS OF INTEREST

## SEPTEMBER 15, 2015

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### Town News

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On August 18, 2015, Town Staff hosted a Flood Awareness educational session to over 60 members from the Hilton Head Area Association of Realtors. Nicole Dixon and Richard Spruce presented various topics in association with representatives from Hub International, Selective Insurance Company of America, and Smart Vent Products. The training is an outreach project for the Community Rating System program. Topics of interest to realtors and their clients included the CRS program, flood insurance and rate maps, building and flood codes, elevation certificates, and suggestions on how to mitigate structures for cost savings on flood insurance.

**Contact: Nicole Dixon, Senior Planner and the Town's Community Rating System Coordinator,**  
[nicoled@hiltonheadislandsc.gov](mailto:nicoled@hiltonheadislandsc.gov) or 843-341-4686

Senior HR Administrator Angie Stone has earned the IPMA Certified Professional designation from the International Public Management Association for Human Resources (IPMA-HR). To receive IPMA-CP designation, Angie was required to pass a rigorous review of her technical experience and her understanding of the behavioral competencies important to the role of a public sector HR professional.

**(Contact: Nancy Gasen, Human Resources Director, [nancyg@hiltonheadislandsc.gov](mailto:nancyg@hiltonheadislandsc.gov) or 843-341-4621)**

Fire Rescue Lt. Scott T. Mason has retired from the Naval Reserves with 30 Years of Service. Command Master Chief Scott T. Mason enlisted in the Navy in July of 1985 and served active duty until 1989. From 1989-2015 he served in the Naval Reserves.

He was mobilized in November of 1990 as a line Corpsman in support of Operation Desert Shield and Storm with the 1st Battalion 25th Marines. In 2006 he was mobilized to I Marine Expeditionary Force in Camp Pendleton, CA in support of Operation Iraqi Freedom/Operation Enduring Freedom.

Scott is a graduate of the United States Navy Senior Enlisted Academy in Newport, RI and holds an Associate's of Science Degree from the Andrew Jackson University in Birmingham, Alabama.

He achieved the highest naval enlisted rank - Command Master Chief - in December 2009.

Command Master Chief Mason is an Enlisted Fleet Marine Force Warfare Specialist, Enlisted Deep Sea Medical Diver, and Navy & Marine Corps Parachutist. His personal awards include the Meritorious Service Medal with Gold Star, a Navy & Marine Corps Commendation Medal with Gold Star and the Navy & Marine Corps Navy Achievement Medal, along with various campaign awards.

We thank Scott for his service to the nation.

**(Contact: Brad Tadlock, Fire Chief, [bradt@hiltonheadislandsc.gov](mailto:bradt@hiltonheadislandsc.gov) or 843-682-5153)**

On Monday, August 31, 2015 the South Carolina Department of Health and Environmental Control (SCDHEC) issued a 30-day public notice for the Certificate of Coverage for the Town of Hilton Head Island under the State of South Carolina National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s). The Town of Hilton Head Island was designated an MS4 by SCDHEC in June, 2014 and was required to submit a Notice of Intent for coverage under the permit by December 1, 2014. SCDHEC conducted a review of the Town's Notice of Intent and found it to be in compliance with the General Permit requirements. Pending any public comments received by SCDHEC, the permit would become effective October 1, 2015.

In order to maintain compliance with the permit, the Town will be required to develop and implement a comprehensive Storm Water Management Plan that focuses on reducing water quality impacts from storm water discharges. Required components of this program include public education and public involvement, procedures and ordinances for identifying and eliminating illicit discharges and illicit connections, construction site pollution prevention, post-construction runoff and pollution control, and pollution prevention from municipal facilities and operations. Town staff is currently developing and implementing various components of these permit requirements.

**(Contact: Bryan McIlwee, Asst. Town Engineer/Stormwater Manager, [bryanm@hiltonheadislandsc.gov](mailto:bryanm@hiltonheadislandsc.gov) or 341-4775; Jeff Buckalew, Town Engineer, [jeffb@hiltonheadislandsc.gov](mailto:jeffb@hiltonheadislandsc.gov) or 341-4772)**

## Noteworthy Events

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Some of the upcoming meetings at Town Hall:

- Circle to Circle Committee – September 16, 2015, 8:30 a.m.
- Planning Commission – September 16, 2015, 3:00 p.m.
- ATAX Application Deadline – September 18, 2015, 4:00 p.m.
- Arts and Cultural Strategic Planning Committee – September 21, 2015, 4:00 p.m.
- Community Services Committee – July 28, 2015, 9:00 a.m.
- Design Review Board – September 22, 2015, 1:15 p.m.
- Construction Board of Adjustments and Appeals – September 22, 2015, 5:30 p.m.
- Circle to Circle Committee - September 23, 2015, 8:30 a.m.
- Public Facilities Committee – September 28, 2015, 10:00 a.m.
- Board of Zoning Appeals – September 28, 2015, 2:30 p.m.
- Arts and Cultural Strategic Planning Committee – September 28, 2015, 3:00 p.m.
- Circle to Circle Committee – September 30, 2015, 8:30 a.m.
- Public Planning Committee – October 1, 2015, 3:00 p.m.
- Public Safety Committee – October 5, 2015, 10:00 a.m.
- Finance and Administrative Committee, October 6, 2015, 2:00 p.m.
- Town Council – October 6, 2015, 4:00 p.m.

(Additional meetings may be scheduled and all meetings are subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at [www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov) for Committee meeting dates and agendas.



# 2015 Hilton Head Island Events

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September 19, 2015 11:00 a.m. – 4:00 p.m.	Italian Heritage Festival	Honey Horn
September 26, 2015 6:00 am. – 2:00 p.m.	Pedal4Kids Charity Bike Ride	Various North Island Pathways & Charles Fraser Bridge
October 3, 2015 9:00 a.m. – 12:00 p.m.	Making Strides Against Breast Cancer	Coligny Beach
October 3, 2015 11:00 a.m. – 5:00 p.m.	Hilton Head Island Burgers & Brew Festival	Shelter Cove Community Park
October 3, 2015 4:00 p.m. – 8:00 p.m.	Take a Stand in the Sand	Coligny Beach



# TOWN OF HILTON HEAD ISLAND

## *Community Development Department*

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Teri B. Lewis, AICP, *LMO Official*  
**FROM:** Heather L. Colin, AICP, *Development Review Administrator*  
**CC:** Charles Cousins, AICP, *Community Development Director*  
**DATE:** August 14, 2015  
**SUBJECT:** ZA-1190-2015 – Shelter Cove Towne Centre Apartments  
Proposed Ordinance No. 2015-18

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No changes were made to Proposed Ordinance No. 2015-18 as a result of First Reading on August 12, 2015.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO. 2015-**

**PROPOSED ORDINANCE NO. 2015-18**

**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 16-1-107, THE OFFICIAL ZONING MAP AND THE PALMETTO DUNES RESORT MASTER PLAN WITH RESPECT TO THE CERTAIN PARCELS IDENTIFIED AS PARCEL 7, ON BEAUFORT COUNTY TAX MAP #12C, AND AN APPROXIMATELY 4.4 ACRE PORTION OF PARCEL 2 ON BEAUFORT COUNTY TAX MAP #12C, WITHIN THE PALMETTO DUNES RESORT MASTER PLAN UNDER THE PD-1 PLANNED DEVELOPMENT MIXED USE DISTRICT, TO AMEND THE ASSOCIATED USES AND DENSITIES FOR PARCEL 7, TAX MAP #12C TO COMMUNITY PARK AND 120-150 MULTI-FAMILY DWELLING UNITS; AND THE PORTION OF PARCEL 2, TAX MAP #12C TO 80-120 MULTI-FAMILY DWELLING UNITS AND COMMUNITY PARK; PROVIDED THE AGGREGATE TOTAL OF MULTI-FAMILY UNITS DOES NOT EXCEED 240 TOTAL 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 October 7, 2014, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a new Land Management Ordinance (the "LMO"); and

**WHEREAS**, section 16-3-105.K of the Land Management Ordinance 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 November 19, 2014, Town Council approved a Zoning Map Amendment to further facilitate the redevelopment of the Mall at Shelter Cove by amending the associated multi-family density; and

**WHEREAS**, on November 19, 2014, Town Council approved an Amended and Restated Development Agreement to further facilitate the redevelopment of the Mall at Shelter Cove; and

**WHEREAS**, on June 9, 2015, Town Council authorized Shelter Cove Towne Centre to submit a Zoning Map Amendment application to request approval of a shift and reallocation of multi-family dwelling units;

**WHEREAS**, the Planning Commission is authorized by the LMO to hold a public hearing on said Zoning Map Amendment application, and the Planning Commission held a public

hearing on July 15, 2015, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request;

**WHEREAS**, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-2-103.C of the LMO, voted 6-0 to recommend to Town Council that the rezoning request be approved, finding that the application is consistent with the Comprehensive Plan and serves to carry out the purposes of the Land Management Ordinance; and

**WHEREAS**, after due consideration of said Zoning Map Amendment application and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest to approve the proposed application.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE 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 16-1-107 of the LMO, and the Palmetto Dunes Resort Master Plan and associated text, referred to in Section 16-3-105.K of the Land Management Ordinance, be hereby amended to modify the use designations and associated density of that certain 4.97 acre parcel identified as Parcel 7 on Beaufort County Tax Map 12C, to 120-150 multi-family dwelling units, and community park; and that approximately 4.4 acre portion of the parcel identified as Parcel 2 on Beaufort County Tax Map 12C to 80-120 multi-family dwelling units and community park; provided that the aggregate total of multi-family units does not exceed 240 total. The attached Concept Plan 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 its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

THE TOWN OF HILTON HEAD  
ISLAND, SOUTH CAROLINA

\_\_\_\_\_  
David G. Bennett, Mayor



ATTEST:

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Victoria L. Pfannenschmidt, Town Clerk

Public Hearing: July 15, 2015

First Reading: August 4, 2015

Second Reading:

Approved as to form:

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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 B. Lewis, AICP, *LMO Official*  
**FROM:** Heather L. Colin, AICP, *Development Review Administrator*  
**CC:** Charles Cousins, AICP, *Community Development Director*  
**DATE:** August 14, 2015  
**SUBJECT:** Addendum #1 to that Certain Amended and Restated Development Agreement for  
Shelter Cove Mall  
Proposed Ordinance No. 2015-17

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No changes were made to Proposed Ordinance No. 2015-17 as a result of First Reading on August 12, 2015.

