



The Town of Hilton Head Island  
**Planning Commission Regular Meeting**  
**Wednesday, August 7, 2019 – 9:00 a.m.**  
Benjamin M. Racusin Council Chambers  
**AGENDA**

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*As a courtesy to others please turn off / silence ALL mobile devices during the meeting. Thank you.*

1. **Call to Order**
2. **Pledge of Allegiance**
3. **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.
4. **Swearing in Ceremony for New Commissioner Palmer E. Simmons** – *Performed by Josh Gruber, Assistant Town Manager*
5. **Roll Call**
6. **Approval of Agenda**
7. **Approval of Minutes**
  - a. Special Meeting of June 12, 2019
  - b. Regular Meeting of June 19, 2019
8. **Appearance by Citizens on Items Unrelated to Today's Agenda**
9. **Unfinished Business**
10. **New Business**
  - a. **Public Hearing**  
**ZA-001460-2019** – Request from Michael G. Thomas with Cordillo TB, LLC to amend the Official Zoning Map by changing the zoning designation of the Tidal Bluff development, a 4.96 acre parcel containing 15 duplexes, located at 2 Tidal Bluff Road. The request is to rezone the property from RM-4 (Low to Moderate Density Residential) to RM-12 (Moderate to High Density Residential). The property is further identified as Parcels 17, 376, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406 on Beaufort County Tax Map 5. *Presented by Nicole Dixon*
  - b. **Public Hearing**  
**ZA-001461-2019** – Request from Thomas C. Barnwell, Jr., on behalf of the Ben White Trust, to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate

Density Residential) to RM-12 (Moderate to High Density Residential), and to rezone the southern portion from RM-8 (Moderate Density Residential) to RM-12 (Moderate to High Density Residential). It is further identified as Beaufort County Tax Map 4, Parcel 16. The effect of this rezoning will be to increase the available density from 4 and 8 units per net acre to 12 units per net acre. *Presented by Taylor Ladd*

#### **11. Commission Business**

- a. Committee Appointments

#### **12. Chairman's Report**

#### **13. Committee Report**

#### **14. Staff Report**

- a. Quarterly Report – *Presented by Anne Cyran*

#### **15. Adjournment**

**Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.**



Town of Hilton Head Island  
**Planning Commission Special Meeting**

Wednesday, June 12, 2019 at 9:00 a.m.

Hilton Head Island Public Service District, Community Room  
21 Oak Park Drive

## **MEETING MINUTES**

**Present from the Commission:** Chairman Alex Brown, Vice Chairman Peter Kristian, Leslie McGowan, Caroline McVitty, Alan Perry, Michael Scanlon, Lavon Stevens

**Absent from the Commission:** Judd Carstens (excused), Todd Theodore (excused)

**Present from Town Council:** David Ames, Tamara Becker, Tom Lennox, Glenn Stanford

**Present from Town Staff:** Shawn Colin, Director of Community Development; Nicole Dixon, Development Review Administrator; Teri Lewis, Deputy Director of Community Development; Taylor Ladd, Senior Planner; Missy Luick, Senior Planner; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

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**1. Call to Order**

Chairman Brown called the meeting to order at 9:00 a.m.

**2. Pledge of Allegiance**

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

**4. Roll Call** – See as noted above.

**5. Approval of Agenda**

The Commission approved the agenda by general consent.

**6. Approval of Minutes** – None

**7. Appearance by Citizens on Items Unrelated to Today's Agenda** – None

**8. Unfinished Business** – None

**9. New Business**

**a. Public Hearing**

**ZA-001131-2019** – Request from Eric Walsnovich with Wood and Partners Inc., on behalf of Spandrel Development Partners, LLC, to amend the Official Zoning Map by changing the use and density designated by the PD-1 Indigo Run PUD (Planned Development Mixed Use) Master Plan for parcel R510 008 000 098A 0000. Located at 55 Gardner Drive, the 13.83-acre property is the site of the Hilton Head Christian Academy campus, which will relocate to Bluffton. The current assigned uses are commercial, institutional, and public recreation. The request is to change the designated uses to institutional or multi-family

residential. The current assigned commercial density is 10,000 sq. ft. per net acre for retail uses, 20,000 sq. ft. per net acre for non-retail uses, or 10,000 sq. ft. per net acre of institutional uses. The request is to change the assigned density to 10,000 sq. ft. per net acre of institutional uses or 260 multi-family residential units, which is approximately 19 units per acre. The request is to reduce the maximum allowed building height from 75 feet to 45 feet (3 stories) for buildings along the southern property boundary and 55 feet (4 stories) for all other buildings. The rezoning request includes three conditions: rentals of less than four months will be prohibited; a portion of the units will be rented below market rates; and a Type D adjacent use buffer will be installed along the southern property boundary.

Ms. Ladd presented the application as described in the Staff Report. Staff recommends the Planning Commission find this application to be consistent with the Town's Comprehensive Plan and serve to carry out the purposes of the LMO, based on those Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report. Staff recommends that the Planning Commission recommend approval of this application to Town Council with the following condition:

1. A Type C adjacent use buffer is required from the Sandalwood Terrace property boundary (north property line). The property subject to this condition is further identified as R510 008 000 0224 0000.

The applicant and their representatives made a presentation. Following the presentations, the Commission commended the applicant for meeting with the community stakeholders and making the application better fit into the Town's values and needs. The Commission made comments and inquiries regarding the application, including: concerns for master-leasing agreements; the workforce housing units will be a mixture of studio, 2-bedroom, and 3-bedroom; reserving 5% or more of the units for workforce housing would be a good precedent to set for future developers; a workforce housing tenant can lease another unit within the development if they are no longer eligible for a workforce housing unit; the difference in Type C and Type D buffers; based on HUD, workforce housing amounts to around \$850 per month for a studio; the market rate rentals will be approximately \$1,200 to \$2,800 per month for a 2-bedroom; pricing for a 3-bedroom is being worked on; other nearby communities reserve workforce housing units for a duration of 10 years; consideration for extending the duration of the workforce housing units as the Island is closer to build out than surrounding communities; and drainage improvements will be made along the south boundary property line and where additionally needed to meet Town codes.

Chairman Brown opened the meeting for public comments and the following were received: the development on Alex Patterson Place is a different concept than this application; support of this application; opposition to this application; consideration of extending the minimum rental duration to 6 months; the high school is overcrowded and cannot accommodate more students that would come from this development; concerns for the building height, density units, buffer plantings will take time to mature and screen visual impacts, traffic, crime and safety; preservation of the Old Woodlands' neighborhood; increase the percentage of workforce housing units; increase the 20 year restriction on conversion; and each rezoning impacts the community one project at a time and the Commission needs to consider the overall plan for this Island.

The Commission made additional comments and inquiries regarding: eliminating the 20 year restriction on conversion of rental apartments to units for sale, or increasing it to 30 or 40 years; the workforce housing units should be reserved for 20 years; the minimum rental duration should be extended to 6 months; the Commission's charge to determine whether

the application is in line with the Comprehensive Plan; consideration to add a restrictive covenant that when the conversion happens that it cannot be a short term rental; impact of the taxes on surrounding properties; affordable or workforce housing should not be equated with crime; and encouraged a diverse group of people be selected to live in the workforce housing units.

Upon the conclusion of the discussion, Chairman Brown asked for a motion.

Vice Chairman Kristian moved to recommend this application is consistent with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed in the Staff Report with the following condition: a Type C adjacent use buffer is required from the Sandalwood Terrace property boundary as further described in the Staff Report. Further, the Commission recommends Town Council consider the following comments: to consider extending the minimum rental duration from 4 to 6 months; to reserve the workforce housing units for a duration of 20 years, instead of 10 years; and to either eliminate the 20 year restriction on conversion of rental apartments to units for sale or increase it to 30 or 40 years. Commissioner Scanlon seconded. The motion passed with a vote of 7-0-0.

**b. Election of Officers to serve the July 1, 2019 to June 30, 2020 term**

Commissioner Stevens reported the Nominating Committee unanimously recommended to appoint Mr. Peter Kristian as Chairman of the Planning Commission to serve the July 1, 2019 to June 30, 2020 term. Commissioner McGowan moved to approve. Commissioner Scanlon seconded. The motion passed unanimously.

Commissioner Stevens reported the Nominating Committee unanimously recommended to appoint Mr. Lavon Stevens as Vice Chairman of the Planning Commission to serve the July 1, 2019 to June 30, 2020 term. Vice Chairman Kristian moved to approve. Commissioner Scanlon seconded. The motion passed unanimously.

The Nominating Committee unanimously recommended to reappoint Teresa Haley as Secretary. Vice Chairman Kristian moved to approve. Commissioner Scanlon seconded. The motion passed unanimously.

**10. Commission Business – None**

**11. Chairman's Report – None**

**12. Committee Report**

LMO Committee – Additional meetings will be scheduled after the new Commissioners are sworn in for the new term and the committee assignments are made.

Gullah Geechee Land & Cultural Preservation Task Force – The next meeting is scheduled for June 17 at 1:00 p.m.

**13. Staff Report – None**

**14. Adjournment**

The meeting was adjourned at 10:52 a.m.

**Submitted by:** Teresa Haley, Secretary

**Approved:** [DATE]

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Town of Hilton Head Island  
**Planning Commission**  
Wednesday, June 19, 2019 at 3:00 p.m.  
Benjamin M. Racusin Council Chambers

## **MEETING MINUTES**

**Present from the Commission:** Chairman Alex Brown, Vice Chairman Peter Kristian, Judd Carstens, Leslie McGowan, Caroline McVitty, Alan Perry, Michael Scanlon, Lavon Stevens, Todd Theodore

**Absent from the Commission:** None

**Present from Town Council:** David Ames, Tamara Becker, Glenn Stanford

**Present from Town Staff:** Shawn Colin, Director of Community Development; Carolyn Grant, Communications Director; Taylor Ladd, Senior Planner; Jayme Lopko, Senior Planner; Jennifer Ray, Deputy Director of Community Development; Teresa Haley, Senior Administrative Assistant

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**1. Call to Order**

Chairman Brown called the meeting to order at 3:00 p.m.

**2. Pledge of Allegiance**

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

**4. Roll Call** – See as noted above.

**5. Presentation of the Town's Crystal Awards to outgoing Chairman Alexander Brown, Jr. and Commission Judd Carstens** – Shawn Colin, Director of Community Development, presented the awards. Mr. Colin expressed appreciation to Mr. Brown and Mr. Carstens for their service to the community on behalf of the Town. The Commissioners and members of the public expressed their appreciation to Mr. Brown and Mr. Carstens.

**6. Approval of Agenda**

The Commission approved the agenda by general consent.

**7. Approval of Minutes** – Meeting of June 5, 2019

Vice Chairman Kristian moved to approve the minutes of the June 5, 2019 meeting as submitted. Commissioner Stevens seconded. The motion passed unanimously.

**8. Appearance by Citizens on Items Unrelated to Today's Agenda** – None

**9. Unfinished Business** – None

**10. New Business** – None

**11. Commission Business** – None

## 12. Chairman's Report

Chairman Brown presented remarks about his tenure on the Commission. He expressed gratitude to individual members of the Town Staff and the Commission.

## 13. Committee Report

Commissioner Carstens presented remarks about his tenure on the Commission and added that he will continue to stay engaged in the community as the Chairman of the Our Plan Development Team and through the rewrite of the Comprehensive Plan. He thanked the Town Staff and the Commissioners.

## 14. Staff Report

### a. Update on Our Plan

Ms. Ladd presented a brief history leading up to the *Our Plan* process. *Our Plan* is the rewrite of the Town's Comprehensive Plan to cover the years 2020-2040. Ms. Ladd indicated *Our Plan* links the efforts of the *Our Future* project to the new Comprehensive Plan for Hilton Head Island. The community engagement for writing the Comprehensive Plan consists of the Our Plan Development Team and eight other work groups based on the core values that came out of the *Our Future* project. The work groups are scheduled to provide updates to the Our Plan Development Team at the Team's July 15 and August 5 meetings.

Chairman Brown asked for public comments and none were received. The Commission thanked Ms. Ladd for the update.

### b. Update on Affordable Housing

Ms. Ray presented a brief history on the item. At a joint meeting of the Commission and Public Planning Committee (PPC) on April 10, Lisa Sturtevant, consultant, presented her draft Workforce Housing Strategic Plan for the Town of Hilton Head Island. A comprehensive plan was presented with the acknowledgment that the Town may not be able to implement the entire plan at once. Staff has been reviewing the plan and drafting a response to prioritize the recommendations. Staff will introduce the response at a special meeting of PPC on June 28 at 1:00 p.m. Staff will provide the Commission with that agenda once available. A follow up special PPC meeting will be scheduled in July with the intention of PPC making a recommendation to Town Council with what they might pursue.

Chairman Brown asked for public comments and none were received. The Commission thanked Ms. Ray for the update.

## 15. Adjournment

The meeting was adjourned at 3:30 p.m.

**Submitted by:** Teresa Haley, Secretary

**Approved:** [DATE]





**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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**STAFF REPORT  
ZONING MAP AMENDMENT**

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

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

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

acre to 12 units per net acre.

### Staff Recommendation

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

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

### Background

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Applicant's Grounds for ZMA**

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

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

#### **Summary of Facts and Conclusions of Law**

##### **Findings of Fact:**

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

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

**Conclusions of Law:**

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

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

The Comprehensive Plan addresses this application in the following areas:

**Housing Element**

**Goal 5.2 – Housing Opportunities**

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

**Land Use Element**

**Goal 8.1 – Existing Land Use**

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

**Goal 8.4 – Existing Zoning Allocation**

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

**Goal 8.10 – Zoning Changes**

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

**Implementation Strategy 8.10 – Zoning Changes**

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

**Additional Findings of Fact:**

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

**Conclusions of Law:**

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

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

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

2. **Goal 8.1-A in the Land Use Element** is to have an appropriate mix of land uses to meet the needs of existing and future populations.

Several new residential developments in the area demonstrate the need for new housing for existing and future populations. Since the proposed rezoning would double the number of dwelling units allowed to be built on the subject property, increasing the amount of new housing to serve existing and future populations, the proposed rezoning is **consistent** with a portion Goal 8.1-A in the Land Use Element.

3. **Goal 8.1-A in the Land Use Element** is to have an appropriate mix of land uses to meet the needs of existing and future populations.

The current and proposed zoning districts require a 20 foot adjacent use setback from the northern property line. The maximum building height in the current zoning district is 35 feet, whereas the maximum building height in the proposed zoning district is 45 feet. Given that the subject property is relatively narrow and that LMO site design standards and specimen tree protection will limit the site layout options, it is likely that new buildings on the subject property will be 45 feet tall to accommodate the increased density and the required parking, and that those buildings will be located approximately 20 feet from the northern property line.

The properties to the north of the subject parcel are developed with single story homes. Approving the rezoning to allow 45 foot tall buildings does not meet the needs of the existing and future populations living on the properties immediately north of the subject property. Considering the effects of the proposed rezoning on the existing and future neighbors, the proposed rezoning is **not consistent** with a portion of Goal 8.1-A in the Land Use Element.

4. **Goal 8.1-B in the Land Use Element** is to maintain the character of the Island while ensuring adequate infrastructure is in place and balancing land conservation to meet future needs.

Part of the Island's character is high density residential development is usually separated from low density residential development by open space, wide setbacks, or rights-of-way.

Multifamily residential buildings in Cotton Hope, Brighton Bay, and the Legends are separated from nearby single family residential development by 100 to 200 feet.

As stated above, it is likely that new buildings on the subject property will be 45 feet tall to accommodate the proposed density and the required parking, and those buildings will be located approximately 20 feet from the northern property line. Since allowing 45 foot tall buildings so close to single family homes would not maintain the character of the Island, the proposed rezoning is **not consistent** with Goal 8.1-B in the Land Use Element.

5. **Goal 8.4-A in the Land Use Element** is an appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

As stated above, several new residential developments in the area demonstrate the market demand for new housing to accommodate permanent and seasonal populations. Since the proposed rezoning would double the number of dwelling units allowed to be built on the subject property, thereby increasing the amount of new housing, the proposed rezoning is **consistent** with a portion of Goal 8.4-A in the Land Use Element.

6. **Goal 8.4-A in the Land Use Element** is an appropriate mix of land uses to accommodate

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

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

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

#### Summary of Facts and Conclusions of Law

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

#### Findings of Fact:

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

#### Conclusions of Law:

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

properties in the vicinity.

