The Town of Hilton Head Island

Town Council

Tuesday, September 17, 2019, 4:00 p.m.

Benjamin M. Racusin Council Chambers

AGENDA

As a courtesy to others please turn off / silence ALL mobile devices during the Town Council Meeting. Thank You.

1. **Call to Order**
2. **FOIA Compliance -** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Pledge to the Flag**
4. **Invocation – Pastor Michael Carr, Central Church**
5. **Approval of Minutes**
   - **a.** Town Council Meeting, August 20, 2019
6. **Report of the Town Manager**
   - **a.** Gullah-Geechee Land & Cultural Preservation Quarterly Update – Lavon Stevens
   - **b.** Town Manager's Quarterly Status Report to Council
   - **c.** Consideration of Moving the Start Time for the October 15, 2019 Regular Meeting from 4:00 p.m. to 3:00 p.m.
   - **d.** Items of Interest
7. **Reports from Members of Council**
   - **a.** General Reports from Council
   - **b.** Report of the Intergovernmental Committee – Bill Harkins
   - **c.** Report of the Community Services & Public Safety Committee – Marc Grant
   - **d.** Report of the Public Planning Committee – David Ames
   - **e.** Report of the Finance & Administrative Committee – Tom Lennox
8. **Appearances by Citizens**

   *[**Town Code § 2-5-70**: To sign-up, notify the Town Clerk **prior to 12:00 p.m. the day of the meeting**. All comments are limited to 3 minutes.]*
9. **Consent Agenda**

   a. Second Reading of Proposed Ordinance 2019-16 – Lease of Real Property

   Second Reading of Proposed Ordinance 2019-16 of the Town of Hilton Head Island, South Carolina, authorizing the execution and delivery of a lease of Real Property owned by the Town of Hilton Head Island, South Carolina, with the Beaufort County Sheriff's Office, 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.

9. Consent Agenda (cont.)

b. Second Reading of Proposed Ordinance 2019-19 – 280 Fish Haul Road Rezoning

Second Reading of Proposed Ordinance 2019-19 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 with respect to the certain Parcel identified as Tax District 510, Map 4, Parcel 16, (TIN R510 004 000 0016 0000) on the Beaufort County, South Carolina Tax Maps to rezone the Parcel from RM-4 (Low to Moderate Density Residential) and RM-8 (Moderate Density Residential) Zoning Districts to the RM-12 (Moderate to High Density Residential) Zoning District; and providing for severability and an effective date.

c. Second Reading of Proposed Ordinance 2019-23 – FY2020 Budget Roll Forwards

Second Reading of Proposed Ordinance 2019-23 to amend the Budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2020; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and effective date.

d. Second Reading of Proposed Ordinance 2019-24 – Recreational Vehicles

Second Reading of Proposed Ordinance 2019-24 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 3, 4, and 10 to revise various sections. These amendments, commonly referred to as "RV Amendments" as noticed in the Island Packet on May 5, 2019, include changes that provide for general amendments to a variety of Sections in the LMO related to the use of Recreational Vehicles; and providing for severability and an effective date.

10. Proclamations/Commendations – None

11. Unfinished Business

a. Revised First Reading of Proposed Ordinance 2019-25 – Change in Rules and Procedure

Revised First Reading of Proposed Ordinance 2019-25 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 2019-20 – Tidal Bluff Rezoning

First Reading of Proposed Ordinance 2019-20 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 with respect to those certain parcels identified as Beaufort County Tax District 510, Map 5 Parcels 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, and 406 to rezone the parcels from the RM-4 (Low to Moderate Density Residential) Zoning District to the RM-12 (Moderate to High Density Residential) Zoning District.

12. New Business

a. First Reading of Proposed Ordinance 2019-22 – Small Wireless Facilities

First Reading of Proposed Ordinance 2019-22 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Table 16-4-103.D.2 (Accessory Use/Structure Table), by adding Section 16-4-103.E.10 (Small Wireless Facilities), and by amending and adding Definitions to Section 16-10-105 (General Definitions); and providing for severability and an effective date.

12. New Business (cont.)

b. First Reading of Proposed Ordinance 2019-26 - Transfer of Real Property to the South Carolina Department of Transportation

First Reading of Proposed Ordinance 2019-26 of the Town of Hilton Head Island, South Carolina, authorizing the conveyance of real property owned by the Town of Hilton Head Island, South Carolina, under the authority of SC Code Ann. § 5-7-40 (Supp. 2019), and § 2-7-20, Municipal Code of the Town of Hilton Head Island, South Carolina, (1983); and providing for severability and an effective date.

c. Consideration of a Recommendation – Gullah-Geechee Culture Preservation Project Report

Consideration of a Recommendation from the Public Planning Committee that Town Council accept the Gullah Geechee Culture Preservation Report recommendations, including Town staff approach.

d. Consideration of a Resolution – Regional Housing Trust Fund

Consideration of a Resolution of the Town of Hilton Head Island, South Carolina, Town Council authorizing the Town Manager to enter into a Memorandum of Agreement with Beaufort County for the purpose of Cost Sharing for Contracting for Consulting Services to develop a Regional Affordable Housing Trust Fund.

e. Consideration of a Resolution – HUD/CDBG Entitlement Program 2018 Consolidated Annual Performance Evaluation Report

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) 2018 Consolidated Annual Performance Evaluation Report (CAPER).

13. Executive Session

a. Land Acquisition:

i. Old Wild Horse Road area; and
ii. Spanish Wells Road area.

b. Personnel/Employment Matters:

i. Discussions of appointments to Boards and Commission
ii. Discussions of the Town Manager's Annual Performance Review and Compensation

14. Possible actions by Town Council concerning matters discussed in Executive Session

15. Adjournment

Town of Hilton Head Island

Town Council

Tuesday, August 20, 2019 at 4:00 pm

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor;* Bill Harkins, *Mayor Pro-Tempore;* Tom Lennox, Marc Grant, David Ames, Tamara Becker, Glenn Stanford; *Council Members*

Present from Town Staff: Steve Riley, *Town Manager;* Joshua Gruber, *Assistant Town Manager;* Scott Liggett, *Director of Public Projects and Facilities;* Shawn Colin, *Director of Community Development;* John Troyer, *Finance Director;* Angie Stone, *Human Resource Director;* Brad Tadlock, *Fire Chief;* Teri Lewis, *Deputy Director of Community Development;* Jennifer Ray, *Deputy Director of Community Development;* Joheida Fister, *Deputy Fire Chief;* Marcy Benson, *Senior Grants Administrator;* Taylor Ladd, *Senior Planner;* Nicole Dixon, *Development Review Administrator;* Missy Luick, *Senior Planner;* Melissa Cope, *Systems Analyst;* Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Kathrine Kokal

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1. Call to Order

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

2. FOIA Compliance

Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Pledge to the Flag

4. Invocation – Pastor Neil M. Yongue, Jr, St. Andrew by the Sea United Methodist

Pastor Youngue delivered the Invocation.

5. Approval of Minutes

a. Town Council Meeting, July 16, 2019

Mr. Stanford moved to approve the minutes from July 16, 2019. Mrs. Becker seconded. The motion was approved by a vote of 5-0-2. Mr. Harkins and Mr. Grant abstaining since they were not present at the meeting.

6. Report of the Town Manager

a. Parks and Recreation Commission Semi-Annual Report – Ray Kisiah, Chairman

Ray Kisiah, Chairman, gave an update to the members of Town Council highlighting the past six months of business covered by the Parks and Recreation Commission. Mr. Kisiah made mention of the consulting firm, Lose Design who will be working on the Master Plan.

b. Introduction to Lose Design, Parks and Recreation Master Plan Consultant – John Lavender

John Lavendar of Lose Design, made a brief presentation to Council concerning his firm's role in the Parks and Recreation Master Plan development.

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6. Report of the Town Manager (cont.

c. Proposed Town Council Meeting Dates for 2020

Mr. Riley introduced the Proposed Town Council meeting dates for 2020 for Council to consider. Mr. Harkins moved to approve the meeting dates. Mrs. Becker seconded. The Proposed Town Council meeting dates for 2020 were approved by a vote of 7-0.

d. Items of Interest

Mr. Riley reviewed the Items of Interest, including Town news, upcoming Town meetings, and noteworthy events taking place throughout the Island over the coming weeks.

7. Reports from Members of Council

a. General Reports from Council

Mr. Ames provided an update concerning workforce housing. He noted that former Mayor David Bennett and Representative Jeff Bradley recently traveled to Columbia to meet with staff from the South Carolina Housing Development Agency and Governor's Office, where they discussed improvements to the Housing Tax Credits. Mr. Ames reported that the meeting was productive and would outline the discussion during the upcoming Public Planning Committee meeting.

Mr. Ames also reported that the Public Planning Committee and members of Town staff have been working collectively to develop a set of strategies for workforce housing. He noted that the Committee would be meeting this Thursday, August 22, 2019, where they will be reviewing the workforce housing strategy plan. Mr. Ames moved to amend the current Town Council meeting agenda by postponing agenda items 12(b) and 12(f), until the Public Planning Committee has a chance to review and act on staff recommendations on workforce housing. Mrs. Becker seconded. Mayor McCann noted the motion, and stated that Council would consider his motion when the New Business items came up.

Mrs. Becker read a quote authored by Charles Fraser.

b. Report of the Intergovernmental Committee – Bill Harkins

Mr. Harkins stated he had no report.

c. Report of the Community Services & Public Safety Committee – Marc Grant

Mr. Grant reported that the Committee recently met with applicants for the opening on the Parks and Recreation Commission. He said that the Committee voted to select an individual, and would bring the recommendation to the next Town Council meeting. Mr. Grant also reported that at the same meeting, the Committee reviewed three major issues, the first being Main Street, the CDBG and Circle K.

d. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the Committee met on July 25, 2019 where they discussed the turtle ordinance and updates to the LMO. He also reported that at the August 19, 2019 meeting, the Committee reviewed and approved the recommendations from the Gullah Geechee Culture Preservation Project Report. Mr. Ames noted that the recommendations would be coming forward to the next Town Council meeting.

e. Report of the Finance & Administrative Committee – Tom Lennox

Mr. Lennox reported that during the earlier scheduled Committee meeting, they discussed the Town Manager's annual performance review and compensation. He stated that no action was taken.

8. Proclamations/Commendations

a. USCB Sand Shark Welcome Week Proclamation

Mayor McCann presented Dr. Anna Ponder the USCB Sand Shark Welcome Week proclamation.

9. Appearance by Citizens

Several citizens appeared before the members of Town Council regarding the Board of Zoning Appeals' decision concerning electric go-karts. Donald Lucas, Nate Jones, John Preston, Judy Shade, Mary Navis, Sue McCormick, Frank Collea, Jock Conlon, Janet Turkish, Susan Boyle, Henry Brown, Connie Sewell, James Levesque, Valery Ford, and Vince DiMauro all appeared before Council to state their concern.

10. Consent Agenda – NONE

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2019-18 – Special Obligation Bonds

Second Reading of Proposed Ordinance 2019-18 providing for the issuance and sale of Town of Hilton Head Island, South Carolina, Special Obligation Bonds (Hospitality Fee Pledge), in one or more Series, in the Principal amount of not exceeding $17,000,000, delegating the authority to the Town Manager to determine certain matters with respect to the Bonds, prescribing the form and details of such Bonds; other matters relating thereto; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Grant seconded. With no discussion, the motion was approved by a vote of 7-0.

12. New Business

Mayor McCann addressed the motion made by Mr. Ames and seconded by Mrs. Becker during General Reports by Council. Mrs. Becker stated that as Town Council moves forward with discussions regarding zoning, that it makes sense that the committees of Council have an opportunity to review and define the language for zoning matters prior to the full Council reviewing and taking action. With no further discussion, the motion was failed by a vote of 3-4, Mayor McCann, Mr. Grant, Mr. Harkins, and Mr. Lennox opposing.

a. First Reading of Proposed Ordinance 2019-16 – Lease of Real Property

First Reading of Proposed Ordinance 2019-16 of the Town of Hilton Head Island, South Carolina, authorizing the execution and delivery of a lease of Real Property owned by the Town of Hilton Head Island, South Carolina, with the Beaufort County Sheriff's Office, 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. Grant seconded. With no discussion, the motion was approved by a vote of 7-0.

b. First Reading of Proposed Ordinance 2019-19 – 280 Fish Haul Road Rezoning

First Reading of Proposed Ordinance 2019-19 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 with respect to the certain Parcel identified as Tax District 510, Map 4, Parcel 16, (TIN R510 004 000 0016 0000) on the Beaufort County, South Carolina Tax Maps to rezone the Parcel from RM-4 (Low to Moderate Density Residential) and RM-8 (Moderate Density Residential) Zoning Districts to the RM-12 (Moderate to High Density Residential) Zoning District; and providing for severability and an effective date.

Mr. Stanford moved to approve. Mr. Grant seconded. With no discussion, the motion was approved by a vote of 5-2, Mr. Ames and Mrs. Becker opposing.

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12. New Business (cont.)

c. First Reading of Proposed Ordinance 2019-23 – FY2020 Budget Roll Forwards

First Reading of Proposed Ordinance 2019-23 to amend the Budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2020; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion was approved by a vote of 7-0.

d. First Reading of Proposed Ordinance 2019-24 – Recreational Vehicles

First Reading of Proposed Ordinance 2019-24 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 3, 4, and 10 to revise various sections. These amendments, commonly referred to as "RV Amendments" as noticed in the Island Packet on May 5, 2019, include changes that provide for general amendments to a variety of Sections in the LMO related to the use of Recreational Vehicles; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion was approved by a vote of 5-2, Mr. Ames and Mrs. Becker opposing.

e. First Reading of Proposed Ordinance 2019-25 – Change in Rules and Procedure

First Reading of Proposed Ordinance 2019-25 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.

Mr. Harkins moved to approve. Mr. Grant seconded. Mr. Ames clarified the proposed ordinance, confirming this amendment would move the Appearances by Citizens to the end of the agenda. Mr. Ames made an amending motion, recommending that Appearance by Citizens appear on the agenda at the beginning and again at the end. Mr. Lennox seconded Mr. Ames motion. Mayor McCann pointed out that Town code still allows for citizens to comment on the Unfinished and New Business items throughout the agenda. Mr. Ames stated that by adding Appearance by Citizens to the agenda both at the beginning and end, it allows for citizens who may have missed the first one. Mrs. Becker confirmed that this change does not change the requirements for citizens to sign-up ahead of time. Mr. Stanford asked for further clarification of Mr. Ames motion, stating that citizens would only be allowed to sign-up for Appearances by Citizens and addressing Council on the same matter one time, versus addressing Council twice on the same matter. He said that he recommends that citizens have three minutes to address a particular subject one time per agenda. Mr. Ames stated that he agreed, and made a secondary amendment to his motion to include Mr. Stanford's recommendation. Mr. Lennox seconded the motion to amend. Mr. Riley clarified and confirmed that Mr. Ames motion is not to change the current Appearances by Citizens, but to add an additional one before the start of Executive Session. Mr. Riley went on stating that citizens would still comply with the original requirements of signing up by noon the day of the meeting, and would still have three minutes to speak.

The amending motion with the secondary amendment passed by a vote of 5-2, Mayor McCann and Mr. Harkins opposed. Mayor McCann then called the original initial motion as amended, which passed by a vote of 5-2, Mayor McCann and Mr. Harkins opposed.

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12. New Business (cont.)

f. Consideration of a Resolution – Tidal Bluff Rezoning

Consideration of a Resolution by the Town Council of the Town of Hilton Head Island denying the Application for Zoning May Amendment *ZA-001460-2019* which requests an amendment to Chapter 1 of Title 16, "The Land Management Ordinance" (LMO), of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, of the Official Zoning Map with respect to those certain Parcels identified as Beaufort County Tax District 510 Parcels 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406 in Beaufort County Tax Map 5 to Rezone the Parcels from the RM-4 (Low to Moderate Density Residential) Zoning District to the RM-12 (Moderate to High Density Residential) Zoning District.

Mr. Harkins moved to direct Town staff to prepare an ordinance approving the Tidal Bluff Rezoning Amendment, ZA-001460-2019 and that such ordinance be included on the September 17, 2019 Town Council agenda under Unfinished Business for first reading approval. Mr. Stanford seconded. Mr. Ames stated that he believed that the Town should not be up-zoning property until the Comprehensive Plan has spoken to what the Town wants to become. He noted that decisions are being made without a Master Plan. Mrs. Becker echoed the sentiments of Mr. Ames regarding the completion of a Master Plan. With some additional discussion from the public at large, the motion was approved by a vote of 5-2, Mr. Ames and Mrs. Becker opposing.

g. Consideration of a Recommendation – Designated Marketing Organization Request for Qualifications

Consideration of a Recommendation from the Finance and Administrative Committee to Town Council authorizing the Town to issue a Request for Qualifications for its Designated Marketing Organization.

Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Ames stated that he and Mr. Lennox had met and talked about how the community should no longer be talking about tourism, but instead talking about hospitality. He went on to say that this says something about how we treat people and changes the way residents think about that person who is coming to the Island. Mr. Ames said that he encourages the consideration of hospitality instead of tourism. Mayor McCann asked Mr. Riley to update the request to reflect "hospitality" instead of "tourism." With no further discussion from the members of Town Council or the public at large, the motion was approved by a vote of 7-0

h. Consideration of a Recommendation – Phase 2 of the Cordillo Tennis Courts Renovation Project

Consideration of a Recommendation from the Community Services and Public Safety Committee that Town Council support the design, permitting, and construction of Phase 2 of the Cordillo Tennis Courts Renovation project.

Mr. Harkins moved to approve. Mr. Grant seconded. Mr. Grant stated that he felt Council should move forward with this matter, but in terms of the covenants, have the Town Attorney look at what can be done to eliminate the covenants. Mr. Ames stated that it would be important to consider that the building could expand in the future. He requested that this be added to the motion, so that staff is aware of the possibility that the program may change down the road. With no further discussion, Mayor McCann called the question as it was originally motioned by Mr. Harkins, and seconded by Mr. Grant. The motion was approved by a vote of 7-0.

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12. New Business (cont.)

i. Consideration of a Recommendation – Public Dedication of Private Roads – Main Street, from Whooping Crane Way to Wilborn Road, Central Avenue, Museum Street, Merchant Street and a portion of Meeting Street

Consideration of a Recommendation from the Community Services and Public Safety Committee that Town Council authorize the Town Manager to identify clearly defined, viable funding options available to fund the costs for maintenance and improvements to the private roads potentially being dedicated to the Town, but only after a full review of the applicant's current obligations for road and right of way operations and maintenance under their covenant and articles of organization or incorporation.

Mr. Harkins moved to add "and capabilities" after "…applicant's current obligations…" Mr. Stanford seconded. Mr. Grant stated that he supports the recommendation, but in terms of priorities, he asked that the Town Manager not spend too much additional time on this matter until other current project priorities are addressed or considered. He said that he would like to ensure that the Mitchelville/Gullah-Geechee culture preservation priority is addressed. Mr. Ames clarified that Council is approving for the Town Manager to research and bring back information, but not to move forward with the project itself. With no further discussion, the motion was approved by a vote of 7-0.

j. Consideration of a Recommendation – Community Development Block Grant 2015-2019 Five Year Consolidated Plan Funding Program

Consideration of a Recommendation from the Community Services and Public Safety Committee that Town Council approve the projects in the 2015-2019 Five Year Consolidated Plan funding program.

Mr. Harkins moved to approve. Mr. Grant seconded. With no discussion, the motion was approved by a vote of 7-0.

k. Consideration of a Potential Cost Sharing Project Related to a Potential Third Lane on a Portion of William Hilton Parkway

Consideration of a Recommendation that Town Council authorize the Town Manager to review and analyze the scope and scale of the proposed Circle K convenience store redevelopment plan to determine the potential opportunity and benefit of a public/private partnership involving Town contemplated and adjacent public road improvements.

Mr. Grant recused himself from this matter with a potential conflict of interest, being the owner of a similar business. Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Liggett made a brief presentation to Town Council regarding the potential project. He went on to say that similar to earlier comments, this proposed recommendation is to receive authority to obtain information and return back to Town Council once the information is received. Walter Nester, Attorney from Burr and Forman also made a brief presentation, providing additional information about the project. With no further discussion, the motion was approved by a vote of 5-1-1, Mrs. Becker opposing and Mr. Grant recusing himself.

l. Consideration of a Recommendation – Guiding Principles for Evaluating the U.S. 278 Corridor Alternatives

Consideration of a Recommendation from the U.S. 278 Gateway Corridor Committee that Town Council endorse the "Guiding Principles for the U.S. 278 Gateway Corridor Project" and forward to Beaufort County and the Town of Bluffton for consideration.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion was approved by a vote of 7-0.

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13. Executive Session

Mr. Riley stated that an Executive Session was needed to review the following matters; (a) Legal Advice, receipt of legal advice related to pending, threatened, or potential claim related to actions taken by the Board of Zoning Appeals; and (b) Personnel Matters, discussions of appointments to boards and commissions.

At 5:57 p.m., Mr. Harkins moved to go into Executive Session for the items mention by the Town Manager. Mr. Stanford seconded. The motion was approved by a vote of 7-0.

At 6:30 p.m., Town Council returned to the dais.

14. Possible actions by Town Council concerning matters discussed in Executive Session

15. Adjournment

At 6:30 p.m., Mr. Stanford moved to adjourn. Mr. Grant seconded. The motion was approved by a vote of 4-0, Mr. Ames, Mrs. Becker, and Mr. Harkins were not present.

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Krista Wiedmeyer, Town Clerk

Approved: September 17, 2019

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John J. McCann, Mayor

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TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Town Council
FROM: Lavon Stevens, Gullah Task Force Chairman
DATE: September 9, 2019
SUBJECT: Gullah Geechee Land & Cultural Preservation Task Force
Quarterly Report: June 2019 – August 2019

The May 20, 2019, July 1, 2019, and August 5, 2019 Gullah Task Force meetings were cancelled due to a lack of agenda items. The meeting held on July 15, 2019, the Task Force voted to meet bimonthly on the 1st and 3rd Mondays. The last scheduled meeting for 2019 is on December 16, 2019.

Regular Task Force Meetings

June 3, 2019 – The Task Force voted to meet once a month, with the option to schedule special meetings. Carolyn Grant provided information concerning the Digital Resource Center as a part of the Town Website. Jayme Lopko and Fire Chief Brad Tadlock provided information of fire hydrant placement requirements and the new program in partnership with the Hilton Head Island Public Service District.

June 17, 2019 – Sheryse DuBose was introduced as the new Historic Neighborhoods Preservation Administrator. Taylor Ladd provided information on "Our Plan," the 2020 Comprehensive Plan rewrite. The Task Force discussed revisiting the Center for Heirs' Property and the Heritage Library as educational opportunities. Landowner, Michael Cohen Jr. requested that the public be educated about farming and hunting being a part of Gullah Geechee culture.

July 15, 2019 – Josh Gruber explained the program with the Fire Department and Hilton Head Public Service district that is geared towards installing fire hydrants in places where there is a gap in coverage. The staff discussed the review process for the Gullah Geechee Preservation Project Report Recommendations. The Task Force voted to meet bi-monthly.

Special Meeting

August 26, 2019 – Pete Nardi gave a presentation on fire hydrant placement on Hilton Head Island. The Task Force discussed prioritizing recommendations from the Report.

Workshop

No workshops were held this quarter.

Items of Special Interest

The Historic Neighborhoods Preservation Administrator began work with the Town on June 3, 2019.

TOWN COUNCIL 2019 STRATEGIC GOALS
TOWN MANAGER QUARTERLY UPDATE

Lowcountry Celebration Park / Coligny Area Redevelopment

1. Manage Contractors to Facilitate on Time and on Budget Completion

Proposed Action: Roadwork Component

Update: **Percentage Complete: 90%**

- *8/27/19* – Concrete curb and valley gutter completed on Nassau Street. Paving completed on Nassau Street from Tanglewood Drive to Deallyon Ave. All paving to be completed on Nassau Street by August 30, 2019. After a moratorium on summertime work along Pope Avenue, the traffic signal installation at Pope Avenue and Lagoon Road, project landscaping, and final pavement markings shall commence the week of September 3 on. Construction of pathways on South Forest Beach Drive and Tanglewood Drive will be deferred to the Fall/Winter 2019/2020.

Proposed Action: Park Development Component

Update: **Percentage Complete:**

- *8/26/2019* – Building permits for the Restrooms, Museum and the Pond Pavilion have been issued. Block work on the Restroom has already started and foundation work for the Museum is underway. Building permits for the Band Pavilion and Playground Restroom should be issued around the first of September. The iconic playground ship has been ordered. Grading continues on the parking expansion for planned delivery late this winter. Shaping of the new lagoon is almost complete and are being driven for the bulkhead, "Setting Sun" platform, Pond Pavilion and boardwalks. Once the piles are in place the lagoon will be allowed to fill with water around the middle of September. The sidewalk along Pope Ave was completed the first of August and is open for use.

Proposed Action: Total Project Budget: $22,500,000 approximate

2. Evaluate the Creation of a Coligny Area / Beach Access Parking Plan

Proposed Action: Conduct Parking Study

Update: **Percentage Complete:**

- *9/09/2019* – Staff continues to work on the Request for Proposals.

3. Evaluate the Creation of a Coligny Area / Beach Access Parking Plan

Proposed Action: Work with Partners to Design and Implement In-Park Wi-Fi Solutions

Update: **Percentage Complete: 100%**

- *5/22/2019* – Identified vendors and reviewed individual product offerings to facilitate in-park mobile charging.

Proposed Action: Determine Feasibility of In-Park Mobile Charging Stations
Update: **Percentage Complete: 100%** • *8/19/2019* – Identified solutions that could easily outfit park with any number of mobile charging station designs, from floor standing to wall mounted, stay & charge or secure & charge, all simply requiring 110V power or solar.
Proposed Action: Explore Installation of Solar Powered/Wi-Fi Enabled Public Charging/Convenience Stations as Part of Park Furniture and Fixtures
Update: **Percentage Complete: 5%** • *8/19/2019* - Pending available budget.

U.S. 278 Gateway Corridor Project

1. Creation of US 278 Corridor Advisory Committee

Proposed Action: 13 Member Committee Appointed by Town Council January of 2019

Update: **Percentage Complete: 100%**

- *1/15/2019* – Town Council appointed 13 local citizens to serve on the US 278 Gateway Corridor Advisory Committee.

Proposed Action: Will Assist in Evaluating Environmental Assessment Options and Provide Recommendation to Town Council on a Preferred Alternative

Update: **Percentage Complete: 15%**

- *9/9/19 – the committee developed a set of guiding principles to evaluate alternatives. These were endorsed by the Town Council and provided to SCDOT, Beaufort County and the Town of Bluffton.*

2. Work with the SC Department of Transportation to Review and Understand Project Schedules and Timelines

Proposed Action: Help to Convey Information to the Public on Matters Concerning Key Dates Contained Within the Project Schedule

Update: **Percentage Complete: 30%**

- *9/9/19* – Staff has regularly discussions with the committee on public information opportunities. As new ideas come up they are added to our program.

Proposed Action: Monitor and Publish Updates to the Project Schedule If They Should Arise

Update: **Percentage Complete: 15%**

- *7/24/2019*- Published project updates in the spring and summer issues of the Town's Our Town newsletter, which were distributed through The Island Packet newspaper and are available on the Town's website. SCDOT also published a summer newsletter in June that provided key project updates; it is available on the SCDOT website.

3. Develop a Communication Plan to Transmit Community Information to SC Department of Transportation

Proposed Action: Develop a Schedule for SC Department of Transportation to Regularly Attend Committee Meetings - Ongoing in Duration

Update: **Percentage Complete: 30%**

- *9/9/19* – Through continual contact with SCDOT, a strong relationship has been developed. This has resulted in periodic visits by SCDOT to the committee. The next visit will be September 19.

Proposed Action: Develop Tools to Allow for Community Input That Can Be Provided to SC Department of Transportation
Update: **Percentage Complete: 25%** • *7/24/2019* – The U.S. 278 Gateway Corridor Committee and SCDOT continues to encourage public comment through a survey link on the Town's and SCDOT's webpage. Committee members plan to launch another survey in the fall. SCDDOT has participated in community events where its staff gathers public input; it will continue with this strategy.
Proposed Action: Develop a Program to Provide the Public Regular Updates on the Environmental Assessment Process and the Progress of the US 278 Committee
Update: **Percentage Complete: 75%** • *9/9/19* – Staff and the committee continue to work closely with SCDOT to keep public up to date. A community meeting is scheduled by SCDOT for September 19 and Town staff have worked closely with SCDOT to ensure interested parties are aware.

Mitchelville / Gullah Geechee Cultural Preservation

1. Implementation of Recommendations Provided by the Gullah Geechee Cultural Preservation Consultant

Proposed Action: Report to be Completed by March 2019 with Subsequent Discussion Occurring During the Second Quarter of 2019

Update: **Percentage Complete: 100%**

- *4/15/2019* - The Consultant team presented recommendations for cultural preservation to the Gullah Geechee Land and Cultural Preservation Task Force on April 1, 2019.

Proposed Action: Gullah Geechee Land and Cultural Preservation Task Force Will Help to Prioritize Recommendations and Develop Implementation Strategies

Update: **Percentage Complete: 100%**

- *5/20/2019* – The Task Force met on April 22 and May 6, 2019 to review the recommendations, discuss prioritization of strategies, and made a recommendation to the Planning Commission. The Planning Commission met on May 15, 2019 and voted unanimously to accept the Gullah Geechee Culture Preservation Project Report as amended and recommend that Town Council accept the report and allocate funding for implementation.

Proposed Action: Town Council Will Finalize Recommendations and Results Will Be Folded into the Town's Comprehensive Plan

Update: **Percentage Complete: 25%**

- *8/26/2019* – The Public Planning Committee met on August 19, 2019 and made a recommendation to Town Council to accept the Gullah Geechee Culture Preservation Report.

2. St. James Baptist Church Relocation

Proposed Action: Continue Discussions with Representatives from St. James Baptist Church and Beaufort County to Successfully Present a Mutually Agreed Upon Relocation Plan to the Federal Aviation Administration

Update: **Percentage Complete: 10%**

- *9/9/19* – A land planning firm has been hired by the County. A concept plan has been prepared and is under review by interested parties. Appraisals are underway for the existing church site. The County's Natural Resources Committee and the full County Council are expected to agree to the sale of the property this month. Discussions are underway with the Mitchellville board about how the potential plan can work with their proposed project. A meeting is expected soon with SHPO to discuss archeological issues. The County has hired a firm to undertake an archeological study. The County is currently in the process of engaging an architect.

3. Dirt Road Paying / Stormwater Improvements

Proposed Action: Review Current Policies Regarding Dirt Road Acquisition to Include Alternative Roadway Designs When Deemed Appropriate by Town Council - Ongoing in Duration

Update: **Percentage Complete: 40%**

- *5/22/2019* – New Town Attorney is working on title research to discern legal ownership/rights to the two pending private roads. Community Development working on LMO revisions.

Proposed Action: Create Interactive GIS Map to Identify Stormwater Maintenance and System Improvement Projects that have been Completed by the Town in the Last Five Years as well as Identifying All Future Projects to be Undertaken and Those That are Currently Under Construction

Update: **Percentage Complete:**

- *5/22/2019* – Work continues on developing the interactive map for future integration on the website.

Comprehensive Plan Review & Update

1. Development of "Our Plan"

Proposed Action: Satisfy the State Mandated Requirement to Re-Write the Comprehensive Plan Every Ten Years to Ensure That Existing Plans are Current and Relevant

Update: **Percentage Complete: 40%**

- *8/26/2019* – Each Work Group presented the results of their SOAR/SWOT Activity to the Development Team for discussion and input. Work Groups are beginning to formulate draft goals.

Proposed Action: Initiative will Build Upon Prior Information Developed as a Part of the Community Engagement Process

Update: **Percentage Complete: 40%**

- *7/24/2019* – An open house was held on July 15, 2019 for the public to view the progress to date of the Work Groups and participate in a photo/attribute exercise.

2. Comprehensive Plan Focus Areas

Proposed Action: Volunteer Focus Groups will be Created to Help Review and Develop Content Regarding Areas That Must be Addressed Within the Comprehensive Plan to Include: Land Use, Workforce Housing, Transportation, Environmental Protection, Economic Development

Update: **Percentage Complete: 100%**

- *5/20/2019* – Work Group members participated in a kick-off meeting May 8, 2019. Meetings begin the week of May 20, 2019.

3. Parks and Recreation Master Plan

Proposed Action: Town Council Identified Commencing a Parks and Recreation Master Plan Update as One of Its Highest Priorities

Update: **Percentage Complete: 100%**

- *8/26/2019* – Lose Design was on the island August 19-21, 2019 to kick-off the Parks and Recreation Master Plan. Interviews, Focus Group Meetings, and Open Houses were held as part of the kick-off.

Proposed Action: Consultant will be Identified to Assist in the Creation of this Plan

Update: **Percentage Complete: 100%**

- *7/24/2019* – Lose Design was hired to complete the Parks and Recreation Master Plan.

Proposed Action: Will Include a Review and Analysis of All Current Facilities and the Future Recreational Needs for the Island

Update: **Percentage Complete: 10%**

- *8/26/2019* – Interviews, Focus Group Meetings, and Open Houses were held August 19-21 to solicit information regarding current parks, facilities, and programs. A site visit was conducted to each of the Town's current facilities.

Workforce Development

1. Evaluation of Recommendations from Workforce Housing Consultant
Proposed Action: Staff Will Work with Town Council to Review the Report and Prioritize Recommendations, Develop Implementation Strategies, and Fold Recommendations into the Comprehensive Plan
Update: **Percentage Complete: 75%** • *8/26/2019* – The Public Planning Committee met August 22, 2019 and made a recommendation to Town Council to accept the Workforce Housing Strategic Plan as well as tools and strategies outlined in the staff approach for implementation to address workforce availability.
2. Comprehensive Plan Focus Areas
Proposed Action: The Town will Provide Input and Recommendations to Palmetto Breeze to Consider Implementing for the 2019 Trolley Season
Update: **Percentage Complete: 100%** • *3/27/2019* – Staff provided input and recommendations to Palmetto Breeze regarding the 2019 Trolley Season including proposed modifications to the existing route and service hours.

Items of Interest

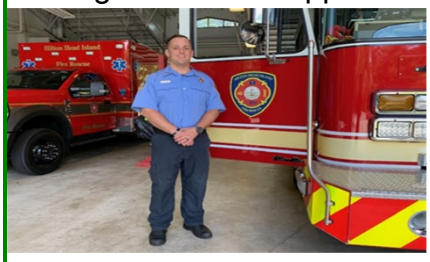
September 17, 2019

TOWN NEWS

- The Program for Exceptional People once again supported Fire Rescue's public education efforts by filling 1,000 preparedness bags with a variety of information. These bags are provided to the public at all Fire Rescue presentation and CPR classes. PEP's support is an enormous time savings for Fire Rescue staff.

PEP filling the Preparedness Bags

- Firefighter Taylor Campbell returned in July after being deployed Afghanistan in support of Operation Freedom's Sentinel. Taylor served as a medic with Bravo Battery, 1-118 Field Artillery Regiment. Along with being the platoon medic, he worked as a flight medic on a medical helicopter. He worked alongside the surgical team as patients were received to his base. Taylor was recognized for his service deployment receiving the Army Commendation Medal, Army Achievement Medal with "C" device, and the Combat Medical Badge. Thank you Taylor for your service to our Nation!



Firefighter Taylor Campbell

TOWN MEETINGS

- Planning Commission – Wednesday, September 18, 2019 at 3:00 p.m.
- Community Services & Public Safety Committee – Monday, September 23, 2019 at 9:00 a.m.
- Public Planning Committee – Thursday, September 26, 2019 at 3:00 p.m.
- Finance & Administrative Committee – Tuesday, October 1, 2019 at 2:00 p.m.
- Town Council Meeting – Tuesday, October 1, 2019 at 4:00 p.m.

HILTON HEAD ISLAND EVENTS

- SCDOT Public Information Session for the U.S. 278 Corridor Project – Thursday, September 19, 2019, 5:00 – 7:00 p.m. at the Boys & Girls Club of Hilton Head Island
- 2019 Fall Music and Taste Fest – Every Thursday, September 5, 2019 – October 17, 2019, 6:00 – 9:00 p.m. at Shelter Cover Harbour
- Hilton Head Island 2019 Shrimp Festival – Friday, September 20, 2019, 5:00 – 9:00 p.m. and Saturday, September 21, 2019, 2:00 – 6:00 p.m. at Harbour Town
- Latin Food Festival – Sunday, September 29, 2019, 11:00 a.m. – 7:00 p.m. at Shelter Cove Community Park

CULTUREHHI

For more events taking place on the Island, please visit the Town's Office of Cultural Affairs Events page at www.culturehhi.org/events/

MEMORANDUM

TO: Town Council

FROM: John Troyer, CPA, Director of Finance

VIA: Joshua A. Gruber, Assistant Town Manager

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

DATE: August 21, 2019

RE: **Second Reading of Proposed Ordinance No. 2019-16**

Recommendation:
Staff recommends Town Council approve the second reading of Proposed Ordinance No. 2019-16. The Ordinance provides for the authorization the execution and delivery of a lease of Real Property owned by the Town of Hilton Head Island, South Carolina, with the Beaufort County Sheriff's Office, 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.

There have been no changes since the First Reading.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.: 2019-__ PROPOSED ORDINANCE NO. 2019-16

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE OF REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, WITH THE BEAUFORT COUNTY SHERIFF'S OFFICE, 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.

WHEREAS, the Town of Hilton Head Island, South Carolina, owns a parcel of real property which is located at 70 Shelter Cove Lane, Hilton Head Island, South Carolina; and

WHEREAS, The Town of Hilton Head Island, South Carolina, purchased the property located at 70 Shelter Cove Lane, in part, to provide a location for the Hilton Head Island Office of the Beaufort County Sheriff's Office; 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 enter into a Lease Agreement with the Beaufort County Sheriff's Office.

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 TOWN COUNCIL:

Section 1 Execution of Lease.

(a) The Mayor and Town Manager are hereby authorized to execute and deliver the "Lease" which is attached hereto as Exhibit "A"; and

(b) The Mayor and Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the fulfillment of the Town's obligations under the Lease which is authorized hereby.

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 _____, 2019.

By:_____
John McCann, Mayor

ATTEST:

By:_____
Krista Wiedmeyer, Town Clerk

First Reading:_____, 2019

Revised First Reading _____, 2019

Second Reading: _____

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member:_____

LEASE OF SUITES B, C, D, E, F, G, I, J and K OF

70 SHELTER COVE LANE

BY AND BETWEEN

THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA,

AND

THE BEAUFORT COUNTY SHERIFF'S OFFICE

DATED THIS ___ DAY OF _____, 2019.

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STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

LEASE

This Lease Agreement (herein, the "Lease"), is made and entered into on this _____ day of _____, 2019, between the Town of Hilton Head Island, South Carolina (herein, the "Town") and the Beaufort County Sheriff's Office (herein, the "BCSO").

For and in due and fair consideration hereunder, and the full and faithful performance of the following terms and conditions, the Town and BCSO (herein, the "Parties"), hereto mutually understand and agree as follows:

1. LEASED PREMISES:

(a) The Town hereby leases to the BCSO, and the BCSO hereby lease from the Town, 17,011 square feet of office space plus 74 square feet (which equals BCSO's pro-rata share of the Common Area of the Building) for a total of 17,085 square feet and all other improvements contained within the building located at 70 Shelter Cove Lane, Suites B, C, D, E, F, H, I, J and K, Hilton Head Island, South Carolina (herein, the "Building"), the floor plan of which is shown on the attached Exhibit "A" (herein, "the Leased Premises"). For the purposes of this Lease, the total square feet of the Leased Premises has been determined by measuring from the outside of any exterior walls and from the middle of any interior walls. The BCSO shall have the non-exclusive right in common with the Town and any other tenant, to those areas in the Building, including the building entrances, lobbies, corridors, loading docks, trash removal areas, grounds, roads, driveways, sidewalks, parking areas and facilities, and other similar areas, which enable the BCSO to obtain the use and enjoyment of the Leased Premises for its Permitted Use (hereinafter, the "Common Areas").

2. TERM:

(a) The BCSO shall have and hold the Leased Premises for a term (herein, the "Lease Term") beginning on the date of execution (herein, the "Commencement Date"), and ending when and if the BCSO shall cease to provide the primary law enforcement services for the Town (herein, the "Expiration Date") as provided for in any Memorandum of Agreement between the Town and the BCSO. During this period of time, the BCSO shall also maintain this facility as the headquarters of their Southern Command. Either Party shall be required to provide a minimum of ninety days written notice to terminate the lease due to ceasing to the providing of primary law enforcement services.

(b) The BCSO's entry into, and taking possession of, the Leased Premises shall constitute BCSO acknowledgment that the Leased Premises are in a good and tenantable condition as of the beginning of the Lease Term. At the time of execution of this Lease or at any time thereafter, the Town shall be under no duty to make alterations or repairs to the Leased Premises that are not expressly set forth in this Lease.

(c) If the Town is unable to deliver possession of the Leased Premises upon the Commencement Date, then neither the Town nor its agents shall be liable for any damages caused to the BCSO by reason of the delay, nor shall this Lease become void or voidable; however, except as otherwise expressly provided, BCSO shall not be liable for the payment of Rent until the Town delivers possession of the Leased Premises.

(d) If the BCSO shall be in possession of the Leased Premises after the Expiration Date (herein, the "Holdover Period"), and in the absence of any written agreement extending the Lease Term hereof, or the Town's demand to the BCSO to sooner vacate the Leased Premises, the tenancy under this Lease shall become one from month to month terminable by either Party on 30 days prior written notice. Such tenancy shall be subject to all other conditions, provisions and obligations of this Lease.

3. RENT:

The BCSO shall not be required to pay any Rent during the term in which they are the primary provider of law enforcement services for the Town and are utilizing this facility as the headquarters for the BCSO Southern Command.

4. USE AND COMPLIANCE:

(a) PERMITTED USE: The BCSO shall continuously occupy and use the Leased Premises as the Hilton Head Island Headquarters of the Beaufort County Sheriff's Office" (herein the "Permitted Use"), to include all normal daily operations of the Beaufort County Sheriff's Office, including the installation of a short term holding cell within the confines for the Leased Premises, unless the written consent of the Town is first obtained for any other use. The Leased Premises shall not be used for any use other than the Permitted Use, or which is disreputable, creates extraordinary fire hazards, results in an increased rate of insurance on the Building, or the contents therein, or for the storage of any Hazardous Materials as defined herein (other than those which might be used in the ordinary course of the BCSO's Permitted Use, and then only in compliance with all applicable laws related thereto).

(b) COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS: The BCSO shall comply with all applicable statutes, ordinances, rules, covenants, restrictions and regulations relating to the use, condition, access to and occupancy of the Leased Premises and shall maintain the Leased Premises free of trash, litter and debris, and in a clean and slightly condition.

5. MAINTENANCE AND REPAIR:

(a) MAINTENANCE AND REPAIR OF LEASED PREMISES: The BCSO shall keep and maintain the Leased Premises in good order, condition and repair; provided, however, that the obligation of the BCSO to maintain, repair or replace any structural portion of the Leased Premises, the exterior and interior portion of all doors, window glass, plate glass, plumbing fixtures, water and sewage equipment, pipes and

lines, mechanical, heating and air-conditioning and electrical systems, sprinkler systems, the foundation, roof, interior and exterior walls, floors and ceilings applicable to or within the Leased Premises, shall be limited to Five Hundred and no/100 ($500.00) per occurrence. Any repair or replacement, on any occurrence, costing over Five Hundred and no/100 ($500.00) Dollars shall be paid by the Town, unless the cause of the repair or replacement is any act or omission of the BSCO, upon which the BCSO shall be liable for the total cost of the repair or replacement.

(b) TOWN'S RIGHT OF ENTRY: The Town, including contractors hired by the Town, shall have the right to enter the Leased Premises upon twenty four (24) hours' notice to the BCSO for the purpose of performing repair or replacement work at the Leased Premises, except in the case of emergency. In the event of an emergency, the Town, including contractors hired by the Town, may enter the Leased Premises for the purpose of making repairs with no notice to the BCSO. However, the Town will use its best efforts to provide advance notice when it is practical under the circumstances.

(c) LIMITATION ON TOWN'S OBLIGATION TO REPAIR: The Town shall have no obligation to repair, maintain or replace any installations made by the BCSO under the terms of this Lease, and the BCSO shall be solely responsible for the maintenance, repair and replacement of the same.

(d) TOWN'S CONSENT REQUIRED FOR ALTERATIONS: The BCSO shall not make any alteration of, or addition or improvement to, the Leased Premises without securing the Town's prior written consent. Any and all roof, exterior wall or foundation slab penetrations must first be approved by and coordinated through the Town. The BCSO shall save the Town harmless on account of claims for mechanics or materialmen's liens, or any other lien, in connection with any work performed by the BCSO, and any such liens shall exist only against the BCSO's leasehold interest and shall be discharged, by bond or otherwise, within 30 days of the filing and service of thereof.

(e) ADDITIONAL BCSO OBLIGATIONS: The BCSO shall keep and maintain the Leased Premises in accordance with all directions, rules and regulations of the proper officials of any government or other agency having jurisdiction over the Building, at the sole cost and expense of the BCSO, and the BCSO shall comply with all requirements of law, statute, ordinance, covenants, restrictions or otherwise, governing the use of the Leased Premises and all appurtenances thereto.

(f) TOWN NOT LIABLE: The Town shall not be liable for any loss or damage to the BCSO's personal property, equipment, fixtures and improvements to the Leased Premises.

6. TOWN REPRESENTATIONS:

(a) ZONING: The Town hereby warrants and represents that the Leased Premises are properly zoned for the BCSO's proposed use as a Sheriff's Office and that the BCSO's proposed use thereof is permitted upon the Leased Premises.

(b) QUIET ENJOYMENT: The Town of warrants and covenants that, if BCSO shall perform all of the covenants and agreements as stipulated in this Lease to be performed on the part of the BCSO, the BCSO at all times during the Lease Term shall have the exclusive, peaceable and quiet enjoyment and possession of the Leased Premises without any manner of hindrance from anyone claiming by, through or under the Town.

7. SURRENDER OF LEASED PREMISES:

On or before the Expiration Date, or upon earlier termination of its interest in the Leased Premises as provided herein, the BCSO shall peaceably surrender possession of the Leased Premises to the Town with all improvements located therein, in good repair and in the same condition in which delivered to the BCSO, ordinary wear and tear excepted, and the BCSO shall deliver to the Town all keys to the Leased Premises. Regardless of the foregoing, at any time prior to the expiration of the Lease Term, the BCSO may, at its cost and expense, remove in a careful manner any unattached trade fixtures, furniture and personal property placed within the Leased Premises by the BCSO during the Lease Term, and prior to such expiration shall repair any damage caused to the Leased Premises by such removal. All items not so removed shall, at the Town's option, be deemed to have been abandoned by the BCSO and may be destroyed or otherwise disposed of by the Town without notice to the BCSO, and without any obligation to account for such items, or liability to the BCSO therefore. The provisions of this Article 7 of the Lease shall survive the expiration or termination of this Lease.

8. TOWN'S RIGHT OF ENTRY:

The Town or its employees and agents may enter the Leased Premises at any mutually agreeable time for the purpose of inspecting or maintaining the Leased Premises. In the event of an emergency, however, the Town or its employees and agents may enter the Leased Premises without consent or agreement of the BCSO; provided, however, that the Town's Right of Entry does not include the portion of the Leased Premises where the BCSO maintains and holds evidence for pending and ongoing investigations and prosecutions. Keys for this purpose must be held by the Town or its agent, and in the event that the BCSO installs keypads, the BCSO must provide the Town key code to permit access. In the event that the BCSO desires to change or alter any locks to the Leased Premises, the BCSO will notify the Town of the BCSO's request, and the Town or the Town's agent will have the locks changed or altered at the BCSO's expense.

9. UTILITIES:

(a) UTILITY CONNECTIONS: The Town shall at all times cause or make available to the Building for the use of the BCSO, connections for adequate water, electric, gas, telephone and sewage.

(b) ARRANGEMENT AND PAYMENT FOR UTILITIES: The BCSO shall arrange for the provision of all utilities to be furnished to the Leased Premises during the

term of this Lease. The BCSO shall pay for its own telephone, internet, janitorial, cable TV, water, sewage, garbage disposal and electricity services for the Leased Premises. The Town shall have no obligation to provide or pay for any utility service in connection with the Leased Premises.

10. SIGNS:

The BCSO shall not erect any signs or advertisements on any exterior door, wall or window of the leased premises, building or the "On Premises" sign located near U. S. 278 without the prior written consent of the Town. If the Town approves any such signage, all related costs for the installation and fabrication for the signage shall be the sole financial responsibility of the BCSO. The BCSO agree to maintain such signs as approved by the Town in good condition and repair. Any such sign shall comply all requirements of any law, statute, ordinance, covenants, restrictions or otherwise, governing the use of the Leased Premises.

11. CONTROL OF LEASED PREMISES:

(a) THE BCSO'S EXCLUSIVE CONTROL: The BCSO warrant and represent that during any Term of this Lease, the daily operations, use and occupancy of the Leased Premises shall be under the sole and exclusive control of the BCSO.

(b) BCSO DUTY TO INSURE: The BCSO shall insure any their equipment, furniture, fixtures, contents of any description and installations made pursuant to this Lease, at the expense of the BCSO.

(c) SURVIVAL: The warranty and representation set forth in this Article 11 shall survive the expiration, cancellation or termination of this Lease.

12. DAMAGE OR DESTRUCTION OF LEASED PREMISES:

(a) DESTRUCTION OF LEASED PREMISES: In the event that the Leased Premises are destroyed, or that damage to the leased premises is so extensive that restoration or repairs cannot be accomplished within 90 days, as certified by the opinion of the Building Official of the Town of Hilton Head Island, South Carolina, then the BCSO or the Town may terminate this Lease by giving the other written notice before any restoration or repair is commenced, and in that event, any applicable insurance proceeds shall be paid to the Town.

(b) DAMAGE TO LEASED PREMISES: In the event of an insured loss and subject to the termination provisions set forth herein, the Town shall repair or restore the Building to as good a condition as existed before such damage occurred, to the extent of any available insurance proceeds. Should the Town provide the BCSO with the opinion of an experienced insurance adjuster that such insurance proceeds will not be sufficient to pay for such repairs or restoration, then the Town or the BCSO may terminate this Lease by written notice, in which event all insurance proceeds will be paid to the Town.

13. EMINENT DOMAIN:

(a) TERMINATION OF LEASE: If any portion of the Leased Premises is taken for any public or quasi-public use under any governmental law, ordinance or regulation, or by right of eminent domain, or by private purchase under threat or initiation of exercise of the right of eminent domain, this Lease shall terminate upon the election of either Party, effective on the date possession of the Leased Premises, or any portion thereof, is taken by the condemning authority or private purchaser as aforesaid. In the case of such partial condemnation and an election by the Parties hereto not to terminate this Lease, then the Rent payable hereunder shall, during the unexpired portion of the Lease, shall be pro-rated, based upon percentage of square feet of the Leased Premises so taken, of the whole of the Leased Premises stated in this Lease. The Town shall promptly provide the BCSO a copy of any and all notices from any such condemning authority, or private purchaser as mentioned above, respecting any requirement that the Town surrendered its right to all or any portion of the Leased Premises pursuant to this Article 13 (a).

(b) NOTICE OF ELECTION: Any notice of election by the BCSO to terminate this Lease as provided in this Article 13 shall be given by the BCSO to the Town within 30 days after written notice by the Town to the BCSO as provided in Article 13 (a) above, or within 30 days after receipt by BCSO of actual knowledge of any requirement that the Town surrendered its right to possession to all or any part of the Leased Premises, whichever shall first occur. In the event this lease is not terminated pursuant to this article 13, after a taking of a portion of the leased premises, the Town shall make such reasonable repairs or alterations as may be necessary to make the structure of the leased premises and architectural whole, and this lease shall thereafter be in full force and effect, as provided herein.

(c) CONDEMNATION AWARD: Any payment or award from the condemning authority shall be the property of the Town.

14. SUBLETTING PROHIBITED:

BCSO shall not sublet all or any portion of the Leased Premises, or assign or otherwise transfer any of its rights under this lease, in whole or in part, to any third party without the prior written consent of the Town. Any and all documents utilized by the BCSO to evidence any subletting or assignment to which the Town has consented shall be subject to prior written approval by the Town and its counsel.

15. DEFAULT OF BCSO: Occurrence of any of the following shall constitute a Default under the Terms of this Lease:

(a) FAILURE TO PAY RENT OR MONEY DUE: If the BCSO shall fail to pay any sum of money due and payable under this Lease, whether to the Town or otherwise,

when due and payable, and such failure shall continue for a period of Ten (10) days from the due date thereof;

(b) VIOLATION OF LEASE: If the BCSO shall violate any term of this Lease, or fail to perform any term, condition, covenant, obligation or agreement to be performed or observed by the BCSO under this Lease, and such failure shall continue for a period of Thirty (30) days after the delivery of written notice thereof;

(c) ABANDONMENT OF LEASED PREMISES: If the BCSO shall desert, vacate or not regularly use the Leased Premises for a period of 30 days or more;

(d) INSOLVENCY: Any of the following occur with respect to the BCSO: (i) the BCSO become insolvent as such term is defined in the United States bankruptcy code or under the insolvency laws of any state, district, commonwealth or territory of the United States; (ii) the appointment of a receiver or custodian of any or all of BCSO's property or assets or the institution of a foreclosure action upon any of the BCSO's real or personal property as pertains to the Leased Premises and such receiver or custodian or such foreclosure action is not dismissed within 60 days; (iii) the BCSO's filing or consenting in writing to any petition under the provisions of the United States Bankruptcy code, or the insolvency laws of any State, district, commonwealth or territory of the United States; (iv) the filing of a petition against the BCSO as the subject debtor under the United States bankruptcy code, or any insolvency laws of any state, district, commonwealth or territory of the United States, and which results in an order of relief in favor of the BCSO; (v) the BCSO's making or consenting, whether in writing or not, to a voluntary assignment for the benefit of creditors or a common-law composition of creditors; (vi) a court order dissolution of the BCSO or court ordered liquidation of substantially all of the BCSO's assets;

(e) FAILURE TO BUDGET FOR PAYMENTS: If BCSO shall fail to include amounts sufficient to pay any amounts due under this Lease for any fiscal year during the Term of this Lease in its budget, or if the County shall fail to approve any budget for the BCSO that include amounts sufficient to pay any amounts due under this Lease for any fiscal year during the Term of this Lease.

(f) DISSOLUTION: The dissolution of the BCSO for any reason; or,

(g) WARRANTIES AND REPRESENTATIONS: Any of the representations or warranties of BCSO as set forth in this Lease are or become untrue or incorrect in any material respect during the term of this Lease.

16. DEFAULT OF THE TOWN: Occurrence of any of the following shall constitute a Default under the Terms of this Lease:

(a) If the Town should fail to perform or observe any of the conditions or terms of this Lease, and such failure to perform or observe shall continue for a period of Thirty (30) days after written notice to the Town by the BCSO of such.

17. RIGHTS OF THE PARTIES ON DEFAULT:

(a) ALL REMEDIES PRESERVED: Upon Default of the other Party, the Town or the BCSO, as the case may be, shall be entitled to pursue any remedy at law or in equity available to it.

(b) ATTORNEY'S FEES AND COSTS: If any legal action or other proceeding is brought for the enforcement of this Lease, or because of a dispute, breach, default or misrepresentation in connection with all or any of the provisions of this Lease, the successful or prevailing party shall be entitled to recover its reasonable attorney's fees and any costs incurred as a result of any such legal action or other proceeding, whether incurred before the institution of suit or after the commencement of suit, including appellate proceedings, in addition to any other relief to which the prevailing party may be entitled.

18. INTERPRETATION:

The BCSO acknowledge that the BCSO has reviewed and agreed to all of the terms and provisions of this Lease and that the BCSO has had a full opportunity to consult with an attorney of the BCSO's choosing concerning the legal consequences of entering into this Lease with the Town. As a result of the foregoing, it is the intent of the Parties hereto that this lease shall not be construed or interpreted against either Party in any dispute concerning any term or provision of this Lease.

19. NO WAIVER:

No waiver by the Town of any violation or breach of any of the terms contained in this Lease shall waive the Town's rights regarding any future violation of such term, or any violation of any other term contained within this Lease.

20. MECHANIC'S OR OTHER LIENS:

The BCSO shall have no power to subject the Leased Premises or the Town's interest in the Leased Premises to any mechanic's or any other lien. If any mechanic's or any other lien or order for the payment of money shall be filed against the Leased Premises by reason of or arising out of any labor or material furnished or alleged to have been furnished or to be furnished to or on behalf of the BCSO at the Leased Premises, or for or by reason of any change, alteration, or addition or the cost or expense thereof or any contract relating thereto, the BCSO shall cause the same to be discharged of record against the Leased Premises by bond or otherwise as allowed by law at the sole expense of the BCSO, within Thirty (30) days after written demand therefor by the Town, and shall also defend on behalf of the Town at the BCSO's sole cost and expense, any action, suit or proceeding that may be brought thereon or for the enforcement of any such lien or order, and the BCSO shall save the Town harmless from any judgment, claim or damage resulting therefrom.

21. ESTOPPEL CERTIFICATES:

The BCSO agree that at any time and from time to time upon not less than Ten (10) days prior written request by the Town, to execute, acknowledge and deliver to the Town a statement in writing certifying that this Lease is unmodified and is in full force and effect (or if there have been modifications that this Lease is in full force and effect as modified and stating the modifications), and the dates to which the charges have been paid in advance, if any, it being intended that any such statement delivered pursuant to this Article 21 may be relied on by any prospective purchaser or purchasers of the Town's interest in the Building or the Leased Premises.

22. WAIVER OF JURY TRIAL:

TO THE EXTENT PERMITTED BY LAW, THE TOWN AND THE BCSO EACH AGREED TO WAIVE ANY RIGHT TO TRIAL BY JURY IN ANY LITIGATION ARISING IN CONNECTION WITH THIS LEASE, OR TO HAVE A JURY PARTICIPATE IN RESOLVING ANY DISPUTE ARISING OUT OF OR WITH RESPECT TO THIS LEASE OR ANY OTHER INSTRUMENT, DOCUMENT OR AGREEMENT EXECUTED OR DELIVERED IN CONNECTION HEREWITH, OR THE TRANSACTIONS RELATED HERETO.

23. HAZARDOUS MATERIALS:

(a) HAZARDOUS MATERIALS PROHIBITED: The BCSO shall not cause or permit any hazardous materials to be brought upon, kept or used in or about the Leased Premises (other than in the ordinary course of the BCSO's Permitted Use, and then only in compliance with any and all applicable laws) without the prior written consent of the Town, which consent may be withheld by the Town for any reason. "Hazardous Materials" shall mean any substance, material or waste which is now or hereafter classified were considered to be hazardous, toxic, or dangerous, under any law or regulation relating to pollution or the protection or regulation of human health, natural resources or the environment, or which poses or threatens to pose a hazard to the health or safety of any person on or about the Leased Premises, or the Building.

(b) TOWN'S RIGHTS: If the BCSO breaches its obligations under this Article 23, the Town may, but is not obligated to, immediately take, at the BCSO's expense, any and all action reasonably appropriate to remedy the same, including taking any appropriate action to clean up or remediate any contamination resulting from the BCSO's use, generation, storage or disposal of any Hazardous Materials.

(c) INDEMNIFICATION: The BCSO shall indemnify the Town and pay the cost of any cleanup or remediation and shall defend the Town, and hold the Town harmless from any claims, judgments, damages, penalties, fines or losses which arise during or after the Term of this Lease from or in connection with the presence or suspected presence of any Hazardous Materials in, on or under the Leased Premises, or within the Building, which Hazardous Materials were brought upon, kept or used in or

about the Leased Premises or the Building, by the BCSO. This indemnity provision shall survive the termination or expiration of this Lease.

(d) SURVIVAL: The obligations of the BCSO set forth in this Article 23 shall survive the expiration, cancellation or termination of this Lease.

24. MISCELLANEOUS:

(a) BINDING EFFECT: This Lease shall inure to the benefit of and shall be binding upon the Town, the BCSO and their respective successors and assigns, if any are permitted hereunder.

(b) ENTIRE AGREEMENT/AMENDMENT AND MODIFICATIONS: This Lease supersedes all prior discussions and agreements between the Parties with respect to the Leased Premises and all other matters contained herein and constitutes the sole and entire agreement and understanding between the Town and the BCSO with respect to the Lease of the Leased Premises. This Lease shall not be modified or amended except by an instrument in writing signed by both the Town, the BCSO.

(c) SEVERABILITY: In the event that any provision of this Lease shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

(d) EXECUTION IN COUNTERPARTS: This Lease may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

(e) APPLICABLE LAW: This Lease shall be governed by and construed in accordance with the laws of the State of South Carolina.

(f) CAPTIONS: The captions or headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or Articles of this Lease.

(g) RECORDING PROHIBITED: The parties hereto may not record this Lease in the Office of the Register of Deeds for Beaufort County, South Carolina.

(h) PLURAL/SINGULAR: Where appropriate, the use of the singular herein shall include and be deemed to be the plural, and the use of the plural herein shall be deemed to include the singular.

(i) NO THIRD PARTY BENEFICIARIES: The Parties hereto affirmatively represent that this Lease is made solely for the benefit of the Parties hereto and their respective successors and assigns and not for the benefit of any third party who is not a signature party hereto. No party other than the signature parties and their respective successors and assigns hereto shall have any enforceable rights hereunder, or have any

right to the enforcement hereof, or any claim for damages as a result of any alleged breach hereof.

(j) NOTICES: All notices, applications, requests, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered in person, or mailed by regular first class mail, postage prepaid (in such case, delivery shall be deemed complete upon mailing), addressed as follows, or to such other place as may be designated in writing by the Parties:

To the Town: THE TOWN OF HILTON HEAD ISLAND
Stephen G. Riley, Manager
One Town Center Court
Hilton Head Island, SC 29928

To BCSO: BEAUFORT COUNTY SHERIFF'S OFFICE
Honorable P. J. Tanner
Post Office Box 1758
Beaufort, SC 29901

(k) SURVIVAL: The obligations of the BCSO set forth in this Lease shall survive the expiration, cancellation or termination of this Lease, whether or not expressly stated with respect to any specific obligation.

(l) FURTHER ASSURANCES AND CORRECTIVE DOCUMENTS: The Town and BCSO agree to do, execute, acknowledge, deliver or cause to be done all such further acts as may be reasonably determined to be necessary to carry out this Lease and give effect hereto. The Town, the BCSO agree that each shall, upon request, execute and deliver such other or corrective documents as may be reasonably determined to be necessary, either before or after the execution delivery of this Lease. The obligations of this Article 24(l) shall survive the expiration, cancellation or termination of this Lease.

[Signatures to follow on the next page]

IN WITNESS WHEREOF, The Town of Hilton Head Island, South Carolina, and Beaufort County Sheriff's Office, have, or have caused their duly authorized officers and representatives to execute this Lease as of the date and year first above written.

WITNESSES:

THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

_____

By:_____
John McCann, Mayor

_____

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

WITNESSES:

BEAUFORT COUNTY SHERIFF'S OFFICE

_____

By:_____
P. J. Tanner

_____

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Teri B. Lewis, AICP, *Deputy Director of Community Development*
VIA: Nicole Dixon, CFM, *Development Review Administrator*
FROM: Taylor Ladd, *Senior Planner*
CC: Jennifer Ray, *Deputy Director of Community Development*
DATE: September 9, 2019
SUBJECT: ZA-001461-2019 – 280 Fish Haul Road Rezoning

Town Council held first reading of Proposed Ordinance number 2019-19 at their meeting on August 20, 2019.

As a result of this meeting, Town Council made a motion to approve the first reading of Proposed Ordinance number 2019-19. The motion was approved with a vote of 5-2. No changes have been made since first reading.

Please contact me at (843) 341-4607 or at taylorl@hiltonheadislandsc.gov if you have any questions.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019- **PROPOSED ORDINANCE NO. 2019-19**

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 WITH RESPECT TO THE CERTAIN PARCEL IDENTIFIED AS TAX DISTRICT 510, MAP 4, PARCEL 16 (TIN R510 004 000 0016 0000) ON THE BEAUFORT COUNTY, SOUTH CAROLINA TAX MAPS TO REZONE THE PARCEL FROM THE RM-4 (LOW TO MODERATE DENSITY RESIDENTIAL) AND RM-8 (MODERATE DENSITY RESIDENTIAL) ZONING DISTRICTS TO THE RM-12 (MODERATE TO HIGH DENSITY RESIDENTIAL) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on August 7, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

WHEREAS, the Planning Commission, after consideration of the staff presentation, public comments and the criteria set forth in Section 16-2-103, voted 7-0 to recommend that Town Council approve the proposed zoning map amendment application; 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 that the subject parcel be rezoned to the be RM-12 District.

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, be hereby amended to modify the zoning designation of the certain parcel identified as Parcel 16 on Beaufort County Tax Map 4 to rezone the parcel from the RM-4 (Low to Moderate Density Residential) and RM-8 (Moderate Density Residential) Zoning Districts to the RM-12 (Moderate to High Density Residential) Zoning District.

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 _____, 2019.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

_____
John J. McCann, Mayor

ATTEST:

_____
Krista Wiedmeyer, Town Clerk

Public Hearing: August 7, 2019
First Reading:
Second Reading:

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908

STAFF REPORT
ZONING MAP AMENDMENT

Case #	Name of Project or Development	Public Hearing Date
ZA-001461-2019	280 Fish Haul Road	August 7, 2019

Parcel Data & Location	Owner & Applicant
Parcel ID: R510 004 000 0016 0000 Size: 6.22 Acres Address: 280 Fish Haul Road	Thomas C. Barnwell, Jr., Trustee Ben White Trust P.O. Box 21031 Hilton Head Island, SC 29925
Existing Zoning Districts	**Proposed Zoning Districts**
COR – Corridor Overlay District within 500' of the O.C.R.M. critical line. RM-4 – Low to Moderate Density Residential RM-8 – Moderate Density Residential	COR – Corridor Overlay District within 500' of the O.C.R.M. critical line. RM-12 – Moderate to High Density Residential

Application Summary

Thomas C. Barnwell, Jr., Trustee, on behalf of the Ben White Trust, is requesting to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to RM-12 (Moderate to High Density Residential), and to rezone the southern portion from RM-8 (Moderate Density Residential) to RM-12 (Moderate to High Density Residential). It is further identified as Beaufort County Tax Map 4, Parcel 16. The effect of this rezoning will be to increase the available density from 4 and 8 units per net acre with 40 dwelling units total allowed to 12 units per net acre with 74 total units allowed.

Staff Recommendation

Staff recommends the Planning Commission find this application **to be consistent with the Town's Comprehensive Plan** and to **carry out the purposes of the LMO**, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Background

The subject property is 6.22 acres and located at the intersection of Mitchelville Road and Fish Haul Road. It is bisected by Fish Haul Road, which has been in this location since at least 1965, based on aerial images. The property is bounded to the northeast by Mitchelville Road, to the northwest by four single-family parcels, to the southwest by Palmetto Hall golf facilities, and to the southeast by Palmetto Hall golf facilities and a single-family home. Port Royal Sound is less than 500 feet to the northeast and across Mitchelville Road from the subject property. The property and adjacent parcels in RM-4, RM-8, and MV Districts are part of the historic Baygall neighborhood. See Attachment A for a vicinity map.

Thomas C. Barnwell, Jr., Perry White and Giselle Perry-White, trustees for the Ben White Trust, are listed as property owners of record. There are no property sales on record with the Beaufort County Register of Deeds. There is record of title transfer to the White family heirs and incorporation into the Ben White Trust in approximately 1993. Prior to 1993, the property was held in trust by the family.

There is no record the subject property has ever been developed. Aerial imagery since 1955 shows the property has remained undeveloped. The 2005 Boundary Survey (Attachment E) designates the Fish Haul Road access through the property as a dirt road. In 2013, Fish Haul Road was paved by Beaufort County with 20-feet of pavement within a 40-foot easement granted by the property owners.

On the 1986 Official Zoning Map, the entire property was designated as RM-4 and remained RM-4 until the current zoning map was adopted in 2014. While the property is in fact one square shaped parcel comprised of 6.22 acres, it appears as two separate parcels in the Beaufort County parcel database used by the Town for the zoning map. Because it was shown in the database as two separate parcels in 2014, the northern portion of the property remained RM-4 to correlate with adjacent properties to the north of Fish Haul Road and west of Mitchelville Road. The southern portion was rezoned to RM-8 to correlate with adjacent properties to the south of Fish Haul Road and west of Mitchelville Road.

It is not typical for a parcel to be split-zoned in this manner. At the time of rezoning, had staff been aware of this discrepancy in the County database, it is reasonable to expect the parcel would not have been split-zoned. It would either be RM-4 with entitlement to bonus density at eight units per acre (see next paragraph), or RM-8 with entitlement to eight units per net acre with 49 total units allowed. The split zoned configuration allows 40 dwelling units. See Attachment B for the vicinity zoning map.

Approximately two acres of the subject property is zoned RM-4. The RM-4 District allows the following Residential Uses: Group Living, Multifamily, and Single Family residential uses at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. Other uses permitted include Public, Civic, Institutional, and Educational uses; Bed and Breakfasts with conditions; conditional Commercial Services; and Other Uses. In the RM-4 District the maximum building height is 35 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment C for the RM-4 District use table and specific permitted uses.

Approximately four acres of the subject property is zoned RM-8. The RM-8 District is similar to RM-4; however, the maximum residential density in the RM-8 District is eight units per net acre regardless of the size of the parcel. Unlike the RM-4 District, Cemeteries and Resort Accommodations are not permitted in the RM-8 District; the other permitted uses are the same. The maximum building height in the RM-8 District is 45 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment C for the RM-8 District use table and specific permitted uses.

The RM-12 District is most similar to the RM-8 District in allowed uses, except the RM-8 District permits Commercial Services and some Other Uses. The RM-12 District's maximum residential density is 12 units per net acre regardless of parcel size. The maximum building height and lot coverage are the same as the RM-8 District. See Attachment C for the RM-12 District use table and specific permitted uses. See Attachment G for a table comparing the RM-4, RM-8 and RM-12 zoning districts.

Currently and proposed, access to the subject property is by Fish Haul Road and Mitchelville Road. The developer may be required to make improvements to the property access roads as part of the Development Plan Review process. Electric and water service are currently available. The Hilton Head Island Public Service District has informed staff that the property now has access to sewer. Fire Rescue has the capability to immediately access the subject property.

Staff has not received any correspondence from the public regarding this Zoning Map Amendment application.

Applicant's Grounds for ZMA

The Trustees for the Ben White Trust have stated their interest in rezoning the property in their narrative, Attachment F. The Trust believes a density of 12 units per net acre is more viable for the property and any future development, especially for workforce housing. The application of the RM-12 District to this parcel will provide a transition between the lower density RM-4 and RM-8 Districts to the high density and intense uses of the adjacent MV (Mitchelville) District.

The property is for sale, and the interested buyer/developer is planning a multifamily housing project with long-term rental units priced for the workforce market. The Ben White Trust has entered into a pending contract to sell the property. A density of 12 dwelling units per net acre is one of the conditions of the sale. Increasing the density through rezoning to the RM-12 District will consolidate the entire parcel under one zoning district and allow for better financial viability for the developer's planned workforce housing community.

Summary of Facts and Conclusions of Law

Findings of Fact:

1. The application was submitted on July 8, 2019 as set forth in LMO 16-2-103.C and Appendix D-1.
2. Per LMO 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
3. The LMO Official scheduled the public hearing of the application for the August 7, 2019 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
4. Per LMO 16-2-102.E, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
5. Notice of the August 7, 2019 public hearing was published in the Island Packet on July 21, 2019.
6. Per LMO 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
7. The applicant mailed notices of the public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on July 13, 2019.

8. Per LMO 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one notice being visible from each public thoroughfare that abuts the subject land.
9. The LMO Official posted on July 23, 2019 conspicuous notice of the August 7, 2019 public hearing on the lands subject to the application.

Conclusions of Law:

1. The application was submitted in compliance with LMO 16-2-103.C and Appendix D-1.
2. The LMO Official scheduled the public hearing of the application for the August 7, 2019 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 18 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
4. The applicant mailed notices of the public hearing to owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land 25 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.
5. The LMO Official posted conspicuous notice of the public hearing 15 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

As set forth in LMO 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions of Law

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Housing Element

Goal 5.2 – Housing Opportunities

B. To look at housing opportunities as a mechanism to maintain its essential workforce.

Land Use Element

Goal 8.1 – Land Use Element

A. To have an appropriate mix of land uses to meet the needs of existing and future populations.
B. To maintain the character of the land while ensuring adequate infrastructure is in place and balancing land conservation to meet future needs.

Goal 8.4 – Existing Zoning Allocation

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.10 – Zoning Changes

A. To provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Implementation Strategy 8.10 – Zoning Changes

B. Consider focusing higher intensity land uses in areas with available sewer connections.

Additional Findings of Fact:

1. The applicant's narrative states that rezoning the property will allow potential buyer to develop a multifamily housing project with long-term rental units priced for the workforce market.
2. The subject property is not located near major tourist destinations.
3. Several properties in the area are proposed to be developed or are currently being developed for mid-market or workforce housing: Beach City Place; Beach City Commons; 140 Fish Haul Road; and Ocean Breeze Cottages.
4. With the split-zoning, the proposed rezoning would increase the maximum number of dwelling units allowed on the subject parcel by 85 percent, from 40 to 74. If the property hadn't been split-zoned, the proposed rezoning would increase the maximum number of dwelling units allowed on the subject parcel by 51 percent, from 49 to 74.
5. The proposed rezoning would remove several allowable non-residential uses from the subject property: cemeteries; education uses; bed and breakfasts; convenience stores; open air sales; other commercial uses; and boat ramps, docks, and marinas.
6. Nearly all of the property to the southwest and southeast of the subject parcel is part of the Palmetto Hall golf course in the PD-1 District.
7. There is one single family house on a 0.27-acre parcel in the RM-8 District at the eastern corner of the subject property.
8. There are four parcels, ranging from 0.18 to 0.5-acre in size, in the RM-8 District along the northwestern property line. Two of the parcels are developed; one parcel has one home and one parcel has two homes.
9. On Hilton Head Island, high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. The single story homes in Bay Pines (RS-3) are separated by at least 200 feet from the 45 foot tall multifamily residential buildings in Brighton Bay (WMU) by a parcel in Brighton Bay containing drive aisles, tennis courts, and open space. The buildings in the multifamily Legends development (RM-12) are separated from the closest single family homes in Port Royal Plantation by 100 feet: there is a 50 foot setback on the Legends parcel; and the Marketplace Drive right-of-way is 50 feet wide.
10. The subject property is nearly square; it is approximately 520 feet by 540 feet.
11. The RM-4, RM-8, and RM-12 Districts all require 20 foot setbacks from adjacent property lines.
12. The maximum building height in the RM-4 and RM-8 Districts is 35 feet. The maximum building height in the proposed RM-12 District is 45 feet.
13. Sewer service is available for the subject property.

Conclusions of Law:

As set forth in LMO Section 16-2-103.C.3.a.i, the application addresses the following Goals and Implementation Strategies in the Comprehensive Plan:

1. **Goal 5.2-B in the Housing Element** is to look at housing opportunities as a mechanism to maintain its essential workforce.
   The proposed rezoning would allow more residential dwelling units to be developed on the subject parcel. The applicant's narrative states the potential buyer plans to develop workforce housing on the subject parcel. Given that the property is not located near tourist destinations and that new housing in the area is being marketed as mid-market or workforce housing, it is likely that residences developed on this property could provide additional workforce housing. Therefore the application is **consistent** with Goal 5.2-B of the Housing Element.
2. **Goal 8.1-A in the Land Use Element** is to have an appropriate mix of land uses to meet the needs of existing and future populations.
   Several new residential developments in the area demonstrate the need for new housing for existing and future populations. Since the proposed rezoning would increase the number of

dwelling units allowed to be built on the subject property, increasing the amount of new housing to serve existing and future populations, the proposed rezoning is **consistent** with Goal 8.1-A in the Land Use Element.

3. **Goal 8.1-B in the Land Use Element** is to maintain the character of the land while ensuring adequate infrastructure is in place and balancing land conservation to meet future needs. Part of the Island's character is high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. The subject parcel is 6.22 acres in size and approximately square, which provides flexibility in designing the site; buildings don't have to be located within 20 feet of a shared property line. The size and shape of the subject parcel allows flexibility in site design, allowing appropriate separation between development on the subject property and existing development on neighboring properties, which will help maintain the character of the Island; therefore the proposed rezoning is **consistent** with Goal 8.1-B in the Land Use Element.
4. **Goal 8.4-A in the Land Use Element** is an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map. As stated above, several new residential developments in the area demonstrate the market demand for new housing to accommodate permanent and seasonal populations. Since the proposed rezoning would increase the number of dwelling units allowed to be built on the subject property, thereby increasing the amount of new housing, the proposed rezoning is **consistent** with Goal 8.4-A in the Land Use Element.
5. **Goal 8.10-A in the Land Use Element** is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. The new residential development in the area of the subject property suggests there is an increased demand for housing in this area of the island. The subject property is surrounded by properties in RM-4, RM-8, and MV Districts. These properties are developed with single family homes and with a maintenance area for the Palmetto Hall golf course. The proposed rezoning would remove several non-residential uses currently allowed on the subject property, in keeping with the character of the neighborhood. The subject parcel is large enough to provide adequate separation between future development on the subject parcel and the homes adjacent to the subject parcel. The proposed rezoning will appropriately modify the zoning designation to meet the market demand for workforce housing in the area while maintaining the residential character of the area, therefore the application is **consistent** with Goal 8.10-A of the Land Use Element.
6. **Implementation Strategy 8.10-B in the Land Use Element** is to consider focusing higher intensity land uses in areas with available sewer connections. The proposed rezoning would allow higher density development on a parcel that has sewer service, which is **consistent** with Implementation Strategy 8.10-B of the Land Use Element.