**AN ORDINANCE OF THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF ADDENDUM #1 TO THAT CERTAIN 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 PREVIOUSLY KNOWN AS THE MALL AT SHELTER COVE AND SURROUNDING PROPERTY, 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 November 19, 2014, the Town of Hilton Head Island, South Carolina, Shelter Cove Towne Centre, LLC, and Shelter Cove II, LLC entered into that certain Amended and Restated Development Agreement for Shelter Cove Mall (“Development Agreement”), which provided for terms and conditions governing the redevelopment of property located on Hilton Head Island, previously known as The Mall at Shelter Cove; and,

WHEREAS, the Development Agreement was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina on December 2, 2014 in Book 3363 at Page 1306; and,

WHEREAS, the parties desire to execute an Addendum to the Development Agreement to provide for, among other things, a revised Concept Plan and to reflect other matters which have changed since the Development Agreement was recorded, in a form entitled “Addendum #1 to that certain Amended and Restated Development Agreement” (“Addendum”); 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 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 Addendum, 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 Addendum 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 Addendum, 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 \_\_\_\_\_, 2015.**

\_\_\_\_\_  
David G. Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Victoria L. Pfannenschmidt, Town Clerk

First Public Hearing: July 15, 2015

Second Public Hearing: August 4, 2015

First Reading: \_\_\_\_\_

Third Public Hearing: \_\_\_\_\_

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 B. Lewis, AICP, *LMO Official*  
**FROM:** Heather L. Colin, AICP, *Development Review Administrator*  
**CC:** Charles Cousins, AICP, *Community Development Director*  
**DATE:** August 14, 2015  
**SUBJECT:** Shelter Cove Towne Centre Apartments – Land Swap  
Proposed Ordinance No. 2015-20

---

No changes were made to Proposed Ordinance No. 2015-20 as a result of First Reading on August 12, 2015.

**AN ORDINANCE OF THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO SHELTER COVE II, LLC, IN EXCHANGE FOR LAND TO BE CONVEYED TO THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND OWNED BY SHELTER COVE II, LLC, IN CONJUNCTION WITH ADDENDUM #1 TO THAT CERTAIN AMENDED AND RESTATED DEVELOPMENT AGREEMENT, 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 piece, parcel or tract of land, being 4.44 acres, more or less, and shown and designated as “Multi-Family Site #2” on that certain Alternate Concept Plan – Study Two for Shelter Cove Towne Centre Apartments, dated July 1, 2015, a copy of which is attached hereto as Exhibit “A”.

(hereinafter referred to as “Town Parcel”); and,

WHEREAS, Shelter Cove II, LLC (“Developer”) 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-0082-0000, more particularly described as follows:

That certain piece, parcel or tract of land, shown and designated as “Proposed Community Park Expansion” on that certain Alternate Concept Plan – Study Two for Shelter Cove Towne Centre Apartments, dated July 1, 2015, a copy of which is attached hereto as Exhibit “A”.

(hereinafter referred to as “Developer Parcel”); and,

WHEREAS, contemporaneously with the adoption of this Ordinance, the Town is adopting an Ordinance approving the execution and recording of Addendum #1 to that certain

Amended and Restated Development Agreement (“Addendum”), by and between the Town, Shelter Cove Towne Centre, LLC, and Shelter Cove II, LLC; and,

WHEREAS, the Addendum contemplates that the Town and Developer will exchange ownership of the Town Parcel and the Developer Parcel through the execution, delivery, and recording of deeds, and will take other and further actions as described in the Addendum and the Exchange Agreement attached to the Addendum as Exhibit “D”; 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 Addendum; 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 Addendum; 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 \_\_\_\_\_, 2015.**

\_\_\_\_\_  
David Bennett, 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 B. Lewis, AICP, *LMO Official*  
**FROM:** Heather L. Colin, AICP, *Development Review Administrator*  
**CC:** Charles Cousins, AICP, *Community Development Director*  
**DATE:** August 14, 2015  
**SUBJECT:** Shelter Cove Towne Centre Apartments – Establishment of Covenants and Restrictions  
Proposed Ordinance No. 2015-21

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No changes were made to Proposed Ordinance No. 2015-21 as a result of First Reading on August 12, 2015.

**AN ORDINANCE OF THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE ESTABLISHMENT OF COVENANTS AND RESTRICTIONS ON REAL PROPERTY IN CONJUNCTION WITH ADDENDUM #1 TO THAT CERTAIN AMENDED AND RESTATED DEVELOPMENT AGREEMENT, 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 piece, parcel or tract of land, being 4.44 acres, more or less, and shown and designated as “Multi-Family Site #2” on that certain Alternate Concept Plan – Study Two for Shelter Cove Towne Centre Apartments, dated July 1, 2015.

(hereinafter referred to as “Multi-Family Site #2”); and,

WHEREAS, contemporaneously with the adoption of this Ordinance, the Town is adopting an Ordinance approving the execution and recording of Addendum #1 to that certain Amended and Restated Development Agreement (“Addendum”), by and between the Town, Shelter Cove Towne Centre, LLC, and Shelter Cove II, LLC; and,

WHEREAS, the Addendum contemplates that the Town will convey Multi-Family Site #2 to Shelter Cove II, LLC (“Developer”) in exchange for property to be conveyed to the Town; and

WHEREAS, the Developer will develop multi-family dwelling units on the Multi-Family Site #2 subject to certain restrictions as agreed upon between the Developer and the Town; and



WHEREAS, the Town Council for 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  
\_\_\_\_\_, 2015.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Victoria L. Pfannenschmidt, Town Clerk

First Reading: \_\_\_\_\_

Second Reading:\_\_\_\_\_

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

Introduced by Council Member:\_\_\_\_\_

# **MEMORANDUM**

**TO:** Town Council

**FROM:** Stephen G. Riley, ICMA-CM, Town Manager  
**Via:** Brian Hulbert, Staff Attorney

**RE:** Proposed Ordinance Number 2015-16 Agenda and Order of Business

**DATE:** August 17, 2015

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**Recommendation:** Staff recommends that Town Council approve the first reading of the Proposed Ordinance 2015-16, amending Section 2-5-50 (Agenda and Order of Business) of the Town code.

**Summary:** This proposed ordinance will amend the Town Council rules of procedure to bring our rules into compliance with new state law requirements in regards to agendas for Council meetings. Additionally, it will add a new item of business to the agenda in order to address possible actions Council might take after discussions in executive session.

The Freedom of Information Act (FOIA) statute regarding public meeting and agenda requirements was amended on June 15, 2015. Town policy has always been that each public body provide an agenda for every public meeting. Effective immediately, the law requires that we provide written public notice of all public meetings and that all public meetings have an agenda which must be posted on the bulletin board in front of Town Hall and on the Town website. The agenda must include the date, time, and place of the meeting and must be posted as early as practicable, but not later than 24 hours before the meeting.

Once an agenda is posted, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After a meeting has begun, an item which will require action to be taken by the public body, may only be added by a two-thirds vote of the members present and voting. If the item to be added to the agenda is one upon which "final action" can be taken at the meeting, or if it is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with the statute, it may only be added to the agenda by a two-thirds vote of the members present and voting and by a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda.

## **AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2015-16**

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO AMEND TITLE 2 GENERAL GOVERNMENT AND ADMINISTRATION OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA BY AMENDING CHAPTER 5 (MEETINGS OF COUNCIL AND RULES OF PROCEDURE) SECTION 2-5-50, AGENDA AND ORDER OF BUSINESS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Hilton Head Island, South Carolina previously adopted Ordinances 1983-5, 1994-09, 2002-01, and 2008-03 to address the setting of agendas and the order of business for Town Council meetings for the efficient operation of the Town Council; and

**WHEREAS**, the state legislature has amended the state Freedom of Information Act (FOIA) to make it mandatory to prepare an agenda for every public meeting and address when and how a public body may amend an agenda for a public meeting; and

**WHEREAS**, the Town Council now desires to amend Section 2-5-50 to ensure their rules of procedure for Town Council meetings are in compliance with the amended state FOIA law and to provide for an efficient operation of the Town Council meetings that will benefit both the Town and its citizens.

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

**NOTE: Underlined and bold-faced** typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

### **Section 1. Sec. 2-5-50. – Agenda and order of business.**

- (a) Matters to be considered at a regular meeting or called special meeting, except a called emergency special meeting, of council shall be placed on a written agenda and conform to the order of business of council.
- (b) The municipal clerk shall post the agenda **on the Town website and on a bulletin board in a publicly accessible place at Town Hall or at the**

meeting place of the Town Council as early as is practicable but not later than 24 hours before in a public place by noon of the day preceding the meeting.