#### Summary of Facts and Conclusions of Law

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

##### Findings of Fact:

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

##### Conclusions of Law:

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

#### Summary of Facts and Conclusions of Law

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

##### Findings of Fact:

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



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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Finding of Fact:**

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

**Conclusions of Law:**

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

**LMO Official Determination**

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

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

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

**PREPARED BY:**

ML

Missy Luick  
*Senior Planner*

July 20, 2019

DATE

**REVIEWED BY:**

ND

Nicole Dixon, CFM  
*Development Review Administrator*

July 22, 2019

DATE

**REVIEWED BY:**

TL

Teri Lewis, AICP  
*Deputy Director of Community Development*

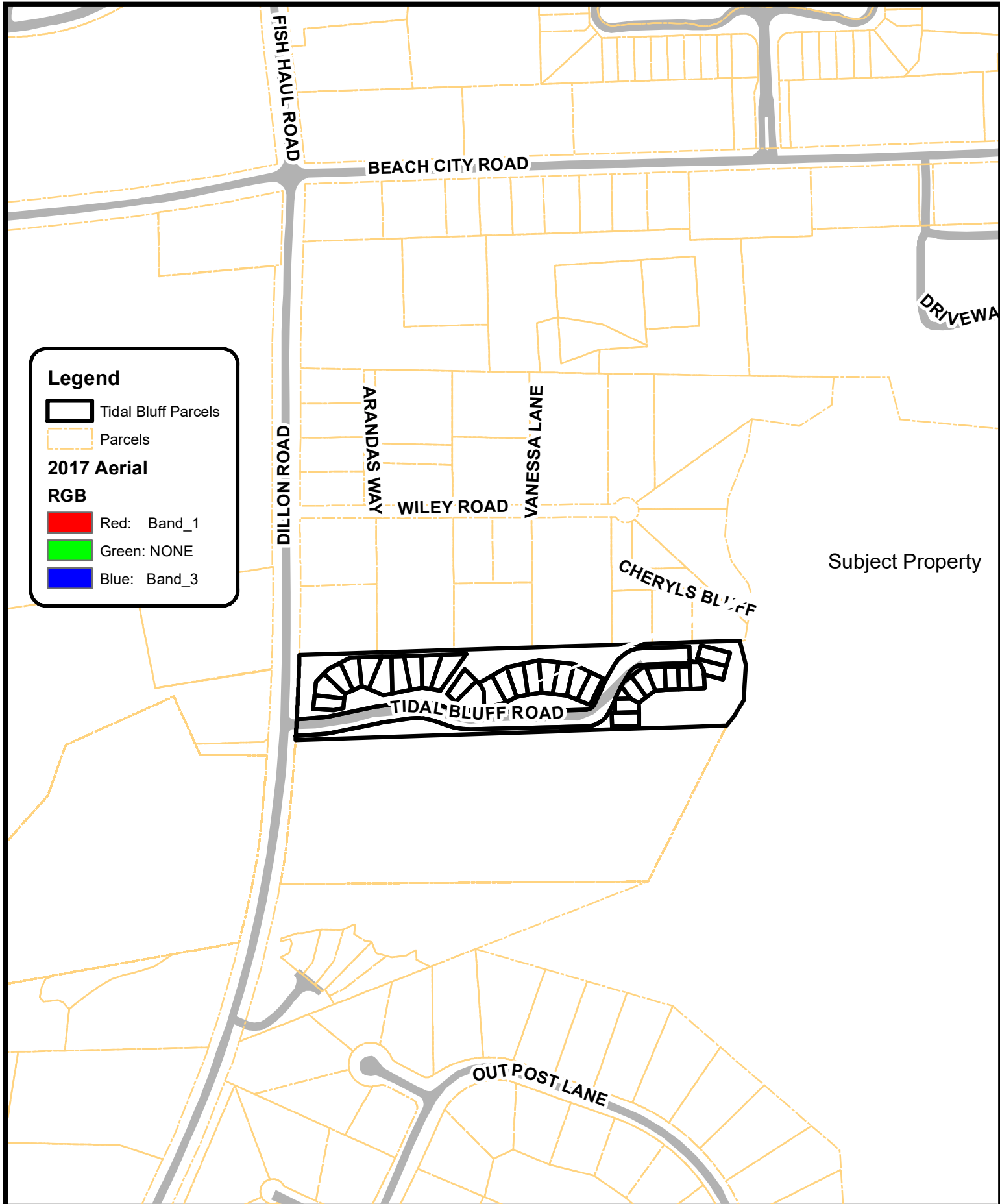
July 22, 2019

DATE

**ATTACHMENTS:**

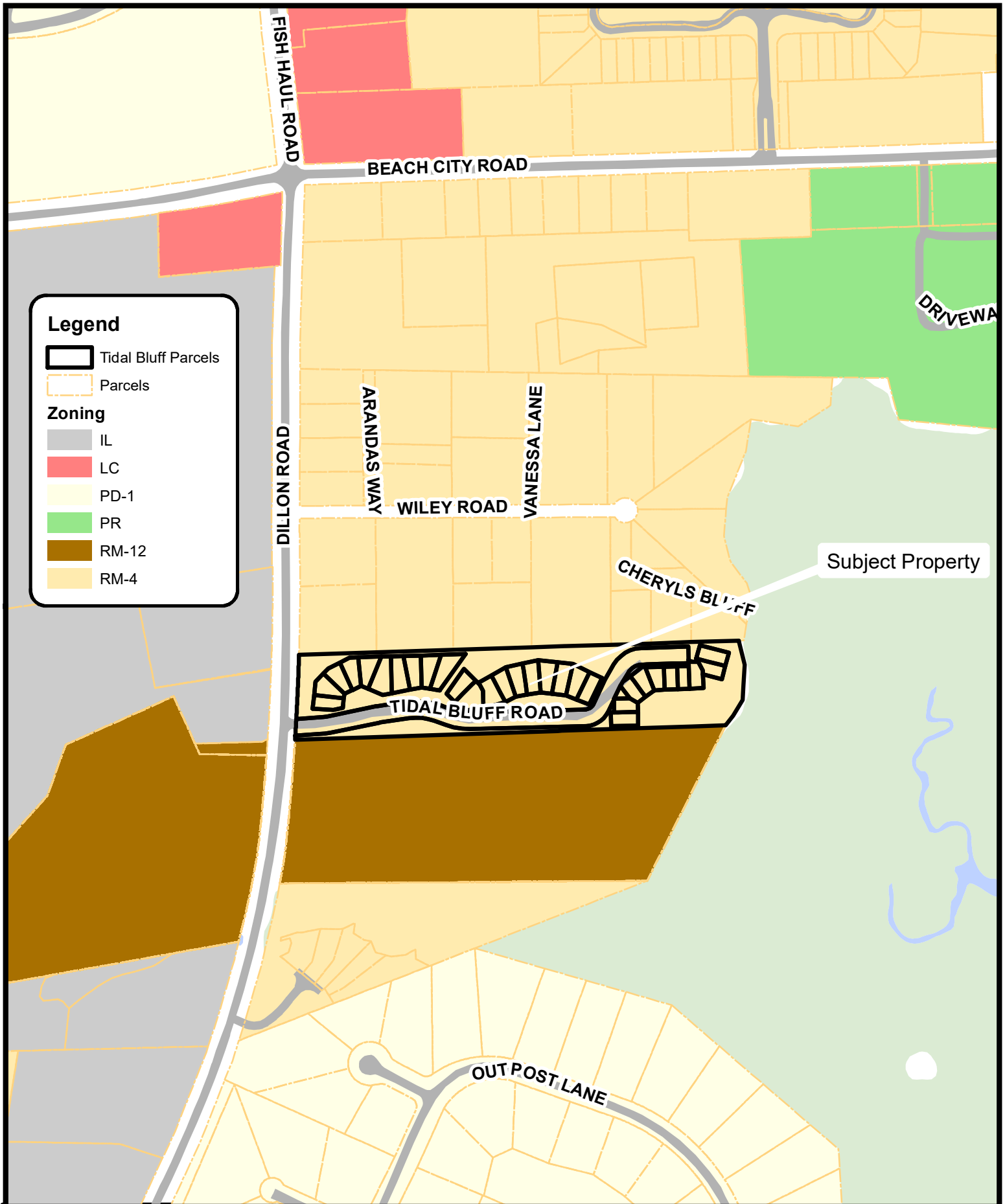
- A) Vicinity Map
- B) Zoning Map
- C) LMO Use Tables

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



**Town of Hilton Head Island**  
 Attachment A Vicinity Map  
 2 Tidal Bluff Road





**Legend**

- Tidal Bluff Parcels
- Parcels

**Zoning**

- IL
- LC
- PD-1
- PR
- RM-12
- RM-4

**Town of Hilton Head Island**  
 Attachment B Zoning Map  
 2 Tidal Bluff Road



TOWN OF HILTON HEAD ISLAND  
 ONE TOWN CENTER COURT  
 HILTON HEAD ISLAND, S.C. 29928  
 PHONE (843) 341-4600  
 Date Created: 07/20/11  
 Drawn: map.mgr



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

LMO Section 16-3-104.E.

<h1 style="margin: 0;">RM-4</h1> <h2 style="margin: 0;">Low to Moderate Density Residential District</h2>				
<b>1. Purpose</b>				
<p>The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and <i>neighborhoods</i> at <i>densities</i> up to four <i>dwelling units</i> per <i>net acre</i> . This district is used to encourage a variety of residential opportunities, including <i>multifamily</i> residential units, <i>single-family</i> residences, and <i>group living</i> . The regulations of the district are intended to discourage <i>development</i> that would substantially interfere with, or be detrimental to, residential character.</p>				
<b>2. Allowable Principal Uses</b>				
		<b>USE-SPECIFIC CONDITIONS</b>	<b>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</b>	
<b>Residential Uses</b>				
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other <i>Education Uses</i>	See Sec. 16-5-107.D.2
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area

<b>RM-4</b>				
<b>Low to Moderate Density Residential District</b>				
			Other	1 per 200 GFA of office area
<i>Major Utilities</i>	SE			1 per 1,500 GFA
<i>Minor Utilities</i>	P			n/a
<i>Public Parks</i>	P			See Sec. 16-5-107.D.2
<i>Religious Institutions</i>	P			1 per 3 seats in main assembly area
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e		n/a
<i>Telecommunication Towers, Monopole</i>	PC	Sec. 16-4-102.B.2.e		1
<b>Resort Accommodations</b>				
<i>Bed and Breakfasts</i>	PC	Sec. 16-4-102.B.4.a		1 per guest room
<b>Commercial Services</b>				
<i>Convenience Stores</i>	PC	Sec. 16-4-102.B.7.d		1 per 200 GFA
<i>Open Air Sales</i>	PC	Sec. 16-4-102.B.7.i		1 per 200 GFA of sales/display area
<i>Other Commercial Services</i>	PC	Sec. 16-4-102.B.7.l		See Sec. 16-5-107.D.2
<b>Other Uses</b>				
<i>Agriculture Uses</i>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
<i>Boat Ramps , Docking Facilities , and Marinas</i>	PC	Sec. 16-4-102.B.10.a		1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>		
Residential	4 du (6 du if <b>lot</b> area is at least 3 acres; 8 du if <b>lot</b> area is at least 5 acres)		Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i>	35%
<i>Bed and Breakfast</i>	10 rooms			
Nonresidential	6,000 GFA		Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<b>MAX. BUILDING HEIGHT</b>				
<i>All Development</i>	35 ft <sup>1</sup>			



<b>RM-4            Low to Moderate Density Residential District</b>				
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
<b>TABLE NOTES:</b>				
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. May be increased by up to ten percent on demonstration to the <i>Official</i> that:				
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;				
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed <i>development</i> , or (2) results in improved site conditions for a <i>development</i> with <i>nonconforming site features</i> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				

LMO Section 16-3-104.G.

<b>RM-12</b>				
<b>Moderate to High Density Residential District</b>				
<b>1. Purpose</b>				
The purpose of the Moderate to High Density Residential (RM-12) District is to allow higher <i>density</i> residential <i>uses</i> in locations which are served by adequate infrastructure, while maintaining the character of these areas and <i>neighborhoods</i> at <i>densities</i> up to twelve units per <i>net acre</i> . This district is used to encourage a variety of residential opportunities, including <i>multifamily</i> residential units, <i>single-family</i> residences, and <i>group living</i> . The regulations of this district are intended to discourage <i>development</i> that would substantially interfere with, or be detrimental to, moderate to high density residential character.				
<b>2. Allowable Principal Uses</b>				
		<b>USE-SPECIFIC CONDITIONS</b>	<b>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</b>	
<b>Residential Uses</b>				
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<i>Major Utilities</i>	SE		1 per 1,500 GFA	
<i>Minor Utilities</i>	P		n/a	
<i>Public Parks</i>	P		See Sec. 16-5-107.D.2	
<i>Religious Institutions</i>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<i>Telecommunication Towers, Monopole</i>	PC	Sec. 16-4-102.B.2.e	1	
<b>Other Uses</b>				

<b>RM-12</b> <b>Moderate to High Density Residential District</b>				
<i>Agriculture Uses</i>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>		
Residential	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i>	35%	
Nonresidential	6,000 GFA			
<b>MAX. BUILDING HEIGHT</b>		Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%	
<i>All Development</i>	45 ft <sup>1</sup>			
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
<b>TABLE NOTES:</b>				
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. May be increased by up to ten percent on demonstration to the <i>Official</i> that:				
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;				
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed <i>development</i> , or (2) results in improved site conditions for a <i>development</i> with <i>nonconforming site features</i> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				

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

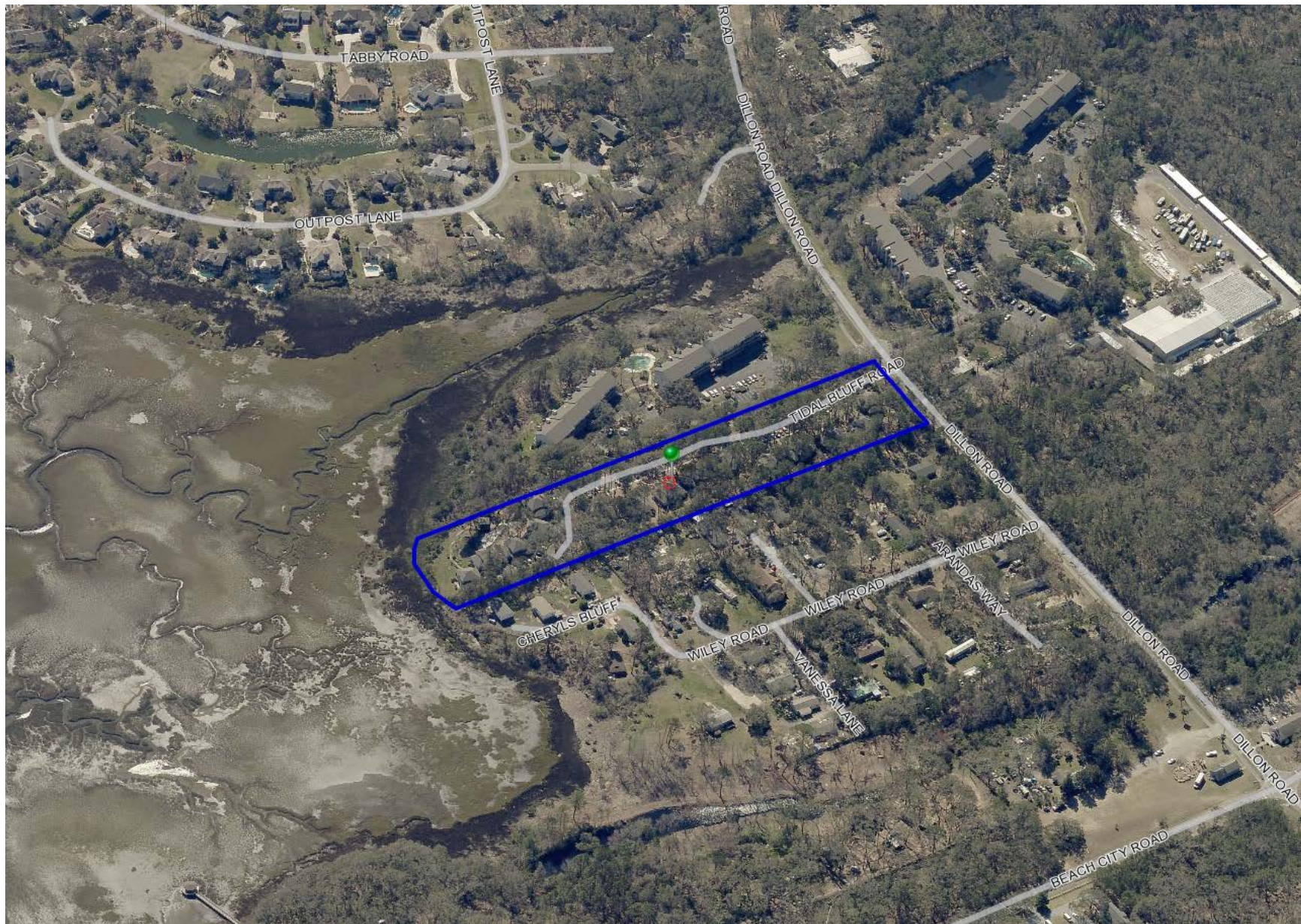
<b>TABLE 16-4-102.A.6: PRINCIPAL USE TABLE (cont.)</b>		
<b>P = Permitted by Right</b>	<b>PC = Permitted Subject to Use-Specific Conditions</b>	
<b>SE = Allowed as a Special Exception</b>	<b>Blank Cell = Prohibited Use</b>	
	<b>RM-4</b>	<b>RM-12</b>
<b>COMMERCIAL SERVICES</b>		
Adult Entertainment Uses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



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



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





# Attachment F Boundary Survey 2 Tidal Bluff Road

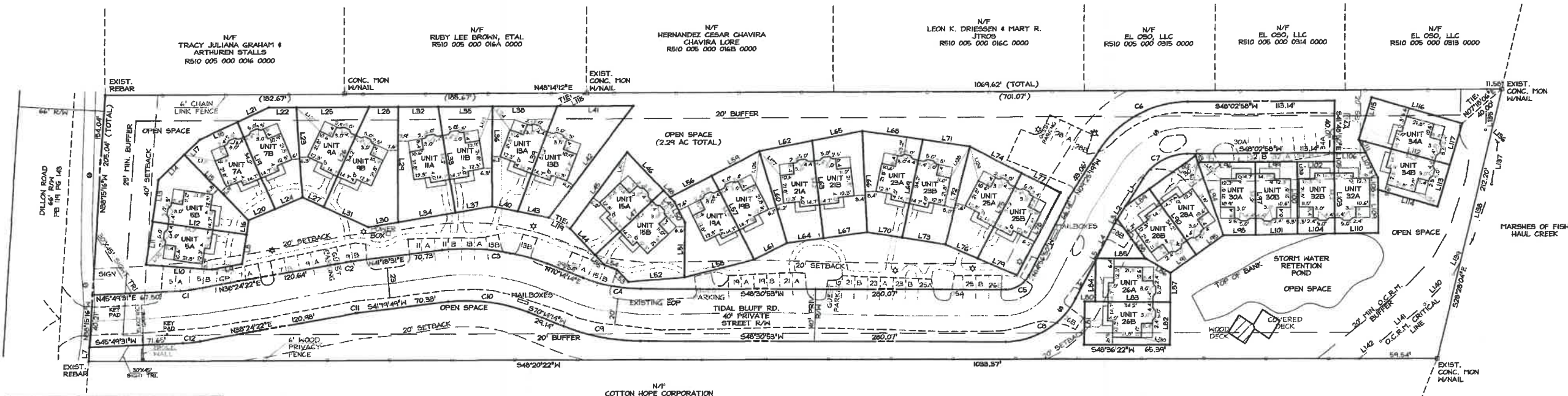
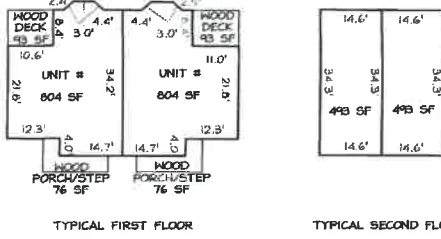
## Exhibit B

### NOTES:

- AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
- ALL DISTANCES ARE HORIZONTAL MEASUREMENTS UNLESS OTHERWISE NOTED.
- PARCEL ID: RS10 005 000 0017 0000
- DEED REF/TITLE SOURCE: PB 137 PG 49, DB 264 PG 940 MAP REF: PB 119 PG 143, PB 91 PG 129
- ZONED: RM-4
- AREAS:  
TOTAL SITE AREA: 4.96 AC  
R/W AREA: 0.98 AC  
TOTAL LOT AREA: 1.72 AC  
OPEN SPACE PROVIDED: 2.29 AC (46.2%)  
MIN OPEN SPACE REQUIRED: 0.69 AC
- TOTAL NUMBER OF LOTS: 30
- 20' SETBACK FROM R/W OF TIDAL BLUFF RD. THIS PROPERTY IS LOCATED IN FERRA ZONE A7 AS SHOWN ON FIRST PANEL 46250 00000, MAP REVISED SEPTEMBER 29, 1986. BASE FLOOD ELEVATION=14.0'
- THIS PROPERTY LIES EITHER PARTIALLY OR WHOLLY WITHIN THE HILTON HEAD ISLAND AIRPORT OVERLAY DISTRICT AND IS SUBJECT TO NOISE THAT MAY BE OBJECTIONABLE.
- FIELD WORK PERFORMED NOVEMBER 21, 2016.