Summary of Facts and Conclusions of Law

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO 16-2-103.C.3.a.ii):

Findings of Fact:

1. The properties adjacent to the subject parcel are zoned MV (Mitchelville), RM-4, RM-8, and PD-1 Palmetto Hall (Planned Development Mixed-Use). Less than one half-mile from the subject property is the PD-1 Zoning District for Hilton Head Plantation and PR (Parks and Recreation) District zoned parcels.
2. The proposed rezoning to RM-12 will permit the following use types: Residential, Civic, Public, Institutional and Educational and Agriculture. See Attachment C for a complete list of

uses permitted within these categories.

3. All the uses permitted in the RM-12 District are permitted in the RM-4 District; however, in addition to what is allowed in the RM-12 District, RM-4 permits more Civic, Public, Institutional and Educational uses, a Resort Accommodation use, Commercial Services and Other uses.
4. All the uses permitted in the RM-12 District are permitted in the RM-8 District; however, in addition to what is allowed in the RM-12 District, RM-8 permits Commercial Services and Other uses.
5. All the uses permitted in the RM-12 District are permitted in the MV District. The MV District also allows many more uses than all the adjacent RM Districts.
6. A main component of the adjacent PD-1 District is residential by definition in the LMO.
7. In correlation with the adjacent PR District, public parks are permitted in all RM districts. PD-1 Districts allow for parks and recreation uses in their master planned areas.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.ii.
2. The proposed rezoning will allow uses that are compatible with the uses allowed on other properties in the vicinity. All the uses permitted in the RM-12 District are allowed in the adjacent RM-4, RM-8 and MV Districts. The PD-1 District allows variable uses, including residential.
3. All districts are compatible with the adjacent PR District zoned parcels because parks are permitted in all adjacent zoning districts.

Summary of Facts and Conclusions of Law

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):

Findings of Fact:

1. The subject property is bisected by the Fish Haul Road easement.
2. The subject property has remained undeveloped and vacant as can be determined by aerial imagery dating to 1955.
3. Fish Haul Road is paved and provides access to the adjacent road network supporting development on this parcel. The developer may be required to make road improvements or upgrade the easement to a street as determined during the Development Plan Review process as required by the LMO.
4. There are no known sensitive environmental features on the subject property other than possibly specimen trees. These will be identified as required in the Development Plan Review process.
5. The subject property is located within one-half mile of community amenities such as the Barker Field complex with access to the beach via Fish Haul Beach Park. The Town public bike path extends to the corner of the property at Fish Haul Road and Mitchelville Road and connects the subject property to these public facilities.
6. Per LMO 16-3-103.B, the purpose of the adjacent MV District is to recognize the historical and cultural significance of this area of the island, while a variety of uses are permitted in an effort to facilitate development in an area currently occupied by large tracts of undeveloped parcels.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.iii.
2. The proposed zoning is appropriate for the land because the subject property is adjacent to a number of parcels where development is intended for the currently undeveloped areas in the

vicinity.

3. The subject property is close to community and public amenities with a paved road network supporting the residential density proposed for the property, though the developer may be required to make improvements to the roads as part of the Development Plan Review process.
4. If there are specimen trees found on the property, development on the site will be required to adhere to the LMO standards for specimen trees.

Summary of Facts and Conclusions of Law

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):

Findings of Fact:

1. With a proposed density of 12 units per net acre and potential for up to 74 dwelling units with the rezoning, the subject property could provide more housing in this area.
2. There is a need for more housing on the Island, as stated in the Comprehensive Plan, and specifically for more workforce housing as shown in the "Assessment of Workforce Housing Needs" report by the Town's housing consultant, Lisa Sturtevant & Associates, LLC.
3. The applicant has stated the buyer/seller's intent is to develop multifamily workforce housing on the property.
4. Town Council has recognized and prioritized workforce housing as a goal for Hilton Head Island.
5. Two new major subdivisions in the area currently under construction are expected to provide 76 new single-family homes in the $300,000 to $650,000 range, which is not a price range generally considered attainable by the work force. This does, however, speak to the general increase in demand for housing on the island, specifically in this area.
6. At this time there are no zoning districts or ordinances in place that require or incentivize a developer to build workforce housing, thus the Town has no way to enforce workforce housing for residential development. There is no way to guarantee the subject property will in fact be developed with workforce housing.
7. The Town is actively pursuing the development of policies to guide workforce housing development on the island per # 2 and #4 above.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.iv.
2. The proposed rezoning is meeting a demonstrated community need, which is a need for more housing, as described in Criteria 1.
3. While the applicant has stated the buyer/developer's interest in building workforce housing on the property, there is not a way to ensure this will transpire as a result of this rezoning; however, workforce housing is a demonstrated community need as prioritized by Town Council which is currently being pursued. Either way, the project will add more housing to this area, which is consistent with the Comprehensive Plan.

Summary of Facts and Conclusions of Law

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

1. Per LMO 16-3-104.G, the purpose of the RM-12 District is to, "allow higher density residential uses in locations which are served by adequate infrastructure, while maintaining the character of these areas."
2. With the RM-12 District emphasis and intent for residential development, rezoning the subject property would align with the purpose of the adjacent RM Districts, as well as the PD-1 and MV District, which all permit residential uses.
3. This area of the island is intended by the Town to be developed with a variety of uses. The 2014 LMO rewrite focused zoning in this area to encourage future development as per the defined purpose of the MV District and the established transect of residential districts.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.v.
2. The proposed rezoning is consistent with the overall zoning program as expressed in future plans for the Town because the purpose of the zoning districts established in this area is to promote development and a diverse density of residential uses ranging from four dwelling units up to 12 dwelling units across the existing districts incorporated into the area.

Summary of Facts and Conclusions of Law

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO 16-2-103.C.3.a.vi):

Finding of Fact:

1. The MV District adjacent to the subject property allows a residential density of 12 dwelling units per net acre.
2. The RM-12 District allows a residential density of 12 dwelling units per net acre.
3. As described in the Background section of this report and Criteria 2, except for density, the RM-12 District is more restrictive than the adjacent MV District. Density is the only entitlement for the RM-12 District that is less restrictive than the adjacent RM-4 and RM-8 Districts.
4. All directly adjacent districts allow for residential uses.
5. There is no RM-12 zoning directly abutting the subject property. The proposed rezoning would create a geographically isolated RM-12 zoned parcel.
6. A majority of the RM-12 District is comprised of geographically isolated parcels developed with moderate to high density multifamily residential communities. The developed, isolated parcels currently zoned RM-12 are at least six acres in area. See Attachment H for a map of the existing RM-12 District.
7. The subject property is 6.22 acres.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.vi.
2. The proposed rezoning would not create a zoning district that is unrelated to adjacent and surrounding zoning districts because all the surrounding districts allow residential uses and the RM-12 District is more restrictive. Rezoning the subject property to RM-12 would provide a transition from the more intense and high density MV District to the adjacent RM residential districts.
3. The proposed rezoning would not create a zoning district that is inappropriately isolated because the surrounding districts allow residential uses and rezoning the subject property to RM-12 does not introduce any new, incompatible or isolated uses.
4. Due to its area being over six acres, the subject property would be consistent with the rest of the developed parcels comprising the RM-12 District.

Summary of Facts and Conclusions of Law

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

1. The subject property has never been developed.
2. The subject property as proposed to be rezoned could provide housing, including multifamily development, at a density of 12 dwelling units per net acre.
3. The current zoning has two different districts assigned on two separate portions with slightly different density (four dwelling units versus eight dwelling units) and use allowances (varied Commercial Services versus Resort Accommodation), as well as different design standards in development height, as described in the Background portion of this report and provided in Attachments C and G. This presents a hardship for any development on the subject property.
4. Rezoning the RM-4 portion of the subject property to RM-8 or vice versa could be an option to achieve congruency across the property and possibly provide better economic viability.

Conclusions of Law:

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.vii.
2. The rezoning of the subject property would allow it to be put to a reasonably viable economic use because both portions of the subject property will be congruent in density, use allowances and design standards, which could improve its economic viability and promote a higher and better use of the land for development.
3. Rezoning the RM-4 portion of the subject property to RM-8 is also an option to achieve consistency across the property and could also provide better economic viability, but does not achieve the economies of scale desired by the applicant for future development of the subject property.

Summary of Facts and Conclusions of Law

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

1. Fish Haul Road is a paved, Beaufort County-managed easement bisecting the property. Mitchelville Road along the northeastern boundary is a paved road with right of way owned by the State. Improvements to Fish Haul Road at the developer's expense may be required during the Development Plan Review process as required by the LMO.
2. Water service is available.
3. Sewer service is available.
4. Electric service is available.
5. Hilton Head Island Fire and Rescue has the capability to immediately access the subject property.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.viii.
2. The proposed rezoning would result in development that can be served by all typically available, adequate and suitable public facilities for properties in the Town of Hilton Head Island.
3. The developer can improve the property by possibly upgrading the road to meet any existing

deficiencies as required in the Town's Development Plan Review process.

Summary of Facts and Conclusions of Law

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

1. In close proximity to the subject property are two recently approved major subdivision projects: The Estuary on Fish Haul Road and Hammock Breeze Cottages on Mitchelville Road.
2. Town staff has reviewed a pre-application for a multifamily development for 15 to 20 homes nearby on Fish Haul Road and pre-applications for two more single family major subdivisions on Mitchelville Road in the MV District.
3. There has been recent development of single-family homes within the Beach City Place and Beach City Commons developments on Beach City Road near the subject property.
4. The Hilton Head Island Public Service District has installed sewer infrastructure in the area.
5. The Town of Hilton Head Island is working with local property owners to pave the portion of Mitchelville Road near the subject property to provide safe and improved access.

Conclusions of Law:

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.ix.
2. Rezoning the subject property will be appropriate due to the changing condition of increased interest and development on nearby properties.
3. Rezoning the subject property will be appropriate due to the changing condition of recent and proposed infrastructure improvements to the area. The improved infrastructure for what has been a rural area is a changing condition that has encouraged development and increased more opportunity for development in the area.

LMO Official Determination

Staff determines that this application **is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO** as based on the Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein.

Staff recommends that the Planning Commission recommend **APPROVAL** to Town Council of this application.

Note: If the proposed amendment is approved by Town Council, such action shall be by <u>ordinance</u> to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by <u>resolution</u>.

<u>PREPARED BY</u>:

TL	July 24, 2019
Taylor Ladd *Senior Planner*	DATE

<u>REVIEWED BY</u>:

ND	July 24, 2019
Nicole Dixon, CFM	DATE

Development Review Administrator

REVIEWED BY:

TL — July 24, 2019

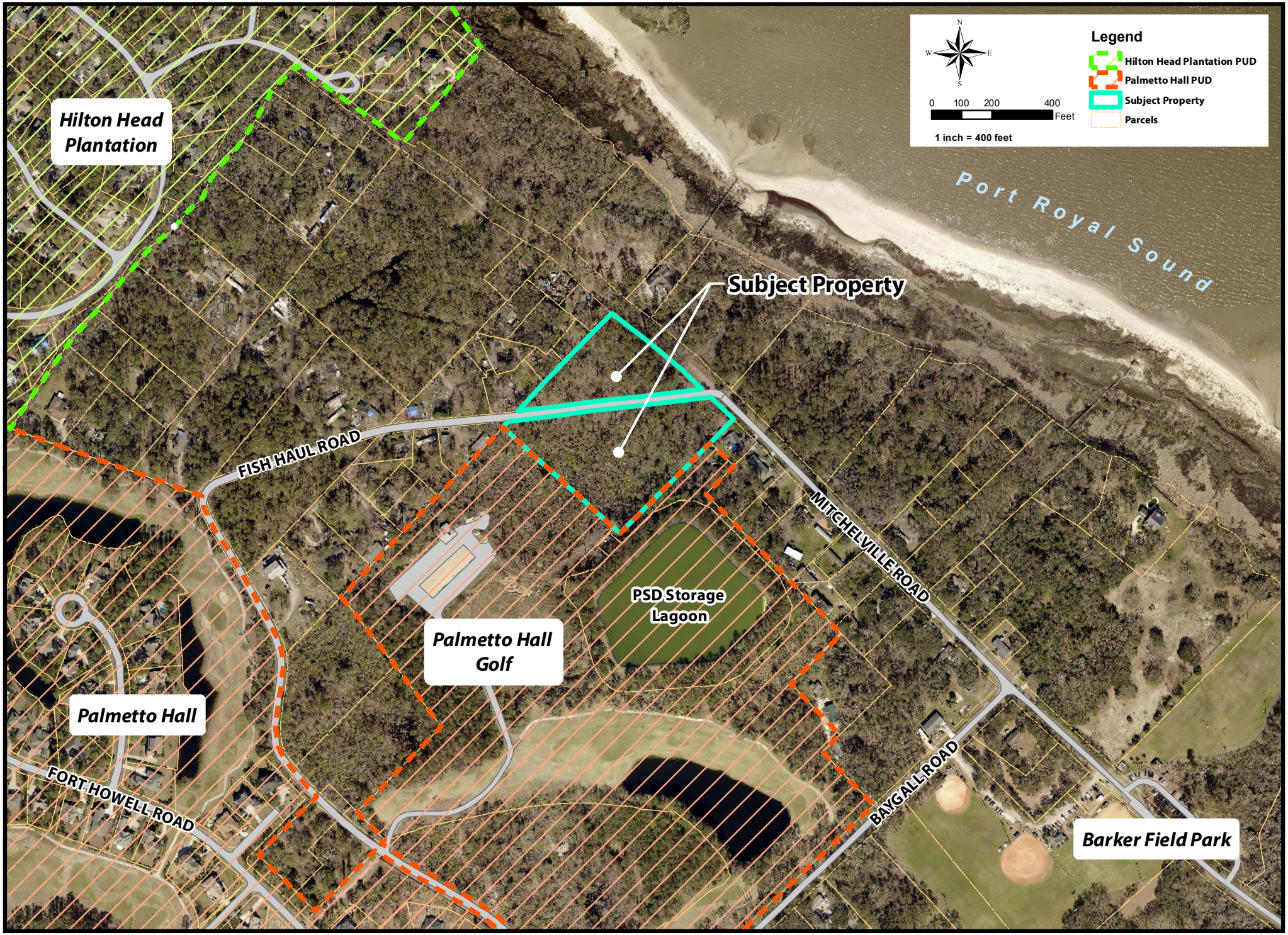
Teri Lewis, AICP — DATE

LMO Official

ATTACHMENTS:

A) Vicinity Map
B) Zoning Map
C) LMO Use Tables
D) Subject Property Aerial Imagery
E) Boundary Survey
F) Applicant Narrative
G) Zoning District Comparison Table

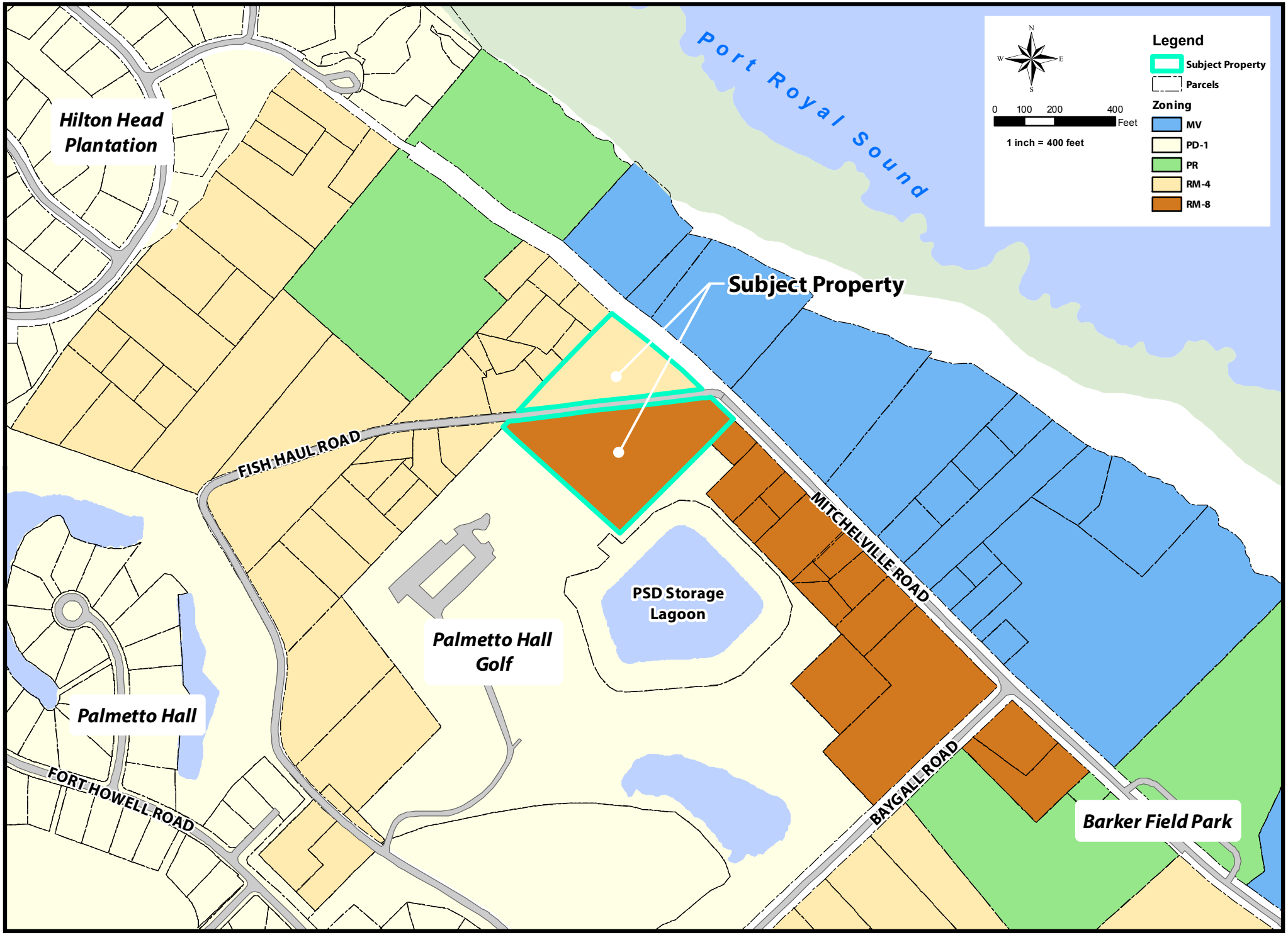
Attachment A



280 Fish Haul Road and Vicinity

ZA-001461-2019

Attachment B



280 Fish Haul Road Zoning Map

ZA-001461-2019

Title 16: Land Management Ordinance, Section 16-3-104.E

RM-4
Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and ***neighborhoods*** at ***densities*** up to four ***dwelling units*** per ***net acre*** . This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living*** . The regulations of the district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area

Major Utilities	SE		1 per 1,500 GFA
Minor Utilities	P		n/a
Public Parks	P		See Sec. 16-5-107.D.2
Religious Institutions	P		1 per 3 seats in main assembly area
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1
Resort Accommodations			
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room
Commercial Services			
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2
Other Uses			
Agriculture Uses	P		Stables or Riding Academies: 1 per 5 stalls Other: n/a
Boat Ramps , ***Docking Facilities*** , and ***Marinas***	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips

3. Development Form Standards

MAX. DENSITY (PER *NET ACRE*)			**LOT COVERAGE**	
Residential	4 du (6 du if **lot** area is at least 3 acres; 8 du if **lot** area is at least 5 acres)		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA		Min. ***Open Space*** for Major Residential ***Subdivisions***	16%
MAX. BUILDING HEIGHT				
All ***Development***	35 ft [1]			

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural

Resource Protection.
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. May be increased by up to ten percent on demonstration to the ***Official*** that:
a. The increase is consistent with the character of ***development*** on surrounding ***land*** ;
b. ***Development*** resulting from the increase is consistent with the purpose and intent of the ***building height*** standards;
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed ***development*** , or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** ;
d. The increase will not pose a danger to the public health or safety;
e. Any adverse impacts directly attributable to the increase are mitigated; and
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

(Revised 4-18-2017 - Ordinance 2017-05)

Attachment C

Town of Hilton Head Island Municipal Code

Title 16: Land Management Ordinance, Section 16-3-104.F

RM-8
Moderate Density Residential District

1. Purpose

The purpose of the Moderate Density Residential (RM-8) District is to allow the ***development*** of residential ***uses*** at ***densities*** up to eight ***dwelling units*** per ***net acre*** . The district allows a variety of residential ***uses*** , along with ***uses*** that support ***neighborhoods*** . The district is intended to discourage ***development*** that would substantially interfere with, or be detrimental to, moderate residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Commercial Services				
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding	1 per 5 stalls

			Academies	
			Other	n/a
Boat Ramps , ***Docking Facilities*** , and ***Marinas***	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
Residential	8 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Open Space*** for Major Residential ***Subdivisions***	16%
All ***Development***	45 ft [1]			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable 1. May be increased by up to ten percent on demonstration to the ***Official*** that:				
a. The increase is consistent with the character of ***development*** on surrounding ***land*** ;				
b. ***Development*** resulting from the increase is consistent with the purpose and intent of the ***building height*** standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed ***development*** , or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				

G. Moderate to High Density Residential District (RM-12) District

RM-12
Moderate to High Density Residential District

1. Purpose

The purpose of the Moderate to High Density Residential (RM-12) District is to allow higher ***density*** residential ***uses*** in locations which are served by adequate infrastructure, while maintaining the character of these areas and ***neighborhoods*** at ***densities*** up to twelve units per ***net acre*** . This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living*** . The regulations of this district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, moderate to high density residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	

Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a

3. Development Form Standards

MAX. DENSITY (PER *NET ACRE*)			**LOT COVERAGE**	
Residential	12 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Open Space*** for Major Residential ***Subdivisions***	16%
All ***Development***	45 ft [1]			

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the ***Official*** that:

a. The increase is consistent with the character of ***development*** on surrounding ***land*** ;

b. ***Development*** resulting from the increase is consistent with the purpose and intent of the ***building height*** standards;

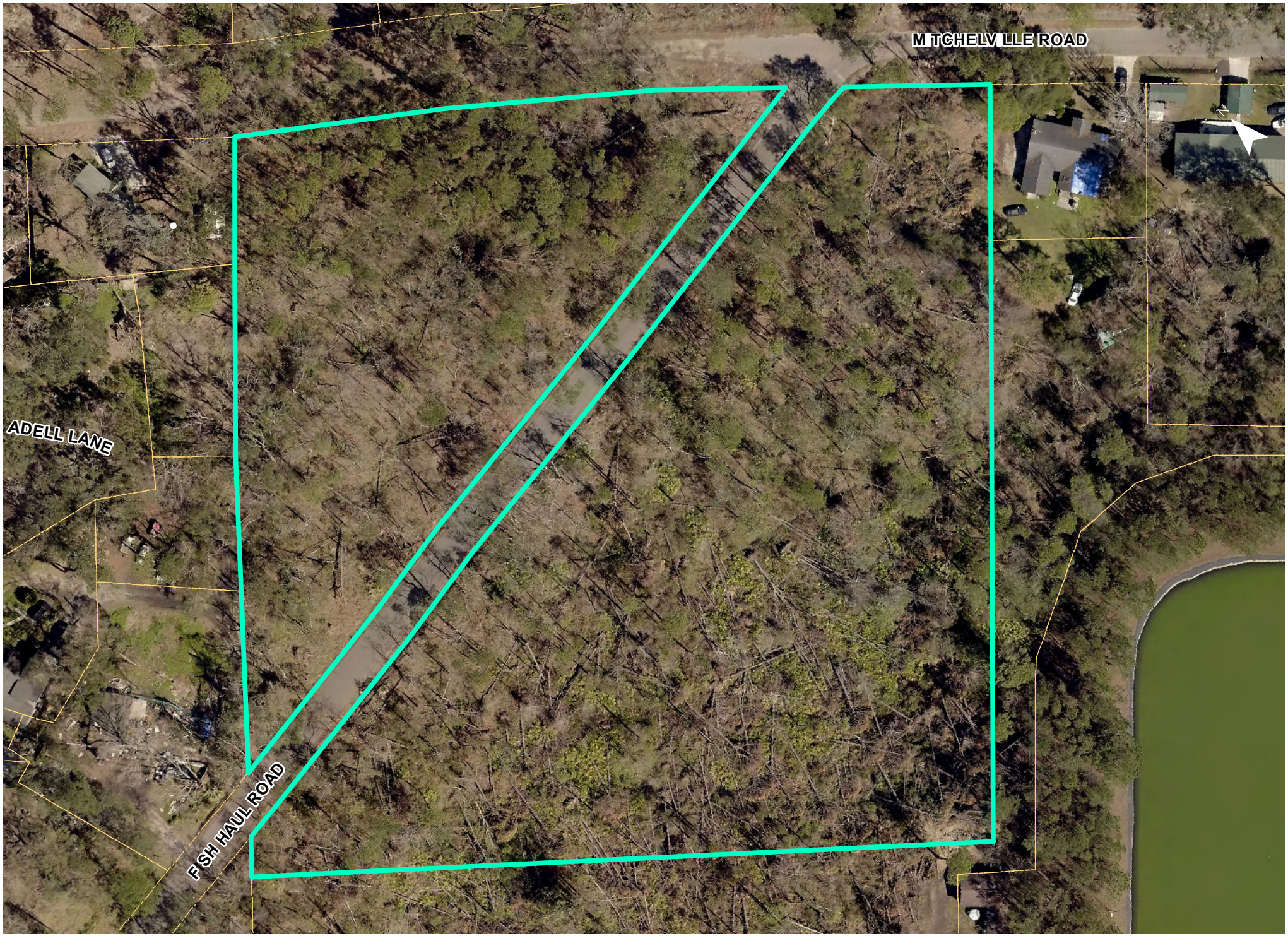
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed ***development*** , or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** ;

d. The increase will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

Attachment D



ZA-001461-2019

280 Fish Haul Road 2017 Aerial View

Attachment D

ZA-001461-2019

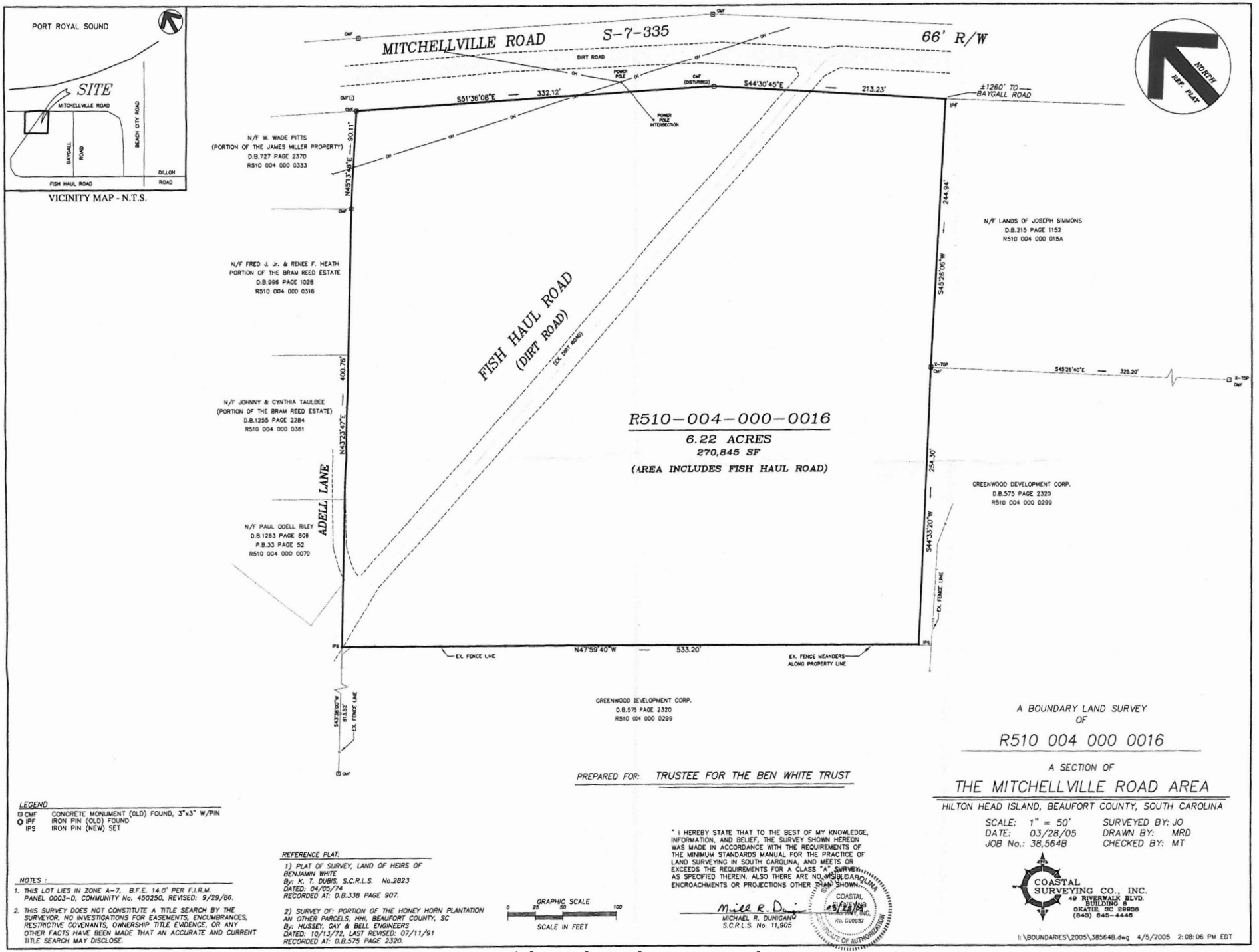
280 Fish Haul Road 2017 Aerial View North

Attachment D

ZA-001461-2019

280 Fish Haul Road 2017 Aerial View West

Attachment E



PREPARED FOR: TRUSTEE FOR THE BEN WHITE TRUST

A BOUNDARY LAND SURVEY
OF
R510 004 000 0016

A SECTION OF
THE MITCHELLVILLE ROAD AREA
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 50' SURVEYED BY: JO
DATE: 03/28/05 DRAWN BY: MRD
JOB No.: 38,564B CHECKED BY: MT

LEGEND
- CMF CONCRETE MONUMENT (OLD) FOUND, 3"x3" W/PIN
- IPF IRON PIN (OLD) FOUND
- IPS IRON PIN (NEW) SET

NOTES:
1. THIS LOT LIES IN ZONE A-7, B.F.E. 14.0' PER F.I.R.M. PANEL 0003-D, COMMUNITY No. 450250, REVISED: 9/29/86.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

REFERENCE PLAT:
1) PLAT OF SURVEY, LAND OF HEIRS OF BENJAMIN WHITE
BY: K. T. DUBIS, S.C.R.L.S. No.2823
DATED: 04/05/74
RECORDED AT: D.B.338 PAGE 907.

2) SURVEY OF: PORTION OF THE HONEY HORN PLANTATION AN OTHER PARCELS, HHI, BEAUFORT COUNTY, SC
By: HUSSEY, GAY & BELL ENGINEERS
DATED: 10/13/72, LAST REVISED: 07/11/91
RECORDED AT: D.B.575 PAGE 2320.

GRAPHIC SCALE
0 25 50 100
SCALE IN FEET

" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY, AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

Michael R. Dunigan
MICHAEL R. DUNIGAN
S.C.R.L.S. No. 11,905

COASTAL SURVEYING CO., INC. — CERTIFICATE OF AUTHORIZATION — No. C00037 — 3/28/05

COASTAL SURVEYING CO., INC.
49 RIVERWALK BLVD.
BUILDING 8
OKATIE, SC 29936
(843) 645-4445

I:\BOUNDARIES\2005\38564B.dwg 4/5/2005 2:08:06 PM EDT

280 Fish Haul Road 2005 Boundary Survey

ZA-001461-2019

Narrative for Zoning Map change for R510-004-000-0016-0000

Application Date: 07/08/2019

This zoning request is being made by the owners of the property, Thomas C. Barnwell, Jr., and Giselle White-Perry, Trustees of the Ben White Trust, to increase the available density to RM-12 units per acre to increase the allowable options for use.

The property is a 6.22-acre tract of land located in the Bay Gall neighborhood area of the Island. The northeast boundary of the parcel is Mitchelville Road, four single-family parcels are the northwest border, Palmetto Hall golf facilities are on the southwest and the southeast border is comprised of Palmetto Hall. The property is served by Fish Haul Road and Mitchelville Road, with Fish Haul Road bisecting the property diagonally. Water is provided to the property by No 1 PSD Hilton Head and the installation of sewer has been implemented.

Currently, the property has two different zoning classifications, despite being a single parcel. The northern portion of the property (approximately 2 acres) is zoned RM-4. The southern portion of the property (approximately 4 acres) is zoned RM-8. The split zoning is not desirable as it blocks the uniform development of the parcel. The rezoning to RM-12 would address this irregularity and allow for the highest and best use of the land.

7/19/19

Narrative for Zoning Map change for R510-004-000-0016-0000 07/08/2019

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103. C.3.a.i):

The proposed rezoning to RM-12 furthers the goals of the comprehensive plan by increasing the density of the allowable development, allowing for the financial viability of providing low to moderate price point housing on the property. It is not economically viable to create low to moderate priced housing on small tracts with the density allowed by the current zoning. Low to moderate price point housing provides work force housing on Hilton Head, a stated prioritized goal of the Town.

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103. C.3.a.ii):

The provision of workforce housing in this neighborhood is compatible with the uses of the adjacent property. The property is bounded: (a) to the southeast and southwest by: (i) the Palmetto Hall Golf course and a PSD storage pond which are contained in a PUD; and, (ii) single family home; and, (b) to the northeast boundary is Mitchelville Road. The other side of Mitchelville Road is zoned the MV District with an allowable density of 12 units per acres, a 50% non-permeable coverage, and a permitted building height of 75 feet; and, (c) to the northwest boundary is adjacent to four (4) single family housing parcels.

The RM-12 designation is consistent with the goals of the Town in providing development opportunities in the Bay Gall neighborhood as evidenced by the creation of the MV District to encourage appropriate types of development in this area. It is further consistent because of current development activity in this neighborhood. The Bay Gall neighborhood is undergoing changes in use with two significant subdivision projects in this area. Furthermore, additional similar housing projects have been proposed for this neighborhood.

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii):

The proposed zoning and development are appropriate for the land because there are no known areas on the property requiring special protection because of its landscape, wildlife, or historical value. The property is located in a developed area with available, adequate, and suitable public utilities and accessibility by a paved road network. Fish Haul Road is paved and the installation of sewer by PSD 1 has been implemented.

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103. C.3.a.iv):

The proposed zoning will match the density of the surrounding properties in the immediate vicinity, allowing a developer to build low to moderate priced housing (work force housing) which addresses a demonstrated community need as discussed in **Criteria 1.**

7/19/19

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103. C.3.a.v):

The proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town which include promoting development and providing varying densities of housing units in the vicinity of the property. As workforce housing is priority of the Town for 2019, the proposed rezoning enhances the financial viability of housing development projects that meet the established community need.

The application of RM-12 to this parcel will provide a transition between the MV District with multiple resort style permitted uses and the adjacent PUD and single family uses. This will prevent an abrupt change from the high intensity uses permitted by MV District to the less intense uses of the adjacent PUD, RM-4 and RM-8.

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103. C.3.a.vi):

The proposed rezoning of this 6.22-acre parcel to RM-12 is appropriate for this location because it would have the same density as the adjacent Mitchelville District, with 12 units to acre density. Therefore, this level of density is not an island in a sea of lower densities. Additionally, RM-12 has historically been utilized by the Town to further its housing objectives and has been placed on parcels which are not contiguous with other RM-12 designated parcels. The existing RM-12 district is comprised of many larger parcels developed with apartments. Most other RM-12 parcels on Hilton Head Island are "isolated" to the extent there are not many areas with multiple adjacent RM-12 zoned parcels. Furthermore, the parcel is similar in size to many other isolated parcels zoned RM-12.

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Investors/Developers find a building project for 12 units per acre more economically viable than 4 or 8 units as it is currently zoned. The proposed zoning would allow construction of more, much needed housing inventory to offset the present housing inventory deficit. The proposed zoning to RM-12 would increase the subject property's value, thus higher tax assessment on the property, bringing in more tax revenue. More revenue, more families living and spending their money on the island creates and sustains a more robust local economy.

The Ben White Trust has entered into a contract to sell the 6.22-acre tract with a density of 12 units per acre as one of the conditions of the sale. The buyer/developer is planning a multi-family housing project with long-term rental units.

BW Trust
Trustee
7/19/19

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103. C.3.a.viii):

The proposed zoning would result in development that can be served by the available, adequate, and suitable public facilities for properties in the Town of Hilton Head Island as described in **Criteria 3**.

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103. C.3.a.ix):

Changing conditions in the Bay Gall area make the rezoning appropriate due to increased development in other properties in the vicinity and proposed infrastructure improvements. These changes, coupled with the recognized need for more housing opportunities on the Island, make the proposed rezoning appropriate for this property.

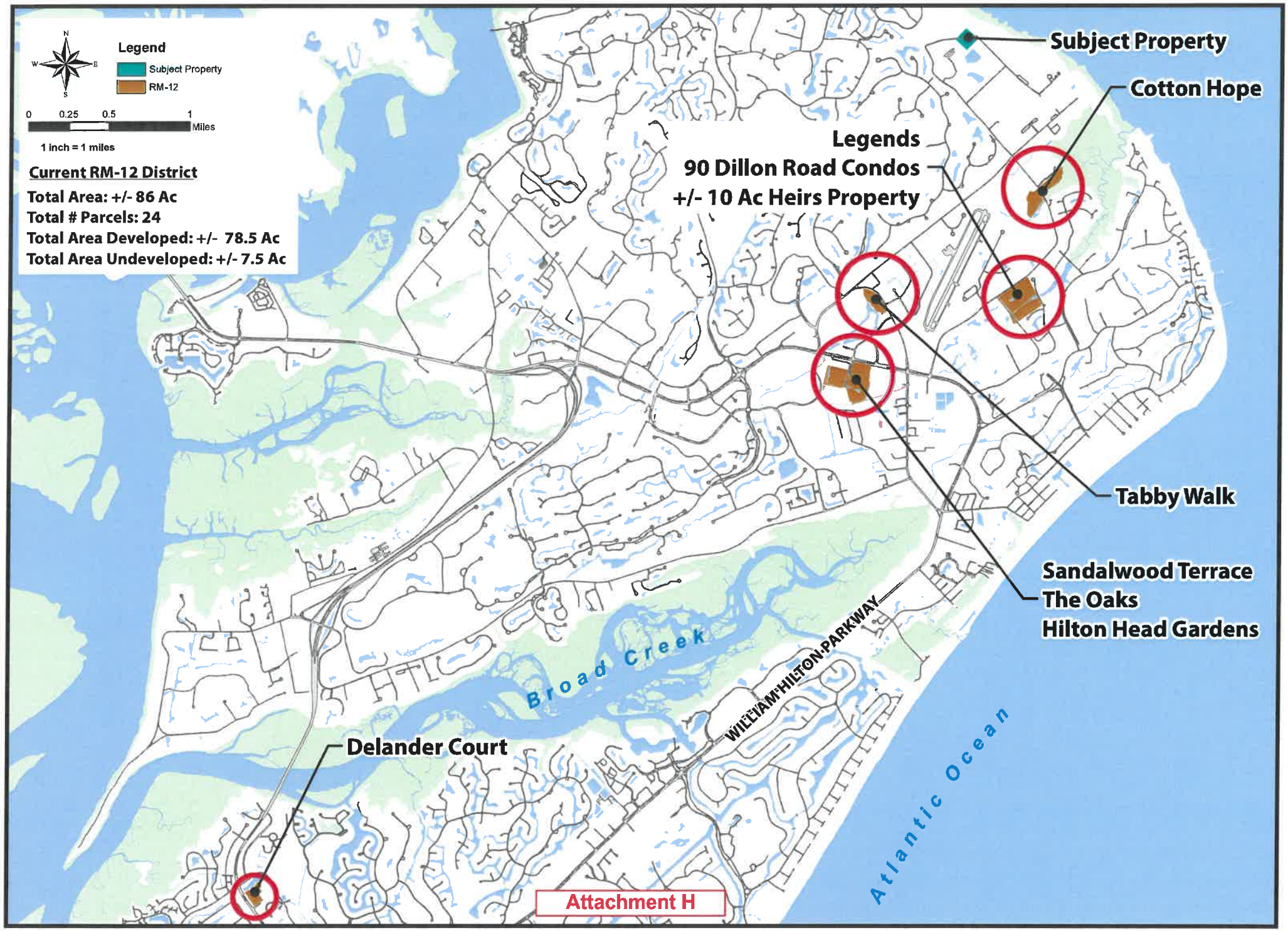
7/9/19

Attachment G

Zoning District Comparison Table

ZA-001461-2019

Items listed in red are not permitted in RM-12 District.		Low to Moderate Density Residential RM-4	Moderate Density Residential RM-8	Moderate to High Density Residential RM-12
Allowable Principal Uses	*Residential*	Group Living Multifamily Single-Family	Group Living Multifamily Single-Family	Group Living Multifamily Single-Family
	Public, Civic, Institutional, Educational	Cemeteries Community Service uses Education Uses Government Uses (conditional) Major Utilities Minor Utilities Public Parks Religious Institutions Telecommunication Antenna (conditional) Telecommunication Towers (conditional)	Community Service uses Government Uses (conditional) Major Utilities Minor Utilities Public Parks Religious Institutions Telecommunication Antenna (conditional) Telecommunication Towers (conditional)	Community Service uses Government Uses (conditional) Major Utilities Minor Utilities Public Parks Religious Institutions Telecommunication Antenna (conditional) Telecommunication Towers (conditional)
	Resort Accommodations	Bed and Breakfasts (conditional)		
	Commercial Recreation			
	Office			
	Commercial Services	Convenience Stores (conditional) Open Air Sales (conditional) Other Commercial Services (conditional)	Other Commercial Services (conditional)	
	Vehicle Sales and Services			
	Industrial			
	Other Uses	Agriculture Uses Boat Ramps, Docking Facilities and Marinas (conditional)	Agriculture Uses Boat Ramps, Docking Facilities and Marinas (conditional)	Agriculture Uses
Density per net Acre- Residential		4 DU (6 DU if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	8 DU	12 DU
Density per net Acre- Bed and Breakfasts		10 Rooms		
Density per net Acre- Hotel				
Density per net Acre- Interval Occupancy				
Density per net Acre- Nonresidential		6,000 GFA	6,000 GFA	6,000 GFA
Maximum Building Height		35 FT	45 FT	45 FT
Maximum Impervious Cover		35% for all development except Single-Family	35% for all development except Single-Family	35% for all development except Single-Family



Town of Hilton Head Island RM-12 Zoning District

MEMORANDUM

TO: Town Council

FROM: John Troyer, CPA, Director of Finance

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

DATE: August 21, 2019

RE: **Second Reading of Proposed Ordinance No. 2019-23**

Recommendation:

Staff recommends Town Council approve the second reading of Proposed Ordinance No. 2019-23 which amends fiscal year 2020 budgets for amounts rolled forward from fiscal year 2019 for the General, Capital Project and Stormwater Funds.

There have been no changes since the First Reading.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. **PROPOSED ORDINANCE NO. 2019-23**

AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2020; TO PROVIDE FOR THE BUDGETED APPROPRIATIONS OF PRIOR YEAR BUDGET ROLL-FORWARDS AND THE EXPENDITURES OF CERTAIN FUNDS; TO ALLOCATE THE SOURCES OF REVENUE FOR THE SAID FUNDS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 5-7-260 of the Code of Laws of South Carolina requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, the Town Council did adopt the budget on June 4, 2019, and

WHEREAS, pursuant to the budget amendment policy as stated in the Town's annual budget document, the Town Council is desirous of amending the budget so as to provide for the budgeted appropriations of prior year budget **roll-forwards** and certain other commitments from the Fund Balance and other revenue sources.

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:

Section 1 Amendment. The adopted 2020 fiscal year budget is amended to make the following changes as additions to the funds from prior years and to the projected revenue and expenditure accounts as detailed in Attachment A.

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 enactment by the Town Council of the Town of Hilton Head Island.

ORDINANCE NO. **PROPOSED ORDINANCE NO. 2019-23**

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____DAY OF_____, 2019.

_____
John McCann, Mayor

ATTEST:

_____
Krista Wiedmeyer
Town Clerk

First Reading: _____
Second Reading: _____

APPROVED AS TO FORM:

_____
Curtis Coltrane, Town Attorney

Introduced by Council Member:

_____

ATTACHMENT A

Budget Roll Forwards: General Fund

Account Description	***Amount***
General Fund Revenues:	
Funds from Prior Years	573,856
Total General Fund Revenue Budget Roll Forward	**573,856**
General Fund Expenditures:	
Townwide Grants	
Coastal Discovery Museum-MPP Executive Director	29,503
Townwide Operating / Capital	
Surveillance Cameras / WIFI Expansion	40,000
Computer Software	30,066
	70,066
Human Resources	
Consulting Services	17,825
Administrative Services	
Information Technology Operating/Capital	156,683
Public Projects and Facilities	
Facilities Management Operating	131,042
Community Development	
DRZ Operating	53,037
Comprehensive Planning Operating	29,700
	82,737
Fire Rescue	
Fire Rescue Administration Operating	45,000
Fire Rescue EMS Operating	41,000
	86,000
Total General Fund Expenditure Budget Roll Forward	**573,856**

Budget Roll Forwards: Capital Project Fund

Account Description	***Amount***
Capital Project Fund Revenues:	
Sale of Land from Prior Years	2,252,728
Hospitality Bond from Prior Years	1,546,838
Total Capital Project Fund Revenue Budget Roll Forward	**3,799,566**
Capital Project Fund Expenditures:	
Land Purchase - Former Modern Classic Motor site	3,663,566
Land Purchase - Spanish Wells site	136,000
Total Capital Project Fund Expenditure Budget Roll Forward	**3,799,566**

ATTACHMENT A, CONTINUED

Budget Roll Forwards: Stormwater Fund

Account Description	***Amount***
Stormwater Fund Revenues:	
Stormwater Utility Fees from Prior Years	802,940
Total Stormwater Fund Revenue Budget Roll Forward	**802,940**
Stormwater Fund Expenditures:	
Inventory & Modeling Projects	470,000
Pump Station Projects	10,000
PUD Maintenance & Repairs	302,940
Non-PUD Maintenance & Repairs	20,000
Total Stormwater Fund Expenditure Budget Roll Forward	**802,940**

The effects of this budget amendment for fiscal year 2020 are presented below.

	General Fund		Cap Proj Fund		Debt Service		Total Governmental Funds	
	Expenditures	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources
Original Balance	$ 41,108,317	$(41,444,951)	$ 11,139,500	$ (11,139,500)	$ 21,500,000	$(21,500,000)	$ 73,747,817	$ (74,084,451)
Amendment	573,856	(573,856)	3,799,566	(3,799,566)	-	-	4,373,422	(4,373,422)
Revised Balance	$ 41,682,173	$(42,018,807)	$ 14,939,066	$ (14,939,066)	$ 21,500,000	$(21,500,000)	$ 78,121,239	$ (78,457,873)

	Enterprise Fund Stormwater Fund	
	Expenditures & Transfers Out	Revenues & Transfers In
Original Balance	$ 5,400,000	$ (5,400,000)
Amendment	802,940	(802,940)
Revised Balance	$ 6,202,940	$ (6,202,940)

COASTAL DISCOVERY MUSEUM
Experience The Lowcountry Up Close

MAILING ADDRESS:
PO Box 23497
Hilton Head Island
SC 29925-3497

LOCATION:
70 Honey Horn Drive
Hilton Head Island
SC 29926

(843) 689-6767
(843) 689-3035 fax
coastaldiscovery.org

BUDGET ROLL FORWARD REQUESTS

General Fund - Townwide Grants

July 23, 2019

Ms. Erica Madhere

Town of Hilton Head Island
One Town Center Circle
Hilton Head Island, SC 29928

RE: Encumbering Mitchelville Executive Director grant 2018-2019

Dear Erica:

This past fiscal year there was money set aside in the Town budget to provide for a new Mitchelville Executive Director in the amount of $100,000. We would like to encumber any unused funds for FY2020.

Thank you,

Jennifer Stupica
Director of Finance and Administration
Coastal Discovery Museum

Account 10000950-56035
Amount $29,503

INFORMATION TECHNOLOGY 2019 ROLLOVER TO 2020

ACCOUNT#	TOTAL	Description
10000940-55135	$ 40,000.00	Wi-Fi expansion project postponed due to staff workload on other pending projects
Total	$ 40,000.00	

General Fund - Townwide Operating - Computer Software

AMENDMENT

This amendment ("Amendment") is made this 15th day of May, 2019 by and between Tyler Technologies, Inc., with offices at One Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the Town of Hilton Head Island, with offices at 1 Town Center Court, Hilton Head Island, South Carolina 29928 ("Client").

WHEREAS, Tyler and the Client are parties to an agreement dated December 5, 2000, as amended ("Agreement"); and

WHEREAS, Tyler and Client desire to amend the terms of the Agreement as provided herein.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. Removing Licensed Software. The Tyler Software set forth below is hereby removed from the Agreement as of the execution of the Amendment. Upon such date, Client's license for such software is terminated, as are Tyler's obligations to support, maintain, and update such software.

    a. ExecuTime Advance Scheduling
    b. ExecuTime Advance Scheduling Mobile Access

2. Issuing Refund. In recognition of the license, maintenance, and implementation fees paid in connection with the above-removed software, upon the execution of this Amendment, Tyler will issue to Client a refund check in the amount of $30,066 ($18,055 for license fees, $8,400 for implementation services, and $3,611 for maintenance).

3. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.

4. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

Tyler Technologies, Inc.

By:_____

Name:_____

Title:_____

Date:_____

Hilton Head Island

By: Steven Martin

Name: Steven Martin

Title: Deputy Director of Finance

Date: 5/15/2019

Madhere Erica

From: Troyer John
Sent: Thursday, July 18, 2019 4:29 PM
To: Madhere Erica
Subject: FW: RFP 2019-0030

Erica –

Please see below. It is a request to roll funds for HR from FY19 to FY 20.

I didn't know if I had sent this to you before.

Thanks,

John

From: Gruber, Josh
Sent: Thursday, July 18, 2019 4:16 PM
To: Groth, Rich <richg@hiltonheadislandsc.gov>; Troyer John <johntr@hiltonheadislandsc.gov>
Subject: FW: RFP 2019-0030

Rich and John, FYI as to the below.

Thanks,

-Josh-

Joshua A. Gruber
Assistant Town Manager
One Town Center Court
Hilton Head Island, SC 29928
(843) 341-4634 office
(843) 384-3434
joshg@hiltonheadislandsc.gov

Human Resources
Account 10511720-53350
$17,825.00

From: Stone Angie
Sent: Thursday, July 18, 2019 4:15 PM
To: Gruber, Josh <joshg@hiltonheadislandsc.gov>
Subject: RE: RFP 2019-0030

The funds for the study were in my Consulting Services budget for FY19. The account number is 10511720 53350. We'll need to be sure that whatever will be used for this study gets rolled from FY19 into the FY20 budget so we have enough

for both this study and the comp study. It looks like I had close to 18k left in that budget at the end of FY19. I'm not sure what this engagement will cost but hope that will cover it.

From: Gruber, Josh
Sent: Thursday, July 18, 2019 3:27 PM
To: Stone Angie <AngieS@hiltonheadislandsc.gov>
Subject: Fwd: RFP 2019-0030

Do you happen to know which account we stashed this funding in?

Joshua A. Gruber
Assistant Town Manager
Hilton Head Island, South Carolina

Please excuse any errors as this message was created on a mobile device.

Begin forwarded message:

> **From:** "Groth, Rich" <richg@hiltonheadislandsc.gov>
> **Date:** July 18, 2019 at 2:54:37 PM EDT
> **To:** "Gruber, Josh" <joshg@hiltonheadislandsc.gov>
> **Subject: FW: RFP 2019-0030**
>
> Josh,
>
> What account should the IT Org Review Island Packet Ad costs be charged to?
>
> Rich Groth
> Procurement Officer
> Town of Hilton Head Island
> 70 Shelter Cove Lane, Unit H
> Hilton Head Island, SC 29928
> O: (843) 341-4711
> M: (843) 384-3231
> richg@hiltonheadislandsc.gov
> www.hiltonheadislandsc.gov

INFORMATION TECHNOLOGY 2019 ROLLOVER TO 2020

ACCOUNT#	TOTAL	Description
11061520-53700	$ 86,083.00	County broadcast expansion and Citizen Relationship Management software project postponed due to pricing structure change of selected vendor that exceeded budget
11061520-54400	$ 70,600.00	Disaster recovery software project that staff could not implement due to other pending projects
Total	$ 156,683.00	

Madhere Erica

From: Derian Alice
Sent: Thursday, June 20, 2019 8:59 AM
To: Boring Heidi; Madhere Erica
Subject: Budget Roll Over Question

Good morning,

The pathway repair contract that was signed on June 7th for $131,041.12 will not be finalized before this fiscal year end. I am still waiting on Atlantic Asphalt to provide the required bond which will not be until Friday….hopefully. The contract is open with an expiration date of June 30, 2020 to allow for additional repair work. I am assuming that I need to request the roll over? Does this email suffice?

Thank you,
Alice

Account 11537020 - 54940
Amount $131,042.00

General Fund - Community Development
- DRZ and Comprehensive Planning Operating

Madhere Erica

From: Wilson Eileen
Sent: Tuesday, July 23, 2019 2:13 PM
To: Madhere Erica
Cc: Colin Shawn; Ray Jennifer; Lewis Teri
Subject: FY19 budget funds Roll Forward Requests

Good afternoon Erica

Below are the roll over/encumber requests from Community Development. If you need anything else, please let me know. Thank you

Jennifer Ray/Comprehensive Planning - Total $29,700

Consulting: **$27,100** **11585520-53350**
I request to roll-over the balance of my consulting budget from FY19 to FY20. In FY19 we allocated funds for the Workforce Housing consultant. We have executed a small contract amendment so will be using at least a portion of the funds for that project. Additionally there is more workforce housing work which will continue on in FY20 and may require the use of a consultant, specifically a request pending from Beaufort County for cost-sharing for a consultant to develop a housing trust fund. Rolling over the balance will allow us to continue to forward this TC priority project.

Travel: **$2,600** of Travel **11585520-53010** - some conferences that were scheduled, were cancelled by the vendor

Teri Lewis / DRZ - Total $53,037
The bulk of the Consulting Services budget was used towards the consultant for the Gullah Geechee Task Force. There will be a need in FY20 to consult other experts related to implementing some of the recommendation from the previous consultant. The rollover of the funds would be used for that purpose.

Consulting Services (11585020-53350) **FY2019 available: $24,829.69**

Printing & Publishing (11585020-53410) **FY2019 available: ~~$29,291.67~~** -
Note: The available balance is $28,208

There are several sets of LMO amendments that were to be adopted by Town Council in FY2019 but were postponed for various reasons. These amendments include General 2019 set, dirt roads, grinding.

There are other amendments that are committed to the FY2020 funds (food trucks and open air sales, workforce housing and possibly amendments related to the Gullah Geechee Task Force consultant's report

Eileen Wilson
Senior Administrative Assistant
Town of Hilton Head Island
1 Town Center Court
Hilton Head Island, SC 29928
843-341-4691
eileenw@hiltonheadislandsc.gov
www.hiltonheadislandsc.gov

Madhere Erica

From: Troyer John
Sent: Tuesday, July 16, 2019 8:31 AM
To: Tadlock Brad
Cc: Madhere Erica
Subject: RE: Funding For CRA/ SOC

Yes – that memo will give us the amounts to put into a rollforward budget ordinance.

We can talk about it when you get a chance.

Thanks,

John

From: Tadlock Brad
Sent: Friday, July 12, 2019 2:22 PM
To: Troyer John <johntr@hiltonheadislandsc.gov>
Subject: Funding For CRA/ SOC

John,

I spoke with Steve and Josh about the $45,000 in funding to support the development to our CRA /SOC in FY 20. Steve directed we roll forward leftover FY 19 Fire Rescue budget funds to cover the costs.

How do we proceed from here? I figure we need a memo from you and me that Steve signs that approves the roll forward. We'll be negotiating a contract with the vendor in mid-August.

Let's catch up next week and discuss.

Thanks,

Brad Tadlock
Fire Chief
Hilton Head Island Fire Rescue
 # 40 Summit Dr.
Hilton Head Island, SC 29926
Office- 843-682-5153
Cell- 843-247-3743

CFAI Accredited Agency
2002-2022

Madhere Erica

From: Boring Heidi
Sent: Thursday, June 20, 2019 3:59 PM
To: Madhere Erica
Cc: Sanders Tina; Bouthillet Tom
Subject: FW: PO for Video Laryngoscopes

Budget Roll

Account 12021820-53416

Amount $41,000.00

Thank you,
Heidi Boring
Finance Administrator
Town of Hilton Head Island
843-341-4644

From: Sanders Tina
Sent: Thursday, June 20, 2019 3:42 PM
To: Boring Heidi
Cc: Bouthillet Tom
Subject: RE: PO for Video Laryngoscopes

Yes, Tom said there is $30,000 in one account that was budgeted for the video laryngoscopes and there is $10,000 left over from the medical bags because we got such a great price and trade in value. If you need the specific accounts Tom would probably be able to tell you that.

Tina Sanders, **NRP**
Captain - EMS
Hilton Head Island Fire Rescue
40 Summit Dr.
Hilton Head Island, SC 29926
tinas@hiltonheadislandsc.gov
Office - 843-682-5158
Cell – 843-422-3757

From: Boring Heidi
Sent: Thursday, June 20, 2019 3:39 PM
To: Sanders Tina
Subject: RE: PO for Video Laryngoscopes

Tina,

So, is there money sitting in an account for these, and if so, which account?

Thank you,
Heidi Boring
Finance Administrator
Town of Hilton Head Island
843-341-4644

From: Sanders Tina
Sent: Thursday, June 20, 2019 3:33 PM
To: Boring Heidi
Subject: RE: PO for Video Laryngoscopes

Heidi,

I do not know the exact amount. Tom said it will be around $40,000 but we do not know until negotiated with vendor.

Tina Sanders, **NRP**

Captain - EMS
Hilton Head Island Fire Rescue
40 Summit Dr.
Hilton Head Island, SC 29926
tinas@hiltonheadislandsc.gov
Office - 843-682-5158
Cell – 843-422-3757

From: Boring Heidi
Sent: Thursday, June 20, 2019 2:19 PM
To: Sanders Tina
Subject: RE: PO for Video Laryngoscopes

Tina,

Do you know the dollar amount and which account the funds are in?

Thank you,
Heidi Boring
Finance Administrator
Town of Hilton Head Island
843-341-4644

From: Sanders Tina
Sent: Thursday, June 20, 2019 2:14 PM
To: Boring Heidi
Subject: PO for Video Laryngoscopes

Heidi,

We need to hold or roll over the funds for the Video Laryngoscopes. We have just completed the evaluation process with Rich Groth but have not awarded the bid yet. This should be completed in the next couple of weeks but delivery would most likely be mid to end of July.

Please advise as to what I should do at this point.

Tina Sanders, **NRP**

Captain - EMS
Hilton Head Island Fire Rescue
40 Summit Dr.
Hilton Head Island, SC 29926
tinas@hiltonheadislandsc.gov
Office - 843-682-5158
Cell – 843-422-3757

TOWN OF HILTON HEAD ISLAND
TOWN COUNCIL MEETING

Date: Tuesday, April 23, 2019 **Time: 4:00 p.m.**

Present from Town Council: John J. McCann, *Mayor;* Bill Harkins, *Mayor Pro-Tempore;* Marc Grant, Tom Lennox, David Ames, Tamara Becker, Glenn Stanford, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager;* Joshua Gruber, *Assistant Town Manager,* Shawn Colin, *Director of Community Development;* Scott Liggett, *Director of Public Projects and Facilities;* Brian Hulbert, *Staff Attorney;* Brad Tadlock, *Fire Chief;* Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Katherine Kokal, *Island Packet*

1. Call to Order

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

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

3. Pledge of the Flag

4. Invocation – Reverend Brett Myers, First Baptist Church Hilton Head Island

Reverend Brett Myers of First Baptist Church Hilton Head Island delivered the invocation.

5. Proclamations/Commendations

a. Bike Month

Mayor McCann presented the 2019 Bike Month proclamation to Frank Babel and the Hilton Head Island Bike Advisory Committee. Mr. Babel made some brief statements to the members of Council.

6. Approval of the Minutes

a. Town Council Meeting, April 2, 2019

Mr. Harkins moved to approve the minutes from April 2, 2019. Mr. Grant seconded, the motion was approved by a vote of 7-0.

7. Report of the Town Manager

a. Beaufort County Economic Development Corporation – John O'Toole

John O'Toole, Executive Director of the Beaufort County Economic Development Corporation, made a presentation to the members of Council giving an update of the recent happenings taking place within the Beaufort County EDC. He discussed new leads and the target market within the County. Mr. O'Toole also discussed the return of organizations to the County and many new organizations to the County. He closed his update with what the EDC is working on for the future.

b. Items of Interest

Mr. Riley reviewed the Items of Interest, including Town news, upcoming Town meetings, and noteworthy events taking place throughout the Island over the coming weeks.

8. Reports From the Members of Council

a. General Reports from Council

Mayor McCann, Mr. Harkins, and Mr. Lennox all gave their gratitude to all those involved with the Heritage golf tournament. They all felt this was one of the best and most attended tournaments they have seen to date.

Mr. Stanford reported that he met with Mr. Rembold at the Hilton Head Island Airport, where he was taken on a tour. He said they discussed takeoff and landing patterns of the planes which has been put in place to abate more of the noise.

b. Intergovernmental & Public Safety Committee – Bill Harkins

Mr. Harkins stated he did not have a report.

c. Community Services Committee – Marc Grant

Mr. Grant stated that the Committee met on April 22nd where they reviewed applications and interviewed applicants for boards and commissions. He said that the Committee planned to continue this process on April 29th, and hoped to bring forward recommendations to the next Town Council meeting on May 7, 2019.

d. Public Planning Committee – David Ames

Mr. Ames stated that the Committee was to discuss the Town's code concerning the protection of the sea turtles at the April 25th meeting, however that meeting had been cancelled to allow for additional feedback from stakeholders. He indicated that the intent would be to review the ordinance at the next Committee meeting. Mr. Ames also reported that staff is working on scheduling a workshop to begin reviewing the results from the workforce housing consultant's report.

e. Public Facilities Committee – Marc Grant

Mr. Grant stated that he did not have a report.

f. Finance & Administrative Committee – Tom Lennox

Mr. Lennox stated that the Committee met earlier in the day, where they discussed two items related to the Chamber and DMO, where they recommended that action be taken at the May 7, 2019 Town Council meeting.

9. Appearance by Citizens

Skip Hoagland: Mr. Hoagland appeared before Council to discuss matters related to Town business and the Chamber.

Joanne Voulelis: Ms. Voulelis appeared before Council to discuss matters related to the Town's current code related to debris on the beach and protection of the sea turtles.

Linda Vambelli: Ms. Vambelli appeared before Council to discuss matters related to the Town's current code related to the lighting and holes on the beaches.

Risa Prince: Ms. Prince appeared before Council to discuss matters related to the Town and decisions made by the members of Town Council.

Chris Rush: Mr. Rush appeared before Council to discuss matters related to the Town's current code related to holes on the beach and the types of tools used for digging said holes.

9. Appearance by Citizens (cont.)

Deborah Yuratto: Ms. Yuratto appeared before Council to discuss matters related to the Town's branding and current code related to the protection of the sea turtles.

Barry Ginn: Mr. Ginn appeared before Council to discuss matters related to Town business.

10. Consent Agenda – NONE

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2019-12 – Execution of Lease & Sale of Real Property with ArborNature, LLC

Second Reading of Proposed Ordinance 2019-12 of the Town of Hilton Head Island, South Carolina authorizing the execution of a lease with ArborNature, LLC of real property owned by the Town of Hilton Head Island, South Carolina, and for the sale of real property owned by the Town of Hilton Head Island, South Carolina, under the authority of S.C. Code Ann. § 5-7-40 (Supp. 2018), and § 2-7-20, Code of the Town of Hilton Head Island, South Carolina, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Becker seconded. Mr. Stanford noted that he had not been part of Council or part of any discussions concerning this matter, as such he would be abstaining from the vote. Mrs. Becker stated that she wanted to note that she had not participated in all discussions, but would be participate in the vote. With no further discussion from the members of Council or the public at large, the motion passed by a vote of 5-1-1. Mayor McCann opposed, Mr. Stanford abstained.

b. Second Reading of Proposed Ordinance 2019-11 – Standing Committee of Town Council

Second Reading of Proposed Ordinance 2019-11 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 2-5-60, Committees of Council; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Becker seconded. With no discussion from Town Council or the public at large, the motion was approved by a vote of 7-0.

12. New Business

a. Consideration of a Recommendation – Approval of Marketing Plan

Consideration of a Recommendation from the Accommodations Tax Advisory Committee for the Chamber of Commerce Visitor and Convention Bureau's proposed 2019-20 Marketing Plan.

Mr. Harkins moved to approve. Mr. Grant seconded. With some discussion from both the members of Council and the public at large, the motion was approved by a vote of 7-0.

b. Consideration of a Recommendation – Trash & Recycle Enclosures on the Beach

Consideration of a Recommendation from the Public Facilities Committee to the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the placement of two can corral structures at Town Beach Park access points in order to enclose existing trash and recycling containers.

Mr. Harkins moved to approve. Mrs. Becker seconded. With some discussion from both the members of Council and the public at large, the motion was approved by a vote of 7-0.

13. Executive Session

Mr. Riley stated that an Executive Session was needed to review the following matters; (a) Land Acquisition, discussion of negotiations incident to the proposed contractual arrangements, sale or purchase of property in the (i) Beach City Road area, and (ii) Main Street area.

At 5:05 p.m. Mr. Harkins moved to go into Executive Session for the items mentioned by the Town Manager. Mrs. Becker seconded. The motion was approved by a vote of 7-0.

Town Council returned from Executive Session at 5:30 p.m.

14. Possible actions by Town Council concerning matters discussed in Executive Session

a. Possible actions by Town Council related to Land Acquisition, discussion of negotiations incident of the proposed sale, lease, or purchase of property in the Main Street area.

Due to a possible conflict, Mr. Harkins recused himself from participating in discussions and actions related to this item.

Mr. Grant moved that the Town Council authorize the Mayor and Town Manager to execute and deliver the agreement by and between the Town of Hilton Head Island and Marilyn Faulkner, Personal Representative of the Estate of Gordon K. Faulkner, and to take such other and further actions as may be necessary to complete the transaction described in the agreement. Mr. Stanford seconded. With limited discussion from the public at large, the motion was approved by a vote of 6-0.

15. Adjournment

At 5:34 Mrs. Becker moved to adjourn. Mr. Grant seconded. The motion to adjourn was approved by a vote of 6-0.

Krista Wiedmeyer, Town Clerk

Approved: May 7, 2019

John J. McCann, Mayor

STORMWATER PROJECTS - FY19-20 BUDGET ROLL FORWARD REQUESTS

INVENTORY & MODELING:	
INVENTORY & MODELING PROJECTS	$ 470,000.00
PUMP STATIONS:	
SEA PINES PUMP STATION	$ 10,000.00
PUD MAINTENANCE / REPAIR:	
HILTON HEAD PLANTATION	$ 67,000.00
INDIGO RUN PLANTATION	$ 23,940.00
LEAMINGTON PLANTATION	$ 3,000.00
PALMETTO DUNES PLANTATION	$ 37,000.00
PORT ROYAL PLANTATION	$ 4,000.00
SHIPYARD PLANTATION	$ 32,000.00
SEA PINES PLANTATION	$ 121,000.00
WEXFORD PLANTATION	$ 15,000.00
NON PUD MAINTENANCE / REPAIR:	
NON-PUD PROJECTS	$ 20,000.00
TOTAL	$ 802,940.00

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
FROM: Teri B. Lewis, AICP, *Deputy Director of Community Development*
DATE: August 30, 2019
SUBJECT: Proposed LMO Amendments – Recreational Vehicles
Proposed Ordinance 2019-24

Town Council made no changes to proposed ordinance 2019-24 as a result of their meeting on August 20, 2019.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019-# **PROPOSED ORDINANCE NO. 2019-24**

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO) , CHAPTERS 3, 4 AND 10 TO REVISE VARIOUS SECTIONS. THESE AMENDMENTS, COMMONLY REFERRED TO AS *RV AMENDMENTS* AS NOTICED IN THE ISLAND PACKET ON MAY 5, 2019, INCLUDE CHANGES THAT PROVIDE FOR GENERAL AMENDMENTS TO A VARIETY OF SECTIONS IN THE LMO RELATED TO THE USE OF RECREATIONAL VEHICLES, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, from time to time it is necessary to amend the LMO; and

WHEREAS, at their meeting on November 7, 2018, Town Council provided positive policy direction related to the temporary use of recreational vehicles on properties with active residential building permits; and

WHEREAS, staff presented a draft of proposed LMO amendments related to Recreational Vehicles to the Planning Commission on December 5, 2018 and the Planning Commission referred the amendments to the LMO Committee for revisions; and

WHEREAS, the LMO Committee held a public meeting on December 11, 2018 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed amendments; and

WHEREAS, the LMO Committee recommended that the proposed amendments be forwarded to the Planning Commission with a recommendation of approval with the changes as discussed by staff, the public and the Committee; and

WHEREAS, the Planning Commission held a public hearing on February 20, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and public comments asked staff to further revise the amendments and bring them back for review; and

WHEREAS, the Planning Commission held a public hearing on March 6, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and public comments asked staff to further revise the amendments and bring them back for review; and

WHEREAS, the Planning Commission held a public hearing on June 5, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and public comments voted 6-0 to forward the proposed amendments to the Public Planning Committee with a recommendation of approval with some limited changes; and

WHEREAS, the Public Planning Committee held a public meeting on June 27, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Public Planning Committee, after consideration of the staff presentation and public comments, voted 4-0 to recommend approval of the proposed LMO amendments as drafted; and

WHEREAS, after due consideration of said LMO amendments and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest to approve the proposed amendments.

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 *RV Amendments* are adopted as indicated on the attached pages (Exhibit A). Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

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 _____, 2019.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

_____
John McCann, Mayor

ATTEST:

_____
Krista Wiedmeyer, Town Clerk

Public Hearing: June 5, 2019
First Reading:
Second Reading:

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Exhibit A

Proposed LMO Amendments related to Recreational Vehicles

Chapter 16-3: Zoning Districts

16-3-104. Residential Base Zoning Districts

E. Low to Moderate Density Residential (RM-4) District

RM 4, Low to Moderate Density Residential District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

F. Moderate Density Residential (RM-8) District

RM 8, Moderate Density Residential District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

G. Moderate to High Density Residential (RM-12) District

RM 12, Moderate to High Density Residential District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

Exhibit A

16-3-105. Mixed-Use and Business Districts

D. Light Commercial (LC) District

LC, Light Commercial District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Group Living	P		1 per 3 rooms	
Mixed-Use	PC	16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Recreational Vehicle (RV) Park	P~~C~~	~~16-4-102.B.1.c~~	1 per 300 GFA of office and clubhouse	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

G. Marshfront (MF) District

MF, Marshfront District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Mixed-Use	PC	16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

I. Mitchelville (MV) District

MV, Mitchelville District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Mixed-Use	PC	16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du

Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

J. Neighborhood Commercial (NC) District

NC, Neighborhood Commercial District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Mixed-Use	PC	16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

N. Stoney (S) District

S, Stoney District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

O. Waterfront Mixed-Use (WMU) District

WMU, Waterfront Mixed Use District				
1. No Change				
2. Allowable Principal Uses				
		Use Specific Conditions	Minimum Number of Off Street Parking Spaces	
Residential Uses				
Mixed-Use	PC	16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Recreational Vehicle	PC	16-4-102.B.1.c	1 per ***Recreational Vehicle***	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

Exhibit A

Chapter 16-4: Use Standards

16-4-102. Principal Uses

A. Principal Use Table

1. – 5. No Changes

6. Principal Use Table

TABLE 16 4 102.A.6: PRINCIPAL USE TABLE																						
P Permitted by Right PC Permitted Subject to Use Specific Conditions																						
SE Allowed as a Special Exception Blank Cell = Prohibited																						
Use Type	Special Districts		Residential Districts						Mixed Use and Business Districts													Use Specific Conditions
	CON	PR	RSF 3	RSF 5	RSF 6	RM 4	RM 8	RM 12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD	MED	IL	
RESIDENTIAL USES																						
Group Living						P	P	P				P						P		P		
Mixed-Use									PC	PC		PC	PC		PC	PC	PC	PC	PC			16-4-102.B.1.a
Multifamily						P	P	P	PC	P		P	P	P	P	P	P	P	P			16-4-102.B.1.b
Recreational Vehicle						PC	PC	PC				PC	PC	PC	PC	PC	PC					
Recreation Vehicle (RV) Parks																		PC				16-4-102.B.1.c
Single-Family			P	P	P	P	P	P					P	P	P	P	P	P	P			

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

a. – b. No Changes

~~c. Recreation Vehicle (RV) Parks~~

~~Use of a recreational vehicle for residential or accommodation purposes is prohibited except in a Recreational Vehicle (RV) Park.~~

c. Recreational Vehicles

Use of a recreational vehicle for residential purposes is only permitted with the following conditions:

i. The lot on which the recreational vehicle will be located and occupied must have an active residential building permit for either a new single family residence that is replacing an existing single family residence or the renovation of at least 50% of an existing single family residence on the lot; and

ii. If the existing residence is being renovated, it cannot be safely occupied; and

iii. The recreational vehicle may be occupied for up to 180 consecutive days or for the life of the building permit, whichever comes first. The Administrator may approve up to two extensions of up to 90 consecutive days each if the new or renovated residence is not yet habitable; and

iv. The recreational vehicle must be occupied by the owner of the lot on which the recreational vehicle is located; and

v. Only one recreational vehicle may be located and occupied on the lot at a time; and

vi. The owner of the lot on which the recreational vehicle will be located must demonstrate how electricity, water and sewer service for the recreational vehicle will be provided; and

vii. The recreational vehicle must not be located within any required setbacks or buffers; and

viii. The request to use a recreational vehicle on a lot must be submitted by a 501(c)(3) organization.

Chapter 16-10: Definitions, Interpretation and Measurement

16-10-103. Use Classifications, Use Types, and Definitions

A. Residential

1. No Change
2. Use Types and Definitions

Recreational Vehicle

Any of the following vehicles designed for travel, recreation, and vacation uses: motorhome or van (a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle); pickup camper (a structure designed to be mounted on a truck chassis); recreational trailer (a portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections); park trailer (a semi-portable structure built on a single chassis, which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to USDHUD standards); or tent trailer (a canvas or synthetic fiber folding structure mounted on a hard body base and towed by a vehicle).

16-10-105. General Definitions

~~**Recreational Vehicle**~~

~~Any of the following vehicles designed for travel, recreation, and vacation uses: motorhome or van (a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle); pickup camper (a structure designed to be mounted on a truck chassis); recreational trailer (a portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections); park trailer (a semi-portable structure built on a single chassis, which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to USDHUD standards); or tent trailer (a canvas or synthetic fiber folding structure mounted on a hard body base and towed by a vehicle). Use of a recreational vehicle for residential or accommodation purposes is prohibited except in a Recreational Vehicle (RV) Park.~~

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. _____ PROPOSED ORDINANCE NO. 2019-25

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, 1994-05, 2002-01, 2008-03, 2015-21, 2016-03, 2017-01, and 2019-01 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 Town Council now desires to amend Section 2-5-50 to provide for an efficient operation of the Town Council meetings that will benefit both the Town and its citizens; and

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.

NOTE: <u>Underlined and bold-faced</u> typed portions indicated additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

<u>Section 1. Sec. 2-5-50. – Agenda and order of business.</u>

(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 the meeting.

(c) 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 mayor may, but shall not be required to call the order of business of as follows:

(1) Call to order by presiding officer.

(2) Pledge of allegiance.

(3) Invocation.

(4) Reading of minutes of previous meeting, their consideration and approval.

(5) Reports from municipal officers.

(6) Reports from council.

(7) Reports from committees

(8) Appearance by citizens. (for items appearing on the agenda)*

~~(8)~~ (9) Consent agenda. (as may be needed) ~~Appearances by citizens.~~

~~(9)~~ (10) Proclamations. (as may be needed) ~~Consent agenda.~~

~~(10)~~(11)Unfinished business. ~~Proclamations.~~

~~(11)~~(12)New business. ~~Unfinished business.~~

~~(12)~~(13) Appearances by citizens. (for any discussion item)* ~~New business.~~

~~(13)~~**(14)** Executive session.

~~(14)~~**(15)** Possible actions by town council concerning matters discussed in executive session.

~~(15)~~**(16)** Adjournment

*Please note that citizens are permitted to speak only once on any particular topic under the appearance by citizens portions of the agenda.

(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.

(f) The pledge of allegiance and the meeting shall begin at 4:00 p.m. and end no later than 8:00 p.m. The Mayor shall have the discretion to extend the meeting if circumstances warrant. Council may enter Executive Session at any time during the public portion of the meeting if a majority of council determines it is necessary, pursuant to section (c) above.

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 _____, 2019.

By:_____
John J. McCann, Mayor

ATTEST

By:_____
Krista M. Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Teri B. Lewis, AICP, *Deputy Director of Community Development*
VIA: Nicole Dixon, CFM, *Development Review Administrator*
FROM: Missy Luick, *Senior Planner*
CC: Jennifer Ray, *Deputy Director of Community Development*
DATE: August 21, 2019
SUBJECT: ZA-001460-2019 –Tidal Bluff Rezoning

Recommendation: At the August 20, 2019 Town Council meeting, a motion was approved 5-2 to direct staff to bring the application back to Town Council in September with an Ordinance for consideration of approval of the application.

The Planning Commission held a public hearing on August 7, 2019 to review the Zoning Map Amendment application for the Tidal Bluff properties. At this meeting, the Commission voted 5-2 to forward the application to Town Council with a recommendation of denial based on the Findings of Fact and Conclusions of Law in the staff report.

Staff recommends that Town Council deny the application.

Summary: Michael G. Thomas, on behalf of the Cordillo TB, LLC, is requesting to amend the Official Zoning Map by changing the zoning designation of a developed 4.96-acre parcel located at 2 Tidal Bluff Road. The property is known as the Tidal Bluff development and contains 15 duplexes with associated parking and an access road. The property consists of 31 parcels (30 residential lots and the Tidal Bluff Road right-of-way and open space parcel). The request is to rezone all of the Tidal Bluff parcels from RM-4 (Low to Moderate Density Residential) to RM-12 (Moderate to High Density Residential). The effect of this rezoning will be to increase the available density from 6 units per net acre to 12 units per net acre.