- (c) ~~Matters not on the agenda may be added to the agenda and considered by council upon the adoption by the affirmative vote of council of a motion to amend the agenda.~~ Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this section, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken may only be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda.
- (d) The order of business of council shall be as follows:
- (1) Call to order by presiding officer.
  - (2) Pledge of allegiance.
  - (3) Invocation.
  - (4) Proclamations.
  - (5) Reading of minutes of previous meeting, their consideration and approval.
  - (6) Reports from municipal officers.
  - (7) Reports of council.
  - (8) Reports of committees.
  - (9) Appearances by citizens.
  - (10) Unfinished business.
  - (11) New business.
  - (12) ~~Adjournment.~~ Possible actions by Town Council concerning matters discussed in executive session.
  - (13) Adjournment.
- (e) If it is desired to transact business out of its order, it shall be necessary to suspend the rules by a vote of a majority of members present.

**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 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 \_\_\_\_\_, 2015.**

By: \_\_\_\_\_  
**David Bennett, 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:** \_\_\_\_\_



# TOWN OF HILTON HEAD ISLAND

## *Community Development Department*

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Teri Lewis, *AICP, LMO Official*  
**FROM:** Jennifer Ray, *ASLA, Urban Designer*  
**CC:** Charles Cousins, *AICP, Community Development Director*  
**DATE:** August 3, 2015  
**SUBJECT:** Adopt the updated Hilton Head Island Design Guide

---

**Recommendation:** The Public Planning Committee held a public meeting on July 23, 2015 and after consideration of the staff presentation voted 3-0-0 to recommend that Town Council approve the proposed Ordinance.

Staff recommends that Town Council adopt the updated Hilton Head Island Design Guide.

**Summary:** In January 2015 Staff began the process of updating the Hilton Head Island Design Guide to better communicate the concept of “Island Character” and to educate users on how to apply Island Character to new development and redevelopment on the island. The updated guide includes more photos and graphic examples, updated LMO references, new subsections regarding sustainability and the use of native plants, and expanded subsections on stormwater management, context, signage, and lighting.

**Background:** The Hilton Head Island Design Guide, which defines Island Character and guides development on the island, was first adopted by Town Council in May 2003. The Design Review Board (DRB) uses the guide to review and approve projects within the Corridor Overlay District that are consistent with the Guide. Most local applicants understand the concept of Island Character without much explanation. However it has been observed in recent years that developers, architects, and design teams that do not live or work on the island would benefit from more photos and graphic examples of the various components of Island Character.

Staff started the process of updating the guide by soliciting public input. The public was invited to provide comments at a Design Review Board meeting as well as via a link for public comment on the Town’s website. Each applicant from the previous years’ DRB submittals was contacted with a request to provide input. The Design Guide was updated with a more contemporary layout as well as significantly more photos and graphic examples. Each of the four sections including Site Design, The Landscape, Architecture, and Accessory Construction, were posted to the Town’s website and presented individually at DRB meetings for review and comment from the Board and members of the public.

A final draft incorporating comments received from the Design Review Board and the public was presented to the Board on June 9, 2015 and approved by the DRB with a recommendation that Town Council adopt the document as the official Hilton Head Island Design Guide.



**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO. 2015-#**

**PROPOSED ORDINANCE NO. 2015-19**

**AN ORDINANCE TO ADOPT AN UPDATED TOWN OF HILTON HEAD ISLAND DESIGN GUIDE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Hilton Head Island Design Guide was first adopted by Town Council in May 2003; and

**WHEREAS**, the Hilton Head Island Design Guide is used by the Design Review Board to review and approve proposed development within the Corridor Overlay District that is consistent with the Guide; and

**WHEREAS**, the definition of Island Character has not changed but the application of the concept of Island Character could be better communicated to users, especially non-local users; and

**WHEREAS**, the Town staff proposed to update the Hilton Head Island Design Guide to provide more photos and graphic examples, update LMO references, add new subsections regarding sustainability and the use of native plants, and expand subsections on stormwater management, architectural context, signage, and lighting in a more contemporary layout; and

**WHEREAS**, the Design Review Board solicited public comment regarding the current Design Guide as well as each section of the updated Design Guide; and

**WHEREAS**, the Design Review Board held a public meeting on June 9, 2015 at which time a presentation was made by staff and an opportunity was given for the public to comment on the updated Hilton Head Island Design Guide; and

**WHEREAS**, the Design Review Board, after consideration of the staff presentation and public comments, voted to approve the updated Hilton Head Island Design Guide and recommended that Town Council adopt the updated Hilton Head Island Design Guide; and

**WHEREAS**, the Public Planning Committee held a public meeting on July 23, 2015 at which time a presentation was made by staff and an opportunity was given for the public to comment on the updated Hilton Head Island Design Guide; and

**WHEREAS**, the Public Planning Committee, after consideration of the staff presentation and public comments, voted 3-0-0 to recommend that Town Council approve the updated Hilton Head Island Design Guide; and

**WHEREAS**, after due consideration of said Design Guide and the recommendation of the Public Planning Committee, the Town Council, upon further review, finds it is in the public interest to approve the updated Hilton Head Island Design Guide.

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

**Section 1. Amendment.** That the *Hilton Head Island Design Guide* is updated as indicated on the attached pages (Exhibit 1).

**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 its adoption by the Town Council of 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 \_\_\_\_\_, 2015.**

THE TOWN OF HILTON HEAD  
ISLAND, SOUTH CAROLINA

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Victoria L. Pfannenschmidt, Town Clerk

First Reading:  
Second Reading:

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_

## Exhibit 1



**DRAFT**

# Town of HILTON HEAD ISLAND DESIGN GUIDE



## ISLAND CHARACTER VISION STATEMENT

Development shall exhibit a harmonious relationship with the natural environment by blending the principles of sensitive site planning, skillful architectural design, and an emphasis on landscaping that preserves and enhances the native vegetation.



# THE GOAL OF THIS DESIGN GUIDE IS TO PRESERVE THE ISLAND CHARACTER BY DIRECTING DEVELOPMENT TO

PRESERVE  
SIGNIFICANT  
EXISTING SITE  
FEATURES, TREES,  
& VEGETATION.

DESIGN  
STRUCTURES  
APPROPRIATE FOR  
THEIR USE AND  
NEIGHBORHOOD.



PROVIDE LIGHTING  
THAT IS ADEQUATE  
FOR SAFETY AND  
ENHANCES THE  
SITE.



TREAT THE  
LANDSCAPE AS A  
MAJOR ELEMENT  
OF THE PROJECT.



DESIGN  
STRUCTURES WITH  
SUBTLE VISUAL  
IMPACT. UTILIZE  
NATURAL MATERIALS,  
TEXTURE, AND  
COLORS.



COORDINATE  
AND HARMONIZE  
THE DESIGN OF  
STRUCTURES,  
PARKING, AND SITE  
AMENITIES.



DEMONSTRATE  
THE FUNDAMENTAL  
PRINCIPLES  
OF GOOD  
ARCHITECTURAL  
DESIGN.



PROVIDE  
CONTINUITY OF  
DESIGN ON ALL  
FACADES OF THE  
BUILDING.



PROVIDE  
LANDSCAPING OF  
A SCOPE AND  
SIZE THAT IS IN  
PROPORTION TO  
THE SCALE OF THE  
DEVELOPMENT.



DESIGN AND  
MAINTAIN  
LANDSCAPING  
IN ITS NATURAL  
SHAPE AND SIZE.

PROMOTE  
PEDESTRIAN SCALE  
AND CIRCULATION.

CONCEAL VISUALLY  
UNDESIRABLE  
UTILITIES AND  
EQUIPMENT.







# INTRODUCTION

Hilton Head Island has long been recognized as an attractive place to live and visit. But what gives it its aesthetic appeal? Modern day development on the Island established a certain “look” based on our cultural and environmental heritage. The early developers, architects, landscape architects, and planners recognized the importance of good design that was sensitive to the island's history and natural environment. This theme evolved into what we call **Island Character**.

Island Character is not a style of architecture. It can not be defined in simple terms or achieved by following a certain set of strict design requirements. Island Character is as much a process as it is an end product. It is also a philosophy about design; a philosophy that puts an emphasis on thorough consideration of all elements of a project.

This guide is meant to provide owners, developers, and design professionals with an awareness of the major factors that must be involved in order for projects to achieve Island Character. Rather than an attempt to stifle good design it is meant to inspire the highest quality design. Its usefulness will depend on the extent that owners, developers and designers understand this concept and put forth the effort required to achieve Island Character.









# SITE DESIGN

A critical first step in achieving Island Character is a complete analysis of the existing site conditions. This information will be the basis for determining how to design a project so that the result will complement, not detract from, its surroundings.

**“Build your house so that you may still look upon all that charmed you and lose nothing of what you saw before the house was built, but see more.”**

**-Frank Lloyd Wright**

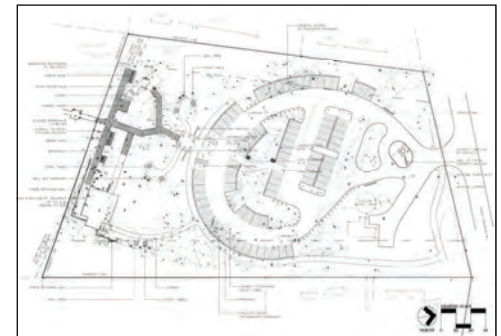
For a project to achieve Island Character a site analysis must be used to identify features and constraints to be considered in order to **lose nothing but see more**. At a minimum a site analysis must identify significant topography, existing vegetation and specimen trees, setbacks and buffers, access points, orientation, view opportunities, wetlands, and any other site features that may influence design.

Once identified these items shall form the basis for the site design. Collectively they will determine the optimum orientation and location of structures as well as the location of parking, stormwater retention areas and other elements to be placed on the site.

A good site design cannot ignore the findings of the site analysis simply to satisfy the requirements of the development. This fact is the basis for achieving Island Character.



