



REVISED AGENDA:
- item 9.c. from previous agenda regarding Regulation for Sign Standards has been removed.

Town of Hilton Head Island

REVISED AGENDA

Town Council Meeting

Tuesday, August 19, 2025, 3:00 PM

**1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers**

The meeting can be viewed on the [Town's YouTube Channel](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

- 1. Call to Order**
- 2. Pledge to the Flag**
- 3. Invocation – Reverend Jonathan Tompkins, St. Andrew by the Sea**
- 4. Adoption of the Agenda**
- 5. Approval of the Minutes**
 - a. Regular Meeting Minutes of June 17, 2025
 - b. Regular Meeting Minutes of July 15, 2025
- 6. Presentations and Recognitions**
 - a. Report of the Town Manager
 - b. USCB Sand Shark Welcome Week Proclamation - Mayor Alan Perry
 - c. Recognition of Shawn Colin's Years of Service and Retirement from the Town of Hilton Head Island - Mayor Perry
 - d. Update on William Hilton Parkway Gateway Corridor Master Plan - Shawn Colin, Assistant Town Manager
 - e. Mayoral Appointment of Alternates on Subcommittees of Town Council - Mayor Alan Perry
- 7. Reports from Members of Town Council**
 - a. General Reports from Town Council
 - b. Report of the Lowcountry Area Transportation Study – Councilmember Tamara Becker

- c. Report of the Lowcountry Council of Governments – Councilmember Steve Alfred
- d. Report of the Beaufort County Airports Board – Councilmember Melinda Tunner
- e. Report of the Southern Lowcountry Regional Board – Councilmember Patsy Brison
- f. Report of the Island Recreation Association Board – Mayor ProTempore Alex Brown
- g. Report of the Beaufort County Economic Development Corporation - Mayor Alan Perry
- h. Report of the Gullah Geechee Historic Neighborhoods Community Development Corporation - Mayor ProTempore Alex Brown
- i. Report of the Community Services and Public Safety Committee – Councilmember Tamara Becker
- j. Report of the Finance and Administrative Committee – Mayor ProTempore Alex Brown

8. Consent Agenda

- a. Consideration of an Ordinance of the Town of Hilton Head Island to Amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Regulations for Tree Protection to Include Sections: 16-5-115, 16-6-104 and Appendix C for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - Second Reading - Shawn Leininger, Assistant Town Manager
- b. Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend Chapter 16-5, Development and Design Standards, to add a New Section 16-5-117 Construction Management Standards for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - Second Reading - Shawn Leininger, Assistant Town Manager
- c. Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Procedures for Development Plan Reviews and Major Subdivision Plan Reviews to Include the Following Sections: 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - Second Reading - Shawn Leininger, Assistant Town Manager
- d. Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Design Regulations and Requirements for Open Space and Pathways in Major Subdivisions to Include Sections: 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-

105, and Appendices A & D for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - Second Reading - Shawn Leininger, Assistant Town Manager

9. New Business

- a. Consideration of a Resolution Authorizing Application to the South Carolina Arts Commission for a Cultural District Designation on Hilton Head Island – Natalie Harvey, Office of Cultural Affairs Director
- b. Consideration of an Ordinance of the Town of Hilton Head Island to Amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to Amend the Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards in Land Management Ordinance Sections 16-2-103, 16-5-106 and Appendix D, and Providing for Severability and an Effective Date - First Reading - Shawn Leininger, Assistant Town Manager
- c. Consideration of an Ordinance of the Town Council of the Town of Hilton Head Island Authorizing the Conveyance of a 0.02 Acre of Real Property Located at 25 Dunnagans Alley and Providing for Severability and an Effective Date - First Reading - Ben Brown, Director of Strategic Initiatives

10. Public Comment - Non Agenda Items

11. Executive Session

- a. Discussion Incident to Proposed Contractual Arrangements [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:
 - 1. Town of Hilton Head Island Destination Marketing Organization (DMO) Request for Qualificaitons
- b. Discussion of Legal Advice Regarding Personnel Matters Regarding a Former Town of Hilton Head Island Employee [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(1)(2)]
- c. Discussion of Negotiations Incident to Proposed Contractual Arrangements and Discussion for the Proposed Sale or Purchase of Property [Pursuant to South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:
 - 1. Main Street
 - 2. Marshland Road
 - 3. Union Cemetery Road
 - 4. Jonesville Road
 - 5. Pope Avenue
 - 6. Stoney Area
- d. Discussion of Legal Advice from the Town Attorney on Matters Covered Under the Attorney-Client Privilege [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:
 - 1. Temporary Moratorium on Acceptance and Processing of Certain Applications

2. Hilton Head Island Airport

12. Action from Executive Session

13. Adjournment

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.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Hilton Head Island will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Hilton Head Island ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Municipal Association of South Carolina (MASC) Civility Pledge:

"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."



Town of Hilton Head Island TOWN COUNCIL MEETING Tuesday, June 17, 2025, 3:00 PM Minutes

Call to Order

Mayor Perry called the meeting to order at 3:00 p.m.

Council Members present: Alan Perry, Mayor; Alex Brown, Ward 1, Mayor Pro-Tempore; Patsy Brison, Ward 2; Steve DeSimone, Ward 3; Tammy Becker, Ward 4; Steve Alfred, Ward 5; Melinda Tunner, Ward 6

Others Present: Marc Orlando, Town Manager; Curtis Coltrane, Town Attorney; Kim Gammon, Town Clerk

Invocation – Pastor Steve Salvas, Grace Community Church

Pastor Salvas delivered the invocation.

Adoption of the Agenda

Mr. Alfred moved to approve. Ms. Becker seconded. Motion passed 7-0.

Recognition of Jeffrey Hartberger, Line Battalion Chief, for his Upcoming Retirement and Years of Service to the Town of Hilton Head Island

Mayor Perry delivered remarks in appreciation of Chief Hartbergers' s dedicated service to the Town. Chief Hartberger was presented with a gift of appreciation from the Town.

Report of the Town Manager

Mr. Orlando provide updates on various projects throughout the Town. In addition, he recognized Missy Luick noting this was her last day of work. He expressed appreciation for her work while employed with the Town.

In May, Tommy Sunday was nominated and elected to the Board of Directors for the South Carolina GMIS chapter. He will serve a three-year term, during which he will help lead the state chapter, support strategic initiatives, and represent South Carolina in the broader national GMIS community.

The Office of Cultural Affairs partnered with Beaufort County TV to live stream the 2024 Lantern Parade to provide spectators with the ability to watch the parade from their homes or see it in real time as it moved toward the Lowcountry Celebration Park to join those gathered for the more accessible portion of the event. The video produced by our partners at BCTV has just been awarded a Telly Award. They received the BRONZE Award in the

General-Social Video category. Kudos to BCTV and OCA Director Natalie Harvey for this creative way to provide even greater accessibility to this hallmark event.

General Reports from Town Council

Ms. Becker acknowledged the professionalism and quick response from Fire Rescue regarding an emergency call for one of our citizens.

Mayor Perry requested the Town Manager ask staff to get with Beaufort County and the Beaufort County Sheriff's Office regarding the status of the dilapidated gas station over the bridge. He also asked that Mr. Orland have staff meet with the Beaufort County Sheriff's Office to find out what they are providing the Town with as far as coverage.

Report of the Lowcountry Area Transportation Study – Councilmember Tamara Becker

Ms. Becker reported the Committee met on June 6 and received an update on US278 noting there has been no formal decision yet. She stated the Committee was informed that Palmetto Breeze is looking for assistance with their budget.

Report of the Lowcountry Council of Governments – Councilmember Steve Alfred

No report.

Report of the Beaufort County Airports Board – Councilmember Melinda Tunner

Ms. Tunner reported there are two calls to action which include an RFP for retail, food & beverage, and special services concession for the airport which is open until July 23. She added that the airport is seeking submission from local artists for display in the new terminal. Artists can submit up to four works by August 1. There is additional information on the Beaufort County website.

Ms. Tunner reviewed the business items from the meeting which included the airport administrative offices being relocated to a building at 26 Hunter Road as well as a contract is going through the approval process to develop the conceptual design policy for the restoration and expansion of the building on that property; a contract for legal services to support Project Cloud on Hilton Head Island; and legal assistance is required for drafting and negotiating an agreement or lease between Long Palmetto and Beaufort County for a new fixed base operation.

Report of the Southern Lowcountry Regional Board – Councilmember Patsy Brison

Ms. Brison reported the Committee met on May 27 and are still working on regional planning ideas and looking towards a Growth Planning Workshop. She stated a proposal was presented by the County Planning Director and it is estimated costs for a facilitator would be \$75,000 with all jurisdictions being requested to share in the cost.

She added that the City of Hardeeville and a couple other jurisdiction are looking at the Childcare Subcommittee's report and suggested Hilton Head Island look at it at some time in the future.

Report of the Island Recreation Association Board – Mayor ProTempore Alex Brown

Mr. Brown provided an update on camps, basketball, cheering, volleyball, swimming lessons, tennis lesson and Summer Jams. He encouraged all to continue reaching out to Beaufort County to increase their allotted funds to the Island Recreation Center.

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Report of the Beaufort County Economic Development Corporation - Mayor Alan Perry

No report.

Report of the Gullah Geechee Historic Neighborhoods Community Development Corporation - Mayor ProTempore Alex Brown

No report.

Report of the Community Services and Public Safety Committee – Councilmember Tamara Becker

Ms. Becker stated the Committee met on June 16 to review a number of items and have moved them along to Town Council with several comments, questions and concerns. She added that after several meetings and interviews, the Committee will be making recommendations for appointments and reappointments to Boards, Committees and Commissions to Town Council during today's Executive Session.

Report of the Finance and Administrative Committee – Mayor ProTempore Alex Brown

Mr. Brown reported the Committee will meet on June 26 to discuss an Accommodations Tax policy for allocations of tax dollars.

New Business

Consideration of an Ordinance of the Town Council of the Town of Hilton Head Island amending Municipal Code Section 2-5-60 Committees of Council - First Reading - Shawn Colin, Assistant Town Manager

Mr. Colin presented and explained that the proposed ordinance would update Section 2-5-60 of the Municipal Code to provide a clear and standardized process for how Town Council committees are formed and operate. He stated that under the amendment, the Mayor would appoint at least two Council committees, each with three members and one alternate, with the Chair also appointed by the Mayor. The ordinance outlines how committees consider agenda items, make recommendations, and can send items back to staff for additional work or forward items to Council with conditions. Mr. Colin noted this would improve transparency, clarify roles, and provide flexibility for complex topics that need further staff research or conditions before final Council action.

Council Discussion: Council discussed the need for clearer committee structure, consistency in recommendations, and ensuring committee actions remain transparent to the public. Several Councilmembers asked questions about how staff reports would come back to the committee and confirmed the Mayor's discretion for placing items on future agendas.

Ms. Becker moved to Council approve an Ordinance that establishes two or more council committees to be appointed at the mayor's discretion with three members and one alternate and with the chair being appointed by the mayor that establish a clear process for how committees conduct business including the ability to recommend approval, deny, or offer no recommendation to the agenda item and that would include two additional options – one to send back to staff for further questions to be answered and work to be done or to move to town council

with conditions. If it were to move back to staff for the additional work that it be represented to the committee at the next committee meeting. At that point the committee would receive it and make the recommendation to send forward to town council with approval or denial or no recommendation or with approval with conditions. The town council would then receive a presentation and have the opportunity to make their suggestions for recommendations and if no additional work is to be done the mayor can put it on an agenda for a first reading at his discretion. Mr. DeSimone seconded for discussion. The motion passed with a 6-1 vote with Ms. Brison opposed.

Consideration of Federal Emergency Management Agency (FEMA) Community Rating System Updates to the Lowcountry Natural Hazard Mitigation Plan and the Repetitive Loss Area Analysis, and Consideration of a Resolution Adopting the Program for Public Information Five- Year Update - Missy Luick, Director of Planning

Ms. Luick explained that the Town is required to maintain an up-to-date Lowcountry Natural Hazard Mitigation Plan and Repetitive Loss Area Analysis to remain in good standing with the FEMA Community Rating System (CRS) program. She noted that this program directly affects the flood insurance premium discounts available to Hilton Head Island property owners. Ms. Luick summarized the plan updates, including recent hazard data, community outreach, and mitigation projects. She also described the Program for Public Information Five-Year Update, which outlines how the Town educates residents about flood risks, insurance, and preparation. These updates are part of the Town's ongoing efforts to protect property, improve resilience, and maintain the highest CRS rating possible.

Council Discussion: Council members asked about the impact of the plan updates on residents' flood insurance rates and confirmed that the five-year update maintains the Town's high CRS rating. Council thanked staff for proactive hazard mitigation work

Mr. Alfred moved to approve the Federal Emergency Management Agency (FEMA) Community Rating System Updates to the Lowcountry Natural Hazard Mitigation Plan and the Repetitive Loss Area Analysis, and adopt the Resolution for the Program for Public Information Five-Year Update. Ms. Becker seconded. The motion passed unanimously with a vote of 7-0.

Consideration of a Resolution Amending the Adopted Integrated Pest Management Policy - Shawn Leininger, Assistant Town Manager

Mr. Leininger presented an update to the Town's Integrated Pest Management (IPM) Policy, explaining that the changes strengthen the Town's commitment to environmentally sound pest control methods. He highlighted that the revisions expand the list of approved treatments, clarify best practices for pest management in Town parks and public areas, and add new requirements for contractors and Town staff to minimize chemical use and prioritize natural or mechanical controls where feasible. Mr. Leininger emphasized that the update was guided by public input and feedback from local environmental groups.

Council Discussion: Councilmembers discussed balancing pest management needs with environmental protection. Some members raised questions about contractor

compliance and monitoring. Council agreed that the updated policy reflects community input and best practices.

Public Comments:

Kim Konte urged Council to adopt stricter measures to further reduce pesticide use.

Pamela Martin Ovens thanked Council for considering community health impacts.

Ms. Brison moved to approve the Resolution Amending the Adopted Integrated Pest Management Policy. Ms. Becker seconded. The motion passed unanimously with a vote of 7-0.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island requesting South Carolina Opioid Recovery Funds from the Guaranteed Political Government Subfund, and authorizing the Town Manager to Execute an Intergovernmental Agreement with the Lowcountry Alliance for Healthy Youth to Utilize some or all of said Funds - Chris Blankenship, Fire Chief

Chief Blankenship explained that the Town is eligible to request opioid settlement funds through the state's Guaranteed Political Government Subfund. He said the resolution authorizes the Town Manager to execute an intergovernmental agreement with the Lowcountry Alliance for Healthy Youth, which will use the funds for local prevention, education, and treatment programs. Chief Blankenship described the Town's growing partnership with local schools and health agencies to address the impact of opioid addiction and noted that these funds will help support training, community outreach, and recovery services.

Council Discussion: Council members expressed support for the partnership with the Lowcountry Alliance for Healthy Youth. They discussed how the funds would help strengthen education and outreach and asked about reporting requirements for tracking results.

Ms. Becker moved to approve the Resolution of the Town Council of the Town of Hilton Head Island Requesting South Carolina Opioid Recovery Funds from the Guaranteed Political Government Subfund and Authorizing the Town Manager to Execute an Intergovernmental Agreement with the Lowcountry Alliance for Healthy Youth to Utilize Some or All of Said Funds. Ms. Brison seconded. The motion passed unanimously with a vote of 7-0.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, Authorizing and Ratifying the Execution of Certain Redevelopment Projects Undertaken Pursuant to the Town's Tax Increment Financing (TIF) Redevelopment Plan, Including Projects in Adjacent Areas that Directly Benefit the Redevelopment Area, and Provide Notice to the Taxing Entities in Accordance with State Law - Shawn Colin, Assistant Town Manager

Mr. Colin provided an overview of how the Town's Tax Increment Financing (TIF) Redevelopment Plan supports infrastructure improvements and economic development in targeted areas. He explained that the resolution ratifies several redevelopment projects that directly benefit the TIF district and surrounding areas, such as roadway improvements,

stormwater upgrades, and public space enhancements. Mr. Colin emphasized that this action complies with state law by notifying tax entities about the planned projects.

Council Discussion: Council discussed the types of projects supported by the TIF funds and confirmed that adjacent improvements directly benefit the redevelopment area. Members asked about timelines and coordination with other local governments.

Ms. Brison reviewed the estimated expenditures from the original plan adopted in 1999 and asked how much of the \$8.2 million planned for the Stoney Area had been spent. She pointed out the inequities after the 2014 Plan Amendment when approximately \$46.8 million was spent in the combined Sea Pines Circle, Coligney Circle, and Palmetto Bay Road Redevelopment areas as compared to the \$276,700 which was spent in the Stoney/Island Entrance Redevelopment Area. She requested the Town Council very strongly consider allocating the remaining TIF funds of approximately \$1.3 million to the Stoney Area for the proposed Whilliam Hilton Parkway Corridor “Master Plan”.

No action was taken on Ms. Brison’s request.

Ms. Becker moved to approve the Resolution of the Town Council of the Town of Hilton Head Island, Authorizing and Ratifying the Execution of Certain Redevelopment Projects Undertaken Pursuant to the Town’s Tax Increment Financing (TIF) Redevelopment Plan, Including Projects in Adjacent Areas that Directly Benefit the Redevelopment Area, and Provide Notice to the Taxing Entities in Accordance with State Law. Mr. Alfred seconded. The motion passed unanimously with a vote of 7-0.

Consideration of an Ordinance of the Town Council of the Town of Hilton Head Island, Amending Municipal Code Section 12-6-111, Definitions, and Section 12-6-115, Resident Beach Parking Pass Parking, to Authorize Beach Parking Permits for Qualified Residents in Beaufort County, South Carolina, South Carolina - First Reading - Shawn Colin, Assistant Town Manager

Mr. Colin described the proposed ordinance to amend the Town’s Municipal Code to extend resident beach parking passes to qualified residents of Beaufort County. He explained that the intention was to provide broader access for regional residents who also support the Island’s tourism economy. However, he noted that staff and Council had received concerns from Island residents about increased beach congestion and enforcement challenges if the pass program were expanded.

Council Discussion: Council members raised concerns about potential overcrowding at Island beaches if eligibility were expanded countywide. They discussed enforcement challenges and feedback received from residents opposing the change.

Public Comments:

Richard Bisi stated that extending passes would unfairly burden Island residents and supported Council’s decision to deny.

Lee Lucier emphasized protecting local beach access and supported keeping the current eligibility as is.

Ms. Becker moved to deny the Ordinance of the Town Council of the Town of Hilton Head Island, Amending Municipal Code Section 12-6-111, Definitions, and Section
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12-6-115, Resident Beach Parking Pass Parking, to Authorize Beach Parking Permits for Qualified Residents in Beaufort County, South Carolina — First Reading. Ms. Tunner seconded. The motion to deny passed unanimously with a vote of 7-0.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, Establishing the Parking Fees in Accordance with Section 12-6-113(A) of the Municipal Code of the Town of Hilton Head Island - Shawn Colin, Assistant Town Manager

Mr. Colin presented the resolution establishing updated parking fees for Town-managed beach parking lots. He explained that the proposed changes included removing the daily maximum and flat weekend rates in favor of a consistent hourly rate structure. He noted that the revisions would help manage peak-season demand, ensure fair cost recovery, and keep Coligny Beach lot free of charge. Mr. Colin said staff analyzed usage data, community feedback, and cost comparisons with similar coastal areas.

Council Discussion: Councilmembers debated the proposed hourly rates, daily maximums, and the impact on residents versus visitors. Several members discussed balancing revenue generation with maintaining reasonable public access to beaches.

Public Comments:

Richard Bisi spoke about the impact of the revised parking fees on local families.

Ashleigh Phillips addressed the need for clear signage and consistent enforcement.

Lee Lucier expressed concerns about weekend congestion and fairness for residents.

Lyn Bullard commented on balancing access with neighborhood impacts.

Jack Daily discussed visitor access and fair rates.

Pamela Martin Ovens spoke about the history of parking fees and urged thoughtful long-term policy.

Becker moved to approve the motion that was made by the Community Services and Public Safety Committee meeting on May 19, 2025 which stated that the committee recommended approval of the Resolution Setting Fees for Parking in Paid Parking Areas as Authorized by Section 12-6-112 and Section 12-6-113(a), Municipal Code of the Town of Hilton Head Island, South Carolina (1983) with the following revisions: Change the hourly rate to \$5 for all days, hours, and locations the fee is required, and eliminate the daily maximum fee for all days; and to charge for paid parking at the Coligny Beach Parking Lot to include the \$5 per hour and no daily maximum consistent with the provisions above. Mr. DeSimone seconded the motion.

Ms. Becker requested to amend her original motion to include that the Resolution incorporate that parking is \$3 on weekdays, \$5 on weekends with no cap, no flat fee, and for further discussion, no charge at Coligny. Mr. DeSimone seconded.

Ms. Becker withdrew her motion. Mr. Desimone agreed.

Ms. Becker moved to eliminate the daily maximum fee of \$15 currently charged on Mondays and Fridays, remove the \$20 flat fee for current charges on Saturdays and Sundays, change the hourly rate to \$3 Monday through Friday, change the hourly

rate on Saturdays and Sundays to \$5 per hour, continue to not charge at Coligny Beach parking lot. Mr. DeSimone seconded. The motion passed with a vote of 6-1 with Ms. Brison opposed.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island Authorizing the Execution of a Temporary Right of Entry to the Regimes of Hilton Head Beach and Tennis Granting Ingress and Egress to the Existing Beach Access at Islanders Beach Park - Shawn Leininger, Assistant Town Manager

Mr. Leininger presented and stated that the resolution authorizes the Town to execute a temporary right of entry agreement with the Regimes of Hilton Head Beach and Tennis. He noted that this access is needed to allow the public to safely enter and exit the existing beach access at Islanders Beach Park while easement improvements are under review. Mr. Leininger said the agreement ensures uninterrupted public access and aligns with the Town's ongoing commitment to maintain open beach entry points.

Council Discussion: Council discussed the temporary nature of the right of entry and confirmed it maintains public access during necessary easement work. Members emphasized the importance of coordinating with the affected regimes to avoid disruptions.

Mr. DeSimone moved to approve the Resolution of the Town Council of the Town of Hilton Head Island Authorizing the Execution of a Temporary Right of Entry to the Regimes of Hilton Head Beach and Tennis Granting Ingress and Egress to the Existing Beach Access at Islanders Beach Park. Ms. Becker seconded. The motion passed unanimously with a vote of 7-0.

Public Comment - Non Agenda Items

None.

Executive Session

Ms. Becker moved to enter Executive Session. Mr. Alfred seconded. The motion passed unanimously with a vote of 7-0.

Executive Session began at 7:10 p.m.

Discussion of Legal Advice from the Town Attorney on Matters Covered Under the Attorney- Client Privilege [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:

1. Beaufort County Lawsuit

Discussion of Appointment to Boards, Commissions, and Committees [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(1)] related to:

1. Accommodations Tax Advisory Committee
2. Beaufort County Stormwater Management Utility Board
3. Beaufort Jasper Housing Trust
4. Board of Zoning Appeals
5. Construction Board of Adjustments and Appeals
6. Design Review Board
7. Greenspace Advisory Committee
8. Gullah Geechee Historic Neighborhood Community

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- Development Corporation
9. Gullah Geechee Task Force
 10. Housing Action Committee
 11. Island Recreation Board of Directors
 12. Parks and Recreation Commission
 13. Planning Commission

Discussion of Negotiations Incident to Proposed Contractual Arrangements and Discussion for the Proposed Sale or Purchase of Property [Pursuant to South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:

1. Dunnagans Alley
2. Dillon Road Area

Council exited from Executive Session at 8:24 p.m.

Action from Executive Session

Ms. Becker moved to approve the following appointments and reappointments to Boards, Commissions, and Committees:

- **Appoint Dave Ferguson to the Accommodations Tax Advisory Committee to fill the Hospitality Seat for a term ending June 30, 2028.**
- **Appoint Jeffery Greene to the Board of Zoning Appeals to fill an At-Large Seat for a term ending June 30, 2027.**
- **Appoint Peter Kristian to the Board of Zoning Appeals to fill an At-Large Seat for a term ending June 30, 2028.**
- **Appoint Angelina Carper to the Construction Board of Adjustments & Appeals to fill the General Contractor Seat for a term ending June 30, 2029.**
- **Appoint Charles Fauer to the Construction Board of Adjustments & Appeals to fill the Building Industry-At Large Seat for a term ending June 30, 2029.**
- **Appoint Cathy Foss to the Design Review Board to fill the At-Large Seat for a term ending June 30, 2027.**
- **Appoint David Ames to the Gullah Geechee Historic Neighborhoods Community Development Corporation to fill the Board Member Seat for a term ending June 30, 2028.**
- **Appoint Sarah Eisner to the Gullah Geechee Historic Neighborhoods Community Development Corporation to fill the Board Member Seat for a term ending June 30, 2028.**
- **Appoint Margaret Hewitt to the Planning Commission to fill the At-large Seat for a term ending June 30, 2026.**
- **Appoint William Redman to the Planning Commission to fill the At-Large Seat for a term ending June 30, 2028.**

- **Appoint Jeff Turnbull to the Planning Commission to fill the At-Large Seat for a term ending June 30, 2028.**
- **Reappoint Robert Johnson to the Board of Zoning Appeals to fill the Architect Seat for a term ending June 30, 2028.**
- **Reappoint Kathryn Bayless to the Board of Zoning Appeals to fill the At-Large Seat for a term ending June 30, 2028.**
- **Reappoint Neil Gordan to the Construction Board of Adjustments & Appeals to fill the Architect Seat for a term ending June 30, 2028.**
- **Reappoint Megan Fitzpatrick to the Design Review Board to fill the At-Large Seat for a term ending June 30, 2028.**
- **Reappoint John Parsons to the Parks & Recreation Commission to fill the Board Member Seat for a term ending June 30, 2028.**
- **Reappoint Charles Quigg to the Parks & Recreation Commission to fill the Board Member Seat for a term ending June 30, 2028.**
- **Reappoint Jeff Netzing to the Beaufort County Stormwater Utility Board to fill the Ex-Officio Member Seat for a term ending June 30, 2029.**
- **Reappoint Ray Kisiah to the Hilton Head Island Recreation Board of Directors to fill the Board Member Seat for a term ending January 31, 2029.**

Mr. DeSimone seconded. The motion passed 6-0. (Ms. Brison was not present for the vote.)

Adjournment

Meeting adjourned at 8:25 p.m.

Kimberly Gammon, Town Clerk

Alan R. Perry, Mayor

The full recording and transcript of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov



Town of Hilton Head Island TOWN COUNCIL MEETING Tuesday, July 15, 2025, 3:00 PM Minutes

Call to Order

Mayor Perry called the meeting to order at 3:00 p.m.

Council Members present: Alan Perry, Mayor; Alex Brown, Ward 1, Mayor Pro-Tempore; Patsy Brison, Ward 2; Steve DeSimone, Ward 3; Tammy Becker, Ward 4; Steve Alfred, Ward 5; Melinda Tunner, Ward 6

Others Present: Marc Orlando, Town Manager; Curtis Coltrane, Town Attorney; Kim Gammon, Town Clerk

Invocation – Reverend Jacob A. Rogers, St. Luke's Anglican Church

Reverend Rogers delivered the invocation.

Adoption of the Agenda

Mr. Alfred moved to approve. Ms. Becker seconded. Motion carried 7-0.

Approval of the Minutes

Budget Workshop Meeting Minutes of May 13, 2025

Ms. Brison moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Regular Meeting Minutes of May 20, 2025

Ms. Brison moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Regular Meeting Minutes of June 3, 2025

Ms. Brison moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Regular Meeting Minutes of June 17, 2025

Ms. Brison moved to table. Mr. Alfred seconded. Motion carried 7-0.

Strategic Plan Workshop Meeting Minutes of June 24, 2025

Ms. Brison moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Presentations and Recognitions

Report of the Town Manager

Mr. Orlando reported on the following items:

Community Code Enforcement Officer, Morgan Thompson, attended and graduated Leadership Hilton Head Island-Bluffton in June 2025

Fire Rescue: Hilton Head Island Fire Rescue has been awarded the American Heart Association's **Mission: Lifeline® EMS Gold Achievement Award for 2025.**

CIP Project Updates

1. Beach Renourishment Project (will need to be updated as we are coordinating a press release)
 1. The Town has received the permit for the Pine Island breakwaters. Construction plans are now being finalized, and bid will be released in early August.
 2. The temporary access road at Islanders Beach Park is complete.
 3. Town Staff is preparing a press release to share the initial schedule and locations of the project.
 4. Once construction gets started, weekly updates will be provided.
 5. Additionally, the map found on the project page on the Town's website will be updated regularly to show the current work zone.
2. William Hilton Parkway Segment 3
 1. The pedestrian safety improvements on William Hilton Parkway between Dillon and Beach City Roads are substantially complete.
 2. Improvements included – new landscaping, pathway resurfacing, new bike kiosk at Beach City road, pedestrian safety striping, new flashing beacons to assist pedestrians crossing the parkway, and pathway and landscape lighting at key crosswalks to improve awareness of pedestrians.
 3. Town staff are punchlisting any final items that need to be adjusted or corrected prior to close out.
 4. Additionally, Town staff are exploring opportunities to complete additional striping replacement in the corridor to create a more consistent appearance and further enhance vehicular and pedestrian safety.
3. Coligny Circle Quadrant Pocket Park
 1. The Coligny Circle Pocket Park is currently out to bid.
 2. The project includes improvements to stormwater system, landscaping, and pedestrian safety to create a public amenity at a key intersection in Coligny beach area.
 3. With a successful bid, construction will begin this fall.
4. The Capital Improvement Projects (CIP) Dashboard is live on the Town's website and provides an interactive, real-time view of the Town's active FY26 capital projects, including status updates, locations, budgets, and timelines. It supports transparency,

strategic planning, and better communication with both users and the public. Users can explore projects by type or phase and monitor progress throughout the fiscal year. Updates, when necessary, will be provided monthly.

Parks and Recreation Month Proclamation - Mayor Alan Perry

Mayor Perry read the proclamation and presented it to John Parsons, Parks and Recreation Commission, Frank Soule and Leah Arnold, Executive Directors, Island Recreation Association and Kristin Keller, Board President, Island Recreation Association; members of Facilities Management staff and students that participate at the recreation center were also recognized.

Gullah Geechee Land & Cultural Preservation Task Force Annual Report - Lavon Stevens, Board Chair

Mr. Stevens stated that in the calendar year of 2024, the Gullah Geechee Land and Cultural Preservation Task Force held six meetings. He provided a detailed summary of the items addressed at the meetings.

Gullah Geechee Historic Neighborhoods Community Development Corporation Annual Report - Shirley Peterson, Board Chair

Ms. Peterson stated the Gullah Geechee Historic Neighborhood Community Development Corporation (CDC) commenced operations in November of 2023. Over the course of the 2025 fiscal year the Gullah Geechee Historic Neighborhoods Community Development Corporation held 9 board meetings. She conducted a presentation regarding the items addressed at the meetings and accomplishments of the CDC.

Office of Cultural Affairs Update - Natalie Harvey, Director of Cultural Affairs

Ms. Harvey conducted a presentation covering events, projects and outreach and community engagement efforts of the office.

Reports from Members of Town Council

General Reports from Town Council

Ms. Becker stated the Hilton Head Humane Association animal shelter is at full capacity and encouraged all to consider adopting or fostering an animal from the shelter.

Mayor Perry extended condolences to the family of Joe Monmonier, Athletic Director for Hilton Head High School.

Report of the Lowcountry Area Transportation Study – Councilmember Tamara Becker

No report.

Report of the Lowcountry Council of Governments – Councilmember Steve Alfred

Mr. Alfred reported that at the last meeting there was discussion regarding redesigning the intersection of US HWY 278 and Interstate 95.

Report of the Beaufort County Airports Board – Councilmember Melinda Tunner

Ms. Tunner stated that passenger arrivals through June at the Hilton Head Island Airport have increased by 11% from the previous year. She added that she has been chosen to represent the Town and residents as a member of an ALP Airport Plan Stakeholder Group and the first meeting is July 30.

Report of the Southern Lowcountry Regional Board – Councilmember Patsy Brison

Ms. Brison stated that neither she or Mayor Perry could attend the meeting held on June 24, due to Council's attendance at the Town's Strategic Planning Workshop, however staff attended to represent the Town of Hilton Head Island. She stated the main topic of the meeting was hurricane preparedness and emergency response and a presentation was given regarding such.

Report of the Island Recreation Association Board – Mayor ProTempore Alex Brown

Mr. Brown reported that many of the summer programs are coming to a close and the Recreation Center is gearing up for the fall programs. He also reviewed the newly elected officers of the Board.

Report of the Beaufort County Economic Development Corporation - Mayor Alan Perry

Mayor Perry reported the EDC meeting on June 26 and received a presentation from Selma Davis on New Leaf Produce Development where she grows hydroponic food. Also discussed was the proposal and approval for an accounting firm and annual audit. He added that there will be an outreach to municipalities regarding economic development.

Report of the Gullah Geechee Historic Neighborhoods Community Development Corporation - Mayor ProTempore Alex Brown

Mr. Brown stated the CDC would be meeting July 16 at 6:00 p.m. He reviewed the agenda items for the meeting.

Report of the Community Services and Public Safety Committee – Councilmember Tamara Becker

Ms. Becker stated the next meeting for the Committee will be on July 21st. She reviewed items that will be addressed.

Report of the Finance and Administrative Committee – Mayor ProTempore Alex Brown

Mr. Brown stated the Committee would be meeting on July 29 and reviewed the items to be discussed.

Unfinished Business

Consideration of an Ordinance of the Town Council of the Town of Hilton Head Island amending Municipal Code Section 2-5-60 Committees of Council - Second Reading - Shawn Colin, Assistant Town Manager

Mr. Colin conducted a presentation and stated that there have been no changes since First Reading. After discussion and review by Council, it was decided to amend Exhibit A of the Ordinance by deleting the final sentence on page 2. ("Following receipt of the Staff Report, Town Council may request additional changes prior to the item being placed on an agenda for Town Council action.")

Mr. Brown moved to approve. Ms. Becker seconded.

John Zmarzly addressed Council regarding the South Carolina Ethics Act 1991 stating Hilton Head Island should do the same for all Committee members.

Motion carried 7-0.

New Business

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island to Adopt the Fiscal Year 2026 - Fiscal Year 2028 Strategic Action Plan for the Town of Hilton Head Island - Shawn Colin, Assistant Town Manager

Mr. Colin conducted a detailed presentation reviewing suggested changes by Council members. After lengthy discussion and suggestions for minor edits, Council was in consensus on the following:

- **Adopt the Town of Hilton Head Island Strategic Action Plan for Fiscal Years 2026 - 2028**, which includes goals, strategies, action items and key performance indicators. The ten goals included within the plan are:
 - Protect Island Character through Managing Growth.
 - Invest in Stormwater Management Infrastructure.
 - Enhance Major Corridors and Streets.
 - Enhance Public Safety Readiness and Facilities.
 - Support Economic Development and Business Recruitment.
 - Reinforce Island Resilience.
 - Preserve, Protect and Celebrate Gullah Geechee Culture and Heritage.
 - Advance Workforce Housing Opportunities.
 - Protect and Enhance Environmental Sustainability.
 - Enhance Community Well-being through Implementation of the Parks and Recreation Master Plan and Program Enhancement

Ms. Brison moved to approve as amended. Ms. Becker seconded.

Richard Bisi addressed Council stating his support for a moratorium limited to timeshares, short-

term rentals and major subdivisions.

Steve Birdwell addressed Council in support of the plan to enhance the Gateway Corridor and in opposition to a possible moratorium limited to timeshares, short-term rentals and major subdivisions.

Dru Brown addressed Council stating his opposition to a possible moratorium limited to timeshares, short-term rentals and major subdivisions.