Background: The subject property is located at the intersection of Dillon Road and Tidal Bluff Road. Currently, the property is zoned RM-4. The RM-4 District allows for bonus density for parcels over 3 acres in size of 6 dwelling units per net acre. Thus, the effective density for the subject property is 6 dwelling units per net acre.

The Tidal Bluff development currently consists of 15 buildings with 2 units per building, totaling 30 residential units. This development was originally approved under the name Dillon Road Duplex and consisted of two phases. The first phase was for 12 units and was approved in December 1997. The second phase was approved in June 1998 for an additional 18 units. At the time of the approvals, the property was zoned M-2 (Community Mixed Use). The M-2 zoning district permitted up to 4 dwelling units per net acre, but if a property was within 500 feet of the OCRM critical line, 8 dwelling units per net acre were allowed. This property is located within 500 feet of the OCRM

critical line and allowed a maximum of 39 units; therefore the 30 existing units were conforming at the time of approval and conformed to the permitted density.

In 1999, with the Ward 1 Master Plan rezoning, the zoning district was changed from M-2 to RM-4. When this rezoning took place, the provision for allowing a greater density if located within 500 feet of the OCRM critical line was removed from the density regulations, which caused the Tidal Bluff development to become legally non-conforming.

Please contact me at (843) 341-4693 or at missyl@hiltonheadislandsc.gov if you have any questions.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019- **PROPOSED ORDINANCE NO. 2019-20**

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 WITH RESPECT TO THOSE CERTAIN PARCELS IDENTIFIED AS BEAUFORT COUNTY TAX DISTRICT 510, MAP 5 PARCELS 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 AND 406 TO REZONE THE PARCELS FROM THE RM-4 (LOW TO MODERATE DENSITY RESIDENTIAL) ZONING DISTRICT TO THE RM-12 (MODERATE TO HIGH DENSITY RESIDENTIAL) ZONING DISTRICT.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on August 7, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

WHEREAS, the Planning Commission, after consideration of the staff presentation, public comments and the criteria set forth in Section 16-2-103, voted 5-2 to recommend that Town Council deny the proposed zoning map amendment application; 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 that the subject parcels be rezoned from RM-4 to RM-12.

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, be hereby amended to modify the zoning designation of certain parcels identified as Beaufort County Tax District 510, Map 5 Parcels 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406 to change the zoning district from RM-4 (Low to Moderate Density Residential) to RM-12 (Moderate to High Density Residential).

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 _____, 2019.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

_____
John J. McCann, Mayor

ATTEST:

_____
Krista Wiedmeyer, Town Clerk

Public Hearing: August 7, 2019
First Reading:
Second Reading:

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908

STAFF REPORT
ZONING MAP AMENDMENT

Case #	Name of Project or Development	Public Hearing Date
ZA-001460-2019	Tidal Bluff	August 7, 2019

Parcel Data & Location	Applicant & Agent
Parcel ID: Parcels 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406 on Beaufort County Tax Map 5 Size: 4.96 Acres Address: 2 Tidal Bluff Road	Michael G. Thomas Cordillo TB, LLC 74 Sparwheel Lane Hilton Head Island, SC 29926
Existing Zoning Districts	**Proposed Zoning Districts**
COR – Corridor Overlay District A-O – Airport Overlay District RM-4 – Low to Moderate Density Residential Density – 6 units per net acre, since the lot is larger than 3 acres (RM-4 allows 4 units per net acre for lots up to 3 acres, 6 units per net acre for lots that are 3 to 5 acres, and 8 units per net acre for lots 5 acres or larger) Maximum height - 35 feet	COR – Corridor Overlay District A-O – Airport Overlay District RM-12 – Moderate to High Density Residential Density – 12 units per net acre, regardless of lot size Maximum height - 45 feet

Application Summary

Michael G. Thomas, on behalf of the Cordillo TB, LLC, is requesting to amend the Official Zoning Map by changing the zoning designation of a developed 4.96-acre parcel located at 2 Tidal Bluff Road. The property is known as the Tidal Bluff development and contains 15 duplexes with associated parking and an access road. The property consists of 31 parcels (30 residential lots and the Tidal Bluff Road right-of-way and open space parcel). The request is to rezone all of the Tidal Bluff parcels from RM-4 (Low to Moderate Density Residential) to RM-12 (Moderate to High Density Residential). The effect of this rezoning will be to increase the available density from 6 units per net

acre to 12 units per net acre.

Staff Recommendation

Staff recommends the Planning Commission find this application **to be inconsistent with the Town's Comprehensive Plan** and **does not serve to carry out the purposes of the LMO**, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein. Even though the application meets several of the criteria, the criteria not met is significant enough for a recommendation of denial for this particular application.

Staff recommends that the Planning Commission recommend ***denial*** of this application to Town Council.

Background

The subject property is 4.96 acres and located at the intersection of Dillon Road and Tidal Bluff Road. Currently, the property is zoned RM-4. The RM-4 District allows for bonus density for parcels over 3 acres in size of 6 dwelling units per net acre. Thus, the effective density for the subject property is 6 dwelling units per net acre if the parcel wasn't subdivided.

The subject property is located within the Mitchelville Historic Native Island Neighborhood. The property is bounded to the southeast by the Cotton Hope Plantation (48 dwelling units), to the northwest by seven single-family parcels, to the south by Dillon Road and to the north by Port Royal Sound. The property contains specimen trees and significant stands of trees. The property is approximately 1075' by 202' which is long and narrow. The property is also on the marsh.

Cordillo TB LLC is listed as property owner of record for all of the Tidal Bluff parcels and purchased the property in 2017.

The Tidal Bluff development currently consists of 15 buildings with 2 units per building, totaling 30 residential units. This development was originally approved under the name Dillon Road Duplex and consisted of two phases. The first phase was for 12 units and was approved in December 1997. The second phase was approved in June 1998 for an additional 18 units. At the time of the approvals, the property was zoned M-2 (Community Mixed Use). The M-2 zoning district permitted up to 4 dwelling units per net acre, but if a property was within 500 feet of the critical line, 8 dwelling units per net acre were allowed. This property is located within 500 feet of the critical line and allowed a maximum of 39 units; therefore the 30 existing units were conforming at the time of approval and conformed to the permitted density.

In 1999, with the Ward 1 Master Plan rezoning, the zoning district was changed from M-2 to RM-4. When this rezoning took place, the provision for allowing a greater density if located within 500 feet of the critical line was removed from the density regulations, which caused the Tidal Bluff development to become legally non-conforming.

In 2013, a variance was requested for the Tidal Bluff development (VAR130003) from the Board of Zoning Appeals to modify the use designation from multi-family residential to a single family attached major subdivision. The application submittal in 2013 stated that the reason for the request was because "lenders in the current real estate market prefer to lend to owners whose security is single family residence(s) as opposed to condominium units." The existing legal non-conforming use did not expand or make any changes to the nonconformity, so the use was allowed to continue. The variance was approved on March 25, 2013.

Later in 2013, a subdivision application (SUB130007) was submitted for 30 single-family lots, which was approved on July 1, 2013.

The subject property is zoned RM-4. The RM-4 District allows the following Residential Uses: Group

Living, Multifamily, and Single Family residential uses at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. Other uses permitted include Public, Civic, Institutional, and Educational uses; Bed and Breakfasts with conditions; conditional Commercial Services; and Other Uses. In the RM-4 District the maximum building height is 35 feet and maximum impervious lot coverage for all development except single family is 35 percent.

The RM-12 District allows Residential Uses; Public, Civic, Institutional, and Educational Uses and some Other Uses. The RM-12 District's maximum residential density is 12 units per net acre regardless of parcel size. In the RM-12 District, the maximum building height is 45 feet and maximum impervious lot coverage for all development except single-family is 35 percent. The subject property is 4.96 acres and if rezoned to RM-12, could have a density of 59 dwelling units.

See Attachment C for the RM-4 District and RM-12 District use tables and specific permitted uses. See Attachment D for a table comparing the RM-4 and RM-12 zoning districts. The adjacent use setbacks and buffers will remain the same between Tidal Bluff, Cotton Hope Plantation and the adjacent single family lots regardless of whether the parcel is zoned RM-4 or RM-12.

Currently and proposed, access to the subject property is from Dillon Road. Electric, sewer, water, cable and refuse collection services are currently available.

Staff has not received any correspondence from the public regarding this Zoning Map Amendment application.

Applicant's Grounds for ZMA

The applicant has stated interest in rezoning the property in their narrative, Attachment F. The applicant believes a density of 12 units per net acre is more viable for the property and any future development, especially for workforce housing.

If rezoned, the property owner is planning to redevelop the site to include a mix of multifamily housing and possibly group housing to provide a tenant occupancy model and public leases providing workforce housing. Increasing the density through rezoning to the RM-12 District will be equal to the density allowed adjacent to the site to the southeast (Cotton Hope Plantation), but will not be equal in the density allowed adjacent to the northwest (single family homes).

Summary of Facts and Conclusions of Law

Findings of Fact:

1. The application was submitted on July 8, 2019 as set forth in LMO 16-2-103.C and Appendix D-1.
2. Per LMO 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
3. The LMO Official scheduled the public hearing of the application for the August 7, 2019 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
4. Per LMO 16-2-102.E, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
5. Notice of the August 7, 2019 public hearing was published in the Island Packet on July 21, 2019.
6. Per LMO 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties

within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
7. The applicant mailed notices of the public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on July 19, 2019.
8. Per LMO 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one notice being visible from each public thoroughfare that abuts the subject land.
9. The LMO Official posted on July 23, 2019 conspicuous notice of the August 7, 2019 public hearing on the lands subject to the application.

Conclusions of Law:

1. The application was submitted in compliance with LMO 16-2-103.C and Appendix D-1.
2. The LMO Official scheduled the public hearing of the application for the August 7, 2019 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 18 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
4. The applicant mailed notices of the public hearing to owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land 20 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.
5. The LMO Official posted conspicuous notice of the public hearing 15 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

As set forth in LMO 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions of Law

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO 16-2-103.C.3.a.i):

Findings of Fact:
The Comprehensive Plan addresses this application in the following areas:

Housing Element

Goal 5.2 – Housing Opportunities

B. To look at housing opportunities as a mechanism to maintain its essential workforce.

Land Use Element

Goal 8.1 – Existing Land Use

A. To have an appropriate mix of land uses to meet the needs of existing and future populations.
B. To maintain the character of the Island while ensuring adequate infrastructure is in place and balancing land conservation to meet future needs.

Goal 8.4 – Existing Zoning Allocation

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.10 – Zoning Changes

A. To provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Implementation Strategy 8.10 – Zoning Changes

B. Consider focusing higher intensity land uses in areas with available sewer connections.

Additional Findings of Fact:

1. The applicant's narrative states the duplexes on the property are occupied by staff for island businesses.
2. The applicant's narrative states rezoning the property will allow the owners the requisite density to redevelop the site to include a mix of multifamily and possibly group housing to create a blend between corporate tenants and leases to the public.
3. The subject property is not located near major tourist destinations.
4. Several properties in the area are proposed to be developed or are currently being developed for mid-market or workforce housing: Beach City Place; Beach City Commons; 140 Fish Haul Road; and Ocean Breeze Cottages.
5. The proposed rezoning would more than double the maximum number of dwelling units allowed on the subject parcel, from 29 to 59.
6. The proposed rezoning would remove several allowable non-residential uses from the subject property: cemeteries; education uses; bed and breakfasts; convenience stores; open air sales; other commercial uses; and boat ramps, docking facilities, and marinas.
7. The properties to the north of the subject parcel are in the RM-4 District. They range in size from 0.28 acre to 1.37 acres. Most are developed with one to three single story homes.
8. The property to the south of the subject parcel, Cotton Hope, is in the RM-12 District. It is 7.89 gross acres in size (the size in net acres is unknown). The property is developed with three multifamily buildings that are approximately 45 feet tall.
9. To the south of Cotton Hope is a large, undeveloped parcel consisting of marsh. This undeveloped parcel separates Cotton Hope from a five lot single family subdivision to the south, Little Harbour Manor. Approximately 200 feet of marsh separate Cotton Hope from Little Harbour Manor.
10. On Hilton Head Island, high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. Cotton Hope is separated from Little Harbour Manor by 200 feet of open space (marsh). The single story homes in Bay Pines (RS-3) are separated by at least 200 feet from the 45 foot tall multifamily residential buildings in Brighton Bay (WMU) by a parcel in Brighton Bay containing drive aisles, tennis courts, and open space. The buildings in the multifamily Legends development (RM-12) are separated from the closest single family homes in Port Royal Plantation by 100 feet: there is a 50 foot setback on the Legends parcel; and the Marketplace Drive right-of-way is 50 feet wide.
11. The subject parcel is relatively narrow. The Cotton Hope parcel is 350 feet wide, while the subject parcel is 200 feet wide.
12. The subject parcel contains specimen size trees. Healthy specimen trees cannot be removed from a multifamily property or open space without a variance from the Board of Zoning Appeals.
13. The RM-4 and the RM-12 Districts both require 20 foot setbacks from adjacent property lines.
14. The maximum building height in the RM-4 District is 35 feet. The maximum building height in the RM-12 District is 45 feet.
15. The subject property currently has sewer service.

Conclusions of Law:

As set forth in LMO Section 16-2-103.C.3.a.i, the application addresses the following Goals and Implementation Strategies in the Comprehensive Plan:

1. **Goal 5.2-B in the Housing Element** is to look at housing opportunities as a mechanism to maintain its essential workforce.
   The applicant's narrative states the duplexes on the subject property are currently rented to

businesses that use the units to house seasonal workers. The applicant states their intent is to expand this by redeveloping the property with more units and with a variety of housing options. If the rezoning is approved, it is likely that the subject property will continue to be used for workforce housing, since it is not located near major tourist attractions and other properties in the area are being developed for mid-market or workforce housing. The proposed rezoning would double the number of dwelling units that could be built on the property which would increase housing opportunities, **consistent** with Goal 5.2-B in the Housing Element.

2. **Goal 8.1-A in the Land Use Element** is to have an appropriate mix of land uses to meet the needs of existing and future populations.
   Several new residential developments in the area demonstrate the need for new housing for existing and future populations. Since the proposed rezoning would double the number of dwelling units allowed to be built on the subject property, increasing the amount of new housing to serve existing and future populations, the proposed rezoning is **consistent** with a portion Goal 8.1-A in the Land Use Element.
3. **Goal 8.1-A in the Land Use Element** is to have an appropriate mix of land uses to meet the needs of existing and future populations.
   The current and proposed zoning districts require a 20 foot adjacent use setback from the northern property line. The maximum building height in the current zoning district is 35 feet, whereas the maximum building height in the proposed zoning district is 45 feet. Given that the subject property is relatively narrow and that LMO site design standards and specimen tree protection will limit the site layout options, it is likely that new buildings on the subject property will be 45 feet tall to accommodate the increased density and the required parking, and that those buildings will be located approximately 20 feet from the northern property line.
   The properties to the north of the subject parcel are developed with single story homes. Approving the rezoning to allow 45 foot tall buildings does not meet the needs of the existing and future populations living on the properties immediately north of the subject property. Considering the effects of the proposed rezoning on the existing and future neighbors, the proposed rezoning is **not consistent** with a portion of Goal 8.1-A in the Land Use Element.
4. **Goal 8.1-B in the Land Use Element** is to maintain the character of the Island while ensuring adequate infrastructure is in place and balancing land conservation to meet future needs.
   Part of the Island's character is high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. Multifamily residential buildings in Cotton Hope, Brighton Bay, and the Legends are separated from nearby single family residential development by 100 to 200 feet.
   As stated above, it is likely that new buildings on the subject property will be 45 feet tall to accommodate the proposed density and the required parking, and those buildings will be located approximately 20 feet from the northern property line. Since allowing 45 foot tall buildings so close to single family homes would not maintain the character of the Island, the proposed rezoning is **not consistent** with Goal 8.1-B in the Land Use Element.
5. **Goal 8.4-A in the Land Use Element** is an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.
   As stated above, several new residential developments in the area demonstrate the market demand for new housing to accommodate permanent and seasonal populations. Since the proposed rezoning would double the number of dwelling units allowed to be built on the subject property, thereby increasing the amount of new housing, the proposed rezoning is **consistent** with a portion of Goal 8.4-A in the Land Use Element.
6. **Goal 8.4-A in the Land Use Element** is an appropriate mix of land uses to accommodate

permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

As stated above, part of the Island's character is high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. Since allowing 45 foot tall multifamily residential buildings within 40 feet of single story homes would not maintain a high quality of life for the residents of the homes to the north of the subject property, the proposed rezoning is **not consistent** with a portion of Goal 8.4-A in the Land Use Element.

7. **Goal 8.10-A of the Land Use Element** is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. Again, several new residential developments in the area demonstrate the market demand for new housing to accommodate permanent and seasonal populations. Since the proposed rezoning would double the number of dwelling units allowed to be built on the subject property, increasing the amount of new housing per the market demand, the proposed rezoning is **consistent** with a portion of Goal 8.10-A in the Land Use Element.
8. **Goal 8.10-A of the Land Use Element** is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. Again, part of the Island's character is high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way. Since allowing 45 foot tall multifamily residential buildings within 40 feet of single story homes would not maintain the character of the Island, the proposed rezoning is **not consistent** with a portion of Goal 8.10-A in the Land Use Element.
9. **Implementation Strategy 8.10-B in the Land Use Element** is to consider focusing higher intensity land uses in areas with available sewer connections.

   The proposed rezoning would allow higher density development on a parcel that currently has sewer service, which is **consistent** with Implementation Strategy 8.10-B in the Land Use Element.

Summary of Facts and Conclusions of Law

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO 16-2-103.C.3.a.ii):

Findings of Fact:

1. The properties adjacent to the subject parcel are zoned RM-4 and RM-12. Less than one half-mile from the subject property is the PD-1 Zoning Districts for Port Royal Plantation and Palmetto Hall. Across the street and in the vicinity from the subject property is the LC (Light Commercial) and IL (Light Industrial) Zoning Districts.
2. The proposed rezoning to RM-12 will permit the following use types: Residential, Civic, Public, Institutional and Educational and Agriculture. See Attachment C for a complete list of uses permitted within these categories.
3. All the uses permitted in the RM-12 District are permitted in the RM-4 District; however, in addition to what is allowed in the RM-12 District, RM-4 permits more Civic, Public, Institutional and Educational uses, a Resort Accommodation use, Commercial Services and Other uses.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.ii.
2. The proposed rezoning will allow uses that are compatible with the uses allowed on other

properties in the vicinity.

Summary of Facts and Conclusions of Law

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):

Findings of Fact:

1. The subject property is located adjacent to a single-family residential neighborhood with homes one-story in height. The subject property is also located adjacent to multifamily residential buildings 3-stories in height with parking below the 1st floor of the building.
2. The subject property contains several specimen trees and significant stands of trees.
3. The subject property is long and narrow in shape.
4. The subject property is located adjacent to tidal marsh.
5. The properties to the north of the subject parcel are in the RM-4 District. They range in size from 0.28 acre to 1.37 acres. Most are developed with one to three single-story homes.
6. The property to the south of the subject parcel, Cotton Hope, is in the RM-12 District. The property is 7.89 gross acres in size but is located on the marsh and likely has a smaller net acreage (the size in net acres is unknown). The property is developed with three multifamily buildings that are approximately 45 feet tall.
7. To the south of Cotton Hope is a large parcel that contains marsh, which separates Cotton Hope from a five lot single family subdivision to the south, Little Harbour Manor. Approximately 200 feet of marsh separate Cotton Hope from Little Harbour Manor.
8. To increase the allowable zoning to RM-12 with 12 dwellings units per net acre could result in a development with up to 59 dwelling units. In order to meet this density and the required amount of parking, the buildings would most likely have to be built up to the 45' allowed height likely with parking underneath the buildings.
9. Per LMO 16-3-104.G, the purpose of the RM-12 District is to allow higher density residential uses in locations which are served by adequate infrastructure, while maintaining the character of these areas and neighborhoods. The district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living.

Conclusions of Law:

1. This application **does not meet the criteria** in LMO 16-2-103.C.a.iii.
2. The proposed zoning is not appropriate for the land because the subject property is long and narrow in shape and size and is located directly adjacent to a single-family neighborhood where the maximum height allowed is 35' in height.

Summary of Facts and Conclusions of Law

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):

Findings of Fact:

1. With a proposed density of 12 units per net acre and potential for up to 59 dwelling units with the rezoning, the subject property could provide more housing in this area.
2. There is a need for more housing on the Island, as stated in the Comprehensive Plan, and specifically for more workforce housing as shown in the "Assessment of Workforce Housing Needs" report by the Town's housing consultant, Lisa Sturtevant & Associates, LLC.
3. The applicant has stated the owner's intent is to develop workforce housing by developing a

mix of multifamily or group housing on the property.
4. Town Council has recognized and prioritized workforce housing as a goal for Hilton Head Island.
5. While there are no ordinances in place that require or incentivize a developer to build workforce housing, the applicant has stated that is their intention with this rezoning request. At this time, without a workforce housing program in place, the Town has no way to enforce workforce housing or guarantee the subject property will be developed as workforce housing.

Conclusions of Law:
1. This application **does not meet the criteria** in LMO 16-2-103.C.a.iv.
2. While the proposed rezoning has the potential to meet the need for more housing, there is no Town mechanism in place that ensures that the rezoning would result in a workforce housing development.

Summary of Facts and Conclusions of Law

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:
1. The current zoning of the property is RM-4. The Town does not have any future plans to increase the density or zoning of the properties in the vicinity.
2. Per LMO 16-3-104.G, the purpose of the RM-12 District is to "allow higher density residential uses in locations which are served by adequate infrastructure, while maintaining the character of these areas."
3. The proposed rezoning expands the RM-12 District adjacent to properties that are currently developed as a single-family low density neighborhood which could negatively impact the adjacent properties due to the possible height, mass and intensity of the adjacent proposed uses.

Conclusions of Law:
1. This application **does not meet the criteria** in LMO 16-2-103.C.3.a.v.
2. The proposed rezoning is not consistent with the overall zoning program because there are no expressed future plans to rezone the area to have a higher residential density.
3. The proposed higher density residential is adjacent to a single-family low density neighborhood which could negatively impact the adjacent single-family properties.

Summary of Facts and Conclusions of Law

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO 16-2-103.C.3.a.vi):

Findings of Fact:
1. The RM-12 District adjacent to the subject property to the south allows a residential density of 12 dwelling units per net acre.
2. All surrounding districts, except for the IL District, allow for residential uses.
3. There are RM-12 zoned parcels directly abutting and across the street from the subject property.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.vi.
2. The proposed rezoning would not create a zoning district that is unrelated to adjacent and surrounding zoning districts because the majority of the surrounding districts allow residential uses.
3. The proposed rezoning would not create a zoning district that is inappropriately isolated because the subject property is adjacent to a property that is zoned RM-12.

Summary of Facts and Conclusions of Law

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

1. The subject property as proposed to be rezoned could provide housing, including multifamily development, at a density of 12 dwelling units per net acre, which is a significant increase from what is currently allowed.
2. The subject property is currently zoned RM-4 (due to the parcel size, the subject property has an effective density of up to 6 dwelling units per acre), is currently developed as 30 dwelling units and currently functions at a reasonably viable economic use as the property is currently occupied under a workforce housing master lease agreement. The property does not need to be rezoned in order to be reasonably economically viable.

Conclusions of Law:

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.vii.
2. The rezoning of the subject property would allow it to be put to a reasonably viable economic use because it would increase their density potential, which could improve its economic viability and promote a higher use of the land for development.
3. The current zoning and density allowed for the subject property allows for the property to be put to a reasonably viable economic use.

Summary of Facts and Conclusions of Law

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

1. Tidal Bluff Road is a paved privately-owned right-of-way.
2. Dillon Road is a paved State-owned right-of-way.
3. Water service is available.
4. Sewer service is available.
5. Electric service is available.
6. Hilton Head Island Fire Rescue has the capability to immediately access the subject property.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.viii.
2. The proposed rezoning would result in development that can be served by all typically available, adequate and suitable public facilities for properties in the Town of Hilton Head Island.

Summary of Facts and Conclusions of Law

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Finding of Fact:

1. There are no changing conditions in the affected area.

Conclusions of Law:

1. This application **does not meet the criteria** in LMO Section 16-2-103.C.3.a.ix.
2. The proposed rezoning is not appropriate because there are no changing conditions in the affected area.

LMO Official Determination

Staff determines that this application **is not consistent with the Comprehensive Plan and does not serve to carry out the purposes of the LMO** as based on the Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein. Even though the application meets several of the criteria, the criteria not met is significant enough for a recommendation of denial for this particular application.

Staff recommends that the Planning Commission recommend **DENIAL** to Town Council of this application.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ML — July 20, 2019

Missy Luick — DATE

Senior Planner

REVIEWED BY:

ND — July 22, 2019

Nicole Dixon, CFM — DATE

Development Review Administrator

REVIEWED BY:

TL — July 22, 2019

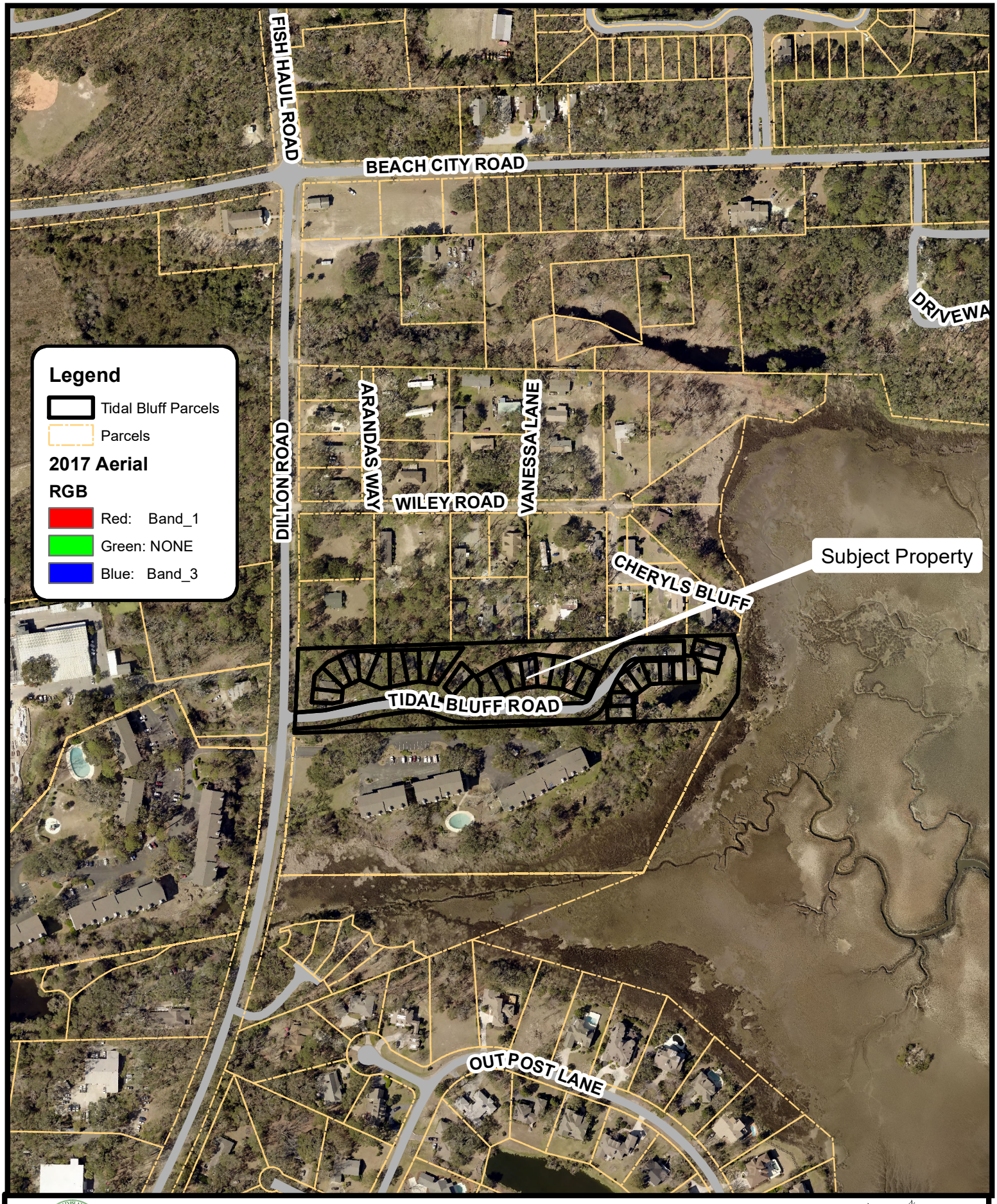
Teri Lewis, AICP — DATE

Deputy Director of Community Development

ATTACHMENTS:

A) Vicinity Map
B) Zoning Map
C) LMO Use Tables

D) Zoning District Comparison Table
E) Subject Property Aerial Imagery
F) Boundary Survey
G) Applicant Narrative



Town of Hilton Head Island

Attachment A Vicinity Map

2 Tidal Bluff Road

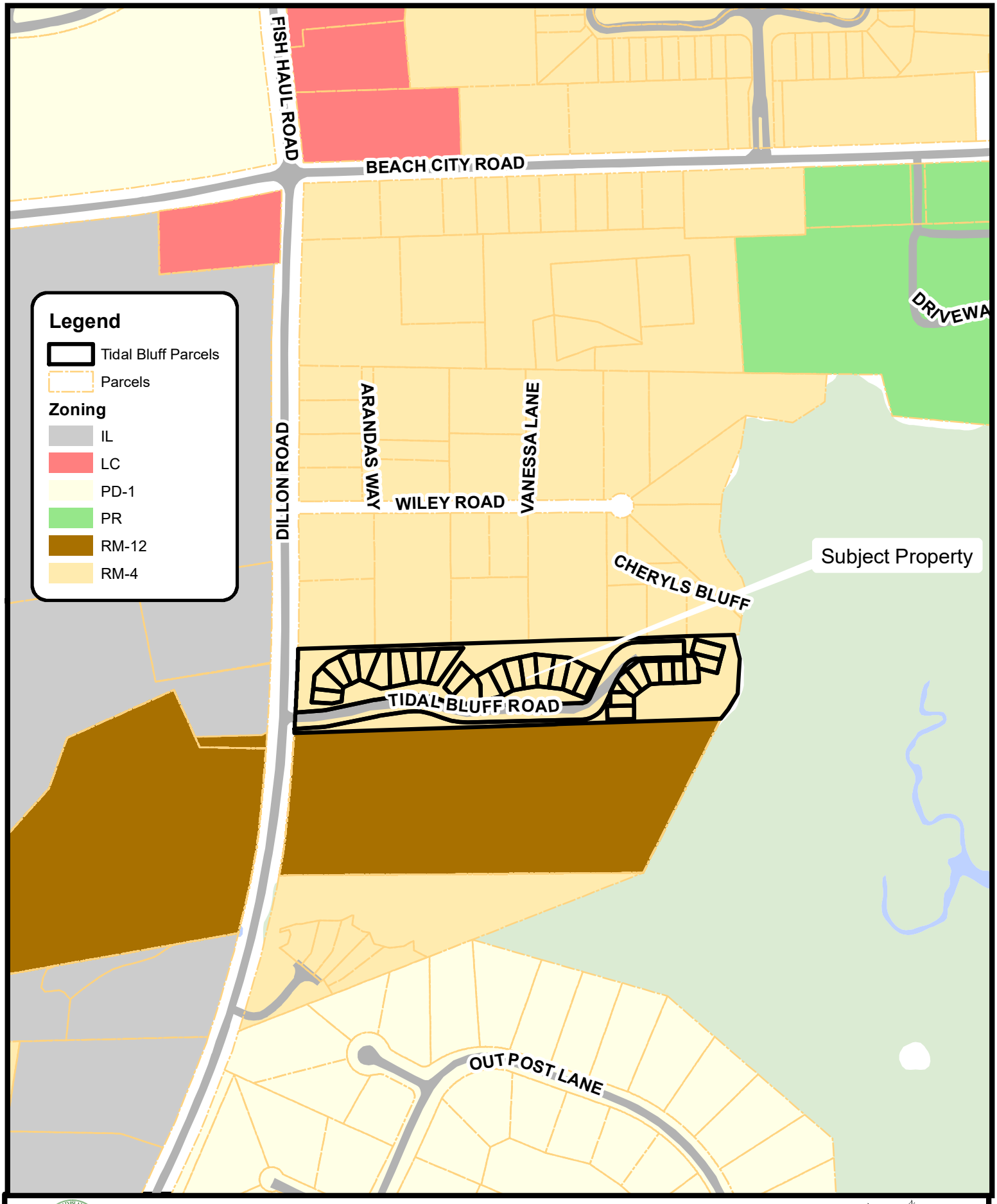
TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341 - 4600

Date Created:
Project - map.mxd

150 75 0 150 300 450 Feet

1 inch = 300 feet

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



Town of Hilton Head Island

Attachment B Zoning Map

2 Tidal Bluff Road

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

Date Created:
Project - map.mxd

150 75 0 150 300 450 Feet

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ATTACHMENT C
Zoning District Tables for RM-4 and RM-12
ZA 001460-2019

LMO Section 16-3-104.E.

RM-4
Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and ***neighborhoods*** at ***densities*** up to four ***dwelling units*** per ***net acre*** . This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living*** . The regulations of the district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, residential character.

2. Allowable Principal Uses

		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of ***maintenance*** facilities	
Community Service Uses	P		1 per 400 GFA	
Education Uses	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other ***Education Uses***	See Sec. 16-5-107.D.2
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area

RM-4
Low to Moderate Density Residential District

				Other	1 per 200 GFA of office area
Major Utilities		SE		1 per 1,500 GFA	
Minor Utilities		P		n/a	
Public Parks		P		See Sec. 16-5-107.D.2	
Religious Institutions		P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted		PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole		PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations					
Bed and Breakfasts		PC	Sec. 16-4-102.B.4.a	1 per guest room	
Commercial Services					
Convenience Stores		PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Open Air Sales		PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Commercial Services		PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses					
Agriculture Uses		P		Stables or Riding Academies	1 per 5 stalls
				Other	n/a
Boat Ramps , ***Docking Facilities*** , and ***Marinas***		PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	

3. Development Form Standards

MAX. DENSITY (PER *NET ACRE*)			**LOT COVERAGE**	
Residential	4 du (6 du if **lot** area is at least 3 acres; 8 du if **lot** area is at least 5 acres)		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA		Min. ***Open Space*** for Major Residential ***Subdivisions*** 16%	
MAX. BUILDING HEIGHT				
All ***Development***	35 ft [1]			

RM-4
Low to Moderate Density Residential District

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the ***Official*** that:

a. The increase is consistent with the character of ***development*** on surrounding ***land*** ;

b. ***Development*** resulting from the increase is consistent with the purpose and intent of the ***building height*** standards;

c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed ***development*** , or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** ;

d. The increase will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

ATTACHMENT C
Zoning District Tables for RM-4 and RM-12
ZA 001460-2019

LMO Section 16-3-104.G.

RM-12
Moderate to High Density Residential District

1. Purpose

The purpose of the Moderate to High Density Residential (RM-12) District is to allow higher ***density*** residential ***uses*** in locations which are served by adequate infrastructure, while maintaining the character of these areas and ***neighborhoods*** at ***densities*** up to twelve units per ***net acre*** . This district is used to encourage a variety of residential opportunities, including ***multifamily*** residential units, ***single-family*** residences, and ***group living*** . The regulations of this district are intended to discourage ***development*** that would substantially interfere with, or be detrimental to, moderate to high density residential character.

2. Allowable Principal Uses

		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Other Uses				

RM-12
Moderate to High Density Residential District

Agriculture Uses		P		Stables or Riding Academies	1 per 5 stalls
				Other	n/a

3. Development Form Standards

MAX. DENSITY (PER *NET ACRE*)			**LOT COVERAGE**	
Residential	12 du		Max. ***Impervious Cover*** for All ***Development*** Except ***Single-Family***	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. ***Open Space*** for Major Residential ***Subdivisions***	16%
All ***Development***	45 ft [1]			

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the ***Official*** that:

a. The increase is consistent with the character of ***development*** on surrounding ***land*** ;

b. ***Development*** resulting from the increase is consistent with the purpose and intent of the ***building height*** standards;

c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed ***development*** , or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** ;

d. The increase will not pose a danger to the public health or safety;

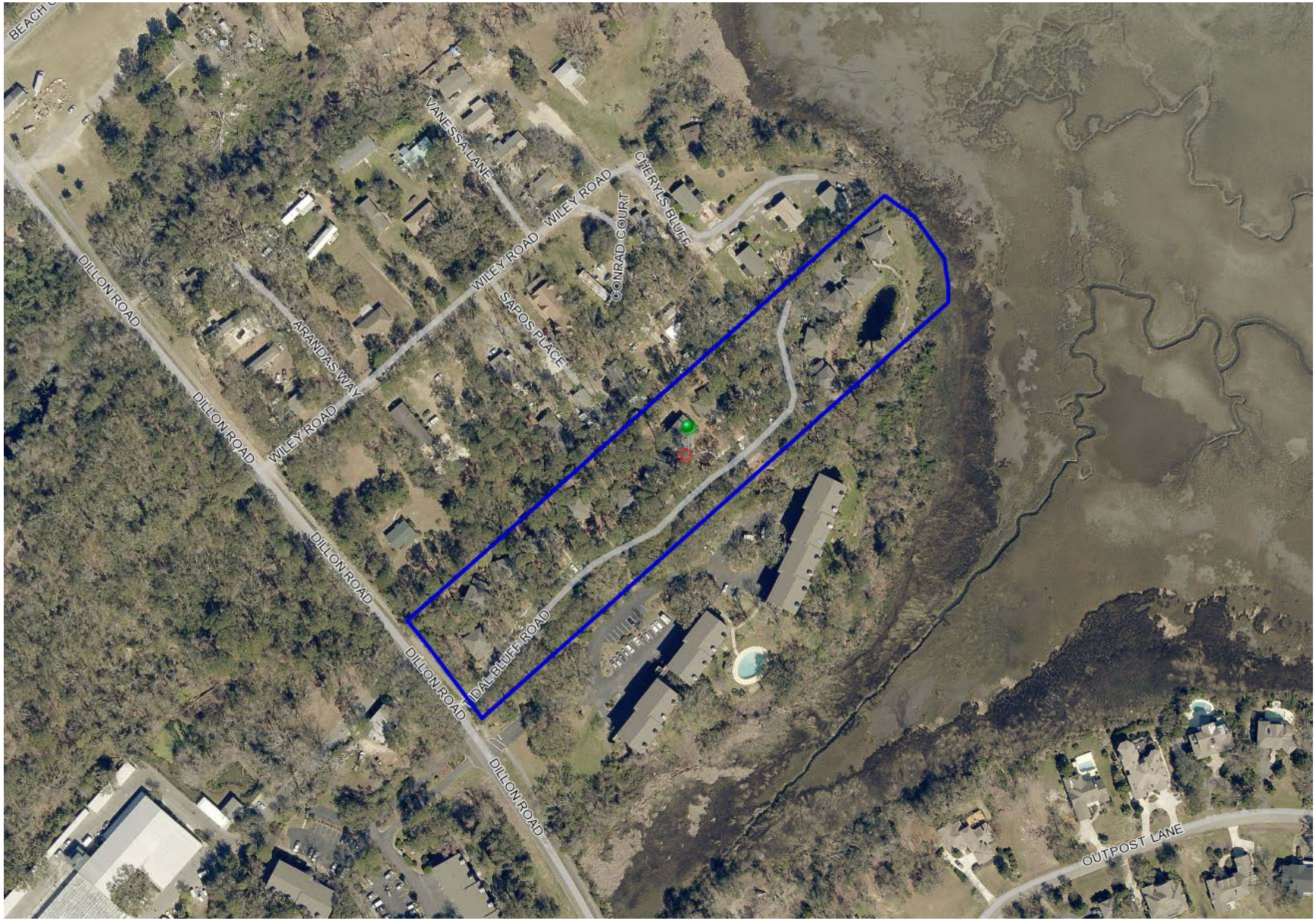
e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE		
P Permitted by Right PC Permitted Subject to Use Specific Conditions SE = Allowed as a Special Exception Blank Cell Prohibited Use		
	RM 4	RM 12
RESIDENTIAL USES		
Group Living	P	P
Mixed-Use		
Multifamily	P	P
Recreation Vehicle (RV) Parks		
Single-Family	P	P
PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES		
Aviation and Surface Transportation Uses		
Aviation Services Uses		
Cemeteries	P	
Community Service Uses	P	P
Education Uses	P	
Government Uses	PC	PC
Major Utilities	SE	SE
Minor Utilities	P	P
Public Parks	P	P
Religious Institutions	P	P
Telecommunication Antenna, Collocated or Building Mounted	PC	PC
Telecommunication Towers, Monopole	PC	PC
HEALTH SERVICES		
Hospitals		
Nursing Homes		
Other Health Services		
RESORT ACCOMMODATIONS		
Bed and Breakfasts	PC	
Hotels		
Interval Occupancy		
COMMERCIAL RECREATION		
Indoor Commercial Recreation Uses		
Outdoor Commercial Recreation Uses Other than Water Parks		
Water Parks		
OFFICE USES		
Contractor's Office		
Other Office Uses		

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE (cont.)		
P Permitted by Right PC Permitted Subject to Use Specific Conditions SE = Allowed as a Special Exception Blank Cell Prohibited Use		
	RM 4	RM 12
COMMERCIAL SERVICES		
Adult Entertainment Uses		
Animal Services		
Bicycle Shops		
Convenience Stores	PC	
Eating Establishments		
Grocery Stores		
Landscape Businesses		
Liquor Stores		
Nightclubs or Bars		
Open Air Sales	PC	
Shopping Centers		
Tattoo Facilities		
Other Commercial Service Uses	PC	
VEHICLE SALES AND SERVICES		
Auto Rentals		
Auto Repairs		
Auto Sales		
Car Washes		
Commercial Parking Lot		
Gas Sales		
Taxicab Services		
Towing Services or Truck or Trailer Rentals		
Watercraft Sales, Rentals, or Services		
INDUSTRIAL USES		
Light Industrial, Manufacturing, and Warehouse Uses		
Seafood Processing Facilities		
Self-Service Storage		
Waste-Related Services Other than Waste Treatment Plants		
Waste Treatment Plants		
Wholesale Sales		
OTHER USES		
Agriculture Uses	P	P
Boat Ramps, Docking Facilities, and Marinas	PC	

ATTACHMENT E
Aerial Views of 2 Tidal Bluff Road
ZA 001460-2019



ATTACHMENT E
Aerial Views of 2 Tidal Bluff Road
ZA 001460-2019

ATTACHMENT E
Aerial Views of 2 Tidal Bluff Road
ZA 001460-2019

Attachment F

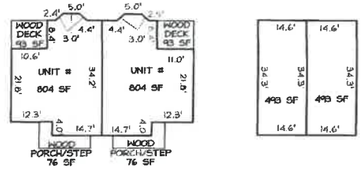
Boundary Survey 2 Tidal Bluff Road

Exhibit B

NOTES:

1. AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
2. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
3. PARCEL ID: R510 005 000 0017 0000
4. DEED REF/TITLE SOURCE: PB 137 PG 49,DB 2969 PG 940 MAP REF: PB 119 PG 143, PB 91 PG 129
5. ZONED: RM-4
6. AREAS:
   TOTAL SITE AREA: 4.96 AC
   R/W AREA: 0.95 AC
   TOTAL LOT AREA: 1.72 AC
   OPEN SPACE PROVIDED: 2.29 AC (46.2%)
   MIN OPEN SPACE REQUIRED: 0.69 AC
7. TOTAL NUMBER OF LOTS: 30
8. 20' SETBACK FROM R/W OF TIDAL BLUFF RD.
9. THIS PROPERTY IS LOCATED IN FEMA ZONE A7 AS SHOWN ON FIRM PANEL 450250 0009D, MAP REVISED SEPTEMBER 29, 1986. BASE FLOOD ELEVATION=14.0'
10. THIS PROPERTY LIES EITHER PARTIALLY OR WHOLLY WITHIN THE HILTON HEAD ISLAND AIRPORT OVERLAY DISTRICT AND IS SUBJECT TO NOISE THAT MAY BE OBJECTIONABLE.
11. FIELD WORK PERFORMED NOVEMBER 21, 2016.

PB 137 PG 49

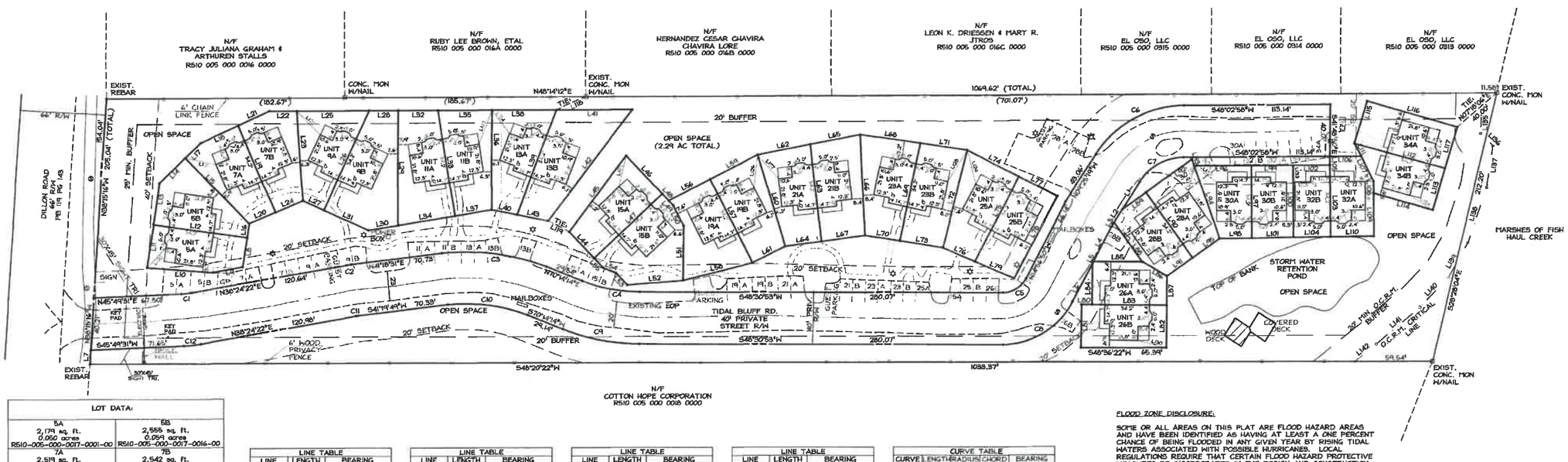


TYPICAL FIRST FLOOR

TYPICAL SECOND FLOOR

AREA CALCULATIONS (30 UNITS)

LOCATION	EACH	TOTAL
FIRST FLOOR AREA	804 SF	24,120 SF
SECOND FLOOR AREA	498 SF	14,790 SF
PORCH AREAS	76 SF	5,254 SF
TOTAL	1,378 SF	44,164 SF
PAVED PARKING AREA	N/A	39,854 SF
WALKWAYS	N/A	6,185 SF



LOT DATA:

5A 2,179 sq. ft. 0.050 acres R510-005-000-0017-0001-00	5B 2,555 sq. ft. 0.059 acres R510-005-000-0017-0016-00
7A 2,519 sq. ft. 0.058 acres R510-005-000-0017-0002-00	7B 2,542 sq. ft. 0.058 acres R510-005-000-0017-0017-00
9A 2,697 sq. ft. 0.062 acres R510-005-000-0017-0003-00	9B 3,646 sq. ft. 0.084 acres R510-005-000-0017-0018-00
11A 3,218 sq. ft. 0.074 acres R510-005-000-0017-0004-00	11B 2,775 sq. ft. 0.064 acres R510-005-000-0017-0019-00
13A 2,748 sq. ft. 0.063 acres R510-005-000-0017-0005-00	13B 3,541 sq. ft. 0.081 acres R510-005-000-0017-0020-00
15A 2,479 sq. ft. 0.057 acres R510-005-000-0017-0006-00	15B 3,035 sq. ft. 0.070 acres R510-005-000-0017-0021-00
19A 2,767 sq. ft. 0.064 acres R510-005-000-0017-0007-00	19B 2,608 sq. ft. 0.058 acres R510-005-000-0017-0022-00
21A 2,565 sq. ft. 0.059 acres R510-005-000-0017-0008-00	21B 2,760 sq. ft. 0.064 acres R510-005-000-0017-0023-00
23A 2,855 sq. ft. 0.066 acres R510-005-000-0017-0009-00	23B 2,741 sq. ft. 0.063 acres R510-005-000-0017-0024-00
25A 2,687 sq. ft. 0.062 acres R510-005-000-0017-0010-00	25B 2,403 sq. ft. 0.055 acres R510-005-000-0017-0025-00
26A 1,817 sq. ft. 0.042 acres R510-005-000-0017-0011-00	26B 2,151 sq. ft. 0.049 acres R510-005-000-0017-0026-00
28A 2,149 sq. ft. 0.049 acres R510-005-000-0017-0012-00	28B 1,946 sq. ft. 0.045 acres R510-005-000-0017-0027-00
30A 1,941 sq. ft. 0.045 acres R510-005-000-0017-0013-00	30B 1,792 sq. ft. 0.041 acres R510-005-000-0017-0028-00
32A 1,971 sq. ft. 0.045 acres R510-005-000-0017-0014-00	32B 1,674 sq. ft. 0.036 acres R510-005-000-0017-0029-00
34A 2,417 sq. ft. 0.055 acres R510-005-000-0017-0015-00	34B 1,894 sq. ft. 0.043 acres R510-005-000-0017-0030-00

LINE TABLE		
LINE	LENGTH	BEARING
L1	24.93	S09°25'19"E
L2	12.07	S09°25'19"E
L3	4.13	S09°25'19"E
L4	24.83	S14°56'50"E
L5	1.75	S14°56'50"E
L6	32.62	S14°56'50"E
L7	10.78	S38°15'16"E
L8	22.95	S33°37'59"E
L9	22.89	N38°11'07"E
L10	50.55	N52°36'52"E
L11	33.59	S33°37'58"E
L12	72.20	N56°33'33"E
L13	32.60	S33°37'58"E
L14	27.78	S09°45'05"W
L15	70.66	N85°11'46"W
L16	11.00	S33°37'58"E
L17	16.26	S09°45'05"W
L18	31.43	S53°23'24"W
L19	73.18	S64°51'22"E
L20	22.00	N25°08'38"E
L21	26.39	S29°21'24"W
L22	20.95	N48°41'12"E
L23	64.56	N65°32'47"W
L24	28.00	N25°08'38"E
L25	56.20	N48°41'12"E
L26	54.41	N17°11'14"W
L27	17.70	N72°48'46"E
L28	22.24	N48°41'12"E
L29	66.65	N41°45'45"W
L30	23.06	N38°55'16"E
L31	38.04	N72°48'46"E
L32	30.78	N48°41'12"E
L33	62.69	S61°04'42"E
L34	44.76	N38°55'16"E
L35	41.49	N48°41'12"E
L36	76.99	N41°45'48"W
L37	28.48	N38°55'16"E
L38	49.35	N48°41'12"E
L39	84.24	S12°31'30"E
L40	19.91	N59°36'30"E
L41	58.39	N48°41'12"E
L42	107.16	N04°52'21"W
L43	24.36	N59°36'30"E
L44	25.14	S65°09'13"E
L45	73.26	N04°52'21"W
L46	40.53	S65°09'13"E

LINE TABLE		
LINE	LENGTH	BEARING
L47	72.20	N04°51'47"E
L48	7.31	S65°09'13"E
L49	5.36	S65°09'13"E
L50	17.37	S66°26'30"E
L51	42.23	S41°58'07"E
L52	43.24	S43°33'58"W
L53	12.88	S65°09'13"E
L54	10.66	N70°44'22"E
L55	10.25	S65°09'13"E
L56	36.04	N27°01'32"E
L57	72.64	S65°26'30"E
L58	54.88	S34°12'09"W
L59	41.01	N70°01'32"E
L60	74.07	N56°19'40"W
L61	26.00	N21°33'30"E
L62	41.01	N57°12'40"E
L63	75.54	S48°12'51"E
L64	27.88	N40°27'23"E
L65	38.85	N37°12'40"E
L66	76.09	N44°26'33"W
L67	33.60	N40°27'23"E
L68	47.05	N54°35'36"W
L69	77.09	S25°52'05"E
L70	27.36	N57°20'22"E
L71	36.98	N56°35'36"E
L72	77.77	N77°42'35"W
L73	34.02	N57°20'22"E
L74	44.95	N75°45'23"E
L75	73.61	S14°13'37"E
L76	26.89	N71°28'46"E
L77	33.20	N75°56'23"E
L78	71.12	N14°33'35"W
L79	33.29	N71°28'46"E
L80	8.00	S49°00'34"W
L81	33.12	S41°23'36"E
L82	32.66	S41°23'36"E
L83	57.39	S49°00'34"W
L84	31.76	S41°23'36"E
L85	37.38	N56°35'36"E
L86	22.21	S78°37'18"W
L87	22.63	S41°23'36"E
L88	37.32	S77°20'17"E
L89	22.02	S12°44'44"W
L90	62.11	S77°20'17"E
L91	24.15	N12°39'43"E
L92	48.71	S12°44'44"W

LINE TABLE		
LINE	LENGTH	BEARING
L93	5.29	N61°00'06"W
L94	54.36	N61°00'06"W
L95	25.53	N12°39'43"E
L96	44.42	N48°10'16"E
L97	55.74	S41°49'44"E
L98	24.93	N47°31'29"E
L99	32.12	N48°10'16"E
L100	55.42	S41°49'44"E
L101	32.12	N47°31'29"E
L102	28.38	N48°10'16"E
L103	56.10	S42°14'38"E
L104	28.65	N47°31'29"E
L105	6.74	S42°14'38"E
L106	24.16	S48°04'50"W
L107	21.58	N67°53'58"W
L108	8.80	S41°55'10"E
L109	33.21	S41°55'10"E
L110	33.27	N47°31'29"E
L111	11.33	N70°31'57"W
L112	72.21	N63°51'47"E
L113	33.46	S25°17'37"E
L114	47.00	N64°42'23"E
L115	34.00	S25°17'37"E
L116	72.20	N64°42'23"E
L117	32.94	S25°17'37"E
L118	24.95	N24°11'42"E
L119	18.07	S76°26'05"W

LINE TABLE		
LINE	LENGTH	BEARING
L120	21.04	N01°04'05"E
L121	24.15	N60°37'45"E
L122	25.88	S66°27'50"E
L123	27.91	S21°26'30"E
L124	22.74	S78°32'29"E
L125	24.41	S24°04'17"E
L126	25.64	S36°49'16"E
L127	24.79	S62°32'13"E
L128	28.68	S09°58'51"E
L129	27.21	S65°46'27"E
L130	22.73	S63°01'32"W
L131	20.60	S29°42'33"E
L132	21.58	N84°38'58"E
L133	12.95	S48°07'58"E
L134	20.92	S61°22'36"W
L135	31.44	S40°49'41"E
L136	19.30	S67°19'06"E
L137	32.30	S33°16'42"E
L138	45.14	S23°01'48"E
L139	30.31	S12°33'49"E
L140	31.73	S01°37'00"W
L141	49.58	S08°07'30"W
L142	21.34	S09°34'19"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	7.77	60.00	7.76	N42°06'57"E
C2	3.55	70.00	3.55	S39°15'26"W
C3	81.71	175.52	80.97	S65°49'14"W
C4	45.50	120.00	45.22	N59°22'34"E
C5	22.15	20.00	21.04	N16°47'01"E
C6	80.25	80.00	76.92	S19°16'50"W
C7	40.12	40.00	38.46	S19°16'50"W
C8	66.46	60.00	63.11	N16°47'01"E
C9	60.66	160.00	60.30	N59°22'34"E
C10	61.96	135.52	61.42	S65°54'34"W
C11	1.53	30.00	1.53	S39°52'06"W
C12	12.96	100.00	12.94	N42°06'57"E

FLOOD ZONE DISCLOSURE:

SOME OR ALL AREAS ON THIS PLAT ARE FLOOD HAZARD AREAS AND HAVE BEEN IDENTIFIED AS HAVING AT LEAST A ONE PERCENT CHANCE OF BEING FLOODED IN ANY GIVEN YEAR BY RISING TIDAL WATERS ASSOCIATED WITH POSSIBLE HURRICANES. LOCAL REGULATIONS REQUIRE THAT CERTAIN FLOOD HAZARD PROTECTIVE MEASURES BE INCORPORATED IN THE DESIGN AND CONSTRUCTION OF STRUCTURES IN THESE DESIGNATED AREAS. REFERENCE SHALL BE MADE TO THE DEVELOPMENT COVENANTS AND RESTRICTIONS OF THIS DEVELOPMENT AND REQUIREMENTS OF THE TOWN BUILDING OFFICIAL. IN ADDITION, FEDERAL LAW REQUIRES MANDATORY PURCHASE OF FLOOD INSURANCE AS A PREREQUISITE TO FEDERALLY INSURED MORTGAGE FINANCING IN THESE DESIGNATED FLOOD HAZARD AREAS.

GRAPHIC SCALE

0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

SURVEY PREPARED FOR:

RIO VALERIANO

OWNER:
TIDAL BLUFF PROPERTY, LLC
C/O RIO VALERIANO
CHARLOTTE, NC 28269

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR No 25445 WESLEY B. HUNEYCUTT

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IN MY PROFESSIONAL OPINION, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE "MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA", AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

WESLEY B. HUNEYCUTT — S.C. PLS# 25445 — DATE 12/21/16

LINETYPE LEGEND

PUBLIC R/W	
ADJOINER	
PROPERTY LINE	
SETBACK	
BUFFER	
EXISTING EOP	
O.C.R.M. CRITICAL LINE	
GP	GUEST PARKING
☼	LAMP POST
•	REBAR
⊡	CONCRETE MONUMENT

VICINITY MAP NTS

Control Point, Inc.
6136 Harris Technology Blvd.
Charlotte, N.C. 28269
Phone: (704)599-1919
Fax: (704)598-1126
NC: C-2125
SC: COA 3499

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION CONTROL POINT, INC. No. 3499

BOUNDARY SURVEY
OF
TIDAL BLUFF TOWNHOMES
HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA

DRAWN BY: UBH/BBH
APPROVED BY: UBH
DATE: 12/21/16
JOB NAME: CJ/TIDAL BLUFF
SCALE: 1"=40' (11" x 17")

SHEET NO. 1 OF 1

THOMAS
DESIGN GROUP, INC

July 8, 2019

Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928

RE: Re-zoning of 2 Tidal Bluff Road Hilton Head Island, SC

To Whom It May Concern:

Please accept this letter as a request to re-zone 2 Tidal Bluff Road, Hilton Head Island, SC from its current zoning of RM-4 and to RM-12. See location below, site boundary in red hatch:

DEVELOPMENT BACKGROUND:

Tidal Bluff Road and the Tidal Bluff villas are located off Dillon Road on Hilton Head Island, SC. The gated development is a total of 4.96 acres and was originally developed under the prior Land Management Ordinance using four (4) residential development units per acre. It sits in a FEMA Flood Zone A7 with a base flood elevation of 14.0' MSL. Fifteen (15) duplex units exist on the site for a total of thirty (30) habitable villas. The site was subdivided by the prior owners such that each villa sits on its own lot and therefore thirty (30) separate lots exist. Two (2) parking spaces per three (3) bedroom villa have been provide within the existing 39,854 sf of paved parking. There is also 6,185 sf of concrete walkways and a drainage lagoon on the marsh side of the property. See Exhibits B & C provided.

All public utilities are provided to the site for water, sewer, power, cable TV, refuse collection, etc. See Exhibits D1-D4 provided. A public-school bus stop is located just outside the front gate of Tidal Bluff as well as an embarkation to Palmetto Breeze regular bus services.

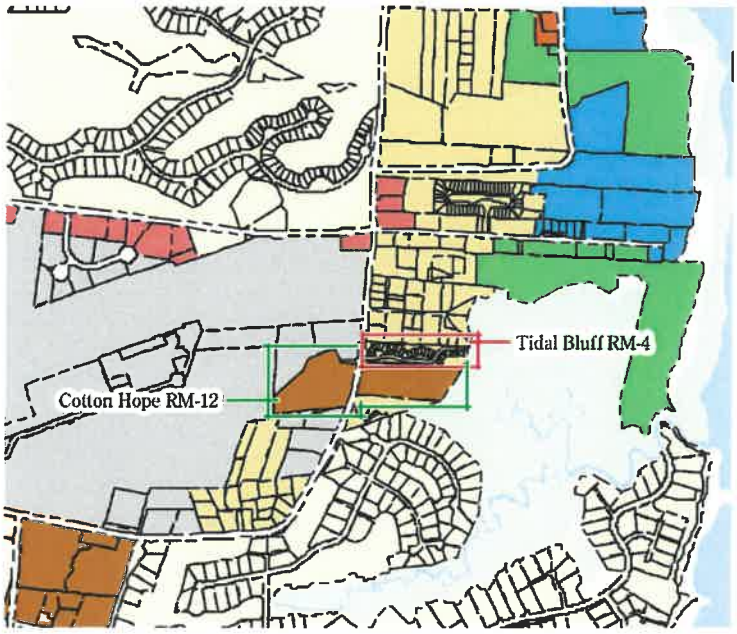
Attachment G
Applicant Narrative 2 Tidal Bluff Road

Adjacent to Tidal Bluff exists the multifamily community of Cotton Hope Plantation. Cotton Hope is divided into two campuses located on both sides of Dillon Road utilizing multifamily and condominium type housing. Both campuses were developed under the RM-12 zoning district guidelines which provides for twelve (12) residential development units per acre.

RE-ZONING REQUEST:

Cordillo TB, LLC purchased the development as-is in 2016. Subsequently, all villas were renovated and offered to local businesses for occupancy under a workforce housing master lease agreement. Currently all villas are occupied for a total of 180 seasonal staff and college interns for island businesses, this year marks the third year Tidal Bluff housing has been utilized. Re-zoning the property from RM-4 to RM-12 will allow the owners the requisite density to redevelop the site to include a mix of multifamily and possibly a group housing component to create a blended tenant occupancy model between corporate tenants and public/annualized leases to fulfill the owner's business model that actually addresses and *demonstrates a solution to a community need*.

Re-zoning would also allow this site to utilize a variety of building types allowed in the RM-12 district therefore creating the opportunity to take advantage of *a range of uses that are compatible with the uses allowed on other properties in the immediate vicinity*. As mentioned above, housing would be available not only under master lease agreements to island businesses, but units would be offered to the general public under lease terms typically found at multifamily communities. These leases will be facilitated and managed through the on-site property manager of BH Management Services, a national property management company. This development approach, incorporating multiple housing options on one campus would create unique and diverse housing options unlike any other on the island.



The site as it exists today will require no special consideration for public utilities for water, sewer, power, cable, etc. Public utilities are currently in place as represented in Exhibits D1-D4, therefore, *the development can be served by available, adequate, and suitable public facilities.* As well, the site location allows for walking and biking opportunities to lifestyle amenities and public parks thereby reducing actual vehicular congestion to existing roadways.

While the site is currently developed and occupied, re-zoning would allow the owners to provide a much more targeted living product to address not only seasonal/transient housing needs of island businesses but offer to the general public housing for those of a more permanent nature. Currently, the site is set up such that each unit has its own lot. Upon re-development, these individual parcels will be removed therefore combining the site into one master campus. So, while the site currently provides a viable economic contribution to the community, the increased

density *would allow the property to be put to a (more improved) reasonably viable economic use* and "bring workforce housing to the island reversing the challenges for housing in competition with housing off-island." (Comp Plan).

COMPREHENSIVE PLAN:

Below are elements from the Town's Comprehensive Plan that, by allowing the re-zoning, would provide consistency with the future goals set forth in that document:

1) To engage in projects that encourage affordable/workforce housing on the Island.

2) To look at housing opportunities as a mechanism to maintain its essential workforce.

3) To encourage housing options that provide opportunities for residents to age in place.

4) To monitor changing demographics and trends in housing development to provide housing options that meet market demands.

5) To address housing issues using a systemic approach that integrates other elements such as economic development, transportation and land use.

6) To include partnerships and the cooperation with the entire community.

7) Consider revising the LMO to include flexible zoning options and tools that allow a mix of uses for residential over commercial or other live work units. This may be a tool to foster both a commercial and housing option as well as a means to provide affordable housing and to reduce the amount of infrastructure necessary to travel from home to work or other basic services. Other LMO revisions may include regulations to facilitate the conversion and redevelopment of empty commercial or office space to residential units or allow for a mix of residential within the redevelopment.

8) Encourage owners of small properties to assemble land resources through density bonuses tied to increased property sizes.

9) Review inclusionary housing programs within the Town boundaries or the region that foster a mix of housing choices and forms.

10) Consider creating development incentives to encourage diverse housing options that may include increased density, reduced parking requirements and increased height standards.

Thank you for your consideration for the re-zoning effort.

Sincerely,

Michael G. Thomas
Cordillo TB, LLC, Partner
Thomas Design Group, President

THOMAS
DESIGN GROUP, INC

July 8, 2019

Property Owner
Hilton Head Island, SC

RE: Notice of Public Hearing – Property Owner

Dear Property Owner:

Pursuant to the Town of Hilton Head Island's Land Management Ordinance, Section 16-2-102(E), you are hereby notified and invited to attend the Planning Commission Public Hearing on July 00, 2018 at 3:00pm in the Benjamin M. Racusin Council Chambers, One Town Center Court, Hilton Head Island, to consider the following item:

Case # ZA-1482-2014

Michael Thomas of Cordillo TB, LLC has been authorized to apply for an amendment of the Official Town of HHI Zoning Map by amending the subject property identified as Parcel Number (PIN) R510 005 000 0017 0000, 2 Tidal Bluff Road, Hilton Head Island, Beaufort County, SC. The subject property currently exists within the RM-4 Zoning District and is requested to be incorporated into the RM-12 Zoning District which is adjacent to the subject property.
Site location map end of letter.

Rezoning Summary:

Cordillo TB, LLC purchased the development as-is in 2016. Subsequently, all villas were renovated and offered to local businesses for occupancy under a workforce housing master lease agreement. Currently all villas are occupied and there is a growing desire for more workforce housing in that location not only with the existing tenants but in the public sector as well. Re-zoning the property from RM-4 to RM-12 will allow the owners the requisite density to redevelop the site to include a mix of multifamily and possibly a group housing component.

Documents & Meeting:

Documents related to the proposed amendment are available during regular business hours for public inspection between 8:00 a.m. and 4:30 p.m., Monday through Friday, at the Information Center, located at One Town Center Court, Hilton Head Island. If you have any questions regarding this application, please contact | (staff name) at 843-341-####.| Interested parties may appear and speak at the Public Hearing.

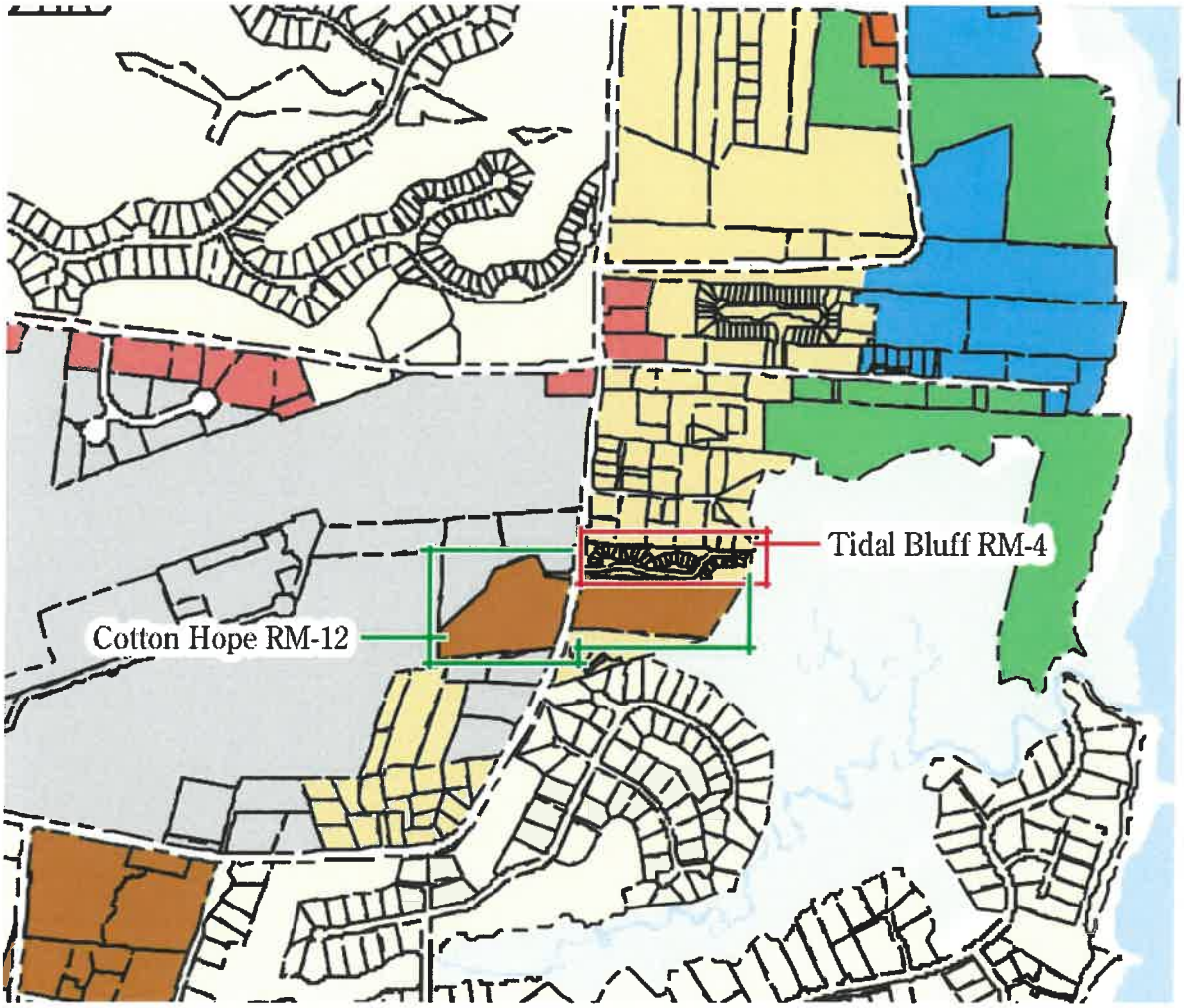
The Town of Hilton Head Island has an Assistive Listening System and Spanish Translator available upon request. Please call 843-341-4757 in advance of the meeting to arrange for these services.

Attachment G
Applicant Narrative 2 Tidal Bluff Road

La ciudad de la isla de Hilton Head tiene un sistema que escucha de Assistive y un traductor español disponibles a petición. Llame por favor 843-341-4757 antes de la reunión para arreglar para estos servicios.

Kindest regards,

Michael G. Thomas
Thomas Design Group, LLC, President
Cordillo TB, LLC, Partner



End of document.

RECORDED
2017 Mar 24 01:24 PM

BEAUFORT COUNTY AUDITOR

BEAUFORT COUNTY SC - ROD
BK 3554 Pgs 2319-2322
FILE NUM 2017009435
02/24/2017 12:07:21 PM
REC'D BY fJenkins RCPT# 840818
RECORDING FEES $10.00
County Tax $3,492.50
State Tax $8,255.00
Transfer Tax $7,937.50

This deed was prepared in the law offices of
MCNAIR LAW FIRM, P.A.
23-B Shelter Cove Ln #400
Hilton Head Island, SC 29928
843-785-2171

Exhibit A

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

TITLE TO REAL ESTATE
(Limited Warranty)

KNOW ALL MEN BY THESE PRESENTS, that CJT Real Property, LLC, hereinafter referred to as "Grantor," in the State aforesaid, for and in consideration of the sum of Three Million One Hundred Seventy-Five Thousand and 00/100 Dollars ($3,175,000.00) to Grantor in hand paid by

Cordillo TB, LLC, a Delaware limited liability company
980 N. Michigan Avenue
Suite 1660
Chicago, IL 60611

hereinafter referred to as "Grantee," the receipt of which is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions set forth in the legal description below, unto the said Grantee, the following described property:ALL those certain single family residences lying and being on Hilton Head Island, Beaufort County, South Carolina, known as TOWNHOUSE UNITS 5A, 5B, 7A, 7B, 9A, 9B, 11A, 11B, 13A, 13B, 15A, 15B, 19A, 19B, 21A, 21B, 23A, 23B, 25A, 25B, 26A, 26B, 28A, 28B, 30A, 30B, 32A, 32B, 34A and 34B formerly known as TIDAL BLUFF HORIZONTAL PROPERTY REGIME and all roadways, open space, storm water retention ponds, decks and all other privileges and rights associated with said real property shown as 4.96 acres, a portion of District 510, Parcels 17 & 17A, located on Dillon Road, Hilton Head Island, Beaufort County, South Carolina, prepared by Wesley R. Honeycutt, dated June 26, 2013, recorded in the Beaufort County Records in Plat Book 137 at Page 49 ("Subdivision Plat").

Tax Map Nos. R510-005-000-0017-0001 (Unit 5A)
R510-005-000-0017-0002 (Unit 7A)
R510-005-000-0017-0003 (Unit 9A)
R510-005-000-0017-0004 (Unit 11A)
R510-005-000-0017-0005 (Unit 13A)
R510-005-000-0017-0006 (Unit 15A)
R510-005-000-0017-0007 (Unit 17A) (now Unit 19A)
R510-005-000-0017-0008 (Unit 21A)
R510-005-000-0017-0009 (Unit 23A)
R510-005-000-0017-0010 (Unit 25A)

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and its seal to be hereto affixed, this 15 day of February, 2017.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

(2) Donna Benton
Signature of 1st Witness

(3) Lynne C Carr
Signature of 2nd Witness/Notary Public

CJT REAL PROPERTY, LLC, a Delaware limited liability company

(1) By: W. Todd Houser
W. Todd Houser, Manager and Member

STATE OF NC)
)
COUNTY OF Mecklenburg)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that W. Todd Houser, Manager and Member of CJT REAL PROPERTY, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 15 day of February, 2017.

LYNNE C. CARR NOTARY PUBLIC MECKLENBURG COUNTY, NC MY COMMISSION EXPIRES MAR 28 2018

(4) Lynne C Carr
Notary Public for NC
My Commission Expires: 3/28/18

Instructions for Execution of Deed
(Please Follow Carefully - and Use Blue Ink Only)

A. Authorized corporate officer(s) sign on line numbered (1), indicating their title.

B. Two (2) disinterested Witnesses sign on lines numbered (2) and (3). Notary may be one of the witnesses.

C. Notary Public signs on line numbered (4) and affixes seal and expiration date.

EXHIBIT A

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2016 now payable, but not yet delinquent, and taxes and assessments for the year 2017 and subsequent years, which are a lien, but are not yet due and payable.
2. Easement to Palmetto Electric Cooperative, Inc., recorded in the Beaufort County Records in Book 1078 at Page 767.
3. Terms and conditions of Easement Agreement by and between the Town of Hilton Head and Group 2, Inc., recorded in the Beaufort County Records in Book 1540 at Page 597.
4. All easements and other matters, including OCRM critical line and that certain twenty (20') foot minimum OCRM buffer, as shown on plat recorded in the Beaufort County Records in Plat Book 119 at Page 143.
5. Rights of others and/or tenants in and to the use of the joint party wall situated between Units A and B of each building, and shown on Final Subdivision Plat of Tidal Bluff Townhomes, dated January 4, 2013, revised February 3, 2013 and recorded in the Beaufort County Records in Plat Book 137 at Page 49, and ALTA/NSPS Survey of Tidal Bluff Townhomes dated January 27, 2017, both prepared by Wesley R. Huneycutt.
6. Title to that portion of the Property lying between the high and low-water marks of the bank of Fish Haul Creek, and rights of upper and lower riparian owners in and to said Fish Haul Creek.
7. Interest created by, or limitations on use imposed by, the Federal Coastal Zone Management Act or other federal law or regulation, or by South Carolina Code §48-39-10 through 48-39-360, as amended, or any regulations promulgated pursuant to said state or federal laws.
8. Riparian rights or title to the portion of the Property which lies below the mean high water mark of the private pond areas adjacent to the Property.
9. Rights of tenants under unrecorded leases, as tenants only, with no right of first refusal or right to purchase.
10. Final Subdivision Plat of Tidal Bluff Townhomes, dated January 4, 2013, revised February 3, 2013 and recorded in the Beaufort County Records in Plat Book 137 at Page 49, and ALTA/NSPS Survey of Tidal Bluff Townhomes dated January 27, 2017, both prepared by Wesley R. Huneycutt, disclose the following:
    a. buffers;
    b. OCRM critical line; and
    c. 20' and 40' setbacks.

R510-005-000-0017-0011 (Unit 26A)
R510-005-000-0017-0012 (Unit 28A)
R510-005-000-0017-0013 (Unit 30A)
R510-005-000-0017-0014 (Unit 32A)
R510-005-000-0017-0015 (Unit 34A)
R510-005-000-0017-0016 (Unit 5B)
R510-005-000-0017-0017 (Unit 7B)
R510-005-000-0017-0018 (Unit 9B)
R510-005-000-0017-0019 (Unit 11B)
R510-005-000-0017-0020 (Unit 13B)
R510-005-000-0017-0021 (Unit 15B)
R510-005-000-0017-0022 (Unit 17B) (now Unit 19B)
R510-005-000-0017-0023 (Unit 21B)
R510-005-000-0017-0024 (Unit 23B)
R510-005-000-0017-0025 (Unit 25B)
R510-005-000-0017-0026 (Unit 26B)
R510-005-000-0017-0027 (Unit 28B)
R510-005-000-0017-0028 (Unit 30B)
R510-005-000-0017-0029 (Unit 32B)
R510-005-000-0017-0030 (Unit 34B)
R510-005-000-0017-0000 (open space, parking and right-of-way)

The property intended to be conveyed herein is the same property conveyed to the within Grantor by Deed from Atlas SC I SPE llc, a NC, LLC dated June 28, 2010, and recorded in book 2969 at page940.

