



Town of Hilton Head Island  
**Planning Commission Special Meeting**  
**Wednesday, October 14, 2020 – 9:00 a.m.**  
**AGENDA**

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In accordance with the Town of Hilton Head Island Municipal Code Section 2-5-15, this meeting is being conducted virtually and can be viewed live on the Town's Public Meeting Facebook Page at <https://www.facebook.com/townofhiltonheadislandmeetings/>. Following the meeting, the video record will be made available on the Town's website at <https://www.hiltonheadislandsc.gov/>.

1. **Call to Order**
2. **FOIA Compliance** – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Swearing in Ceremony for New Commissioner John Campbell** – *Performed by Mayor Pro-Tem Bill Harkins*
5. **Approval of Agenda**
6. **Approval of Minutes**
  - a. Special Meeting of September 16, 2020
7. **Unfinished Business** – None
8. **New Business**
  - a. **Public Hearing**  
**Dirt Road Paving LMO Amendments** – The Town of Hilton Head Island is proposing to amend Chapters 3 and 5 of the Land Management Ordinance (LMO) to add and revise the following sections:  
  
Section 16-3-104, RM-4, RM-6, RM-8 and RM-12 zoning districts: add language that states that parcels along a right-of-way (ROW) acquired as part of the Town's Dirt Road Paving Program shall be permitted to develop to the density potential that existed prior to the establishment of the ROW; Section 16-3-105, Marshfront (MF), Mitchelville (MV), Neighborhood Commercial (NC), Stoney (S), and the Waterfront Mixed Use (WMU) zoning district: add language that states that parcels along a right-of-way (ROW) acquired as part of the Town's Dirt Road Paving Program shall be permitted to develop to the density potential that existed prior to the establishment of the ROW; Table 16-5-102.C: add language that the adjacent street setback will only be 5' along any parcels abutting a Town ROW acquired as part of the Town's Dirt Road Paving Program; Table 16-5-103.D: add language stating that an adjacent street buffer will not be required along any parcels abutting a Town ROW acquired as part of the Town's Dirt Road Paving Program; 16-5-105.X [New Section] Exceptions for Streets in the Town's Dirt Road Paving Program: add a new section to establish the exceptions that will apply to all rights-of-way created as part of the Town's Dirt Road Paving Program; Table 16-5-105.D.1: adds language that allows the Town Engineer to accept a minimum ROW of 30' for streets acquired

under the Town's Dirt Road Paving Program where physical and property constraints exist.  
*Presented by Teri Lewis*

**b. Public Hearing**

**Historic Neighborhood Preservation Overlay (HNP-O) District LMO Amendments** – The Town of Hilton Head Island is proposing to amend Chapters 2, 3, 4, 5, 10, and Appendix D of the Land Management Ordinance (LMO) to add and revise the following sections:

Section 16-2-101: Add Family Compound and Family Subdivision to the Summary Table of Development Review Procedures for Development Approvals and Permits; Section 16-2-102.J.1.a: Add vested rights for approval or conditional approval of an application for Family Compound and Family Subdivision; Section 16-2-103.U: Add applications for Family Compound and Family Subdivision to Appeal of the Official's Decision to Planning Commission; New Section 16-2-103.X: Create purpose, applicability, review procedure, review standards, effect of approval, expiration, and amendment sections for Family Compound; New Section 16-2-103.Y: Create purpose, applicability, review procedure, review standards, effect of approval, expiration, and amendment sections for Family Subdivision; Section 16-3-104.E: Increase maximum impervious cover and building height for parcels in the HNP-O District within the RM-4 District; New Section 16-3-104.F: Create RM-6 Moderate Density Residential District including purpose, allowable principal uses, and development form and parameters; Section 16-3-104.G: Increase maximum impervious cover for parcels in the HNP-O District within the RM-8 District; Section 16-3-104.H: Increase maximum impervious cover for parcels in the HNP-O District within the RM-12 District; Section 16-3-105.G: Increase the maximum density for residential properties along major arterials in MF District; Section 16-3-104.K: Increase maximum building height for HNP-O District within the NC District; New Section 16-3-106.N: Create Historic Neighborhoods Preservation Overlay (HNP-O) District, including applicability and purpose, delineation of the district, including maps; regulations, including setbacks, buffers, impervious cover, building height, access, and wetlands protection; allowable uses/activities; and applications; Table 16-4-102.A.6: Add RM-6 and its allowable uses to the Principal Use Table; Section 16-4-102.B.1.d: Add use-specific conditions for Workforce Housing in the RM-6 district; Section 16-4-102.B.7.I: Add use-specific conditions for Other Commercial Services in the RM-6 District; Section 16-4-102.B.10.a.ii: Add use-specific conditions for Boat Ramps, Docking Facilities, and Marinas in the RM-6 District; Section 16-10-102.B.1: Permit density to be rounded up for parcels within the HNP-O District; Section 16-10-105: Add general definitions for Family Compound and Family Subdivision; Appendix D: Create applications and submittal requirements in new sections D-26 Family Compound and D-27 Family Subdivision. *Presented by Sheryse DuBose*

**c. Public Hearing**

**ZA-001782-2020** – Request from the Town of Hilton Head Island to amend the Official Zoning Map for RM-4 properties within the proposed Historic Neighborhoods Preservation Overlay (HNP-O) District to be rezoned to RM-6. Affected parcels are identified as: Parcels 12, 14-16, 18, 20, 24-26, 28, 2B, 2D-2F, 2H-2I, 30-31, 48, 52, 57-58, 11F, 11I, 124, 134-135, 142-145, 148, 14A, 14C, 14F-14H, 14J, 150-152, 156-159, 15A-15C, 160-169, 16A-16B, 170-171, 19A, 19C-19E, 204-209, 20A, 20C-20D, 20G, 210-217, 21A, 247, 24A-24B, 24D-24E, 251-252, 254-257, 259, 25A, 264-269, 26A, 26B, 270-275, 30A, 30C, 52A, and 58A on Beaufort County Tax Map 3, District 510; Parcels 1-51, 135-145, 148-152, 154-166, 168-184, 188-260, 262-302, and 310-312 on Beaufort County Tax Map 3A, District 510; Parcels 6, 17-19, 6C, 6E-6K, 7A-7F, 17A, 18A-18D, 19A-19E, 19G-19K, 292, 308-316, 330-333, 335, 353, 355, 357, 360-361, 292A, and 311A on Beaufort County Tax Map 4, District 510; Parcels 6-10, 13-16, 21-23, 6C, 7A, 10C, 10E, 10G, 13A, 16A-16M, 18A, 192-195, 197, 202-204, 227, 22A, 232-239, 23B, 240-241, 285, 294-299, 302, 313-319, 326-327, 336-375, 407-412, 415-429, and 227A on Beaufort County Tax Map 5, District 510; Parcels 2-3, 37, 3A-3I, 41-42, and 47-98 on Beaufort County Tax Map 6, District 510; Parcels 4-5, 7-19, 1C, 20, 22, 24, 27, 31-36, 45, 4F, 5B, 78-79, 7A-7E, 82-89, 8A, 90-92, 95-98, 9A, 104, 113-117, 11A, 125-129, 12A, 131, 137, 13A-13B, 141-142, 145, 147-

148, 14A-14C, 151, 156, 159, 15A, 160, 16A-16D, 16F-16G, 17A-17B, 185, 18A, 191, 193, 20A, 229, 229 (1L-1M, 2L-2M, 3L-3M, 4L-4M, 5L-5M, 6L-6M, 7L-7M, 8L-8M, 9L-9M, 10L-10M, 11L-11M, 12L-12M, 13L-13M, 14L-14M, 15L-15M, 16L-16M, 17L-17M, 18L-18M, 19L-19M, 20L-20M), 22B-22C, 246, 248, 24B-24C, 251, 25A-25B, 25E-25I, 25M-25Q, 26A, 26C-26O, 270-271, 274-284, 286-288, 295-299, 301-306, 31A-31E, 31G-31H, 32A-32F, 34B-34G, 34J-34K, 366-376, 378, 380, 383, 386-388, 390, 393, 399, 401-405, 411-412, 414-418, 420-425, 427-437, 440-444, 446, 448-450, 454, 45A, 463-468, 46B-46F, 46J, 470, 470 (1-90, 111-114, 121-124, 211-214, 221-224, 311-314, 321-324, 411-414, 421-424, 511-514, 521-524), 473-510, 514-521, 523-528, 578, 591- 673, 758-774, 810-812, 819-829, 82B, 830-842, 845-869, 86B, 86D-86H, 870-879, 87A, 880-889, 88A, 88C-88I, 890-909, 90A-90C, 910-925, 929, 92A, 930-931, 935-939, 93A, 940-978, 980-989, 98A-98D, 990-1016, 1017, 1019-1040, 1053, 1060, 1071, 1076, 1078-1082, 1099-1121, 1124-1156, 1161-1163, 1170-1173, 125A-125C, 125E, 132A, 132A (1A-1K, 2A-2K, 3A-3K, 4A-4K, 5C-5K, 6C-6K, 7C-7K, 8C-8K, 9C-9K, 10C-10K, 11C-11K, 12C-12K, 13C-13K, 14C-14K, 15C-15K, 16C-16K, 17D, 17F-17I, 17K, 18D, 18F-18I, 18K, 19D, 19F-19I, 19K, 20D, 20F-20I, 20K, 21G-21I, 22G-22I, 23G-23I, 24G-24I, 25G, 25I, 26G, 26I, 27G, 27I, 28G, 28I, 29I, 30I, 31I, 32I, 33I, 34I, 35I, 36I), 132C-132D, 147B, 149F, 150A, and 151A-151B on Beaufort County Tax Map 7, District 510; Parcels 8-9, 27-32, 8G-8K, 8N, 8P, 8R-8T, 97, 9A, 259, 27A-27E, 28A-28B, 28D, 28G-28H, 29B-29N, 29P-29S, 30A-30C, 30E-30I, 31A-31G, 341-342, 379-387, 391-395, 418-419, 426, 488, 496, 509-512, 577, 598-599, 601, 607, 610, 631, 639, 643, 650-667, 688, 707, and 737-748 on Beaufort County Tax Map 8, District 510; Parcels 76-100 on Beaufort County Tax Map 8A, District 510; Parcels 8, 8A-8K, 773, 1023-1024, and 1031-1032 on Beaufort County Tax Map 9, District 510; Parcels 3-9, 26-30, 33-35, 3A-3F, 40, 4A-4G, 5B-5E, 5G-5H, 6A-6C, 7A-7D, 7F, 265-266, 26A-26D, 271, 275, 27D-27E, 283, 289, 28A-28B, 290, 296-297, 29A, 303, 306, 311-312, 32D-32E, 33A-33K, 34B-34C, 352, 359-360, 402-404, 40A-40G, 425-427, 430-450, 456-457, 531-534, 586, 630, 635-636, 641-647, 653, and 713-724 on Beaufort County Tax Map 10, District 510; Parcels 7, 21-22, 2B-2C, 44, 57-73, 76, 7B-7D, 7G, 7J, 80-81, 127-131, 139, 141, 152, 160, 164, 167-169, 171, 173, 181, 22A-22D, 22F-22G, 333-364, 373-378, 388, 395-397, 78A, 80A, and 129A-129B on Beaufort County Tax Map 11, District 510; Parcels 9, 147, 149, 14I on Beaufort County Tax Map 3, District 511; Parcels 3, 3A, 3C-3D, 44, 46, 56, 58, 62, 138, 289, 290, 426, 44A-44B, 46G-46I, 50B, 61A-61C, 62A, 1052, 1058, 1067, and 1159-1160 on Beaufort County Tax Map 7, District 511; and Parcels 10, 12, 8E, 10A, 11D, 12A, 410 and 688 on Beaufort County Tax 8, District 511. *Presented by Tyler Newman*

**d. Public Hearing**

**ZA-001783-2020** – Request from the Town of Hilton Head Island to amend the Official Zoning Map by applying the Historic Neighborhoods Preservation Overlay (HNP-O) District to identified parcels. The LMO amendments associated with the HNP-O District will allow the development of a historic overlay that includes flexibility to buffers, setbacks, and access; increase in height and impervious cover; and adds Family Compound and Family Subdivision as new applications. Affected parcels are identified as: Parcels 12, 14-16, 18, 20, 24-28, 2B, 2D-2F, 2H-2I, 30-32, 48, 50-52, 57-58, 11F, 11I, 124, 130, 134-135, 141-145, 148, 14A, 14C, 14F-14H, 14J, 150-152, 156-159, 15A-15C, 160-169, 16A-16B, 170-171, 19A-19E, 204-209, 20A, 20C-20D, 20G, 210-217, 21A, 247, 24A-24B, 24D-24E, 251-252, 254-257, 259, 25A, 264-269, 26A-26B, 270-275, 30A, 30C, 52A, and 58A on Beaufort County Tax Map 3, District 510; Parcels 1-51, 135-145, 148-152, 154-166, 168-184, 188-260, 262-302, and 310-312 on Beaufort County Tax Map 3A, District 510; Parcels 87-144, and 146-147 on Beaufort County Tax Map 3B, District 510; Parcels 6-7, 9-19, 6C, 6E-6K, 7A-7F, 14A-14C, 15A-15B, 17A, 18A-18D, 19A-19E, 19G-19K, 292, 302, 308-316, 330-333, 335, 353, 355, 357, 360-361, 363, 372, 292A, and 311A on Beaufort County Tax Map 4, District 510; Parcels 1-10, 13-18, 18 (110-113, 120-127, 210-213, 220-227, 310-313, 320-327, 410-413, 420-427), 1A-1D, 21-23, 2A, 5A-5B, 6B-6C, 7A, 8A, 8A (A-B, 1101-

1130, 1201-1230, 1301-1330, 2101-2120, 2201-2222, 2301-2322), 8B, 8B (C-D, 3101-3104, 3106, 3108-3138, 3202-3238, 3301-3338), 10A-10I, 13A, 16A-16M, 18A, 192-195, 197, 202-204, 208, 227, 22A, 232-239, 23B, 240-242, 248-249, 274, 282, 285, 294-299, 301-302, 307-308, 313-319, 321, 326-327, 329-334, 336-376, 378-412, 415-429, 431-434, 192A-192B, and 227A on Beaufort County Tax Map 5, District 510; Parcels 2-3, 3A-3I, 41-42, 47-66, 68-75, and 77-98 on Beaufort County Tax Map 6, District 510; Parcels 1, 4-19, 1C, 20, 22-24, 26-29, 31-36, 45, 4F, 5B, 71, 78, 79, 7A-7E, 80, 82-89, 8A, 90-92, 95-99, 9A, 100-102, 104, 113-118, 11A, 120-121, 123-129, 12A, 131, 136-137, 13A-13B, 141-143, 145, 147-149, 14A-14C, 150-151, 154, 156, 159, 15A, 160, 16A-16D, 16F-16G, 17A-17B, 185, 187-188, 18A, 191-194, 196-197, 200, 203-204, 20A, 219, 226, 228-229, 229 (1L-1M, 2L-2M, 3L-3M, 4L-4M, 5L-5M, 6L-6M, 7L-7M, 8L-8M, 9L-9M, 10L-10M, 11L-11M, 12L-12M, 13L-13M, 14L-14M, 15L-15M, 16L-16M, 17L-17M, 18L-18M, 19L-19M, 20L-20M), 22B-22C, 230-243, 246, 248-249, 24B-24C, 251-252, 25A-25B, 25E-25I, 25M-25Q, 265, 26A-26O, 26Q, 270-272, 274-284, 286-288, 28A-28C, 295-299, 29A, 300, 301-306, 31A-31E, 31G-31H, 32A-32F, 34B-34G, 34J-34K, 366-380, 383-388, 390, 392-393, 396-397, 399, 401-405, 411-412, 414-418, 420-425, 427-437, 440-446, 448-450, 454-456, 458-459, 45A, 463-468, 46B-46F, 46J, 470, 470 (1-90, 111-114, 121-124, 211-214, 221-224, 311-314, 321-324, 411-414, 421-424, 511-514, 521-524), 472-475, 477-510, 514-521, 523-578, 591-807, 810-812, 818-829, 82B, 830-869, 86A (0004), 86B, 86D-86H, 870-879, 87A, 880-889, 88A, 88C-88I, 890-909, 90A-90C, 910-925, 929, 92A, 930-931, 935-939, 93A, 940-978, 980-989, 98A-98D, 990-1009, 100B-100C, 1010-1015, 1017, 1019, 101A, 1020-1041, 1053-1054, 1060, 1064, 1071, 1076-1156, 1158, 1161-1163, 1170-1173, 120A, 125A-125C, 125E, 132A, 132A (1A-1K, 2A-2K, 3A-3K, 4A-4K, 5C-5K, 6C-6K, 7C-7K, 8C-8K, 9C-9K, 10C-10K, 11C-11K, 12C-12K, 13C-13K, 14C-14K, 15C-15K, 16C-16K, 17D, 17F-17I, 17K, 18D, 18F-18I, 18K, 19D, 19F-19I, 19K, 20D, 20F-20I, 20K, 21G-21I, 22G-22I, 23G-23I, 24G-24I, 25G, 25I, 26G, 26I, 27G, 27I, 28G, 28I, 29I, 30I, 31I, 32I, 33I, 34I, 35I, 36I), 132C-132D, 136A, 143A-143B, 147B, 149A-149F, 150A, 151A-151B, 192G-192H, and 200A, on Beaufort County Tax Map 7, District 510; Parcels: 1-8 on Beaufort County Tax Map 7D, District 510; Parcels: 8-9, 13-18, 20, 27-32, 8B-8D, 8G-8K, 8N, 8P, 8R-8T, 90, 97, 9A, 13A-13K, 14A-14G, 153, 15A, 205-213, 22G, 22J-22M, 22P-22V, 241, 259, 279, 27A-27E, 28A-28B, 28D, 28G-28H, 29B-29N, 29P-29S, 30A-30C, 30E-30I, 31A-31G, 341-342, 358, 361, 379-387, 391-395, 406, 418-419, 426, 460-461, 488, 496, 498-499, 501-503, 505, 509-513, 518, 575-577, 591, 596-599, 601, 607, 609-610, 619, 624-625, 631, 635, 639, 643, 645, 650-667, 669-674, 688, 707 and 737-748 on Beaufort County Tax Map 8, District 510; Parcels: 1A (0002), 76-101, 120-136, 138-143, 146-157, 208, 274, and 276 on Beaufort County Tax Map 8A, District 510; 7-8, 44, 7A-7D, 8A-8K, 11A-11B, 11D-11E, 264, 538, 538 (A1-A4, B1-B4, 101-142, 144, 201-242, 244, 301-342, 344, 401-442, 444), 773, 896-897, 897 (100A-150A, 200A-250A, 300A-350A), 1012, 1023-1024, 1031-1032, 1072--1073, 1075, 1086-1088, 1095-1097, 1102-1103, 1200-1201, and 538A on Beaufort County Tax Map 9, District 510; Parcels 3-9, 26-36, 39, 3A-3F, 40, 4A-4G, 5B-5E, 5G-5H, 6A-6C, 7A-7F, 265-266, 269, 26A-26D, 271, 275-276, 27D-27E, 283, 289, 28A-28B, 290, 296-297, 29A, 303, 306, 308, 30A-30E, 310-312, 31A, 32A-32B, 32D-32G, 33A-33K, 34B-34C, 352, 355, 359-360, 36B-36G, 402-404, 40A-40K, 425-428, 430-450, 456-457, 531-534, 586, 630, 635-636, 638-639, 641-647, 653, and 713-725 on Beaufort County Tax Map 10, District 510; Parcels 3-7, 21-22, 2B-2C, 3B-3E, 44, 57-59, 5A, 60-73, 76, 7B-7D, 7F-7G, 7J, 80-82, 127-131, 139, 141, 152, 160, 164, 167-169, 171, 173, 176, 177, 177 (2101-2105, 2201-2205, 2301-2305, 2401-2405, 2501-2503), 180-181, 183, 209, 22A-22D, 22F-22G, 323-324, 333-364, 373-378, 388-389, 393, 395-397, 78A, 80A, 82A, and 129A-129B on Beaufort County Tax Map 11, District 510; Parcels 2-3, 7-8, 10, 25, 25 (1-6, 1101-1126, 1201-1226, 1301-1326, 1401-1426, 2101-2127, 2201-2227, 2301-2327, 2401-2427), 27-29, 2D, 30-37, 39-42, 57, 59-62, 75, 8A, 10A-10G, 10N, 10Q-10R, 11B, 13B, 25B, 25B (3101-3127, 3201-3227, 3301-3327, 3401-3427, 4101-4137, 4201-4237, 4301-4337, 4401-4437), 26C, 350, 363, 366, 377-388, 390-409, 411-412, 454-469, 541-566, and 571 on Beaufort Tax Map 12, District 510; Parcels 1, 2, 2

(6111-6118, 6121-6128, 6131-6138, 6142-6147, 6211-6216, 6221-6226, 6231-6236, 6241-6246, 6252-6255, 6311-6316, 6321-6326, 6331-6336, 6341-6346, 6352-6355), 5-10, 1A-1B, 49, 68-69, 6A-6B, 7A, 8A, 11G-11H, 11J-11M, 136-139, 146-147, 149, 14D-14E, 14I, 222-246, 248-250, and 258 on Beaufort County Tax Map 3, District 511; Parcels 3, 2B, 2D-2E, 38, 3A-3D, 40-44, 46, 47, 49, 4B-4D, 4G, 50-51, 53-56, 58, 5A, 60-66, 68-69, 6A, 70, 72-75, 138, 146, 152, 161, 189, 190, 245, 247, 289-293, 377, 37A, 37B, 381, 389, 38A, 38C, 38C (1-22), 391, 394-395, 40A-40B, 426, 42A, 44A-44B, 453, 462, 46A, 46G-46I, 47A, 50A-50B, 55A, 60A-60C, 61A-61C, 62A, 62C, 63B, 63D, 66A-66G, 68A-68C, 68G-68I, 72A-72D, 73A, 74A-74F, 75A-75C, 75E-75F, 808-809, 933, 1042, 1044, 1046, 1048, 1052, 1055-1059, 1062-1063, 1065-1067, 1072-1074, 1159-1160, 189A-189F, 190A-190C, and 192A-192F on Beaufort County Tax Map 7, District 511; Parcels 10-12, 23- 25, 8E, 107, 10A, 118-119, 11A, 11D, 11H, 122, 122 (5511-5516, 5521-5526, 5531-5536, 5541-5546, 5551-5556), 12A, 151, 151 (5611-5617, 5621-5627, 5631-5637, 5641-5647, 5651-5657), 159, 204, 20C, 216-218, 218 (1-2, 5111-5117, 5121-5127, 5131-5137, 5141-5147, 5151-5157, 5221-5222, 5231-5234, 5241-5244), 219, 229, 22B, 22E-22F, 23A, 23A (1), 23C-23G, 24A-24B, 24D-24G, 24I-24J, 24L, 24P, 25A, 347, 349, 355, 372, 410, 504, 516, 516 (1), 517, 606, 606 (5411-5418, 5421-5428, 5431-5438, 5441-5448, 5451-5458), 616, 616 (5311-5319, 5321-5329, 5331-5339, 5341-5349, 5351-5359), 621, 627, 629, 637, 646-649, and 688 on Beaufort County Tax Map 8, District 511; Parcels 104, 106, 108, 119, and 137 on Beaufort County Tax Map 8A, District 511; Parcels 1121-1137, and 1192 on Beaufort County Tax Map 9, District 511; Parcels 4-5, 1B-1C, 1F, 1H, 24, 26, 2A, 2C, 43-49, 4B-4C, 50-56, 63-73, 25A, 26A, 335-339, 371-372, 497-538, and 567 on Beaufort County Tax Map 12, District 511. *Presented by Missy Luick*

## **9. Citizen Comments**

Citizens who wish to address the Commission on general Planning Commission business during the meeting by phone must contact the Commission Secretary not later than 4:30 p.m. the day prior to the meeting. All comments are limited to 3 minutes.

## **10. Commission Business**

- a. Review and Adoption of 2021 Meeting Schedule

## **11. Chairman's Report**

## **12. Committee Reports**

## **13. Staff Report**

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

## **14. Adjournment**

Public comments concerning agenda items can be submitted electronically via the Open Town Hall HHI portal at <https://hiltonheadislandsc.gov/opentownhall/>. The portal will close at 4:30 p.m. on October 13, 2020. All comments submitted through the portal will be provided to the Commission for review and made part of the official record. Citizens who wish to comment on agenda items during the meeting by phone must contact the Commission Secretary at 843-341-4684 not later than 4:30 p.m. on October 13, 2020.

**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 Meeting

Wednesday, September 16, 2020 at 9:00 a.m. Virtual Meeting

### MEETING MINUTES

**Present from the Commission:** Chairman Peter Kristian, Vice Chairman Lavon Stevens, Leslie McGowan, Mark O'Neil, Alan Perry, Michael Scanlon, Todd Theodore, Stephen Alfred

**Absent from the Commission:** None

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

**Present from Town Staff:** Shawn Colin, Director of Community Development; Anne Cyran, Senior Planner; Taylor Ladd, Senior Planner; Jennifer Ray, Deputy Director of Community Development; Teresa Haley, Senior Administrative Assistant

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**1. Call to Order**

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

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

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

**4. Approval of Agenda**

Chairman Kristian asked for a motion to approve the agenda. Commissioner Alfred moved to approve. Commissioner Perry seconded. By way of roll call, the motion passed with a vote of 8-0-0.

**5. Approval of Minutes**

- a. Special Meeting of August 19, 2020
- b. Special Meeting of August 26, 2020
- c. Special Meeting of September 2, 2020

Chairman Kristian asked for a motion to approve the minutes of the August 19, 2020, August 26, 2020, and September 2, 2020 special meetings. Commissioner Scanlon moved to approve. Commissioner Perry seconded. By way of roll call, the motion passed with a vote of 8-0-0.

**6. Unfinished Business** – None

**7. New Business**

**a. Public Hearing**

**Our Plan:** The Planning Commission will review and consider a recommendation to the Town Council on Our Plan, the Town's 2020 to 2040 Comprehensive Plan, for adoption.

Ms. Ladd presented the item as described in the Commission's agenda package. The Comprehensive Plan Committee recommends that the Planning Commission recommend Our Plan for adoption by Resolution to the Town Council.

The Commission commended Staff on their work throughout the process. The Commission made brief remarks about the wheels related to the Core Values of Inclusive and Excellence; priorities and implementation of the Plan; Parks & Recreation; adding historical context of the Goodwill Church turning into the First African Baptist Church; including Michael Smalls and basket-sewing in the Gullah references.

Chairman Kristian opened the meeting for public comments. Ms. Heather Rath expressed her support for Our Plan and thanked Staff for their comprehensive work. With no further public comments, Chairman Kristian closed the public hearing.

Commissioner Scanlon moved to approve the Planning Commission recommend by Resolution that Town Council adopt Our Plan, the Town of Hilton Head Island 2020 to 2040 Comprehensive Plan, with Staff's recommended additions and revisions. Commissioner Perry seconded. By way of roll call, the motion passed with a vote of 8-0-0.

**8. Citizen Comments**

Citizens who wanted to address the Commission on general Planning Commission business were to contact the Commission Secretary prior to noon yesterday. There were no requests from citizens to speak on general Commission business.

**9. Commission Business – None**

**10. Chairman's Report – None**

**11. Committee Reports**

The Gullah Geechee Land & Cultural Preservation Task Force recommendation for the Historic Neighborhoods Preservation Overlay (HNP-O) District is scheduled for the LMO Committee's review today at 2:00 p.m. The LMO Committee will also meet on September 23 at 9:00 a.m. to review Dirt Road Paving amendments and any follow up to the HNP-O amendments.

**12. Staff Report**

The Commission is scheduled to hold a public hearing on October 14 at 9:00 a.m. to review the following items:

- Dirt Road Paving LMO Amendments
- HNP-O District LMO Amendments
- ZA-001782-2020 rezoning RM-4 to RM-6 for HNP-O District
- ZA-001783-2020 rezoning to add HNP-O District as a use

**13. Adjournment**

The meeting was adjourned at 9:35 a.m.

**Submitted by:** Teresa Haley, Secretary

**Approved:** [DATE]



# TOWN OF HILTON HEAD ISLAND

## *Community Development Department*

**TO:** Planning Commission  
**VIA:** Shawn Colin, *AICP, Director of Community Development*  
**FROM:** Teri Lewis, *AICP, Deputy Director of Community Development*  
**DATE:** October 2, 2020  
**SUBJECT:** Dirt Road Paving LMO Amendments

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**Recommendation:** Staff recommends that the Planning Commission review the Dirt Road Paving Land Management Ordinance (LMO) Amendments and forward a recommendation of approval to Town Council.

On September 23, 2020 the LMO Committee voted unanimously to forward the proposed Dirt Road Paving LMO Amendments to the Planning Commission for approval with the following suggestion:

- add a one-way right-of-way width requirement of 24'.

**Summary:** Approval of the proposed Dirt Road Paving amendments will create greater flexibility for properties that are located along a road that is proposed to be paved as part of the Town's Dirt Road Paving Program. Specific changes include:

- Add language to the RM-4, RM-6, RM-8, RM-12, MF, MV, NC, S and WMU zoning districts that states that parcels along a right-of-way (ROW) acquired as part of the Town's Dirt Road Paving Program shall be permitted to develop to the density potential that existed prior to the establishment of the ROW;
- Add language that the adjacent street setback will be a minimum of 5' along any parcels abutting a Town ROW acquired as part of the Town's Dirt Road Paving Program;
- Add language that an adjacent street buffer will not be required along any parcels abutting a Town ROW acquired as part of the Town's Dirt Road Paving Program;
- Add a new section to establish the exceptions that will apply to all rights-of-way created as part of the Town's Dirt Road Paving Program; and
- Add language that allows the Town Engineer to accept a minimum ROW width of 30' for two-way traffic and 24' for one-way traffic for streets acquired under the Town's Dirt Road Paving Program where physical and property constraints exist.

**Background:** The Town has a program to accept donations of public road rights-of-way on qualifying private unpaved roads with a goal to provide publicly maintained infrastructure within these rights-of-way. The Town may approve different right-of-way design standards on these particular roads, including streets, pathways, and storm drainage, to achieve this goal. If the donations of public road rights-of-way meet the Town's acceptance criterion, a public Town right-of-way will be recorded and the Town will maintain that right-of-way in perpetuity. The Town, in an effort to explain the impact of the paving of dirt roads, held several meetings with the residents



**Subject:** Dirt Road Paving LMO Amendments

*October 2, 2020*

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*Page 2*

that would be affected by the proposed changes. These meetings resulted in concerns being expressed related to the size of the right-of-way, setback and buffer requirements, and the impact on existing density. Staff drafted the attached amendments to address these concerns.

**Attachment**

A. Dirt Road Paving LMO Amendments

# Attachment A

## Proposed Dirt Road Paving Amendments

### 16-3: Zoning Districts

#### Section 16-3-104. Residential Base Zoning Districts

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

<h2 style="margin: 0;">RM-4</h2> <h3 style="margin: 0;">Low to Moderate Density Residential District</h3>
---

**1. No Change**

**2. No Change**

**3. Development Form Standards**

MAX. DENSITY (PER NET ACRE) <sup>5</sup>		LOT COVERAGE	
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) <sup>2</sup>	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b> <sup>3</sup>	35%
<b>Bed and Breakfast</b>	10 rooms		
Nonresidential	6,000 GFA	Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%
MAX. BUILDING HEIGHT			
All <b>Development</b>	35 ft <sup>1,4</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.

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

1. May be increased by up to ten percent on demonstration to the **Official** that:
  - a. The increase is consistent with the character of **development** on surrounding **land**;
  - b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;
  - c. The increase either (1) is required to compensate for some unusual aspect of the **site** or the proposed **development**, or (2) results in improved **site** conditions for a **development** with **nonconforming site features**;
  - d. The increase will not pose a danger to the public health or safety;
  - e. Any adverse impacts directly attributable to the increase are mitigated; and

- f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. **Density for developments** that include **Workforce Housing** shall be determined based on Sec. 16-4-105B.
3. The maximum **impervious cover** for properties located within the HNP-O shall be 45%.
4. The maximum **building height** for properties located within the HNP-O shall be 45 ft.
5. Each adjacent parcel abutting the Town right of way acquired under the Town’s Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

**F. Moderate Density Residential (RM-6) District**

<h2 style="margin: 0;">RM-6</h2> <h3 style="margin: 0;">Moderate Density Residential District</h3>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX DENSITY (PER NET ACRE) <sup>4</sup>		LOT COVERAGE	
Residential <sup>2</sup>	6 du (8 du if <i>lot</i> area is at least 5 acres)	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b> <sup>3</sup>	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: <b>Development</b> 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 <b>site</b> or the proposed <b>development</b> , or (2) results in improved <b>site</b> 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.
2. <b>Density</b> for <b>developments</b> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.
3. The maximum <b>impervious cover</b> for properties located within the HNP-O shall be 45%.
4. <u>Each adjacent parcel abutting the Town right of way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.</u>

**G. Moderate Density Residential District (RM-8) District**

**RM-8**  
**Moderate to High Density Residential District**

<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE)<sup>4</sup></b>		<b>LOT COVERAGE</b>	
Residential <sup>2</sup>	8 du	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b> <sup>3</sup>	35%
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>	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.

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

1. May be increased by up to ten percent on demonstration to the **Official** that:
  - a. The increase is consistent with the character of **development** on surrounding **land**;
  - b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;
  - c. The increase either (1) is required to compensate for some unusual aspect of the **site** or the proposed **development**, or (2) results in improved **site** conditions for a **development** with **nonconforming site features**;
  - d. The increase will not pose a danger to the public health or safety;
  - e. Any adverse impacts directly attributable to the increase are mitigated; and
  - f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

2. *Density* for *developments* that include *Workforce Housing* shall be determined based on Sec. 16-4-105B.

3. The maximum *impervious cover* for properties located within the HNP-O shall be 45%.

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

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

**RM-12**  
**Moderate to High Density Residential District**

**1. No Change**

**2. No Change**

**3. Development Form Standards**

MAX. DENSITY (PER NET ACRE) <sup>4</sup>		LOT COVERAGE	
Residential <sup>2</sup>	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>All Development</i>	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.

**TABLE NOTES:**

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

1. May be increased by up to ten percent on demonstration to the *Official* that:
  - a. The increase is consistent with the character of *development* on surrounding *land*;
  - b. *Development* resulting from the increase is consistent with the purpose and intent of the *building height* standards;
  - c. The increase either (1) is required to compensate for some unusual aspect of the *site* or the proposed *development*, or (2) results in improved *site* conditions for a *development* with *nonconforming site features*;
  - d. The increase will not pose a danger to the public health or safety;
  - e. Any adverse impacts directly attributable to the increase are mitigated; and
  - f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. *Density* for *developments* that include Workforce Housing shall be determined based on Sec. 16-4-105B.
3. The maximum *impervious cover* for properties located within the HNP-O shall be 45%.
4. Each adjacent parcel abutting the Town right of way acquired under the Town’s Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

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

**G. Marshfront District (MF)**

MF
Marshfront District

**1. No Change**

**2. No Change**

**3. Development Form Standards**

MAX. DENSITY (PER NET ACRE) <sup>3</sup>			LOT COVERAGE	
Residential <sup>2</sup>	Along Major Arterials	8 du	Max. <i>Impervious Cover</i>	60%
	Along Other <i>Streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	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.

**TABLE NOTES:**

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

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

- a. The increase is consistent with the character of *development* on surrounding *land*;
- b. *Development* resulting from the increase is consistent with the purpose and intent of the *building height* standards;
- c. The increase either (1) is required to compensate for some unusual aspect of the *site* or the proposed *development*, or (2) results in improved *site* conditions for a *development* with *nonconforming site features*;
- d. The increase will not pose a danger to the public health or safety;
- e. Any adverse impacts directly attributable to the increase are mitigated; and
- f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

2. *Density* for *developments* that include Mixed-Use or *Workforce Housing* shall be determined based on Sec. 16-4-105B.

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

I. Mitchelville (MV) District

**MV**  
**Mitchelville District**

1. No Change

2. No Change

3. Development Form Standards

MAX. DENSITY (PER NET ACRE) <sup>1</sup>		LOT COVERAGE	
Residential	12 du	Max. <i>Impervious Cover</i>	50%
<i>Bed and Breakfasts</i>	10 rooms		
<i>Hotel</i>	35 rooms	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>Interval Occupancy</i>	12 du		
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT			
<i>All Development</i>	75 ft		

**USE AND OTHER DEVELOPMENT STANDARDS**

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

**TABLE NOTES:**

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

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



J. Neighborhood Commercial (NC)

# NC Neighborhood Commercial District

1. No Change

2. No Change

3. Development Form Standards

MAX. DENSITY (PER NET ACRE) <sup>4</sup>		LOT COVERAGE	
Residential <sup>2</sup>	4 du	Max. <i>Impervious Cover</i>	45%
Nonresidential	3,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,3</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.

**TABLE NOTES:**

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

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

- a. The increase is consistent with the character of *development* on surrounding *land*;
- b. *Development* resulting from the increase is consistent with the purpose and intent of the *building height* standards;
- c. The increase either (1) is required to compensate for some unusual aspect of the *site* or the proposed *development*, or (2) results in improved *site* conditions for a *development* with *nonconforming site features*;
- d. The increase will not pose a danger to the public health or safety;
- e. Any adverse impacts directly attributable to the increase are mitigated; and
- f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

2. *Density* for *developments* that include Mixed-Use or *Workforce Housing* shall be determined based on Sec. 16-4-105B.

3. The maximum *building height* for properties located within the HNP-O shall be 45 ft.

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

N. Stoney (S) District

# S Stoney District

**1. No Change**

**2. No Change**

**3. Development Form and Parameters**

## MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS

**No Change**

MAX. DENSITY (PER NET ACRE) <sup>5</sup>		LOT COVERAGE	
Residential <sup>2,3</sup>	10 du	Max. <i>Impervious Cover</i>	50%
<i>Bed and Breakfasts</i>	10 rooms		
<i>Hotel</i>	35 rooms	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA		
MAX. BUILDING HEIGHT			
All <i>Development</i>	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.

**TABLE NOTES:**  
 P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = *dwelling units*; sf = square feet; GFA = *gross floor area* in square feet; ft = feet; n/a = not applicable  
 1. May be increased by up to ten percent on demonstration to the *Official* that:

a. The increase is consistent with the character of <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.
2. Density for development that includes Mixed-Use or Workforce Housing shall be determined based on Sec. 16-4-105.A.
3. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.
4. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.
<u>5. Each adjacent parcel abutting the Town right of way acquired under the Town’s Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.</u>

**O. Waterfront Mixed-Use (WMU) District**

<p style="font-size: 24pt; margin: 0;"><b>WMU</b></p> <p style="font-size: 24pt; margin: 0;"><b>Waterfront Mixed-Use District</b></p>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE) <sup>1/6</sup>		LOT COVERAGE	
Residential	16 du <sup>1/2</sup>	Max. <i>Impervious Cover</i>	50%
<i>Bed and Breakfasts</i>	10 rooms		

<i>Hotel</i>	35 rooms	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>Interval Occupancy</i>	16 du		
Nonresidential	8,000 GFA <sup>2</sup>		
<b>MAX. BUILDING HEIGHT <sup>2,3</sup></b>			
All <i>Development</i>	75 ft		

**USE AND OTHER DEVELOPMENT STANDARDS**

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

**TABLE NOTES:**

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

1. For purposes of calculating new *density*, only 25% of total square footage devoted to boat dry storage facilities shall be counted.

2. Where a *parcel* in the WMU District adjoins a zoning district with a *height* limit lower than that in the WMU District, no part of a *building* on the WMU-zoned *parcel* shall exceed a *height* equal to the *height* limit in the adjoining district plus 1 foot, or major fraction thereof, for each foot of horizontal distance from the adjoining district.

3. Density for development that includes Mixed-Use or Workforce Housing shall be determined based on Sec. 16-4-105.A.

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

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

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

**16:5: Development and Design Standards**

**TABLE 16-5-102.C: ADJACENT STREET SETBACK REQUIREMENTS**

PROPOSED USE		MINIMUM SETBACK DISTANCE <sup>1</sup> / MAXIMUM SETBACK ANGLE <sup>2</sup>		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
<i>Single-Family</i> <sup>3</sup>	Structure > 24 in high	50 ft <sup>3,4,5</sup> /75°	40 ft <sup>3,4,5</sup> / 70°	20 ft <sup>3,4,5</sup> /60°
	Structure ≤ 24 in high	50 ft <sup>3,4,5</sup> /n/a	30 ft <sup>3,4,5</sup> /n/a	10 ft <sup>3,4,5</sup> /n/a
All Other <i>Uses</i>		50 ft <sup>3,4,5</sup> /75°	40 ft <sup>3,4,5</sup> /70°	20 ft <sup>3,4,5</sup> /60°

NOTES: in = inches ft = feet ° = degrees

1. No Change
2. No Change
3. The adjacent street setback shall be a minimum of five (5) feet on any parcel abutting a Town right of way acquired under the Town's Dirt Road Paving Program. See Section 16-5-105.D for additional details.
- ~~3.~~ 4. No Change
- ~~4.~~ 5. No Change

TABLE 16-5-103.D: ADJACENT STREET BUFFER REQUIREMENTS			
PROPOSED USE	ADJACENT STREET (BY CLASSIFICATION)		
	MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
All <i>uses</i> <sup>2</sup>	E	B	A
NOTES:			
1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.			
<u>2. There shall be no adjacent street buffer required on any parcel abutting a Town right of way acquired under the Town's Dirt Road Paving Program. See Section 16-5-105.D for additional details.</u>			

**Sec.16-5-105. - Mobility, Street, and Pathway Standards**

A. – C. No Changes

**NEW SECTION**

**D. Exceptions for Streets in the Town's Dirt Road Paving Program**

The Town has a program to accept donations of public road rights of way on qualifying private unpaved roads with a goal to provide publicly maintained infrastructure within these rights of way. The Town may approve different right of way design standards on these particular roads, including streets, pathways, and storm drainage, to achieve this goal. If the donations of public road rights of way meet the Town's acceptance criterion, a public Town right of way will be recorded and the Town will maintain that right of way in perpetuity. The criterion are as follows:

- The road must serve more than five dwelling units, each with an individual address point; and
- Property owners must express interest in public road right of way assemblage (100% willing participation); and

- Land for the public road right of way must be donated to the Town; and
- Condemn land only as necessary due to unclear title issues; and
- Community volunteers may assist staff with facilitating right of way donations.

In an effort to encourage the right of way donations, the Town will provide relief to certain standards as described below:

1. Right of way width standards per Sec 16-5-105.D.1. shall apply, except the Town Engineer may accept a minimum right-of-way width of 30’ for two-way traffic and a minimum right-of-way width of 24’ for one-way traffic where physical and property constraints preclude the standard widths from reasonably being met.
2. End Treatments shall be constructed in accordance with Sec 16-5-105.H, except where the Town Engineer and Fire Marshal have deemed physical and property constraints preclude this from reasonably being met.
3. Adjacent street setbacks shall be five feet along properties abutting the new Town right of way.
4. Adjacent street buffers shall not apply to properties abutting the new Town right of way.
5. Each adjacent parcel abutting the Town right of way acquired under this program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way.

**D. E. Design Standards by Street Type**

TABLE 16-5-105. <del>D</del> <u>E</u> .1: STREET STANDARDS <sup>1</sup>				
STREET TYPE	MAXIMUM AADT	MINIMUM PAVEMENT WIDTH <sup>2</sup>	MINIMUM SHOULDER WIDTH <sup>2,3</sup>	MINIMUM RIGHT-OF-WAY
Lane	50	20 ft	4 ft	30 ft
Cul-de-sac <sup>3,4</sup>	250	20 ft	4 ft	40 ft
	500	20 ft	8 ft	50 ft
Local <i>Access</i>	2,000	22 ft	8 ft	50 ft

Subcollector	4,000	24 ft	8 ft	60 ft
Collector	6,000	24 ft	10 ft	70 ft
Minor Arterial	25,000	24 ft	10 ft	70 ft
Major Arterial	50,000	24 ft	12 t	120

1. Right of way width standards shall apply, except the Town Engineer may accept a minimum right-of-way width of 30' right of way for two-way traffic and a minimum right-of-way width of 24' for one-way traffic for streets acquired under the Town's Dirt Road Paving Program where physical and property constraints preclude the standard widths from reasonably being met.

~~1~~ 2. One-way *streets* shall have a minimum clear pavement width of 14 feet.

~~2~~ 3. Shoulders shall be stable areas adjoining both sides of the *roadway* that are capable of supporting vehicles. They shall have a cross-slope no steeper than 12:1 (8.33%), and be clear of obstructions. If the required shoulder width is not desirable or attainable, raised curbing compliant with SCDOT standards may be substituted for the shoulder.

~~3~~ 4. A hammerhead may be used in place of a *cul-de-sac* if the maximum AADT are 250 trips or less.





# TOWN OF HILTON HEAD ISLAND

## *Community Development Department*

**TO:** Planning Commission  
**VIA:** Shawn Colin, *AICP, Director of Community Development*  
**VIA:** Jennifer Ray, *ASLA, Deputy Director of Community Development*  
**FROM:** Sheryse DuBose, *PhD, Historic Neighborhoods Preservation Administrator*  
**CC:** Teri Lewis, *AICP, Deputy Director of Community Development*  
**DATE:** September 30, 2020  
**SUBJECT:** Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

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**Recommendation:** Staff recommends that the Planning Commission review the Historic Neighborhoods Preservation Overlay (HNP-O) District Land Management Ordinance (LMO) Amendments and forward a recommendation of approval to Town Council.

On September 23, 2020 the LMO Committee voted unanimously to forward the proposed HNP-O District LMO Amendments to the Planning Commission for approval with the following suggestions:

- change right-of-way width within a family subdivision to 30' and add a one-way right-of-way requirement of 24';
- add a 3-year hold to family compounds;
- eliminate the section to round up density; and
- change the density in the MF District to 6 du/acre along major arterials.

On September 1, 2020 the Gullah Geechee Land & Cultural Preservation Task Force (Task Force) met to review the proposed HNP-O District LMO Amendments. The Task Force voted 5-0-0 to forward the proposed HNP-O District LMO Amendments to the LMO Committee with the following conditions:

- remove proposed changes to Home Occupation;
- change calculation of density to round up;
- allow access via a 20' easement for both family compound and family subdivision;
- change density in the MF District to 8 du/acre along major arterials; and
- change setback to 25' for minor arterial.

**Summary:** Approval of the proposed HNP-O District LMO Amendments would provide opportunities for cultural preservation as well as provide more flexibility in the development of property within the Historic Neighborhoods on the Island. Specific changes include

- creation of Family Compound and Family Subdivision activities which will create opportunities to pass land to future generations;

- definition of “family” to mean spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood and descended from a common ancestor (as in extended family);
- reductions to buffers, setbacks, and access; increased impervious cover; and increased building heights;
- addition of Moderate Density Residential (RM-6) District allowing 6 dwelling units per acre (and up to 8 dwelling units per acre for properties that are at least five acres) and rezone existing RM-4 parcels to RM-6; and
- change density in Marshfront (MF) District along major arterials from 4 du/acre (and up to 8 dwelling units per acre for properties that are at least 3 acres) to 6 du/acre (and up to 8 dwelling units per acre for properties that are at least 3 acres).