Beth Petro addressed Council stating her opposition to a possible moratorium limited to timeshares, short-term rentals and major subdivisions.

Motion carried 7-0.

Consideration of a Resolution to Adopt an Accommodations Tax (ATAX) Grant Policy, Process Update, and Allocation of Funds Procedures - Shawn Colin, Assistant Town Manager

Mr. Colin conducted a presentation regarding the Resolution to Adopt an Accommodations Tax (ATAX) Grant Policy, Process Update, and Allocation of Funds Procedures. Members of Council held discussion, made comments and asked questions. Clarification was provided regarding certain procedures and policies that are required by State law and upon approval of the resolution, Staff will meet with the Accommodations Tax Advisory Committee to review the policy, process update and allocation of funds procedures.

Blaine Lotz addressed Council regarding his support of utilizing the full 15% of ATAX funds allowed for workforce housing.

Renee Roth addressed Council regarding the need to make it affordable for people to live here.

John Zmarzly addressed Council regarding a suggestion to make ATAX funding for workforce housing part of the ATAX Committee process.

Risa Prince addressed Council regarding the need for public workforce housing support and encouraged Council to vote to allocate ATAX funds for workforce housing.

Margaret Johnson addressed Council regarding the fact that she was able to live and remain on Hilton Head Island due to affordable housing provided when she arrived. She spoke in support of allocating ATX funds for workforce housing.

Steve Birdwell addressed Council regarding the support from Sea Pines Resort for Council to allocate 5% of the ATAX funds for workforce housing and stated that they don't want the allocation to reduce the funding awarded to non-profits.

Tracy Sklarin addressed Council regarding the need for the ATAX funds to be allocated to workforce housing to alleviate the financial burden on residents who live and work on the Island.

Lou Befano addressed Council regarding his support of utilizing ATAX funds and any other Town funds to support workforce housing.

Xiaodan Li addressed Council stating the need to stop using ATAX funds to sustain unsustainable growth.

Joan Campbell addressed Council regarding the need to provide funds for workforce housing.

Carlton Dallas addressed Council regarding the need to make wages for people that work here commensurate with the increase in net worth here on the Island.

Lyn Pinko Bullard addressed Council regarding her concern of appropriating funds without defined regulations.

Claude Hicks addressed Council regarding the proposed 5% allocation and recommended Council consider 15%.

Dee Anthony addressed Council regarding the need to take care of existing workers on the Island and the need to address the root cause, which is short-term rentals.

Thomas Curtis Barnwell III addressed Council regarding his support for utilizing ATAX funds for workforce housing.

Linda Harrington addressed Council regarding a post she saw on Facebook stating opposition to utilizing the ATAX funds for workforce housing. She proceeded to read comments sent to her from other Island residents in opposition to utilizing ATAX funds for workforce housing.

Mike Christensen addressed Council regarding his support for the use of ATAX funds for workforce housing noting the needs of our workforce.

Mr. Alfred motioned to approve and allocate 5% of the Accommodations Tax (ATAX) funds toward workforce housing. Mr. Brown seconded.

Ms. Brison moved to amend the motion approve and allocate 8% of the Accommodations Tax (ATAX) funds toward workforce housing. Motion died for lack of a second.

Ms. Becker moved to amend the motion and allocate 0% of Accommodations Tax (ATAX) funds toward workforce housing. Ms. Tunner seconded. Motion failed 3-4. (Brison, Alfred, Perry and Brown opposed.)

The original motion by Mr. Alfred was called by Ms. Brison. Motion carried 4-3. (DeSimone, Becker and Tunner opposed).

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Regulations for Tree Protection to Include Sections: 16-5-115, 16-6-104 and Appendix C for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - First Reading - Shawn Leininger, Assistant Town Manager

Mr. Brown moved to approve. Ms. Brison seconded.

There was no public comment.

Motion carried 7-0.

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Design Regulations and Requirements for Open Space and Pathways in Major Subdivisions to Include Sections: 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, and Appendices A & D for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - First Reading - Shawn Leininger, Assistant Town Manager

Mr. Brown moved to approve. Ms. Brison seconded.

There was no public comment.

Motion carried 7-0.

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Procedures for Development Plan Reviews and Major Subdivision Plan Reviews to Include the Following Sections: 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date - First Reading - Shawn Leininger, Assistant Town Manager

Mr. Leininger answered questions from Council and provided clarification that minor (less than 5 lots) subdivisions are exempt from this ordinance as it currently is and that the Planning Commission would review proposed changes and provide comments.

Mr. Brown moved to approve. Ms. Brison seconded.

There was no public comment.

Motion carried 7-0.

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend Chapter 16-5, Development and Design Standards, to Add a New Section 16-5-117 Construction Management Standards for

Mr. Brown moved to approve. Ms. Brison seconded. There was no public comment.

Mr. Orlando provided the following summary:

1. Progress on Code Amendments:

- Last year, 12 land management ordinance amendments were completed.
- This year, the pace is slower, with about 7 expected to be completed by year's end.
- The code is largely written, and staff are making steady progress.

2. Importance of Code Changes:

- A key concern is whether these amendments are making a tangible difference in shaping development.
- The goal is to use planning tools (like code amendments) to influence site layout, open space functionality, and road alignment to achieve higher-quality developments.

3. Planning Commission's Role and Limitations:

- While the Planning Commission can make recommendations, their authority has limits, particularly when a development complies with existing zoning (e.g., lot counts based on acreage).
- Legal constraints may prevent denying developments that technically meet the requirements.

4. Setting Realistic Expectations:

- It's important not to create false expectations—for example, if zoning allows 75 feet in height, the Planning Commission can't enforce a 3-story limit without a change to the code.

5. Call for Higher Quality Development:

- There's a shared concern that too many developments result in “streets lined with houses” rather than true neighborhoods.
- There's a desire for more thoughtful planning, particularly outside gated communities, where quality control is weaker and more dependent on the commission's approvals.

6. Accountability and Improvement:

- Mr. Orlando acknowledged that both staff and the commission sometimes fall short.
- There is hope that the time and effort put into these processes will translate into

meaningful improvements and better-designed communities.

Motion carried 7-0.

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island to Oppose the Inclusion of South Carolina in the Proposed Bureau of Ocean Energy Management 11th National Outer Continental Shelf Oil and Gas Leasing Program - Angie Stone, Assistant Town Manager

Ms. Stone conducted a presentation regarding the Resolution of the Town Council of the Town of Hilton Head Island to Oppose the Inclusion of South Carolina in the Proposed Bureau of Ocean Energy Management 11th National Outer Continental Shelf Oil and Gas Leasing Program. Council members made comments, asked questions and held discussion regarding the need to oppose the inclusion of South Carolina in the program.

Ms. Brison moved to approve. Mr. Brown seconded.

There was no public comment.

Motion carried 7-0.

Public Comment - Non-Agenda Items

There were none.

Executive Session

Mr. Alfred moved to enter Executive Session for the reasons listed below as referenced by the Town Manager. Ms. Brison seconded. Motion carried 7-0.

Discussion Incident to Proposed Contractual Arrangements (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a](2)) related to:

1. Town of Hilton Head Island Destination Marketing Organization Request for Qualifications

Discussion of Legal Updates from the Town Attorney on Matters Covered Under the Attorney-Client Privilege [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70(a)(2)]

Discussion of Negotiations Incident to Proposed Contractual Arrangements and Discussion for the Proposed Sale or Purchase of Property [Pursuant to South Carolina Freedom of Information Act Section 30-4-70 (a)(2)] related to:

1. Main Street

2. Pope Avenue

3. Marshland Road
4. Union Cemetery Road
5. Bradley Circle
6. William Hilton Parkway/Stoney Area

Discussion of Appointment to Boards, Commissions, and Committees [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(1)] related to:

1. Accommodations Tax Advisory Committee
2. Beaufort County Stormwater Management Utility Board
3. Beaufort Jasper Housing Trust
4. Board of Zoning Appeals
5. Construction Board of Adjustments and Appeals
6. Design Review Board
7. Greenspace Advisory Committee
8. Gullah Geechee Historic Neighborhood Community Development Corporation
9. Gullah Geechee Task Force
10. Housing Action Committee
11. Island Recreation Board of Directors
12. Parks and Recreation Commission
13. Planning Commission

Discussion of the Employment, Appointment, Compensation, Promotion, Demotion, Discipline, or Release of a Person Regulated by a Public Body (Pursuant to South Carolina Freedom of Information Act 30-4-70(a)(1)) related to:

1. Discussion of the Annual Performance Review of the Town Attorney and Contractual Matters Related Thereto

Action from Executive Session

Ms. Brison moved to end the Executive Session and return to the regular meeting. Ms. Becker seconded. Motion carried 7-0.

Mr. Brown moved to authorize the Mayor and Town Manager to Execute and Deliver a Contract by and between the Town of Hilton Head Island, South Carolina, and Memory Matters, a South Carolina Not-for-Profit Corporation, for the Purchase and Sale of 0.78 Acres, more or less, of Improved Real Property located at 117 William Hilton Parkway, and to take such other and further actions as may be necessary to complete the transaction described in the Agreement. Ms. Brison seconded. Motion carried 7-0.

Mr. Brown moved to authorize the Mayor to Execute and Deliver a Contract by and between the Town of Hilton Head Island, South Carolina, and Curtis L. Coltrane for services as the Town Attorney. Mr. Alfred seconded. Motion carried 7-0.

Adjournment

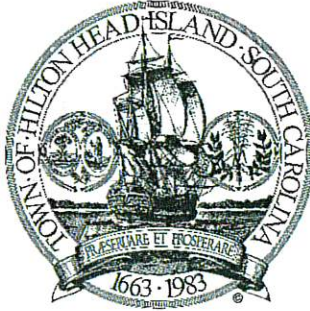
The meeting was adjourned at 10:13 p.m.

Kimberly Gammon, Town Clerk

Alan R. Perry, Mayor

The full recording and a transcript of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov

The Town of Hilton Head Island



Proclamation

WHEREAS, the University of South Carolina Beaufort is a fully accredited, comprehensive, baccalaureate institution within the University of South Carolina System; and

WHEREAS, USCB provides specialized instruction in nineteen undergraduate degree and two graduate degree programs to fulfill its mission to respond to regional needs, draw upon regional strengths, and prepare graduates to contribute locally, nationally, and internationally; and

WHEREAS, USCB is a primary resource for exceptionally skilled healthcare professionals, teachers, hospitality managers, science-based researchers, and computational specialists in the South Carolina Lowcountry; and

WHEREAS, USCB has a reputation for institutional prominence as a regional catalyst for progress and engine for cultural and economic growth; and

WHEREAS, USCB's regional economic impact is in excess of 1,230 jobs, \$63 million in labor income, and \$141 million in economic development; and

WHEREAS, USCB welcomes more than 2,200 students, their parents, other family members, and friends to campuses in Bluffton, Beaufort, and on Hilton Head Island and to athletic facilities in Hardeeville for the start of the 2025-2026 academic year.

NOW, THEREFORE, I Alan R. Perry, Mayor of the Town of Hilton Head Island, South Carolina, hereby proclaims the week of August 18-22, 2025 as **USCB SAND SHARK WELCOME WEEK**.

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



Alan R. Perry, Mayor

Attest:

Kimberly Gammon, Town Clerk



TOWN OF HILTON HEAD ISLAND

TOWN COUNCIL

TO: Town Council
FROM: Shawn Colin, Assistant Town Manager of Strategic Initiatives
CC: Marc Orlando, Town Manager, ICMA-CM
Shawn Leininger, Assistant Town Manager of Operations
DATE: August 19, 2025
SUBJECT: Update on William Hilton Parkway Gateway Corridor Master Plan

BACKGROUND:

The Town of Hilton Head Island is advancing the William Hilton Parkway Gateway Corridor Master Plan to define the future of U.S. Highway 278 from Moss Creek Drive to the Cross Island Parkway with a focus on the corridor through the Historic Stoney Community and across the island's primary gateway. This work is a direct response to Beaufort County's recent decision to allocate all available corridor funding toward construction of an eastbound bridge span, leaving the remainder of the corridor through the island and its historic neighborhoods without identified resources for infrastructure improvements.

The Town's master planning initiative is intended to proactively shape corridor-wide investment priorities, with a focus on safety, community connectivity, neighborhood preservation, cultural recognition, stormwater management, and long-term capacity improvements. The plan will guide state, federal, regional, and local funding strategies and be delivered in time to support the Fiscal Year 2026 (FY26) South Carolina state budget cycle.

Goals of the Master Plan

- Develop a comprehensive, phased, and illustrative plan for corridor and neighborhood improvements.
- Align with the South Carolina Legislative Delegation to advocate for state-supported funding.
- Position the corridor for long-term investment through competitive federal and state infrastructure programs.

Corridor Segments & Work Plan

The planning framework divides the William Hilton Parkway corridor into distinct segments, each with tailored work plans that reflect the unique challenges, infrastructure needs, and opportunities of that area:

1. Off-Island / Western Gateway (Moss Creek to Mackay Creek Bridge)

This area serves as the primary entrance to the island and sets the tone for the corridor experience. Improvements are aimed at functionality and aesthetics. Opportunities for consideration include:

- Install adaptive signal technology from I-95 to the bridge system to improve traffic flow.
- Redesign the corridor between Moss Creek and Mackay Creek Bridge to enhance capacity, safety, and landscaping.
- Acquire and clear the long-vacant gas station property for future gateway use.
- Improve signal operations along Bluffton Parkway to coordinate with U.S. 278 traffic.
- Resurface and beautify the westbound bridges with upgraded landscaping and hardscape features.

2. Pinckney Island Corridor

Pinckney Island National Wildlife Refuge creates a constrained and environmentally sensitive segment between the mainland and Jenkins Island. Opportunities for consideration include:

- Relocate the existing boat landing and parking facilities to reduce safety conflicts and protect natural resources.
- Evaluate right-of-way constraints and enhance corridor design sensitivity to natural surroundings.

3. Jenkins / Hog Island Corridor

This area provides critical access to residential neighborhoods, waterways, and future redevelopment opportunities. Opportunities for consideration include:

- Develop an access management plan to reduce vehicle conflict points and improve safety.
- Install adaptive signal systems with mast arms at key intersections.
- Advance a Jenkins Island Master Plan that addresses land use, transportation access, and water-based recreation.
- Upgrade roadways and intersections, with particular focus on stormwater control and roadway durability.
- Improve visibility and access to the historic Jenkins Island cemetery.
- Enhance the public boat landing and directional signage.

- Construct a short-term rental (STR) park-and-ride facility to reduce congestion from seasonal visitors.

4. Historic Stoney Community

This segment is central to Hilton Head Island's cultural heritage and includes one of its oldest Gullah Geechee neighborhoods. Opportunities for consideration include:

- Implement infrastructure priorities from the Ward One Master Plan and the Stoney Initiative Area Plan.
- Construct stormwater improvements and traffic calming features to enhance neighborhood resilience.
- Develop an access management plan to reduce cut-through traffic and increase pedestrian safety.
- Integrate culturally appropriate wayfinding, public art, and interpretive signage.
- Activate and enhance Town-owned properties along the corridor to support neighborhood-serving uses and aesthetics.

5. Island Corridor Enhancements (East of Stoney to Gum Tree Road)

This segment is a transition zone connecting the commercial core to key residential and institutional areas. Opportunities for consideration include:

- Build new sidewalks, multi-use pathways, and pedestrian bridges to increase non-vehicular access.
- Upgrade crosswalks, lighting, and turning lanes at key conflict points.
- Design and implement the Gullah Geechee Linear Park, connecting the corridor with historic neighborhoods.
- Acquire strategic properties (e.g., Memory Matters campus) to support community facilities, open space, and redevelopment opportunities.
- Create additional greenway linkages between parks, neighborhoods, and commercial nodes.
- Consider construction of a third eastbound travel lane to address peak-hour congestion and improve overall capacity.

6. Key Intersection Improvements

Focused intersection upgrades are essential for safety, performance, and long-term traffic management. Priority locations include:

- Crosstree Drive / C. Heinrich Circle / Jenkins Road
- Squire Pope Road / Chamberlin Drive
- Old Wild Horse Road
- Spanish Wells Road / Wild Horse Road
- Gum Tree Road / Cross Island Parkway Exit
- William Hilton Parkway / Cross Island Parkway Merge Point

Each location will be evaluated for signal timing, turning movement upgrades, pedestrian accommodations, and potential roundabout configurations.

7. Connectivity Enhancements

To support access, safety, and neighborhood integration, opportunities for consideration include:

- Redesign the Old Wild Horse Road corridor with improved streetscape elements and pedestrian facilities.
- Plan and construct new access roads to improve local circulation and relieve corridor pressure.
- Strengthen east-west connections over and along the Cross Island Parkway to integrate island neighborhoods and improve mobility options.

Reference Documents Supporting the Plan

- Joint Town-County Resolution (March 2025)
- Memorandum of Understanding (MOU) with Beaufort County and South Carolina Department of Transportation (SCDOT) (June 2024)
- MKSK Planning Concepts (Approved by Town Council)
- Ward One Master Plan and Stoney Initiative Area Plan
- Tax Increment Financing (TIF) Redevelopment Plan
- U.S. 278 Corridor Committee Guiding Principles
- Town-owned and under-contract property inventory
- Community engagement and public comment

Implementation Timeline

Phase	Date	Milestone
Phase 1	May–June 2025	Internal coordination and consultant mobilization
Phase 2	June 2025	Initial engagement with South Carolina Legislative Delegation
Phase 3	June–September 2025	Draft Master Plan and Engineer's Opinion of Probable Cost (EOPC); Town Council 2x2 meetings
Phase 4	October–November 2025	Special Town Council workshop, public review, and plan consideration
Final	November 15, 2025	Formal engagement with Legislative Delegation and launch of funding advocacy campaign

Funding Strategy

The Town is pursuing a layered funding strategy using a mix of local, state, federal, and regional sources:

Federal

- Federal Highway Administration (FHWA) Programs
- Better Utilizing Investments to Leverage Development (BUILD) Grant
- Safe Streets and Roads for All (SS4A) Grant Program
- Safe Routes to School Program
- Resilience Infrastructure Grants
- Transportation Alternatives Program (TAP)

State

- South Carolina Department of Transportation (SCDOT)
- South Carolina Infrastructure Investment Program
- South Carolina Budget (legislative appropriations and earmarks)
- South Carolina State Infrastructure Bank (SIB)

Regional

- Lowcountry Area Transportation Study (LATS), the region's Metropolitan Planning Organization (MPO)
- Beaufort County capital improvement and bond funding programs

Local

- Town of Hilton Head Island Capital Improvements Program (CIP)
- Tax Increment Financing (TIF) District (Stoney District)
- Private sector, cultural, conservation, and nonprofit partnerships

Next Steps

The William Hilton Parkway Gateway Corridor Master Plan remains a top priority for the Town. Staff will continue to collaborate with Town Council, the South Carolina Legislative Delegation, Beaufort County, and SCDOT to ensure timely delivery of a plan that reflects the island's values and needs. A draft master plan will be presented in fall 2025, followed by formal adoption and funding advocacy.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to amend the current regulations for Tree Protection to include sections: 16-5-115, 16-6-104 and Appendix C, and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration an Ordinance of the Town of Hilton Head Island to amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to amend current regulations for tree protection to include Section 16-5-115, Section 16-6-104, and Appendix C for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date, and forward a recommendation to Town Council.

The Planning Commission held a public hearing on May 21, 2025, and, after consideration of the criteria set forth in Section 16-2-103.B.3 voted unanimously to recommend that Town Council approve the proposed text amendment.

On June 16, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff reviewed the proposed priority amendments with Town Council and received the following comments and direction regarding amendments related to tree protection:

1. Increase requirements for Live Oak and Laurel Oak tree preservation by reducing the diameter breast height (DBH):
 - a. Live Oak single trunk from 35 to 30 DBH
 - b. Live Oak multiple trunk from 60 to 55 DBH
 - c. Laurel Oak from 35 to 30 DBH
2. Update mitigation requirements by increasing the plant back tree size requirements (i.e., minimum height from 10 to 12 feet and diameter from 2 inches to 4 inches)
3. Update the list of native plants.
4. Remove the exception of specimen trees on single-family lots to reduce unnecessary removal of specimen trees.

The Planning Commission held a public hearing on May 21, 2025, and, after consideration of the criteria set forth in Section 16-2-103.B.3 voted unanimously to recommend that Town Council approve the proposed text amendment.

On June 16, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

On July 15, 2025, Town Council unanimously approved the First Reading of the proposed ordinance with direction to the Town Manager to begin the enforcement of the ordinance under the pending ordinance doctrine.

SUMMARY:

Priority updates are proposed to strengthen tree protection during development and ensure that new projects align with the community's environmental values. These changes aim to improve tree preservation, enhance ecological outcomes, and promote sustainable development.

More specifically, these changes strengthen protections for specimen and significant trees and promote the use of native vegetation. Key updates include:

1. Lowering the diameter breast height (DBH) thresholds for preserving Live Oak and Laurel Oak trees for specimen and significant classifications, resulting in more trees receiving protection;
2. Increasing mitigation requirements for tree removal by increasing the minimum size standards for replacement trees, ensuring greater immediate environmental impact and maturity;
3. Expanding the list of approved native plants to support ecological diversity; and,
4. Protecting specimen trees on single-family lots by eliminating an exception to such requirements.

ANALYSIS:

Proposed Amendments

1. Enhanced preservation requirements for Live Oak and Laurel Oak Trees.
 - a. The diameter breast height (DBH) threshold for preservation of “specimen” trees is reduced five inches, increasing the number of protected “specimen” Live Oak and Laurel Oak trees.
 - b. The DBH threshold for protection of “significant” trees is reduced four inches for single-trunk Live Oak and Laurel Oak trees and seven inches for multi-trunk Live Oak trees.
2. Updated Mitigation Provisions Require Larger Replacement Trees.
 - a. Increased the minimum installation height by two feet for all tree categories (I-IV).
 - b. Increased the minimum trunk diameter by two inches for categories I-II.
 - c. Increased the minimum trunk diameter by one inch for categories III-IV.
3. Expanded Native Plant List.
 - a. The list of approved native plants is updated to reflect current ecological priorities and promote biodiversity.
4. Specimen Tree Protections and Single-Family Lot Exceptions.
 - a. Specimen tree protections are extended to include all single-family lots, reducing unnecessary removal of significant trees.

The priority amendment changes aim to strengthen tree preservation, promote ecological health, and maintain the aesthetic and environmental character of the area.

The following table shows how the proposed amendments address the demonstrated issues.

[intentionally left blank]

Issue	Proposed Amendment		
1. Increase requirements for Live Oak and Laurel Oak tree preservation by reducing the diameter breast height (DBH): a. Live Oak single trunk from 35 to 30 DBH b. Live Oak multiple trunk from 60 to 55 DBH c. Laurel Oak from 35 to 30 DBH	Table 16-6-104.F.1: Specimen and Significant Trees		
	Tree Type		Specimen DBH (Inches)
	Live oak	Single trunk	35 <u>30</u>
		Multiple trunks	60 <u>55</u> (sum of all trunks)
	Laurel oak		28 <u>24</u>
2. Update mitigation requirements by increasing the plant back tree size requirements (i.e., minimum height from 10 to 12 feet and diameter from 2 inches to 4 inches)	Table 16-6-104.I.3: Minimum Planting Size for Supplemental and Replacement Trees		
	Tree Category	Minimum Height (Feet)	Minimum Trunk Diameter (Inches) (Using ANSI Standards)
	Category I	10 <u>12</u>	2 <u>4</u>
	Category II	10 <u>12</u>	2 <u>4</u>
	Category III	6 <u>8</u>	1 <u>2</u>
	Category IV	6 <u>8</u>	1 <u>2</u>
3. Update list of native plants.	See Appendix C of proposed text amendment for new list of native plants.		
4. Remove exception of specimen trees on single-family lots to reduce unnecessary removal of specimen trees.	Sec.16-6-104. Tree Protection F. Specimen and Significant Tree Preservation 2. General Requirements a. No <i>specimen tree</i> may be removed except in accordance with paragraph b below. In addition, all <i>specimen trees</i> shall have the following protections, whether located on public or private <i>land</i> . with the exception of <i>specimen trees</i> located on <i>single-family lots</i>: <i>(Revised 5-17-2016 - Ordinance 2016-07)</i>		

	i. Any activities performed within the drip line of a specimen tree shall have the prior approval of the Official. ii. Specimen trees shall not be cut, removed, pushed over, killed, or otherwise harmed. iii. No more than 20 percent of the total area within the drip line of any specimen tree shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the tree trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The Official may allow paving or soil compaction beyond the 20 percent limit if low impact development techniques (e.g., pervious pavers, materials placed at or above grade, no use of mechanical machinery) are used as an alternative means of protecting the specimen tree. b. If preservation of a specimen tree causes unnecessary hardship, the applicant may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required State or federal government agency approval, if applicable, to remove the tree is received in writing.
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Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;

- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

- 1. Supports the Comprehensive Plan’s goals concerning natural resource preservation and tree protection.
- 2. Is required due to continuing concerns with tree cutting and the loss of specimen and significant trees.
- 3. Addresses a demonstrated and vocalized community need to strengthen tree preservation, promote ecological health, and maintain the aesthetic and environmental character of the area.
- 4. Is consistent with the intent of the Ordinance and the Town’s efforts to preserve tree cover and habitat.
- 5. Results in more attractive and sustainable development, ensuring a logical and orderly development pattern.
- 6. Minimizes the impact of development on the natural environment by protecting trees and strengthening mitigation for the removal of trees.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

- 1. Adopt an ordinance approving the Text Amendment; or
- 2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

- 1. Ordinance
- 2. Text Amendment

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND CURRENT REGULATIONS FOR TREE PROTECTION TO INCLUDE SECTIONS: 16-5-115, 16-6-104 AND APPENDIX C FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

WHEREAS, the Town Council seeks to amend the Land Management Ordinance to increase tree protection requirements for development to enhance ecological outcomes, and promote sustainable development; and,

WHEREAS, on May 21, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments to increase tree protection requirements for development, and the public had an opportunity to comment on the proposed amendments, and the Planning Commission voted unanimously to recommend adoption of the amendments to increase tree protection requirements for development; and,

WHEREAS, on June 16, 2025, the Community Services & Public Safety Committee voted unanimously to recommend approval of the proposed amendments to increase tree protection requirements for development; and,

WHEREAS, the Town Council finds it is in the best interest of the Town and its citizens, residents and visitors to amend Land Management Ordinance by amending the current regulations for tree protection.

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

Section 1. Amendment. That the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. 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 _____, 2025.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Alan R. Perry, Mayor

ATTEST:

Kimberly Gammon, Town Clerk

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Chapter 16-5: Development and Design Standards

Sec.16-5-115. Subdivision Standards

A. Purpose and Intent

The purpose of **subdivision** layout is to create a functional and attractive **development** with infrastructure and **lots** appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for **subdivision** design for both Major and Minor Subdivisions.

Subdivisions should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the **Town** by:

- a. Providing for the orderly growth and **development** of the **Town**;
- b. Coordinating with the existing **street** system, transportation plans, and public facilities;
- c. Providing **right-of-way** for **street** and vehicular **easements**;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of **streets** in relation to existing planned **streets**;
- e. Preservation of the natural tree canopy and preservation of protected tree species;
- e-f. Ensuring there is adequate **open space** and recreation facilities; and
- f-g. Ensuring there is proper recordation of **land** ownership.

C. General Requirements

1. Layout of the **subdivision** shall be based on complete **site** analysis. **Streets** and **lots** shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic **site** features to be preserved.
2. The **subdivision** layout shall consider the practicality and economic feasibility of **development** of individual **lots** including the environmental characteristics, size of the **site**, and the requirements of ~~this~~ the Ordinance.
3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, ~~significant stands of significant~~ stands of trees and individual **trees** of significant size, with **development** reserved for environmentally stable areas.
(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)
4. **Open space** and recreational areas shall be planned in accordance with Sec. 16-5-104, Open Space Standards.
5. **Lots** shall be situated so that stormwater may be easily directed away from **buildings** in subsequent **site-specific development**. **Lots** shall be configured so that **buildings** and general **flood** sensitive **site** facilities can be located out of drainageways. **Subdivisions** shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
6. All **lots** shall have the **access** required by Sec. 16-5-105.I, Access to Streets.

Chapter 16-6: Natural Resource Protection

Sec.16-6-104. Tree Protection

B. Applicability

2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
 - i. Removal of damaged protected **trees** during an emergency such as a hurricane, tornado, ice or wind storm, **flood**, wildfire or any other such act of nature;
 - ii. The removal of invasive species;
 - iii. Removal of a **hazardous tree**, provided such removal is reported to the **Official** within five days after removal. Removal of a **hazardous tree** may require mitigation at the discretion of the ~~Official~~ Official;
(Revised 1-7-2020 - Ordinance 2020-02)
 - iv. The selective and limited pruning and removal of **trees** or vegetation within **sight triangles** (see Sec. 16-5-105.H.4, Sight Triangles) as necessary to obtain clear visibility at **street** and **driveway** intersections;
 - v. Necessary **tree** removal by a utility company consistent with plans submitted periodically to the **Official** for approval in accordance with Sec. 16-5-110, Utility Standards, provided such plans include appropriate provision for removal of any felled **trees**;
 - vi. Topping of healthy **trees** is only permitted on **land** of the Hilton Head Island Airport, and only for the **maintenance** of the slope approaches to the airport as referenced in Sec. 16-3-106.E, Airport Overlay (A-O) District;
 - vii. **Tree** removal associated with forestry activities shielded from local **development** regulation in accordance with S.C. Code Ann. § 48-23-205, subject to the limitations on subsequent **development** in Sec. 16-6-104.E, Limitations on Development Applications Subsequent to Exempt Forestry Activity; and
 - viii. Routine or seasonal pruning (see Sec. 16-5-103.H, Existing Vegetation, for restrictions on limbing **trees** in adjacent street and use buffers), subject to the following requirements and conditions:
 - 01. Pruning shall be done according to the guidelines of the International Society of Arboriculture, as published in the *Arborist Certification Guide*.
 - 02. No more than ten percent of the **tree's** leaf surface shall be removed.
 - 03. Climbing spikes shall not be used on **trees** that are not being removed.
 - 04. **Property owners** bear the burden of proving that they have met the above requirements.
 - ix. Removal or pruning of trees in the PD-1 zoning district under the following conditions:

01. On the Common Property owned by a Property Owners Association, to which all landowners of property located behind the security gate must belong, that is behind any security gate or access point that is manned a minimum of eight (8) hours per day, or at any point within the Spanish Wells PD-1, where the **tree** or **trees** to be removed or pruned are:

- a) Damaged, dead or dying or a fall hazard; or,
- b) Causing an actual, imminent hazard to pedestrian, bicycle or vehicular travel because roots of any **tree** or **trees** have uplifted pavement, or because branches and foliage are impeding travel sight lines, or because branches and foliage impede travel areas for pedestrians, bicycles and vehicles, and no feasible alternative to removing or pruning the **tree** or **trees** exists.

- b. No Natural Resources Permit is required where the proposed **tree** removal or alteration is reviewed and authorized in accordance with an approved Subdivision Plan (see Sec. 16-2-103.F), Development Plan (Minor or Major) (see Sec. 16-2-103.G), Small Residential Development (see Sec. 16-2-103.H) or Public Project (see Sec. 16-2-103.Q)—though compliance with the standards in this section is required.

C. Tree Protection Information in Applications

2. Tree Survey

- a. The **tree survey** shall be in the form of a map or a **site plan** prepared and sealed by a registered **land** surveyor within two years of the date of **application**. The **tree survey** shall be at the same scale as the required **site development** plan and shall include the following information:
 - i. The location of all Category I, II and IV **trees** with a **DBH** of 6 inches or greater, Category III **trees** (other than cedar and palmetto **trees**) with a **DBH** of 12 inches or greater and cedar and palmetto **trees** with a **DBH** of 8 inches or greater within the areas to be developed and within areas 25 feet beyond such area in each direction, or extending to the property line, whichever is less;
(Revised 5-17-2016 - Ordinance 2016-07)
 - ii. The location of any **trees** with a **DBH** less than 6 inches (Category I, II and IV), less than 8 inches (cedar and palmetto **trees**), and less than 12 inches (Category III other than cedar and palmetto **trees**) that the **applicant** wishes to count toward the minimum standard of **tree** coverage on the **site**; and
(Revised 5-17-2016 - Ordinance 2016-07)
 - iii. The species and **DBH** of all **trees**.
- b. In conjunction with the **tree survey**, **trees** shall be marked with color ribbons, using blue ribbons to mark **trees** to be preserved, red ribbons for **trees** to be removed, and orange ribbons for hazardous **trees** that are proposed to be removed (hazardous **trees** will not count towards the overall required **tree** replacement). In heavily wooded areas, the **Official** may allow ~~large groups of a significant stand of~~ **trees** to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of **trees**.

F. Specimen and Significant Tree Preservation

1. Specimen and Significant Tree Defined

For purposes of this section, a specimen tree is any tree of a species designated by the State or federal government as an endangered, threatened, or rare species, or any tree of a type and with a DBH equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the tree type. A tree that is within 20% of the size classified as a specimen, is considered a significant tree.

(Revised 5-17-2016 - Ordinance 2016-07; revised 1-7-2020 - Ordinance 2020-02)

TABLE 16-6-104.F.1: SPECIMEN AND SIGNIFICANT TREES			
TREE TYPE		SPECIMEN DBH (INCHES)	SIGNIFICANT DBH (INCHES)
Live oak	Single trunk	35-30	28-24
	Multiple trunks	60-55 (sum of all trunks)	48-41
Laurel oak		35-30	28-24
Water oak		30	24
Red oak		25	20
White oak		20	16
All hickories		20	16
American elm		15	12
Loblolly and slash pines		35	28
Longleaf and pond pines		25	20
Red bay		10	8
Southern magnolia		30	24
Bald cypress and pond cypress		15	12
Black gum and sweet gum		30	24
Red maple		30	24
Spruce pine		Any size	Any size
Red cedar		10	8
Sycamore		30	24
Black cherry		25	20
Sassafras		6	5

(Revised 1-7-2020 - Ordinance 2020-02)

2. General Requirements

- a. No **specimen tree** may be removed except in accordance with paragraph b below. In addition, all **specimen trees** shall have the following protections, whether located on public or private **land**, ~~with the exception of specimen trees located on single family lots:~~

(Revised 5-17-2016 - Ordinance 2016-07)

- i. Any activities performed within the drip line of a **specimen tree** shall have the prior approval of the **Official**.
- ii. **Specimen trees** shall not be cut, removed, pushed over, killed, or otherwise harmed.

- iii. No more than 20 percent of the total area within the drip line of any **specimen tree** shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the **tree** trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The **Official** may allow paving or soil compaction beyond the 20 percent limit if low impact **development** techniques (e.g., **pervious** pavers, materials placed at or above **grade**, no use of mechanical machinery) are used as an alternative means of protecting the **specimen tree**.

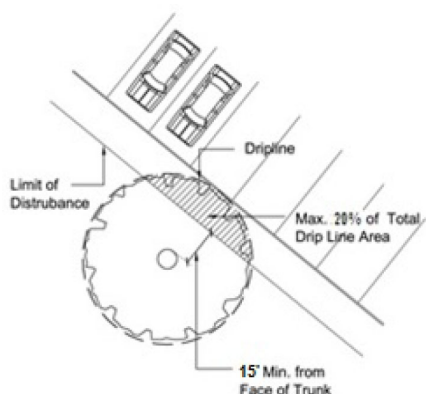


Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees

- b. If preservation of a **specimen tree** causes unnecessary hardship, the **applicant** may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required **State** or federal government agency approval, if applicable, to remove the **tree** is received in writing.