THIS CONVEYANCE IS MADE SUBJECT TO the matters shown on **Exhibit A** attached hereto and forming a part hereof.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned, unto the Grantee, its successors and assigns forever; subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind itself and its successors to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns, against Grantor and its successors lawfully claiming or to claim the same, or any part thereof by, through or under Grantor.

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0376	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0378	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0379	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0380	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0381	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0382	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0383	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0384	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0385	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0386	0000	00

ADD DMP Record 3/7/2017 08:06:10
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0387	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0388	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0389	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0390	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0391	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0392	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0393	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0394	0000	00

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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0395	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0396	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0397	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0398	0000	00

ADD DMP Record 3/7/2017 08:06:11
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0399	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0400	0000	00

ADD DMP Record 3/7/2017 08:06:12
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0401	0000	00

ADD DMP Record 3/7/2017 08:06:12
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0402	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0403	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0404	0000	00

ADD DMP Record 3/7/2017 08:06:12
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BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0405	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0406	0000	00

Attachment G

Applicant Narrative 2 Tidal Bluff Road

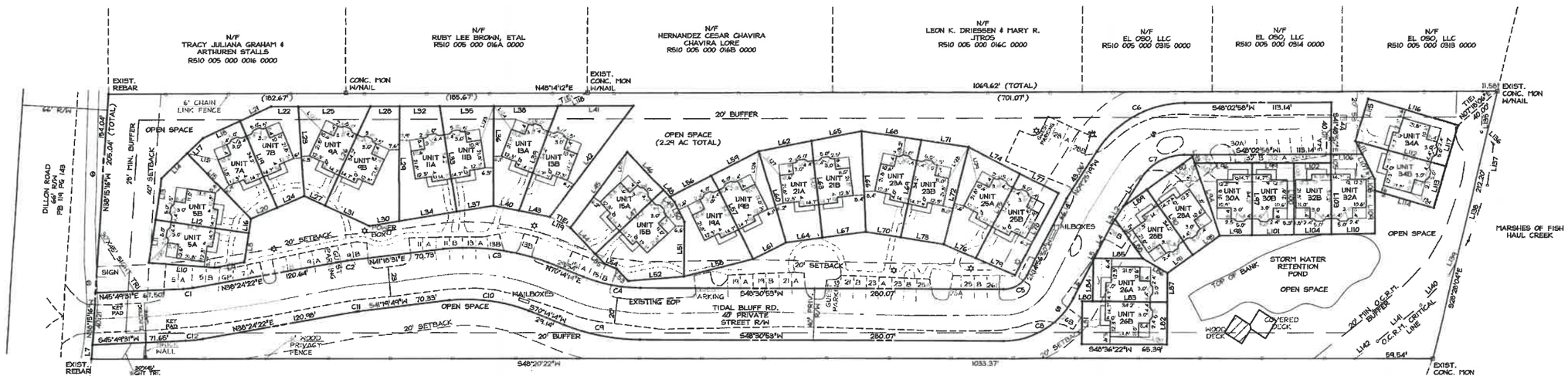
Exhibit B

NOTES:

1. AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
2. ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
3. PARCEL ID: R510 005 000 0017 0000
4. DEED REF/TITLE SOURCE: PB 137 PG 49,DB 2969 PG 940 MAP REF: PB 119 PG 143, PB 41 PG 129
5. ZONED: RM-4
6. AREAS:
   TOTAL SITE AREA: 4.96 AC
   R/W AREA: 0.96 AC
   TOTAL LOT AREA: 1.72 AC
   OPEN SPACE PROVIDED: 2.29 AC (46.2%)
   MIN OPEN SPACE REQUIRED: 0.69 AC
7. TOTAL NUMBER OF LOTS: 30
8. 20' SETBACK FROM R/W OF TIDAL BLUFF RD.
9. THIS PROPERTY IS LOCATED IN FEMA ZONE A7 AS SHOWN ON FIRM PANEL 450250 0009D, MAP REVISED SEPTEMBER 29, 1986. BASE FLOOD ELEVATION=14.0'
10. THIS PROPERTY LIES EITHER PARTIALLY OR WHOLLY WITHIN THE HILTON HEAD ISLAND AIRPORT OVERLAY DISTRICT AND IS SUBJECT TO NOISE THAT MAY BE OBJECTIONABLE.
11. FIELD WORK PERFORMED NOVEMBER 21, 2016.

AREA CALCULATIONS (30 UNITS)

LOCATION	EACH	TOTAL
FIRST FLOOR AREA	804 SF	24,120 SF
SECOND FLOOR AREA	498 SF	14,790 SF
PORCH AREAS	76 SF	5,254 SF
TOTAL	1,373 SF	44,164 SF
PAVED PARKING AREA	N/A	39,854 SF
WALKWAYS	N/A	6,185 SF



LOT DATA:

5A 2,179 sq. ft. 0.050 acres R510-005-000-0017-0001-00	5B 2,555 sq. ft. 0.059 acres R510-005-000-0017-0016-00
7A 2,519 sq. ft. 0.058 acres R510-005-000-0017-0002-00	7B 2,542 sq. ft. 0.058 acres R510-005-000-0017-0017-00
9A 2,697 sq. ft. 0.062 acres R510-005-000-0017-0003-00	9B 3,646 sq. ft. 0.084 acres R510-005-000-0017-0018-00
11A 3,218 sq. ft. 0.074 acres R510-005-000-0017-0004-00	11B 2,775 sq. ft. 0.064 acres R510-005-000-0017-0019-00
13A 2,748 sq. ft. 0.063 acres R510-005-000-0017-0005-00	13B 3,541 sq. ft. 0.081 acres R510-005-000-0017-0020-00
15A 2,479 sq. ft. 0.057 acres R510-005-000-0017-0006-00	15B 3,035 sq. ft. 0.070 acres R510-005-000-0017-0021-00
19A 2,767 sq. ft. 0.064 acres R510-005-000-0017-0007-00	19B 2,508 sq. ft. 0.058 acres R510-005-000-0017-0022-00
21A 2,565 sq. ft. 0.059 acres R510-005-000-0017-0008-00	21B 2,766 sq. ft. 0.064 acres R510-005-000-0017-0023-00
23A 2,855 sq. ft. 0.066 acres R510-005-000-0017-0009-00	23B 2,741 sq. ft. 0.063 acres R510-005-000-0017-0024-00
25A 2,687 sq. ft. 0.062 acres R510-005-000-0017-0010-00	25B 2,403 sq. ft. 0.055 acres R510-005-000-0017-0025-00
26A 1,817 sq. ft. 0.042 acres R510-005-000-0017-0011-00	26B 2,151 sq. ft. 0.049 acres R510-005-000-0017-0026-00
28A 2,149 sq. ft. 0.049 acres R510-005-000-0017-0012-00	28B 1,946 sq. ft. 0.045 acres R510-005-000-0017-0027-00
30A 1,941 sq. ft. 0.045 acres R510-005-000-0017-0013-00	30B 1,792 sq. ft. 0.041 acres R510-005-000-0017-0028-00
32A 1,971 sq. ft. 0.045 acres R510-005-000-0017-0014-00	32B 1,674 sq. ft. 0.038 acres R510-005-000-0017-0029-00
34A 2,417 sq. ft. 0.055 acres R510-005-000-0017-0015-00	34B 1,894 sq. ft. 0.043 acres R510-005-000-0017-0030-00

LINE TABLE		
LINE	LENGTH	BEARING
L1	24.38	S09°25'19"E
L2	12.07	S09°25'19"E
L3	4.18	S09°25'19"E
L4	29.88	S14°54'50"E
L5	1.78	S14°54'50"E
L6	32.62	S14°54'50"E
L7	10.78	S38°15'16"E
L8	22.95	S33°37'58"E
L9	22.88	N38°15'07"E
L10	50.55	N52°36'52"E
L11	33.59	S33°37'58"E
L12	72.20	N56°33'52"E
L13	32.60	S33°37'58"E
L14	27.76	S03°43'05"W
L15	70.66	N85°11'48"W
L16	11.00	S33°37'58"E
L17	16.28	S09°49'06"W
L18	31.48	S23°21'24"W
L19	73.18	S64°51'22"E
L20	22.00	N25°08'38"E
L21	26.39	S23°21'24"W
L22	20.93	N48°14'12"E
L23	69.58	N45°52'47"W
L24	25.00	N25°08'38"E
L25	56.20	N48°14'12"E
L26	84.41	N17°11'47"W
L27	17.70	N72°48'48"E
L28	22.24	N48°14'12"E
L29	86.85	N48°48'48"W
L30	23.06	N38°55'18"E
L31	38.04	N72°48'48"E
L32	30.78	N48°14'12"E
L33	82.69	S61°04'42"E
L34	44.76	N38°55'18"E
L35	41.48	N48°14'12"E
L36	76.99	N41°45'48"W
L37	26.48	N38°55'18"E
L38	49.35	N48°14'12"E
L39	86.24	S21°31'30"E
L40	19.91	N89°36'32"E
L41	58.39	N48°14'12"E
L42	107.18	N04°53'31"W
L43	24.36	N89°36'32"E
L44	28.14	S85°08'13"E
L45	79.25	N04°53'31"W
L46	40.53	S85°08'13"E

LINE TABLE		
LINE	LENGTH	BEARING
L47	72.20	N04°51'47"E
L48	7.31	S85°08'13"E
L49	5.36	S85°08'13"E
L50	17.37	S68°36'30"E
L51	42.23	S41°38'07"E
L52	43.29	S43°33'58"W
L53	12.88	S85°08'13"E
L54	10.66	N70°44'22"E
L55	10.26	S85°08'13"E
L56	36.04	N21°01'33"E
L57	72.54	S68°36'30"E
L58	54.88	S34°12'09"W
L59	41.01	N21°01'33"E
L60	74.07	N58°19'40"W
L61	28.00	N21°33'30"E
L62	41.01	N37°12'40"E
L63	76.54	S48°12'31"E
L64	27.88	N40°27'29"E
L65	38.85	N37°12'40"E
L66	76.03	N44°26'33"W
L67	33.60	N40°27'29"E
L68	47.05	N56°36'38"E
L69	77.09	S29°53'06"E
L70	27.35	N57°20'22"E
L71	36.98	N56°39'38"E
L72	77.77	N27°42'36"W
L73	34.02	N57°20'22"E
L74	44.95	N75°46'29"E
L75	73.61	S14°13'37"E
L76	26.89	N71°29'46"E
L77	33.20	N75°46'29"E
L78	71.12	N14°13'37"W
L79	33.23	N71°29'46"E
L80	8.00	S49°00'54"W
L81	53.12	S41°29'38"E
L82	32.66	S41°29'38"E
L83	57.39	S49°00'54"W
L84	31.76	S41°29'38"E
L85	37.38	S48°36'22"W
L86	22.21	S78°37'13"W
L87	22.63	S41°29'38"E
L88	37.82	S17°20'17"E
L89	22.02	S12°44'44"W
L90	62.11	S17°20'17"E
L91	24.15	N12°39'43"E
L92	43.71	S12°44'44"W

LINE TABLE		
LINE	LENGTH	BEARING
L93	5.29	N61°00'06"E
L94	54.56	N61°00'06"E
L95	25.53	N12°39'43"E
L96	44.42	N48°10'16"E
L97	55.79	S41°49'44"E
L98	24.93	N47°31'29"E
L99	32.12	N48°10'16"E
L100	55.42	S41°49'44"E
L101	32.12	N47°31'29"E
L102	28.38	N48°10'16"E
L103	55.10	S42°14'36"E
L104	28.68	N47°31'29"E
L105	6.74	S42°14'36"E
L106	24.16	S48°04'50"W
L107	21.58	N67°53'56"W
L108	8.92	S41°55'10"E
L109	33.21	S41°55'10"E
L110	33.27	N47°31'29"E
L111	11.39	N70°31'57"W
L112	72.21	N69°51'47"E
L113	33.46	S25°17'37"E
L114	47.00	N64°42'23"E
L115	34.00	S25°17'37"E
L116	72.20	N64°42'23"E
L117	32.94	S25°17'37"E
L118	24.95	N24°11'42"E
L119	18.07	S76°26'03"W

LINE TABLE		
LINE	LENGTH	BEARING
L120	21.04	N01°04'05"E
L121	24.15	N67°37'46"E
L122	25.86	S86°27'50"E
L123	27.91	S21°28'50"E
L124	22.74	S78°32'29"E
L125	24.41	S29°04'17"E
L126	25.64	S35°48'16"E
L127	24.79	S82°32'18"E
L128	28.68	S09°58'51"E
L129	27.21	S55°46'27"E
L130	22.73	S63°01'32"W
L131	20.60	S29°42'33"E
L132	21.58	N84°33'51"E
L133	12.95	S48°07'58"E
L134	20.92	S81°22'35"W
L135	31.44	S40°49'41"E
L136	13.50	S67°19'06"E
L137	32.30	S33°16'42"E
L138	45.14	S23°01'44"E
L139	30.31	S12°33'49"E
L140	31.73	S01°37'05"W
L141	43.53	S06°00'30"W
L142	21.54	S01°34'11"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	7.77	60.00	7.76	N42°06'57"E
C2	3.55	70.00	3.55	S39°51'26"W
C3	81.71	175.52	80.97	S55°49'14"W
C4	49.50	120.00	49.22	N65°22'34"E
C5	22.15	20.00	21.04	N16°47'01"E
C6	80.26	60.00	74.92	S19°16'50"W
C7	40.12	40.00	38.46	S19°16'50"W
C8	66.46	60.00	63.11	N16°47'01"E
C9	60.66	160.00	60.30	N65°22'34"E
C10	61.96	135.52	61.42	S65°54'34"W
C11	1.53	30.00	1.53	S39°52'06"W
C12	12.95	100.00	12.94	N42°06'57"E

FLOOD ZONE DISCLOSURE:

SOME OR ALL AREAS ON THIS PLAT ARE FLOOD HAZARD AREAS AND HAVE BEEN IDENTIFIED AS HAVING AT LEAST A ONE PERCENT CHANCE OF BEING FLOODED IN ANY GIVEN YEAR BY RISING TIDAL WATERS ASSOCIATED WITH POSSIBLE HURRICANES. LOCAL REGULATIONS REQUIRE THAT CERTAIN FLOOD HAZARD PROTECTIVE MEASURES BE INCORPORATED IN THE DESIGN AND CONSTRUCTION OF STRUCTURES IN THESE DESIGNATED AREAS. REFERENCE SHALL BE MADE TO THE DEVELOPMENT COVENANTS AND RESTRICTIONS OF THIS DEVELOPMENT AND REQUIREMENTS OF THE TOWN BUILDING OFFICIAL. IN ADDITION, FEDERAL LAW REQUIRES MANDATORY PURCHASE OF FLOOD INSURANCE AS A PREREQUISITE TO FEDERALLY INSURED MORTGAGE FINANCING IN THESE DESIGNATED FLOOD HAZARD AREAS.

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

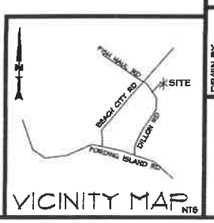
I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IN MY PROFESSIONAL OPINION, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE 'MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA', AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'A' SURVEY AS SPECIFIED THEREIN.

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR No 25445 BRADLEY R. HONEYCUTT

BRADLEY R. HONEYCUTT, S.C. PLS# 25445 — DATE 12/21/16

SURVEY PREPARED FOR:
RIO VALERIANO

LINETYPE LEGEND	
PUBLIC R/W	
ADJOINER	
PROPERTY LINE	
SETBACK	
BUFFER	
EXISTING EOP	
O.C.R.M. CRITICAL LINE	
GP	GUEST PARKING
☼	LAMP POST
•	REBAR
⊡	CONCRETE MONUMENT



Control Point, Inc.
6130 Harris Technology Blvd.
Charlotte, NC. 28269
Phone: (704)599-1090
Fax: (704)599-1120
NC C-1775
SC COA 3485

SOUTH CAROLINA CONTROL POINT, INC. No. 3429 CERTIFICATE OF AUTHORIZATION

BOUNDARY SURVEY OF TIDAL BLUFF TOWNHOMES HILTON HEAD ISLAND BEAUFORT COUNTY, SOUTH CAROLINA

OWNERS:
CJT REAL PROPERTY, LLC
6136 HARRIS TECHNOLOGY BLVD.
CHARLOTTE, NC 28269

DRAWN BY:	BRH/BBH
APPROVED BY:	BRH
DATE:	11/4/2015
JOB NAME:	CRITICAL BLUFF
SCALE:	1"=40' (1/2)

SHEET NO. 1 OF 1

Attachment G

Applicant Narrative 2 Tidal Bluff Road

Typical Duplex Information:

Three Bedroom Duplex = 30 total units (180 beds)
(2 Baths, Kitchen, Dining, Great Rm, Screened Porch)

Typical Duplex Square Footages:

Typical First Floor = 804 SF
Typical Second Floor = 493 SF

Typical 1st Floor Plan

Typical 2nd Floor Plan

Exhibit C

ISSUED FOR:	ISSUE DATE:	BY:

A New Residential Project for:
Tidal Bluff Duplexes
Dillon Road
Hilton Head Island, South Carolina

THOMAS
DESIGN GROUP, INC
74 Sparwheel Lane
Hilton Head Island, SC 29926
843.715.9434

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Disclaimer:

TDG, Inc. waives any and all responsibility and liability which arise from the failure to follow the drawings, related documents, specified products, material and methods of construction and the design intent they convey, or from any other failures to obtain and/or follow TDG's guidance w/ respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which may be alleged.

TDG Project # 2017.02

C100

Architectural Site Plan

Exhibit D1

Attachment G
Applicant Narrative 2 Tidal Bluff Road

PALMETTO ELECTRIC COOPERATIVE INC.
Your Touchstone Energy® Partner

Billing Date	June 20, 2019
Invoice Number	62535

Acct No / Rate	Service Address	Electric Last Year	Meter No / Electric Last Month	Meter Rdgs / Current Electric	Days / Outdoor Lighting	Bill Period / Other Charges	Mult / Bal Fwd	KWH / Tax	Actual KW / Roundup®	Billed KW / Total Due
235301001	TIDAL BLUFF-OUTDOOR LIGHTS		0	0 - 0	32	May 19 - Jun 20	0	0	0.000	0.000
Commercial Lighting		0.00	0.00	0.00	262.49	0.00	0.00	26.79	0.00	**289.28**
235301002	TIDAL BLUFF RD 32A		124617905	40802 - 42458	31	May 16 - Jun 16	1	1656	0.000	0.000
Residential Electric		217.91	129.96	186.57	0.00	0.00	0.00	5.60	0.83	**193.00**
235301003	TIDAL BLUFF RD 21A		124611924	55915 - 57278	31	May 16 - Jun 16	1	1363	0.000	0.000
Residential Electric		146.31	137.79	156.56	0.00	0.00	0.00	4.70	0.74	**162.00**
235301004	TIDAL BLUFF RD 9B		121288528	82025 - 83788	31	May 16 - Jun 16	1	1763	0.000	0.000
Residential Electric		180.38	158.22	197.52	0.00	0.00	0.00	5.93	0.55	**204.00**
235301005	TIDAL BLUFF RD 19B		115606470	3532 - 5640	31	May 16 - Jun 16	1	2108	0.000	0.000
Residential Electric		163.49	122.52	232.85	0.00	5.95	0.00	6.99	0.21	**246.00**
235301006	TIDAL BLUFF RD 15B		121288035	77271 - 78866	31	May 16 - Jun 16	1	1595	0.000	0.000
Residential Electric		152.49	122.01	180.32	0.00	0.00	0.00	5.41	0.27	**186.00**
235301007	TIDAL BLUFF-SEC GATE		105284153	14865 - 15071	31	May 16 - Jun 16	1	206	0.000	0.000
Small Commercial		36.11	34.91	38.94	0.00	0.00	0.00	3.98	0.08	**43.00**
235301008	TIDAL BLUFF RD 30A		115606220	93461 - 96054	31	May 16 - Jun 16	1	2593	0.000	0.000
Residential Electric		233.84	252.51	282.51	0.00	0.00	0.00	8.48	0.01	**291.00**
235301009	TIDAL BLUFF RD 7A		124642422	46307 - 47193	31	May 16 - Jun 16	1	886	0.000	0.000
Residential Electric		158.28	111.49	107.73	0.00	0.00	0.00	3.23	0.04	**111.00**
235301010	TIDAL BLUFF RD 19A		124642420	44049 - 46438	31	May 16 - Jun 16	1	2389	0.000	0.000
Residential Electric		195.04	190.82	261.62	0.00	0.00	0.00	7.85	0.53	**270.00**

Total Charges Due On July 5, 2019 **$6,971.28**

This bill amount is payable in full on or before the due date or draft date.

Are you prepared for summer storms?
visit palmetto.coop for storm preparedness information
Power Out?
Call 1-866-445-5551 or use our FREE Mobile App.

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT SC09400F

PALMETTO ELECTRIC COOPERATIVE INC
4063 GRAYS HWY
RIDGELAND SC 29936-4360

Temp-Return Service Requested

Member Number	235301
Invoice Number	62535
Payment Due Date	July 5, 2019
Total Amount Due	$6,971.28

**********AUTO**5-DIGIT 29901

CORDILLO TB LLC 1
PO BOX 21809 178
HILTON HEAD ISLAND SC 29925-1809

PALMETTO ELECTRIC COOPERATIVE INC
PO BOX 530812
ATLANTA GA 30353-0812

01077 00235301000 6 0000062535 000697128 000697128 5

PALMETTO ELECTRIC COOPERATIVE INC.
Your Touchstone Energy® Partner

Billing Date	June 20, 2019
Invoice Number	62535

Acct No	Service Address	Meter No	Meter Rdgs	Days	Bill Period	Mult	KWH	Actual KW	Billed KW
Rate	Electric Last Year	Electric Last Month	Current Electric	Outdoor Lighting	Other Charges	Bal Fwd	Tax	Roundup®	Total Due
235301011	TIDAL BLUFF RD 5B	124637814	50593 - 52035	31	May 16 - Jun 16	1	1442	0.000	0.000
Residential Electric	147.37	123.25	164.65	0.00	0.00	0.00	4.94	0.41	**170.00**
235301012	TIDAL BLUFF RD 13B	124637259	70223 - 73801	31	May 16 - Jun 16	1	3578	0.000	0.000
Residential Electric	155.96	333.49	383.36	0.00	0.00	0.00	11.50	0.14	**395.00**
235301013	TIDAL BLUFF RD 21B	124635919	75579 - 77958	31	May 16 - Jun 16	1	2379	0.000	0.000
Residential Electric	243.00	195.66	260.59	0.00	0.00	0.00	7.82	0.59	**269.00**
235301014	TIDAL BLUFF RD 28B	124634906	66359 - 68022	31	May 16 - Jun 16	1	1663	0.000	0.000
Residential Electric	210.77	146.57	187.28	0.00	0.00	0.00	5.62	0.10	**193.00**
235301015	TIDAL BLUFF RD 34B	109968246	5183 - 7272	31	May 16 - Jun 16	1	2089	0.000	0.000
Residential Electric	223.12	188.55	230.90	0.00	0.00	0.00	6.93	0.17	**238.00**
235301016	TIDAL BLUFF RD 23B	124636982	53449 - 54840	31	May 16 - Jun 16	1	1391	0.000	0.000
Residential Electric	181.92	122.84	159.43	0.00	0.00	0.00	4.78	0.79	**165.00**
235301017	TIDAL BLUFF RD 25A	124639736	57220 - 59228	31	May 16 - Jun 16	1	2008	0.000	0.000
Residential Electric	201.02	148.93	222.61	0.00	0.00	0.00	6.68	0.71	**230.00**
235301018	TIDAL BLUFF RD 13A	121287268	76963 - 79012	31	May 16 - Jun 16	1	2049	0.000	0.000
Residential Electric	210.00	178.13	226.81	0.00	0.00	0.00	6.80	0.39	**234.00**
235301019	TIDAL BLUFF RD 26B	124642418	51141 - 53952	31	May 16 - Jun 16	1	2811	0.000	0.000
Residential Electric	264.62	210.83	304.83	0.00	0.00	0.00	9.14	0.03	**314.00**
235301020	TIDAL BLUFF RD 26A	124640365	47216 - 49300	31	May 16 - Jun 16	1	2084	0.000	0.000
Residential Electric	177.87	191.44	230.39	0.00	0.00	0.00	6.91	0.70	**238.00**
235301021	TIDAL BLUFF RD 32B	121288063	96059 - 98428	31	May 16 - Jun 16	1	2369	0.000	0.000
Residential Electric	257.86	223.42	259.57	0.00	0.00	0.00	7.79	0.64	**268.00**
235301022	TIDAL BLUFF RD 11A	124642933	34276 - 35802	31	May 16 - Jun 16	1	1526	0.000	0.000
Residential Electric	166.29	126.86	173.25	0.00	0.00	0.00	5.20	0.55	**179.00**

PALMETTO ELECTRIC COOPERATIVE INC.
Your Touchstone Energy® Partner

Billing Date	June 20, 2019
Invoice Number	62535

Acct No	Service Address	Meter No	Meter Rdgs	Days	Bill Period	Mult	KWH	Actual KW	Billed KW
Rate	Electric Last Year	Electric Last Month	Current Electric	Outdoor Lighting	Other Charges	Bal Fwd	Tax	Roundup®	Total Due
235301023	TIDAL BLUFF RD 11B	124642423	48318 - 50428	31	May 16 - Jun 16	1	2110	0.000	0.000
Residential Electric	202.09	151.31	233.05	0.00	0.00	0.00	6.99	0.96	**241.00**
235301024	TIDAL BLUFF RD 23A	115606972	82398 - 84342	31	May 16 - Jun 16	1	1944	0.000	0.000
Residential Electric	177.77	153.47	216.05	0.00	0.00	0.00	6.48	0.47	**223.00**
235301025	TIDAL BLUFF RD 25B	124636989	63711 - 65891	31	May 16 - Jun 16	1	2180	0.000	0.000
Residential Electric	240.30	161.73	240.22	0.00	0.00	0.00	7.21	0.57	**248.00**
235301026	TIDAL BLUFF RD 28A	109969709	87673 - 89222	31	May 16 - Jun 16	1	1549	0.000	0.000
Residential Electric	189.64	145.85	175.61	0.00	0.00	0.00	5.27	0.12	**181.00**
235301027	TIDAL BLUFF RD 30B	124617903	51131 - 53274	31	May 16 - Jun 16	1	2143	0.000	0.000
Residential Electric	232.48	201.03	236.43	0.00	0.00	0.00	7.09	0.48	**244.00**
235301028	TIDAL BLUFF RD 34A	124617904	40621 - 42239	31	May 16 - Jun 16	1	1618	0.000	0.000
Residential Electric	222.83	144.71	182.67	0.00	0.00	0.00	5.48	0.85	**189.00**
235301029	TIDAL BLUFF RD 5A	115606218	32221 - 33581	31	May 16 - Jun 16	1	1360	0.000	0.000
Residential Electric	207.97	132.43	156.25	0.00	0.00	0.00	4.69	0.06	**161.00**
235301030	TIDAL BLUFF RD 7B	75760376	14812 - 16536	31	May 16 - Jun 16	1	1724	0.000	0.000
Residential Electric	147.47	138.62	193.52	0.00	0.00	0.00	5.81	0.67	**200.00**
235301031	TIDAL BLUFF RD 9A	124636988	41588 - 43488	31	May 16 - Jun 16	1	1900	0.000	0.000
Residential Electric	241.65	163.69	211.55	0.00	0.00	0.00	6.35	0.10	**218.00**
235301032	TIDAL BLUFF RD 15A	124616059	73121 - 74638	31	May 16 - Jun 16	1	1517	0.000	0.000
Residential Electric	163.10	139.44	172.33	0.00	0.00	0.00	5.17	0.50	**178.00**

BEAUFORT COUNTY SC - ROD
BK 3719 Pgs 1491-1504
FILE NUM 2018064848
12/06/2018 08:31:07 AM
RCPT# 914043
RECORDING FEES 20.00

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Charter Communications
Attn: Community Solutions
Address: 3140 West Arrowood Rd
Charlotte, NC 28273

Above for recorders use only

NONEXCLUSIVE INSTALLATION AND SERVICE AGREEMENT
Exclusive Use and Exclusive Marketing

This Installation and Service Agreement ("Agreement") between ***Time Warner Cable Enterprises LLC*** ("Operator") and Cordillo TB, LLC ("Owner") is dated this 16 day of Ocotober 2018 ("Effective Date"). Capitalized terms used in this Agreement shall have the same meaning as specified in the "Basic Information" Section below.

BASIC INFORMATION	
Premises (or Property) (further described in Exhibit A): Premises Name: Tidal Bluff Number of Units: 30 Street Address: 34B Tidal Bluff Rd City/State/Zip: Hilton Head Island, SC 29928	
Notices: Owner Name: Cordillo TB, LLC Address: P.O. Box 21809 Hilton Head Island, SC 29925 Phone: (843) 301-4400	
Agreement Term: The period starting on the Start Date and ending on the Expiration Date. The Agreement Term shall automatically be renewed for additional successive terms of 1 years unless either party provides written notice of termination not less than six (6) months prior to the end of the Agreement Term then in effect.	
Start Date: 10/16/2018	**Expiration** Date: 10/15/2023
Services: Services shall mean all lawful communications services that Operator may provide including, without limitation, all multi-channel video and audio programming services (specifically, "Video Service"), Internet access services, and/or voice services.	
Equipment: All above-ground and underground cables, fiber, internal wiring including cable home wiring and home run wiring, conduit, customer premises equipment such as converters/receivers/set top boxes and modems ("CPE"), electronics and/or any other equipment or facilities necessary for, installed by, and/or used by Operator (or its predecessor(s)-in-interest) (as originally installed in the Premises and as otherwise modified by Operator thereafter) to provide the Services pursuant to the provisions of this Agreement. The Equipment extends from the external boundary lines of the Premises up to and including the outlets in each unit.	

1. Grant. In consideration of the mutual promises and other consideration set forth herein, the sufficiency of which is hereby acknowledged, Owner grants Operator the right (including ingress and egress) to install, operate, improve, remove, repair and/or maintain its Equipment within the Premises (including without limitation any buildings or units constructed on or added to the Premises hereafter). Upon termination of

this Agreement, Operator shall have the right to remove its Equipment, as applicable, provided that any Equipment that Operator does not remove within ninety (90) days of such termination, shall be deemed abandoned and become the property of the Owner. This Agreement may be recorded. The rights granted hereunder shall run with the land and shall bind and inure to the benefit of the parties and their respective successors and assigns.

2. Services; Equipment. Operator shall have the (i) nonexclusive right to offer and (ii) exclusive right to market the Services to residents of the Premises ("Residents"). Operator reserves the right to adopt and implement new, improved, additional, modified or enhanced technology, features, CPE, services or capabilities at any time during the Term of this Agreement. Operator may, with or without notice and without breaching this Agreement, disconnect or refuse to provide Services to any person who (i) fails to execute and/or abide by Operator's standard customer agreements, terms of use or acceptable use policies, or other requirements imposed by Operator from time to time; or (ii) uses the Services in violation of applicable law. If Operator reconnects such users, then Operator shall be entitled to charge the Resident Operator's then-current standard disconnection and reconnection fees. Owner acknowledges that the Operator reserves the right to make changes to the programming comprising the Video Services, or add to, discontinue or change the rates and Services or any features or components available to the Premises as Operator may deem necessary or desirable in its sole discretion.

Operator will install, maintain, and/or operate the Equipment in accordance with applicable law. Operator's maintenance and repair obligation to the Internal Wiring (defined below) during the term of the Agreement is only to that Internal Wiring being used to serve its subscribers on the Premises. The Equipment shall always be owned by and constitute the personal property of the Operator, except that from the Effective Date, Operator shall convey all its right, title, and interest in and to the Internal Wiring to the Owner which shall be deemed to be owned by and constitute the personal property of the Owner. The internal wiring located within any building, which includes "cable home wiring" and "home run wiring"[1] (the "Internal Wiring") shall, without limitation, exclude CPE, electronics, active components, and exterior Equipment. Owner hereby grants to Operator the exclusive right to use the Internal Wiring during the Agreement Term and (i) shall not grant any other provider rights to use the Internal Wiring and (ii) shall prohibit other providers from using the same.

For and in consideration of the mutual promises, covenants and agreements set forth in this Agreement, Owner represents that it has not granted and agrees that it will not (i) grant any other easements or rights that will physically interfere with the Operator's delivery of the Services, including signal interference and/or the operation of Equipment on and within the Premises or (ii) use or enable any other person/third party to use any portion of the Equipment (including the Inside Wiring) to provide services to the Residents or occupants. Notwithstanding, both parties acknowledge and agree that such commitment of Equipment-use exclusivity is not intended to limit the rights of the Premises Residents to obtain services to the extent that they elect to do so (a) from a competing multi-channel video provider transmitting its signals directly to the Residents *via* microwave or satellite without making use of the Owner's private property, the common areas of the Premises or the Equipment; (b) from any competing provider that has or is granted access to the Premises to provide services in competition with Operator's Services by the use of distinct facilities separate from the Equipment (subject to Section 3 "Marketing Privileges"); or (c) to the extent that such Resident of the Premises has the right under applicable law to install the facilities of such competing provider within the boundaries of his/her property interest (provided that Owner shall in no event participate in or encourage the installation, provisioning, hook-up, or marketing of such competing services). For purposes of clarification, nothing in this Agreement shall be deemed to prevent Owner from granting another provider of services the right of access to the Premises to provide its services to Residents of the Premises as long as such grant does not interfere with Operator's delivery of Services on the Premises and does not breach Operator's rights granted pursuant to this Agreement.

[1] The terms "cable home wiring and "home run wiring" are defined at 47 CFR §§ 76.5(ll) and 76.800(d).

Without limiting Operator's exclusive rights to use Internal Wiring and the Equipment, should either (A) an antenna, or signal amplification system; (B) any Owner modification, relocation of, and/or work on the Internal Wiring hereunder; or (C) any damage to or use of the Internal Wiring by Owner or another provider of services granted access to the Premises to provide its service interfere with the provision of Operator's Services hereunder, Owner shall eliminate such interference immediately. Owner shall be responsible and reimburse Operator for damage to any part of the System or Equipment caused by Owner or its affiliates and its and their employees, contractors or agents. In the event (i) installation, repair, maintenance, or proper operation of the Equipment, and/or unhindered provision of the Services is not possible at any time as a result of interference, obstruction, or other condition not caused by Operator, or (ii) such interference, obstruction, or other condition (or the cause thereof) will have negative consequences to Operator's personnel safety or the Equipment, as Operator may determine in its sole discretion, Operator may terminate this Agreement without liability upon written notice to Owner.

3. Marketing Privileges. Operator shall have the exclusive right to market and to promote the Services and any comparable services via digital means and portals, on the Premises by means of distribution of printed and digital advertising materials and Service information, Operator provided information on Services in welcome and information packages for Residents and prospective Residents, contacts, demonstrations of services, and direct sales presentations. Owner shall cooperate with Operator in all such promotions on an exclusive basis (including, without limitation, supplying, at Operator's request, current lists of the mailing addresses of the Residents, and allowing, at Operator's request, the display of advertising materials in common areas of the Property and on-site promotional initiatives). Operator shall at all times conduct such promotional activities at reasonable times and in accordance with any applicable municipal ordinance. Owner shall use reasonable efforts to make available in the clubhouse or rental office or other similar location all current marketing publications pertaining to the Services, if such publications are provided to Owner by Operator and Owner shall not permit the distribution or publication of marketing materials or other promotional activities promoting alternative competitive services offered by other providers. If Operator installs WiFi access points at the Premises, Operator may promote the Premises as a WiFi access point in all forms of media, and shall have exclusive right to market the provision of WiFi at the Premises.

4. Assignment. This Agreement shall be binding upon the parties and their respective successors, transferees, and assigns and, in the case of Owner (and its successors, transferees and assigns) shall also be binding upon any managing agent or homeowner's association or other authorized representative duly empowered to act on behalf of Owner. This Agreement may be assigned by either party without the consent of the other party. An assignment by Owner shall not be valid hereunder nor release Owner from any obligations arising after such assignment unless and until the assignee in any such transaction assumes this Agreement in writing and Owner provides Operator with a copy of such written assumption by the transferee.

5. Representations and Warranties. Owner represents and warrants that it is the legal owner of and the holder of fee title to the Premises; that it has the authority to execute this Agreement. The person signing this Agreement represents and warrants that he/she is Owner's authorized agent with full authority to bind Owner hereto.

6. Breach of Agreement. In the event of a default by a party hereto in addition to rights available at law or in equity, the non-defaulting party may (i) terminate the Agreement after 30 days' prior written notice, unless the other party cures or commences to cure such breach during such 30-day period and diligently proceeds with such cure (exercising commercially reasonable efforts). Neither party shall be liable to the other party for any delay or its failure to perform any obligation under this Agreement if such delay or failure is caused by the occurrence of any event beyond such party's reasonable control. In the event of a termination by Operator in accordance with this provision, such termination shall not constitute a termination of the Operator's rights to have access to the Premises for the purposes of providing Services to the Residents thereof.

7. Indemnification. Each party shall indemnify, defend and hold harmless the other against all liability, claims, losses, damages and expenses (collectively, "Liability"), but only to the extent that such Liability arises from any negligent or willful misconduct, breach of this Agreement, or violation of a third party's rights or applicable law on the part of the party from whom indemnity is sought. Each party seeking such indemnification shall use reasonable efforts to promptly notify the other of any situation giving rise to an indemnification obligation hereunder, and neither party shall enter into a settlement that imposes liability on the other without the other party's consent, which shall not be unreasonably withheld.

8. Limitation of Liability. Notwithstanding anything to the contrary stated hereunder, Operator and Owner will not be liable for any indirect, special, incidental, punitive or consequential damages, including, but not limited to, damages based on loss of service, revenues, profits or business opportunities.

9. Automatic Default. Owner agrees during the term of the Agreement not to authorize, allow or provide bulk services on Premises from another provider. A violation of this Section is an automatic default of the Agreement.

10. Severability. If any one or more of the provisions of this Agreement are found to be invalid or unenforceable, such invalid provision shall be severed from this Agreement, and the remaining provisions of this Agreement will remain in effect without further impairment.

11. Force Majeure. Neither party shall be liable to the other for any delay or failure to perform any obligation under this Agreement if such delay or failure is caused by any event beyond such party's reasonable control (a "Force Majeure Event"), including (but not limited to) acts of God, weather, acts of public authority, war, riot, strike, work stoppages or failure or delays of utilities, suppliers or carriers. Such nonperformance will be excused only for so long as such condition exists.

12. Mandatory Access Laws. Notwithstanding anything to the contrary in this Agreement, if applicable laws require Owner to provide Operator with access to the Premises for the provision of any Service, then Operator shall continue to be permitted to access and use all Equipment to provide its Services to the Premises. Nothing in this Agreement shall operate as, or be construed to be, a waiver of any rights that Operator may have under such access laws, and all such rights are hereby reserved by Operator.

13. Jurisdiction. This Agreement shall be governed by federal law and the laws of the state in which the Premises are located (excluding said state's choice of law provisions).

IN WITNESS WHEREOF, the parties have set their hands on the date indicated in their respective acknowledgments.

OPERATOR
Time Warner Cable Enterprises LLC
By: Charter Communications, Inc., its Manager

By: _____
Printed Name: Lynn Dodson
Title: Director, Spectrum Community Solutions
Date: 10/24/16
Witness:
Witness:

OWNER
Cordillo TB, LLC

By: _____
Printed Name: JOSEPH P. CONCEPCION
Title: VICE PRESIDENT
Date: 10-11-18
Witness: Rebecca Cocchiolo
Witness: _____

STATE OF NC,
COUNTY OF Mecklenburg

On 10-24-18 before me, R. Lynn Dodson, personally appeared personally known to me (or proved to me the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

KENNETH W. ALEXANDER
NOTARY PUBLIC
Cabarrus County
North Carolina
My Commission Expires October 7, 2019

Signature Kenneth Alexander Expiration Date: 10-7-19

STATE OF Illinois
COUNTY OF Cook

On 10/11/18 before me, Joseph P. Concepcion, personally appeared personally known to me (or proved to me the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Nicole Clark

OFFICIAL SEAL
NICOLE CLARK
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/20/20

EXHIBIT "A"
[Owner to insert legal description of Premises.]

4/10 J. McNair 6288

RECORDED
2017 Mar -21 01:24 PM
BEAUFORT COUNTY AUDITOR

BEAUFORT COUNTY SC - ROD
BK 3554 Pgs 2319-2322
FILE NUM 2017009435
02/24/2017 12:07:21 PM
REC'D BY fJenkins RCPT# 840818
RECORDING FEES $10.00
County Tax $3,492.50
State Tax $8,255.00
Transfer Tax $7,937.50

This deed was prepared in the law offices of
MCNAIR LAW FIRM, P.A.
23-B Shelter Cove Ln #400
Hilton Head Island, SC 29928
843-785-2171

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

TITLE TO REAL ESTATE
(Limited Warranty)

KNOW ALL MEN BY THESE PRESENTS, that CJT Real Property, LLC, hereinafter referred to as "Grantor," in the State aforesaid, for and in consideration of the sum of Three Million One Hundred Seventy-Five Thousand and 00/100 Dollars ($3,175,000.00) to Grantor in hand paid by

Cordillo TB, LLC, a Delaware limited liability company
980 N. Michigan Avenue
Suite 1660
Chicago, IL 60611

hereinafter referred to as "Grantee," the receipt of which is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions set forth in the legal description below, unto the said Grantee, the following described property:ALL those certain single family residences lying and being on Hilton Head Island, Beaufort County, South Carolina, known as TOWNHOUSE UNITS 5A, 5B, 7A, 7B, 9A, 9B, 11A, 11B, 13A, 13B, 15A, 15B, 19A, 19B, 21A, 21B, 23A, 23B, 25A, 25B, 26A, 26B, 28A, 28B, 30A, 30B, 32A, 32B, 34A and 34B formerly known as TIDAL BLUFF HORIZONTAL PROPERTY REGIME and all roadways, open space, storm water retention ponds, decks and all other privileges and rights associated with said real property shown as 4.96 acres, a portion of District 510, Parcels 17 & 17A, located on Dillon Road, Hilton Head Island, Beaufort County, South Carolina, prepared by Wesley R. Honeycutt, dated June 26, 2013, recorded in the Beaufort County Records in Plat Book 137 at Page 49 ("Subdivision Plat").

Tax Map Nos. R510-005-000-0017-0001 (Unit 5A)
R510-005-000-0017-0002 (Unit 7A)
R510-005-000-0017-0003 (Unit 9A)
R510-005-000-0017-0004 (Unit 11A)
R510-005-000-0017-0005 (Unit 13A)
R510-005-000-0017-0006 (Unit 15A)
R510-005-000-0017-0007 (Unit 17A) (now Unit 19A)
R510-005-000-0017-0008 (Unit 21A)
R510-005-000-0017-0009 (Unit 23A)
R510-005-000-0017-0010 (Unit 25A)

R510-005-000-0017-0011 (Unit 26A)
R510-005-000-0017-0012 (Unit 28A)
R510-005-000-0017-0013 (Unit 30A)
R510-005-000-0017-0014 (Unit 32A)
R510-005-000-0017-0015 (Unit 34A)
R510-005-000-0017-0016 (Unit 5B)
R510-005-000-0017-0017 (Unit 7B)
R510-005-000-0017-0018 (Unit 9B)
R510-005-000-0017-0019 (Unit 11B)
R510-005-000-0017-0020 (Unit 13B)
R510-005-000-0017-0021 (Unit 15B)
R510-005-000-0017-0022 (Unit 17B) (now Unit 19B)
R510-005-000-0017-0023 (Unit 21B)
R510-005-000-0017-0024 (Unit 23B)
R510-005-000-0017-0025 (Unit 25B)
R510-005-000-0017-0026 (Unit 26B)
R510-005-000-0017-0027 (Unit 28B)
R510-005-000-0017-0028 (Unit 30B)
R510-005-000-0017-0029 (Unit 32B)
R510-005-000-0017-0030 (Unit 34B)
R510-005-000-0017-0000 (open space, parking and right-of-way)

The property intended to be conveyed herein is the same property conveyed to the within Grantor by Deed from Atlas SC I SPE llc, a NC, LLC dated June 28, 2010, and recorded in book 2969 at page940.

THIS CONVEYANCE IS MADE SUBJECT TO the matters shown on **Exhibit A** attached hereto and forming a part hereof.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned, unto the Grantee, its successors and assigns forever; subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind itself and its successors to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns, against Grantor and its successors lawfully claiming or to claim the same, or any part thereof by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name by its duly authorized officer and its seal to be hereto affixed, this 15 day of February, 2017.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

(2) Donna Benton
Signature of 1st Witness

(3) Lynne C Carr
Signature of 2nd Witness/Notary Public

CJT REAL PROPERTY, LLC, a Delaware limited liability company

(1) By: W. Todd Houser
W. Todd Houser, Manager and Member

STATE OF NC)
)
COUNTY OF Mecklenburg)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that W. Todd Houser, Manager and Member of CJT REAL PROPERTY, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 15 day of February, 2017.

LYNNE C. CARR
NOTARY PUBLIC
MECKLENBURG COUNTY, NC
MY COMMISSION EXPIRES
MAR 28 2018

(4) Lynne C Carr
Notary Public for NC
My Commission Expires: 3/28/18

Instructions for Execution of Deed
(Please Follow Carefully - and Use Blue Ink Only)

A. Authorized corporate officer(s) sign on line numbered (1), indicating their title.
B. Two (2) disinterested Witnesses sign on lines numbered (2) and (3). Notary may be one of the witnesses.
C. Notary Public signs on line numbered (4) and affixes seal and expiration date.

EXHIBIT A

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2016 now payable, but not yet delinquent, and taxes and assessments for the year 2017 and subsequent years, which are a lien, but are not yet due and payable.
2. Easement to Palmetto Electric Cooperative, Inc., recorded in the Beaufort County Records in Book 1078 at Page 767.
3. Terms and conditions of Easement Agreement by and between the Town of Hilton Head and Group 2, Inc., recorded in the Beaufort County Records in Book 1540 at Page 597.
4. All easements and other matters, including OCRM critical line and that certain twenty (20') foot minimum OCRM buffer, as shown on plat recorded in the Beaufort County Records in Plat Book 119 at Page 143.
5. Rights of others and/or tenants in and to the use of the joint party wall situated between Units A and B of each building, and shown on Final Subdivision Plat of Tidal Bluff Townhomes, dated January 4, 2013, revised February 3, 2013 and recorded in the Beaufort County Records in Plat Book 137 at Page 49, and ALTA/NSPS Survey of Tidal Bluff Townhomes dated January 27, 2017, both prepared by Wesley R. Huneycutt.
6. Title to that portion of the Property lying between the high and low-water marks of the bank of Fish Haul Creek, and rights of upper and lower riparian owners in and to said Fish Haul Creek.
7. Interest created by, or limitations on use imposed by, the Federal Coastal Zone Management Act or other federal law or regulation, or by South Carolina Code §48-39-10 through 48-39-360, as amended, or any regulations promulgated pursuant to said state or federal laws.
8. Riparian rights or title to the portion of the Property which lies below the mean high water mark of the private pond areas adjacent to the Property.
9. Rights of tenants under unrecorded leases, as tenants only, with no right of first refusal or right to purchase.
10. Final Subdivision Plat of Tidal Bluff Townhomes, dated January 4, 2013, revised February 3, 2013 and recorded in the Beaufort County Records in Plat Book 137 at Page 49, and ALTA/NSPS Survey of Tidal Bluff Townhomes dated January 27, 2017, both prepared by Wesley R. Huneycutt, disclose the following:
    a. buffers;
    b. OCRM critical line; and
    c. 20' and 40' setbacks.

Attachment G
Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0376	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0378	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0379	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0380	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0381	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0382	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0383	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0384	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0385	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0386	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0387	0000	00

ADD DMP Record 3/7/2017 08:06:10
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0388	0000	00

Attachment G
Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0389	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0390	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0391	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0392	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0393	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0394	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0395	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0396	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0397	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0398	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0399	0000	00

ADD DMP Record 3/7/2017 08:06:11
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0400	0000	00

Attachment G
Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0401	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0402	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0403	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0404	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0405	0000	00

ADD DMP Record 3/7/2017 08:06:12
--> Book/Page O BK 3554 PG 2323A
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0406	0000	00

Attachment G

Applicant N Exhibit D3 Bluff Road

Invoice/Statement

843-681-8900
American Pride Waste Solutions
PO Box 3680
Bluffton, SC 29910

Invoice Date: 02/11/2019
Invoice Number: 1217922
Account Number: 100690
Invoice Amount: 751.85

Due Date: 02/21/2019

Bill To: BH MANAGEMENT
TIDAL BLUFF
PO BOX 21809
HILTON HEAD SC 29925

AMOUNT ENCLOSED $ _____

Service Location
5 TIDAL BLUFF (OFF DILLON RD) Multi Family R
HILTON HEAD, SC

Billing Period
FEB 2019

---------- *Please Carefully Detach Top Portion and Return with Payment* ----------

New Charges as listed below.....

Multi Family R	751.85

02/11/2019, Svc Period = FEB 2019 5 TIDAL BLUFF (OFF DILLON R

Page 1 of 1 **100690 RJ** **This Invoice 751.85**

Last Payment= $751.85 Posted: 01/31/2019

Account Balances as of... 04/30/2019 10:59:11 AM

Current	30 Days	60 Days	90 Days	Total Due
751.85	751.85	751.85	0.00	2255.55

TERMS:

Thank You for your business... American Pride Waste Solutions

Attachment G
Applicant Narrative 2 Tidal Bluff Road

Invoice/Statement

843-681-8900
American Pride Waste Solutions
PO Box 3680
Bluffton, SC 29910

Invoice Date: 03/11/2019
Invoice Number: 1218437
Account Number: 100690
Invoice Amount: 751.85

Due Date: 03/21/2019

Bill To: BH MANAGEMENT
TIDAL BLUFF
PO BOX 21809
HILTON HEAD SC 29925

AMOUNT ENCLOSED $ _____

Service Location
5 TIDAL BLUFF (OFF DILLON RD) Multi Family R
HILTON HEAD, SC

Billing Period
MAR 2019

---------- *Please Carefully Detach Top Portion and Return with Payment* ----------

New Charges as listed below.....
Multi Family R 751.85

03/11/2019, Svc Period = MAR 2019 5 TIDAL BLUFF (OFF DILLON R

Page 1 of 1 **100690 RJ** **This Invoice 751.85**
Last Payment= $751.85 Posted: 01/31/2019
Account Balances as of... 04/30/2019 10:59:28 AM

Current	30 Days	60 Days	90 Days	Total Due
751.85	751.85	751.85	0.00	2255.55

TERMS:
Thank You for your business... American Pride Waste Solutions

Attachment G
Applicant Narrative 2 Tidal Bluff Road

Invoice/Statement

843-681-8900
American Pride Waste Solutions
PO Box 3680
Bluffton, SC 29910

Invoice Date: 04/10/2019
Invoice Number: 1224758
Account Number: 100690
Invoice Amount: 751.85

Due Date: 04/20/2019

Bill To: BH MANAGEMENT
TIDAL BLUFF
PO BOX 21809
HILTON HEAD SC 29925

AMOUNT ENCLOSED $ _____

Service Location
5 TIDAL BLUFF (OFF DILLON RD) Multi Family R
HILTON HEAD, SC

Billing Period
APR 2019

---------- *Please Carefully Detach Top Portion and Return with Payment* ----------

New Charges as listed below.....
Multi Family R 751.85

04/10/2019, Svc Period = APR 2019 5 TIDAL BLUFF (OFF DILLON R

Page 1 of 1 **100690 RJ** **This Invoice 751.85**
Last Payment= $751.85 Posted: 01/31/2019
Account Balances as of... 04/30/2019 10:59:37 AM

Current	30 Days	60 Days	90 Days	Total Due
751.85	751.85	751.85	0.00	2255.55

TERMS:
Thank You for your business... American Pride Waste Solutions

Attachment G

Applicant Narrative 2 Tidal Bluff Road

Exhibit D4

BUS ROUTES

ROUTE 302 St. Helena, Lady's Island, Port Royal, Beaufort, Burton, Chelsea, Okatie, Bluffton and Hilton Head Island

ROUTE 307 Gifford, Estill, Lena, Furman, Scotia, Garnett, Hardeeville, Pritchardville, Bluffton and Hilton Head Island

ROUTE 308 Gillisonville, Pineland, Tybranch, Robertsville, Tarboro, Tillman, Wagonbranch, Ridgeland, Spring Hill, Mitchellville, Grahamville, Bluffton and Hilton Head Island

ROUTE 309 Big Estate, Sheldon, Dale, Stuart Point, Grays Hill, Burton, Bluffton and Hilton Head Island

ROUTE 310 Fairfax, Hampton, Varnville, Cummings, Early Branch, Yemassee, , Okatie, Bluffton and Hilton Head Island

ROUTE 311 Allendale, Fairfax, Brunson, Hampton, Varnville, Cummings, Early Branch, Yemassee, Sun City, Bluffton and Hilton Head Island

ROUTE 320 Ruffin, Walterboro, Hendersonville, Jonesville, Yemassee, Point South, Bluffton and Hilton Head Island

DEMAND RESPONSE

ROUTE 501 Dale, Stuart Point, Grays Hill, Port Royal, Shell Point, Beaufort and Burton

ROUTE 502 St. Helena, Lady's Island, Port Royal, Beaufort and Burton

ROUTE 503 Okatie, Bluffton and Hilton Head Island

ROUTE 702 Big Estate, Sheldon, Lobeco, and Beaufort Area

COORDINATED ROUTES

ROUTE 401 Hilton Head Island & Bluffton

ROUTE 850 Hardeeville and Ridgeland

ROUTE 860 Hilton Head Island, Bluffton, Okatie, Beaufort

ROUTE 861 Bluffton and Okatie

Palmetto BREEZE

Public Transportation

Serving Allendale, Beaufort, Colleton, Hampton, and Jasper Counties

843.757.5782

P.O. Box 2029 • 25 Benton Field Rd.
Bluffton, SC 29910
www.palmettobreezetransit.com

EFFECTIVE DATE SEPTEMBER 1, 2015

Attachment G
Applicant Narrative 2 Tidal Bluff Road

PalmettoBreeze

About the Breeze!

Palmetto Breeze provides a wide variety of public transportation services in five Lowcountry counties. This brochure offers information about each of these services and explains how to take advantage of the different transportation options available. The Breeze offers service Monday through Sunday from 4:30 a.m. until 8:00 p.m. Call 843-757-5782 for route schedule information.

Fixed Routes

If you're riding to and from work or just taking a trip to the coast, you'll travel in air conditioned comfort on 40 foot coaches. The Breeze offers seven fixed bus routes to and from locations in Allendale, Beaufort, Colleton, Hampton, and Jasper Counties to Hilton Head Island.

One-way cash fares range from only $2.50 to $4.00. Take advantage of a 10% savings when you purchase weekly and/or monthly tickets!

Demand Response

In Beaufort County you may call at least a day in advance and arrange for a van to pick you up at your location, take you to your destination and pick you up at an appointed time. Return trips can either be pre- arranged or you may call for pick up when you are ready.

Fares range from only $3.75 to $14.00 per one-way trip. Call 843-757-5782 for more information .

Connecting Lowcountry Communities!

The Breeze also provides scheduling assistance for coordinated transportation service in Allendale County.

Allendale County Scooter: Call toll free at 866-230-4397 (locally 803-584-3470) for more information. Tickets are $2.00 each way for every ten miles traveled. Reservations must be made a day in advance.

ALLENDALE COUNTY SCOOTER
Lowcountry Communities on the Go!

Lowcountry Coordination

Palmetto Breeze is expanding service throughout Beaufort, Colleton, Hampton, and Jasper Counties through partnerships with other transportation providers in the area. This new coordinated service is made possible through the use of vacant seats on transportation provider vehicles that are already on the road. Just give the Mobility Manager a call with your name, address, where you want to go, and what time you want to arrive at your destination at least one day in advance of your desired trip and we'll put you on a vehicle that's going your way !

Community Resource Book

Located at www.palmettobreezetransit.com, the Community Resource Book offers users the ability to gather information from a wide variety of human service agencies and other resources located throughout the region. Resources include information for employment, medical, aging, disabilities, veterans services, and others in an easily searchable database.

The information contained in this brochure is also available in alternative formats and may be obtained by calling 843-757-5782.

Breeze Deals!

- Weekly tickets can save you 10%
- Monthly tickets can save you 10%
- Catch the Breeze for FREE! Call 843-757-5782 for more information.

Put the Bus in Your Business!

- Attract productive employees
- Reduce your company's taxes
- Give your employees a pre-tax commuter benefit at no cost to you!

Call us to discuss how we can help address your other transportation needs -- 843-757-5782

Bicycles

Bring your bike along for the ride on the Palmetto Breeze. It's fast, it's easy and your bike rides FREE!

FARE STRUCTURE

Stops	Full Fare	Weekly Ticket*	Monthly Ticket*
Beaufort County			
Bluffton, St. Helena, Lady's Island, Burton, Grays Hill, Beaufort, Seabrook, Port Royal, Pritchardville and Okatie	$2.50	$27.00	$99.00
Dale, Big Estate, Sheldon, Point South	$2.75	$29.70	$108.90
Jasper County			
Hardeeville and Robertsville	$3.00	$32.40	$118.80
Coosawhatchie, Gillisonville, Roseland, Ridgeland, Tarboro and Pineland	$3.50	$37.80	$138.60
Hampton County			
Brunson, Gifford, Estill, Garnett, Varnville, Hampton, Early Branch, Cummings and Yemassee	$4.00	$43.20	$158.40
Colleton County			
Walterboro, Hendersonville and Jonesville	$4.00	$43.20	$158.40
Allendale County			
Allendale & Fairfax	$3.25	$35.10	$128.70
Demand Response	$3.75 - $14.00 (one-way trip)		

*WEEKLY TICKETS-12 TRIPS (10% Discount) · *MONTHLY TICKETS=44 TRIPS (10% Discount)

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA, *Deputy Director of Community Development*
FROM: Anne Cyran, AICP, *Senior Planner*
DATE: August 6, 2019
SUBJECT: Proposed Ordinance 2019-22 – Small Wireless Facilities

Recommendation
The Public Planning Committee recommends that Town Council approve the proposed Small Wireless Facilities ordinance.

On June 27, 2019, the Public Planning Committee reviewed the proposed Small Wireless Facilities ordinance and voted unanimously to recommend that Town Council approve the proposed Small Wireless Facilities ordinance.

Summary
The proposed ordinance would add a section to the Land Management Ordinance regulating Small Wireless Facilities (SWFs). Based on the Municipal Association of South Carolina (MASC) model ordinance, the proposed ordinance permits SWFs in all zoning districts subject to conditions related to height, location, materials and color.

Background
MASC recommends that municipalities adopt their SWF model ordinance, even if future state legislation requires modifying the ordinance.

House bill 4262, the South Carolina Small Wireless Facilities Deployment Act, was approved by the House this spring, but the regular legislative session ended before H4262 reached the Senate. The bill was carried over to the next session, which begins in January 2020.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019- **PROPOSED ORDINANCE NO. 2019-22**

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 TABLE 16-4-103.D.2 (ACCESSORY USE/STRUCTURE TABLE), BY ADDING SECTION 16-4-103.E.10 (SMALL WIRELESS FACILITIES), AND BY AMENDING AND ADDING DEFINITIONS TO SECTION 16-10-105 (GENERAL DEFINITIONS); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Hilton Head Island ("Town") encourages wireless infrastructure investment and wishes to provide a fair and predictable process for the deployment of small wireless facilities while managing rights-of-way in a manner than promotes the interests of the public health, safety and welfare; and

WHEREAS, the Town recognizes that small wireless facilities including facilities commonly referred to as small cell and distributed antenna systems are critical to delivering wireless access to advanced technology, broadband, and 9-1-1 services to residences, businesses, and schools within the Town; and

WHEREAS, the Town recognizes that small wireless facilities together with high capacity transport medium such as fiber optic cabling may be effectively deployed in rights-of-way; and

WHEREAS, this Ordinance is intended to grant municipal consent to use of rights-of-way and establish a standard application process to streamline the issuance of necessary permits in a manner that is not a barrier to competition, and does not unnecessarily delay the implementation and installation of small wireless facilities.

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

NOTE: **Double-underlined and bold-face typed** portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

Section 1. Amendments. Title 16 of the Town Code is hereby amended to add Small Wireless Facilities to Table 16-4-103.D.2 (Accessory Use/Structure Table) to read as follows:

Accessory Use/Structure	Special Districts		Residential Districts						Mixed-Use and Business Districts													Use-Specific Conditions
	CON	PR	RSF3	RSF5	RSF6	RM4	RM8	RM12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD	MED	IL	
Telecommunications Facility, Collocated	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.9
Small Wireless Facilities	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**PC**	**Sec. 16-4-103.E.10**

Title 16 of the Town Code is hereby amended to add Section 16-4-103.E.10, Small Wireless Facilities, to read as follows:

CHAPTER 4. Use Standards

Sec. 16-4-103.E.10. - Small Wireless Facilities

a. Purpose

The purpose of this section is to provide policies and procedures for the placement of *small wireless facilities* in *covered areas* within the jurisdiction of the Town. It is the intent of this section to establish uniform standards including, but not limited to:

i. Prevention of interference with the use of streets, sidewalks, alleys, parkways, traffic light poles or other light poles, and other public ways and places;

ii. Prevention of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;

iii. Prevention of interference with other facilities and operations of facilities lawfully located in *covered areas* or public property;

iv. Preservation of the character of neighborhoods where facilities are installed;

v. Preservation of the character of historic structures, or historic neighborhoods, including but not limited to such structures or neighborhoods listed on the National Register of Historic Places or locally designated *Historic Districts*; and

vi. Facilitation of the rapid deployment of *small wireless facilities* to provide the citizens with the benefits of advanced *wireless services.*

b. Definitions.

The following shall apply to Sec. 16-4-103.E.10.

i. Antenna

Communication equipment that transmits or receives electromagnetic radio frequency signals used in the provision of *wireless services* or similar equipment used for the transmission or reception of surface waves.

ii. Applicable Codes

Uniform building, energy, electrical, plumbing, mechanical, gas, and fire codes in Title 6, Chapter 9 of the South Carolina Code of Laws, local amendments to those codes authorized by state law, and local codes or ordinances which impose requirements defined in Section 16-4-103 of this Ordinance including objective design and concealment standards to regulate location, context, material, color, stealth and concealment standards on a uniform and nondiscriminatory basis.

iii. Applicant

Any person who submits an *application* to the Town and is a *wireless services provider* or a *wireless infrastructure provider*.

iv. Application

A request submitted by an *applicant* for a permit to (i) *collocate small wireless facilities*; or, (ii) construct, install, maintain, operate, replace or modify a *utility pole* or *wireless support structure*.

v. Cable, Communications, Fiber or Electric Easement

An easement, granted to a cable or video service provider, a communications service provider (including without limitation a telephone utility), a fiber optics cable services provider, or an electric services provider created or authorized by state law to provide such services, that runs parallel to and abuts or within a *rights-of-way* and is occupied by existing *utility poles* or *wireless support structures* carrying electric distribution lines, wires, cable, conduit, fiber optic cable for telecommunications, cable or electric service or supporting municipal street lights, or security lights. The term *cable, communications, fiber or electric easement* excludes easements for service drops or lines connecting the customer's premises to the cable, communications, fiber or electrical provider.

vi. **Collocate or Collocation**

To install, mount, maintain, modify, operate, or replace one or more *wireless facilities* on, under, within, or adjacent to an existing *wireless support structure* or *utility pole* located in *covered areas* within the jurisdiction of the Town.

vii. **Covered Areas**

The surface of, and the space above and below, any *rights-of-way, ROW, Town rights-of-way, public rights-of-way* and/or *cable, communications, fiber or electric easement* as those terms are defined herein.

viii. **Day**

Calendar day unless the last day for the Town or an *applicant* to take action under this Ordinance ends on a weekend, holiday, or time when all but Town emergency services are closed due to weather or some unforeseen situation.

ix. **Decorative Pole**

A *utility pole* specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or a temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal practices.

x. **Design District**

An area that is zoned, or otherwise designated by municipal ordinance, and for which the Town maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis. See Appendix A for Existing Supplemental Review Districts.

xi. **Fee**

A one-time charge per *application*.

xii. **Historic District**

An area that is zoned or otherwise designated as a Historic District under municipal, state or federal law and for which the Town maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis. See Appendix A for Existing Supplemental Review Districts.

xiii. Micro Wireless Facility

A *small wireless facility* that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and, (ii) any exterior *antenna* is no longer than 11 inches.

xiv. Person

An individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the Town.

xv. Rate

A recurring charge such as, but not limited to, monthly, quarterly, or annually.

xvi. Rights-of-Way or ROW or Town Rights-of-Way or Public Rights-of-Way

An area on, below, or above a roadway, highway, street, sidewalk, pathway, or alley, located in the Town and dedicated to, managed or controlled by the Town, Beaufort County or the State of South Carolina.

xvii. Small Wireless Facility

A *wireless facility* that meets both of the following qualifications: (i) each *antenna* is located inside an enclosure of no more than six (6) cubic feet in volume, or, in the case of an *antenna* that has exposed elements, the *antenna* and all of its exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet; and (ii) all other wireless equipment associated with the facility is cumulatively no more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

xviii. Supplemental Review District

An Underground District, Historic District, Design District or other district subject to design and aesthetic requirements and review processes specified in this Ordinance.

xix. Town-Owned Pole

A *utility pole* owned or operated by the Town in *covered areas*, including a *utility pole* that provides lighting or traffic control functions, or other law enforcement functions, including light poles, traffic signals, and structures for signage; and a pole or similar structure owned or operated by the Town in a *covered area* that supports only *wireless facilities*. The term does not include a *utility pole* owned or operated by and accounted for as an asset of a municipal electric utility.

xx. **Transmission Pole**

A pole or similar structure that is used in whole or in part to carry electric transmission (as opposed to distribution) lines.

xxi. **Underground District**

An area that is designated by ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing above ground structures in a *covered area* and for which the Town maintains and enforces standards on a uniform and nondiscriminatory basis.

xxii. **Utility Pole**

A pole or similar structure that is used in whole or in part for the purpose of carrying electric distribution lines or cables or wires for telecommunications, cable or electric service, or for lighting, traffic control devices, traffic control or directional signage, or a similar function regardless of ownership, including *Town-owned poles*. Such term shall not include structures supporting only *wireless facilities*, nor shall it include *wireless support structures*.

xxiii. **Wireless Facility**

Equipment at a fixed location that enables *wireless services* between user equipment and a communications network, including: (i) equipment associated with wireless communications; (ii) radio transceivers, *antennas*, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes *small wireless facilities*. The term does not include the structure or improvements on, under, or within which the equipment is *collocated*, wireline backhaul facilities, coaxial or fiber optic cable that is between *wireless support structures* or *utility poles* or

coaxial or fiber optic cable that is otherwise not immediately adjacent to, or directly associated with, an *antenna*.

xxiv. Wireless Infrastructure Provider

Any *person* including a *person* authorized to provide telecommunications service in the State, that builds, installs or maintains *utility poles*, wireless communication transmission equipment, *wireless facilities* or *wireless support structures*.

xxv. Wireless Services

Any services provided using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, delivered to the public using *wireless facilities*.

xxvi. Wireless Services Provider

A *person* who provides *wireless services*.

xxvii. Wireless Support Structure

A freestanding structure, such as a monopole or, other existing or proposed structure designed to support or capable of supporting *wireless facilities*. Such term shall not include a *utility pole*.

c. Permitted Use, Application Process, and Fees

i. **Permitted Use and Consent**

***Collocation* of a *small wireless facility* on an existing *utility pole* or *wireless support structure*, or a new or modified *utility pole* or *wireless support structure* installed in a *covered area* shall be a permitted use, except in *Supplemental Review Districts* where such facilities are a *conditional use*, subject to administrative review, conditions and other requirements in Section 16-4-103.**

ii. **Permit Required**

No *person* shall place a *small wireless facility* in a *covered area* without first filing a *small wireless facility application* and obtaining a permit, except as otherwise provided in this section.

iii. **Permit Applications**

All *small wireless facility application*s filed pursuant to this section shall be on a form, paper or electronic, as required by the Town. The *applicant* may designate

portions of its *application* materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly, and the Town shall endeavor to protect materials so designated from public disclosure to the fullest extent permitted by local, state, and federal law.

iv. **Application Requirements**

The *small wireless facility* permit *application* shall be made by the *applicant*, or its duly authorized representative as noted in a notarized statement from a *person* with the *applicant* with authority to make such an authorization, and shall contain the following:

(a) The *applicant's* name, address, telephone number and e-mail address;

(b) The facility owner's name, address, telephone number and e-mail address, if different from *applicant*;

(c) The names, addresses, telephone numbers and e-mail addresses of all consultants, if any, acting on behalf of the *applicant*;

(d) A general description of the proposed work and the purposes and intent of the proposed facility, including whether it will be owner-operated or owner-leased. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected by the physical work proposed;

(e) Detailed construction drawings of the proposed facility and the related construction work and improvements in the *right-of-way*;

(f) To the extent the proposed facility involves collocation on a pole, decorative pole, or support structure, a structural report performed by a duly licensed engineer evidencing that the pole, decorative pole, or support structure will structurally support the collocation, or that the pole, decorative pole, or support structure may and will be modified to meet structural requirements, in accordance with applicable codes;

(g) **For any new aboveground facilities, visual depictions or representations of the proposed facilities, to scale, with materials and colors of each element specified;**

(h) **A site plan or aerial photo indicating the horizontal and approximate vertical location of the *facility* relative to the boundary of the *right-of-way* and vertical structures within 30 feet of the location identified;**

(i) **Verification from an appropriate representative of the *applicant* that the *small wireless facility* shall comply with all *applicable codes*;**

(j) **Verification of payment of the annual municipal consent or administrative *fee* for telecommunications companies to use *rights-of-ways* pursuant to Section 58-9-2230;**

(k) **Verification of local business license, if applicable;**

(l) **Evidence the *applicant* is duly authorized to do business in South Carolina;**

(m) **Evidence the *applicant* has received any necessary certificate of public convenience and necessity or other required authority from the South Carolina Public Service Commission or the Federal Communications Commission or evidence that it is not required;**

(n) **A copy of an approved South Carolina Department of Transportation encroachment permit and all documents required by SCDOT as part of the encroachment permit *application*, if the proposed location is within an SCDOT *right-of-way*;**

(o) **A copy of an approved Beaufort County encroachment permit and all documents required by Beaufort County as part of the encroachment permit *application*, if the proposed location is within a Beaufort County *right-of-way*;**

(p) **A copy of a Town of Hilton Head Island encroachment permit *application* and all documents required by the Town of Hilton Head Island as part of the encroachment permit *application*, if the proposed location is within a Town of Hilton Head Island *right-of-way*; and**

(q) If the proposed location is outside of a SCDOT *right-of-way*, a statement that the *applicant* has a lease, attachment agreement or other authorization from the owner of the *utility pole* or structure proposed for *collocation*.

v. **Routine Maintenance and Replacement**

An *application* shall not be required for:

(a) **Routine maintenance; or**

(b) **The replacement of a *small wireless facility* with another *small wireless facility* that is substantially similar or smaller in size, weight, and height; and**

(c) **The replacement of a *small wireless facility* with another *small wireless facility* that is substantially similar in color and design; or**

(d) **The installation, placement, maintenance, operation, or replacement of *micro wireless facilities* that are strung on cables between existing *utility poles* and/or *wireless support structures* in compliance with the National Electrical Safety Code by a *wireless services provider* or a *wireless infrastructure provider* that is authorized to occupy the *rights-of-way* and that is remitting a consent, franchise, or administrative *fee* pursuant to S.C. Code Ann. § 58-9-2230.**

vi. **Information Updates**

Any amendment to information contained in a permit *application* shall be submitted in writing to the Town within ten (10) business *days* after the change necessitating the amendment.

vii. **Consolidated Application**

An *applicant* seeking to *collocate* multiple *small wireless facilities* may, at the *applicant's* discretion, file a consolidated *application* and receive a single permit for up to twenty (20) *small wireless facilities*. Provided, however, the Town's denial of any site or sites within a single *application* shall not affect other sites submitted in the same *application*. The Town shall grant a permit for any and all sites in a single *application* that it does not deny subject to the requirements of this section.

viii. **Application Fees**

Unless otherwise provided by law, and except as to telecommunication companies exempted pursuant to S.C. Code § 58-9-2230, all *applications* for permits pursuant to this section shall be accompanied by a *fee* of $100.00 for each *small wireless facility*, except that the *fee* for *small wireless facilities* addressed in a consolidated *application* shall be $100.00 each for the first five *small wireless facilities* and $50.00 for each additional *small wireless facility* up to a maximum of twenty (20) *small wireless facilities*. For clarity, any *applicant* that pays either a franchise, consent *fee*, or administrative *fee* pursuant to the requirements of S.C. Code § 58-9-2230 shall not be required to pay any building permit *fee*, zoning permit *fee*, encroachment *fee*, degradation *fee*, or any other *fee* assessed on a telecommunications provider for its occupation of or work within the *right-of-way*.

ix. **Interference with Public Safety Equipment**

A *small wireless facility* shall be operated and maintained in a manner that does not interfere with public safety (police, traffic control, fire and emergency services) equipment.

d. Action on Permit Application

i. **Review of Small Wireless Facility Applications**

The Town shall review the *application* for a *small wireless facility* permit for conformity with applicable requirements of this section, and shall issue a permit on nondiscriminatory terms and conditions subject to the following requirements:

(a) Within ten (10) *days* of receiving an *application*, the Town must determine and notify the *applicant* whether the *application* is complete; or if an *application* is incomplete, the Town must specifically identify the missing information.

(b) Make its final decision to approve or deny the *application* within sixty (60) *days* of submission of a completed *application*.

(c) Notify the *applicant* in writing of its final decision, and if the *application* is denied, specify the basis for a denial, including citations to federal, state or local code provisions and/or statutes on which the denial was based.

(d) Notwithstanding an initial denial, the *applicant* may cure the deficiencies identified by the Town and resubmit the *application* within thirty (30) *days* of the denial, and the Town shall approve or deny the revised *application* within thirty (30) *days* of receipt of it. The subsequent review by the Town shall be limited to the deficiencies cited in the original denial.

ii. **Review Deadline**

If the Town fails to act on an *application* within the sixty (60) *day* review period (or within the thirty (30) *day* review period for an amended *application*), the *applicant* may provide notice that the time period for acting has lapsed and the *application* is then deemed approved.

iii. **Review of Eligible Facilities Requests**

Notwithstanding any other provisions of this section, the Town shall approve and may not deny *applications* that constitute eligible facilities requests for modification of an eligible support structure that does not substantially change the physical dimensions of such structure as provided in 47 CFR 1.40001, within sixty (60) *days* according to the procedures established under 47 CFR 1.40001(c).

iv. **Compensation**

Subject to the limitations set forth herein, every permit shall include as a condition the *applicant's* agreement to pay such lawful franchise *fees*, business license taxes, administrative *fees* and consent *fees* as are permitted under applicable South Carolina and federal law. The *applicant* shall also pay all applicable ad valorem taxes, service *fees*, sales taxes, or other taxes and *fees* as may now or hereafter be lawfully imposed on other businesses within the Town.

e. Requirements for Small Wireless Facilities in Covered Areas

i. **Administrative Review**

The Town shall perform an administrative review of permit *applications* including the location or installation of new, modified, or replacement *utility poles* and/or *wireless support structures* and the attachment of *wireless facilities* and equipment on *utility poles* or *wireless support structures*. Review factors, in addition to location, shall include the size, shape, color, texture, and materials of the structures and attachments.

(a) **The Town may require a proposed *wireless facility* be designed to not be significantly more readily apparent or plainly visible (to a reasonable *person* of ordinary sensibilities) from *covered areas* than existing utility structures, poles and equipment located within five hundred (500) linear feet on the same *covered area* as the subject *utility pole* or *wireless support structure*.**

(b) **Where *small wireless facilities* are determined to be appropriate, the use of reasonable stealth and concealment treatments, low profile equipment and control boxes, and screening may be required to avoid significant negative impacts on the character and visual aesthetics of the area. However, such requirements may be waived by the Town upon a showing that the particular location of a *small wireless facility* does not warrant stealth or concealment treatments or imposes an excessive expense. The waiver shall be granted or denied within forty-five (45) *days* after the date of the request.**

(c) **Supplemental Review Districts identified in Section 16-4-103 and listed in Appendix A may be subject to a higher level of review.**

ii. **Maximum Size of Permitted Use**

(a) **The height of an *antenna* of a *collocated small wireless facility* shall be limited to the greater of ten (10) feet above (i) the height of an existing or modified *utility pole* or *wireless support structure*; or (ii) the height of a new *utility pole* or *wireless support structure* as provided in (b) below.**

(b) **The height of a new or modified *utility pole*, or *wireless support structure* is limited to the greater of (i) the tallest *utility pole*, excluding *transmission poles*, or *wireless support structure* located in the same *covered area*, measured from grade, in place within five hundred (500) linear feet on the same *covered area* as the subject *utility pole* or *wireless support structure* as of the effective date of this Ordinance; or (ii) in the absence of any such *utility pole* or *wireless support structure*, either (i) forty (40) feet in any area zoned exclusively for single family residential use, unless a waiver is granted for good cause shown, or (ii) fifty (50) feet in any other area.**

(c) *Collocation* is not allowed on a *decorative pole* less than twenty (20) feet in height.

iii. **Supplemental Review Districts**

***Collocated small wireless facilitates* and new or modified *utility poles* or *wireless support structures* located in *supplemental review districts* shall be a *conditional use* and subject to the design and aesthetic requirements and review processes for structures specified in this Ordinance establishing the supplemental review district(s) in addition to the requirement of this Ordinance, provided that the Town will work in good faith with the *applicant* to accommodate the installation of *collocated small wireless facilities* and new or modified *utility poles* or *wireless support structures* in *supplemental review districts* to the fullest extent practicable. The Town reserves its right to maintain and implement the following types of *supplemental review districts*.**

(a) Underground Districts

A *wireless services provider* or a *wireless infrastructure provider* shall comply with nondiscriminatory requirements that prohibit electric utilities, telecommunications or cable providers from installing above-ground structures in the *covered area* in these districts. Nothing in this section shall prohibit the use or replacement of existing *utility poles* or *wireless support structures* in *underground districts* for the *collocation* of *small wireless facilities* subject to administrative review by the zoning administrator, appropriate design and concealment and a finding that such use does not increase the height by more than three (3) feet.