SITE ANALYSIS



CONCEPT PLAN



BUILT PRODUCT



## TOPOGRAPHY

While the island generally has little variation in topography it is important to identify the existing conditions in terms of drainage and flood elevation requirements. In consideration of the latter, alternative methods such as dry flood proofing and terracing should be utilized in lieu of or in conjunction with fill to reduce the impact of elevation changes. Continuity of pedestrian circulation within and between sites should be maintained where appropriate. Where unique topographic variation does exist it should be identified in order to preserve it.



## EXISTING VEGETATION & SIGNIFICANT TREES

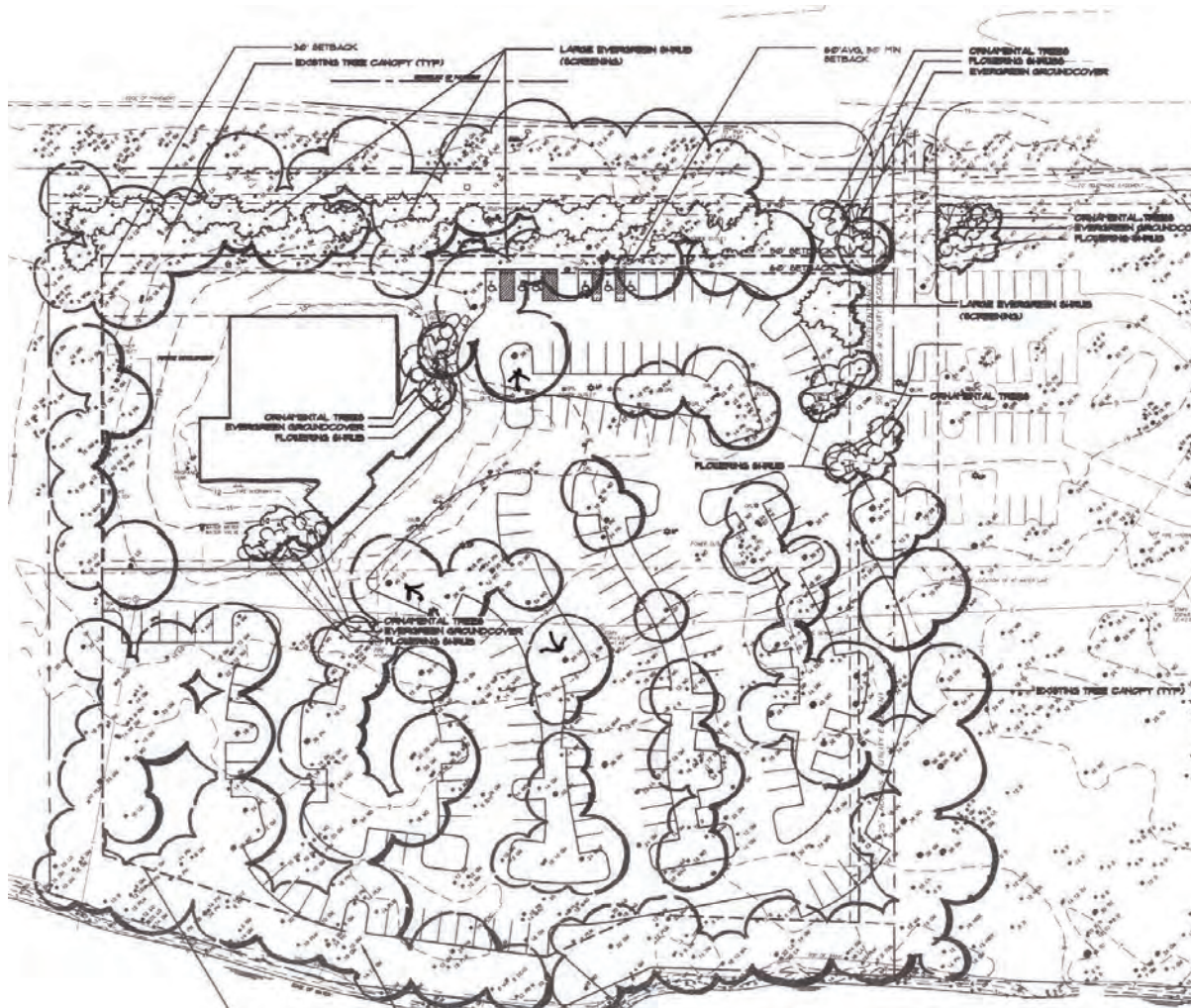
Two of the most important site features that need to be identified are existing vegetation including understory and significant trees. These are extremely important elements to be addressed in the placement of structures and other site features as trees and forest areas contribute to the overall quality of life and identity of Hilton Head Island. In some cases the location of the tree canopy or a specimen tree will be the dominant determining factor in the site design as well as the architectural design of the structures. Existing vegetation that can be preserved, especially in buffers, adds significantly to the project's Island Character as well as reduces the cost of new landscaping.



## SETBACKS & BUFFERS

Adjacent use and street setback lines and buffers must be identified as required in LMO Sections 16-5-102 and 16-5-103 respectively in order to establish the extent of site features such as parking spaces and stormwater retention areas. These are not "build to" lines but simply define the area in which structures and other development are allowed and separate development from adjacent streets and adjacent development. Separation serves to ensure protection from street traffic as well as provide adequate air circulation and light between structures. Projects that fill the buildable area with structures and paving will have a difficult time achieving Island Character. See pages 21-22 for additional information regarding categories of buffers.





## PARKING

Parking lot layout requirements are located in LMO Section 16-5-107. Projects which require a large number of parking spaces should break the lot into several smaller areas separated by landscaped open space, other site features, or structures. Where appropriate, large areas with rigid layouts should be avoided and staggered or meandering designs used. This will help save trees, slow down vehicles and create site interest. When parking under buildings, provide adequate architectural and landscape screening to prevent views into the garage.







## SUSTAINABILITY

Sustainability, using a resource so that it is not depleted or permanently damaged, is a major initiative for the Town of Hilton Head Island and a key component of Island Character.

Sustainable practices can be incorporated into overall site design in the protection of existing resources and the siting of structures to make the best use of seasonal shade and solar gain. Building materials can be selected that are efficiently produced or harvested, reduce waste, and are responsibly maintained. Existing plant material should be retained and supplemented with native plants. Gutters, rain barrels, and rain gardens can capture rain water and help break down pollutants. Wildlife should be considered when planting such as using plants that produce berries, seeds, or other wildlife food or provide nesting/resting sites and pruning including planning pruning to avoid bird nesting season. Timeless architecture, designed with a high level of quality, is more sustainable in that it won't need to be redevelopment as it ages.

Additional information regarding sustainability on Hilton Head Island can be found on the Town of Hilton Head Island's website at [www.hiltonheadislandsc.gov/sustainability/home.cfm](http://www.hiltonheadislandsc.gov/sustainability/home.cfm).



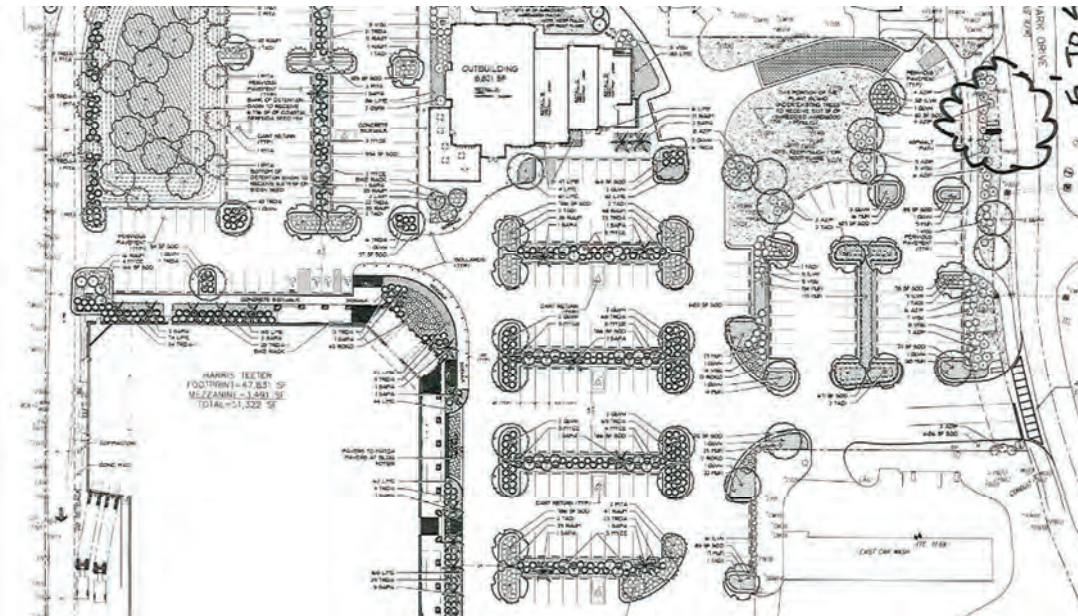


## STORMWATER MANAGEMENT

While function is important in the design and location of stormwater retention areas, aesthetic considerations must also be addressed. Whether dry or wet the shape and appearance should look natural and not detract from the overall site design. Stormwater Management standards are located in LMO Section 16-5-109.

The first flush runoff (0.5" to 1.0") from paved streets and parking areas is very detrimental to maintenance of good water quality. Therefore, filtering of runoff from streets and parking areas through vegetation, gravel, sand, or other filter mediums to remove oil, grease, gasoline, particulates and organic matter is required before the runoff leaves the site or enters any natural or manmade water body. Ideas for these and other Low Impact Development (LID) designs to reduce volume and improve quality of stormwater runoff, such as neighborhood LID design, local case studies, and much more, can be found in "Low Impact Development in Coastal South Carolina: A Planning and Design Guide". This guide is the culmination of five plus years of work on the part of multiple state, federal, and local government partners. This guide can be accessed at [www.northinlet.sc.edu/LID](http://www.northinlet.sc.edu/LID).