**Background:** Beginning in September 2018, the Task Force meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs’ Property. On April 22, 2019, the Task Force reviewed the recommendations from the consultant team and accepted the Report as amended. On May 7, 2019, the Task Force recommended forwarding the Report to Town Council for acceptance along with a request for \$105,000 in funding for implementation. On August 19, 2019, the Public Planning Committee voted to forward the Report for acceptance from Town Council, with a request for top priority recommendations, a work plan, identification of resources, and a timeline for completed projects. On September 17, 2019, Town Council voted to accept the Report with the high priority recommendations and directed Staff and the Task Force to prepare a work plan to be reviewed prior to the Town Council Workshop in December. On November 4, 2019, the Task Force recommended forwarding the Top Priority Recommendations Framework (Framework) to Town Council for approval. On November 17, 2019, Town Council voted to accept the Framework. The HNP-O District was identified by the Task Force as the highest priority project. On September 1, 2020, the Task Force voted to recommend the HNP-O District Amendments be forwarded to LMO Committee. On September 23, 2020, the LMO Committee voted to recommend the HNP-O District Amendments to Town Council.

Exhibit A – Historic Neighborhoods Preservation Overlay District LMO Amendments

Exhibit B – LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District

Exhibit C – Location Map

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-2-101. Summary Table of Review Procedures**

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

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

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

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

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments 16-2-102. Standard Review Procedures

### J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans
  - a. General

Approval or conditional approval of an *application* for a *Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision* shall constitute approval of a site specific *development* plan that establishes a *vested right* in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The *vested right* shall expire two years after the approval unless the *vested right* period is extended in accordance with subparagraph b below.

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

### U. Appeal of Official's Decision to Planning Commission

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the *Planning Commission* from decisions of the *Official* to approve, approve with conditions, or deny *applications* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

2. Who May File Appeal

The *Official's* decision on an *application* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the *Planning Commission* by the *applicant* for the decided *application*, the owner of *land* to which the decision specifically applies, or any other party in interest, who alleges that the *Official* erred in making the decision:

3. Types of Appeal

The following decisions made by the *Official* may be appealed to the *Planning Commission* in accordance with the procedures and standards in this subsection.

- a. Family Compound;
- b. Family Subdivision;
- c. Subdivision Review;
- d. Development Plan Review;
- e. Small Residential Development Review; and
- f. Development Project Name Review.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**X. Family Compound**

**1. Purpose**

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Compound approval.

**2. Applicability**

a. **General**

- i. Approval of a Family Compound requires that a *person(s)* living in a Family Compound must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- ii. *Applications* for Family Compound Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

**3. Family Compound Review Procedure**

a. **Pre-Application Conference**

Prospective *applicants* for Family Compound Review are encouraged to request and hold a pre-*application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

b. **Application Submittal**

An *application* for Family Compound Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. **Staff Review and Action**

- i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
  1. Approve the *application*:
  2. Approve the *application* subject to conditions of approval; or
  3. Deny the *application*.
- ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

**d. Post- Decision Actions and Limitations**

**i. Notice of Decision**

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

**ii. Appeal**

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

**4. Family Compound Review Standards**

An *application* for Family Compound Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Compound complies with the following:

- a. All *persons* that will live on the *parcel* are of the same family as defined in Sec. 16-3-106.N.1.d.
- b. All other applicable standards of this *Ordinance*.
- c. All other applicable requirements in the *Municipal Code*.

**5. Effect of Approval**

Approval of a Family Compound authorizes the submittal of any other subsequent *development applications* that may be required before *construction* or other *development* authorized by this *Ordinance*. The property cannot be sold to non-family members for three years after being established as a Family Compound.

**6. Expiration**

Approval of a Family Compound establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

**7. Amendment**

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### Y. Family Subdivision

#### 1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Subdivision approval. This section will allow the *subdivision* and transfer of familial owned property to future generations.

#### 2. Applicability

##### a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a *person(s)* living in a Family Subdivision must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- iii. *Applications* for Family Subdivision Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

#### 3. Family Subdivision Review Procedure

##### a. Pre-Application Conference

Prospective *applicants* for Family Subdivision Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

##### b. Application Submittal

An *application* for Family Subdivision Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.



## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### c. Staff Review and Action

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

### d. Post- Decision Action and Limitations

#### i. Notice of Decision

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

#### ii. Appeal

Appeals from the final decision of the *Official* on an *application* for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of *Official's* Decision to Planning Commission, and S.C. Code § 6-29-1150.

## 4. Family Subdivision Review Standards

An *application* for Family Subdivision Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (per Sec. 16-3-106.N.1.d) to those purchasing/deeding properties within the *subdivision*.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the *access* must be installed and inspected prior to the sale of property within the *subdivision* to non-family members.
- c. All other applicable requirements in the *Municipal Code*.
- d. All standards of this *Ordinance* that appear in Section 16-2-103.X Family Compound.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **5. Effect of Approval**

Approval of a Family Subdivision constitutes approval of a final plat for the *subdivision*. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable *lots* that may be conveyed and may be developed in accordance with *development applications* authorized by this *Ordinance*. No further *subdivision* of a Family Subdivision shall be permitted.

### **6. Expiration**

Approval of a Family Subdivision establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

### **7. Amendment**

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-104. Residential Base Zoning Districts**

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

**RM-4**  
**Low to Moderate Density Residential District**

**1. No Change**

**2. No Change**

**3. Development Form Standards**

MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres) <sup>2</sup>	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
<i>Bed and Breakfast</i>	10 rooms		
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,4</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.

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

1. May be increased by up to ten percent on demonstration to the *Official* that:
  - a. The increase is consistent with the character of *development* on surrounding *land*;
  - b. *Development* resulting from the increase is consistent with the purpose and intent of the *building height* standards;
  - c. The increase either (1) is required to compensate for some unusual aspect of the *site* or the proposed *development*, or (2) results in improved *site* conditions for a *development* with *nonconforming site features*;
  - d. The increase will not pose a danger to the public health or safety;
  - e. Any adverse impacts directly attributable to the increase are mitigated; and
  - f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. *Density* for *developments* that include *Workforce Housing* shall be determined based on Sec. 16-4-105B.
3. The maximum *impervious cover* for properties located within the HNP-O shall be 45%.
4. The maximum *building height* for properties located within the HNP-O shall be 45 ft.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**F. Moderate Density Residential (RM-6) District**

# RM-6

## Moderate Density Residential District

**1. Purpose**

The purpose of the Moderate Density Residential (RM-6) District is to allow for the *development* of residential *uses* at densities up to six *dwelling units* per *net acre*. The district allows a variety of residential *uses* along with *uses* that support *neighborhoods*. The district is intended to discourage *development* that would substantially interfere with, or be detrimental to moderate residential character.

**2. Allowable Principal Uses**

<u>USE CLASSIFICATION/TYPE</u>	<u>USE-SPECIFIC CONDITIONS</u>	<u>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</u>
<b><u>Residential Uses</u></b>		
<u>Group Living</u>	<u>P</u>	1 per 3 rooms
<u>Multifamily</u>	<u>P</u>	1 bedroom 1.4 per du
		2 bedroom 1.7 per du
		3 or more bedrooms 2 per du
<u>Single-Family</u>	<u>P</u>	2 per du + 1 per 1,250 GFA over 4,000 GFA
<u>Workforce Housing</u>	<u>PC</u>	Sec. 16-4-102.B.1.d See Sec. 16-5-107.D.2
<b><u>Public, Civic, Institutional, and Educational Uses</u></b>		
<u>Cemeteries</u>	<u>P</u>	1 per 225 GFA of office area + 1 per 500 GFA of maintenance facilities
<u>Community Service Uses</u>	<u>P</u>	1 per 400 GFA
<u>Education Uses</u>	<u>P</u>	Colleges and High Schools 10 per classroom
		Elementary and Junior High/Middle Schools 4 per classroom
		Other <u>Education Uses</u> See Sec. 16-4-107.D.2
<u>Government Uses</u>	<u>PC</u>	Fire Stations 4 per bay + 1 per 200 GFA of office area
		Other 1 per 200 GFA of office area
<u>Major Utilities</u>	<u>SE</u>	1 per 1,500 GFA
<u>Minor Utilities</u>	<u>P</u>	N/A
<u>Public Parks</u>	<u>P</u>	See Sec. 16-5-107.D.2
<u>Religious Institutions</u>	<u>P</u>	1 per 3 seats in main assembly area
<u>Telecommunication Antenna, Collocated or Building Mounted</u>	<u>PC</u>	Sec. 16-4-102.B.2.e N/A
<u>Telecommunication Towers, Monopole</u>	<u>PC</u>	Sec. 16-4-102.B.2.e 1
<b><u>Commercial Services</u></b>		
<u>Convenience Stores</u>	<u>PC</u>	Sec. 16-4-102.B.7.d 1 per 200 GFA
<u>Open Air Sales</u>	<u>PC</u>	Sec. 16-4-102.B.7.i 1 per 200 GFA of sales/display area
<u>Other Commercial Services</u>	<u>PC</u>	Sec. 16-4-102.B.7.l See Sec. 16-5-107.D.2

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

<b>Resort Accommodations</b>			
<u>Bed and Breakfasts</u>	<u>PC</u>	<u>Sec. 16-4-102.B.4.a</u>	<u>1 per guest room</u>
<b>Other Uses</b>			
<u>Agriculture Uses</u>	<u>P</u>		<u>Stables or Riding Academies</u>
			<u>Other</u>
<u>Boat Ramps, Docking Facilities, and Marinas</u>	<u>PC</u>	<u>Sec. 16-4-102.B.10.a</u>	<u>1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips.</u>

<b>3. Development Form and Parameters</b>			
<b>MAX DENSITY (PER NET ACRE)</b>		<b>LOT COVERAGE</b>	
<u>Residential</u> <sup>2</sup>	<u>6 du (8 du if lot area is at least 5 acres)</u>	<u>Max. Impervious Cover for All Development Except Single-Family</u> <sup>3</sup>	<u>35%</u>
<u>Nonresidential</u>	<u>6,000 GFA</u>		
<b>MAX. BUILDING HEIGHT</b>		<u>Min. Open Space for Major Residential Subdivisions</u>	<u>16%</u>
<u>All Development</u>	<u>45 ft</u> <sup>1</sup>		

<b>USE AND OTHER DEVELOPMENT STANDARDS</b>	
See Chapter 16-4: Use Standards, Chapter 16-5: <i>Development</i> 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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.	
2. <i>Density</i> for <i>developments</i> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.	
3. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**G. Moderate Density Residential District (RM-8) District**

<b>RM-8</b>			
<b>Moderate to High Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>	
Residential <sup>2</sup>	8 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<b>MAX. BUILDING HEIGHT</b>			
All <i>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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**H. Moderate to High Density Residential District (RM-12) District**

<b>RM-12</b>			
<b>Moderate to High Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>	
Residential <sup>2</sup>	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include Workforce Housing shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-105. Mixed-Use and Business Districts**

**H. Marshfront District (MF)**

<b>MF Marshfront District</b>				
<b>1. No Change</b>				
<b>2. No Change</b>				
<b>3. Development Form Standards</b>				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential <sup>2</sup>	Along Major Arterials	4 du (8 du if <i>lot</i> area is at least 3 acres) 6 du (8 du if <i>lot</i> area is at least 3 acres)	Max. <i>Impervious Cover</i>	60%
	Along Other <i>Streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	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 = <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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.				
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.				



Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**K. Neighborhood Commercial (NC)**

<p style="font-size: 2em; margin: 0;">NC</p> <p style="font-size: 1.5em; margin: 0;">Neighborhood Commercial District</p>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential <sup>2</sup>	4 du	Max. <i>Impervious Cover</i>	45%
Nonresidential	3,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,3</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 = <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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-106. Overlay Zoning Districts**

**N. Historic Neighborhoods Preservation Overlay (HNP-O) District**

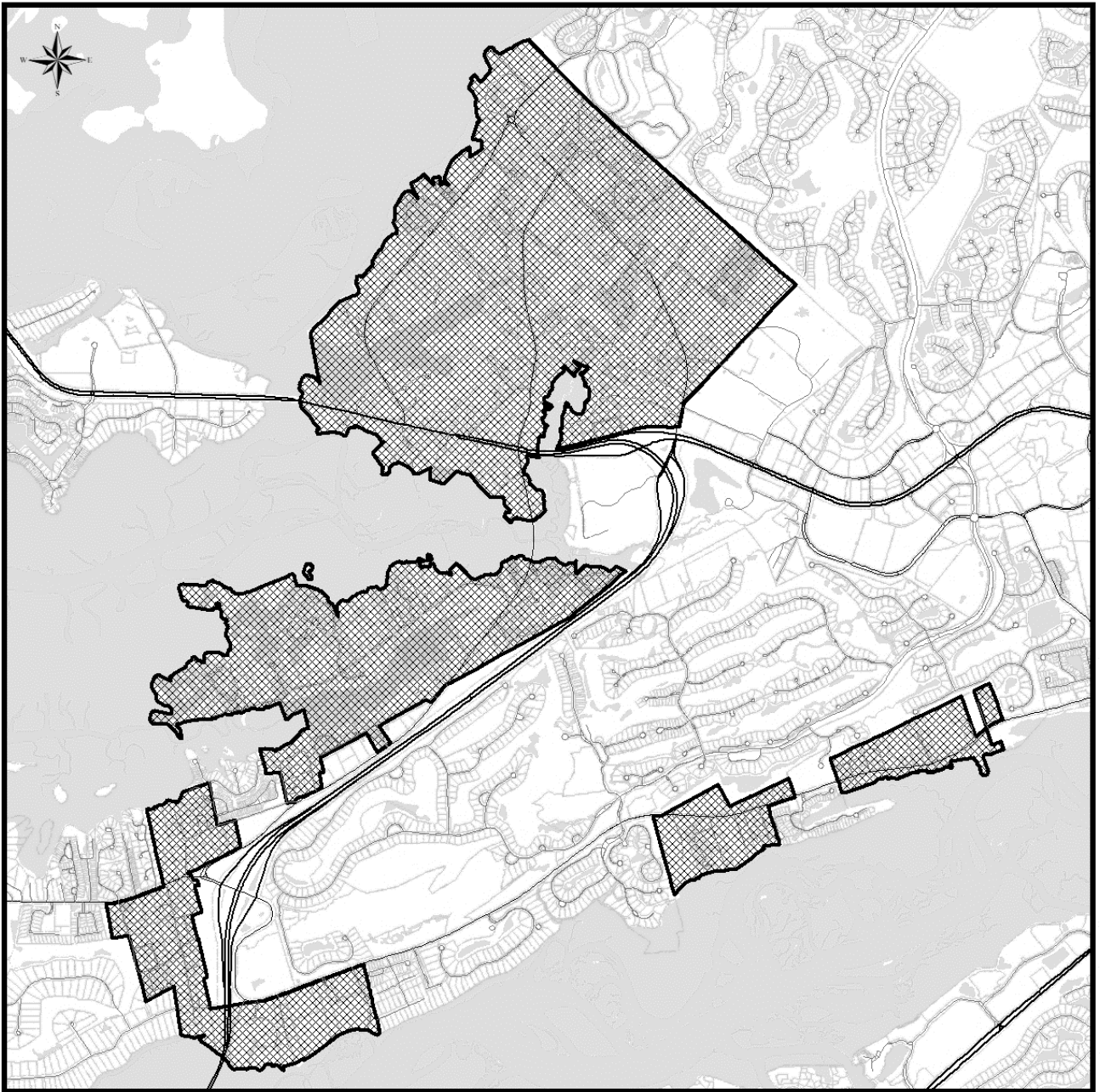
**1. Applicability and Purpose**

- a.** The purpose of the Historic Neighborhoods Preservation Overlay (HNP-O) District is to expand opportunities to pass *land* to future generations and allow for increased *development* potential.
- b.** All new *development* and changes to existing *development* in the HNP-O District are subject to the regulations of this section.
- c.** If a *parcel* falls within the Workforce Housing Overlay (WFH-O) District and the HNP-O District, *property owners* can utilize the regulations established in both districts.
- d.** For *parcels* within the HNP-O District, family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of *persons* related by blood, and descended from common ancestor (as in extended family).
- e.** Family Compounds will be considered a *single-family use*.

**2. Delineation of the HNP-O District**

The Historic Neighborhoods Preservation Overlay (HNP-O) District includes all *parcels* shown as hatched in Figures 16-3-106.N.2 and 16-3-106.N.3 below.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments



*Figure 16-3-106.N.2*

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

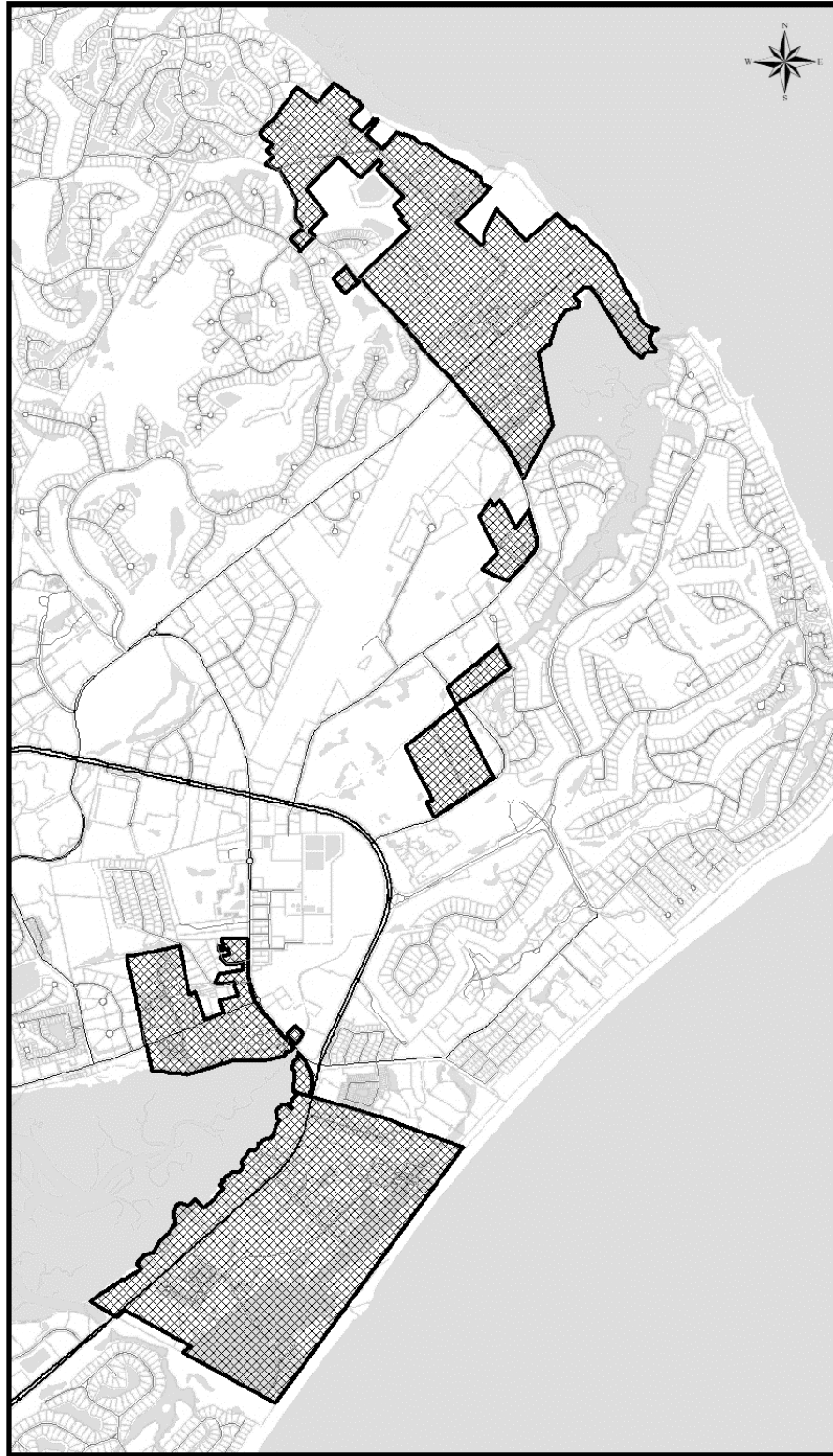


Figure 16-3-106.N.3

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**3. District Regulations**

**a. Setbacks**

**i. Street**

<u>Street Type</u>	<u>Required Setback</u>
<u>Major Arterial</u>	<u>50 ft</u>
<u>Minor Arterial</u>	<u>25 ft</u>
<u>All Other Streets</u>	<u>10 ft</u>
<u>Access Easement</u>	<u>5 ft</u>

**ii. Adjacent Use Setbacks**

1. An *adjacent use* setback of 5 feet is required between two *single-family uses*.
2. All other *adjacent use* setbacks are reduced by 10 feet from what is required in Table 16-5-102.D.

**b. Buffers**

**i. Street and Plantings**

<u>Street Type</u>	<u>Required Buffer</u>	<u>Required Plantings</u>
<u>Major Arterial</u>	<u>50 ft</u>	<u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 5 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 20 every 100 linear feet and at least 3 feet high at maturity</u>
	<u>35 ft</u>	<u><i>Overstory trees</i>: 5 every 100 linear feet</u> <u><i>Understory trees</i>: 7 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 25 every 100 linear feet and at least 3 feet high at maturity</u> <u>At least 50% of all <i>trees</i> must be evergreen</u>
<u>Minor Arterial</u>	<u>15 ft</u>	<u><i>Single-Family</i>:</u> <u><i>Overstory trees</i>: 3 every 100 linear feet</u> <u><i>Understory trees</i>: 6 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 10 every 100 linear feet</u>  <u><i>Non Single-Family</i>:</u> <u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 8 every 100 linear feet</u>

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

		<u>Evergreen shrubs: 12 every 100 linear feet</u>
<u>All Other Streets</u>	<u>10 ft</u>	<u><b>Single-Family:</b></u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 3 every 100 linear feet</u> <u>Evergreen shrubs: 8 every 100 linear feet</u>  <u>Non <b>Single-Family:</b></u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 4 every 100 linear feet</u> <u>Evergreen shrubs: 10 every 100 linear feet</u>
<u>Access Easement</u>	<u>0 ft</u>	<u>N/A</u>

ii. Adjacent Use Buffers

1. Adjacent use buffers shall not apply to properties where the proposed development and the existing use on the adjacent property are within the same use classification.
2. All other adjacent use buffers shall include the minimum planting requirements per Table 16-5-103.F.

c. Impervious Cover

Maximum impervious cover of the lot shall be 45 percent except for development within LC, MF, MV, NC, RD, S, and WMU Districts. For impervious cover requirements in these districts, see Sec. 16-3-105.

d. Building Height

Maximum building height shall be 45 feet except for development within MV, RD, and WMU Districts. For building height in these districts, see Sec.16-3-105.

e. Access

i. Access to all lots within a Family Subdivision shall be provided to the point of development as follows:

01. For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.
02. For 6 or more lots, direct vehicular access to each lot shall be provided via a paved street with a minimum 30 foot right-of-way for two-way streets and a minimum 24 foot right-of-way for one-way streets.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

- ii. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface*.

### **f** **Wetlands Protection**

Wetland buffers shall be provided along the perimeter of all *wetlands*.

- i. *Single-family* (including *accessory structures* and pervious and *impervious surfaces*) shall be no less than 20 feet from a tidal *wetland*. A buffer from a freshwater *wetland* is not required.
- ii. *Multifamily* or nonresidential *structures* shall be no less than 20 feet from tidal and freshwater *wetlands*.
  1. Pervious surfaces shall be no less than 15 feet from the tidal *wetland* and no less than 10 feet from the freshwater *wetland*.
  2. *Impervious surfaces* shall be no less than 25 feet from the tidal *wetland* and no less than 20 feet from the freshwater *wetland*.

### **4.** **Allowable Uses/Activities**

- a. All *uses* currently permitted by Table 16-4-102.A.6: Principal Use Table will continue to be permitted on properties in the HNP-O District.
- b. Family Compound is permitted in accordance with Section 16-2-103.X.
- c. Family Subdivision is permitted in accordance with Section 16-2-103.Y.

### **5.** **Application Review**

All *applications* for *development* activity on eligible properties within the HNP-O District will be expedited.

- a. New submittals for properties within the HNP-O District will be reviewed prior to other submittals.
- b. New *building* permit submittals within the HNP-O District will be reviewed prior to other submittals.
- c. Resubmittals for properties with the HNP-O District will be reviewed prior to other submittals.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Chapter 16-4: Use Standards**

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE					
P = Permitted by Right      PC = Permitted Subject to Use-Specific Conditions					
SE = Allowed as a Special Exception      Blank Cell = Prohibited					
USE CLASSIFICATION/ USE TYPE	RESIDENTIAL DISTRICTS				USE-SPECIFIC CONDITIONS
	RM-4	<u>RM-6</u>	RM-8	RM-12	
<b>RESIDENTIAL USES</b>					
Group Living	P	<u>P</u>	P	P	
<i>Multifamily</i>	P	<u>P</u>	P	P	
<i>Single-Family</i>	P	<u>P</u>	P	P	
<i>Workforce Housing</i>	PC	<u>PC</u>	PC	PC	Sec 16-4-102.B.1.d
<b>PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES</b>					
Cemeteries	P				
Community Services Uses	P	<u>P</u>	P	P	
Education Uses	P				
Government Uses	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.d
Major Utilities	SE	<u>SE</u>	SE	SE	
Minor Utilities	P	<u>P</u>	P	P	
Public Parks	P	<u>P</u>	P	P	
Religious Institutions	P	<u>P</u>	P	P	
Telecommunication Antenna, Collocated or Building Mounted	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
Telecommunications Tower, Monopole	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
<b>RESORT ACCOMMODATIONS</b>					
Bed and Breakfasts	PC				Sec. 16-4-102.B.4.a
<b>COMMERCIAL SERVICES</b>					
Convenience Store	PC				Sec. 16-4-102.B.7.d
Open Air Sales	PC				Sec. 16-4-102.B.7.i
Other Commercial Services Uses	PC	<u>PC</u>	PC		Sec. 16-4-102.B.7.l
<b>OTHER SERVICES</b>					
Agriculture Uses	P	<u>P</u>	P	P	
Boat Ramps, Docking Facilities, and Marinas	PC	<u>PC</u>	PC		Sec. 16-4-102.B.10.a



Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**B. Use-Specific Conditions for Principal Uses**

**Sec. 16-4-102.B.1.d**

d. ***Workforce Housing***

- i. In the RM-4 or RM-6 District, properties developed for WFH shall not have vehicular ***access*** to Jonesville Road, Spanish Wells Road, or Marshland Road.

**Sec. 16-4-102.B.7.1**

1. ***Other commercial services*** located in the RM-4 District, RM-6 District, or RM-8 District shall have a ***gross floor area*** no greater than 1,200 square feet.

**Sec. 16-4-102.B.10.a**

a. **Boat Ramps, Docking Facilities, and Marinas**

- i. A ***boat ramp, docking facility***, or marina in the CON District shall be associated with an approved ***use*** in the ***adjacent zoning district***.
- ii. A ***boat ramp*** is allowed in the RSF-3, RSF-5, RM-4, RM-6, or RM-8 District only if the purpose is to serve the ***adjacent neighborhoods***.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Chapter 16-10: Definitions, Interpretations, and Measurement;**

**Sec. 16-10-102. Rules of Measurement:**

**B. Density**

**1. Density**

A measurement of intensity of the *development* of a *parcel* of *land*, calculated by dividing total number of *dwelling units* by the *net acreage* of the *parcel* for residential *development*; by dividing the total number of guest rooms by the *net acreage* of the *parcel* for *hotel development*; and by dividing the total number of square feet of *gross floor area* by the *net acreage* of the *parcel* for other nonresidential *development*. In *mixed-use developments*, acreage allocated to residential *use* shall not be used to calculate nonresidential *density*, and acreage allocated for nonresidential *uses* shall not be used to calculate residential *density*; and acreage allocated to *hotel use* shall not be used to calculate other nonresidential *density*, and acreage used for other nonresidential *uses* shall not be used to calculate *hotel density*. Where residential and nonresidential *uses* are combined in a single *building*, the *density* of each *use* within the *building* shall be calculated separately. When computation of the *density* results in a fraction, the result shall not be rounded up to the nearest whole number.

**Sec. 16-10-105. General Definitions:**

**Family Compound**

Single parcel of *land* with multiple *dwelling units* owned by one family as defined in Sec. 16-3-106.N.1.d.

**Family Subdivision**

Ownership of subdivided *lots* within a *single-family*, defined by Sec. 16-3-106.N.1.d without requiring the installation of supporting infrastructure.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-26. Family Compound**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Certificate of Owner's Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *development*.

**C. Eligibility**

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as defined by Sec 16-3-106.N.1.d.

**D. Property Deed**

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

**E. Boundary Survey Plat**

One copy of the boundary survey plat of the *lot* of record or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50 or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **F. Written Narrative**

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of *development* and detailed provisions for *maintenance* responsibility for all *improvements*, including, but not limited to: *streets*, parking areas, storm drainage facilities, water and sewer systems, and the like, up to the point of *development*.

### **G. Site Development Plan**

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

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town Engineer*, unless waived by the *Town Engineer*.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Notation as to FEMA/FIRM  *flood*  zones covering the  *site* , and proposed first floor elevation of all  *buildings* .
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or  *contiguous*  with the proposed  *development tract* .
18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### H. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate  *Town, County, State*  and federal regulations for the proposed  *development* , and documentation of compliance with such, as applicable. Failure of the  *Official*  to request an approval or certification required does not relieve the  *applicant*  of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the  *site development*  plan.
5. U.S. Army Corps of Engineers permits related to dredging,  *filling, wetlands* , or other elements of the  *development* .
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The  *applicant*  must receive a determination from the FAA prior to the issuance of any approvals from the  *Town* .

### I. Other Requirements

1.  *Access*  and infrastructure must be installed to serve each  *structure*  in the order each  *structure*  is constructed.
2. Buffers, setbacks, and access shall be required in accordance with 16-3-106.N.3 for any property sold to non-family members sooner than three years after the establishment of the Family Compound.
3.  *Any other items*  specifically required of a  *development plan application*  by any other provisions of this Title.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-27. Family Subdivision**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Subdivision Plat**

One black line print of a *subdivision* plat at a scale of 1"= 50' or other scale acceptable to the *Official*, showing:

1. Date (including any revision dates), name and location of the *subdivision*, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed *tract* boundary lines, *right-of-way* lines, proposed *street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with accurate dimensions, bearing or deflecting angles or radii, arcs, and central angles of all curves.
5. The proposed *use* of *lots* shall be noted and the purpose of any *easement* or *land* reserved or dedicated to public or utility *use* shall be designated.
6. Each block shall be numbered, and the *lots* within each block shall be numbered consecutively.
7. Notation of specific reference plats, if applicable.
8. Computed acreage of each *lot* created by the *subdivision*.
9. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
11. Certification by a South Carolina professional *land* surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
12. Notation of the one-hundred-year storm *flood* elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
13. Surveyed delineation as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
15. All existing *structures* or other *improvements*.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Location of *wetland buffer* area, where applicable, as required by Sec. 16-3-106.N.3.f.

17. For *subdivisions* where a portion is *adjacent* to a *wetland*, a statement that reads, “The only activities permitted in the *wetland buffer* shall be those listed in Wetland Buffers as per the LMO.”

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### **C. Certificate of Owner’s Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *subdivision*.

### **D. Eligibility**

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as defined by Sec. 16-3-106.N.1.d.

### **E. Certification of Title Source**

Certification signed by the surveyor setting forth the source of title of the owners of the *land* subdivided or a copy of the deed by which the property was conveyed to the owner.

### **F. Certificate of Title and Reference Plat**

A current certificate of title referencing the proposed *subdivision* plat and if recorded, a copy of the last plat in the chain of title.

### **G. Street and Development Names**

Appropriate approvals for all *street* and *development* names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

### **H. Subdivision in Phases**

Whenever part of *tract* is proposed for platting and it is intended to subdivide additional parts in the future or *abutting land* is in the same ownership, a sketch plan for the entire *tract* shall be submitted with the plat.

### **J. Stormwater Management**

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **K. Other Items**

1. Access and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
2. Prior to the sale of the property within the Family Subdivision to non-*family* members, a *subdivision application* shall be submitted in accordance with 16-2-103.F.
3. Any applicable items as identified in D-26, Family Compound.

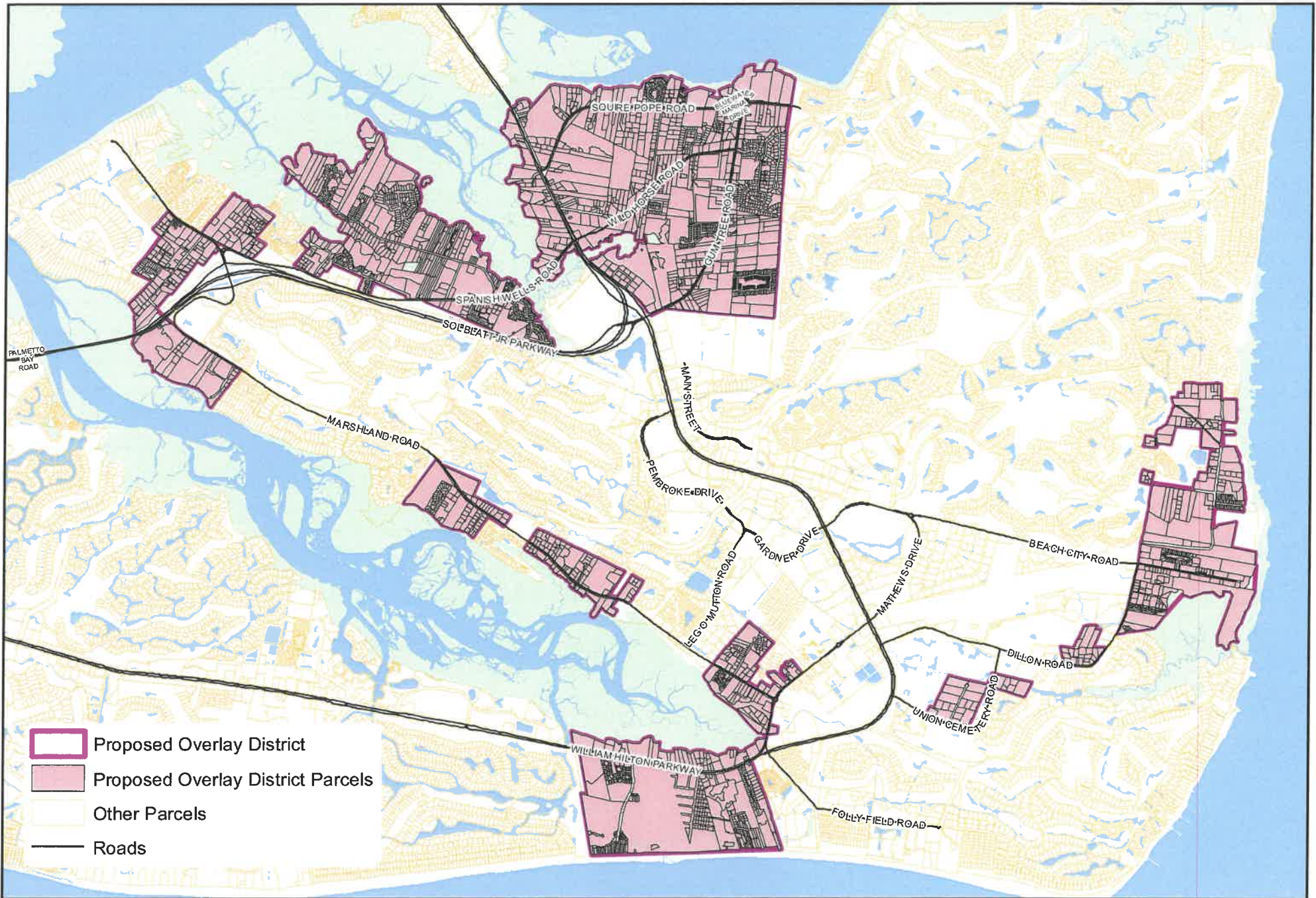






**LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District**

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District	
<b>Setbacks</b>	Minor Arterial	40'		25'	
	All Other Streets	20'		10'	
	Access Easement	20'		5'	
	Adjacent Use	20' Single Family (Varies 20' - 40')		5' between single family uses Reduction by 10' between other uses	
<b>Buffers</b>	Minor Arterial	25'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	15'	<u>Single Family:</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet  <u>Multifamily:</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet
		15'	<u>Maximum Planting Requirements</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet		
	All Other Streets	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 3 Every 100 Linear Feet Evergreen Shrub: 8 Every 100 Linear Feet		
		10'	<u>Maximum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 4 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet		

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District	
<b>Buffers (Continued)</b>	Access Easement	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	0'	N/A
	Adjacent Use	Varies (20' -30')		A buffer is not required for adjacent like uses All other buffers permitted to be the minimum option and have the minimum planting requirements with the exception of industrial uses Industrial uses permitted to have the minimum option but must have the maximum planting plus fence/hedge.	
<b>Impervious cover (Residential &amp; Mixed-Use Base Zoning Districts)</b>		Residential Districts 35% maximum		Residential Districts 45% maximum	
<b>Building Height</b>		Varies (35'-45')		45' Maximum	
<b>Access</b>		For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access must be installed before subdivision plans are stamped.  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 40' right-of-way; access must be installed before subdivision plans are stamped.		For 5 or fewer lots within a Family Subdivision, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access shall be provided to the point of development  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 30' right-of-way; access shall be provided to the point of development  For all homes within a Family Compound: Minimum 20' wide access easement constructed of an all-weather driving surface	

Element	Current LMO	Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District
<b>Allowable Uses</b>	All uses in the base district	All uses in the base district Family Compound Family Subdivision
<b>Density</b>	<p><u>RM-4</u> (Zoning class in base district) 4 dwelling units per acre 6 dwelling units per acre with at least 3 acres 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 4 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p>	<p><u>RM-6</u> (All RM-4 rezoned to RM-6) 6 dwelling units per acre 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 6 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p>
<b>Application Review</b>	All applications for development activity are reviewed in the order they are received.	All applications for development activity for eligible properties within the district will be expedited.



-  Proposed Overlay District
-  Proposed Overlay District Parcels
-  Other Parcels
-  Roads

**Town of Hilton Head Island**  
**Exhibit C - Location Map**  
**Proposed Historic Neighborhood Preservation Overlay District**  
 September 22, 2020

3,500    1,750    0    3,500 Feet  
 1 inch = 3,500 feet



TOWN OF HILTON HEAD ISLAND  
 1000 HILTON HEAD ISLAND  
 HILTON HEAD ISLAND, S.C. 29928  
 843.666.1234  
 WWW.HILTONHEADISLAND.COM



This document and the data herein have been prepared from the best information available and are intended to be used as a guide. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data herein. The Town of Hilton Head Island reserves the right to modify or amend this information at any time without notice.



# 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	Public Hearing Date
ZA-001782-2020	RM-6	October 14, 2020

Parcel Data	Applicant
<p><u>Parcel Numbers:</u> See Attachment B</p>	<p>Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928</p>
Existing Zoning	Proposed Zoning
<p><u>Overlay Districts:</u> Corridor (COR) Overlay District, Airport (A-O) Overlay District</p> <p><u>Zoning District:</u> RM-4 (Low to Moderate Density Residential District)</p> <p><u>Existing Uses:</u> Group Living, Multifamily, Single-Family, Cemeteries, Community Service Uses, Education Uses, Government Uses, Major Utilities, Minor Utilities, Public Parks, Religious Institutions, Telecommunication Antenna (collocated or building mounted), Telecommunication Tower (monopole), Bed and Breakfasts, Convenience Stores, Open Air Sales, Other Commercial Services, Agriculture Uses, Boat Ramps, Docking Facilities, and Marinas</p>	<p><u>Overlay Districts:</u> Historic Neighborhoods Preservation Overlay (HNP-O) District, Corridor (COR) Overlay District, Airport (A-O) Overlay District</p> <p><u>Zoning District:</u> RM-6 (Moderate Density Residential District)</p> <p><u>Proposed Uses:</u> Group Living, Multifamily, Single-Family, Workforce Housing, Cemeteries, Community Service Uses, Education Uses, Government Uses, Major Utilities, Minor Utilities, Public Parks, Religious Institutions, Telecommunication Antenna (collocated or building mounted), Telecommunication Tower (monopole), Bed and Breakfasts, Convenience Stores, Open Air Sales, Other Commercial Services, Agriculture Uses, Boat Ramps, Docking Facilities, and Marinas</p>

Application Summary:
<p>Request from the Town of Hilton Head Island to amend the Official Zoning Map for properties that are currently zoned Low to Moderate Density Residential (RM-4) and located in the proposed Historic Neighborhoods Preservation Overlay (HNP-O) District to be rezoned to Moderate Density Residential (RM-6).</p>

**Staff Recommendation:**

Staff recommends that the Planning Commission find this application to be **consistent** with the Town’s Comprehensive Plan and does 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. Staff recommends that the Planning Commission recommend **approval** of this application to Town Council.

**Background:**

Because of the alarming decrease in the Gullah percentage of population and corresponding loss of the Gullah Geechee culture, the Town established the Gullah Geechee Land and Cultural Preservation Task Force in 2017. The Town hired The Walker Collaborative (TWC) to draft recommendations for implementation focusing on cultural awareness, Heirs’ Property, land use, economics and sustainability, education specific to the community, and other concerns. Beginning in September 2018, the Gullah Geechee Land and Cultural Preservation Task Force held meetings, facilitated by TWC. The meetings included community workshops where input was provided by stakeholders. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs’ Property.

One of the proposals from this effort is the creation of a HNP-O District which includes portions of Hilton Head Island currently identified as Historic Neighborhoods on the Island. The proposed Zoning Map Amendment is to rezone properties that are currently in the RM-4 District within the HNP-O to the newly created RM-6 District.

The purpose of the RM-6 District is to allow for the development of residential uses at densities up to six dwelling units per net acre in order to increase the development potential of the Gullah neighborhoods. The district allows a variety of residential uses along with uses that support neighborhoods. The district is intended to discourage development that would substantially interfere with, or be detrimental to moderate residential character.

The changes that would occur as a result of RM-4 properties being rezoned to RM-6 include:

- Allowable density being increased from four dwelling units per net acre to six dwelling units per net acre.
- The addition of two new activities: Family Compound and Family Subdivision.
- The addition of one new use: Workforce Housing

**Applicant’s Grounds for ZMA:**

The Low to Moderate Density Residential (RM-4) Zoning District is the most prevalent within the Gullah neighborhoods. It allows a maximum density of four to eight dwelling units per net acre, depending on the size of the parcel. It also allows a relatively broad range of permitted and conditional uses relative to other residential districts. The applicant recommends an increase from four dwelling units per net acre to six dwelling units per net acre (eight dwelling units if the lot is at least five acres). The applicant states that this increase in allowable density will provide greater options for existing Gullah lands.

**Summary of Facts and Conclusions:**

**Findings of Fact:**

- The application was submitted on September 14, 2020 as set forth in LMO Section 16-2-103.C and Appendix D-1.

- Per LMO Section 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 or a meeting specially called for that purpose by such body.
- The LMO Official scheduled the public hearing on the application for the October 14, 2020 Planning Commission meeting, which is a meeting specially called for the public hearing of the application by the Planning Commission.
- Per LMO Section 16-2-102.E.2, 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.
- Notice of the October 14, 2020 public hearing was published in the Island Packet on September 27, 2020.
- Per LMO Section 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.
- The applicant mailed notices of the October 14, 2020 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on September 29, 2020.
- Per LMO Section 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 such notice being visible from each public thoroughfare that abuts the subject land.
- The LMO Official posted on September 29, 2020 conspicuous notice of the public hearing on public and private streets in the areas affected by the application.

**Conclusions of Law:**

- The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1.
- Notice of the public hearing was published, mailed and posted, in compliance with LMO Section 16-2-102.E.2.

*As set forth in LMO Section 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:**

*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):*

**Findings of Fact:**

The Comprehensive Plan addresses this application in the following areas:

**Population Element**

**4.2 Population Diversity Goals:**

- A. To create a healthy, self-sustaining community that encourages economic and cultural diversity by understanding the needs and assets of each of the Island’s many different communities. By better understanding these needs and assets the Town will work to become less dependent on the workforce residing on the mainland and ensure the ability of different communities to work and live on Hilton Head Island.

**Land Use Element**

**8.4 Existing Zoning Allocation Goals:**

- 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.

**8.5 Land Use Per Capita Goals:**

- A. To have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

**8.10 Zoning Changes Goals:**

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

**Conclusions of Law:**

- The proposed rezoning is in accordance with the Comprehensive Plan as described in the Population and Land Use Elements, as set forth in LMO Section 16-2-103.C.3.a.i.
- By increasing the density on the subject properties, the proposed rezoning will increase the development potential of Gullah properties, consistent with Population Element Goal 4.2-A and Land Use Element Goals 8.4-A, 8.5-A, and 8.10-A.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- All of the uses that are currently allowed in the RM-4 Zoning District will be allowed in the proposed RM-6 Zoning District.
- The proposed rezoning will allow new activities including Family Compound, Family Subdivision, and Workforce Housing, which are moderate density activities and are compatible with the surrounding uses.

**Conclusions of Law:**

- The proposed rezoning will allow uses that are compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.
- The rezoning will permit all of the uses that are allowed and currently exist on the properties and are compatible with uses in the vicinity.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- The property is currently zoned RM-4, which allows for Low to Moderate Density Residential development.
- The application proposes an increase in density from four dwelling units to six dwelling units, as recommended by the report done by TWC, to allow for an increase in development potential for Gullah lands.



- The proposed Family Compound, Family Subdivision, and Workforce Housing activities are all low to moderate density activities.

**Conclusion of Law:**

- The proposed zoning is appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii. because the increase in density and proposed activities are compatible with surrounding uses.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- Town Council identified the preservation of Gullah Geechee culture as a top priority initiative.
- The Walker Collaborative recommended an increase in density for RM-4 properties based on input from stakeholders in the Native Island community.
- The Family Compound, Family Subdivision, and Workforce Housing activities were created to increase the development potential of Gullah properties.
- The proposed Family Subdivision and Family Compound activities help to preserve Gullah lands which are impacted by the rezoning by allowing land to be shared and passed down to future generations.
- The proposed rezoning balances the desire to provide greater options for Gullah lands with sound planning principles and likely future market demand by allowing land to be shared and passed down to future generations as well as increasing the development potential of Gullah properties.

**Conclusions of Law:**

- The rezoning will fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv.
- The proposed rezoning will provide residents in the impacted community more flexibility and development potential for their properties.
- The rezoning demonstrates a community need as it allows for the Family Compound, Family Subdivision, and Workforce Housing activities to take place within the zoning district.

**Summary of Facts and Conclusion:**

*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:**

- Town Council identified the preservation of Gullah Geechee culture as a top priority initiative.
- The proposed Family Subdivision and Family Compound activities help to preserve Gullah lands which are impacted by the rezoning by allowing land to be shared and passed down to future generations.
- The proposed rezoning balances the desire to provide greater options for Gullah lands with sound planning principles and likely future market demand by allowing land to be shared and

passed down to future generations as well as increasing the development potential of Gullah properties.