AREA CALCULATIONS (30 UNITS)

LOCATION	EACH	TOTAL
FIRST FLOOR AREA	604 SF	24,120 SF
SECOND FLOOR AREA	493 SF	14,790 SF
POSSIBLE AREAS	76 SF	2,254 SF
<b>TOTAL</b>	<b>1,173 SF</b>	<b>44,164 SF</b>
PAVED PARKING AREA	N/A	34,854 SF
WALKWAYS	N/A	6,185 SF



LOT DATA:

5A 2,171 sq. ft. 0.050 acres RS10-005-000-0017-0001-00	5B 2,555 sq. ft. 0.059 acres RS10-005-000-0017-0014-00
7A 2,619 sq. ft. 0.058 acres RS10-005-000-0017-0002-00	7B 2,542 sq. ft. 0.058 acres RS10-005-000-0017-0017-00
9A 2,647 sq. ft. 0.062 acres RS10-005-000-0017-0003-00	9B 3,646 sq. ft. 0.084 acres RS10-005-000-0017-0018-00
11A 3,215 sq. ft. 0.074 acres RS10-005-000-0017-0004-00	11B 2,775 sq. ft. 0.064 acres RS10-005-000-0017-0019-00
13A 2,749 sq. ft. 0.063 acres RS10-005-000-0017-0005-00	13B 3,541 sq. ft. 0.081 acres RS10-005-000-0017-0020-00
15A 2,471 sq. ft. 0.057 acres RS10-005-000-0017-0006-00	15B 3,095 sq. ft. 0.070 acres RS10-005-000-0017-0021-00
17A 2,767 sq. ft. 0.064 acres RS10-005-000-0017-0007-00	17B 2,565 sq. ft. 0.059 acres RS10-005-000-0017-0022-00
19A 2,855 sq. ft. 0.066 acres RS10-005-000-0017-0008-00	19B 2,741 sq. ft. 0.063 acres RS10-005-000-0017-0023-00
21A 2,667 sq. ft. 0.062 acres RS10-005-000-0017-0009-00	21B 2,403 sq. ft. 0.055 acres RS10-005-000-0017-0024-00
23A 1,817 sq. ft. 0.042 acres RS10-005-000-0017-0010-00	23B 2,181 sq. ft. 0.049 acres RS10-005-000-0017-0025-00
25A 2,149 sq. ft. 0.049 acres RS10-005-000-0017-0011-00	25B 1,946 sq. ft. 0.045 acres RS10-005-000-0017-0026-00
27A 1,941 sq. ft. 0.045 acres RS10-005-000-0017-0012-00	27B 1,792 sq. ft. 0.041 acres RS10-005-000-0017-0027-00
29A 1,971 sq. ft. 0.045 acres RS10-005-000-0017-0013-00	29B 1,574 sq. ft. 0.036 acres RS10-005-000-0017-0028-00
31A 2,417 sq. ft. 0.055 acres RS10-005-000-0017-0014-00	31B 1,694 sq. ft. 0.039 acres RS10-005-000-0017-0029-00
33A 2,417 sq. ft. 0.055 acres RS10-005-000-0017-0015-00	33B 1,694 sq. ft. 0.039 acres RS10-005-000-0017-0030-00

LINE TABLE

LINE	LENGTH	BEARING
L1	24.53	S02°25'19"E
L2	12.07	S09°24'47"E
L3	4.13	S05°20'19"E
L4	29.85	S14°56'50"E
L5	1.75	S14°56'50"E
L6	32.62	S14°56'50"E
L7	10.78	S38°15'16"E
L8	22.95	S33°37'56"E
L9	22.84	N38°10'07"E
L10	50.55	N62°36'52"E
L11	33.54	S89°27'58"E
L12	72.20	N56°30'39"E
L13	32.60	S33°37'56"E
L14	27.78	S63°43'05"E
L15	70.66	N85°11'40"E
L16	11.00	S33°37'56"E
L17	16.26	S43°40'05"E
L18	31.43	S23°12'24"E
L19	73.16	S64°51'22"E
L20	22.00	N25°38'36"E
L21	26.34	S23°12'24"E
L22	20.83	N48°14'17"E
L23	64.58	N65°52'47"E
L24	28.00	N25°38'36"E
L25	56.20	N48°14'17"E
L26	84.41	N17°14'24"E
L27	17.70	N72°48'44"E
L28	22.24	N48°14'17"E
L29	88.85	N41°13'37"E
L30	23.06	N38°55'18"E
L31	38.04	N72°48'44"E
L32	30.76	N38°55'18"E
L33	62.69	S61°04'47"E
L34	44.76	N38°55'18"E
L35	41.49	N48°14'17"E
L36	76.94	N41°13'37"E
L37	28.48	N38°55'18"E
L38	43.85	N48°14'17"E
L39	86.24	S27°31'30"E
L40	19.91	N67°36'32"E
L41	58.34	N48°14'17"E
L42	107.18	N67°36'32"E
L43	24.34	N67°36'32"E
L44	28.14	S65°03'19"E
L45	73.25	N64°52'21"E
L46	40.53	S65°03'19"E

LINE TABLE

LINE	LENGTH	BEARING
L47	72.20	N04°14'47"E
L48	7.31	S65°03'19"E
L49	5.36	S65°03'19"E
L50	17.37	S48°26'30"E
L51	42.23	S41°38'07"E
L52	43.28	S43°32'58"E
L53	12.68	S65°03'19"E
L54	10.66	N70°44'22"E
L55	10.26	S65°03'19"E
L56	36.04	N70°44'22"E
L57	72.54	S48°26'30"E
L58	54.88	S43°32'58"E
L59	41.01	N70°44'22"E
L60	74.07	N58°19'40"E
L61	28.00	N17°14'24"E
L62	41.01	N57°12'40"E
L63	75.54	S43°32'58"E
L64	27.88	N40°27'29"E
L65	38.86	N37°12'40"E
L66	76.09	N44°26'33"E
L67	33.60	N40°27'29"E
L68	47.05	N47°42'23"E
L69	77.09	S23°12'24"E
L70	27.36	N57°20'22"E
L71	36.95	S56°35'38"E
L72	77.77	N77°42'35"E
L73	34.02	N57°20'22"E
L74	44.95	N35°46'09"E
L75	73.61	S14°13'37"E
L76	26.84	N71°28'46"E
L77	39.20	N72°48'44"E
L78	71.12	N43°32'58"E
L79	33.23	N71°28'46"E
L80	8.00	S41°02'34"E
L81	33.12	S47°23'36"E
L82	32.66	S41°02'34"E
L83	57.39	S43°02'34"E
L84	31.76	S41°02'34"E
L85	37.38	S48°26'30"E
L86	22.21	S75°37'18"E
L87	22.63	S41°02'34"E
L88	37.32	S71°28'17"E
L89	22.62	S27°44'44"E
L90	62.11	S77°20'17"E
L91	24.15	N12°31'43"E
L92	45.71	S12°44'44"E

LINE TABLE

LINE	LENGTH	BEARING
L93	5.29	N10°00'06"E
L94	59.36	N61°00'06"E
L95	25.53	N12°31'43"E
L96	44.42	N45°02'16"E
L97	55.79	S47°44'44"E
L98	24.93	N47°29'29"E
L99	32.12	N48°10'16"E
L100	55.42	S47°44'44"E
L101	32.12	N47°31'29"E
L102	28.38	N48°10'16"E
L103	55.10	S47°29'29"E
L104	26.45	N47°31'29"E
L105	6.74	S47°44'44"E
L106	24.16	S48°04'50"E
L107	21.58	N67°36'32"E
L108	8.90	S47°29'29"E
L109	33.21	S47°10'06"E
L110	33.27	N47°31'29"E
L111	11.33	N70°31'57"E
L112	72.21	N63°51'47"E
L113	33.46	S62°12'37"E
L114	47.00	N47°42'23"E
L115	34.00	S62°12'37"E
L116	72.20	N44°42'23"E
L117	32.94	S62°12'37"E
L118	24.95	N24°14'52"E
L119	18.07	S76°26'09"E

LINE TABLE

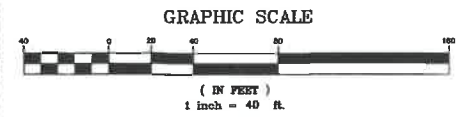
LINE	LENGTH	BEARING
L120	21.04	N04°00'06"E
L121	24.15	N62°37'46"E
L122	25.58	S66°27'50"E
L123	27.48	S21°28'30"E
L124	22.74	S78°32'28"E
L125	24.41	S23°04'17"E
L126	25.69	S65°40'16"E
L127	24.79	S62°32'19"E
L128	28.68	S07°56'15"E
L129	27.21	S65°46'27"E
L130	22.73	S47°10'06"E
L131	20.60	S29°42'34"E
L132	21.58	N47°31'29"E
L133	12.95	S48°07'56"E
L134	20.92	N61°22'58"E
L135	31.44	S47°49'41"E
L136	13.30	S47°10'06"E
L137	32.30	S33°16'42"E
L138	45.14	S23°01'49"E
L139	30.31	S47°23'44"E
L140	31.73	S01°37'00"E
L141	43.53	S00°00'00"E
L142	21.34	S07°34'19"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	7.77	60.00	7.76	N42°06'57"E
C2	3.55	70.00	3.55	S31°32'36"E
C3	81.71	175.52	80.47	S65°43'14"E
C4	45.50	100.00	45.22	N52°32'34"E
C5	22.15	20.00	21.04	N16°47'31"E
C6	86.25	80.00	74.92	S19°16'50"E
C7	40.12	40.00	36.46	S19°16'50"E
C8	66.46	60.00	63.11	N16°47'31"E
C9	60.66	160.00	60.30	N52°32'34"E
C10	61.96	135.52	61.42	S65°43'14"E
C11	1.53	30.00	1.53	S33°16'42"E
C12	12.96	100.00	12.94	N42°06'57"E

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

SURVEY PREPARED FOR:  
RIO VALERIANO



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IN MY PROFESSIONAL OPINION, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE "MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA" AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.  
Gregory B. Hume  
RESLEY B. HUNECUTT  
S.C. PLS# 25445  
DATE: 12/21/16

LINE/TYPE LEGEND

PUBLIC R/W	---
ADJOINER	---
PROPERTY LINE	---
SETBACK	---
BUFFER	---
EXISTING ECP	---
C.C.R.M.	---
CRITICAL LINE	---
G	GUEST PARKING
L	LAMP POST
R	REBAR
M	CONCRETE MONUMENT



Control Point, Inc.  
6150 Marina Terrace Blvd.  
Charlotte, NC 28268  
Phone: (704) 599-1010  
Fax: (704) 599-1010  
NC C-2715  
SC: CCA 3489



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

OWNER:  
COTTON HOPE CORPORATION  
1000 W. BROADWAY  
CHARLOTTE, NC 28203

DRAWN BY: [ ]  
APPROVED BY: [ ]  
DATE: [ ]  
SHEET NO. 1 OF 1  
SCALE: 1"=40'

Attachment G  
Applicant Narrative 2 Tidal Bluff Road



July 8, 2019

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

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

To Whom It May Concern:

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



**DEVELOPMENT  
BACKGROUND:**

Tidal Bluff Road and the Tidal Bluff villas are located off Dillon Road on Hilton Head Island, SC. The gated development is a total of 4.96 acres and was originally developed under the prior Land Management Ordinance using four (4) residential development units per acre. It sits in a FEMA Flood Zone A7 with a base flood elevation of 14.0'

MSL. Fifteen (15) duplex units exist on the site for a total of thirty (30) habitable villas. The site was subdivided by the prior owners such that each villa sits on its own lot and therefore thirty (30) separate lots exist. Two (2) parking spaces per three (3) bedroom villa have been provide within the existing 39,854 sf of paved parking. There is also 6,185 sf of concrete walkways and a drainage lagoon on the marsh side of the property. See Exhibits B & C provided.

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

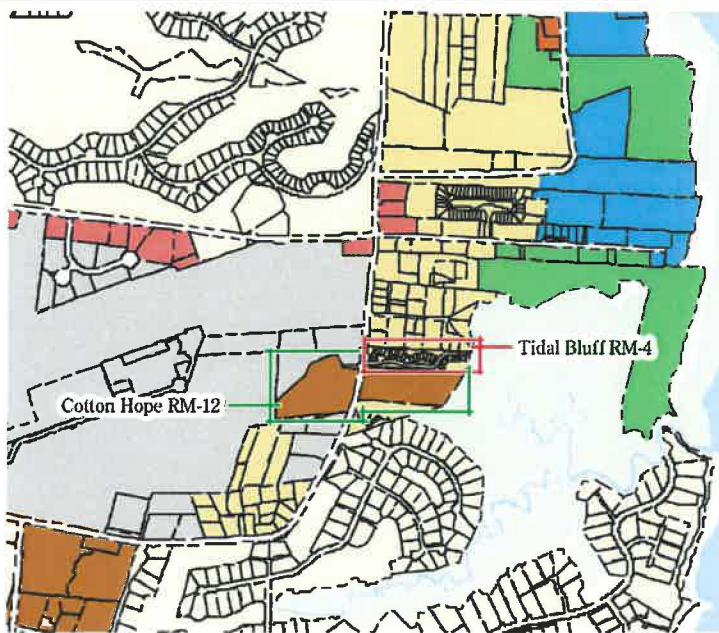
## Attachment G Applicant Narrative 2 Tidal Bluff Road

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

### RE-ZONING REQUEST:

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

Re-zoning would also allow this site to utilize a variety of building types allowed in the RM-12 district therefore creating the opportunity to take advantage of a range of uses that are compatible with the uses allowed on other properties in the immediate vicinity. As mentioned above,



housing would be available not only under master lease agreements to island businesses, but units would be offered to the general public under lease terms typically found at multifamily communities. These leases will be facilitated and managed through the on-site property manager of BH Management Services, a national property management company. This development approach, incorporating multiple housing options on one campus would create unique and diverse housing options unlike any other on the island.

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

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

## Attachment G Applicant Narrative 2 Tidal Bluff Road

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

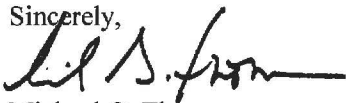
### **COMPREHENSIVE PLAN:**

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

- 1) To engage in projects that encourage affordable/workforce housing on the Island.
- 2) To look at housing opportunities as a mechanism to maintain its essential workforce.
- 3) To encourage housing options that provide opportunities for residents to age in place.
- 4) To monitor changing demographics and trends in housing development to provide housing options that meet market demands.
- 5) To address housing issues using a systemic approach that integrates other elements such as economic development, transportation and land use.
- 6) To include partnerships and the cooperation with the entire community.
- 7) Consider revising the LMO to include flexible zoning options and tools that allow a mix of uses for residential over commercial or other live work units. This may be a tool to foster both a commercial and housing option as well as a means to provide affordable housing and to reduce the amount of infrastructure necessary to travel from home to work or other basic services. Other LMO revisions may include regulations to facilitate the conversion and redevelopment of empty commercial or office space to residential units or allow for a mix of residential within the redevelopment.
- 8) Encourage owners of small properties to assemble land resources through density bonuses tied to increased property sizes.
- 9) Review inclusionary housing programs within the Town boundaries or the region that foster a mix of housing choices and forms.
- 10) Consider creating development incentives to encourage diverse housing options that may include increased density, reduced parking requirements and increased height standards.

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

Sincerely,



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

Attachment G  
Applicant Narrative 2 Tidal Bluff Road



July 8, 2019

**Property Owner**  
Hilton Head Island, SC

**RE: Notice of Public Hearing – Property Owner**

Dear Property Owner:

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

**Case # ZA-1482-2014**

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

**Rezoning Summary:**

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

**Documents & Meeting:**

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

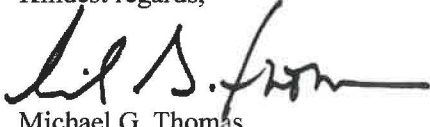
The Town of Hilton Head Island has an Assistive Listening System and Spanish Translator available upon request. Please call 843-341-4757 in advance of the meeting to arrange for these services.

# Attachment G

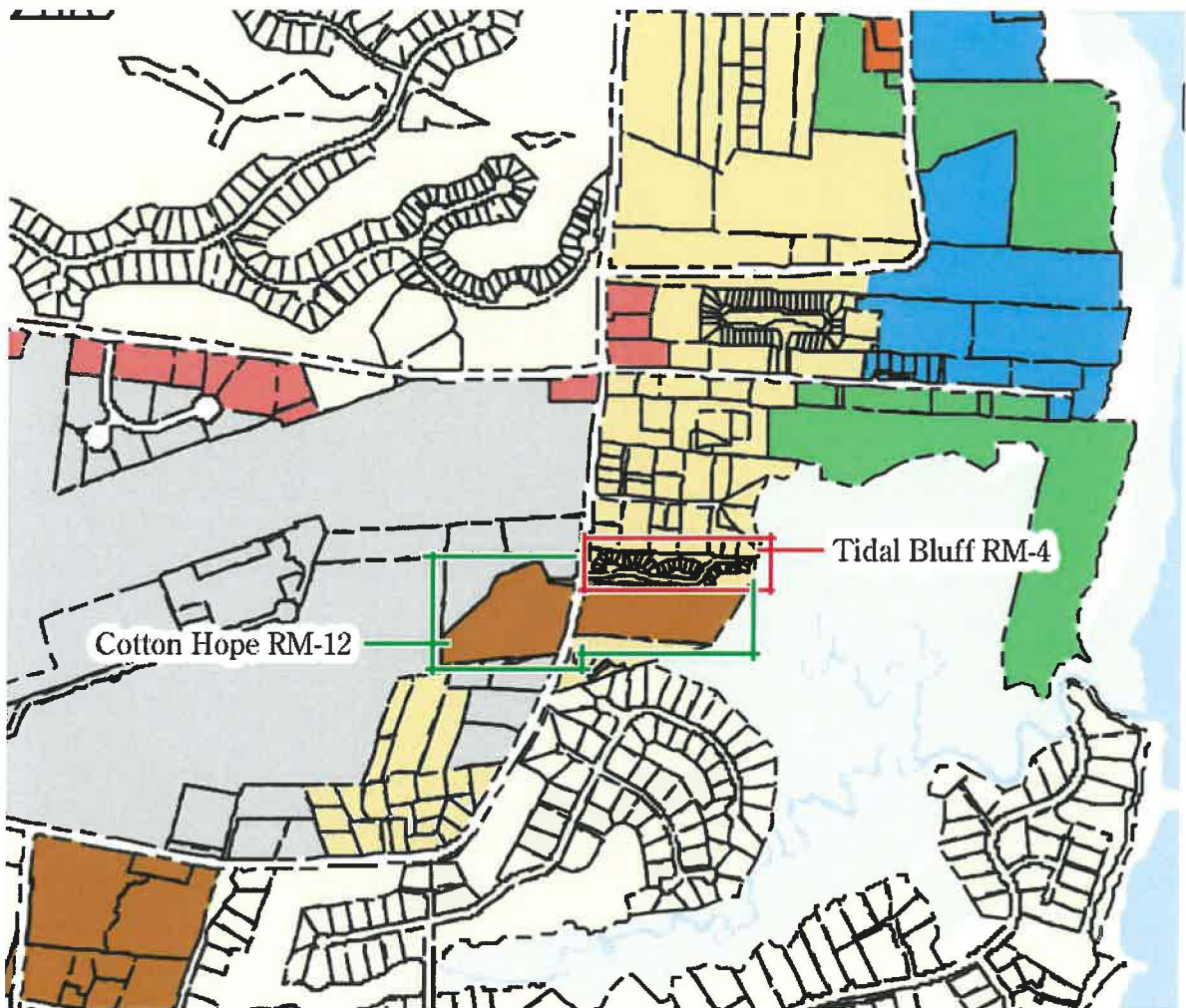
## Applicant Narrative 2 Tidal Bluff Road

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

Kindest regards,



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



End of document.