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

I. Standards for Supplemental and Replacement Trees

3. Replacement Rate, Tree Category, Planting Size

- a. **Trees** that are removed shall be replaced at the rate of one **tree** for every ten **tree** inches removed per **tree** category.
- b. Supplemental and replacement **trees** shall be within the same or lower-numbered **tree** category (see Sec. 16-6-104.H, Tree Equivalency Table) as the **trees** being replaced.
- c. At the time of planting, supplemental and replacement **trees** shall have the minimum **height** and trunk diameter shown in Table 16-6-104.I.3 for the category of the **tree**.

TABLE 16-6-104.I.3: MINIMUM PLANTING SIZE FOR SUPPLEMENTAL AND REPLACEMENT TREES		
TREE CATEGORY	MINIMUM HEIGHT (FEET)	MINIMUM TRUNK DIAMETER (INCHES) (USING ANSI STANDARDS)
Category I	10-12	2-4
Category II	10-12	2-4
Category III	6-8	1-2

Category IV	6-8	1-2
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(Revised 4-18-2017 - Ordinance 2017-05)

Appendix C: Recommended Native Plants

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS		
This list is meant to be used as a guide, and is not all inclusive. Buffer and wetland plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.		
COMMON NAME	LATIN NAME	LOCATION
GRASSES, VINES, AND GROUND COVER		
Black Needle Rush	<i>Juncus roemerianus</i>	Tidal wetland
Blue Flag Iris	<i>Iris virginica</i>	Freshwater wetland
Lizard's Tail	<i>Saururus cernuus</i>	Freshwater wetland
Maidencane	<i>Panicum hemitoman</i>	Freshwater wetland
Muhley Grass	<i>Muhlenbergia capillaris</i>	Upland
Passion Flower	<i>Passiflora incarnata</i>	Upland
Pickereelweed	<i>Pontederia cordata</i>	Freshwater wetland
Saltmeadow Cordgrass	<i>Spartina patens</i>	Upland
Sand Cordgrass	<i>Spartina bakeri</i>	Upland
Smooth Cordgrass	<i>Spartina alterniflora</i>	Tidal wetland
Soft Rush	<i>Juncus effusus</i>	Tidal wetland
Wild Ginger	<i>Asarum canadense</i>	Upland
Yellow Jassamine	<i>Gelsemium sempervirens</i>	Upland
SHRUBS AND SMALL TREES		
Beautyberry	<i>Callicarpa Americana</i>	Upland
Coral Bean	<i>Erythrina herbacea</i>	Upland
Dahoon Holly	<i>Ilex cassine</i>	Upland
Fetterbush	<i>Lyonia lucida</i>	Freshwater wetland/Upland
Inkberry	<i>Ilex glabra</i>	Freshwater wetland/Upland
Loblolly Bay	<i>Gordonia lasianthus</i>	Upland
Salt Myrtle	<i>Baccharis halimifolia</i>	Upland
Saw Palmetto	<i>Serena repens</i>	Upland
Sparkleberry	<i>Vaccinium arboreum</i>	Upland
Star Anise	<i>Illicium floridanum</i>	Upland
Wax Myrtle	<i>Myrica ceriflora</i>	Upland
Witch Hazel	<i>Hamamelis virginiana</i>	Upland
Yaupon Holly	<i>Ilex vomitoria</i>	Upland
MEDIUM AND LARGE TREES		
American Holly	<i>Ilex opaca</i>	Upland

Bald Cypress	<i>Taxodium distichum</i>	Freshwater <i>wetland/Upland</i>
Black Gum	<i>Nyssa sylvatica</i>	Freshwater <i>wetland/Upland</i>
Laurel Oak	<i>Quercus laurifolia</i>	<i>Upland</i>
Little Gem Magnolia	<i>Magnolia grandiflora</i> "Little Gem"	<i>Upland</i>
Live Oak	<i>Quercus virginiana</i>	<i>Upland</i>
Red Maple	<i>Acer rubrum</i>	Freshwater <i>wetland/Upland</i>
Sabal palmetto	<i>Sabal palmetto</i>	<i>Upland</i>
Southern Magnolia	<i>Magnolia grandiflora</i>	<i>Upland</i>
Southern Red Cedar	<i>Juniperis silicicola</i>	<i>Upland</i>
Sweet Gum	<i>Liquidamber styraciflua</i>	Freshwater <i>wetland/Upland</i>

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS

This list is meant to be used as a guide, and is not all inclusive. *Buffer* and *wetland* plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.

<u>COMMON NAME</u>	<u>LATIN NAME</u>	<u>LOCATION</u>
<u>NATIVE PLANTS FOR DUNES</u>		
<u>Beach evening primrose</u>	<u>Oenothera drummondii</u>	<u>Primary Dune</u>
<u>Beach morning glory</u>	<u>Ipomoea imperati</u>	<u>Primary Dune</u>
<u>Bear-grass (yucca)</u>	<u>Yucca filamentosa</u>	<u>Primary Dune</u>
<u>Camphor weed</u>	<u>Heterotheca subaxillaris</u>	<u>Primary Dune</u>
<u>Climbing Butterfly pea</u>	<u>Centrosema virginianum</u>	<u>Primary Dune</u>
<u>Devil-joint cactus</u>	<u>Opuntia drummondii</u>	<u>Primary Dune</u>
<u>Dune sunflower</u>	<u>Helianthus debilis</u>	<u>Primary Dune</u>
<u>Dwarf palmetto</u>	<u>Sabal minor</u>	<u>Primary Dune</u>
<u>Moundlily yucca</u>	<u>Yucca gloriosa</u>	<u>Primary Dune</u>
<u>Prickly pear cactus</u>	<u>Opuntia compressa</u>	<u>Primary Dune</u>
<u>Purple passion flower (vine)</u>	<u>Passiflora incarnata</u>	<u>Primary Dune</u>
<u>Railroad vine</u>	<u>Ipomea pes-caprae</u>	<u>Primary Dune</u>
<u>Salt myrtle</u>	<u>Baccharus halimifolia</u>	<u>Primary Dune</u>
<u>Saw palm</u>	<u>Serenoa repens</u>	<u>Primary Dune</u>
<u>Sea oats</u>	<u>Uniola paniculata</u>	<u>Primary Dune</u>
<u>Seaside panicum</u>	<u>Panicum amarum</u>	<u>Primary Dune</u>
<u>Spanish bayonet</u>	<u>Yucca aloifolia</u>	<u>Primary Dune</u>
<u>Wax myrtle</u>	<u>Myrica cerifera</u>	<u>Primary Dune</u>
<u>Yaupon holly</u>	<u>Ilex vomitoria</u>	<u>Primary Dune</u>
<u>Yellow passion flower (vine)</u>	<u>Passiflora lutea</u>	<u>Primary Dune</u>
*Dune fields can contain several dune rows that have mostly grasses and other non-woody plants in them. Look at dune areas adjacent to yours to determine which plants are best to use in similar areas. NEVER plant a non-native plant in dune areas; they may become invasive.		
<u>GRASSES, VINES, AND GROUND COVER</u>		

<u>Arrow Arum</u>	<u><i>Peltandra virginica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Black Needle Rush</u>	<u><i>Juncus roemerianus</i></u>	<u>Tidal wetland, Salt marsh buffer</u>
<u>Blue Flag Iris</u>	<u><i>Iris virginica</i></u>	<u>Freshwater wetland</u>
<u>Bur-marigolds</u>	<u><i>Bidens sp. (yellow flower, blooms in fall)</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Buttonbush</u>	<u><i>Cephalanthus occidentalis</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Duck potato</u>	<u><i>Sagittaria latifolia</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Floating hearts</u>	<u><i>Nymphoides aquatica</i></u>	<u>Floating Plants</u>
<u>Fragrant water lily</u>	<u><i>Nymphaea odorata</i></u>	<u>Floating Plants</u>
<u>Golden club</u>	<u><i>Orontium aquaticum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Hooded pitcher plant</u>	<u><i>Sarracenia minor</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Jack-in-the-pulpit</u>	<u><i>Arisaema triphyllum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Large marsh pink</u>	<u><i>Sabatia dodecandra</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Lizard's Tail</u>	<u><i>Saururus cernuus</i></u>	<u>Freshwater wetland</u>
<u>Maidencane</u>	<u><i>Panicum hemitoman</i></u>	<u>Freshwater wetland</u>
<u>Muhley Grass</u>	<u><i>Muhlenbergia capillaris</i></u>	<u>Upland</u>
<u>Passion Flower</u>	<u><i>Passiflora incarnata</i></u>	<u>Upland</u>
<u>Pickrelweed</u>	<u><i>Pontederia cordata</i></u>	<u>Freshwater wetland</u>
<u>Rushes</u>	<u><i>Juncus sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Saltmeadow Cordgrass</u>	<u><i>Spartina patens</i></u>	<u>Upland</u>
<u>Salthay</u>	<u><i>Spartina patens</i></u>	<u>Salt marsh buffer</u>
<u>Sand Cordgrass</u>	<u><i>Spartina bakeri</i></u>	<u>Upland</u>
<u>Sea ox-eye</u>	<u><i>Borrichia frutescens</i></u>	<u>Salt marsh buffer</u>
<u>Smooth Cordgrass</u>	<u><i>Spartina alterniflora</i></u>	<u>Tidal wetland</u>
<u>Soft Rush</u>	<u><i>Juncus effuses</i></u>	<u>Tidal wetland</u>
<u>Spikerushes</u>	<u><i>Eleocharis sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Swamp rose mallow</u>	<u><i>Hibiscus moscheutos</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Watershield</u>	<u><i>Brasenia schreberi</i></u>	<u>Floating Plants</u>
<u>Wild Rice</u>	<u><i>Zizania aquatica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Wild Ginger</u>	<u><i>Asarum canadense</i></u>	<u>Upland</u>
<u>Woolgrass bulrush</u>	<u><i>Scirpus cyperinus</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow canna</u>	<u><i>Canna flaccida</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow Jassamine</u>	<u><i>Gelsemium sempervirens</i></u>	<u>Upland</u>
<u>Yellow fringed orchid</u>	<u><i>Habenaria ciliaris</i></u>	<u>Lower Bank/Shallow Water</u>
<u>SHRUBS AND SMALL TREES</u>		
<u>American holly</u>	<u><i>Ilex opaca</i></u>	<u>Upland</u>
<u>Beautyberry</u>	<u><i>Callicarpa Americana</i></u>	<u>Upland</u>
<u>Cabbage palmetto</u>	<u><i>Sabal palmetto</i></u>	<u>Upland, salt marsh buffer</u>
<u>Carolina cherry laurel</u>	<u><i>Prunus caroliniana</i></u>	<u>Upland</u>
<u>Chickasaw plum</u>	<u><i>Prunus angustifolia</i></u>	<u>Upland</u>
<u>Cinnamon fern</u>	<u><i>Osmunda cinnamomea</i></u>	<u>Upland</u>
<u>Common persimmon</u>	<u><i>Diospyros virginiana</i></u>	<u>Upland</u>
<u>Coral Bean</u>	<u><i>Erythrina herbacea</i></u>	<u>Upland</u>
<u>Coral honeysuckle</u>	<u><i>Lonicera sempervirens</i></u>	<u>Upland</u>
<u>Cross vine</u>	<u><i>Anisostichus capreolata</i></u>	<u>Upland</u>
<u>Dahoon Holly</u>	<u><i>Ilex cassine</i></u>	<u>Upland</u>
<u>Fetterbush</u>	<u><i>Lyonia lucida</i></u>	<u>Freshwater wetland/Upland</u>
<u>Hercules' Club</u>	<u><i>Zanthoxylum clava-herculis</i></u>	<u>Upland, salt marsh buffer</u>

<u>Horse sugar</u>	<u><i>Symplocos tinctoria</i></u>	<u>Upland</u>
<u>Inkberry</u>	<u><i>Ilex glabra</i></u>	Freshwater <u>wetland/Upland</u>
<u>Loblolly Bay</u>	<u><i>Gordonia lasianthus</i></u>	<u>Upland</u>
<u>Redbay</u>	<u><i>Persea borbonia</i></u>	<u>Upland</u>
<u>Salt Myrtle</u>	<u><i>Baccharis halimifolia</i></u>	<u>Upland</u>
<u>Sassafras</u>	<u><i>Sassafras albidum</i></u>	<u>Upland</u>
<u>Saw Palmetto</u>	<u><i>Serona repens</i></u>	<u>Upland</u>
<u>Southern Red Cedar</u>	<u><i>Juniperus silicicola</i></u>	<u>Upland, salt marsh buffer</u>
<u>Sparkleberry</u>	<u><i>Vaccinium arboreum</i></u>	<u>Upland</u>
<u>Star Anise</u>	<u><i>Illicium floridanum</i></u>	<u>Upland</u>
<u>Sugarberry</u>	<u><i>Celtis laevigata</i></u>	<u>Upland</u>
<u>Tough bumelia</u>	<u><i>Bumelia tenax</i></u>	<u>Upland, salt marsh buffer</u>
<u>Trumpet vine</u>	<u><i>Campsis radicans</i></u>	<u>Upland</u>
<u>Wax Myrtle</u>	<u><i>Myrica ceriflora</i></u>	<u>Upland</u>
<u>Winged sumac</u>	<u><i>Rhus copallina</i></u>	<u>Upland</u>
<u>Witch Hazel</u>	<u><i>Hamamelis virginiana</i></u>	<u>Upland</u>
<u>Yaupon Holly</u>	<u><i>Ilex vomitoria</i></u>	<u>Upland</u>
<u>MEDIUM AND LARGE TREES</u>		
<u>American Holly</u>	<u><i>Ilex opaca</i></u>	<u>Upland</u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	Freshwater <u>wetland/Upland</u>
<u>Black Gum</u>	<u><i>Nyssa sylvatica</i></u>	Freshwater <u>wetland/Upland</u>
<u>Florida Maple</u>	<u><i>Acer barbatum</i></u>	<u>Upland</u>
<u>Hickories, various species</u>	<u><i>Carya spp.</i></u>	<u>Upland</u>
<u>Laurel Oak</u>	<u><i>Quercus laurifolia</i></u>	<u>Upland</u>
<u>Little Gem Magnolia</u>	<u><i>Magnolia grandiflora</i> "Little Gem"</u>	<u>Upland</u>
<u>Live Oak</u>	<u><i>Quercus virginiana</i></u>	<u>Upland</u>
<u>Loblolly pine</u>	<u><i>Pinus taeda</i></u>	<u>Upland</u>
<u>Long leaf pine</u>	<u><i>Pinus Palustris</i></u>	<u>Upland</u>
<u>Red Maple</u>	<u><i>Acer rubrum</i></u>	Freshwater <u>wetland/Upland</u>
<u>Sabal palmetto</u>	<u><i>Sabal palmetto</i></u>	<u>Upland</u>
<u>Slash pine</u>	<u><i>Pinus elliotii</i></u>	<u>Upland</u>
<u>Southern Magnolia</u>	<u><i>Magnolia grandiflora</i></u>	<u>Upland</u>
<u>Southern Red Cedar</u>	<u><i>Juniperis silicicola</i></u>	<u>Upland</u>
<u>Southern Red Oak</u>	<u><i>Quercus falcata</i></u>	<u>Upland</u>
<u>Sweet Gum</u>	<u><i>Liquidamber styraciflua</i></u>	Freshwater <u>wetland/Upland</u>
<u>Water Oak</u>	<u><i>Quercus nigra</i></u>	<u>Upland</u>

RECOMMENDED INVASIVE TREES AND PLANTS FOR REMOVAL

The following is a list of common Invasive Trees and Plants in the Lowcountry. The list contains plants and trees that negatively impact native plants and trees and are recommended for removal. Therefore, using a recommended native plant list is encouraged.

- Autumn-Olive Tree
- Bamboo
- Beach Vitex ground cover
- Bradford Pear Tree
- Chinese Privet Shrub
- Chinese Silvergrass grass
- Chinese Tallow Tree
- Chinese Wisteria vine
- Cogongrass grass
- Common Reed (Phragmites) grass
- English Ivy vine
- Japanese Honeysuckle shrub
- Japanese Stiltgrass grass
- Kudzu Vine
- Multiflora Rose Shrub
- Non-Native Milkweed



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to Amend Chapter 16-5, Development and Design Standards, to Add a new Section 16-5-117 Construction Management Standards for the Town of Hilton Island, South Carolina and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to amend Chapter 16-5, Development and Design Standards, to add a new Section 16-5-117, Construction Management Standards, for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date.

On March 19, 2025, the Planning Commission held a public hearing and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted 2-1 to recommend approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding construction management standards.

1. Require refuse disposal plan.
2. Require a construction vehicle parking plan.
3. Require a site management plan.
4. Require an access management plan.
5. Require secure construction sites during named storm events.

On March 19, 2025, the Planning Commission held a public hearing and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted 2-1 to recommend approval to Town Council.

On July 15, 2025, Town Council unanimously approved the First Reading of the proposed ordinance with direction to the Town Manager to begin the enforcement of the ordinance under the pending ordinance doctrine.

SUMMARY:

Construction projects often have impacts extending beyond the immediate site, affecting commercial and residential areas. These disruptions - such as noise, vibrations, dust, traffic congestion, limited parking, and restricted property access—can significantly disrupt daily routines and operations. Residents have voiced frustration over these issues, highlighting the need for stronger management measures to minimize the negative impacts of construction activities.

At the same time, construction projects bring positive benefits, including job creation, economic stimulation, and improvements to infrastructure and public spaces that enhance the community. Balancing these positive outcomes with the need to manage the disruptions effectively is a critical challenge. In response, the proposed updates to the LMO to address construction management concerns and better regulate these impacts.

Additionally, this proposed ordinance does reference weather conditions during which sites must be secured. Tropical cyclones include tropical depressions, tropical storms, and hurricanes, as determined by the National Hurricane Center.

The proposed amendment adds a new section to the LMO for Construction Management Standards, Sec. 16-5-117, which includes the following regulations.

1. Noise and Hours of Operation: Noise and hours of operation were addressed by aligning the amendment with the policies of the Town's larger Planned Unit Developments (PUDs).
2. Stormwater Discharge: The amendment requires that Stormwater Discharges from Construction Activities adhere to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000.
3. Refuse and Site Cleanliness: The amendment requires portable toilets, along with a Refuse Disposal Plan to ensure all construction-related waste is properly managed in accordance with local, state, and federal laws.
4. Traffic and Parking: The amendment has added the requirement that all Construction-related parking must remain on-site, requiring traffic plans for each construction site to minimize public disruption, also regulating the parking of any oversized vehicles and oversized equipment to reduce the negative impact on surrounding areas.
5. Site Management: The amendment protects trees in accordance with 16-6-104, as well as emphasizing management and oversight relating to various utilities (i.e.: the placement of electrical generators and/or compressors) to ensure there is minimal impact on adjacent properties.
6. Enforcement: The amendment references Chapter 16-8 for enforcement issues.

ANALYSIS:

Proposed Amendments

The proposed priority amendments introduce requirements to improve site management and safety during construction activities and certain severe weather events. These amendments also help to ensure organized, safe, consistent, and community-conscious construction practices. The following table demonstrates how the proposed amendments address identified issues.

Issue	Proposed Amendment
Require a refuse disposal plan. Require a site management plan.	Sec.16-5-117. Construction Management Standards A. Noise and Hours of Operation. Sections 17-4-114 and 17-4-115 of the Municipal Code are referenced. These sections regulate sound level limits and hours of operation. Additional changes to Sections 17-4-114 and 17-4-115 were adopted in a separate priority Municipal Code amendment effort to align with the Town’s larger Planned Unit Developments (PUDs) for more consistency. B. Stormwater Discharge. This section references adherence to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000 for Stormwater Discharges from Construction Activities. C. Refuse and Site Cleanliness 1. A Refuse Disposal Plan providing for the proper disposal of all trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse in accordance with all applicable local, state and federal statutes, regulations and ordinances, including those related to hazardous materials, is required. The Refuse Disposal Plan shall contain a site cleaning schedule, designated disposal area labeled on the Erosion and Sediment Control Plan, and the final disposal site (ie. landfill). Manifests and any other documentation showing the amounts of trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material disposed of, and the location where such were disposed are required to be kept onsite with the Refuse Disposal Plan and Stormwater Pollution Prevention Plan or readily available within twenty-four (24) hours of the request. For materials that are state or federally regulated, manifests and all other documentation are required to be kept for at least three (3) years.

	2. Trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse shall be contained in such a manner as to prevent contamination of any adjacent properties, storm-sewer conveyances, wetlands, and/or waters of the state. 3. Trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse shall be stored, maintained, and secured to prevent safety risks or danger. 4. No loading, unloading, or storage of trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse shall be permitted within any right-of-way, on any public property, or within ten feet of any right-of-way adjacent to public or private property unless specifically approved by the Town and shown on an approved development plan, if applicable. 5. Trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse shall be hauled away and disposed of in accordance with all applicable laws, on a regular basis, but no less than one time per week. In addition to any applicable dumpster requirements set forth in this Ordinance, dumpsters shall be emptied or removed when full. Debris from construction sites shall not be disposed of in dumpsters located at any other construction site within the Town without the prior approval of the Official. 6. All mud, dirt, or debris deposited on any street, alley, lane, crosswalk, sidewalk, or other public property as a result of demolition, excavation, or construction shall be removed and cleaned on a regular basis and at all times when a nuisance has been created by said debris. In addition, such areas shall be broom cleaned to the extent possible at the end of
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	each day that construction work has occurred. All mud, dirt, or debris shall be disposed of in accordance with all applicable laws. 7. It shall be the responsibility of the development permit holder to clean and remove all trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse and other related organic and inorganic materials from the site prior to receiving the final Certificate of Compliance approval.
Require secure construction sites during named storm events.	Sec.16-5-117. Construction Management Standards C. Refuse and Site Cleanliness 8. All permit holders are required to secure trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse at a site within 24 hours after the National Hurricane Center issues a Tropical Cyclone Watch or Warning. This requirement shall remain in effect until the storm event's Watch or Warning has been lifted. Materials shall be removed from the site or secured in such a manner as to minimize the danger of such materials causing damage to person(s), properties, and the environment.
Require a construction vehicle parking plan. Require an access management plan.	Sec.16-5-117. Construction Management Standards D. Traffic and Parking 1. A Construction Plan Parking Plan showing that parking for all vehicles of any persons involved in the work on the construction site is contained within the construction site is required. No parking of any vehicles of any persons involved in the work on the construction is permitted on or in any right-of-way or access easement, or the Town's multi-user pathway system.

	2. A Traffic Control Plan is required for any project that involves any activity, in or on, any right-of-way or the Town's multi-use pathway. Routes of access for ingress and egress to the construction site, which will provide protection to pedestrians and minimize disruption of traffic and damage to the public rights-of-way, shall be followed. The Town reserves the right to designate certain prescribed routes of access for construction traffic. 3. Oversized construction vehicles will be allowed only on those streets or rights-of-way as designated by the Official.
Require a site management plan.	Sec.16-5-117. Construction Management Standards E. Site Management 1. Portable Toilets. A portable toilet shall be provided at every construction site of a new principal structure, or addition thereto, prior to the commencement of construction unless an existing facility is available on the site. Portable toilets shall be located to have the least possible impact on adjacent properties and should be located, to the extent possible, at the rear of the construction site and out of plain view of any public right-of-way. Portable toilets shall be serviced no less than once a week. 2. Tree Protection. Trees shall be protected in accordance with Section 16-6-104 Tree Protection, as applicable. 3. Utilities and On-Site Equipment. On-site electricity is required for construction-related work as soon as is practicable. The proposed locations of any generator and/or compressor shall be depicted on the plans submitted at the time of application for the review and approval of the Town and shall be located so as to have the least possible impact on adjacent

	properties, preferably at the rear of the property. F. Enforcement This section references Chapter 16-8 for enforcement issues.
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Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

- 1. Our Plan includes “Ideals of Excellence” for “Our Planning and Process” that aim for Town planning and processes to use “innovation and learning to continually develop and apply best practices and standards for processes and projects.” This amendment does this by helping to improve the way construction activities are regulated in order to enhance quality of life, require safe construction site conditions, and enhanced natural resource protections;
- 2. Addresses the present-day conditions for construction management on the Island given that projects are increasingly related to redevelopment and enhancement of existing sites in already developed areas;

3. Responds to concerns voiced about improper construction activities and operations;
4. Ensures that development and construction practices are consistent with the intent of the LMO and the objective to protect public health, safety, and welfare;
5. Ensures well-managed construction practices and orderly management and disposal of trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse; and
6. Ensures safe and environmentally sensitive construction practices, safe and efficient construction traffic parking and circulation, and higher standards for sanitation, tree protection, and overall impact mitigation.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, Planning Commission recommendation, and Community Services and Public Safety Committee recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.: 2025-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND TITLE 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND CHAPTER 16-5, DEVELOPMENT AND DESIGN STANDARDS, TO ADD A NEW SECTION 16-5-117 CONSTRUCTION MANAGEMENT STANDARDS FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

WHEREAS, the Town Council finds that an amendment to the Land Management Ordinance is needed to add new construction management standards to minimize disturbances to surrounding properties; and,

WHEREAS, on March 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments to add new construction management standards, and the public had an opportunity to comment on the proposed amendments; and,

WHEREAS, on March 19, 2025, the Planning Commission voted unanimously to recommend adoption of the amendments to add new construction management standards; and,

WHEREAS, on April 21, 2025, the Community Services & Public Safety Committee voted 2-1 to recommend adoption of the amendments to add new construction management standards; and,

WHEREAS, the Town Council finds it is in the best interest of the Town and the health, safety, and welfare of its citizens, residents, and visitors to amend the Land Management Ordinance to add new construction management standards.

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

Section 1. Amendment. That the Land Management Ordinance is amended as shown on

Exhibit “A” to this Ordinance. 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 _____, 2025.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Perry, Mayor

Alan R.

ATTEST:

Kimberly Gammon, Town Clerk

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Chapter 16-5:

Development and Design Standards

Sec.16-5-117. Construction Management Standards

A. Noise and Hours of Operation

All **construction site** activities must comply with the sound level limits and hours of operation established in the **Town's** Municipal Code Section 17-4-114 unless specifically exempt under Section 17-4-115.

B. Stormwater Discharge

All **construction site** activities must adhere to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000 for Stormwater Discharges from Construction Activities.

C. Refuse and Site Cleanliness

1. A Refuse Disposal Plan providing for the proper disposal of all trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse in accordance with all applicable local, state, and federal statutes, regulations and **ordinances**, including those related to hazardous materials, is required. The Refuse Disposal Plan shall contain a **site** cleaning schedule, designated disposal area labeled on the Erosion and Sediment Control Plan, and the final disposal **site** (ie. landfill). Manifests and any other documentation showing the amounts of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material disposed of, and the location where such were disposed are required to be kept onsite with the Refuse Disposal Plan and Stormwater Pollution Prevention Plan or readily available within twenty-four (24) hours of the request. For materials that are state or federally regulated, manifests and all other documentation are required to be kept for at least three (3) years.
2. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be contained in such a manner as to prevent contamination of any adjacent properties, storm-sewer conveyances, **wetlands**, and/or waters of the state.
3. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be stored, maintained, and secured to prevent safety risks or danger.
4. No loading, unloading, or storage of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be permitted within any **right-of-way**, on any public property, or within ten feet of any **right-of-way** adjacent to public or private property unless specifically approved by the **Town** and shown on an approved **development** plan, if applicable.
5. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be hauled away and disposed of in accordance with all applicable laws, on a regular basis, but no less than one time per week. In addition to any applicable dumpster requirements set forth in this **Ordinance**, dumpsters shall be emptied or removed when full. Debris from **construction sites** shall not be disposed of in dumpsters located at any other **construction site** within the **Town** without the prior approval of the **Official**.
6. All mud, dirt, or debris deposited on any **street**, alley, lane, crosswalk, **sidewalk**, or other public property as a result of demolition, excavation, or **construction** shall be removed and cleaned on a regular basis and at all times when a nuisance has been created by said debris. In addition, such areas shall be broom

cleaned to the extent possible at the end of each day that **construction** work has occurred. All mud, dirt, or debris shall be disposed of in accordance with all applicable laws.

7. It shall be the responsibility of the **development** permit holder to clean and remove all trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse and other related organic and inorganic materials from the **site** prior to receiving the final **Certificate of Compliance** approval.
8. All permit holders are required to secure trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse at a **site** within 24 hours after the National Hurricane Center issues a Tropical Cyclone Watch or Warning. This requirement shall remain in effect until the storm event's Watch or Warning has been lifted. Materials shall be removed from the **site** or secured in such a manner as to minimize the danger of such materials causing damage to **person(s)**, properties, and the environment.

D. Traffic and Parking

1. A **Construction** Plan Parking Plan showing that parking for all vehicles of any persons involved in the work on the **construction site** is contained within the **construction site** is required. No parking of any vehicles of any persons involved in the work on the **construction** is permitted on or in any **right-of-way** or **access easement**, or the **Town's** multi-user **pathway** system.
2. A Traffic Control Plan is required for any project that involves any activity, in or on, any **right-of-way** or the **Town's** multi-use **pathway**. Routes of access for ingress and egress to the **construction site**, which will provide protection to pedestrians and minimize disruption of traffic and damage to the public **rights-of-way**, shall be followed. The **Town** reserves the right to designate certain prescribed routes of access for **construction** traffic.
3. Oversized **construction** vehicles will be allowed only on those **streets** or **rights-of-way** as designated by the **Official**.

E. Site Management

1. Portable Toilets. A portable toilet shall be provided at every **construction site** of a new principal **structure**, or addition thereto, prior to the commencement of **construction** unless an existing facility is available on the **site**. Portable toilets shall be located to have the least possible impact on adjacent properties and should be located, to the extent possible, at the rear of the **construction site** and out of plain view of any public **right-of-way**. Portable toilets shall be serviced no less than once a week.
2. **Tree** Protection. **Trees** shall be protected in accordance with Section 16-6-104 **Tree** Protection, as applicable.
3. Utilities and On-**Site** Equipment. On-**site** electricity is required for **construction**-related work as soon as is practicable. The proposed locations of any generator and/or compressor shall be depicted on the plans submitted at the time of application for the review and approval of the **Town** and shall be located so as to have the least possible impact on adjacent properties, preferably at the rear of the property.

F. Enforcement

Failure to comply with this section may result in the permit holder being issued a Notice of Violation(s), Stop Work Order, and/or fines in accordance with Chapter 16-8 of this **Ordinance**.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, The Land Management Ordinance, to Amend the Procedures for Development Plan Reviews and Major Subdivision Plan Reviews to include the following Sections: 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date

RECOMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to amend Title 16 of the Municipal Code, The Land Management Ordinance, to amend the procedures for Development Plan Reviews and Major Subdivision Plan Reviews to include the following Sections 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date.

On February 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments for Development Plan Reviews and Major Subdivision Plan Review and the Planning Commission voted unanimously to recommend adoption to Town Council with the following changes:

1. Change the Mandatory Hearing for both Major Development Plan Reviews and Major Subdivision Reviews to a Mandatory Public Hearing by the addition of two asterisks in the Summary Table of Development Review Procedures in LMO Section 16-2-101.
2. Replace the words "Advisory Body" with "Planning Commission" in proposed LMO Section 16-2-103.G.4.c.ii.

"A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the ~~Advisory Body~~ Planning Commission in the same manner as a Major Development Plan Review."

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend adoption to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further explored during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding this proposed amendment to the major subdivision and development plan review regulations.

1. Require Major Development Plan Review and Major Subdivisions public hearing with the Planning Commission.
2. Require advanced public notice mailing to all owners and POA’s beyond the standard 350 feet.
3. Require notice of application and hearing be posted on the site.
4. Require pre-application meetings with Town staff for Major Subdivisions and Major Development Plan Reviews.
5. Allow LMO Official to advance Minor Development Plans to the Planning Commission for a public hearing when the property is adjacent to residential.

On February 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments for Development Plan Reviews and Major Subdivision Plan Review and the Planning Commission voted unanimously to recommend adoption to Town Council with the following changes:

3. Change the Mandatory Hearing for both Major Development Plan Reviews and Major Subdivision Reviews to a Mandatory Public Hearing by the addition of two

asterisks in the Summary Table of Development Review Procedures in LMO Section 16-2-101.

4. Replace the words “Advisory Body” with “Planning Commission” in proposed LMO Section 16-2-103.G.4.c.ii.

“A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the ~~Advisory Body~~ Planning Commission in the same manner as a Major Development Plan Review.”

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend adoption to Town Council.

On July 15, 2025, Town Council unanimously approved the First Reading of the proposed ordinance with direction to the Town Manager to begin the enforcement of the ordinance under the pending ordinance doctrine.

SUMMARY OF AMENDMENT:

The proposed amendments to the Major Subdivision, Minor Development Plan, and Major Development Plan review processes improve transparency, enhance community involvement, and ensure that the public is better informed about potential developments in their neighborhoods. The updated process includes provisions designed to increase public notice and provide more opportunities for community engagement.

In this regard, the amendments will:

1. Mandate pre-application meetings with Town staff for Major Subdivisions and Major Development Plans.
2. Add a required Planning Commission review of Major Subdivisions and Major Development Plans. For Minor Development Plans where the property is adjacent to or across the street from residential uses, a required Planning Commission review will also be required.
3. Require the following advanced public notices to the public, offering residents more time and opportunities to engage with proposed developments.
 - a. Publish notice of the hearing in a newspaper of general circulation in the Town, and
 - b. Mail notice to all property owners and homeowners associations (POAs) within 500 feet of the site through first class mail (with return receipt), and
 - c. Post conspicuous notice of the hearing on, or adjacent to, the property subject to the application that is visible from each public thoroughfare that abuts the subject property.

The public hearing process ensures larger developments and certain minor improvements adjacent to residential uses are reviewed publicly and the community has a platform to learn about the project and ask questions.

ANALYSIS:*Proposed Amendments*

The proposed priority amendments aim to enhance public engagement, improve transparency, ensure early stakeholder involvement, and strengthen oversight for developments with significant community impact.

The following table demonstrates how the proposed amendments address demonstrated issues.

Issue	Proposed Amendment
Require a Planning Commission public hearing.	Sec.16-2-101. Summary Table of Review Procedures This table includes mandatory public hearings for Major Subdivision and Major Development Plan reviews (indicated in the table as “<M>*”). Additionally, pre-application conferences for major subdivision and major development plan reviews are proposed to be mandatory (indicated in the table as “M”). The Planning Commission will hold the public hearing for the purpose of public transparency but the Planning Commission would not provide a recommendation to the LMO Official. Sec.16-2-103. Application Specific Review Procedures F. Subdivision Review (Minor or Major) 3. Subdivision Review (Minor or Major) Procedure d. Staff Review and Action – Major Subdivision i. The Official shall forward the application to the Planning Commission for review, and the Planning Commission shall review the application, staff report, and any public comment at a hearing. ii. Following review by the Planning Commission, the Official shall make a final decision on the application in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards. Sec.16-2-103. Application Specific Review Procedures G. Development Plan Review (Minor or Major) 4. Development Plan Review (Minor or Major) Procedure d. Staff Review and Action – Major Development Plan Review i. The Official shall forward the application to the Planning Commission for review, and the Planning Commission

	shall review the application, staff report, and any public comment at a hearing. ii. Following review by the Planning Commission, the Official shall make a final decision on the application in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards...
Require pre-application meetings with Town staff for Major Subdivisions and Major Developments.	Sec.16-2-101. Summary Table of Review Procedures Pre-application conferences for Major Subdivision and Major Development Plan reviews are proposed to be mandatory (indicated in the table as "M").