**Conclusion of Law:**

- The proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town in accordance with LMO Section 16-2-103.C.3.a.v. because it provides appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- The RM-4 zoned properties currently exist adjacent to the same surrounding zoning districts as they will with the proposed rezoning to RM-6.
- The proposed application changes the zoning of RM-4 zoned properties in the HNP-O to RM-6.

**Conclusion of Law:**

- The proposed zoning will avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi. because the rezoning will result in a zoning district that is compatible with surrounding uses and densities.

**Summary of Facts and Conclusions:**

*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:**

- The proposed rezoning keeps all of the current uses that exist in the RM-4 Zoning District and also allows for the additional Family Compound, Family Subdivision, and Workforce Housing activities.
- The proposed increased density from four dwelling units per net acre to six dwelling units per net acre will increase the economic viability of the impacted properties.

**Conclusion of Law:**

- The proposed zoning would allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii. because an increase in density allows land owners more development potential.

**Summary of Facts and Conclusion:**

*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:**

- All of the existing allowable uses in the RM-4 Zoning District will carry over to the RM-6 Zoning District.
- The proposed additional activities (Family Compound, Family Subdivision, and Workforce Housing) have the same public facilities requirements as residential uses such as Group Living, Multifamily, and Single-Family which already exist in the current RM-4 Zoning District.
- Should the impacted property owners wish to develop their properties a Development Plan Review or Subdivision application would be required. Any infrastructure or public facilities improvements needed for any proposed development would be required at that time.

**Conclusion of Law:**

- The proposed zoning would result in development that can be and in some cases is already served by available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii.

**Summary of Facts and Conclusion:**

*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:**

- Following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture.
- Because of the alarming decrease in the Gullah Geechee percentage of the population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force in 2017 to help identify ways to preserve Gullah land.
- One of Town Council's goals is to determine how to preserve and develop Native Islander properties that are impacted by these changing conditions.
- The Walker Collaborative recommended an increase in density for RM-4 properties based on input from stakeholders in the Native Island community.
- The proposed Family Subdivision and Family Compound activities help to preserve Gullah lands which are impacted by the rezoning by allowing land to be shared and passed down to future generations.

**Conclusions of Law:**

- The proposed rezoning is appropriate due to the changes in the area, in accordance with LMO Section 16-3-103.C.a.ix.
- Allowing higher density for the RM-4 Zoning District in the proposed Historic Gullah Neighborhoods Conservation Overlay District allows land owners to better leverage their potential land value.

**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:**

TN

October 2, 2020

Tyler Newman  
*Senior Planner*

DATE

**REVIEWED BY:**

ND

\_\_\_\_\_  
Nicole Dixon, AICP, CFM  
*Development Review Administrator*

October 2, 2020

\_\_\_\_\_  
DATE

**REVIEWED BY:**

AC

\_\_\_\_\_  
Anne Cyran, AICP  
*Senior Planner*

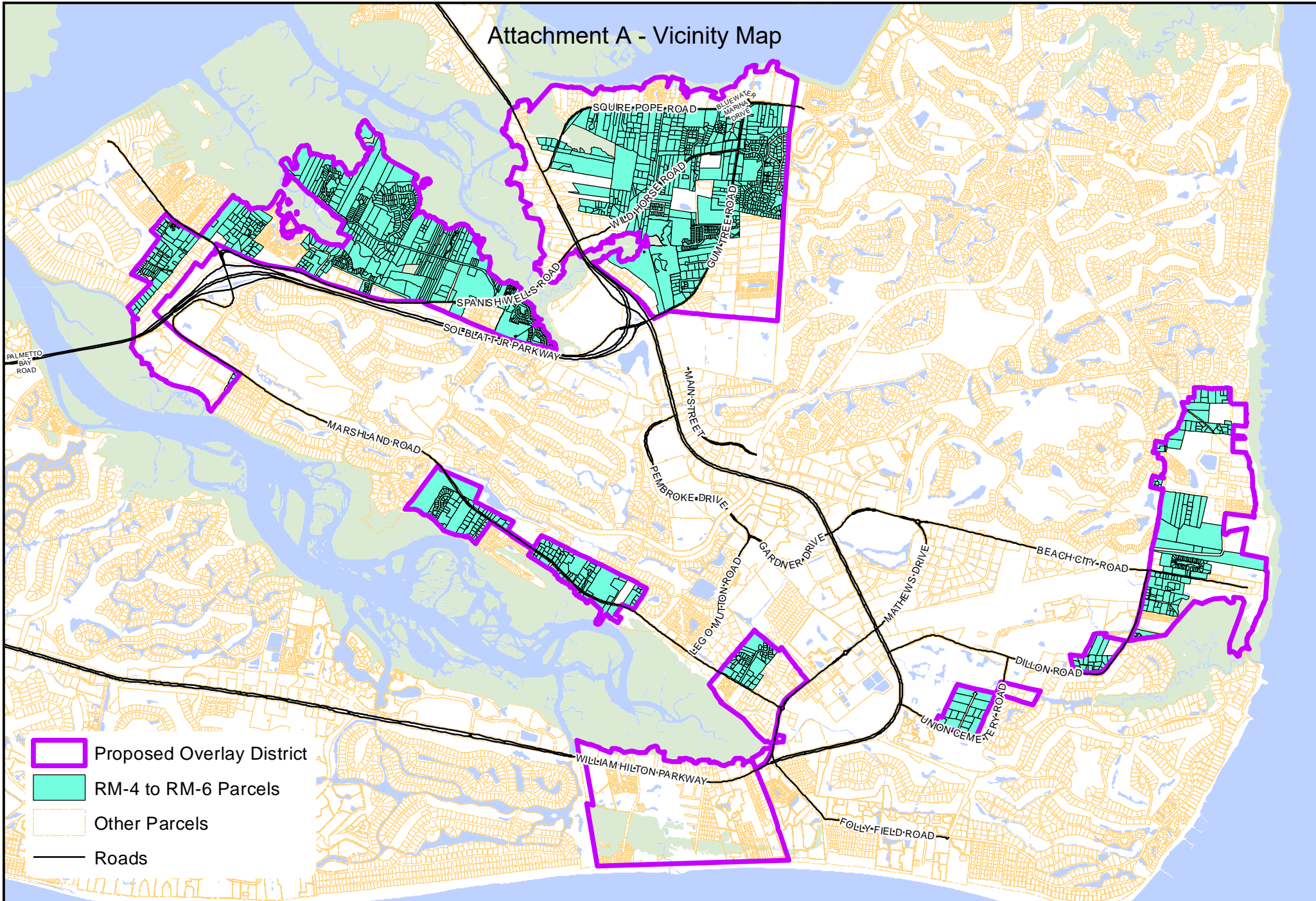
October 2, 2020

\_\_\_\_\_  
DATE

**ATTACHMENTS:**

- A) Vicinity Map
- B) Parcel Data
- C) Gullah Geechee Culture Preservation Project Report

# Attachment A - Vicinity Map

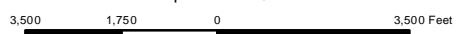


- Proposed Overlay District
- RM-4 to RM-6 Parcels
- Other Parcels
- Roads

Town of Hilton Head Island  
 ZA-001782-2020  
 RM-4 to RM-6 Rezoning  
 September 10, 2020



TOWN OF HILTON HEAD ISLAND  
 11000 Highway 17, Suite 200  
 Hilton Head Island, SC 29928  
 Phone: 843.731.4400  
 Fax: 843.731.4401  
 Date: 09/10/2020 10:23:00 AM  
 Project: ZA-001782-2020



1 inch = 3,500 feet



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is not intended to be used as a representation of the accuracy or completeness of the data shown. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data shown. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data shown.

## Attachment B – Parcel Data

Affected parcels are identified as: Parcels 12, 14-16, 18, 20, 24-26, 28, 2B, 2D-2F, 2H-2I, 30-31, 48, 52, 57-58, 11F, 11I, 124, 134-135, 142-145, 148, 14A, 14C, 14F-14H, 14J, 150-152, 156-159, 15A-15C, 160-169, 16A-16B, 170-171, 19A, 19C-19E, 204-209, 20A, 20C-20D, 20G, 210-217, 21A, 247, 24A-24B, 24D-24E, 251-252, 254-257, 259, 25A, 264-269, 26A, 26B, 270-275, 30A, 30C, 52A, and 58A on Beaufort County Tax Map 3, District 510; Parcels 1-51, 135-145, 148-152, 154-166, 168-184, 188-260, 262-302, and 310-312 on Beaufort County Tax Map 3A, District 510; Parcels 6, 17-19, 6C, 6E-6K, 7A-7F, 17A, 18A-18D, 19A-19E, 19G-19K, 292, 308-316, 330-333, 335, 353, 355, 357, 360-361, 292A, and 311A on Beaufort County Tax Map 4, District 510; Parcels 6-10, 13-16, 21-23, 6C, 7A, 10C, 10E, 10G, 13A, 16A-16M, 18A, 192-195, 197, 202-204, 227, 22A, 232-239, 23B, 240-241, 285, 294-299, 302, 313-319, 326-327, 336-375, 407-412, 415-429, and 227A on Beaufort County Tax Map 5, District 510; Parcels 2-3, 37, 3A-3I, 41-42, and 47-98 on Beaufort County Tax Map 6, District 510; Parcels 4-5, 7-19, 1C, 20, 22, 24, 27, 31-36, 45, 4F, 5B, 78-79, 7A-7E, 82-89, 8A, 90-92, 95-98, 9A, 104, 113-117, 11A, 125-129, 12A, 131, 137, 13A-13B, 141-142, 145, 147-148, 14A-14C, 151, 156, 159, 15A, 160, 16A-16D, 16F-16G, 17A-17B, 185, 18A, 191, 193, 20A, 229, 229 (1L-1M, 2L-2M, 3L-3M, 4L-4M, 5L-5M, 6L-6M, 7L-7M, 8L-8M, 9L-9M, 10L-10M, 11L-11M, 12L-12M, 13L-13M, 14L-14M, 15L-15M, 16L-16M, 17L-17M, 18L-18M, 19L-19M, 20L-20M), 22B-22C, 246, 248, 24B-24C, 251, 25A-25B, 25E-25I, 25M-25Q, 26A, 26C-26O, 270-271, 274-284, 286-288, 295-299, 301-306, 31A-31E, 31G-31H, 32A-32F, 34B-34G, 34J-34K, 366-376, 378, 380, 383, 386-388, 390, 393, 399, 401-405, 411-412, 414-418, 420-425, 427-437, 440-444, 446, 448-450, 454, 45A, 463-468, 46B-46F, 46J, 470, 470 (1-90, 111-114, 121-124, 211-214, 221-224, 311-314, 321-324, 411-414, 421-424, 511-514, 521-524), 473-510, 514-521, 523-528, 578, 591- 673, 758-774, 810-812, 819-829, 82B, 830-842, 845-869, 86B, 86D-86H, 870-879, 87A, 880-889, 88A, 88C-88I, 890-909, 90A-90C, 910-925, 929, 92A, 930-931, 935-939, 93A, 940-978, 980-989, 98A-98D, 990-1016, 1017, 1019-1040, 1053, 1060, 1071, 1076, 1078-1082, 1099-1121, 1124-1156, 1161-1163, 1170-1173, 125A-125C, 125E, 132A, 132A (1A-1K, 2A-2K, 3A-3K, 4A-4K, 5C-5K, 6C-6K, 7C-7K, 8C-8K, 9C-9K, 10C-10K, 11C-11K, 12C-12K, 13C-13K, 14C-14K, 15C-15K, 16C-16K, 17D, 17F-17I, 17K, 18D, 18F-18I, 18K, 19D, 19F-19I, 19K, 20D, 20F-20I, 20K, 21G-21I, 22G-22I, 23G-23I, 24G-24I, 25G, 25I, 26G, 26I, 27G, 27I, 28G, 28I, 29I, 30I, 31I, 32I, 33I, 34I, 35I, 36I), 132C-132D, 147B, 149F, 150A, and 151A-151B on Beaufort County Tax Map 7, District 510; Parcels 8-9, 27-32, 8G-8K, 8N, 8P, 8R-8T, 97, 9A, 259, 27A-27E, 28A-28B, 28D, 28G-28H, 29B-29N, 29P-29S, 30A-30C, 30E-30I, 31A-31G, 341-342, 379-387, 391-395, 418-419, 426, 488, 496, 509-512, 577, 598-599, 601, 607, 610, 631, 639, 643, 650-667, 688, 707, and 737-748 on Beaufort County Tax Map 8, District 510; Parcels 76-100 on Beaufort County Tax Map 8A, District 510; Parcels 8, 8A-8K, 773, 1023-1024, and 1031-1032 on Beaufort County Tax Map 9, District 510; Parcels 3-9, 26-30, 33-35, 3A-3F, 40, 4A-4G, 5B-5E, 5G-5H, 6A-6C, 7A-7D, 7F, 265-266, 26A-26D, 271, 275, 27D-27E, 283, 289, 28A-28B, 290, 296-297, 29A, 303, 306, 311-312, 32D-32E, 33A-33K, 34B-34C, 352, 359-360, 402-404, 40A-40G, 425-427, 430-450, 456-457, 531-534, 586, 630, 635-636, 641-647, 653, and 713-724 on Beaufort County Tax Map 10, District 510; Parcels 7, 21-22, 2B-2C, 44, 57-73, 76, 7B-7D, 7G, 7J, 80-81, 127-131, 139, 141, 152, 160, 164, 167-169, 171, 173, 181, 22A-22D, 22F-22G, 333-364, 373-378, 388, 395-397, 78A, 80A, and 129A-129B on Beaufort County Tax Map 11, District 510; Parcels 9, 147, 149, 14I on Beaufort County Tax Map 3, District 511; Parcels 3, 3A, 3C-3D, 44, 46, 56, 58, 62, 138, 289, 290, 426, 44A-44B, 46G-46I, 50B, 61A-61C, 62A, 1052, 1058, 1067, and 1159-1160 on Beaufort County Tax Map 7, District 511; and Parcels 10, 12, 8E, 10A, 11D, 12A, 410 and 688 on Beaufort County Tax 8, District 511.

A painting of a woman in traditional Gullah dress standing in a field with chickens. The woman is wearing a wide-brimmed white hat with a red band, a white short-sleeved top with a red bow, and a long yellow skirt with white polka dots. She is holding a pink scarf. In the foreground, several white chickens are pecking at the ground. The background shows a field of tall green grass with small red flowers under a blue sky.

# *Gullah Geechee Culture Preservation Project Report*

for the  
**Town of  
Hilton Head Island**

**Final: April 7, 2019**

ALFIREALL

# Acknowledgements

## **Hilton Head Island Town Council**

- John J. McCann, Mayor
- William D. Harkins, Mayor Pro-Tem
- David Ames
- Tamara Becker
- Marc Grant
- Thomas W. Lennox
- Glenn Stanford

## **Hilton Head Island Planning Commission**

- Alex Brown, Chairman
- Peter Kristian, Vice Chairman
- Judd Carstens
- Leslie McGowan
- Caroline McVitty
- Michael Scanlon
- Lavon Stevens
- Todd Theodore

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

- Lavon Stevens, Chairman
- Ibrahim Abdul-Malik
- Martha Davis
- Shani Green
- Caroline McVitty
- Palmer E. Simmons
- Todd Theodore
- Theresa White
- Joyce Wright

## **Town Staff**

- Steve Riley, Town Manager
- Shawn Colin, Director of  
Community Development
- Jennifer Ray – Deputy Director of  
Community Development
- Jayme Lopko – Senior Planner

## **Consultant Team**

- Phil Walker, FAICP  
- The Walker Collaborative
- Craig Richardson, Esq.  
- Clarion Associates
- Victoria Smalls



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## PROJECT PURPOSE, PROCESS & CLARIFICATIONS

### Project Purpose

A century ago, Hilton Head Island was dominated by the Gullah Geechee people. Because of years of geographic and social isolation, their distinct culture reflects their West African roots in many ways, including language, crafts, foodways, storytelling, traditions, farming, fishing, and relationship to the land. However, following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture. Because of the alarming decrease in their percentage of population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force in 2017. Their stated mission is to:

*“... identify and assist in the preservation of the Gullah-Geechee culture for the purpose of detecting and resolving issues specific to its community, including, without limitation, heirs’ property, taxes and land use, economic and sustainability issues for an improved quality of life, and through on-going educational programs, workshops and seminars.”*

Accordingly, there are three primary purposes for this project:

- *Create a broad strategy for Gullah Geechee cultural preservation*, to include resource preservation and enhancement, interpretation, and heritage tourism.
- *Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies* to better accommodate the use and development of Gullah lands.
- *Identify tools for addressing the heirs’ property issues*, which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.

The balance of this Executive Summary provides an overview of the report’s recommendations.

## CULTURAL PRESERVATION

### Research, Education & Interpretation

- CP-1. Promote the use of the Heritage Library Foundation’s resources with the Island’s Gullah people to encourage them to research their history and genealogy.
- CP-2. Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.
- CP-3. Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage

Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.

- CP-4. Develop a self-guided tour of the Island's Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretive experiences can be available.
- CP-5. Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.
- CP-6. Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.
- CP-7. Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.
- CP-8. Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.

### **Heritage Tourism**

- CP-9. Coordinate the promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.
- CP-10. Promote the Gullah culture and cultural resources more prominently within the Island's overall tourism marketing to attract more visitors to the Island and, in particular, to the Island's Gullah sites.
- CP-11. Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success.
- CP-12. Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based upon adopted criteria.
- CP-13. Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts & Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island.
- CP-14. Establish an open-air market as a pilot program to sell food, arts and crafts tied to Gullah culture as an economic development initiative for the Island's Gullah community.

## **Preservation Planning**

- CP-15. Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.
- CP-16. Prepare a comprehensive and detailed cultural preservation plan for the Island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon the potential preservation benefits of this project.

## **Other Issues**

- CP-17. Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives.
- CP-18. Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property.

## **PUBLIC POLICIES**

### **Development Approval Process**

- PP-1. Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.
- PP-2. "Fast-track" the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners' time and costs associated with development.
- PP-3. Utilize the Town's newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.

### **Land Use & Development Standards**

- PP-4. Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.

- A. Allow higher densities for the RM-4 and MF zoning districts in the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can better leverage their potential land value.
  - B. Reduce some setback and buffer requirements within zoning districts applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can maximize their development potential.
  - C. Reduce the LMO's open space requirements as applied to the proposed Historic Gullah Neighborhoods Conservation Overlay Zoning District so that land owners can maximize their development potential.
- PP-5. Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."
- PP-6. Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conservation Overlay District to make the development of some properties more viable.
- PP-7. Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.
- PP-8. Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.
- PP-9. Amend the Town's Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.

### **Property Taxes**

- PP-10. Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.
- PP-11. Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on the Hilton Head Island.

## **Other Issues**

- PP-12. Establish a program to educate Gullah residents and others on a wide range of public policy issues that impact their lives, including property taxation, land use and development, and heirs' property so they can prosper more socially and financially.
- PP-13. Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District.
- PP-14. Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.

## **HEIRS' PROPERTY**

- HP-1. Utilize the Heritage Library Foundation as a potential first step for Gullah families toward clearing title to their property to overcome heirs' property issues.
- HP-2. Leverage a range of local, state and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.
- HP-3. Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources more readily available to Hilton Head Island's Gullah community.

## **NEXT STEPS**

This project's next step is a Phase 2, which might be conducted with the help of consultants or entirely in-house by the Town's planning staff. Regardless of how it is conducted, it will take the recommendations of this report and follow through with greater analysis and implementation. For example, some of the recommended revisions of the Town's LMO related to setbacks, buffers, open space requirements, and similar site design issues will need testing using sample sites. Likewise, issues such as pursuing changes to the methods used to assess the value of Gullah lands for property taxing purpose will require further legal research and meetings between the relevant governmental representatives. However, the next steps for more straightforward issues might include simple changes to the text of the LMO, as well as actions by the Town's new Historic Neighborhoods Preservation Administrator. Regardless of the details, it is the sincere intent of the Town and its Gullah-Geechee Land and Cultural Preservation Task Force that this report soon transform into tangible action and results.

## PROJECT PURPOSE, PROCESS & CLARIFICATIONS

### PROJECT PURPOSE

A century ago, the primary (if not sole) occupants of Hilton Head Island were the Gullah Geechee people. Because of years of geographic and social isolation, their distinct culture reflects their West African roots in many ways, including language, crafts (basket weaving, net making, etc.), foodways, storytelling, traditions, farming, fishing, and relationship to the land, among others. However, following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture. In fact, according to the Town's 2017 Comprehensive Plan (pg. 43), the African-American population (primarily Gullah) has decreased in percentage of the Island's overall population at the following rate:

<u>Year</u>	<u>% of African Americans</u>
1980	14.5%
1985	11.3%
1990	9.5%
1995	9.2%
2000	8.3%
2010	7.5%

***"I'm very proud of my Gullah heritage. The more I learn about it, the prouder I become."***

- Stakeholder meeting participant

Because of this alarming decrease in their percentage of population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force ("Gullah Task Force") in 2017. Their stated mission is as follows:

*The goal of The Gullah-Geechee Land and Cultural Preservation Task Force is to identify and assist in the preservation of the Gullah-Geechee culture for the purpose of detecting and resolving issues specific to its community, including, without limitation, heirs' property, taxes and land use, economic and sustainability issues for an improved quality of life, and through on-going educational programs, workshops and seminars.*

Accordingly, there are three primary purposes for this project, as follow:

- *Create a broad strategy for Gullah Geechee cultural preservation, to include resource preservation and enhancement, interpretation, and heritage tourism.*
- *Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies to better accommodate the use and development of Gullah lands.*
- *Identify tools for addressing the heirs' property issues, which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.*

It is also important to understand the strong relationship between the topics of cultural preservation, public policies and heirs' property. The ultimate goal of cultural preservation is to preserve the very existence of the Gullah people as residents of Hilton Head Island. The best way to achieve that goal is to provide them with economic sustainability. To gain economic sustainability, current challenges related to public policies (LMO, etc.) and heirs' property must be overcome.

## PROJECT PROCESS

The process to conduct this project utilizes the Town's appointed Gullah Task Force as a project steering committee to guide the project. The Task Force serves multiple roles within the context of this project, including:

- To guide the tone of the project
- To provide input for public engagement
- To contribute ideas toward the proposed strategies
- To serve as "cheerleaders" for the adoption of the strategies

A four-step process or "scope of work" has been employed by the Consultant Team hired by the Town for this project, as concisely summarized below:

### Task 1.0: Project Kick-Off & Research

This initial task served as the research and diagnostic phase of the project. The Consultant Team performed the following sub-tasks prior to, during, and after their two-day Trip #1 to Hilton Head Island:

- Task 1.1: Kick-Off Meetings & Study Area Tour
- Task 1.2: Public Policy Review
- Task 1.3: Heirs Property Research
- Task 1.4: Gullah Culture "Crash Course"
- Task 1.5: Stakeholder Focus Group Meetings
- Task 1.6: Public "Kick-Off" Meeting



*A meeting of the Gullah-Geechee Land and Cultural Preservation Task Force on March 5, 2018. (Photo Source: Gluseum.com)*

The deliverable for Task 1.0 was the draft Background Study (Appendix A).

### Task 2.0: Workshop & Concepts Development

Although public input is a key aspect throughout the life of this project, Task 2.0 featured one of the major pushes to solicit meaningful public participation. The following steps were taken as part of the three-day Trip #2 to Hilton Head Island by the Consultant Team's Project Manager:



- Task 2.1: Strategy Building Workshop (Evening - Day 1)
- Task 2.2: Conceptual Strategies Preparation (Days 2-3)
- Task 2.3: Task Force Meeting on Conceptual Strategies (Afternoon - Day 3)

**Task 3.0: Preparation of Draft Strategies**

Based upon the Gullah Task Force’s and Town’s response to the Conceptual Strategies discussed during Task 2.3, a detailed report with draft strategies was prepared to include the following components:

- Public Policy Strategies
- Heirs Property Strategies
- Cultural Preservation Strategies

**Task 4.0: Strategies Presentation & Revisions**

- Task 4.1: Strategies Presentations
- Task 4.2: Draft Strategies Report Revisions

This project has included an extensive public input component.

Also, a Phase 2 of this project will tentatively occur if deemed necessary by the end of this Phase 1 portion. If conducted, the specific scope would be determined at that time. It would likely provide more specificity and perhaps even feature implementation of certain components of the Phase 1 deliverables. One example might be the drafting of language to amend relevant public policies.

**CLARIFICATIONS**

**Project Terms**

Gullah Geechee

This term can sometimes be seen with a hyphen or slash between the two words. For example, early documents associated with the “Gullah/Geechee Cultural Heritage Corridor Commission” utilized the slash, but they later dropped it. Similarly, the Town’s appointed “Gullah-Geechee Land and Cultural Preservation Task Force” uses a hyphen. This project for the Town will avoid a slash or hyphen unless it is part of a formal name or title. Also, the word “Gullah” will be used interchangeably to mean Gullah Geechee.

Gullah-Geechee Land and Cultural Preservation Task Force

This formal name determined by the Town and “Gullah Task Force” will be used interchangeably.

Preservation

The Merriam-Webster dictionary defines “preservation” as “the activity or process of keeping

something valued alive, intact, or free from damage or decay.” Within the context of this project to preserve Gullah culture, the following features are being sought for preservation:

- *Gullah Geechee people* – Given the consistent decrease over time of the percentage of the island’s population that are Gullah, a preservation objective is to stop that trend of decreased population percentage and perhaps even increase it.
- *Gullah Geechee culture* – The Culture that needs preserving and even strengthening includes Gullah customs, spiritualism, music, foodways, language, art, crafts, subsistence off the land and water, and other ways of conducting their daily lives.
- *Gullah Geechee land ownership* – Decreased land ownership has paralleled the Gullah people’s decreased percentage of the population on the island. The minimum objective should be to maintain the current Gullah land holdings in terms of acreage, and even increase the amount of land owned as an ideal to strive towards.
- *Gullah Geechee use of land* – Owning land does not always translate into having a wide range of options for using it. Within the parameters of zoning and other regulations, the objective should be to preserve the current permitted uses of Gullah-owned land, and to even expand the uses where viable – particularly any uses tied to Gullah culture.

### **Abbreviations/Acronyms**

The following abbreviations/acronyms, among others, are used throughout this report:

- Beaufort County Black Chamber of Commerce (BCBCC)
- Beaufort County Heritage Tourism Corporation (BCHTC)
- Center for Heirs’ Property Preservation (CHPP)
- Gullah Geechee Cultural Heritage Corridor (GGCHC)
- Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC)
- Historic Mitchelville Freedom Park, Inc. (HMFP)
- Land Management Ordinance (LMO)
- Native Island Business and Community Affairs Association (NIBCAA)
- Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN)
- Public Service District (PSD)
- Right-of-way (ROW)
- Service Corps of Retired Executives (SCORE)
- Small Business Administration (SBA)
- South Carolina Department of Transportation (SCDOT)
- Transfer of Development Rights (TDR)
- Visitor & Convention Bureau (VCB)

## RECOMMENDATIONS INTRODUCTION

### Recommendations Purpose

The overarching purpose of these recommendations are to offer strategies to better preserve Gullah Geechee culture on Hilton Head Island, South Carolina. This project and corresponding report feature three key components:

- Create a broad strategy for Gullah Geechee cultural preservation, to include resource preservation and enhancement, interpretation, and heritage tourism.
- Identify potential revisions to the Land Management Ordinance (LMO) and other land use and development related policies to better accommodate the use and development of Gullah lands.
- Identify tools for addressing the heirs' property issues, which greatly limit what Gullah land owners can do with their land because of a lack of title to their property and related legal hurdles.

### Approach to the Recommendations

For each of the strategies provided on the following pages, the following format is utilized:

- *Overall Recommendation:* This bold-faced text starts and summarizes each recommendation.
- *Issue Statement:* A summary of the particular issue related to the associated recommendation.
- *Background Study Reference:* An indication of the page numbers of this report's Background Study (Appendix 1) that provide additional information on the issue.
- *Strategy Description:* This part of the recommendation describes the general strategy.
- *Implementation:* This final part of each recommendation will offer ideas related to implementation, such as potential costs, funding sources, and/or responsible parties.

Where strategies or implementation actions suggested by the consultants or the public stakeholders are already being undertaken by the Town or others organizations, it is noted at the beginning of each this report's three topic-based sections – Cultural Preservation, Public Policies, and Heirs' Property. Also, the alpha-numeric designations given to each recommendation do not reflect priority rankings or suggested implementation sequencing. Finally, it should be understood that all recommendations that involve one or more entities other than the Town will require strong teamwork with those entities to ensure that there is optimal coordination and to avoid the Town pursuing actions that may be inconsistent with the objectives of the relevant entities. Similarly, the relevant entities should retain creative control where applicable.

## CULTURAL PRESERVATION

The recommendations for cultural resources preservation should not be viewed as a substitute for a comprehensive cultural preservation plan for Hilton Head Island. Furthermore, since the topic cannot be adequately addressed within the scope of this project, a comprehensive cultural preservation plan is recommended as a future project for the Town.

### CURRENT EFFORTS

At present, many measures are already being taken by the Town and others. *Examples of current measures that should be continued* include the following:

#### **Provision of public access to Gullah historic sites, such as cemeteries.**

The Town has required such access for years as part of their development approval process so that gated communities and similar barriers do not block access. However, some Gullah citizens are still experiencing difficulties accessing sites. For example, security guards at some gated communities may not be aware of the access arrangements or individual property owners sometimes make access very difficult. The Town has been proactive with this issue, but meetings with property managers where such challenges occur may be necessary in the future on an as-needed basis. The Town's new Historic Neighborhoods Preservation Administrator could assist with this issue.

#### **Local schools' curriculum and field trips tied to Gullah history and culture.**

The Coastal Discovery Museum, Gullah Museum, and the Historic Mitchelville Freedom Park (HMFP) have already teamed to create a curriculum about Gullah history and culture. They understand the need, in particular, for Gullah language to be taught to the younger generation before it is lost. Many educators do not possess adequate knowledge of the history and culture of the Gullah Geechee people and may not be able to identify or appreciate the Gullah language when spoken by a students or community members. Efforts should continue to educate teachers about Gullah culture through annual teacher institutes and professional development workshops provided by the Beaufort County School District, partnering with the Gullah Geechee Cultural Heritage Corridor, institutions of higher learning, local and regional organizations and local Gullah community members.

#### **Graphically consistent marker program for Gullah neighborhoods and cemeteries.**

The Town has a relatively new signage program to identify Gullah neighborhoods. In fact, nine of twelve neighborhoods now have a sign, and the Town plans to install the final three at some point in the near future. The design of the signs is attractive and distinctive, and they have been placed in highly visible locations. In addition, local Boy Scouts have provided signs identifying four of the ten identified Gullah cemeteries using the same design template. There is potential that similar signs can be created for the rest of the cemeteries.

#### **Support for development of key sites such as Mitchelville and the Gullah Museum.**

Most key Gullah sites are owned and operated by non-profit entities with very limited financial resources. They typically rely on funding from memberships, donations, income-generating

events and programs, and grants. The master plan for Mitchelville is being funded by the County. The HMFP's Executive Director's salary has been funded by the Town for two years.

**Utilization of historic Hilton Head Island Gullah figures and words associated with Gullah culture for street and development names.**

Although Gullah culture is central to Hilton Head Island's history, it has limited visibility today. The Town looks for opportunities to heighten its visibility, including with street and development names. Development and street naming is dictated by the Town's Land Management Ordinance (LMO). All street names are approved by the Planning Commission, while development names are approved by Town staff. Various books and manuscripts at the Heritage Library Foundation serve as a good source of information.

**Support and promotion of the annual Gullah Celebration sponsored by the Native Island Business & Community Affairs Association (NIBCAA).**

Established in 1996, the Hilton Head Island Gullah Celebration showcases the cultural heritage of the Gullah people and their history on Hilton Head Island. NIBCAA has a core committee of five persons, as well as ten additional people that make up the individual event sub-committees. The committees reportedly meet monthly for ten months of the year, and weekly for the two months leading up to the event. NIBCAA is the primary sponsor of the event, but other partners include the Native Islanders Property Owners Association, the Town of Hilton Head Island, Beaufort County, and SC Parks, Recreation and Tourism.

As noted previously, the alpha-numeric designations for each recommendation do not reflect their order of priority or suggested implementation sequencing. Also, some of the recommendations under the sub-topic of "Research, Education & Interpretation" could have also been placed under "Heritage Tourism" because they touch on both sub-topics. The following recommendations are offered for the Town's consideration:

**RESEARCH, EDUCATION & INTERPRETATION****CP-1. Promote the use of the Heritage Library Foundation's resources with the Island's Gullah people to encourage them to research their history and genealogy.**

Issue Statement: The more knowledgeable local Gullah people are about Gullah history and genealogy, the greater interest and support they will have for Gullah cultural preservation.

Background Study Reference: Page A-11 of Appendix A provides information on the Heritage Library Foundation.

Strategy Description: Increase the awareness of Gullah people about the Heritage Library Foundation's resources for historic and genealogical research. In addition to having more than 4,000 volumes of history, the foundation regularly sponsors helpful courses for the public, such as "Genealogy 101." More specifically, they have a course on African American Genealogy that addresses issues that are directly related to Gullah people. That class costs \$12 for foundation members and \$15 for non-members. One way to make these classes even more accessible to the island's Gullah community might be to offer a discount to people residing within the delineated historic neighborhoods.

Implementation: The Foundation's resources and programs should be promoted to the Gullah community through NIBCAA, the Town's new Historic Neighborhoods Preservation Administrator, local schools, churches located within the historic neighborhoods, the Gullah Geechee Cultural Heritage Corridor, and any other relevant sources. The Foundation might also set up a booth at the annual Gullah Celebration and any similar event to promote their resources.

**CP-2. Initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites.**

Issue Statement: One challenge to Gullah cultural preservation on Hilton Head Island is that the younger generation, in particular, is not learning about Gullah traditions. It is critical that knowledge about Gullah traditions and culture be passed on as a fundamental part of overall Gullah cultural preservation. Fortunately, programs currently exist at sites such as the Gullah Museum, Mitchelville, the Coastal Discovery Museum, and Gullah Geechee Cultural Heritage Corridor. However, all of these organizations have only small amounts of manpower and funding that limits their ability to provide educational programs. These organizations have coordinated their efforts, to some degree, on educational programs. Both the Town and County have a track record of financially supporting the Historic Mitchelville Freedom Park (HMFP).

In addition to educational programming, there is also a need to physically enhance key sites such as the Gullah Museum and HMFP with respect to parking areas, pedestrian circulation, restoration of historic structures, and construction of new buildings. The current master planning process for the HMFP will include a strategy for physical enhancements and financial sustainability, so that issue is being addressed for Mitchelville.

Background Study Reference: Pages A-9 through A-11 of Appendix A provide information on the sites/facilities sponsoring educational programs that are in need of support for physical enhancements.

Strategy Description: Targeted audiences for cultural programs should be relatively broad. However, Hilton Head Island's young residents and tourists should particularly be targeted. Consideration should also be given to allowing Gullah residents to participate at a reduced price or even for free.

To expand the existing programs and to provide needed physical improvements at key sites, a fundraising initiative must occur. Key partners and beneficiaries should include the Gullah Museum, Mitchelville, and the Coastal Discovery Museum. Individuals, organizations, and businesses should be encouraged to donate both their time and money toward this effort. Grant funding should also be sought from the Gullah Geechee Cultural Heritage Corridor Commission (GGCHC), the US Bureau of Educational and Cultural Affairs (ECA), the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), and private entities such as the Kresge Foundation. Although the recently-established Beaufort County Heritage Tourism Corporation (BCHTC) is another potential candidate, their focus is more on heritage tourism planning and promotion.

Implementation: *The Town's Senior Grants Administrator should pursue grant funding from the funding organizations listed above, with the Office of Cultural Affairs providing support. It is recognized that pursuing grants can be labor-intensive, so deciding which funding organizations to pursue should be strategic. The Town's Culture & Arts Advisory Committee should spearhead the solicitation of funding from local individuals, organizations and businesses with committee members "making the ask."* Board members from the beneficiary entities (Gullah Museum, Mitchelville, and the Coastal Discovery Museum) should also be called upon to solicit local contributions.

**CP-3. Adapt and expand the interpretive themes from the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan as a framework for Gullah cultural interpretation on Hilton Head Island, and pursue accurate and consistent storytelling.**

Issue Statement: The Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC) is a federally-designated body to preserve, interpret and promote Gullah cultural heritage as part of a four-state coastal corridor. There are multiple groups that

actively interpret Gullah heritage and culture on Hilton Head Island, including the Gullah Museum, the HMFP, Gullah Heritage Trail Tours, and the Coastal Discovery Museum, among others. It is important that information conveyed about Gullah culture is accurate and consistent.

Background Study Reference: Pages A-9 through A-16 of Appendix A provide information on the key sites/programs noted above.

Strategy Description: The interpretive themes identified by the Gullah Geechee Cultural Heritage Corridor (GGCHC) management plan include the following: language; arts, crafts and music; foodways; and spiritual expression. Based upon extensive stakeholder input, two additional themes are recommended specifically for Hilton Head Island:

- 1) Land & Water - farming, crabbing, fishing, and hunting
- 2) Storytelling – stories, and the art of storytelling

By having each local group that is active in interpreting Gullah heritage and culture telling an accurate and consistent story, interpretation can be more effective and the experience can be more positive for visitors. That positive visitor experience, in turn, will make the promotion of Gullah culture easier and more effective.

Implementation: It is recommended that the Town’s Office of Cultural Affairs lead this effort, which should not require any funding beyond that already allocated by the Town for the Director’s position. The first step is to confirm that each relevant group has a copy of the GGCHC management plan and is aware of the plan section that addresses history and interpretation. The next step is to meet with them, perhaps as a group, to discuss the merits of consistent interpretation that ties back to the GGCHC, and to secure their commitment to make an effort to be generally consistent with the GGCHC’s interpretation. To the extent that the relevant groups have written materials (websites, brochures, etc.), the Office of Cultural Affairs should review them and provide suggestions for any needed edits.

**CP-4. Develop a self-guided tour of the Island’s Gullah sites utilizing multiple methods (hard copy maps, site markers, digital technology, etc.) to supplement existing guided tours so that a broader range of interpretive experiences can be available.**

Issue Statement: There is currently no single source of information in a user-friendly format to guide locals and visitors to Gullah-related sites. While the Town’s Office of Cultural Affairs has a Cultural Trail conveyed through an interactive web-based map, the map has a broader scope of “art, history and pathways.” Similarly, Gullah Heritage Trail Tours provides excellent guided tours to Gullah sites, but that differs from a self-guided tour.



Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on Hilton Head Island’s Gullah cultural resources and sites.

Strategy Description: It is recommended that a self-guided tour occur in both a printed “hard copy” brochure format and a web-based interactive digital format accessed by a computer, smartphone, or similar digital device. Perhaps referred to as the “Gullah Trail,” it should include a map with symbols that relate back to a key with written information on the site. A digital version could even utilize narrated dialogue. Sites might also be organized around the four interpretive themes of the GGCHC (language; arts, crafts and music; foodways; and spiritual expression), plus the two proposed new themes per recommendation CP-3. In addition to educating users, self-guided tours should be used to promote the existing guided tours as a logical next step for visitors.

Implementation: This self-guided tour should be spearheaded by the Town’s Office of Cultural Affairs. However, it will require funding to hire consultants to produce it. The costs for creating a hard copy would likely be in the \$15,000 to \$25,000 range, while research will need to be done on how to then translate that information into a web-based tour guide. In addition to the potential funding sources cited for recommendation CP-2 relative to educational programs, the South Carolina Department of Archives and History may be another funding source. However, that source may be challenging given that priority for preservation grants is given to the state’s Certified Local Governments (CLGs), which the Town is not among. CLG designation is limited to communities with a formal historic preservation program (designated historic districts, design review boards, mandatory design guidelines, etc.), which is not recommended for the Town as part of this project.

**CP-5. Develop a graphically consistent wayfinding and wayside exhibit system throughout the Island to highlight sites tied to Gullah history and culture and to better orient visitors.**

Issue Statement: As indicated previously, the Town has a program to install markers identifying Gullah neighborhoods and local Boy Scouts have installed similar markers at some Gullah cemeteries. The Town currently has some wayfinding signs to orient visitors to key destinations. They consist of the standard green-colored directional signs pointing visitors to locations such as Town Hall. There are also brown directional signs for cultural destinations. However, there is not a distinctive and cohesive system of wayfinding tied specifically to Gullah culture and history. There are also some existing interpretive wayside exhibits at historic sites, such as the marker installed by the State at the Cherry Hill School in 2013. However, such markers are very limited in their interpretive value because they lack graphics and a hierarchy of more detailed narrative.

Background Study Reference: Examples of sites worthy of interpretation are included

on pages A-1 through A-8 of Appendix A, and a photo of a Town-installed neighborhood sign is on page A-12 of Appendix A.

Strategy Description: It is recommended that a cohesive system of distinct directional signs for wayfinding be installed throughout the Island at key intersections and at the destinations. It is also recommended that the very distinctive and visible design of the signs identifying Gullah neighborhoods and cemeteries be used as the design inspiration for this wayfinding signage. It is recognized that approvals from SCDOT and/or the County may be required in many instances for signs located within public ROWs. Also, signage will be limited to directing people to cultural sites and attractions, such as this report's proposed Gullah market (which would have multiple vendors), as opposed to individual businesses.

Interpretive wayside exhibits should also be designed, fabricated, and installed at key sites. Unlike the style installed by the State, they should be consistent with those commonly installed at National Park Service properties and elsewhere. Such exhibits typically feature a hierarchy of text (headings, subheadings, main story, sidebar, etc.) and high-quality graphics. They are designed and placed to accommodate pedestrians rather than drivers, and they should be internal to their site.

Finally, this system of wayfinding and interpretive wayside exhibits should be tied to the recommended self-guided tour map/brochure as proposed in recommendation CP-4 above, and should integrate the logo of the Gullah Geechee Cultural Heritage Corridor (GGCHC) into their design.

Implementation: This project should be initiated by the Town's Office of Cultural Affairs in partnership with the VCB. The Town should pursue funding through the VCB, as well as the GGCHC. The costs of wayfinding signage will depend on the number of signs required. For interpretive wayside exhibits, it is preliminarily estimated that each exhibit will cost \$3,000 to \$5,000 to research and design, and another \$1,500 to \$2,000 each to fabricate.

**CP-6. Establish a program for local students to conduct oral history interviews of elderly Gullah citizens to document their way of life in earlier eras before this important information is lost.**

Issue Statement: This issue ties into the broader issue identified previously in which Gullah culture will slowly disappear if the traditions and customs are not carried on by younger generations. Much of the cultural history can be captured through recorded oral histories from the elderly. The Penn Center on St. Helena Island has sponsored a similar program in the past, but it was limited to former Penn School students, some of whom may have lived on Hilton Head Island.

Background Study Reference: Information on the Penn Center is provided on page A-14 of Appendix A of this report.

Strategy Description: There are at least two options for pursuing a project for local students to conduct oral history interviews of elderly Gullah citizens. Both, and more, should be explored.

*Penn Center Model*

One option is to meet with Penn Center representatives and learn more about their project to see if it can be replicated. Their program in 2008, the Sea Island Storytellers Workshop for Youth, had the objective of being a training ground for the next generation of Gullah culture bearers. Students, ages 13 through 17, conducted research on the elders of the Sea Islands and former Penn School students, many of whom were in their 70s and 80s when the program occurred. Following their research, the students selected who they wanted to interview and collected their oral histories with video presentations or audio presentations. The students gained valuable experience in research, history, and documentation.

*StoryCorps*

Another option is to begin a relationship with StoryCorps, a non-profit organization that assists groups with oral history projects. While their employees can actually conduct the interviews for a fee, a more cost-effective approach is to hire them to train local students to conduct and document oral histories.

Implementation: It is recommended that the Town's Office of Cultural Affairs initiate this project in partnership with the Gullah Museum. The first option should be to employ the Penn Center model, which would entail no significant costs. Utilizing StoryCorps for training should be the second option. Their training services start at \$7,000, plus expenses.

**CP-7. Establish a program to educate Town officials, area school teachers, and others on Gullah culture so they can better understand the culture and more effectively interact with the Island's Gullah citizens.**

Issue Statement: Some Town officials, both elected officials and staff, lack a sufficient understanding of Gullah culture to be able to effectively interact with Gullah people and to fully appreciate their perspective. In particular, the views of Gullah people on land use and development may differ from that of other people living and/or working on Hilton Head Island. Furthermore, learning about Gullah culture could benefit area business leaders and school teachers.

Background Study Reference: Page A-10 of Appendix A provides information on the Gullah Museum.

Strategy Description: One objective of this strategy is to enhance communications and relationships between the Island's Gullah citizens and Town officials. It is recommended that a "crash course" in Gullah history and culture - Gullah 101 - be provided for Town officials. It could consist of a tour of the Island's Gullah sites, a few presentations by Gullah representatives knowledgeable in their culture, and perhaps a few assigned readings. This education program might initially be given to all Town officials and then periodically for new officials. Another version of the program directed at area school teachers could be the Gullah Geechee Teachers Institute. The program might also be connected with the Osher Lifelong Learning Institute, which has a University of South Carolina Beaufort affiliation. A potential outgrowth of this recommendation should be the establishment of a speakers' bureau that can be utilized by various local groups looking for a speaker on Gullah-related topics.

Implementation: It is recommended that this program be spearheaded by either the Town's Office of Cultural Affairs or the new Historic Neighborhoods Preservation Administrator in partnership with the Gullah Museum. Museum officials could provide any reading materials and presentations. Assuming this program is a success, it might be expanded to do the same for the Island's business community in partnership with the Chamber of Commerce. The proposed Teachers Institute facet of this program should be a partnership between the Town and the Beaufort County School District. Coordination should also occur with the GGCHC Commission in case they can provide support in some form and to avoid any duplication of their efforts elsewhere.

**CP-8. Utilize interactive approaches to interpretation to better engage current and potential new audiences, particularly young people.**

Issue Statement: In general, interest in history and related cultural themes is in decline nation-wide, especially among the younger generations. However, many historic and cultural attractions have found that utilizing interactive approaches to interpretation, including digital technology, is more effective than traditional passive approaches to interpretation.

Background Study Reference: N/A

Strategy Description: It is recommended that interactive approaches to interpretation include the following:

- *Living history opportunities involving the audience:* This approach might entail people representing Gullah people both in the past and present, and having them actively engage with the audience through conversations and cultural demonstrations.
- *High technology interpretation:* An example of high technology interpretation within a museum setting would be interactive touch-screen videos. An example of this type of interpretation in an outdoor context is app-based digital interpretation (videos, etc.) used on iPhones and tied to sites as part of a thematic tour.

This type of interpretation should occur not only at Gullah-related historic sites and attractions on Hilton Head Island, but also within the Gullah-related curriculum already being developed by the Coastal Discovery Museum, Gullah Museum, and the Historic Mitchelville Freedom Park (HMFP).

Implementation: This recommendation should be led by the Town's Office of Cultural Affairs in partnership with the Coastal Discovery Museum, Gullah Museum, and HMFP. The specific approaches should be determined with the help of solicited input from the Island's young people.