Planting native vegetation is encouraged to filter runoff and provide visual interest. See page 23 for additional information on common native plants and where they should be planted.









# ARCHITECTURE

To achieve Island Character the architectural design of structures shall be visually harmonious with the overall natural appearance, history and cultural heritage of Hilton Head Island. Structures must be designed to be unobtrusive and set into the natural environment. They should demonstrate a strong relationship to the outside and avoid appearing foreign to the site. In addition, all sides of a structure should be given the same design consideration as the entrance or street façade. The use or function of a structure will also be a determining factor in its design but need not sacrifice the intent of Island Character. A light industrial building can exhibit good Island Character as well as an office or multifamily project.

Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, detail, materials, and colors.

“The architectural design and construction philosophy... is that buildings should be unobtrusive in form and color in order to complement their natural setting. The main concern is that the total community be homogeneous in feeling in a park-like setting and free from the discordant architectural shapes and colors which vie for attention and attempt to create greater visual impact than a neighbor’s.”

-Charles Fraser

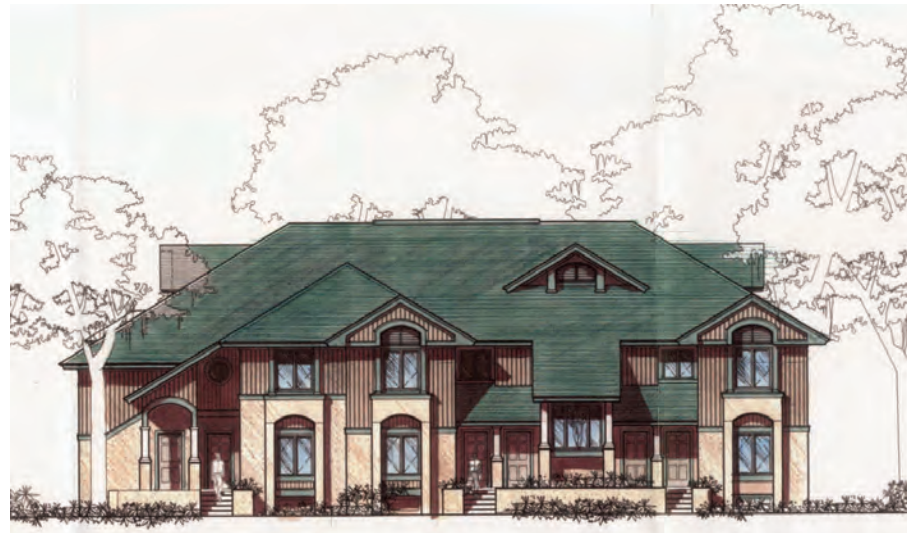




## FORM

The form or shape of structures should avoid monotonous unbroken planes or unrelieved repetition of shape. Visual interest and shadow play can be created by several techniques including the use of offsetting planes with a variety of depths.

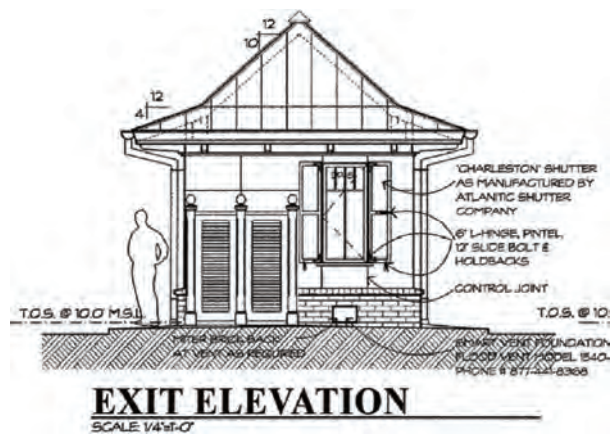
Roof form is also a key element to achieve Island Character. Typically gable, hip or shed roof forms are desirable with a minimum pitch of 6/12. In larger structures a variety of forms can provide greater visual interest and break up large roof planes. Flat roof designs should generally not be used unless concealed within another roof or other architectural element. Overhangs of sufficient depth and in proportion to the façade height can also be important to roof form and for shadow play.



## MASS

The structure shall not be of such mass that it dominates its surroundings or adjacent development. Architectural form and detailing must be used to reduce the appearance of the mass of the structure. While height limits and setback angles are established in Chapter 3 of the LMO, upper areas of taller structures should be designed to minimize their visual appearance. Larger structures will require a greater degree of sensitivity to site location and inclusion of larger forms of landscaping.





The structures along Main Street have a similar vernacular, in color, material, and architectural elements. It is important to consider context when introducing new buildings to an existing area.

## SCALE

The proportions of a structure shall be such that a sense of human scale is established. That is, the size of architectural elements should not be overpowering and should relate to pedestrian circulation. They should not create a sense of confinement or confusion. A horizontal emphasis and limited vertical treatment can be used to control scale. Architectural elements such as trellises, canopies, terraces or porches at grade level are also important to consider in achieving human scale.

## CONTEXT

The context of the structure must also be taken into account and consideration shall be given to compatibility with other development in the area. Distinctive vernacular styles like Georgian or Mediterranean are to be avoided except where already established in defined neighborhoods such as Shelter Cove or Main Street. "Franchise" or "theme" architecture is not appropriate for the Island. If used as a starting point, "franchise" architecture should be modified based on the structure's local context to meet Island Character.





Details and materials on the buildings located in Park Plaza create visual continuity within the shopping center.



## DETAIL

Architectural details must be given significant consideration. Clean, simple, appropriate details are desirable while excessive ornamentation is to be avoided. Details should be consistent with the design concept for the entire structure. Their purpose should be to provide visual interest, human scale, and architectural expression. Elements such as shutters or dormers should be functional so as not to appear as false features. Window openings must be in proportion to the façade or façade element and have a unified relationship in overall design. Details such as exposed rafter tails, brackets, and louvers all add to Island Character.

## MATERIALS

Generally materials common to the area or historically present should be selected. Suitable materials may include tabby stucco, smooth finish stucco, brick, wood, shake siding, metal, and glass. Other materials may be considered but in lesser quantities. All materials should be high quality, durable materials, suitable for the Hilton Head Island environment. A variety of compatible contrasting textures should be used to provide visual interest. Single material façades are generally not appropriate. Materials should be arranged in logical fashion, lighter above heavier, and in relationship to other materials in terms of percentage, not equal or dominating. Reflective materials other than glass must be avoided. The use of wood or wood simulating materials is strongly encouraged.



A variety of materials, including brick, tabby stucco, wood, glass, metal, and shake siding, are used at Coligny Beach Park.





## COLOR

### CONTEXT

The overall exterior color scheme must be selected to be harmonious with the neighborhood and blend with the natural surroundings of the site. Earth tones must be chosen as the predominant colors. Colors shall not be used to cause the structure to stand out from others or its background. Consideration must be given to the compatibility of colors with those existing in the vicinity. The size of the structure and the amount of shading it will receive are also factors in the selection of colors. Colors that may be approved on sites with good tree coverage providing adequate shading may not be approved on a site with inadequate shading.

### HUE

Any accent colors shall be of analogous tints, shades, or tones that are low in intensity or brightness. Primary, secondary, and highly saturated, bright tertiary colors should be avoided. Accent colors may only be approved for very limited use where appropriate to highlight a feature of the design or provide visual interest. A small area of brighter color may be appropriate to emphasize an architectural detail but would not be approved for a larger area. The number of such colors shall be limited and must be compatible within the overall color scheme.

### CONTRAST

Exterior color schemes must avoid placing together colors with values that are highly contrasting. Subtle levels of contrast are desirable to emphasize architectural elements or to provide visual interest. A slightly darker wall color on the bottom story of a two-story structure may help reduce the visual height of the building. The use of black, white or off-white is typically avoided and may be approved only for very limited use where a high level of contrast is warranted.



EARTH TONES



ACCENT COLORS



SUBTLE CONTRAST







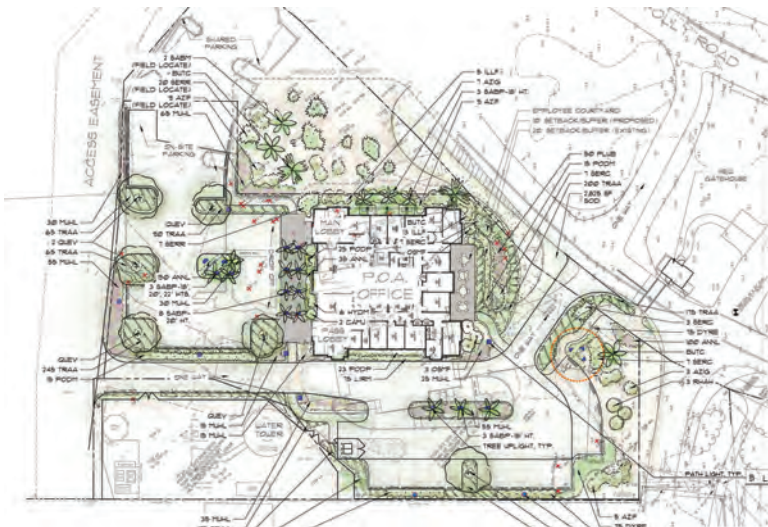
## THE LANDSCAPE

The landscape, the site's existing and new vegetation, plays an essential role in creating the Island Character. Its design and maintenance must therefore be given prominent attention starting at the conceptual phase of a project. Historically, Live Oaks, palms, and marsh grasses have been predominate in the existing island landscape. Great care should be taken to incorporate this aesthetic into the design, preserve a variety of existing native trees and shrubs, and minimize environmental impacts from development.