4  
to J  
McNair,  
6/28/17

Attachment G  
RECORDED  
Applicant Narrative 2 Tidal Bluff Road

PP

2017 Mar 24 12:24 PM  
*[Signature]*  
BEAUFORT COUNTY AUDITOR

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

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

Exhibit A

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF BEAUFORT        )

**TITLE TO REAL ESTATE**  
(Limited Warranty)

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

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

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

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





Attachment G  
Applicant Narrative 2 Tidal Bluff Road

**EXHIBIT A**  
**PERMITTED EXCEPTIONS**

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

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

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

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

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

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

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

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

## Attachment G

## Applicant Narrative 2 Tidal Bluff Road

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

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

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

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

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

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

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

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

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

## Attachment G

## Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0397	0000	00

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0398	0000	00

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0399	0000	00

ADD DMP Record 3/7/2017 08:06:11  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	005	000	0400	0000	00

## Attachment G

## Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:12  
 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE  
 Dist Map SMap Parcel Block Week  
 R510 005 000 0401 0000 00

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 BEAUFORT COUNTY TAX MAP REFERENCE  
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 BEAUFORT COUNTY TAX MAP REFERENCE  
 Dist Map SMap Parcel Block Week  
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ADD DMP Record 3/7/2017 08:06:12  
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 BEAUFORT COUNTY TAX MAP REFERENCE  
 Dist Map SMap Parcel Block Week  
 R510 005 000 0404 0000 00

ADD DMP Record 3/7/2017 08:06:12  
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 BEAUFORT COUNTY TAX MAP REFERENCE  
 Dist Map SMap Parcel Block Week  
 R510 005 000 0405 0000 00

ADD DMP Record 3/7/2017 08:06:12  
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 BEAUFORT COUNTY TAX MAP REFERENCE  
 Dist Map SMap Parcel Block Week  
 R510 005 000 0406 0000 00

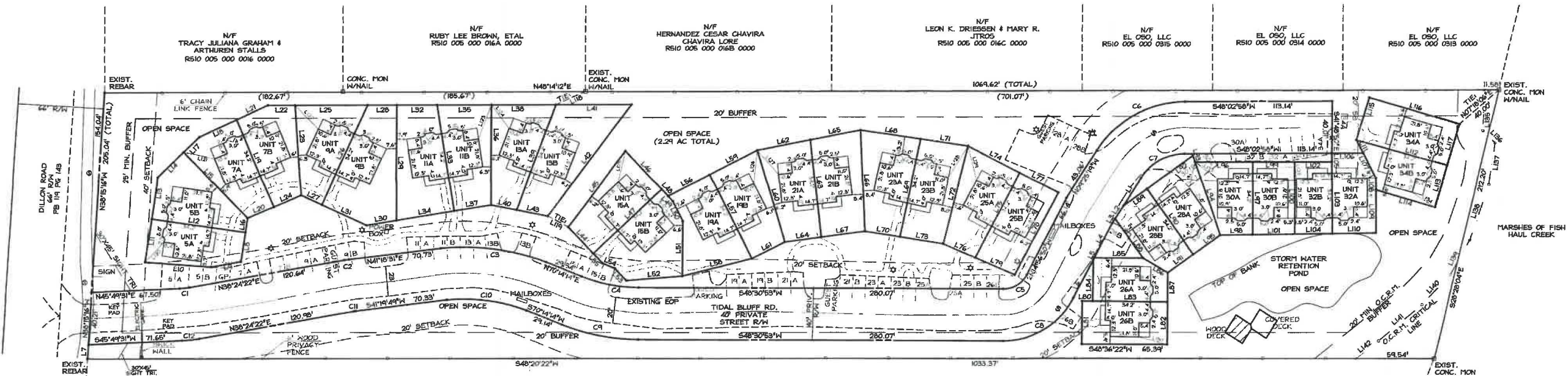
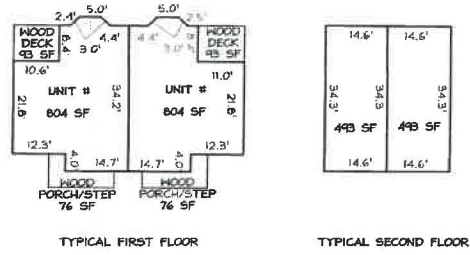
Attachment G  
Applicant Narrative 2 Tidal Bluff Road

Exhibit B

NOTES:

- AREAS ARE CALCULATED BY THE COORDINATE COMPUTATION METHOD.
- ALL DISTANCES ARE HORIZONTAL MEASUREMENTS, UNLESS OTHERWISE NOTED.
- PARCEL ID: RS10 005 000 0017 0000
- DEED REF/TITLE SOURCE: PG 157 PG 49, DB 2944 PG 940 MAP REF: PB 111 PG 143, PB 41 PG 124
- ZONED: RM-4
- AREAS:  
TOTAL SITE AREA: 4.96 AC  
R/W AREA: 0.95 AC  
TOTAL LOT AREA: 1.72 AC  
OPEN SPACE PROVIDED: 2.29 AC (46.2%)  
MIN OPEN SPACE REQUIRED: 0.69 AC
- TOTAL NUMBER OF LOTS: 30
- 20' SETBACK FROM R/W OF TIDAL BLUFF RD.  
THIS PROPERTY IS LOCATED IN FEMA ZONE A7 AS SHOWN ON FIRM PANEL 450250 0004D, MAP REVISED SEPTEMBER 24, 1986. BASE FLOOD ELEVATION=14.0'
- THIS PROPERTY LIES EITHER PARTIALLY OR WHOLLY WITHIN THE HILTON HEAD ISLAND AIRPORT OVERLAY DISTRICT AND IS SUBJECT TO NOISE THAT MAY BE DETECTABLE.
- FIELD WORK PERFORMED NOVEMBER 21, 2016.

AREA CALCULATIONS (30 UNITS)		
LOCATION	EACH	TOTAL
FIRST FLOOR AREA	604 SF	24,120 SF
SECOND FLOOR AREA	493 SF	14,790 SF
PORCH AREAS	76 SF	2,284 SF
TOTAL	1,573 SF	44,194 SF
PAVED PARKING AREA	N/A	39,854 SF
WALKWAYS	N/A	6,185 SF



LOT DATA:	
5A 2,179 sq. ft. 0.050 acres RS10-005-000-0017-0001-00	5B 2,555 sq. ft. 0.059 acres RS10-005-000-0017-0016-00
7A 2,519 sq. ft. 0.058 acres RS10-005-000-0017-0002-00	7B 2,542 sq. ft. 0.058 acres RS10-005-000-0017-0017-00
9A 2,647 sq. ft. 0.062 acres RS10-005-000-0017-0003-00	9B 3,646 sq. ft. 0.084 acres RS10-005-000-0017-0018-00
11A 3,219 sq. ft. 0.074 acres RS10-005-000-0017-0004-00	11B 2,775 sq. ft. 0.064 acres RS10-005-000-0017-0019-00
13A 2,740 sq. ft. 0.063 acres RS10-005-000-0017-0005-00	13B 3,541 sq. ft. 0.081 acres RS10-005-000-0017-0020-00
15A 2,479 sq. ft. 0.057 acres RS10-005-000-0017-0006-00	15B 3,035 sq. ft. 0.070 acres RS10-005-000-0017-0021-00
17A 2,767 sq. ft. 0.064 acres RS10-005-000-0017-0007-00	17B 2,508 sq. ft. 0.058 acres RS10-005-000-0017-0022-00
19A 2,565 sq. ft. 0.059 acres RS10-005-000-0017-0008-00	19B 2,760 sq. ft. 0.064 acres RS10-005-000-0017-0023-00
21A 2,855 sq. ft. 0.066 acres RS10-005-000-0017-0009-00	21B 2,741 sq. ft. 0.063 acres RS10-005-000-0017-0024-00
23A 2,687 sq. ft. 0.062 acres RS10-005-000-0017-0010-00	23B 2,403 sq. ft. 0.055 acres RS10-005-000-0017-0025-00
25A 1,817 sq. ft. 0.042 acres RS10-005-000-0017-0011-00	25B 2,151 sq. ft. 0.049 acres RS10-005-000-0017-0026-00
27A 2,149 sq. ft. 0.049 acres RS10-005-000-0017-0012-00	27B 1,946 sq. ft. 0.045 acres RS10-005-000-0017-0027-00
29A 1,941 sq. ft. 0.045 acres RS10-005-000-0017-0013-00	29B 1,792 sq. ft. 0.041 acres RS10-005-000-0017-0028-00
31A 1,971 sq. ft. 0.045 acres RS10-005-000-0017-0014-00	31B 1,674 sq. ft. 0.038 acres RS10-005-000-0017-0029-00
33A 2,025 sq. ft. 0.045 acres RS10-005-000-0017-0015-00	33B 1,894 sq. ft. 0.043 acres RS10-005-000-0017-0030-00

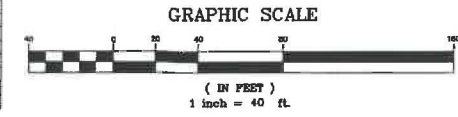
LINE	LENGTH	BEARING
L1	24.95	S01°02'54"E
L2	12.07	S02°26'31"E
L3	4.13	S02°26'31"E
L4	24.82	S14°56'50"E
L5	1.75	S14°56'50"E
L6	32.62	S44°54'55"E
L7	10.70	S38°18'16"E
L8	22.95	S31°37'58"E
L9	22.84	N36°14'07"E
L10	50.55	N58°38'50"E
L11	33.94	S33°37'58"E
L12	72.20	N56°33'13"E
L13	32.60	N12°01'32"E
L14	27.76	S03°49'05"E
L15	70.66	N66°11'46"E
L16	11.00	S33°37'58"E
L17	16.28	S03°49'05"E
L18	31.48	S23°21'24"E
L19	73.10	S6°45'22"E
L20	22.99	N58°38'50"E
L21	26.39	S33°37'58"E
L22	20.93	N48°41'12"E
L23	64.85	N45°52'47"E
L24	23.00	N05°08'38"E
L25	86.20	N42°14'14"E
L26	84.41	N71°14'14"E
L27	17.70	N74°49'46"E
L28	22.24	N48°14'12"E
L29	80.85	N41°45'48"E
L30	23.06	N38°53'18"E
L31	38.04	N72°49'46"E
L32	30.78	N41°14'12"E
L33	82.64	S51°04'42"E
L34	44.76	N38°53'18"E
L35	41.44	N48°14'12"E
L36	76.99	N41°45'48"E
L37	28.48	N38°53'18"E
L38	49.95	N48°14'12"E
L39	86.24	S51°04'42"E
L40	19.91	N51°36'52"E
L41	58.39	N41°45'48"E
L42	87.13	N42°52'21"E
L43	24.36	N58°38'50"E
L44	28.14	S58°38'50"E
L45	73.25	N48°54'55"E
L46	40.53	S58°08'19"E

LINE	LENGTH	BEARING
L47	72.20	N04°15'47"E
L48	7.31	S85°08'19"E
L49	5.36	S05°08'19"E
L50	17.37	S68°26'30"E
L51	42.23	S41°38'07"E
L52	43.29	S43°35'58"E
L53	12.88	S85°10'15"E
L54	10.66	N70°44'22"E
L55	10.25	S65°08'19"E
L56	34.04	N58°38'50"E
L57	72.54	S68°26'30"E
L58	54.80	S34°21'00"E
L59	41.01	N12°01'32"E
L60	74.07	N58°14'40"E
L61	23.00	N12°33'30"E
L62	41.01	N57°12'40"E
L63	75.54	S48°14'12"E
L64	27.88	N47°27'29"E
L65	38.85	N37°12'40"E
L66	78.03	N44°26'33"E
L67	32.60	N42°27'29"E
L68	47.05	N56°38'50"E
L69	77.09	S25°52'05"E
L70	27.35	N67°20'22"E
L71	36.98	N68°39'30"E
L72	77.77	N57°22'38"E
L73	94.02	N67°20'22"E
L74	44.95	N75°46'28"E
L75	73.61	S14°13'37"E
L76	26.84	N71°28'46"E
L77	33.20	N75°46'28"E
L78	71.12	N41°13'37"E
L79	33.29	N71°28'46"E
L80	8.00	S49°00'34"E
L81	33.12	S41°22'38"E
L82	32.66	S41°22'38"E
L83	57.59	S49°00'34"E
L84	31.76	S41°22'38"E
L85	37.38	S48°36'22"E
L86	22.21	S78°21'13"E
L87	22.63	S41°22'38"E
L88	37.32	S77°20'17"E
L89	22.02	S72°44'17"E
L90	62.11	S77°20'17"E
L91	24.15	N12°34'43"E
L92	43.71	S12°44'44"E

LINE	LENGTH	BEARING
L93	5.29	N61°00'06"E
L94	54.56	N12°00'06"E
L95	26.53	N22°24'43"E
L96	44.42	N48°19'16"E
L97	55.79	S41°44'44"E
L98	24.93	N47°31'24"E
L99	32.12	N48°10'16"E
L100	55.42	S41°44'44"E
L101	32.12	N47°31'24"E
L102	28.38	N48°10'16"E
L103	55.10	S41°44'44"E
L104	28.68	N47°31'24"E
L105	6.74	S47°14'36"E
L106	24.16	S48°04'50"E
L107	21.58	N67°33'58"E
L108	8.40	S41°52'10"E
L109	33.21	S41°52'10"E
L110	33.27	N47°31'24"E
L111	11.33	N70°31'57"E
L112	72.21	N63°01'47"E
L113	39.46	S23°12'02"E
L114	47.00	N64°14'42"E
L115	34.00	S23°12'02"E
L116	72.20	N64°14'42"E
L117	32.94	S23°12'02"E
L118	31.73	S01°32'02"E
L119	43.53	S08°00'30"E
L120	21.04	N01°04'05"E
L121	24.15	N67°33'58"E
L122	26.80	S66°27'50"E
L123	27.91	S71°20'30"E
L124	22.74	S78°32'02"E
L125	24.41	S20°14'17"E
L126	26.64	S35°48'16"E
L127	24.79	S62°32'13"E
L128	28.68	S01°58'51"E
L129	27.21	S55°48'27"E
L130	22.75	S64°19'30"E
L131	20.60	S23°42'33"E
L132	21.58	N04°33'52"E
L133	12.95	S48°07'56"E
L134	20.42	S61°22'34"E
L135	31.44	S48°07'56"E
L136	13.30	S57°11'04"E
L137	32.30	S33°16'42"E
L138	45.14	S23°12'02"E
L139	30.31	S12°34'31"E
L140	31.73	S01°32'02"E
L141	43.53	S08°00'30"E
L142	21.94	S01°34'11"E

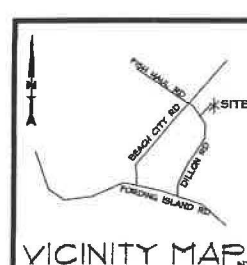
CURVE TABLE			
CURVE	LENGTH	CHORD	BEARING
C1	7.77	60.00	7.76 N42°06'57"E
C2	3.55	70.00	3.55 S93°52'26"E
C3	81.71	175.52	80.97 S55°48'14"E
C4	48.50	100.00	48.22 N67°22'34"E
C5	22.15	20.00	21.04 N88°47'01"E
C6	80.25	80.00	76.92 S19°45'50"E
C7	40.12	40.00	38.46 S19°45'50"E
C8	66.46	60.00	63.11 N16°47'01"E
C9	60.44	160.00	60.30 N42°22'34"E
C10	61.96	135.52	61.42 S55°48'27"E
C11	15.93	30.00	1.53 S64°19'30"E
C12	12.95	100.00	12.94 N42°06'57"E

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



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND IN MY PROFESSIONAL OPINION, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE "MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA", AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.  
Wesley R. Hummer 12/21/16  
DATE  
WESLEY R. HUMMER  
S.C. PLS# 25445

LINETYPE LEGEND	
PUBLIC R/W	---
ADJOINER	---
PROPERTY LINE	---
SETBACK	---
BUFFER	---
EXISTING EOP	---
O.C.R.P.	---
CRITICAL LINE	---
☆	GUEST PARKING
⊙	LAMP POST
*	REBAR
□	CONCRETE MONUMENT



Control Point, Inc.  
6150 Harris Technology Blvd.  
Charlotte, NC 28216  
Phone: (704) 399-1010  
Fax: (704) 399-1020  
NC C-7128  
SC CCA 3489

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

CONTRACT NO. 16-001  
DATE: 12/21/16  
JOB NAME: TIDAL BLUFF  
CRITICAL BLUFF  
SCALE: 1"=40' (H/V)

SHEET NO. 1 OF 1

APPROVED BY:  
Wesley R. Hummer  
DATE: 12/21/16

DESIGNED BY:  
RIC VALERIANO

DRAWN BY:  
RIC VALERIANO

CUT REAL PROPERTY, LLC  
1000 W. BROAD ST.  
CHARLOTTE, NC 28202

Attachment G  
Applicant Narrative 2 Tidal Bluff Road



**Distance Legend**

- Harris Teeter	2.80 mi	- Port Royal (Westin)	3.50 mi
- Walmart/Publix	3.40 mi	- Palmetto Dunes (Marriott)	5.53 mi
- Northridge Plaza	2.00 mi	- Shipyard (Sonesta)	7.65 mi
		- Sea Pines (Front Gate)	7.11 mi



**Typical Duplex Information:**  
Three Bedroom Duplex = 30 total units (180 beds)  
(2 Baths, Kitchen, Dining, Great Rm, Screened Porch)

**Typical Duplex Square Footages:**  
Typical First Floor = 804 SF  
Typical Second Floor = 493 SF



Typical 1st Floor Plan

Typical 2nd Floor Plan

Exhibit C

DATE PLOTTED	DATE	BY

A New Residential Project for:  
**Tidal Bluff Duplexes**  
Dillon Road  
Hilton Head Island, South Carolina

**THOMAS**  
DESIGN GROUP, INC  
74 Sparrowhawk Lane  
Hilton Head Island, SC 29926  
843.715.9434

Copyright:  
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Disclaimer:  
TDG, Inc. waives any and all responsibility and liability which arise from the failure to follow the drawings, related documents, specified products, material and methods of construction and the design intent they convey, or from any other failures to obtain and/or follow TDG's guidance w/ respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which may be alleged.