## HERITAGE TOURISM

### **CP-9. Coordinate the promotion of the Island's Gullah-related attractions with state and regional cultural heritage organizations to attract more visitors to the Island's Gullah sites.**

Issue Statement: At present, Gullah Geechee culture and sites lack visibility on Hilton Head Island. The island needs to leverage other cultural sites and entities in the region to increase heritage tourism. This objective will be particularly important once attractions such as Mitchelville are further developed. Every reasonable opportunity for expanded promotion should be pursued.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on key Gullah historic sites. Page A-12 of Appendix A provides information on NIBCAA. Pages A-14 through A-15 of Appendix A provides information on the South Carolina African American Heritage Commission (SCAAHC) and its "Green Book." Pages A-13 through A-16 of Appendix A provide information on the GGCHC and various Gullah-related sites and entities in the region.

Strategy Description: The promotion of Hilton Head Island's Gullah-related attractions should be coordinated with others within the GGCHC. In addition to promotional opportunities through the GGCHC, key individual sites and entities to partner with include St. Helena Island and the International African American Museum in Charleston (once it is developed and operational). Representatives of the GGCHC Commission should be invited to make presentations to Hilton Head Island Gullah businesses to teach them how to leverage the corridor to their advantage.

Also, based upon a 1950s booklet that gave advice to African American travelers on where to eat and stay throughout the South, the "Green Book" is now a mobile web/app-based site that promotes African-American cultural sites throughout the state. The only Hilton Head Island sites currently in the "Green Book" are the William

Simmons House at the Gullah Museum, the First African Baptist Church, Queen Chapel AME Church, Fort Howell, Mitchelville, St. James Church, and the Cherry Hill School. It is recommended that all of Hilton Head's key Gullah-related sites and programs be featured in the "Green Book."

Implementation: This effort should be implemented by the Town's new Historic Neighborhoods Preservation Administrator through a partnership with the Beaufort County Heritage Tourism Corporation, NIBCAA, and the VCB. They should work directly with the GGCHC and the SCAAHC on these respective issues. With the exception of paying for advertising, which might not even be necessary, there would be no significant costs since the work would be performed by volunteers and/or individuals already being paid as part of their job.

**CP-10. Promote the Gullah culture and cultural resources more prominently within the Island's overall tourism marketing to attract more visitors to the Island and, in particular, to the Island's Gullah sites.**

Issue Statement: In light of the overall tourism marketing for Hilton Head Island, Gullah history and culture lacks visibility. Given the prominence of the island's golf courses, resorts and beaches, this situation is understandable, but in need of rectifying.

Background Study Reference: Page A-10 of Appendix A includes information on Gullah Heritage Trail Tours.

Strategy Description: Promotion of Gullah culture and cultural resources will be more viable once sites such as Mitchelville can evolve into more substantial attractions. Among the programs worthy of particular promotion is the Gullah Heritage Trail Tours, which is one of the most important existing facets of Gullah-related tourism. It is believed that roughly 10% the VCB's budget currently goes toward heritage tourism, and that is primarily related to the Celebration held every February. To make the VCB more accountable regarding this idea, a target percentage of the budget, such as 20%, should be established as an initial benchmark until sites such as Mitchelville can become more fully developed as major destinations.

Implementation: The Visitor & Convention Bureau (VCB) will be the most critical entity for this recommendation to be realized since they promote tourism for the Island. The Town's Office of Cultural Affairs and the Black Chamber should partner in spearheading this initiative with the VCB. It is not anticipated that significant additional costs would be required, as this recommendation is more about rebalancing the themes being marketed rather than calling for more marketing.

**CP-11. Provide technical and financial support to businesses whose products and/or services are strongly tied to Gullah culture to increase their odds of sustained success.**

Issue Statement: There are currently no highly-visible businesses on Hilton Head Island offering Gullah services and products to serve the island's Gullah people, local residents, and visitors.

Background Study Reference: Page A-12 of Appendix A has information on NIBCAA, and page A-15 of Appendix A has information on the Beaufort County Black Chamber of Commerce.

Strategy Description: Examples of potential businesses that are needed include restaurants selling Gullah foods and shops selling Gullah products (arts, crafts, etc.). Technical support that should be made available includes advice on marketing, financing, book keeping, inventory, and similar business skills. To provide needed technical support and mentoring, utilize the US Small Business Administration's (SBA's) local SCORE program to provide free technical advice to start-up businesses. While businesses with strong Gullah cultural associations should be prioritized, the same support and mentoring might also be made available to residents of identified Gullah neighborhoods even if their businesses do not have strong cultural ties.

Implementation: NIBCAA should spearhead this effort in partnership with the SBA's SCORE program. They should work with SCORE to develop a "business development toolbox." There may be additional support roles, such as promoting the program, for the Hilton Head Island – Bluffton Chamber of Commerce and the Beaufort County Black Chamber of Commerce.

**CP-12. Establish a Gullah authenticity certification program by which businesses with authentic Gullah services and products can utilize an adopted logo that conveys their status as being certified based upon adopted criteria.**

Issue Statement: As addressed in the previous recommendation, there is presently a lack of businesses on Hilton Head Island offering Gullah services and products, which inhibits Gullah-related heritage tourism. If and when such businesses can be established, there will be a need to ensure quality control for authenticity, a key ingredient for successful heritage tourism.

Background Study Reference: Page A-12 of Appendix A has information on NIBCAA, and page A-13 of Appendix A has information on the GGCHCC.

Strategy Description: This strategy will require three components: 1) a set of written standards to be used as criteria in determining authenticity; 2) an appointed body to review applications to determine compliance with the adopted standards; and 3) a process for businesses to apply for certification. The GGCHCC should be utilized as a primary technical resource in developing the standards. The appointed body to review applications should consist of respected Gullah citizens on the island, but avoiding

members who may have a conflict of interest, such as an interest in a business likely to seek certification (or likely to compete with businesses seeking certification).

Implementation: The first option should be to approach the GGCHCC to see if they could be encouraged to initiate such a program for the entire corridor. If not, NIBCAA should spearhead this effort, including administrating the application and certification process. They should seek technical advice from the GGCHCC in developing the standards. Finally, if the appointment of local volunteers to the review committee proves to be too politically contentious and/or willing volunteers cannot be secured, volunteers from nearby areas, such as St. Helena Island, might be considered. That approach would allow for a more objective “third party” that would help avoid perceptions of biasness in applying the certification standards.

**CP-13. Utilize information from the recently-drafted Economic and Fiscal Impact Study for Beaufort County and the Arts & Economic Prosperity 5 report to refine strategies to more effectively promote Gullah heritage tourism for Hilton Head Island.**

Issue Statement: Over the past few years, there has been momentum within the region related to heritage tourism planning. Examples include the GGCHCC and the new Beaufort County Heritage Tourism Corporation. Available fresh data related to the region’s heritage tourism potential should be leveraged to the benefit of Hilton Head Island’s Gullah-related tourism.

Background Study Reference: Page A-15 of Appendix A provides information on the recently-established Beaufort County Heritage Tourism Corporation.

Strategy Description: The Economic and Fiscal Impact Study was prepared by two professors that are part of the University of South Carolina Beaufort’s Lowcountry and Resort Islands Tourism Institute. The Arts & Economic Prosperity 5 report was prepared by Americans for the Arts. First, the results of both reports can be used to sell Hilton Head Island’s citizens, business leaders, and public officials on the potential value of Gullah-related tourism and related arts. Secondly, the results of the impact study’s Heritage Visitor Survey can be used by the Island’s businesses and heritage attractions to better understand what visitors are looking for so they can respond with any strategic adjustments.

Implementation: The sources of the subject studies are the Beaufort County Heritage Tourism Corporation and Americans for the Arts. However, it will be up to individual businesses and heritage site entities to take the initiative to utilize these studies. In the meantime, organizations such as NIBCAA, the Hilton Head Island – Bluffton Chamber of Commerce, and the Beaufort County Black Chamber of Commerce can promote the studies among their constituents.



**CP-14. Establish an open-air market as a pilot program to sell food, arts and crafts tied to Gullah culture as an economic development initiative for the Island's Gullah community.**

Issue Statement: As noted throughout this report, Gullah culture lacks visibility on Hilton Head Island. There are also few opportunities for the Island's Gullah people to sell products that reflect their culture short of establishing full-blown businesses that may not be viable. The Coastal Discovery Museum currently sponsors a weekly farmers market operated from October through December, but it does not focus on Gullah-related foods and crafts.

Background Study Reference: N/A

Strategy Description: One possible location to establish an open-air market is the Rowing and Sailing Center at Squire Pope Community Park, which has parking and a pavilion. It might initially be a pilot program to test the market's viability. If it is successful, it can continue indefinitely. Also, if the market outgrows itself, larger alternative sites might be explored and/or additional markets in other Gullah neighborhoods might be considered. Another potential location could be the abandoned Fairfield Square property at 160 William Hilton Parkway. It would have good visibility, but it is privately owned.

Implementation: This pilot market should be operated by the Town's Office of Cultural Affairs in partnership with NIBCAA. Also, the same set of standards recommended in recommendation CP-11 for determining the authenticity of Gullah products might be applied here to determine what vendors can participate.

## **PRESERVATION PLANNING**

**CP-15. Conduct a comprehensive inventory of cultural resources related to Gullah history and culture on Hilton Head Island to better accommodate future preservation planning for Gullah history and culture.**

Issue Statement: One of the first steps necessary to establish a successful historic preservation program is to fully understand a community's historic resources. While many Gullah-related historic resources have already been identified, a detailed and comprehensive inventory of Gullah-related historic resources does not currently exist.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide some information on existing Gullah-related historic resources. Page A-7 of Appendix A features a map of historic resources in general (not just Gullah) from the Town's current Comprehensive Plan.

Strategy Description: It is recommended that the proposed inventory be conducted by a qualified historic preservation professional who meets National Park Service standards (36 CFR Part 61). A less expensive option, but one that may not be available, is an inventory conducted by historic preservation students from a university in South Carolina or another regional school (University of Georgia, etc.). The format used for the inventory should be consistent with the standards used by the South Carolina Department of Archives and History. In addition to documenting historic resources that can be identified through research and field reconnaissance, the inventory should be supplemented with available information on archeological resources. Some of that information might be acquired through the South Carolina Institute of Archaeology and Anthropology (SCIAA), as well as a survey entitled “Archeological Survey of Hilton Head Island” that was prepared in 1987 by the Chicora Foundation, Inc. Because of the threat of looting, location-specific information on archeological sites is often kept anonymous.

Implementation: It is recommended that the Town administer and fund this project by initiating an RFP process to hire a consultant (after first exploring any less costly university options). Because the scope is relatively narrow, focusing on Gullah-related historic resources and sites, and many of the historic resources and sites have already been identified, the estimated cost is \$10,000 to \$15,000.

**CP-16. Prepare a comprehensive and detailed cultural preservation plan for the Island in general, but to include a focus on Gullah historic and cultural preservation, to expand upon the potential preservation benefits of this project.**

Issue Statement: Hilton Head Island currently lacks a cultural preservation plan that addresses all types of cultural resources for the entire island. This project, which focuses on Gullah history and cultural preservation, provides a component of the Island’s overall history and cultural preservation. However, a broader effort is needed.

Background Study Reference: Pages A-1 through A-8 of Appendix A provide information on existing Gullah-related historic and cultural resources.

Strategy Description: The recommended comprehensive cultural preservation plan should be based on models already existing in the state, some of which can be provided by the South Carolina Department of Archives and History. A plan should include a history of the island, interpretive themes, a summary of existing cultural resources (as contained in the recommended cultural resources inventory), and strategies for preservation. As with all plans initiated by a local government, it should also include opportunities for sufficient public input. Much of the information and recommendations generated by this project for Gullah historic and cultural preservation could be integrated into such a plan.

Implementation: It is recommended that the Town administer and fund this project by initiating an RFP process to hire a consultant. The estimated cost for the project is \$30,000 to \$50,000, depending on the detail and scope of work (and the amount of public engagement).

## OTHER ISSUES

### **CP-17. Recognize the Island's Gullah-associated churches as an important facet of Gullah culture, particularly regarding leadership and communications, to ensure that they are actively involved in all future Gullah-related initiatives.**

Issue Statement: The Gullah Geechee Cultural Heritage Corridor Commission's management plan recognizes spirituality as one of its four interpretive themes. Those same themes, plus others, have been echoed in these recommendations for Hilton Head Island. There are five existing Gullah-associated churches and they are an extremely important facet of Gullah culture, historically as well as today. It is important that these churches continue to survive and thrive with congregations large enough that they can prosper into the future. Churches are not only important to the social fabric of Gullah communities, but they are an important source of communications.

Background Study Reference: Page A-8 of Appendix A provides information on existing Gullah-associated churches on Hilton Head Island.

Strategy Description: A supportive network of churches currently exists through the Beaufort County Ministerial Alliance. On Hilton Head Island, the pastors of the five Gullah-associated churches have an even closer working relationship.

Implementation: The Town's new Historic Neighborhoods Preservation Administrator might be able to build a strong working relationship with the Ministerial Alliance and the church's individual pastors. The churches should be utilized primarily for communications for Gullah-related issues.

### **CP-18. Identify an entity to match land owners in the historic Gullah neighborhoods with applicable private developers to increase the land owners' odds of success with selling or developing their property.**

Issue Statement: Once property title issues are resolved, the next hurdle for property owners wanting to develop their land is understanding the complexities of land development. As with most property owners on Hilton Head Island, Gullah land owners could benefit from a relationship with professional developers.

Background Study Reference: N/A

Strategy Description: Although not a role for the Town, another entity should be identified to reach out to developers who might want to pursue relationships with Gullah property owners. This yet-to-be-determined entity could assist in connecting developers with a candidate property owner seeking to pursue a sale or development of their land.

Implementation: This strategy should be the responsibility of an entity other than the Town. Potential organizations that might help identify candidate developers might include the South Carolina Real Estate Association (SCREA), the Urban Land Institute (ULI), NAIOP (renamed the Commercial Real Estate Development Association, but has kept its original abbreviations), and the National Association of Home Builders (NAHB).

## PUBLIC POLICIES

An overarching philosophical issue to be considered relates to the development of Gullah lands. One goal identified for the project is the need for Gullah landowners to be able to preserve their land consistent with Gullah traditions and culture. A second goal is to make it easier for Gullah property owners to sell and/or develop their land consistent with modern day market demands. In some respects, these two goals conflict. Optimally, it would be best to provide property owners both options: to preserve their land consistent with Gullah traditions, or sell and/or develop their land consistent with modern day market demands. Whether this is possible is uncertain.

## CURRENT EFFORTS

Initially, it must be recognized that the Town and others have already undertaken many measures to address these issues. *Examples of current measures that should be continued* include the following:

### **Extending public sewer service into the historic neighborhoods.**

For years, a number of historic Gullah neighborhoods lacked sanitary sewer systems, which created obstacles for development. However, the Town and Public Service Districts (PSDs) have made great strides in recent years to address this issue. They are currently implementing a five-year \$10 million sewer extension project that will serve approximately 490 of the 900 parcels that lacked sanitary sewer when the project began. Many of these parcels are part of the historic neighborhoods. The biggest hurdle for some property owners is the cost of the tap fee to connect and the conversion from septic, which averages roughly \$6,000 per property. Fortunately, some property owners have received financial help from the Community Foundation of the Lowcountry, which provides grants through their Project SAFE. Other assistance comes from the PSD, who offers incremental financing by adding the fee costs to a landowner's property tax bill over a 20-year period.

### **Paving roads in historic Gullah neighborhoods.**

Some historic Gullah neighborhoods are currently served by dirt roads in need of right-of-way (ROW) acquisition and pavement. One of the key hurdles to improving these roads is that most of the land needed for the ROW is privately owned as an access easement with many owners. The land can also be considered heirs' property with no clear title to the land needed for the road. The Town holds public meetings for affected property owners and residents prior to initiating any paving to ensure there is support for the improvements, as 100% buy-in is a requirement. Furthermore, the Town funds the construction of the roads through the Road Improvement Fee.

### **Encouraging land owners in historic Gullah neighborhoods to seek a reduction in their assessed property value and to pursue any potential exemptions to reduce their property tax burden.**

Some Gullah property owners cannot afford to pay their property taxes. When this happens, the result is the taxes become delinquent and the property is sold at auction to pay the taxes.

The Town and the Gullah Task Force have been encouraging property owners in Gullah neighborhoods to seek reduced valuations and to take advantage of all available exemptions. It is anticipated that the Town's new Historic Neighborhoods Preservation Administrator will assist even further on this issue.

**Monitoring plans to expand US Hwy. 278 so that potential impacts on historic Gullah neighborhoods can be identified and mitigated in advance.**

It is anticipated that the South Carolina Department of Transportation (SCDOT) will develop plans to expand US Hwy. 278 from the western edge of the island to Squire Pope Road. That project will likely include additional ROW acquisition. An Environmental Assessment (EA) will be prepared for the project, but there is still the potential for historic neighborhoods to be impacted. Consequently, the Town has appointed a committee to monitor the project. With the help of the Town, the committee will review matters related to the project with an eye toward avoiding negative impacts on Gullah-related historic resources.

The following recommendations are offered for the Town's consideration:

**DEVELOPMENT APPROVAL PROCESS****PP-1. Allow waivers for development application fees and establish a grant program to assist property owners to pay for specific development impact fees for sites within the proposed Historic Gullah Neighborhoods Conservation Overlay District.**

Issue Statement: Some of the development application fees and impact fees required by the LMO are cost-prohibitive for Gullah land owners. The impact fee for transportation is imposed by the Town in the LMO. The impact fees for parks, roads and libraries are imposed by Beaufort County. The sewer and water availability fees are administered by the Public Service Districts (PSDs).

Initially, the idea of waiving some fees was explored. With respect to state laws, no landowner/developer may be required to pay more than their fair share for capital improvements and other activities funded by the fees, and that they receive sufficient benefit in the form of capital improvements for the fees paid. For this reason, if any impact fees were to be waived, another source of funding for the waivers would need to be created to make up the funding shortfall to provide the necessary capital facilities. Given this circumstance, there are real limitations to what fees could be waived. For example, the Real Estate Transfer Fee will sunset at the end of 2024, and any changes to it in the meantime would require both State and County approval. Likewise, the impact fees for parks, roads and libraries are exacted under County ordinances, and the County is unlikely to agree to waive the fees. Research into the sewer and water availability fees administered by the PSDs reveals that there is no flexibility for waiving those.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, and pages A-35 through A-37 of Appendix A address development-related fees.

Strategy Description: Recommendation PP-4 proposes a Historic Gullah Neighborhoods Conservation Overlay District as a vehicle for implementing several of this report's recommendations related to the LMO. With respect to development application fees, it is proposed that they be waived for applicants within the proposed Historic Gullah Neighborhood Conservation Overlay District. It is proposed that a fund be established to provide grants subsidizing Town transportation impact fees for qualified property owners within the proposed overlay district.

Implementation: This strategy can be implemented through amendments to the LMO. Section 16-2-102.C.2 addresses development application fees by reference, while Section 16-5-116 addresses impact fees. The proposed fund should be established and administered by the Town. It is recommended that, at a minimum, residential projects should qualify for grants. Based upon input from stakeholders, the Town should also consider grants for impact fees related to commercial development. In either case, projects would need to meet specific criteria, and applications could be decided by a

Town-appointed committee of staff and/or appointed or elected officials. One such criterion might be prioritizing Gullah property owners for this grants program, as opposed to out-of-town developers having no connections to Gullah culture.

**PP-2. “Fast-track” the review process for development applications within the proposed Historic Gullah Neighborhoods Conservation Overlay District to decrease the land owners’ time and costs associated with development.**

Issue Statement: The time it takes to process a development application has financial implications. Unlike most developers, those costs can be prohibitive for many Gullah land owners.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town’s LMO.

Strategy Description: It is proposed that all development applications requested for development in the proposed Historic Gullah Neighborhoods Conservation Overlay District be “fast-tracked” by allowing those applications to “move to the front of the processing line” in the review and approval process once they are determined complete. It is noteworthy that the Town already provides administrative approvals for any application types that they have the authority to so they can avoid lengthy approval processes for applicants.

Implementation: The review process for various types of development applications is established in Chapter 16-2 of the LMO. Amendments for “fast-tracking” development applications in the Historic Gullah Neighborhoods Conservation Overlay District should be provided in this part of the LMO. They should also be referenced in the Historic Gullah Neighborhoods Conservation Overlay District provisions. These amendments should be prepared in Phase 2 of this project.

**PP-3. Utilize the Town’s newly-created Historic Neighborhoods Preservation Administrator position to work closely with property and business owners in the proposed Historic Gullah Neighborhoods Conservation Overlay District to help them navigate Town regulations related to land use, development, and businesses.**

Issue Statement: One of the major hurdles for the Island’s Gullah residents and land owners is understanding the complexities of the land use and development regulations. The Town has a strong track record in trying to help applicants navigate the regulations, but they have limited staffing capacity, just like most municipalities. Recently, the Town established a new professional staff position, the “Historic Neighborhoods Preservation Administrator.” The Historic Neighborhoods Preservation Administrator’s advertised job description is to “Initiate, implement and administer a program to preserve the



Island's historic neighborhoods and advance efforts to improve infrastructure in and service delivery to these areas.”

Background Study Reference: Page A-12 of Appendix A provides information on the Historic Neighborhoods Preservation Administrator.

Strategy Description: A portion of the Historic Neighborhoods Preservation Administrator's time should be devoted towards assisting land owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to better understand the Town's land use and development regulations, and assisting them prepare and process development applications.

Implementation: Since the Historic Neighborhoods Preservation Administrator position will report directly to the Town's Deputy Director of Community Development, this recommendation can be implemented by the Deputy Director.

## LAND USE & DEVELOPMENT STANDARDS

### **PP-4. Designate a Historic Gullah Neighborhoods Conservation Overlay District for all delineated historic Gullah neighborhoods that can serve as the vehicle for many of this report's recommendations.**

Issue Statement: There is consensus that the Town's Land Management Ordinance (LMO) should be modified to provide more development opportunities for Gullah land owners. Examples of potential treatment for Gullah neighborhoods include waiving development fees and certain impact fees, relaxing certain development standards, and expanding permitted land uses and increasing development densities.

Background Study Reference: Pages A-1 and A-2 of Appendix A provide information on the delineated historic Gullah neighborhoods, and pages A-28 through A-33 of Appendix A provide information on the LMO.

Strategy Description: It is recommended that a Historic Gullah Neighborhoods Conservation Overlay District be added to the LMO. Its purpose and intent should be to preserve the character and historic integrity of the island's historic Gullah neighborhoods. It should be applied to the historic Gullah neighborhoods delineated in the Town's 2017 Comprehensive Plan (see page A-1 of this report's Appendix A). The overlay should serve as a vehicle for implementing the other recommended LMO revisions found in this report, such as fast-tracking development applications, waiving certain application fees, providing grants to subsidize certain development impact fees, increasing densities, potential reductions in setbacks and buffers, adjusting ROW widths, and adopting family compound provisions. Below is a list of the potential provisions

that might be directly included in this proposed overlay district that are detailed in the following pages:

- Allowing higher densities for the lands zoned RM-4 and MF
- Reducing some minimum setback and buffering requirements
- Reducing open space requirements for residential subdivisions

Implementation: Since the Forest Beach and Folly Field Neighborhood Character Overlay Districts appear to be closest to this proposed overlay for historic Gullah neighborhoods, it is recommended that those districts be used as a starting point for development of the proposed overlay, which will be tailored specifically to the historic Gullah neighborhoods. Because of the unique circumstances of the historic Gullah neighborhoods, however, the adaptation of any templates will need to be substantial. It is further recommended that the overlay district be designed and drafted as part of this project's Phase 2.

- A. Allow higher densities for the RM-4 and MF zoning districts in the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can better leverage their potential land value.

*Issue Statement:* The most prevalent base zoning districts within the proposed Historic Gullah Neighborhoods Conservation Overlay District are:

- Low to Moderate Density Residential (RM-4);
- Moderate Density Residential (RM-8);
- Stoney (S);
- Mitchelville (MV);
- Marshfront (MF);
- Water-Oriented Mixed Use (WMU); and
- Parks and Recreation (PR).

It must first be acknowledged that many of the base zoning districts that currently apply to the proposed overlay district already allow a relatively wide range of land uses. Contemplating whether to broaden the uses allowed in the base districts within the proposed Historic Gullah Neighborhoods Conservation Overlay District or increasing densities must always be considered in the context of ensuring sound land use planning and the community's goals for development.

Given these considerations, there may be opportunities to expand some types of uses and/or increase densities and maximum impervious surface coverage requirements. However, they would most likely be modest refinements, given the current development parameters in relationship to the development parameters in base district outside the proposed overlay district.

*Background Study Reference:* Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, including the most relevant zoning districts.

*Strategy Description:* Several actions might be taken with respect to modifying the base zoning districts and district regulations within the proposed Historic Gullah Neighborhoods Conservation Overlay District. First, the current base districts that apply in the area might be refined in several ways. The current uses allowed by right and conditionally have been reviewed to determine whether it might be appropriate to expand allowed uses in the districts. Secondly, the development parameters have been evaluated relative to district purposes and the other residential, commercial and mixed-use districts in the Town to determine whether modifications make sense. Another potential option to consider is the expansion of the boundaries of existing zoning districts to adjacent lands. Any such actions, however, should balance the desire to provide greater options for Gullah lands with sound planning principles and likely future market demand. Potential changes to existing zoning that should be considered only within the proposed Historic Gullah Neighborhoods Conservation Overlay District include the following:

*Low to Moderate Density Residential (RM-4):* This zoning district is the most prevalent within the Gullah neighborhoods. It allows a maximum density of 4 to 8 units per net acre, depending upon the size of the site. It also allows a relatively broad range of permitted and conditional uses relative to other residential districts. It is recommended that, within the proposed overlay, a maximum density increase of 25% to 50% be considered, which is capped at a maximum density of 10 units per acre regardless of the site size. That increase would result in 5 to 6 units per net acre for sites less than 3 acres in size, 7.5 to 9 units for sites between 3 and 5 acres in size, and 10 units for sites over 5 acres in size.

*Moderate Density Residential (RM-8):* This zoning district is applied to a relatively small portion of the proposed overlay relative to the RM-4 district. No revisions are recommended for the RM-8 within the proposed overlay areas.

*Stoney (S):* This zoning district permits a substantial range of uses and densities up to 10 units per net acre. Because the range of uses and permitted density are significant, no changes are recommended.

*Mitchelville (MV):* Similar to Stoney, this zoning district already permits relatively dense development and a substantial range of uses. No changes are proposed.

*Marshfront (MF):* This district permits a mix of residential, institutional, and commercial uses. Permitted densities are as high as 10 units per net acre (based upon the optimal street location and a site size exceeding 3 acres). The maximum nonresidential gross floor area (GFA) is 7,000 square feet per net acre, the maximum building height is 45 feet, and maximum impervious surface coverage is 60%. It is

recommended that the limitation of density along major arterial streets (4 units per net acre for sites less than 3 acres, and 8 units per net acre for sites 3 acres and larger) be eliminated so that major arterial sites can have the same density as elsewhere within the MF zoning district.

*Water-Oriented Mixed Use (WMU):* Allowing even more dense development than the S or MV districts, this district permits a wide range of uses, densities up to 16 units per net acre, and building heights up to 75 feet. No changes are proposed.

*Implementation:* Following a general evaluation of the primary base zoning districts that comprise the same areas proposed for the overlay district, the only proposed changes for increased density of development apply to the RM-4 and MF districts. Amendments should be considered for the RM-4 section and MF section of the LMO and referenced in the new section for the proposed overlay district. However, before adopting any revised standards for these districts within the proposed overlay, it is recommended that conceptual site plans be prepared for multiple example properties to ensure that the proposed changes will achieve the desired results. In addition to potential allowed density increases, such testing will also need to consider standards for impervious coverages, building heights, setbacks and buffers. As reflected in subsequent recommendations, corresponding amendments to some of those standards may also be necessary to work properly with density increases.

**B. Reduce some setback and buffer requirements within zoning districts applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District so that land owners can maximize their development potential.**

*Issue Statement:* Some refinements to the requirements for use and street setbacks and use and street buffer requirements might be achieved to enhance the development potential of Gullah lands without affecting the quality of development or the general character of the Town. However, as noted previously, the merits of relaxing development standards must always be balanced against sound land use planning that seeks to avoid negative impacts from development and maintains desired community development quality and character. Below is a summary of potential revisions to the current LMO setback and buffer requirements:

*Adjacent Street Setbacks:* These standards refer to the setback that structures must have from their adjacent streets. One potential setback that should be considered is reduction of the required setback for structures 24 inches in height or greater. Similarly, there is the potential to reduce setbacks along arterial streets.

*Adjacent Use Setbacks:* These standards dictate how far a structure must be set back from the lot line of an adjacent use (there are some existing exceptions when residential subdivisions are adjacent to other residential subdivisions). Although, in the case of single-family subdivisions, these setbacks only apply to the perimeter of

the subdivision, they may still be overly generous in some cases and worthy of reconsideration.

*Adjacent Street Buffers:* Given that a buffer along a street frontage is more in keeping with an Island character than a historic neighborhood character, the elimination of adjacent street buffers should be considered within the proposed overlay district for all street types other than arterials. For the arterials, the required buffer types might be decreased in width and landscape density.

*Adjacent Use Buffers:* As with adjacent use setback requirements for residential subdivisions, these buffers only apply to the perimeter of the subdivision rather than the individual lots. Nevertheless, buffer requirements are substantial enough that they have potential for reduction as applied to properties within the proposed overlay district.

*Background Study Reference:* Pages A-28 through A-33 of Appendix A provide information on the Town's Land Management Ordinance (LMO).

*Strategy Description:* It is recommended that relief from the LMO's existing use setback requirements be adopted in the proposed overlay district. Likewise, adjacent street buffers should be considered for complete elimination for all but arterial street frontages within the proposed overlay with some level of reduction in the buffers for arterial streets (except for development abutting Industrial uses). This reduction does not apply to buffer height requirements. Consideration should also be given to reducing or even eliminating adjacent use buffer requirements within the proposed overlay when the buffer would apply to like uses and development.

*Implementation:* Any proposed exemptions from the LMO's setback and buffer standards that might be applied to the proposed overlay district should be noted in the LMO's setback and buffer standards section. Also, these reduced setbacks and buffers should be referenced in the new section for the proposed new section for the proposed overlay district. In order to determine specific adjustments to the setback and buffer standards, it will be necessary to evaluate actual development sites through site planning and confirm where potential adjustments might be achieved without affecting desired community character.

- C. Reduce the LMO's open space requirements as applied to the proposed Historic Gullah Neighborhoods Conservation Overlay Zoning District so that land owners can maximize their development potential.

*Issue Statement:* Some LMO requirements impact the development potential of historic Gullah neighborhood lands, as is the case for all lands on the Island. One of those requirements is the Open Space Standards contained in Section 16-5-104 of the LMO. The requirements currently apply only to residential subdivisions constituting a Major

Subdivision (6 lots or more). The standard requires a minimum of 16% of the site be placed in common open space. The common open space is required to be deed restricted or protected through a conservation easement for the use and benefit of the residents of the development.

*Background Study Reference:* Pages A-28 through A-33 of Appendix A provide information on the Town's LMO.

*Strategy Description:* It is recommended that the open space requirements be reduced as applied to lands within the proposed overlay district, as follows:

- Increase the number of lots required to trigger this requirement from 6 lots to 10 lots.
- Reduce the amount of required open space from 16% to 10%.

*Implementation:* The suggested revisions to the LMO should occur in Section 16-5-104 where open space requirements are addressed, and they should be referenced in the new section for the proposed overlay district.

**PP-5. Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family “paper subdivisions.”**

Issue Statement: At present, a subdivision of six (6) or more lots requires paved roads and other infrastructure, which can be cost-prohibitive for many Gullah land owners. Beaufort County has a Family Compound ordinance in its land development code. It might be adapted as a model for Hilton Head Island's proposed overlay, but the density restrictions of that model would need adjusting to fit Hilton Head Island's existing higher densities. While identifying an alternative for relief from the Town's current subdivision requirements is a worthy objective to pursue, consideration must also be given to avoid adding to the Town's backlog of unpaved roads and infrastructure needs.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO, including current challenges for Gullah land owners.

Strategy Description: The County's existing Family Compound provisions are summarized in this report's Background Study on pages A-37 and A-38 of Appendix 1 under “Potential Model Regulations.” Key provisions that could serve as a model to address paper subdivisions within the proposed overlay for Hilton Head Island include:

- Fifty (50) years of ownership of the subject site.
- Familial relationship of those receiving property and/or dwelling unit.
- Five (5) year restriction for leasing or selling the subject property to people not related to the family.

With respect to the last provision, stakeholders have expressed their desire to see such a provision apply to selling, but not to leasing property.

Implementation: The Beaufort County Family Compound provisions summarized in this report's Background section should be used as a starting point to craft similar provisions for Hilton Head Island's LMO within the proposed overlay. Because densities will be greater for Hilton Head Island than those areas of the County where these provisions are applied, accompanying site design standards will be important. Those can be crafted during Phase 2 of this project.

**PP-6. Provide greater flexibility for required road ROWs and drainage easements within the proposed Historic Gullah Neighborhoods Conservation Overlay District to make the development of some properties more viable.**

Issue Statement: As in the case of all properties on Hilton Head Island, required road right-of-way (ROW) widths and drainage easements can reduce the amount of potential density for development. These standards can be particularly challenging for smaller parcels. Required ROW widths are determined by the street type. Minimum widths range from 30 feet for cul de sacs to 120 feet for major arterials. Closed pipe underground drainage easements must be at least 15 feet wide. Open channel easements must be at least as wide as the widest point of the top of the channel, plus an additional 15 feet. The Town Engineer can require more width where needed for both types of easements, and shared easements are permitted along lot lines where feasible.

Background Study Reference: Pages A-28 through A-33 of Appendix A provide information on the Town's LMO.

Strategy Description: Two different strategies are offered to address this issue.

First, relief from ROW and drainage easement width requirements should be pursued with revisions to the LMO. Because establishing a ROW also impedes flexibility for future subdivision layouts, another option should be to allow access easements until an area more fully develops.

Secondly, when a new road ROW is established in an area already developed or when created without a development, the land within the new ROW is removed from the amount of land for density calculations. It is recommended that, in such circumstances, the amount of land lost can still be used for calculations within the proposed overlay district.

Implementation: Any LMO revisions consistent with the suggestions above would need to be made in the text for the proposed overlay district. Also, the LMO sections relative

to ROW widths, drainage easement widths, and density calculations would need to be revised accordingly during Phase 2 of this project.

**PP-7. Adopt Transfer of Development Rights (TDR) to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid too much development in Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.**

Issue Statement: A handful of communities across the country have successfully used some form of transfer of development rights (TDR) to assist in the protection of environmentally sensitive lands, or mitigate against the idea of “windfalls and wipeouts.” Typically, TDR allows property owners whose lands have lower densities or are being rezoned to lower densities (“sending” areas) to be given certain additional development rights (dwelling units or nonresidential floor area), which could be sold in a transfer to other identified locations (“receiving” areas). It is also conceivable that a sending area might already be substantially developed, but any additional density that zoning may allow is sold as development credits to be applied to receiving areas. Experience suggests that for TDR programs to work successfully: 1) program design must be supported by careful economic/market analysis to confirm there will be reasonable market demand in the receiving areas for units that can transferred from the sending areas; and 2) the regulatory program, and selection of receiving areas in particular, are carefully designed to take advantage of market conditions.

If a TDR program is going to be a viable option to provide additional development rights for property owners within the historic Gullah neighborhoods, the neighborhoods would need to serve as the “sending” areas. The challenge would be:

- Finding the appropriate “receiving” areas where market conditions will maximize the value of transferred residential units or nonresidential square footage; and
- Finding places the Town finds it acceptable to see increased density levels.

While TDRs are authorized in South Carolina, the greatest challenges to this concept are their technical complexity and the necessary study that will be required to make it work. Due to the complexities associated with creating a TDR program, this may not be a viable recommendation for the Town to pursue.

Background Study Reference: N/A

Strategy Description: To be determined

Implementation: If the Town is interested in considering a TDR program for the historic Gullah neighborhoods, it will be necessary to retain the services of consultants with expertise in land economics and the regulatory aspects of TDR programs to conduct a study to determine the feasibility of such a program, and if it is workable, design the



program and the appropriate legislation. Generally, the design of the program would involve the identification of “sending” areas in the historic Gullah neighborhoods, and “receiving” areas in other locations on the Island, where additional development rights are appropriate.

**PP-8. Utilize a program to purchase development rights from willing property owners within the proposed Historic Gullah Neighborhoods Conservation Overlay District to preserve ownership of land in historic Gullah neighborhoods, while allowing land owners to benefit financially from their development potential.**

Issue Statement: As in the case of the proposed TDR program, this recommendation recognizes that some land owners in the historic Gullah neighborhoods may not want to develop or further develop their land, but they would like retain their land and benefit financially from their property’s unrealized development potential.

Background Study Reference: N/A

Strategy Description: It is recommended that this program be led by a qualified conservation entity as the first option, with the Town as a fallback if such entities are unable or unwilling to fund the costs of development right purchases. The legal approach might be based upon the Town’s past initiatives to purchase development rights from willing property owners. In those cases, an agreement was negotiated between the Town and property owner stipulating what future develop could or could not occur on the land.

Implementation: The Town’s new Historic Neighborhoods Preservation Administrator should reach out to area land conservation entities to gauge their interest in working with land owners in the historic neighborhoods. Examples of such potential entities include the Hilton Head Island Land Trust, the South Carolina Conservation Coalition, the Lowcountry Land Trust, and the Southeast Regional Land Conservancy.

**PP-9. Amend the Town’s Design Guide, as applied to portions of the Corridor Overlay District that are within the proposed Historic Gullah Neighborhoods Conservation Overlay District, to better reflect the design tradition of the Gullah culture.**

Issue Statement: The Town’s Design Guide is applied by the Town’s Design Review Board and staff to all properties within the Corridor Overlay District. Provisions for this overlay can be found in Section 16-3-106.F of the LMO. Except for single-family homes, mandatory design review is required for all alterations to a site or structure in terms of colors, materials, structural changes, landscaping, and signage. Because the requirement is relatively expansive geographically, it includes some lands within the proposed overlay district. The Design Guide is based on a vision for the Island that is

grounded in resorts for tourists and gated communities rather than the Gullah people's historic neighborhoods.

Background Study Reference: Pages A-33 and A-34 of Appendix A address the Corridor Overlay District and the accompanying Design Guide.

Strategy Description: It is recommended that a new section be added to the Design Guide to apply specifically to lands within the proposed Historic Gullah Neighborhood Conservation Overlay District. That section would replace all requirements of the existing Design Guide as they pertain to the Gullah neighborhoods. The new standards should be based (at least in part) on historic development patterns and character found within the neighborhoods prior to the predominance of mobile homes in some areas.

Implementation: The Town has preliminarily indicated that this is a project that Town staff can perform without the unnecessary expense of consultants. Examples of surviving architecture on Hilton Head Island for design inspiration might include the "Blue House" at the Gullah Museum and the Cherry Hill School, both of which feature clapboard exteriors, front porches, and gable roofs with pitches less than 45 degrees. Vibrant colors are also associated with Gullah culture. Fortunately, there are numerous historic photos of Mitchelville and other areas of the island from the 1860s.

## PROPERTY TAXES

### **PP-10. Explore the potential to base property values for tax assessment purposes in historic Gullah neighborhoods on the land's current use rather than market value to reduce the tax burden and enhance the ability of owners to retain their property.**

Issue Statement: The current approach of basing assessed property values and property taxes on the market value of the property is grounded in future development potential, which may or may not actually be realized. Even if it can be realized, some historic neighborhood landowners cannot afford to pay their property taxes. Consequently, sometimes their taxes become delinquent and the property is sold by the County at auction. One way the problem might be mitigated is to adjust how property is valued for tax purposes. Achieving such a change, however, is difficult for the Town since the State establishes the rules for how property is to be valued for tax purposes, and the County is the local government authorized by state law to assess property values (Beaufort County Assessor's Office) and calculate taxes (Beaufort County Treasurer's Office).

Background Study Reference: Pages A-34 and A-35 of Appendix A provide information on property taxes.

Strategy Description: It is recommended that a lobbying campaign be initiated to change the State laws so that properties within a specified area for specified reasons can be assessed based upon current use. Based upon political realities, this would need to be an effort that involves multiple jurisdictions and elected officials beyond Hilton Head Island. In fact, given that the issue is particularly impactful on Gullah property owners, the effort might be spearheaded by communities and counties that comprise the South Carolina portion of the Gullah Geechee Cultural Heritage Corridor, which is a federally recognized and designated area.

Implementation: Before initiating an effort to change the way property taxes are assessed on Gullah lands, further evaluation will be necessary. Specifically, what will need to be determined is:

1. The most appropriate strategy for making such a change, and
2. Whether the investment of time and effort can reasonably be expected to be effective.

Generally, the potential approaches evaluated should focus on possible changes to provisions modifying how Gullah lands are assessed by a partial exemption or general State law changes. If after further evaluation one of these strategies looks promising, a meeting of potential stakeholders should be called and a specific strategy developed.

**PP-11. Establish a fund to help property owners avoid losing their property to delinquent tax sales as a way to protect Gullah land ownership on Hilton Head Island.**

Issue Statement: As indicated in the previous recommendation, many Gullah property owners struggle to pay their property taxes. Some are unable to pay their taxes and lose their property at auctions. Another issue is that sometimes property owners are unaware their taxes are delinquent and that their land will be auctioned at a County tax sale. While some ideas have been recommended in this report to address this problem, such as lobbying for State legislation to revise how property values are assessed, the problem ultimately comes down to finding the money necessary to assist the property owner to pay the property taxes.

Background Study Reference: Pages A-34 and A-35 of Appendix A provide information on property taxes.

Strategy Description: One alternative funding tool to consider might be a GoFundMe webpage tied to a revolving fund. The Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN) is already working on such efforts with a GoFundMe webpage. The Town should coordinate with PAFEN as a potential funding resource. Another potential funding source is the Community Foundation of the Lowcountry.

To address the problem that some Gullah landowners might be unaware that their taxes are delinquent, a person or entity could be assigned to review legal notifications to learn when the property taxes on Gullah-owned lands are delinquent and scheduled to be sold, and make sure the owner(s) are notified.

Implementation: It is recommended that NIBCAA explore funding sources to assist Gullah property owners in paying their delinquent taxes through no interest loans. This should include contacting PAFEN about setting up a GoFundMe webpage, as well as contacting the Community Foundation of the Lowcountry about assisting with funding. Another related effort should include regularly reviewing legal notifications to learn when Gullah-owned lands are tax delinquent and scheduled to be sold, and notifying the owner(s).

## OTHER ISSUES

### **PP-12. Establish a program to educate Gullah residents and others on a wide range of public policy issues that impact their lives, including property taxation, land use and development, and heirs' property so they can prosper more socially and financially.**

Issue Statement: There are countless public policies that impact the daily lives of Hilton Head Island residents and workers, including the Gullah community. As just one example, the length and complexity of the Land Management Ordinance (LMO) can be confusing to planners, land use attorneys, and real estate development professionals, much less the average layperson. However, knowledge relating to public policies is a key to saving Gullah land and culture.

Background Study Reference: N/A

Strategy Description: The objective of this strategy is to enhance the general understanding of Hilton Head Island residents, and particularly the Gullah population, on public policies that impact them regularly. It is recommended that a series of meetings be held to educate citizens on topics such as the LMO, property taxes, heirs' property, and financial resources for land owners and businesses.

Implementation: It is recommended that this program be initiated by the Towns' new Historic Neighborhoods Preservation Administrator. While it may turn out that the Administrator has to present on all of these issues, an ideal scenario would be the following presenters:

- Land Management Ordinance (LMO) – Town's Community Development staff
- Property Taxes – County's Tax office staff
- Heirs' Property – Center for Heirs' Property Preservation (CHPP) representative

- Financial Resources – Representative from the local Small Business Administration (SBA) office, the Chamber of Commerce, or a local financial institution

**PP-13. Ensure that local financial institutions are meeting the requirements of the federal Community Reinvestment Act (CRA) to make loans for economically challenged people and properties to provide greater financial opportunities within the proposed Historic Gullah Neighborhoods Conservation Overlay District.**

Issue Statement: The purpose and intent of the CRA is to encourage commercial banks and savings and loan associations to help meet the needs of borrowers of all economic segments of their communities, including those persons who reside in low and moderate-income neighborhoods. Congress passed the Act in 1977 to reduce discriminatory credit practices in low-income neighborhoods (“redlining”). The CRA instructs the appropriate federal financial supervisory agencies to encourage regulated financial institutions to help meet the credit needs of the local communities in which they are chartered. To enforce the statute, federal regulatory agencies examine banking institutions for CRA compliance, and take this information into consideration when approving applications for new bank branches or for mergers or acquisitions. A key hurdle for many Gullah land and business owners to succeed is accessing capital.

Background Study Reference: N/A

Strategy Description: It is recommended that NIBCAA representatives reach out to the Island’s financial institutions to find out if they are seeking opportunities to meet their CRA obligations by making loans to qualified borrowers in historic Gullah neighborhoods within the proposed overlay district. Although this sort of strategy might normally be undertaken by an economic development office, that office was eliminated in Hilton Head Island in 2016. Georgetown, South Carolina’s economic development office has recently found success by sponsoring “match maker” events bringing together lenders with potential borrowers.

Implementation: Ensuring that the CRA is being leveraged to assist Gullah land and business owners should be shepherded by NIBCAA. The Town’s new Historic Neighborhoods Preservation Administrator might also help to educate those who might benefit about the CRA. Since property owners with heir’s property issues cannot secure loans from financial institutions, it must be acknowledged that the CRA, unfortunately, will not be relevant to them.

**PP-14. Establish a program providing temporary and seasonal signs that are compliant with Town regulations to be used within the proposed Historic Gullah Neighborhoods Conservation Overlay District to expand economic opportunities for Gullah residents and businesses.**

Issue Statement: The primary complaint heard from Gullah residents regarding signage is the difficulty they have with the existing regulatory process that applies to their businesses, including home-based businesses. While there are no fundamental problems with the LMO's current application of signage standards, options for assisting Gullah citizens with challenges related to sign regulations should be considered.

At present, the LMO requires Design Review Board (DRB) approval for any permanent signs that are over 40 square feet in area. That provision should allow most proposed signage for Gullah business owners to avoid DRB review. Instead, signs not exceeding 40 square feet in area are subject to administrative review by Town staff. Also, the Town follows the guidelines tied to "Island Character" in the Town's Design Guide, which address signage on pages 27-28.

Background Study Reference: N/A

Strategy Description: It is recommended that a program be initiated whereby compliant signage can be made available and reused because the lettering and design is adjustable. This program would be for Gullah residents and business owners who need temporary or seasonal signs within the proposed overlay district.

Implementation: NIBCAA would be the appropriate sponsor of this program. They could work closely with the Town's planning staff to insure compliance with Town regulations for signage. The Town can also provide information to those utilizing this program that will help them avoid placing signs within a ROW where they are not permitted.

## HEIRS' PROPERTY

It is important to remember that, when dealing with the heirs' property issue, there are no easy solutions. Clearing title to property requires a lot of hard work and usually the assistance of an attorney that is skilled in real property and title issues. The best approach is to utilize resource organizations and approaches that have worked in the past.