Require advanced public notice.	Table 16-2-102.E.2: Hearing Notice Requirements			
	Application	Published Notice	Mailed Notice	Posted Notice
	Major Subdivision/ Major Development Plan	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice with return receipt of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 500 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
	NOTES: 1. As identified in the latest Beaufort County ad valorem tax record. 2. Where properties within 350 or 500 feet, as applicable, of the subject land are part of a townhouse, condominium, or timeshare development, the notice shall also be mailed to the president or manager of the property owners' association for the development.			
Allow LMO Official to advance minor development plan applications to Planning Commission for public hearing when the subject property is adjacent to or across the street from a residential use.	Sec.16-2-103. Application Specific Review Procedures G. Development Plan Review (Minor and Major) 4. Development Plan Review (Minor or Major) Procedure c. Staff Review and Action – Minor Development Plan Review ii. A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the Planning Commission in the same manner as a Major Development Plan Review.			

Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Is consistent with the Comprehensive Plan’s Connected Core Value Goal 1, Planning, to foster a planning process that is inclusive, collaborative, ongoing, and responsive to changing circumstances and stakeholder priorities;
2. Responds to changing conditions by improving transparency and community involvement in the development review process;
3. Addresses a demonstrated community need by ensuring residents are better informed about proposed developments and have more opportunities for engagement;
4. Upholds the intent of zoning regulations by promoting compatibility among land uses and fostering orderly development; and
5. Creates a more logical and structured review process, improving oversight and stakeholder involvement by requiring pre-application meetings, expanded public notice, and additional Planning Commission public hearings.
6. Minimizes potential adverse impacts on the environment and surrounding neighborhoods through transparent review of certain subdivision and development plan review applications.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation, and make a final decision on the application. If the applicant

proposes a change or departure from the text amendment that is different than what was reviewed by Planning Commission the change or departure shall first be submitted to the Planning Commission for review and recommendation in accordance with State law. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.: 2025-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND THE PROCEDURES FOR DEVELOPMENT PLAN REVIEWS AND MAJOR SUBDIVISION PLAN REVIEWS TO INCLUDE THE FOLLOWING SECTIONS: 16-2-101, 16-2-102, AND 16-2-103 FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

WHEREAS, the Town Council finds that an amendment to the Land Management Ordinance procedures and public notice requirements for Development Plan Reviews and Major Subdivision Plan Reviews is needed to improve the effectiveness and transparency of the plan review process; and,

WHEREAS, on February 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments related to the public notice procedures for Development Plan Reviews and Major Subdivision Plan Reviews, and the public had an opportunity to comment on the proposed amendments, and the Planning Commission voted unanimously to recommend adoption of the amendments to the related to the procedures for Development Plan Reviews and Major Subdivision Plan Reviews,; and,

WHEREAS, on April 21, 2025, the Community Services and Public Safety Committee unanimously to recommend adoption of the amendments to the related to the procedures for Development Plan Reviews and Major Subdivision Plan Reviews; and,

WHEREAS, the Town Council finds it is in the best interest of the Town and the health, safety and welfare of its citizens, residents and visitors to amend Land Management Ordinance by amending the related to the procedures for Development Plan Reviews and Major Subdivision Plan Reviews.

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

Section 1. Amendment. That the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. 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 _____, 2025.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Alan R. Perry, Mayor

ATTEST:

Kimberly Gammon, Town Clerk

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Chapter 16-2: Administration

Sec.16-2-101. Summary Table of Review Procedures

Table 16-2-101, Summary Table of Development Review Procedures, identifies the **Town** boards and staff responsible for making recommendations or decisions on **applications** reviewed under this **Ordinance**, as well as the role each plays in the **Town's** review of **applications**. It also identifies those **applications** that require a hearing. A textual summary of the **development** review responsibilities of the **Town's** boards established in accordance with **State** law by this **Ordinance** (**Planning Commission**, **Board of Zoning Appeals**, and **Design Review Board**), as well as staff responsibilities (the **Official**), is set down in Appendix A: Advisory and Decision Making Bodies and Persons, which is incorporated herein by reference. The specific rules that govern the **Town's boards with review responsibilities are also included in Appendix A**.

Table 16-2-101: Summary Table of Development Review Procedures							
R = Recommendation D = Decision A = Appeal < > = Hearing < >* = Public Hearing E = Encouraged <u>M = Mandatory</u>							
Procedure		Pre-Application Conference	Review and Decision-Making Authorities				
			Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council
ORDINANCE AMENDMENTS							
Text Amendment (Sec. 16-2-103.B)			R		<R>*		D
Zoning Map Amendment (Rezoning) (Sec. 16-2-103.C)		E	R		<R>*		D
PUD District (Sec. 16-2-103.D)		E	R		<R>*		D
DEVELOPMENT APPROVALS AND PERMITS							
Special Exception (Sec. 16-2-103.E)			R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D		<A>		
	Major	E -M	D		<M> * <A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D		<A>		
	Major	E -M	D		<M> * <A>		
Small Residential Development Review (Sec. 16-2-103.H)			D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>			
	Major		R	<D>			
Traffic Impact Analysis Plan Review (Sec. 16-2-103.J)	Without Mitigation		D		<A>		
	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	

Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	New name		R		<D>		
	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*		
Utility Project (Sec. 16-2-103.W)			D		<A>		
Family Compound (Sec. 16-2-103.X)		E	D		<A>		
Family Subdivision (Sec. 16-2-103.Y)		E	D		<A>		
RELIEF PROCEDURES							
Written Interpretation (Sec. 16-2-103.R)			D			<A>	
Variance (Sec. 16-2-103.S)			R			<D>*	
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals (Sec. 16-2-103.T)						<D>	
Appeal of Official's Decision to Planning Commission (Sec. 16-2-103.U)					<D>		
Appeal of Official's Decision to Design Review Board (Sec. 16-2-103.V)				<D>			
Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.							

(Revised 6-6-2017 - Ordinance 2017-08; revised 7-20-2021 - Ordinance 2021-15)

Sec.16-2-102. Standard Review Procedures

E. Hearing Scheduling and Notice

2. Hearing Notice

a. General Notice Requirements

- i. Notice of a hearing on an **application** shall be as required by the South Carolina Code of Laws and as shown in Table 16-2-102.E.2, Hearing Notice Requirements. In computing the required time periods, the day the notice is published or postmarked shall be excluded and the day of the hearing shall be included.
- ii. A copy of the hearing notice provided in accordance with this paragraph shall be maintained in the office of the **Official**.

Table 16-2-102.E.2: HEARING NOTICE REQUIREMENTS			
APPLICATION OR	NOTICE REQUIREMENT		
APPROVAL	PUBLISHED NOTICE	MAIL NOTICE	POSTED NOTICE
Text Amendment	Publish notice of the hearing no less than 30 calendar days before the hearing date	None	None
Zoning Map Amendment PUD District	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 350 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
Special Exception Variance	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 350 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
<u>Major Subdivision/Major Development Plan</u>	<u>Publish notice of the hearing no less than 15 calendar days before the hearing date</u>	<u>Mail notice with return receipt of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 500 feet of the subject land^{1,2}, no less than 15 calendar days before the hearing date</u>	<u>Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land</u>

Modification of Street/Vehicular Access Easement Name	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owner(s) of land that fronts on the street or vehicular access easement proposed for a modified name ¹ no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the street or vehicular access easement proposed for a modified name no less than 15 days before the hearing date
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar days before the hearing date	None
Public Project Review	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owner(s) of land directly contiguous to the proposed development ¹ no less than 15 calendar days before the hearing date	None
Appeal of Official's Decision to Design Review Board	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar days before the hearing date	None
Appeal of Official's Decision to Planning Commission	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar	None

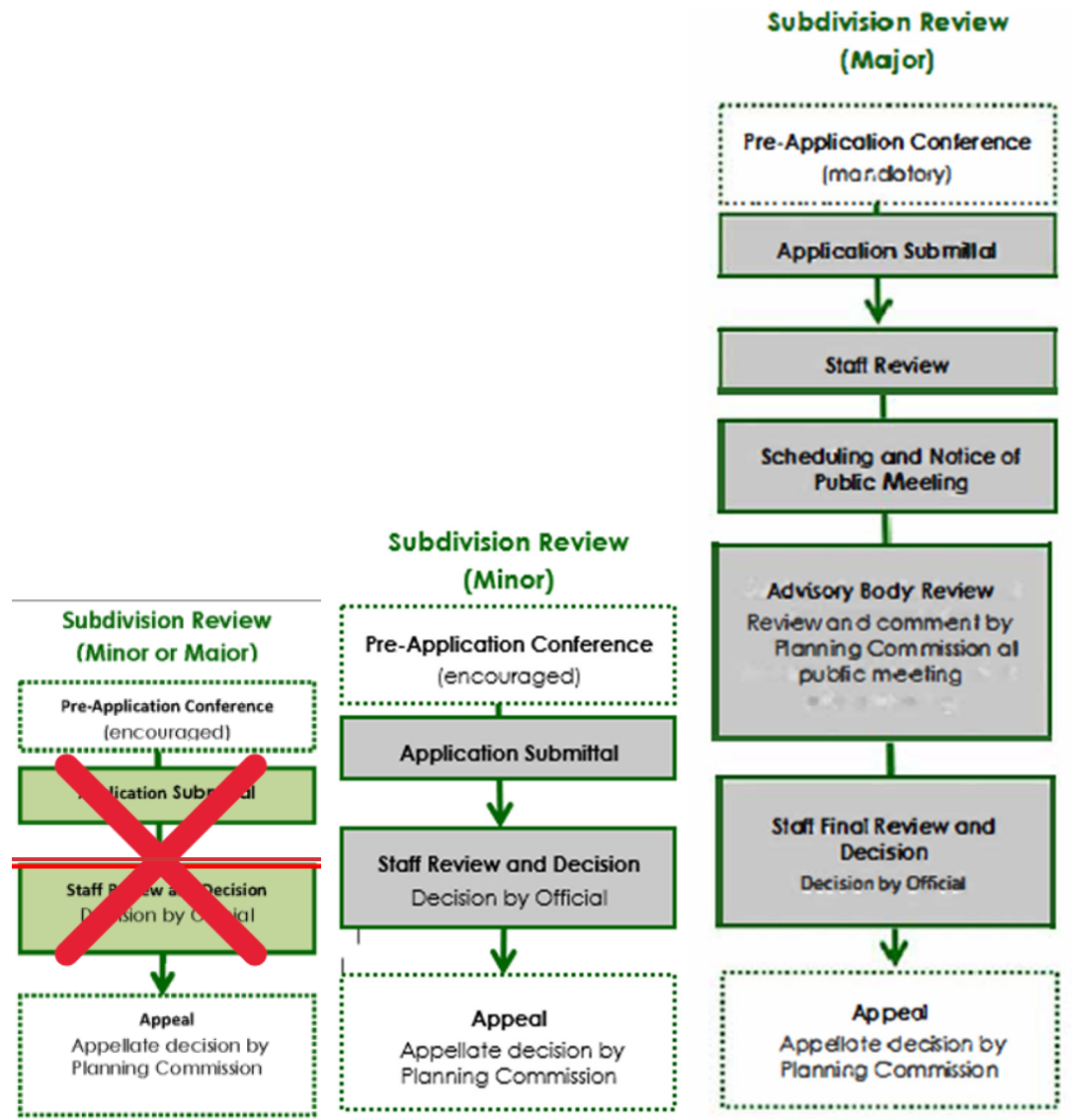
		days before the hearing date	
Subdivision Amendment	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owners of record of properties located within the subdivision no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing at the entrance of the subdivision no less than 15 days before the hearing date
NOTES: 1. As identified in the latest Beaufort County ad valorem tax record. 2. Where properties within 350 <u>or 500</u> feet, <u>as applicable</u>, of the subject land are part of a townhouse, condominium, or timeshare development, the notice shall also be mailed to the president or manager of the property owners' association for the development.			

(Revised 3-7-2023 - Ordinance 2023-04)

Sec.16-2-103. Application Specific Review Procedures

F. Subdivision Review (Minor or Major)

3. Subdivision Review (Minor or Major) Procedure



a. Pre-Application Conference

i. Prospective **applicants** for Minor Subdivision Reviews ~~(Minor or Major)~~ are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

ii. Prospective **applicants** for Major Subdivision Reviews are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Subdivision Review may be submitted by **persons** identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C- and requirements established in Appendix D-4 or D-5.

c. Staff Review and Action – Minor Subdivision

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards, and shall be one of the following:
 - 01.** Approve the **application**;
 - 02.** Approve the **application** subject to conditions of approval; or
 - 03.** Deny the **application**.
- ii. The **Official** shall act on an **application**, in accordance with Sec. 16-2-102.D, within 60 days after it is submitted, or such extended time agreed to by the **applicant**. If the **Official** fails to take action on the **application** within this time period, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Staff Review and Action – Major Subdivision

- i. The **Official** shall forward the **application** to the **Planning Commission** for review, and the **Planning Commission** shall review the application, staff report, and any public comment at a hearing.
- ii. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards, and shall be one of the following:
 - 01.** Approve the **application**;
 - 02.** Approve the **application** subject to conditions of approval; or
 - 03.** Deny the **application**.
- iii. The **Official** shall act on an **application**, in accordance with Sec. 16-2-102.D, within 60 days after it is submitted, or such extended time agreed to by the **applicant**. If the **Official** fails to take action on the **application** within this time period, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d.e. Post-Decision Actions and Limitations

i. Notice of Decision

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

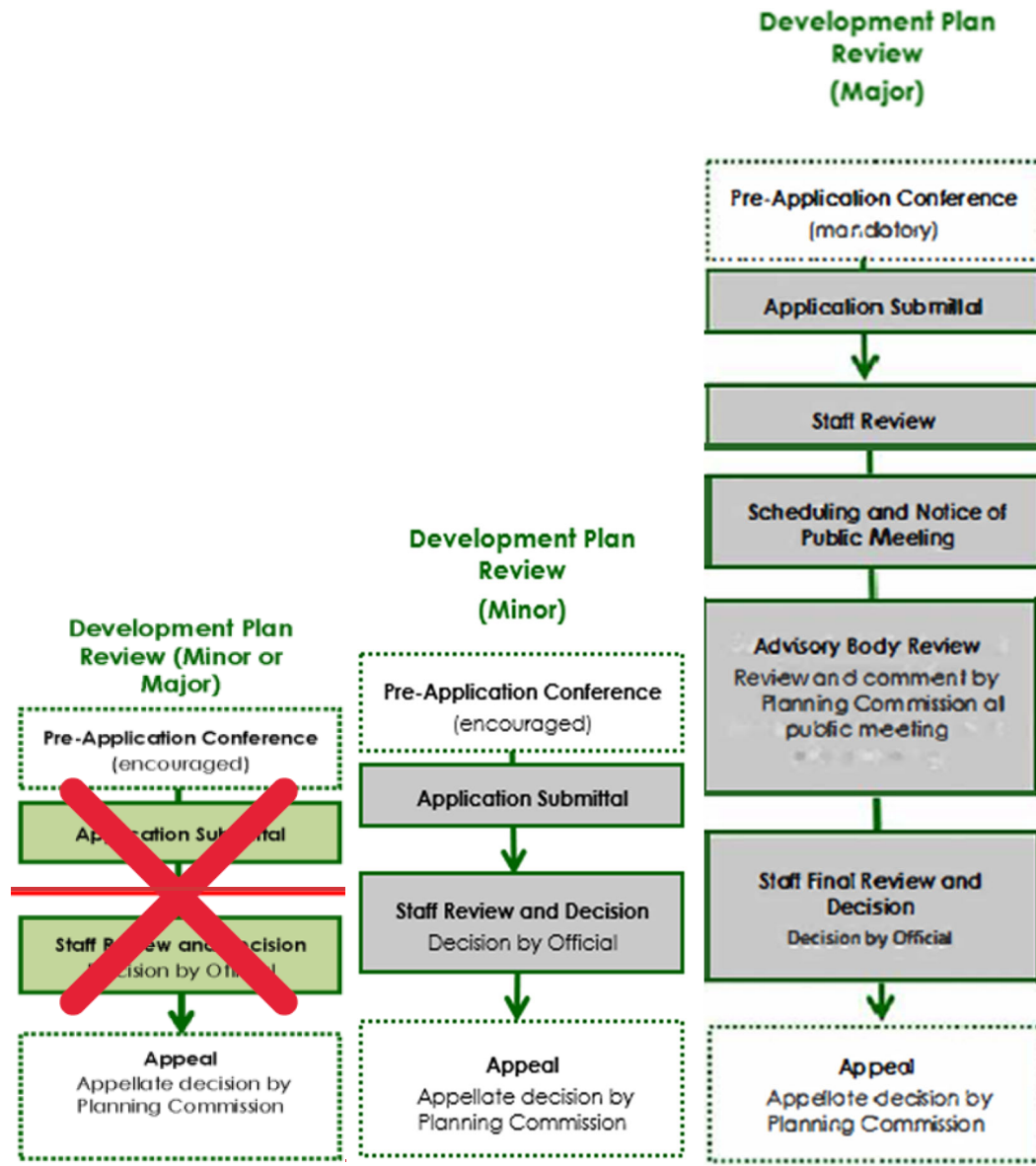
ii. Appeal

Appeals from the final decision of the **Official** on an **application** for Subdivision Review (Minor or Major) are governed by Sec. 16-2-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code Ann. § 6-29-1150.

(Revised 3-21-2023 - Ordinance 2023-05)

G. Development Plan Review (Minor and Major)

4. Development Plan Review (Minor or Major) Procedure



a. Pre-Application Conference

i. Prospective **applicants** for Minor Development Plan Reviews ~~(Minor or Major)~~ are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

ii. Prospective **applicants** for Major Development Plan Reviews are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Development Plan Review may be submitted by **persons** identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C. and requirements established in Appendix D-6 or D-7

c. Staff Review and Action – Minor Development Plan Review

i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards, and shall be one of the following:

01. Approve the **application**;

02. Approve the **application** subject to conditions of approval; or

03. Deny the **application**.

ii. A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the Planning Commission in the same manner as a Major Development Plan Review.

~~iii.~~ The **Official** shall act on an **application** for Minor Development Plan Review, in accordance with Sec. 16-2-102.D, within ten business days after the **application** is submitted, or such extended time agreed to by the **applicant**.

~~iii.~~ ~~The **Official** shall act on an **application** for Major Development Plan Review, in accordance with Sec. 16-2-102.D, within 60 days after the **application** is submitted, or such extended time agreed to by the **applicant**.~~

iv. If the **Official** fails to act on an **application** for Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision ii ~~or iii~~ above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Staff Review and Action – Major Development Plan Review

i. The **Official** shall forward the **application** to the **Planning Commission** for review, and the **Planning Commission** shall review the application, staff report, and any public comment at a hearing.

ii. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards, and shall be one of the following:

01. Approve the **application**;

02. Approve the **application** subject to conditions of approval; or

03. Deny the **application**.

iii. The **Official** shall act on an **application** for Major Development Plan Review, in accordance with Sec. 16-2-102.D, within 60 days after the **application** is submitted, or such extended time agreed to by the **applicant**.

iv. If the **Official** fails to act on an **application** for Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision iv above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

~~d.e.~~ Post-Decision Actions and Limitations

i. **Notice of Decision**

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

ii. **Appeal**

Appeals from the final decision of the **Official** on an **application for Development Plan Review (Minor or Major)** are governed by Sec. 16-2-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code Ann. § 6-29-1150.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Design Regulations and Requirements for Open Space and Pathways in Major Subdivisions to Include Sections 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, and Appendices A & D for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to amend Title 16 of the Municipal Code, the Land Management Ordinance, to amend the current design regulations and requirements for Open Space and Pathways in Major Subdivisions to include Sections 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, and Appendices A & D. for the Town of Hilton Head Island, South Carolina and providing for severability and an effective.

On March 19, 2025, the Planning Commission reviewed the modified amendment and, after consideration of the criteria set forth in Section 16-2-103.B.3, and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the

Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island's rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding this proposed amendment design regulations and requirements for open space and pathways in Major Subdivisions.

1. Clarify the definition of common open space.
2. Remove detention facilities and natural water bodies from the definition. Add docks and boardwalks to the definition.
3. Remove the calculation of remnant open space that provides no value.
4. Add clarifying language and additional design standards for common open spaces to require higher quality design and improved functional access via pathways and other means.
5. Remove adjacent street and use buffer credit from open space calculations.
6. Require pedestrian connectivity within subdivisions and require connections to the Town's Multi-use Pathway system if such connectivity is located within reasonable proximity to the development.

On February 19, 2025, the Planning Commission held a public hearing and requested several modifications to the proposed text amendment, including:

1. Removal of Section 16-5-104.B.2, which addressed the applicability of open space standards to Minor Subdivisions that expand beyond five lots. This provision was duplicative as it was already included in the definition of Major Subdivisions.
2. Modify Section 16-5-104.C.3 to specify the use of visual markers like signs, fencing, and landscaping to ensure open space is clearly identifiable, addressing concerns over vague, discretionary language.
3. Clarify Section 16-5-104.D.2 to ensure open spaces remain accessible to all residents.

On March 19, 2025, the Planning Commission reviewed the modified amendment and, after consideration of the criteria set forth in Section 16-2-103.B.3, and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

On July 15, 2025, Town Council unanimously approved the First Reading of the proposed ordinance with direction to the Town Manager to begin the enforcement of the ordinance under the pending ordinance doctrine.

SUMMARY:

Updates to the Town's subdivision requirements are driven by public concerns arising from recent developments that do not fully align with the desired community standards. Issues such as excessive tree clearing, overly linear street layouts, architectural monotony, and inadequate open space and connectivity within and beyond subdivisions have led to concerns that the current subdivision regulations are not providing the desired outcomes. Currently, subdivision regulations are scattered across multiple sections of the LMO, creating a complex and interconnected regulatory framework.

Due to the intricate nature of these regulations, changes to subdivision requirements are best addressed as part of a comprehensive overhaul of the full LMO. However, the proposed priority amendments address specific, urgent concerns while providing a foundation for future, broader LMO revisions. The priority amendments for subdivision regulations focus on targeted improvements, specifically:

1. Improving common open space regulations to better preserve the Island's character and ensure new developments align with community expectations; and
2. Enhancing pedestrian and cyclist connectivity in new subdivisions.

Current regulations often allow poorly planned or underutilized open spaces, such as lagoons, wetlands, and small, fragmented areas that do not serve residents' needs. In newer subdivisions, open spaces tend to be isolated, inaccessible, or disconnected from key features like pathways or recreational areas. These limitations highlight the need for more thoughtful planning that ensures open spaces are usable and well-integrated into the neighborhood's overall design.

The proposed amendments focus on ensuring that common open spaces are well-planned, functional, and contribute positively to the overall development. These changes aim to balance the need for regulatory compliance with the creation of spaces that are accessible, connected, and environmentally sustainable, all while preserving the unique character of Hilton Head Island.

Further, the LMO does not mandate pathways or connections to existing transportation networks outside of subdivisions. This amendment seeks to rectify these gaps, ensuring safer and more accessible connections for pedestrians and cyclists in new developments.

ANALYSIS:

Proposed Amendments

The proposed priority amendments refine the definition, calculation, and design standards for open space within development, emphasizing connectivity and design consistency. These amendments prioritize functional, connected, and accessible common open space, enhancing the quality of life for residents. It enhances walkability, improves community integration, and ensures a cohesive aesthetic within the Town's subdivisions.

The common open space and pathway connectivity requirements will only apply to major residential subdivisions outside of PD-1 that are platted after the effective date of this ordinance. They do not apply to minor subdivisions or family subdivisions.

The following table demonstrates how the proposed amendments address identified issues.

Issue	Proposed Amendment
Clarify the definition of common open space. Remove detention facilities and natural water bodies from definition. Add docks and boardwalks to the definition.	Sec.16-10-105. General Definitions. Common Open Space. Any part of a development site, meeting the requirements of Section 16-5-104, that is not utilized for single-family lots, rights-of-way, streets, commercial structures, multifamily structures, parking and loading areas, detention/retention ponds, and natural water bodies. The following are included in the definition of common open space: golf courses, tennis courts, areas for other court games, swimming pools, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse paddocks, docks and boardwalks located entirely within the development parcel, places for people to gather, and passive recreation areas.
Add clarifying language and additional design standards for common open spaces to require higher quality design and improved functional access via pathways and other means. Remove calculation of remnant open space that provides no value.	Sec.16-5-104. Common Open Space Standards C. Common Open Space Requirement 3. Common open space must be visually identifiable, distinguished by elements including but not limited to signs, fencing, landscape buffers, trail systems, pools, sport facilities, or grass lawns. Sec.16-5-104. Common Open Space Standards D. Common Open Space Location and Configuration

	1. Common open space shall be connected to all lots within the subdivision by pathways in accordance with Section 16-5-115 D.5. 2. The common open space shall be accessible to all residents of the subdivision development, subject to reasonable rules and regulations. Common open space may be dedicated for general public use; however, such dedication is not mandatory. 3. The design and establishment of common open space shall meet the following standards: a. An area or multiple areas of common open space shall be planned for active or passive recreational use. b. At least 75 percent of the common open space area shall be arranged in dimensions no less than 15 feet across in any direction. c. At least 50 percent of the common open space shall be arranged in one contiguous area. For the purpose of this requirement, common open space areas divided by pathways, sidewalks, or streets that would otherwise be contiguous without the existence of the pathways, sidewalks, or streets shall be considered contiguous. d. The arrangement and design of common open space shall prioritize the preservation of existing tracts of specimen and significant trees. The applicant shall demonstrate how these priority areas have been considered during the application process.
Remove adjacent street and use buffer credit from the open space calculations. Remove the calculation of remnant open space that provides no value.	Sec.16-5-103. Buffer Standards K. Credit Toward Open Space Adjacent street and use buffers required by this section may be credited against the common open space required by Sec. 16-5-104, Open Space Standards. See Exhibits 1-3 for examples of open space that will no longer qualify.
Require pedestrian connectivity within subdivisions and require	Sec.16-5-115. Subdivision Standards

connections to the Town's Multi-use Pathway system if such connectivity is located within reasonable proximity to the development.

D. Layout of Lots and Blocks

5. Pathway Connectivity.

- a. **Pathways** are required throughout **subdivisions**. The provisions of this subsection shall not apply to **Minor Subdivisions** and **Family Subdivisions**.
- b. **Pathways** shall provide direct connectivity between all **lots** and the **subdivision's** community amenities, including usable **common open space**, mailbox facilities, community **buildings**, and recreational areas. For the purpose of this requirement, a residential **lot** located across a **street** from a **pathway** within the same **subdivision** or adjacent to a **common open space** having a pathway is considered to be served by and connected to that **pathway**.
- c. **Pathways** shall be designed to provide connectivity from within the **subdivision** to:
 - a. An existing **pathway** system located along an abutting **right-of-way or easement**, an existing **pathway** within an **easement** on the property, or a **pathway** on abutting Town-owned property; and
 - b. Any **pathway** system planned within an adopted Town **pathway** plan or the Capital Improvement Program (CIP) located along an abutting **right-of-way or easement**, an existing **pathway easement** on the property, or an abutting Town-owned property.
- d. If the land proposed for a **subdivision** serves as a priority connection between existing **pathways** and is included in an adopted Town **pathway** plan, the **pathway** system shall be designed to connect the existing **pathways** through the **subdivision** or along abutting **street right-of-way**. This requirement shall not be construed as requiring off-site improvements other than within an abutting **street right-of-way**.
- e. Pathways are required unless sidewalks are demonstrated to be more appropriate.

	Sidewalks can be incorporated where walking and wheelchair use is more common, for shorter stretches where speeds are slower, and where they better fit the context and character of the development. f. Specific design standards for pathways and sidewalks are included by reference to associated professional manuals and statutes
	Sec.16-10-105. General Definitions Common Open Space Any part of a development site, meeting the requirements of Section 16-5-104, that is not utilized for single-family lots, rights-of-way, streets, commercial structures, multifamily structures, and parking and loading areas, detention/retention ponds, and natural water bodies. The following are included in the definition of common open space: golf courses, tennis courts, areas for other court games, swimming pools, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse stables paddocks, docks and boardwalks located entirely within the development parcel, places for people to gather, and passive recreation areas. Pathway An improved way for purposes of travel by non-motorized users outside the traveled way of vehicles and physically separated from the street by an open space or barrier and either within the street right-of-way or within an independent alignment. Most pathways are designed for two-way travel, and are generally constructed of asphalt. Pathways are used by cyclists, pedestrians, and other similar users. Pathways do not include sidewalks. Sidewalk An Improved surface intended for use by pedestrians located between the curb line or the lateral line of a street and the adjacent property line or on easements of private property. Sidewalks are generally constructed with concrete, asphalt or pavers.

Exhibit 1: Example of Adjacent Street Buffer Open Space that Will No Longer Qualify

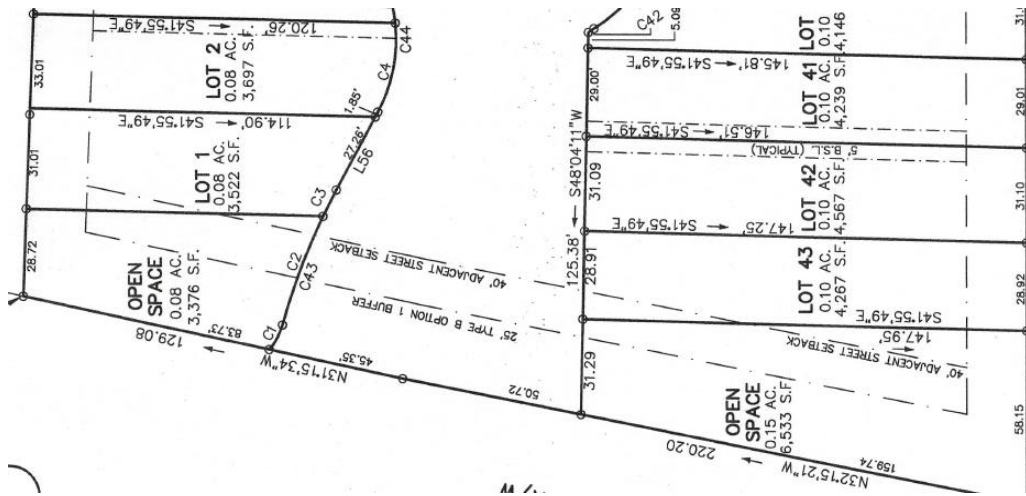


Exhibit 2: Example of Adjacent Use Buffer Open Space that Will No Longer Qualify

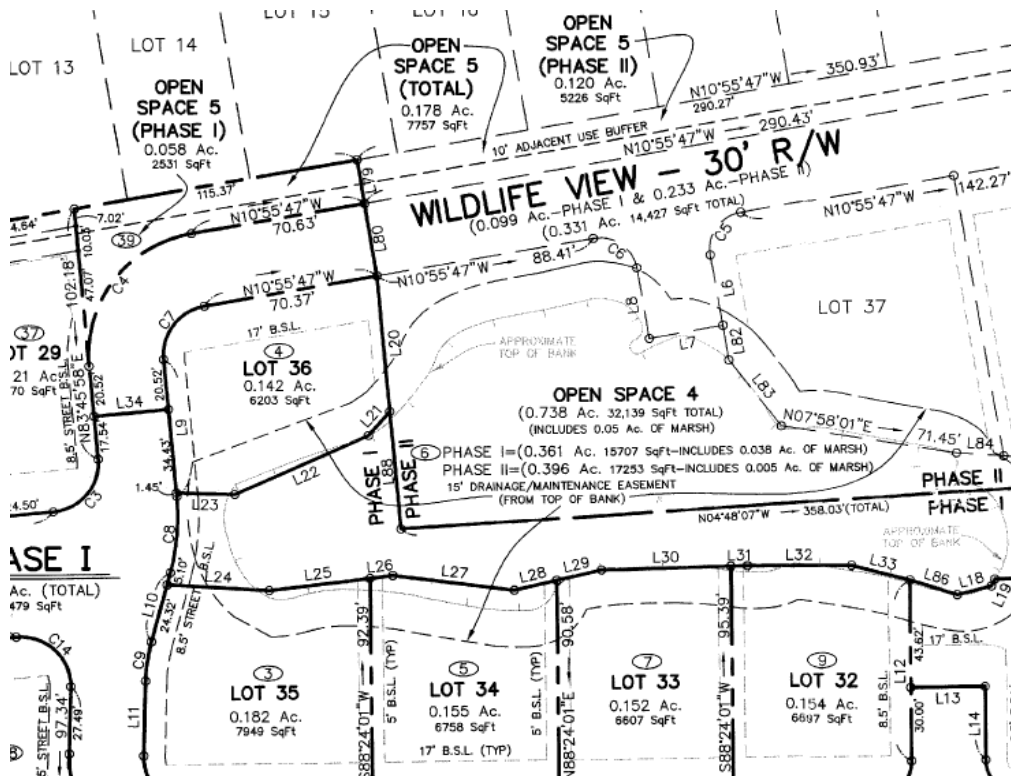
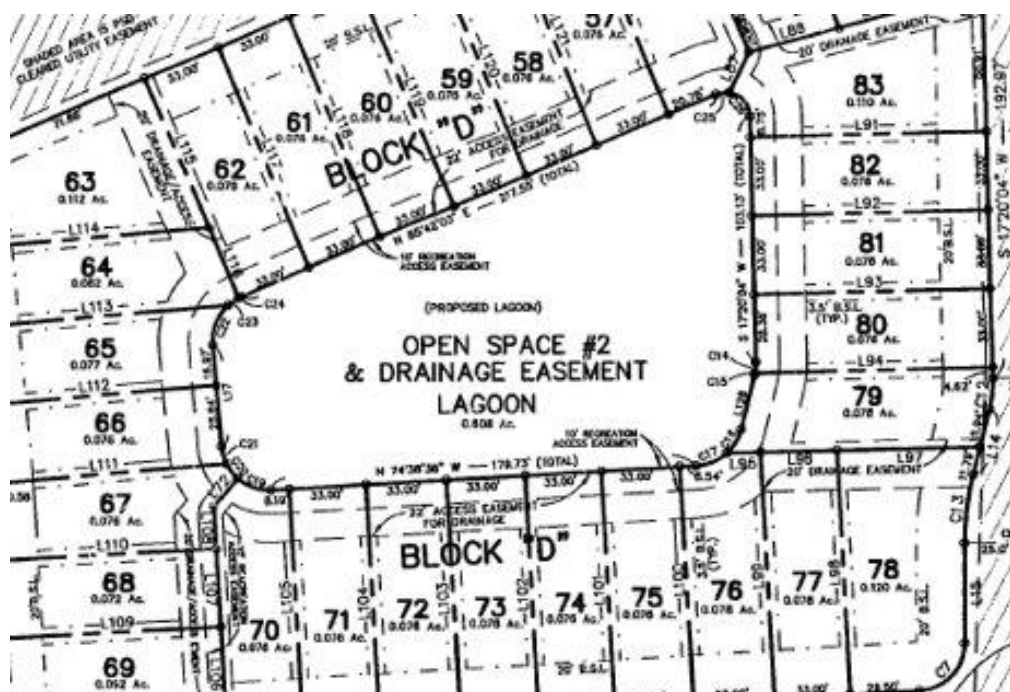


Exhibit 3: Example of Detention Pond Open Space that Will No Longer Qualify



Nonconformities

Chapter 16-7 provides standards for nonconformities. The purpose statement of the Nonconformities Chapter reads as follows, “the zoning regulations and development standards established by this Ordinance are designed to guide the future development and redevelopment of land within the Town by encouraging and regulating site development and appropriate groupings of compatible and related uses that promote and protect the public health, safety, and general welfare. While the Town recognizes the continued existence of nonconformities is generally inconsistent with the purpose and intent of this Ordinance, it also recognizes this Ordinance needs to provide flexibility to encourage redevelopment of nonconforming development if it lessens the degree of the nonconformity and if redevelopment is consistent with the goals of the Comprehensive Plan and the district in which the development is located. This Chapter provides for the regulation of nonconforming uses, structures, signs, and site features, and specifies those circumstances and conditions under which such nonconformities are allowed to continue and redevelop.”