(b) Historic and Design Districts

As a condition for approval of new *small wireless facilities* or new *wireless support structure* in a *Historic District* or a *Design District*, the Town may require that a *wireless services provider* or a *wireless infrastructure provider* comply with the design and aesthetic standards of the *Historic District* or *Design District* to minimize the impact to the aesthetics in a *Historic District* or on a *Design District's decorative poles*. If design and concealment treatments are determined on review by the Town to be insufficient to

mitigate harm to the *Historic District* or *Design District*, the *application* may be denied.

This section may not be construed to limit a municipality's authority to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. Section 332(c)(7), the requirements for facility modifications under 47 U.S.C. Section 1455(a), or the National Historic Preservation Act of 1966 (54 U.S.C. Section 300101 et seq.), and the regulations adopted to implement those laws.

iv. **Appeals, Special Exceptions and Variance Requirements**

Appeals of administrative decisions and requests for special exceptions and variances from the provisions of this section, when strict application would result in an unnecessary hardship or in the inability to deploy needed *small wireless facilities*, shall be heard and decided by the Board of Zoning Appeals or equivalent board for architectural, design or historical district reviews. An *applicant* seeking a Special Exception to construct a new *decorative pole*, *utility pole* or other *wireless support structure* to *collocate* a *small wireless facility* in an *Underground District* shall demonstrate, including certification through an engineer, that it has diligently attempted to locate the proposed *decorative pole*, *utility pole*, *wireless support structure*, or *small wireless facility* outside of the *Underground District* and that placement of the *decorative pole*, *utility pole*, *wireless support structure*, or *small wireless facility* within the *Underground District* is necessary to provide the needed wireless coverage or capacity, and one or more of the following conditions exist supporting a Special Exception:

(a) No existing *utility pole* or *wireless support structure* is located within the location search radius or to the extent a *utility pole* or *wireless support structure* is located within the search radius, such *utility pole* or *wireless support structure*:

(i) Is not available for *collocation* under commercially reasonable *rates*, terms, and conditions;

(ii) Cannot accommodate the *collocation* of the *small wireless facility* and meet the technical requirements necessary to deliver adequate wireless service coverage or capacity; or

(iii) Would require modifications exceeding the three (3) feet height limitation imposed in Section 16-4-103.

(b) The only available option to deliver adequate wireless service coverage or capacity in the search radius requires modifications to an existing *utility pole* or *wireless support structure* exceeding the three (3) feet height limitation imposed in Section 16-4-103 or the installation of a new *utility pole* or *wireless support structure* for *collocation* of a *small wireless facility*, or

(c) The *applicant* has demonstrated other circumstances that, in the reasonable discretion of the Board of Zoning Appeals, warrant a special exception or variance.

The *applicant* shall abide by the design, stealth and concealment treatments imposed as conditions of the special exception.

v. **Existing Supplemental Review Districts**

Supplemental Review Districts approved by the Town as of the effective date of this Ordinance are listed in Appendix A. The Code provisions authorizing the district, applicable design guidelines or manual, review authority and appeal jurisdiction are specified in Appendix A. Nothing in this Ordinance shall prohibit or otherwise limit the Town from establishing additional supplemental review districts, provided however, that facilities and structures for which a permit was approved or deemed approved pursuant to this Ordinance prior to the establishment of the additional supplemental review district remain subject to the provisions of this Ordinance, including routine maintenance and replacement of those facilities and structures as set out in Section 16-4-103 of this Ordinance, and not to any provisions otherwise applicable to the additional supplemental review district. If a *wireless services provider* or a *wireless infrastructure provider* voluntarily replaces such facilities in a manner that does not comply with Section 16-4-103 of this Ordinance, or if a *wireless services*

provider **or a** ***wireless infrastructure provider*** **voluntarily relocates such facilities, such replacement or relocation is subject to the then-existing provisions and requirements of the additional supplemental review district.**

(f) Repair of Damage

A ***wireless services provider*** **or a** ***wireless infrastructure provider*** **shall repair all damage to a Town** ***right-of-way*** **directly caused by the activities of the** ***wireless services provider*** **or the** ***wireless infrastructure provider*****, while occupying, installing, repairing, or maintaining** ***wireless facilities, wireless support structures*****, Town** ***utility poles*****, or** ***utility poles*** **and to return the** ***right-of-way*** **to its functional equivalence before the damage. If the** ***wireless services provider*** **or the** ***wireless infrastructure provider*** **fails to make the repairs required by the Town within forty-five (45)** ***days*** **after written notice, unless the Town and the** ***wireless services provider*** **or the** ***wireless infrastructure provider*** **agree in writing to a longer time period, the Town may undertake those repairs and charge the applicable party the reasonable and documented cost of the repairs. The Town may maintain an action to recover the costs of the repairs.**

f. Effect of Permit

i. Authority Granted: No Property Right or Other Interest Created

A permit from the Town authorizes an ***applicant*** **to undertake only certain activities in accordance with the Ordinance, and does not create a property right or grant any authority whatsoever to the** ***applicant*** **to impinge upon the rights of others who may already have an interest in the** ***covered area*****.**

ii. Duration

Unless construction has actually begun and is diligently pursued to completion at that point, no permit for construction issued under this Ordinance shall be valid for a period longer than twelve (12) months unless both Town and ***applicant*** **agree to a reasonable extension and all required Fees are paid for the term regardless of construction. The inability of the** ***applicant*** **to obtain electrical power or backhaul transport services to serve the** ***wireless facility*** **such that it is operational within the twelve (12) months due to the action or inaction of third-party utility providers shall not result in the invalidity of the permit.**

g. Removal, Relocation, or Modification of a Small Wireless Facility in the Right-of-Way.

i. Notice

Within ninety (90) *days* following written notice from the Town, a *wireless services provider* or a *wireless infrastructure provider* shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any *wireless facilities* or *wireless support structures* within the *rights-of-way* whenever the Town, in its reasonable discretion, has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any Town improvement in or upon, or the operations of the Town in or upon, the *rights-of-way*.

ii. Emergency Removal or Relocation of Facilities

The Town retains the right to cut or move any *wireless facility* or *wireless support structure* located within its *rights-of-way* as the Town, in its reasonable discretion, may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If circumstances permit, the Town shall notify the *wireless services provider* or the *wireless infrastructure provider* and provide opportunity to move its own *wireless facilities* or *wireless support structure* prior to the Town cutting or removing a *wireless facility* or *wireless support structure* and the Town shall notify the *wireless services provider* or the *wireless infrastructure provider* after cutting or removing a *wireless facility*.

iii. Abandonment of Facilities

Upon abandonment of a *wireless facility* or *wireless support structure* within the Town *rights-of-way*, the *wireless services provider* or the *wireless infrastructure provider* shall notify the Town within ninety (90) *days* of such abandonment. Following receipt of such notice the Town may direct the *wireless services provider* or the *wireless infrastructure provider* to remove all or any portion of the *wireless facility* or *wireless support structure* if the Town, in its sole discretion, determines that such removal will be in the best interests of the public health, safety, and welfare.

iv. Abandonment by Inaction

At any point when a *wireless services provider* or the *wireless infrastructure provider* fails to pay any required *fee*, or annual payment to the Town, and fails to respond within sixty (60) *days* to a written inquiry from the Town as to whether the *wireless services provider* or the *wireless infrastructure provider* intends to continue to operate a *wireless facility* or *wireless support structure*, for whatever reason, the *wireless facility* shall be deemed abandoned and the Town may, at its sole option, remove all or any portion of the *wireless facility* or *wireless support structure*, or take other action as authorized by law, including recovery of actual costs incurred in removing the *wireless facility* or *wireless support structure*.

h. Attachment to Town-Owned Utility Poles in the Covered Areas

i. Annual Rate

The rate to place a *small wireless facility* on a *Town-owned pole* in *covered areas* shall be fifty ($50.00) dollars per year per wooden pole or two hundred ($200.00) dollars per year for all other *Town-owned poles*. This rate is in addition to reimbursement to the Town for any expenses for make-ready work. The Town reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to *Town-owned poles*. The rates specified in this section shall not apply to poles owned, or operated and accounted for as an asset of, a municipal electric utility.

ii. Cease Payment

A *wireless services provider* or the *wireless infrastructure provider* is authorized to remove its facilities at any time from a *Town-owned pole* in *covered areas* and cease paying the annual rate to the Town as of the next due date for payment following the removal.

iii. Make-Ready

For Town-owned utility poles in *covered areas*, the *applicant* shall reimburse the Town for expenses for any reasonable make-ready work. The Town shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested *small wireless facility*, including pole replacement if

necessary, within sixty (60) *days* after receipt of a completed request. Make-ready work including any pole replacement shall be completed within sixty (60) *days* of written acceptance of the good faith estimate by the *wireless services provider* or the *wireless infrastructure provider.*

iv. Municipal Utilities Excluded

Nothing in this section shall be construed to affect the authority of a municipal electric utility to deny, limit, restrict, or determine the rates, *fees*, terms, and conditions for the use of or attachment to a utility pole owned, or operated and accounted for as an asset of, a municipal electric utility.

Section 2. Severability.

In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance.

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 _____, 2019.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

_____
John J. McCann, Mayor

ATTEST:

_____
Krista M. Wiedmeyer, Town Clerk

First Reading:
Second Reading:

APPROVED AS TO FORM:

_____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

APPENDIX A

Existing Supplemental Review Districts:

1. Corridor Overlay (COR) District (Sec. 16-3-106.F)

PROPOSED ORDINANCE: 2019-26 ORDINANCE: 2019-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD, SOUTH CAROLINA, AUTHORIZING THE CONVEYANCE OF REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, UNDER THE AUTHORITY OF S. C. CODE ANN. § 5-7-40 (SUPP. 2019), AND § 2-7-20, *MUNICIPAL 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 owns real property located on U. S. Highway 278, being a part of Jenkins Island, and which is more particularly known and described as:

> All those certain pieces, parcels or lots of land, lying and being on Jenkins Island, Beaufort County, South Carolina, consisting of 50.395 acres and 30.694 acres, and which are shown and described on that certain Plat entitled "ALTA/ASCM Land Title Survey of Skull Creek Point, A Section of Jenkins Island," with said Plat being dated December 16, 1993, prepared by Terry G. Hatchell, SCRLS Number 11059, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, 48 at Page 57.
>
> All that certain piece, parcel or lot of land, lying and being on Jenkins Island, Beaufort County, South Carolina, consisting of 5.00 acres, and which is shown and described on that certain Plat entitled "ALTA/ASCM Land Title Survey of Skull Creek Point, A Section of Jenkins Island," with said Plat being dated December 16, 1993, prepared by Terry G. Hatchell, SCRLS Number 11059, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, 48 at Page 57.
>
> (A copy of the Plat recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 48 at Page 57 is attached hereto as Exhibit "A")

WHEREAS, The South Carolina Department of Transportation is planning to expand U. S. Highway 278 in The Town of Hilton Head Island, South Carolina, from Squire Pope Road west to the municipal limits of The Town of Hilton Head Island, South Carolina; and,

WHEREAS, The South Carolina Department of Transportation has requested a donation of real property from The Town of Hilton Head Island, South Carolina, to facilitate the expansion of U. S. Highway 278; and,

WHEREAS, the requested donation of real property is for a total of 4.716 acres, which is shown on the drawings attached hereto as Exhibit "B"; and,

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, finds that the planned expansion of U. S. Highway 278 from Squire Pope Road west to the municipal limits of The Town of Hilton Head Island, South Carolina, is in the best interests of The Town of Hilton Head Island, South Carolina, and its citizens, residents, property owners and visitors; and,

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, finds that the donation of real property to The South Carolina Department of Transportation to facilitate the expansion of U. S. Highway 278 from Squire Pope Road west to the municipal limits of The Town of Hilton Head Island, South Carolina, is in the best interest to The Town of Hilton Head Island, South Carolina, and its citizens, residents, property owners and visitors.

WHEREAS, under the authority of S. C. Code Ann. § 5-7-40 (Supp. 2019), and § 2-7-20, *Municipal Code of the Town of Hilton Head Island, South Carolina,* (1983, As Amended), any conveyance of real property owned by the Town of Hilton Head Island must be authorized by the adoption of an ordinance by the Town Council for the Town of Hilton Head Island, South Carolina.

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

Section 1. Execution and Delivery of a Deed for the Conveyance of Town Owned Property to The South Carolina Department of Transportation:

(a) The Mayor and Town Manager are hereby authorized to execute and deliver a deed for 4.716 acres, more or less, of real property owned by The Town of Hilton Head Island, South Carolina, which property is shown on the drawing attached hereto as Exhibit "B," with the conveyance being a portion of the real property that is known and described as follows:

> All those certain pieces, parcels or lots of land, lying and being on Jenkins Island, Beaufort County, South Carolina, consisting of 50.395 acres and 30.694 acres, and which are shown and described on that certain Plat entitled "ALTA/ASCM Land Title Survey of Skull Creek Point, A Section of Jenkins Island," with said Plat being dated December 16, 1993, prepared by Terry G. Hatchell, SCRLS Number 11059, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, 48 at Page 57.
>
> All that certain piece, parcel or lot of land, lying and being on Jenkins Island, Beaufort County, South Carolina, consisting of 5.00 acres, and which is shown and described on that certain Plat entitled "ALTA/ASCM Land Title Survey of Skull Creek Point, A Section of Jenkins Island," with said Plat being dated December 16, 1993, prepared by Terry G. Hatchell, SCRLS Number 11059, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, 48 at Page 57.

(b) The Mayor and Town Manager are authorized to take all other actions as are necessary and proper in order to complete the conveyance of real property described in this Ordinance, including the execution and delivery of any other document that may be needed to complete the conveyance.

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 its adoption 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 OCTOBER, 2019.

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By:_____
John J. McCann, Mayor

ATTEST:_____
Krista W. Wiedmeyer,
Town Clerk

First Reading: September 17, 2019

Second Reading:_____

Approved as to form:_____
Curtis L. Coltrane

Introduced by Council Member:_____

EXHIBIT "A" TO ORDINANCE 2019-26

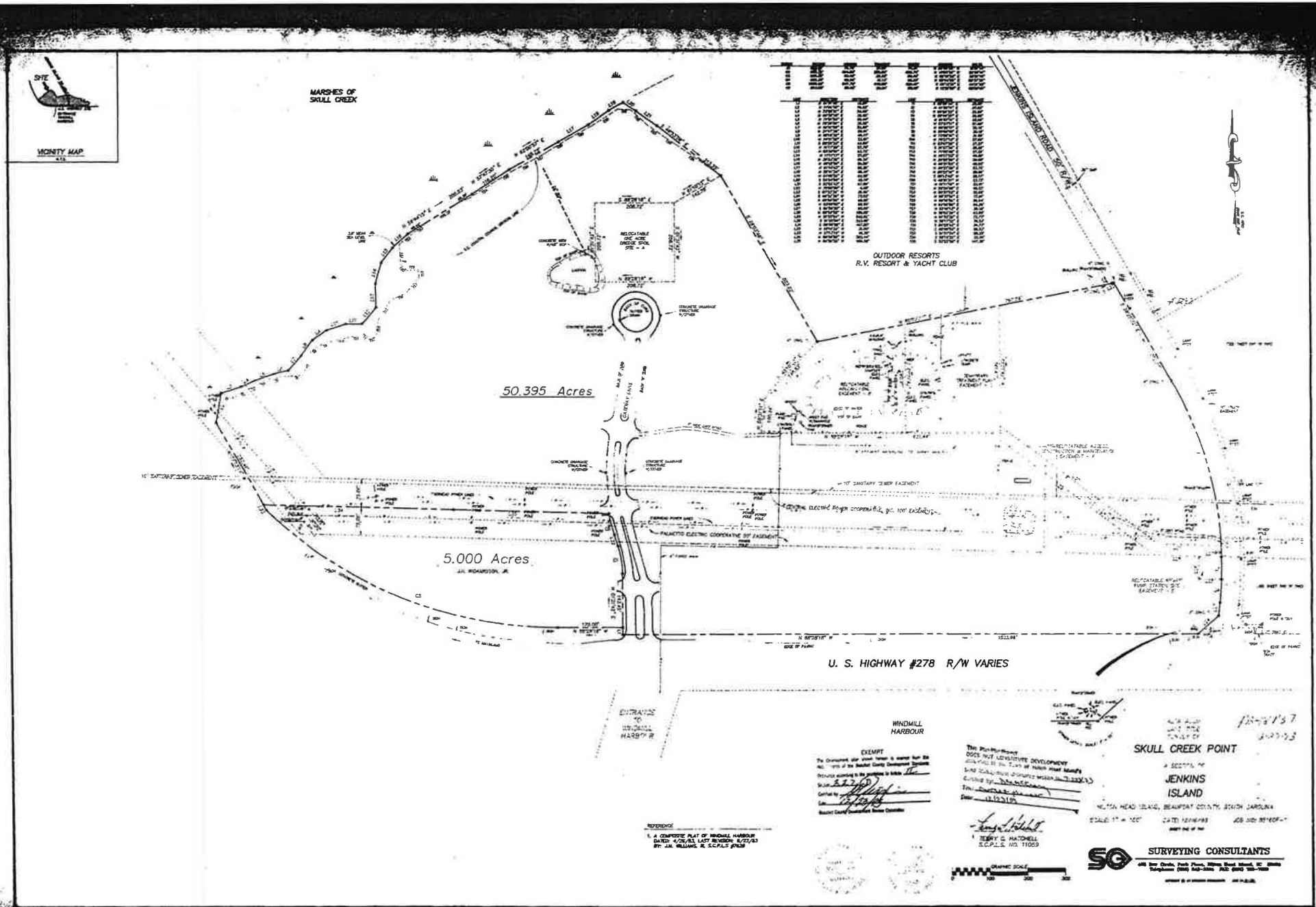

SITE
VICINITY MAP
MARSHES OF SKULL CREEK
OUTDOOR RESORTS
R.V. RESORT & YACHT CLUB
50.395 Acres
5.000 Acres
J.H. RICHARDSON, JR.
U. S. HIGHWAY #278 R/W VARIES
WINDMILL HARBOUR
EXEMPT
SKULL CREEK POINT
A SECTION OF
JENKINS ISLAND
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
SURVEYING CONSULTANTS

EXHIBIT "B" TO ORDINANCE 2019-26

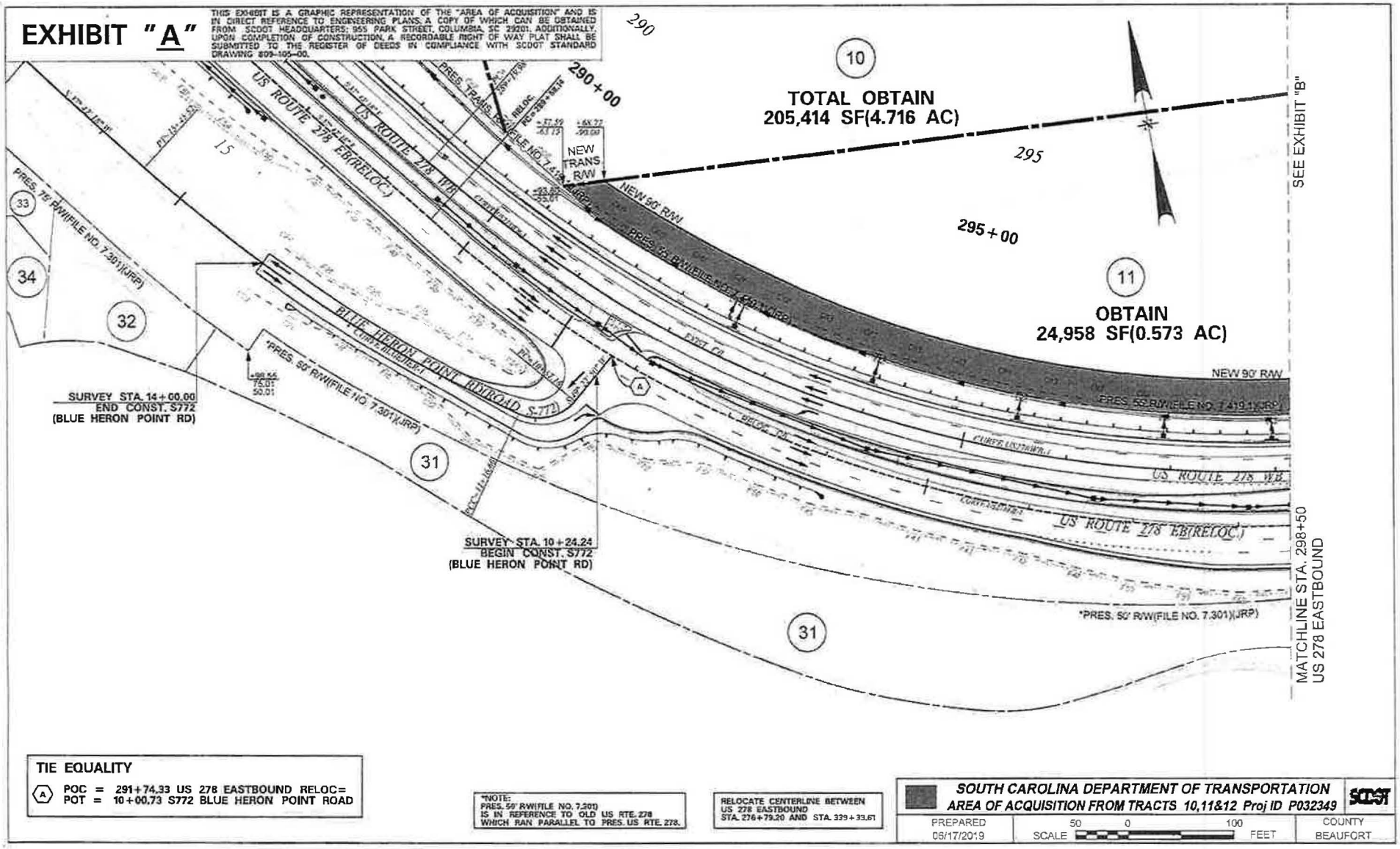


EXHIBIT "A"
THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS. A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS; 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 803-105-00.
290
290+00
10
TOTAL OBTAIN
205,414 SF(4.716 AC)
295
295+00
11
OBTAIN
24,958 SF(0.573 AC)
SEE EXHIBIT "B"
NEW TRANS R/W
NEW 90' R/W
PRES. 75' R/W(FILE NO. 7.301)(JRP)
PRES. 55' R/W(FILE NO. 7.419)(JRP)
US ROUTE 278 EB(RELOC.)
US ROUTE 278 WB
BLUE HERON POINT RAILROAD S-772
*PRES. 50' R/W(FILE NO. 7.301)(JRP)
SURVEY STA. 14+00.00
END CONST. S772
(BLUE HERON POINT RD)
SURVEY STA. 10+24.24
BEGIN CONST. S772
(BLUE HERON POINT RD)
MATCHLINE STA. 298+50
US 278 EASTBOUND
31
32
33
34
15
TIE EQUALITY
POC = 291+74.33 US 278 EASTBOUND RELOC=
POT = 10+00.73 S772 BLUE HERON POINT ROAD
*NOTE:
PRES. 50' R/W(FILE NO. 7.301)
IS IN REFERENCE TO OLD US RTE. 278
WHICH RAN PARALLEL TO PRES. US RTE. 278.
RELOCATE CENTERLINE BETWEEN
US. 278 EASTBOUND
STA. 276+79.20 AND STA. 339+33.61
SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACTS 10,11&12 Proj ID P032349
SCDOT
PREPARED
06/17/2019
SCALE
50 0 100
FEET
COUNTY
BEAUFORT

EXHIBIT "B"

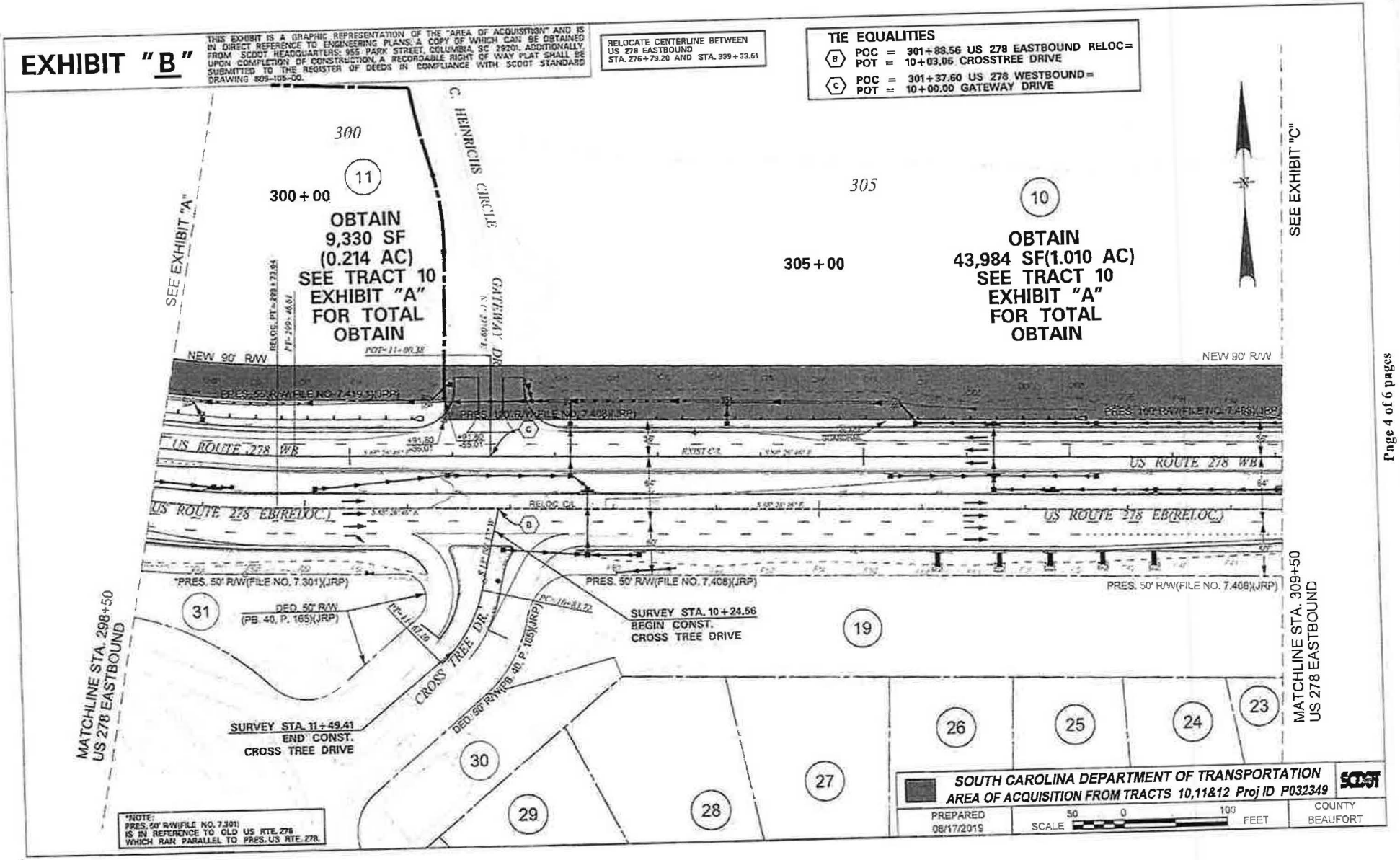
THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS. A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS: 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 809-105-00.

RELOCATE CENTERLINE BETWEEN US 278 EASTBOUND STA. 276+79.20 AND STA. 339+33.51

TIE EQUALITIES

(B) POC = 301+88.56 US 278 EASTBOUND RELOC=
POT = 10+03.05 CROSSTREE DRIVE

(C) POC = 301+37.60 US 278 WESTBOUND=
POT = 10+00.00 GATEWAY DRIVE



*NOTE:
PRES. 50' R/W(FILE NO. 7.301) IS IN REFERENCE TO OLD US RTE. 278 WHICH RAN PARALLEL TO PRES. US RTE. 278.

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACTS 10,11&12 Proj ID P032349

PREPARED	SCALE	COUNTY
06/17/2019	50 0 100 FEET	BEAUFORT

EXHIBIT "C"

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS. A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS; 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 803-105-00.

RELOCATE CENTERLINE BETWEEN US 278 EASTBOUND STA. 276+79.20 AND STA. 329+33.61

TIE EQUALITY

POC = 316+83.07 US 278 WESTBOUND =
POT = 10+00.00 S-298 JENKINS ROAD

SEE EXHIBIT "B"

SEE EXHIBIT "D"

310

315

320

10

OBTAIN
39,874 SF(0.915 AC)
SEE TRACT 10
EXHIBIT "A"
FOR TOTAL
OBTAIN

12

OBTAIN
18,943 SF(0.435 AC)
SEE TRACT 10
EXHIBIT "A"
FOR TOTAL
OBTAIN

310+00

315+00

320+00

JENKINS ROAD (S-298)

DED. 25' R/W(PB. 48, P.57)(JRP)

SURVEY STA. 11+80.00
END CONST.
S-298 (JENKINS ROAD)

NEW 90' R/W

NEW 110' R/W

PRES. TRANS. R/W (FILE NO. 7.408)(JRP)

DED. TRANS. R/W (PB. 48,P.57)(JRP)

PRES. 100' R/W(FILE NO. 7.408)(JRP)

US ROUTE 278 WB

EXIST. C/L

US ROUTE 278 EB(RELOC)

RELOC. C/L

PRES. 50' R/W(FILE NO. 7.408)(JRP)

SURVEY STA. 10+24.17
BEGIN CONST.
S-298 (JENKINS ROAD)

19

18

21

20

23

22

MATCHLINE STA. 309+50
US 278 EASTBOUND

MATCHLINE STA. 321+50
US 278 EASTBOUND

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACTS 10,11&12 Proj ID P032349

PREPARED	SCALE	COUNTY
06/17/2019	50 0 100 FEET	BEAUFORT

EXHIBIT "D"

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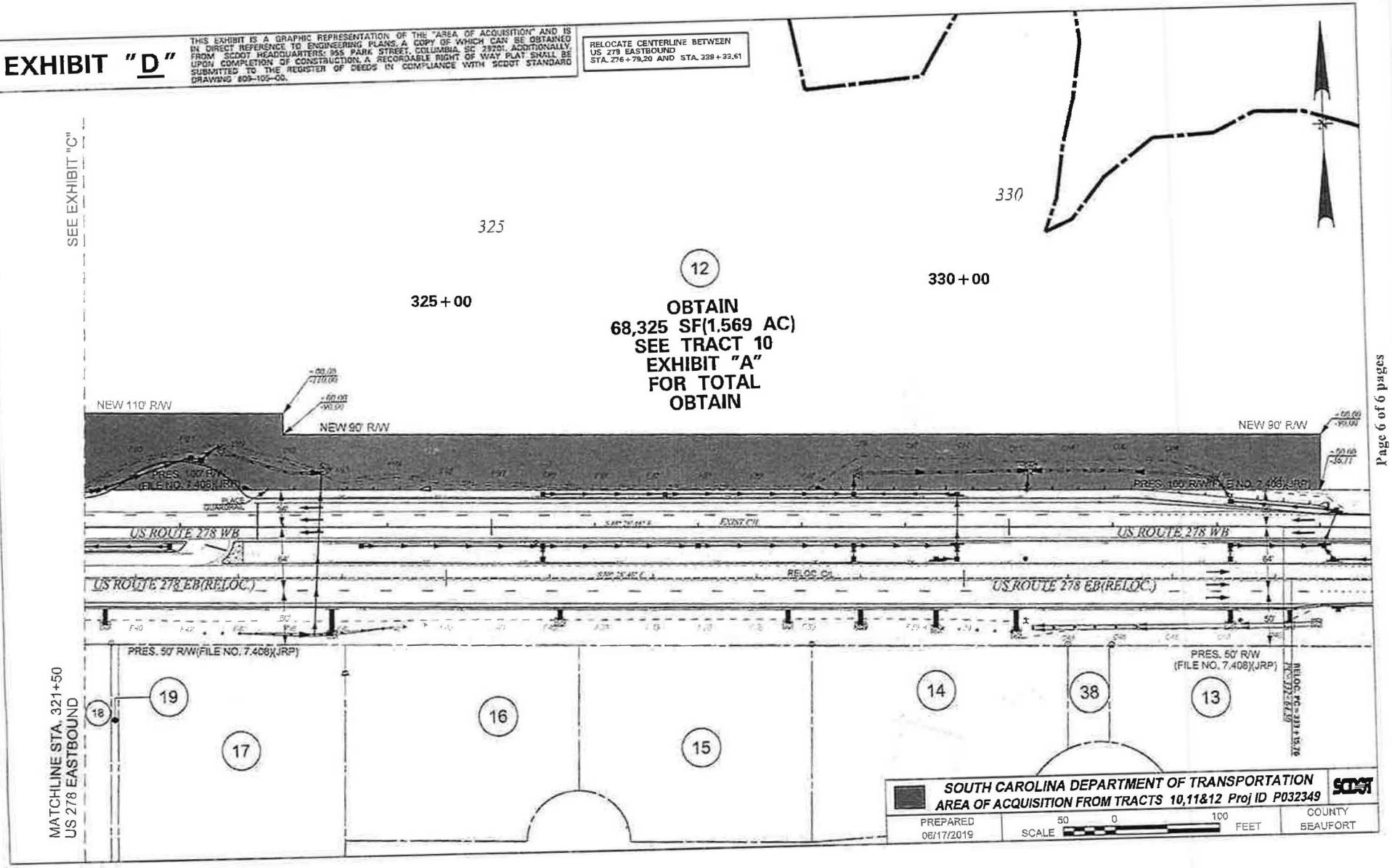
RELOCATE CENTERLINE BETWEEN US 279 EASTBOUND STA. 276+79.20 AND STA. 339+33.61



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA-CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Jennifer Ray, ASLA *Deputy Director of Community Development*
FROM: Sheryse DuBose, PhD, *Historic Neighborhoods Preservation Administrator*
CC: Jayme Lopko, AICP, *Senior Planner*
DATE: September 9, 2019
SUBJECT: Gullah Geechee Culture Preservation Project Report Acceptance

Recommendation: The Public Planning Committee recommends that Town Council accept the Gullah Geechee Culture Preservation Report (Report).

The Public Planning Committee met on August 19, 2019, to hear the Report recommendations, including staff approach. The Public Planning Committee voted 5-0-0 to forward the recommendations to Town Council for approval. Furthermore, that Town Staff and the Gullah Geechee Land and Cultural Preservation Task Force (Task Force) prioritize the Town Staff recommendations; the Town Manager develop a work plan with immediate emphasis on the highest priorities; the Town Manager include a status report, identify resources, and develop an accountable timeline from the Historic Neighborhoods Preservation Administrator.

The Planning Commission met on May 15, 2019 to review the Report recommendations and the response to the recommendations from the Task Force. The Planning Commission voted 5-0-0 to accept the Report as amended, with the recommendation to forward the Report to Town Council for acceptance and allocate $105,000 in funding for project implementation.

The Task Force met on April 22, 2019 to discuss the Report. The Task Force voted 7-0-1 to accept the Report and move it forward to the Town Council for acceptance. The Task Force met again May 7, 2019 and voted 6-0-0 to submit their response to the Report recommendations, along with prioritization of the recommendations and a request to allocate $105,000 in funding for project implementation, to Town Council for approval.

Summary: The Task Force worked with The Walker Collaborative (TWC) consulting firm to draft the attached Report, which contains recommendations for implementation that involve the Gullah Geechee community on Hilton Head Island. The recommendations contained in the Report that were deemed important by the Task Force fell under the three categories of Cultural Preservation, Public Policy, and Heirs Property.

In allowing the Town to move forward with implementing these recommendations, this effort would work towards preserving the historic Gullah Geechee communities that are still present on Hilton Head Island.

Per the direction of the Public Planning Committee, Staff worked with the Task Force to identify the top priorities out of the 34 recommendations included in the Report (See Exhibit A)

Background: In July 2018, the Town issued a Request for Proposal (RFP), selecting TWC to work with the Task Force to draft the attached Report for implementation. The main topics of focus, per the RFP, include cultural awareness, Heirs' Property, land use, economics and sustainability, education that is specific to the community, and other concerns.

Beginning in September 2018, the Task Force meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities stemmed into 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property. On April 22, 2019, the Task Force reviewed the recommendations from the consultant team and accepted the Report as amended. On May 7, 2019, the Task Force recommended forwarding the Report to Town Council for acceptance along with a request for $105,000 in funding for implementation. On August 19, 2019, the Public Planning Committee voted to forward the Report for acceptance from Town Council, with a request for priority of recommendations, a work plan, identification of resources, and a timeline for completed projects.

Exhibit A – Gullah Geechee Preservation Project Report Top Priority List
Exhibit B – Gullah Geechee Culture Preservation Project Report Staff Response August 2019
Exhibit C – Gullah Geechee Land & Cultural Preservation Task Force Response
Exhibit D - Gullah Geechee Culture Preservation Project Report

Gullah Geechee Preservation Project Report Top Priority List

The recommendations from the Gullah Geechee Preservation Project report identified as top priorities work to rectify threats to the Gullah Geechee presence on Hilton Head Island. The top recommendations focus on Heirs' Property and Land Preservation, understanding property regulations, establishing the Historic Gullah Neighborhoods Conservation Overlay district, and creating opportunities for the Gullah community. Priorities in the category listed as "Other," is purposed for cultural preservation and knowledge.

Heirs' Property/Land Preservation			
	Recommendation	**Time Period**	**Notes**
1.	**HP-3** Encourage Center for Heirs' Property Preservation (CHPP) to Open Satellite Office	Short Term	1. Short Term – arrange for trips to Beaufort 2. Long Term – permanent resource on Hilton Head
2.	**HP-2** Leverage local, state, and national organizations to address Heirs' Property	Mid Term	
3	**CP-1** Promote Heritage Library to research history and genealogy	Short Term	
4	**HP-1** Utilize Heritage Library as a first step to clear land title	Short Term	Goes with **CP-1** and is necessary to clear land titles.
5	**HP-4*** NIBCAA work with the CFL create a fund to clear property titles	Mid Term	
6	**PP-11** Fund for Delinquent Taxes	Short Term	Necessary to preserve remaining Gullah property.
Understanding Property Regulations			
	Recommendation	**Time Period**	**Notes**
7	**PP-12** Program to Educate Gullah Residents on Policy – Taxes, Land Use, Development	Short Term	
8	**PP-3** HNPA to work with Gullah property and business owners to assist with Town Regulations	Long Term	Occurs presently

Note: * denotes Gullah Geechee Task Force Recommendation

Historic Gullah Neighborhoods Conservation Overlay District			
	Recommendation	**Time Period**	**Notes**
9	**PP-4** Designate Historic Gullah Neighborhoods Conservation Overlay District	Long Term	
	a. **PP-6** Provide greater flexibility for ROWs and drainage easements	Mid Term	Associated with Overlay District
	b. **PP-2** "Fast Track" Development Review Process	Mid Term	Associated with Overlay District
	c. **PP-5** Add Family Compound Provisions to Land Management Ordinance	Long Term	Associated with Overlay District
Economic Opportunities			
	Recommendation	**Time Period**	**Notes**
10	**CP-14** Establish Open-Air Market for Gullah Products	Short Term	1. Town has resources 2. Enough time for vendors to be ready for spring 3. Opportunity for extra money to be raised in time for tax sale, which goes with **PP-11**
11	**PP-14** Program for temporary or seasonal signs to promote economic opportunities for Gullah businesses and residents	Mid Term	Compliant signs lead to economic opportunities, which can lead to land preservation
Other			
	Recommendation	**Time Period**	**Notes**
12	**CP-17** Recognize Gullah Churches to be Source of Leadership and Communication	Short Term	Positioned to share information on education and events that benefit community.
13	**CP-7** Program to educate Town officials, teachers, and others on Gullah history and culture	Long Term	1. Establish program to educate Town 2. Long Term to include in public school curriculum.

Note: * denotes Gullah Geechee Task Force Recommendation

Gullah Geechee Culture Preservation Project Report
Staff Response August 2019

Cultural Preservation

Research, Education, and Interpretation

CP-1

Promote the use of the Heritage Library Foundation's resources with the Island's Gullah People to encourage them to research their history and genealogy.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Short Term).

Staff Response

Staff would work to determine if the Heritage Library is able to provide services for free or at a reduced cost as well as research opportunities to partner with other organizations (Short Term).

CP-2

Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. The Historic Neighborhoods Preservation Administrator (HNPA) should assist the Senior Grants Administrator (Long Term).

Staff Response

Staff recommends creating a list of grants to address expanding cultural programs (Short Term).

The Town's Office of Cultural Affairs (OCA) and the HPNA will support the Senior Grants Administrator in researching and executing fundraising efforts (Long Term).

CP-3

Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. This could start with the Town's OCA, but could evolve into something the neighborhoods or community organization can take over (Long Term).

Staff Response

Storytellers of the Gullah Geechee culture should be encouraged to relay their individual experiences in order to provide personal and different perspectives of the culture. OCA is currently involved with a historical panel representation aided by members of the Gullah Museum and the Mitchelville Preservation Project to ensure accurate presentation (Mid Term).

Short Term (Up to 1 Year); Mid Term (1-2 Years); Long Term (2+ Years)

Cultural Preservation (cont.)

CP-4

Develop a self-guided tour of the Island's Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretative experiences can be available.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. The OCA should work with the HNPA to create. There is also a recommendation for the Town Council to provide funding ($25k) (Long Term).

Staff Response

The HNPA will work with the OCA to extend the already established cultural trail to include historically accurate Gullah Geechee sites that will also utilize digital technology (Long Term).

CP-5

Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. The OCA should would with the Historic Neighborhoods Preservation Administrator to create. There is also a recommendation for the Town Council to provide the funding for the design ($5k) (Short Term).

Staff Response

Staff agrees that the OCA and HPNA would work together on the wayfinding and exhibit system. A sign plan would be established by Town staff to ensure that wayfinding signs are cohesive with other designs for signage and include nature-blending colors (Short Term).

Cultural Preservation (cont.)

CP-6

Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. HNPA should lead this effort with assistance from the OCA. Paid training is needed to ensure the story is consistent. Recommend Town Council provide funding for training ($10k) (Short Term).

Staff Response

Projects should be established for school-aged children with parental guidance to question older relatives. Because a relationship has already been established between the child(ren) and older Gullah Geechee relatives, this would establish a comfortable setting for passing along the story. Additionally, the storytelling provides the ability for the older Gullah Geechee Islanders to foster cultural ties with the younger generations, which coincides with recommendation CP-8. Staff recommends utilizing the Heritage Library, Penn Center, and the Mitchelville Preservation Project to collect and digitize the personal histories. The HNPA would assist in coordinating this project (Long Term).

CP-7

Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. HNPA should lead this effort with assistance from the OCA and Gullah organizations on the island, not just the Gullah Museum (Short Term).

Staff Response

Staff will identify Gullah Geechee citizens to formulize a cultural and historical training module. Staff recommends including Gullah Geechee history and culture training sessions for new hires and newly elected positions for the Town of Hilton Head. The HNPA would assist in this effort (Short Term).

Gullah Geechee culture and history also needs to be included in the South Carolina educational standards as a part of the curriculum for South Carolina History. Civil War/Reconstruction curriculum for United States History should include the history of the Mitchelville Settlement and the current preservation efforts of the Mitchelville Preservation Park. The HNPA would assist in this effort (Long Term).

Cultural Preservation (cont.)

CP-8

Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. HNPA should lead this effort with assistance from the OCA (Short Term).

Staff Response

OCA will lead in the technology efforts that are currently underway for better interaction. Staff can assist in publicizing its availability (Short Term).

Heritage Tourism

CP-9

Coordinate promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. The Chamber's Visitor and Convention Bureau (VCB) should promote more than just the Gullah Celebrations (Short Term).

Staff Response

This recommendation should be referred to the Hilton Head Island – Bluffton Chamber of Commerce (Short Term).

CP-10

Promote the Gullah culture and the cultural resources more prominently within the Island's overall tourism market to attract more visitors to the island and, in particular, to the Island's Gullah sites.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. The VCB should conduct year-round promotion of the Gullah culture. Recommend Town Council provide funding to the Beaufort County Black Chamber to assist with the promotion of Gullah heritage tourism (Short Term).

Staff Response

This recommendation should be referred to Hilton Head Island – Bluffton Chamber of Commerce or the Beaufort County Black Chamber of Commerce (Short Term).

Cultural Preservation (cont.)
CP-11 Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success. Gullah Geechee Task Force/Planning Commission Response Agree with this recommendation (Short Term) Staff Response While the Beaufort County Black Chamber of Commerce offers technical and financial support for Gullah Geechee businesses, their services are limited due to funding. Staff recommends working with the Native Island Business and Community Affairs Association (NIBCAA) who can provide support to implement this recommendation (Mid Term).
CP-12 Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based on adopted criteria. Gullah Geechee Task Force/Planning Commission Response Agree with this recommendation (Short Term) Staff Response This recommendation should be referred to the Gullah Geechee Cultural Heritage Corridor Commission. Staff also recommends that NIBCAA be involved in this program (Long Term)
CP-13 Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts 7 Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island. Gullah Geechee Task Force/Planning Commission Response Agree with this recommendation (Short Term) Staff Response This recommendation should be referred to the Hilton Head Island – Bluffton Chamber of Commerce, Beaufort County Black Chamber of Commerce, and NIBCAA to implement (Short Term).

Cultural Preservation (cont.)

CP-14

Establish an open-air market as a pilot program to sell food, arts, and crafts tied to Gullah culture as an economic development initiative for the island's Gullah community.

Gullah Geechee Task Force/Planning Commission Response

Agree. HNPA should lead with assistance from NIBCAA and assistance with promotion from the OCA. The HNPA should further discuss this with the Gullah community and Task Force before a location is determined (Short Term).

Staff Response

Staff recommends establishing the open air market at a small Town of Hilton Head location such as the Squire Pope Community Center, with the focus being on promoting the event. The Town of Hilton Head Island would be in charge of applications for prospective vendors at minimal cost. In understanding that the open air market is not a flea market, but a market for promoting Gullah Geechee culture and establishing economic development opportunities for said community, the following provisions should be stipulated:

1. Vendors must live within the established Gullah Geechee Historic Neighborhoods.
2. Wares are restricted to:
    a. Foods that are homegrown/freshly caught and/or Gullah Geechee traditional dishes;
    b. Authentic Gullah/Geechee handmade arts and crafts;
    c. Other authentic products of Gullah Geechee tradition.

Dates and times for the open air market will be advertised on the Town website and on social media sites in addition to utilizing other media sources. Larger venues can be explored as participation and interest grow for the event. The HNPA with assistance from NIBCAA would work towards establishing the open air market (Short Term).

Preservation Planning

CP-15

Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. Recommend Town Council provide funding for the comprehensive inventory of cultural resources ($15k). This may be just an enhancement of what we already have in place (Long Term).

Staff Response

Staff will evaluate the need for an outside consultant to conduct the cultural inventory of Gullah history and culture for Hilton Head Island (Long Term).

Cultural Preservation (cont.)
CP-16 Prepare a comprehensive and detailed cultural preservation plan for the island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon potential preservation benefits of this project. Gullah Geechee Task Force/Planning Commission Response Agree with this recommendation. Recommend Town Council provide funding for a cultural preservation plan for the Island ($50k) (Long Term) Staff Response Staff will evaluate the need for an outside consultant to prepare the cultural preservation plan that includes a focus on Gullah Geechee historic and cultural preservation (Long Term).
CP-17 Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives. Gullah Geechee Task Force/Planning Commission Response Agree with this recommendation (Short Term). Staff Response Staff understands the leadership and communication role of the Gullah Geechee Churches and they will be regarded in any outreach that impacts the aforementioned community (Short Term).
CP-18 Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property. Gullah Geechee Task Force/Planning Commission Response Agree with this Recommendation (Short Term) Staff Response Staff will direct Gullah Geechee property owners in the historic communities to South Carolina Real Estate Association (SCREA), the Urban Land Institute (ULI), Commercial Real Estate Development Association (NAIOP) and the National Association of Home Builders (NAHB) mentioned in the Preservation Project Report for the purpose of providing education Staff recommends the possibility of also utilizing NIBCAA to support this effort (Mid-Term).

Cultural Preservation (cont.)
CP-19 *Task Force Recommendation/Planning Commission Approval*[1] Recognize the Island's Gullah-associated cemeteries as an important facet of Gullah culture to ensure that they are preserved (Short Term). Staff Response Staff understands that the Gullah Geechee cemeteries are important and will research the legal means to ensure preservation (Short Term).
Continued on next page.

[1] CP-19 is a recommendation directly from the Gullah Geechee Land and Cultural Preservation Task Force.

Short Term (Up to 1 Year); Mid Term (1-2 Years); Long Term (2+ Years)

Public Policies

Developmental Approval Process

PP-1

Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. Recommend the Land Management Ordinance (LMO) be changed to waive application fees for the Overlay District. Recommend Town Council establish a fund to assist primarily single-family applicants of low-income status with impact fees (Mid Term).

Staff Response

Staff will establish criteria to waive fees for development applications for properties that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District. Before adjusting/waiving impact fees can be considered, the limitations with state law need to be researched (Long Term).

PP-2

"Fast Track" the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners' time and costs associated with development.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Mid Term).

Staff Response

Staff agrees with the recommendation (Long Term).

PP-3

Utilize the Town's newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.

Gullah Geechee Task Force/Planning Commission Response

Agree with this Recommendation (Mid Term)

Staff Response

Staff agrees with the recommendation (Long Term).

Public Policies (cont.)

Land Use and Development Standards

PP-4

Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.

Gullah Geechee Task Force/Planning Commission Response

Staff needs to test design standards to see what could be achieved on Gullah properties (Mid Term).

Staff Response

Staff could consider creating a Historic Gullah Neighborhoods Conservation Overlay District to address the issues in the LMO that impact properties in terms of zoning, buffers, setbacks, and density requirements. These improvements *may or may not* include:

1. Prior to establishing the overlay district, and where possible, rezone the properties in the Gullah Geechee Historic Districts from RM-4 to RM-8 in order to raise the allowable density requirements. Currently the LMO requires that RM-4 zoning allows four dwelling units (DU) per net acre (6 DU are allowed for lots that are at least 3 acres and 8 DU if the lot area is at least 5 acres). RM-8 zoning allows 8 units per acre. Rezoning the properties to where higher densities are allowed addresses the need to place multiple homes on smaller lots, which is a characteristic of single family neighborhoods in the historic communities.
2. Reducing buffers and setbacks 20 to 10 feet may be considered on internal roads within small subdivisions.
3. Establishing open space is not a requirement for small subdivisions, however increasing the allowable impervious surfaces may be taken under consideration in the proposed overlay district.
4. Height of the structures may compensate for lack of allowable width on the small lots, however height may not exceed 45 ft., which is allowable in RM-8, Marshfront (MF), and Stoney (S) historic districts.

As a public benefit, applicants who wish to develop within the proposed Historic Gullah Neighborhoods Conservation Overlay District would be encouraged to donate to the Town easements or ROW in order to provide adequate infrastructure to serve development in the area (Long Term).

Public Policies (cont.)

PP-5

Add Family Compound provisions to LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family, "paper subdivisions."

Gullah Geechee Task Force/Planning Commission Response

Agree. Additional opportunities are as follows:

1. To add flexibility, create a waiver from design standards similar to what exists for nonconformities.
2. Increase the number of lots permitted before a major subdivision is required. This would take away infrastructure and open space requirements. Look at a possibility of a sliding scale.

(Mid Term)

Staff Response

Staff may consider adding a Family Compound provisions to the LMO with the following requirements:

1. The property has been owned by a single family for no less than 50 years.
2. Family is defined as spouse; parent(s) and their child(ren); a group of persons related by blood; a group descended from a common ancestor, as in extended family. Persons dwelling in the family compound as defined by proposed compound standards must be related to the property owner by blood, marriage, or adoption.
3. The property can be subdivided without infrastructure with the condition that there is an easement to access the property.
4. The property may be sold or leased to someone within the family.
5. The property cannot be sold or leased for 5 years to someone outside of the family after being established as a family compound.
6. After 5 years, if the property is sold to someone outside of the family, it is the responsibly of the family selling the property to upgrade the infrastructure to meet LMO requirements.

(Mid Term)

Public Policies (cont.)

PP-6

Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conversation Overlay District to make the development of some properties more viable.

Gullah Geechee Task Force/Planning Commission Response

Agree in part. There is no negative impact from drainage easements so they should not be included in this recommendation. Right-of-way takes away land and density in already developed areas (ex. Where dirt exists). Recommend Town Council support changing the LMO to not take away density when property for a right-of-way (ROW) is donated to the Town
(Mid Term).

Staff Response

Currently, the LMO defines a small lot division as having from two to five homes and only requires an access easement. The placement of an additional home on lots that already have five homes requires the owner to upgrade the easement to at least a 40-foot right-of-way, accommodating buffers and setbacks. In addition to the expense, property owners are concerned that establishing a ROW will impact the allowable density for the property negating the ability to place an additional home. The Community Development Department is currently in the process of amending the requirements, which specify that lot density will be not be impacted when a ROW is required to place additional homes as a stipulation in the Dirt Road Paving Program (Mid Term).

PP-7

Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Long Term)

Staff Response

Further research by staff is required to assess how transferring the development rights of property will ultimately impact the property owner, as well as impact the development of the Island overall. Additional legal council may be involved in the implementation of this recommendation (Long Term).

Public Policies (cont.)

PP-8

Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

Gullah Geechee Task Force/Planning Commission Response

Agree. Families will not lose their land and they will receive funding for density sold; however, they will lose that density for future development potential (Mid Term).

Staff Response

Further research by staff is required to assess how selling the development rights of property will ultimately impact the property owner, as well as impact the development of the Island overall. Additional legal council may be involved in the implementation of this recommendation (Long Term).

PP-9

Amend the Town's Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Mid Term)

Staff Response

In preserving the historic characteristics of Hilton Head Island, staff recommends pre-approved design guidelines within the proposed Historic Gullah Geechee Neighborhoods Overlay District that addresses authentic materials, colors, and other details that are characteristics of Gullah Geechee culture to be determined and addressed in the Town of Hilton Head Island Design Guide. These historic designs also should be determined and included as a part of the Town LMO requirements (Mid Term).

PP-10

Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Long Term).

Staff Response

Staff would defer to this recommendation to the Beaufort County Tax Assessor (Long Term).

Public Policies (cont.)

PP-11

Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on Hilton Head Island.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. NIBCAA is needed on the island and they can partner with Community Foundation of the Low Country (CFL) to create this fund. The HNPA should assist with providing information and communication (Short Term).

Staff Response

Staff agrees with this recommendation. In addition, the HNPA can work with NIBCAA to assist with implementation (Short Term).

Other Issues

PP-12

Establish a program to educate Gullah residents and others on a wide range of policy issues that impact their lives, including property taxation, land use and development, and heirs property so they can prosper more socially and financially.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation. Continue the current program and expand as needed (Short Term).

Staff Response

Staff agrees with this recommendation (Short Term).

PP-13

Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Long Term).

Staff Response

Staff refers this recommendation to NIBCAA (Long Term).

Public Policies (cont.)

PP-14

Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Mid Term)

Staff Response

Staff recommends developing temporary wooden seasonal signs that are in compliance with the Town sign ordinance. The signs will be stored and distributed to Gullah businesses from the NIBCAA offices. Staff will also be responsible for processing temporary sign applications for prospective Gullah businesses (Mid Term).

Heirs' Property

HP-1

Utilize the Heritage Library Foundation as a potential first step for Gullah families towards clearing title to their property to overcome heirs' property issues.

Gullah Geechee Task Force/Planning Commission Response

Agree with a change in wording: Utilize the Heritage Library Foundation as a potential resource for Gullah families toward clearing title to their property to overcome heirs' property issues (Short Term).

Staff Response

Staff agrees with utilizing the Heritage Library Foundation as a resource to clear title to property. Staff recommends researching additional sources for information and assistance. The HPNA will assist in coordinating this process (Short Term).

HP-2

Leverage a range of local, state, and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Mid Term).

Staff Response

Staff agrees with this recommendation (Mid Term).

Heirs' Property (Cont.)

HP-3

Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources to make their resources more readily available to Hilton Head Island's Gullah community.

Gullah Geechee Task Force/Planning Commission Response

Agree with this recommendation (Short Term)

Staff Response

The Center for Heirs' Property Preservation (CHPP) is a non-profit organization based in Charleston, SC that serves Allendale, Bamberg, Beaufort, Berkley, Charleston, Clarendon, Colleton, Dorchester, Hampton, Georgetown, Jasper, Orangeburg, Sumter, and Williamsburg counties. For property owners who do not exceed the lower income requirements, the organization will conduct land title searches, prepare necessary legal documents, schedule land surveys, request legal hearings, and represent land owners in court. Once a month, CHPP sends staff to Beaufort to work with property owners that meet their lower income requirements.

Staff can assist with enabling land owners with heirs' property that meet the income requirements to obtain information and assistance from the CHPP staff in Beaufort (Short Term).

Staff recommends creating an heirs' property resource center locally to be convenient to property owners who are unable to make the trip to Beaufort and as a way to also assist property owners of all income brackets (Long Term).

HP-4

Task Force Recommendations/Planning Commission Approval[2]

The Task Force recommends that NIBCAA work with the CFL to set up a fund to help pay for the cost of clearing title to heirs' property (Short Term).

Staff Response

Staff agrees with this recommendation (Mid Term).

[2] HP-4 is a recommendation directly from the Gullah Geechee Land and Cultural Preservation Task Force.

Gullah Geechee Land & Cultural Preservation Task Force
Response to the Gullah Geechee Culture Preservation Project Report

CULTURAL PRESERVATION

The Historic Neighborhoods Preservation Administrator (HNPA) should play a role in each of these recommendations whether it be leading the effort, providing education or assistance, or in communication.

The Gullah Geechee Land & Cultural Preservation Task Force (Task Force) recommends that Town Council create an Advisory Committee to work with the HNPA to accomplish these recommendations.

Research, Education & Interpretation

CP-1. Promote the use of the Heritage Library Foundation's resources with the Island's Gullah people to encourage them to research their history and genealogy.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

CP-2. Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.

TF Response: Agree with this recommendation. HNPA should assist the Senior Grants Administrator. ***(Long Term)***

CP-3. Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.

TF Response: Agree with this recommendation. This could start with the Town's Office of Cultural Affairs (OCA) but could evolve into something the neighborhoods or community organization can take over. ***(Long Term)***

CP-4. Develop a self-guided tour of the Island's Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretive experiences can be available.

TF Response: Agree with this recommendation. The OCA should work with HNPA to create. Recommend Town Council provide funding for this ($25k). ***(Long Term)***

CP-5. Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.

TF Response: Agree with this recommendation. The OCA should work with HNPA to create. Recommend Town Council provide funding for design ($5k). ***(Short Term)***

Short Term (up to 1 year); Mid Term (1-2 years); Long Term (2+ years)

CP-6. Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.

TF Response: Agree with this recommendation. HNPA should lead this effort with assistance from the OCA. Paid training is needed to ensure the story is consistent. Recommend Town Council provide funding for training ($10k). ***(Short Term)***

CP-7. Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.

TF Response: Agree with this recommendation. HNPA should lead this effort with assistance from the OCA and Gullah organizations on the island, not just the Gullah Museum. ***(Short Term)***

CP-8. Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.

TF Response: Agree with this recommendation. HNPA should lead this effort with assistance from the OCA. ***(Short Term)***

Heritage Tourism

CP-9. Coordinate the promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.

TF Response: Agree with this recommendation. The Chamber's Visitor and Convention Bureau (VCB) should promote more than just the Gullah Celebration. ***(Short Term)***

CP-10. Promote the Gullah culture and cultural resources more prominently within the Island's overall tourism marketing to attract more visitors to the Island and, in particular, to the Island's Gullah sites.

TF Response: Agree with this recommendation. The VCB should conduct year-round promotion of the Gullah culture. Recommend Town Council provide funding to the Beaufort County Black Chamber to assist with promotion of Gullah heritage tourism. ***(Short Term)***

CP-11. Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

CP-12. Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based upon adopted criteria.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

CP-13. Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts & Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

CP-14. Establish an open-air market as a pilot program to sell food, arts and crafts tied to Gullah culture as an economic development initiative for the Island's Gullah community.

TF Response: Agree with this recommendation. HNPA should lead with assistance from NIBCAA and assistance with promotion from the OCA. The HNPA should further discuss this with the Gullah community and Task Force before a location is determined. ***(Short Term)***

Preservation Planning

CP-15. Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.

TF Response: Agree with this recommendation. Recommend Town Council provide funding for the comprehensive inventory of cultural resources ($15k). This may be just an enhancement of what we already have in place. ***(Long Term)***

CP-16. Prepare a comprehensive and detailed cultural preservation plan for the Island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon the potential preservation benefits of this project.

TF Response: Agree with this recommendation. Recommend Town Council provide funding for a cultural preservation plan for the Island ($50k). ***(Long Term)***

Other Issues

CP-17. Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

CP-18. Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property.

TF Response: Agree with this recommendation with new wording: Identify a process to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with leasing, developing or selling their property. ***(Short Term)***

Additional Task Force Recommendation

CP-19. Recognize the Island's Gullah-associated cemeteries as an important facet of Gullah Culture to ensure that they are preserved. ***(Short Term)***

PUBLIC POLICIES

The Historic Neighborhoods Preservation Administrator (HNPA) should play a role in each of these recommendations whether it be leading the effort, working with other Town staff, working with other organizations, or in communication.

These recommendations do not apply to heirs' property; however, they can be used as an incentive to encourage families to start the process of clearing title to their property.

Development Approval Process

PP-1. Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

TF Response: Agree with this recommendation. Recommend the LMO be changed to waive application fees for the Overlay District. Recommend Town Council establish a fund to assist primarily single-family applicants of low-income status with impact fees. ***(Mid Term)***

PP-2. "Fast-track" the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners' time and costs associated with development.

TF Response: Agree with this recommendation, no change. ***(Mid Term)***

PP-3. Utilize the Town's newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.

TF Response: Agree with this recommendation, no change. ***(Mid Term)***

Land Use & Development Standards

PP-4. Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.

TF Response: Agree with this recommendation, no change. Staff needs to test design standards to see what could be achieved on Gullah properties. ***(Mid Term)***

A. Allow higher densities for the RM-4 and MF zoning districts in the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can better leverage their potential land value.

TF Response: Agree with this recommendation, no change. Impervious coverage and height may need to be evaluated in order to maximize the permitted density. ***(Mid Term)***

B. Reduce some setback and buffer requirements within zoning districts applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can maximize their development potential.

TF Response: Agree with this recommendation. Elimination of setbacks and buffers should be included as an option. Setbacks and buffers on access easements are also a problem and should be considered for reduction or elimination. ***(Mid Term)***

C. Reduce the LMO's open space requirements as applied to the proposed Historic Gullah Neighborhoods Conservation Overlay Zoning District so that land owners can maximize their development potential.

TF Response: Agree with this recommendation. This may only be needed if buffers are reduced or eliminated. ***(Mid Term)***

PP-5. Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."

TF Response: Agree with this recommendation with additional opportunities:

- *To add flexibility, create a waiver from design standards similar to what exists for nonconformities.*
- *Increase the number of lots permitted before a major subdivision required. This would take away infrastructure and open space requirements. Look at possibility of a sliding scale for this.* ***(Mid Term)***

PP-6. Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conservation Overlay District to make the development of some properties more viable.

TF Response: Agree with part of this recommendation. There is no negative impact from drainage easements so they should not be included in this recommendation. Right-of-way takes away land and density in already developed areas (ex. where dirt roads exist). Recommend Town Council support changing the LMO to not take away density when property for a right-of-way is donated to the Town. ***(Mid Term)***

PP-7. Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

TF Response: Agree with this recommendation, no change. ***(Long Term)***

PP-8. Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

TF Response: Agree with this recommendation, no change. Families will not lose their land and they will receive funding for density sold; however, they will lose that density for future development potential. ***(Mid Term)***

PP-9. Amend the Town's Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.

TF Response: Agree with this recommendation, no change. ***(Mid Term)***

Property Taxes

PP-10. Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.

TF Response: Agree with this recommendation, no change. ***(Long Term)***

PP-11. Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on the Hilton Head Island.

TF Response: Agree with this recommendation. NIBCAA is needed on the island and they can partner with CFL to create this fund. The HNPA should assist with providing information and communication. ***(Short Term)***

Other Issues

PP-12. Establish a program to educate Gullah residents and others on a wide range of public policy issues that impact their lives, including property taxation, land use and development, and heirs' property so they can prosper more socially and financially.

TF Response: Agree with this recommendation, no change. Continue the current program and expand as needed. ***(Short Term)***

PP-13. Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

TF Response: Agree with this recommendation, no change. ***(Long Term)***

PP-14. Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.

TF Response: Agree with this recommendation, no change. ***(Mid Term)***

HEIRS' PROPERTY

The Historic Neighborhoods Preservation Administrator (HNPA) should play a role in each of these recommendations whether it be leading the effort, working with other Town staff, working with other organizations, or in communication.

HP-1. Utilize the Heritage Library Foundation as a potential first step for Gullah families toward clearing title to their property to overcome heirs' property issues.

TF Response: Agree with this recommendation with a change to the wording: Utilize the Heritage Library Foundation as a potential resource for Gullah families toward clearing title to their property to overcome heirs' property issues. ***(Short Term)***

HP-2. Leverage a range of local, state and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.

TF Response: Agree with this recommendation, no change. ***(Mid Term)***

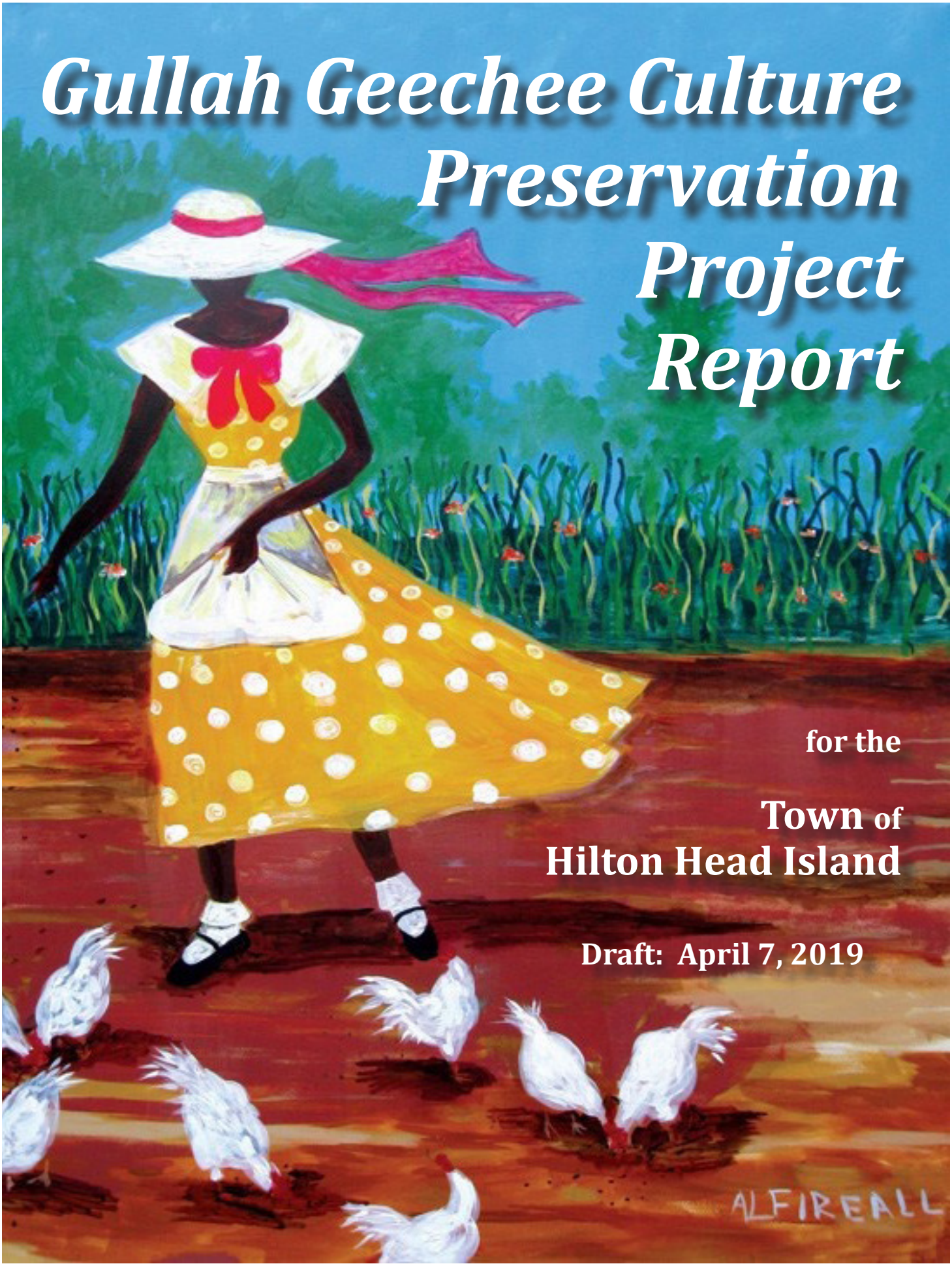
HP-3. Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources more readily available to Hilton Head Island's Gullah community.

TF Response: Agree with this recommendation, no change. ***(Short Term)***

Additional Task Force Recommendation

HP-4. The Task Force recommends that NIBCAA work with the CFL to set up a fund to help pay for the costs of clearing title to heirs' property. ***(Short Term)***

Gullah Geechee Culture Preservation Project Report



for the

Town of Hilton Head Island

Draft: April 7, 2019

Acknowledgements

Hilton Head Island Town Council
- John J. McCann, Mayor
- William D. Harkins, Mayor Pro-Tem
- David Ames
- Tamara Becker
- Marc Grant
- Thomas W. Lennox
- Glenn Stanford

Hilton Head Island Planning Commission
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DRAFT

PROJECT PURPOSE, PROCESS & CLARIFICATIONS

Project Purpose

A century ago, Hilton Head Island was dominated by the Gullah Geechee people. Because of years of geographic and social isolation, their distinct culture reflects their West African roots in many ways, including language, crafts, foodways, storytelling, traditions, farming, fishing, and relationship to the land. However, following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture. Because of the alarming decrease in their percentage of population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force in 2017. Their stated mission is to:

> *"… identify and assist in the preservation of the Gullah-Geechee culture for the purpose of detecting and resolving issues specific to its community, including, without limitation, heirs' property, taxes and land use, economic and sustainability issues for an improved quality of life, and through on-going educational programs, workshops and seminars."*

Accordingly, there are three primary purposes for this project:

- *Create a broad strategy for Gullah Geechee cultural preservation,* to include resource preservation and enhancement, interpretation, and heritage tourism.
- *Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies* to better accommodate the use and development of Gullah lands.
- *Identify tools for addressing the heirs' property issues,* which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.

The balance of this Executive Summary provides an overview of the report's recommendations.

CULTURAL PRESERVATION

Research, Education & Interpretation

CP-1. Promote the use of the Heritage Library Foundation's resources with the Island's Gullah people to encourage them to research their history and genealogy.

CP-2. Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.

CP-3. Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage

Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.

CP-4. Develop a self-guided tour of the Island's Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretive experiences can be available.

CP-5. Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.

CP-6. Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.

CP-7. Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.

CP-8. Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.

Heritage Tourism

CP-9. Coordinate the promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.

CP-10. Promote the Gullah culture and cultural resources more prominently within the Island's overall tourism marketing to attract more visitors to the Island and, in particular, to the Island's Gullah sites.

CP-11. Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success.

CP-12. Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based upon adopted criteria.

CP-13. Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts & Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island.

CP-14. Establish an open-air market as a pilot program to sell food, arts and crafts tied to Gullah culture as an economic development initiative for the Island's Gullah community.

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Preservation Planning

CP-15. Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.

CP-16. Prepare a comprehensive and detailed cultural preservation plan for the Island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon the potential preservation benefits of this project.

Other Issues

CP-17. Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives.

CP-18. Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property.

PUBLIC POLICIES

Development Approval Process

PP-1. Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

PP-2. "Fast-track" the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners' time and costs associated with development.

PP-3. Utilize the Town's newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.

Land Use & Development Standards

PP-4. Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.

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A. Allow higher densities for the RM-4 and MF zoning districts in the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can better leverage their potential land value.

B. Reduce some setback and buffer requirements within zoning districts applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can maximize their development potential.

C. Reduce the LMO's open space requirements as applied to the proposed Historic Gullah Neighborhoods Conservation Overlay Zoning District so that land owners can maximize their development potential.

PP-5. Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."

PP-6. Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conservation Overlay District to make the development of some properties more viable.

PP-7. Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

PP-8. Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

PP-9. Amend the Town's Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.

Property Taxes

PP-10. Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.

PP-11. Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on the Hilton Head Island.

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Other Issues

PP-12. Establish a program to educate Gullah residents and others on a wide range of public policy issues that impact their lives, including property taxation, land use and development, and heirs' property so they can prosper more socially and financially.

PP-13. Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

PP-14. Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.

HEIRS' PROPERTY

HP-1. Utilize the Heritage Library Foundation as a potential first step for Gullah families toward clearing title to their property to overcome heirs' property issues.

HP-2. Leverage a range of local, state and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.

HP-3. Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources more readily available to Hilton Head Island's Gullah community.

NEXT STEPS

This project's next step is a Phase 2, which might be conducted with the help of consultants or entirely in-house by the Town's planning staff. Regardless of how it is conducted, it will take the recommendations of this report and follow through with greater analysis and implementation. For example, some of the recommended revisions of the Town's LMO related to setbacks, buffers, open space requirements, and similar site design issues will need testing using sample sites. Likewise, issues such as pursuing changes to the methods used to assess the value of Gullah lands for property taxing purpose will require further legal research and meetings between the relevant governmental representatives. However, the next steps for more straightforward issues might include simple changes to the text of the LMO, as well as actions by the Town's new Historic Neighborhoods Preservation Administrator. Regardless of the details, it is the sincere intent of the Town and its Gullah-Geechee Land and Cultural Preservation Task Force that this report soon transform into tangible action and results.

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PROJECT PURPOSE, PROCESS & CLARIFICATIONS

PROJECT PURPOSE

A century ago, the primary (if not sole) occupants of Hilton Head Island were the Gullah Geechee people. Because of years of geographic and social isolation, their distinct culture reflects their West African roots in many ways, including language, crafts (basket weaving, net making, etc.), foodways, storytelling, traditions, farming, fishing, and relationship to the land, among others. However, following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture. In fact, according to the Town's 2017 Comprehensive Plan (pg. 43), the African-American population (primarily Gullah) has decreased in percentage of the Island's overall population at the following rate:

Year	% of African Americans
1980	14.5%
1985	11.3%
1990	9.5%
1995	9.2%
2000	8.3%
2010	7.5%

> ***"I'm very proud of my Gullah heritage. The more I learn about it, the prouder I become."***
>
> - Stakeholder meeting participant

Because of this alarming decrease in their percentage of population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force ("Gullah Task Force") in 2017. Their stated mission is as follows:

> *The goal of The Gullah-Geechee Land and Cultural Preservation Task Force is to identify and assist in the preservation of the Gullah-Geechee culture for the purpose of detecting and resolving issues specific to its community, including, without limitation, heirs' property, taxes and land use, economic and sustainability issues for an improved quality of life, and through on-going educational programs, workshops and seminars.*

Accordingly, there are three primary purposes for this project, as follow:

- *Create a broad strategy for Gullah Geechee cultural preservation,* to include resource preservation and enhancement, interpretation, and heritage tourism.

- *Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies* to better accommodate the use and development of Gullah lands.

- *Identify tools for addressing the heirs' property issues,* which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.

It is also important to understand the strong relationship between the topics of cultural preservation, public policies and heirs' property. The ultimate goal of cultural preservation is to preserve the very existence of the Gullah people as residents of Hilton Head Island. The best way to achieve that goal is to provide them with economic sustainability. To gain economic sustainability, current challenges related to public policies (LMO, etc.) and heirs' property must be overcome.

PROJECT PROCESS

The process to conduct this project utilizes the Town's appointed Gullah Task Force as a project steering committee to guide the project. The Task Force serves multiple roles within the context of this project, including:

- To guide the tone of the project
- To provide input for public engagement
- To contribute ideas toward the proposed strategies
- To serve as "cheerleaders" for the adoption of the strategies

A four-step process or "scope of work" has been employed by the Consultant Team hired by the Town for this project, as concisely summarized below:

Task 1.0: Project Kick-Off & Research

This initial task served as the research and diagnostic phase of the project. The Consultant Team performed the following sub-tasks prior to, during, and after their two-day Trip #1 to Hilton Head Island:

- Task 1.1: Kick-Off Meetings & Study Area Tour
- Task 1.2: Public Policy Review
- Task 1.3: Heirs Property Research
- Task 1.4: Gullah Culture "Crash Course"
- Task 1.5: Stakeholder Focus Group Meetings
- Task 1.6: Public "Kick-Off" Meeting

A meeting of the Gullah-Geechee Land and Cultural Preservation Task Force on March 5, 2018. (Photo Source: Gluseum.com)

The deliverable for Task 1.0 was the draft Background Study (Appendix A).

Task 2.0: Workshop & Concepts Development

Although public input is a key aspect throughout the life of this project, Task 2.0 featured one of the major pushes to solicit meaningful public participation. The following steps were taken as part of the three-day Trip #2 to Hilton Head Island by the Consultant Team's Project Manager:

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- Task 2.1: Strategy Building Workshop (Evening - Day 1)
- Task 2.2: Conceptual Strategies Preparation (Days 2-3)
- Task 2.3: Task Force Meeting on Conceptual Strategies (Afternoon - Day 3)

Task 3.0: Preparation of Draft Strategies
Based upon the Gullah Task Force's and Town's response to the Conceptual Strategies discussed during Task 2.3, a detailed report with draft strategies was prepared to include the following components:

- Public Policy Strategies
- Heirs Property Strategies
- Cultural Preservation Strategies

Task 4.0: Strategies Presentation & Revisions
- Task 4.1: Strategies Presentations
- Task 4.2: Draft Strategies Report Revisions

This project has included an extensive public input component.

Also, a Phase 2 of this project will tentatively occur if deemed necessary by the end of this Phase 1 portion. If conducted, the specific scope would be determined at that time. It would likely provide more specificity and perhaps even feature implementation of certain components of the Phase 1 deliverables. One example might be the drafting of language to amend relevant public policies.