TDG Project # 2017.02

C100

Architectural Site Plan

**Exhibit D1**

Attachment G  
Applicant Narrative 2 Tidal Bluff Road



Billing Date	June 20, 2019
Invoice Number	62535

Acct No	Service Address	Meter No	Meter Rdgs	Days	Bill Period	Mult	KWH	Actual KW	Billed KW	
Rate		Electric Last Year	Electric Last Month	Current Electric	Outdoor Lighting	Other Charges	Bal Fwd	Tax	Roundup®	Total Due
235301001	TIDAL BLUFF-OUTDOOR LIGHTS	0	0 - 0	32	May 19 - Jun 20	0	0	0.000	0.000	0.000
Commercial Lighting	0.00	0.00	0.00	262.49	0.00	0.00	26.79	0.00	0.00	<b>289.28</b>
235301002	TIDAL BLUFF RD 32A	124617905	40802 - 42458	31	May 16 - Jun 16	1	1656	0.000	0.000	0.000
Residential Electric	217.91	129.96	186.57	0.00	0.00	0.00	5.60	0.83	0.00	<b>193.00</b>
235301003	TIDAL BLUFF RD 21A	124611924	55915 - 57278	31	May 16 - Jun 16	1	1363	0.000	0.000	0.000
Residential Electric	146.31	137.79	156.56	0.00	0.00	0.00	4.70	0.74	0.00	<b>162.00</b>
235301004	TIDAL BLUFF RD 9B	121288528	82025 - 83788	31	May 16 - Jun 16	1	1763	0.000	0.000	0.000
Residential Electric	180.38	158.22	197.52	0.00	0.00	0.00	5.93	0.55	0.00	<b>204.00</b>
235301005	TIDAL BLUFF RD 19B	115606470	3532 - 5640	31	May 16 - Jun 16	1	2108	0.000	0.000	0.000
Residential Electric	163.49	122.52	232.85	0.00	5.95	0.00	6.99	0.21	0.00	<b>246.00</b>
235301006	TIDAL BLUFF RD 15B	121288035	77271 - 78866	31	May 16 - Jun 16	1	1595	0.000	0.000	0.000
Residential Electric	152.49	122.01	180.32	0.00	0.00	0.00	5.41	0.27	0.00	<b>186.00</b>
235301007	TIDAL BLUFF-SEC GATE	105284153	14865 - 15071	31	May 16 - Jun 16	1	206	0.000	0.000	0.000
Small Commercial	36.11	34.91	38.94	0.00	0.00	0.00	3.98	0.08	0.00	<b>43.00</b>
235301008	TIDAL BLUFF RD 30A	115606220	93461 - 96054	31	May 16 - Jun 16	1	2593	0.000	0.000	0.000
Residential Electric	233.84	252.51	282.51	0.00	0.00	0.00	8.48	0.01	0.00	<b>291.00</b>
235301009	TIDAL BLUFF RD 7A	124642422	46307 - 47193	31	May 16 - Jun 16	1	886	0.000	0.000	0.000
Residential Electric	158.28	111.49	107.73	0.00	0.00	0.00	3.23	0.04	0.00	<b>111.00</b>
235301010	TIDAL BLUFF RD 19A	124642420	44049 - 46438	31	May 16 - Jun 16	1	2389	0.000	0.000	0.000
Residential Electric	195.04	190.82	261.62	0.00	0.00	0.00	7.85	0.53	0.00	<b>270.00</b>
<b>Total Charges Due On July 5, 2019</b>									<b>\$6,971.28</b>	

This bill amount is payable in full on or before the due date or draft date.

**Are you prepared for summer storms?**  
visit [palmetto.coop](http://palmetto.coop) for storm preparedness information  
**Power Out?**  
Call **1-866-445-5551** or use our **FREE Mobile App.**

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

SC09400F

PALMETTO ELECTRIC COOPERATIVE INC  
4063 GRAYS HWY  
RIDGELAND SC 29936-4360  
Temp-Return Service Requested



Member Number	235301
Invoice Number	62535
Payment Due Date	July 5, 2019
Total Amount Due	\$6,971.28

\*\*\*\*\*AUTO\*\*5-DIGIT 29901

CORDILLO TB LLC 1  
PO BOX 21809 178  
HILTON HEAD ISLAND SC 29925-1809



PALMETTO ELECTRIC COOPERATIVE INC  
PO BOX 530812  
ATLANTA GA 30353-0812

01077 00235301000 6 0000062535 000697128 000697128 5



# Attachment G

## Applicant Narrative 2 Tidal Bluff Road



Billing Date	June 20, 2019
Invoice Number	62535

Acct No	Service Address	Meter No	Meter Rdgs	Days	Bill Period	Mult	KWH	Actual KW	Billed KW	
Rate		Electric Last Year	Electric Last Month	Current Electric	Outdoor Lighting	Other Charges	Bal Fwd	Tax	Roundup®	Total Due
235301011	TIDAL BLUFF RD 5B	124637814	50593 - 52035	31	May 16 - Jun 16	1	1442	0.000	0.000	
Residential Electric		147.37	123.25	164.65	0.00	0.00	0.00	4.94	0.41	<b>170.00</b>
235301012	TIDAL BLUFF RD 13B	124637259	70223 - 73801	31	May 16 - Jun 16	1	3578	0.000	0.000	
Residential Electric		155.96	333.49	383.36	0.00	0.00	0.00	11.50	0.14	<b>395.00</b>
235301013	TIDAL BLUFF RD 21B	124635919	75579 - 77958	31	May 16 - Jun 16	1	2379	0.000	0.000	
Residential Electric		243.00	195.66	260.59	0.00	0.00	0.00	7.82	0.59	<b>269.00</b>
235301014	TIDAL BLUFF RD 28B	124634906	66359 - 68022	31	May 16 - Jun 16	1	1663	0.000	0.000	
Residential Electric		210.77	146.57	187.28	0.00	0.00	0.00	5.62	0.10	<b>193.00</b>
235301015	TIDAL BLUFF RD 34B	109968246	5183 - 7272	31	May 16 - Jun 16	1	2089	0.000	0.000	
Residential Electric		223.12	188.55	230.90	0.00	0.00	0.00	6.93	0.17	<b>238.00</b>
235301016	TIDAL BLUFF RD 23B	124636982	53449 - 54840	31	May 16 - Jun 16	1	1391	0.000	0.000	
Residential Electric		181.92	122.84	159.43	0.00	0.00	0.00	4.78	0.79	<b>165.00</b>
235301017	TIDAL BLUFF RD 25A	124639736	57220 - 59228	31	May 16 - Jun 16	1	2008	0.000	0.000	
Residential Electric		201.02	148.93	222.61	0.00	0.00	0.00	6.68	0.71	<b>230.00</b>
235301018	TIDAL BLUFF RD 13A	121287268	76963 - 79012	31	May 16 - Jun 16	1	2049	0.000	0.000	
Residential Electric		210.00	178.13	226.81	0.00	0.00	0.00	6.80	0.39	<b>234.00</b>
235301019	TIDAL BLUFF RD 26B	124642418	51141 - 53952	31	May 16 - Jun 16	1	2811	0.000	0.000	
Residential Electric		264.62	210.83	304.83	0.00	0.00	0.00	9.14	0.03	<b>314.00</b>
235301020	TIDAL BLUFF RD 26A	124640365	47216 - 49300	31	May 16 - Jun 16	1	2084	0.000	0.000	
Residential Electric		177.87	191.44	230.39	0.00	0.00	0.00	6.91	0.70	<b>238.00</b>
235301021	TIDAL BLUFF RD 32B	121288063	96059 - 98428	31	May 16 - Jun 16	1	2369	0.000	0.000	
Residential Electric		257.86	223.42	259.57	0.00	0.00	0.00	7.79	0.64	<b>268.00</b>
235301022	TIDAL BLUFF RD 11A	124642933	34276 - 35802	31	May 16 - Jun 16	1	1526	0.000	0.000	
Residential Electric		166.29	126.86	173.25	0.00	0.00	0.00	5.20	0.55	<b>179.00</b>



# Attachment G

## Applicant Narrative 2 Tidal Bluff Road



Billing Date	June 20, 2019
Invoice Number	62535

Acct No	Service Address	Meter No	Meter Rdgs	Days	Bill Period	Mult	KWH	Actual KW	Billed KW	
Rate		Electric Last Year	Electric Last Month	Current Electric	Outdoor Lighting	Other Charges	Bal Fwd	Tax	Roundup®	Total Due
235301023	TIDAL BLUFF RD 11B	124642423	48318 - 50428	31	May 16 - Jun 16	1	2110	0.000	0.000	
Residential Electric		202.09	151.31	233.05	0.00	0.00	0.00	6.99	0.96	<b>241.00</b>
235301024	TIDAL BLUFF RD 23A	115606972	82398 - 84342	31	May 16 - Jun 16	1	1944	0.000	0.000	
Residential Electric		177.77	153.47	216.05	0.00	0.00	0.00	6.48	0.47	<b>223.00</b>
235301025	TIDAL BLUFF RD 25B	124636989	63711 - 65891	31	May 16 - Jun 16	1	2180	0.000	0.000	
Residential Electric		240.30	161.73	240.22	0.00	0.00	0.00	7.21	0.57	<b>248.00</b>
235301026	TIDAL BLUFF RD 28A	109969709	87673 - 89222	31	May 16 - Jun 16	1	1549	0.000	0.000	
Residential Electric		189.64	145.85	175.61	0.00	0.00	0.00	5.27	0.12	<b>181.00</b>
235301027	TIDAL BLUFF RD 30B	124617903	51131 - 53274	31	May 16 - Jun 16	1	2143	0.000	0.000	
Residential Electric		232.48	201.03	236.43	0.00	0.00	0.00	7.09	0.48	<b>244.00</b>
235301028	TIDAL BLUFF RD 34A	124617904	40621 - 42239	31	May 16 - Jun 16	1	1618	0.000	0.000	
Residential Electric		222.83	144.71	182.67	0.00	0.00	0.00	5.48	0.85	<b>189.00</b>
235301029	TIDAL BLUFF RD 5A	115606218	32221 - 33581	31	May 16 - Jun 16	1	1360	0.000	0.000	
Residential Electric		207.97	132.43	156.25	0.00	0.00	0.00	4.69	0.06	<b>161.00</b>
235301030	TIDAL BLUFF RD 7B	75760376	14812 - 16536	31	May 16 - Jun 16	1	1724	0.000	0.000	
Residential Electric		147.47	138.62	193.52	0.00	0.00	0.00	5.81	0.67	<b>200.00</b>
235301031	TIDAL BLUFF RD 9A	124636988	41588 - 43488	31	May 16 - Jun 16	1	1900	0.000	0.000	
Residential Electric		241.65	163.69	211.55	0.00	0.00	0.00	6.35	0.10	<b>218.00</b>
235301032	TIDAL BLUFF RD 15A	124616059	73121 - 74638	31	May 16 - Jun 16	1	1517	0.000	0.000	
Residential Electric		163.10	139.44	172.33	0.00	0.00	0.00	5.17	0.50	<b>178.00</b>



RECORDING REQUESTED BY AND  
 WHEN RECORDED MAIL TO:  
 Charter Communications  
 Attn: Community Solutions  
 Address: 3140 West Arrowood Rd  
Charlotte, NC 28273

*Above for recorders use only*

**NONEXCLUSIVE INSTALLATION AND SERVICE AGREEMENT**  
**Exclusive Use and Exclusive Marketing**

This Installation and Service Agreement (“Agreement”) between ***Time Warner Cable Enterprises LLC*** (“Operator”) and Cordillo TB, LLC (“Owner”) is dated this 16 day of October 2018 (“Effective Date”). Capitalized terms used in this Agreement shall have the same meaning as specified in the “Basic Information” Section below.

<b>BASIC INFORMATION</b>	
<b>Premises (or Property) (further described in Exhibit A):</b> Premises Name: Tidal Bluff Number of Units: 30 Street Address: 34B Tidal Bluff Rd City/State/Zip: Hilton Head Island, SC 29928	
<b>Notices:</b> Owner Name: Cordillo TB, LLC Address: P.O. Box 21809 Hilton Head Island, SC 29925 Phone: (843) 301-4400	
<b>Agreement Term:</b> The period starting on the Start Date and ending on the Expiration Date. The Agreement Term shall automatically be renewed for additional successive terms of 1 years unless either party provides written notice of termination not less than six (6) months prior to the end of the Agreement Term then in effect.	
<b>Start Date:</b> 10/16/2018	<b>Expiration Date:</b> 10/15/2023
<b>Services:</b> Services shall mean all lawful communications services that Operator may provide including, without limitation, all multi-channel video and audio programming services (specifically, “Video Service”), Internet access services, and/or voice services.	
<b>Equipment:</b> All above-ground and underground cables, fiber, internal wiring including cable home wiring and home run wiring, conduit, customer premises equipment such as converters/receivers/set top boxes and modems (“CPE”), electronics and/or any other equipment or facilities necessary for, installed by, and/or used by Operator (or its predecessor(s)-in-interest) (as originally installed in the Premises and as otherwise modified by Operator thereafter) to provide the Services pursuant to the provisions of this Agreement. The Equipment extends from the external boundary lines of the Premises up to and including the outlets in each unit.	

**1. Grant.** In consideration of the mutual promises and other consideration set forth herein, the sufficiency of which is hereby acknowledged, Owner grants Operator the right (including ingress and egress) to install, operate, improve, remove, repair and/or maintain its Equipment within the Premises (including without limitation any buildings or units constructed on or added to the Premises hereafter). Upon termination of

## Attachment G Applicant Narrative 2 Tidal Bluff Road

this Agreement, Operator shall have the right to remove its Equipment, as applicable, provided that any Equipment that Operator does not remove within ninety (90) days of such termination, shall be deemed abandoned and become the property of the Owner. This Agreement may be recorded. The rights granted hereunder shall run with the land and shall bind and inure to the benefit of the parties and their respective successors and assigns.

**2. Services; Equipment.** Operator shall have the (i) nonexclusive right to offer and (ii) exclusive right to market the Services to residents of the Premises ("Residents"). Operator reserves the right to adopt and implement new, improved, additional, modified or enhanced technology, features, CPE, services or capabilities at any time during the Term of this Agreement. Operator may, with or without notice and without breaching this Agreement, disconnect or refuse to provide Services to any person who (i) fails to execute and/or abide by Operator's standard customer agreements, terms of use or acceptable use policies, or other requirements imposed by Operator from time to time; or (ii) uses the Services in violation of applicable law. If Operator reconnects such users, then Operator shall be entitled to charge the Resident Operator's then-current standard disconnection and reconnection fees. Owner acknowledges that the Operator reserves the right to make changes to the programming comprising the Video Services, or add to, discontinue or change the rates and Services or any features or components available to the Premises as Operator may deem necessary or desirable in its sole discretion.

Operator will install, maintain, and/or operate the Equipment in accordance with applicable law. Operator's maintenance and repair obligation to the Internal Wiring (defined below) during the term of the Agreement is only to that Internal Wiring being used to serve its subscribers on the Premises. The Equipment shall always be owned by and constitute the personal property of the Operator, except that from the Effective Date, Operator shall convey all its right, title, and interest in and to the Internal Wiring to the Owner which shall be deemed to be owned by and constitute the personal property of the Owner. The internal wiring located within any building, which includes "cable home wiring" and "home run wiring"<sup>1</sup> (the "Internal Wiring") shall, without limitation, exclude CPE, electronics, active components, and exterior Equipment. Owner hereby grants to Operator the exclusive right to use the Internal Wiring during the Agreement Term and (i) shall not grant any other provider rights to use the Internal Wiring and (ii) shall prohibit other providers from using the same.

For and in consideration of the mutual promises, covenants and agreements set forth in this Agreement, Owner represents that it has not granted and agrees that it will not (i) grant any other easements or rights that will physically interfere with the Operator's delivery of the Services, including signal interference and/or the operation of Equipment on and within the Premises or (ii) use or enable any other person/third party to use any portion of the Equipment (including the Inside Wiring) to provide services to the Residents or occupants. Notwithstanding, both parties acknowledge and agree that such commitment of Equipment-use exclusivity is not intended to limit the rights of the Premises Residents to obtain services to the extent that they elect to do so (a) from a competing multi-channel video provider transmitting its signals directly to the Residents *via* microwave or satellite without making use of the Owner's private property, the common areas of the Premises or the Equipment; (b) from any competing provider that has or is granted access to the Premises to provide services in competition with Operator's Services by the use of distinct facilities separate from the Equipment (subject to Section 3 "Marketing Privileges"); or (c) to the extent that such Resident of the Premises has the right under applicable law to install the facilities of such competing provider within the boundaries of his/her property interest (provided that Owner shall in no event participate in or encourage the installation, provisioning, hook-up, or marketing of such competing services). For purposes of clarification, nothing in this Agreement shall be deemed to prevent Owner from granting another provider of services the right of access to the Premises to provide its services to Residents of the Premises as long as such grant does not interfere with Operator's delivery of Services on the Premises and does not breach Operator's rights granted pursuant to this Agreement.

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<sup>1</sup> The terms "cable home wiring" and "home run wiring" are defined at 47 CFR §§ 76.5(II) and 76.800(d).

## Attachment G Applicant Narrative 2 Tidal Bluff Road

Without limiting Operator's exclusive rights to use Internal Wiring and the Equipment, should either (A) an antenna, or signal amplification system; (B) any Owner modification, relocation of, and/or work on the Internal Wiring hereunder; or (C) any damage to or use of the Internal Wiring by Owner or another provider of services granted access to the Premises to provide its service interfere with the provision of Operator's Services hereunder, Owner shall eliminate such interference immediately. Owner shall be responsible and reimburse Operator for damage to any part of the System or Equipment caused by Owner or its affiliates and its and their employees, contractors or agents. In the event (i) installation, repair, maintenance, or proper operation of the Equipment, and/or unhindered provision of the Services is not possible at any time as a result of interference, obstruction, or other condition not caused by Operator, or (ii) such interference, obstruction, or other condition (or the cause thereof) will have negative consequences to Operator's personnel safety or the Equipment, as Operator may determine in its sole discretion, Operator may terminate this Agreement without liability upon written notice to Owner.

**3. Marketing Privileges.** Operator shall have the exclusive right to market and to promote the Services and any comparable services via digital means and portals, on the Premises by means of distribution of printed and digital advertising materials and Service information, Operator provided information on Services in welcome and information packages for Residents and prospective Residents, contacts, demonstrations of services, and direct sales presentations. Owner shall cooperate with Operator in all such promotions on an exclusive basis (including, without limitation, supplying, at Operator's request, current lists of the mailing addresses of the Residents, and allowing, at Operator's request, the display of advertising materials in common areas of the Property and on-site promotional initiatives). Operator shall at all times conduct such promotional activities at reasonable times and in accordance with any applicable municipal ordinance. Owner shall use reasonable efforts to make available in the clubhouse or rental office or other similar location all current marketing publications pertaining to the Services, if such publications are provided to Owner by Operator and Owner shall not permit the distribution or publication of marketing materials or other promotional activities promoting alternative competitive services offered by other providers. If Operator installs WiFi access points at the Premises, Operator may promote the Premises as a WiFi access point in all forms of media, and shall have exclusive right to market the provision of WiFi at the Premises.

**4. Assignment.** This Agreement shall be binding upon the parties and their respective successors, transferees, and assigns and, in the case of Owner (and its successors, transferees and assigns) shall also be binding upon any managing agent or homeowner's association or other authorized representative duly empowered to act on behalf of Owner. This Agreement may be assigned by either party without the consent of the other party. An assignment by Owner shall not be valid hereunder nor release Owner from any obligations arising after such assignment unless and until the assignee in any such transaction assumes this Agreement in writing and Owner provides Operator with a copy of such written assumption by the transferee.

**5. Representations and Warranties.** Owner represents and warrants that it is the legal owner of and the holder of fee title to the Premises; that it has the authority to execute this Agreement. The person signing this Agreement represents and warrants that he/she is Owner's authorized agent with full authority to bind Owner hereto.