Common open space and pathways established, or lack thereof, as part of previously approved and developed Major Subdivisions may become nonconforming with the requirements proposed in this amendment. However, these elements of Major Subdivisions can continue to exist as nonconforming site features without the need for upgrades or compliance unless an alteration to the nonconformity is proposed.

Chapter 16-7 outlines standards for nonconformities within the Town, acknowledging the need for flexibility in redevelopment while ensuring alignment with the Comprehensive Plan and district goals. Redevelopment, expansion, or relocation of legally nonconforming structures or legally conforming site features must adhere to Chapter 16-7.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

- 1. Supports the Comprehensive Plan which includes goals for preserving Hilton Head Island’s character, enhancing connectivity, and ensuring well-integrated open spaces. Our Plan’s Strategies and Tactics for Our Place states to, “evaluate, develop, and maintain standards that preserve and enhance the natural and physical environments that reflect the character of the Island.”
- 2. Responds to changing conditions by avoiding fragmented, underutilized, and unconnected spaces observed in certain developments;
- 3. Addresses a demonstrated community need for functional, accessible, and environmentally sustainable developments;
- 4. Is consistent with the purpose and intent of the zoning districts by accommodating a comfortable, healthy, safe, and pleasant environment in which to live and recreate;
- 5. Ensures that open spaces serve residents effectively and subdivisions connect to broader transportation networks, promoting logical and orderly growth and safe bicycle and pedestrian facilities; and
- 6. Minimizes adverse impacts on the natural environment by preserving common open space and natural areas in Major Subdivisions and promotes non-motorized transportation options.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.: 2025-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND THE CURRENT DESIGN REGULATIONS AND REQUIREMENTS FOR OPEN SPACE AND PATHWAYS IN MAJOR SUBDIVISIONS TO INCLUDE SECTIONS: 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, AND APPENDICES A & D FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

WHEREAS, the Town Council finds that an amendment to the Land Management Ordinance to address development and design standards for major residential subdivisions by improving the definition and regulations is needed to promote the design and development of more functional common open space; and,

WHEREAS, the Town Council also finds that an amendment to the Land Management Ordinance to address development and design standards for major residential subdivisions is needed to require pathway connectivity for cyclists, pedestrians, users of manual and motorized wheelchairs, and other similar authorized non-motorized users; and,

WHEREAS, on February 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments, and the public had an opportunity to comment on the proposed amendments; and,

WHEREAS, on March 19, 2025, the Planning Commission voted unanimously to recommend adoption of the amendments to Town Council; and,

WHEREAS, on April 21, 2025, the Community Services & Public Safety Committee voted unanimously to recommend adoption of the amendments to Town Council; and,

WHEREAS, the Town Council finds it is in the best interest of the Town and the health, safety, and welfare of its citizens, residents, and visitors to amend the Land Management Ordinance by amending the definition and regulations for common open space

and the requirements for pathway connectivity.

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

Section 1. Amendment. That the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. 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 _____, 2025.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Perry, Mayor

Alan R.

ATTEST:

Kimberly Gammon, Town Clerk

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Chapter 16-3: Zoning Districts

Sec.16-3-104. Residential Base Zoning Districts

B. Residential Single-Family-3 (RSF-3) District

RSF-3 Residential Single-Family-3 District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
Residential	3 du		Max. Impervious Cover for All Development Except Single-Family	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. Open Space <u>Common Open Space</u> for Major Residential Subdivisions	16%
All Development	35 ft			
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				

(Revised 3-7-2023 - Ordinance 2023-04)

C. Residential Single-Family-5 (RSF-5) District

RSF-5 Residential Single-Family-5 District				
3. Development Form Standards				
MAX. DENSITY (pernet Acre)			LOT COVERAGE	
Residential	5 du		Max. Impervious Cover for All Development Except Single-Family	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. Open Space <u>Common Open Space</u> for Major Residential Subdivisions	16%

All Development	35 ft		
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			

(Revised 3-7-2023 - Ordinance 2023-04)

D. Residential Single-Family-6 (RSF-6) District

RSF-6 Residential Single-Family-6 District					
3. Development Form Standards					
MAX. DENSITY (per NET ACRE)		LOT COVERAGE			
Residential	6 du	Max. Impervious Cover for All Development Except Single-Family	35%		
Nonresidential	6,000 GFA	Min. Open Space Common Open Space for Major Residential Subdivisions	16%		
MAX. BUILDING HEIGHT					
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					

(Revised 3-7-2023 - Ordinance 2023-04)

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

RM-4 Low to Moderate Density Residential District			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)²		LOT COVERAGE	
Residential ²	4 du (6 du if lot area is at least 3 acres; 8 du	Max. Impervious Cover for All Development Except Single-Family ¹	35%

	if lot area is at least 5 acres)		
Bed and Breakfast	10 rooms		
Nonresidential	6,000 GFA		Min. Open Space Common Open Space for Major Residential Subdivisions 16%
MAX. BUILDING HEIGHT			
All Development	35 ft		
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. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			
2. Density for development that includes the Workforce Housing shall be determined based on Sec. 16-4-105.A.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

F. Moderate Density Residential District (RM-8) District

RM-8				
Moderate Density Residential District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE) ²			LOT COVERAGE	
Residential	8 du		Max. Impervious Cover for All Development Except Single-Family ¹	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. Open Space Common Open Space for Major Residential Subdivisions	16%
All Development	45 ft			
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. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.				

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

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

RM-12			
Moderate to High Density Residential District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)¹		LOT COVERAGE	
Residential	12 du	Max. <i>Impervious Cover</i> for All	35%
Nonresidential	6,000 GFA	<i>Development</i> Except <i>Single-Family</i>	
MAX. BUILDING HEIGHT		Min. Open Space <i>Common Open Space</i> for	16%
		Major Residential	
		<i>Subdivisions</i>	
All <i>Development</i>	45 ft		
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 = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

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

B. Coligny Resort (CR) District

CR	
Coligny Resort District	
3. Development Form Standards	
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS	
Adjacent Street Setbacks	Along major and minor arterials, the minimum adjacent <i>street</i> setback distance shall be 30' as follows:

	• The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage. The remaining area may contain a pathway and shall not contain tables, chairs and fountains.			
	• The second 15' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may include plazas, courtyards, tables and chairs, pervious pavers, landscaping and fountains.			
	• The setback angle shall be 60°.			
	Along other streets , the minimum adjacent street setback distance shall be 20' as follows:			
	• The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage. The remaining area may contain a pathway.			
	• The remaining 5' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may pervious pavers, fountains and benches.			
	• The setback angle shall be 60°.			
Awnings, balconies and overhangs may occupy these setback areas.				
Adjacent Use Setbacks	The adjacent use setback standards set forth in Sec. 16-5-102.D, Adjacent Use Setback Requirements, shall apply only along the perimeter of the CR district.			
MODIFIED ADJACENT STREET BUFFER STANDARDS				
There are no adjacent street buffers in the CR zoning district.				
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
All development	Undefined, but limited by applicable design and performance standards such as height and parking		Max. Impervious Cover	n/a
			Min. Open Space Common Open Space for Major Residential Subdivisions	n/a
Residential ¹²				
MAX. BUILDING HEIGHT				
All development	36 ft along the adjacent street setback line; 60 ft once the setback angle is attained			
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. Where all required parking spaces are located within a parking structure (e.g., parking deck or parking garage), the standards for the minimum number of parking spaces shall be reduced by 20 percent.				
2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.				

(Revised 4-18-2017 - Ordinance 2017-05; revised 12-5-2017 - Ordinance 2017-19; revised 11-4-2020 - Ordinance 2020-26)

D. Light Commercial (LC) District

LC

Light Commercial District

3. Development Form Standards

MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
Residential ⁴	4 du		Max. <i>Impervious Cover</i>	60%
<i>Hotel</i>	35 rooms		Min. <i>Open Space Common Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential ^{1,2}	10,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	45 ft			

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. The ***gross floor area*** per ***building*** shall be 20,000 square feet for ***buildings*** devoted to ***Commercial Services*** or ***Industrial Uses***.

2. Each ***building*** shall be separated by a minimum of 15 feet.

3. The minimum number of off-street parking spaces for ***mixed-use development*** that contains ***workforce housing*** shall be calculated based on Section 16-5-107.D.2.

4. For ***development*** that converts nonresidential square footage to residential ***use*** refer to Sec. 16-10-102.B.1.

(Revised 5-17-2016 - Ordinance 2016-07; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

F. Main Street (MS) District

MS				
Main Street District				
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential	12 du		Max. <i>Impervious Cover</i>	60%
<i>Bed and Breakfasts</i>	10 rooms			
<i>Hotel</i>	35 rooms		Min. Open Space <i>Common Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	9,000 GFA			

MAX. BUILDING HEIGHT			
All Development	45 ft		
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			

(Revised 4-18-2017 - Ordinance 2017-05; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

G. Marshfront (MF) District

MF

Marshfront District

3. Development Form Standards

MAX. DENSITY (PERNET ACRE) ²			LOT COVERAGE	
Residential ¹	Along major arterials	4 du (8 du if <i>lot</i> area is at least 3 acres)	Max. <i>Impervious Cover</i>	60%
	Along other <i>streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open-Space Common Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>Bed and Breakfasts</i>		10 rooms		
Nonresidential		7,000 GFA		
MAX. BUILDING HEIGHT				
All <i>Development</i>		45 ft		

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. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

2. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

I. Mitchelville (MV) District

MV Mitchelville District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE) ³			LOT COVERAGE	
Residential ¹	12 du		Max. Impervious Cover	50%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. Open Space Common Open Space for Major Residential Subdivisions	16%
Interval Occupancy	12 du			
Nonresidential	8,000 GFA			
MAX. BUILDING HEIGHT				
All Development	75 ft			
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. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1. 2. The minimum number of off-street parking spaces for mixed-use or multifamily development that contains workforce housing shall be calculated based on Section 16-5-107.D.2. 3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.				

(Revised 4-18-2017 - Ordinance 2017-05; revised 12-5-2017 - Ordinance 2017-19; revised 9-17-2019 - Ordinance 2019-20; revised 8-18-2020 - Ordinance 2020-19; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15)

J. Neighborhood Commercial (NC)

NC Neighborhood Commercial District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE) ²			LOT COVERAGE	
Residential ¹	4 du		Max. Impervious Cover	45%
Nonresidential	3,000 GFA		Min. Open Space Common Open Space for Major Residential Subdivisions	16%
MAX. BUILDING HEIGHT				

All Development	35 ft ²		
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. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
2. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

L. Resort Development (RD) District

RD

Resort Development District

3. Development Form and Parameters

MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
Residential ^{1, 2}	16 du		Max. <i>Impervious Cover</i>	50%
<i>Bed and Breakfasts</i>	10 rooms			
<i>Interval Occupancy</i>	16 du			
<i>Hotel</i> ¹	35 rooms		Min. <i>Open Space</i> <i>Common Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	8,000 GFA			
MAX. BUILDING HEIGHT				
<i>Non Single-Family Development</i> on property landward of South Forest Beach Drive	60 ft			
All Other <i>Non Single-Family Development</i>	75 ft			
<i>Single-Family Development</i>	45 ft			

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] In order to promote flexibility, an *office, eating establishment* or *commercial services use* that is accessory to and within an existing residential or *hotel structure* may be converted to a residential *unit* or *units* upon the *Official's* determination that the *development* can support the required amount of parking. The alteration shall

not expand beyond the footprint of the existing residential or **hotel structure**.

2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

(Revised 5-17-2016 - Ordinance 2016-07; revised 4-18-2017 - Ordinance 2017-05; revised 4-18-2017 - Ordinance 2017-06; revised 11-4-2020 - Ordinance 2020-26; revised 7-20-2021 - Ordinance 2021-15)

M. Sea Pines Circle (SPC) District

SPC				
Sea Pines Circle District				
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential	12 du		Max. <i>Impervious Cover</i>	60%
Nonresidential	10,000 GFA		Min. Open Space <i>Common Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT				
All <i>Development</i>	45 ft			
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 = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable				
1. <i>Islander Mixed-Use</i> has undefined density but limited by applicable design and performance standards such as height and parking.				

(Revised 4-18-2017 - Ordinance 2017-05; revised 3-7-2023 - Ordinance 2023-04; revised 10-3-2023 - Ordinance 2023-12)

N. Stoney (S) District

S	
Stoney District	
3. Development Form and Parameters	
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS	
Adjacent Street Setback	Except along major or minor arterials, the adjacent street setback distance established in Sec. 16-5-102.C, Adjacent Street Setback Requirements, may be reduced by up to 30 percent, provided the <i>applicant</i> demonstrates there is no other feasible or practicable alternative that will accommodate a permitted <i>use</i> on the site in compliance with all other requirements of the LMO and the required adjacent street buffer can be provided.
Adjacent Use Setback	The adjacent use setback distance established in Sec. 16-5-102.D, Adjacent Use Setback Requirements, may be reduced to ten feet where a public park adjoins

	another public park, or where a nonresidential use other than an industrial use adjoins another nonresidential use other than an industrial use		
MAX. DENSITY (PERNET ACRE)³			LOT COVERAGE
Residential ¹	10 du		Max. Impervious Cover 50%
Bed and Breakfasts	10 rooms		
Hotel	35 rooms		Min. Open Space Common Open Space for Major Residential Subdivisions 16%
Nonresidential	7,000 GFA		
MAX. BUILDING HEIGHT			
All Development	45 ft		
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. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
2. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.			
3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

O. Waterfront Mixed-Use (WMU) District

WMU			
Waterfront Mixed-Use District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)^{1, 5}			LOT COVERAGE
Residential ³	16 du		Max. Impervious Cover 50%
Bed and Breakfasts	10 rooms		
Hotel	35 rooms		Min. Open Space Common Open Space for Major Residential Subdivisions 16%
Interval Occupancy	16 du		
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT^{2, 3}			
All Development	75 ft		

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. For purposes of calculating new **density**, only 25% of total square footage devoted to boat dry storage facilities shall be counted.
2. Where a **parcel** in the WMU District adjoins a zoning district with a **height** limit lower than that in the WMU District, no part of a **building** on the WMU-zoned **parcel** shall exceed a **height** equal to the **height** limit in the adjoining district plus 1 foot, or major fraction thereof, for each foot of horizontal distance from the adjoining district.
3. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.
4. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.
5. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

(Revised 11-3-2015 - Ordinance 2015-23; revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15)

Chapter 16-4: Use Standards

Sec.16-4-104. Temporary Uses and Structures

D. Use-Specific Conditions for Temporary Uses and Structures

6. Outdoor Seasonal Sales of Christmas Trees and Pumpkins

A merchant may display and sell Christmas **trees** and pumpkins on a temporary basis, without establishing a permanent place of business, subject to the following conditions. [Note: The outdoor display and sale/rental of goods as accessory to an already established business is subject to the provisions of Sec. 16-4-103.E.5, Outdoor Storage (as an accessory use).]

- a. The property contains an area not currently used that will support the proposed temporary sale of Christmas **trees** or pumpkins without encroaching into or creating a negative impact on existing vegetated areas, common open space, landscaping, **trees**, traffic movements, parking-space availability, or pedestrian **access**.
- b. The display of the Christmas **trees** or pumpkins shall not occur in the public **right-of-way**.
- c. Any tent or other temporary **structure** shall be located so as not to interfere with the normal operations of any permanent **use** located on the property.

- d. The temporary display or sale of the Christmas **trees** or pumpkins shall not cause interference with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be provided.
- e. The sales activity shall not last longer than 45 days.
- f. The vendor, with the approval of the **Official**, may use a **recreational vehicle** to live on the site.

Chapter 16-5: Development and Design Standards

Sec.16-5-103. Buffer Standards

~~K. Credit Toward Open Space~~

~~Adjacent street and use buffers required by this section may be credited against the **common open space** required by Sec. 16-5-104, Open Space Standards.~~

~~(Ord. No. 2015-23, 11-3-2015)~~

Sec.16-5-104. Common Open Space Standards

B. Applicability

1. The provisions of this section apply to any Major Subdivisions (six or more **lots**) creating **lots** for residential **development**, unless expressly exempted in this section.
2. The provisions of this section also shall apply to any Minor Subdivision (five or fewer **lots**) creating **lots** for residential **development** that is expanded onto **adjacent parcels** so the total number of **lots** in the **subdivision** is greater than five.
3. The provisions of this section do not apply to **Family Subdivisions**.

C. Common Open Space Requirement

1. At least 16 percent of the **land** within the **subdivision** shall consist of **common open space** meeting the requirements of this section.
2. **Common open space** shall be depicted on any plat of the **development** submitted for approval and labeled "common open space."
3. **Common open space** must be visually identifiable, distinguished by elements including but not limited to signs, fencing, landscape buffers, trail systems, pools, sport facilities, or grass lawns.

D. Common Open Space Location and Configuration

~~Required **common open space** shall be reasonably accessible from all parts of the **subdivision**, especially by pathways.~~

1. **Common open space** shall be connected to all lots within the **subdivision** by **pathways** in accordance with Section 16-5-115.D.5.

-
2. The **common open space** shall be accessible to all residents of the **subdivision** development, subject to reasonable rules and regulations. **Common open space** may be dedicated for general public use; however, such dedication is not mandatory.
 3. The design and establishment of **common open space** shall meet the following standards:
 - a. An area or multiple areas of **common open space** shall be planned for active or passive recreational use.
 - b. At least 75 percent of the **common open space** area shall be arranged in dimensions no less than 15 feet across in any direction.
 - c. At least 50 percent of the **common open space** shall be arranged in one contiguous area. For the purpose of this requirement, **common open space** areas divided by **pathways, sidewalks, or streets** that would otherwise be contiguous without the existence of the **pathways, sidewalks, or streets** shall be considered contiguous.
 - d. The arrangement and design of **common open space** shall prioritize the preservation of existing tracts of **specimen** and **significant trees**. The **applicant** shall demonstrate how these priority areas have been considered during the application process.

E. Ownership, Management and Maintenance of Common Open Space

Common open space shall be maintained so that its use and enjoyment as **common open space** is not diminished or destroyed. Ownership of **common open space** shall be subject to deed restrictions or recorded covenants and restrictions that prevent **development** or subsequent **subdivision** of the **common open space** and provide responsibility for **maintenance** of the **common open space**.

Sec.16-5-107. Parking and Loading Standards

H. Off-Street Parking Alternatives

5. Deferred Parking

d. Maintenance of Reserve Areas as **Common Open Space**

As long as areas are reserved for future parking, they shall be maintained as **common open space**, without any clearing of **trees**. During such time, the reserve areas shall not count as **common open space** for purposes of complying with Sec. 16-5-104, **Common** Open Space Standards, and shall count as **impervious surface** for purposes of complying with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.

e. Deferred Parking Agreement

- i. A deferred parking agreement shall be included as part of any **development** approval which includes deferred parking. The agreement shall incorporate by reference the deferred parking plan and agreement by the owner to reserve a future parking area as **common open space** consistent with the deferred parking plan, and assurances that a parking demand study will be completed in accordance with the terms of the **development** approval and this section, and additional parking provided, if determined necessary.
- ii. An attested copy of an approved and executed agreement shall be recorded with the Beaufort County Register of Deeds before issuance of a **Building Permit** or Certificate of Occupancy for any **use** subject to deferred parking.

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- iii. Any termination of a deferred parking agreement does not negate the **developer's** and owner's obligation to comply with parking requirements of this **Ordinance**. Failure to comply shall constitute a violation.

Sec.16-5-115. Subdivision Standards

A. Purpose and Intent

The purpose of **subdivision** layout is to create a functional and attractive **development** with infrastructure and **lots** appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for **subdivision** design for both Major and Minor Subdivisions.

Subdivisions should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the **Town** by:

- a. Providing for the orderly growth and **development** of the **Town**;
- b. Coordinating with the existing **street** system, transportation plans, and public facilities;
- c. Providing **right-of-way** for **street** and vehicular **easements**;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of **streets** in relation to existing planned **streets**;
- e. Ensuring there is adequate **common open space** and recreation facilities; and
- f. Ensuring there is proper recordation of **land** ownership.

C. General Requirements

- 1. Layout of the **subdivision** shall be based on complete **site** analysis. **Streets** and **lots** shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic **site** features to be preserved.
- 2. The **subdivision** layout shall consider the practicality and economic feasibility of **development** of individual **lots** including the environmental characteristics, size of the **site**, and the requirements of this **Ordinance**.
- 3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, significant stands of **trees** and individual **trees** of significant size, with **development** reserved for environmentally stable areas.

(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)

- 4. **Common Open-open space** and recreational areas shall be planned in accordance with Sec. 16-5-104, **Common** Open Space Standards.
- 5. **Lots** shall be situated so that stormwater may be easily directed away from **buildings** in subsequent **site-specific development**. **Lots** shall be configured so that **buildings** and general **flood** sensitive **site** facilities can be located out of drainageways. **Subdivisions** shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
- 6. All **lots** shall have the **access** required by Sec. 16-5-105.I, Access to Streets.

D. Layout of Lots and Blocks

- 1. Subdivisions may be laid out in conventional, cluster, **zero lot line**, or a combination of block/ lot designs.

(Revised 7-21-2020 - Ordinance 2020-16)

2. The **lot** configuration and shape shall provide appropriate **sites** for **buildings**, and be properly related to topography, natural elements, existing significant trees and stands of trees, **access**, drainage and utilities, and conform to all requirements of this **Ordinance**.

(Revised 1-7-2020 - Ordinance 2020-02)

3. The dimensions of **corner lots** shall permit the required minimum setbacks from **streets** (see Sec. 16-5-102, Setback Standards) and required **site** triangles (see Sec. 16-5-105.H.4, Sight Triangles).
4. The number of **lots** within a block shall be as appropriate for the location and the type of **development** contemplated, as practical. Visual monotony created by excessive blocks of **lots** which are not interrupted by intersections, common open space, buffers, trees or features shall be avoided.

(Revised 1-7-2020 - Ordinance 2020-02)

5. ~~Pathways and sidewalks are encouraged throughout the subdivision. Pathways and sidewalks may be required by the Official to provide circulation or access to schools, playgrounds, shopping, or other community facilities. Interconnection with other pathways and sidewalks is also desirable.~~Pathway Connectivity.

a. ~~Pathways are required throughout subdivisions. The provisions of this subsection shall not apply to Minor Subdivisions and Family Subdivisions.~~

b. ~~Pathways shall provide direct connectivity between all lots and the subdivision's community amenities, including usable common open space, mailbox facilities, community buildings, and recreational areas. For the purpose of this requirement, a residential lot located across a street from a pathway within the same subdivision or adjacent to a common open space having a pathway is considered to be served by and connected to that pathway.~~

c. ~~Pathways shall be designed to provide connectivity from within the subdivision to:~~

i. ~~An existing pathway system located along an abutting right-of-way or easement, an existing pathway within an easement on the property, or a pathway on abutting Town-owned property; and~~

ii. ~~Any pathway system planned within an adopted Town pathway plan or the Capital Improvement Program (CIP) located along an abutting right-of-way or easement, an existing pathway easement on the property, or an abutting Town-owned property.~~

d. ~~If the land proposed for a subdivision serves as a priority connection between existing pathways and is included in an adopted Town pathway plan, the pathway system shall be designed to connect the existing pathways through the subdivision or along abutting street right-of-way. This requirement shall not be construed as requiring off-site improvements other than within an abutting street right-of-way.~~

e. ~~As an alternative to pathway construction, a sidewalk may be approved by the Official if the proposed subdivision abuts a street with an existing sidewalk network or if the character or design of the proposed subdivision would clearly benefit from incorporating sidewalks instead of pathways. The incorporation of sidewalks shall meet all other requirements of this section. The Official may determine that a sidewalk is preferable over a pathway if:~~

i. ~~Spacing is not sufficient for a pathway based on existing natural features, infrastructure, utilities, easements, or built features;~~

ii. It would connect seamlessly to existing infrastructure;

iii. It would be more consistent with the design characteristics of the proposed **subdivision** and abutting **development**;

iv. The travel distance of the proposed route is significantly shorter than areas typically suitable for **pathways**; or

v. It would encourage slower travel speeds in areas of higher congestion.

f. **Pathways** or **sidewalks** shall be designed and constructed in accordance with the fifth edition of the AASHTO Guide for the Development of Bicycle Facilities and meet the accessibility guidelines promulgated under the Americans with Disabilities Act (ADA).

E. Zero Lot Line Residential Subdivisions

1. **Zero lot line residential subdivisions** are permitted in the following zoning districts: RM-4, RM-8, RM-12, SPC, MS, WMU, S, MF, MV, NC, LC and RD.
2. All **lots** created in a **zero lot line residential subdivision** shall be buildable lots (the appropriate size to construct a home) and shall be a minimum of .05 acres in size with a minimum **lot** width of 20 feet.
3. All lots in a **zero lot line residential subdivision** shall have a 50% maximum impervious coverage.
4. **All zero lot line residential subdivisions** shall provide 16% minimum common open space.
5. No structure shall be located closer than ten feet from adjacent property lines, with the exception of structures that have a wall that rests on a common property line.
6. Where a proposed **zero lot line residential subdivision** is adjacent to an existing single family detached residential neighborhood or use, a setback of 20 feet is required along the perimeter of the proposed subdivision.
7. Where a proposed **zero lot line residential subdivision** is adjacent to an existing single family detached residential neighborhood or use, a Type A buffer, Option 1, is required along the perimeter of the proposed subdivision.
8. A **zero lot line residential subdivision** is not permitted on existing **lots** of record that were not previously platted as a **zero lot line residential subdivision**, unless the entire previously platted subdivision is combined and re-platted to be a **zero lot line residential subdivision**.

(Revised 7-21-2020 - Ordinance 2020-16)

G. Miscellaneous Standards

1. Monuments and Markers

- a. Horizontal control monuments shall be placed in the pavement of **subdivision streets** so that no **lot** is more than 2,000 feet from a control monument. Alternatively, control monuments may be placed in common open space areas, park areas, and the like. The control monument shall be placed in a manner satisfactory to the Town Engineer.
- b. Corner monuments or markers shall be installed at all **lot** corners.
- c. All corner monuments or markers shall consist of a concrete marker with metal cap marking the exact corner and bearing the name of the surveying company or the **land** surveyor in responsible charge of the survey. If the corner location falls on pavement, concrete, or other material where

it cannot be marked with a cap, a shaft of ferrous metal (iron pipe or bar), spikes, or scribes may be installed in or on the surface. These methods shall be used unless exceptional circumstances warrant the use of other materials.

- d. If a corner cannot be monumented or marked, one or more witness monuments shall be placed on the boundary line and described by bearings or distances so that the inaccessible point may be located accurately on the ground. A witness monument shall adhere to the same standards applicable to a corner monument.

(Revised 7-20-2020 - Ordinance 2020-16)

Chapter 16-6: Natural Resource Protection

Sec.16-6-102. Wetland Protection

E. Wetland Alteration and Mitigation Requirements

1. Wetland Alteration Allowed Only Where Unavoidable

- a. Alteration to a wetland shall be allowed only when the **applicant** clearly demonstrates that **wetland alteration** cannot be avoided. **Wetland alteration** shall be considered unavoidable only if there no feasible alternative layout or design that would avoid disturbance of wetland and still practically accomplish the overall basic purpose of the proposed **development** or activity, or if an overriding public interest in the alteration can be demonstrated. Examples of alternative layouts and design that might allow **wetland alteration** to be avoided include, but are not limited to: ~~using wetland as required open space~~; locating **buildings**, parking, and other disturbed areas in non-wetland areas; using existing wetland crossings for needed street or utility **access** to upland areas; renovating, remodeling, or expanding existing **buildings** rather than constructing new **buildings**; using already disturbed areas as **sites** for new **development**; and minimizing the footprint of **buildings** and parking areas (building "up" rather than "out").
- b. Where alteration to a wetland is allowed, any impact of the alteration on the wetland shall be minimized through the use of **best management practices**, re-design, innovative technology (e.g., **pervious** parking areas), preservation, and **legal protection** (e.g., deed restrictions, conservation **easements**).
- c. Any mitigation proposal to alter a wetland shall ensure that, upon completion, there will be no net loss to the wetland's values, functions, and area.

Chapter 16-10:

Definitions, Interpretation, and Measurement

Sec.16-10-102. Rules of Measurement

E. Lot Coverage

3. Open Space

Land not utilized for *single-family lots*, rights-of-way, commercial *buildings*, *multifamily buildings*, parking, or loading areas.

[Also See Sec. 16-5-104, Common Open Space Standards.](#)

Sec.16-10-105. General Definitions

Terms defined in this section shall have the meanings stated in the definition of the term.

Common Open Space

Any part of a *development site*, [meeting the requirements of Section 16-5-104](#), that is not utilized for *single-family lots*, *rights-of-way*, *streets*, commercial *structures*, *multifamily structures*, ~~and~~ parking and loading areas, [detention/retention ponds, and natural water bodies](#). The following are included in the definition of *common open space*: golf courses, tennis courts, areas for other court games, *swimming pools*, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse [stables paddocks, docks and boardwalks located entirely within the development parcel](#), places for people to gather, and passive recreation areas.

Open Space

~~See Sec. 16-10-102.E.3, Open Space.~~

Pathway

[An improved way for purposes of travel by non-motorized users outside the traveled way of vehicles and physically separated from the *street* by an open space or barrier and either within the *street right-of-way* or within an independent alignment. Most *pathways* are designed for two-way travel, and are generally constructed of asphalt. *Pathways* are used by cyclists, pedestrians, and other similar users. *Pathways* do not include *sidewalks*.](#)

Sidewalk

[An Improved surface intended for use by pedestrians located between the curb line or the lateral line of a *street* and the adjacent property line or on *easements* of private property. *Sidewalks* are generally constructed with concrete, asphalt or pavers.](#)

(Revised 11-3-2015 - Ord. No. 2015-23; revised 4-18-2017 - Ordinance 2017-05; revised 6-6-2017 - Ordinance 2017-08; revised 12-5-2017 - Ordinance 2017-19; revised 9-17-2019 - Ordinance 2019-20; revised 1-7-2020 - Ordinance 2020-02; revised 7-21-2020 - Ordinance 2020-16; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04; revised 5-2-2023 - Ordinance 2023-06)

Appendix A:

Advisory and Decision Making Bodies and Persons

A-2. Planning Commission

The **Planning Commission** is established under this **Ordinance** in accordance with **State** law. The **Planning Commission** has the following powers and duties under this **Ordinance**:

A. Powers and Duties

1. Prepare and periodically revise plans and programs for the **development** and redevelopment of areas in the Town, as provided for in this **Ordinance**.
2. Prepare and recommend for adoption to the **Town Council** as a means for implementing the plans and programs:
 - a. Zoning ordinances to include a zoning map(s) and appropriate revisions thereof;
 - b. An official map and appropriate revisions of it showing the exact location of existing or proposed public **street**, highway and utility **rights-of-way**, and public **building** sites, together with regulations to control the erection of **buildings** or other **structures** or changes in **land use** within the **rights-of-way**, **building** sites, [open spaces](#) or [common open spaces](#) within its jurisdiction, or a specified portion of it;
 - c. A landscaping ordinance setting forth required planting, **tree** preservation and other aesthetic considerations for **land** and **structures**;
 - d. A **Capital Improvements Program** setting forth projects required to implement plans which have been prepared and adopted, including an annual listing of priority projects for consideration by the governmental bodies responsible for implementation prior to preparation of their capital budgets; and
 - e. Policies or procedures to facilitate implementation of planning documents.
3. Review and make decisions on **applications** for:
 - a. Street/Vehicular Access Easement Name Reviews (Sec. 16-2-103.O);
 - b. Public Project Reviews (Sec. 16-2-103.Q).
 - c. Traffic Impact Analysis Plans (Sec. 16-2-103.J.5.b.ii).
(Revised 5-17-2016 - Ordinance 2016-07)
4. Review and make recommendations to the **Town Council** on:
 - a. Text Amendments (Sec. 16-2-103.B);
 - b. Zoning Map Amendments (Rezoning) (Sec. 16-2-103.C); and
 - c. Planned Unit Development (PUD) Districts (Sec. 16-2-103.D).

-
5. Review and decide appeals (see Sec. 16-2-103.U) on:
 - a. Subdivision Reviews (Minor and Major) (Sec. 16-2-103.F);
 - b. Development Plan Reviews (Minor and Major) (Sec. 16-2-103.G);
 - c. Development Project Name Reviews (Sec. 16-2-103.N); and
 - d. Small Residential Development Reviews (Sec. 16-2-103.H).
 6. Carry out any other powers and duties delegated to it by the **Town Council**, consistent with the S.C. Code of Laws Section 6-29-310, *et seq.*

Appendix D: Application Submittal Requirements

D-4. ~~Subdivison~~ Subdivision Review, Major

All **applications** for **subdivision** approval shall contain the following:

F. Common Open Space and Public Dedication Narrative

A detailed narrative explaining how the **subdivision** will meet the common open space and public dedication requirements, as applicable, Sec. 16-5-104. The narrative shall include:

1. Description of the form of organization proposed to own and maintain the common open space in conformance with the requirements for Property Owners Associations or the equivalent, as specified in Sec. 16-5-104.E.
2. Identification of how the common open space and facilities relate to existing and proposed common open space areas, bikeways and recreational facilities on Hilton Head Island, as shown in the Comprehensive Plan, or more detailed plans adopted by the **Planning Commission** such as **neighborhoods** plans.
3. If dedication is proposed to exceed the minimum **Town** standards, the **applicant** should state what bonus incentive, if any, is being requested as a result of such additional dedication.

D-5. Subdivision Review, Minor

A. Submittal Requirements

A minor **subdivision** plat shall be submitted with each of the items set forth in D-4, ~~Subdivison~~ Subdivision Review, Major, with the exception of the following:

1. Item F., Common Open space and Public Dedication narrative; and
2. Item H., Subdivision in Phases.

(Revised 3-7-2023 - Ordinance 2023-04)

D-6. Development Plan Review, Major

A Development Plan **Application** shall be considered complete when the following items have been submitted.

E. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed **development**.
2. If the proposed **development** plan is a phase of a previously approved multi-phase plan or PUD Master Plan, a description of how such phase relates to such plan, in whole or in part.
3. The specifically contemplated form of ownership of the **development** (e.g. fee simple, horizontal property regime, property owners' association, etc.) and detailed provisions for **maintenance** responsibility for all **improvements**, including, but not limited to, **streets**, parking areas, bikeways, pedestrian ways, storm drainage facilities, water and sewer systems, **common open space** areas, and the like.
4. Any proposed dedication of **improvements** to any public agency, specifying such **improvements** and the affected agencies.
5. Any other information deemed necessary by the **applicant** to further clarify the proposed **development**.

F. Site Development Plan

One black line print of a final **site plan** or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the **Official**, showing the following:

1. Name of **development**.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Vicinity sketch showing the general **site** location and depicting vehicular **access** routes accurately referenced to the nearest public road.
6. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
7. All permanent **structures** and facilities within approximately 50 feet of the proposed **development tract**.
8. Proposed **site development**, including **land uses**, any **building** or other **structure** locations, **street**, **driveway**, bike and pedestrian way, and parking area layouts, and interconnections with **off-site** facilities, if applicable. The plan view of **buildings** shall show limits of roofed areas, and indicate the exterior wall line dimensioned to property lines.
9. Location of proposed drainage system, including **off-site** areas of interconnection.
10. Location of proposed water and sewer system, including **off-site** areas of interconnection.
11. Location of other proposed waste disposal systems, including solid waste collection areas.
12. Location and dimensions for parking and off-**street** loading areas, where applicable.
13. Location of other utilities such as electrical, telephone, gas line service and cable TV to the **development**.
14. Location of **impervious cover** as required in Chapter 16-3: Zoning Districts.
15. Location of proposed **common open space** areas as required by Sec. 16-5-104, **Common** Open Space Standards.