CLARIFICATIONS

Project Terms

Gullah Geechee
This term can sometimes be seen with a hyphen or slash between the two words. For example, early documents associated with the "Gullah/Geechee Cultural Heritage Corridor Commission" utilized the slash, but they later dropped it. Similarly, the Town's appointed "Gullah-Geechee Land and Cultural Preservation Task Force" uses a hyphen. This project for the Town will avoid a slash or hyphen unless it is part of a formal name or title. Also, the word "Gullah" will be used interchangeably to mean Gullah Geechee.

Gullah-Geechee Land and Cultural Preservation Task Force
This formal name determined by the Town and "Gullah Task Force" will be used interchangeably.

Preservation
The Merriam-Webster dictionary defines "preservation" as "the activity or process of keeping

something valued alive, intact, or free from damage or decay." Within the context of this project to preserve Gullah culture, the following features are being sought for preservation:

- *Gullah Geechee people* – Given the consistent decrease over time of the percentage of the island's population that are Gullah, a preservation objective is to stop that trend of decreased population percentage and perhaps even increase it.

- *Gullah Geechee culture* – The Culture that needs preserving and even strengthening includes Gullah customs, spiritualism, music, foodways, language, art, crafts, subsistence off the land and water, and other ways of conducting their daily lives.

- *Gullah Geechee land ownership* – Decreased land ownership has paralleled the Gullah people's decreased percentage of the population on the island. The minimum objective should be to maintain the current Gullah land holdings in terms of acreage, and even increase the amount of land owned as an ideal to strive towards.

- *Gullah Geechee use of land* – Owning land does not always translate into having a wide range of options for using it. Within the parameters of zoning and other regulations, the objective should be to preserve the current permitted uses of Gullah-owned land, and to even expand the uses where viable – particularly any uses tied to Gullah culture.

Abbreviations/Acronyms

The following abbreviations/acronyms, among others, are used throughout this report:

- Beaufort County Black Chamber of Commerce (BCBCC)
- Beaufort County Heritage Tourism Corporation (BCHTC)
- Center for Heirs' Property Preservation (CHPP)
- Gullah Geechee Cultural Heritage Corridor (GGCHC)
- Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC)
- Historic Mitchelville Freedom Park, Inc. (HMFP)
- Land Management Ordinance (LMO)
- Native Island Business and Community Affairs Association (NIBCAA)
- Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN)
- Public Service District (PSD)
- Right-of-way (ROW)
- Service Corps of Retired Executives (SCORE)
- Small Business Administration (SBA)
- South Carolina Department of Transportation (SCDOT)
- Transfer of Development Rights (TDR)
- Visitor & Convention Bureau (VCB)

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RECOMMENDATIONS INTRODUCTION

Recommendations Purpose
The overarching purpose of these recommendations are to offer strategies to better preserve Gullah Geechee culture on Hilton Head Island, South Carolina. This project and corresponding report feature three key components:

- Create a broad strategy for Gullah Geechee cultural preservation, to include resource preservation and enhancement, interpretation, and heritage tourism.

- Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies to better accommodate the use and development of Gullah lands.

- Identify tools for addressing the heirs' property issues, which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.

Approach to the Recommendations
For each of the strategies provided on the following pages, the following format is utilized:

- *Overall Recommendation:* This bold-faced text starts and summarizes each recommendation.

- *Issue Statement:* A summary of the particular issue related to the associated recommendation.

- *Background Study Reference:* An indication of the page numbers of this report's Background Study (Appendix 1) that provide additional information on the issue.

- *Strategy Description:* This part of the recommendation describes the general strategy.

- *Implementation:* This final part of each recommendation will offer ideas related to implementation, such as potential costs, funding sources, and/or responsible parties.

Where strategies or implementation actions suggested by the consultants or the public stakeholders are already being undertaken by the Town or others organizations, it is noted at the beginning of each this report's three topic-based sections – Cultural Preservation, Public Policies, and Heirs' Property. Also, the alpha-numeric designations given to each recommendation do not reflect priority rankings or suggested implementation sequencing. Finally, it should be understood that all recommendations that involve one or more entities other than the Town will require strong teamwork with those entities to ensure that there is optimal coordination and to avoid the Town pursuing actions that may be inconsistent with the objectives of the relevant entities. Similarly, the relevant entities should retain creative control where applicable.

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CULTURAL PRESERVATION

The recommendations for cultural resources preservation should not be viewed as a substitute for a comprehensive cultural preservation plan for Hilton Head Island. Furthermore, since the topic cannot be adequately addressed within the scope of this project, a comprehensive cultural preservation plan is recommended as a future project for the Town.

CURRENT EFFORTS

At present, many measures are already being taken by the Town and others. *Examples of current measures that should be continued* include the following:

Provision of public access to Gullah historic sites, such as cemeteries.
The Town has required such access for years as part of their development approval process so that gated communities and similar barriers do not block access. However, some Gullah citizens are still experiencing difficulties accessing sites. For example, security guards at some gated communities may not be aware of the access arrangements or individual property owners sometimes make access very difficult. The Town has been proactive with this issue, but meetings with property managers where such challenges occur may be necessary in the future on an as-needed basis. The Town's new Historic Neighborhoods Preservation Administrator could assist with this issue.

Local schools' curriculum and field trips tied to Gullah history and culture.
The Coastal Discovery Museum, Gullah Museum, and the Historic Mitchelville Freedom Park (HMFP) have already teamed to create a curriculum about Gullah history and culture. They understand the need, in particular, for Gullah language to be taught to the younger generation before it is lost. Many educators do not possess adequate knowledge of the history and culture of the Gullah Geechee people and may not be able to identify or appreciate the Gullah language when spoken by a students or community members. Efforts should continue to educate teachers about Gullah culture through annual teacher institutes and professional development workshops provided by the Beaufort County School District, partnering with the Gullah Geechee Cultural Heritage Corridor, institutions of higher learning, local and regional organizations and local Gullah community members.

Graphically consistent marker program for Gullah neighborhoods and cemeteries.
The Town has a relatively new signage program to identify Gullah neighborhoods. In fact, nine of twelve neighborhoods now have a sign, and the Town plans to install the final three at some point in the near future. The design of the signs is attractive and distinctive, and they have been placed in highly visible locations. In addition, local Boy Scouts have provided signs identifying four of the ten identified Gullah cemeteries using the same design template. There is potential that similar signs can be created for the rest of the cemeteries.

Support for development of key sites such as Mitchelville and the Gullah Museum.
Most key Gullah sites are owned and operated by non-profit entities with very limited financial resources. They typically rely on funding from memberships, donations, income-generating

events and programs, and grants. The master plan for Mitchelville is being funded by the County. The HMFP's Executive Director's salary has been funded by the Town for two years.

Utilization of historic Hilton Head Island Gullah figures and words associated with Gullah culture for street and development names.
Although Gullah culture is central to Hilton Head Island's history, it has limited visibility today. The Town looks for opportunities to heighten its visibility, including with street and development names. Development and street naming is dictated by the Town's Land Management Ordinance (LMO). All street names are approved by the Planning Commission, while development names are approved by Town staff. Various books and manuscripts at the Heritage Library Foundation serve as a good source of information.

Support and promotion of the annual Gullah Celebration sponsored by the Native Island Business & Community Affairs Association (NIBCAA).
Established in 1996, the Hilton Head Island Gullah Celebration showcases the cultural heritage of the Gullah people and their history on Hilton Head Island. NIBCAA has a core committee of five persons, as well as ten additional people that make up the individual event sub-committees. The committees reportedly meet monthly for ten months of the year, and weekly for the two months leading up to the event. NIBCAA is the primary sponsor of the event, but other partners include the Native Islanders Property Owners Association, the Town of Hilton Head Island, Beaufort County, and SC Parks, Recreation and Tourism.

As noted previously, the alpha-numeric designations for each recommendation do not reflect their order of priority or suggested implementation sequencing. Also, some of the recommendations under the sub-topic of "Research, Education & Interpretation" could have also been placed under "Heritage Tourism" because they touch on both sub-topics. The following recommendations are offered for the Town's consideration:

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RESEARCH, EDUCATION & INTERPRETATION

CP-1. Promote the use of the Heritage Library Foundation's resources with the Island's Gullah people to encourage them to research their history and genealogy.

Issue Statement: The more knowledgeable local Gullah people are about Gullah history and genealogy, the greater interest and support they will have for Gullah cultural preservation.

Background Study Reference: Page A-11 of Appendix A provides information on the Heritage Library Foundation.

Strategy Description: Increase the awareness of Gullah people about the Heritage Library Foundation's resources for historic and genealogical research. In addition to having more than 4,000 volumes of history, the foundation regularly sponsors helpful courses for the public, such as "Genealogy 101." More specifically, they have a course on African American Genealogy that addresses issues that are directly related to Gullah people. That class costs $12 for foundation members and $15 for non-members. One way to make these classes even more accessible to the island's Gullah community might be to offer a discount to people residing within the delineated historic neighborhoods.

Implementation: The Foundation's resources and programs should be promoted to the Gullah community through NIBCAA, the Town's new Historic Neighborhoods Preservation Administrator, local schools, churches located within the historic neighborhoods, the Gullah Geechee Cultural Heritage Corridor, and any other relevant sources. The Foundation might also set up a booth at the annual Gullah Celebration and any similar event to promote their resources.

CP-2. Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.

Issue Statement: One challenge to Gullah cultural preservation on Hilton Head Island is that the younger generation, in particular, is not learning about Gullah traditions. It is critical that knowledge about Gullah traditions and culture be passed on as a fundamental part of overall Gullah cultural preservation. Fortunately, programs currently exist at sites such as the Gullah Museum, Mitchelville, the Coastal Discovery Museum, and Gullah Geechee Cultural Heritage Corridor. However, all of these organizations have only small amounts of manpower and funding that limits their ability to provide educational programs. These organizations have coordinated their efforts, to some degree, on educational programs. Both the Town and County have a track record of financially supporting the Historic Mitchelville Freedom Park (HMFP).

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In addition to educational programming, there is also a need to physically enhance key sites such as the Gullah Museum and HMFP with respect to parking areas, pedestrian circulation, restoration of historic structures, and construction of new buildings. The current master planning process for the HMFP will include a strategy for physical enhancements and financial sustainability, so that issue is being addressed for Mitchelville.

Background Study Reference: Pages A-9 through A-11 of Appendix A provide information on the sites/facilities sponsoring educational programs that are in need of support for physical enhancements.

Strategy Description: Targeted audiences for cultural programs should be relatively broad. However, Hilton Head Island's young residents and tourists should particularly be targeted. Consideration should also be given to allowing Gullah residents to participate at a reduced price or even for free.

To expand the existing programs and to provide needed physical improvements at key sites, a fundraising initiative must occur. Key partners and beneficiaries should include the Gullah Museum, Mitchelville, and the Coastal Discovery Museum. Individuals, organizations, and businesses should be encouraged to donate both their time and money toward this effort. Grant funding should also be sought from the Gullah Geechee Cultural Heritage Corridor Commission (GGCHC), the US Bureau of Educational and Cultural Affairs (ECA), the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), and private entities such as the Kresge Foundation. Although the recently-established Beaufort County Heritage Tourism Corporation (BCHTC) is another potential candidate, their focus is more on heritage tourism planning and promotion.

Implementation: *The Town's Senior Grants Administrator should pursue grant funding* from the funding organizations listed above, with the Office of Cultural Affairs providing support. It is recognized that pursuing grants can be labor-intensive, so deciding which funding organizations to pursue should be strategic. *The Town's Culture & Arts Advisory Committee should spearhead the solicitation of funding from local individuals, organizations and businesses* with committee members "making the ask." Board members from the beneficiary entities (Gullah Museum, Mitchelville, and the Coastal Discovery Museum) should also be called upon to solicit local contributions.

CP-3. Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.

Issue Statement: The Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC) is a federally-designated body to preserve, interpret and promote Gullah cultural heritage as part of a four-state coastal corridor. There are multiple groups that

actively interpret Gullah heritage and culture on Hilton Head Island, including the Gullah Museum, the HMFP, Gullah Heritage Trail Tours, and the Coastal Discovery Museum, among others. It is important that information conveyed about Gullah culture is accurate and consistent.

Background Study Reference: Pages A-9 through A-16 of Appendix A provide information on the key sites/programs noted above.

Strategy Description: The interpretive themes identified by the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan include the following: language; arts, crafts and music; foodways; and spiritual expression. Based upon extensive stakeholder input, two additional themes are recommended specifically for Hilton Head Island:

1) Land & Water - farming, crabbing, fishing, and hunting
2) Storytelling – stories, and the art of storytelling

By having each local group that is active in interpreting Gullah heritage and culture telling an accurate and consistent story, interpretation can be more effective and the experience can be more positive for visitors. That positive visitor experience, in turn, will make the promotion of Gullah culture easier and more effective.

Implementation: It is recommended that the Town's Office of Cultural Affairs lead this effort, which should not require any funding beyond that already allocated by the Town for the Director's position. The first step is to confirm that each relevant group has a copy of the GGCHC management plan and is aware of the plan section that addresses history and interpretation. The next step is to meet with them, perhaps as a group, to discuss the merits of consistent interpretation that ties back to the GGCHC, and to secure their commitment to make an effort to be generally consistent with the GGCHC's interpretation. To the extent that the relevant groups have written materials (websites, brochures, etc.), the Office of Cultural Affairs should review them and provide suggestions for any needed edits.

CP-4. Develop a self-guided tour of the Island's Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretive experiences can be available.

Issue Statement: There is currently no single source of information in a user-friendly format to guide locals and visitors to Gullah-related sites. While the Town's Office of Cultural Affairs has a Cultural Trail conveyed through an interactive web-based map, the map has a broader scope of "art, history and pathways." Similarly, Gullah Heritage Trail Tours provides excellent guided tours to Gullah sites, but that differs from a self-guided tour.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on Hilton Head Island's Gullah cultural resources and sites.

Strategy Description: It is recommended that a self-guided tour occur in both a printed "hard copy" brochure format and a web-based interactive digital format accessed by a computer, smartphone, or similar digital device. Perhaps referred to as the "Gullah Trail," it should include a map with symbols that relate back to a key with written information on the site. A digital version could even utilize narrated dialogue. Sites might also be organized around the four interpretive themes of the GGCHC (language; arts, crafts and music; foodways; and spiritual expression), plus the two proposed new themes per recommendation CP-3. In addition to educating users, self-guided tours should be used to promote the existing guided tours as a logical next step for visitors.

Implementation: This self-guided tour should be spearheaded by the Town's Office of Cultural Affairs. However, it will require funding to hire consultants to produce it. The costs for creating a hard copy would likely be in the $15,000 to $25,000 range, while research will need to be done on how to then translate that information into a web-based tour guide. In addition to the potential funding sources cited for recommendation CP-2 relative to educational programs, the South Carolina Department of Archives and History may be another funding source. However, that source may be challenging given that priority for preservation grants is given to the state's Certified Local Governments (CLGs), which the Town is not among. CLG designation is limited to communities with a formal historic preservation program (designated historic districts, design review boards, mandatory design guidelines, etc.), which is not recommended for the Town as part of this project.

CP-5. Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.

Issue Statement: As indicated previously, the Town has a program to install markers identifying Gullah neighborhoods and local Boy Scouts have installed similar markers at some Gullah cemeteries. The Town currently has some wayfinding signs to orient visitors to key destinations. They consist of the standard green-colored directional signs pointing visitors to locations such as Town Hall. There are also brown directional signs for cultural destinations. However, there is not a distinctive and cohesive system of wayfinding tied specifically to Gullah culture and history. There are also some existing interpretive wayside exhibits at historic sites, such as the marker installed by the State at the Cherry Hill School in 2013. However, such markers are very limited in their interpretive value because they lack graphics and a hierarchy of more detailed narrative.

Background Study Reference: Examples of sites worthy of interpretation are included

on pages A-1 through A-8 of Appendix A, and a photo of a Town-installed neighborhood sign is on page A-12 of Appendix A.

Strategy Description: It is recommended that a cohesive system of distinct directional signs for wayfinding be installed throughout the Island at key intersections and at the destinations. It is also recommended that the very distinctive and visible design of the signs identifying Gullah neighborhoods and cemeteries be used as the design inspiration for this wayfinding signage. It is recognized that approvals from SCDOT and/or the County may be required in many instances for signs located within public ROWs. Also, signage will be limited to directing people to cultural sites and attractions, such as this report's proposed Gullah market (which would have multiple vendors), as opposed to individual businesses.

Interpretive wayside exhibits should also be designed, fabricated, and installed at key sites. Unlike the style installed by the State, they should be consistent with those commonly installed at National Park Service properties and elsewhere. Such exhibits typically feature a hierarchy of text (headings, subheadings, main story, sidebar, etc.) and high-quality graphics. They are designed and placed to accommodate pedestrians rather than drivers, and they should be internal to their site.

Finally, this system of wayfinding and interpretive wayside exhibits should be tied to the recommended self-guided tour map/brochure as proposed in recommendation CP-4 above, and should integrate the logo of the Gullah Geechee Cultural Heritage Corridor (GGCHC) into their design.

Implementation: This project should be initiated by the Town's Office of Cultural Affairs in partnership with the VCB. The Town should pursue funding through the VCB, as well as the GGCHC. The costs of wayfinding signage will depend on the number of signs required. For interpretive wayside exhibits, it is preliminarily estimated that each exhibit will cost $3,000 to $5,000 to research and design, and another $1,500 to $2,000 each to fabricate.

CP-6. Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.

Issue Statement: This issue ties into the broader issue identified previously in which Gullah culture will slowly disappear if the traditions and customs are not carried on by younger generations. Much of the cultural history can be captured through recorded oral histories from the elderly. The Penn Center on St. Helena Island has sponsored a similar program in the past, but it was limited to former Penn School students, some of whom may have lived on Hilton Head Island.

Background Study Reference: Information on the Penn Center is provided on page A-14 of Appendix A of this report.

Strategy Description: There are at least two options for pursuing a project for local students to conduct oral history interviews of elderly Gullah citizens. Both, and more, should be explored.

Penn Center Model
One option is to meet with Penn Center representatives and learn more about their project to see if it can be replicated. Their program in 2008, the Sea Island Storytellers Workshop for Youth, had the objective of being a training ground for the next generation of Gullah culture bearers. Students, ages 13 through 17, conducted research on the elders of the Sea Islands and former Penn School students, many of whom were in their 70s and 80s when the program occurred. Following their research, the students selected who they wanted to interview and collected their oral histories with video presentations or audio presentations. The students gained valuable experience in research, history, and documentation.

StoryCorps
Another option is to begin a relationship with StoryCorps, a non-profit organization that assists groups with oral history projects. While their employees can actually conduct the interviews for a fee, a more cost-effective approach is to hire them to train local students to conduct and document oral histories.

Implementation: It is recommended that the Town's Office of Cultural Affairs initiate this project in partnership with the Gullah Museum. The first option should be to employ the Penn Center model, which would entail no significant costs. Utilizing StoryCorps for training should be the second option. Their training services start at $7,000, plus expenses.

CP-7. Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.

Issue Statement: Some Town officials, both elected officials and staff, lack a sufficient understanding of Gullah culture to be able to effectively interact with Gullah people and to fully appreciate their perspective. In particular, the views of Gullah people on land use and development may differ from that of other people living and/or working on Hilton Head Island. Furthermore, learning about Gullah culture could benefit area business leaders and school teachers.

Background Study Reference: Page A-10 of Appendix A provides information on the Gullah Museum.

Strategy Description: One objective of this strategy is to enhance communications and relationships between the Island's Gullah citizens and Town officials. It is recommended that a "crash course" in Gullah history and culture - Gullah 101 - be provided for Town officials. It could consist of a tour of the Island's Gullah sites, a few presentations by Gullah representatives knowledgeable in their culture, and perhaps a few assigned readings. This education program might initially be given to all Town officials and then periodically for new officials. Another version of the program directed at area school teachers could be the Gullah Geechee Teachers Institute. The program might also be connected with the Osher Lifelong Learning Institute, which has a University of South Carolina Beaufort affiliation. A potential outgrowth of this recommendation should be the establishment of a speakers' bureau that can be utilized by various local groups looking for a speaker on Gullah-related topics.

Implementation: It is recommended that this program be spearheaded by either the Town's Office of Cultural Affairs or the new Historic Neighborhoods Preservation Administrator in partnership with the Gullah Museum. Museum officials could provide any reading materials and presentations. Assuming this program is a success, it might be expanded to do the same for the Island's business community in partnership with the Chamber of Commerce. The proposed Teachers Institute facet of this program should be a partnership between the Town and the Beaufort County School District. Coordination should also occur with the GGCHC Commission in case they can provide support in some form and to avoid any duplication of their efforts elsewhere.

CP-8. Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.

Issue Statement: In general, interest in history and related cultural themes is in decline nation-wide, especially among the younger generations. However, many historic and cultural attractions have found that utilizing interactive approaches to interpretation, including digital technology, is more effective than traditional passive approaches to interpretation.

Background Study Reference: N/A

Strategy Description: It is recommended that interactive approaches to interpretation include the following:

- *Living history opportunities involving the audience:* This approach might entail people representing Gullah people both in the past and present, and having them actively engage with the audience through conversations and cultural demonstrations.
- *High technology interpretation:* An example of high technology interpretation within a museum setting would be interactive touch-screen videos. An example of this type of interpretation in an outdoor context is app-based digital interpretation (videos, etc.) used on iPhones and tied to sites as part of a thematic tour.

This type of interpretation should occur not only at Gullah-related historic sites and attractions on Hilton Head Island, but also within the Gullah-related curriculum already being developed by the Coastal Discovery Museum, Gullah Museum, and the Historic Mitchelville Freedom Park (HMFP).

Implementation: This recommendation should be led by the Town's Office of Cultural Affairs in partnership with the Coastal Discovery Museum, Gullah Museum, and HMFP. The specific approaches should be determined with the help of solicited input from the Island's young people.

HERITAGE TOURISM

CP-9. Coordinate the promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.

Issue Statement: At present, Gullah Geechee culture and sites lack visibility on Hilton Head Island. The island needs to leverage other cultural sites and entities in the region to increase heritage tourism. This objective will be particularly important once attractions such as Mitchelville are further developed. Every reasonable opportunity for expanded promotion should be pursued.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on key Gullah historic sites. Page A-12 of Appendix A provides information on NIBCAA. Pages A-14 through A-15 of Appendix A provides information on the South Carolina African American Heritage Commission (SCAAHC) and its "Green Book." Pages A-13 through A-16 of Appendix A provide information on the GGCHC and various Gullah-related sites and entities in the region.

Strategy Description: The promotion of Hilton Head Island's Gullah-related attractions should be coordinated with others within the GGCHC. In addition to promotional opportunities through the GGCHC, key individual sites and entities to partner with include St. Helena Island and the International African American Museum in Charleston (once it is developed and operational). Representatives of the GGCHC Commission should be invited to make presentations to Hilton Head Island Gullah businesses to teach them how to leverage the corridor to their advantage.

Also, based upon a 1950s booklet that gave advice to African American travelers on where to eat and stay throughout the South, the "Green Book" is now a mobile web/app-based site that promotes African-American cultural sites throughout the state. The only Hilton Head Island sites currently in the "Green Book" are the William

Simmons House at the Gullah Museum, the First African Baptist Church, Queen Chapel AME Church, Fort Howell, Mitchelville, St. James Church, and the Cherry Hill School. It is recommended that all of Hilton Head's key Gullah-related sites and programs be featured in the "Green Book."

Implementation: This effort should be implemented by the Town's new Historic Neighborhoods Preservation Administrator through a partnership with the Beaufort County Heritage Tourism Corporation, NIBCAA, and the VCB. They should work directly with the GGCHC and the SCAAHC on these respective issues. With the exception of paying for advertising, which might not even be necessary, there would be no significant costs since the work would be performed by volunteers and/or individuals already being paid as part of their job.

CP-10. Promote the Gullah culture and cultural resources more prominently within the Island's overall tourism marketing to attract more visitors to the Island and, in particular, to the Island's Gullah sites.

Issue Statement: In light of the overall tourism marketing for Hilton Head Island, Gullah history and culture lacks visibility. Given the prominence of the island's golf courses, resorts and beaches, this situation is understandable, but in need of rectifying.

Background Study Reference: Page A-10 of Appendix A includes information on Gullah Heritage Trail Tours.

Strategy Description: Promotion of Gullah culture and cultural resources will be more viable once sites such as Mitchelville can evolve into more substantial attractions. Among the programs worthy of particular promotion is the Gullah Heritage Trail Tours, which is one of the most important existing facets of Gullah-related tourism. It is believed that roughly 10% the VCB's budget currently goes toward heritage tourism, and that is primarily related to the Celebration held every February. To make the VCB more accountable regarding this idea, a target percentage of the budget, such as 20%, should be established as an initial benchmark until sites such as Mitchelville can become more fully developed as major destinations.

Implementation: The Visitor & Convention Bureau (VCB) will be the most critical entity for this recommendation to be realized since they promote tourism for the Island. The Town's Office of Cultural Affairs and the Black Chamber should partner in spearheading this initiative with the VCB. It is not anticipated that significant additional costs would be required, as this recommendation is more about rebalancing the themes being marketed rather than calling for more marketing.

CP-11. Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success.

Issue Statement: There are currently no highly-visible businesses on Hilton Head Island offering Gullah services and products to serve the island's Gullah people, local residents, and visitors.

Background Study Reference: Page A-12 of Appendix A has information on NIBCAA, and page A-15 of Appendix A has information on the Beaufort County Black Chamber of Commerce.

Strategy Description: Examples of potential businesses that are needed include restaurants selling Gullah foods and shops selling Gullah products (arts, crafts, etc.). Technical support that should be made available includes advice on marketing, financing, book keeping, inventory, and similar business skills. To provide needed technical support and mentoring, utilize the US Small Business Administration's (SBA's) local SCORE program to provide free technical advice to start-up businesses. While businesses with strong Gullah cultural associations should be prioritized, the same support and mentoring might also be made available to residents of identified Gullah neighborhoods even if their businesses do not have strong cultural ties.

Implementation: NIBCAA should spearhead this effort in partnership with the SBA's SCORE program. They should work with SCORE to develop a "business development toolbox." There may be additional support roles, such as promoting the program, for the Hilton Head Island – Bluffton Chamber of Commerce and the Beaufort County Black Chamber of Commerce.

CP-12. Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based upon adopted criteria.

Issue Statement: As addressed in the previous recommendation, there is presently a lack of businesses on Hilton Head Island offering Gullah services and products, which inhibits Gullah-related heritage tourism. If and when such businesses can be established, there will be a need to ensure quality control for authenticity, a key ingredient for successful heritage tourism.

Background Study Reference: Page A-12 of Appendix A has information on NIBCAA, and page A-13 of Appendix A has information on the GGCHCC.

Strategy Description: This strategy will require three components: 1) a set of written standards to be used as criteria in determining authenticity; 2) an appointed body to review applications to determine compliance with the adopted standards; and 3) a process for businesses to apply for certification. The GGCHCC should be utilized as a primary technical resource in developing the standards. The appointed body to review applications should consist of respected Gullah citizens on the island, but avoiding

members who may have a conflict of interest, such as an interest in a business likely to seek certification (or likely to compete with businesses seeking certification).

Implementation: The first option should be to approach the GGCHCC to see if they could be encouraged to initiate such a program for the entire corridor. If not, NIBCAA should spearhead this effort, including administrating the application and certification process. They should seek technical advice from the GGCHCC in developing the standards. Finally, if the appointment of local volunteers to the review committee proves to be too politically contentious and/or willing volunteers cannot be secured, volunteers from nearby areas, such as St. Helena Island, might be considered. That approach would allow for a more objective "third party" that would help avoid perceptions of biasness in applying the certification standards.

CP-13. Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts & Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island.

Issue Statement: Over the past few years, there has been momentum within the region related to heritage tourism planning. Examples include the GGCHCC and the new Beaufort County Heritage Tourism Corporation. Available fresh data related to the region's heritage tourism potential should be leveraged to the benefit of Hilton Head Island's Gullah-related tourism.

Background Study Reference: Page A-15 of Appendix A provides information on the recently-established Beaufort County Heritage Tourism Corporation.

Strategy Description: The Economic and Fiscal Impact Study was prepared by two professors that are part of the University of South Carolina Beaufort's Lowcountry and Resort Islands Tourism Institute. The Arts & Economic Prosperity 5 report was prepared by Americans for the Arts. First, the results of both reports can be used to sell Hilton Head Island's citizens, business leaders, and public officials on the potential value of Gullah-related tourism and related arts. Secondly, the results of the impact study's Heritage Visitor Survey can be used by the Island's businesses and heritage attractions to better understand what visitors are looking for so they can respond with any strategic adjustments.

Implementation: The sources of the subject studies are the Beaufort County Heritage Tourism Corporation and Americans for the Arts. However, it will be up to individual businesses and heritage site entities to take the initiative to utilize these studies. In the meantime, organizations such as NIBCAA, the Hilton Head Island – Bluffton Chamber of Commerce, and the Beaufort County Black Chamber of Commerce can promote the studies among their constituents.

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CP-14. Establish an open-air market as a pilot program to sell food, arts and crafts tied to Gullah culture as an economic development initiative for the Island's Gullah community.

Issue Statement: As noted throughout this report, Gullah culture lacks visibility on Hilton Head Island. There are also few opportunities for the Island's Gullah people to sell products that reflect their culture short of establishing full-blown businesses that may not be viable. The Coastal Discovery Museum currently sponsors a weekly farmers market operated from October through December, but it does not focus on Gullah-related foods and crafts.

Background Study Reference: N/A

Strategy Description: One possible location to establish an open-air market is the Rowing and Sailing Center at Squire Pope Community Park, which has parking and a pavilion. It might initially be a pilot program to test the market's viability. If it is successful, it can continue indefinitely. Also, if the market outgrows itself, larger alternative sites might be explored and/or additional markets in other Gullah neighborhoods might be considered. Another potential location could be the abandoned Fairfield Square property at 160 William Hilton Parkway. It would have good visibility, but it is privately owned.

Implementation: This pilot market should be operated by the Town's Office of Cultural Affairs in partnership with NIBCAA. Also, the same set of standards recommended in recommendation CP-11 for determining the authenticity of Gullah products might be applied here to determine what vendors can participate.

PRESERVATION PLANNING

CP-15. Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.

Issue Statement: One of the first steps necessary to establish a successful historic preservation program is to fully understand a community's historic resources. While many Gullah-related historic resources have already been identified, a detailed and comprehensive inventory of Gullah-related historic resources does not currently exist.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide some information on existing Gullah-related historic resources. Page A-7 of Appendix A features a map of historic resources in general (not just Gullah) from the Town's current Comprehensive Plan.

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Strategy Description: It is recommended that the proposed inventory be conducted by a qualified historic preservation professional who meets National Park Service standards (36 CFR Part 61). A less expensive option, but one that may not be available, is an inventory conducted by historic preservation students from a university in South Carolina or another regional school (University of Georgia, etc.). The format used for the inventory should be consistent with the standards used by the South Carolina Department of Archives and History. In addition to documenting historic resources that can be identified through research and field reconnaissance, the inventory should be supplemented with available information on archeological resources. Some of that information might be acquired through the South Carolina Institute of Archaeology and Anthropology (SCIAA), as well as a survey entitled "Archeological Survey of Hilton Head Island" that was prepared in 1987 by the Chicora Foundation, Inc. Because of the threat of looting, location-specific information on archeological sites is often kept anonymous.

Implementation: It is recommended that the Town administer and fund this project by initiating an RFP process to hire a consultant (after first exploring any less costly university options). Because the scope is relatively narrow, focusing on Gullah-related historic resources and sites, and many of the historic resources and sites have already been identified, the estimated cost is $10,000 to $15,000.

CP-16. Prepare a comprehensive and detailed cultural preservation plan for the Island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon the potential preservation benefits of this project.

Issue Statement: Hilton Head Island currently lacks a cultural preservation plan that addresses all types of cultural resources for the entire island. This project, which focuses on Gullah history and cultural preservation, provides a component of the Island's overall history and cultural preservation. However, a broader effort is needed.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on existing Gullah-related historic and cultural resources.

Strategy Description: The recommended comprehensive cultural preservation plan should be based on models already existing in the state, some of which can be provided by the South Carolina Department of Archives and History. A plan should include a history of the island, interpretive themes, a summary of existing cultural resources (as contained in the recommended cultural resources inventory), and strategies for preservation. As with all plans initiated by a local government, it should also include opportunities for sufficient public input. Much of the information and recommendations generated by this project for Gullah historic and cultural preservation could be integrated into such a plan.

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Implementation: It is recommended that the Town administer and fund this project by initiating an RFP process to hire a consultant. The estimated cost for the project is $30,000 to $50,000, depending on the detail and scope of work (and the amount of public engagement).

OTHER ISSUES

CP-17. Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives.

Issue Statement: The Gullah Geechee Cultural Heritage Corridor Commission's management plan recognizes spirituality as one of its four interpretive themes. Those same themes, plus others, have been echoed in these recommendations for Hilton Head Island. There are five existing Gullah-associated churches and they are an extremely important facet of Gullah culture, historically as well as today. It is important that these churches continue to survive and thrive with congregations large enough that they can prosper into the future. Churches are not only important to the social fabric of Gullah communities, but they are an important source of communications.

Background Study Reference: Page A-8 of Appendix A provides information on existing Gullah-associated churches on Hilton Head Island.

Strategy Description: A supportive network of churches currently exists through the Beaufort County Ministerial Alliance. On Hilton Head Island, the pastors of the five Gullah-associated churches have an even closer working relationship.

Implementation: The Town's new Historic Neighborhoods Preservation Administrator might be able to build a strong working relationship with the Ministerial Alliance and the church's individual pastors. The churches should be utilized primarily for communications for Gullah-related issues.

CP-18. Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property.

Issue Statement: Once property title issues are resolved, the next hurdle for property owners wanting to develop their land is understanding the complexities of land development. As with most property owners on Hilton Head Island, Gullah land owners could benefit from a relationship with professional developers.

Background Study Reference: N/A

Strategy Description: Although not a role for the Town, another entity should be identified to reach out to developers who might want to pursue relationships with Gullah property owners. This yet-to-be-determined entity could assist in connecting developers with a candidate property owner seeking to pursue a sale or development of their land.

Implementation: This strategy should be the responsibility of an entity other than the Town. Potential organizations that might help identify candidate developers might include the South Carolina Real Estate Association (SCREA), the Urban Land Institute (ULI), NAIOP (renamed the Commercial Real Estate Development Association, but has kept its original abbreviations), and the National Association of Home Builders (NAHB).

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PUBLIC POLICIES

An overarching philosophical issue to be considered relates to the development of Gullah lands. One goal identified for the project is the need for Gullah landowners to be able to preserve their land consistent with Gullah traditions and culture. A second goal is to make it easier for Gullah property owners to sell and/or develop their land consistent with modern day market demands. In some respects, these two goals conflict. Optimally, it would be best to provide property owners both options: to preserve their land consistent with Gullah traditions, or sell and/or develop their land consistent with modern day market demands. Whether this is possible is uncertain.

CURRENT EFFORTS

Initially, it must be recognized that the Town and others have already undertaken many measures to address these issues. *Examples of current measures that should be continued* include the following:

Extending public sewer service into the historic neighborhoods.

For years, a number of historic Gullah neighborhoods lacked sanitary sewer systems, which created obstacles for development. However, the Town and Public Service Districts (PSDs) have made great strides in recent years to address this issue. They are currently implementing a five-year $10 million sewer extension project that will serve approximately 490 of the 900 parcels that lacked sanitary sewer when the project began. Many of these parcels are part of the historic neighborhoods. The biggest hurdle for some property owners is the cost of the tap fee to connect and the conversion from septic, which averages roughly $6,000 per property. Fortunately, some property owners have received financial help from the Community Foundation of the Lowcountry, which provides grants through their Project SAFE. Other assistance comes from the PSD, who offers incremental financing by adding the fee costs to a landowner's property tax bill over a 20-year period.

Paving roads in historic Gullah neighborhoods.

Some historic Gullah neighborhoods are currently served by dirt roads in need of right-of-way (ROW) acquisition and pavement. One of the key hurdles to improving these roads is that most of the land needed for the ROW is privately owned as an access easement with many owners. The land can also be considered heirs' property with no clear title to the land needed for the road. The Town holds public meetings for affected property owners and residents prior to initiating any paving to ensure there is support for the improvements, as 100% buy-in is a requirement. Furthermore, the Town funds the construction of the roads through the Road Improvement Fee.

Encouraging land owners in historic Gullah neighborhoods to seek a reduction in their assessed property value and to pursue any potential exemptions to reduce their property tax burden.

Some Gullah property owners cannot afford to pay their property taxes. When this happens, the result is the taxes become delinquent and the property is sold at auction to pay the taxes.

The Town and the Gullah Task Force have been encouraging property owners in Gullah neighborhoods to seek reduced valuations and to take advantage of all available exemptions. It is anticipated that the Town's new Historic Neighborhoods Preservation Administrator will assist even further on this issue.

Monitoring plans to expand US Hwy. 278 so that potential impacts on historic Gullah neighborhoods can be identified and mitigated in advance.

It is anticipated that the South Carolina Department of Transportation (SCDOT) will develop plans to expand US Hwy. 278 from the western edge of the island to Squire Pope Road. That project will likely include additional ROW acquisition. An Environmental Assessment (EA) will be prepared for the project, but there is still the potential for historic neighborhoods to be impacted. Consequently, the Town has appointed a committee to monitor the project. With the help of the Town, the committee will review matters related to the project with an eye toward avoiding negative impacts on Gullah-related historic resources.

The following recommendations are offered for the Town's consideration:

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DEVELOPMENT APPROVAL PROCESS

PP-1. Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

Issue Statement: Some of the development application fees and impact fees required by the LMO are cost-prohibitive for Gullah land owners. The impact fee for transportation is imposed by the Town in the LMO. The impact fees for parks, roads and libraries are imposed by Beaufort County. The sewer and water availability fees are administrated by the Public Service Districts (PSDs).

Initially, the idea of waiving some fees was explored. With respect to state laws, no landowner/developer may be required to pay more than their fair share for capital improvements and other activities funded by the fees, and that they receive sufficient benefit in the form of capital improvements for the fees paid. For this reason, if any impact fees were to be waived, another source of funding for the waivers would need to be created to make up the funding shortfall to provide the necessary capital facilities. Given this circumstance, there are real limitations to what fees could be waived. For example, the Real Estate Transfer Fee will sunset at the end of 2024, and any changes to it in the meantime would require both State and County approval. Likewise, the impact fees for parks, roads and libraries are exacted under County ordinances, and the County is unlikely to agree to waive the fees. Research into the sewer and water availability fees administered by the PSDs reveals that there is no flexibility for waiving those.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, and pages A-35 through A-37 of Appendix A address development-related fees.

Strategy Description: Recommendation PP-4 proposes a Historic Gullah Neighborhoods Conservation Overlay District as a vehicle for implementing several of this report's recommendations related to the LMO. With respect to development application fees, it is proposed that they be waived for applicants within the proposed Historic Gullah Neighborhood Conservation Overlay District. It is proposed that a fund be established to provide grants subsidizing Town transportation impact fees for qualified property owners within the proposed overlay district.

Implementation: This strategy can be implemented through amendments to the LMO. Section 16-2-102.C.2 addresses development application fees by reference, while Section 16-5-116 addresses impact fees. The proposed fund should be established and administered by the Town. It is recommended that, at a minimum, residential projects should qualify for grants. Based upon input from stakeholders, the Town should also consider grants for impact fees related to commercial development. In either case, projects would need to meet specific criteria, and applications could be decided by a

Town-appointed committee of staff and/or appointed or elected officials. One such criterion might be prioritizing Gullah property owners for this grants program, as opposed to out-of-town developers having no connections to Gullah culture.

PP-2. "Fast-track" the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners' time and costs associated with development.

Issue Statement: The time it takes to process a development application has financial implications. Unlike most developers, those costs can be prohibitive for many Gullah land owners.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO.

Strategy Description: It is proposed that all development applications requested for development in the proposed Historic Gullah Neighborhoods Conservation Overlay District be "fast-tracked" by allowing those applications to "move to the front of the processing line" in the review and approval process once they are determined complete. It is noteworthy that the Town already provides administrative approvals for any application types that they have the authority to so they can avoid lengthy approval processes for applicants.

Implementation: The review process for various types of development applications is established in Chapter 16-2 of the LMO. Amendments for "fast-tracking" development applications in the Historic Gullah Neighborhoods Conservation Overlay District should be provided in this part of the LMO. They should also be referenced in the Historic Gullah Neighborhoods Conservation Overlay District provisions. These amendments should be prepared in Phase 2 of this project.

PP-3. Utilize the Town's newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.

Issue Statement: One of the major hurdles for the Island's Gullah residents and land owners is understanding the complexities of the land use and development regulations. The Town has a strong track record in trying to help applicants navigate the regulations, but they have limited staffing capacity, just like most municipalities. Recently, the Town established a new professional staff position, the "Historic Neighborhoods Preservation Administrator." The Historic Neighborhoods Preservation Administrator's advertised job description is to "Initiate, implement and administer a program to preserve the

Island's historic neighborhoods and advance efforts to improve infrastructure in and service delivery to these areas."

Background Study Reference: Page A-12 of Appendix A provides information on the Historic Neighborhoods Preservation Administrator.

Strategy Description: A portion of the Historic Neighborhoods Preservation Administrator's time should be devoted towards assisting land owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to better understand the Town's land use and development regulations, and assisting them prepare and process development applications.

Implementation: Since the Historic Neighborhoods Preservation Administrator position will report directly to the Town's Deputy Director of Community Development, this recommendation can be implemented by the Deputy Director.

LAND USE & DEVELOPMENT STANDARDS

PP-4. Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.

Issue Statement: There is consensus that the Town's Land Management Ordinance (LMO) should be modified to provide more development opportunities for Gullah land owners. Examples of potential treatment for Gullah neighborhoods include waiving development fees and certain impact fees, relaxing certain development standards, and expanding permitted land uses and increasing development densities.

Background Study Reference: Pages A-1 and A-2 of Appendix A provide information on the delineated historic Gullah neighborhoods, and pages A-28 through A-33 of Appendix A provide information on the LMO.

Strategy Description: It is recommended that a Historic Gullah Neighborhoods Conservation Overlay District be added to the LMO. Its purpose and intent should be to preserve the character and historic integrity of the island's historic Gullah neighborhoods. It should be applied to the historic Gullah neighborhoods delineated in the Town's 2017 Comprehensive Plan (see page A-1 of this report's Appendix A). The overlay should serve as a vehicle for implementing the other recommended LMO revisions found in this report, such as fast-tracking development applications, waiving certain application fees, providing grants to subsidize certain development impact fees, increasing densities, potential reductions in setbacks and buffers, adjusting ROW widths, and adopting family compound provisions. Below is a list of the potential provisions

that might be directly included in this proposed overlay district that are detailed in the following pages:

- Allowing higher densities for the lands zoned RM-4 and MF
- Reducing some minimum setback and buffering requirements
- Reducing open space requirements for residential subdivisions

Implementation: Since the Forest Beach and Folly Field Neighborhood Character Overlay Districts appear to be closest to this proposed overlay for historic Gullah neighborhoods, it is recommended that those districts be used as a starting point for development of the proposed overlay, which will be tailored specifically to the historic Gullah neighborhoods. Because of the unique circumstances of the historic Gullah neighborhoods, however, the adaptation of any templates will need to be substantial. It is further recommended that the overlay district be designed and drafted as part of this project's Phase 2.

A. *Allow higher densities for the RM-4 and MF zoning districts in the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can better leverage their potential land value.*

Issue Statement: The most prevalent base zoning districts within the proposed Historic Gullah Neighborhoods Conservation Overlay District are:

- Low to Moderate Density Residential (RM-4);
- Moderate Density Residential (RM-8);
- Stoney (S);
- Mitchelville (MV);
- Marshfront (MF);
- Water-Oriented Mixed Use (WMU); and
- Parks and Recreation (PR).

It must first be acknowledged that many of the base zoning districts that currently apply to the proposed overlay district already allow a relatively wide range of land uses. Contemplating whether to broaden the uses allowed in the base districts within the proposed Historic Gullah Neighborhoods Conservation Overlay District or increasing densities must always be considered in the context of ensuring sound land use planning and the community's goals for development.

Given these considerations, there may be opportunities to expand some types of uses and/or increase densities and maximum impervious surface coverage requirements. However, they would most likely be modest refinements, given the current development parameters in relationship to the development parameters in base district outside the proposed overlay district.

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Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, including the most relevant zoning districts.

Strategy Description: Several actions might be taken with respect to modifying the base zoning districts and district regulations within the proposed Historic Gullah Neighborhoods Conservation Overlay District. First, the current base districts that apply in the area might be refined in several ways. The current uses allowed by right and conditionally have been reviewed to determine whether it might be appropriate to expand allowed uses in the districts. Secondly, the development parameters have been evaluated relative to district purposes and the other residential, commercial and mixed-use districts in the Town to determine whether modifications make sense. Another potential option to consider is the expansion of the boundaries of existing zoning districts to adjacent lands. Any such actions, however, should balance the desire to provide greater options for Gullah lands with sound planning principles and likely future market demand. Potential changes to existing zoning that should be considered only within the proposed Historic Gullah Neighborhoods Conservation Overlay District include the following:

Low to Moderate Density Residential (RM-4): This zoning district is the most prevalent within the Gullah neighborhoods. It allows a maximum density of 4 to 8 units per net acre, depending upon the size of the site. It also allows a relatively broad range of permitted and conditional uses relative to other residential districts. It is recommended that, within the proposed overlay, a maximum density increase of 25% to 50% be considered, which is capped at a maximum density of 10 units per acre regardless of the site size. That increase would result in 5 to 6 units per net acre for sites less than 3 acres in size, 7.5 to 9 units for sites between 3 and 5 acres in size, and 10 units for sites over 5 acres in size.

Moderate Density Residential (RM-8): This zoning district is applied to a relatively small portion of the proposed overlay relative to the RM-4 district. No revisions are recommended for the RM-8 within the proposed overlay areas.

Stoney (S): This zoning district permits a substantial range of uses and densities up to 10 units per net acre. Because the range of uses and permitted density are significant, no changes are recommended.

Mitchelville (MV): Similar to Stoney, this zoning district already permits relatively dense development and a substantial range of uses. No changes are proposed.

Marshfront (MF): This district permits a mix of residential, institutional, and commercial uses. Permitted densities are as high as 10 units per net acre (based upon the optimal street location and a site size exceeding 3 acres). The maximum nonresidential gross floor area (GFA) is 7,000 square feet per net acre, the maximum building height is 45 feet, and maximum impervious surface coverage is 60%. It is

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recommended that the limitation of density along major arterial streets (4 units per net acre for sites less than 3 acres, and 8 units per net acre for sites 3 acres and larger) be eliminated so that major arterial sites can have the same density as elsewhere within the MF zoning district.

Water-Oriented Mixed Use (WMU): Allowing even more dense development than the S or MV districts, this district permits a wide range of uses, densities up to 16 units per net acre, and building heights up to 75 feet. No changes are proposed.

Implementation: Following a general evaluation of the primary base zoning districts that comprise the same areas proposed for the overlay district, the only proposed changes for increased density of development apply to the RM-4 and MF districts. Amendments should be considered for the RM-4 section and MF section of the LMO and referenced in the new section for the proposed overlay district. However, before adopting any revised standards for these districts within the proposed overlay, it is recommended that conceptual site plans be prepared for multiple example properties to ensure that the proposed changes will achieve the desired results. In addition to potential allowed density increases, such testing will also need to consider standards for impervious coverages, building heights, setbacks and buffers. As reflected in subsequent recommendations, corresponding amendments to some of those standards may also be necessary to work properly with density increases.

B. *Reduce some setback and buffer requirements within zoning districts applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can maximize their development potential.*

Issue Statement: Some refinements to the requirements for use and street setbacks and use and street buffer requirements might be achieved to enhance the development potential of Gullah lands without affecting the quality of development or the general character of the Town. However, as noted previously, the merits of relaxing development standards must always be balanced against sound land use planning that seeks to avoid negative impacts from development and maintains desired community development quality and character. Below is a summary of potential revisions to the current LMO setback and buffer requirements:

Adjacent Street Setbacks: These standards refer to the setback that structures must have from their adjacent streets. One potential setback that should be considered is reduction of the required setback for structures 24 inches in height or greater. Similarly, there is the potential to reduce setbacks along arterial streets.

Adjacent Use Setbacks: These standards dictate how far a structure must be set back from the lot line of an adjacent use (there are some existing exceptions when residential subdivisions are adjacent to other residential subdivisions). Although, in the case of single-family subdivisions, these setbacks only apply to the perimeter of

the subdivision, they may still be overly generous in some cases and worthy of reconsideration.

Adjacent Street Buffers: Given that a buffer along a street frontage is more in keeping with an Island character than a historic neighborhood character, the elimination of adjacent street buffers should be considered within the proposed overlay district for all street types other than arterials. For the arterials, the required buffer types might be decreased in width and landscape density.

Adjacent Use Buffers: As with adjacent use setback requirements for residential subdivisions, these buffers only apply to the perimeter of the subdivision rather than the individual lots. Nevertheless, buffer requirements are substantial enough that they have potential for reduction as applied to properties within the proposed overlay district.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's Land Management Ordinance (LMO).

Strategy Description: It is recommended that relief from the LMO's existing use setback requirements be adopted in the proposed overlay district. Likewise, adjacent street buffers should be considered for complete elimination for all but arterial street frontages within the proposed overlay with some level of reduction in the buffers for arterial streets (except for development abutting Industrial uses). This reduction does not apply to buffer height requirements. Consideration should also be given to reducing or even eliminating adjacent use buffer requirements within the proposed overlay when the buffer would apply to like uses and development.

Implementation: Any proposed exemptions from the LMO's setback and buffer standards that might be applied to the proposed overlay district should be noted in the LMO's setback and buffer standards section. Also, these reduced setbacks and buffers should be referenced in the new section for the proposed new section for the proposed overlay district. In order to determine specific adjustments to the setback and buffer standards, it will be necessary to evaluate actual development sites through site planning and confirm where potential adjustments might be achieved without affecting desired community character.

C. *Reduce the LMO's open space requirements as applied to the proposed Historic Gullah Neighborhoods Conservation Overlay Zoning District so that land owners can maximize their development potential.*

Issue Statement: Some LMO requirements impact the development potential of historic Gullah neighborhood lands, as is the case for all lands on the Island. One of those requirements is the Open Space Standards contained in Section 16-5-104 of the LMO. The requirements currently apply only to residential subdivisions constituting a Major

Subdivision (6 lots or more). The standard requires a minimum of 16% of the site be placed in common open space. The common open space is required to be deed restricted or protected through a conservation easement for the use and benefit of the residents of the development.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO.

Strategy Description: It is recommended that the open space requirements be reduced as applied to lands within the proposed overlay district, as follows:

- Increase the number of lots required to trigger this requirement from 6 lots to 10 lots.
- Reduce the amount of required open space from 16% to 10%.

Implementation: The suggested revisions to the LMO should occur in Section 16-5-104 where open space requirements are addressed, and they should be referenced in the new section for the proposed overlay district.

PP-5. Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."

Issue Statement: At present, a subdivision of six (6) or more lots requires paved roads and other infrastructure, which can be cost-prohibitive for many Gullah land owners. Beaufort County has a Family Compound ordinance in its land development code. It might be adapted as a model for Hilton Head Island's proposed overlay, but the density restrictions of that model would need adjusting to fit Hilton Head Island's existing higher densities. While identifying an alternative for relief from the Town's current subdivision requirements is a worthy objective to pursue, consideration must also be given to avoid adding to the Town's backlog of unpaved roads and infrastructure needs.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, including current challenges for Gullah land owners.

Strategy Description: The County's existing Family Compound provisions are summarized in this report's Background Study on pages A-37 and A-38 of Appendix 1 under "Potential Model Regulations." Key provisions that could serve as a model to address paper subdivisions within the proposed overlay for Hilton Head Island include:

- Fifty (50) years of ownership of the subject site.
- Familial relationship of those receiving property and/or dwelling unit.
- Five (5) year restriction for leasing or selling the subject property to people not related to the family.

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With respect to the last provision, stakeholders have expressed their desire to see such a provision apply to selling, but not to leasing property.

Implementation: The Beaufort County Family Compound provisions summarized in this report's Background section should be used as a starting point to craft similar provisions for Hilton Head Island's LMO within the proposed overlay. Because densities will be greater for Hilton Head Island than those areas of the County where these provisions are applied, accompanying site design standards will be important. Those can be crafted during Phase 2 of this project.

PP-6. Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conservation Overlay District to make the development of some properties more viable.

Issue Statement: As in the case of all properties on Hilton Head Island, required road right-of-way (ROW) widths and drainage easements can reduce the amount of potential density for development. These standards can be particularly challenging for smaller parcels. Required ROW widths are determined by the street type. Minimum widths range from 30 feet for cul de sacs to 120 feet for major arterials. Closed pipe underground drainage easements must be at least 15 feet wide. Open channel easements must be at least as wide as the widest point of the top of the channel, plus an additional 15 feet. The Town Engineer can require more width where needed for both types of easements, and shared easements are permitted along lot lines where feasible.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO.

Strategy Description: Two different strategies are offered to address this issue.

First, relief from ROW and drainage easement width requirements should be pursued with revisions to the LMO. Because establishing a ROW also impedes flexibility for future subdivision layouts, another option should be to allow access easements until an area more fully develops.

Secondly, when a new road ROW is established in an area already developed or when created without a development, the land within the new ROW is removed from the amount of land for density calculations. It is recommended that, in such circumstances, the amount of land lost can still be used for calculations within the proposed overlay district.

Implementation: Any LMO revisions consistent with the suggestions above would need to be made in the text for the proposed overlay district. Also, the LMO sections relative

to ROW widths, drainage easement widths, and density calculations would need to be revised accordingly during Phase 2 of this project.

PP-7. Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

Issue Statement: A handful of communities across the country have successfully used some form of transfer of development rights (TDR) to assist in the protection of environmentally sensitive lands, or mitigate against the idea of "windfalls and wipeouts." Typically, TDR allows property owners whose lands have lower densities or are being rezoned to lower densities ("sending" areas) to be given certain additional development rights (dwelling units or nonresidential floor area), which could be sold in a transfer to other identified locations ("receiving" areas). It is also conceivable that a sending area might already be substantially developed, but any additional density that zoning may allow is sold as development credits to be applied to receiving areas. Experience suggests that for TDR programs to work successfully: 1) program design must be supported by careful economic/market analysis to confirm there will be reasonable market demand in the receiving areas for units that can transferred from the sending areas; and 2) the regulatory program, and selection of receiving areas in particular, are carefully designed to take advantage of market conditions.

If a TDR program is going to be a viable option to provide additional development rights for property owners within the historic Gullah neighborhoods, the neighborhoods would need to serve as the "sending" areas. The challenge would be:

- Finding the appropriate "receiving" areas where market conditions will maximize the value of transferred residential units or nonresidential square footage; and
- Finding places the Town finds it acceptable to see increased density levels.

While TDRs are authorized in South Carolina, the greatest challenges to this concept are their technical complexity and the necessary study that will be required to make it work. Due to the complexities associated with creating a TDR program, this may not be a viable recommendation for the Town to pursue.

Background Study Reference: N/A

Strategy Description: To be determined

Implementation: If the Town is interested in considering a TDR program for the historic Gullah neighborhoods, it will be necessary to retain the services of consultants with expertise in land economics and the regulatory aspects of TDR programs to conduct a study to determine the feasibility of such a program, and if it is workable, design the

program and the appropriate legislation. Generally, the design of the program would involve the identification of "sending" areas in the historic Gullah neighborhoods, and "receiving" areas in other locations on the Island, where additional development rights are appropriate.

PP-8. Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.

Issue Statement: As in the case of the proposed TDR program, this recommendation recognizes that some land owners in the historic Gullah neighborhoods may not want to develop or further develop their land, but they would like retain their land and benefit financially from their property's unrealized development potential.

Background Study Reference: N/A

Strategy Description: It is recommended that this program be led by a qualified conservation entity as the first option, with the Town as a fallback if such entities are unable or unwilling to fund the costs of development right purchases. The legal approach might be based upon the Town's past initiatives to purchase development rights from willing property owners. In those cases, an agreement was negotiated between the Town and property owner stipulating what future develop could or could not occur on the land.

Implementation: The Town's new Historic Neighborhoods Preservation Administrator should reach out to area land conservation entities to gauge their interest in working with land owners in the historic neighborhoods. Examples of such potential entities include the Hilton Head Island Land Trust, the South Carolina Conservation Coalition, the Lowcountry Land Trust, and the Southeast Regional Land Conservancy.

PP-9. Amend the Town's Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.

Issue Statement: The Town's Design Guide is applied by the Town's Design Review Board and staff to all properties within the Corridor Overlay District. Provisions for this overlay can be found in Section 16-3-106.F of the LMO. Except for single-family homes, mandatory design review is required for all alterations to a site or structure in terms of colors, materials, structural changes, landscaping, and signage. Because the requirement is relatively expansive geographically, it includes some lands within the proposed overlay district. The Design Guide is based on a vision for the Island that is

grounded in resorts for tourists and gated communities rather than the Gullah people's historic neighborhoods.

Background Study Reference: Pages A-33 and A-34 of Appendix A address the Corridor Overlay District and the accompanying Design Guide.

Strategy Description: It is recommended that a new section be added to the Design Guide to apply specifically to lands within the proposed Historic Gullah Neighborhood Conservation Overlay District. That section would replace all requirements of the existing Design Guide as they pertain to the Gullah neighborhoods. The new standards should be based (at least in part) on historic development patterns and character found within the neighborhoods prior to the predominance of mobile homes in some areas.

Implementation: The Town has preliminarily indicated that this is a project that Town staff can perform without the unnecessary expense of consultants. Examples of surviving architecture on Hilton Head Island for design inspiration might include the "Blue House" at the Gullah Museum and the Cherry Hill School, both of which feature clapboard exteriors, front porches, and gable roofs with pitches less than 45 degrees. Vibrant colors are also associated with Gullah culture. Fortunately, there are numerous historic photos of Mitchelville and other areas of the island from the 1860s.

PROPERTY TAXES

PP-10. Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.

Issue Statement: The current approach of basing assessed property values and property taxes on the market value of the property is grounded in future development potential, which may or may not actually be realized. Even if it can be realized, some historic neighborhood landowners cannot afford to pay their property taxes. Consequently, sometimes their taxes become delinquent and the property is sold by the County at auction. One way the problem might be mitigated is to adjust how property is valued for tax purposes. Achieving such a change, however, is difficult for the Town since the State establishes the rules for how property is to be valued for tax purposes, and the County is the local government authorized by state law to assess property values (Beaufort County Assessor's Office) and calculate taxes (Beaufort County Treasurer's Office).

Background Study Reference: Pages A-34 and A-35 of Appendix A provide information on property taxes.

Strategy Description: It is recommended that a lobbying campaign be initiated to change the State laws so that properties within a specified area for specified reasons can be assessed based upon current use. Based upon political realities, this would need to be an effort that involves multiple jurisdictions and elected officials beyond Hilton Head Island. In fact, given that the issue is particularly impactful on Gullah property owners, the effort might be spearheaded by communities and counties that comprise the South Carolina portion of the Gullah Geechee Cultural Heritage Corridor, which is a federally recognized and designated area.

Implementation: Before initiating an effort to change the way property taxes are assessed on Gullah lands, further evaluation will be necessary. Specifically, what will need to be determined is:

1. The most appropriate strategy for making such a change, and
2. Whether the investment of time and effort can reasonably be expected to be effective.

Generally, the potential approaches evaluated should focus on possible changes to provisions modifying how Gullah lands are assessed by a partial exemption or general State law changes. If after further evaluation one of these strategies looks promising, a meeting of potential stakeholders should be called and a specific strategy developed.

PP-11. Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on Hilton Head Island.

Issue Statement: As indicated in the previous recommendation, many Gullah property owners struggle to pay their property taxes. Some are unable to pay their taxes and lose their property at auctions. Another issue is that sometimes property owners are unaware their taxes are delinquent and that their land will be auctioned at a County tax sale. While some ideas have been recommended in this report to address this problem, such as lobbying for State legislation to revise how property values are assessed, the problem ultimately comes down to finding the money necessary to assist the property owner to pay the property taxes.

Background Study Reference: Pages A-34 and A-35 of Appendix A provide information on property taxes.

Strategy Description: One alternative funding tool to consider might be a GoFundMe webpage tied to a revolving fund. The Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN) is already working on such efforts with a GoFundMe webpage. The Town should coordinate with PAFEN as a potential funding resource. Another potential funding source is the Community Foundation of the Lowcountry.

To address the problem that some Gullah landowners might be unaware that their taxes are delinquent, a person or entity could be assigned to review legal notifications to learn when the property taxes on Gullah-owned lands are delinquent and scheduled to be sold, and make sure the owner(s) are notified.

Implementation: It is recommended that NIBCAA explore funding sources to assist Gullah property owners in paying their delinquent taxes through no interest loans. This should include contacting PAFEN about setting up a GoFundMe webpage, as well as contacting the Community Foundation of the Lowcountry about assisting with funding. Another related effort should include regularly reviewing legal notifications to learn when Gullah-owned lands are tax delinquent and scheduled to be sold, and notifying the owner(s).

OTHER ISSUES

PP-12. Establish a program to educate Gullah residents and others on a wide range of public policy issues that impact their lives, including property taxation, land use and development, and heirs' property so they can prosper more socially and financially.

Issue Statement: There are countless public policies that impact the daily lives of Hilton Head Island residents and workers, including the Gullah community. As just one example, the length and complexity of the Land Management Ordinance (LMO) can be confusing to planners, land use attorneys, and real estate development professionals, much less the average layperson. However, knowledge relating to public policies is a key to saving Gullah land and culture.

Background Study Reference: N/A

Strategy Description: The objective of this strategy is to enhance the general understanding of Hilton Head Island residents, and particularly the Gullah population, on public policies that impact them regularly. It is recommended that a series of meetings be held to educate citizens on topics such as the LMO, property taxes, heirs' property, and financial resources for land owners and businesses.

Implementation: It is recommended that this program be initiated by the Towns' new Historic Neighborhoods Preservation Administrator. While it may turn out that the Administrator has to present on all of these issues, an ideal scenario would be the following presenters:

- Land Management Ordinance (LMO) – Town's Community Development staff
- Property Taxes – County's Tax office staff
- Heirs' Property – Center for Heirs' Property Preservation (CHPP) representative

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- Financial Resources – Representative from the local Small Business Administration (SBA) office, the Chamber of Commerce, or a local financial institution

PP-13. Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District.

Issue Statement: The purpose and intent of the CRA is to encourage commercial banks and savings and loan associations to help meet the needs of borrowers of all economic segments of their communities, including those persons who reside in low and moderate-income neighborhoods. Congress passed the Act in 1977 to reduce discriminatory credit practices in low-income neighborhoods ("redlining"). The CRA instructs the appropriate federal financial supervisory agencies to encourage regulated financial institutions to help meet the credit needs of the local communities in which they are chartered. To enforce the statute, federal regulatory agencies examine banking institutions for CRA compliance, and take this information into consideration when approving applications for new bank branches or for mergers or acquisitions. A key hurdle for many Gullah land and business owners to succeed is accessing capital.

Background Study Reference: N/A

Strategy Description: It is recommended that NIBCAA representatives reach out to the Island's financial institutions to find out if they are seeking opportunities to meet their CRA obligations by making loans to qualified borrowers in historic Gullah neighborhoods within the proposed overlay district. Although this sort of strategy might normally be undertaken by an economic development office, that office was eliminated in Hilton Head Island in 2016. Georgetown, South Carolina's economic development office has recently found success by sponsoring "match maker" events bringing together lenders with potential borrowers.

Implementation: Ensuring that the CRA is being leveraged to assist Gullah land and business owners should be shepherded by NIBCAA. The Town's new Historic Neighborhoods Preservation Administrator might also help to educate those who might benefit about the CRA. Since property owners with heir's property issues cannot secure loans from financial institutions, it must be acknowledged that the CRA, unfortunately, will not be relevant to them.

PP-14. Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.

Issue Statement: The primary complaint heard from Gullah residents regarding signage is the difficulty they have with the existing regulatory process that applies to their businesses, including home-based businesses. While there are no fundamental problems with the LMO's current application of signage standards, options for assisting Gullah citizens with challenges related to sign regulations should be considered.

At present, the LMO requires Design Review Board (DRB) approval for any permanent signs that are over 40 square feet in area. That provision should allow most proposed signage for Gullah business owners to avoid DRB review. Instead, signs not exceeding 40 square feet in area are subject to administrative review by Town staff. Also, the Town follows the guidelines tied to "Island Character" in the Town's Design Guide, which address signage on pages 27-28.

Background Study Reference: N/A

Strategy Description: It is recommended that a program be initiated whereby compliant signage can be made available and reused because the lettering and design is adjustable. This program would be for Gullah residents and business owners who need temporary or seasonal signs within the proposed overlay district.

Implementation: NIBCAA would be the appropriate sponsor of this program. They could work closely with the Town's planning staff to insure compliance with Town regulations for signage. The Town can also provide information to those utilizing this program that will help them avoid placing signs within a ROW where they are not permitted.

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HEIRS' PROPERTY

It is important to remember that, when dealing with the heirs' property issue, there are no easy solutions. Clearing title to property requires a lot of hard work and usually the assistance of an attorney that is skilled in real property and title issues. The best approach is to utilize resource organizations and approaches that have worked in the past.

CURRENT EFFORTS

At present, measures are already being taken by the Town and others. *The principal current measures that should be continued* are the following:

Working with the Center for Heirs Property Preservation (CHPP) to schedule future workshops.

The fact that many Gullah residents lack legal title to their property is a problem that must be overcome before the property can be sold, or a loan obtained to improve the property. This is so, even though the property owner is required to pay property taxes. Unfortunately, resolving the problem is not simple, and usually expensive. The workshops held on Hilton Head Island in February 2018 and March 2019 were a success, as roughly 50 people attended each. CHPP representatives have indicated an interest in conducting future workshops on Hilton Head Island. The Town's new Historic Neighborhoods Preservation Administrator should become the Town's key contact person for scheduling and promoting future CHPP workshops. Given that an oyster roast was held in conjunction with the last workshop, and that likely drew greater participation, similar events should be considered in conjunction with future workshops.

Considering valid property tax payers to be qualified applicants for various land use and development applications.

Although lacking title to property may be problematic for property owners wanting to sell their property or to secure a loan, it does not preclude their ability to pursue approvals for land use and development applications within the Town of Hilton Head Island. Some communities require clear evidence of ownership before an application can be submitted for a subdivision, site plan approval, building permit, and similar applications. In the case of Hilton Head Island, evidence of paying property taxes will suffice. That approach is an important one for heirs' property owners and it is critical that it continues into the future.

Building upon the current efforts summarized above, below are three specific recommendations for addressing heirs' property. It is also important to note that one of the recommendations earlier in this report under "Public Policies" is also tied directly to the issue of heirs' property. That recommendation is *PP-5: Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."*

The following recommendations are offered for the Town's consideration:

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HP-1. Utilize the Heritage Library Foundation as a potential first step for Gullah families toward clearing title to their property to overcome heirs' property issues.

Issue Statement: The root of heirs' property issues lies in identifying and reaching agreement with relatives who are considered heirs of a particular property. The Heritage Library Foundation is comprised of two main components, one of which is the Hilton Head Island Genealogical Society Group. The Foundation focuses on acquiring, preserving and recording the history of the Island and its people, and making the information available to the public. The library contains more than 4,000 volumes of history-related documents.

Background Study Reference: Page A-11 of Appendix A provides background information on the Heritage Library Foundation.

Strategy Description: The key to better leveraging the Foundation's resources will be getting the word out. That should be done through the following entities, among others: the Heritage Library Foundation, the Gullah Museum, the Historic Mitchelville Freedom Park (HMFP), the Town, Gullah neighborhood churches, and the Center for Heirs' Property Preservation (CHPP).

Implementation: With respect to the Town's role in promoting the resources of the Heritage Library Foundation, the Historic Neighborhoods Preservation Administrator can play an important role in promoting the Library among Gullah land owners.

HP-2. Leverage a range of local, state and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.

Issue Statement: Of the various organizations addressing heirs' property issues, the CHPP, based in Charleston, seems to have the best track record and has an established relationship with the community in light of their 2018 and 2019 workshops. However, there are two drawbacks for some land owners seeking to use their services: 1) they require that clients intend to keep their land in their family and not sell it; and 2) there are income restrictions for those who can become CHPP clients. With respect to income restrictions, their cap is household incomes equal to or less than 200% of the federal poverty guidelines based on the number of people in the household. These requirements will preclude some Hilton Head Island property owners from using their services. Consequently, other organizations should also be leveraged to assist Gullah residents in resolving heirs' property issues.

Background Study Reference: Page A-12 of Appendix A provides information on the new Historic Neighborhoods Preservation Administrator, and pages A-40 and A-41 of Appendix A provide information about other organizations beyond CHPP that address heirs' property issues.

Strategy Description: This strategy entails building a working relationship with organizations such as the following:

- *Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN):* This Beaufort-based public charity is relatively new and it was "created to help Gullah/Geechee and other African descendants save their land for current and future generations." Since 2015, PAFEN's "Help Save Gullah-Geechee Land Campaign" has prevented Gullah Geechee owned property with an assessed value of more than $6 million from being lost.

- *South Carolina Legal Services (SCLS):* This non-profit entity provides free legal assistance in a variety of civil (non-criminal) legal matters, including heirs' property, to eligible low-income residents in the state. It is funded by grants from the federally-funded Legal Services Corporation, the South Carolina Bar Foundation, local United Ways, state court filing fees, and other funding sources. Their closest office to Hilton Head Island is in North Charleston.

- *Heirs' Property Retention Coalition (HPRC):* This is a national organization of lawyers, advocates, and academics heavily involved in litigation, legislative reform, and/or scholarly study related to heirs' property and, in particular, to the preservation of heirs' property within low-income African-American communities.

- *South Carolina Appleseed Legal Justice Center (SCALJC):* Based in Columbia, this non-profit organization was established in its current form in 1998. Their staff includes attorneys, outreach workers and community organizers. Their stated goal is to "influence policymakers to ensure the law is fair, to educate the public and their advocates about the law, and to assist attorneys…" While their current focus does not include heirs' property, there may be the potential if they could be convinced.

- *Black Family Land Trust (BFLT):* Based in Durham, NC, this non-profit's stated mission is "ensuring, protecting and preserving African American owned lands." While their main focus is on North Carolina, they do serve South Carolina as well. Their "Wealth Retention and Asset Protection (WRAP)" program addresses heirs' property issues through education.

- *Black Belt Justice Center (BBJC):* Headquartered in Washington, DC, this legal and advocacy non-profit organization serves African American farmers, landowners, and communities in the Black Belt region to: retain and increase landownership; to create sustainable land-based cooperatives and entrepreneurial businesses; and to ensure intergenerational and community wealth. They describe the Black Belt is a crescent-shaped agricultural region extending from southern Maryland to eastern Texas that is characterized by its high concentration of African Americans. Their services include community education, heirs' property mediation, and land trusts.

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Implementation: This strategy should be the responsibility of the Town's new Historic Neighborhoods Preservation Administrator. There should be no significant related costs. One way to remain informed about the activities of these groups is to sign up for their regular newsletters and e-mails, and to occasionally check their websites.

HP-3. Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources more readily available to Hilton Head Island's Gullah community.

Issue Statement: The CHPP is headquartered in Charleston and serves fifteen counties in the state: Allendale, Bamberg, Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Hampton, Horry, Georgetown, Jasper, Orangeburg, Sumter and Williamsburg. Because their main office is a two-hour drive from Hilton Head Island, it is not very convenient for property owners on the Island who need the Center's services. Likewise, it is inconvenient for Center staff to host workshops on the Island. One mitigating circumstance is that a CHPP staff attorney meets on the third Tuesday of each month with area property owners in the conference room of the Coastal Community Foundation in Beaufort. They announce their various locations at all of their seminars.

Background Study Reference: Pages A-39 and A-40 of Appendix A provide information about the CHPP.

Strategy Description: It is recommended that the Town actively encourage the CHPP to open a satellite office in Beaufort County, perhaps even on Hilton Head Island or Bluffton. Although the CHPP is a non-profit organization with limited funding, a satellite office is not out of the question. In fact, they just opened their very first such office in January 2019 in Orangeburg. However, they have indicated that to be able to expand offices, they would need the financial resources to add one or more staff attorneys.

Implementation: This strategy should be the responsibility of the Town's new Historic Neighborhoods Preservation Administrator. It should start with informal discussions with one or more key CHPP representatives. If there appears to be interest on the part of the CHPP, a coalition of other interested parties in the county should be formed, including the County, Beaufort, Bluffton and other municipalities within the county. Before making an aggressive "sell" to the CHPP, the coalition should first identify potential office space (which should be minimal in size for a one or two-person staff) that could be provided either for free or at a minimal cost. Also, if this recommendation is ultimately not viable for the CHPP, their current arrangement with the Coastal Community Foundation in Beaufort should continue to be broadcasted, including adding relevant information to the CHPP website.

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NEXT STEPS

This project's next step is a Phase 2, which might be conducted with the help of consultants or entirely in-house by the Town's planning staff, depending upon their work load. Regardless of how it is conducted, it will take the recommendations of this report and follow through with greater analysis and implementation. For example, some of the recommended revisions of the Town's LMO related to setbacks, buffers, open space requirements, and similar site design issues will need testing using sample sites. Likewise, issues such as pursuing changes to the methods used to assess the value of Gullah lands for property taxing purpose will require further legal research and meetings between the relevant governmental representatives. However, the next steps for more straightforward issues might include simple changes to the text of the LMO, as well as actions by the Town's new Historic Neighborhoods Preservation Administrator.

For each recommendation in this report, a description of the implementation approach is included. Regardless of the issue category of each recommendation, they can all be grouped into the following four implementation categories:

Land Management Ordinance Revisions
The Public Policies section of this report includes numerous recommendations to amend the LMO to expand the land use and development options within historic Gullah neighborhoods. Some of the recommendations hinge upon the designation of a Historic Gullah Neighborhoods Conservation Overlay District as the vehicle for their implementation (Recommendation PP-4). The creation of this overlay should be an initial step. Next, some of the recommendations related to setbacks, buffers, open space, and similar physical planning standards will require further testing through sample site plan designs. Once fine-tuned, the many proposed LMO revisions can occur by drafting the revised and new text.

Other Policy Revisions
While most of the recommended Public Policy changes are under the control of the Town government, not all of them are. For example, the recommendation to lobby the State and County to amend the way that property is assessed for taxing purposes, to be applied to the state's Gullah Geechee Cultural Heritage Corridor (GGCHC), is beyond the Town's direct control. That recommendation (Recommendation PP-10) will require additional legal research, coordination with other local governments within the region, and multiple meetings with State and County officials.

Programmatic Initiatives of the Town
Many of this report's Cultural Preservation recommendations involve programs or projects that will be initiated by Town staff, often in partnership with other entities. For example, Recommendation CP-2 (to initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites) will be a Town initiative. It is proposed that the Town's Senior Grants Administrator pursue grant funding from regional and national organizations, while the Town's Culture & Arts

Advisory Committee should spearhead the solicitation of funding from local individuals, organizations and businesses. However, support to the Town has also been proposed to come from the groups benefiting from this project, including the Gullah Museum, Mitchelville, and the Coastal Discovery Museum.

Programmatic Initiatives of Others

Other recommendations of this report should be spearheaded by entities other than the Town, although the Town's new Historic Neighborhoods Preservation Administrator and the Office of Cultural Affairs will be involved with some recommendations. For example, it has been proposed that the first option for spearheading Recommendation CP-12 (to establish a Gullah authenticity certification program) should be the Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC). If that option is not viable, it is proposed that NIBCAA be the lead entity for such a program.

Regardless of the implementation details, it is the sincere intent of the Town and its Gullah-Geechee Land and Cultural Preservation Task Force that this report soon be transformed into tangible action and measurable results.

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APPENDIX A
Background Study

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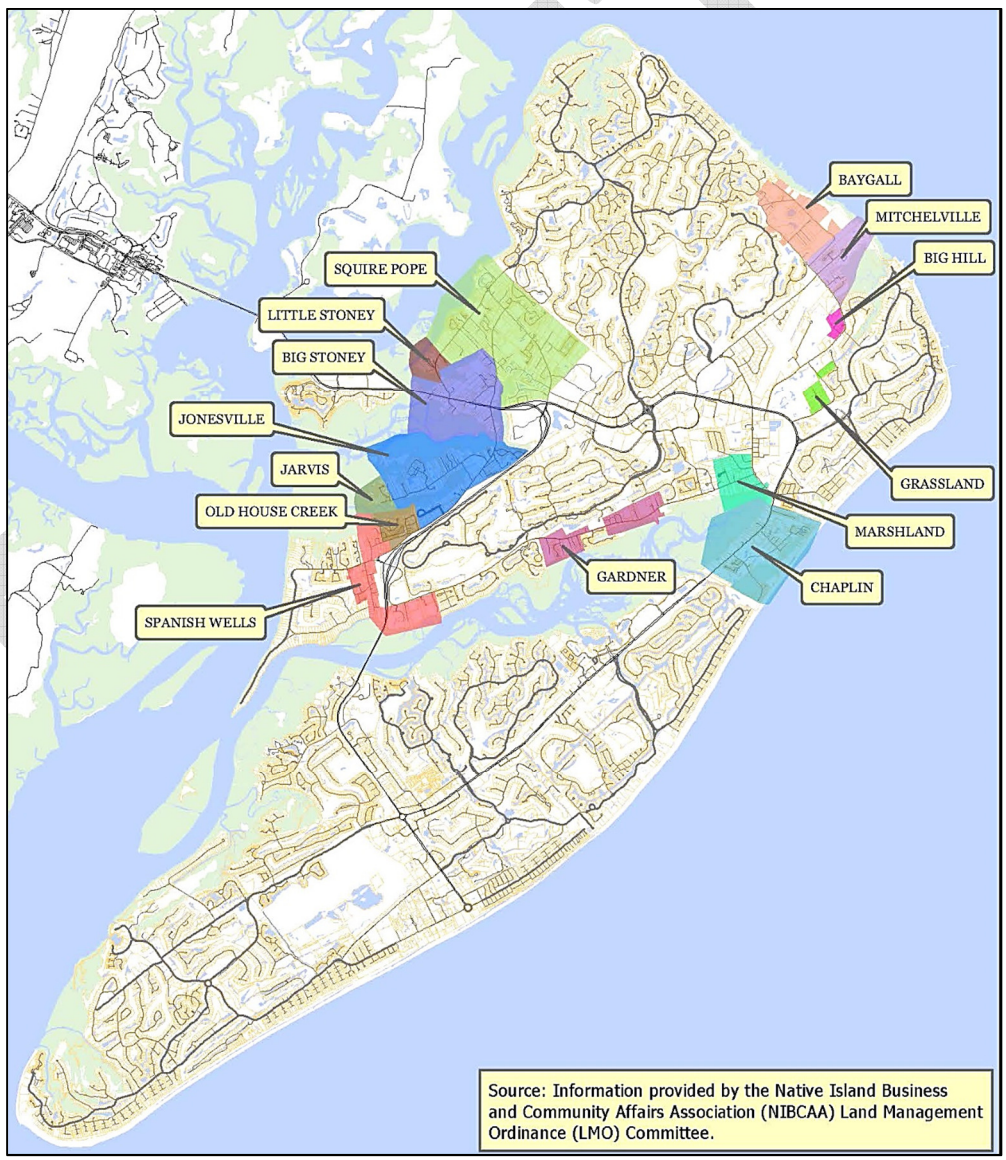
CULTURAL PRESERVATION

HISTORIC PLACES & RESOURCES OVERVIEW

Historic places and resources associated with Hilton Head Island's Gullah Geechee culture have been grouped into two categories for the purposes of this report: 1) historic Gullah neighborhoods and 2) historic sites. Both categories are summarized below. However, in the case of historic sites, it is not an exhaustive and comprehensive list.