### CURRENT EFFORTS

At present, measures are already being taken by the Town and others. *The principal current measures that should be continued* are the following:

#### **Working with the Center for Heirs Property Preservation (CHPP) to schedule future workshops.**

The fact that many Gullah residents lack legal title to their property is a problem that must be overcome before the property can be sold, or a loan obtained to improve the property. This is so, even though the property owner is required to pay property taxes. Unfortunately, resolving the problem is not simple, and usually expensive. The workshops held on Hilton Head Island in February 2018 and March 2019 were a success, as roughly 50 people attended each. CHPP representatives have indicated an interest in conducting future workshops on Hilton Head Island. The Town's new Historic Neighborhoods Preservation Administrator should become the Town's key contact person for scheduling and promoting future CHPP workshops. Given that an oyster roast was held in conjunction with the last workshop, and that likely drew greater participation, similar events should be considered in conjunction with future workshops.

#### **Considering valid property tax payers to be qualified applicants for various land use and development applications.**

Although lacking title to property may be problematic for property owners wanting to sell their property or to secure a loan, it does not preclude their ability to pursue approvals for land use and development applications within the Town of Hilton Head Island. Some communities require clear evidence of ownership before an application can be submitted for a subdivision, site plan approval, building permit, and similar applications. In the case of Hilton Head Island, evidence of paying property taxes will suffice. That approach is an important one for heirs' property owners and it is critical that it continues into the future.

Building upon the current efforts summarized above, below are three specific recommendations for addressing heirs' property. It is also important to note that one of the recommendations earlier in this report under "Public Policies" is also tied directly to the issue of heirs' property. That recommendation is *PP-5: Add Family Compound provisions to the LMO to be applied to the proposed Historic Gullah Neighborhoods Conservation Overlay District to avoid triggering the full range of LMO requirements and fees for small-scaled family "paper subdivisions."*

The following recommendations are offered for the Town's consideration:

**HP-1. Utilize the Heritage Library Foundation as a potential first step for Gullah families toward clearing title to their property to overcome heirs' property issues.**

Issue Statement: The root of heirs' property issues lies in identifying and reaching agreement with relatives who are considered heirs of a particular property. The Heritage Library Foundation is comprised of two main components, one of which is the Hilton Head Island Genealogical Society Group. The Foundation focuses on acquiring, preserving and recording the history of the Island and its people, and making the information available to the public. The library contains more than 4,000 volumes of history-related documents.

Background Study Reference: Page A-11 of Appendix A provides background information on the Heritage Library Foundation.

Strategy Description: The key to better leveraging the Foundation's resources will be getting the word out. That should be done through the following entities, among others: the Heritage Library Foundation, the Gullah Museum, the Historic Mitchelville Freedom Park (HMFP), the Town, Gullah neighborhood churches, and the Center for Heirs' Property Preservation (CHPP).

Implementation: With respect to the Town's role in promoting the resources of the Heritage Library Foundation, the Historic Neighborhoods Preservation Administrator can play an important role in promoting the Library among Gullah land owners.

**HP-2. Leverage a range of local, state and national organizations involved with addressing heirs' property issues to maximize the Island's potential to address the issue.**

Issue Statement: Of the various organizations addressing heirs' property issues, the CHPP, based in Charleston, seems to have the best track record and has an established relationship with the community in light of their 2018 and 2019 workshops. However, there are two drawbacks for some land owners seeking to use their services: 1) they require that clients intend to keep their land in their family and not sell it; and 2) there are income restrictions for those who can become CHPP clients. With respect to income restrictions, their cap is household incomes equal to or less than 200% of the federal poverty guidelines based on the number of people in the household. These requirements will preclude some Hilton Head Island property owners from using their services. Consequently, other organizations should also be leveraged to assist Gullah residents in resolving heirs' property issues.

Background Study Reference: Page A-12 of Appendix A provides information on the new Historic Neighborhoods Preservation Administrator, and pages A-40 and A-41 of Appendix A provide information about other organizations beyond CHPP that address heirs' property issues.



Strategy Description: This strategy entails building a working relationship with organizations such as the following:

- *Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN):* This Beaufort-based public charity is relatively new and it was “created to help Gullah/Geechee and other African descendants save their land for current and future generations.” Since 2015, PAFEN's "Help Save Gullah-Geechee Land Campaign" has prevented Gullah Geechee owned property with an assessed value of more than \$6 million from being lost.
- *South Carolina Legal Services (SCLS):* This non-profit entity provides free legal assistance in a variety of civil (non-criminal) legal matters, including heirs' property, to eligible low-income residents in the state. It is funded by grants from the federally-funded Legal Services Corporation, the South Carolina Bar Foundation, local United Ways, state court filing fees, and other funding sources. Their closest office to Hilton Head Island is in North Charleston.
- *Heirs' Property Retention Coalition (HPRC):* This is a national organization of lawyers, advocates, and academics heavily involved in litigation, legislative reform, and/or scholarly study related to heirs' property and, in particular, to the preservation of heirs' property within low-income African-American communities.
- *South Carolina Appleseed Legal Justice Center (SCALJC):* Based in Columbia, this non-profit organization was established in its current form in 1998. Their staff includes attorneys, outreach workers and community organizers. Their stated goal is to “influence policymakers to ensure the law is fair, to educate the public and their advocates about the law, and to assist attorneys...” While their current focus does not include heirs' property, there may be the potential if they could be convinced.
- *Black Family Land Trust (BFLT):* Based in Durham, NC, this non-profit's stated mission is “ensuring, protecting and preserving African American owned lands.” While their main focus is on North Carolina, they do serve South Carolina as well. Their “Wealth Retention and Asset Protection (WRAP)” program addresses heirs' property issues through education.
- *Black Belt Justice Center (BBJC):* Headquartered in Washington, DC, this legal and advocacy non-profit organization serves African American farmers, landowners, and communities in the Black Belt region to: retain and increase landownership; to create sustainable land-based cooperatives and entrepreneurial businesses; and to ensure intergenerational and community wealth. They describe the Black Belt as a crescent-shaped agricultural region extending from southern Maryland to eastern Texas that is characterized by its high concentration of African Americans. Their services include community education, heirs' property mediation, and land trusts.

Implementation: This strategy should be the responsibility of the Town's new Historic Neighborhoods Preservation Administrator. There should be no significant related costs. One way to remain informed about the activities of these groups is to sign up for their regular newsletters and e-mails, and to occasionally check their websites.

**HP-3. Encourage the Center for Heirs Property Preservation (CHPP) to open a satellite office in Beaufort County to make their resources more readily available to Hilton Head Island's Gullah community.**

Issue Statement: The CHPP is headquartered in Charleston and serves fifteen counties in the state: Allendale, Bamberg, Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Hampton, Horry, Georgetown, Jasper, Orangeburg, Sumter and Williamsburg. Because their main office is a two-hour drive from Hilton Head Island, it is not very convenient for property owners on the Island who need the Center's services. Likewise, it is inconvenient for Center staff to host workshops on the Island. One mitigating circumstance is that a CHPP staff attorney meets on the third Tuesday of each month with area property owners in the conference room of the Coastal Community Foundation in Beaufort. They announce their various locations at all of their seminars.

Background Study Reference: Pages A-39 and A-40 of Appendix A provide information about the CHPP.

Strategy Description: It is recommended that the Town actively encourage the CHPP to open a satellite office in Beaufort County, perhaps even on Hilton Head Island or Bluffton. Although the CHPP is a non-profit organization with limited funding, a satellite office is not out of the question. In fact, they just opened their very first such office in January 2019 in Orangeburg. However, they have indicated that to be able to expand offices, they would need the financial resources to add one or more staff attorneys.

Implementation: This strategy should be the responsibility of the Town's new Historic Neighborhoods Preservation Administrator. It should start with informal discussions with one or more key CHPP representatives. If there appears to be interest on the part of the CHPP, a coalition of other interested parties in the county should be formed, including the County, Beaufort, Bluffton and other municipalities within the county. Before making an aggressive "sell" to the CHPP, the coalition should first identify potential office space (which should be minimal in size for a one or two-person staff) that could be provided either for free or at a minimal cost. Also, if this recommendation is ultimately not viable for the CHPP, their current arrangement with the Coastal Community Foundation in Beaufort should continue to be broadcasted, including adding relevant information to the CHPP website.

## NEXT STEPS

This project's next step is a Phase 2, which might be conducted with the help of consultants or entirely in-house by the Town's planning staff, depending upon their work load. Regardless of how it is conducted, it will take the recommendations of this report and follow through with greater analysis and implementation. For example, some of the recommended revisions of the Town's LMO related to setbacks, buffers, open space requirements, and similar site design issues will need testing using sample sites. Likewise, issues such as pursuing changes to the methods used to assess the value of Gullah lands for property taxing purpose will require further legal research and meetings between the relevant governmental representatives. However, the next steps for more straightforward issues might include simple changes to the text of the LMO, as well as actions by the Town's new Historic Neighborhoods Preservation Administrator.

For each recommendation in this report, a description of the implementation approach is included. Regardless of the issue category of each recommendation, they can all be grouped into the following four implementation categories:

### **Land Management Ordinance Revisions**

The Public Policies section of this report includes numerous recommendations to amend the LMO to expand the land use and development options within historic Gullah neighborhoods. Some of the recommendations hinge upon the designation of a Historic Gullah Neighborhoods Conservation Overlay District as the vehicle for their implementation (Recommendation PP-4). The creation of this overlay should be an initial step. Next, some of the recommendations related to setbacks, buffers, open space, and similar physical planning standards will require further testing through sample site plan designs. Once fine-tuned, the many proposed LMO revisions can occur by drafting the revised and new text.

### **Other Policy Revisions**

While most of the recommended Public Policy changes are under the control of the Town government, not all of them are. For example, the recommendation to lobby the State and County to amend the way that property is assessed for taxing purposes, to be applied to the state's Gullah Geechee Cultural Heritage Corridor (GGCHC), is beyond the Town's direct control. That recommendation (Recommendation PP-10) will require additional legal research, coordination with other local governments within the region, and multiple meetings with State and County officials.

### **Programmatic Initiatives of the Town**

Many of this report's Cultural Preservation recommendations involve programs or projects that will be initiated by Town staff, often in partnership with other entities. For example, Recommendation CP-2 (to initiate a major fundraising effort to expand cultural programs that teach traditional Gullah ways and support the physical development of key interpretive sites) will be a Town initiative. It is proposed that the Town's Senior Grants Administrator pursue grant funding from regional and national organizations, while the Town's Culture & Arts

Advisory Committee should spearhead the solicitation of funding from local individuals, organizations and businesses. However, support to the Town has also been proposed to come from the groups benefiting from this project, including the Gullah Museum, Mitchelville, and the Coastal Discovery Museum.

**Programmatic Initiatives of Others**

Other recommendations of this report should be spearheaded by entities other than the Town, although the Town’s new Historic Neighborhoods Preservation Administrator and the Office of Cultural Affairs will be involved with some recommendations. For example, it has been proposed that the first option for spearheading Recommendation CP-12 (to establish a Gullah authenticity certification program) should be the Gullah Geechee Cultural Heritage Corridor Commission (GGCHCC). If that option is not viable, it is proposed that NIBCAA be the lead entity for such a program.

Regardless of the implementation details, it is the sincere intent of the Town and its Gullah-Geechee Land and Cultural Preservation Task Force that this report soon be transformed into tangible action and measurable results.

# **APPENDIX A**

## **Background Study**

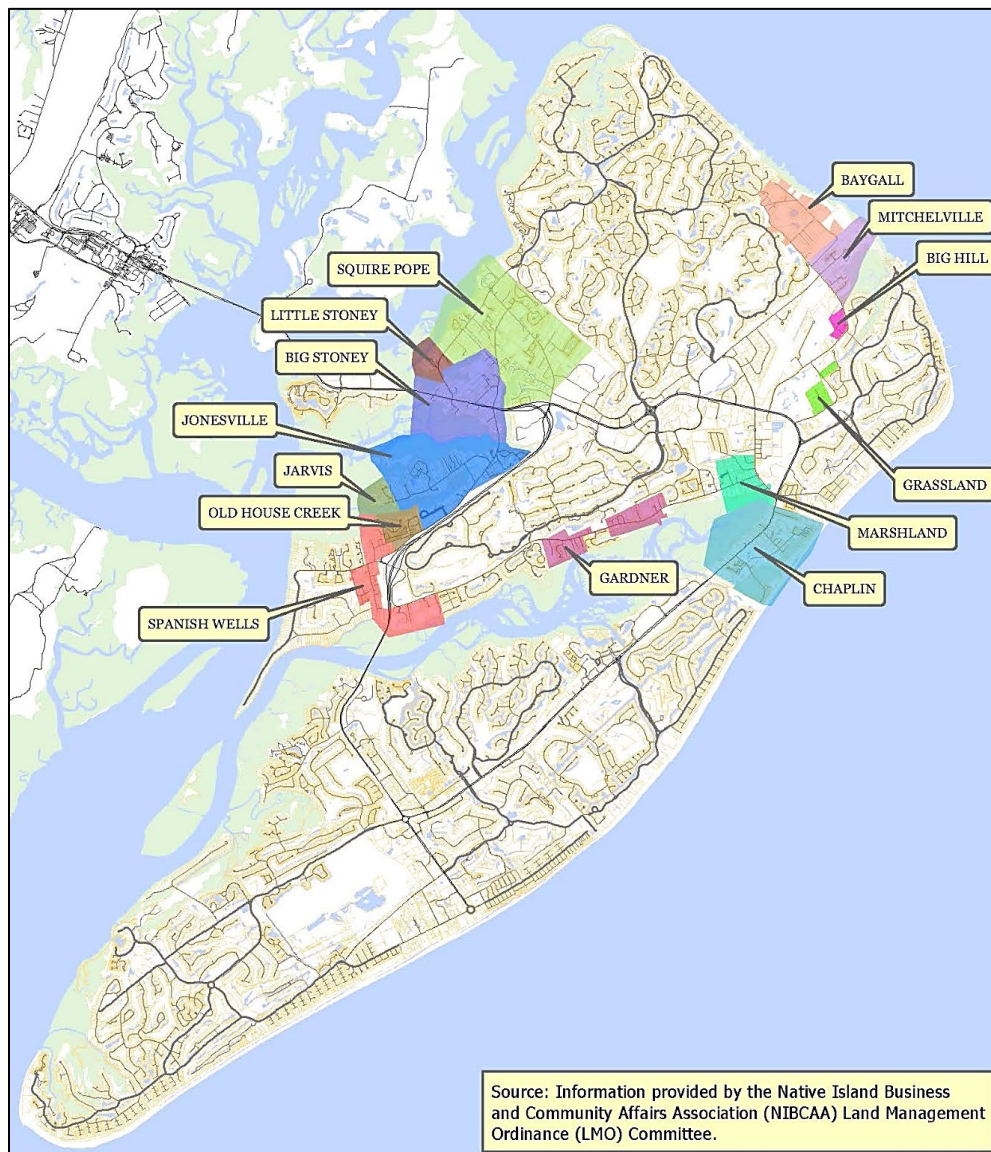
## CULTURAL PRESERVATION

### HISTORIC PLACES & RESOURCES OVERVIEW

Historic places and resources associated with Hilton Head Island’s Gullah Geechee culture have been grouped into two categories for the purposes of this report: 1) historic Gullah neighborhoods and 2) historic sites. Both categories are summarized below. However, in the case of historic sites, it is not an exhaustive and comprehensive list.

### Historic Gullah Neighborhoods

Historically, most neighborhoods included a “praise house,” an oyster house, and a cemetery. Based on the map on page 6 in the Town’s 2017 Comprehensive Plan (see below), all but one of the Gullah neighborhoods are located north of Broad Creek. The exception is Chaplin.

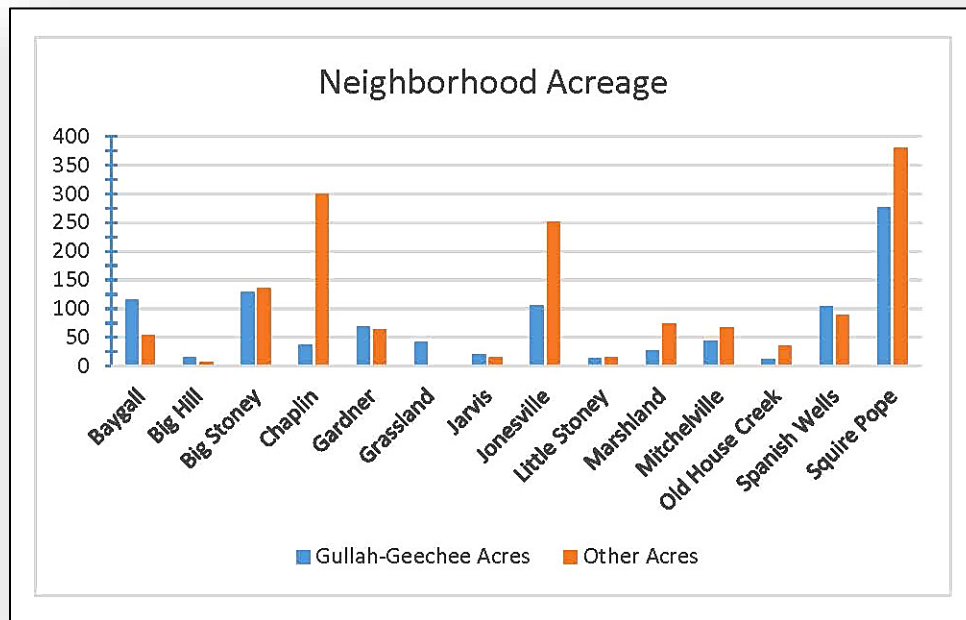


Historic Neighborhoods Map (Source: 2017 Comprehensive Plan)

The historic Gullah neighborhoods were delineated as part of the comprehensive planning process by the Native Island Business and Community Affairs Association (NIBCAA) Land Management Ordinance (LMO) Committee. As reflected on the map on the previous page, all of the historic neighborhoods are located on the peripheral portions of the island on or near the waterfront and Broad Creek. Collectively, they comprise over 2,500 acres, of which a little over 1,000 acres are still Gullah owned.

Historic Neighborhood Information						
Neighborhood	Total Acres	Total Parcels	Gullah-Geechee Acres	Gullah-Geechee Parcels	Other Acres	Other Parcels
Baygall	170.22	97	116.15	71	54.07	26
Big Hill	22.91	25	15.37	20	7.55	5
Big Stony	265.66	181	129.26	97	136.40	84
Chaplin	338.84	386	38.05	50	300.79	336
Gardner	134.21	171	69.78	66	64.43	105
Grassland	42.40	24	42.40	24	0.00	0
Jarvis	36.33	61	20.03	12	16.30	49
Jonesville	358.34	417	106.20	87	252.14	330
Little Stony	29.13	30	13.67	18	15.45	12
Marshland	101.43	120	27.77	33	73.66	87
Mitchelville	112.03	152	44.25	31	67.78	121
Old House Creek	48.68	148	12.40	14	36.28	134
Spanish Wells	193.42	215	104.26	131	89.16	84
Squire Pope	657.26	1030	276.41	268	380.85	762
<b>TOTALS:</b>	<b>2510.87</b>	<b>3057</b>	<b>1016.01</b>	<b>922</b>	<b>1495</b>	<b>2135</b>

Source: Town of Hilton Head Island



Source: Town of Hilton Head Island - 2017

## Historic Sites

As reflected on the map on page 9 of the Town's 2017 Comprehensive Plan (see page A-7 in this Appendix), there are many historical or culturally significant properties associated with the Gullah community, as summarized below.

### National Register Structures

Two structures on Hilton Head Island are listed on the National Register of Historic Places: the Leamington Lighthouse and Cherry Hill School. Only the latter one is associated with Gullah culture.

#### *Cherry Hill School*

The Cherry Hill School, designated on the National Register in 2012, was built in approximately 1937. Located at 210 Dillon Road, it consists of a simple, gable-front rectangular one-room frame and weatherboard-sided schoolhouse on an open brick-pier foundation. It was built by descendants of Mitchelville. The school operated until all African-American children began attending the new consolidated elementary school in 1954. The St. James Baptist Church purchased the school in 1956, and the church extended and renovated the building in 1984.



*Cherry Hill School* (Photo Source: The Green Book of South Carolina)

### National Register Sites

Eight prehistoric and historic sites on the Island have also been placed on the National Register: Green's Shell, Sea Pines-shell ring, Skull Creek-shell ring, Fish Haul Archeological Site, Baynard Ruins, Fort Howell, Fort Mitchel, and Mitchelville (Fish Haul and Mitchelville are part of the same site). Of those, only the latter five have associates with Gullah culture, and only four have strong associations, as summarized below.

#### *Fish Haul Archeological Site*

This site is part of the plantation of Colonel John Barnwell and its earliest records date to 1717. Another name associated with the site is Drayton's House. It passed down through the family throughout the eighteenth and nineteenth centuries. In 1710 it consisted of 700 acres and the primary crop was cotton. In 1832, one of the descendants – Emma Catherine Pope – married General Thomas Fenwick Drayton. Although they never owned the plantation, General Drayton used the house as his headquarters during the Confederacy's 1861 defense of the Island prior to its capture. The remains reportedly include tabby fireplaces from slave cabins. The graves of slaves existed there until 1950 when they were relocated to the Drayton Cemetery. Added to the National Register in 1988, its address is restricted information per the NR designation, but the plantation in general was located off Beach City Road in the vicinity of Mitchelville Road and Fish Haul Road. It is technically part of the Mitchelville site, which is described below.



### *Baynard Ruins*

The tabby ruins of the historic Baynard estate, which includes the main house as well as slave quarters, have been preserved at Sea Pines. Originally built by Captain Jack Stoney in the 1790s, the Baynard house was once a grand antebellum plantation house overlooking the Calibogue Sound. Legend has it that the house changed hands when Stoney lost a poker game to William Baynard in 1840. Baynard, a successful Sea Island Cotton plantation owner, raised four children at the mansion with his wife, Catherine.

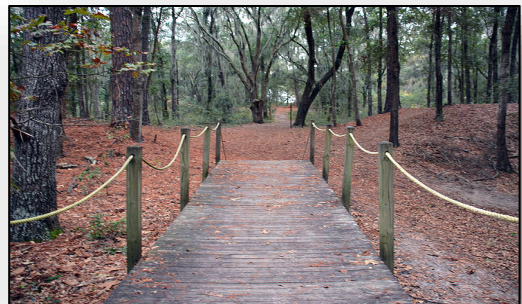


*Baynard Ruins* (Photo Source: The Local's Guide to HHI - Beach Properties of Hilton Head)

When the Union forces invaded Hilton Head Island in 1861, the Baynards evacuated the property. The residence was raided and served as Union headquarters during the Civil War before being burned shortly after the war. The site's Gullah link is that the enslaved people who worked on the plantation, and it is located off of Plantation Drive near the intersection of Baynard Park Road and Plantation Drive. Today it is accessible to motorized vehicles, open to the public, and interpreted through wayside exhibits. It is owned by the Sea Pines Community Services Associations (CSA) and it is designated as "park/preserve" on the Sea Pines Master Plan.

### *Fort Howell*

Named in honor of Union Brigadier General Joshua B. Howell, it was built in 1864 for the primary function of protecting Mitchelville. It was constructed by the 32nd United States Colored Infantry Regiment from Pennsylvania. An earthen fort, it covers roughly 3 acres that was once part of the William Pope plantation. Located on the north side of Beach City Road approximately 200 feet southwest of the intersection with Dillon Road, it was listed on the National Register in 2011. It was deeded to the Hilton Head Island Land Trust in 1993 to insure its future protection. The site is open to the public, it is accessible through a parking lot and a board walk system, and it is well-interpreted with wayside exhibits.



*Fort Howell* (Photo Source: HiltonHead-SC.com)

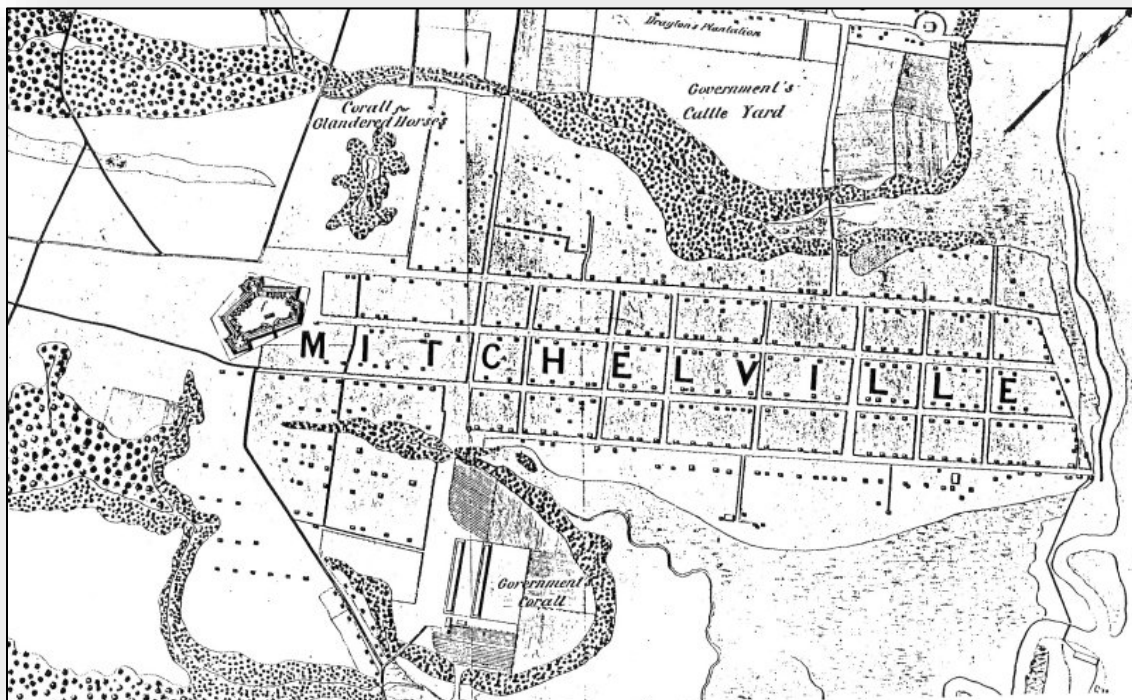
### *Fort Mitchel*

Another earthen Civil War fort listed on the National Register is Fort Mitchel, located at 65 Skull Creek Drive in the northwest end of the Island. It was originally built by the Confederates, but taken over by Union troops when they captured the Island early in the war. It is well preserved and features a path system and interpretive waysides, although it has a less direct relationship to Gullah history than some of the other sites, such as Fort Howell.

### *Mitchelville*

Mitchelville was a town built during the Civil War for escaped slaves, located in the northeast corner of Hilton Head Island. It was named for one of the local Union Army generals, Ormsby M. Mitchel. Mitchelville was a population center for the enterprise known as the Port Royal Experiment. The community was established by late-1862 and contained about 1,500 residents by November 1865. The residents of Mitchelville supported themselves largely by wage labor for the military, earning mostly between four dollars and twelve dollars a month, depending on their level of skill. Nearly all of the wage jobs for the residents of Mitchelville ceased when the Union military departed the island in 1868, more than two years after the end of the war. The residents switched to a subsistence farming-based economy, with many forming farming collectives, joining together to rent large tracts of land from the government. Documents show that many of the Hilton Head Island freedmen experienced an extreme shortage of food after the military departed the island.

The site is located on Beach City Road, it is open to the public, and it features interpretive wayside exhibits. It is also part of the Fish Haul archeological site (described previously). It was added to the National Register in 1988. Today, the Historic Mitchelville Freedom Park, Inc. (HMFP) is a 501 (c) 3 non-profit organization whose mission is to replicate, preserve, and sustain the site and to educate the public about the freedmen of Mitchelville. A consultant team was recently hired by Beaufort County to prepare a master plan for the site. The Town has provided substantial support to this site and project, including acquiring the property, leasing it to the HMFP, and funding their Executive Director position for the past two years.



The map above of Mitchelville dates from 1864. (Source: Wikipedia)



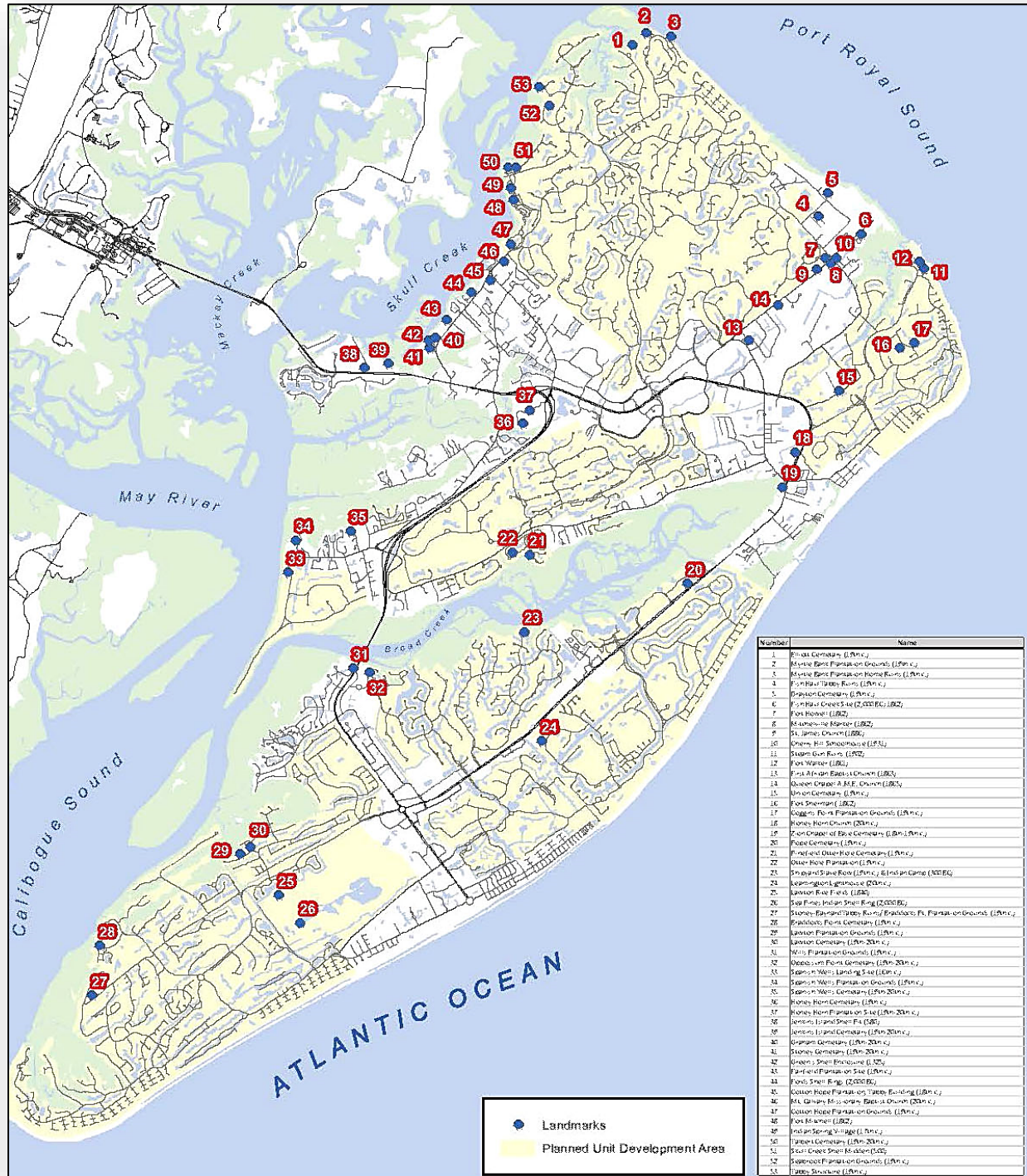
One of eight known photos taken of Mitchelville by Samuel Cooley in 1864. (Photo Source: Finding Freedom's Home: Archaeology at Mitchelville)

According to the Town's 2017 Comprehensive Plan, additional archeological and historic sites have been identified that might be eligible for the National Register designation, but have not been nominated. In fact, a resource for archeological sites, most of which have no direct Gullah connections, is the "Archeological Survey of Hilton Head Island, Beaufort County, South Carolina" prepared for the State and Town by Michael Trinkley in 1987. That study was considered a "preliminary historical study and a reconnaissance level archaeological survey." It was conducted by the Chicora Foundation and partially funded by a National Park Service Historic Preservation Planning Grant administered by the S.C. Department of Archives and History, with matching funds from the Town of Hilton Head Island. According to that study at the time, over 130 archaeological sites had been identified and recorded on the Island. Of those, three were already on the National Register of Historic Places, 27 appeared to be clearly eligible, and at least 95 required further study. Of the many historic sites identified in the map on page A-7 of this Appendix, the following have Gullah ties:

- 1) Elliott Cemetery
- 2) Myrtle Bank Plantation Grounds
- 3) Myrtle Bank Planation Home Ruins
- 4) Fish Haul Tabby Ruins
- 5) Drayton Cemetery
- 7) Fort Howell
- 8) Mitchelville Marker
- 10) Cherry Hill School
- 13) First African Baptist Church
- 14) Queen Chapel AME Church
- 17) Coggins Point Plantation Site
- 20) Pope Cemetery
- 22) Otter Hole Plantation
- 23) Shipyard Slave Row
- 25) Lawton Rice Fields
- 27) Stoney-Baynard Tabby Ruins /  
Braddocks Point Plantation Grounds
- 28) Braddocks Point Cemetery
- 29) Lawton Plantation Grounds
- 31) Wills Plantation Grounds
- 32) Opossum Point Cemetery
- 33) Spanish Wells Landing Point
- 34) Spanish Wells Plantation Grounds
- 35) Spanish Wells Cemetery
- 37) Honey Horn Plantation Site
- 39) Jenkins Island Cemetery
- 40) Graham Cemetery
- 41) Stoney Cemetery
- 45) Cotton Hope Plantation – Tabby  
Building

- 46) Mt. Calvary Missionary Baptist Church
- 47) Cotton Hope Plantation Grounds
- 48) Fort Mitchel

- 50) Talbird Cemetery
- 52) Seabrook Plantation Grounds



Historic Landmarks and Archeological Sites (Source: 2017 Comprehensive Plan)

### Historic Gullah Churches

Among the four interpretive themes of the Gullah Geechee Cultural Heritage Corridor (GGCHC) is spiritualism, which reinforces the fact that churches are an important facet of Gullah culture. Below is a summary of five historic Gullah churches on Hilton Head Island:

#### *Historic First African Baptist Church*

Located at 70 Beach City Road, this church was organized on Sunday, August 17, in 1862 in the village of Mitchelville. Reverend Abraham Murchinson was the church's first Pastor. According to the church's website regarding the first service, "It was reported that the number of members present at the service was 120, 70 of which were professing Christians under the rule of their late masters, while the others had been converted and baptized since the Military Occupation of the Island." The church moved to its present location southwest of Mitchelville in 1889.



*Historic First African Baptist Church*  
(Source: Wikimedia)

#### *Queen Chapel AME Church*

Located at 114 Beach City Road, this church is located roughly half way between the Historic First African Baptist Church and Mitchelville. It was established in 1865 when the steamship Argo was forced to stop because of bad weather and the ministers on board started the church.

#### *St. James Baptist Church*

Located at 209 Beach City Road, this church was founded in 1886 by former members of the First African Baptist Church. It is located in the historic Mitchelville Neighborhood and immediately southeast of the Historic Mitchelville Freedom Park (HMFP). According to historians and church members, St. James is the oldest continuously operating cultural institution remaining within the historic Mitchelville Neighborhood. The current church was built in 1972, as a series of fires destroyed earlier structures.

#### *Central Oak Grove Baptist Church*

This church is located at 161 Mathews Drive in the Marshland Neighborhood. It was established in 1887 by former members of the First African Baptist Church. This church has sponsored in the past the closing musical event of the Gullah Celebration, which features multiple gospel choirs, including that of the Central Oak Grove Baptist Church.

#### *Mt. Calvary Missionary Baptist Church*

Founded in 1914, this church is located at 382 Squire Pope Road in the Squire Pope Neighborhood. As with some of the other churches, it was established by former members of the First African Baptist Church. In 2014, this church celebrated its one-hundred year anniversary with a series of special events.

## **CURRENT PRESERVATION, INTERPRETATION & TOURISM EFFORTS**

Preservation, interpretation and promotion of Gullah culture on Hilton Head Island has occurred in recent years at both the local and regional scales. The information below is based upon circumstances at the time of this report in 2019.

### **Local Efforts**

Among the local efforts to preserve, interpret and showcase Gullah history and culture are the following efforts.

#### Historic Mitchelville Freedom Park

The stated vision of the Historic Mitchelville Freedom Park, Inc. (HMFP) is to preserve a portion of the historic site of what was once Mitchelville and to commemorate the former slaves' "experiment in freedom." This non-profit organization has a diverse 14-member board of directors, an executive director, and very limited support staff. Their offices are located in a Beaufort County building. Once fully developed, the project will incorporate the use of state-of-the-art technological and media platforms that will present the story of Mitchelville, allowing visitors to envision the historic town as it existed in the 19th century. It is hoped that the HMFP will become a key historic attraction for the area. There are already a variety of programs run at the site. For example, Griot's Corner is tailored for K through 3rd grade students that uses storytellers and children's activities to highlight freedom. Likewise, the "Remembering the Days of Mitchelville" play is set in 1867 and introduces audiences to some of the prominent citizens of Mitchelville. Tours being offered include the Roots of Reconstruction, Come Walk with Me in Mitchelville, and Combahee River Raid. Partners identified by HMFP include:

- Town of Hilton Head Island
- Heritage Library
- National Parks Service – Network to Freedom Program
- NIBCAA
- Coastal Discovery Museum
- Gullah Museum
- Community Foundation of the Lowcountry
- Gullah Heritage Tours
- Historic Churches of Mitchelville
- Historic Cherry Hill School
- Beaufort County

As noted previously, a consultant team was recently hired by the County to prepare a master plan for the site. The Town has provided substantial support to this site and project, including acquiring the property, leasing it to the HMFP, and funding the HMFP's Executive Director position for the past two years. The Director's salary funding is an interim arrangement that will eventually be phased out once the organization can become financially sustainable.

The \$250,000 master plan budget is being funded by the County and the first draft is expected to be made available in October or November of 2019. That plan will address a range of important issues, including physical enhancements to the historic site to better convey what the historic village looked like in the 1860s, an interpretive plan, and a market analysis. The four interpretive themes identified thus far include: freedom, democracy, citizenship and opportunity. While the master plan will not attempt to recreate the entire village, it will likely result in the recreation of a small representative portion of it, to include one or more

structures. It has not yet been determined whether admission fees will ultimately be charged to help with financial sustainability.

### Gullah Museum

The Gullah Museum, a 501(C)3 organization, was established in 2003 and is committed to maintaining Gullah customs, traditions, language, stories, songs and structures on Hilton Head. Through the support of individuals and institutions, the museum has successfully preserved its first structure - "The Little House," the home of William Simmons. The museum has also completed a documentary entitled "Hilton Head Island Back in the Day: Through the Eyes of the Gullah Elders." Both projects have served as a catalyst for providing context and understanding of the Gullah culture's influence on Hilton Head Island. The museum was founded by Louise Cohen, a Gullah woman raised on the island with a passion for Gullah history and culture. Among her contributions to preserving Gullah culture is to teach the language. Her stated vision for the museum is "to restore the houses that she grew up in, which will become part of the Gullah Museum of Hilton Head Island." The museum is funded via donations and memberships, events and programs with admissions, and sponsorship opportunities for the Gullah Food Festival.



*Gullah Museum's Little House (Photo Source: Hilton Head Island, South Carolina – design42.com)*

### Gullah Heritage Trail Tours

Gullah Heritage Trail Tours was founded in 1996 by a Hilton Head Island Gullah Family Partnership. This family - the Campbells - has been involved in preserving and promoting Gullah cultural heritage for more than 40 years. Based on Hilton Head Island, Gullah Heritage Trail Tours caters to Lowcountry visitors interested in learning about the history of Gullah culture. The tour guides, all of Gullah heritage, were born and raised on Hilton Head Island before the bridge connection to the mainland in 1956. Information on tours, which are conducted via a shuttle bus, is available on the company's website ([gullahheritage.com](http://gullahheritage.com)).



*Emory Campbell leading a tour (Photo Source: Island Packet)*

### Hilton Head Island Gullah Celebration

Established in 1996, the Hilton Head Island Gullah Celebration showcases the cultural heritage of the Gullah people and their history on Hilton Head Island. Held every February, a month that otherwise sees the lowest level of tourism, programming includes a variety of events designed to attract local residents, regional, national and international travelers. The event originated, in part, for tourism and economic development opportunities for minority

businesses. According to the organization, the Celebration has been recognized by the Southeast Tourism Society as one of the “Top 20 Events” in the Southeast. Visitors have an opportunity to experience the food and music, receive firsthand, historical information, and take a journey through the culture via the visual arts. The Celebration is an initiative of NIBCAA in partnership with the Native Islanders Property Owners Association, the Town of Hilton Head Island, Beaufort County, and SC Parks, Recreation and Tourism.

#### Heritage Library Foundation

The Heritage Library Foundation is comprised of two main components - the Hilton Head Island Historical Society and the Hilton Head Island Genealogical Society Group. These entities are devoted to acquiring, preserving and recording the history of the Island and its people, and making this history available to citizens and visitors. The Heritage Library contains more than 4,000 volumes of history and serves as a valuable resource for history, family heritage research, historic preservation, education, and community outreach. The Heritage Library is one of the most comprehensive in the region, with microfilm readers, computers, Internet access, and collections of books, microfilm, microfiche, CDs, manuscripts, periodicals, video tapes, and maps. Teams of Heritage Library Foundation members and friends work at Fort Mitchel and the Zion Chapel of Ease cemetery. The Foundation assists family historians in publishing research and publishes selected manuscripts of out-of-print works from the Library’s collections.

#### Coastal Discovery Museum

Founded in 1985, the Coastal Discovery Museum operated at two previous locations before making a giant leap forward in the fall of 2007 when it opened the facility at Honey Horn. A Town of Hilton Head Island property, Honey Horn is home to several of Hilton Head Island’s oldest buildings. Since opening at Honey Horn, the Museum has expanded its offerings of programs, doubled the number of students that participate in museum programs, and hosted dozens of special events and festivals annually. In 2015, the Coastal Discovery Museum joined 200 other institutions around the country in being recognized as a Smithsonian Affiliate. Established in 1996, Smithsonian Affiliations is a national outreach program that develops collaborative partnerships with museums and education and cultural organizations to enrich communities with Smithsonian resources. Between 2015 and 2017, museum staff and board members conducted strategic planning that will direct the Coastal Discovery Museum’s operations, activities, and goals for the future. Examples of their work relevant to this project include partnering with the HMFP on various programs, and the sweetgrass basket making classes they sponsor that are taught by a Gullah basket maker.

#### Town of Hilton Head Island

The Town also plays an important role in Gullah cultural preservation efforts in a variety of ways. The Town established the Gullah Task Force and has spearheaded and funded this plan to preserve Gullah culture. The vital support the Town provides to the Historic Mitchelville Freedom Park has also been noted throughout this report.

Also, the Town’s Office of Cultural Affairs is involved in multiple relevant projects. Examples include: the Cultural Trail, which promotes the island’s art, history and pathways, including





Gullah culture; the office’s website has a full section on Gullah culture and promotes sites such as Mitchelville, the Gullah Museum and the Gullah Celebration; and it promotes cultural events in general through its website calendar, including Gullah-related events. The Town has also recently installed several signs to identify some of the historic Gullah neighborhoods (graphically consistent signs have also been placed at some Gullah cemeteries by local Boy Scouts). Finally, the Town is about to fill a newly-created position: Historic Neighborhoods Preservation Administrator. This position’s stated duties are to “Initiate, implement and administer a program to preserve the Islands’ historic neighborhoods and advance efforts to improve infrastructure in and service delivery to these areas.” The position will report directly to the Deputy Director of Community Development.



*New neighborhood sign (Photo Source: Town of Hilton Head Island)*

### Beaufort County

Hilton Head Island is located in Beaufort County. The county seat is Beaufort, and the population of the County as of the 2010 census was 162,233. Beaufort County is part of the Hilton Head Island-Bluffton-Beaufort Metropolitan Statistical Area (MSA). The County Government is led by an eleven-member County Council. Each Council member represents one of eleven districts, and Hilton Head Island is comprised of portions of Districts 8, 10 and 11. As reflected throughout this report, the County government is an important player in this project for Gullah cultural preservation. For example, the County is funding the master plan currently being developed for the Historic Mitchelville Freedom Park. Also, the County controls some issues related to property taxes and impact fees for development, so their support of this report’s recommendations will be important.

### Native Island Business and Community Affairs Association (NIBCAA)

Started in 1996 in response to an outpouring of concerns from local residents, NIBCAA was started by a group of minority business owners and community leaders as a community-based organization. The founding members created the organization to foster economic development opportunities and improve the quality of life for the Hilton Head Island community at-large. Their programmatic priorities include entrepreneurship, homeownership, financial literacy, and academic support. However, perhaps most relevant to this project are NIBCAA’s stated cultural preservation efforts to “Raise the awareness of Hilton Head’s indigenous African American community’s arts, crafts and food culture,” including their sponsorship of the annual Gullah Celebration.

### Hilton Head Island – Bluffton Chamber of Commerce

The stated vision of the 1,600-member Hilton Head Island - Bluffton Chamber of Commerce is to encourage their Hilton Head region and community members to be innovative and vibrant through engaging as a leader and supporter of business services and economic and tourism development advocacy. The mission of the Chamber is to advance the common interests of

their members, stimulate the expanding regional economy, and enhance the quality of life for all. Examples of their activities include providing members with networking opportunities, providing them referrals, governmental advocacy, educational programs, and attracting visitors to the area. Their successful results have earned them the National Chamber of the Year award in 2000, 2006 and 2014. Similarly, the chamber’s Visitor and Convention Bureau is one of only 124 Destination Marketing Organizations worldwide that has achieved accreditation through Destination Marketing Association International.

### **State-Wide & Regional Efforts**

Below is a summary of regional efforts related to Gullah cultural preservation, interpretation and promotion at a regional scale beyond Hilton Head Island.

#### Cultural Heritage Corridor

The Gullah Geechee Cultural Heritage Corridor (GGCHC) was designated by Congress in 2006. The local coordinating entity legally responsible for management of the Corridor is a federal commission established by Congress and titled the Gullah Geechee Cultural Heritage Corridor Commission. The corridor extends along the Atlantic coast from Wilmington, NC, in the north to St. Augustine, FL, in the south. The management plan created for the corridor indicates that there are three key objectives for the corridor:

- Recognize, sustain, and celebrate the important contributions made to American culture and history by African Americans, known as the Gullah Geechee, who settled in the coastal counties of South Carolina, Georgia, North Carolina, and Florida.
- Assist state and local governments and public and private entities in South Carolina, Georgia, North Carolina, and Florida in interpreting the story of the Gullah Geechee and preserving Gullah Geechee folklore, arts, crafts, and music.
- Assist in identifying and preserving sites, historical data, artifacts, and objects associated with Gullah Geechee people and culture for the benefit and education of the public.