**6. Breach of Agreement.** In the event of a default by a party hereto in addition to rights available at law or in equity, the non-defaulting party may (i) terminate the Agreement after 30 days' prior written notice, unless the other party cures or commences to cure such breach during such 30-day period and diligently proceeds with such cure (exercising commercially reasonable efforts). Neither party shall be liable to the other party for any delay or its failure to perform any obligation under this Agreement if such delay or failure is caused by the occurrence of any event beyond such party's reasonable control. In the event of a termination by Operator in accordance with this provision, such termination shall not constitute a termination of the Operator's rights to have access to the Premises for the purposes of providing Services to the Residents thereof.

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

**7. Indemnification.** Each party shall indemnify, defend and hold harmless the other against all liability, claims, losses, damages and expenses (collectively, "Liability"), but only to the extent that such Liability arises from any negligent or willful misconduct, breach of this Agreement, or violation of a third party's rights or applicable law on the part of the party from whom indemnity is sought. Each party seeking such indemnification shall use reasonable efforts to promptly notify the other of any situation giving rise to an indemnification obligation hereunder, and neither party shall enter into a settlement that imposes liability on the other without the other party's consent, which shall not be unreasonably withheld.

**8. Limitation of Liability.** Notwithstanding anything to the contrary stated hereunder, Operator and Owner will not be liable for any indirect, special, incidental, punitive or consequential damages, including, but not limited to, damages based on loss of service, revenues, profits or business opportunities.

**9. Automatic Default.** Owner agrees during the term of the Agreement not to authorize, allow or provide bulk services on Premises from another provider. A violation of this Section is an automatic default of the Agreement.

**10. Severability.** If any one or more of the provisions of this Agreement are found to be invalid or unenforceable, such invalid provision shall be severed from this Agreement, and the remaining provisions of this Agreement will remain in effect without further impairment.

**11. Force Majeure.** Neither party shall be liable to the other for any delay or failure to perform any obligation under this Agreement if such delay or failure is caused by any event beyond such party's reasonable control (a "Force Majeure Event"), including (but not limited to) acts of God, weather, acts of public authority, war, riot, strike, work stoppages or failure or delays of utilities, suppliers or carriers. Such nonperformance will be excused only for so long as such condition exists.

**12. Mandatory Access Laws.** Notwithstanding anything to the contrary in this Agreement, if applicable laws require Owner to provide Operator with access to the Premises for the provision of any Service, then Operator shall continue to be permitted to access and use all Equipment to provide its Services to the Premises. Nothing in this Agreement shall operate as, or be construed to be, a waiver of any rights that Operator may have under such access laws, and all such rights are hereby reserved by Operator.

**13. Jurisdiction.** This Agreement shall be governed by federal law and the laws of the state in which the Premises are located (excluding said state's choice of law provisions).

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

IN WITNESS WHEREOF, the parties have set their hands on the date indicated in their respective acknowledgments.

**OPERATOR**

Time Warner Cable Enterprises LLC  
By: Charter Communications, Inc., its Manager

By: 

Printed Name: Lynn Dodson

Title: Director, Spectrum Community Solutions

Date: 10/24/16

Witness:

Witness:

**OWNER**

Cordillo TB, LLC

By: 

Printed Name: JOSEPH P. CONCEPCION

Title: VICE PRESIDENT

Date: 10-11-18

Witness: 

Witness: 

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

STATE OF NC.  
COUNTY OF Mecklenburg

On 10-24-18 before me, R. Lynn Dodson, personally appeared personally known to me (or proved to me the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

KENNETH W. ALEXANDER  
NOTARY PUBLIC  
Cabarrus County  
North Carolina  
My Commission Expires October 7, 2019

Signature Kenneth W. Alexander Expiration Date: 10-7-19

STATE OF Illinois  
COUNTY OF Cook

On 10/11/18 before me, Joseph P. Concepcion, personally appeared personally known to me (or proved to me the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Nicole Clark

OFFICIAL SEAL  
NICOLE CLARK  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 12/20/20



Attachment G  
Applicant Narrative 2 Tidal Bluff Road

**EXHIBIT "A"**  
[Owner to insert legal description of Premises.]



Attachment G  
Applicant Narrative 2 Tidal Bluff Road

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

The property intended to be conveyed herein is the same property conveyed to the within Grantor by Deed from Atlas SC I SPE llc, a NC, LLC dated June 28, 2010, and recorded in book 2969 at page940. **THIS CONVEYANCE IS MADE SUBJECT TO the matters shown on Exhibit A** attached hereto and forming a part hereof.

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

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

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



Attachment G  
Applicant Narrative 2 Tidal Bluff Road

**EXHIBIT A**  
**PERMITTED EXCEPTIONS**

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

# Attachment G

## Applicant Narrative 2 Tidal Bluff Road

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

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

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

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

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

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

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 BEAUFORT COUNTY TAX MAP REFERENCE

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

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 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

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 -> Book/Page O BK 3554 PG 2323A  
 BEAUFORT COUNTY TAX MAP REFERENCE

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

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 BEAUFORT COUNTY TAX MAP REFERENCE

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

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 BEAUFORT COUNTY TAX MAP REFERENCE

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

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 BEAUFORT COUNTY TAX MAP REFERENCE

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

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

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

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

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

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 BEAUFORT COUNTY TAX MAP REFERENCE

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

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:11  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0389 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0390 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0391 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0392 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0393 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0394 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0395 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0396 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0397 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0398 0000 00

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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0399 0000 00

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-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
R510 005 000 0400 0000 00

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

ADD DMP Record 3/7/2017 08:06:12  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0401 0000 00

ADD DMP Record 3/7/2017 08:06:12  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0402 0000 00

ADD DMP Record 3/7/2017 08:06:12  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0403 0000 00

ADD DMP Record 3/7/2017 08:06:12  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0404 0000 00

ADD DMP Record 3/7/2017 08:06:12  
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BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0405 0000 00

ADD DMP Record 3/7/2017 08:06:12  
-> Book/Page O BK 3554 PG 2323A  
BEAUFORT COUNTY TAX MAP REFERENCE  
Dist Map SMap Parcel Block Week  
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R510 005 000 0406 0000 00



Attachment G

Applicant N **Exhibit D3** Bluff Road

Invoice/Statement

843-681-8900  
American Pride Waste Solutions  
PO Box 3680  
Bluffton, SC 29910

Invoice Date: 02/11/2019  
Invoice Number: 1217922  
Account Number: 100690  
Invoice Amount: 751.85

Due Date: 02/21/2019

Bill To: BH MANAGEMENT  
TIDAL BLUFF  
PO BOX 21809  
HILTON HEAD SC 29925

AMOUNT ENCLOSED \$ \_\_\_\_\_

Service Location Billing Period  
5 TIDAL BLUFF (OFF DILLON RD) Multi Family R FEB 2019  
HILTON HEAD, SC

----- Please Carefully Detach Top Portion and Return with Payment -----

New Charges as listed below.....  
Multi Family R 751.85

02/11/2019, Svc Period = FEB 2019 5 TIDAL BLUFF (OFF DILLON R

Page 1 of 1 100690 RJ This Invoice 751.85  
Last Payment= \$751.85 Posted: 01/31/2019  
Account Balances as of... 04/30/2019 10:59:11 AM  
Current 30 Days 60 Days 90 Days Total Due  
751.85 751.85 751.85 0.00 2255.55

TERMS:  
Thank You for your business... American Pride Waste Solutions

Attachment G  
Applicant Narrative 2 Tidal Bluff Road

Invoice/Statement

843-681-8900  
American Pride Waste Solutions  
PO Box 3680  
Bluffton, SC 29910

Invoice Date: 03/11/2019  
Invoice Number: 1218437  
Account Number: 100690  
Invoice Amount: 751.85

Due Date: 03/21/2019

Bill To: BH MANAGEMENT  
TIDAL BLUFF  
PO BOX 21809  
HILTON HEAD SC 29925

AMOUNT ENCLOSED \$ \_\_\_\_\_

Service Location	Billing Period
5 TIDAL BLUFF (OFF DILLON RD) Multi Family R	MAR 2019
HILTON HEAD, SC	

----- Please Carefully Detach Top Portion and Return with Payment -----

New Charges as listed below.....	
Multi Family R	751.85

03/11/2019, Svc Period = MAR 2019                      5 TIDAL BLUFF (OFF DILLON R

Page 1 of 1	100690 RJ	This Invoice	751.85	
Last Payment= \$751.85	Posted: 01/31/2019			
Account Balances as of...	04/30/2019 10:59:28 AM			
Current	30 Days	60 Days	90 Days	Total Due
751.85	751.85	751.85	0.00	2255.55

TERMS:  
Thank You for your business... American Pride Waste Solutions



**BUS ROUTES**



**ROUTE 302** St. Helena, Lady's Island, Port Royal, Beaufort, Burton, Chelsea, Okatie, Bluffton and Hilton Head Island

**ROUTE 307** Gifford, Estill, Lena, Furman, Scotia, Garnett, Hardeeville, Pritchardville, Bluffton and Hilton Head Island

**ROUTE 308** Gillisonville, Pineland Tybranch, Robertsville, Tarboro, Tillman, Wagon Branch, Ridgeland, Spring Hill, Mitchellville, Grahamville, Bluffton and Hilton Head Island

**ROUTE 309** Big Estate, Sheldon, Dale, Stuart Point, Grays Hill, Burton, Bluffton and Hilton Head Island

**ROUTE 310** Fairfax, Hampton, Varnville, Cummings, Early Branch, Yemassee, Okatie, Bluffton and Hilton Head Island

**ROUTE 311** Allendale, Fairfax, Brunson, Hampton, Varnville, Cummings, Early Branch, Yemassee, Sun City, Bluffton and Hilton Head Island

**ROUTE 320** Ruffin, Walterboro, Hendersonville, Jonesville, Yemassee, Point South, Bluffton and Hilton Head Island

**DEMAND RESPONSE**

**ROUTE 501** Dale, Stuart Point, Grays Hill, Port Royal, Shell Point, Beaufort and Burton

**ROUTE 502** St. Helena, Lady's Island, Port Royal, Beaufort and Burton

**ROUTE 503** Okatie, Bluffton and Hilton Head Island

**ROUTE 702** Big Estate, Sheldon, Lobeco, and Beaufort Area

**COORDINATED ROUTES**

**ROUTE 401** Hilton Head Island & Bluffton

**ROUTE 850** Hardeeville and Ridgeland

**ROUTE 860** Hilton Head Island, Bluffton, Okatie, Beaufort

**ROUTE 861** Bluffton and Okatie



**Public Transportation**  
Serving Allendale, Beaufort, Colleton,  
Hampton, and Jasper Counties



**843.757.5782**

P.O. Box 2029 • 25 Benton Field Rd.  
Bluffton, SC 29910  
[www.palmettobreezetransit.com](http://www.palmettobreezetransit.com)

**EFFECTIVE DATE SEPTEMBER 1, 2015**

# Palmetto Breeze

## About the Breeze!

Palmetto Breeze provides a wide variety of public transportation services in five Lowcountry counties. This brochure offers information about each of these services and explains how to take advantage of the different transportation options available. The Breeze offers service Monday through Sunday from 4:30 a.m. until 8:00 p.m. Call 843-757-5782 for route schedule information.



## Fixed Routes

If you're riding to and from work or just taking a trip to the coast, you'll travel in air conditioned comfort on 40 foot coaches. The Breeze offers seven fixed bus



routes to and from locations in Allendale, Beaufort, Colleton, Hampton, and Jasper Counties to Hilton Head Island.

One-way cash fares range from only \$2.50 to \$4.00. Take advantage of a 10% savings when you purchase weekly and/or monthly tickets!

## Demand Response

In Beaufort County you may call at least a day in advance and arrange for a van to pick you up at your location, take you to your destination and pick you up at an appointed time. Return trips can either be pre-arranged or you may call for pick up when you are ready.

Fares range from only \$3.75 to \$14.00 per one-way trip. Call 843-757-5782 for more information.

## Connecting Lowcountry Communities!

The Breeze also provides scheduling assistance for coordinated transportation service in Allendale County.

Allendale County Scooter: Call toll free at 866-230-4397 (locally 803-584-3470) for more information.

Tickets are \$2.00 each way for every ten miles traveled. Reservations must be made a day in advance.



## Lowcountry Coordination

Palmetto Breeze is expanding service throughout Beaufort, Colleton, Hampton, and Jasper Counties through partnerships with other transportation providers in the area. This new coordinated service is made possible through the use of vacant seats on transportation provider vehicles that are already on the road. Just give the Mobility Manager a call with your name, address, where you want to go, and what time you want to arrive at your destination at least one day in advance of your desired trip and we'll put you on a vehicle that's going your way!

## Community Resource Book

Located at [www.palmettobreezetransit.com](http://www.palmettobreezetransit.com), the Community Resource Book offers users the ability to gather information from a wide variety of human service agencies and other resources located throughout the region. Resources include information for employment, medical, aging, disabilities, veterans services, and others in an easily searchable database.



The information contained in this brochure is also available in alternative formats and may be obtained by calling 843-757-5782.

## Breeze Deals!

- Weekly tickets can save you 10%
- Monthly tickets can save you 10%
- Catch the Breeze for FREE! Call 843-757-5782 for more information.

## Put the Bus in Your Business!

- Attract productive employees
- Reduce your company's taxes
- Give your employees a pre-tax commuter benefit at no cost to you!

Call us to discuss how we can help address your other transportation needs – 843-757-5782



## Bicycles

Bring your bike along for the ride on the Palmetto Breeze. It's fast, it's easy and your bike rides FREE!

FARE STRUCTURE			
Stops	Full Fare	Weekly Ticket*	Monthly Ticket*
<b>Beaufort County</b> Bluffton, St. Helena, Lady's Island, Burton, Grays Hill, Beaufort, Seabrook, Port Royal, Pritchardville and Okatie	\$2.50	\$27.00	\$99.00
Dale, Big Estate, Sheldon, Point South	\$2.75	\$29.70	\$108.90
<b>Jasper County</b> Hardeeville and Robertsville	\$3.00	\$32.40	\$118.80
Coosawhatchie, Gillisonville, Roseland, Ridgeland, Tarboro and Pineland	\$3.50	\$37.80	\$138.60
<b>Hampton County</b> Brunson, Gifford, Estill, Garnett, Varnville, Hampton, Early Branch, Cummings and Yemassee	\$4.00	\$43.20	\$158.40
<b>Colleton County</b> Walterboro, Hendersonville and Jonesville	\$4.00	\$43.20	\$158.40
<b>Allendale County</b> Allendale & Fairfax	\$3.25	\$35.10	\$128.70
Demand Response	\$3.75 - \$14.00 (one-way trip)		
*WEEKLY TICKETS=12 TRIPS (10% Discount) • *MONTHLY TICKETS=44 TRIPS (10% Discount)			



**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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**STAFF REPORT  
ZONING MAP AMENDMENT**

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

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

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

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

## Background

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

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

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

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

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

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

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

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

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

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

#### **Applicant's Grounds for ZMA**

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

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

#### **Summary of Facts and Conclusions of Law**

##### **Findings of Fact:**

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



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

**Conclusions of Law:**

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

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

The Comprehensive Plan addresses this application in the following areas:

**Housing Element**

**Goal 5.2 – Housing Opportunities**

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

**Land Use Element**

**Goal 8.1 – Land Use Element**

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

**Goal 8.4 – Existing Zoning Allocation**

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

**Goal 8.10 – Zoning Changes**

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

**Implementation Strategy 8.10 – Zoning Changes**

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

**Additional Findings of Fact:**

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

**Conclusions of Law:**

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

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

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

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

#### Summary of Facts and Conclusions of Law

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

#### Findings of Fact:

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

uses permitted within these categories.

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**Summary of Facts and Conclusions of Law**

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

**Finding of Fact:**

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

**Conclusions of Law:**

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

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**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

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**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