Historic Gullah Neighborhoods

Historically, most neighborhoods included a "praise house," an oyster house, and a cemetery. Based on the map on page 6 in the Town's 2017 Comprehensive Plan (see below), all but one of the Gullah neighborhoods are located north of Broad Creek. The exception is Chaplin.

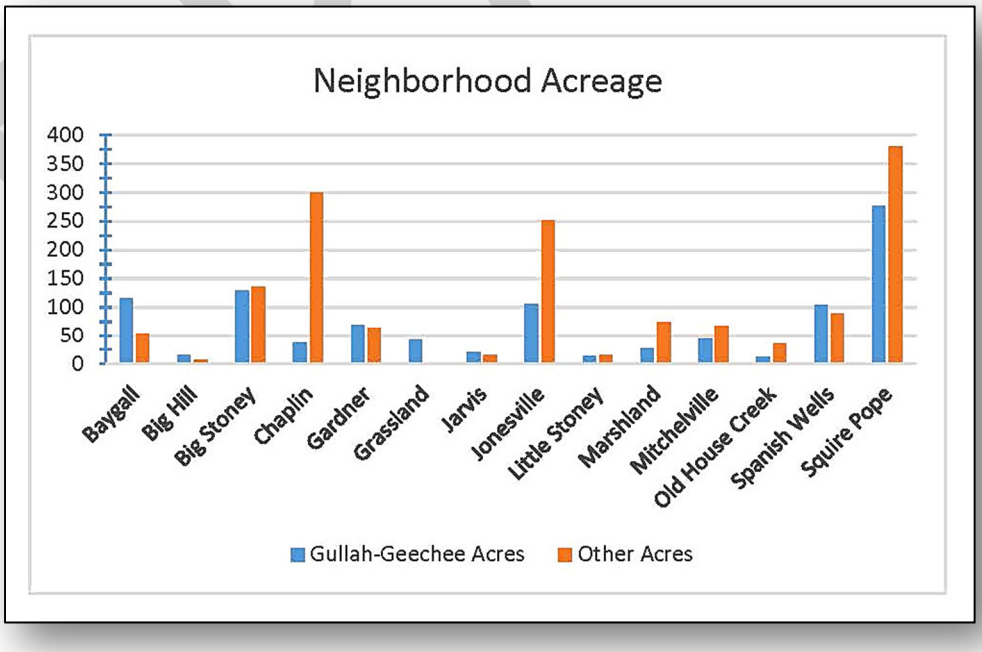


Historic Neighborhoods Map (Source: 2017 Comprehensive Plan)

The historic Gullah neighborhoods were delineated as part of the comprehensive planning process by the Native Island Business and Community Affairs Association (NIBCAA) Land Management Ordinance (LMO) Committee. As reflected on the map on the previous page, all of the historic neighborhoods are located on the peripheral portions of the island on or near the waterfront and Broad Creek. Collectively, they comprise over 2,500 acres, of which a little over 1,000 acres are still Gullah owned.

Historic Neighborhood Information						
Neighborhood	Total Acres	Total Parcels	Gullah-Geechee Acres	Gullah-Geechee Parcels	Other Acres	Other Parcels
Baygall	170.22	97	116.15	71	54.07	26
Big Hill	22.91	25	15.37	20	7.55	5
Big Stoney	265.66	181	129.26	97	136.40	84
Chaplin	338.84	386	38.05	50	300.79	336
Gardner	134.21	171	69.78	66	64.43	105
Grassland	42.40	24	42.40	24	0.00	0
Jarvis	36.33	61	20.03	12	16.30	49
Jonesville	358.34	417	106.20	87	252.14	330
Little Stoney	29.13	30	13.67	18	15.45	12
Marshland	101.43	120	27.77	33	73.66	87
Mitchelville	112.03	152	44.25	31	67.78	121
Old House Creek	48.68	148	12.40	14	36.28	134
Spanish Wells	193.42	215	104.26	131	89.16	84
Squire Pope	657.26	1030	276.41	268	380.85	762
TOTALS:	**2510.87**	**3057**	**1016.01**	**922**	**1495**	**2135**

Source: Town of Hilton Head Island



Source: Town of Hilton Head Island - 2017

Historic Sites

As reflected on the map on page 9 of the Town's 2017 Comprehensive Plan (see page A-7 in this Appendix), there are many historical or culturally significant properties associated with the Gullah community, as summarized below.

National Register Structures

Two structures on Hilton Head Island are listed on the National Register of Historic Places: the Leamington Lighthouse and Cherry Hill School. Only the latter one is associated with Gullah culture.

Cherry Hill School

The Cherry Hill School, designated on the National Register in 2012, was built in approximately 1937. Located at 210 Dillon Road, it consists of a simple, gable-front rectangular one-room frame and weatherboard-sided schoolhouse on an open brick-pier foundation. It was built by descendants of Mitchelville. The school operated until all African-American children began attending the new consolidated elementary school in 1954. The St. James Baptist Church purchased the school in 1956, and the church extended and renovated the building in 1984.

Cherry Hill School (Photo Source: The Green Book of South Carolina)

National Register Sites

Eight prehistoric and historic sites on the Island have also been placed on the National Register: Green's Shell, Sea Pines-shell ring, Skull Creek-shell ring, Fish Haul Archeological Site, Baynard Ruins, Fort Howell, Fort Mitchel, and Mitchelville (Fish Haul and Mitchelville are part of the same site). Of those, only the latter five have associates with Gullah culture, and only four have strong associations, as summarized below.

Fish Haul Archeological Site

This site is part of the plantation of Colonel John Barnwell and its earliest records date to 1717. Another name associated with the site is Drayton's House. It passed down through the family throughout the eighteenth and nineteenth centuries. In 1710 is consisted of 700 acres and the primary crop was cotton. In 1832, one of the descendants – Emma Catherine Pope – married General Thomas Fenwick Drayton. Although they never owned the plantation, General Drayton used the house as his headquarters during the Confederacy's 1861 defense of the Island prior to its capture. The remains reportedly include tabby fireplaces from slave cabins. The graves of slaves existed there until 1950 when they were relocated to the Drayton Cemetery. Added to the National Register in 1988, its address is restricted information per the NR designation, but the plantation in general was located off Beach City Road in the vicinity of Mitchelville Road and Fish Haul Road. It is technically part of the Mitchelville site, which is described below.

Baynard Ruins

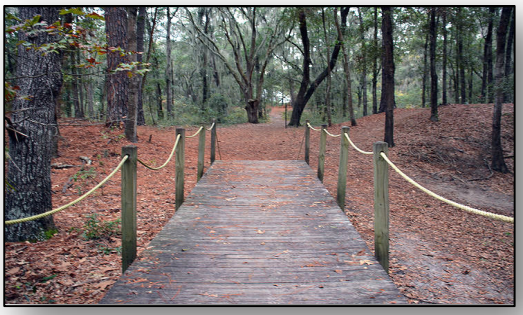
The tabby ruins of the historic Baynard estate, which includes the main house as well as slave quarters, have been preserved at Sea Pines. Originally built by Captain Jack Stoney in the 1790s, the Baynard house was once a grand antebellum plantation house overlooking the Calibogue Sound. Legend has it that the house changed hands when Stoney lost a poker game to William Baynard in 1840. Baynard, a successful Sea Island Cotton plantation owner, raised four children at the mansion with his wife, Catherine.

Baynard Ruins (Photo Source: The Local's Guide to HHI - Beach Properties of Hilton Head)

When the Union forces invaded Hilton Head Island in 1861, the Baynards evacuated the property. The residence was raided and served as Union headquarters during the Civil War before being burned shortly after the war. The site's Gullah link is that the enslaved people who worked on the plantation, and it is located off of Plantation Drive near the intersection of Baynard Park Road and Plantation Drive. Today it is accessible to motorized vehicles, open to the public, and interpreted through wayside exhibits. It is owned by the Sea Pines Community Services Associations (CSA) and it is designated as "park/preserve" on the Sea Pines Master Plan.

Fort Howell

Named in honor of Union Brigadier General Joshua B. Howell, it was built in 1864 for the primary function of protecting Mitchelville. It was constructed by the 32nd United States Colored Infantry Regiment from Pennsylvania. An earthen fort, it covers roughly 3 acres that was once part of the William Pope plantation. Located on the north side of Beach City Road approximately 200 feet southwest of the intersection with Dillon Road, it was listed on the National Register in 2011. It was deeded to the Hilton Head Island Land Trust in 1993 to insure its future protection. The site is open to the public, it is accessible through a parking lot and a board walk system, and it is well-interpreted with wayside exhibits.



Fort Howell (Photo Source: HiltonHead-SC.com)

Fort Mitchel

Another earthen Civil War fort listed on the National Register is Fort Mitchel, located at 65 Skull Creek Drive in the northwest end of the Island. It was originally built by the Confederates, but take over by Union troops when they captured the Island early in the war. It is well preserved and features a path system and interpretive waysides, although it has a less direct relationship to Gullah history than some of the other sites, such as Fort Howell.

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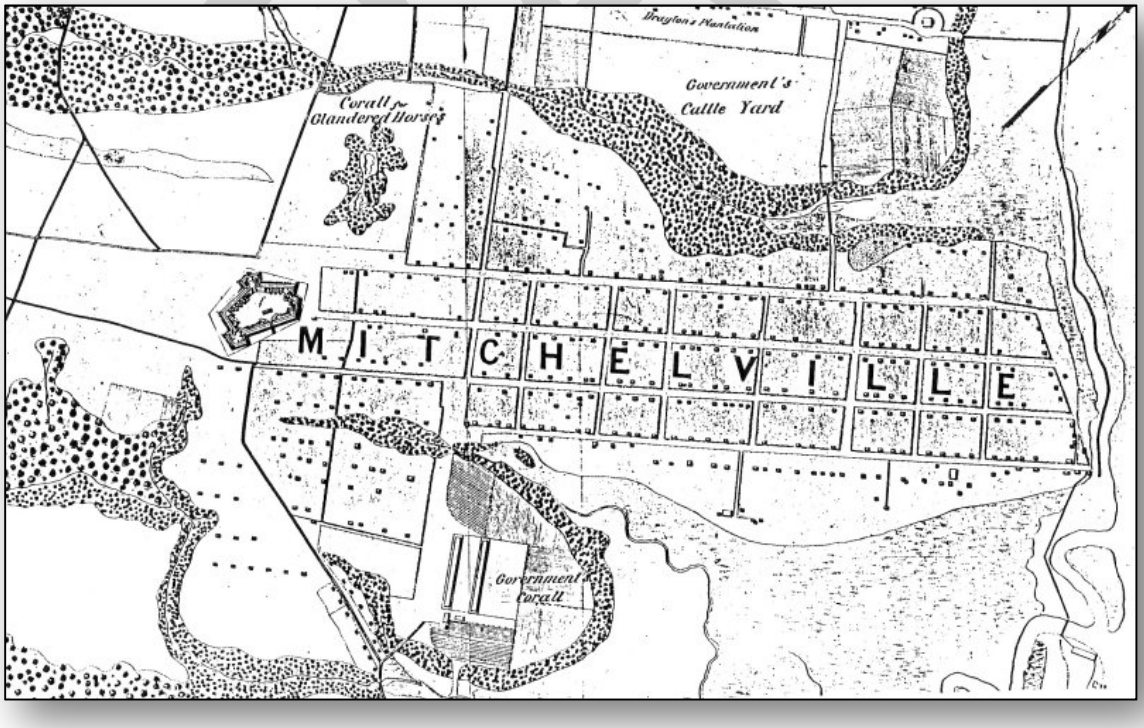
Mitchelville

Mitchelville was a town built during the Civil War for escaped slaves, located in the northeast corner of Hilton Head Island. It was named for one of the local Union Army generals, Ormsby M. Mitchel. Mitchelville was a population center for the enterprise known as the Port Royal Experiment. The community was established by late-1862 and contained about 1,500 residents by November 1865. The residents of Mitchelville supported themselves largely by wage labor for the military, earning mostly between four dollars and twelve dollars a month, depending on their level of skill. Nearly all of the wage jobs for the residents of Mitchelville ceased when the Union military departed the island in 1868, more than two years after the end of the war. The residents switched to a subsistence farming-based economy, with many forming farming collectives, joining together to rent large tracts of land from the government. Documents show that many of the Hilton Head Island freedmen experienced an extreme shortage of food after the military departed the island.

The site is located on Beach City Road, it is open to the public, and it features interpretive wayside exhibits. It is also part of the Fish Haul archeological site (described previously). It was added to the National Register in 1988. Today, the Historic Mitchelville Freedom Park, Inc. (HMFP) is a 501 (c) 3 non-profit organization whose mission is to replicate, preserve, and sustain the site and to educate the public about the freedmen of Mitchelville. A consultant team was recently hired by Beaufort County to prepare a master plan for the site. The Town has provided substantial support to this site and project, including acquiring the property, leasing it to the HMFP, and funding their Executive Director position for the past two years.



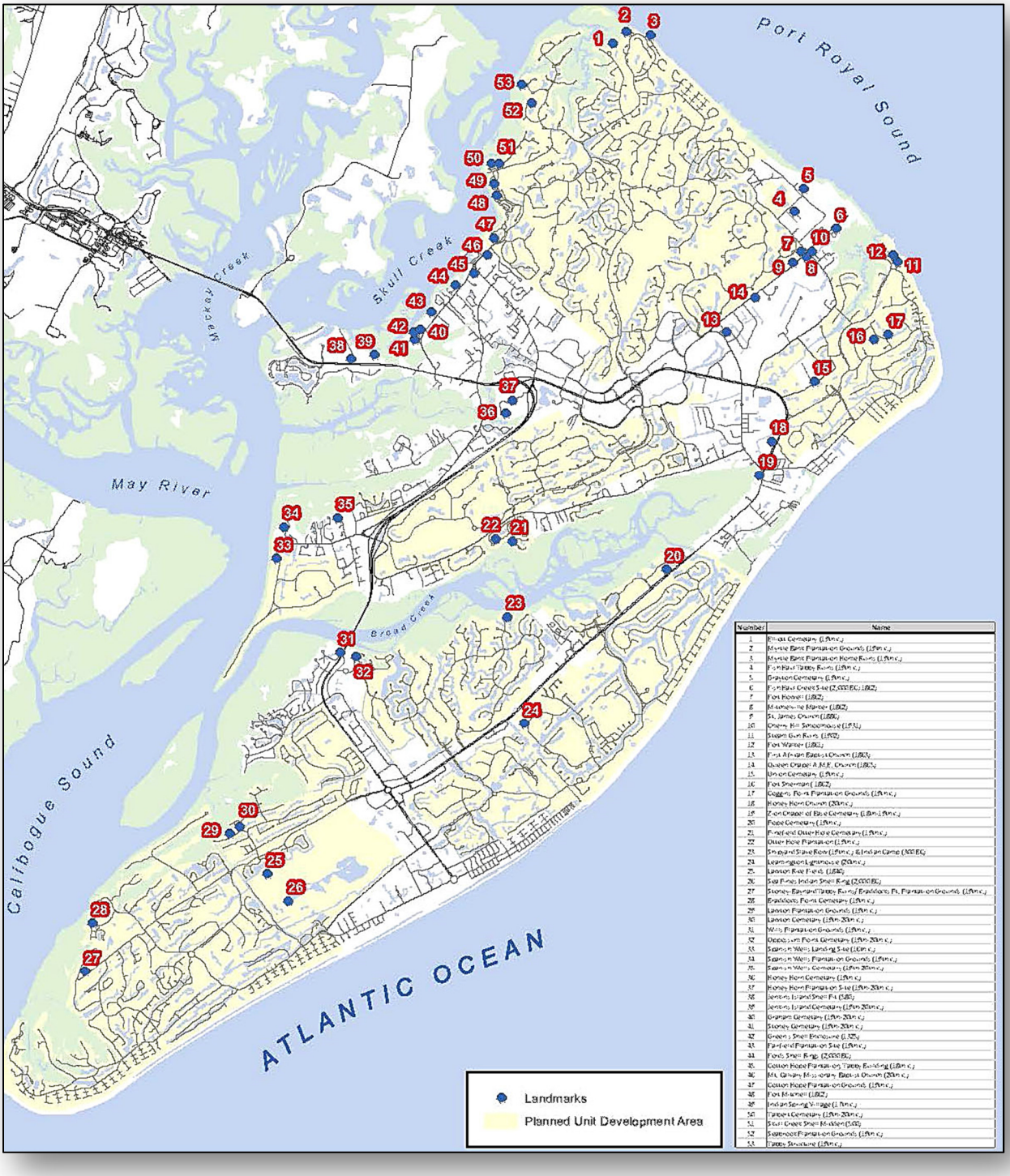
The map above of Mitchelville dates from 1864. (Source: Wikipedia)

One of eight known photos taken of Mitchelville by Samuel Cooley in 1864. (Photo Source: Finding Freedom's Home: Archaeology at Mitchelville)

According to the Town's 2017 Comprehensive Plan, additional archeological and historic sites have been identified that might be eligible for the National Register designation, but have not be nominated. In fact, a resource for archeological sites, most of which have no direct Gullah connections, is the "Archeological Survey of Hilton Head Island, Beaufort County, South Carolina" prepared for the State and Town by Michael Trinkley in 1987. That study was considered a "preliminary historical study and a reconnaissance level archaeological survey." It was conducted by the Chicora Foundation and partially funded by a National Park Service Historic Preservation Planning Grant administered by the S.C. Department of Archives and History, with matching funds from the Town of Hilton Head Island. According to that study at the time, over 130 archaeological sites had been identified and recorded on the Island. Of those, three were already on the National Register of Historic Places, 27 appeared to be clearly eligible, and at least 95 required further study. Of the many historic sites identified in the map on page A-7 of this Appendix, the following have Gullah ties:

1) Elliott Cemetery
2) Myrtle Bank Plantation Grounds
3) Myrtle Bank Planation Home Ruins
4) Fish Haul Tabby Ruins
5) Drayton Cemetery
7) Fort Howell
8) Mitchelville Marker
10) Cherry Hill School
13) First African Baptist Church
14) Queen Chapel AME Church
17) Coggins Point Plantation Site
20) Pope Cemetery
22) Otter Hole Plantation
23) Shipyard Slave Row
25) Lawton Rice Fields
27) Stoney-Baynard Tabby Ruins / Braddocks Point Plantation Grounds
28) Braddocks Point Cemetery
29) Lawton Plantation Grounds
31) Wills Plantation Grounds
32) Opossum Point Cemetery
33) Spanish Wells Landing Point
34) Spanish Wells Plantation Grounds
35) Spanish Wells Cemetery
37) Honey Horn Plantation Site
39) Jenkins Island Cemetery
40) Graham Cemetery
41) Stoney Cemetery
45) Cotton Hope Plantation – Tabby Building

46) Mt. Calvary Missionary Baptist Church
47) Cotton Hope Plantation Grounds
48) Fort Mitchel
50) Talbird Cemetery
52) Seabrook Plantation Grounds



Historic Landmarks and Archeological Sites (Source: 2017 Comprehensive Plan)

Historic Gullah Churches

Among the four interpretive themes of the Gullah Geechee Cultural Heritage Corridor (GGCHC) is spiritualism, which reinforces the fact that churches are an important facet of Gullah culture. Below is a summary of five historic Gullah churches on Hilton Head Island:

Historic First African Baptist Church

Located at 70 Beach City Road, this church was organized on Sunday, August 17, in 1862 in the village of Mitchelville. Reverend Abraham Murchinson was the church's first Pastor. According to the church's website regarding the first service, "It was reported that the number of members present at the service was 120, 70 of which were professing Christians under the rule of their late masters, while the others had been converted and baptized since the Military Occupation of the Island." The church moved to its present location southwest of Mitchelville in 1889.

Historic First African Baptist Church
(Source: Wikimedia)

Queen Chapel AME Church

Located at 114 Beach City Road, this church is located roughly half way between the Historic First African Baptist Church and Mitchelville. It was established in 1865 when the steamship Argo was forced to stop because of bad weather and the ministers on board started the church.

St. James Baptist Church

Located at 209 Beach City Road, this church was founded in 1886 by former members of the First African Baptist Church. It is located in the historic Mitchelville Neighborhood and immediately southeast of the Historic Mitchelville Freedom Park (HMFP). According to historians and church members, St. James is the oldest continuously operating cultural institution remaining within the historic Mitchelville Neighborhood. The current church was built in 1972, as a series of fires destroyed earlier structures.

Central Oak Grove Baptist Church

This church is located at 161 Mathews Drive in the Marshland Neighborhood. It was established in 1887 by former members of the First African Baptist Church. This church has sponsored in the past the closing musical event of the Gullah Celebration, which features multiple gospel choirs, including that of the Central Oak Grove Baptist Church.

Mt. Calvary Missionary Baptist Church

Founded in 1914, this church is located at 382 Squire Pope Road in the Squire Pope Neighborhood. As with some of the other churches, it was established by former members of the First African Baptist Church. In 2014, this church celebrated its one-hundred year anniversary with a series of special events.

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CURRENT PRESERVATION, INTERPRETATION & TOURISM EFFORTS

Preservation, interpretation and promotion of Gullah culture on Hilton Head Island has occurred in recent years at both the local and regional scales. The information below is based upon circumstances at the time of this report in 2019.

Local Efforts

Among the local efforts to preserve, interpret and showcase Gullah history and culture are the following efforts.

Historic Mitchelville Freedom Park

The stated vision of the Historic Mitchelville Freedom Park, Inc. (HMFP) is to preserve a portion of the historic site of what was once Mitchelville and to commemorate the former slaves' "experiment in freedom." This non-profit organization has a diverse 14-member board of directors, an executive director, and very limited support staff. Their offices are located in a Beaufort County building. Once fully developed, the project will incorporate the use of state-of-the-art technological and media platforms that will present the story of Mitchelville, allowing visitors to envision the historic town as it existed in the 19th century. It is hoped that the HMFP will become a key historic attraction for the area. There are already a variety of programs run at the site. For example, Griot's Corner is tailored for K through 3rd grade students that uses storytellers and children's activities to highlight freedom. Likewise, the "Remembering the Days of Mitchelville" play is set in 1867 and introduces audiences to some of the prominent citizens of Mitchelville. Tours being offered include the Roots of Reconstruction, Come Walk with Me in Mitchelville, and Combahee River Raid. Partners identified by HMFP include:

- Town of Hilton Head Island
- Heritage Library
- National Parks Service – Network to Freedom Program
- NIBCAA
- Coastal Discovery Museum
- Gullah Museum
- Community Foundation of the Lowcountry
- Gullah Heritage Tours
- Historic Churches of Mitchelville
- Historic Cherry Hill School
- Beaufort County

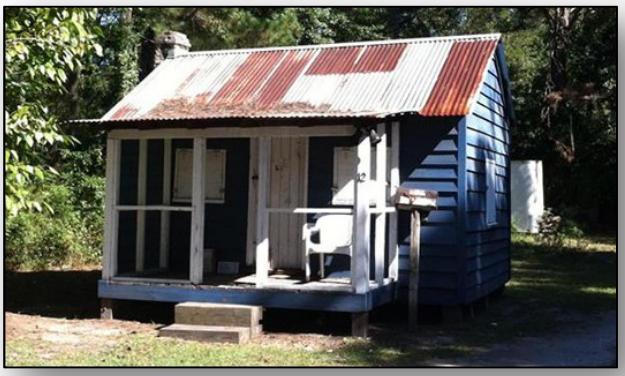
As noted previously, a consultant team was recently hired by the County to prepare a master plan for the site. The Town has provided substantial support to this site and project, including acquiring the property, leasing it to the HMFP, and funding the HMFP's Executive Director position for the past two years. The Director's salary funding is an interim arrangement that will eventually be phased out once the organization can become financially sustainable.

The $250,000 master plan budget is being funded by the County and the first draft is expected to be made available in October or November of 2019. That plan will address a range of important issues, including physical enhancements to the historic site to better convey what the historic village looked like in the 1860s, an interpretive plan, and a market analysis. The four interpretive themes identified thus far include: freedom, democracy, citizenship and opportunity. While the master plan will not attempt to recreate the entire village, it will likely result in the recreation of a small representative portion of it, to include one or more

structures. It has not yet been determined whether admission fees will ultimately be charged to help with financial sustainability.

Gullah Museum

The Gullah Museum, a 501(C)3 organization, was established in 2003 and is committed to maintaining Gullah customs, traditions, language, stories, songs and structures on Hilton Head. Through the support of individuals and institutions, the museum has successfully preserved its first structure - "The Little House," the home of William Simmons. The museum has also completed a documentary entitled "Hilton Head Island Back in the Day: Through the Eyes of the Gullah Elders." Both projects have served as a catalyst for providing context and understanding of the Gullah culture's influence on Hilton Head Island. The museum was founded by Louise Cohen, a Gullah woman raised on the island with a passion for Gullah history and culture. Among her contributions to preserving Gullah culture is to teach the language. Her stated vision for the museum is "to restore the houses that she grew up in, which will become part of the Gullah Museum of Hilton Head Island." The museum is funded via donations and memberships, events and programs with admissions, and sponsorship opportunities for the Gullah Food Festival.



Gullah Museum's Little House (Photo Source: Hilton Head Island, South Carolina – design42.com)

Gullah Heritage Trail Tours

Gullah Heritage Trail Tours was founded in 1996 by a Hilton Head Island Gullah Family Partnership. This family - the Campbells - has been involved in preserving and promoting Gullah cultural heritage for more than 40 years. Based on Hilton Head Island, Gullah Heritage Trail Tours caters to Lowcountry visitors interested in learning about the history of Gullah culture. The tour guides, all of Gullah heritage, were born and raised on Hilton Head Island before the bridge connection to the mainland in 1956. Information on tours, which are conducted via a shuttle bus, is available on the company's website (gullaheritage.com).

Emory Campbell leading a tour (Photo Source: Island Packet)

Hilton Head Island Gullah Celebration

Established in 1996, the Hilton Head Island Gullah Celebration showcases the cultural heritage of the Gullah people and their history on Hilton Head Island. Held every February, a month that otherwise sees the lowest level of tourism, programming includes a variety of events designed to attract local residents, regional, national and international travelers. The event originated, in part, for tourism and economic development opportunities for minority

businesses. According to the organization, the Celebration has been recognized by the Southeast Tourism Society as one of the "Top 20 Events" in the Southeast. Visitors have an opportunity to experience the food and music, receive firsthand, historical information, and take a journey through the culture via the visual arts. The Celebration is an initiative of NIBCAA in partnership with the Native Islanders Property Owners Association, the Town of Hilton Head Island, Beaufort County, and SC Parks, Recreation and Tourism.

Heritage Library Foundation

The Heritage Library Foundation is comprised of two main components - the Hilton Head Island Historical Society and the Hilton Head Island Genealogical Society Group. These entities are devoted to acquiring, preserving and recording the history of the Island and its people, and making this history available to citizens and visitors. The Heritage Library contains more than 4,000 volumes of history and serves as a valuable resource for history, family heritage research, historic preservation, education, and community outreach. The Heritage Library is one of the most comprehensive in the region, with microfilm readers, computers, Internet access, and collections of books, microfilm, microfiche, CDs, manuscripts, periodicals, video tapes, and maps. Teams of Heritage Library Foundation members and friends work at Fort Mitchel and the Zion Chapel of Ease cemetery. The Foundation assists family historians in publishing research and publishes selected manuscripts of out-of-print works from the Library's collections.

Coastal Discovery Museum

Founded in 1985, the Coastal Discovery Museum operated at two previous locations before making a giant leap forward in the fall of 2007 when it opened the facility at Honey Horn. A Town of Hilton Head Island property, Honey Horn is home to several of Hilton Head Island's oldest buildings. Since opening at Honey Horn, the Museum has expanded its offerings of programs, doubled the number of students that participate in museum programs, and hosted dozens of special events and festivals annually. In 2015, the Coastal Discovery Museum joined 200 other institutions around the country in being recognized as a Smithsonian Affiliate. Established in 1996, Smithsonian Affiliations is a national outreach program that develops collaborative partnerships with museums and education and cultural organizations to enrich communities with Smithsonian resources. Between 2015 and 2017, museum staff and board members conducted strategic planning that will direct the Coastal Discovery Museum's operations, activities, and goals for the future. Examples of their work relevant to this project include partnering with the HMFP on various programs, and the sweetgrass basket making classes they sponsor that are taught by a Gullah basket maker.

Town of Hilton Head Island

The Town also plays an important role in Gullah cultural preservation efforts in a variety of ways. The Town established the Gullah Task Force and has spearheaded and funded this plan to preserve Gullah culture. The vital support the Town provides to the Historic Mitchelville Freedom Park has also been noted throughout this report. Also, the Town's Office of Cultural Affairs is involved in multiple relevant projects. Examples include: the Cultural Trail, which promotes the island's art, history and pathways, including

Gullah culture; the office's website has a full section on Gullah culture and promotes sites such as Mitchelville, the Gullah Museum and the Gullah Celebration; and it promotes cultural events in general through its website calendar, including Gullah-related events. The Town has also recently installed several signs to identify some of the historic Gullah neighborhoods (graphically consistent signs have also been placed at some Gullah cemeteries by local Boy Scouts). Finally, the Town is about to fill a newly-created position: Historic Neighborhoods Preservation Administrator. This position's stated duties are to "Initiate, implement and administer a program to preserve the Islands' historic neighborhoods and advance efforts to improve infrastructure in and service delivery to these areas." The position will report directly to the Deputy Director of Community Development.

New neighborhood sign (Photo Source: Town of Hilton Head Island)

Beaufort County

Hilton Head Island is located in Beaufort County. The county seat is Beaufort, and the population of the County as of the 2010 census was 162,233. Beaufort County is part of the Hilton Head Island-Bluffton-Beaufort Metropolitan Statistical Area (MSA). The County Government is led by an eleven-member County Council. Each Council member represents one of eleven districts, and Hilton Head Island is comprised of portions of Districts 8, 10 and 11. As reflected throughout this report, the County government is an important player in this project for Gullah cultural preservation. For example, the County is funding the master plan currently being developed for the Historic Mitchelville Freedom Park. Also, the County controls some issues related to property taxes and impact fees for development, so their support of this report's recommendations will be important.

Native Island Business and Community Affairs Association (NIBCAA)

Started in 1996 in response to an outpouring of concerns from local residents, NIBCAA was started by a group of minority business owners and community leaders as a community-based organization. The founding members created the organization to foster economic development opportunities and improve the quality of life for the Hilton Head Island community at-large. Their programmatic priorities include entrepreneurship, homeownership, financial literacy, and academic support. However, perhaps most relevant to this project are NIBCAA's stated cultural preservation efforts to "Raise the awareness of Hilton Head's indigenous African American community's arts, crafts and food culture," including their sponsorship of the annual Gullah Celebration.

Hilton Head Island – Bluffton Chamber of Commerce

The stated vision of the 1,600-member Hilton Head Island - Bluffton Chamber of Commerce is to encourage their Hilton Head region and community members to be innovative and vibrant through engaging as a leader and supporter of business services and economic and tourism development advocacy. The mission of the Chamber is to advance the common interests of

their members, stimulate the expanding regional economy, and enhance the quality of life for all. Examples of their activities include providing members with networking opportunities, providing them referrals, governmental advocacy, educational programs, and attracting visitors to the area. Their successful results have earned them the National Chamber of the Year award in 2000, 2006 and 2014. Similarly, the chamber's Visitor and Convention Bureau is one of only 124 Destination Marketing Organizations worldwide that has achieved accreditation through Destination Marketing Association International.

State-Wide & Regional Efforts

Below is a summary of regional efforts related to Gullah cultural preservation, interpretation and promotion at a regional scale beyond Hilton Head Island.

Cultural Heritage Corridor

The Gullah Geechee Cultural Heritage Corridor (GGCHC) was designated by Congress in 2006. The local coordinating entity legally responsible for management of the Corridor is a federal commission established by Congress and titled the Gullah Geechee Cultural Heritage Corridor Commission. The corridor extends along the Atlantic coast from Wilmington, NC, in the north to St. Augustine, FL, in the south. The management plan created for the corridor indicates that there are three key objectives for the corridor:

Map of corridor from the management plan (Source: Gullah Geechee Cultural Heritage Corridor Commission - 2012)

- Recognize, sustain, and celebrate the important contributions made to American culture and history by African Americans, known as the Gullah Geechee, who settled in the coastal counties of South Carolina, Georgia, North Carolina, and Florida.
- Assist state and local governments and public and private entities in South Carolina, Georgia, North Carolina, and Florida in interpreting the story of the Gullah Geechee and preserving Gullah Geechee folklore, arts, crafts, and music.
- Assist in identifying and preserving sites, historical data, artifacts, and objects associated with Gullah Geechee people and culture for the benefit and education of the public.

The four key interpretive themes created by the plan include: language; arts, crafts and music; foodways; and spiritual expression. These same themes can provide a framework for the interpretation of Gullah culture and history specific to Hilton Head Island.

International African American Museum in Charleston (IAAM)

To be located in at Gadsden's Wharf in Charleston, where many enslaved arrived from Africa, the IAAM will be a museum, memorial and site of conscience to present the unvarnished

history and culture of the role that Africans and their descendants played in the making of America. It will include immersive, interactive exhibits engaging to all ages. It will also feature the Center for Family History, a leading genealogy archive that will help visitors identify their individual histories. While ground has not been broken yet for the museum's construction, it is expected to occur within the very near future now that their aggressive fundraising goals have nearly been met. While this museum will interpret the African American experience in general, it is anticipated that the Gullah Geechee culture will be addressed as part of the broader story.

Penn Center on St. Helena Island

Penn Center is one of the most significant African American historical and cultural institutions in existence today. Founded in 1862 as the Penn School, a central component of the Port Royal Experiment, it was one of the first schools in the South for formerly enslaved West Africans. It reorganized in 1901 as the Penn Normal, Agricultural and Industrial School and existed for eighty-six years. After the school was removed to the Beaufort County School District, it became Penn Community Services, taking on the mantle of social justice and ushering in the Civil Rights Movement of the 1960s with Dr. Martin Luther King, Jr. and the Southern Christian Leadership Conferences. Although it is not located on Hilton Head Island, the research, interpretation and programming relative to Gullah culture offers tremendous value on a regional scale, including Hilton Head Island's Gullah culture.

Mission Statement

Penn Center will be a world-class organization that serves as a local, national and international resource center and catalyst for the development of programs for community self-sufficiency, civil and human rights, and positive change. Penn Center will encourage the development of critical thinking, creative skills and social consciousness through preserving and documenting history, collecting and exhibiting, presenting and exploring ideas.

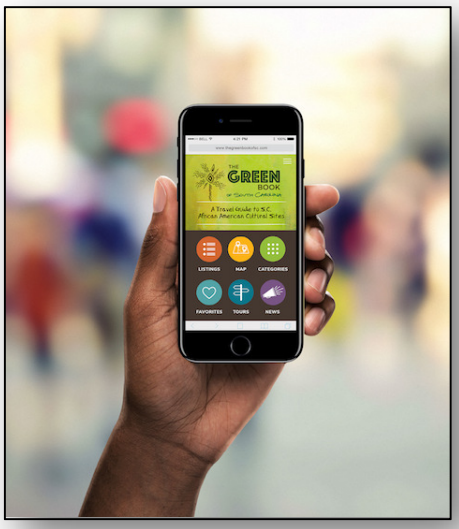
South Carolina African American Heritage Commission (SCAAHC)

Founded in 1993 as an affiliate of the S.C. Department of Archives and History and supported by the nonprofit S.C. African American Heritage Foundation, the South Carolina African American Heritage Commission works to identify and promote the preservation of historic sites, structures, buildings, and culture of the African American experience in South Carolina. The Commission's efforts include preserving South Carolina African American culture through education, the arts, historic preservation and tourism. The Commission is comprised of close to 30 volunteer professionals from the fields of historic preservation and interpretation, education, tourism marketing, business development and the arts. This group of professors, tourism professionals, activists and advocates include representatives from all regions of the state of South Carolina.

The Green Book of South Carolina, created by the SCAAHC, is referred to as "A Travel Guide to S.C. African American Cultural Sites." This free mobile travel guide highlights over 300 sites by location and category. Base criteria for inclusion include National Register designation and/or the presence of a State Historic Marker. With an interface similar to that of a tourism app, this mobile-first, web-based guide features detailed listings of significant African American heritage and cultural destinations across South Carolina. Each includes a narrative defining the historic

significance of the site, images, map points, a link to directions and more.

The name of this contemporary travel-planning tool pays homage to the original *Green Book*. First published in 1936 by N.Y. postman Victor Green, the original *Green Book* was an African American travel guide to safe harbors and welcoming establishments across the United States, printed until the mid-1960s. This present-day homage features tourism destinations that impart a new Southern experience, sharing the compelling story of African American heritage in the Palmetto State.



The Green Book app (Source: Green Book website)

Other Regional Efforts

There are additional regional organizations that can play a role in Gullah cultural preservation, such as the following:

Beaufort County Black Chamber of Commerce

The BCBCC is a 501(C)(3) non-profit corporation membership organization dedicated to offering products, services and educational programming for multi-cultural business-owners and professionals within Beaufort and its neighboring communities. The individuals and businesses they serve are federally recognized as disadvantaged business enterprises and/or have been denied access to capital in traditional finance markets. Their offices are located in Beaufort. Among the potential role for the BCBCC is the promotion of Gullah sites and culture, as well as technical support for Gullah-owned businesses.

Beaufort County Heritage Tourism Corporation

The BCHTC is a new alliance of Lowcountry leaders who are combining their efforts to promote heritage tourism in the area, with a particular focus on vacationers. Pledges of financial support have already been secured from Beaufort County and the Town of Hilton Head Island. It is this organization's goal to help individual groups and organizations build a coordinated plan around heritage tourism. BCHTC includes the mayors of Bluffton, Beaufort, Port Royal and Hilton Head Island, as well as the Chairman of the Beaufort County Council and the Chair of the Santa Elena Foundation in Beaufort. Most recently, the corporation hired a consultant to research and determine the economic impact of investing in various heritage sites.

*Gullah/Geechee Sea Island Coalition**

According to this organization's website, the Gullah/Geechee Sea Island Coalition was founded by Marquetta L. Goodwine in 1996, who has since been enstooled as Queen Quet, Chieftess and Head-of-State for the Gullah/Geechee Nation. Reportedly, no other organization in the world existed with "Gullah/Geechee" in the name until the

Gullah/Geechee Sea Island Coalition came into being. Among the organization's key activities are the following:

- Advocating for the rights of all Gullah Geechee people around the world.
- Promoting and participating in the preservation of Gullah Geechee history, heritage, culture, and language.
- Working toward Sea Island land re-acquisition and maintenance.
- Celebrating Gullah Geechee culture through artistic and educational means electronically and via "grassroots scholarship."

The Sea Island Coalition is an annual sponsor of the Gullah/Geechee Nation International Music & Movement Festival™, which moves to different parts of the Gullah Geechee Nation and areas of the African Diaspora. It is also the host of numerous tour and educational groups at their Gullah/Geechee Coalition Center.

* Note: The slash used above between "Gullah" and "Geechee" is provided where it is used as part of an official name or term associated with this organization. Organizations such as the Gullah Geechee Cultural Heritage Corridor Commission have consciously dropped the slash for a variety of reasons they have cited in their materials.

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PUBLIC POLICIES

As with most communities, there are numerous studies, plans, ordinances, codes and policies that have been undertaken and adopted by the Town over the years. A review of them reveals that, despite public perceptions, many of the recommendations contained in these documents have been implemented over time. Below is an overview of the studies, plans and policies that are most recent and/or relevant to this project. They are split up into three groups – plans, regulations and other policies. It is important to understand that the summary of relevant plans below is based upon those plans at the time they were written rather than existing circumstances (unless noted otherwise with respect to their implementation status).

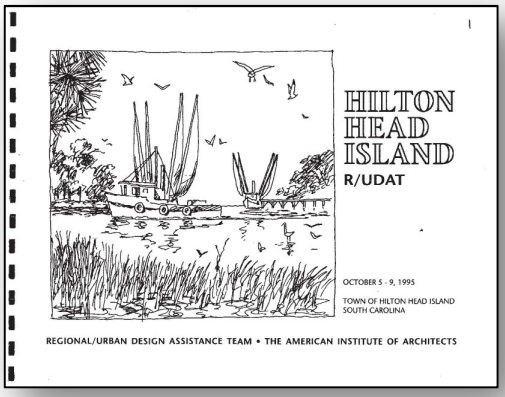
PLANS

R/UDAT Plan & Response

This plan was prepared in 1995 via a team of volunteers (primarily architects) through the American Institute of Architect's Regional/Urban Design Assistance Team (R/UDAT) program. Its geographic focus was on the Island's northwest quadrant and surrounding lands encompassing all of Ward One, much of it being Gullah-owned lands. It is somewhat unusual in that it has a companion document – "the response" – that was prepared after the initial plan. Both are summarized below.

R/UDAT Plan (1995)

This plan starts by identifying the key challenges for the future growth and development of this area, which include fragmented land ownership patterns, heirs' property issues in which many properties lack legal title, and the general lack of infrastructure. It also contrasts the radically different perspectives and goals that Gullah people have for the island relative to developers lacking the same ties to the Island. It then lays out a set of five key principles for the plan: vision, equity, responsibility, history, and urgency. The bulk of the plan is a set of recommendations to address the following issues:



R/UDAT Plan cover (Source: Town of Hilton Head Island - 1995)

- *Heirs Property* - create an entity to provide discounted and pro bono legal services to clear titles.
- *Infrastructure* - implement utility extensions and the paving of unpaved collector roads.
- *Community Development Fund* - adopt tax increment financing (TIF) to fund Ward One improvements.
- *Master Planning & Development Regulations* - enact a transparent process actively engaging stakeholders to result in a clear vision and development regulations for the area.

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- *Cultural Preservation* - follow a range of recommendations offered to preserve the culture and heritage of the Island's Gullah people, starting with a comprehensive inventory of cultural assets, a local designation and protection program for sites based upon National Register eligibility, and the pursuit of grants for implementation.
- *Property Taxes* - pursue strategies such as: promoting existing agricultural tax assessment provisions, acknowledging environmental constraints when assessing values, designating conservation easements to reduce the tax burden, and providing more advanced notice and options before properties are sold for tax delinquency.
- *Environmental Preservation & Recreation* - increase environmental protections for land and water, and provide better access to waterfront areas and other natural resources.
- *Affordable Housing* - establish a housing office in Town government, pursue state and federal funds and utilize TIF for housing, waive fees for affordable housing, adopt an affordable housing impact fee for market-rate housing, add teeth to the existing affordable housing overlay zone, and create a revolving fund for low-interest loans to upgrade housing.
- *Building the Economic Base* - establish a public/private partnership to provide economic development opportunities to help existing and/or new small businesses in Ward One, allocate a percentage of revenues from the Accommodation Tax to Ward One tourism activities, assign a Town staffer as an ombudsman to work with Ward One businesses, and work with other entities and local lenders to provide small business "gap loans" to businesses that cannot qualify for conventional loans.
- *Good Government* - adopt a philosophy for Town staff to "facilitate first and regulate second," including designating an ombudsman to work with Ward One property owners on land use and development issues, hire mediators to help resolve development issues, conduct public forums to educate property owners on development regulations and procedures, and adopt diversity policies and a commission to expand opportunities for Ward One citizens.
- *Transportation* - adopt a transit system and expand the pathway network to insure strong accessibility in Ward One to important institutional and commercial destinations.
- *Education & Recreation* - increase the number of playgrounds in Ward One, expand the pathway system there (as noted above), increase public beach access, and complete improvements to Taylor Park.

Response to the R/UDAT Plan (1996)

This document was prepared by NIBCAA's Resource Committee for Native Island Affairs and dated November 20, 1996. That group started informally, but was officially appointed by the Town in December of 1995. To review and comment on the plan, four teams were created from the 25-person Committee, and each was assigned at least three of the thirteen topics addressed. The teams met very frequently for several months. One of the first things a reader notices is that the document does not mirror the organization and terminology of the 1995 R/UDAT Plan.

Committee's Stated Vision

Our vision for the Native Island Community of Hilton Head Island is that, we not be treated as, viewed as, nor live as second class citizens; but, as equals of the other communities of Hilton Head Island. However, we must not be forced to become another Plantation, but retain our character and our culture.

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While this document addresses most of the same basic issues, many of the sections have different titles and their sequencing is inconsistent with the plan, making it less user-friendly than it could have been otherwise. Despite the word "response" in this document's title implying that its authors disagree with the 1995 plan, this document seems to agree with the plan in most respects. It does, however, offer more detail and some additional ideas to the plan. Given that the 1995 plan was created by volunteers spending less than a week in the community, the need to expand on that effort is not surprising. Examples of different or supplemental ideas recommended in the response document, to the extent that they are relevant to this Gullah Culture Preservation Project, include the following:

- Allow more flexibility with development regulations so that housing development can occur on 1 to 5-acre lots in the north end of the Island.
- Seek pre-development funding from the Lowcountry Council of Government for preliminary architectural and civil engineering requirements.
- Use the Technical College of the Lowcountry and USC Beautiful Business Development Center as volunteer consultants to property owners/developers.
- Encourage land owners to employ certified property tax appraisers to seek a reduction in their assessed value to reduce their tax burden.
- Insure that owners are taking advantage of the Homestead Exemption and Agricultural Exemption for property taxes, if applicable.
- Pursue state legislation to roll back property taxes for property owners of record prior to 1956 (the year the bridge was built).
- Relax or fully waive growth control measures as needed, increase permitted densities from 8 units per acre to 12 units per acre, and decrease setback and buffer requirements.
- Where applicable in Ward One, planned unit development (PUD) zoning should replace conventional zoning.
- Streets should be renamed per requests.
- Access to black cemeteries located in gated communities should be achieved.
- To provide more detail to the R/UDAT Plan, this report specifies roads that should be prioritized for improvements in Ward One.
- A wide range of safety improvements should be provided for specific locations, with an emphasis on pedestrian safety.
- The Town should establish a Maintenance Department to maintain the Island's drainage system, a detailed drainage plan should be prepared, and drainage easements should be secured where needed.
- Establish a Gullah museum, collect materials, document the history through oral histories and similar means, provide interpretive wayside exhibits, and make the Celebration and annual event.

Ward One Plan (1999)

This plan, prepared for the Town by a consultant team in 1999, was prompted by the 1995 R/UDAT plan and response report described above. While those previous efforts were relatively broad with respect to the topics they addressed, this plan indicates that it "deals with the specifics of land use and public facilities" (pg. viii). The plan also explains that it focuses on

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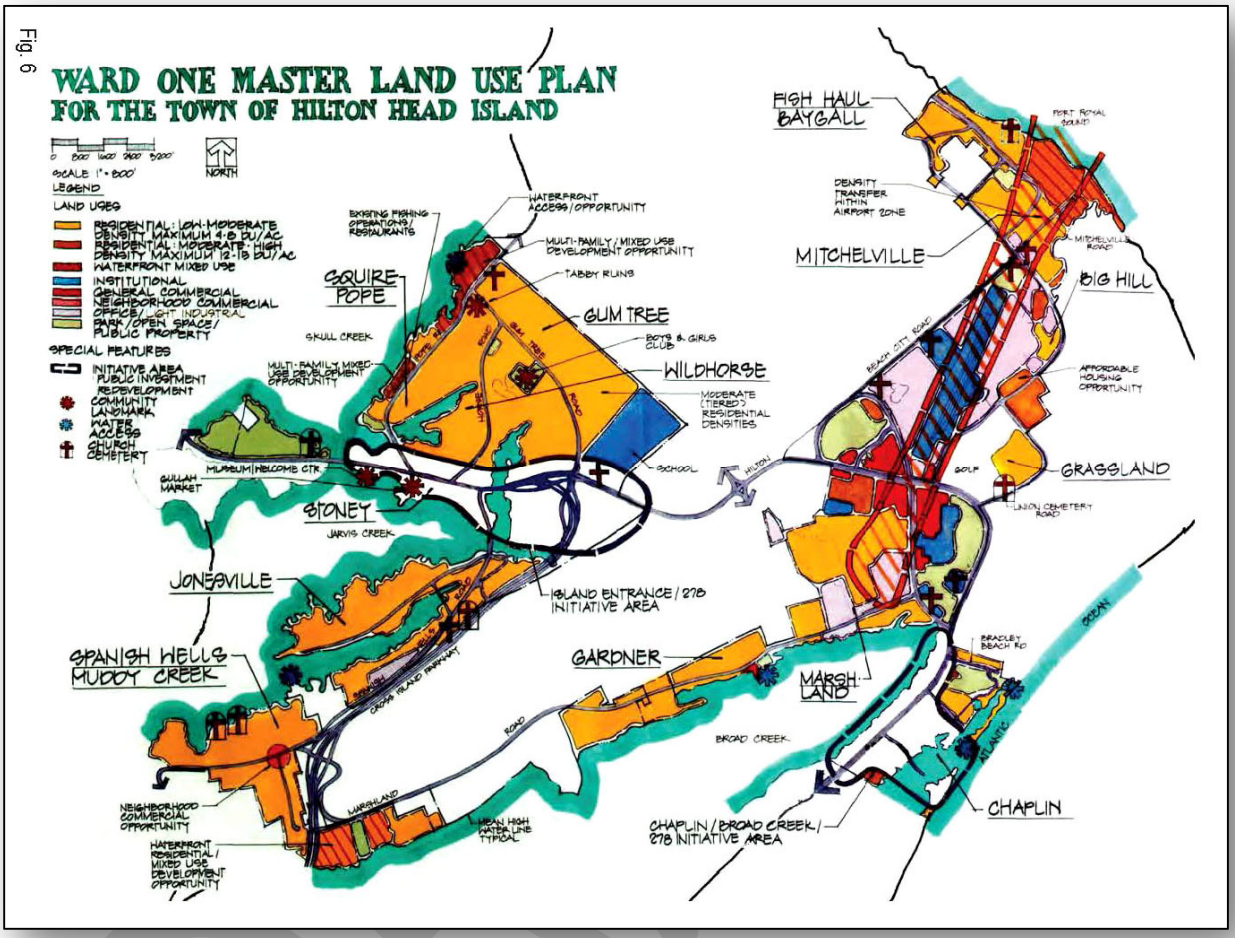
Ward One because that is the location of most of the Gullah neighborhoods. The physical components of the plan are highlighted in the plan map below.



Ward One Master Land Use Plan Map (Source: Town of Hilton Head Island - 1999)

Below are some of the most significant recommendations from the Ward One Plan as summarized in the Plan Summary section:

<u>Land Use Element</u>

Replacement of CMU (M-2) Zoning

The Ward One Plan proposes the elimination of CMU (M-2) zoning and its replacement with Low-Moderate Density Residential and Moderate-High Density Residential zones. The Low-Moderate Density Residential category provides for flexible "tiered" densities from four (4) to eight (8) dwelling units per acre, depending on certain performance criteria. The Moderate-High Density Residential category permits densities of up to 12 units per acre. Both categories provide for commercial uses which are compatible with residential communities. This approach, which was subsequently implemented by the Town, responds directly to the plan's expressed neighborhood desires to:

- Provide greater flexibility for residential use and density;
- Restrict commercial uses which are not desired in residential areas; and
- Encourage, through incentives, greater coordination among neighboring property owners to achieve more efficient development patterns.

Waterfront Mixed Use

Certain waterfront areas in Ward One are among the most scenic anywhere on Hilton Head Island. Most of these areas are appropriate for, and should accommodate, higher-density residential uses, as well as water-related uses such as marinas, restaurants, entertainment activities, compatible motels/inns, timeshares, and public spaces. Where appropriate, the Town should encourage and/or invest in the creation of waterfront boardwalks to link waterfront activities and public spaces.

Initiative Areas

Two "Initiative Areas" along Highway 278 are designated in this plan: at the island entrance in the Stoney Neighborhood and mid-island in the Chaplin Neighborhood. Investments by the Town in these areas will be targeted for revitalization that will enhance economic development opportunities, while improving community character and facilitating safe, efficient traffic circulation. The areas were also suggested for further study and planning.

Regulatory Modifications

The Ward One Plan recognizes that some existing development requirements may be difficult to meet for some small or poorly-configured Ward One properties. These include setbacks and access drive right-of-way dimensions. Specific recommendations are made to lessen the restrictions on certain churches, particularly those in the Airport Hazard Overlay zoning district and the Light Industrial zoning district near the Hilton Head Island Airport. Similarly, recommendations are made to recognize the hardships imposed by the configuration of some heirs' property, and to waive or relax such standards where there is no threat to public health or safety.

Although it is now out of date, one of the most useful tables in this plan is provided below.

SUBAREA	RESIDENTIAL UNITS				Retail Sq. Ft.	Office/Bank Sq. Ft.	Heavy Commercial/ Light Industrial Sq. Ft.	Institutional Sq. Ft.
	Single Family	Multi-family	Mobile Homes	Hotel				
Stoney...	223	408	253	0	138,000	9,000	19,000	414,000
Mitchelville...	61	559	57	125	321,000	84,000	523,000	73,000
Chaplin...	163	500	135	0	678,000	45,000	98,000	101,000
Spanish Wells...	207	0	159	0	19,000	600	106,000	4,000
Total Ward One	664	1467	604	125	1,156,000	139,000	746,000	592,000

Source: Town of Hilton Head Island Planning Department, December 1996 Data

Ward One Master Land Use Plan – Uses by Sq. Ft. (Source: Town of Hilton Head Island – Dec. 1996)

Public Services and Facilities Element

The Ward One Plan recognizes that, in many respects, public facilities in Ward One are inadequate. The Plan calls for a new collaborative effort with Hilton Head No. 1 Public Service District to secure funding necessary to extend sewer service where it is most needed and to make sewer system connections affordable. The Plan calls for similar efforts to correct deficiencies and safety concerns regarding local roads and pathways.

Housing Element

The Ward One Plan recognizes the importance of housing to the future of Ward One. The Plan proposes to expand options for affordable housing and replace dwellings which are in deteriorated condition.

Next Steps: Implementation

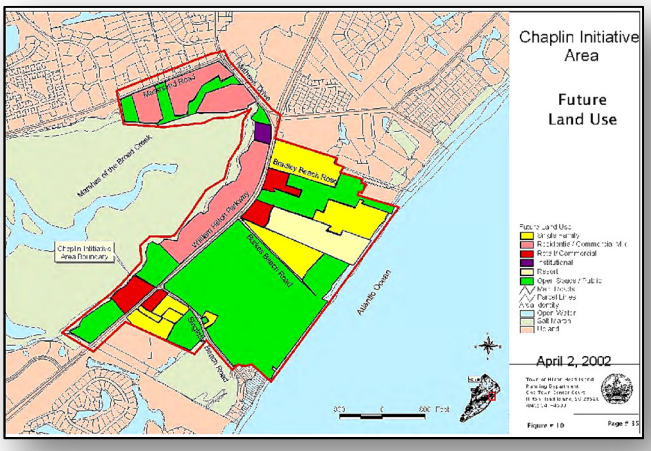
Initial actions aimed at plan implementation include the following:

- *LMO Modifications:* Draft, review, and adopt new zoning districts and development standards as recommended.
- *Capital Improvements Programming:* Expedite completion of improvements to planned roads, pathways, drainage and sewer improvements.
- *Initiative Area Plans:* Prepare and act upon more detailed initiative area plans as identified.
- *Support Community Initiatives:* Support local neighborhood planning initiatives and alliances, including the Community Development Corporation and Habitat for Humanity.

In conclusion, many of the recommendations in this plan can also be found in the R/UDAT Plan and the "response" to that plan. Given that those two earlier efforts included a significant degree of analysis and public input only a few years before the Ward One Plan was prepared, it would have been surprising if the Ward One Plan differed substantially from those earlier efforts.

Initiative Area Plans

One of the recommendations of the 1999 Ward One Plan was to follow up with some more detailed plans for specific areas within Ward One. Below are summaries of two of the resulting plans.



Proposed Future Land Use: Chaplin Initiative Area Plan (Source: Town of Hilton Head Island - 2002)

Chaplin Initiative Area Plan (2002)

This plan was prepared "in house" by the Town's staff, but the charrette process that helped to generate many of the plan's ideas included volunteers from organizations such as the South Carolina Downtown Development Association (SCDDA) and area designers/consultants. As stated at the beginning of the plan:

"The purpose of the Chaplin Initiative Area Plan is to develop land use provisions with associated density and determine infrastructure services needed to accomplish the goals and needs for this area of Hilton Head Island. The scope of this plan is therefore focused on land use, density, and infrastructure since many of the components of development were otherwise detailed in the Ward One Master Plan adopted in 1999. As an addendum to the Comprehensive Plan, this plan culminates the planning efforts of the Ward One Master Land Use Plan."

Below are key recommendations of the plan as summarized in the plan's Executive Summary:

1. Land Use Regulations

The Chaplin Initiative Area Plan proposes to shape land uses towards a mix of more efficient residential, commercial and tourism development patterns. Proposed land uses take advantage of the strategic location of Chaplin; served by major and minor arterial roads with land fronting along the Atlantic Ocean and uninterrupted views of the marshes of Broad Creek. The net effect is that this Plan confirms some existing development, such as public lands, while creating new zoning districts to allow ocean and marsh-oriented development at an appropriate scale for Hilton Head Island.

2. Infrastructure Improvements

The Ward One Master Land Use Plan specifically designated the Chaplin Initiative Area for study of its infrastructure needs. Investments by the Town and private developers will be targeted for revitalization to enhance economic development opportunities, while improving community character and facilitating safe, efficient traffic circulation. The Chaplin Initiative Area Plan takes into account the current public and private facilities, and proposes to enhance current areas of concern to an acceptable level for Hilton Head Island. The plan calls for new circulation roads; roadway improvements; pathways; intersection improvements; pedestrian facilities at road crossings; and installation of sewer service. In addition, passive and active recreational parks are proposed on public lands.

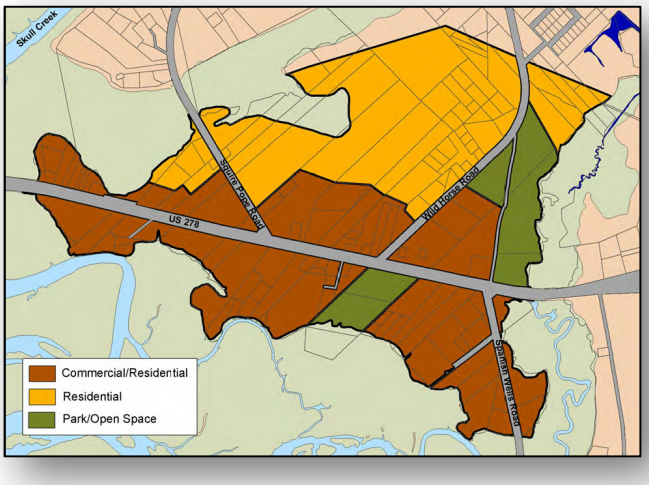
3. The Chaplin/Marshland/Gardner Property Owners Association

Throughout the development of the Chaplin Initiative Area Plan, the Chaplin/Marshland/ Gardner Property Owners Association (POA) provided a forum for the exchange of ideas and opened lines of communication between the Town staff and the Chaplin Initiative Area property owners and stakeholders. This effort by the POA proved vital to the development of the Plan. The Plan views the continued relationship between the POA and the Town of Hilton Head Island as an excellent vehicle to strengthen the ability of the neighborhood to communicate its needs for future public project improvements. Also, the Plan proposes to develop the POA/ Town relationship to mutually support the goals the Plan describes.

<u>Stoney Initiative Area Plan (2003)</u>

As in the case of the Chaplin Initiative Area Plan prepared the year before, this plan was prepared "in house" by the Town's staff, but the charrette process that helped to generate many of the plan's ideas included volunteers from organizations such as the South Carolina Downtown Development Association (SCDDA) and area consultants. As stated at the beginning of the plan:

"In 1999, the Town of Hilton Head Island adopted the Ward One Master Land Use Plan as part of the Comprehensive Plan. This Plan identified the Stoney Neighborhood as an area needing further attention due to several unique factors such as unusual parcel configuration, its gateway location and special development opportunities. The Stoney Initiative Area Plan was created to fill the gap in the Ward One Master Land Use Plan. It focuses on land use, density, and infrastructure needs for the Stoney neighborhood and recommends strategies to guide future development and redevelopment opportunities."



Proposed Future Land Use: Stoney Initiative Area Plan (Source: Town of Hilton Head Island - 2003)

"Needs and Goals of the Initiative Area" are identified in the Plan that focus on land use, density and infrastructure. The Plan further recommends strategies to guide future development and redevelopment opportunities in these three areas. These strategies fall into three major categories: amendments to the Land Management Ordinance, improvements to public infrastructure, and assistance to land owners.

Land Management Ordinance (LMO) Amendments:

- Rezoning to allow a better mix of commercial and residential.
- Revise the Use Table to allow more appropriate land uses.
- Determine whether revisions to the design standards would encourage orientation toward the marsh, and if so, make those revisions.

Public Infrastructure:

- Traffic-related: improvements to William Hilton Parkway, new roads, and intersection improvements.
- Pedestrian-related: pedestrian overpass, improvements to on-grade crosswalks, median landscaping.
- Infrastructure-related: sewer installation, multi-purpose pathways, pathway and crosswalk lighting, installation of distinctive entry sign, bury power lines, improvements to Old Schoolhouse Park.

Assistance to Land Owners:

- Encourage aggregation of properties for more efficient development.
- Encourage local land and business ownership.
- POA establish voluntary design guidelines.
- There are several recommendations dealing with the Town, the Stoney community, and local businesses and organizations working together to help the local land owners redevelop their properties themselves rather than sell to others.

2017 Comprehensive Plan

Comprehensive plans typically address a wide range of community-wide issues related to future growth, including: natural resources; land uses; development density, form and character; transportation; housing; and economic development. This plan does all of that. But, understandably (because of the nature of this type of plan), it does not address each planning issue in terms of Gullah culture. However, this plan does address historic and cultural resources, which includes many Gullah resources. Below is an excerpt from this plan with respect to that topic:

Goals: Historical/Cultural Resources

A. To identify historic and archaeological sites in Hilton Head Island. Various archaeological sites on Hilton Head Island are thousands of years old. A number of churches and cemeteries date back hundreds of years. Even certain modern buildings, which are products of early resort development, have character worth retaining. Without protection these areas may not be preserved into the future. These areas and structures should be recognized and preserved as important elements in the Island's historic heritage.
B. To provide access to important historic and religious sites located inside gated communities that are currently inaccessible to the public. The Town should encourage improvement of access to these sites, while protecting them from destruction or loss.
C. To preserve Native Island culture. Increased development and changing demographics have the potential to lead to the loss of Native Islander culture. The Town should assist Native Islanders (Gullah-freedmen descendent) culture with programs that will sustain deep ties to family-owned lands and historic neighborhoods.
D. To encourage education about the rich cultural heritage of Hilton Head Island.
E. To celebrate the Town's unique sense of place and character through the preservation and maintenance of cultural heritage and historical resources. The heritage and legacies of the Native Island Community is cherished and capitalized by the development of a center for Gullah studies.

Implementation Strategies: Historical/Cultural Resources

A. Consider conducting a Town-wide study of all archeological and culturally significant sites.
B. Consider developing a historic landmarks protection program to preserve important sites and architecture on the Island. Research the need to create an ordinance, regulations, or a zoning district to offer additional protection to historical and culturally significant sites.
C. Encourage planned communities and other landowners to provide access for family members, friends and historians to cultural and historic sites to respect cultural dignity and allow for maintenance of historic areas.
D. Improve access to historic sites for educational purposes. Research the options of increasing the ease of accessibility to these sites for education, viewing, and maintenance.
E. Identify historic landmarks and important archaeological sites with a Historic Resource Survey. Elements of the survey should include development approval incentives for preservation, consideration of variances to encourage rehabilitation, purchase and lease options, and moving certain structures to designated Historic Preservation Zones.
F. Identify appropriate locations for historic markers that identify important people, places, events, and neighborhoods.

G. Identify historic figures within Hilton Head Island to use for street naming applications. Various books and manuscripts at the Heritage Library Foundation provide extensive information on historic figures with ties to Hilton Head Island.
H. Work on public land acquisition to preserve historic and cultural sites for future generations.
I. Cooperate with the Coastal Discovery Museum to establish a strong Gullah cultural education component at the Honey Horn site.
J. Promote preservation of Gullah/historical neighborhoods and historic structures to help maintain the Gullah culture.
K. Support the goals of the Gullah Geechee Cultural Heritage Corridor organization and promote the Gullah culture within Beaufort County and on Hilton Head Island.
L. Promote educational programs and interpretive signage that help residents and visitors of all ages to understand the long unique history and rich cultural traditions on Hilton Head Island.
M. Preserve the identity of traditional neighborhoods. Officially, recognize historic neighborhood names by showing their locations on Town maps, and by encouraging other mapmakers to also include the names.
N. Increase education about Hilton Head Island's diverse cultural resources through the following:
    i. Continue to fund educational programs and cultural celebrations.
    ii. Apply for grants to fund development of interpretive facilities and programs about cultural/historic resources.
    iii. Coordinate with Coastal Discovery Museum and other institutions to provide educational materials and hands-on programs to schools and various subcultures to promote cultural understanding.
    iv. Provide interpretive displays of cultural artifacts and themes at public buildings, such as Town Hall, the Beaufort County library, and Coastal Discovery Museum.
    v. Increase awareness of the brochure created by the Chamber that includes a driving tour of important historic and archaeological sites on the Island.
O. Preserve Native Islander and Gullah cultural history through the following:
    i. Continue to provide financial support for the annual Gullah Celebration through ATAX grants and other appropriate sources.
    ii. Incorporate Native Islander history into public parks in and near their neighborhoods.
    iii. Encourage property owners of family cemeteries to provide for the perpetual protection of the cemeteries.
P. Provide funding and promotion of cultural events for all cultures represented on the Island, from festivals to art exhibits to prominent entertainers.
Q. Support and improve media coverage for local arts and cultural events through an enhanced relationship with the local Chamber of Commerce and inclusion in the Town's website and newsletter.
R. Recognize the economic value of Hilton Head Island's arts and cultural resources in tourism.
S. Consider the creation of a Cultural Committee to promote all cultures through art and photographic exhibits, theatrical and musical performances, sporting events, etc.

Vision and Strategic Action Plan (2018)

Published in February of 2018, this report conveys the vision and lays out a strategic action plan that was been developed following an extensive community engagement process led by a

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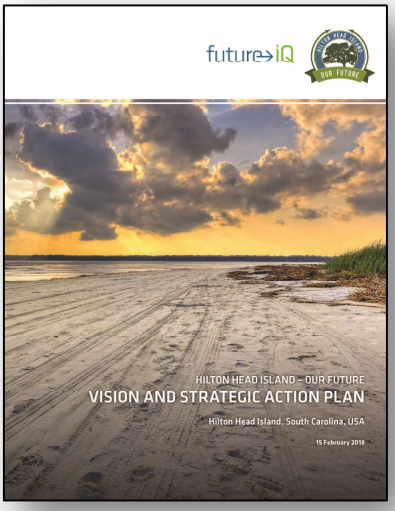
consultant firm. Throughout 2017, approximately 3,000 people contributed to a series of surveys, workshops and focus group sessions, to explore the long-term future of Hilton Head Island. According to the report, a key objective was to provide an engagement process that "was designed to provide an open, inclusive and transparent platform for community members to help create a shared vision and action plan."

The 61-page report features the following key sections (not including some supplemental sections at the end):

1.0 Introduction
2.0 Snapshot of Hilton Head Island
3.0 Importance of Visioning
4.0 Community Engagement Summary
5.0 Identifying the Preferred Future
6.0 Community Vision
7.0 Strategic Action Framework
8.0 Strategic Action Pillars
9.0 Integrated Strategic Action Framework
10.0 Road Map to the Future
11.0 Next Steps
12.0 Looking Ahead: Important Topics for the Future



Vision and Strategic Action Plan (Source: Town of Hilton Head Island - 2018)

With respect to Gullah cultural preservation, it is noted throughout the report and specifically addressed in Section 12 under the subheading "The future of Gullah Geechee culture." The report recognizes the culture as having strong potential for future tourism on the island, but also recognizes that the Gullah population is in decline relative to the balance of the island. It also makes the connections between the Gullah people, the need to provide more development opportunities for Gullah land owners through increased permitted densities, and the needs for workforce housing. The report also indicates that, as part of this project, a concerted effort was made to engage the Gullah community. It also emphasizes the need for mutual trust between the Gullah community and the broader community in order for progress to be made in securing a positive future for the island's Gullah people.

Workforce Housing

The Town recently embarked on a consultant-led study to identify strategies to overcome the Island's challenges to workforce housing. This is an issue that is particularly impactful on the Island's Gullah community for those not already living on land they own. Likewise, Gullah lands that have had their development potential stalled in the past might be candidates for the development of affordable housing once the relevant barriers can be overcome. This project is too early in the process to be able to describe its results. The consultants have indicated that they will be able to present their recommendations to the Town by April of 2019. Also, the consultants for this Gullah culture preservation project and the workforce housing consultants have been in communication to be sure that their respective recommendations will be compatible and not at odds.

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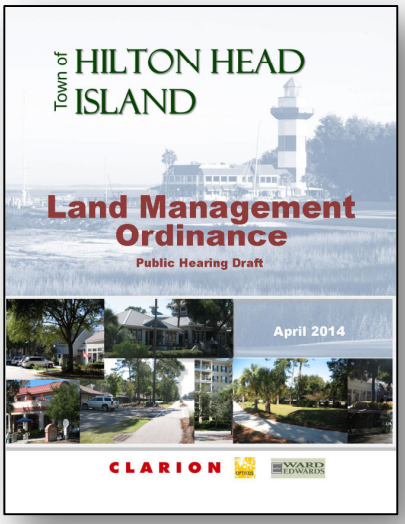
REGULATIONS

The primary relevant regulations for this study relate to the Land Management Ordinance (LMO), as described below.

Land Management Ordinance (LMO)

The State of South Carolina allows municipalities to adopt zoning districts and supporting ordinances to regulate the location and density of land uses and other zoning functions (building heights, buffer areas, building setbacks, etc.). These regulations are intended to promote "public health, safety, morals, convenience, order, appearance, prosperity and general welfare." They also implement the Town's plans for future growth and development as set forth in the Land Use Element of the adopted Comprehensive Plan. The Town adopted the current zoning districts and regulations in its Land Management Ordinance (LMO), last updated in 2017. Below is a summary of how properties and their owners might legally deviate from the LMO.



Land Management Ordinance Draft - 2014 (Source: Town of Hilton Head Island)

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Procedures for Relief from the LMO

Below are three primary policy tools for relief from LMO provisions:

Zoning Map Amendment

Official changes can be made to the zoning districts through a Zoning Map Amendment (ZMA) to allow different land uses and densities for any given property. Proposed ZMAs must be reviewed and approved by the Planning Commission and Town Council for final adoption.

Variances

A variance is a departure from the strict terms or provisions of the LMO where enforcement of the LMO would result in unnecessary and undue hardship to the applicant. In granting the variance, the spirit of the LMO must be observed, and public welfare and safety cannot be diminished. A variance is reviewed and granted by the Board of Zoning Appeals (BZA) based upon specific State-identified criteria.

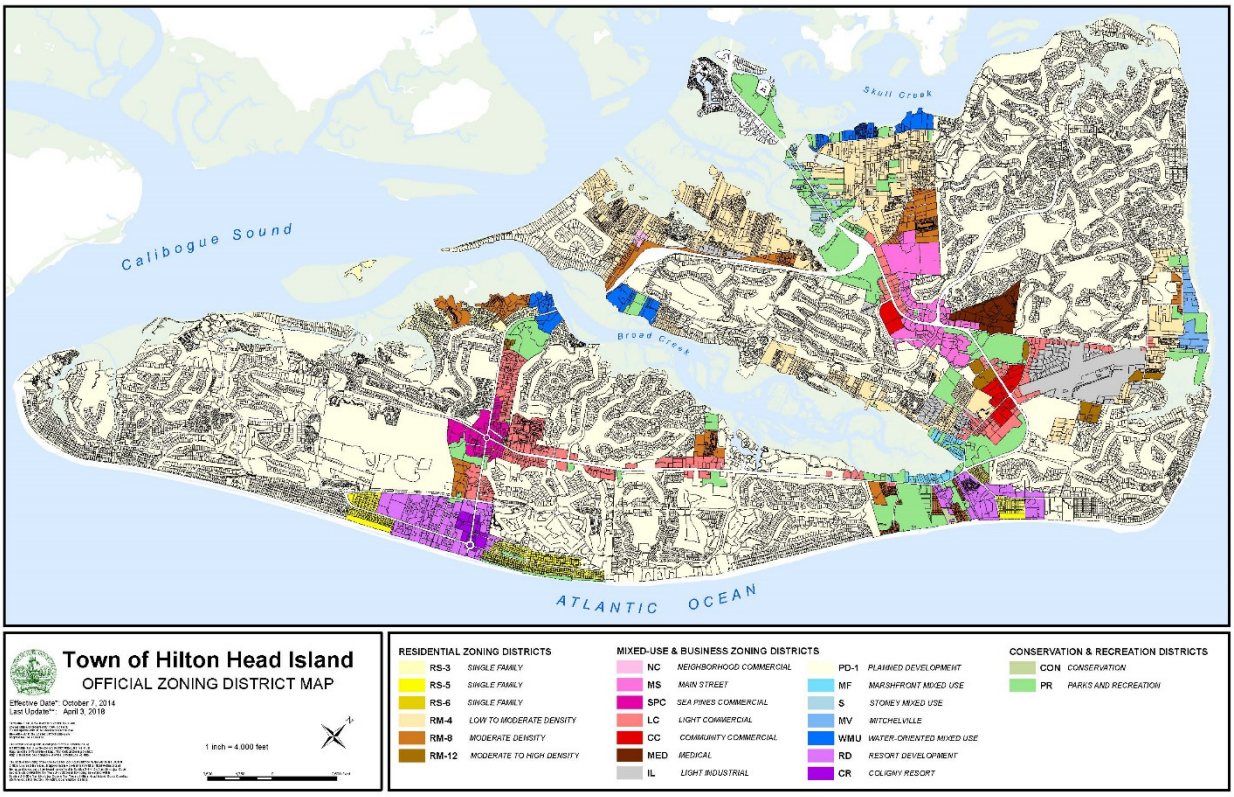
Special Exceptions

A special exception is a policy tool that allows certain land uses subject to standards and conditions in the LMO. These standards and conditions might relate to access, noise, screening, lighting, compatibility with adjoining uses, and traffic generation. As with variances, special exceptions are reviewed and granted by the Town's BZA.

Zoning Districts

As illustrated on the zoning map below, the Town's various existing zoning district categories

include: Conservation and Recreation Districts, Residential Base Zoning Districts, and Mixed-Use and Business Districts (Overlay Zoning Districts exist, but are not depicted on this map).



Town Zoning Map updated April 3, 2018 (Source: Town of Hilton Head Island)

Application of Zoning to Gullah Neighborhoods

The majority of Hilton Head Island's Gullah-owned lands exist in the Gullah neighborhoods located in the north half of the Island, as identified earlier in this Appendix (see pages A-1 and A-2). Of those lands, the following zoning districts are the most prevalent:

- *Low to Moderate Density Residential (RM-4):* This designation is particularly dominant in the following neighborhoods – Squire Pope, Big Stoney, Jonesville, Spanish Wells, Gardner, and Mitchelville. While most of these lands are relatively close to the waterfront, they typically do not directly front the waterfront. This district permits by-right single-family, multi-family, and group living, as well as various institutional and civic uses, some of which are only conditionally permitted. The maximum impervious coverage in both districts is 35%, and the maximum building height is 35 feet. The permitted densities are tied to the size of the site: 4 units/net acre for the smallest sites; 6 units/net acre for 3+ acres; and 8 units/net acre for 5+ acres. The maximum non-residential gross floor area (GFA) is 6,000 square feet per net acre. Conditionally permitted uses include bed and breakfasts, convenience stores, open air sales, and other commercial services.

- *Moderate Density Residential (RM-8):* This designation permits single-family, multifamily,

group living uses, educational uses, other commercial uses, government uses, religious institutions, and boat ramps, docks, and marina are allowed by right or subject to specific conditions/standards established in the LMO. The maximum impervious coverage in both districts is 35%, and the maximum building height is 45 feet. The maximum density in the RM-8 allows 8 units per acre. Nonresidential uses can be developed up to 6,000 square feet of gross floor area per acre.

- *Stoney Mixed Use (S):* This zoning is limited to the Big Stoney neighborhood, but is only applied to a relatively small amount of land flanking both sides of Hwy. 278. The stated purpose is to "encourage cooperation between property owners in the development of their properties, to provide for connectivity between properties, and to create an atmosphere that is more pedestrian friendly…" It permits a relatively broad range of uses, including multi-family, single-family, various civic and institutional uses, resort accommodations, commercial recreation, offices, retail, dining, entertainment, various auto-oriented businesses, and agriculture. Seafood processing is a conditional use, among many others. Residential densities allow a maximum of 10 units/net acre. Hotels are allowed 35 rooms per acre. Non-residential gross floor areas may be up to 7,000 square feet per net acre, and buildings may be as high as 45 feet.