Landscaping, planting of new vegetation, is to be used to supplement the existing vegetation and provide for a harmonious setting for the site's structures, parking areas or other construction. The landscape will contain four basic elements

- Trees
- Shrubs
- Groundcovers
- Buffers

The use of native plants is strongly encouraged, due to their pest resistance, drought tolerance, and importance to wildlife and island biodiversity.







## TREES

Tree removal and replacement requirements are established in LMO Section 16-6-104. While these minimum requirements must be adhered to, there are additional aesthetic considerations that must also be implemented when a tree removal or landscape plan is submitted. These include:

- Preserving the tree canopy;
- Protecting significant or specimen trees and clusters of trees;
- Preserving smaller understory trees and shrubs;
- Requiring larger size replacement trees or additional trees depending on the size or number of existing trees removed or relationship to building mass and height; and
- Selection of particular species of replacement trees within a required category for screening or visual effect.

The top priority for the location of existing trees and new trees are street buffers, parking lots, and the area between parking lots and structures. This is a major component of Island Character.



Native live oaks surround park facilities at Islanders Beach Park.



## SHRUBS

Shrubs must be selected to complement the natural setting, provide visual interest, and screen less desirable elements of the project. The species used must take into consideration the site's growing conditions, existing vegetation types, and in some instances deer and salt tolerance. While a variety of species is desirable for texture and color, emphasis must be given to overall order and continuity of the landscape plan. Seasonal availability and planting time period also need to be considered.

The number of plants will be determined by the scope of the project and the function of the landscaping. A variety of sizes is desirable to create a "layered" appearance for visual interest and a sense of depth. Placement of shrubs must also take into account the location of existing mature trees so as not to damage tree roots. Proper spacing and location are required to allow for plants to reach their mature size and natural shape while avoiding excessive or unnatural pruning.



## GROUNDCOVERS

Groundcover plants should generally be a limited part of the landscape plan. When used, evergreen species with low maintenance needs are to be selected. Large grassed lawn areas encompassing a major portion of the site are to be avoided. Grass is appropriate as borders or around entrances and other focal points; grass should always be planted at least a mower's width away from the base of existing trees. Pine straw or other mulch should be used to stabilize areas and control weed growth.



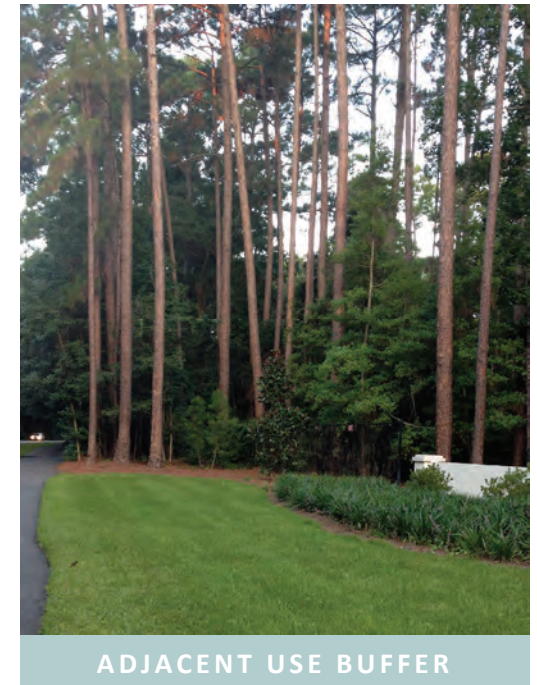




## BUFFERS

Specific buffer standards can be found in LMO Section 16-5-103. The most important component of buffers is the vegetation they contain. Buffers can be classified into three basic categories:

- **UNDISTURBED BUFFERS:** A buffer where all of the existing vegetation is neither removed nor pruned.
- **NATURAL BUFFERS:** A buffer where some existing vegetation is removed or pruned. Some additional plant materials may be added to natural buffers to enhance their appearance. Any additional plantings should be native species or species common to the Island and complimentary to the existing vegetation. Their placement should be designed so that they appear as if they were a part of the existing vegetation.
- **LANDSCAPED BUFFERS:** A buffer where most of the vegetation has been planted. Planting may be more formal and may be shaped by more extensive pruning.





The category of buffer most appropriate for Island Character is the natural buffer. However any of the three categories may be appropriate for Island Character depending on the situation. Undisturbed buffers are appropriate next to undeveloped land, along wetland boundaries, or for wildlife habitat. Landscaped buffers are more suited to limited areas such as around freestanding signs or driveway entrances and along street frontages.

In determining the most appropriate buffer for a project the designer should take into account the adjacent development so as not to depart too dramatically from the neighborhood. It may be necessary to transition the buffer design in order to blend with an adjacent buffer or to vary the category of buffer for site design reasons.

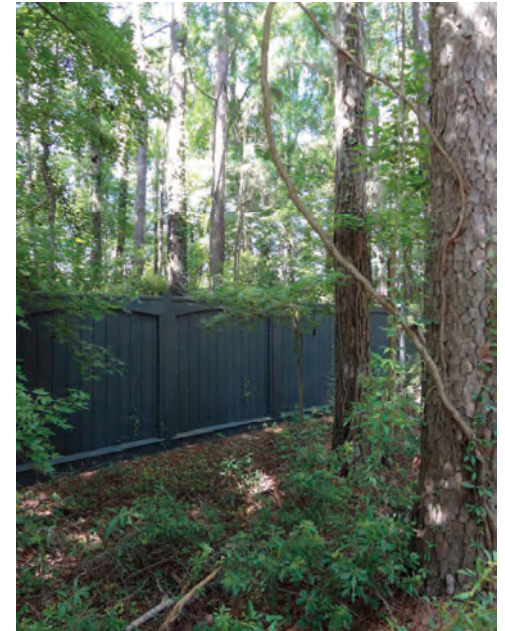


NATURAL BUFFER



WETLAND BUFFER

In some cases the LMO allows “structural elements” as part of a buffer. Typically this is a fence or screen of some type. Fences or walls shall comply with LMO Section 16-5-113. When structural elements are used, they must be designed to complement the architectural design of the building(s) and other elements of development on the site by the use of similar materials and detailing. They must be carefully located to avoid existing tree roots. Long straight expanses are not appropriate and the layout of the structural element should be varied for visual interest.



STRUCTURAL BUFFER

A wood fence painted or stained in a nature blending color used in conjunction with native plants in the foreground is a good example of a structural buffer.





## NATIVE PLANTS

In general, native plants or plants that have historically been prevalent on the Island should be utilized. The following lists are just some of the plants that are native to this area and commonly used for landscaping. A list of additional recommended natives can be found in the LMO Appendix C.

### OVERSTORY TREES

Live Oak, Sweet Gum, Laurel Oak, Red Maple, Water Oak, Florida Maple, Southern Red Oak, Loblolly Pine, Southern Magnolia, Long Leaf Pine, Bald Cypress, Slash Pine, Black Gum, Hickories (various species)

### SHRUBS

Saw Palm, Wax Myrtle, Salt Myrtle, Sparkleberry, Fetterbush, Inkberry, Witch Hazel

### GRASSES, VINES, AND GROUNDCOVERS

Soft Rush, Maidencane, Wild Rice, Spike Rushes, Sand Cordgrass, Rushes, Muhly Grass, Woolgrass, Bulrush, Yellow Jessamine, Passion Flower, Cross Vine, Trumpet Vine, Cinnamon Fern, Watershield, Fragrant Water Lily, Floating Hearts, Duck Potato, Golden Club, Arrow Arum, Blue Flag Iris, Hooded Pitcher Plant, Yellow Canna, Yellow Fringed Orchid, Buttonbush, Pickerelweed, Lizard's Tail, Jack-in-the-Pulpit, Bur-Marigolds, Swamp Rose Mallow, Large Marsh Pink

### UNDERSTORY TREES

Southern Red Cedar, Sassafras, Redbay, Sugarberry, Common Persimmon, American Holly, Dahoon Holly, Yaupon Holly, Cabbage Palmetto, Loblolly Bay

### SALT MARSH BUFFERS

Black Needle Rush, Sea Ox-Eye, Salt Hay

### NATIVE PLANTS FOR DUNES

FOR PRIMARY & SECONDARY DUNE:

Sea Oats, Beach Morning Glory, Seaside Panicum

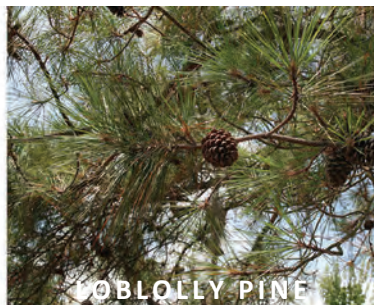
FOR DUNES BEHIND SECONDARY DUNE:

Muhly Grass, Seaside Panicum, Yaupon Holly, Wax Myrtle, Salt Myrtle, Saw Palm, Passion Flower, Beach Evening Primrose, Bear-Grass (Yucca), Camphor Weed, Climbing Butterfly Pea, Prickly Pear Cactus