-
16. Location of proposed buffer areas as required by Sec. 16-5-103.
 17. Tables indicating calculations for common open space, **impervious cover**, and required parking.
 18. Delineation of any zoning district boundary which traverses or is **contiguous** to the **development site**, including overlay zones.
 19. Where applicable, surveyed delineation of any **wetland** area and required buffers or other delineation of a natural feature on the **site** which is protected or defined under provisions of this Title.
 20. Notation as to FEMA/FIRM **flood** zones covering the **site**, and proposed first floor elevation of all **buildings**.
 21. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or **contiguous** with the proposed **development tract**.
 22. Fire hydrants and fire lanes in conformance with Sec. 16-5-110, Utility Standards.
 23. Location of screened outside trash receptacles and/or enclosures for use by the **building** occupants.
 24. Location of proposed setback areas as required by Sec. 16-5-102.

(Revised 8-18-2020 - Ordinance 2020-19)

K. Development Phasing Plan

A plan indicating the contemplated phasing of the proposed **development**. Such plan shall contain:

1. A schedule map, at a minimum scale of 1"=100' or other appropriate scale acceptable to the **Official** (preferably at **site development** plan scale), graphically showing the proposed phasing areas.
2. A schedule report, listing by each proposed phase (as applicable) the number of residential units by type, number of **hotel** rooms, amount of gross **building** square footage for all nonresidential **uses** by type, expected type of common open space improvements, and public **improvements** by the **applicant** for dedication to any governmental or other public agency.

(Ord. No. 2015-2311-3-2015)

D-7. Development Plan Review, Minor

C. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed **development**.
2. If the proposed **development** plan is a phase of a previously approved multi-phase plan or PUD Master Plan, a description of how such phase relates to such plan, in whole or in part.
3. The specifically contemplated form of ownership of the **development** (e.g. fee simple, horizontal property regime, property owners' association, interval ownership, etc.) and detailed provisions for **maintenance** responsibility for all **improvements**, including, but not limited to, **streets**, parking areas, bikeways, pedestrian ways, storm drainage facilities, water and sewer systems, common open space areas, and the like.
4. Any proposed dedication of **improvements** to any public agency, specifying such **improvements** and the affected agencies.

-
5. Any other information deemed necessary by the **applicant** to further clarify the proposed **development**.

D. Site Development Plan

One black line print of a final **site plan** or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the **Official**, showing the following:

1. Name of **development**.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Vicinity sketch showing the general **site** location and depicting vehicular **access** routes accurately referenced to the nearest public road.
6. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
7. All permanent **structures** and facilities within approximately 50 feet of the proposed **development tract**.
8. Proposed **site development**, including **land uses**, any **building** or other **structure** locations, **street**, **driveway**, bike and pedestrian way, and parking area layouts, and interconnections with **off-site** facilities, if applicable. The plan view of **buildings** shall show limits of roofed areas, and indicate the exterior wall line dimensioned to property lines.
9. Location of proposed drainage system, including **off-site** areas of interconnection.
10. Location of proposed water and sewer system, including **off-site** areas of interconnection.
11. Location of other proposed waste disposal systems, including solid waste collection areas.
12. Location and dimensions for parking and off-street loading areas, where applicable.
13. Location of other utilities such as electrical, telephone, gas line service and cable TV to the **development**.
14. Location of **impervious cover** as required in Chapter 16-3: Zoning Districts.
15. Location of proposed **common open space** areas as required by Sec. 16-5-104, **Common** Open Space Standards.
16. Location of proposed buffer areas as required by Sec. 16-5-103.
17. Tables indicating calculations for **common open space**, **impervious cover**, and required parking.
18. Delineation of any zoning district boundary which traverses or is **contiguous** to the **development site**, including overlay zones.
19. Where applicable, surveyed delineation of any **wetland** area and required buffers or other delineation of a natural feature on the **site** which is protected or defined under provisions of this Title.
20. Notation as to FEMA/FIRM **flood** zones covering the **site**, and proposed first floor elevation of all **buildings**.
21. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or **contiguous** with the proposed **development tract**.
22. Fire hydrants and fire lanes in conformance with Sec. 16-5-110, Utility Standards.
23. Location of screened outside trash receptacles and/or enclosures for use by the **building** occupants.

-
24. Location of proposed setback areas as required by Sec. 16-5-102.

(Revised 8-18-2020 - Ordinance 2020-19)

D-17. Certificate of Compliance

A. General Requirements

The **applicant** shall submit the following applicable documents to the **Official** for review and approval:

1. A registered engineer's or registered landscape architect's sealed certification of completed roads, parking, drainage systems and utilities.
2. Certification of compliance with approved landscaping and **tree** planting plan by a registered landscape architect or a landscape contractor.
3. One complete set of as-built drawings, indicating accurate **site** conditions of pavements, parking spaces, utilities, **structures** and drainage.
4. DHEC permits to operate water and sewer systems.
5. Public Service District or similar entity acceptance of completed water and sewer lines for permanent ownership, operation and **maintenance**.
6. Public entity acceptance of ownership and **maintenance** responsibility for dedicated roads and drainage systems where applicable.
7. Other applicable agencies' final certification.
8. An owner's affidavit stating that all work has been completed consistent with the **applicant's development** permit and any applicable provisions of this Title, plus a copy of the documents that clearly set forth the ownership and **maintenance** provisions and responsibilities for infrastructure **improvements**, amenities reflected under the approved plan and any common **open space** areas required.



TOWN OF HILTON HEAD ISLAND

TOWN COUNCIL

TO: Town Council
FROM: Natalie Harvey, Director of Cultural Affairs
CC: Marc Orlando, ICMA-CM, Town Manager
Angie Stone, Assistant Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of a Resolution Authorizing the Town Manager to apply for a Cultural District Designation from the South Carolina Arts Commission

RECOMMENDATION:

Staff recommends that Town Council adopt the attached resolution (Attachment 1) authorizing the Town Manager to apply for a Cultural District designation through the South Carolina Arts Commission. The application is scheduled to be submitted in early spring 2026.

BACKGROUND:

The South Carolina Arts Commission (SCAC) established the Cultural District Program in 2014 to support placemaking and promote local economies through the arts. The SCAC defines a Cultural District as a *“geographic area of a city or town with a concentration of artistic assets, cultural facilities, creative businesses, and placemaking activities.”* Districts must be walkable, contain accessible venues, and serve as hubs of cultural and creative activity.

To date, 11 South Carolina communities have received this designation:

- Aiken
- Beaufort
- Camden
- Congaree Vista (Columbia)
- Florence
- Georgetown
- Greenwood
- Hartsville
- Lancaster
- Rock Hill
- Spartanburg

The Office of Cultural Affairs, in partnership with the Arts Council of Hilton Head Island, and with guidance from the SC Arts Commission, has completed the foundational steps toward a Cultural District application. The Shelter Cove area has been identified as the proposed Cultural District due to its existing concentration of cultural venues, events, and public art.

This resolution was presented to the Community Services and Public Safety Committee on July 21, 2025 and approved 3-0 for referral to the full Town Council for consideration.

SUMMARY:

The Cultural District designation will formally recognize the Town's existing arts ecosystem and align with regional and state-wide arts initiatives. This initiative supports the Town's District Planning efforts and cultural tourism strategies.

A preliminary inventory identified numerous cultural assets in the proposed area (Attachment 3), including:

- Performing arts venues
- Outdoor music and festival spaces
- Public art and sculpture installations
- Arts-related businesses and nonprofit organizations
- The Town's Office of Cultural Affairs

These assets will be further evaluated and refined through an Asset Mapping Workshop with SCAC staff in September 2025. A detailed application timeline has been developed in consultation with the SCAC (Attachment 4).

Hilton Head Island's identity is shaped by its natural beauty, rich cultural heritage, and active arts scene. The Town already supports public art installations, cultural programs, and creative placemaking initiatives. Formal designation as a Cultural District will:

- Promote the Island's visibility as a premier art and culture destination in South Carolina
- Reinforce the Town's long-standing support for arts and cultural development
- Align with Town Council's strategic priorities related to placemaking, tourism, and economic development

Benefits of the SC Arts Commission designation include:

- Increased visibility and marketing on state-wide platforms, including the SCAC website
- Eligibility for future SCAC funding specific to Cultural Districts
- Greater collaboration between local arts organizations, businesses, and civic institutions
- Enhanced public engagement through mapping, events, and district branding

- Support for creative economic development through programming and strategic investment
- Data and impact reporting via required annual reports and five-year SCAC evaluations

The designation will strengthen Hilton Head Island's position as a leader in arts and culture, drive local pride, and attract cultural tourists who seek authentic, community-based experiences.

Fiscal impacts include:

- Cost to Apply: \$0
- Cost to Maintain Designation: No direct cost; optional investments in events, marketing, or infrastructure would be at the discretion of the Town and partner organizations
- Staff Resources: Primarily supported by the Office of Cultural Affairs

Further, any prioritized long-term investments (e.g., signage, branding, promotional materials) may be incorporated into existing or future cultural programming budgets and grant opportunities.

NEXT STEPS:

Should Town Council provide direction to the Town Manager to apply for a Cultural District Designation from the South Carolina Arts Commission, the Director of the Office of Cultural Affairs will proceed as follows:

- Conduct Asset Mapping Workshop with SCAC – September 2025
- Finalize application components – Fall 2025
- Submit Cultural District Application – Spring 2026
- Continue community engagement and planning to support designation

ATTACHMENTS:

1. Draft Resolution – Authorization to Apply for Cultural District Designation
2. Proposed Cultural District Boundary Map (Shelter Cove Area)
3. Preliminary Inventory of Cultural Assets
4. Application Timeline for Cultural District Designation
5. SC Arts Commission – Cultural District Program Overview and Guidelines

THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
HILTON HEAD ISLAND, SOUTH CAROLINA, SUPPORTING THE
APPLICATION FOR DESIGNATION OF A CULTURAL DISTRICT AND
AUTHORIZING SUBMISSION OF SAID APPLICATION TO THE SOUTH
CAROLINA ARTS COMMISSION**

WHEREAS, the Town Council for the Town of Hilton Head Island (the “Town Council”) finds that arts and culture play a vital role in enriching the community, enhancing quality of life, preserving local heritage, promoting tourism, and stimulating economic development; and

WHEREAS, the South Carolina Arts Commission has established a Cultural Districts Program to encourage communities to develop and promote contiguous areas known for artistic and cultural activities, and to recognize areas where the arts are essential to community identity and vitality; and

WHEREAS, the Town Council finds that the Town of Hilton Head Island is home to a wide array of cultural assets including galleries, performance venues, historical sites, museums, arts education institutions, festivals, and local artists and artisans that collectively contribute to the unique cultural character of the Town; and

WHEREAS, the Town Council finds that the establishment of a designated Cultural District would provide greater visibility, support, and coordination for cultural organizations and creative businesses within the Town, and promote the development of the Town as a cultural destination for residents and visitors alike; and

WHEREAS, the Town Council finds that the Town has demonstrated a long-standing commitment to the arts through strategic planning, public art initiatives, and partnerships with local cultural organizations, and the Town Council seeks to build upon these efforts through the achievement of an official designation of a Cultural District in the Town; and

WHEREAS, the Shelter Cove area contains an existing concentration of arts and cultural activities, arts venues, public art, and gathering spaces for cultural activities in a walkable area making it an appropriate and eligible area for designation as a Cultural District by the South Carolina Arts Commission; and

WHEREAS, the Town Council supports the collaborative efforts of community stakeholders, cultural institutions, and Town staff to apply to the South Carolina Arts Commission for Cultural District designation; and,

WHEREAS, the Town Council finds that the achievement of a Cultural District in the Town is in the best interest of the Town, and such will promote the health, safety and welfare of the Town's citizens, residents, property owners, businesses, and visitors.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA:

- (a) The Town Council expresses its full support for the submission of an application to the South Carolina Arts Commission to establish a Cultural District within the Town of Hilton Head Island.
- (b) The Town Manager, or designee, is authorized to prepare, finalize, and submit the application materials necessary to pursue a Cultural District designation.
- (c) This Resolution shall be effective immediately upon adoption.

MOVED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2025.

TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By: _____
Alan R. Perry, Mayor

ATTEST:

Kimberly Gammon, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Attachment 2 - Proposed Cultural District Boundary Map



The proposed area for the Hilton Head Island Cultural District reaches from the Arts Center of Coastal Carolina / Shelter Cove Harbour and Marina to the trail head at the ending point of the Shelter Cove Trail (39 Shelter Cove Lane).

The Cultural District is connected by leisure pathways and includes the Shelter Cove Community Park, Veteran's Memorial, Shelter Cove Sculpture Trail, and pathways along Broad Creek.

Preliminary List of Assets for Cultural District Application

The Arts Commission has specific guidelines for the eligibility of an area to be considered as a Cultural District. An initial review of the existing resources and activities in the proposed district area has revealed a broad range of experiences and arts and cultural activities.

From the South Carolina Arts Commission:

What makes a cultural district?

- They are areas of concentrated arts and culture which contribute to the creative economic vitality of a place.
- Applications are accepted from cities or towns anywhere in South Carolina.
- The accessible area should have artistic and creative assets within a concentrated geographic range.
- Creative placemaking, public art programming, artist + designer studios, installations, buskers, and performance venues are just some of the resources that draw visitors and residents to a cultural district.

Identified Assets:

Performance Venues:

- Arts Center of Coastal Carolina (main theater and black box)
- Shelter Cove Harbour (live music venue during 9 months of the year)
- Shelter Cove Community Park (Crescendo kickoff, festivals, movies in the park, concerts)

Public Art Programming:

- Shelter Cove Sculpture Trail (3 temporary sites & 7 permanent sites)
- Future installation sites at expanded Shelter Cove Community Park
- Future installation sites possible at former "Cracker Barrel" site
- Poetry Trail (7 sites in the proposed Cultural District)
- Piano in the Park and associated Public Art – Shelter Cove Community Park

Artist and Designer Studios / Retail:

- Arts Center of Coastal Carolina (studio space for workshops)
- Nash Gallery
- ArtWare
- Hilton Head Art League Gallery
- Potential artist workspaces or workshop space in commercial areas

Festivals:

- Holiday Kickoff at Arts Center of Coastal Carolina
- Voices and Taste of Gullah at Arts Center of Coastal Carolina

Attachment 3 - Preliminary Inventory of Cultural Assets

- Outside Foundation “Keep the Broad Clean”
- Crescendo Kickoff (October)
- Hilton Head Art Festival (Shelter Cove Harbour – May)

Additional Assets:

- Office of Cultural Affairs
- Tiny Free Art Gallery at Arts Center of Coastal Carolina
- Community Market at Shelter Cove Community Park (local artisans weekly)
- Island Writers’ Network Open Mic Night monthly– Tio’s Latin American Kitchen
- Artistic play spaces – future expansion at Shelter Cove Community Park
- Future Integrated public art –bike racks, benches, or shade structures at park
- Live music at restaurants
- Hilton Head Senior Center
- Veteran’s Memorial Park

CULTURAL DISTRICT APPLICATION TIMELINE:

Spring 2024 – Spring 2025:

- Began building preliminary asset list
- Identified representation for potential steering committee members (approximately 12-14 members including artists, business owners, arts leaders, etc.)
- Contacted South Carolina Arts Commission (SCAC) to learn more about application process
- Received support for submitting the proposal and for its commitment to assist with the process from the Hilton Head Arts Council volunteers

July 21, 2025

- Presentation to Town Community Services and Public Safety committee to provide background and details about process and timeline
- Propose resolution to permit the Office of Cultural Affairs to submit the application for consideration of a Cultural District on Hilton Head Island

July 30, 2025

- Tentative date for a preliminary site visit by staff from the SCAC

August 19, 2025

- If approved by Community Services and Public Safety Committee, consideration of resolution by the full Town Council

Late August/September 2025

- Submit names and bios of proposed Cultural District steering committee members to the SCAC
- Continue to build asset list of sites for consideration

September 2025

- Cultural Mapping workshop with SCAC staff, Hilton Head Island community members, steering committee, and volunteers
- Complete the proposed Cultural District strategic plan and governance documents

October/November/December 2025

- Develop the district map, seek approval of sites by SCAC, coordinate with GIS

Attachment 4 – Application Timeline for Cultural District Designation

January/February 2026

- Schedule a site visit for SCAC board and cultural district review committee to Hilton Head Island
- Complete required application documents (governance, strategic plan, marketing plan)

March 2026

- Submit full application to SCAC

April or May 2026

- Application considered by SCAC board
- Committee's presentation in Columbia

Home / South Carolina Cultural Districts / Programs
/ **Becoming a Cultural District**

Becoming a Cultural District



Legislation ratified by the South Carolina General Assembly authorizes the S.C. Arts Commission to grant official state designation to cultural districts in the Palmetto State.

[Read the 2014 legislation](#)

Goals of the program

- ATTRACT artists, creative entrepreneurs, and cultural enterprises
- ENCOURAGE economic development
- FOSTER local arts and cultural development
- CELEBRATE unique arts and cultural identity



Outcomes of the program

- Tourism benefits and geographic visibility
- Historic property preservation and reuse development
- Creative placemaking and strategic arts planning and cultural programming
- Arts and cultural growth and vitality

Is your city or town ready to become a cultural district*? This page provides guidelines and eligibility for the certification process.

*If you're looking to become a historic district, we are glad to know it—but we can't help you. We suggest you check out the information provided by our colleagues at the [South Carolina Department of Archives and History](#) or check in with your local historic preservation organization.

WHAT MAKES A CULTURAL DISTRICT?

- They are areas of concentrated arts and culture which contribute to the creative economic vitality of a place.
- Applications are accepted from cities or towns anywhere in South Carolina.
- The accessible area should have artistic and creative assets within a concentrated geographic range.
- Creative placemaking, public art programming, artist + designer studios, installations, buskers, and performance venues are just some of the resources that draw visitors and residents to a cultural district.
- Dedication to community, economic, and cultural development within the designated area confirms the city or town's ongoing commitment to the district's overall success.

Image caption: Representatives from South Carolina Cultural Districts get a tour of the Lancaster Cultural District during a 2024 cohort meeting.
Photo credit: Harvee White/SCAC.

Requirements

General information

- The application must be submitted by the local government where the district is located and signed by the municipality's chief elected official or appointed chief administrator.
- The city or town may designate a municipal department or community partner organization to serve as a contact for the application and to co-manage the proposed district.
- Entities such as an arts council, Main Street program, chamber of commerce, empowerment zone, historic district, visitor's bureau or other capable bodies may serve in this capacity.

[Review or download the guidelines for cultural district certification now.](#)

Governance & Planning

- Prior to applying, the city or town must develop a cultural district steering committee of at least five members composed of organizations and individuals that represent the interests of the district. Your steering committee must include:
 - A representative from at least one arts organization or arts business located within the district
 - At least two artists and/or designers of different disciplines that live or work within the district
 - Representatives from other types of organizations may include non-profits, local tourism agencies, the disability community, for-profit arts-based businesses, chamber of commerce, cultural councils, town/city staff, private businesses, educational institutions, faith-based organizations, economic development groups, residential associations, merchant associations, or other stakeholder groups.
 - This group should provide a governance and accountability structure for the district.
 - This governing organization should engage in community-based planning activities that establish locally defined goals and outcomes for the district, identify incentives and resources for sustaining the district, create evaluation measures and baseline data to determine progress towards achieving the set goals.
 - Among your initial planning activities, your committee must invite the Public Art Coordinator to conduct a cultural mapping workshop. See information, tools, and guidance for this mandatory creative placemaking exercise.
 - <https://artsandplanning.mapc.org/cultural-asset-mapping/>
 - <https://www.artsengaged.com/chapter-nine>
 - <https://www.artscapediy.org/guide/an-introduction-to-cultural-asset-mapping/>
 - It is highly recommended to appoint an accessibility lead, which will ensure your committee includes best practices during all planning and implementation stages.
 - Find out more! [Check out the SCAC Accessibility resources page.](#)
-

Resolution

Any city or town applying for state designation of a cultural district **must** hold a public hearing **with adequate notice** regarding the proposed district and pass a resolution making a commitment to establish a state-designated cultural district.

This resolution must be passed within one (1) year of making a full application to be certified.

Application Process

After creating and working with your steering committee and passing a resolution in your local council. You will review these steps towards making a full application.

Confirm eligibility

1. Confirm that there is sufficient municipal and local interest and support to seek the designation.
 2. Confirm that the area you are seeking designation for has arts and cultural assets and/or programming that is in line with the guidelines, goals, and requirements.
 3. Contact Public Art Coordinator **Harvee L. White** (803.734.8253 | hlwhite@arts.sc.gov) to discuss the program, community readiness and any questions you may have.
-

Site visit + district map

1. Create a map of the proposed district that identifies proposed boundaries, arts and cultural facilities, public artworks, locations of public art programming, and other cultural assets.
 - It is strongly recommended that the map include accessibility indicators using recognized accessibility symbols.
 2. Include a spreadsheet that lists each place by name and street address. The map can be created by your local government planning office, GIS department, or by using online tools such as Google Maps
 3. Schedule a visit by SCAC staff to tour the proposed district, meet key stakeholders, and assess the accessibility.
 - This must be conducted by strolling the district. Non-essential locomotive devices (car, bike, horses) are not permitted for the site visit.
-

Submitting the application

Your completed application will include the following:

1. Application (link provided by public art coordinator)

2. Required support materials

1. A narrative (no more than two pages) describing the community (members/stakeholders, culture bearers, artists, arts organizations, etc.) found within the proposed district, existing key characteristics of the area, include details about what makes your proposed district unique, as well as programming/events that occur regularly.
2. A copy of the resolution adopted by your city or town council within one year of application.
3. Map of proposed district with accompanying spreadsheet, which must include:
 - the proposed boundaries
 - cultural facilities
 - public artwork locations
 - creative placemaking hotspots/efforts
 - relevant public infrastructure (e.g. wayfinding, technology)
 - any other cultural assets
4. A strategic plan, resulting from input and support from key partners and stakeholders, describing desired outcomes, goals, strategies for management, and baseline data of the district.
5. A marketing plan to inspire visitors and residents to visit the district.
6. Budget and potential incentives
 - A budget for your district's arts and cultural development for the first years including intended public artwork projects
 - Incentives are intended to spur economic growth and community development – signifying your district's recognition and support of the arts as a catalyst. Other districts have included elements like tax incentives for artists and arts businesses, allocating tourism-related taxes towards public artworks and public art events for the community, or even special planning/zoning designations.

7. Steering committee information

3. Supplemental support materials (limited to 5 items)

- You may submit more support for you application at your discretion. This may include elements such as tourism brochures/marketing, currently circulated collateral, or letters of support from the community.

Review rubric + recommendations

SCAC staff will review the application materials using an evaluation tool—known as a rubric—seek more information if required, and make recommendations to our board. If the application reviewed is satisfactory, the district will be invited to a regularly scheduled meeting of the SCAC board of commissioners to make a short presentation. *The board will make all final decisions regarding designation.*

FY24 SCAC Cultural Districts Certification Rubric**CULTURAL DISTRICT INFORMATION – 10%**

	0	1	
Proposed Name & Title	Not present	Present	
	0	1	2
Why & How name was decided	Applicant does not provide a reason for their choice of name.	Applicant provides reasoning for their name choice	Applicant provides clear reasoning for how and why they chose the name of their cultural district.
	0-1	2-3	4-5
District footprint details	Applicant gives few details of the proposed district and includes few or no place-based identifiers, arts landmarks, or local geographic terms.	Applicant gives a succinct description of the general footprint and uses some place-based identifiers, arts landmarks, or local geographic terms.	Applicant gives an extremely succinct description of the proposed district and includes place-based identifiers, arts landmarks, and local geographic terms.
	0	2	
Why & how area was chosen	Applicant does not provide clear reasoning for how and why the boundaries were selected.	Applicant provides clear reasoning for how and why the boundaries were selected.	

PLANNING + CREATIVE PLACEMAKING – 10%

	0-1	2-4	5-7	8-10
Integration	The applicant does not anticipate how the arts, culture, and design will integrate into local systems through certification.	The applicant somewhat anticipates how certification will help integrate arts, culture, and design into local systems.	The applicant adequately anticipates how certification will help future integration of arts, culture, and design into local systems with thought-out reasons.	The applicant distinctly anticipates how certification will help future integration of arts, culture, and design into local systems with clear and thought-out reasons.

NARRATIVE – 20%

	0-1	2-4	5-7	8-10
Description	The narrative does not articulate the community and/or key characteristics of the proposed district.	The narrative articulates some aspects of the community and/or key characteristics of the district.	The narrative articulates the existing community and key characteristics of the district.	The narrative thoroughly articulates the existing community and key characteristics of the district.
	0-1	2-4	5-7	8-10
Details	Narrative details do not articulate the unique qualities and/ or does not include regularly scheduled programming and events.	Narrative details somewhat articulate the unique qualities and includes some regularly scheduled programming and events.	Narrative details significantly articulate the district's unique qualities and includes regularly scheduled programming and events.	Narrative details extensively articulate the unique qualities and provides details of regularly scheduled programming and events.

MAP AND RESOLUTION – 10%

	0	4
Map	An approved map was not submitted.	An approved map has been submitted.
	0	4
Asset list	The approved asset list spreadsheet was not submitted.	The approved asset list spreadsheet has been submitted.
	0	2
Resolution	No resolution is included, or it was included, but passed more than one year prior to application.	The resolution is attached and was passed no more than a year prior to application.

CULTURAL DISTRICT STRATEGIC PLAN – 20%

	0	1-2	3
Action plan	Applicant does not include an action plan.	Applicant includes a manageable and realistic action plan for consistent activities, marketing,	Applicant includes an extremely manageable and

and/or programming for the first six months following certification.

realistic action plan for consistent activities, marketing, and/or programming for the first six months following certification.

	0	1-2	3	
Management strategies	Applicant does not include management strategies for the district.	There is a detailed management strategy that describes elements of how the cultural district will be run, organized, and programmed by the coordinator and the steering committee.	There is an extremely detailed management strategy that describes multiple elements of how the cultural district will be run, organized, and programmed by the coordinator and the steering committee.	
	0-1	2-3	4-5	
Desired outcomes	Applicant has not identified and/or described desired outcomes for the cultural district.	Applicant has identified and described desired outcomes for the cultural district.	Applicant has identified and very specifically described desired outcomes for the cultural district.	
	0	1-2	3-4	5-6
Goals + Objectives	The applicant does not include clear goals and objectives for arts-related programs, projects, and activities.	The applicant includes some clear goals and objectives for arts-related programs, projects, and activities for five years, but they are not measurable.	The applicant includes clear goals and objectives for arts-related programs, projects, and activities for five years that can be measured annually.	The applicant includes extremely clear goals and objectives for arts-related programs, projects, and activities for five years that can be measured annually.

	0	1	2	3
Baseline data	No baseline data is provided.	There is some baseline data provided enabling an annual assessment of the district.	There is adequate baseline data provided enabling an annual assessment of the district.	There is thorough baseline data provided enabling an in-depth annual assessment of the district.

CULTURAL DISTRICT MARKETING PLAN – 15%

	0-1	2-3	4-5
Brand development	The development of the district brand does not reflect a clear identity and/or does not include arts-based, creative solutions for discussing or illustrating the district as an entity.	The development of the district brand reflects a clear identity and includes arts-based, creative solutions for discussing or illustrating the district as an entity.	The development of the district brand directly displays a clear identity including arts-based creative solutions for discussing or illustrating the district as an entity - including accessibility considerations.

	0-1	2-3	4-5
Promotional strategy	There is not a comprehensive promotional strategy for post-certification and achieving district goals.	There is a comprehensive promotional strategy for post-certification and achieving district goals is included along with accessibility considerations.	An extremely comprehensive promotional strategy for post-certification and achieving district goals is included along with accessibility considerations.

	0-1	2-3	4-5
Social media plan	There is not a social media plan.	The social media plan has been included and commits to marketing through any social media channels.	The social media plan has been included and provides a clear plan for achievable marketing of the district through any social media channels.

BUDGET + POTENTIAL INCENTIVES – 8%

	0	1-2	3-4	5-6
Cultural district budget	The budget is not realistic and/or does not include arts programming and creative placemaking integration.	There is a somewhat realistic budget that includes arts programming and creative placemaking integration.	There is a realistic budget that includes arts programming and creative placemaking integration.	There is a detailed and committed budget that includes arts programming and creative placemaking integration.

	0	1	2
Potential incentives	Applicant does not provide any incentive goals.	Applicant has included incentive goals that may be implemented.	Applicant has included clear incentive goals that are likely to be implemented.

STEERING COMMITTEE – 7%

	0-1	2	3	4
Member list	The steering committee list names members, with little justification for their inclusion on the committee.	The steering committee list names members, with some justification for their inclusion on the committee.	The steering committee list names members, with justification for their inclusion on the committee.	The steering committee list names members, with clear justification for their inclusion on the committee.

	0	1
Planning activities	Applicant does not demonstrate strategic planning through locally defined goals and outcomes.	Applicant demonstrates strategic planning through locally defined goals and outcomes using arts programming and creative placemaking.

	0	1
Measures	Applicant does not include the steering committee's measures for governance and success indicators.	Applicant includes the steering committee's measures for governance and success indicators.

	0	1
Potential Challenges	Applicant has does not have a clear understanding of potential	Applicant has a clear understanding of potential challenges.

If approved, we will work with local contacts to arrange appropriate announcements, publicity, and public events. If designation is not approved, staff will work with local contacts to address board concerns and determine the feasibility of reapplying.

Reporting Requirements

Annual report

To document and measure the impact of a cultural district on its community, a state-designated cultural district must provide an annual report to the SCAC which includes a narrative describing activities in the district during the previous year and reporting data that measures the impact and reflects the stated goals of the district. Unless otherwise informed by the public art coordinator, your annual report will be due in May each year.

Along with reviewing and measuring your district's outcomes and goals as laid out in the strategic plan, your annual report is a place to celebrate the arts and cultural progress made. In line with the data provided during the application stage, this data collection and measurement is intended to evaluate the program in your area. It is used to identify areas of success as well as places for greater focus as your program continues to grow and develop.

Required data points

- **visitors** – track the number of visitors to the district (local and non-local)
 - **building occupancy** – track changes in occupancy rates
 - **demographics** (must include artists who live/work in the district, volunteers, leadership, race, age, and disability statistics)
 - **sales tax collections**
 - **employment numbers**
 - **current numbers of public art experiences** (festivals, concert series, poetry readings, etc.) and public artworks (murals, sculptures, art installations, temporary work, land art, etc.)
 - **arts-based businesses data** (sales volume, occupancy, taxes generated by)
 - **property values within the district**
 - **education data** (all levels, pre-K through higher education, if applicable)
-

Recertification

Every five (5) years, SCAC staff will evaluate the annual reports, action plans, goals, and outcomes of designated cultural districts to assess the

district's impact and continued viability for state designation. Each district that is up for recertification should prepare a new five-year plan including desired outcomes, goals, and objectives. Prior to submitting this, the district representatives will be required to have a meeting to discuss the evaluation and new plan with SCAC staff.

Districts demonstrating substantial progress or success at accomplishing goals and outcomes, and that demonstrate a continued local commitment to management and promotion of the district, will be recertified for another five-year period.

Process

1. SCAC staff reviews previous reporting forms.
 2. SCAC and cultural district coordinators have a review meeting (Zoom or in-person).
 - In this meeting, we will discuss:
 - The information found within the reporting and in coordination with your original application materials.
 - Quantifiable goals with measurable outcomes for the next five years to assess your district's success along the way.
 - Cultural district program details and recommendations.
 3. Submit data/documents for future planning:
 - A brief strategic plan + marketing plan for the next five years.
 - Strategic plan must address desired outcomes, goals, and objectives for the next five years of certification; and it must include arts-related programs, activities, or projects.
 - Marketing plan must address promotional strategy, any active and planned collateral, and a social media plan.
 - It is strongly recommended that marketing plan include accessibility considerations and indicators using recognized [accessibility symbols](#).
 - Updated cultural district steering committee information including a list of the steering committee members and a brief reason for their inclusion as representative of all interests of the district.
 - A map that identifies the boundaries or new proposed boundaries, arts and cultural facilities, public artworks, locations of public art programming, and other cultural assets.
 - Baseline data to measure progress.
 - If you are unable to provide some of the baseline data, please contact the public art coordinator to discuss prior to submitting your recertification documents.
 4. Receive approval + a press release/social media announcing the recertification.
-

Review rubric

FY24 SCAC Cultural Districts Recertification Rubric

PLANNING + CREATIVE PLACEMAKING – 10%

	0-1	2-4	5-7	8-10
Integration	The applicant does not anticipate how the arts, culture, and design will integrate into local systems through recertification.	The applicant somewhat anticipates how recertification will help integrate arts, culture, and design into local systems.	The applicant adequately anticipates how recertification will help future integration of arts, culture, and design into local systems with thought-out reasons.	The applicant distinctly anticipates how recertification will help future integration of arts, culture, and design into local systems with clear and thought-out reasons.

UPDATE MAP – 15%

	0	8
Map	An updated map was not submitted.	An updated map has been submitted.
	0	7
Asset list	The updated asset list spreadsheet was not submitted.	The updated asset list spreadsheet has been submitted.

CULTURAL DISTRICT STRATEGIC PLAN – 25%

	0-2	3-5	6-8	9-10
Desired outcomes	The applicant has not identified and/or described desired outcomes for the cultural district.	The applicant has somewhat identified and/or described desired outcomes for the district.	The applicant has identified and described desired outcomes for the cultural district.	The applicant has identified and very specifically described desired outcomes for the cultural district.

	0-5	6-9	10-12	13-15
Goals + Objectives	The applicant does not include clear goals and objectives for arts-related programs, projects, and activities.	The applicant includes some clear goals and objectives for arts-related programs, projects, and activities for the next five years, but they are not measurable.	The applicant includes clear goals and objectives for arts-related programs, projects, and activities for the next five years that can be measured annually.	The applicant includes extremely clear goals and objectives for arts-related programs, projects, and activities for the next five years that can be measured annually.

BASELINE DATA FOR THE DISTRICT – 25%

	0	1-6	7-12	13-19	20-25
Baseline data	No baseline data is provided.	Minimal baseline data is provided.	There is some baseline data provided enabling an annual assessment of the district.	There is adequate baseline data provided enabling an annual assessment of the district.	There is thorough baseline data provided enabling an in-depth annual assessment of the district.

CULTURAL DISTRICT MARKETING PLAN – 15%

	0-1	2-3	4-5
Collateral	There is no marketing collateral.	The marketing collateral has been included.	The marketing collateral and planned collateral has been included along with accessibility considerations.
Promotional strategy	There is not a comprehensive promotional strategy for post-recertification and achieving district goals.	There is a comprehensive promotional strategy for post-recertification and achieving district goals is included.	An extremely comprehensive promotional strategy for post-recertification and achieving district goals is included along with accessibility considerations.
	0-1	2-3	4-5

Social media plan	There is not a social media plan.	The social media plan has been included and commits to marketing through any social media channels.	The social media plan has been included and provides a clear plan for achievable marketing of the district through any social media channels.
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STEERING COMMITTEE – 10%				
	0-2	3-5	6-8	9-10
Member list	The steering committee list names members, with little justification for their inclusion on the committee.	The steering committee list names members, with some justification for their inclusion on the committee.	The steering committee list names members, with justification for their inclusion on the committee.	The steering committee list names at least five active members, with clear justification for their inclusion on the committee.

Non-certification

The SCAC retains the right to non-certify a cultural district if they determine that a district is not meeting the criteria and responsibilities necessary to remain in good standing. Additionally, a cultural district may choose to end their status as a cultural district at any time.