- *Mitchelville (MV):* These lands are found along the waterfront of the Mitchelville and Baygall neighborhoods. They are intended to "recognize the historical and cultural significance of this area." It permits a relatively broad range of uses, including agriculture, mixed use, multi-family, single-family, various civic and institutional uses, resort accommodations, commercial recreation, offices, retail, dining, and several water-dependent uses, although seafood processing is a conditional use. Densities are tied to uses, but residential densities allow a maximum of 12 units/net acre. Hotels are allowed 35 rooms per acre. Non-residential gross floor areas may be up to 8,000 square feet per net acre, buildings may be as high as 75 feet, and the maximum impervious surface coverage is 50%.

- *Marshfront (MF):* These lands are found in the Marshland and Chaplin Neighborhoods. The stated purpose of the MF district is "to provide for a mix of uses such a residential, institutional, and commercial uses at a scale suitable for the district. The district is intended to be a service area for the occupants of the Resort Development (RD) District located on the opposite side of U.S. Highway 278 located in the vicinity of Folly field Road." This district encourages development that maximizes views of Broad Creek, and the LMO indicates that environmental, aesthetic, and traffic concerns are significant within portions of this district. Permitted densities are tied to the size of the site and street type. On major arterials, 4 units/net acre are allowed for sites less than 3 acres, while 8 units/net acre are allowed for sites 3 acres and larger. On other street types, 6 units/net acre are allowed for sites less than 3 acres, while 10 units/net acre are allowed for sites 3 acres and larger. The maximum non-residential gross floor area (GFA) is 7,000 square feet per net acre, and the maximum building height is 45 feet, and the maximum impervious surface coverage is 60%.

- *Water-Oriented Mixed Use (WMU):* These are waterfront lands located in neighborhoods such as Squire Pope and Spanish Wells. They are intended for water-oriented residential and

commercial uses. Permitted uses include mixed use, multi-family, single-family, various institutional and civic uses, resort accommodations, commercial recreation, offices, retail, dining, entertainment, specific auto-oriented uses, and agriculture. Seafood processing is a conditional use, among many others. Residential uses can be up to 16 units/net acre, hotels are allowed 35 rooms per acre, the maximum gross floor area is 8,000 square feet per net acre, the maximum building heights is 75 feet, and the maximum impervious surface coverage is 50%.

- *Parks and Recreation (PR):* These lands are found in Chaplin, Marshland, Big Stoney, Spanish Wells, Mitchelville, Baygall, and isolated areas within Squire Pope. They are limited to publicly-owned lands for only active recreation, passive recreation, and environmental conservation.

In addition to the basic zoning requirements, there are also numerous requirements for street setbacks, use setbacks, and buffers. It is also noteworthy that much of the lands adjacent to Gullah neighborhoods are zoned and developed as Planned Unit Developments (PUDs). That option is difficult for most Gullah lands because of the fragmented nature of their lands, as PUDs have minimum site sizes. The Planned Development Overlay (PD-2) district requires parcels between five (5) and 249 acres in size. In addition to many Gullah-owned lands being too small to meet these standards, the heirs' property issues often preclude the assemblage of land into sufficiently sized sites for a PD-2 development.

The development parameters (including densities) in the commercial and mixed-use districts within the historic Gullah neighborhoods are reasonably comparable to development parameters outside the district, with the exception of nonresidential densities and maximum impervious coverage requirements (where they are modestly lower), relative to the development parameters for most other moderate and higher density districts in the Town. See Table 1: Development Parameters for Other Commercial and Mixed-Use Town Districts.

Table 1: Development Parameters for Other Commercial and Mixed-Use Town Districts

District	Residential Density (Net Acre)	Nonresidential Density (GFA/Net Acre	Building Height (Feet)	Impervious Surface Coverage (%)
Community Commercial (CC)	N/A	10,000	45	60
Resort Development (RD)	16	8,000	Varies from 45-75	50
Main Street (MS)	12	9,000	45	60
Sea Pines Circle (SPC)	12	10,000	45	60

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Setback & Buffer Requirements

Below are observations regarding current LMO setback and buffer requirements:

Adjacent Street Setbacks: These standards refer to the setback that structures must have from their adjacent streets. Because some of the existing requirements in Table 16-5-102.C of the LMO are relatively modest, they are not good candidates for reductions. The minimum setback for most streets is 10 feet (for structures less than 24 inches in height) to 20 feet (for structures 24 inches in height or greater). While only arterial streets require greater setbacks, which range from 30 to 50 feet (depending upon the type of arterial), many such streets are found in the historic Gullah neighborhoods. One potential setback that might be considered is reduction of the required setback for structures 24 inches in height or greater. Similarly, there may be the potential to reduce setbacks along arterial streets.

Adjacent Use Setbacks: These standards dictate how far a structure must be set back from the lot line of an adjacent use (see Table 16-5-102.D of the LMO). The minimum is typically either 20 feet or 25 feet, depending upon the uses and district. The greatest setback requirement is between single-family houses and industrial uses, which is 40 feet. There are also provisions for setback encroachments for features such as fences, walls, awnings and lighting fixtures. Although, in the case of single-family subdivisions, these setbacks only apply to the perimeter of the subdivision, they may still be overly generous in some cases. For example, a single-family property could be directly adjacent to another similar single-family subdivision, and applying the required 20 foot setback on the side yard of both adjacent subdivisions would result in a 40 foot separation between buildings.

It is noteworthy that there are some existing exceptions when residential subdivisions are adjacent to other residential subdivisions. For Minor Subdivisions and Small Residential Subdivisions, the setback may be reduced by as much as 50%. Also, within any district, it might be reduced by 10% if the site meets all six of the listed criteria, which consider hardships and avoiding/mitigating any adverse impacts that might otherwise occur from the relief. Regardless of those existing exceptions, it might be reasonable to decrease the required use setbacks for any scenario whereby like uses and development types abut one another within the proposed overlay.

Adjacent Street Buffers: The Town's street buffer requirements are contained in Tables 16-5-103.D and 16-5-103.F. There are five different buffer types (A through E) defined in the LMO, and they apply to both street and use buffers. Buffer type A applies to all streets other than arterials. Minor arterials require buffer type B and major arterials require buffer type E. For each buffer type, there is an Option 1 and 2. Option 1 always requires more buffer depth, but Option 2 requires more landscaping material as a buffer to compensate for the lesser depth. For example, Option 1 for buffer type A requires at least 20 feet of depth, while Option B only requires 10 feet of depth. Given that a buffer along a street frontage is more in keeping with an Island character than a historic neighborhood character, the elimination of adjacent street buffers might be considered within the historic Gullah neighborhoods for all street types other than arterials. For the arterials, consideration might be given to decreasing the required buffer types in width and landscape density.

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Adjacent Use Buffers: The Town's adjacent use buffer requirements are contained in Tables 16-5-103.E and 16-5-103.F. As noted above, there are five different buffer types (A through E), but only four are applied to adjacent use buffers (A-D). A is the least rigorous and applies to uses such as single-family subdivisions when abutting like uses, while D applies to industrial uses when abutting single-family subdivisions and similar uses. As with adjacent use setback requirements for residential subdivisions, these buffers only apply to the perimeter of the subdivision rather than the individual lots. Nevertheless, buffer requirements are substantial enough that they may have potential for reduction as applied to properties within historic Gullah neighborhoods. For example, adjoining single-family subdivisions are now required to provide a use buffer type A (10 or 20 feet in depth), when like uses and development would not seem to need to be buffered from one another. Consideration might be given to reducing or even eliminating these types of buffer requirements within historic Gullah neighborhoods.

Current Challenges with the LMO

As noted previously, numerous Land Management Ordinance (LMO) revisions have been implemented per the Ward One Master Plan, the Stoney Initiative Area Plan, and the Chaplin Initiative Area Plan. Regardless of these changes intended to better accommodate the Gullah neighborhoods located in Ward One, recent public input conducted as part of this project has revealed the following challenges, among others, that property owners and developers still claim to encounter with the LMO:

- Subdivisions of 6+ lots require paved roads and other infrastructure, making "family subdivisions" difficult.
- Various impact fees also make it a challenge for many Gullah land owners to develop their land.
- Road setback, use setbacks, and buffer requirements make it challenging to develop small lots.
- Relatively low-density restrictions make it difficult to develop land (most stakeholders claim to need at least 12 units/acre for viable development).
- Street ROW and drainage easement width requirements are considered as often being too wide and preclude the development of small lots.

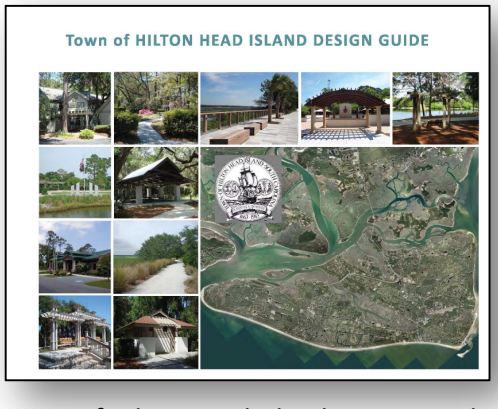
It is noteworthy that past efforts by the Town have sought to address these same issues. In many cases, LMO provisions have actually been revised, but the perception is that they still exist. Thus, greater education about the LMO may be needed.

OTHER POLICIES

Design Guide

Within the Town of Hilton Head Island's development regulatory context, "Design Review refers to the protection of the aesthetic and visual character of the Island for all properties that lie within the Corridor Overlay District (which includes property along the major roads and waterfront)." Design review pertains to all alterations to a site or structure in terms of colors,

materials, structural changes, landscaping, and signs. The Town's adopted Design Guide is used by Town staff and the Town's appointed Design Review Board (DRB) to ensure that development projects are consistent with Hilton Head Island's character, although they do not apply to single-family houses. The stated Island Character Vision Statement is as follows:



Town of Hilton Head Island Design Guide
(Source: Town of Hilton Head Island)

"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." It is noteworthy that these guides are based upon a resort community character that is blended with the natural environment, as opposed to Gullah culture. DRB applications are categorized into the following four groups:

- Alterations/Additions
- Minor External Changes
- Signs
- New Development (Conceptual and Final)

The Town's planning staff can review all minor external changes instead of requiring DRB review.

Tax & Fee Policies

The most significant tax and fee policies relative to this project include the property taxes assessed by the County, business taxes/fees assessed by the Town and County, and Public Service District (PSD) fees, as follows.

Property Taxes, Exemptions & Delinquency

Beaufort County collects property tax revenues for the Town of Hilton Head Island. Real property and mobile homes are valued by the Beaufort County Assessor's Office and the taxes are calculated by the Beaufort County Auditor's Office. All residential and commercial property in the County is taxed at a 6% assessment rate. An exception is an owner-occupied legal residence, which may qualify for the 4% Special Assessment Ratio. Tax amounts, which are established by the County, are based on the value of the property being taxed and the millage being applied. Below are some of the additional exemptions and special assessment ratios that might be relevant to Gullah property owners:

- *Agricultural Special Assessment:* granted to taxpayers using their property for agricultural purposes.
- *Disability Exemptions:* granted by the South Carolina Department of Revenue for certain medical disabilities, disabled veterans, and other similar circumstances.
- *The Homestead Exemption:* granted to taxpayers who are over 65, or have been certified as totally and permanently disabled by a State or Federal Agency, or are legally blind.

- *Active Duty Military Exemption:* granted to active duty military stationed within Beaufort County whose State of record is not South Carolina.

Property tax payments are due each year by January 15th. Properties that are delinquent on paying taxes are auctioned by the County in accordance with South Carolina State Statute 12-51-50. The delinquent tax sale is an open auction held annually on the first Monday in October. To avoid the auction of property, delinquent taxpayers must pay before 5:00 p.m. on the Friday before the sale. Payments are not accepted the day of the tax sale. Regulations for property taxes are established by the State and the Town has very little control or influence over them.

Beach Preservation Fee & Accommodations Tax

All individuals or businesses renting sleeping accommodations for ninety (90) days or less are required to open an account with the Town's Business License Department to remit quarterly payments of 3% of their gross revenue by the 20th day of the month following each quarter. Of that amount, 2% goes to the Beach Preservation Fee and 1% goes to the Accommodations Tax. In South Carolina, the rental of "transient accommodations" is subject to a 2% Accommodations Tax, in addition to the 5% Sales Tax, and any applicable local tax. Also, the governing body of a qualified coastal municipality (such as the Town of Hilton Head Island) may impose a beach preservation fee not to exceed one percent. Such fee is established through an ordinance and it is subject to a referendum. Payment coupons for the current year are mailed when an account is opened. Renewals occur each year in January or February. Coupons must be remitted to the Town by the 20th day of the month following the quarter. In the event that beach preservation fees are not remitted to the Town, the violator must pay a penalty of five (5) percent of the unpaid amount for each month or portion thereof past due until all beach preservation fees are paid in full.

Hospitality Tax

In accordance with South Carolina statutes, "a local governing body may impose, by ordinance, a local hospitality tax not to exceed two (2) percent of the charges for food and beverages. However, an ordinance imposing the local hospitality tax must be adopted by a positive majority vote. The governing body of a county may not impose a local hospitality tax in excess of one (1) percent within the boundaries of a municipality without the consent, by resolution, of the appropriate municipal governing body. All proceeds from a local hospitality tax must be kept in a separate fund segregated from the imposing entity's general fund. All interest generated by the local hospitality tax fund must be credited to the local hospitality tax fund."

Hospitality taxes are paid by consumers/patrons of restaurants, lounges, grocery stores, convenience stores, and any other establishments that sell prepared food and beverages. It generates approximately $4.8 million annually for the Town of Hilton Head Island that is dedicated to pay debt service on a $10 million bond for public safety projects and other capital improvement projects. Payment forms are mailed when an account is opened. Renewals occur each year in January or February. Forms must be remitted to the Town by the 20th day of the month following the quarter. In the event that local hospitality taxes are not remitted to the Town, the person failing to remit them must also pay a penalty of five (5) percent of the unpaid amount for each month or portion thereof until the taxes are paid in full.

Real Estate Transfer Fee & Land Acquisition Program

The Real Estate Transfer Fee is 0.25 of 1% on each real estate transaction in the Town. It generates an average of $4.2 million annually that is dedicated to the Land Acquisition Program. This fee is usually included in the closing costs of a real estate transaction. The fee is collected by Beaufort County for the Town. It will "sunset" on December 31, 2024.

The Town's Land Acquisition Program began in earnest in 1991 and was modeled after a program created in Nantucket, Massachusetts. The Town's goal was to manage and control growth on the island. Rather than taking land, the Town Council sought to purchase land at fair market value. Land acquisition became a "Smart Growth" tool for the Town, and some of the lands acquired are located in or near Gullah neighborhoods in the north half of the Island. According to the Town's website regarding this program:

> The program has enhanced property values; reduced potential development, particularly along U.S. 278; reduced potential traffic; kept the island green; preserved historic sites; and created opportunities for park and recreation development. As a result of this program, the Town has:
>
> - Purchased 145 parcels of land totaling 1,308 acres for a total expenditure of $171.8 million;
> - Precluded 4.57 million square feet of commercial development;
> - Precluded 1,365 motel rooms;
> - Precluded 4,637 residential and timeshare units; and
> - Precluded 43,228 PM peak-hour driving trips.

Impact Fees

Impact fees are due before a building permit will be issued for both residential and commercial construction within the Town of Hilton Head Island. There are two types of impact fees. One is a Beaufort County fee and the other is a Town of Hilton Head Island fee:

Beaufort County Impact Fee

The Beaufort County fee, which is applicable in the Town of Hilton Head Island, is composed of three charges: parks, roads and libraries. All three fees are applied to building permits for residential units, including single-family houses, manufactured houses, and multi-family and duplex construction. Park and library fees are standard amounts, while road fees change based on the use.

Town of Hilton Head Island Impact Fee

The Town of Hilton Head Island assesses a transportation impact fee on all new development. Transportation impact fees are used to finance qualifying transportation improvements. They are based on the applicable land use category and the projected number of vehicle trips generated by that particular use. The fee required for single family residential construction is $635 for structures under 1,500 square feet of total construction (heated and unheated space combined). Structures over 1,500 square feet of heated and unheated space are charged a fee of $816. Manufactured housing is accessed a flat fee of $410 per unit.

Public Service District (PSD) Fees

The PSD charges a variety of fees, but perhaps the most significant are the "availability fees." The PSD charges both a Water Availability Fee and a Sewer Availability Fee. These fees are charged to properties that have water and/or sewer service available, but are not connected to the systems. These fees apply to vacant lots, as well as homes and businesses that are not connected to the services. A property can be charged one or both fees. All lots within 100 feet of an existing gravity or low-pressure sewer main, or an existing water main with the ability to provide immediate service, are charged availability fees, with the following exceptions:

- Unbuildable lots
- Lots without free and easy access to the nearest main

Unbuildable lots consist of designated wetlands, inundated property, and designated open space. Lots without free and easy access to the nearest main are lots within 100 feet of the main, but where no public road right-of-way nor easement exists, which therefore would require crossing another piece of property to serve the subject property. The Water Availability Fee is $100 per year and the Sewer Availability Fee is $300 per year. Availability Fees are collected through a customer's Beaufort County property tax bill, which result in an added cost to a tax bill that is already relatively high.

Potential Model Regulations

While not part of the Town's existing regulations, there are others in other jurisdictions, such as Beaufort County, that could serve as future models for the Town of Hilton Head Island. They include the following:

Beaufort County Family Compound Regulations

Key standards in the County's Family Compound provisions that could be considered for adaptation for Hilton Head Island include:

A. *Fifty (50) Years of Ownership.* A single member of the family, multiple members of the family, or an unbroken succession of family members shall own a family compound property for no less than 50 years. All owners of the property shall request the family compound.

B. *Familial Relationship of those Receiving Property and/or Dwelling Unit.* The person(s) for whom the family dwelling units are built and/or the property subdivided shall be related to the owner of the property by blood, marriage, or adoption.

C. *Property May be Subdivided.* Family compounds shall be developed and the dwelling units built, or the family compound property may be subdivided and conveyed by the landowner to a family member to build a dwelling unit. Family compounds that are subdivided are limited to the maximum number of units without clustering.

There is also a five-year restriction for leasing or selling the subject property, as follows:

Leasing. No family dwelling unit shall be leased for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.

Conveyance of Land Approved as Family Compound. No portion of a tract of land approved as a family compound in accordance with this Section shall be conveyed for five years from the date of approval of the family compound unless the grantee is related to the property owner by blood, marriage, or adoption.

Other important provisions of the County's regulations relate to site design. Two alternative site planning approaches are allowed: "conventional form" and "traditional cluster." Permitted densities are tied to the site size, but the conventional form permits no greater density than one unit per acre, and the traditional cluster form permits no greater than two units per acre. However, permitted densities decrease in either scenario as sites get larger. For Family Compounds that are clustered, there is no minimum lot area, and the minimum separation between dwelling units is 15 feet. For Family Compounds that are not clustered, the minimum lot area is one-half acre.

Cottage Development Regulations

Cottage Development standards found in some other communities, and that could be adapted for Hilton Head Island if family compound provisions were to be adopted, typically permit small lots clustered around a common open space that accounts for approximately 30% of the total site size. They also include housing unit size limits, design standards minimizing the visual impact of garages, minimized street widths, and an emphasis on pedestrian pathways. However, the types of architectural design standards found in most Cottage Development provisions might be cost prohibitive for land owners in Hilton Head Island's historic Gullah neighborhoods.

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HEIRS' PROPERTY

EXISTING CHALLENGES

As defined by the U.S. Department of Agriculture (USDA), "Heir property refers to land that has been passed down informally from generation-to-generation. In most cases, it involves landowners who died without a will. Heirs' property is land owned 'in common' by all of the heirs, regardless of whether they live on the land, pay the taxes, or have ever set foot on the land." According to the Center for Heir's Property Preservation, based in Charleston:

> "*In the Lowcountry, heirs' property (HP) is mostly rural land owned by African Americans who either purchased or were deeded land after the Civil War. Historically, HP owners were routinely denied access to the legal system; could not afford to pay for legal services, and didn't understand or trust the legal system. As a result, much of this land was passed down through the generations without the benefit of a written Will, or the Will was not probated within the 10 years required by SC law to make it valid – so the land became heirs' property. Often the family members didn't know that.*"

Because these landowners lack clear title to their property, they are precluded from selling their properties or securing loans for property improvements. For many years now, heirs' property has been the leading cause of African Americans losing their land. According to the U.S. Census Bureau, roughly 80% of land owned by African Americans has been lost since 1910 because of heirs' property issues. The heirs' property issue is an especially pronounced challenge on Hilton Head Island.

EXISTING RESOURCES TO ADDRESS THE ISSUE

Fortunately, there are multiple organizations that focus on this issue and that can be leveraged as a resource for Hilton Head Island's Gullah population, as follows:

Local & Regional Organizations

Resource organizations based in Charleston and Beaufort, respectively, include the following:

<u>Center for Heirs' Property Preservation</u>

The Center is based in Charleston and covers a 15-county service area that includes Beaufort County and Hilton Head Island. According to the Center, as of 2012, there are roughly 47,000 heirs' properties in the region. The Center focuses specifically on this issue and has the potential to be a key resource for Hilton Head Island's future efforts in

This gentleman can now remove a sign installed by someone else to sell his land after gaining title to his land. (Source: Center for Heirs' Property Preservation)

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addressing this topic. They offer an hour of free advice to people dealing with the heirs' property issue, although it is limited to people who would like to keep the property rather than selling it. They must also meet certain income level requirements and they must provide (or create) a family tree. The Center can help clients create a "family presentation," which is helpful to achieving "family agreement," which is considered by the Center to be the key to success in addressing this issue. Until family agreement is reached, the Center will not take on a case, and once a person becomes a client, they must meet with the Center staff in person rather than via telephone. According to the Center, clearing a property title can take from six months to several years. Along the way, it also requires a great deal of "hand holding" by the Center's staff. In addition to working directly with clients, the Center holds periodic educational seminars on the heirs' property topic, including their well-attended workshops on Hilton Head Island on February 24th of 2018 and March 16th of 2019. Based on conversations with one of their staff members as part of this project, they are willing to have additional future workshops on Hilton Head Island. It is also noteworthy that a CHPP staff attorney periodically meets with area property owners in the conference room of the Coastal Community Foundation in Beaufort. For more information on this organization, the Center's website address is *www.heirsproperty.org*.

Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN)

This Beaufort-based public charity is relatively new and it was "created to help Gullah/Geechee and other African descendants save their land for current and future generations." They rely heavily on volunteers for the following types of roles: webmasters, grant writers, appointment schedulers, fundraising event workers, community outreach presenters, and office clerks. They assist landowners with filling out paperwork for homestead exemptions, tax rate reductions, installment property tax payments, and referrals to agricultural and heirs' property title clearing programs.

Since 2015, PAFEN's "Help Save Gullah-Geechee Land Campaign" has prevented Gullah Geechee owned property with an assessed value of more than $6 million from being lost through South Carolina Delinquent Tax Sales and heirs' property disputes in Beaufort, Colleton, Georgetown, and Horry counties. Since 2016, when necessary, this entity has lobbied the Hilton Head Island Town Council seeking more flexibility for the Gullah community under the LMO. PAFEN's annual Stand4Land Taxpayer Empowerment Workshop has been their free signature outreach event since 2017 to provide a wide-ranging series of educational, financial, and referral resources to help sustain long-term property ownership. Presenters have included: the Beaufort County Assessor, Auditor, and Treasurer; the Beaufort County Black Chamber of Commerce; SC Legal Services; the Center for Heirs' Property Preservation; SC Lowcountry SCORE; the Consumer Credit Counseling Services of the Savannah Area; the S.C. Forestry Commission; USDA-Rural Development; and the USDA-Natural Resources Conservation Service.

They also established a satellite Stand4Land Taxpayer Empowerment information kiosk at the Plantersville Community Center in Georgetown County in 2018. The PAFEN Family Empowerment Resources & Training Center is located in Beaufort's Regions Bank Building, 69 Robert Smalls Parkway, Suite 4E. Hours are by appointment only, and their main phone number is (843) 812-3558.

State-Wide & National Organizations
The following resource entities include one in South Carolina and one that is nation-wide.

South Carolina Legal Services (SCLS)
SCLS provides free legal assistance in a variety of civil (non-criminal) legal matters to eligible low-income residents in the state. SCLS is a non-profit corporation funded by grants from the federally-funded Legal Services Corporation, the South Carolina Bar Foundation, local United Ways, state court filing fees, and other federal, state and local funding sources. Applications for legal assistance can be made via the organization's website *(www.sclegal.org)* or in person at their local offices. Their closest office to Hilton Head Island is in North Charleston and their toll-free phone number is (888) 720-23200. This organization lists "Heirs' Property Issues" among their priorities in their publication entitled "South Carolina Legal Services Priorities for 2017" (page 5).

Heirs' Property Retention Coalition (HPRC)
The Heirs' Property Retention Coalition (HPRC) was formed in the summer of 2006 as a national organization of lawyers, advocates, and academics heavily involved in litigation, legislative reform, and/or scholarly study related to heirs' property and, in particular, to the preservation of heirs' property within low-income African-American communities. HPRC has both organizational and individual members, all of whom bring significant expertise and experience to the table. Some HPRC members are local organizations that have been working on the ground in their area for decades, while others are national organizations that bring a broader regional perspective to HPRC's work. HPRC's success derives from its highly inclusive structure, which encourages participations from a broad range of organizations and individuals with a common goal of preventing African American land loss.

The stated mission of the HPRC is "to stem the tide of heirs' property land loss, particularly among families of color in the southeast, so that such families can retain their ancestral land and maintain it as a sustainable asset for future generations." To this end, they develop and facilitate the collaborative action of organizations that help low-income families, specifically by: a) connecting such organizations and partners to legal and land planning resources inside and outside the Coalition; b) developing and centralizing practice materials and research libraries; c) providing for intra-Coalition case referrals; d) organizing the gathering of empirical information about the scope of heirs' property and land loss; and e) supporting legal reform efforts at the state level.

South Carolina Appleseed Legal Justice Center (SCALJC)
Based in Columbia, this non-profit organization was established in its current form in 1998. Their staff includes attorneys, outreach workers and community organizers. Their stated goal is to "influence policymakers to ensure the law is fair, to educate the public and their advocates about the law, and to assist attorneys…" While their current focus does not include heirs' property, there may be the potential if they could be convinced.

Black Family Land Trust (BFLT)
Based in Durham, NC, this non-profit's stated mission is "ensuring, protecting and preserving

African American owned lands." While their main focus is on North Carolina, they do serve South Carolina as well. Their "Wealth Retention and Asset Protection (WRAP)" program addresses heirs' property issues through education.

Black Belt Justice Center (BBJC)

Headquartered in Washington, DC, this legal and advocacy non-profit organization serves African American farmers, landowners, and communities in the Black Belt region to: retain and increase landownership; to create sustainable land-based cooperatives and entrepreneurial businesses; and to ensure intergenerational and community wealth. They describe the Black Belt is a crescent-shaped agricultural region extending from southern Maryland to eastern Texas that is characterized by its high concentration of African Americans. Their services include community education, heirs' property mediation, and land trusts.

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TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, *AICP, Director of Community Development*
FROM: Jennifer Ray, *ASLA, Deputy Director of Community Development*
DATE: September 9, 2019
SUBJECT: Regional Housing Trust Fund

Recommendation: The Public Planning Committee recommends that Town Council approve a resolution authorizing the Town Manager to enter into a Memorandum of Agreement with Beaufort County for the purposes of cost sharing for contracting for consulting services to develop a regional Affordable Housing Trust Fund.

The Public Planning Committee met on August 22, 2019 and voted 4-0-0 to forward the recommendation to Town Council.

Summary: The Southern Lowcountry Regional Board (SOLOCO) has recognized a need for housing that is attainable to all and has prioritized the need for a regional approach for attainable housing. The Board designated staff from each jurisdiction involved in SOLOCO to serve on an Affordable Housing Trust Fund Sub-committee to research and evaluate the feasibility of a regional Affordable Housing Trust Fund. Based on the outcome of the research SOLOCO is seeking a consultant to develop the framework and funding requirements of a regional Affordable Housing Trust Fund. The Town and other SOLOCO member organizations are being asked to share in the cost of hiring the consultant.

Background: Beaufort County hired Bowen to prepare a Housing Needs Assessment for the County and all of its municipalities. The report indicated a need for both rental and owner-occupied housing, including a need for affordable housing. Jasper County and the region are thought to have similar needs. SOLOCO has prioritized the need for a regional approach for attainable housing. The Affordable Housing Trust Fund Sub-committee researched housing trust funds including examples from South Carolina and around the country. The Sub-committee recommended to SOLOCO to hire a consultant to develop the framework for a trust fund and to identify funding requirements and coordinate with the individual jurisdictions involved.

The Town is being asked to participate in the Housing Trust Fund Study with the other SOLOCO member organizations. The funding amounts are formulated related to the percentage of population of each potential participating jurisdiction. The Town's share is not to exceed $25,000.

Attachment: Resolution

A RESOLUTION OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TOWN COUNCIL AUTHORIZING THE TOWN MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH BEAUFORT COUNTY FOR THE PURPOSES OF COST SHARING FOR CONTRACTING FOR CONSULTING SERVICES TO DEVELOP A REGIONAL AFFORDABLE HOUSING TRUST FUND.

WHEREAS, the Town of Hilton Head Island, SC is currently involved with and is a part of the Southern Lowcountry Regional Board (SOLOCO); and

WHEREAS, SOLOCO has recognized the need for housing that is attainable for all and particularly for those in the service industries and entry-level professional occupations; and

WHEREAS, SOLOCO has prioritized the need for a regional approach for attainable housing; and

WHEREAS, the SOLOCO members designated staff from each jurisdiction involved to serve on a Affording Housing Trust Fund Sub-committee to research and evaluate the feasibility of a regional affordable housing trust fund; and

WHEREAS, the Affordable Housing Trust Fund Sub-committee met on multiple occasions and determined that an outside independent contractor with specific expertise was needed to design the framework of such an organization and determine funding requirements and coordinate with the individual jurisdictions involved; and

WHEREAS, the Affordable Housing Trust Fund Sub-committee has drafted an RFP for consultant services; and

WHEREAS, the Affordable Housing Trust Fund Sub-committee will review responses to the RFP and provide a recommendation to SOLOCO; and

WHEREAS, the Affordable Housing Trust Fund Sub-committee developed a structure for cost sharing for each jurisdiction based on population.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hilton Head Island, SC:

1. The Town Manager is authorized to enter into a Memorandum of Agreement with Beaufort County on behalf of the Town to contract for consultant services with oversight by the SOLOCO Affordable Housing Trust Fund Sub-committee once a contractor is selected.
2. The Town Manager is authorized to expend funds in an amount not to exceed $25,000 as the Town's portion of the contract.

PASSED AND ADOPTED by the Town Council of the Town of Hilton Head Island, SC this 17th day of September 2019.

_____

John J. McCann, Mayor

ATTEST:

_____

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

_____

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA-CM, *Town Manager*
VIA: Shawn Colin, *Director of Community Development*
VIA: Jennifer Ray, *Deputy Director of Community Development*
FROM: Marcy Benson, *Senior Grants Administrator*
DATE: August 28, 2019
SUBJECT: HUD/CDBG Entitlement Program 2018 CAPER

Recommendation:
Staff requests approval by resolution of the attached program year 2018 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) as required by the U.S. Department of Housing and Urban Development (HUD) for participation in the CDBG Entitlement Program.

Summary:
The 2018 CAPER outlines how CDBG funds were spent and the progress made towards the goals outlined in the Five Year Consolidated Plan and the Annual Action Plan. The 2018 CAPER is a HUD requirement for participation in the CDBG Entitlement Program. The CAPER is submitted to HUD annually within 90 days after the close of the program year. The due date is September 27, 2019.

Background:
In 2015 the Town of Hilton Head Island began participating in the HUD CDBG Entitlement Program. The HUD-required 2018 One Year Action Plan was approved by HUD in July 2018. To meet HUD requirements a CAPER must be prepared each year of program participation and public input must be solicited for the CAPER. The CAPER describes activities implemented and accomplishments related to the goals and objectives identified in the 2015 – 2019 Five Year Consolidated Plan and the 2018 Annual Action Plan.

The CAPER was released to the public on August 12, 2019 for a 15 day public comment period and a public meeting to solicit public input was held on August 14, 2019. At the close of the 15 day public comment on August 27, 2019 no public comments were received. A summary stating no comments were received is included in the CAPER.

Approval of the CAPER at the September 17, 2019 Town Council meeting will allow the report to be submitted by the September 27, 2019 HUD deadline.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA TO APPROVE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2018 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

WHEREAS, in July 2018 the Town of Hilton Head Island Community Development Block Grant (CDBG) One Year Annual Action Plan for program year 2018 detailing goals and objectives to be implemented to address community needs in low and moderate income areas within the Town's jurisdiction was approved by the United States Department of Housing and Urban Development (HUD); and

WHEREAS, as an entitlement community, the Town must prepare and submit a CAPER to HUD within 90 days after the close of the program year; and

WHEREAS, the CAPER is an annual report of activities implemented and accomplishments of goals and objectives identified in the 2018 Annual Action Plan; and

WHEREAS, the Town has adhered to the public participation requirements set forth in the Citizen Participation Plan in the development of the 2018 CAPER by conducting a public meeting and 15 day comment period to solicit citizen input and review for the 2018 CAPER; and

WHEREAS, the Town Manager is authorized to submit the 2018 CAPER to HUD for review and acceptance;

NOW, THEREFORE BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT The 2018 CAPER as submitted in the attachment to this resolution be approved and submitted to HUD.

MOVED, APPROVED, AND ADOPTED ON THIS 17TH DAY OF SEPTEMBER, 2019.

_____
John J. McCann, Mayor

ATTEST:

_____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

_____
Curtis Coltrane, Town Attorney

Introduced by Council Member: _____

Town of Hilton Head Island

2018
Consolidated Annual Performance Evaluation Report (CAPER)

For the
U.S. Department of Housing and Urban Development
Community Development Block Grant Program

~DRAFT~

OMB Control No: 2506-0117 (exp. 06/30/2018)

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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

At the end of each program year, the Town of Hilton Head Island is required to prepare a Consolidated Annual Performance Evaluation Report (CAPER). This report must be submitted to HUD within 90 days after the close of the program year and includes information on the programmatic accomplishments under the CDBG program. This CAPER is for the fourth year of the 2015 – 2019 Consolidated Plan. The Town of Hilton Head Island CDBG allocation for 2018 was $234,127and there was $199,752.75 in unexpended funds from the previous program year making $433,879.75 the total amount of CDBG funds available in 2018.

Administrative and Planning Activities:
The 2018 Annual Action Plan was submitted to HUD in June 2018. In July 2018 the Town of Hilton Head Island was notified the 2018 Annual Action Plan was approved and a grant agreement for 2018 was executed in August 2018. Five activities related to public notice requirements for the Consolidated Plan amendment, the 2017 Annual Action Plan amendment, and the 2019 Annual Action Plan were conducted in December 2018, February 2019 and April/May 2019.

Non-Housing Community Development Activities:
The Island Recreation Center playground replacement project funded with 2017 CDBG program year dollars is currently being installed and completion is anticipated for late August 2019. The amount of CDBG funds allocated for the Island Recreation Center playground project was $111,000 and have been expended. The 2018 program year funds allocated for the Murray Avenue dirt road paving project have not yet been used. The right of way acquisition for the Murray Avenue dirt road paving project cannot be accomplished. A substantial amendment to the 2018 Annual Action Plan is anticipated to be completed before the end of 2019. The forthcoming 2018 Annual Action Plan substantial amendment will designate a new project for funding and reallocate the remaining 2017 funds into the 2018 program year project.

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Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Blazing Star Lane Paving	Non-Housing Community Development	CDBG: $179,937	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	30	0	100%	30	30	100%
Development of Consolidated Plan	Administrative and Planning	CDBG: $22,410	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37,099	37,099	100%	37,099	37,099	100%
Rhiner Drive Paving	Non-Housing Community Development	CDBG: $196,123	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	20	20	100%	20	20	100%
Facilities, Housing, Real Property Improvements 3: Island Recreation Center Playground Replacement	Non-Housing Community Development	CDBG: $111,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	3,622	0	0.00%
Facilities, Housing, Real property improvements 4	Non-Housing Community Development	CDBG: $320,592	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	0	0	0.00%

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Facilities, Housing, Real property improvements 5: Playground and Parking Expansion at Rowing and Sailing Center at Squire Pope Community Park	Non-Housing Community Development	CDBG: $236,013	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	0	0	0.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

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Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The Town of Hilton Head Island has used CDBG funds to address priority needs identified in the 2015 – 2019 Consolidated Plan and the 2018 Annual Action Plan. Funds are being used for the needs listed at a high priority level, which include public facilities and improvements and administrative and planning. The 2018 program year funds allocated for public facilities and improvements have not yet been expended. However, the 2017 program year funds have been used for allowable program administrative costs and a public facility playground replacement project. These costs are in compliance with CDBG program requirements.
A substantial amendment to the 2018 Annual Action Plan is anticipated to be completed before the end of 2019. This forthcoming substantial amendment will designate a new project for the 2018 funding and reallocate the remaining 2017 funds into the 2018 program year project.

In February 2019 a substantial amendment to the 2015 – 2019 Consolicated Plan resulted in the replacement of the 2018 program year Murray Avenue dirt road paving project with a general public facilities and improvement project which has not been determined at the time of this CAPER submittal. The Island Recreation Center playground replacement project funded with a portion of the the 2017 CDBG program year allocation will begin installation in August 2019. Because the installation of the Island Recreation Center playground replacement project is not complete at the time of this CAPER submittal the actual number of persons assisted is shown as zero in the table above. However, all the program year 2017 funds allocated to the Island Recreation Center playground replacement project have been expended and the remaining 2017 funds will be reallocated to the 2018 prorgram year project in the forthcoming 2018 Annual Action Plan substantial amendment. Because the 2018 program year project will be identified during the amendment process the public facilities and improvements or housing activity or other real property improvements goal listed in the table above shows the actual number of persons assisted as zero.

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CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG
White	2,361
Black or African American	647
Asian	33
American Indian or American Native	10
Native Hawaiian or Other Pacific Islander	0
Total	3,051
Hispanic	978
Not Hispanic	2,644

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The data represented in the table above for the Town of Hilton Head Island Census Tract 105 does not reflect a racial and ethnic total for the categories “Some Other Race Alone” or “Two or More Races”. These two categories total 571 for Census Tract 105.

According to the 2010 U.S. Census the total population of the Town of Hilton Head Island is 37,099. The population composition is as follows: 30,741 persons (82.9%) are White; 2,766 persons (7.5%) are Black or African American; 57 persons (0.2%) are American Indian or Alaska Native; 339 persons (0.9%) are Asian; 22 persons (0.1%) are Native Hawaiian and Other Pacific Islander; 2,713 persons (7.3%) are Some Other Race; and 451 persons (1.2%) are Two or More Races. The total Hispanic population of the Town of Hilton Head Island is comprised of 5,861 persons which is 15.8% of the total Town population. It should be noted in Census data Hispanic is considered an ethnicity and not a race, for example, the race of a person may be White and their ethnicity Hispanic, or their race may be Black or African American and their ethnicity Hispanic.

The table above represents 2010 U.S. Census population for the Town of Hilton Head Island Census Tract 105. This Census Tract is where a portion of the 2017 CDBG program funds were spent during the 2018 program year. The total population for Census Tract 105 is 3,622. The population composition for Census Tract 105 is as follows: 2,361 persons (65%) are White; 647 persons (18%) are Black or African American; 33 persons (0.9%) are Asian; 10 persons (0.02%) are American Indian or Alaska Native; and 0 persons (0.0%) are Native Hawaiian or Other Pacific Islander. The total Hispanic population of Census Tract 105 is comprised of 978 persons which is 27% of the total Census Tract population.The CDBG program funds for 2018 have not yet been expended and an amendment to the current 2018 Annual Action Plan will be forthcoming which will identify a project to be funded with 2018 CDBG dollars. The 2018 CDBG program funds are targeted for use in one of the three low and moderate income Census Tracts within the Town of Hilton Head Island.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	$434,908	$113,287.64

Table 3 - Resources Made Available

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	26%	Funds for infrastructure improvements in Census Tract 105, which meets LMI requirements.
Census Tract 108	0	0.00%	No CDBG funded projects were planned in Census Tract 108 for the 2018 program year.
Town-Wide	2	.5%	Funds for program administration costs which meet HUD requirements.

Table 4 – Identify the geographic distribution and location of investments

Narrative

Resources available to the Town of Hilton Head Island during the 2018 program year included CDBG funds allocated to the Town from HUD for the 2017 and 2018 program years. The Island Recreation Center playground replacement project funded with 2017 CDBG program year dollars is currently being installed and completion is anticipated for late August 2019. The amount of CDBG funds allocated for the Island Recreation Center playground project was $111,000 and have been expended during program year 2018. The 2018 program year funds allocated for the Murray Avenue dirt road paving project have not yet been used. The right of way acquisition for the Murray Avenue dirt road paving project cannot be accomplished. A substantial amendment to the 2018 Annual Action Plan is anticipated to be completed before the end of 2019. The forthcoming 2018 Annual Action Plan substantial amendment will designate a new project for funding and reallocate the remaining 2017 funds into the 2018 program year project.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

While the Community Development Block Grant (CDBG) program does not require leveraging, if project costs exceed the allocated CDBG funds other Town of Hilton Head Island resources may be used in combination to leverage project costs over the CDBG allocation amount.

Approximately $390,000 in private and public donations were used to assist with the installation of the Island Recreation Center playground replacement project.

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CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	0	0
Number of Special-Needs households to be provided affordable housing units	0	0
Total	**0**	**0**

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
Total	**0**	**0**

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

In the fourth year (2018) of reporting on the 2015 – 2019 Consolidated Plan there was no goal to provide rental assistance, production of new units, rehabilitation of existing units or acquisition of existing units. These are not activities the Town of Hilton Head Island typically undertakes. The difficulty in setting affordable housing goals pertains to the high cost and limited availability of buildable property on a coastal barrier island with finite boundaries.

Discuss how these outcomes will impact future annual action plans.

The Analysis of Impediments to Fair Housing Choice prepared in 2016 by the Lowcountry Council of Governments on behalf of the Town of Hilton Head Island identified six (6) recommendations for policy updates related to affordable housing. Those recommendations will be continually reviewed and implemented when possible throughout the remaining years of the Five-Year Consolidated Plan term.

In 2018 the Town of Hilton Head Island engaged Lisa Sturtevant & Associates and Clemson University to develop a workforce housing strategic plan. This plan was completed in April 2019 and identifies workforce housing needs on Hilton Head Island, defines workforce housing, makes strategy recommendations and includes implementation steps and a workforce housing toolbox.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	0
Low-income	0	0
Moderate-income	0	0
Total	**0**	**0**

Table 7 – Number of Households Served

Narrative Information

The Town of Hilton Head Island locates CDBG funded projects in Census Tracts which meet or exceed the 51% or higher low and moderate income population requirement established by HUD. The public infrastructure improvement listed in this 2018 CAPER will be located in one of the three Census Tracts that meets this criteria.

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CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:
Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The January 2018 point-in-time count results indicate 45 persons experiencing homelessness interviewed in Beaufort County. Thirteen of these persons were living unsheltered and 32 were living in shelters. The 2018 point-in-time count also shows three homeless veterans and one chronic homeless person. Data on transitional beds was not gathered in 2018. Compared to the total of 13 homeless counted in 2017, the 35 homeless counted in 2016 and the 37 homeless counted in 2015, the point-in-time count results for 2018 indicate an increase in homelessness in Beaufort County. This increase is similar to the statewide increase in homelessness cited in the South Carolina Interagency Council on Homelessness 2018 point-in-time report. A unique aspect of the 2018 point-in-time count conducted by the Lowcountry Homeless Coalition is that a higher participation rate among providers contributed to the increase in numbers for the sheltered count.

It must be noted, the homelessness figures above do not reflect homeless specifically in the Town of Hilton Head Island; these figures are for Beaufort County as a whole. The 2019 point-in- time count was conducted on January 23, 2019. As of July 2019 the Lowcountry Homeless Coalition has not released the 2019 point-in-time count results. When these results are obtained the data will be shared with the community.

Addressing the emergency shelter and transitional housing needs of homeless persons

Currently there are no emergency shelter and transitional housing shelters operating in the Town of Hilton Head Island. At this time there is no future plan to own or operate emergency shelters or transitional housing in the Town of Hilton Head Island.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus of assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the

Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

There are no homeless shelters located within the jurisdiction of the Town of Hilton Head Island and no homeless population count data available specifically for the Town of Hilton Head Island from the Lowcountry Homeless Coalition, which is the regional Continuum of Care servicing the Town. There is the non-profit organization, Family Promise of Beaufort County, located in neighboring Bluffton, South Carolina. Family Promise of Beaufort County is a coalition of Beaufort County churches assisting homeless families through a 60 – 90 day program. The program provides evening accommodations for program participants at host churches and daytime transportation to school for children and educational programs for parents in the program.

DRAFT

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Town of Hilton Head Island does not own or operate any public housing developments or units and there is no future plan to own or operate public housing units. The Beaufort Housing Authority is the agency providing public housing to approximately 726 residents in Beaufort County, South Carolina. In the Town of Hilton Head Island the Beaufort Housing Authority operates 80 public housing units which provide housing to 193 family members at the Sandalwood Terrace Apartments. The Town of Hilton Head Island did not set any specific public housing goals in the 2015 – 2019 Consolidated Plan.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Beaufort Housing Authority works with resident services at each of the public housing developments and through this collaboration promote programs and activities for residents. Some of the programs offered include: the Family Self-Sufficiency Program which is a five year homeownership education program, Sandalwood Terrace Resident Council, free budgeting classes, community garden clubs, and guest speaker sessions on health, nutrition, community living and library use. The Beaufort Housing Authority also works with the South Carolina Cancer Alliance to provide cancer screenings and Planned Parenthood to provide Teen Girl Empowerment programs to residents. The Beaufort County Library Bookmobile visits many of the Beaufort Housing Authority communities and there is a Head Start program located at the Sandalwood Terrace Apartments in the Town of Hilton Head Island.

Actions taken to provide assistance to troubled PHAs

Not Applicable.

DRAFT

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Public policy changes are not currently planned, however steps to study affordable housing issues within the Town of Hilton Head Island and develop a housing strategic plan have been taken in 2018. Affordable housing is encouraged through the Town of Hilton Head Island's Comprehensive Plan. Building codes do not prevent the provision of affordable housing, but are necessary to providing housing standards for safety and habitability. The inability to produce affordable housing units is largely due to the high cost of property within the Town of Hilton Head Island.

In 2018 the Town of Hilton Head Island engaged Lisa Sturtevant & Associates and Clemson University to develop a workforce housing strategic plan. This plan was completed in April 2019 and identifies workforce housing needs on Hilton Head Island, defines workforce housing, makes strategy recommendations, and includes implementation steps and a workforce housing toolbox.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

To reduce the number of obstacles in meeting the needs of the underserved populations Town staff may assist with facilitating collaborations with area service organizations which spearhead community-wide solutions to local needs.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Data for lead-based paint hazards in the Town of Hilton Head Island is unavailable. At this time actions to address lead-based paint hazards have not been identified.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The Town of Hilton Head Island anticipates continued participation in the Lowcountry Affordable Housing Coalition. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs addressed in the areas of economy, education, poverty, and health/environmental issues.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The Town of Hilton Head Island will continue to coordinate efforts and partnerships with state and local government entities such as Beaufort County, the Lowcountry Council of Governments, and various State of South Carolina offices to carry out the priority needs listed in the Annual Action Plan.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition, which is under the auspices of Together for Beaufort and the Beaufort County Human Services Alliance. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The Analysis of Impediments to Fair Housing Choice (AI) acknowledged eight impediments to fair housing choice: housing affordability, high cost of housing, inventory, transportation, small urban area, shelter and homelessness limited facilities, financial illiteracy, discrimination, and other.

Actions to overcome the effects of impediments identified in the AI include:

- In coordination with the Lowcountry Foundation, the Town of Hilton Head Island has committed to $9 million of sewer improvements which will connect lower income areas which rely on septic systems to treat wastewater.
- The Town of Hilton Head Island has used CDBG entitlement funds to pave dirt roads located in low and moderate income areas.
- The Town of Hilton Head Island donated town-owned property for a 10 home Habitat for Humanity development.
- The Town of Hilton Head Island participates as a member of the Lowcountry Affordable Housing Coalition.
- In 2017 the Public Planning Committee of the Town Council of the Town of Hilton Head Island and Town staff began to study the issue of availability of workforce and affordable housing.

- In 2017 the Town of Hilton Head Island was a participant in the Beaufort County Housing Needs Assessment process.
- In 2017 affordable housing stakeholder meetings were held with local builders, developers, employers and service organizations to solicit input on community affordable housing needs.
- In 2017 the Town Council of the Town of Hilton Head Island adopted nine recommendations related to workforce and affordable housing.
- In 2018 Town staff developed a scope of work for research, analysis and options for a Town of Hilton Head Island affordable housing strategy.
- In 2018 the Town of Hilton Head Island engaged Lisa Sturtevant & Associates and Clemson University to develop workforce housing strategic plan.
- In April 2019 the workforce housing strategic plan was completed. It identifies workforce housing needs on Hilton Head Island, defines workforce housing, makes strategy recommendations, and includes implementation steps and a workforce housing toolbox.

DRAFT

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The Town of Hilton Head Island Community Development Department staff is responsible for ensuring CDBG program requirements and funds are managed and allocated in compliance with federal regulations and guidelines. Town staff adheres to the procurement requirements as stated in the Municipal Code of the Town of Hilton Head Island, South Carolina Title 11, Procurement and Purchasing. Monitoring is conducted on an as-needed basis.

Citizen Participation Plan 91.105(d); 91.115(d)
Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

A public notice advertising the public meeting and 15 day public comment period for the 2018 CAPER was published in the newspaper with local circulation (The Island Packet) and posted at the Town of Hilton Head Island bullet board and website on Sunday, August 4, 2019. In addition the public meeting notice was sent via email "blast" to individuals who submitted email addresses requesting notification of public notices. The 15 day public comment period began on Monday, August 12, 2019 and ended Tuesday, August 27, 2019. A public meeting was held on Wednesday, August 14, 2019 at 6pm in the Benjamin M. Racusin Council Chambers at the Town of Hilton Head Island Town Hall located at 1 Town Center Court, Hilton Head Island, South Carolina. No citizens attended the August 14, 2019 public meeting, there were no comments received at the public meeting and no comments received during the 15 day public comment period. A summary of comments is attached to this CAPER. Following the public meeting and comment period the draft 2018 CAPER was presented at the Town of Hilton Head Island Town Council meeting on September 17, 2019 for review and comment.

DRAFT

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The year reported in this CAPER (2018) was the fourth year of the Town of Hilton Head Island 2015 – 2019 Consolidated Plan and the objectives in the plan to allocate CDBG funding for public improvement projects and program administrative costs did not change.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

DRAFT

ATTACHMENTS

DRAFT

PART I: SUMMARY OF CDBG RESOURCES	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	199,752.75
02 ENTITLEMENT GRANT	234,127.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	433,879.75
PART II: SUMMARY OF CDBG EXPENDITURES	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	111,000.00
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	111,000.00
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	2,287.64
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	113,287.64
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	320,592.11
PART III: LOWMOD BENEFIT THIS REPORTING PERIOD	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	111,000.00
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	111,000.00
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: 2018 PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	0.00
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	0.00
32 ENTITLEMENT GRANT	234,127.00
33 PRIOR YEAR PROGRAM INCOME	0.00
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	234,127.00
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	0.00%
PART V: PLANNING AND ADMINISTRATION (PA) CAP	
37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	2,287.64
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	2,287.64
42 ENTITLEMENT GRANT	234,127.00
43 CURRENT YEAR PROGRAM INCOME	0.00
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	234,127.00
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	0.98%

LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Report returned no data.

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2017	1	19	6258044	Island Recreation Center Playground	03F	LMA	$111,000.00
					03F	Matrix Code	$111,000.00
Total							$111,000.00

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Report returned no data.

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	**Drawn Amount**
2017	2	22	6240422	Consolidated Plan 2019 Substantial Amendment Needs Assessment Public Notice	21A		$685.50
2017	2	23	6240422	Consolidated Plan 2019 Substantial Amendment Comment Period and Meeting Public Notice	21A		$548.40
2017	2	24	6243641	FY17-18 AAP Substantial Amendment Public Meeting & Comment Period Public Notice	21A		$548.40
2017	2	25	6268887	2019 Annual Action Plan Public Meeting Notice	21A		$87.59
2017	2	26	6268887	2019 Annual Action Plan Public Comment Period Public Notice	21A		$417.75
					21A	Matrix Code	$2,287.64
Total							$2,287.64

Section 3 Summary Report

Economic Opportunities for Low- and Very Low-Income Persons

U.S. Department of Housing and Urban Development

Office of Fair Housing and Equal Opportunity

OMB Approval No. 2529-0043
(exp. 11/30/2018)

Disbursement Agency
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928
57-0752325

Reporting Entity
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Dollar Amount	$113,287.64
Contact Person	Marcy Benson
Date Report Submitted	07/01/2019

Reporting Period		**Program Area Code**	**Program Area Name**
From	**To**		
7/1/18	6/30/19	CDB1	Community Devel Block Grants

Part I: Employment and Training

Job Category	Number of New Hires	Number of New Hires that Are Sec. 3 Residents	Aggregate Number of Staff Hours Worked	Total Staff Hours for Section 3 Employees	Number of Section 3 Trainees
The expenditure of these funds did not result in any new hires.					

Total New Hires	0
Section 3 New Hires	0
Percent Section 3 New Hires	N/A
Total Section 3 Trainees	0
The minimum numerical goal for Section 3 new hires is 30%.	

Part II: Contracts Awarded

Construction Contracts	
Total dollar amount of construction contracts awarded	$111,000.00
Total dollar amount of contracts awarded to Section 3 businesses	$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	0.0%
Total number of Section 3 businesses receiving construction contracts	0
The minimum numerical goal for Section 3 construction opportunities is 10%.	

Non-Construction Contracts	
Total dollar amount of all non-construction contracts awarded	$0.00
Total dollar amount of non-construction contracts awarded to Section 3 businesses	$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	N/A
Total number of Section 3 businesses receiving non-construction contracts	0
The minimum numerical goal for Section 3 non-construction opportunities is 3%.	

Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing.	
No	Attempted to recruit low-income residents through: local advertising media, signs prominently displayed at the project site, contacts with community organizations and public or private agencies operating within the metropolitan area (or nonmetropolitan county) in which the Section 3 covered program or project is located, or similar methods.
No	Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
No	Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
No	Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
No	Other; describe below.

All procurement procedures were followed in the invitation to bid soliciation for the construction contract listed in this report. Two contractors submitted bids for this construction contact and the lowest responsible bid was selected per procurement procedures. In an effort to reach as many bidders as possible advertisements were published in the South Carolina Opportunities weekly publication and on the Town of HIlton Head Island website.

NOTICE OF 15 DAY PUBLIC COMMENT PERIOD AND PUBLIC MEETING CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

Notice is hereby given that the Town of Hilton Head Island prepared a draft of its 2018 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 12, 2019.** A public meeting to obtain comments on the 2018 CAPER will be held on **Wednesday, August 14, 2019 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the draft CAPER will be available for review at the meeting and Monday – Friday 8:00am – 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: http://www.hiltonheadislandsc.gov/ beginning at 8:00am Monday, August 12, 2019. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to marcyb@hiltonheadislandsc.gov. Comments will be accepted until **Tuesday, August 27, 2019**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at (843) 341-4689.

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MICHELLE GUSTAFSON NYT

The Department of Housing and Urban Development is pushing forward with a new rule to make it more difficult for people claiming housing discrimination to prove it.

HUD proposes to raise bar for housing discrimination cases

BY LOLA FADULU
New York Times

WASHINGTON

The Department of Housing and Urban Development is proposing to significantly raise the bar for civil rights groups seeking to prove that a landlord, insurance company or lender is guilty of housing discrimination.

The proposal, first revealed by Politico, would force civil rights groups to jump over five hurdles, instead of three, to demonstrate that a policy has had a discriminatory effect that violates the Fair Housing Act of 1968, which protects against discrimination. The proposal also maps out how landlords and other defendants can successfully fight back against those claims and states that the Fair Housing Act does not override state laws that regulate the business of insurance.

Civil rights groups have long used analyses of the effect of practices and policies to show that those practices and policies have harmed minority groups protected by federal civil rights laws. Such disparate analyses have been used to uncover discrimination in an era when racial prejudice and bigotry can be more subtle than in the past.

And the changes would come at a delicate time. Though minority unemployment is at record lows, black homeownership levels have declined to rates not seen since the 1960s.

"This effort to turn back the clock on civil rights is coming at a most inopportune time, and the Trump administration is keenly aware of it," Lisa Rice, the president of the National Fair Housing Alliance, said in a call with reporters.

Civil rights groups fear that the Trump administration's new rule will make it far harder to challenge housing discrimination. Sherrilyn Ifill, the president and director counsel of the NAACP Legal Defense and Educational Fund, called the five-part requirement "an incredible and extraordinary burden" that makes it "virtually impossible to prevail." On top of that, she said in a call with reporters, the defenses made available to the defendants are "astonishing."

But stopping the change will be difficult. Congress has 15 days to review the proposal. Once it has been published on the Federal Register, there will be a 60-day comment period. And the HUD rule might set the standard for much of the federal government. Similar action is under consideration at the Education and Justice departments.

The proposed change dates to last summer, when Anna Maria Farías, HUD's assistant secretary for fair housing and equal opportunity, announced that she would be amending the standards for discrimination that the Obama administration adopted in 2013. Farias cited a Supreme Court decision in 2015 on discrimination claims in fair housing.

The new rule, which has yet to be published in the Federal Register, would force those initiating lawsuits not only to show that a specific housing policy has a discriminatory effect, but also to show that the effect is "arbitrary, artificial and unnecessary" in achieving a "legitimate objective." There must also be a "robust causal link" between the specific policy and the discriminatory effect.

Civil rights groups would also have to show that the policy has an adverse effect on many members of a protected class – not just one individual in a minority group protected by civil rights law – and that the adverse effect is significant.

The proposed rule also describes how a defendant can defeat claims that maintain that his or her use of computer models harms minority groups. And it would declare that the Fair Housing Act "is not intended to invalidate, impair or supersede" any state laws that regulate the business of insurance, which was a worry that came up last year after a rule approved in the last year of the Obama administration specified that discrimination claims could be made against insurance companies, too.

Ifill said that rather than comply with the Supreme Court's ruling, the proposed rule advanced restrictive regulations far beyond the court's prescriptions.

Cummings urges Trump to 'come to Baltimore'

Maryland Rep. Elijah Cummings on Saturday invited President Donald Trump and other Americans to Baltimore, taking the high road after a barrage of presidential tweets disparaging the black-majority city and its Democratic congressman.

Cummings made his first public remarks after a week of Trump's name-calling and criticism during the opening of a neighborhood park near his home. He called Baltimore "a great community."

He reminded those gathered at the park of the city's history, home to the late Supreme Court Justice Thurgood Marshall and, more recently, the author Ta-Nehisi Coates.

— ASSOCIATED PRESS

Collapsing cliff claims 3 lives along Calif. beach

A popular surfing beach was closed Saturday after a cliff collapsed, sending tons of sandstone onto beachgoers and killing three people.

A 30-foot-long slab of the cliff plunged onto the sand near Grandview Beach north of San Diego. A KNSD-TV helicopter captured footage of beach chairs, towels, surfboards and beach toys strewn about the sand.

Other beachgoers and lifeguards at a nearby tower scrambled to the pile of debris, which was estimated to weigh tens of thousands of pounds, to help dig out victims.

A woman died at the scene, and two more people later died at hospitals.

— ASSOCIATED PRESS

Snowden memoir will be released on Sept. 17

Former National Security Agency contractor Edward Snowden has written a memoir. The book by the man whose leaks of classified documents transformed the debate about government surveillance is coming out Sept. 17.

Metropolitan Books announced Thursday that Snowden's "Permanent Record" will be released simultaneously in more than 20 countries, including the U.S. and Britain. According to the publisher, Snowden will describe his role in the accumulation of surveillance data and the "crisis of conscience" that led him to release a trove of classified materials in 2013.

— ASSOCIATED PRESS

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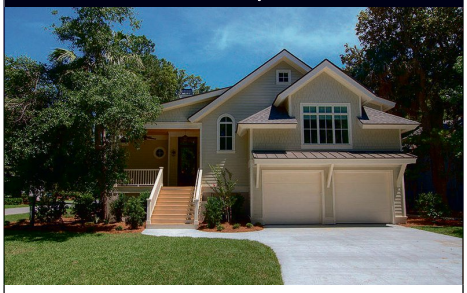
1 CARTGATE DRIVE | BUILT IN 2016



PALMETTO DUNES This is the newest ocean oriented house you can buy (under $6M); plus, it is a rental champion, projected to gross over $90K per year! You are just going to fall in love with the open concept design with current colors and quality finishes throughout. Take advantage of the easy access to beach... just a few short blocks away by way of the convenient pedestrian Troon Bridge. Everything you want in a vacation home: sleeps 10, pool/spa, screened porch, an incredible kitchen, and luxurious bathrooms!
$1,200,000 MLS#395430

Chip Collins | Broker-in-Charge
Call / Text (843) 384-0671
CollinsGroupRealty.com

REALTRENDS THE THOUSAND AS ADVERTISED IN THE WALL STREET JOURNAL. Tom Ferry

Proud to be Ranked the #3 Team in South Carolina, and #240 in the US!

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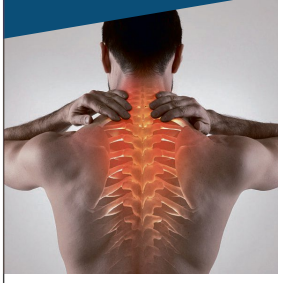

Minimize Pain. Maximize Life!

Suffering from back, neck, knee, hip, shoulder, or any other nerve or muscle pain? We offer over 20 non-surgical procedures that focus on getting to the root of the pain rather than masking it, allowing you to resume activities you love without limitation!

DR. WALTER SCHUYLER

Our Vision
Southern Coast Pain Specialists will continue to be the leader in the Lowcountry for comprehensive pain management. We are committed to innovative treatments and excellent outcomes.

Whether you are trying to avoid a surgical procedure or past surgeries have failed, we have options to help alleviate your pain.

NO REFERRAL NEEDED!
Appointments available now. Get back to your life pain-free in as little as 15 minutes!

Call us today!

Benson Marcy

From: Phillips Rene
Sent: Monday, August 05, 2019 8:21 AM
To: Benson Marcy
Subject: FW: Courtesy Copy: Town of Hilton Head Island Legal Notices

FYI-

René Phillips, CGDSP, CIW
Website Administrator
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
843-341-4792
www.hiltonheadislandsc.gov

From: Town of Hilton Head Island [mailto:updates@secure.hiltonheadislandsc.gov]
Sent: Sunday, August 04, 2019 8:00 AM
To: Spinella Kelly; Phillips Rene; Grant Carolyn
Subject: Courtesy Copy: Town of Hilton Head Island Legal Notices

This is a courtesy copy of an email bulletin sent by Rene Phillips.

This bulletin was sent to the following groups of people:

Subscribers of Legal Notices (2425 recipients)

Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (Caper)

Notice is hereby given that the Town of Hilton Head Island prepared a draft of its 2018 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 12, 2019**. A public meeting to obtain comments on the 2018 CAPER will be held on **Wednesday, August 14, 2019 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the draft CAPER will be available for review at the meeting and Monday - Friday 8:00am - 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at www.hiltonheadislandsc.gov beginning at 8:00am Monday, August 12, 2019. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to marcyb@hiltonheadislandsc.gov. Comments will be accepted until **Tuesday, August 27, 2019**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at 843-341-4689.

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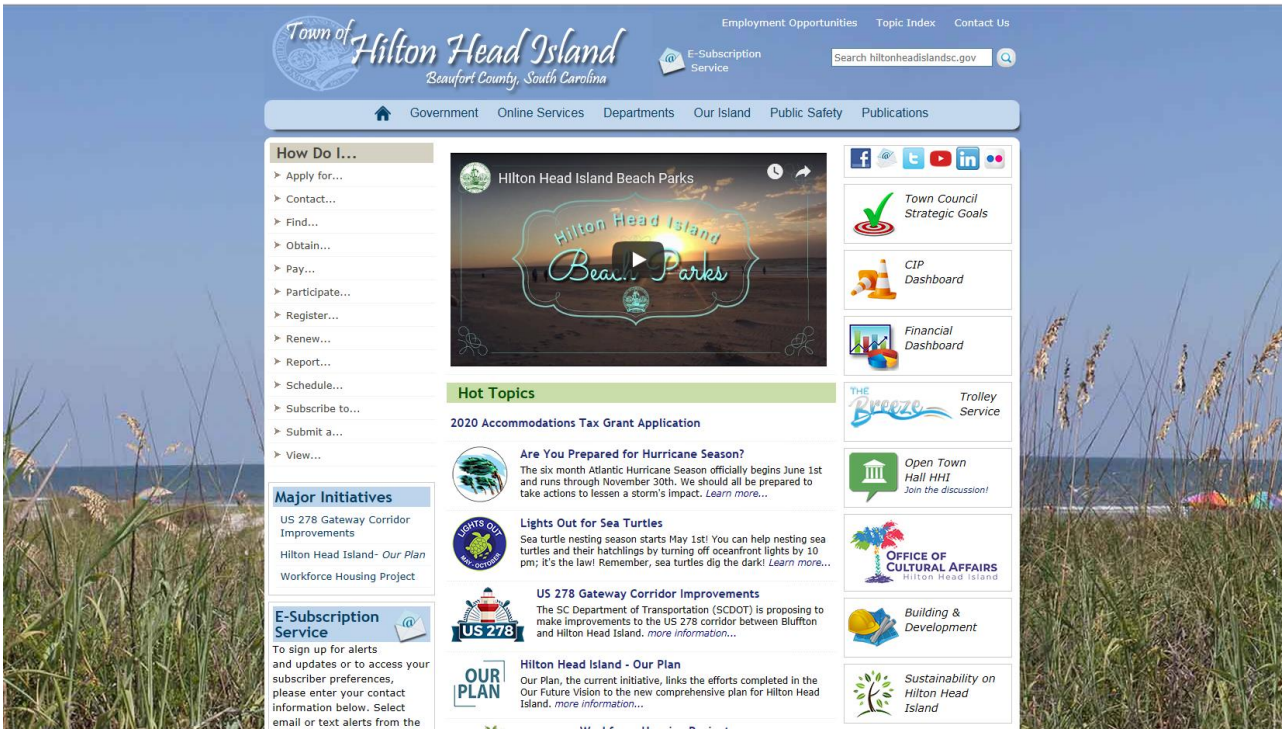
August 4, 2019
2018 CAPER Public Comment Period and Public Meeting Notice



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August 4, 2019
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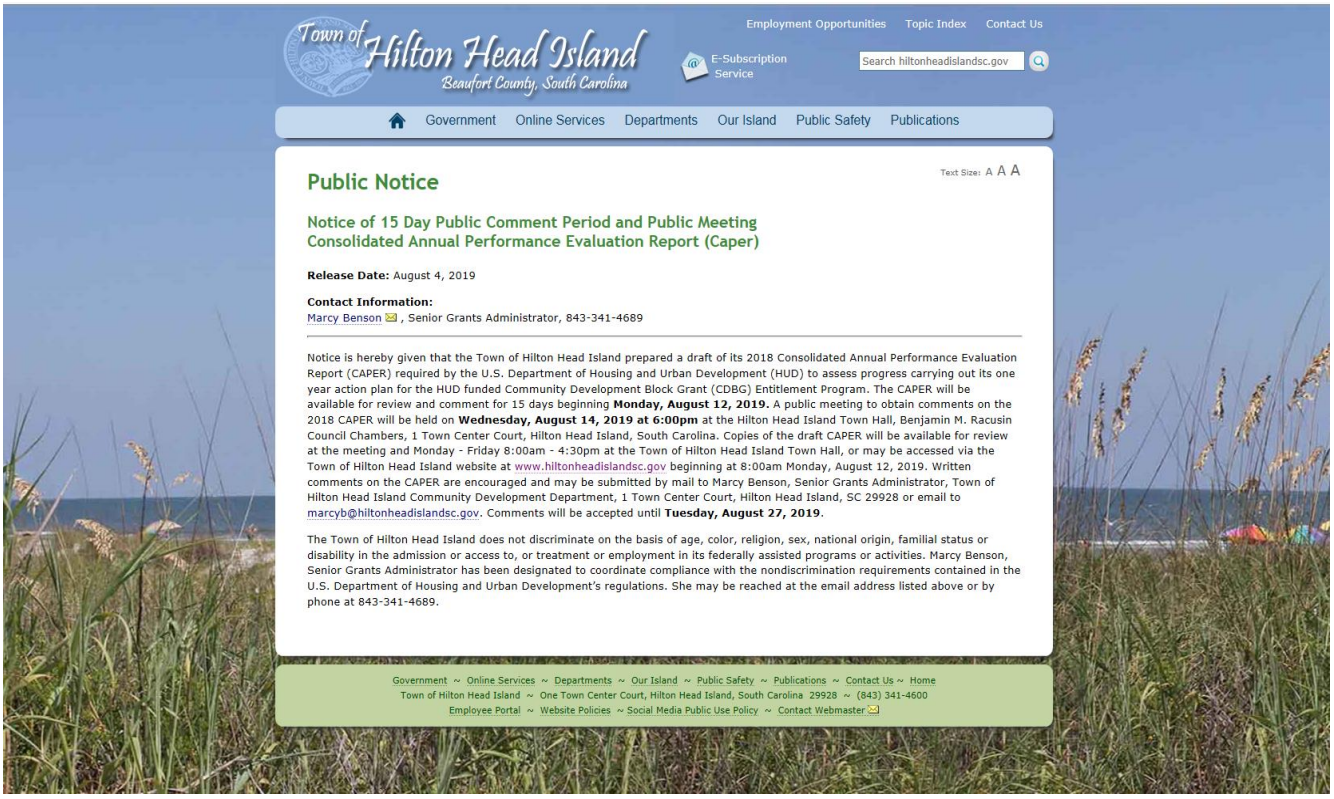

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Beaufort County, South Carolina

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Public Notice

Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (Caper)

Release Date: August 4, 2019

Contact Information:
Marcy Benson , Senior Grants Administrator, 843-341-4689

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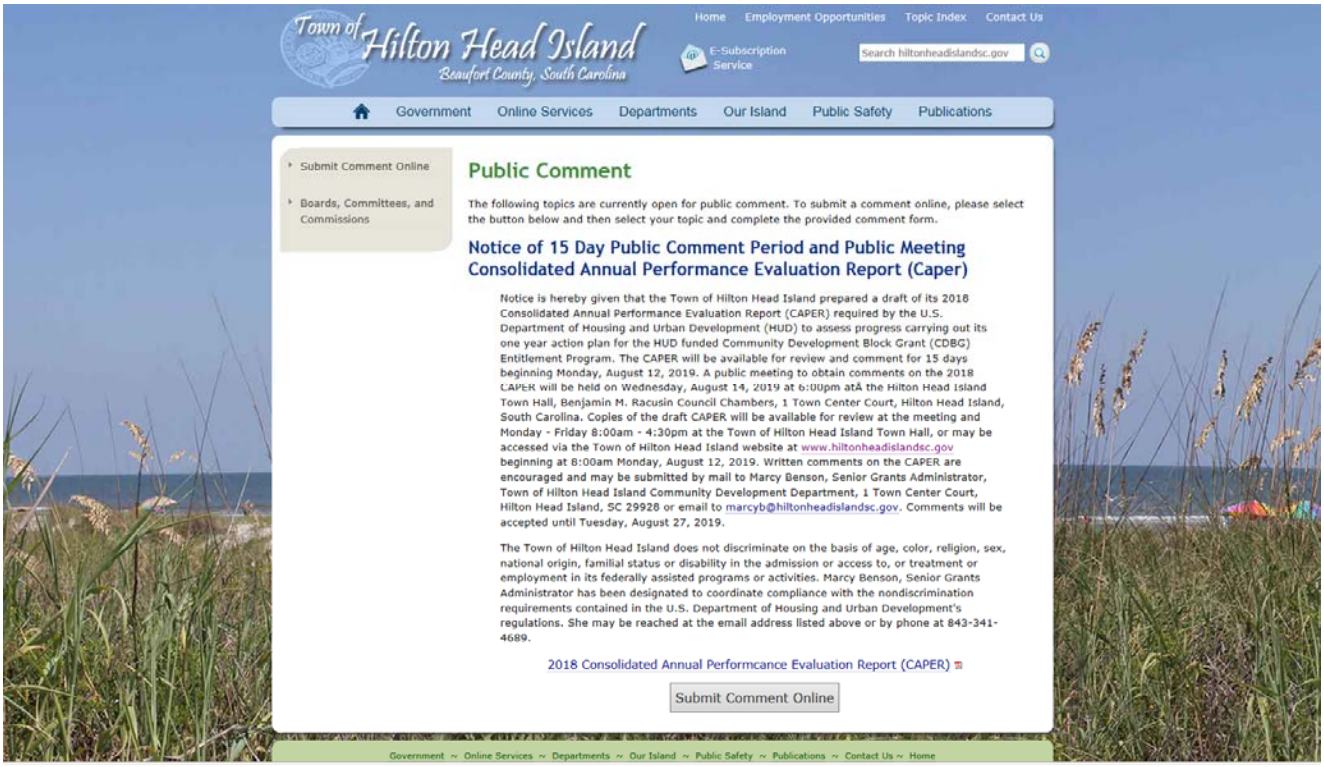
Town of Hilton Head Island Website
August 12, 2019 –Start of 15 Day Public Comment Period
2018 CAPER Notice Page with Document Linked for Comments



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- Submit Comment Online
- Boards, Committees, and Commissions

Public Comment

The following topics are currently open for public comment. To submit a comment online, please select the button below and then select your topic and complete the provided comment form.

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2018 Consolidated Annual Performcance Evaluation Report (CAPER)

Submit Comment Online

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Benson Marcy

From: Phillips Rene
Sent: Monday, August 12, 2019 8:17 AM
To: Benson Marcy
Subject: FW: Courtesy Copy: Town of Hilton Head Island 2018 CAPER

FYI-

René Phillips, CGDSP, CIW
Website Administrator
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
843-341-4792
www.hiltonheadislandsc.gov

From: Town of Hilton Head Island [mailto:updates@secure.hiltonheadislandsc.gov]
Sent: Monday, August 12, 2019 8:00 AM
To: Spinella Kelly <kellys@hiltonheadislandsc.gov>; Grant Carolyn <carolyng@hiltonheadislandsc.gov>; Phillips Rene <renep@hiltonheadislandsc.gov>
Subject: Courtesy Copy: Town of Hilton Head Island 2018 CAPER

This is a courtesy copy of an email bulletin sent by Rene Phillips.

This bulletin was sent to the following groups of people:

Subscribers of Legal Notices (2424 recipients)

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View the 2018 Consolidated Annual Performance Evaluation Report (Caper)

Submit Comments Online at https://services.hiltonheadislandsc.gov/publiccomment/

www.hiltonheadislandsc.gov

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TOWN OF HILTON HEAD ISLAND

2018 Consolidated Annual Performance Evaluation Report (CAPER)

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ENTITLEMENT PROGRAM

August 14, 2019 6:00PM

AGENDA

- Welcome and Sign-in
- CDBG Entitlement Program & CAPER Overview
- Resources Available and Geographic Distribution
- Public Discussion
- Next Steps in CAPER Process

Town of Hilton Head Island

2018 Consolidated Annual Performance Evaluation Report (CAPER)

2018 Activities and Accomplishments

August 14, 2019 Public Meeting

Community Development Block Grant Entitlement Program (CDBG)

- Federal grant program administered by HUD
- Provides annual grants on a formula basis based on population data
- Funds are to be used to benefit low and moderate income persons

2018 Consolidated Annual Performance Evaluation Report (CAPER)

- Requirement of the CDBG Entitlement Program
- Reports progress identified in the 2018 Annual Action Plan
- Due annually

Proposed vs. Actual Outcomes

Goal	Category	Source/ Amount	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Island Recreation Center Playground Replacement *(under construction)*	Non-Housing Community Development	CDBG: $111,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	4,029	0	0.00%
Public facilities & improvements or housing activity or other real property improvements *(pending AAP amendment)*	Non-Housing Community Development	CDBG: $320,592	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	0	0	0.00%
Playground and Parking Expansion at Rowing and Sailing Center at Squire Pope Community Park	Non-Housing Community Development	CDBG: $236,013	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	10,125	0	0.00%	4,029	0	0.00%

Resources Available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
2017 CDBG	HUD	$200,781	$113,287.64
2018 CDBG	HUD	$234,127	$0.00

Geographic Distribution

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	26	Funds for infrastructure improvements in Census Tract 105 , which meets LMI requirements.
Census Tract 108	0	0	No CDBG funded projects in Census Tract 108 for the 2018 program year.
Town-Wide	2	.5	Funds for program administration costs.

Next Steps

- August 27th - Public comment period ends
- September 17th - CAPER to Town Council
- September 27th - CAPER submitted to HUD

Thank you!

Marcy Benson
Senior Grants Administrator
marcyb@hiltonheadislandsc.gov

PLEASE SIGN IN:

NAME	MAILING ADDRESS	EMAIL ADDRESS

No Meeting Attendees

Public Meeting Minutes
Public Meeting to Solicit Comments and Discuss
Community Development Block Grant (CDBG) Entitlement Program
2018 Consolidated Annual Performance Evaluation Report (CAPER)

Wednesday, August 14, 2019 6:00pm
Benjamin M. Racusin, Council Chambers of the Town Hall
1 Town Center Court, Town of Hilton Head Island

Present: See attached sign-in sheet.

Marcy Benson, Senior Town Grants Administrator was present in the Benjamin M. Racusin, Council Chambers of the Town of Hilton Head Island Town Hall at the noticed 6pm meeting start time. A PowerPoint presentation was prepared and ready for presentation describing the Town of Hilton Head Island Community Development Block Grant (CDBG) 2018 Consolidated Annual Performance Evaluation Report (CAPER). Copies of the 2018 CAPER were available for distribution at the meeting and via the Town of Hilton Head Island website. No members of the public attended this public meeting.