SOUTHERN MAGNOLIA



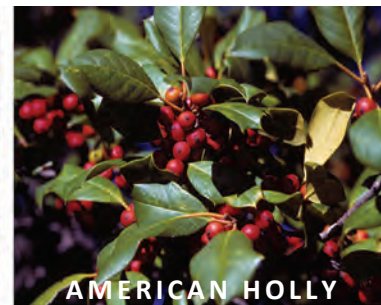
LOBLOLLY PINE



BLUE FLAG IRIS



SOUTHERN RED OAK



AMERICAN HOLLY



CABBAGE PALMETTO



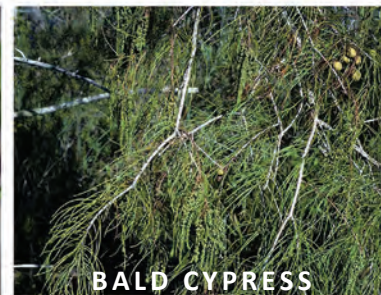
SEA OX-EYE



SASSAFRASS



CAMPHOR WEED



BALD CYPRESS



TRUMPET VINE



FLOATING HEARTS



MUHLY GRASS



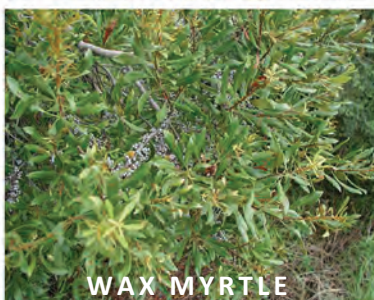
BUTTONBRUSH



SEA OATS



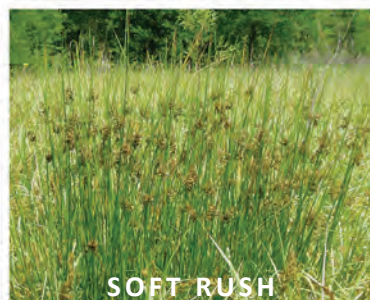
PICKERELWEED



WAX MYRTLE



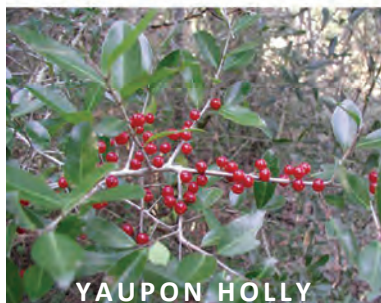
LIVE OAK



SOFT RUSH



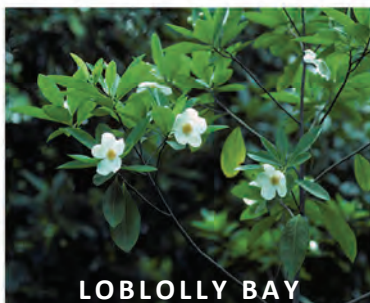
YELLOW JESSAMINE



YAUPON HOLLY



CINNAMON FERN



LOBLOLLY BAY



CLIMBING BUTTERFLY PEA



SAW PALM







## ACCESSORY CONSTRUCTION

Thought must be given to the design and placement of elements beyond parking, structures, and landscaping that may be part of a project with the aim being to achieve overall coordination. These other elements may include sculpture & fountains, signs, awnings, utilities and equipment, and lighting.



## SCULPTURE AND FOUNTAINS

Projects are encouraged to create interesting outdoor spaces that include appropriate items of visual interest such as sculpture or fountains. While it is not intended to limit artistic expression certain parameters are necessary. The design of such items must be in keeping with the size and scale of the project and not dominate the site. They should generally be subtle in material and color. Fountains should have natural forms that reflect their island location. In the design of sculpture, themes based on the culture and history of the Island are most appropriate.







The sign at the Hilton Head Island Public Library directly relates to the building's design and materials while the bronze sculpture relates to the building's function.



## SIGNS

Signs are an important element to most buildings and developments. Too often no allowance is made in the design of projects for the placement of signs. Many of the principles for good design of structures also apply to the design of signs. Sign design does not begin with a blank sheet of paper. The materials, details, and colors of the building are all starting points for good sign design. In other words, signs should reflect the design of the project they are intended to identify.

The size and number of signs will be determined by LMO Section 16-5-114. Signs should serve to identify the business or development and not act as advertisements. The amount of information on signs shall be no more than is necessary to provide reasonable identification of the business or message to be conveyed.

Signs should provide strong visual interest and include three dimensional design. Only high quality, durable materials such as wood, sign foam, and masonry shall be used. Bright colors and reflective surfaces should be avoided or very limited in size and used as accents rather than predominant design elements.

For façade signs, adequate wall space must be provided in a location that will allow the sign to function properly while also appear as if it "belongs" with the building. The sign should be placed within a single architectural element and the colors, materials, and details should compliment the structure's design. In good sign design the façade signs appear as an integral component of the building design rather than as an afterthought. Tenant signs at shopping centers and office complexes should be uniform in design and placed on the façade of the tenant space.

Freestanding or monument signs should be placed in logical locations near the project's entrance and their design must complement the architectural design of the building(s) and other elements of development on the site . Monument signs with one sign face shall be finished on "back" side. Adequate landscaping of a type and scale complementary to the overall landscape plan must be provided to integrate the sign into the site and provide a unified design.

Good sign design should apply to all signs on a site including monument signs, directional signs, and facade signs. Per LMO Section 16-5-114 a sign system is required for planned unit developments, commercial developments, office complexes, and shopping centers. A successful sign system will integrate all sign types on site in a unified system of materials, colors, shapes, and sizes that are compatible with the architecture and other site elements. Tenants may be required to select colors and fonts for their signs that are different than their typical logo colors and fonts in order to comply with the approved sign system.



MONUMENT SIGN



SECONDARY MONUMENT SIGN

Lighting, if used to illuminate the sign, must be completely shielded from streets and pathways. Light-reflecting backgrounds shall not be used but light-reflecting lettering or halo lighting may be used. When lighting a facade sign the type of light fixture selected should complement the architectural style of the structure and the facade light fixtures and not be added solely to illuminate the sign.



FAÇADE SIGN

The Town of Hilton Head Island Town Hall is an example of a sign system which integrates the design of all signs including monument signs, directional signs, and facade signs based on color, materials, and details.



DIRECTIONAL SIGN





PATHWAY LIGHT



LANDSCAPE UP LIGHT



BOLLARD LIGHT

## LIGHTING

Hilton Head Island is noted for its lack of glaring excessive lights. Strict requirements for general site lighting are specified in LMO Section 16-5-108. However, other decorative type lighting is allowed if limited in scope and properly designed. The goal is to add to the visual quality of the development without detracting from the beauty of the night sky. Such lighting may include concealed low wattage landscape up lights for significant trees or shrubbery at an entryway. Low bollard type lighting can be used to illuminate walkways and drive aisles. Important architectural elements can be softly illuminated to add emphasis at night. When lighting trees up lighting is preferred. Any light fixtures mounted in a tree must follow best management practices to avoid damage to the tree.

Incandescent lamps are preferred over metal halide. The same type of light source must be used for the same or similar types of lighting on site. The style and finish of exterior lighting, including fixtures and poles, should be selected to complement the details and materials of the structure and other site elements. A consistent finish should be selected for fixtures of similar types throughout the site. A coordinated lighting plan is a component of Island Character.

Six fixtures and poles have been pre-approved by the Design Review Board for use in overall lighting plans and can be used for site lighting without additional DRB review however the project's context and overall design character should be considered when selecting one of these fixtures. The approved fixtures/poles include:

- Baltimore
- Small Shoebox
- Hagerstown
- Salem
- Large Shoebox
- Pima



BALTIMORE



SMALL SHOEBOX



PIMA



SALEM



LARGE SHOEBOX



HAGERSTOWN





## AWNINGS

Awnings may be appropriate design elements if integral to the architectural design of the structure and not a dominant feature. If used they should have substantial structural support such as brackets and not just metal pipes. Only high quality fade-resistant fabric may be used and periodic replacement must be ensured. Color and pattern choices are critical in designing a successful awning. Bright colors or elaborate patterns are generally not desirable. Awnings should not be incorporated solely to provide space for sign copy.



## KIOSKS

Kiosks may be used as a temporary accessory element and should be integral to the site. Kiosk structures should take their architectural cues from the other structures on the site and should include similar or compatible details. Only high quality materials may be used. Colors should be nature blending and in keeping with other site structures.

## UTILITIES & EQUIPMENT

All utility or service lines must be underground or concealed within the structure. Exposed wires, pipes, or conduits are not acceptable. Any transformers, meters, compressors, or utility cabinets must be painted a nature blending color, i.e. brown or green, be located in a non-prominent location, and be screened from view with landscaping and/or walls or fences.

Solid waste receptacles must be located in a non-prominent location and screened from view. In most cases a fence as described elsewhere in this guide (see page 22) will be required. Enclosures should be designed to allow adequate air flow as needed but not allow visibility into the enclosure.

Vending machines or other such equipment if placed on the exterior of a structure should be concealed from view of the street or parking area and must not include internal illumination.



Enclosures for utilities and equipment may be attached to the building or located elsewhere on site. The attached service yard conceals utility cabinets and trash receptacles in a design that is integrated into the overall design of the structure and other site elements through the use of common colors and materials.







## CREDITS

Tower Beach Site Analysis; JK Tiller Associates (page 6)

Tower Beach Conceptual Master Plan; JK Tiller Associates (page 6)

Conceptual Parking Lot Layout; Wood+Partners (page 8)

Harris Teeter Storm Water Retention Pond; JK Tiller Associates (page 10)

Building Elevation; McCleskey & Associates (page 13)

Palmetto Dunes Gate House Conceptual Architecture; Lee & Parker Architects (page 14)

Shelter Cove Towne Centre Conceptual Elevations; MSTSD (page 16)

Palmetto Dunes POA Office Landscape Plan; Witmer Jones Keefer (page 18)

Pre-Approved light fixtures/poles; Palmetto Electric (page 30)

## ACKNOWLEDGEMENTS

### DESIGN REVIEW BOARD—July 2014-June 2015

Scott Sodemann, Chairman

Jake Gartner, Vice Chairman

Ronald Hoffman

Galen B. Smith

Dale Strecker

Kyle Theodore

Brian Witmer

Adopted by Town of Hilton Head Island Town Council  
Month, Year





## **TOWN OF HILTON HEAD ISLAND**

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### *Community Development Department*

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Jill Foster, AICP, *Deputy Director of Community Development*  
**CC:** Charles Cousins, AICP, *Director of Community Development*  
**FROM:** Teri Lewis, AICP, *LMO Official*  
**DATE:** July 27, 2015  
**SUBJECT:** Approve an extended display time for the four United Way of the Lowcountry fundraising signs

---

**Recommendation:** The Public Planning Committee held a public meeting on July 23, 2015 and after consideration of the staff presentation voted 3-0-0 to recommend that Town Council approve the proposed Resolution.