Non-certification, whether voluntary or involuntary, means all rights and privileges regarding cultural districts grants, technical assistance and advice, and resources associated with cultural districts will no longer be available. Use of the “Cultural District of South Carolina” name and logo on any platform is prohibited after non-certification.

Voluntary

A cultural district committee may choose to end their status before the end of their 5-year term, or come to the end of their term and choose not to recertify.

Voluntary Non-Certification Process

- Write a formal letter to the Public Art Coordinator stating that at minimum of half +1 of the committee voted to request non-certification as a state authorized Cultural District.
 - Receive a letter from the Public Art Coordinator accepting the recusal.
 - The district will be ineligible to apply for certification for one year, after which they can apply via the application process for new cultural districts (see: Becoming a Cultural District).
-

Involuntary

If at the end of the recertification process the SCAC determines that a cultural district has not met the criteria and responsibilities necessary to remain in good standing, the Public Art Coordinator will notify the committee chair and give them 60 days to address any insufficiencies.

Involuntary Non-Certification Process

- SCAC provides the district with a 60-day notice of their non-certification. The notice will include a list of insufficiencies.
 - If at the end of the 60 days, the district has sufficiently addressed their insufficiencies, they will be recertified as a cultural district. No other action will be needed.
 - If at the end of the 60 days, the district has not sufficiently addressed their insufficiencies, they will be non-certified.
 - The non-certified district will be ineligible to apply for certification for one year, after which they can apply via an **accelerated recertification** process.
 - Districts non-certified for more than one year must reapply via the application process for new cultural districts (see: Becoming a Cultural District).
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I'm here to help!

To discuss the program and ask any questions you might have, please contact Public Art Coordinator **Harvee L. White** (803.734.8253 | hwhite@arts.sc.gov).





TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: August 19, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to Amend the Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards in Land Management Ordinance Sections 16-2-103, 16-5-106 and Appendix D, and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration of an Ordinance to Amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to Amend the Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards in 16-2-103, 16-5-106, and Appendix D., and to provide for severability and an effective date, and forward a recommendation to Town Council.

The Planning Commission held a public hearing on April 16, 2025, and, after consideration of the criteria set forth in Land Management Ordinance (LMO) Section 16-2-103, voted unanimously to recommend that Town Council approve the proposed text amendment.

On May 19, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council. with the following items addressed prior to first reading:

1. Ensure inclusion of downstream impacts on traffic to the requirements;
2. Consider raising level of service to higher than an "F";
3. Ensure the changes do not impact redevelopment opportunities and consider a definition of blighted;
4. Clarify the size of the area to be analyzed when the traffic impact is studied; and
5. Consider what multimodal means to Hilton Head Island now and in the future.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex are recommended to be further explored during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding amendments related to Traffic Impact Analysis.

1. Change name from Traffic Impact Analysis to Transportation Impact Analysis Plan (TIAP) to account for a multimodal approach (ie: car, bicycle, pedestrian, public transit, plane, etc.)
2. Reduce the threshold a development needs to meet to trigger a mandatory TIAP from 100 peak hour trips to 50 peak hour trips.
3. Include multimodal infrastructure (such as bike paths, sidewalks, transit) in the analysis.
4. Include more impact mitigation options.
5. Clarify subject matter approval by the Town Engineer instead of the LMO Official as a best practice.
6. Add unsignalized intersections level of service standard including mitigation requirements and remove the discounting of impacts due to “background traffic,” (i.e. the trips generated by previously existing development).

The Planning Commission held a public hearing on April 16, 2025, and, after consideration of the criteria set forth in Land Management Ordinance (LMO) Section 16-2-103, voted unanimously to recommend that Town Council approve the proposed text amendment.

On May 19, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council with items to be addressed prior

to first reading. The following is a list of the Committee items followed by a response / action taken to address each item:

1. Ensure inclusion of downstream impacts on traffic to the requirements.

The study area to be considered within Transportation Impact Analysis Plan studies is determined in accordance with Appendix D-11(B)8, which requires that a minimum of three signalized intersections on major arterials to be analyzed. Any traffic circle or roundabout may be included as a study intersection analyzed at the direction of the Town Engineer, and the Town Engineer may request that unsignalized intersections be analyzed, effectively vesting the Town Engineer with the authority to determine the study area limits. Section 16-5-105(A)5.e, which is not proposed for revision, requires that site access for all development review applications be compliant with SCDOT's design standards as outlined in their *Access and Roadside Management Standards* manual relative to geometric design and the need to provide any turn lanes.

2. Consider raising level of service to higher than an "F".

A level of service of "F" is not accepted. The standards within the existing and proposed text establish a minimum threshold level of service of "D".

3. Ensure the changes do not impact redevelopment opportunities and consider a definition of blighted.

To find a balance between the mitigation of traffic impacts from development and supporting the redevelopment of properties that previously generated traffic, Town staff have proposed the following amendment to Section 16-2-103.J.4.b., "If the proposed development is located on a previously developed parcel, then the number of peak hour trips projected to be generated by the proposed development shall be reduced by the number of trips generated by the previous development during the peak hour for the preceding twenty four months. If the resulting number is less than 50 peak hour trips, a Transportation Impact Analysis Plan is not required for the proposed development."

4. Clarify the size of the area to be analyzed when the traffic impact is studied.

Similar to item 1 above, the study area to be considered within a Transportation Impact Analysis Plan is determined in accordance with Appendix D-11(B)8, which requires that a minimum of three signalized intersections on major arterials to be analyzed. Any traffic circle or roundabout may be included as a study intersection analyzed at the direction of the Town Engineer, and the Town Engineer may request that unsignalized intersections be analyzed, effectively vesting the Town Engineer with the authority to determine the study area limits. Section 16-5-105.A.5.e. already requires that site access for all development review applications be compliant with SCDOT's design standards as outlined in their *Access and*

Roadside Management Standards manual relative to geometric design and the need to provide any turn lanes.

5. Consider what multimodal means to Hilton Head Island now and in the future.

Multimodal is a common transportation term that involves the use of multiple modes of transport for moving people or goods. The most typical modes are walking, biking, public transit, railways, motor vehicles, waterways, and airways. In the case of Hilton Head Island and the LMO, multimodal considers the movement of people and goods on roadways and pathways to encompass a variety of users, including motorists, transit users, carriers of goods, cyclists, and pedestrians, including those with disabilities.

SUMMARY OF AMENDMENT:

Effective transportation planning is essential for managing growth, ensuring mobility, and maintaining a safe and efficient transportation network. As communities develop, new projects introduce additional traffic, impacting roads, intersections, and multimodal infrastructure such as sidewalks, bike lanes, and transit systems. Without proper assessment, development can lead to congestion, safety hazards, and infrastructure strain.

For the Town, this type of assessment is conducted during the development approval process and involves a detailed study of projected traffic volumes, travel patterns, and potential impacts on roadway safety and congestion. The analysis helps determine whether improvements, such as roadway expansions, new traffic signals, pedestrian enhancements, or transit service modifications, are necessary to maintain efficient and safe travel conditions as identified by the study parameters.

While these studies are designed to assess how new projects affect traffic, there are concerns about whether the Town's current process and requirements truly addresses the needs of residents and adequately mitigate transportation impacts resulting from new development and redevelopment. As part of the priority amendments, the Town is proposing to update its current requirements for these studies for a more comprehensive approach that better reflects the transportation needs of everyone, including pedestrians, cyclists, and transit users.

The proposed amendments strengthen the Town's requirements by:

1. Expanding the scope of study beyond traffic to include multimodal infrastructure such as sidewalks, bike lanes, and transit services,
2. Reducing the threshold for requiring a traffic study from 100 peak-hour trips to 50 peak-hour trips, ensuring that even moderate developments undergo proper transportation impact review,
3. Expanding the type of mitigation options that can be used to address transportation impacts,

4. Shifting approval authority from the LMO Official to the Town Engineer for consistency with best practices,
5. Adding new standards for unsignalized intersections, and
6. Eliminating exemptions associated with trips generated by previously existing development.

These updates will make the Town's process more responsive to the community's needs and promote a more balanced, multimodal, and forward-thinking approach to transportation planning, ensuring that growth aligns with the Town's long-term mobility and infrastructure goals. These changes are part of an ongoing effort to update the Town's regulations, with further revisions expected during the full LMO update.

ANALYSIS:

Proposed Amendments

The Town currently requires a "Traffic Impact Analysis Plan." Examples of projects that recently required a TIAP include:

1. 147 Residential Units on Jonesville Road and
2. 132 Residential Units on Office Way

It is proposed to be renamed to the "Transportation Impact Analysis Plan" (TIAP) to reflect a more comprehensive, multimodal approach that includes biking, walking, and transit. Oversight of TIAPs has shifted from the LMO Official to the Town Engineer to ensure technical accuracy and alignment with best practices.

As part of this amendment, the threshold for requiring a TIAP is proposed to be lowered from 100 to 50 peak hour trips, thereby increasing the number of projects subject to analysis. For instance, two recent projects that were not required to provide a TIAP but were exempted due to the trips factored in for previously existing development would have been required to provide a TIAP under the proposed language are the following:

1. Timeshare development on Folly Field Road near Islanders Beach Park and
2. Waterfront restaurant on Squire Pope Road near the Rowing and Sailing Center at Squire Pope Community Park

The proposed TIAP amendments would also require the evaluation of multimodal infrastructure, such as bike paths, sidewalks, and public transit options. Transportation impacts can be mitigated by expanded and more flexible mitigation strategies to address transportation impacts, such as replacing a traffic signal or uncontrolled intersection with a roundabout that meets the Town's operational and design standards, changes to locations or design of median crossovers and removal of changes to the number and location, or design of access points. Additionally, new standards for unsignalized intersections have been introduced, requiring mitigation for impacts.

The following table demonstrates how the proposed amendments address demonstrated issues.

Issue	Proposed Amendment
Clarify subject matter approval by the Town Engineer instead of the LMO Official as a best practice.	The Town Engineer is now referenced throughout the text amendment as the decision-making authority concerning Transportation Impact Analysis Review.
Change name from Traffic Impact Analysis Plan to Transportation Impact Analysis Plan to account for a multimodal approach. Reduce the threshold a developer needs to meet to trigger a mandatory TIA from 100 peak hour trips to 50 peak hour trips.	Sec.16-2-103. Application Specific Review Procedures J. Traffic<u>Transportation</u> Impact Analysis Plan Review 1. <u>Applicability</u> a. The A <u>A</u> Traffic <u>Transportation</u> Impact Analysis Plan, monitoring and mitigation requirements, and procedures set forth in this section are applicable to <u>all development as defined in this Title that would generate 50 or more peak hour trips, except for that as specifically exempted in paragraph 4 below of this subsection.</u>
Add unsignalized intersections level of service standard including mitigation requirements.	Chapter 16-5-106: C. Traffic Impact Analysis Plan <u>Service Level Standards</u> 3. The average total day <u>delay</u> on any approach to a traffic circle or roundabout the Sea Pines Circle does not exceed 150 seconds per vehicle during the peak hour for an average July weekday, <u>and the average total delay on any approach to any other traffic circle or roundabout does not exceed 55.0 seconds per vehicle during the peak hour for an average July weekday;</u> and 4. <u>The Level of Service (LOS) for any vehicular traffic movement does not decline by more than one level per the requirements of the Highway Capacity Manual (HCM), nor to a Level of Service of "F"; and</u>

	5. <u>The development causes safety issues or delays that require mitigation as determined by the Town Engineer.</u>
Include multimodal infrastructure (such as bike paths, sidewalks, transit) in the analysis.	Appendix D: Application Submittal Requirements D-11. Traffic <u>Transportation</u> Impact Analysis Plan Review <u>B. Submittal Requirements</u> <u>7. The impact on non-motorized travel shall be based on the procedures and practices recommended by ITE, Transportation Research Board (TRB), AASHTO and FHWA. The applicant shall incorporate where possible any non-motorized recommendations included in Town and/or regional long-term plans in the vicinity of the site. The study should identify potential changes such as:</u> <u>a. Improvements to pedestrian crossings;</u> <u>b. Additional pedestrian or bicycle crossings;</u> <u>c. Improvements to pedestrian signals, pedestrian signal intervals, signs, and pavement markings;</u> <u>d. Construction of additional sidewalks or non-motorized pathways;</u> <u>e. Changes to the site design and access to ease non-motorized travel and reduce conflicts with vehicles, from the public right-of-way to the building entrances or on-site activity; and</u> <u>f. Other similar improvements to transportation facilities.</u>
Modify the discounting of impacts due to “background traffic.” i.e. the trips generated by previously existing development. Per the recommendation of Community Services Public Safety Committee, a	4. Exemptions The following types of development shall be exempt from the Traffic <u>Transportation</u> Impact Analysis Plan and mitigation requirements of this section: b. Development that would generate fewer than peak hour trips on the adjacent street. i. If the proposed development will be replacing a vacant or occupied structure on the same site, then for the purpose of

modification has been drafted to support the redevelopment of property (see yellow highlighted text).	determining exemptions, the number of peak hour trips generated by the proposed land use shall be reduced by the number of peak hour trips generated by the most recent legally established land use. ii. Proof of the most recent principal land use of a site shall be the responsibility of the applicant and shall be submitted to the Official for approval. Absent such proof, the peak hour trip rate will be based on the lowest trip generation of all the uses permitted by right in the site's zoning district. <u>b. If the proposed development is located on a previously developed parcel, then the number of peak hour trips projected to be generated by the proposed development shall be reduced by the number of trips generated by the previous development during the peak hour for the preceding twenty four months. If the resulting number is less than 50 peak hour trips, a Transportation Impact Analysis Plan is not required for the proposed development.</u>
Include more impact mitigation options.	Appendix D: Application Submittal Requirements D-11. <u>Traffic Transportation</u> Impact Analysis Plan Review B. Submittal Requirements <u>8. 10.</u> If the initial computerized analysis indicates that the Town's adopted traffic service level standards will be not be met, a mitigation plan must be included in the plan based on at least one additional computer analysis. This mitigation plan must show how the Town's adopted traffic service level standards will be satisfied. Applicants will only <u>shall</u> be responsible to mitigate the <u>traffic transportation impacts</u> of <u>their proposed</u>

	development. Acceptable roadway mitigation measures are limited to the following: a. Traffic signal timing adjustments; timing or phasing revisions, that not only mitigate traffic impacts generated by this development, but also result in safe and acceptable operations at the study intersection as demonstrated by a network traffic analysis; b. Traffic signal phasing adjustments; Addition of signs, signals, markings, or other measures to accommodate road crossings and improve safety for pedestrians and achieve ADA compliance; c. Pavement marking revisions; d. Adding additional intersection turn lanes not to exceed 4 lanes on minor arterial approaches and 5 lanes on major arterial approaches; and e. Geometric improvements to traffic circles or roundabouts <u>signalized or unsignalized intersections, including traffic circles or roundabouts, to improve traffic operations, pedestrian and bicycle operations or to improve safety;</u> f. <u>Road widening;</u> g. <u>Adding a traffic signal at a location that is warranted per the Manual of Uniform Traffic Control (MUTCD);</u> h. <u>Replacing a traffic signal or uncontrolled intersection with a roundabout that meets the Town's operational and design standards;</u> i. <u>Changes to locations or design of median crossovers to reduce congestion and mitigate accidents;</u> j. <u>Removal of changes to the number and location, or design of access points to reduce congestion and mitigate accidents;</u> k. <u>Additional signage;</u> l. <u>Other transportation-related safety improvements identified and/or recommended by the Town Engineer.</u>
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Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities and is not applicable.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Supports the Comprehensive Plan, which includes the following strategy and tactic: “Maintain, evaluate, and update as needed traffic analysis standards to guide development in accordance with the existing and future needs of the Town.”
2. Is required due to increased traffic and congestion.
3. Addresses a demonstrated community need to mitigate traffic impact and includes consideration of essential multimodal transportation options.
4. Ensures that overall transportation impacts and mitigation efforts are consistent with the intent of the LMO.
5. Results in safer and less congested streets and intersections ensuring orderly development and transportation networks.
6. Minimizes the overall impact of Town-wide development and resulting traffic.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments.

The Town Council shall review the application, staff report, and Planning Commission recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. In this case, should Town Council support the Community Services Public Safety Committee recommendations, any change or departure from the text amendment that is different than what was recommended by the Planning Commission shall first be submitted back to the Planning Commission for review and recommendation in accordance with State law. Following review and recommendation by the Planning Commission of the additional changes, the text amendment ordinance will be returned to Town Council for second reading.
2. Otherwise, Town Council shall:
 - a. Adopt an ordinance approving the Text Amendment as recommended by Planning Commission; or
 - b. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment (as recommended by Planning Commission with Community Services Public Safety Committee recommendations in yellow highlighted text)

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

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND THE TRAFFIC IMPACT ANALYSIS PLAN REQUIREMENTS AND TRAFFIC ANALYSIS STANDARDS IN LAND MANAGEMENT ORDINANCE SECTIONS 16-2-103, 16-5-106 AND APPENDIX D, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, The Town Council previously adopted a Strategic Action Plan for 2023-2025, and Strategy Number 1 states that the Town will:

Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices; and,

WHEREAS, at its September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding amendments to the Land Management Ordinance related to Traffic Impact Analysis Standards:

1. Change name from Traffic Impact Analysis to Transportation Impact Analysis Plan to account for a multimodal approach.
2. Reduce the threshold a developer needs to meet to trigger a mandatory TIA from 100 peak hour trips to 50 peak hour trips.
3. Include multimodal infrastructure (such as bike paths, sidewalks, transit) in the analysis
4. Include more impact mitigation options.
5. Clarify subject matter approval by the Town Engineer instead of the LMO Official as a best practice.
6. Add unsignalized intersections level of service standard including mitigation requirements and remove the discounting of impacts due to “background traffic,” (i.e., the trips generated by previously existing development); and,

WHEREAS, the Town Council finds that Traffic Impact Analysis studies are important tools and assist the Town in avoiding congestion in the streets, undue concentration of population, safety hazards and overburdening of public infrastructure and also assist the Town in facilitating the creation of a convenient, attractive, and harmonious community; and,

WHEREAS, the Town Council finds that the best interests of the Town, and the health, safety and welfare of its citizens, property owners, residents and visitors will be furthered by an amendment to the Land Management Ordinance Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards to change the title to Transportation Impact Analysis Plan, amend applicability requirements, modify the threshold for requiring an analysis plan, increase mitigation options to modernize the transportation review process, prioritize multimodal considerations, and ensure a thorough evaluation of development impacts on the transportation network by including the following requirements:

- Expanding the scope of Traffic Impact Analysis studies to include multimodal infrastructure such as sidewalks, bike lanes, and transit services,
- Reducing the threshold for requiring a study from 100 peak-hour trips to 50 peak-hour trips, ensuring that even moderate developments undergo proper transportation impact review,
- Expanding the type of mitigation options that can be used to address transportation impacts,
- Shifting approval authority from the LMO Official to the Town Engineer for consistency with best practices,
- Adding new standards for unsignalized intersections, and
- Eliminating exemptions associated with trips generated by previously existing development; and,

WHEREAS, the Town Council finds that these requirements will make the development review process more responsive to the community's needs and promote a more balanced, multimodal, and forward-thinking approach to transportation planning, ensuring that growth aligns with the Town's long-term mobility and infrastructure goals and that these things are in the best interests of the Town, and that the health, safety and welfare of its citizens, property owners, residents and visitors will be furthered by them; and,

WHEREAS, on April 16, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments to change the applicability and to include multimodal options, and the public had an opportunity to comment on the proposed amendments, and the Planning Commission voted unanimously to recommend that Town Council adopt the amendments Land Management Ordinance Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards; and,

WHEREAS, on May 19, 2025, the Community Services and Public Safety Committee discussed the proposed amendments to change the applicability and include multimodal options, and voted ____ to recommend that Town Council adopt the amendments Land Management Ordinance Traffic Impact Analysis Plan Requirements and Traffic Analysis Standards; and,

WHEREAS, the Town Council finds that the best interests of the Town, and the health, safety and welfare of its citizens, property owners, residents and visitors will be furthered by this amendment to the Land Management Ordinance Traffic Impact Analysis

Plan Requirements and Traffic Analysis Standards which will aid in avoiding congestion in the streets, undue concentration of population, safety hazards and overburdening of public infrastructure and also assist the Town in facilitating the creation of a convenient, attractive, and harmonious community.

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

Section 1. Amendment. That the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. 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 __, 2025.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

Alan R. Perry, Mayor

ATTEST:

Kimberly Gammon, Town Clerk

First Reading:
Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Chapter 16-2: Administration

Sec.16-2-103. Application Specific Review Procedures

J. Traffic-Transportation Impact Analysis Plan Review

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on Traffic Transportation Impact Analysis Plans, to ensure new **development** does not create **street** congestion beyond an amount established as acceptable by the Town.

2. Applicability

- a. A ~~The~~ Traffic-Transportation Impact Analysis Plan, monitoring and mitigation requirements, and procedures set forth in this section are applicable to all **development** as defined in this Title that would generate 50 or more **peak hour** trips as defined in this Title, except for that for that as specifically exempted in paragraph 4 below below of this subsection.
- b. Development Plan approval, with or without conditions or modifications, shall not be granted without the **applicant** for Development Plan approval first obtaining Traffic Impact Analysis Plan approval in accordance with this section, unless the **development** is exempt. nor a **Building Permit**, shall not be granted until without the **applicant** has received for Development Plan approval first obtaining Traffic of a Transportation Impact Analysis Plan approval in accordance with this section, in addition to all other requirements, unless the **development** is specifically exempt as provided for in this Chapter.
- c. A **Building Permit** may not be issued for **development** undertaken in accordance with a previously issued final **development** permit until the **applicant** first obtains Traffic Transportation Impact Analysis Plan approval, unless the **development** is exempt.

3. Trip Generation Rates

Trip generation rates shall be taken from the most current edition of the Institute of Transportation Engineers' ITE ~~Institute of Transportation Engineers'~~ Trip Generation Manual ~~(ITE Manual), except; except~~ provided, however, that an **applicant** may elect to perform, at the **applicant's** expense, a trip generation study which shall be submitted to the **Official** Town Engineer in determining an exemption in determining an exemption. ~~The The~~ An **applicant's** trip generation study shall be undertaken by a qualified traffic transportation engineering firm selected in accordance with Appendix D.11, and is subject to review and approval by the **Official** Town Engineer. For any proposed ~~uses uses use~~ not specifically listed in the ITE Manual, the **Official** Town Engineer shall determine the

most appropriate trip generation rate. The **Official** Town Engineer may consider input from the **applicant** in making this decision.

Trip rates shall be generated for pass-by trips, internal trips and multi-modal trips that are generated by a mode other than a personal motor vehicle. Trip rate reductions must be supported by the ITE handbooks or, if local data is used, approved by the Town Engineer.

4. Exemptions

The following types of **development** shall be exempt from the Traffic ~~Traffic~~ Transportation Impact Analysis Plan and mitigation requirements of this section:

- a. Activities and **uses** not constituting **development** (see Sec. 16-1-104.B, Development Activities Constituting Development), or exempt from Development Plan approval (see Sec. 16-2-103.G.3, Exemptions).

~~b. Development that would generate fewer than 100100 **peak hour** trips on the adjacent street.~~

~~i. If the proposed **development** will be replacing a vacant or occupied **structure** on the same site, then for the purpose of determining exemptions, the number of **peak hour** trips generated by the proposed **land use** shall be reduced by the number of **peak hour** trips generated by the most recent legally established **land use**.~~

~~ii. Proof of the most recent principal **land use** of a site shall be the responsibility of the **applicant** and shall be submitted to the **Official** for approval. Absent such proof, the **peak hour** trip rate will be based on the lowest trip generation of all the **uses** permitted **by right** in the site's zoning district.~~

~~b. If the proposed **development** is located on a previously developed **parcel**, then the number of **peak hour** trips projected to be generated by the proposed development shall be reduced by the number of trips generated by the previous **development** during the peak hour for the preceding twenty four months. If the resulting number is less than 50 **peak hour** trips, a Transportation Impact Analysis Plan is not required for the proposed **development**.~~

- c. A residential **development** generating less than 200 **peak hour** trips in which at least 20 percent of the units will qualify and be maintained as affordable housing in accordance with this **Ordinance**.

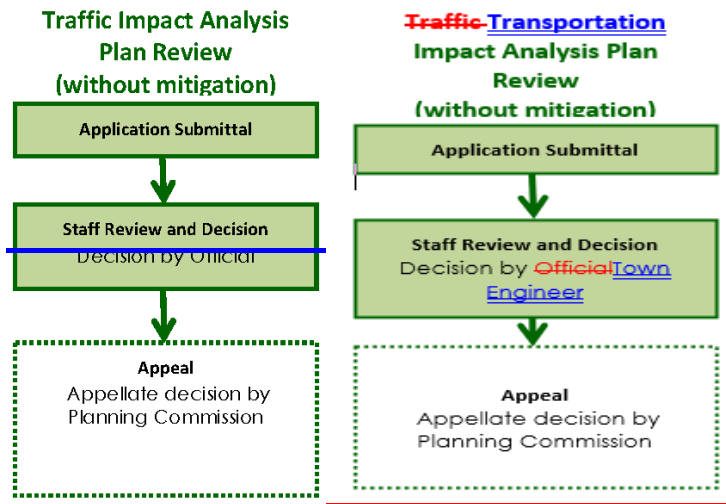
5. ~~Traffic~~ Traffic Transportation Impact Analysis Plan Review Procedure

a. Application Submittal

An **application** for Traffic ~~Traffic~~ Transportation Impact Analysis Plan Review may be submitted by **persons** identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C.

b. Staff Review and Action

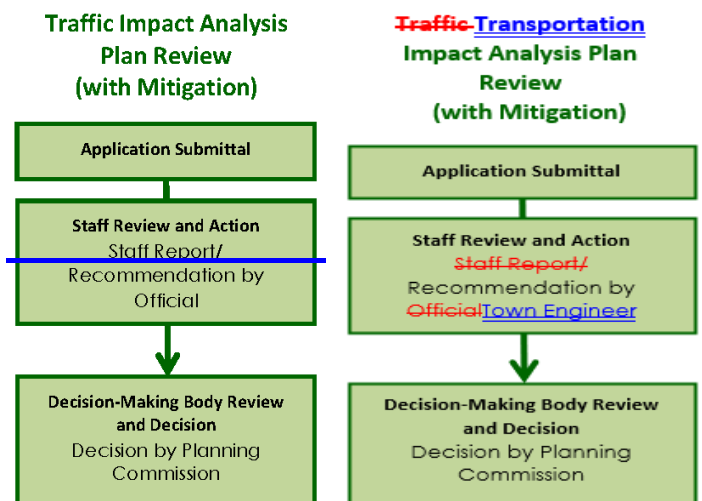
i. No or Minor Mitigation Required



For any proposed **development** that does not require any mitigation or for which mitigation is limited to adjustments to signal timing, signal phasing, ~~or~~ intersection restriping, or improvements serving non-motorized travel, the **Official Town Engineer** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's Town Engineer's** decision shall be based on the standards in Sec. 16-2-103.J.6, Traffic Traffic-Transportation Impact Analysis Plan Standards, and shall be one of the following:

01. Approve the **application** as submitted;
02. Approve the **application** subject to conditions of approval or modifications; or
03. Deny the **application**.

iii. Major Mitigation Required



Where the proposed **development** requires mitigation beyond just adjustments to signal timing, signal phasing, ~~or~~ intersection re-striping, ~~or improvements serving non-motorized travel~~, the ~~Official~~ **Official** ~~Town Engineer~~ shall review the ~~application and prepare a staff report with a recommendation for action and prepare a staff report with a recommendation for action~~ in accordance with Sec. 16-2-102.D. The ~~Official's~~ **Official's** ~~Town Engineer's~~ **recommendation shall be based on the standards in Sec. 16-2-103.J.6, Traffic ~~Traffic~~ Transportation Impact Analysis Plan Standards.** Any mitigation improvements should comply with the latest edition of SCDOT's Access and Roadside Management Standards (ARMS) manual and SCDOT Roadway Design Manual.

c. Decision-Making Body Review and Decision

i. For any proposed **development** that requires mitigation beyond just adjustments to signal timing, signal phasing, or intersection re-striping, the **Planning Commission** shall review the ~~application and staff report and staff report~~ **application and staff report** at a public meeting and make a final decision on the **application** in accordance with Sec. 16-2-102.G. The Commission's decision shall be based on the standards in Sec. 16-2-103.J.6, ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan Standards, and shall be one of the following:

01. Approve the ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan as submitted;

02. Approve the ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan subject to conditions of approval or modifications; or

03. Deny the ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan.

ii. ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plans containing mitigation other than that allowed in Appendix D (specifically D-11.B.8) will not be accepted.

d. Post-Decision Actions and Limitations

i. **Notice of Decision**

The **Official** ~~Town Engineer~~ shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

ii. **Appeal**

01. Appeals from the final decision of the ~~Official~~ **Official** ~~Town Engineer~~ on an **application** for ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan Review are governed by Sec. 16-2-103.U, Appeal of **Official's** Decision to **Planning Commission**, and S.C. Code Ann. § 6-29-1150.

02. Appeals from the decision of the **Planning Commission** on an **application** for ~~Traffic~~ **Traffic** ~~Transportation~~ **Transportation** Impact Analysis Plan Review are governed by S.C. Code Ann. § 6-29-1150.

6. ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan Standards

The proposed ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan shall not be approved unless it is demonstrated the Town's **street** system can operate and comply with the Town's **adopted traffic service level standards**, and the plan complies with Sec. 16-5-106, ~~Traffic~~ ~~Traffic~~ Transportation Analysis Standards.

7. Expiration of Approval

A ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan approval shall expire ~~after~~ one (1) year from the date of approval unless the **applicant** submits a complete Development Plan review **application**.

8. Amendment

A ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan may be amended only in accordance with the procedures and standards for applicable to its original approval.

9. ~~Traffic~~ ~~Traffic~~ Transportation Mitigation Program Implementation

a. Timing of Implementation

If a ~~traffic~~ ~~traffic~~ transportation mitigation program is part of an approved ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan, all approved ~~Traffic~~ ~~traffic~~ transportation mitigation **improvements** must be implemented prior to issuance of a Certificate of Compliance unless otherwise provided for as part of the approved ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plan.

b. Responsibility for Costs of Improvement; Reimbursement

- ~~i.~~ Except as provided for in provisions ii through iv below, ~~t~~ The costs of implementation of an approved mitigation program shall be the responsibility of the **applicant**, except as follows:
 - ~~ii.~~ If an **applicant** is required to provide an **improvement** that would otherwise be funded by transportation impact fees, a transportation impact fee credit shall be available as provided in accordance with Sec. 16-5-116.K, Offsets to Impact Fees.
 - ~~iii.~~ If an **applicant** is required to provide an **improvement** which is eligible for a transportation impact fee credit as provided for in accordance with Sec. 16-5-116.K, Offsets to Impact Fees, and the cost of the **improvement** exceeds the amount of the transportation impact fee otherwise calculated to be due in accordance with that section, the **applicant** may submit a plan for reimbursement to the **Town Council** for action. Such reimbursement plan shall be consistent with the **Town's** contractual obligations with respect to other planned **street improvements** and consistent with the **Town's** adopted **Capital Improvements Program** (CIP).
 - ~~iv.~~ If an **applicant** is required to provide an **improvement**, other than a site-related ~~traffic~~ ~~traffic~~ transportation **improvement** that is eligible for funding with transportation impact fees, or if an **applicant** proposes a change in priorities in the adopted CIP, the **applicant** may submit a proposal to the **Town Council** requesting consideration for inclusion of such **improvement** in the CIP or for a shifting of

priorities within the CIP, together with a proposed reimbursement plan which is consistent with the requirements of this section.

10. ~~Traffic~~ Transportation Monitoring and Evaluation Report

a. Report

Annually, following the preparation of the ~~June~~ ~~June~~ July intersection turning movement counts, the ~~Official~~ ~~Official~~ Town Engineer shall prepare a ~~Traffic~~ ~~Traffic~~ Transportation Monitoring and Evaluation Report, which shall include each of the following:

- ~~i.~~ **Peak hour** traffic turning movement counts for an average ~~June~~ ~~June~~ July weekday for all signalized intersections as measured by the ~~Town~~ Town Engineer;
- ~~ii.~~ Twenty-four hour traffic volumes on William Hilton Parkway, Palmetto Bay Road, Pope Avenue, and the Cross Island Parkway as measured by the ~~Town~~ Town Engineer;
- ~~iii.~~ Historical trends over the past five years if available for items in paragraph ~~ii.~~ above;
- ~~iv.~~ Description of the operating conditions, relative to the **adopted traffic service level standards**, for each signalized intersection and how the operating conditions have changed since the last reporting period;
- ~~v.~~ Morning, midday, and afternoon **peak hour** volumes for Sea Pines Circle in reports for years evenly divisible by ~~five~~ ~~five~~ two; and
- ~~vi.~~ Recommendations for mitigation **improvements** to intersections that fail to meet the ~~traffic~~ ~~traffic~~ transportation standards outlined in Sec. 16-5-106, ~~Traffic~~ ~~Traffic~~ Transportation Analysis Standards.

b. Certification of ~~Traffic~~ Transportation Data

Based on the ~~Traffic~~ ~~Traffic~~ Transportation Monitoring and Evaluation Report, ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plans, and such other information as deemed appropriate, the ~~Official~~ ~~Official~~ Town Engineer shall certify the ~~traffic~~ ~~traffic~~ transportation data to be used by all **applicants**, ~~traffic~~ ~~traffic~~ transportation engineers, **Town** staff and consultants, in performing and reviewing ~~Traffic~~ ~~Traffic~~ Transportation Impact Analysis Plans. The ~~Official~~ ~~Official~~ Town Engineer will certify the traffic volume data on an annual basis or more frequently as deemed appropriate.

c. Planning Commission Action

- ~~it.~~ The ~~Traffic~~ ~~Traffic~~ Transportation Monitoring and Evaluation Report prepared by the ~~Official~~ ~~Official~~ Town Engineer as described above shall be forwarded to the **Planning Commission** ~~and simultaneously conveyed to the Town Council and simultaneously conveyed to the Town Council~~. Upon receipt of the Report and recommendations from the ~~Official~~ ~~Official~~ Town Engineer, the **Planning Commission** shall give notice and hold a public meeting for the purpose of discussing the Report and recommendations and eliciting public comments.

iiH. Following its review, the **Planning Commission** shall forward the ~~Traffic~~ **Traffic** ~~Transportation~~ Monitoring and Evaluation Report and recommendations, and may forward its own supplemental report and recommendations, to the **Town Council**.

11. Vehicular Multimodal Access Analysis

- a. All **development** shall have an **access** analysis undertaken by the ~~Official~~ **Official** ~~Town Engineer~~. This analysis shall be undertaken to ensure that vehicular and multi-modal **access** to all proposed developments and **subdivisions** is accomplished in a safe manner.
- b. This analysis will identify any vehicular **access improvements** the **applicant** must install at the **applicant's** expense, such as deceleration lanes, and shall identify the location of any curb cuts based on, but not limited to sight distances, existing **roadway** infrastructure, opposing **driveways** locations, and shared vehicular **access**. This analysis will address requirements for adequate **driveway** design including, but not limited to turning radius and stacking distance. The standards in the South Carolina Department of Transportation's Access and Roadside Management Standards Manual shall serve as a guide for this review.
- c. This analysis will identify any improvements required to serve non-vehicular site access, including any modifications to or improvements of pathway crossings being impacted by the site development.
- ~~e. d.~~ The vehicular and multimodal **access** requirements approved by the ~~Official~~ **Official** ~~Town Engineer~~ shall be incorporated on **development** or **subdivision** plans prior to their approval. If an **applicant** is required to provide site-related traffic **improvements**, the cost of implementing such **improvements** shall be borne by the **applicant** and no such costs shall be eligible for a credit or offset from any transportation impact fees required in accordance with Sec. 16-5-116.K, Offsets to Impact Fees.