*Map of corridor from the management plan (Source: Gullah Geechee Cultural Heritage Corridor Commission - 2012)*

The four key interpretive themes created by the plan include: language; arts, crafts and music; foodways; and spiritual expression. These same themes can provide a framework for the interpretation of Gullah culture and history specific to Hilton Head Island.

#### International African American Museum in Charleston (IAAM)

To be located in at Gadsden’s Wharf in Charleston, where many enslaved arrived from Africa, the IAAM will be a museum, memorial and site of conscience to present the unvarnished

history and culture of the role that Africans and their descendants played in the making of America. It will include immersive, interactive exhibits engaging to all ages. It will also feature the Center for Family History, a leading genealogy archive that will help visitors identify their individual histories. While ground has not been broken yet for the museum's construction, it is expected to occur within the very near future now that their aggressive fundraising goals have nearly been met. While this museum will interpret the African American experience in general, it is anticipated that the Gullah Geechee culture will be addressed as part of the broader story.

#### Penn Center on St. Helena Island

Penn Center is one of the most significant African American historical and cultural institutions in existence today. Founded in 1862 as the Penn School, a central component of the Port Royal Experiment, it was one of the first schools in the South for formerly enslaved West Africans. It reorganized in 1901 as the Penn Normal, Agricultural and Industrial School and existed for eighty-six years. After the school was removed to the Beaufort County School District, it became Penn Community Services, taking on the mantle of social justice and ushering in the Civil Rights Movement of the 1960s with Dr. Martin Luther King, Jr. and the Southern Christian Leadership Conferences. Although it is not located on Hilton Head Island, the research, interpretation and programming relative to Gullah culture offers tremendous value on a regional scale, including Hilton Head Island's Gullah culture.

#### ***Mission Statement***

*Penn Center will be a world-class organization that serves as a local, national and international resource center and catalyst for the development of programs for community self-sufficiency, civil and human rights, and positive change. Penn Center will encourage the development of critical thinking, creative skills and social consciousness through preserving and documenting history, collecting and exhibiting, presenting and exploring ideas.*

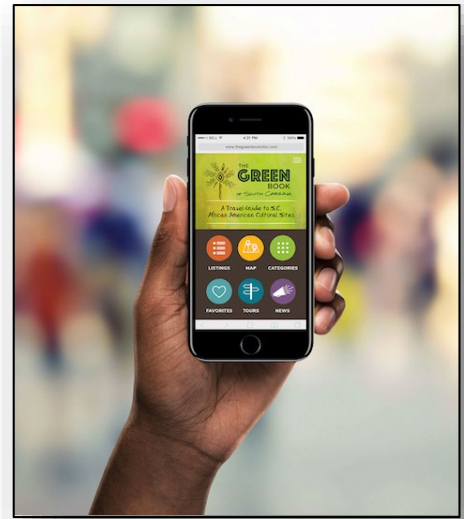
#### South Carolina African American Heritage Commission (SCAAHC)

Founded in 1993 as an affiliate of the S.C. Department of Archives and History and supported by the nonprofit S.C. African American Heritage Foundation, the South Carolina African American Heritage Commission works to identify and promote the preservation of historic sites, structures, buildings, and culture of the African American experience in South Carolina. The Commission's efforts include preserving South Carolina African American culture through education, the arts, historic preservation and tourism. The Commission is comprised of close to 30 volunteer professionals from the fields of historic preservation and interpretation, education, tourism marketing, business development and the arts. This group of professors, tourism professionals, activists and advocates include representatives from all regions of the state of South Carolina.

The Green Book of South Carolina, created by the SCAAHC, is referred to as "A Travel Guide to S.C. African American Cultural Sites." This free mobile travel guide highlights over 300 sites by location and category. Base criteria for inclusion include National Register designation and/or the presence of a State Historic Marker. With an interface similar to that of a tourism app, this mobile-first, web-based guide features detailed listings of significant African American heritage and cultural destinations across South Carolina. Each includes a narrative defining the historic

significance of the site, images, map points, a link to directions and more.

The name of this contemporary travel-planning tool pays homage to the original *Green Book*. First published in 1936 by N.Y. postman Victor Green, the original *Green Book* was an African American travel guide to safe harbors and welcoming establishments across the United States, printed until the mid-1960s. This present-day homage features tourism destinations that impart a new Southern experience, sharing the compelling story of African American heritage in the Palmetto State.



*The Green Book app* (Source: Green Book website)

### Other Regional Efforts

There are additional regional organizations that can play a role in Gullah cultural preservation, such as the following:

#### *Beaufort County Black Chamber of Commerce*

The BCBC is a 501(C)(3) non-profit corporation membership organization dedicated to offering products, services and educational programming for multi-cultural business-owners and professionals within Beaufort and its neighboring communities. The individuals and businesses they serve are federally recognized as disadvantaged business enterprises and/or have been denied access to capital in traditional finance markets. Their offices are located in Beaufort. Among the potential role for the BCBC is the promotion of Gullah sites and culture, as well as technical support for Gullah-owned businesses.

#### *Beaufort County Heritage Tourism Corporation*

The BCHTC is a new alliance of Lowcountry leaders who are combining their efforts to promote heritage tourism in the area, with a particular focus on vacationers. Pledges of financial support have already been secured from Beaufort County and the Town of Hilton Head Island. It is this organization's goal to help individual groups and organizations build a coordinated plan around heritage tourism. BCHTC includes the mayors of Bluffton, Beaufort, Port Royal and Hilton Head Island, as well as the Chairman of the Beaufort County Council and the Chair of the Santa Elena Foundation in Beaufort. Most recently, the corporation hired a consultant to research and determine the economic impact of investing in various heritage sites.

#### *Gullah/Geechee Sea Island Coalition\**

According to this organization's website, the Gullah/Geechee Sea Island Coalition was founded by Marquette L. Goodwine in 1996, who has since been enstooled as Queen Quet, Chieftess and Head-of-State for the Gullah/Geechee Nation. Reportedly, no other organization in the world existed with "Gullah/Geechee" in the name until the

Gullah/Geechee Sea Island Coalition came into being. Among the organization's key activities are the following:

- Advocating for the rights of all Gullah Geechee people around the world.
- Promoting and participating in the preservation of Gullah Geechee history, heritage, culture, and language.
- Working toward Sea Island land re-acquisition and maintenance.
- Celebrating Gullah Geechee culture through artistic and educational means electronically and via "grassroots scholarship."

The Sea Island Coalition is an annual sponsor of the Gullah/Geechee Nation International Music & Movement Festival™, which moves to different parts of the Gullah Geechee Nation and areas of the African Diaspora. It is also the host of numerous tour and educational groups at their Gullah/Geechee Coalition Center.

\* Note: The slash used above between "Gullah" and "Geechee" is provided where it is used as part of an official name or term associated with this organization. Organizations such as the Gullah Geechee Cultural Heritage Corridor Commission have consciously dropped the slash for a variety of reasons they have cited in their materials.

## PUBLIC POLICIES

As with most communities, there are numerous studies, plans, ordinances, codes and policies that have been undertaken and adopted by the Town over the years. A review of them reveals that, despite public perceptions, many of the recommendations contained in these documents have been implemented over time. Below is an overview of the studies, plans and policies that are most recent and/or relevant to this project. They are split up into three groups – plans, regulations and other policies. It is important to understand that the summary of relevant plans below is based upon those plans at the time they were written rather than existing circumstances (unless noted otherwise with respect to their implementation status).

## PLANS

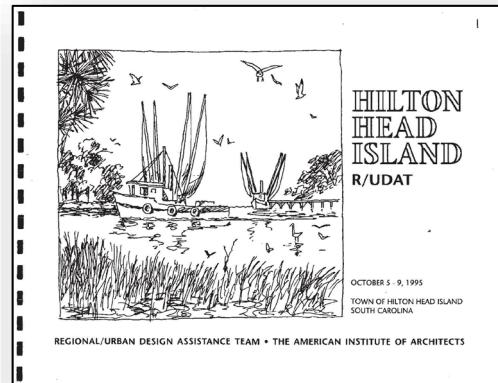
### R/UDAT Plan & Response

This plan was prepared in 1995 via a team of volunteers (primarily architects) through the American Institute of Architect's Regional/Urban Design Assistance Team (R/UDAT) program. Its geographic focus was on the Island's northwest quadrant and surrounding lands encompassing all of Ward One, much of it being Gullah-owned lands. It is somewhat unusual in that it has a companion document – “the response” – that was prepared after the initial plan. Both are summarized below.

#### R/UDAT Plan (1995)

This plan starts by identifying the key challenges for the future growth and development of this area, which include fragmented land ownership patterns, heirs' property issues in which many properties lack legal title, and the general lack of infrastructure. It also contrasts the radically different perspectives and goals that Gullah people have for the island relative to developers lacking the same ties to the Island. It then lays out a set of five key principles for the plan: vision, equity, responsibility, history, and urgency. The bulk of the plan is a set of recommendations to address the following issues:

- *Heirs Property* - create an entity to provide discounted and pro bono legal services to clear titles.
- *Infrastructure* - implement utility extensions and the paving of unpaved collector roads.
- *Community Development Fund* - adopt tax increment financing (TIF) to fund Ward One improvements.
- *Master Planning & Development Regulations* - enact a transparent process actively engaging stakeholders to result in a clear vision and development regulations for the area.



R/UDAT Plan cover (Source: Town of Hilton Head Island - 1995)

- *Cultural Preservation* - follow a range of recommendations offered to preserve the culture and heritage of the Island's Gullah people, starting with a comprehensive inventory of cultural assets, a local designation and protection program for sites based upon National Register eligibility, and the pursuit of grants for implementation.
- *Property Taxes* - pursue strategies such as: promoting existing agricultural tax assessment provisions, acknowledging environmental constraints when assessing values, designating conservation easements to reduce the tax burden, and providing more advanced notice and options before properties are sold for tax delinquency.
- *Environmental Preservation & Recreation* - increase environmental protections for land and water, and provide better access to waterfront areas and other natural resources.
- *Affordable Housing* - establish a housing office in Town government, pursue state and federal funds and utilize TIF for housing, waive fees for affordable housing, adopt an affordable housing impact fee for market-rate housing, add teeth to the existing affordable housing overlay zone, and create a revolving fund for low-interest loans to upgrade housing.
- *Building the Economic Base* - establish a public/private partnership to provide economic development opportunities to help existing and/or new small businesses in Ward One, allocate a percentage of revenues from the Accommodation Tax to Ward One tourism activities, assign a Town staffer as an ombudsman to work with Ward One businesses, and work with other entities and local lenders to provide small business "gap loans" to businesses that cannot qualify for conventional loans.
- *Good Government* - adopt a philosophy for Town staff to "facilitate first and regulate second," including designating an ombudsman to work with Ward One property owners on land use and development issues, hire mediators to help resolve development issues, conduct public forums to educate property owners on development regulations and procedures, and adopt diversity policies and a commission to expand opportunities for Ward One citizens.
- *Transportation* - adopt a transit system and expand the pathway network to insure strong accessibility in Ward One to important institutional and commercial destinations.
- *Education & Recreation* - increase the number of playgrounds in Ward One, expand the pathway system there (as noted above), increase public beach access, and complete improvements to Taylor Park.

#### Response to the R/UDAT Plan (1996)

This document was prepared by NIBCAA's Resource Committee for Native Island Affairs and dated November 20, 1996. That group started informally, but was officially appointed by the Town in December of 1995. To review and comment on the plan, four teams were created from the 25-person Committee, and each was assigned at least three of the thirteen topics addressed. The teams met very frequently for several months. One of the first things a reader notices is that the document does not mirror the organization and terminology of the 1995 R/UDAT Plan.

#### ***Committee's Stated Vision***

*Our vision for the Native Island Community of Hilton Head Island is that, we not be treated as, viewed as, nor live as second class citizens; but, as equals of the other communities of Hilton Head Island. However, we must not be forced to become another Plantation, but retain our character and our culture.*

While this document addresses most of the same basic issues, many of the sections have different titles and their sequencing is inconsistent with the plan, making it less user-friendly than it could have been otherwise. Despite the word “response” in this document’s title implying that its authors disagree with the 1995 plan, this document seems to agree with the plan in most respects. It does, however, offer more detail and some additional ideas to the plan. Given that the 1995 plan was created by volunteers spending less than a week in the community, the need to expand on that effort is not surprising. Examples of different or supplemental ideas recommended in the response document, to the extent that they are relevant to this Gullah Culture Preservation Project, include the following:

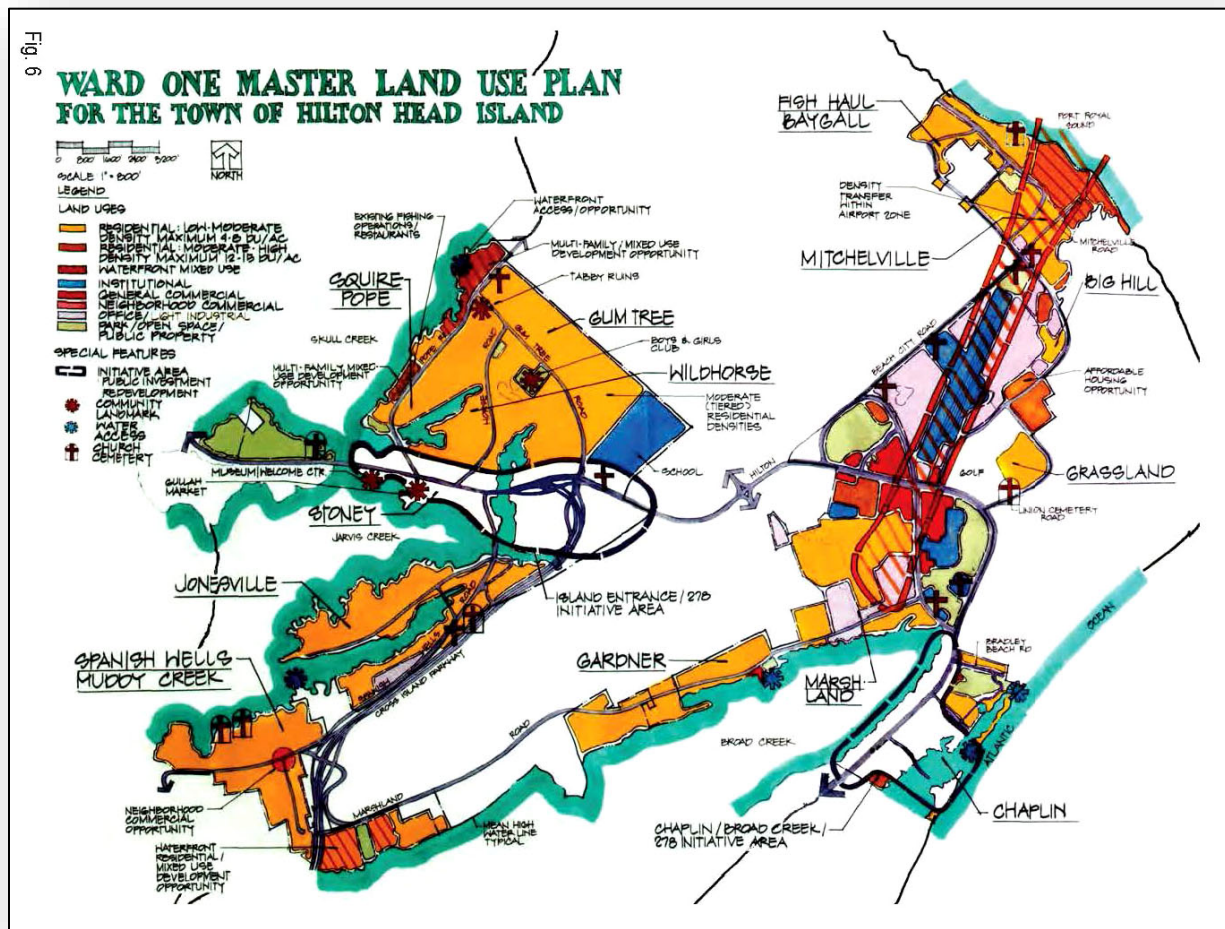
- Allow more flexibility with development regulations so that housing development can occur on 1 to 5-acre lots in the north end of the Island.
- Seek pre-development funding from the Lowcountry Council of Government for preliminary architectural and civil engineering requirements.
- Use the Technical College of the Lowcountry and USC Beautiful Business Development Center as volunteer consultants to property owners/developers.
- Encourage land owners to employ certified property tax appraisers to seek a reduction in their assessed value to reduce their tax burden.
- Insure that owners are taking advantage of the Homestead Exemption and Agricultural Exemption for property taxes, if applicable.
- Pursue state legislation to roll back property taxes for property owners of record prior to 1956 (the year the bridge was built).
- Relax or fully waive growth control measures as needed, increase permitted densities from 8 units per acre to 12 units per acre, and decrease setback and buffer requirements.
- Where applicable in Ward One, planned unit development (PUD) zoning should replace conventional zoning.
- Streets should be renamed per requests.
- Access to black cemeteries located in gated communities should be achieved.
- To provide more detail to the R/UDAT Plan, this report specifies roads that should be prioritized for improvements in Ward One.
- A wide range of safety improvements should be provided for specific locations, with an emphasis on pedestrian safety.
- The Town should establish a Maintenance Department to maintain the Island’s drainage system, a detailed drainage plan should be prepared, and drainage easements should be secured where needed.
- Establish a Gullah museum, collect materials, document the history through oral histories and similar means, provide interpretive wayside exhibits, and make the Celebration and annual event.

### **Ward One Plan (1999)**

This plan, prepared for the Town by a consultant team in 1999, was prompted by the 1995 R/UDAT plan and response report described above. While those previous efforts were relatively broad with respect to the topics they addressed, this plan indicates that it “deals with the specifics of land use and public facilities” (pg. viii). The plan also explains that it focuses on



Ward One because that is the location of most of the Gullah neighborhoods. The physical components of the plan are highlighted in the plan map below.



Ward One Master Land Use Plan Map (Source: Town of Hilton Head Island - 1999)

Below are some of the most significant recommendations from the Ward One Plan as summarized in the Plan Summary section:

Land Use Element

*Replacement of CMU (M-2) Zoning*

The Ward One Plan proposes the elimination of CMU (M-2) zoning and its replacement with Low-Moderate Density Residential and Moderate-High Density Residential zones. The Low-Moderate Density Residential category provides for flexible “tiered” densities from four (4) to eight (8) dwelling units per acre, depending on certain performance criteria. The Moderate-High Density Residential category permits densities of up to 12 units per acre. Both categories provide for commercial uses which are compatible with residential communities. This approach, which was subsequently implemented by the Town, responds directly to the plan’s expressed neighborhood desires to:

- Provide greater flexibility for residential use and density;
- Restrict commercial uses which are not desired in residential areas; and
- Encourage, through incentives, greater coordination among neighboring property owners to achieve more efficient development patterns.

*Waterfront Mixed Use*

Certain waterfront areas in Ward One are among the most scenic anywhere on Hilton Head Island. Most of these areas are appropriate for, and should accommodate, higher-density residential uses, as well as water-related uses such as marinas, restaurants, entertainment activities, compatible motels/inns, timeshares, and public spaces. Where appropriate, the Town should encourage and/or invest in the creation of waterfront boardwalks to link waterfront activities and public spaces.

*Initiative Areas*

Two "Initiative Areas" along Highway 278 are designated in this plan: at the island entrance in the Stoney Neighborhood and mid-island in the Chaplin Neighborhood. Investments by the Town in these areas will be targeted for revitalization that will enhance economic development opportunities, while improving community character and facilitating safe, efficient traffic circulation. The areas were also suggested for further study and planning.

*Regulatory Modifications*

The Ward One Plan recognizes that some existing development requirements may be difficult to meet for some small or poorly-configured Ward One properties. These include setbacks and access drive right-of-way dimensions. Specific recommendations are made to lessen the restrictions on certain churches, particularly those in the Airport Hazard Overlay zoning district and the Light Industrial zoning district near the Hilton Head Island Airport. Similarly, recommendations are made to recognize the hardships imposed by the configuration of some heirs' property, and to waive or relax such standards where there is no threat to public health or safety.

Although it is now out of date, one of the most useful tables in this plan is provided below.

SUBAREA	RESIDENTIAL UNITS				Retail Sq. Ft.	Office/Bank Sq. Ft.	Heavy Commercial/ Light Industrial Sq. Ft.	Institutional Sq. Ft.
	Single Family	Multi-family	Mobile Homes	Hotel				
Stoney...	223	408	253	0	138,000	9,000	19,000	414,000
Mitchelville...	61	559	57	125	321,000	84,000	523,000	73,000
Chaplin...	163	500	135	0	678,000	45,000	98,000	101,000
Spanish Wells...	207	0	159	0	19,000	600	106,000	4,000
Total Ward One	664	1467	604	125	1,156,000	139,000	746,000	592,000

Source: Town of Hilton Head Island Planning Department, December 1996 Data

Ward One Master Land Use Plan – Uses by Sq. Ft. (Source: Town of Hilton Head Island – Dec. 1996)

### Public Services and Facilities Element

The Ward One Plan recognizes that, in many respects, public facilities in Ward One are inadequate. The Plan calls for a new collaborative effort with Hilton Head No. 1 Public Service District to secure funding necessary to extend sewer service where it is most needed and to make sewer system connections affordable. The Plan calls for similar efforts to correct deficiencies and safety concerns regarding local roads and pathways.

### Housing Element

The Ward One Plan recognizes the importance of housing to the future of Ward One. The Plan proposes to expand options for affordable housing and replace dwellings which are in deteriorated condition.

### Next Steps: Implementation

Initial actions aimed at plan implementation include the following:

- *LMO Modifications:* Draft, review, and adopt new zoning districts and development standards as recommended.
- *Capital Improvements Programming:* Expedite completion of improvements to planned roads, pathways, drainage and sewer improvements.
- *Initiative Area Plans:* Prepare and act upon more detailed initiative area plans as identified.
- *Support Community Initiatives:* Support local neighborhood planning initiatives and alliances, including the Community Development Corporation and Habitat for Humanity.

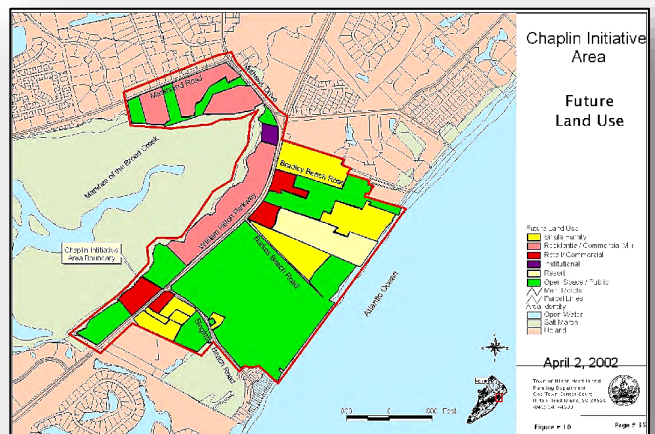
In conclusion, many of the recommendations in this plan can also be found in the R/UDAT Plan and the “response” to that plan. Given that those two earlier efforts included a significant degree of analysis and public input only a few years before the Ward One Plan was prepared, it would have been surprising if the Ward One Plan differed substantially from those earlier efforts.

### **Initiative Area Plans**

One of the recommendations of the 1999 Ward One Plan was to follow up with some more detailed plans for specific areas within Ward One. Below are summaries of two of the resulting plans.

#### Chaplin Initiative Area Plan (2002)

This plan was prepared “in house” by the Town’s staff, but the charrette process that helped to generate many of the plan’s ideas included volunteers from organizations such as the South Carolina Downtown Development Association (SCDDA) and area designers/consultants. As stated at the beginning of the plan:



*Proposed Future Land Use: Chaplin Initiative Area Plan (Source: Town of Hilton Head Island - 2002)*

“The purpose of the Chaplin Initiative Area Plan is to develop land use provisions with associated density and determine infrastructure services needed to accomplish the goals and needs for this area of Hilton Head Island. The scope of this plan is therefore focused on land use, density, and infrastructure since many of the components of development were otherwise detailed in the Ward One Master Plan adopted in 1999. As an addendum to the Comprehensive Plan, this plan culminates the planning efforts of the Ward One Master Land Use Plan.”

Below are key recommendations of the plan as summarized in the plan’s Executive Summary:

*1. Land Use Regulations*

The Chaplin Initiative Area Plan proposes to shape land uses towards a mix of more efficient residential, commercial and tourism development patterns. Proposed land uses take advantage of the strategic location of Chaplin; served by major and minor arterial roads with land fronting along the Atlantic Ocean and uninterrupted views of the marshes of Broad Creek. The net effect is that this Plan confirms some existing development, such as public lands, while creating new zoning districts to allow ocean and marsh-oriented development at an appropriate scale for Hilton Head Island.

*2. Infrastructure Improvements*

The Ward One Master Land Use Plan specifically designated the Chaplin Initiative Area for study of its infrastructure needs. Investments by the Town and private developers will be targeted for revitalization to enhance economic development opportunities, while improving community character and facilitating safe, efficient traffic circulation. The Chaplin Initiative Area Plan takes into account the current public and private facilities, and proposes to enhance current areas of concern to an acceptable level for Hilton Head Island. The plan calls for new circulation roads; roadway improvements; pathways; intersection improvements; pedestrian facilities at road crossings; and installation of sewer service. In addition, passive and active recreational parks are proposed on public lands.

*3. The Chaplin/Marshland/Gardner Property Owners Association*

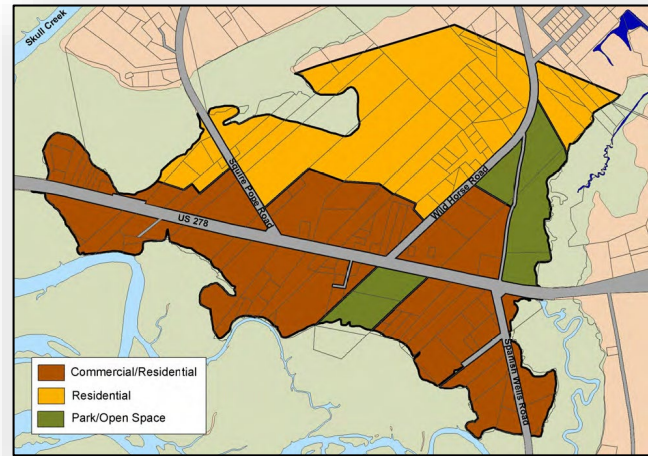
Throughout the development of the Chaplin Initiative Area Plan, the Chaplin/Marshland/Gardner Property Owners Association (POA) provided a forum for the exchange of ideas and opened lines of communication between the Town staff and the Chaplin Initiative Area property owners and stakeholders. This effort by the POA proved vital to the development of the Plan. The Plan views the continued relationship between the POA and the Town of Hilton Head Island as an excellent vehicle to strengthen the ability of the neighborhood to communicate its needs for future public project improvements. Also, the Plan proposes to develop the POA/ Town relationship to mutually support the goals the Plan describes.

Stoney Initiative Area Plan (2003)

As in the case of the Chaplin Initiative Area Plan prepared the year before, this plan was prepared “in house” by the Town’s staff, but the charrette process that helped to generate many of the plan’s ideas included volunteers from organizations such as the South Carolina Downtown Development Association (SCDDA) and area consultants. As stated at the beginning of the plan:

“In 1999, the Town of Hilton Head Island adopted the Ward One Master Land Use Plan as part of the Comprehensive Plan. This Plan identified the Stoney Neighborhood as an area needing further attention due to several unique factors such as unusual parcel configuration, its gateway location and special development opportunities. The Stoney Initiative Area Plan was created to fill the gap in the Ward One Master Land Use Plan. It focuses on land use, density, and infrastructure needs for the Stoney neighborhood and recommends strategies to guide future development and redevelopment opportunities.”

“Needs and Goals of the Initiative Area” are identified in the Plan that focus on land use, density and infrastructure. The Plan further recommends strategies to guide future development and redevelopment opportunities in these three areas. These strategies fall into three major categories: amendments to the Land Management Ordinance, improvements to public infrastructure, and assistance to land owners.



Proposed Future Land Use: Stoney Initiative Area Plan (Source: Town of Hilton Head Island - 2003)

*Land Management Ordinance (LMO) Amendments:*

- Rezoning to allow a better mix of commercial and residential.
- Revise the Use Table to allow more appropriate land uses.
- Determine whether revisions to the design standards would encourage orientation toward the marsh, and if so, make those revisions.

*Public Infrastructure:*

- Traffic-related: improvements to William Hilton Parkway, new roads, and intersection improvements.
- Pedestrian-related: pedestrian overpass, improvements to on-grade crosswalks, median landscaping.
- Infrastructure-related: sewer installation, multi-purpose pathways, pathway and crosswalk lighting, installation of distinctive entry sign, bury power lines, improvements to Old Schoolhouse Park.

*Assistance to Land Owners:*

- Encourage aggregation of properties for more efficient development.
- Encourage local land and business ownership.
- POA establish voluntary design guidelines.
- There are several recommendations dealing with the Town, the Stoney community, and local businesses and organizations working together to help the local land owners redevelop their properties themselves rather than sell to others.

## **2017 Comprehensive Plan**

Comprehensive plans typically address a wide range of community-wide issues related to future growth, including: natural resources; land uses; development density, form and character; transportation; housing; and economic development. This plan does all of that. But, understandably (because of the nature of this type of plan), it does not address each planning issue in terms of Gullah culture. However, this plan does address historic and cultural resources, which includes many Gullah resources. Below is an excerpt from this plan with respect to that topic:

### Goals: Historical/Cultural Resources

- A. To identify historic and archaeological sites in Hilton Head Island. Various archaeological sites on Hilton Head Island are thousands of years old. A number of churches and cemeteries date back hundreds of years. Even certain modern buildings, which are products of early resort development, have character worth retaining. Without protection these areas may not be preserved into the future. These areas and structures should be recognized and preserved as important elements in the Island's historic heritage.
- B. To provide access to important historic and religious sites located inside gated communities that are currently inaccessible to the public. The Town should encourage improvement of access to these sites, while protecting them from destruction or loss.
- C. To preserve Native Island culture. Increased development and changing demographics have the potential to lead to the loss of Native Islander culture. The Town should assist Native Islanders (Gullah-freedmen descendent) culture with programs that will sustain deep ties to family-owned lands and historic neighborhoods.
- D. To encourage education about the rich cultural heritage of Hilton Head Island.
- E. To celebrate the Town's unique sense of place and character through the preservation and maintenance of cultural heritage and historical resources. The heritage and legacies of the Native Island Community is cherished and capitalized by the development of a center for Gullah studies.

### Implementation Strategies: Historical/Cultural Resources

- A. Consider conducting a Town-wide study of all archeological and culturally significant sites.
- B. Consider developing a historic landmarks protection program to preserve important sites and architecture on the Island. Research the need to create an ordinance, regulations, or a zoning district to offer additional protection to historical and culturally significant sites.
- C. Encourage planned communities and other landowners to provide access for family members, friends and historians to cultural and historic sites to respect cultural dignity and allow for maintenance of historic areas.
- D. Improve access to historic sites for educational purposes. Research the options of increasing the ease of accessibility to these sites for education, viewing, and maintenance.
- E. Identify historic landmarks and important archaeological sites with a Historic Resource Survey. Elements of the survey should include development approval incentives for preservation, consideration of variances to encourage rehabilitation, purchase and lease options, and moving certain structures to designated Historic Preservation Zones.
- F. Identify appropriate locations for historic markers that identify important people, places, events, and neighborhoods.

- G. Identify historic figures within Hilton Head Island to use for street naming applications. Various books and manuscripts at the Heritage Library Foundation provide extensive information on historic figures with ties to Hilton Head Island.
- H. Work on public land acquisition to preserve historic and cultural sites for future generations.
- I. Cooperate with the Coastal Discovery Museum to establish a strong Gullah cultural education component at the Honey Horn site.
- J. Promote preservation of Gullah/historical neighborhoods and historic structures to help maintain the Gullah culture.
- K. Support the goals of the Gullah Geechee Cultural Heritage Corridor organization and promote the Gullah culture within Beaufort County and on Hilton Head Island.
- L. Promote educational programs and interpretive signage that help residents and visitors of all ages to understand the long unique history and rich cultural traditions on Hilton Head Island.
- M. Preserve the identity of traditional neighborhoods. Officially, recognize historic neighborhood names by showing their locations on Town maps, and by encouraging other mapmakers to also include the names.
- N. Increase education about Hilton Head Island's diverse cultural resources through the following:
  - i. Continue to fund educational programs and cultural celebrations.
  - ii. Apply for grants to fund development of interpretive facilities and programs about cultural/historic resources.
  - iii. Coordinate with Coastal Discovery Museum and other institutions to provide educational materials and hands-on programs to schools and various subcultures to promote cultural understanding.
  - iv. Provide interpretive displays of cultural artifacts and themes at public buildings, such as Town Hall, the Beaufort County library, and Coastal Discovery Museum.
  - v. Increase awareness of the brochure created by the Chamber that includes a driving tour of important historic and archaeological sites on the Island.
- O. Preserve Native Islander and Gullah cultural history through the following:
  - i. Continue to provide financial support for the annual Gullah Celebration through ATAX grants and other appropriate sources.
  - ii. Incorporate Native Islander history into public parks in and near their neighborhoods.
  - iii. Encourage property owners of family cemeteries to provide for the perpetual protection of the cemeteries.
- P. Provide funding and promotion of cultural events for all cultures represented on the Island, from festivals to art exhibits to prominent entertainers.
- Q. Support and improve media coverage for local arts and cultural events through an enhanced relationship with the local Chamber of Commerce and inclusion in the Town's website and newsletter.
- R. Recognize the economic value of Hilton Head Island's arts and cultural resources in tourism.
- S. Consider the creation of a Cultural Committee to promote all cultures through art and photographic exhibits, theatrical and musical performances, sporting events, etc.

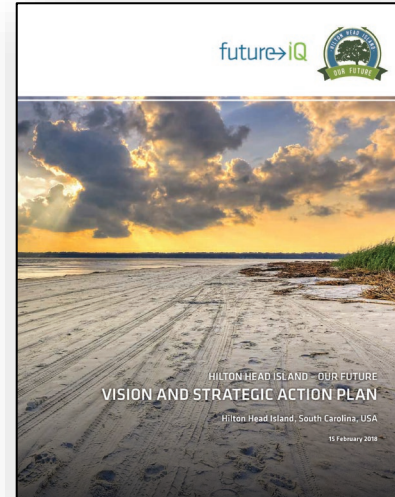
### **Vision and Strategic Action Plan (2018)**

Published in February of 2018, this report conveys the vision and lays out a strategic action plan that was been developed following an extensive community engagement process led by a

consultant firm. Throughout 2017, approximately 3,000 people contributed to a series of surveys, workshops and focus group sessions, to explore the long-term future of Hilton Head Island. According to the report, a key objective was to provide an engagement process that “was designed to provide an open, inclusive and transparent platform for community members to help create a shared vision and action plan.”

The 61-page report features the following key sections (not including some supplemental sections at the end):

- 1.0 Introduction
- 2.0 Snapshot of Hilton Head Island
- 3.0 Importance of Visioning
- 4.0 Community Engagement Summary
- 5.0 Identifying the Preferred Future
- 6.0 Community Vision
- 7.0 Strategic Action Framework
- 8.0 Strategic Action Pillars
- 9.0 Integrated Strategic Action Framework
- 10.0 Road Map to the Future
- 11.0 Next Steps
- 12.0 Looking Ahead: Important Topics for the Future



*Vision and Strategic Action Plan*  
(Source: Town of Hilton Head Island - 2018)

With respect to Gullah cultural preservation, it is noted throughout the report and specifically addressed in Section 12 under the subheading “The future of Gullah Geechee culture.” The report recognizes the culture as having strong potential for future tourism on the island, but also recognizes that the Gullah population is in decline relative to the balance of the island. It also makes the connections between the Gullah people, the need to provide more development opportunities for Gullah land owners through increased permitted densities, and the needs for workforce housing. The report also indicates that, as part of this project, a concerted effort was made to engage the Gullah community. It also emphasizes the need for mutual trust between the Gullah community and the broader community in order for progress to be made in securing a positive future for the island’s Gullah people.

### **Workforce Housing**

The Town recently embarked on a consultant-led study to identify strategies to overcome the Island’s challenges to workforce housing. This is an issue that is particularly impactful on the Island’s Gullah community for those not already living on land they own. Likewise, Gullah lands that have had their development potential stalled in the past might be candidates for the development of affordable housing once the relevant barriers can be overcome. This project is too early in the process to be able to describe its results. The consultants have indicated that they will be able to present their recommendations to the Town by April of 2019. Also, the consultants for this Gullah culture preservation project and the workforce housing consultants have been in communication to be sure that their respective recommendations will be compatible and not at odds.



## REGULATIONS

The primary relevant regulations for this study relate to the Land Management Ordinance (LMO), as described below.

### Land Management Ordinance (LMO)

The State of South Carolina allows municipalities to adopt zoning districts and supporting ordinances to regulate the location and density of land uses and other zoning functions (building heights, buffer areas, building setbacks, etc.). These regulations are intended to promote “public health, safety, morals, convenience, order, appearance, prosperity and general welfare.” They also implement the Town’s plans for future growth and development as set forth in the Land Use Element of the adopted Comprehensive Plan. The Town adopted the current zoning districts and regulations in its Land Management Ordinance (LMO), last updated in 2017. Below is a summary of how properties and their owners might legally deviate from the LMO.

### Procedures for Relief from the LMO

Below are three primary policy tools for relief from LMO provisions:

#### *Zoning Map Amendment*

Official changes can be made to the zoning districts through a Zoning Map Amendment (ZMA) to allow different land uses and densities for any given property. Proposed ZMAs must be reviewed and approved by the Planning Commission and Town Council for final adoption.

#### *Variances*

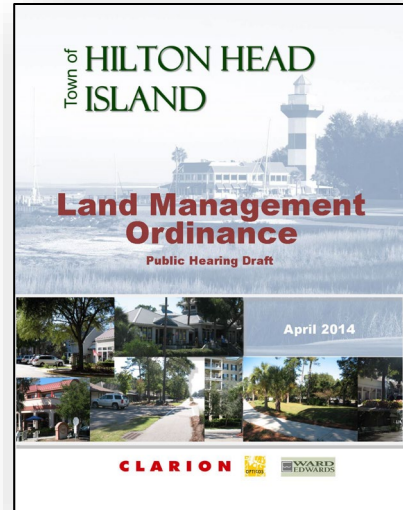
A variance is a departure from the strict terms or provisions of the LMO where enforcement of the LMO would result in unnecessary and undue hardship to the applicant. In granting the variance, the spirit of the LMO must be observed, and public welfare and safety cannot be diminished. A variance is reviewed and granted by the Board of Zoning Appeals (BZA) based upon specific State-identified criteria.

#### *Special Exceptions*

A special exception is a policy tool that allows certain land uses subject to standards and conditions in the LMO. These standards and conditions might relate to access, noise, screening, lighting, compatibility with adjoining uses, and traffic generation. As with variances, special exceptions are reviewed and granted by the Town’s BZA.

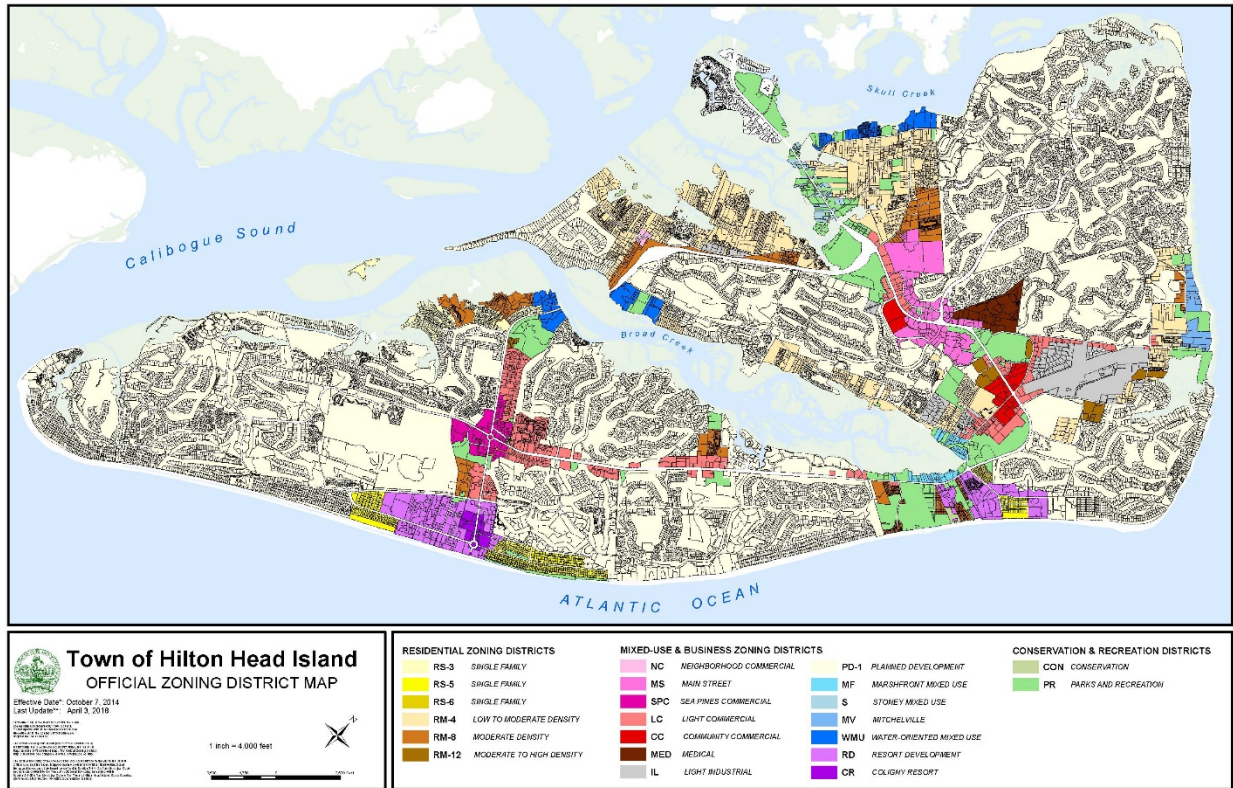
### Zoning Districts

As illustrated on the zoning map below, the Town’s various existing zoning district categories



*Land Management Ordinance Draft - 2014 (Source: Town of Hilton Head Island)*

include: Conservation and Recreation Districts, Residential Base Zoning Districts, and Mixed-Use and Business Districts (Overlay Zoning Districts exist, but are not depicted on this map).



Town Zoning Map updated April 3, 2018 (Source: Town of Hilton Head Island)

**Application of Zoning to Gullah Neighborhoods**

The majority of Hilton Head Island’s Gullah-owned lands exist in the Gullah neighborhoods located in the north half of the Island, as identified earlier in this Appendix (see pages A-1 and A-2). Of those lands, the following zoning districts are the most prevalent:

- *Low to Moderate Density Residential (RM-4):* This designation is particularly dominant in the following neighborhoods – Squire Pope, Big Stoney, Jonesville, Spanish Wells, Gardner, and Mitchelville. While most of these lands are relatively close to the waterfront, they typically do not directly front the waterfront. This district permits by-right single-family, multi-family, and group living, as well as various institutional and civic uses, some of which are only conditionally permitted. The maximum impervious coverage in both districts is 35%, and the maximum building height is 35 feet. The permitted densities are tied to the size of the site: 4 units/net acre for the smallest sites; 6 units/net acre for 3+ acres; and 8 units/net acre for 5+ acres. The maximum non-residential gross floor area (GFA) is 6,000 square feet per net acre. Conditionally permitted uses include bed and breakfasts, convenience stores, open air sales, and other commercial services.
- *Moderate Density Residential (RM-8):* This designation permits single-family, multifamily,

group living uses, educational uses, other commercial uses, government uses, religious institutions, and boat ramps, docks, and marina are allowed by right or subject to specific conditions/standards established in the LMO. The maximum impervious coverage in both districts is 35%, and the maximum building height is 45 feet. The maximum density in the RM-8 allows 8 units per acre. Nonresidential uses can be developed up to 6,000 square feet of gross floor area per acre.

- *Stoney Mixed Use (S)*: This zoning is limited to the Big Stoney neighborhood, but is only applied to a relatively small amount of land flanking both sides of Hwy. 278. The stated purpose is to “encourage cooperation between property owners in the development of their properties, to provide for connectivity between properties, and to create an atmosphere that is more pedestrian friendly...” It permits a relatively broad range of uses, including multi-family, single-family, various civic and institutional uses, resort accommodations, commercial recreation, offices, retail, dining, entertainment, various auto-oriented businesses, and agriculture. Seafood processing is a conditional use, among many others. Residential densities allow a maximum of 10 units/net acre. Hotels are allowed 35 rooms per acre. Non-residential gross floor areas may be up to 7,000 square feet per net acre, and buildings may be as high as 45 feet.
- *Mitchelville (MV)*: These lands are found along the waterfront of the Mitchelville and Baygall neighborhoods. They are intended to “recognize the historical and cultural significance of this area.” It permits a relatively broad range of uses, including agriculture, mixed use, multi-family, single-family, various civic and institutional uses, resort accommodations, commercial recreation, offices, retail, dining, and several water-dependent uses, although seafood processing is a conditional use. Densities are tied to uses, but residential densities allow a maximum of 12 units/net acre. Hotels are allowed 35 rooms per acre. Non-residential gross floor areas may be up to 8,000 square feet per net acre, buildings may be as high as 75 feet, and the maximum impervious surface coverage is 50%.
- *Marshfront (MF)*: These lands are found in the Marshland and Chaplin Neighborhoods. The stated purpose of the MF district is “to provide for a mix of uses such a residential, institutional, and commercial uses at a scale suitable for the district. The district is intended to be a service area for the occupants of the Resort Development (RD) District located on the opposite side of U.S. Highway 278 located in the vicinity of Folly field Road.” This district encourages development that maximizes views of Broad Creek, and the LMO indicates that environmental, aesthetic, and traffic concerns are significant within portions of this district. Permitted densities are tied to the size of the site and street type. On major arterials, 4 units/net acre are allowed for sites less than 3 acres, while 8 units/net acre are allowed for sites 3 acres and larger. On other street types, 6 units/net acre are allowed for sites less than 3 acres, while 10 units/net acre are allowed for sites 3 acres and larger. The maximum non-residential gross floor area (GFA) is 7,000 square feet per net acre, and the maximum building height is 45 feet, and the maximum impervious surface coverage is 60%.
- *Water-Oriented Mixed Use (WMU)*: These are waterfront lands located in neighborhoods such as Squire Pope and Spanish Wells. They are intended for water-oriented residential and

commercial uses. Permitted uses include mixed use, multi-family, single-family, various institutional and civic uses, resort accommodations, commercial recreation, offices, retail, dining, entertainment, specific auto-oriented uses, and agriculture. Seafood processing is a conditional use, among many others. Residential uses can be up to 16 units/net acre, hotels are allowed 35 rooms per acre, the maximum gross floor area is 8,000 square feet per net acre, the maximum building heights is 75 feet, and the maximum impervious surface coverage is 50%.

- *Parks and Recreation (PR)*: These lands are found in Chaplin, Marshland, Big Stoney, Spanish Wells, Mitchelville, Baygall, and isolated areas within Squire Pope. They are limited to publicly-owned lands for only active recreation, passive recreation, and environmental conservation.