Staff recommends that Town Council approve the proposed Resolution.

**Summary:** In recent years, United Way of the Lowcountry has lengthened the time of their campaign in order to increase the public's awareness of the fundraising campaign. The United Way would like to change the dates that the fundraising signs are allowed to be up to reflect the increase in the fundraising campaign time. It is suggested that the signs be allowed to be displayed no earlier than September 1<sup>st</sup> of each year and removed no later than the following April 7<sup>th</sup>.

**Background:** In 1996, the Town of Hilton Head Island Town Council approved Resolution 96-40 designating the United Way of the Lowcountry thermometer signs as official signs and allowing two such signs to be displayed. In 2013, Town Council approved Resolution 2013-12 allowing an additional two signs to be displayed based on population growth and the consequent increase in need for funds. The official United Way signs as approved by Town Council are allowed to be displayed no earlier than September 1<sup>st</sup> of each year and are to be removed no later than the following December 15<sup>th</sup>.

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND APPROVING THE INCREASE IN DISPLAY TIME OF THE FOUR OFFICIAL UNITED WAY OF THE LOWCOUNTRY THERMOMETER SIGNS DURING ITS ANNUAL FUNDRAISING CAMPAIGN.**

**WHEREAS**, on September 17, 1996, the Town Council of the Town of Hilton Head Island, South Carolina approved Resolution 96-40, designating the United Way thermometer signs as official signs subject to conditions limiting the size of the signs, the number of the signs and the length of time that they can be displayed; and

**WHEREAS**, on May 7, 2013, the Town Council of the Town of Hilton Head Island, South Carolina approved Resolution 2013-12 increasing the number of the official United Way of the Lowcountry thermometer signs to four; and

**WHEREAS**, the four signs can currently be displayed from September 1<sup>st</sup> of each year through the following December 15<sup>th</sup>; and

**WHEREAS**, since September 1996, the United Way of the Lowcountry's fundraising goal has increased from \$1.3 million to \$2.4 million; and

**WHEREAS**, the United Way of the Lowcountry has lengthened the time of its fundraising campaign to increase public awareness of the campaign; and

**WHEREAS**, the United Way of the Lowcountry would like to increase the length of time that its official thermometer signs are displayed to coincide with the increase in the fundraising campaign time; and

**WHEREAS**, the Public Planning Committee held a public meeting on July 23, 2015 at which time a presentation was made by staff and an opportunity was given for the public to comment on the increase in display time of the four official United Way of the Lowcountry thermometer signs; and

**WHEREAS**, the Public Planning Committee, after consideration of the staff presentation and public comments, voted 3-0-0 to recommend that Town Council approve the increase in display time of the four official United Way of the Lowcountry thermometer signs; and

**WHEREAS**, after due consideration of said increase in display time and the recommendation of the Public Planning Committee, the Town Council, upon further review, finds it is in the public interest to approve the increase in display time of the four official United Way of the Lowcountry thermometer signs.

**NOW, THEREFORE BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT THE TOWN COUNCIL HEREBY APPROVES THE DISPLAY OF THE FOUR OFFICAL UNITED WAY OF THE LOWCOUNTRY THERMOMETER SIGNS DURING THE TIME PERIOD FROM SEPTEMBER 1<sup>ST</sup> OF EACH YEAR TO THE FOLLOWING APRIL 7<sup>TH</sup>.**

**MOVED, APPROVED, AND ADOPTED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Victoria L. Pfannenschmidt, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_



## **MEMORANDUM**

**TO:** Town Council

**FROM:** Stephen G. Riley, Town Manager

**DATE:** September 2, 2015

**RE:** Sewer Implementation Strategies

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Following the May 15<sup>th</sup> “sewer summit” held at Town Hall, the HHPSD developed a funding recommendation (previously provided) which endeavored to put forth a five year plan for bringing sewer service to “all who want it.”

In the intervening summer months, the two staffs have worked to refine the proposals and to understand the implications and policy considerations inherent in this approach, which goes beyond our prior focus on the “backbone” or mainline sewers. Implications for our dirt road acquisition program have also been explored. Work got underway on the Gumtree Sewer Project. Representatives from SCDHEC participated with the two staffs in a day-long forum on alternative funding options; and discussions are ongoing with the Community Foundation on changes to the Project SAFE program guidelines.

During the Summit there had been discussions of taking a “comprehensive” approach in which construction of sewer lines would be done in conjunction with the paving of dirt roads, drainage improvements, water service improvements (if any), burying of powerlines and any similar neighborhood enhancements. Staff has concluded that such an approach will add considerably to the complexity of the undertaking and will assuredly take much longer to accomplish than five years. After discussions with the PSD, representatives of the Native Island POAs and with Councilman Grant, it is staff’s recommendation that we disassociate the dirt road and sewer efforts and concentrate on extending sewer to the un-served areas within five years.

There remain a number of policy and financial decisions that must be addressed for both the sewer and dirt road programs. A significant conversation may be desired on shifting the goal from sewer service for “all who want it,” to one that focuses on the elimination of septic tank systems on the Island.

Rather than delay progress as we attempt to address these many issues up front, and in an effort to get the clock started on the five year implementation goal, Staff is recommending a first year funding proposal that sets the clock running as of July 1, 2015.

This funding proposal differs from that put forth by the PSD in two ways. First, we are recommending a re-prioritization of the Year One target areas. This has been shared with the HHPSD General Manager, who has indicated his concurrence.

Second, we are **not** recommending funding to extend sewer lines down every remaining road on the Island. There are neighborhoods that are fully capable of paying their own way and should do so. We have focused our recommendation on serving those properties which are developed (not vacant), not currently being considered for development or not having been developed in the modern era since the establishment of the former Beaufort County Development Standards Ordinance (DSO); and where no platted road rights-of-way exist.

Staff will continue to work with our partners at the PSD to refine our recommendations and the policy implications thereof in order to bring forward a complete five-year funding proposal as soon as practical.

The Staff recommendation for year one funding is more fully detailed in the attached memo and budget amendment recommendation from Scott Liggett.



# TOWN OF HILTON HEAD ISLAND

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

**FROM:** Scott Liggett, PE, Director of Public Projects & Facilities

**DATE** Sept 3, 2015

**SUBJECT:** Sewer Service Initiative - Year One Budget Amendment Recommendation

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**Recommendation:** Staff recommends that Council direct staff to prepare an amendment to the Fiscal Year (FY) 2016 Consolidated Municipal Budget to provide FY 2016 funding in the amount of \$839,812.50 to address portions of the South Spanish Wells Area (Project Area #10) and the entire Dillon Road Area (Project Area #5) projects.

**Summary:** An additional \$539,812.50 beyond the \$300,000 already approved in the Consolidated Municipal Budget is required to implement the Staff recommended year one sewer projects. The recommended funding source is general obligation revenue bond proceeds, State Revolving Fund revenues or Community Development Block Grant (CDBG) revenues, depending on expediency and cost of capital. The specific funding source will be identified at as part of the proposed budget amendment.

**Background:** The Hilton Head Public Service District has developed a proposal for the Town's consideration whereby the Town would provide \$4,974,957 for a portion of the costs associated with the 5 year completion of the District's Master Sewer Plan and the provision of sanitary sewer service to all residents in the PSD's service area that desire sewer service.

Staff agrees with the PSD recommendation to include Project Area 10 (South Spanish Wells) in the year one priority. However, Staff recommends that Project Area 5 (Dillon Road) be swapped in priority with Project Area 7 (Marshland Road) and be moved to a year one implementation. It is thought that more immediate progress can be made with Dillon than with Marshland due to a less significant need for easement acquisition.

In making eligibility determinations as to which proposed sewer projects within the identified service areas staff recommends be funded by the Town, primary consideration was given to serving those properties which are developed (not vacant), not currently being considered for development or not having been developed in the modern era since the establishment of the former Beaufort County Development Standards Ordinance (DSO) and where no platted road rights of way exist.

Accordingly, Staff recommends that the following projects or portions of projects BE CONSIDERED for funding by the Town within Service Area 10:

**Proposed Service Area 10** – Nazarene LPS, Sassafras Lane LPS, Trinh Palace LPS, Oakview Drive Sewer, Spanish Wells Road Sewer (East), Oakview Road B Sewer, Spanish Wells Road LPS,



Staff further recommends that the following projects or portions of projects NOT be considered for funding by the Town within Service Area 10:

**Proposed Service Area 10** – Tanseyleaf Drive LPS, Spanish Wells West LPS, Wells East LPS, Deep Fording LPS and Old House Creek LPS extension

As a result of the above deletions, please note that Staff is recommending Town funding for Service Area 10 projects which is \$174,100 less than the HHPSD has requested. Staff recommends no deletions for Service Area 5 and recommends full funding as requested by the PSD in the amount of \$597,975.

Given the criticality of the 5 year time frame, no sewer specific additions to our road acquisition program are recommended. Private roadway acquisition is not mission critical to the implementation of the 5 year sewer masterplan and incorporating such a component into the sewer initiative will assuredly add time an additional expense.