Chapter 16-5: Development and Design Standards

Sec.16-5-106. ~~Traffic~~ Transportation Analysis Standards

A. Purpose

The purpose of this section is to guide **development** in accordance with the existing and future needs of the **Town** in order to protect, promote and improve the public health, safety, ~~morals,~~ **morals,** convenience, order, ~~appearance,~~ prosperity and general welfare of the citizens of the **Town**, by ensuring new **development** does not overburden and overly congest the **Town's** streets, pathways, sidewalks, and other transportation systems in the ~~**Town's**~~ **streets**.

B. Intent

The regulations of this section are designed and intended:

1. To ensure that the **Town's** adopted ~~traffic~~ **traffic** ~~transportation~~ **service level standards** are met within the **Town** and to provide safety from fire, panic and other dangers, to promote the public health and general welfare, to prevent the overcrowding of **land**, to avoid undue concentration of population, and to facilitate safe and ~~the~~ ~~the~~ adequate provision of ~~provision of~~ **street** and non-motorized facilities.
2. To enable the ~~Town~~ **Town** Engineer or their **designee** to conduct an appropriate review and evaluation of the ~~traffic~~ **traffic** ~~multimodal transportation~~ **impacts** of proposed **development**, to provide for the imposition of conditions in order to assure that new **development** does not impair ~~the Town's ability and obligation to provide adequate street facilities to all citizens, the~~ **safety** and ~~the Town's ability and obligation to provide adequate~~ **adequacy of impacted street and transportation facilities** ~~to all its~~ used by the **Town's** citizens, and to prescribe necessary project-specific mitigation measures or ~~otherwise condition traffic impact analysis to otherwise~~ changes to the site design or operations, and establish the implementation timing and funding, as part of the ~~condition traffic impact analysis~~ **plan** approval.
3. To ensure that no ~~traffic~~ **traffic** ~~transportation~~ impact analysis plan approvals are granted that would cause a reduction in the service level of any **street** facility that is currently operating in a manner that fails to satisfy the **Town's adopted traffic service level standards**.
4. To ensure that no ~~traffic~~ **traffic** ~~transportation~~ ~~impact~~ **Impact analysis** ~~Analysis~~ **Plan** approvals are granted unless **street** facilities with adequate capacity to accommodate the traffic generated by the proposed **development** are available concurrently with the scheduled opening of the **development**.
5. To establish uniform procedures for the review of **applications** for ~~traffic~~ **traffic** ~~transportation~~ ~~impact~~ **analysis** ~~Analysis~~ **plan** ~~Plan~~ approval subject to the ~~traffic~~ **traffic** ~~transportation~~ ~~impact~~ **Analysis** ~~plan~~ **Plan** requirements set forth herein.
6. To better coordinate the short-term growth potential of the **Town** with the immediately available **street** system capacity, taking into account exempt **development** and approved **development** that has not been built, to the extent to which these may be eligible for **development** plan approval without being subject to the ~~traffic~~ **traffic** ~~transportation~~ ~~impact~~ **Analysis** ~~plan~~ **Plan** requirements of this section.
7. To better coordinate the long-term growth potential of the **Town** with an ~~realistic~~ **realistic** assessment of street capacity which is currently and which may in the future become available, recognizing the limitations on the **Town's** financial resources, the constraints presented by the geography of the Island, and the need to preserve the Island's sensitive natural, historic, and environmental resources.
8. ~~To better coordinate the type, location, amount, timing, and rate of development of proposed land uses in accordance with the Comprehensive Plan, zoning~~

district regulations, and ~~Official Zoning Map~~ with the present and projected future availability of ~~street~~ system capacity.

~~9.8. To better coordinate the type, location, amount, timing, and rate of development of proposed la~~ To establish and maintain a traffic monitoring system to regularly determine the volume of traffic on the **Town's street** system and the degree to which capacity limits ("thresholds") are being approached or exceeded.

8. To require that Transportation Impact Analysis Plans are prepared by a licensed professional transportation engineer, and that the plan contents and modeling are consistent with national guidelines and practices published by the **Institute of Transportation Engineers (ITE)**, the **Transportation Research Board (TB)**, the **Federal Highway Association (FHWA)**, the **American Association of State Highway and Transportation Officials (ASHTO)**, the **National Association of City Transportation Officials**.

~~10.9. It is not the intent of this section to deny to any person a reasonable opportunity to develop land in a beneficial manner, but rather to coordinate the type, location, amount, timing, and rate of development with the Town's reasonable ability to provide adequate public street facilities consistent with the Town's adopted traffic service level standards.~~ To ensure that, in addition to measuring the impact on the roadway system, the transportation impact analysis plan measures the multimodal impacts, and mitigation measures, for non-motorized travel and transit.

~~10. 10.~~ To establish and maintain a traffic monitoring system to regularly determine the volume of traffic of the **Town's street** system and the degree to which capacity limits ("thresholds") are being approached or exceeded.

C. ~~Traffic~~ Traffic Impact Analysis Plan Service Level Standards

All required ~~traffic~~ ~~traffic~~ transportation ~~I~~mpact ~~A~~analysis ~~P~~plans shall, at a minimum, indicate compliance or non-compliance with the standards of this section.

1. The average total delay in seconds per vehicle for each signalized intersection does not exceed 55.0 seconds during the **peak hour** for an average July weekday; and
2. The volume-to-capacity (V/C) ratio for each signalized intersection does not exceed 0.90 during the **peak hour** for an average July weekday; and
3. The average total day delay on any approach to ~~a traffic circle or roundabout~~ a traffic circle or roundabout the Sea Pines Circle does not exceed 150 seconds per vehicle during the **peak hour** for an average July weekday; and the average total delay on any approach to any other traffic circle or roundabout does not

exceed 55.0 seconds per vehicle during the **peak hour** for an average July weekday; and

4. The Level of Service (LOS) for any vehicular traffic movement does not decline by more than one level per the requirements of the Highway Capacity Manual (HCM), nor to a Level of Service of "F"; and
5. -The **development** causes safety issues or delays that require mitigation as determined by the Town Engineer.

Appendix D: Application Submittal Requirements

D-11. ~~Traffic~~ **Traffic**-Transportation Impact Analysis Plan Review

A. Plan Preparation

1. Selection of ~~Traffic~~ **Traffic**-Transportation Engineering Firm

The ~~Traffic~~ **Traffic**-Transportation Impact Analysis Plan shall be prepared for the **applicant** by a qualified ~~Traffic~~ **traffic**-Transportation ~~E~~ngineer/engineering firm selected from a list of traffic engineering firms maintained by the Town, selected from a list of traffic engineering firms maintained by the Town. The list shall be created through the solicitation by the Town of professional traffic engineers qualified to perform this service. The list shall contain the names of at least three traffic engineering firms, approved by the Town Engineer or their **designee**, and sealed by a licensed professional engineer registered in South Carolina. ~~The list shall be created through the solicitation by the Town of professional traffic engineers qualified to perform this service. The list shall contain the names of a least three traffic engineering firms.~~

2. Establishment of ~~Traffic~~ **Traffic**-Transportation Impact Plan Parameters

- a. Prior to beginning the ~~Traffic~~ **Traffic**-Transportation Impact Analysis Plan, the **applicant** shall supply the ~~Official~~ **Official**-Town Engineer with the following:
 - i. A written narrative describing the proposed **land use(s)**, size and projected opening date of the project and any phases. The narrative must also identify the Beaufort County Tax Map and **parcel** numbers to be occupied by the proposed **development**;
 - ii. A site location map; and

~~iii~~iii. A proposed **site plan** showing the location of the proposed **development** on the site and vehicular **access** to public or private **streets** or any other **development**.

~~iv~~iv. A study area map or maps that illustrate the intersections to be evaluated in the study, along with the relevant pedestrian and non-motorized pathway systems. The non-motorized map shall generally depict expected walking and bicycling patterns (origin and destinations), where people will cross roadways, and improvements needed. Public transportation systems shall be included in this study area map as well.

~~v~~v. For uses, as determined by the Town Engineer or their **designee**, a review of the transit or other mobility options, and how they can be accommodated on or near the site.

- b. Based on this information, along with the ITE Trip Generation Manual and available information on land **use**, travel patterns and traffic conditions, the ~~Official~~ **Official** Town Engineer will supply in writing to the **applicant** or the **applicant's** selected engineering firm the parameters to be followed in the study, including the study area for all modes, directional split of **driveway** traffic, trip distribution to multiple access points, trip distribution on the study area roadway network, ~~background traffic growth rate,~~ **background traffic growth rate,** previously approved or proposed projects that are but not completed projects, and the intersections to be analyzed along with any associated turning movement counts and signal timing data that which are available.

B. Submittal Requirements

An acceptable ~~traffic~~ **traffic** ~~Transportation~~ **Transportation** ~~Impact~~ **Impact** ~~Analysis~~ **Analysis** ~~Plan~~ **Plan** shall include an accurate representation of the following elements:

1. A **current site plan** or **subdivision** plat identifying **access** to and from existing or proposed **streets** and intersections. In addition, a vicinity map shall be provided.
2. Description of the proposed **development**, including the type of proposed **land use**, the number of residential units by type, the number of existing and proposed **lots**, the type of proposed non-residential **development** and the amount of such **development** measured by **gross floor area** or other appropriate unit of measure, the general size and type of accessory **development** or facilities, and, for non-residential **development**, adequate information to identify the appropriate **land use** category or categories for trip generation.
3. Traffic, pedestrian, and bicycle counts must be collected and analyzed if the existing data is more than two years old or is determined to be unavailable by Town Engineer. The existing conditions shall consider and include any

development in the study area that has generated a previous application for a TIAP study or other development in the study area that is projected to occur within five (5) years from the TIAP study as determined by the Town Engineer. Projected vehicular trips to and from the completed **development**, or any interim **development** phases, on the **adjacent street** during the ~~peak hour~~ a.m. and p.m. **peak hours** of the surrounding roadway network. In some cases the Town Engineer may also require an analysis of Saturday conditions or the **peak hours** of the proposed land-use. The percentage of ~~passerby~~ ~~passerby~~ ~~pass~~-by trips, if used in the plan, shall be included, as well as the source of this information. The trips shall be presented as "Multi-Modal Trips" with a listing of pass-by trips, internal trips (within the **development**), pedestrian, bicycle, transit, ride-hailing, or other trips. In cases where multi-use pathway segments or pathway crossings are being impacted by the development, the Town Engineer shall also require analysis of projected levels-of-service.

4. A written narrative setting forth the assumptions upon which any projection, made in developing the ~~traffic~~ ~~traffic~~ ~~Transportation~~ ~~Impact~~ ~~Analysis~~ ~~Plan~~ required under this part, is based ~~upon~~. If the assumptions are derived from the ITE manual, the ~~materials~~ ~~materials~~ ~~excerpts~~ shall be identified. If the assumptions are not from the ITE manual, ~~appropriate excerpts will~~ the referenced materials shall ~~appropriate excerpts will~~ be included in the study and the reasoning underlying the assumptions shall be stated in the narrative. If the project predicts fewer auto trips due to various travel demand management measures, assurances that those measures will be applied and are enforceable will be determined by the Town Engineer.
5. The ~~Traffic~~ ~~traffic~~ ~~Transportation~~ ~~Impact~~ ~~Analysis~~ ~~Plan~~ ~~study~~ shall be based on intersection analysis procedures for signalized intersections and roundabouts ~~or~~ traffic circles as identified in the Transportation Research Board's (TRB) current Highway Capacity Manual Special Report 209 and utilize computer software which emulates these procedures and is acceptable to the ~~Official~~ ~~Official~~ Town Engineer. ~~Any analysis involving a traffic circle will utilize computer software which is designed to analyze traffic circles and is acceptable to the Official. Any analysis involving a traffic circle will utilize computer software which is designed to analyze traffic circles and is acceptable to the Official.~~ The results of any required computer analysis shall, at a minimum, indicate compliance or non-compliance with the ~~traffic~~ ~~traffic~~ ~~transportation~~ standards of Sec. 16-5-106, ~~Traffic~~ ~~Traffic~~ ~~Transportation~~ Analysis Standards.
6. Safety data in the study area, when required by the Town Engineer, shall include the types of collisions. The study should describe how safety will be influenced by the project's transportation impacts and evaluate potential solutions. Potential mitigation measures shall be consistent with the American Association of State Highway and Transportation Officials AASHTO Highway Safety Manual, Federal Highways Administration (FHWA) guides on non-motorized crossings, and other national research.

7. ~~—~~The impact on non-motorized travel shall be based on the procedures and practices recommended by ITE, Transportation Research Board (TRB), AASHTO and FHWA. The applicant shall incorporate where possible any non-motorized recommendations included in Town and/or regional long-term plans in the vicinity of the **site**. The study should identify potential changes such as:

- a. Improvements to pedestrian crossings;
- b. Additional pedestrian or bicycle crossings;
- c. Improvements to pedestrian signals, pedestrian signal intervals, signs, and pavement markings;
- d. Construction of additional sidewalks or non-motorized pathways;
- e. Changes to the site design and access to ease non-motorized travel and reduce conflicts with vehicles, from the public right-of-way to the building entrances or on-site activity; and
- f. Other similar improvements to transportation facilities.

6-6.8. The intersections which must be analyzed in the study are identified as:

- a. Any ~~signalized~~ ~~signalized~~ intersection that serves as a **development's** point of **access** to ~~major arterial. This will include intersections of a major arterial. This will include intersections of~~ public and private roads with major arterials, and driveways offering direct access to a major arterial ~~with major arterials, and driveways offering direct access to a major arterial~~; and
- b. The first signalized intersection on either side of the **development's** primary point of **access** to a major arterial; and
- c. Other signalized intersections on major arterials if within 1 road mile of the **development's** primary point of **access** to a major arterial and when in the opinion of the ~~Official~~ ~~Official~~ Town Engineer there is a potential for a significant impact to the intersection's **level of service** from ~~site-related~~ site-related traffic; and
- d. Any traffic circle or roundabout, when in the opinion of the ~~Official~~ ~~Official~~ Town Engineer, there is a potential for a significant impact to the ~~circle's~~ circle's **level of service** from ~~site-~~related traffic.

7-7.9. At a minimum, the plan must include the results of a computerized analysis projecting the operating conditions of critical intersections relative to the ~~critical intersections relative to~~ signalized intersections and roundabouts or traffic circles identified in 8. above. The intersections shall meet the **Town's adopted traffic service level standards outlined in 16-5-106**. All other intersections must be projected to operate at levels of service acceptable to the Town Engineer. The analysis shall reflect the projected condition of these intersections and movements based on the scheduled opening full operation and/or build-out of the development date of the **development** and, where applicable, on other significant phase-in dates of the **development** project.

~~8.8-10.~~ If the initial computerized analysis indicates that the **Town's adopted traffic service level standards** will be not be met, a mitigation plan must be included in the plan based on at least one additional computer analysis. This mitigation plan must show how the **Town's adopted traffic service level standards** will be satisfied. **Applicants will only** shall be responsible to mitigate the traffic traffic transportation impacts of their proposed development. of their proposed development. Acceptable **roadway** mitigation measures are limited to the following:

- a. Traffic signal ~~timing adjustments;~~ timing adjustments or phasing revisions, that not only mitigate traffic impacts generated by this development, but also result in safe and acceptable operations at the study intersection as demonstrated by a network traffic analysis;
- b. ~~Traffic signal phasing adjustments;~~ Traffic signal phasing adjustments. Addition of signs, signals, markings, or other measures to accommodate road crossings and improve safety for pedestrians and achieve ADA compliance;
- c. Pavement marking revisions;
- d. Adding additional intersection turn lanes not to exceed 4 lanes on minor arterial approaches and 5 lanes on major arterial approaches; ~~and~~
- e. Geometric **improvements** to ~~traffic circles or roundabouts~~ signalized or unsignalized intersections, including traffic circles or roundabouts, to improve traffic operations, pedestrian and bicycle operations or to improve safety;
- ~~f.~~ Road widening;
- g. Adding a traffic signal at a location that is warranted per the Manual of Uniform Traffic Control (MUTCD);
- h. Replacing a traffic signal or uncontrolled intersection with a roundabout that meets the Town's operational and design standards;
- i. Changes to locations or design of median crossovers to reduce congestion and mitigate accidents;
- ~~j.~~ Removal of changes to the number and location, or design of access points to reduce congestion and mitigate accidents;
- ~~k.~~ Additional signage;
- l. Other transportation-related safety improvements identified and/or recommended by the Town Engineer.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Mayor Alan R. Perry & Town Council Members
FROM: Ben Brown, Director of Strategic Initiatives
CC: Marc Orlando, Town Manager, ICMA-CM
Shawn Colin, Assistant Town Manager of Strategic Initiatives
Curtis Coltrane, Town Attorney
DATE: August 19, 2025
SUBJECT: Sale of Town-Owned Property at 25 Dunnagans Alley

RECOMMENDATION:

Town Council is requested to consider the sale of approximately 0.02 acres of Town-owned property located at 25 Dunnagans Alley to Clear Daze, LLC, the owner of the adjacent property at 144 Arrow Road, to eliminate existing encroachments.

BACKGROUND:

25 Dunnagans Alley & 144 Arrow Road

In July 2006, the Town acquired the property at 25 Dunnagans Alley, which included the Hilton Head Community Playhouse, for \$575,000. The theater building was subsequently demolished.

The original theater and adjacent building at 144 Arrow Road were constructed with a zero-lot-line configuration. During due diligence associated with a pending sale of 144 Arrow Road, a recent survey revealed that portions of the existing building encroach onto the Town's property at 25 Dunnagans Alley. These encroachments were brought to the Town's attention by the listing agent, Walter Wilkins.

There are no specific criteria in the Town's Land Acquisition Manual that address this type of circumstance. However, Town Council has previously handled encroachment situations on a case-by-case basis, considering the property's unique conditions and the proposal offered by the adjacent owner.

The seller of 144 Arrow Road, represented by Attorney Jeff Reilley, has formally requested that the Town convey a portion of 25 Dunnagans Alley to resolve the encroachment. His clients are offering \$2,000 for approximately 0.02 acres of land.

Town staff recently met onsite with the current owner and the prospective buyer of 144 Arrow Road. Remnants of the former theater building at 25 Dunnagans Alley appear to

have been left in place during demolition to protect the structural integrity of the building at 144 Arrow Road. Since 2006, additional non-structural improvements such as a condensing unit, picnic table, and fencing have been placed in this area by the owners or tenants of 144 Arrow Road. While these additions could be removed if required, removal of the structural encroachments would compromise the integrity of the building.

On June 17, 2025, Town Council reviewed the request from the owners of 144 Arrow Road to purchase approximately 0.02 acres from 25 Dunnagans Alley and directed the Town Attorney to prepare an ordinance authorizing the conveyance for Council's consideration. This ordinance is included as Attachment 5.

CONCLUSION:

Town Council is requested to consider an ordinance authorizing the Mayor and Town Manager to execute and deliver a Limited Warranty Deed conveying approximately 0.02 acres of real property to Clear Daze, LLC, in exchange for payment of \$2,000 and reimbursement of the Town's \$1,100 survey cost. Clear Daze, LLC will also be responsible for all costs associated with recording the Deed and Plat, including deed recording fees, real estate transfer fees, and any real estate taxes that may be assessed on the property conveyed.

ATTACHMENTS:

1. 25 Dunnagans Alley Map
2. Arts Center Plat (01.07.2006)
3. 25 Dunnagan's Alley Boundary Reconfiguration Survey (07.09.2025)
4. Letter from Jeff Reilley (06.05.2025)
5. Ordinance and Exhibit Authorizing the Conveyance of 0.02 Acres

Address	25 Dunnagans Alley
PIN	R552 015 000 0275 0000
Acres	+/- 0.02 acres
Zoning	PR (Parks and Recreation)
Offer Price	\$2,000

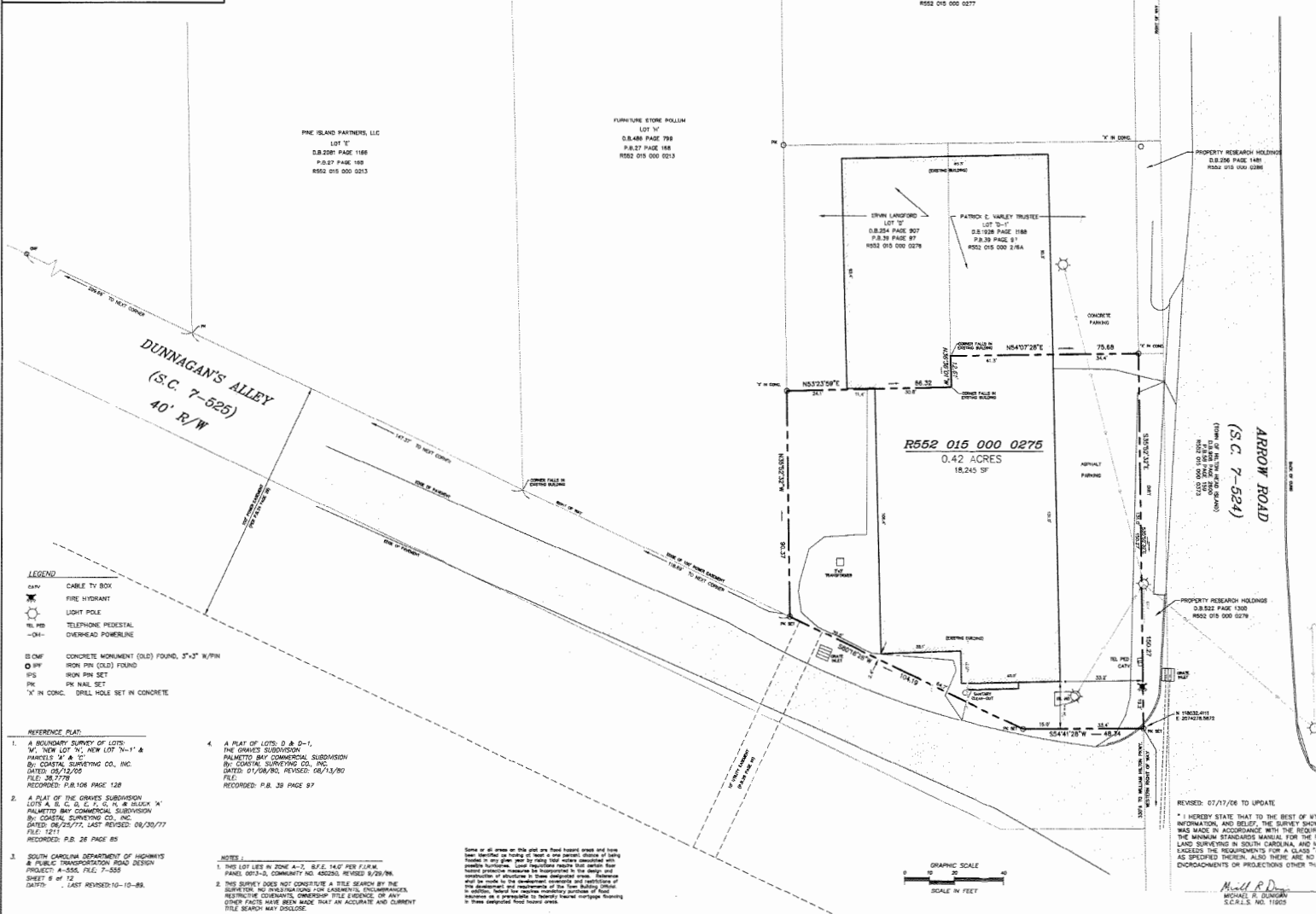
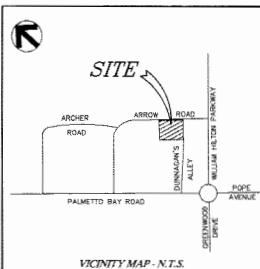
Town-Owned Property

Parcels

25 Dunnagans Alley

Area of Encroachments





Disclaimer:
The Town of Hilton Head Island makes an expressed declaration of policy that public regulation of land is entirely separate from and independent of private restrictions. This approval in no way implies that the proposed development is in conformance with any restrictive covenants, private easements or deed restrictions.

This plat does not constitute development purposes to the Town of Hilton Head Island, SC Land Management Ordinance Section:
16.1.1028
16.1.1030
16.1.1040

Certified by: Michael R. Dunigan
Title: Surveyor Date: 7/17/06

REVISED: 04/11/06 TO UPDATE COORDINATE SYSTEM

PREPARED FOR: THE TOWN OF HILTON HEAD ISLAND

A BOUNDARY AND AS-BUILT LAND SURVEY FOR
R552 015 000 0275
A PORTION OF
PALMETTO BAY COMMERCIAL SUBDIVISION
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 20'
DATE: 01/07/06
JOB NO.: 401-1428



SURVEYED BY: BM
DRAWN BY: JCB
CHECKED BY: MRD

L:\BOUNDARIES\2006\401-1428-THE TRUST.dwg 1/24/2006 7:57:32 AM EST

REILLEY LAW FIRM, LLC

22 BOW CIRCLE, SUITE E
POST OFFICE BOX 5879
HILTON HEAD ISLAND, SC 29938
PHONE (843) 715-9101
FAX (843)-715-4227
jeff@reilleylawfirm.com

Jeffrey G. Reilley

June 5, 2025

Via email only

Town of Hilton Head Island
Attn: Ben Brown

Re: 144 Arrow Road encroachment on town land

Dear Ben:

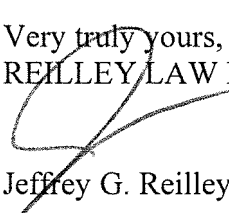
I understand the town, the current owners and potential buyers have met regarding 144 Arrow Road and a small piece of Tax Parcel 275 owned by the town and adjacent to 144 Arrow Road. As you know, the current encroachments from 144 Arrow Road onto the town's property make it desirable to acquire the land for the benefit of 144 Arrow Road. The resolution my clients are looking for would include moving the boundary line of 144 Arrow Road 12.5' away from the building.

My clients did contact an appraiser to get an approximate value of this piece of land and based on the small size of it and lack of marketability for the piece of land, the appraiser declined to give a value but indicated it may not have much value at all. My clients are proposing to pay the town \$2000 for this small piece of land. This would allow the owner of 144 Arrow Road to continue to maintain what they have been maintaining for years and relieve the town of any liability for that space that they have abandoned.

I appreciate your time in reviewing this proposal and look forward to hearing from you. If you have any questions, feel free to contact me.

With best regards, I am

Very truly yours,
REILLEY LAW FIRM, LLC



Jeffrey G. Reilley

THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

ORDINANCE 2025-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA,
 AUTHORIZING THE CONVEYANCE OF A 0.02 ACRE OF REAL PROPERTY
 LOCATED AT 25 DUNNIGAN'S ALLEY, AND PROVIDING FOR SEVERABILITY AND
 AN EFFECTIVE DATE.

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

Section 1. Findings and Determinations. The Town Council for the Town of Hilton
 Head Island, South Carolina (the "Town"), hereby finds and determines:

(a) The Town of Hilton Head Island, South Carolina (the "Town"), is the owner of a
 parcel of real property located at 25 Dunnigan's Alley, which is described as follows:

All that certain piece, parcel or lot of land, lying and being on Hilton Head
 Island, Beaufort County, South Carolina, shown and described as "R552 015
 000 0275" on a Plat titled "A Boundary and As-Built Survey for R552 015
 000 0275, A Portion of Palmetto Bay Commercial Subdivision, Hilton Head
 Island, Beaufort County, South Carolina," prepared by Coastal Surveying
 Co., Inc., Michael R. Dunnigan, SCRLS 11905, Dated January 7, 2006, and
 recorded in the Office of The Register of Deeds for Beaufort County, South
 Carolina, in Plat Book 115 at Page 150 (the "Town Property").

(b) The Town purchased the Town Property in 2006, and at the time of the purchase,
 the Town Property was improved with a structure known as the "Hilton Head Island
 Community Playhouse"; and,

(c) Following the acquisition of the Town Property, the Hilton Head Island
 Community Playhouse was demolished; and,

(d) The Hilton Head Island Community Playhouse shared a common wall with an adjacent structure, and portions of the shared wall were left intact to support the adjacent structure and maintain the integrity of the wall; and,

(e) The exterior wall of the adjacent structure encroaches onto the Town Property, and Clear Daze, LLC, the owner of the adjacent structure has requested the conveyance of 0.02 acres, more or less, which are shown and described as “Area to Be Conveyed 0.02 Ac. 917 S.F.” on the plat of survey attached hereto as Exhibit “A,” of the Town Property for the purpose of resolving the encroachment; and,

(f) The Town Council has agreed to convey 0.02 acres, more or less, to Clear Daze, LLC, on the terms set out in this ordinance, and that this conveyance is in the best interests of the Town and its citizens, residents, property owners and visitors.

Section 2. Authorization to Convey. The Town is hereby authorized to convey 0.02 acres of real property, by Limited Warranty Deed, with said property being shown and described as “Area to Be Conveyed 0.02 Ac. 917 S.F.” on the plat of survey attached hereto as Exhibit “A,” to Clear Daze, LLC, on these terms:

(a) Clear Daze, LLC, will pay the Town the sum of Two Thousand and no/100 (\$2,000.00) Dollars.

(b) Clear Daze, LLC, will reimburse the Town for the cost of the survey of the property to be conveyed in the amount of One Thousand One Hundred and no/100 (\$1,100.00) Dollars.

(c) Clear Daze, LLC, will pay all costs of recording the Deed from the Town and the Plat attached hereto as Exhibit “A”, including the statutory Deed Recording Fee set out in S. C. Code Ann. § 12-24-10, *et seq.* (Supp. 2025), and the Town of Hilton Head Island, South Carolina, Real Estate Transfer Fee set out in § 4-5-10, *et seq.*, *Municipal Code of*

the Town of Hilton Head Island, South Carolina (1983); and, any real estate taxes that may be assessed on the property conveyed for calendar year 2025 and thereafter.

Section 3. Authorization to Execute and Deliver Documents. The Mayor and Town Manager are authorized to execute and deliver a Limited Warranty Deed for the 0.02 acres of real property to be conveyed to Clear Daze, LLC, and any other documents that may be required to complete the conveyance of the 0.02 acres of real property to Clear Daze, LLC, in exchange for the payments from Clear Daze, LLC, described in Section 2 above.

Section 3. 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 4. Effective Date. This Ordinance shall become effective on the date of its adoption.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS _____ DAY OF AUGUST,
2025.

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

Alan R. Perry, Mayor

ATTEST:

Kimberly Gammon, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

First Reading:_____

Second Reading: _____

Introduced by Council Member:_____

Exhibit “A” to Ordinance Authorizing Conveyance of Town Owned Real
Property on Dunnigan’s Alley



CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	58.90'	45.00'	34.52	54.78'	S39.20/31°W	074.59/15°
C2	35.27'	75.00'	17.97'	34.35'	S02.05/51°W	026.56/51°

LINE TABLE		
LINE	LENGTH	BEARING
L1	14.67'	S76°18'01"W
L2	12.61'	N26°36'53"W
L3	8.65'	S112°22'30"E
L4	28.64'	S15°34'13"W
L5	28.99'	S05°13'36"W

LOT D-1
THE GRAVES SUBDIVISION
CLEAR DAZE LLC
R552 015 000 276A 0000

AREA TO BE
CONVEYED
0.02 AC. 917 S.F.

TAX PARCEL 275
TOWN OF HILTON HEAD ISLAND
R552 015 000 0275 0000
REMAINING AREA
0.38 AC. 16,452 S.F.

S.C. HIGHWAY 525 DUNNAGINS ALLEY 100' R/W & POWER EASEMENT

REFERENCE PLATS
RIGHT OF WAY ACQUISITION PLAT FOR PROPOSED IMPROVEMENTS TO
BROWN ROAD & DUNAGAN ALLEY, HILTON HEAD ISLAND,
BEAUFORT COUNTY, SOUTH CAROLINA
DRAWN: 7/01/2010
BEAUFORT COUNTY FILE NO. 7042384 E/W
BY: HENRY A. SHUMPER S.C.R.L.S. # 19868
2) A PLAT OF THE GRAMES SUBDIVISION, PLATTED BY
DRAWN: 6/25/2017, LAST RECORDED 3/21/19
RECORDED IN BOOK 27, PAGE 168 DATED 4/20/79
R.O.D. BEAUFORT COUNTY, SC
BY: JERRY L. RICHARDSON S.C.R.L.S. # 4784
3) A BOUNDARY AND ASSESSMENT SURVEY FOR 4542.015 SQ. 0275, PLATTED
DRAWN: 1/07/2006
RECORDED IN BOOK 114, PAGE 150 DATED 7/21/2006
R.O.D. BEAUFORT COUNTY, SC
BY: MICHAEL R. DUNGAN S.C.R.L.S. # 11905
ADDRESS: 25 DUNNAGAN ALLEY
DISTRICT: 562, MAP: 16, PARCELS: 275 & 276A
THIS PLOD ELEVATION IS IN FEMA ZONE X SHADED
BASE FLOOD ELEVATION IS N/A
COMMUNITY NO. 493250 PANEL: 0442G DATED: 3/23/2021

LEGEND & SYMBOLS:	
1/2" PS	1/2" IRON PIN SET WITH CAP
PS	P.K. NAL SET
Ø	ELECTRIC TRANSFORMER
⊗	SIGN
⊙	STORM MANHOLE
⊞	CATCH BASIN
⊞	ELECTRIC OUTLET
⊞	TELEPHONE SERVICE

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 BOARD OFFICIAL IN CONNECTION WITH THE DEVELOPMENT OF THIS PROJECT. RECORDS OF FLOOD INSURANCE INFORMATION ARE AVAILABLE TO PURCHASE OF FLOOD INSURANCE AS REQUIRED BY THE FEDERAL INSURED MORTGAGE INVESTMENT CORPORATION (FIMIC) TO OBTAIN A FLOOD HAZARD AREAS

- 1) UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
- 2) SUBJECT PROPERTY DOES NOT APPEAR TO BE AFFECTED BY THE BRACHPHONT STABACK REQUIREMENTS OF THE S.C. BEACH PROTECTION ACT OF JULY 1, 1968.
- 3) HORIZONTAL DATUM IS LOCAL S.C. STATE PLANE NAD 83.
- 4) USE OF THIS PROPERTY MAY BE AFFECTED BY THE TERMS OF COVENANTS RELATING TO THIS PLANNED COMMERCIAL DEVELOPMENT.
- 5) BUILDING SETBACKS, WHETHER SHOWN OR NOT, SHOULD BE VERIFIED BY THE LOCAL BUILDING AUTHORITY OR ARCHITECTURAL REVIEW BOARD.

THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE

OWNERS' CERTIFICATION

_____ ARE THE OWNER(S) OF
THE HEREON DESCRIBED PROPERTY AND THAT I (WE) STATE THAT THIS
PLAN IS BEING PUT FORTH AS REQUESTED.

SIGNATURE _____ DATE _____

The image shows two circular logos for South Carolina Inc. The top logo is for 'CERTIFICATE OF AUTHORIZATION' and the bottom logo is for 'LAND SURVEYING'. Both logos include the text 'SOUTH CAROLINA INC.', 'REGISTERED PROFESSIONAL', and 'No. 006700'.

d.b.a. Sea Island Land Survey, Inc.
10 Oak Park Drive, Unit C1,
Hilton Head Island,
SC 29926
Tel (843) 681-3248
E-mail: admin@nrandinainc.com
DWG No.: 2-25212
FILE No.: 25212

DATE : 7/09/2025

SCALE: 1" = 10'

BOUNDARY RECONFIGURATION OF:

BEAUFORT COUNTY, SOUTH CAROLINA
PREPARED FOR: THE TOWN OF HILTON HEAD ISLAND
& CLEAR DAZE, LLC

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CAD: BA, FLC