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

**Summary of Facts and Conclusions of Law**

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

**Findings of Fact:**

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

**Conclusions of Law:**

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

**LMO Official Determination**

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

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

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

**PREPARED BY:**

TL  
Taylor Ladd  
Senior Planner

July 24, 2019  
DATE

**REVIEWED BY:**

ND  
Nicole Dixon, CFM

July 24, 2019  
DATE



*Development Review Administrator*

**REVIEWED BY:**

TL

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Teri Lewis, AICP

*LMO Official*

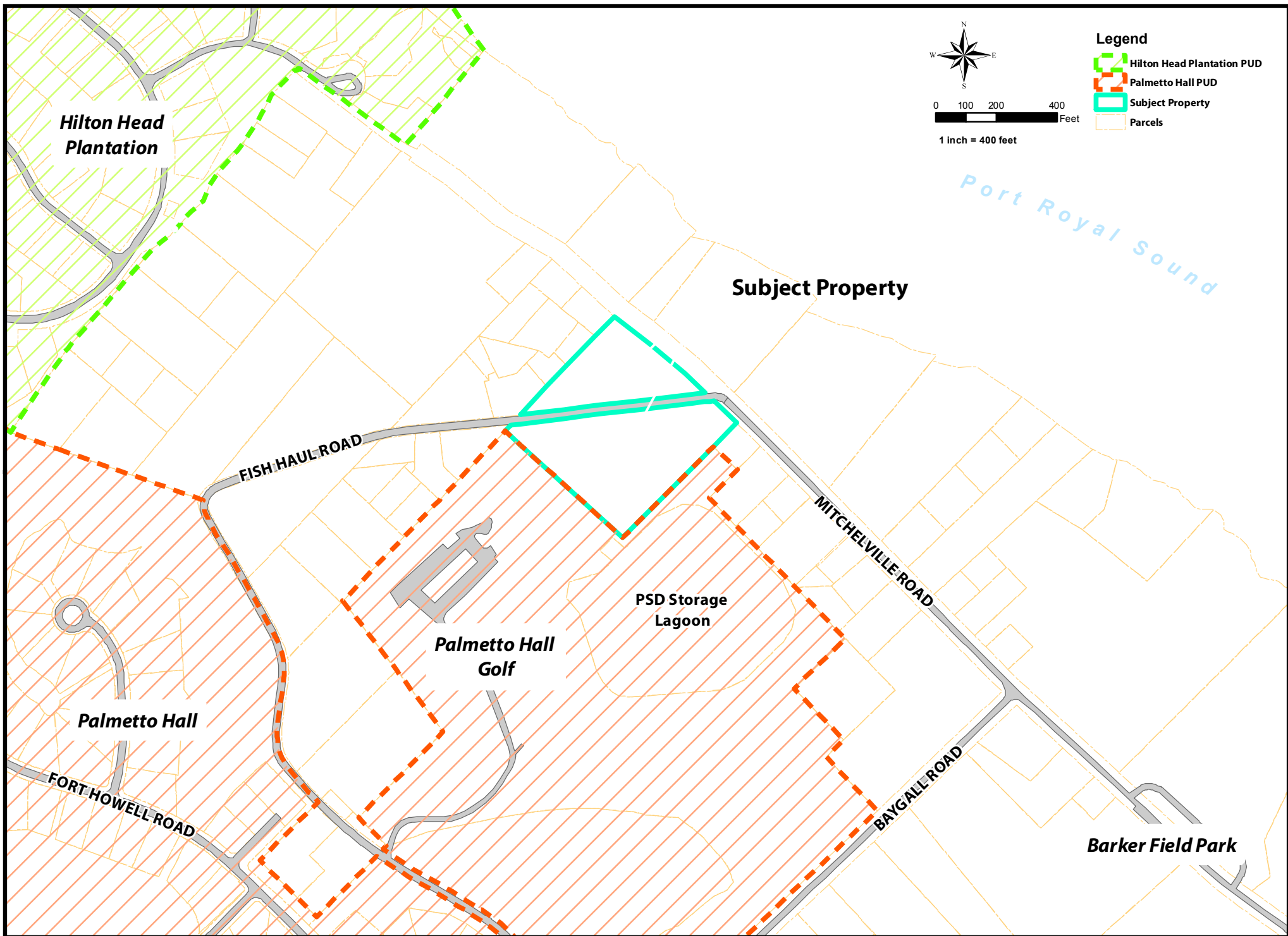
July 24, 2019

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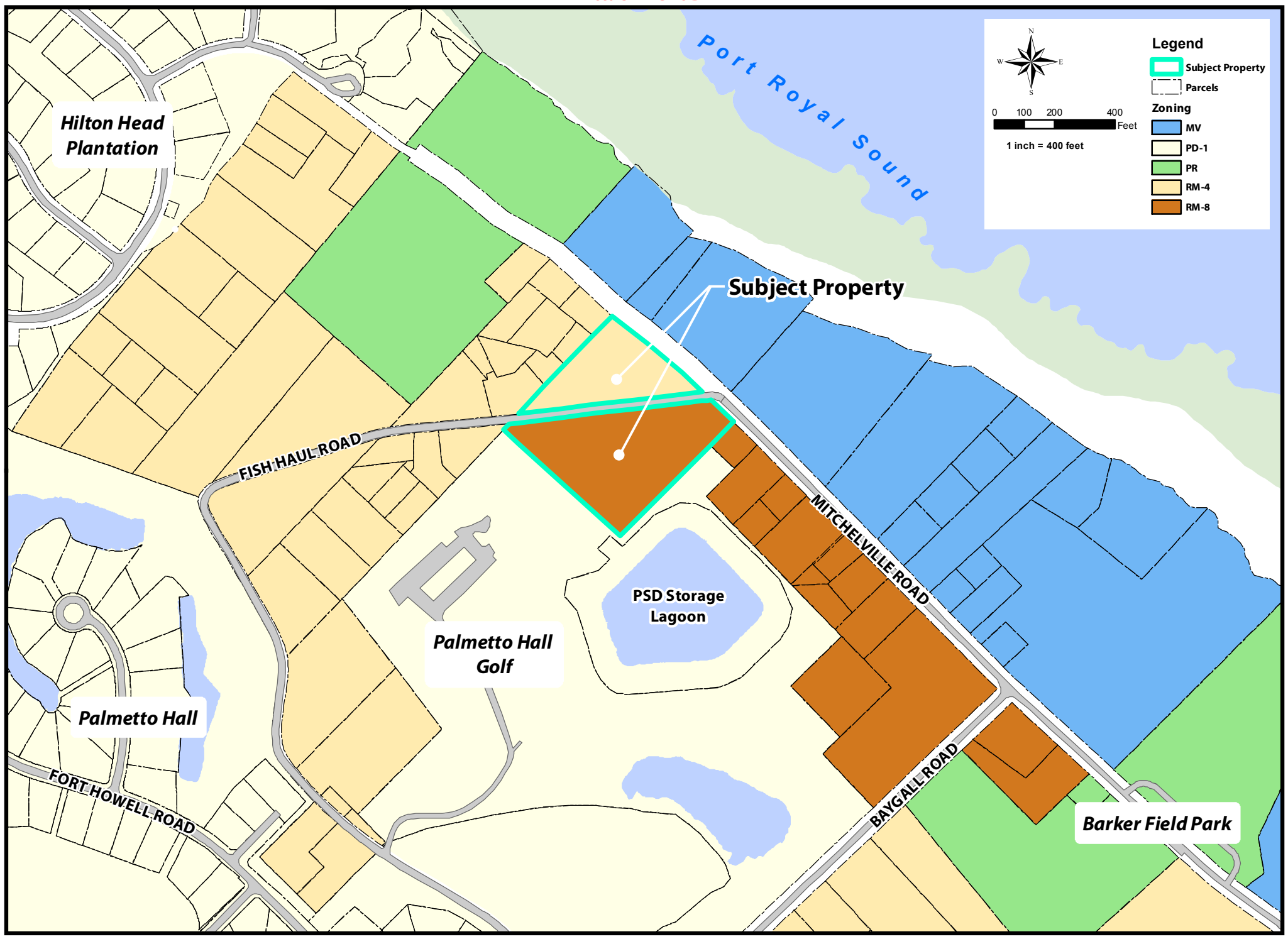
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**ATTACHMENTS:**

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



280 Fish Haul Road and Vicinity  
ZA-001461-2019



280 Fish Haul Road Zoning Map  
ZA-001461-2019

# RM-4 Low to Moderate Density Residential District

## 1. Purpose

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

## 2. Allowable Principal Uses

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

## Attachment C

<b>Major Utilities</b>	SE		1 per 1,500 GFA	
<b>Minor Utilities</b>	P		n/a	
<b>Public Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Religious Institutions</b>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	
<b>Resort Accommodations</b>				
<b>Bed and Breakfasts</b>	PC	Sec. 16-4-102.B.4.a	1 per guest room	
<b>Commercial Services</b>				
<b>Convenience Stores</b>	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
<b>Open Air Sales</b>	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
<b>Other Commercial Services</b>	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
<b>Other Uses</b>				
<b>Agriculture Uses</b>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
<b>Boat Ramps , Docking Facilities , and Marinas</b>	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>		
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b>	35%	
<b>Bed and Breakfast</b>	10 rooms			
Nonresidential	6,000 GFA	Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%	
<b>MAX. BUILDING HEIGHT</b>				
All <b>Development</b>	35 ft <sup>1</sup>			
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural				

## Attachment C

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

(Revised 4-18-2017 - [Ordinance 2017-05](#))

## Attachment C

### Town of Hilton Head Island Municipal Code

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

<h1 style="margin: 0;">RM-8</h1> <h2 style="margin: 0;">Moderate Density Residential District</h2>				
<b>1. Purpose</b>				
<p>The purpose of the Moderate Density Residential (RM-8) District is to allow the <b>development</b> of residential <b>uses</b> at <b>densities</b> up to eight <b>dwelling units</b> per <b>net acre</b> . The district allows a variety of residential <b>uses</b> , along with <b>uses</b> that support <b>neighborhoods</b> . The district is intended to discourage <b>development</b> that would substantially interfere with, or be detrimental to, moderate residential character.</p>				
<b>2. Allowable Principal Uses</b>				
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
<b>Residential Uses</b>				
<b>Group Living</b>	P		1 per 3 rooms	
<b>Multifamily</b>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<b>Single-Family</b>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<b>Community Service Uses</b>	P		1 per 400 GFA	
<b>Government Uses</b>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<b>Major Utilities</b>	SE		1 per 1,500 GFA	
<b>Minor Utilities</b>	P		n/a	
<b>Public Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Religious Institutions</b>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	
<b>Commercial Services</b>				
<b>Other Commercial Services</b>	PC	Sec. 16-4-102.B.7.I	See Sec. 16-5-107.D.2	
<b>Other Uses</b>				
<b>Agriculture Uses</b>	P		Stables or Riding	1 per 5 stalls

## Attachment C

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

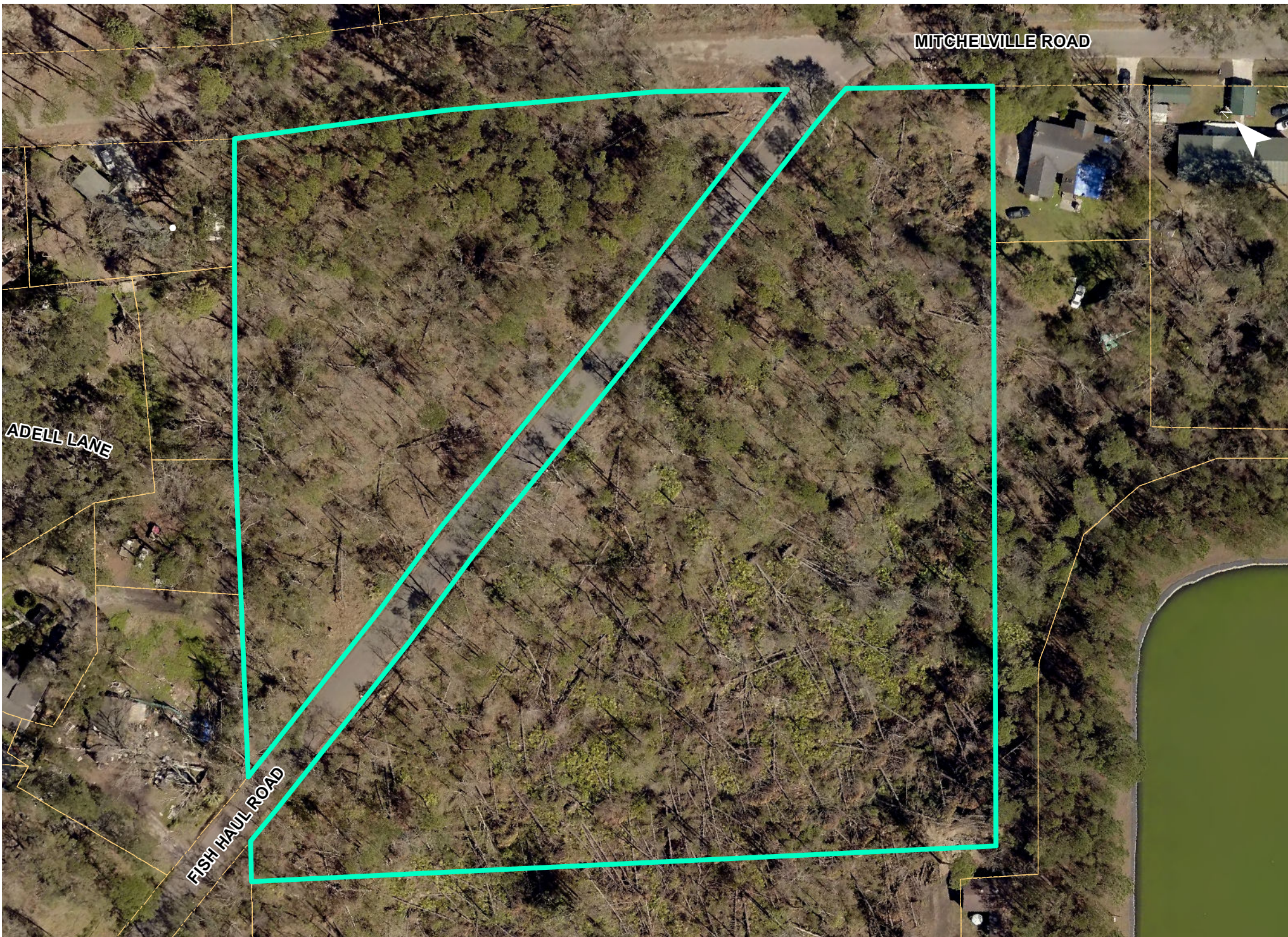


**G. Moderate to High Density Residential District (RM-12) District**

<h2 style="margin: 0;">RM-12</h2> <h3 style="margin: 0;">Moderate to High Density Residential District</h3>				
1. Purpose				
<p>The purpose of the Moderate to High Density Residential (RM-12) District is to allow higher <b>density</b> residential <b>uses</b> in locations which are served by adequate infrastructure, while maintaining the character of these areas and <b>neighborhoods</b> at <b>densities</b> up to twelve units per <b>net acre</b> . This district is used to encourage a variety of residential opportunities, including <b>multifamily</b> residential units, <b>single-family</b> residences, and <b>group living</b> . The regulations of this district are intended to discourage <b>development</b> that would substantially interfere with, or be detrimental to, moderate to high density residential character.</p>				
2. Allowable Principal Uses				
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<b>Group Living</b>	P		1 per 3 rooms	
<b>Multifamily</b>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<b>Single-Family</b>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
<b>Community Service Uses</b>	P		1 per 400 GFA	
<b>Government Uses</b>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<b>Major Utilities</b>	SE		1 per 1,500 GFA	
<b>Minor Utilities</b>	P		n/a	
<b>Public Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Religious Institutions</b>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	

**Attachment C**

Other Uses				
<b>Agriculture Uses</b>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE		
Residential	12 du		Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b>	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT		Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>		16%
All <b>Development</b>	45 ft <sup>1</sup>			
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.				
<b>TABLE NOTES:</b>				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <b>dwelling units</b> ; sf = square feet; GFA = <b>gross floor area</b> in square feet; ft = feet; n/a = not applicable				
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a. The increase is consistent with the character of <b>development</b> on surrounding <b>land</b> ;				
b. <b>Development</b> resulting from the increase is consistent with the purpose and intent of the <b>building height</b> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed <b>development</b> , or (2) results in improved site conditions for a <b>development</b> with <b>nonconforming site features</b> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				



ZA-001461-2019

280 Fish Haul Road 2017 Aerial View

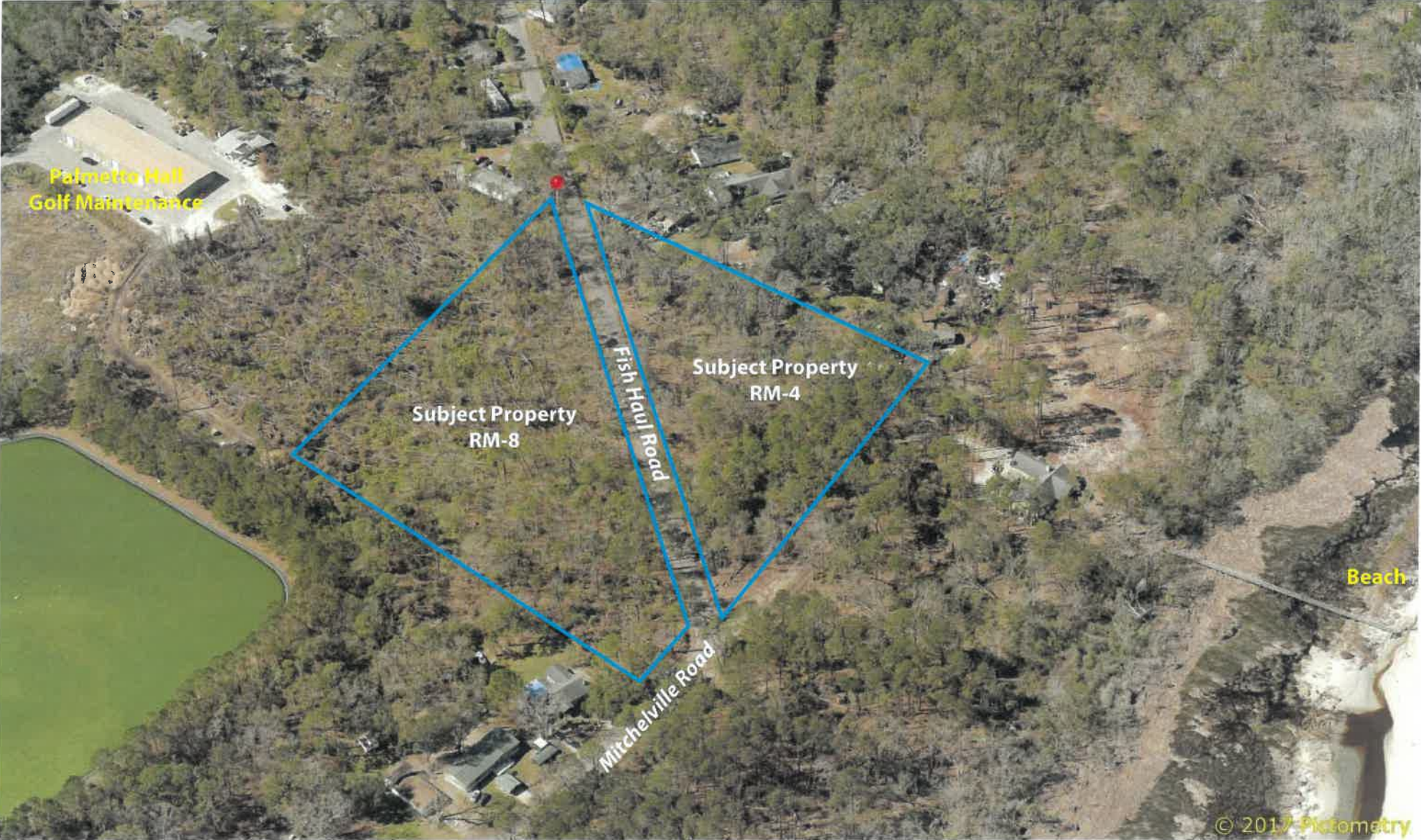
**Attachment D**



**ZA-001461-2019**

**280 Fish Haul Road 2017 Aerial View North**

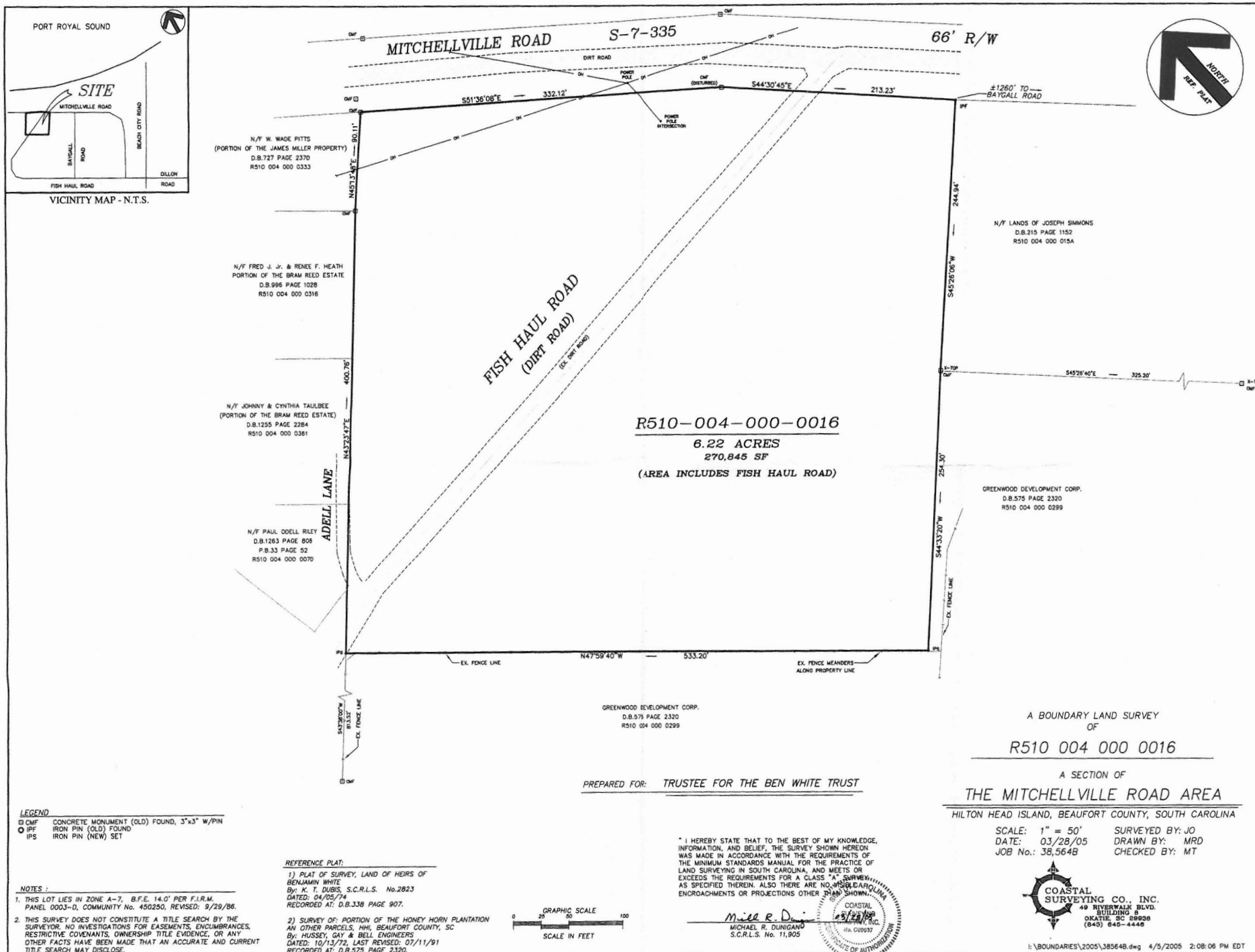
**Attachment D**



**ZA-001461-2019**

**280 Fish Haul Road 2017 Aerial View West**

Attachment E

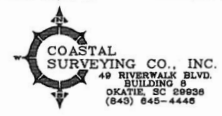


R510-004-000-0016  
 6.22 ACRES  
 270,845 SF  
 (AREA INCLUDES FISH HAUL ROAD)

A BOUNDARY LAND SURVEY  
 OF  
R510 004 000 0016  
 A SECTION OF  
THE MITCHELLVILLE ROAD AREA  
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 50'  
 DATE: 03/28/05  
 JOB No.: 38,564B

SURVEYED BY: JO  
 DRAWN BY: MRD  
 CHECKED BY: MT



**LEGEND**  
 □ C/MF CONCRETE MONUMENT (OLD) FOUND, 3"x3" W/PIN  
 ○ I/PF IRON PIN (OLD) FOUND  
 ○ I/PS IRON PIN (NEW) SET

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

**REFERENCE PLAT:**  
 1) PLAT OF SURVEY, LAND OF HEIRS OF BENJAMIN WHITE  
 By: K. T. DUBIS, S.C.R.L.S. No. 2823  
 DATED: 04/05/74  
 RECORDED AT: D.B.338 PAGE 907.  
 2) SURVEY OF PORTION OF THE HONEY HORN PLANTATION AN OTHER PARCELS, NHI, BEAUFORT COUNTY, SC  
 By: HUSSEY, GAY & BELL ENGINEERS  
 DATED: 10/13/72, LAST REVISED: 07/11/91  
 RECORDED AT: D.B.575 PAGE 2320.



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

Michael R. Dunigano  
 MICHAEL R. DUNIGANO  
 S.C.R.L.S. No. 11,905

280 Fish Haul Road 2005 Boundary Survey  
 ZA-001461-2019

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

**Application Date: 07/08/2019**

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

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

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

*T.C. Barnwell, Jr.*  
*Giselle White-Perry*  
*Trustees*  
7/19/19

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

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

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

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

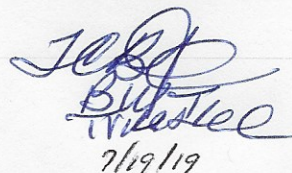
The RM-12 designation is consistent with the goals of the Town in providing development opportunities in the Bay Gall neighborhood as evidenced by the creation of the MV District to encourage appropriate types of development in this area. It is further consistent because of current development activity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

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

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

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

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

  
7/19/19



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

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

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

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

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

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

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

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

*JAB*  
*Ben White Trust*  
*Trustee*  
*2/19/19*

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

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

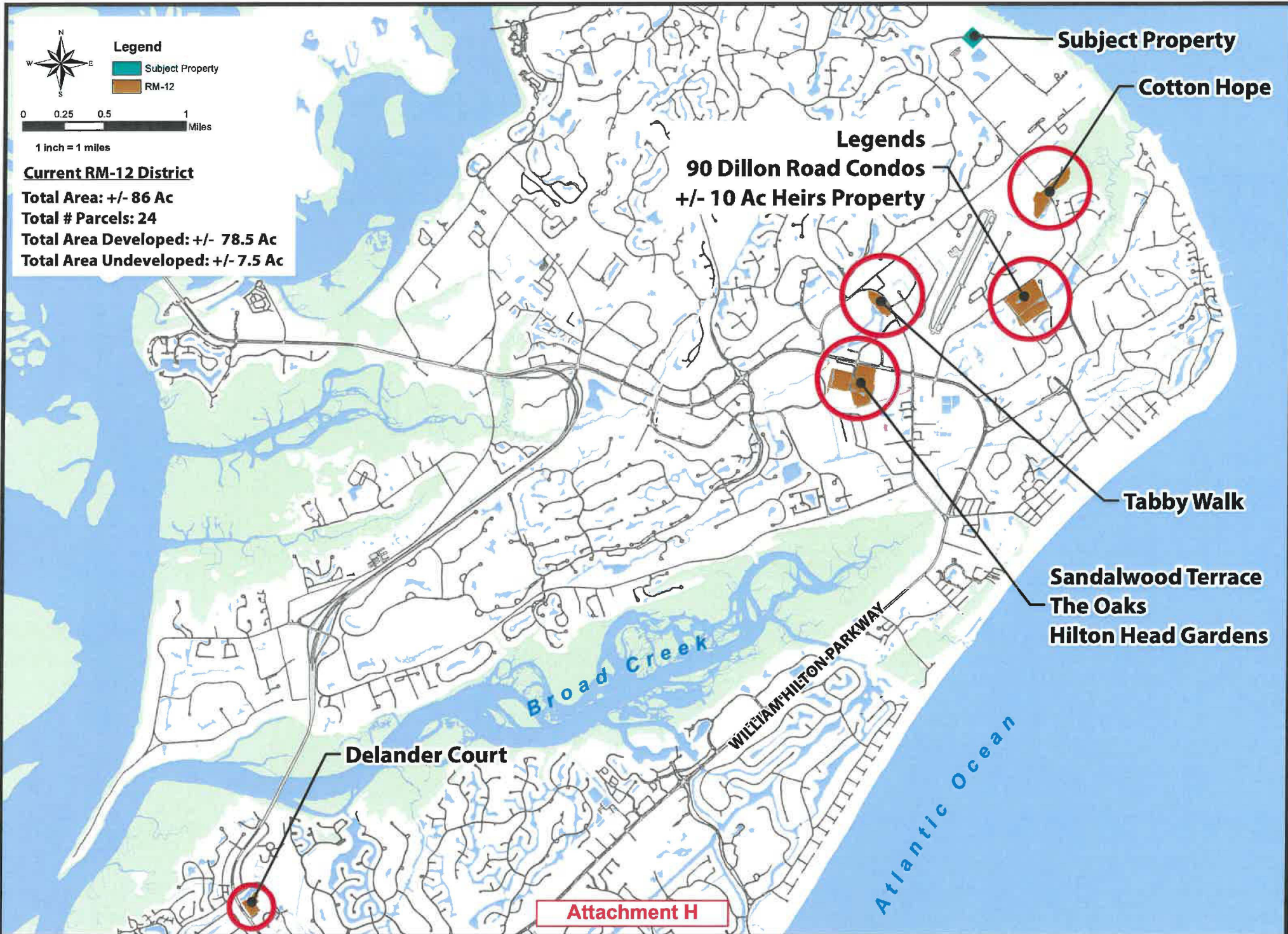
**Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103. C.3.a.ix):**

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

*Sub  
Dw Grant  
Lusted  
7/19/19*

**Attachment G**  
**Zoning District Comparison Table**  
**ZA-001461-2019**

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



**Town of Hilton Head Island RM-12 Zoning District**

## **Planning Commission Subcommittees**

*Effective August 7, 2019*

### **Land Management Ordinance Committee**

Leslie McGowan, *Chair*

Todd Theodore, *Vice Chair*

Michael Scanlon

Palmer E. Simmons

Staff Support: Teri Lewis, Deputy Director of Community Development  
Teresa Haley, Senior Administrative Assistant

### **Comprehensive Plan Committee**

Michael Scanlon, *Chair*

Peter Kristian, *Ex-officio*

Mark O'Neil

Staff Support: Anne Cyran, Senior Planner  
Taylor Ladd, Senior Planner

### **Rules of Procedure Committee**

Caroline McVitty, *Chair*

Lavon Stevens, *Vice Chair*

Mark O'Neil

Staff Support: Teresa Haley, Senior Administrative Assistant

### **Capital Improvement Projects Committee**

Todd Theodore, *Chair*

Leslie McGowan, *Vice Chair*

Mark O'Neil

Alan Perry

Staff Support: Karen Knox, Senior Administrative Assistant

### **Gullah-Geechee Land & Cultural Preservation Task Force**

Lavon Stevens, Chairman, Planning Commission Member

Ibrihim Abdul-Malik, Gullah-Geechee/Native Island Culture Organization

Martha Davis, Native Islander

Shani Green, Native Islander

Caroline McVitty, Planning Commission Member/Attorney

Palmer E. Simmons, Planning Commission Member/Native Islander

Todd Theodore, Planning Commission Member/Landscape Planner

Theresa White, Gullah-Geechee/Native Island Culture Organization

Joyce Wright, Gullah-Geechee/Native Island Culture Organization

Non-Voting Member: Marc Grant, Town Council

Staff Support: Sheryse DuBose, Historic Neighborhoods Preservation Administrator

### **Nominating Committee**

This Committee is appointed by the Chairperson with confirmation by the Commission, no later than the first Commission meeting in the month of June of each year. The Committee typically meets in June to recommend a slate of officers for the coming year, and report their recommendation to the Commission at the election in June.

Staff Support: Anne Cyran, Senior Planner



# TOWN OF HILTON HEAD ISLAND

*Community Development Department*

**TO:** Planning Commission  
**FROM:** Anne Cyran, AICP, Senior Planner & PC Coordinator  
**DATE:** July 31, 2019  
**SUBJECT:** Planning Commission Quarterly Report: April – June 2019

A special meeting was held on June 12, 2019.

## Recommendation of Proposed CIP Fiscal Year 2020 Priority Projects

On April 3, 2019, the Capital Improvements Program (CIP) Committee briefed the Commission on each of the items listed in the Fiscal Year 2020 Proposed Priority Projects. The Commission approved a motion to accept the Fiscal Year 2020 – Proposed Priority Projects recommendation with the following amendments:

Pathways

Insert as number 3. Pathways accessibility and safety enhancements.

Existing Facilities & Infrastructure

Add number 3. Fire Rescue Training Center enhancements fuel truck shed.

## Gullah Geechee Culture Preservation Project Report

On May 15, 2019, the Planning Commission approved a motion to accept the Gullah Geechee Culture Preservation Project Report as amended and recommend that Town Council accept the Report and allocate \$105,000 in funding for implementation.

## LMO RV Amendments

On June 5, 2019, the Planning Commission approved a motion to recommend approval to the Public Planning Committee of the proposed LMO amendments related to recreational vehicles with the following modifications: remove the RD Zoning District; add one additional 90 consecutive day extension; and revise condition (i) to clarify that a new single family residence is replacing an existing residence.

## Status

PC Recommended Approval

June 5, 2019

PPC Recommended Approval

June 27, 2019

**Applications**

<b>Zoning Map Amendment (ZMA) Applications</b>	<b>Status</b>
<p><b><u>ZA-001131-2019, Hilton Head Christian Academy Rezoning</u></b>                      Request from Eric Walsnovich with Wood and Partners Inc., on behalf of Spandrel Development Partners, LLC, to amend the Official Zoning Map by changing the use and density designated by the PD-1 Indigo Run Master Plan for parcel R510 008 000 098A 0000. Located at 55 Gardner Drive, the 13.83-acre property is the site of the Hilton Head Christian Academy campus. The request is to change the designated uses to institutional <u>or</u> multi-family residential, to change the assigned density to 10,000 sq. ft. per net acre of institutional uses <u>or</u> 260 multi-family residential units, which is approximately 19 units per acre, and to reduce the maximum allowed building height from 75 feet to 45 feet (3 stories) for buildings along the southern property boundary and 55 feet (4 stories) for all other buildings. The rezoning request includes three conditions: rentals of less than four months will be prohibited; a portion of the units will be rented below market rates; and a Type D adjacent use buffer will be installed along the southern property boundary.</p>	<p><u>PC Recommended Approval</u>                      June 12, 2019</p> <p><u>Approved by TC</u>                      First Reading                      June 18, 2019</p> <p>Second Reading                      July 16, 2019</p>
<p><b><u>ZA-000741-2019, Shipyard Administrative Office Rezoning</u></b>                      Request from Todd Theodore with Wood and Partners Inc. on behalf of Shipyard Plantation Property Owners' Association, to amend the Official Zoning Map by changing the uses and densities designated by the PD-1 Shipyard Master Plan for parcels R550 015 000 0343 0000 and R550 015 000 0394 0000. Parcel #343 is the site of the existing Shipyard Administrative Office. Parcel #394 is undeveloped. Both parcels are located at the William Hilton Parkway entrance for Shipyard on Shipyard Drive. The request is to change the designated uses of Parcel #343 to "Community Services, Parks, and Open Space," to increase the maximum density to 4,000 square feet per net acre, and to decrease the maximum building height to 45 feet. The request is also to change the designated uses of Parcel #394 to "Community Services, Parks, and Open Space," to assign a maximum density of 10,000 square feet per net acre, and to decrease the maximum building height to 45 feet.</p>	<p><u>PC Recommended Approval</u>                      May 1, 2019</p> <p><u>Approved by TC</u>                      First Reading                      May 21, 2019</p> <p>Second Reading                      June 4, 2019</p>

<b>Subdivision Applications</b>	<b>Status</b>
<p><b><u>SUB-000971-2019, 10 Cassina Lane</u></b>                      Minor subdivision of two lots.</p>	<p>Applied on April 26, 2019                      Under review</p>
<p><b><u>SUB-001002-2019, 43 Amelia Common</u></b>                      Minor subdivision of four lots.</p>	<p>Applied on May 1, 2019                      Under review</p>
<p><b><u>SUB-001087-2019, 1 Cat Bird Lane</u></b>                      Minor subdivision of two lots.</p>	<p>Applied on May 14, 2019                      Under review</p>

<b>Gullah-Geechee Land &amp; Cultural Preservation Task Force</b>	
April 1, 2019	Presentation of Gullah Geechee Cultural Preservation Project Report.
April 22, 2019	Acceptance of the Gullah Geechee Culture Preservation Project Report. Discussion of recommendations and implementation of the report.
May 6, 2019	Discussion of recommendations and implementation of the Gullah Geechee Cultural Preservation Project Report.
June 3, 2019	Discussion of 2019 meeting calendar. Update on Resource Center. Discussion of fire hydrant location requirements.
June 17, 2019	Introduced to Sheryse DuBose, Historic Neighborhoods Preservation Administrator. Presentation on Our Plan by Taylor Ladd. Reviewed a future education schedule.

**Capital Improvement Projects**

<b>Pathways</b>	<b>Status</b>
Along South Forest Beach (SFB) Drive from Coligny Circle to Tanglewood Drive	<ul style="list-style-type: none"> <li>• On hold, to resume in fall 2019.</li> <li>• Anticipated completion: spring 2020.</li> </ul>
Along Tanglewood Drive from SFB Drive to Cordillo Parkway	<ul style="list-style-type: none"> <li>• On hold, to resume in fall 2019.</li> <li>• Anticipated completion: spring 2020.</li> </ul>
Along eastbound US 278 between the US 278/Shelter Cove Lane intersection near Hickory Tavern and the US 278/Shelter Cove Lane intersection near Beaufort County Sheriff’s Office	<ul style="list-style-type: none"> <li>• Under construction.</li> <li>• Anticipated completion: fall 2019.</li> </ul>

<b>Roadway Improvements</b>	<b>Status</b>
US 278 Corridor Improvements in the Shelter Cove Area	<ul style="list-style-type: none"> <li>• Engineering designs are 80% complete.</li> <li>• Obtaining rights-of-way and easements.</li> <li>• Anticipated start: October 2019.</li> <li>• Anticipated completion: May 2020.</li> </ul>
Accessibility and Safety Enhancements	<ul style="list-style-type: none"> <li>• In February, all un-signalized crosswalks on US 278, including 11 from Old Wild Horse Rd to Fresh Market Shoppes, were upgraded with enhanced signs, markings, and retro-</li> </ul>



	<p>reflectivity.</p> <ul style="list-style-type: none"> <li>• Street lights will go out to bid in late July.</li> </ul>
Nassau Street Improvements	<ul style="list-style-type: none"> <li>• Work complete: Stormwater infrastructure.</li> <li>• Remaining work, currently under construction: resurfacing; parking; and pathway improvements.</li> <li>• Anticipated completion: August 2019.</li> </ul>
Pope Avenue & Lagoon Road Intersection Improvements	<ul style="list-style-type: none"> <li>• Work complete: Paving, additional beach parking, and drainage infrastructure.</li> <li>• Remaining work, on hold: traffic signal installation, landscaping, and final pavement markings.</li> <li>• Remaining work on hold until after summer 2019.</li> </ul>
Squire Pope Road & William Hilton Parkway Intersection Improvements	On hold as SCDOT’s US 278 Corridor redevelopment project moves forward.
Dirt Road Paving: Pine Field Road	<ul style="list-style-type: none"> <li>• Researching right-of-way donations.</li> <li>• Petitions showing willingness of program participation have been collected.</li> </ul>
Dirt Road Paving: Mitchelville Lane	<ul style="list-style-type: none"> <li>• Researching right-of-way donations.</li> <li>• Petitions showing willingness of program participation have been collected.</li> </ul>
Mast Arm Replacement at US 278/Pembroke Drive near Jarvis Creek Park	<ul style="list-style-type: none"> <li>• Completed July 2019.</li> </ul>

<b>Park Development</b>	<b>Status</b>
Lowcountry Celebration Park (Coligny Area Redevelopment Initiative)	<ul style="list-style-type: none"> <li>• Under construction.</li> <li>• Anticipated completion: fall 2020.</li> </ul>

<b>Existing Facilities and Infrastructure</b>	<b>Status</b>
Cordillo Tennis Courts Redevelopment	<ul style="list-style-type: none"> <li>• Phase I: Complete.</li> <li>• Phase II: Creating biddable plans. Anticipated start: winter 2019.</li> </ul>
Fire Station #2 (Sea Pines) Replacement	<ul style="list-style-type: none"> <li>• Updating biddable plans.</li> <li>• Anticipated out for bid: late fall 2019.</li> </ul>

<b>New Facilities and Infrastructure</b>	<b>Status</b>
F&R Computer Systems Upgrades	Ongoing.

<b>Beach Management &amp; Monitoring</b>	<b>Status</b>
Physical and Biological Monitoring	Ongoing.