In addition to the basic zoning requirements, there are also numerous requirements for street setbacks, use setbacks, and buffers. It is also noteworthy that much of the lands adjacent to Gullah neighborhoods are zoned and developed as Planned Unit Developments (PUDs). That option is difficult for most Gullah lands because of the fragmented nature of their lands, as PUDs have minimum site sizes. The Planned Development Overlay (PD-2) district requires parcels between five (5) and 249 acres in size. In addition to many Gullah-owned lands being too small to meet these standards, the heirs' property issues often preclude the assemblage of land into sufficiently sized sites for a PD-2 development.

The development parameters (including densities) in the commercial and mixed-use districts within the historic Gullah neighborhoods are reasonably comparable to development parameters outside the district, with the exception of nonresidential densities and maximum impervious coverage requirements (where they are modestly lower), relative to the development parameters for most other moderate and higher density districts in the Town. See Table 1: Development Parameters for Other Commercial and Mixed-Use Town Districts.

<b>District</b>	<b>Residential Density (Net Acre)</b>	<b>Nonresidential Density (GFA/Net Acre)</b>	<b>Building Height (Feet)</b>	<b>Impervious Surface Coverage (%)</b>
<b>Community Commercial (CC)</b>	N/A	10,000	45	60
<b>Resort Development (RD)</b>	16	8,000	Varies from 45-75	50
<b>Main Street (MS)</b>	12	9,000	45	60
<b>Sea Pines Circle (SPC)</b>	12	10,000	45	60

### Setback & Buffer Requirements

Below are observations regarding current LMO setback and buffer requirements:

*Adjacent Street Setbacks:* These standards refer to the setback that structures must have from their adjacent streets. Because some of the existing requirements in Table 16-5-102.C of the LMO are relatively modest, they are not good candidates for reductions. The minimum setback for most streets is 10 feet (for structures less than 24 inches in height) to 20 feet (for structures 24 inches in height or greater). While only arterial streets require greater setbacks, which range from 30 to 50 feet (depending upon the type of arterial), many such streets are found in the historic Gullah neighborhoods. One potential setback that might be considered is reduction of the required setback for structures 24 inches in height or greater. Similarly, there may be the potential to reduce setbacks along arterial streets.

*Adjacent Use Setbacks:* These standards dictate how far a structure must be set back from the lot line of an adjacent use (see Table 16-5-102.D of the LMO). The minimum is typically either 20 feet or 25 feet, depending upon the uses and district. The greatest setback requirement is between single-family houses and industrial uses, which is 40 feet. There are also provisions for setback encroachments for features such as fences, walls, awnings and lighting fixtures. Although, in the case of single-family subdivisions, these setbacks only apply to the perimeter of the subdivision, they may still be overly generous in some cases. For example, a single-family property could be directly adjacent to another similar single-family subdivision, and applying the required 20 foot setback on the side yard of both adjacent subdivisions would result in a 40 foot separation between buildings.

It is noteworthy that there are some existing exceptions when residential subdivisions are adjacent to other residential subdivisions. For Minor Subdivisions and Small Residential Subdivisions, the setback may be reduced by as much as 50%. Also, within any district, it might be reduced by 10% if the site meets all six of the listed criteria, which consider hardships and avoiding/mitigating any adverse impacts that might otherwise occur from the relief. Regardless of those existing exceptions, it might be reasonable to decrease the required use setbacks for any scenario whereby like uses and development types abut one another within the proposed overlay.

*Adjacent Street Buffers:* The Town's street buffer requirements are contained in Tables 16-5-103.D and 16-5-103.F. There are five different buffer types (A through E) defined in the LMO, and they apply to both street and use buffers. Buffer type A applies to all streets other than arterials. Minor arterials require buffer type B and major arterials require buffer type E. For each buffer type, there is an Option 1 and 2. Option 1 always requires more buffer depth, but Option 2 requires more landscaping material as a buffer to compensate for the lesser depth. For example, Option 1 for buffer type A requires at least 20 feet of depth, while Option B only requires 10 feet of depth. Given that a buffer along a street frontage is more in keeping with an Island character than a historic neighborhood character, the elimination of adjacent street buffers might be considered within the historic Gullah neighborhoods for all street types other than arterials. For the arterials, consideration might be given to decreasing the required buffer types in width and landscape density.

*Adjacent Use Buffers:* The Town’s adjacent use buffer requirements are contained in Tables 16-5-103.E and 16-5-103.F. As noted above, there are five different buffer types (A through E), but only four are applied to adjacent use buffers (A-D). A is the least rigorous and applies to uses such as single-family subdivisions when abutting like uses, while D applies to industrial uses when abutting single-family subdivisions and similar uses. As with adjacent use setback requirements for residential subdivisions, these buffers only apply to the perimeter of the subdivision rather than the individual lots. Nevertheless, buffer requirements are substantial enough that they may have potential for reduction as applied to properties within historic Gullah neighborhoods. For example, adjoining single-family subdivisions are now required to provide a use buffer type A (10 or 20 feet in depth), when like uses and development would not seem to need to be buffered from one another. Consideration might be given to reducing or even eliminating these types of buffer requirements within historic Gullah neighborhoods.

### Current Challenges with the LMO

As noted previously, numerous Land Management Ordinance (LMO) revisions have been implemented per the Ward One Master Plan, the Stoney Initiative Area Plan, and the Chaplin Initiative Area Plan. Regardless of these changes intended to better accommodate the Gullah neighborhoods located in Ward One, recent public input conducted as part of this project has revealed the following challenges, among others, that property owners and developers still claim to encounter with the LMO:

- Subdivisions of 6+ lots require paved roads and other infrastructure, making “family subdivisions” difficult.
- Various impact fees also make it a challenge for many Gullah land owners to develop their land.
- Road setback, use setbacks, and buffer requirements make it challenging to develop small lots.
- Relatively low-density restrictions make it difficult to develop land (most stakeholders claim to need at least 12 units/acre for viable development).
- Street ROW and drainage easement width requirements are considered as often being too wide and preclude the development of small lots.

It is noteworthy that past efforts by the Town have sought to address these same issues. In many cases, LMO provisions have actually been revised, but the perception is that they still exist. Thus, greater education about the LMO may be needed.

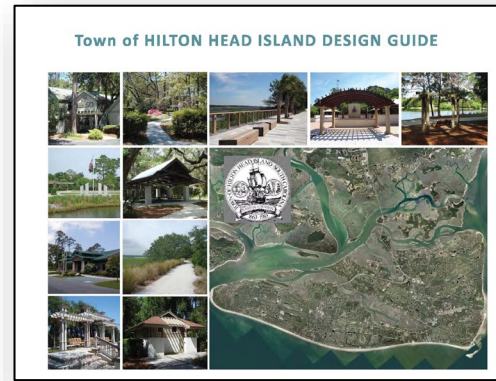
## **OTHER POLICIES**

### **Design Guide**

Within the Town of Hilton Head Island’s development regulatory context, “Design Review refers to the protection of the aesthetic and visual character of the Island for all properties that lie within the Corridor Overlay District (which includes property along the major roads and waterfront).” Design review pertains to all alterations to a site or structure in terms of colors,

materials, structural changes, landscaping, and signs. The Town’s adopted Design Guide is used by Town staff and the Town’s appointed Design Review Board (DRB) to ensure that development projects are consistent with Hilton Head Island’s character, although they do not apply to single-family houses. The stated Island Character Vision Statement is as follows:

“Development shall exhibit a harmonious relationship with the natural environment by blending the principles of sensitive site planning, skillful architectural design, and an emphasis on landscaping that preserves and enhances the native vegetation.” It is noteworthy that these guides are based upon a resort community character that is blended with the natural environment, as opposed to Gullah culture. DRB applications are categorized into the following four groups:



Town of Hilton Head Island Design Guide  
(Source: Town of Hilton Head Island)

- Alterations/Additions
- Minor External Changes
- Signs
- New Development (Conceptual and Final)

The Town’s planning staff can review all minor external changes instead of requiring DRB review.

### Tax & Fee Policies

The most significant tax and fee policies relative to this project include the property taxes assessed by the County, business taxes/fees assessed by the Town and County, and Public Service District (PSD) fees, as follows.

#### Property Taxes, Exemptions & Delinquency

Beaufort County collects property tax revenues for the Town of Hilton Head Island. Real property and mobile homes are valued by the Beaufort County Assessor’s Office and the taxes are calculated by the Beaufort County Auditor’s Office. All residential and commercial property in the County is taxed at a 6% assessment rate. An exception is an owner-occupied legal residence, which may qualify for the 4% Special Assessment Ratio. Tax amounts, which are established by the County, are based on the value of the property being taxed and the millage being applied. Below are some of the additional exemptions and special assessment ratios that might be relevant to Gullah property owners:

- *Agricultural Special Assessment*: granted to taxpayers using their property for agricultural purposes.
- *Disability Exemptions*: granted by the South Carolina Department of Revenue for certain medical disabilities, disabled veterans, and other similar circumstances.
- *The Homestead Exemption*: granted to taxpayers who are over 65, or have been certified as totally and permanently disabled by a State or Federal Agency, or are legally blind.

- *Active Duty Military Exemption:* granted to active duty military stationed within Beaufort County whose State of record is not South Carolina.

Property tax payments are due each year by January 15<sup>th</sup>. Properties that are delinquent on paying taxes are auctioned by the County in accordance with South Carolina State Statute 12-51-50. The delinquent tax sale is an open auction held annually on the first Monday in October. To avoid the auction of property, delinquent taxpayers must pay before 5:00 p.m. on the Friday before the sale. Payments are not accepted the day of the tax sale. Regulations for property taxes are established by the State and the Town has very little control or influence over them.

#### Beach Preservation Fee & Accommodations Tax

All individuals or businesses renting sleeping accommodations for ninety (90) days or less are required to open an account with the Town's Business License Department to remit quarterly payments of 3% of their gross revenue by the 20<sup>th</sup> day of the month following each quarter. Of that amount, 2% goes to the Beach Preservation Fee and 1% goes to the Accommodations Tax. In South Carolina, the rental of "transient accommodations" is subject to a 2% Accommodations Tax, in addition to the 5% Sales Tax, and any applicable local tax. Also, the governing body of a qualified coastal municipality (such as the Town of Hilton Head Island) may impose a beach preservation fee not to exceed one percent. Such fee is established through an ordinance and it is subject to a referendum. Payment coupons for the current year are mailed when an account is opened. Renewals occur each year in January or February. Coupons must be remitted to the Town by the 20<sup>th</sup> day of the month following the quarter. In the event that beach preservation fees are not remitted to the Town, the violator must pay a penalty of five (5) percent of the unpaid amount for each month or portion thereof past due until all beach preservation fees are paid in full.

#### Hospitality Tax

In accordance with South Carolina statutes, "a local governing body may impose, by ordinance, a local hospitality tax not to exceed two (2) percent of the charges for food and beverages. However, an ordinance imposing the local hospitality tax must be adopted by a positive majority vote. The governing body of a county may not impose a local hospitality tax in excess of one (1) percent within the boundaries of a municipality without the consent, by resolution, of the appropriate municipal governing body. All proceeds from a local hospitality tax must be kept in a separate fund segregated from the imposing entity's general fund. All interest generated by the local hospitality tax fund must be credited to the local hospitality tax fund."

Hospitality taxes are paid by consumers/patrons of restaurants, lounges, grocery stores, convenience stores, and any other establishments that sell prepared food and beverages. It generates approximately \$4.8 million annually for the Town of Hilton Head Island that is dedicated to pay debt service on a \$10 million bond for public safety projects and other capital improvement projects. Payment forms are mailed when an account is opened. Renewals occur each year in January or February. Forms must be remitted to the Town by the 20<sup>th</sup> day of the month following the quarter. In the event that local hospitality taxes are not remitted to the Town, the person failing to remit them must also pay a penalty of five (5) percent of the unpaid amount for each month or portion thereof until the taxes are paid in full.



### Real Estate Transfer Fee & Land Acquisition Program

The Real Estate Transfer Fee is 0.25 of 1% on each real estate transaction in the Town. It generates an average of \$4.2 million annually that is dedicated to the Land Acquisition Program. This fee is usually included in the closing costs of a real estate transaction. The fee is collected by Beaufort County for the Town. It will “sunset” on December 31, 2024.

The Town's Land Acquisition Program began in earnest in 1991 and was modeled after a program created in Nantucket, Massachusetts. The Town's goal was to manage and control growth on the island. Rather than taking land, the Town Council sought to purchase land at fair market value. Land acquisition became a “Smart Growth” tool for the Town, and some of the lands acquired are located in or near Gullah neighborhoods in the north half of the Island. According to the Town’s website regarding this program:

The program has enhanced property values; reduced potential development, particularly along U.S. 278; reduced potential traffic; kept the island green; preserved historic sites; and created opportunities for park and recreation development. As a result of this program, the Town has:

- Purchased 145 parcels of land totaling 1,308 acres for a total expenditure of \$171.8 million;
- Precluded 4.57 million square feet of commercial development;
- Precluded 1,365 motel rooms;
- Precluded 4,637 residential and timeshare units; and
- Precluded 43,228 PM peak-hour driving trips.

### Impact Fees

Impact fees are due before a building permit will be issued for both residential and commercial construction within the Town of Hilton Head Island. There are two types of impact fees. One is a Beaufort County fee and the other is a Town of Hilton Head Island fee:

#### *Beaufort County Impact Fee*

The Beaufort County fee, which is applicable in the Town of Hilton Head Island, is composed of three charges: parks, roads and libraries. All three fees are applied to building permits for residential units, including single-family houses, manufactured houses, and multi-family and duplex construction. Park and library fees are standard amounts, while road fees change based on the use.

#### *Town of Hilton Head Island Impact Fee*

The Town of Hilton Head Island assesses a transportation impact fee on all new development. Transportation impact fees are used to finance qualifying transportation improvements. They are based on the applicable land use category and the projected number of vehicle trips generated by that particular use. The fee required for single family residential construction is \$635 for structures under 1,500 square feet of total construction (heated and unheated space combined). Structures over 1,500 square feet of heated and unheated space are charged a fee of \$816. Manufactured housing is assessed a flat fee of \$410 per unit.

### Public Service District (PSD) Fees

The PSD charges a variety of fees, but perhaps the most significant are the “availability fees.” The PSD charges both a Water Availability Fee and a Sewer Availability Fee. These fees are charged to properties that have water and/or sewer service available, but are not connected to the systems. These fees apply to vacant lots, as well as homes and businesses that are not connected to the services. A property can be charged one or both fees. All lots within 100 feet of an existing gravity or low-pressure sewer main, or an existing water main with the ability to provide immediate service, are charged availability fees, with the following exceptions:

- Unbuildable lots
- Lots without free and easy access to the nearest main

Unbuildable lots consist of designated wetlands, inundated property, and designated open space. Lots without free and easy access to the nearest main are lots within 100 feet of the main, but where no public road right-of-way nor easement exists, which therefore would require crossing another piece of property to serve the subject property. The Water Availability Fee is \$100 per year and the Sewer Availability Fee is \$300 per year. Availability Fees are collected through a customer’s Beaufort County property tax bill, which result in an added cost to a tax bill that is already relatively high.

### **Potential Model Regulations**

While not part of the Town’s existing regulations, there are others in other jurisdictions, such as Beaufort County, that could serve as future models for the Town of Hilton Head Island. They include the following:

#### Beaufort County Family Compound Regulations

Key standards in the County’s Family Compound provisions that could be considered for adaptation for Hilton Head Island include:

- Fifty (50) Years of Ownership.* A single member of the family, multiple members of the family, or an unbroken succession of family members shall own a family compound property for no less than 50 years. All owners of the property shall request the family compound.
- Familial Relationship of those Receiving Property and/or Dwelling Unit.* The person(s) for whom the family dwelling units are built and/or the property subdivided shall be related to the owner of the property by blood, marriage, or adoption.
- Property May be Subdivided.* Family compounds shall be developed and the dwelling units built, or the family compound property may be subdivided and conveyed by the landowner to a family member to build a dwelling unit. Family compounds that are subdivided are limited to the maximum number of units without clustering.

There is also a five-year restriction for leasing or selling the subject property, as follows:

*Leasing.* No family dwelling unit shall be leased for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.

*Conveyance of Land Approved as Family Compound.* No portion of a tract of land approved as a family compound in accordance with this Section shall be conveyed for five years from the date of approval of the family compound unless the grantee is related to the property owner by blood, marriage, or adoption.

Other important provisions of the County's regulations relate to site design. Two alternative site planning approaches are allowed: "conventional form" and "traditional cluster." Permitted densities are tied to the site size, but the conventional form permits no greater density than one unit per acre, and the traditional cluster form permits no greater than two units per acre. However, permitted densities decrease in either scenario as sites get larger. For Family Compounds that are clustered, there is no minimum lot area, and the minimum separation between dwelling units is 15 feet. For Family Compounds that are not clustered, the minimum lot area is one-half acre.

#### Cottage Development Regulations

Cottage Development standards found in some other communities, and that could be adapted for Hilton Head Island if family compound provisions were to be adopted, typically permit small lots clustered around a common open space that accounts for approximately 30% of the total site size. They also include housing unit size limits, design standards minimizing the visual impact of garages, minimized street widths, and an emphasis on pedestrian pathways. However, the types of architectural design standards found in most Cottage Development provisions might be cost prohibitive for land owners in Hilton Head Island's historic Gullah neighborhoods.

## HEIRS' PROPERTY

### EXISTING CHALLENGES

As defined by the U.S. Department of Agriculture (USDA), "Heir property refers to land that has been passed down informally from generation-to-generation. In most cases, it involves landowners who died without a will. Heirs' property is land owned 'in common' by all of the heirs, regardless of whether they live on the land, pay the taxes, or have ever set foot on the land." According to the Center for Heir's Property Preservation, based in Charleston:

*"In the Lowcountry, heirs' property (HP) is mostly rural land owned by African Americans who either purchased or were deeded land after the Civil War. Historically, HP owners were routinely denied access to the legal system; could not afford to pay for legal services, and didn't understand or trust the legal system. As a result, much of this land was passed down through the generations without the benefit of a written Will, or the Will was not probated within the 10 years required by SC law to make it valid – so the land became heirs' property. Often the family members didn't know that."*

Because these landowners lack clear title to their property, they are precluded from selling their properties or securing loans for property improvements. For many years now, heirs' property has been the leading cause of African Americans losing their land. According to the U.S. Census Bureau, roughly 80% of land owned by African Americans has been lost since 1910 because of heirs' property issues. The heirs' property issue is an especially pronounced challenge on Hilton Head Island.

### EXISTING RESOURCES TO ADDRESS THE ISSUE

Fortunately, there are multiple organizations that focus on this issue and that can be leveraged as a resource for Hilton Head Island's Gullah population, as follows:

#### Local & Regional Organizations

Resource organizations based in Charleston and Beaufort, respectively, include the following:

#### Center for Heirs' Property Preservation

The Center is based in Charleston and covers a 15-county service area that includes Beaufort County and Hilton Head Island. According to the Center, as of 2012, there are roughly 47,000 heirs' properties in the region. The Center focuses specifically on this issue and has the potential to be a key resource for Hilton Head Island's future efforts in



*This gentleman can now remove a sign installed by someone else to sell his land after gaining title to his land. (Source: Center for Heirs' Property Preservation)*

addressing this topic. They offer an hour of free advice to people dealing with the heirs' property issue, although it is limited to people who would like to keep the property rather than selling it. They must also meet certain income level requirements and they must provide (or create) a family tree. The Center can help clients create a "family presentation," which is helpful to achieving "family agreement," which is considered by the Center to be the key to success in addressing this issue. Until family agreement is reached, the Center will not take on a case, and once a person becomes a client, they must meet with the Center staff in person rather than via telephone. According to the Center, clearing a property title can take from six months to several years. Along the way, it also requires a great deal of "hand holding" by the Center's staff. In addition to working directly with clients, the Center holds periodic educational seminars on the heirs' property topic, including their well-attended workshops on Hilton Head Island on February 24<sup>th</sup> of 2018 and March 16<sup>th</sup> of 2019. Based on conversations with one of their staff members as part of this project, they are willing to have additional future workshops on Hilton Head Island. It is also noteworthy that a CHPP staff attorney periodically meets with area property owners in the conference room of the Coastal Community Foundation in Beaufort. For more information on this organization, the Center's website address is [www.heirsproperty.org](http://www.heirsproperty.org).

#### Pan-African Family Empowerment & Land Preservation Network, Inc. (PAFEN)

This Beaufort-based public charity is relatively new and it was "created to help Gullah/Geechee and other African descendants save their land for current and future generations." They rely heavily on volunteers for the following types of roles: webmasters, grant writers, appointment schedulers, fundraising event workers, community outreach presenters, and office clerks. They assist landowners with filling out paperwork for homestead exemptions, tax rate reductions, installment property tax payments, and referrals to agricultural and heirs' property title clearing programs.

Since 2015, PAFEN's "Help Save Gullah-Geechee Land Campaign" has prevented Gullah Geechee owned property with an assessed value of more than \$6 million from being lost through South Carolina Delinquent Tax Sales and heirs' property disputes in Beaufort, Colleton, Georgetown, and Horry counties. Since 2016, when necessary, this entity has lobbied the Hilton Head Island Town Council seeking more flexibility for the Gullah community under the LMO. PAFEN's annual Stand4Land Taxpayer Empowerment Workshop has been their free signature outreach event since 2017 to provide a wide-ranging series of educational, financial, and referral resources to help sustain long-term property ownership. Presenters have included: the Beaufort County Assessor, Auditor, and Treasurer; the Beaufort County Black Chamber of Commerce; SC Legal Services; the Center for Heirs' Property Preservation; SC Lowcountry SCORE; the Consumer Credit Counseling Services of the Savannah Area; the S.C. Forestry Commission; USDA-Rural Development; and the USDA-Natural Resources Conservation Service.

They also established a satellite Stand4Land Taxpayer Empowerment information kiosk at the Plantersville Community Center in Georgetown County in 2018. The PAFEN Family Empowerment Resources & Training Center is located in Beaufort's Regions Bank Building, 69 Robert Smalls Parkway, Suite 4E. Hours are by appointment only, and their main phone number is (843) 812-3558.

## **State-Wide & National Organizations**

The following resource entities include one in South Carolina and one that is nation-wide.

### South Carolina Legal Services (SCLS)

SCLS provides free legal assistance in a variety of civil (non-criminal) legal matters to eligible low-income residents in the state. SCLS is a non-profit corporation funded by grants from the federally-funded Legal Services Corporation, the South Carolina Bar Foundation, local United Ways, state court filing fees, and other federal, state and local funding sources. Applications for legal assistance can be made via the organization's website ([www.scllegal.org](http://www.scllegal.org)) or in person at their local offices. Their closest office to Hilton Head Island is in North Charleston and their toll-free phone number is (888) 720-23200. This organization lists "Heirs' Property Issues" among their priorities in their publication entitled "South Carolina Legal Services Priorities for 2017" (page 5).

### Heirs' Property Retention Coalition (HPRC)

The Heirs' Property Retention Coalition (HPRC) was formed in the summer of 2006 as a national organization of lawyers, advocates, and academics heavily involved in litigation, legislative reform, and/or scholarly study related to heirs' property and, in particular, to the preservation of heirs' property within low-income African-American communities. HPRC has both organizational and individual members, all of whom bring significant expertise and experience to the table. Some HPRC members are local organizations that have been working on the ground in their area for decades, while others are national organizations that bring a broader regional perspective to HPRC's work. HPRC's success derives from its highly inclusive structure, which encourages participations from a broad range of organizations and individuals with a common goal of preventing African American land loss.

The stated mission of the HPRC is "to stem the tide of heirs' property land loss, particularly among families of color in the southeast, so that such families can retain their ancestral land and maintain it as a sustainable asset for future generations." To this end, they develop and facilitate the collaborative action of organizations that help low-income families, specifically by: a) connecting such organizations and partners to legal and land planning resources inside and outside the Coalition; b) developing and centralizing practice materials and research libraries; c) providing for intra-Coalition case referrals; d) organizing the gathering of empirical information about the scope of heirs' property and land loss; and e) supporting legal reform efforts at the state level.

### South Carolina Appleseed Legal Justice Center (SCALJC)

Based in Columbia, this non-profit organization was established in its current form in 1998. Their staff includes attorneys, outreach workers and community organizers. Their stated goal is to "influence policymakers to ensure the law is fair, to educate the public and their advocates about the law, and to assist attorneys..." While their current focus does not include heirs' property, there may be the potential if they could be convinced.

### Black Family Land Trust (BFLT)

Based in Durham, NC, this non-profit's stated mission is "ensuring, protecting and preserving

African American owned lands.” While their main focus is on North Carolina, they do serve South Carolina as well. Their “Wealth Retention and Asset Protection (WRAP)” program addresses heirs’ property issues through education.

Black Belt Justice Center (BBJC)

Headquartered in Washington, DC, this legal and advocacy non-profit organization serves African American farmers, landowners, and communities in the Black Belt region to: retain and increase landownership; to create sustainable land-based cooperatives and entrepreneurial businesses; and to ensure intergenerational and community wealth. They describe the Black Belt as a crescent-shaped agricultural region extending from southern Maryland to eastern Texas that is characterized by its high concentration of African Americans. Their services include community education, heirs’ property mediation, and land trusts.



# TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

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

## STAFF REPORT ZONING MAP AMENDMENT

Case #	Name of Project	Public Hearing Date
ZA-001783-2020	Historic Neighborhoods Preservation Overlay District (HNP-O)	October 14, 2020

Parcel Data	Applicant
Affected parcels included in Attachment E	Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928
Existing Zoning	Proposed Zoning
<u>Overlay District:</u> Corridor Overlay (COR) District Airport Overlay (A-O) District Planned Development Overlay (PD-2) District  <u>Zoning Districts:</u> Low to Moderate Density (RM-4) District Moderate Density (RM-8) District Moderate to High Density (RM-12) District Neighborhood Commercial (NC) District Main Street (MS) District Light Commercial (LC) District Marshfront (MF) District Stoney (S) District Mitchelville (MV) District Waterfront Mixed Use (WMU) District Resort Development (RD) District Conservation (CON) District Parks and Recreation (PR) District	<u>Overlay District:</u> Historic Neighborhoods Preservation Overlay (HNP-O) District Corridor Overlay (COR) District Airport Overlay (A-O) District Planned Development Overlay (PD-2) District  <u>Zoning Districts:</u> (no change to underlying zoning) Low to Moderate Density (RM-4) District Moderate Density Residential (RM-6) District (new district) Moderate Density (RM-8) District Moderate to High Density (RM-12) District Neighborhood Commercial (NC) District Main Street (MS) District Light Commercial (LC) District Marshfront (MF) District Stoney (S) District Mitchelville (MV) District Waterfront Mixed Use (WMU) District Resort Development (RD) District Conservation (CON) District Parks and Recreation (PR) District



<p><u>Existing Use:</u> Uses as allowed per zoning districts</p>	<p><u>Proposed Use:</u> Same uses allowed per zoning districts plus new activities including Family Subdivision and Family Compound</p>
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**Application Summary:**

Request from the Town of Hilton Head Island to amend the Official Zoning Map to apply the Historic Neighborhoods Preservation Overlay (HNP-O) District to parcels in the Historic Neighborhoods. Affected parcels in the HNP-O District are further identified on the Parcel List (Attachment E).

The Town is proposing to amend the Land Management Ordinance (LMO) to add a Historic Neighborhoods Preservation Overlay District in the Historic Neighborhoods; to add Family Compound and Family Subdivision as new activities; reduce buffer, setback, and access requirements; increase the maximum impervious cover; and increase the maximum building height allowance in certain districts.

**Staff Recommendation:**

Staff recommends that the Planning Commission find this application to be **consistent** with the Town’s Comprehensive Plan and does 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. Staff recommends that the Planning Commission recommend **approval** of this application to Town Council.

**Background:**

Town Council identified the preservation of Gullah Geechee Culture as a top priority initiative. The Town hired The Walker Collaborative (TWC) to draft recommendations for implementation focusing on cultural awareness, Heirs’ Property, land use, economics and sustainability, education specific to the community, and other concerns. Beginning in September 2018, the Gullah Geechee Land and Cultural Preservation Task Force (Task Force) held meetings, facilitated by TWC. The meetings included community workshops where input was provided by stakeholders. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs’ Property.

On September 17, 2019, Town Council voted to approve the Gullah Geechee Culture Preservation Project Report (Report) (Attachment G). On November 19, 2019, Town Council approved the framework for the Report, which was created in a collaborative effort between the Task Force and Town Staff. Establishing an overlay district for Historical Neighborhoods on Hilton Head Island was identified as the top priority project.

**Historic Neighborhoods Preservation Overlay District:**

The proposed Historic Neighborhoods Preservation Overlay (HNP-O) District includes portions of Hilton Head Island identified as the Historic Neighborhoods on the Island. The districts included within the overlay are:

- Low to Moderate Density (RM-4) District (all RM-4 parcels to be rezoned to RM-6 within the HNP-O District)
- Moderate Density Residential (RM-6) District (new district)

- Moderate Density (RM-8) District
- Moderate to High Density (RM-12) District
- Neighborhood Commercial (NC) District
- Main Street (MS) District
- Light Commercial (LC) District
- Marshfront (MF) District
- Stoney (S) District
- Mitchelville (MV) District
- Waterfront Mixed Use (WMU) District
- Resort Development (RD) District
- Conservation (CON) District
- Parks and Recreation (PR) District

The purpose of the HNP- O District is to allow more flexibility in property development and activities in the Historic Neighborhoods. The Historic Neighborhoods include Squire Pope, Little Stoney, Big Stoney, Jarvis, Jonesville, Old House Creek, Spanish Wells, Gardner, Chaplin, Marshland, Grassland/Grasslawn, Big Hill, Mitchelville, and Baygall.

LMO amendments are part of this effort and include the following proposed regulations that are applicable in the HNP-O District (as summarized in Attachment B and outlined in full in Attachment C):

- A reduction to buffer, setback, and access requirements; increased maximum impervious cover, increased maximum building height allowances in certain districts.
- New activities include Family Compound and Family Subdivision, which will create opportunities to pass land to future generations.
- The term, “family” will have its own definition to mean spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood and descended from a common ancestor (as in extended family).
- Family Compound activity is similar to the currently allowed Small Residential Development activity which is development of 2-5 homes on one parcel.
- Family Subdivision activity is similar the currently allowed Minor Subdivision activity which is development of development of 1-5 lots.

Family Compound regulations include:

- Single parcel of land that allows the construction of multiple homes.
- The installation of access and infrastructure is the responsibility of the individual currently building on the property, and must be installed in the order each structure is constructed.
- In contrast, a Small Residential Development activity requires greater access requirements and requires infrastructure to be installed on site prior to home placements.

Family Subdivision regulations include the following:

- Lots are subdivided and owned by one family as defined for the HNP-O District.
- Installation of access and infrastructure is not required for all lots prior to construction however, submitted plats must show location for future installation.
- In contrast, a Minor Subdivision activity requires greater access requirements and requires all infrastructure for the entire subdivision to be installed prior to home placements.

The proposed Moderate Density Residential (RM-6) District includes the following:

- RM-4 lots within the HNP-O District are proposed to be rezoned to RM-6.
- Allows 6 dwelling units per acre and up to 8 dwelling units per acre for properties that are at least five acres.

- Uses include single family, multi-family, group, and Workforce Housing; Public, Civic, Institutional, Educational, and other uses.

Proposed changes to areas currently zoned Marshfront (MF) District includes the following:

- Change maximum density for residential properties along major arterials from 4 dwelling units per acre (8 dwelling units if lot is at least 3 acres) to 6 dwelling units per acre.

**Applicant's Grounds for ZMA:**

The Town of Hilton Head Island and the Gullah Geechee Land and Cultural Preservation Task Force are proposing to amend the Official Zoning Map to create the Historic Neighborhoods Preservation Overlay District in order to implement recommendations from the Gullah Geechee Culture Preservation Project Report. The proposed HNP-O District aims to both preserve historic neighborhood properties and provide economic opportunities for landowners within the HNP-O District.

Per the applicant, the rezoning will allow all of the existing uses that are currently allowed in each zoning district plus additional activities and offers modifications in development regulations related to buffers, setbacks, access, impervious cover, and building heights. The proposed HNP-O District area will mirror portions of Hilton Head Island's Historic Neighborhoods.

**Summary of Facts and Conclusions:**

**Findings of Fact:**

- The application was submitted on September 14, 2020 as set forth in LMO Section 16-2-103.C and Appendix D-1.
- Per LMO Section 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.
- The LMO Official scheduled the public hearing on the application for the October 14, 2020 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
- Per LMO Section 16-2-102.E.2, 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.
- Notice of the October 14, 2020 public hearing was published in the Island Packet on September 27, 2020.
- Per LMO Section 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.
- The applicant mailed notices of the October 14, 2020 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on September 29, 2020.
- Per LMO Section 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 such notice being visible from each public thoroughfare that abuts the subject land.
- The LMO Official posted on September 29, 2020 conspicuous notice of the public hearing on public and private streets in the areas affected by the application.

**Conclusions of Law:**

- The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1.
- Notice of the public hearing was published, mailed and posted, in compliance with LMO Section 16-2-102.E.2.

*As set forth in LMO Section 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.*

<b>Summary of Facts and Conclusions:</b>
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*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):*

**Findings of Fact:**

The Comprehensive Plan addresses this application in the following areas:

**Cultural Resources Element**

**2.1 Historical/Cultural Resources Goals:**

- C. To preserve Native Island culture. Increased development and changing demographics have the potential to lead to the loss of Native Islander culture. The Town should assist Native Islanders (Gullah-freedmen descendent) culture with programs that will sustain deep ties to family-owned lands and historic neighborhoods.

**2.1 Historical/Cultural Resources Implementation Strategies:**

- J. Promote preservation of Gullah/historical neighborhoods and historic structures to help maintain the Gullah culture.

**Population Element**

**4.2 Population Diversity Goals:**

- A. To create a healthy, self-sustaining community that encourages economic and cultural diversity by understanding the needs and assets of each of the Island’s many different communities. By better understanding these needs and assets the Town will work to become less dependent on the workforce residing on the mainland and ensure the ability of different communities to work and live on Hilton Head Island.

**Housing Element**

**5.1 Housing Units & Tenure Implementation Strategies:**

- B. Consider providing flexibility in the LMO to provide options to the traditional housing or subdivision standards in the form of family compounds. Look to other communities, particularly Beaufort County, for examples on how to allow for family compounds which may assist in removing the barrier to legal and title issues associated with heirs property.

**Land Use Element**

**8.4 Existing Zoning Allocation Goals:**

- 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.

**8.5 Land Use Per Capita Goals:**

- A. To have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

**8.10 Zoning Changes Goals:**

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

**Conclusions of Law:**

1. The proposed overlay district is in accordance with the Comprehensive Plan, as described in the Cultural Resources, Population, Housing, and Land Use Elements, as set forth in LMO Section 16-2-103.C.3.a.i.
2. By allowing more flexibility in how property can be used, the proposed overlay district will preserve the historic character of Gullah-owned lands and neighborhoods, consistent with Cultural Resources Element Goal 2.1-C and Implementation Strategy 2.1-J.
3. The proposed overlay district will allow Family Compounds and Family Subdivisions, consistent with Housing Element Implementation Strategy 5.1-B.
4. By increasing density and allowing flexibility in development standards, the proposed overlay district will increase the development potential of Gullah properties, consistent with Population Element Goal 4.2-A and Land Use Element Goals 8.4-A, 8.5-A, and 8.10-A.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- The rezoning does not change the base zoning of any property and will allow all of the existing uses that are currently allowed in each zoning district.
- The rezoning will allow new activities for properties included within the HNP-O District including Family Compound and Family Subdivision which create opportunities to pass land to future generations. These activities are residential uses and are similar to Small Residential Developments and Minor Subdivisions which are activities currently allowed in the existing zoning districts within the HNP-O District.

**Conclusions of Law:**

- The proposed rezoning will allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.
- The rezoning does not change the range of uses that are currently allowed in each zoning district, therefore, the uses are compatible with uses in the vicinity.
- The rezoning will allow new activities for properties included within the HNP-O District including Family Compound and Family Subdivision which are residential uses and are compatible with the uses allowed on properties in the immediate vicinity.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- The rezoning does not change the base zoning of any property and will allow all of the existing uses that are currently allowed in each zoning district.

- The rezoning will allow new activities for properties included within the HNP-O District including Family Compound and Family Subdivision which create opportunities to pass land to future generations. These activities are residential uses and are similar to Small Residential Developments and Minor Subdivisions which are activities currently allowed in the existing zoning districts within the HNP-O District.
- The rezoning offers opportunities related to land development and will allow modifications to development regulations that include a reduction to buffer, setback, and access requirements; increased maximum impervious cover, increased maximum building height allowances in certain districts.

**Conclusions of Law:**

- The proposed zoning is appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii. because it allows for both land preservation opportunities as well as land development opportunities for properties within the HNP-O District.
- The rezoning does not change the base zoning of any property and will allow all of the existing uses that are currently allowed in each zoning district, therefore, the proposed zoning is appropriate for the land.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- On September 17, 2019, Town Council voted to approve the Gullah Geechee Culture Preservation Project Report (Report).
- According to the Report, two goals were identified: 1) to provide opportunities to preserve land; and 2) to make it easier to develop property.
- The Report specifies that an Overlay District for Historical Neighborhoods on Hilton Head Island be created to serve as the vehicle for many of the Report’s recommendations. Establishing an overlay district was identified as the top priority project. The HNP-O District rezoning is implementation of the Report.

**Conclusion of Law:**

- The rezoning would fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv. because the proposed rezoning addresses community needs as identified in the Report.

**Summary of Facts and Conclusion:**

*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:**

- The Town of Hilton Head Island Town Council identified the preservation of Gullah Geechee culture as a top priority initiative.
- The proposed Family Subdivision and Family Compound activities help to preserve Gullah lands which are impacted by the rezoning.
- The proposed rezoning balances the desire to provide greater options for Gullah lands with sound planning principles and likely future market demand.

**Conclusion of Law:**

- The proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town in accordance with LMO Section 16-2-103.C.3.a.v.

**Summary of Facts and Conclusions:**

*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):*

**Findings of Fact:**

- The rezoning does not change the base zoning of any property and will allow the all of the existing uses that are currently allowed in each zoning district.
- The HNP-O District rezoning introduces new activities including Family Compound and Family Subdivision which are similar to Small Residential Developments and Minor Subdivisions which are activities currently allowed in the existing zoning districts within the HNP-O District.
- The rezoning offers opportunities related to land development and will allow modifications to development regulations that include a reduction to buffer, setback, and access requirements; increased maximum impervious cover, increased maximum building height allowances in certain districts. These modifications will increase the economic viability of the properties within the HNP-O District.

**Conclusions of Law:**

- The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi because all of the existing uses that are currently allowed in each zoning district would still be allowed.
- The rezoning offers new Family Compound and Family Subdivision activities are similar to activities currently allowed in the existing zoning districts, therefore the proposed rezoning does not create any inappropriately isolated activities.

**Summary of Facts and Conclusions:**

*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:**

- The rezoning does not change the base zoning of any property and will allow all of the existing uses that are currently allowed in each zoning district.
- The HNP-O District rezoning introduces new activities including Family Compound and Family Subdivision which are additional development activities aimed at achieving both family land preservation and family land development goals.
- The rezoning offers opportunities related to land development and will allow modifications to development regulations that include a reduction to buffer, setback, and access requirements; increased maximum impervious cover, increased maximum building height allowances in certain districts. These modifications will increase the economic viability of the properties within the HNP-O District.

**Conclusion of Law:**

- The proposed zoning would allow the subject properties to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii. because all of the existing uses that are currently allowed in each zoning district do not change.

**Summary of Facts and Conclusion:**

*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:**

- In general, the properties within the HNP-O District already have access to adequate infrastructure and public facilities serving existing developments.
- The Hilton Head Public Service District Sewer Master Plan has extended sewer service to previously underserved areas throughout Hilton Head Island.
- Hilton Head Island has access to water and sewer through the Public Service Districts.
- Electrical services are available to service sites throughout Hilton Head Island.
- The Town has a Dirt Road Paving Program in the Capital Improvement Program.
- Any infrastructure or public facility improvements required for new land development would be required to be installed during the development process.

**Conclusion of Law:**

- The proposed zoning would result in development that can be and in some cases is already served by available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii.

**Summary of Facts and Conclusion:**

*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:**

- Following extensive land acquisition by non-Gullah people and the construction of a bridge accessing the island in 1956, a steady trend has occurred that deteriorates the Gullah culture.
- Because of the alarming decrease in the Gullah Geechee percentage of the population and the corresponding loss of the Gullah Geechee culture, the Town established the Gullah-Geechee Land and Cultural Preservation Task Force in 2017.
- The proposed rezoning is appropriate because a goal of the Town of Hilton Head Island Town Council is to determine how to preserve and provide development opportunities for the Native Islander properties that are impacted by these changing conditions.

**Conclusions of Law:**

- The proposed rezoning is appropriate due to the changes in the area, in accordance with LMO Section 16-3-103.C.a.ix.
- The proposed rezoning is appropriate due to changing conditions in the affected areas.
- The HNP-O District rezoning introduces new activities and modified development regulations aimed at achieving both family land preservation and family land development goals.



**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*

September 24, 2020

DATE

**REVIEWED BY:**

ND

Nicole Dixon, AICP, CFM  
*Development Review Administrator*

September 24, 2020

DATE

**REVIEWED BY:**

AC

Anne Cyran, AICP  
*Senior Planner & Planning Commission Board Coordinator*

September 24, 2020

DATE

**ATTACHMENTS:**

- A) HNP-O District Application Narrative
- B) Summary of Changes of (HNP-O) District LMO Amendments
- C) Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
- D) HNP-O District Location Map
- E) HNP-O District Parcel List
- F) Zoning Map
- G) Gullah Geechee Culture Preservation Project Report
- H) Historic Neighborhood Map

# Historic Neighborhoods Preservation Overlay (HNP-O) District Zoning Map Amendment Narrative

## Background

Town Council identified the preservation of Gullah Geechee Culture as a top priority initiative. The Town hired the Walker Collaborative (TWC) to draft recommendations for implementation focusing on cultural awareness, Heirs' Property, land use, economics and sustainability, education specific to the community, and other concerns. Beginning in September 2018, the Gullah Geechee Land and Cultural Preservation Task Force (Task Force) meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property.

On September 17, 2019, Town Council voted to approve the Gullah Geechee Culture Preservation Project Report (Report). On November 19, 2019, Town Council approved the framework for the Report. The framework that was created in a collaborative effort between the Task Force and Town Staff. Establishing an overlay district for Historical Neighborhoods on Hilton Head Island was identified as the top priority project.

## Historic Neighborhoods Preservation Overlay District:

The proposed Historic Neighborhoods Preservation Overlay District (HNP-O District) includes portions of Hilton Head Island identified as the Historic Neighborhoods on the Island. The districts included within the overlay include:

- Low to Moderate Density (RM-4) District
- Moderate Density Residential (RM-6) District (new district)
- Moderate Density (RM-8) District
- Moderate to High Density (RM-12) District
- Neighborhood Commercial (NC)
- Main Street (MS) District
- Light Commercial (LC) District
- Light Industrial (IL) District\*
- Planned Development (PD-1) District\*
- Marshfront (MF) District
- Stoney (S) District
- Mitchelville (MV) District
- Waterfront Mixed Use (WMU) District
- Resort Development (RD) District
- Conservation (CON) District
- Parks and Recreation (PR) District

Proposed Land Management Ordinance (LMO) amendments include the following proposed regulations (See Summary of LMO Changes to Reflect Historic Neighborhoods Preservation Overlay District table.):

- Proposed HNP-O District regulations include reductions to buffers, setbacks, and access; increased impervious cover; increased building heights and density calculations will be rounded up.

## Attachment A

- \*Exceptions to the HNP-O District include properties zoned PD-1 and IL.
- New uses within the HNP-O District include Family Compound and Family Subdivision, which will create opportunities to pass land to future generations.
- Within the HNP-O District, and with the new activities associated with the HNP-O District, the term, “family” will have its own definition to mean spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood and descended from a common ancestor (as in extended family).

Family Compound regulations are a proposed new activity for the HNP-O District. These regulations include:

- Single parcel of land that allows the construction of multiple homes.
- The installation of access and infrastructure is the responsibility of the individual currently building on the property, and must be installed in the order each structure is constructed.

Family Subdivision regulations are a proposed new activity for the HNP-O District. Regulations for a Family Subdivision include the following:

- Lots are subdivided and owned by one family as defined for the HNP-O District.
- Installation of access and infrastructure is not required for all lots prior to construction however, submitted plats must show location for future installation.

The proposed Moderate Density Residential (RM-6) District includes the following:

- Allows 6 dwelling units per acre and up to 8 dwelling units per acre for properties that are at least five acres.
- Uses include single family, multi-family, group, and Workforce Housing; Public, Civic, Institutional, Educational, and other uses; Family Compound, and Family Subdivision.
- RM-4 lots within the HNP-O District are proposed to be rezoned to RM-6.

Proposed changes to areas currently zoned Marshfront (MF) District includes the following:

- Change maximum density for residential properties along major arterials from 4 dwelling units per acre (8 dwelling units if lot is at least 3 acres) to 8 dwelling units per acre.

### **Zoning Map Amendment Review Standards:**

The rezoning request meets the criteria as required by LMO Section 16-2-103.C.3.a as follows:

1. The rezoning will be in accordance with the comprehensive plan.
2. The rezoning will allow the uses that are allowed and currently exist on the properties within the proposed HNP-O District and are compatible with uses in the vicinity. All existing uses within each district remain with the addition of the Family Compound and Family Subdivision uses.
3. The rezoning will be appropriate for the land as the uses currently exist with the exception of the Family Compound and Family Subdivision uses.
4. The rezoning does demonstrate a community need as it addresses recommendations from the Task Force which increases the development potential for properties within the HNP-O District.
5. The rezoning is consistent with the overall zoning program and future plans for the Town.
6. The rezoning doesn't create an inappropriate isolated zoning district as it is applied to an Overlay District (HNP-O District) which was created to mirror portions Hilton Head Island's Historic Neighborhoods.

## Attachment A

7. The rezoning does allow the properties within the HNP-O District to be put to a reasonably viable economic use by increasing development potential by amending development regulations within the HNP-O District.
8. The majority of properties within the HNP-O District have access to adequate public facilities serving the properties.
9. The rezoning is appropriate due to Town Council's approval of the Gullah Geechee Culture Preservation Project Report, of which establishing an overlay district for Historical Neighborhoods on Hilton Head Island was identified as the top priority project.

For a full list of proposed LMO changes, please see attachments.

**LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District**

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District			
<b>Setbacks</b>	Minor Arterial	40'		25'			
	All Other Streets	20'		10'			
	Access Easement	20'		5'			
	Adjacent Use	20' Single Family (Varies 20' - 40')		5' between single family uses Reduction by 10' between other uses			
<b>Buffers</b>	Minor Arterial	25'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	15'	<u>Single Family:</u> Minimum Planting Requirements  <u>Multifamily:</u> Maximum Planting Requirements		
		15'	<u>Maximum Planting Requirements</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet				
	All Other Streets	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 3 Every 100 Linear Feet Evergreen Shrub: 8 Every 100 Linear Feet			10'	<u>Single Family:</u> Minimum Planting Requirements  <u>Multifamily:</u> Maximum Planting Requirements
		10'	<u>Maximum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 4 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet				

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District	
<b>Buffers (Continued)</b>	Access Easement	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	0'	N/A
	Adjacent Use	Varies (20' -30')		A buffer is not required for adjacent like uses All other buffers permitted to be the minimum option and have the minimum planting requirements with the exception of industrial uses Industrial uses permitted to have the minimum option but must have the maximum planting plus fence/hedge.	
<b>Impervious cover (Residential &amp; Mixed-Use Base Zoning Districts)</b>		Residential Districts 35% maximum		Residential Districts 45% maximum	
<b>Building Height</b>		Varies (35'-45')		45' Maximum	
<b>Access</b>		For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access must be installed before subdivision plans are stamped.  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 40' right-of-way; access must be installed before subdivision plans are stamped.		For 5 or fewer lots within a Family Subdivision, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access shall be provided to the point of development  For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 30' right-of-way; access shall be provided to the point of development  For all homes within a Family Compound: Minimum 20' wide access easement constructed of an all-weather driving surface	

Element	Current LMO	Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District
<b>Allowable Uses</b>	All uses in the base district	All uses in the base district Family Compound Family Subdivision
<b>Density</b>	<p><u>RM-4</u> (Zoning class in base district) 4 dwelling units per acre 6 dwelling units per acre with at least 3 acres 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 4 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p> <p>Calculations for density are rounded up.</p>	<p><u>RM-6</u> (All RM-4 automatically up-zoned to RM-6) 6 dwelling units per acre 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 6 dwelling units per acre</p> <p>Calculations for density are rounded down.</p>
<b>Application Review</b>	All applications for development activity are reviewed in the order they are received.	All applications for development activity for eligible properties within the district will be expedited.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

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

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

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



## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

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

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments 16-2-102. Standard Review Procedures

### J. Vesting and Expiration of Development Approval or Permit

#### 1. Vested Rights for Approvals of Site Specific Development Plans

##### a. General

Approval or conditional approval of an *application for a Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision* shall constitute approval of a site specific development plan that establishes a *vested right* in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The *vested right* shall expire two years after the approval unless the *vested right* period is extended in accordance with subparagraph b below.

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

### U. Appeal of Official's Decision to Planning Commission

#### 1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the *Planning Commission* from decisions of the *Official* to approve, approve with conditions, or deny *applications* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

#### 2. Who May File Appeal

The *Official's* decision on an *application* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the *Planning Commission* by the *applicant* for the decided *application*, the owner of *land* to which the decision specifically applies, or any other party in interest, who alleges that the *Official* erred in making the decision:

#### 3. Types of Appeal

The following decisions made by the *Official* may be appealed to the *Planning Commission* in accordance with the procedures and standards in this subsection.

- a. Family Compound;
- b. Family Subdivision;
- c. Subdivision Review;
- d. Development Plan Review;
- e. Small Residential Development Review; and
- f. Development Project Name Review.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### X. Family Compound

#### 1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Compound approval.

#### 2. Applicability

##### a. General

- i. Approval of a Family Compound requires that a *person(s) dwelling living* in a Family Compound must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- ii. *Applications* for Family Compound Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

#### 3. Family Compound Review Procedure

##### a. Pre-Application Conference

Prospective *applicants* for Family Compound Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

##### b. Application Submittal

An *application* for Family Compound Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

##### c. Staff Review and Action

- i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
  1. Approve the *application*:
  2. Approve the *application* subject to conditions of approval; or
  3. Deny the *application*.
- ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

**d. Post- Decision Actions and Limitations**

**i. Notice of Decision**

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

**ii. Appeal**

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

**4. Family Compound Review Standards**

An *application* for Family Compound Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Compound complies with the following:

- a. All *persons* that will live on the *parcel* are of the same family as defined in Sec. 16-3-106.N.1.d.
- b. All other applicable standards of this *Ordinance*.
- c. All other applicable requirements in the *Municipal Code*.

**5. Effect of Approval**

Approval of a Family Compound authorizes the submittal of any other subsequent *development applications* that may be required before *construction* or other *development* authorized by this *Ordinance*. *The property cannot be sold for three years to non-family members after being established as a Family Compound.*

**6. Expiration**

Approval of a Family Compound establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

**7. Amendment**

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### Y. Family Subdivision

#### 1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Subdivision approval. This section will allow the *subdivision* and transfer of familial owned property to future generations.

#### 2. Applicability

##### a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a *person(s) dwelling living* in a Family Subdivision must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- iii. *Applications* for Family Subdivision Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

#### 3. Family Subdivision Review Procedure

##### a. Pre-Application Conference

Prospective *applicants* for Family Subdivision Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

##### b. Application Submittal

An *application* for Family Subdivision Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### c. Staff Review and Action

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

### d. Post- Decision Action and Limitations

#### i. Notice of Decision

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

#### ii. Appeal

Appeals from the final decision of the **Official** on an **application** for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of **Official's** Decision to Planning Commission, and S.C. Code § 6-29-1150.

## 4. Family Subdivision Review Standards

An **application** for Family Subdivision Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (per Sec. 16-3-106.N.1.d) to those purchasing/deeding properties within the **subdivision**.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the **access** must be installed and inspected prior to the sale of property within the **subdivision** to non-family members.
- c. All other applicable requirements in the **Municipal Code**.
- d. All standards of this **Ordinance** that appear in Section 16-2-103.X Family Compound.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **5. Effect of Approval**

Approval of a Family Subdivision constitutes approval of a final plat for the *subdivision*. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable *lots* that may be conveyed and may be developed in accordance with *development applications* authorized by this *Ordinance*. No further *subdivision* of a Family Subdivision shall be permitted.

### **6. Expiration**

Approval of a Family Subdivision establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

### **7. Amendment**

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments Sec. 16-3-104. Residential Base Zoning Districts

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

<b>RM-4</b>			
<b>Low to Moderate Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<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) <sup>2</sup>	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b> <sup>3</sup>	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>1,4</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 <b>site</b> or the proposed <b>development</b> , or (2) results in improved <b>site</b> 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.			
2. <b>Density</b> for <b>developments</b> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.			
3. The maximum <b>impervious cover</b> for properties located within the HNP-O shall be 45%.			
4. The maximum <b>building height</b> for properties located within the HNP-O shall be 45 ft.			



Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**F. Moderate Density Residential (RM-6) District**

<b><u>RM-6</u></b>				
<b><u>Moderate Density Residential District</u></b>				
<b><u>1. Purpose</u></b>				
The purpose of the Moderate Density Residential (RM-6) District is to allow for the <i>development</i> of residential <i>uses</i> at densities up to six <i>dwelling units</i> per <i>net acre</i> . The district allows a variety of residential <i>uses</i> along with <i>uses</i> that support <i>neighborhoods</i> . The district is intended to discourage <i>development</i> that would substantially interfere with, or be detrimental to moderate residential character.				
<b><u>2. Allowable Principal Uses</u></b>				
<b><u>USE CLASSIFICATION/TYPE</u></b>		<b><u>USE-SPECIFIC CONDITIONS</u></b>	<b><u>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</u></b>	
<b><u>Residential Uses</u></b>				
<b><u>Group Living</u></b>	<u>P</u>		1 per 3 rooms	
<b><u>Multifamily</u></b>	<u>P</u>		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<b><u>Single-Family</u></b>	<u>P</u>		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b><u>Workforce Housing</u></b>	<u>PC</u>	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
<b><u>Public, Civic, Institutional, and Educational Uses</u></b>				
<b><u>Community Service Uses</u></b>	<u>P</u>		1 per 400 GFA	
<b><u>Government Uses</u></b>	<u>PC</u>		Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<b><u>Major Utilities</u></b>	<u>SE</u>		1 per 1,500 GFA	
<b><u>Minor Utilities</u></b>	<u>P</u>		N/A	
<b><u>Public Parks</u></b>	<u>P</u>		See Sec. 16-5-107.D.2	
<b><u>Religious Institutions</u></b>	<u>P</u>		1 per 3 seats in main assembly area	
<b><u>Telecommunication Antenna, Collocated or Building Mounted</u></b>	<u>PC</u>	Sec. 16-4-102.B.2.e	N/A	
<b><u>Telecommunication Towers, Monopole</u></b>	<u>PC</u>	Sec. 16-4-102.B.2.e	1	
<b><u>Commercial Services</u></b>				
<b><u>Other Commercial Services</u></b>	<u>PC</u>	Sec. 16-4-102.B.7.1	See Sec. 16-5-107.D.2	
<b><u>Other Uses</u></b>				
<b><u>Agriculture Uses</u></b>	<u>P</u>		Stables or Riding Academies	1 per 5 stalls
			Other	N/A
<b><u>Boat Ramps, Docking Facilities, and Marinas</u></b>	<u>PC</u>	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.	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

<b>3. Development Form and Parameters</b>			
<b>MAX DENSITY (PER NET ACRE)</b>		<b>LOT COVERAGE</b>	
<u>Residential</u> <sup>2</sup>	<u>6 du (8 du if lot area is at least 5 acres)</u>	<u>Max. Impervious Cover for All Development Except Single-Family</u> <sup>3</sup>	<u>35%</u>
<u>Nonresidential</u>	<u>6,000 GFA</u>		
<b>MAX. BUILDING HEIGHT</b>		<u>Min. Open Space for Major Residential Subdivisions</u>	<u>16%</u>
<u>All Development</u>	<u>45 ft</u> <sup>1</sup>		

<b>USE AND OTHER DEVELOPMENT STANDARDS</b>
See Chapter 16-4: Use Standards, Chapter 16-5: <i>Development</i> 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. <u>May be increased by up to ten percent on demonstration to the Official that:</u>
a. <u>The increase is consistent with the character of <i>development</i> on surrounding <i>land</i>;</u>
b. <u><i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;</u>
c. <u>The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i>, or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i>;</u>
d. <u>The increase will not pose a danger to the public health or safety;</u>
e. <u>Any adverse impacts directly attributable to the increase are mitigated; and</u>
f. <u>The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.</u>
2. <u><i>Density</i> for <i>developments</i> that include <b>Workforce Housing</b> shall be determined based on Sec. 16-4-105B.</u>
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**G. Moderate Density Residential District (RM-8) District**

<b>RM-8</b>			
<b>Moderate to High Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>	
Residential <sup>2</sup>	8 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	35%
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<b>MAX. BUILDING HEIGHT</b>			
All <i>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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**H. Moderate to High Density Residential District (RM-12) District**

<b>RM-12</b>			
<b>Moderate to High Density Residential District</b>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>	
Residential <sup>2</sup>	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> <sup>3</sup>	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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include Workforce Housing shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-105. Mixed-Use and Business Districts**

**H. Marshfront District (MF)**

<b>MF Marshfront District</b>				
<b>1. No Change</b>				
<b>2. No Change</b>				
<b>3. Development Form Standards</b>				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential <sup>2</sup>	Along Major Arterials	4 du (8 du if <i>lot</i> area is at least 3 acres) <u>6 du</u>	Max. <i>Impervious Cover</i>	60%
	Along Other <i>Streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	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 = <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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.				
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.				

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**K. Neighborhood Commercial (NC)**

<p style="font-size: 2em; margin: 0;">NC</p> <p style="font-size: 1.5em; margin: 0;">Neighborhood Commercial District</p>			
<b>1. No Change</b>			
<b>2. No Change</b>			
<b>3. Development Form Standards</b>			
MAX. DENSITY (PER NET ACRE )		LOT COVERAGE	
Residential <sup>2</sup>	4 du	Max. <i>Impervious Cover</i>	45%
Nonresidential	3,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft <sup>1,3</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 = <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 <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> 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.			
2. <i>Density</i> for <i>developments</i> that include Mixed-Use or <i>Workforce Housing</i> shall be determined based on Sec. 16-4-105B.			
3. <u>The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Sec. 16-3-106. Overlay Zoning Districts**

**N. Historic Neighborhoods Preservation Overlay (HNP-O) District**

**1. Applicability and Purpose**

- a.** The purpose of the Historic Neighborhoods Preservation Overlay (HNP-O) District is to expand opportunities to pass *land* to future generations and allow for increased *development* potential.
- b.** All new *development* and changes to existing *development* in the HNP-O District are subject to the regulations of this section.
- c.** If a *parcel* falls within the Workforce Housing Overlay (WFH-O) District and the HNP-O District, *property owners* can utilize the regulations established in both districts.
- d.** For *parcels* within the HNP-O District, family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of *persons* related by blood, and descended from common ancestor (as in extended family).
- e.** Family Compounds will be considered a *single-family use*.

**2. Delineation of the HNP-O District**

The Historic Neighborhoods Preservation Overlay (HNP-O) District includes all *parcels* shown as hatched in Figures 16-3-106.N.2 and 16-3-106.N.3 below.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

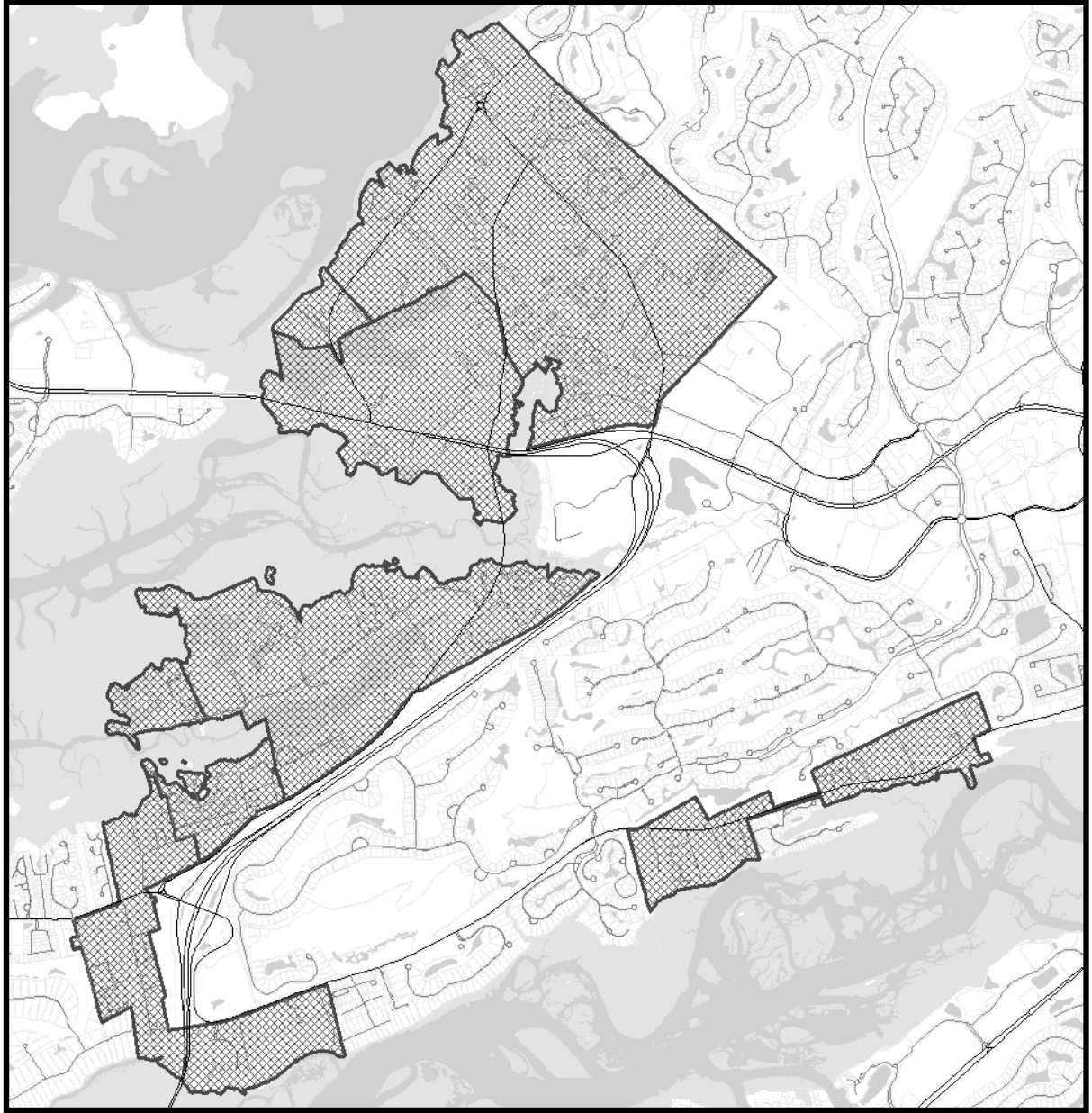


Figure 16-3-106.N.2



Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

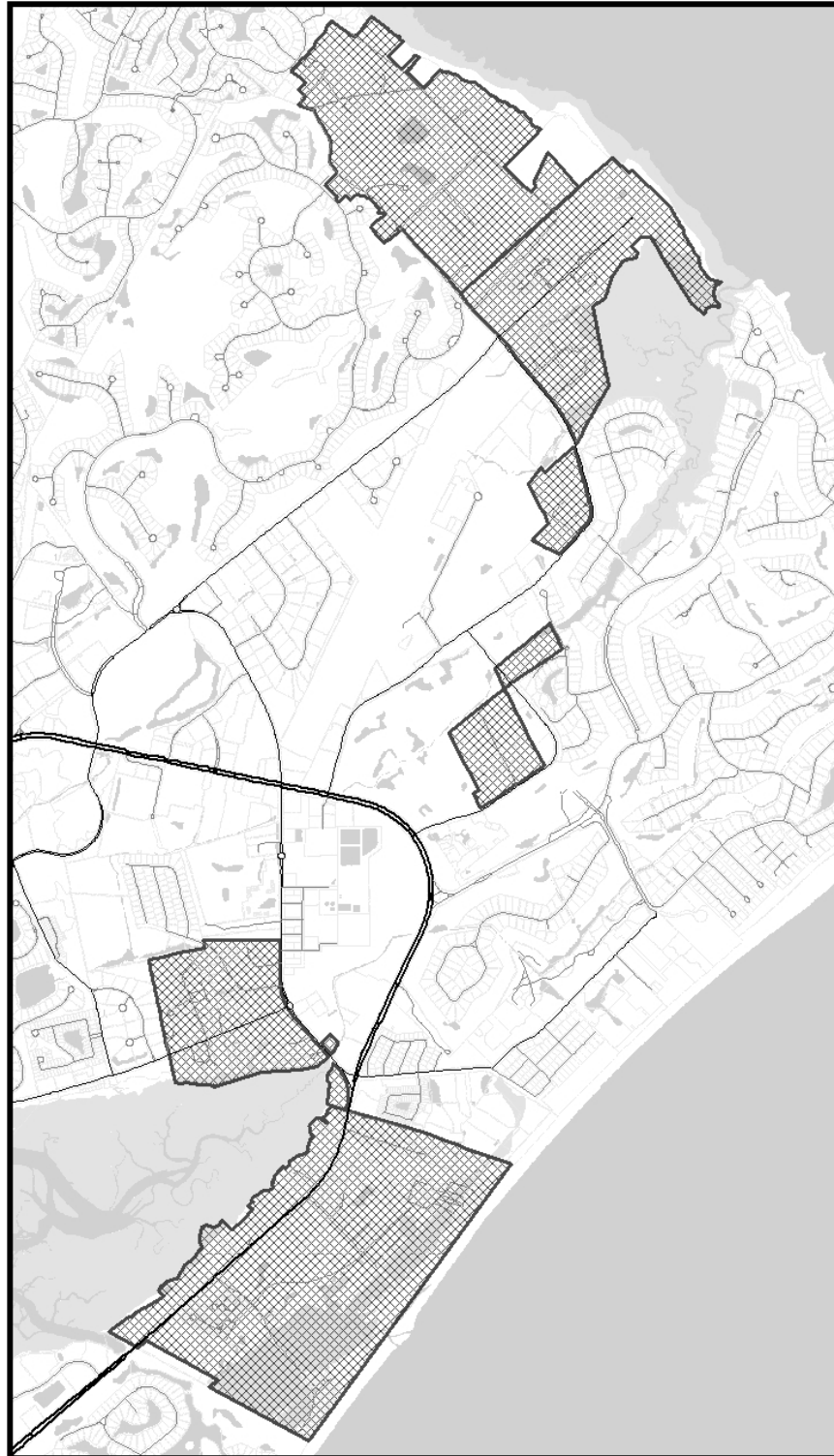


Figure 16-3-106.N.3

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**3. District Regulations**

**a. Setbacks**

**i. Street**

<u>Street Type</u>	<u>Required Setback</u>
<u>Major Arterial</u>	<u>50 ft</u>
<u>Minor Arterial</u>	<u>25 ft</u>
<u>All Other Streets</u>	<u>10 ft</u>
<u>Access Easement</u>	<u>5 ft</u>

**ii. Adjacent Use Setbacks**

1. An *adjacent use* setback of 5 feet is required between two *single-family uses*.
2. All other *adjacent use* setbacks are reduced by 10 feet from what is required in Table 16-5-102.D.

**b. Buffers**

**i. Street and Plantings**

<u>Street Type</u>	<u>Required Buffer</u>	<u>Required Plantings</u>
<u>Major Arterial</u>	<u>50 ft</u>	<u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 5 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 20 every 100 linear feet and at least 3 feet high at maturity</u>
	<u>35 ft</u>	<u><i>Overstory trees</i>: 5 every 100 linear feet</u> <u><i>Understory trees</i>: 7 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 25 every 100 linear feet and at least 3 feet high at maturity</u> <u>At least 50% of all <i>trees</i> must be evergreen</u>
<u>Minor Arterial</u>	<u>15 ft</u>	<u><i>Single-Family</i>:</u> <u><i>Overstory trees</i>: 3 every 100 linear feet</u> <u><i>Understory trees</i>: 6 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 10 every 100 linear feet</u>  <u><i>Non Single-Family</i>:</u> <u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 8 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 12 every 100 linear feet</u>

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

<u>All Other Streets</u>	<u>10 ft</u>	<u><i>Single-Family:</i></u> <u><i>Overstory trees: 2 every 100 linear feet</i></u> <u><i>Understory trees: 3 every 100 linear feet</i></u> <u><i>Evergreen shrubs: 8 every 100 linear feet</i></u>  <u><i>Non Single-Family:</i></u> <u><i>Overstory trees: 2 every 100 linear feet</i></u> <u><i>Understory trees: 4 every 100 linear feet</i></u> <u><i>Evergreen shrubs: 10 every 100 linear feet</i></u>
<u>Access Easement</u>	<u>0 ft</u>	<u>N/A</u>

ii. Adjacent Use Buffers

1. *Adjacent use* buffers shall not apply to properties where the proposed *development* and the existing *use* on the *adjacent* property are within the same *use* classification.
2. All other *adjacent use* buffers shall include the minimum planting requirements per Table 16-5-103.F.

c. Impervious Cover

Maximum *impervious cover* of the *lot* shall be 45 percent except for *development* within LC, MF, MV, NC, RD, S, and WMU Districts. For *impervious cover* requirements in these districts, see Sec. 16-3-105.

d. Building Height

Maximum *building height* shall be 45 feet except for *development* within MV, RD, and WMU Districts. For *building height* in these districts, see Sec.16-3-105.

e. Access

- i. *Access to all lots* within a Family Subdivision shall be provided to the point of *development* as follows:
  01. *For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.*
  02. *For 6 or more lots, direct vehicular access to each lot shall be provided via a paved street with a minimum 30 foot right-of-way.*

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

- ii. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide access easement constructed of an *all-weather driving surface*.

**f. Wetlands Protection**

Wetland buffers shall be provided along the perimeter of all wetlands.

- i. *Single-family* (including *accessory structures* and pervious and *impervious surfaces*) shall be no less than 20 feet from a tidal wetland. A buffer from a freshwater wetland is not required.
- ii. *Multifamily* or nonresidential structures shall be no less than 20 feet from tidal and freshwater wetlands.
  - 1. Pervious surfaces shall be no less than 15 feet from the tidal wetland and no less than 10 feet from the freshwater wetland.
  - 2. Impervious surfaces shall be no less than 25 feet from the tidal wetland and no less than 20 feet from the freshwater wetland.

**4. Allowable Uses/Activities**

- a. All uses currently permitted by Table 16-4-102.A.6: Principal Use Table will continue to be permitted on properties in the HNP-O District.
- b. Family Compound is permitted in accordance with Section 16-2-103.X.
- c. Family Subdivision is permitted in accordance with Section 16-2-103.Y.

**5. Application Review**

All applications for development activity on eligible properties within the HNP-O District will be expedited.

- a. New submittals for properties within the HNP-O District will be reviewed prior to other submittals.
- b. New building permit submittals within the HNP-O District will be reviewed prior to other submittals.
- c. Resubmittals for properties with the HNP-O District will be reviewed prior to other submittals.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### Chapter 16-4: Use Standards

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE					
P = Permitted by Right      PC = Permitted Subject to Use-Specific Conditions					
SE = Allowed as a Special Exception      Blank Cell = Prohibited					
USE CLASSIFICATION/ USE TYPE	RESIDENTIAL DISTRICTS				USE-SPECIFIC CONDITIONS
	RM-4	<u>RM-6</u>	RM-8	RM-12	
<b>RESIDENTIAL USES</b>					
Group Living	P	<u>P</u>	P	P	
<b>Multifamily</b>	P	<u>P</u>	P	P	
<b>Single-Family</b>	P	<u>P</u>	P	P	
<b>Workforce Housing</b>	PC	<u>PC</u>	PC	PC	Sec 16-4-102.B.1.d
<b>PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES</b>					
Cemeteries	P				
Community Services Uses	P	<u>P</u>	P	P	
Education Uses	P				
Government Uses	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.d
Major Utilities	SE	<u>SE</u>	SE	SE	
Minor Utilities	P	<u>P</u>	P	P	
Public Parks	P	<u>P</u>	P	P	
Religious Institutions	P	<u>P</u>	P	P	
Telecommunication Antenna, Collocated or Building Mounted	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
Telecommunications Tower, Monopole	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
<b>RESORT ACCOMMODATIONS</b>					
Bed and Breakfasts	PC				Sec. 16-4-102.B.4.a
<b>COMMERCIAL SERVICES</b>					
Convenience Store	PC				Sec. 16-4-102.B.7.d
Open Air Sales	PC				Sec. 16-4-102.B.7.i
Other Commercial Services Uses	PC	<u>PC</u>	PC		Sec. 16-4-102.B.7.l
<b>OTHER SERVICES</b>					
Agriculture Uses	P	<u>P</u>	P	P	
Boat Ramps, Docking Facilities, and Marinas	PC	<u>PC</u>	PC		Sec. 16-4-102.B.10.a

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**B. Use-Specific Conditions for Principal Uses**

**Sec. 16-4-102.B.1.d**

d. ***Workforce Housing***

- i. In the RM-4 or RM-6 District, properties developed for WFH shall not have vehicular ***access*** to Jonesville Road, Spanish Wells Road, or Marshland Road.

**Sec. 16-4-102.B.7.1**

1. ***Other commercial services*** located in the RM-4 District, RM-6 District, or RM-8 District shall have a ***gross floor area*** no greater than 1,200 square feet.

**Sec. 16-4-102.B.10.a**

a. **Boat Ramps, Docking Facilities, and Marinas**

- i. A ***boat ramp, docking facility***, or marina in the CON District shall be associated with an approved ***use*** in the ***adjacent zoning district***.
- ii. A ***boat ramp*** is allowed in the RSF-3, RSF-5, RM-4, RM-6, or RM-8 District only if the purpose is to serve the ***adjacent neighborhoods***.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments  
**Chapter 16-10: Definitions, Interpretations, and Measurement;**

**Sec. 16-10-102. Rules of Measurement:**

**B. Density**

**1. Density**

A measurement of intensity of the *development* of a *parcel* of *land*, calculated by dividing total number of *dwelling units* by the *net acreage* of the *parcel* for residential *development*; by dividing the total number of guest rooms by the *net acreage* of the *parcel* for *hotel development*; and by dividing the total number of square feet of *gross floor area* by the *net acreage* of the *parcel* for other nonresidential *development*. In *mixed-use developments*, acreage allocated to residential *use* shall not be used to calculate nonresidential *density*, and acreage allocated for nonresidential *uses* shall not be used to calculate residential *density*; and acreage allocated to *hotel use* shall not be used to calculate other nonresidential *density*, and acreage used for other nonresidential *uses* shall not be used to calculate *hotel density*. Where residential and nonresidential *uses* are combined in a single *building*, the *density* of each *use* within the *building* shall be calculated separately. When computation of the *density* results in a fraction, the result shall not be rounded up to the nearest whole number, except for parcels located within the HNP-O district.

**Sec. 16-10-105. General Definitions:**

**Family Compound**

Single parcel of *land* with multiple *dwelling units* owned by one family as defined in Sec. 16-3-106.N.1.d.

**Family Subdivision**

Ownership of subdivided *lots* within a *single-family*, defined by Sec. 16-3-106.N.1.d without requiring the installation of supporting infrastructure.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-26. Family Compound**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Certificate of Owner's Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *development*.

**C. Eligibility**

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as defined by Sec 16-3-106.N.1.d.

**D. Property Deed**

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

**E. Boundary Survey Plat**

One copy of the boundary survey plat of the *lot* of record or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50 or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.



## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

### **F. Written Narrative**

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of *development* and detailed provisions for *maintenance* responsibility for all *improvements*, including, but not limited to: *streets*, parking areas, storm drainage facilities, water and sewer systems, and the like, up to the point of *development*.

### **G. Site Development Plan**

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

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town* Engineer, unless waived by the *Town* Engineer.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Notation as to FEMA/FIRM  *flood*  zones covering the  *site* , and proposed first floor elevation of all  *buildings* .
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or  *contiguous*  with the proposed  *development tract* .
18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### H. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate  *Town, County, State*  and federal regulations for the proposed  *development* , and documentation of compliance with such, as applicable. Failure of the  *Official*  to request an approval or certification required does not relieve the  *applicant*  of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the  *site development*  plan.
5. U.S. Army Corps of Engineers permits related to dredging,  *filling, wetlands* , or other elements of the  *development* .
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The  *applicant*  must receive a determination from the FAA prior to the issuance of any approvals from the  *Town* .

### I. Other Requirements

1.  *Access*  and infrastructure must be installed to serve each  *structure*  in the order each  *structure*  is constructed.
2.  *Property sold before three years within the Family Compound to non-family members, buffers, setbacks, and access shall be required in accordance with 16-3-106.N.3.*
3. Any other items specifically required of a  *development plan application*  by any other provisions of this Title.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**D-27. Family Subdivision**

**A. Application Form**

An *application* form as published by the *Official*.

**B. Subdivision Plat**

One black line print of a *subdivision* plat at a scale of 1"= 50' or other scale acceptable to the *Official*, showing:

1. Date (including any revision dates), name and location of the *subdivision*, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed *tract* boundary lines, *right-of-way* lines, proposed *street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with accurate dimensions, bearing or deflecting angles or radii, arcs, and central angles of all curves.
5. The proposed *use* of *lots* shall be noted and the purpose of any *easement* or *land* reserved or dedicated to public or utility *use* shall be designated.
6. Each block shall be numbered, and the *lots* within each block shall be numbered consecutively.
7. Notation of specific reference plats, if applicable.
8. Computed acreage of each *lot* created by the *subdivision*.
9. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
11. Certification by a South Carolina professional *land* surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
12. Notation of the one-hundred-year storm *flood* elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
13. Surveyed delineation as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
15. All existing *structures* or other *improvements*.

## Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Location of *wetland buffer* area, where applicable, as required by Sec. 16-3-106.N.3.f.

17. For *subdivisions* where a portion is *adjacent* to a *wetland*, a statement that reads, “The only activities permitted in the *wetland buffer* shall be those listed in Wetland Buffers as per the LMO.”

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

### **C. Certificate of Owner’s Consent**

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *subdivision*.

### **D. Eligibility**

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as defined by Sec. 16-3-106.N.1.d.

### **E. Certification of Title Source**

Certification signed by the surveyor setting forth the source of title of the owners of the *land* subdivided or a copy of the deed by which the property was conveyed to the owner.

### **F. Certificate of Title and Reference Plat**

A current certificate of title referencing the proposed *subdivision* plat and if recorded, a copy of the last plat in the chain of title.

### **G. Street and Development Names**

Appropriate approvals for all *street* and *development* names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

### **H. Subdivision in Phases**

Whenever part of *tract* is proposed for platting and it is intended to subdivide additional parts in the future or *abutting land* is in the same ownership, a sketch plan for the entire *tract* shall be submitted with the plat.

### **J. Stormwater Management**

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

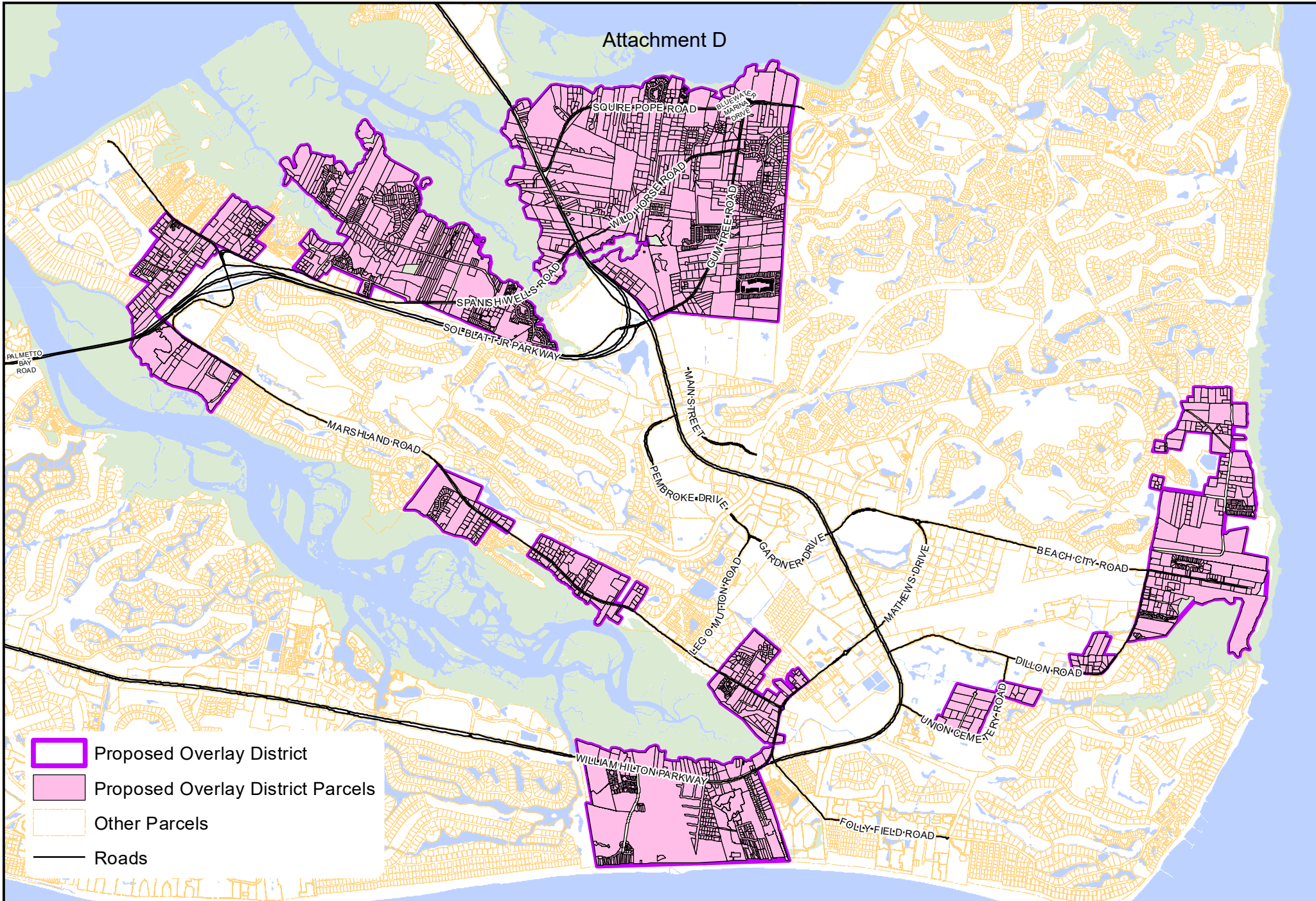
Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

**K. Other Items**

1. *Access* and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
2. Prior to the sale of the property within the Family Subdivision to non-*family* members, a *subdivision application* shall be submitted in accordance with 16-2-103.F.
3. Any applicable items as identified in D-26, Family Compound.

DRAFT

# Attachment D



- Proposed Overlay District
- Proposed Overlay District Parcels
- Other Parcels
- Roads



TOWN OF HILTON HEAD ISLAND  
 1400 MARKET STREET  
 HILTON HEAD ISLAND, S.C. 29928  
 P.O. BOX 5411 - 405  
 DR. CHARLES S. GARDNER, Mayor

**Town of Hilton Head Island**  
**ZA-001783-2020**  
 Proposed Historic Neighborhood Preservation Overlay District  
 September 22, 2020



1 inch = 3,500 feet



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is intended to show the general location of the parcels and does not constitute a representation of the parcels. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data shown. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data shown. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data shown.

## Attachment E

### ZA-001783-2020 Parcel List

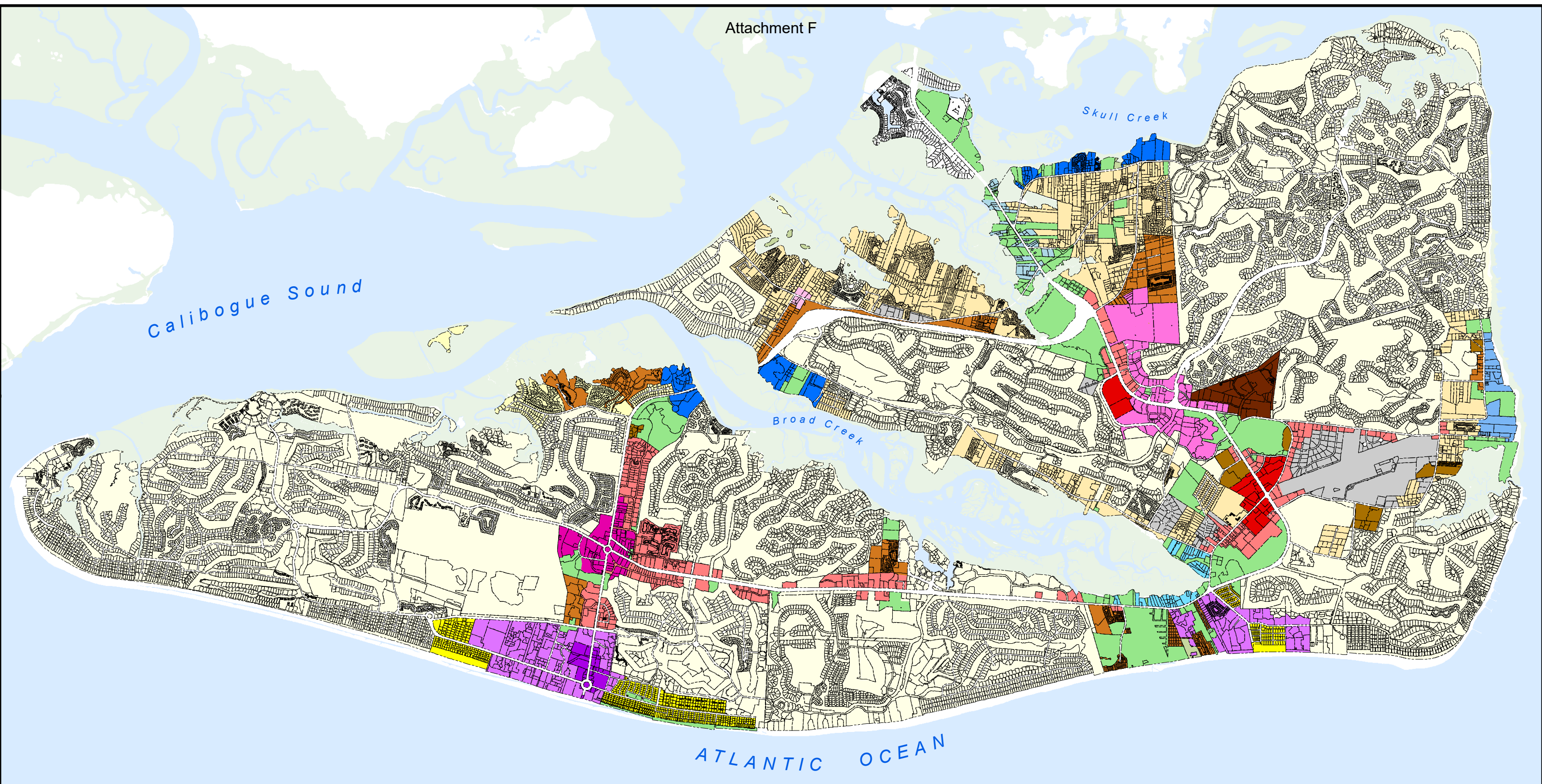

Affected parcels in the Historic Neighborhoods Preservation Overlay (HNP-O) District:

Parcels 12, 14-16, 18, 20, 24-28, 2B, 2D-2F, 2H-2I, 30-32, 48, 50-52, 57-58, 11F, 11I, 124, 130, 134-135, 141-145, 148, 14A, 14C, 14F-14H, 14J, 150-152, 156-159, 15A-15C, 160-169, 16A-16B, 170-171, 19A-19E, 204-209, 20A, 20C-20D, 20G, 210-217, 21A, 247, 24A-24B, 24D-24E, 251-252, 254-257, 259, 25A, 264-269, 26A-26B, 270-275, 30A, 30C, 52A, and 58A on Beaufort County Tax Map 3, District 510; Parcels 1-51, 135-145, 148-152, 154-166, 168-184, 188-260, 262-302, and 310-312 on Beaufort County Tax Map 3A, District 510; Parcels 87-144, and 146-147 on Beaufort County Tax Map 3B, District 510; Parcels 6-7, 9-19, 6C, 6E-6K, 7A-7F, 14A-14C, 15A-15B, 17A, 18A-18D, 19A-19E, 19G-19K, 292, 302, 308-316, 330-333, 335, 353, 355, 357, 360-361, 363, 372, 292A, and 311A on Beaufort County Tax Map 4, District 510; Parcels 1-10, 13-18, 18 (110-113, 120-127, 210-213, 220-227, 310-313, 320-327, 410-413, 420-427), 1A-1D, 21-23, 2A, 5A-5B, 6B-6C, 7A, 8A, 8A (A-B, 1101-1130, 1201-1230, 1301-1330, 2101-2120, 2201-2222, 2301-2322), 8B, 8B (C-D, 3101-3104, 3106, 3108-3138, 3202-3238, 3301-3338), 10A-10I, 13A, 16A-16M, 18A, 192-195, 197, 202-204, 208, 227, 22A, 232-239, 23B, 240-242, 248-249, 274, 282, 285, 294-299, 301-302, 307-308, 313-319, 321, 326-327, 329-334, 336-376, 378-412, 415-429, 431-434, 192A-192B, and 227A on Beaufort County Tax Map 5, District 510; Parcels 2-3, 3A-3I, 41-42, 47-66, 68-75, and 77-98 on Beaufort County Tax Map 6, District 510; Parcels 1, 4-19, 1C, 20, 22-24, 26-29, 31-36, 45, 4F, 5B, 71, 78, 79, 7A-7E, 80, 82-89, 8A, 90-92, 95-99, 9A, 100-102, 104, 113-118, 11A, 120-121, 123-129, 12A, 131, 136-137, 13A-13B, 141-143, 145, 147-149, 14A-14C, 150-151, 154, 156, 159, 15A, 160, 16A-16D, 16F-16G, 17A-17B, 185, 187-188, 18A, 191-194, 196-197, 200, 203-204, 20A, 219, 226, 228-229, 229 (1L-1M, 2L-2M, 3L-3M, 4L-4M, 5L-5M, 6L-6M, 7L-7M, 8L-8M, 9L-9M, 10L-10M, 11L-11M, 12L-12M, 13L-13M, 14L-14M, 15L-15M, 16L-16M, 17L-17M, 18L-18M, 19L-19M, 20L-20M), 22B-22C, 230-243, 246, 248-249, 24B-24C, 251-252, 25A-25B, 25E-25I, 25M-25Q, 265, 26A-26O, 26Q, 270-272, 274-284, 286-288, 28A-28C, 295-299, 29A, 300, 301-306, 31A-31E, 31G-31H, 32A-32F, 34B-34G, 34J-34K, 366-380, 383-388, 390, 392-393, 396-397, 399, 401-405, 411-412, 414-418, 420-425, 427-437, 440-446, 448-450, 454-456, 458-459, 45A, 463-468, 46B-46F, 46J, 470, 470 (1-90, 111-114, 121-124, 211-214, 221-224, 311-314, 321-324, 411-414, 421-424, 511-514, 521-524), 472-475, 477-510, 514-521, 523-578, 591-807, 810-812, 818-829, 82B, 830-869, 86A (0004), 86B, 86D-86H, 870-879, 87A, 880-889, 88A, 88C-88I, 890-909, 90A-90C, 910-925, 929, 92A, 930-931, 935-939, 93A, 940-978, 980-989, 98A-98D, 990-1009, 100B-100C, 1010-1015, 1017, 1019, 101A, 1020-1041, 1053-1054, 1060, 1064, 1071, 1076-1156, 1158, 1161-1163, 1170-1173, 120A, 125A-125C, 125E, 132A, 132a (1A-1K, 2A-2K, 3A-3K, 4A-4K, 5C-5K, 6C-6K, 7C-7K, 8C-8K, 9C-9K, 10C-10K, 11C-11K, 12C-12K, 13C-13K, 14C-14K, 15C-15K, 16C-16K, 17D, 17F-17I, 17K, 18D, 18F-18I, 18K, 19D, 19F-19I, 19K, 20D, 20F-20I, 20K, 21G-21I, 22G-22I, 23G-23I, 24G-24I, 25G, 25I, 26G, 26I, 27G, 27I, 28G, 28I, 29I, 30I, 31I, 32I, 33I, 34I, 35I, 36I), 132C-132D, 136A, 143A-143B, 147B, 149A-149F, 150A, 151A-151B, 192G-192H, and 200A, on Beaufort County Tax Map 7, District 510; Parcels: 1-8 on Beaufort County Tax Map 7D, District 510; Parcels: 8-9, 13-18, 20, 27-32, 8B-8D, 8G-8K, 8N, 8P, 8R-8T, 90, 97, 9A, 13A-13K, 14A-14G, 153, 15A, 205-213, 22G, 22J-22M, 22P-22V, 241, 259, 279, 27A-27E, 28A-28B, 28D, 28G-28H, 29B-29N, 29P-29S, 30A-30C, 30E-30I, 31A-31G, 341-342, 358, 361, 379-387, 391-395, 406, 418-419, 426, 460-461, 488, 496, 498-499, 501-503, 505, 509-513, 518, 575- 577, 591, 596-599, 601, 607, 609-610, 619, 624-625, 631, 635, 639, 643, 645, 650-667, 669-674, 688, 707 and 737-748 on Beaufort County Tax Map 8, District 510; Parcels: 1A (0002), 76-101, 120-136, 138-143, 146-157, 208, 274, and 276 on Beaufort County Tax Map 8A, District 510; 7-8, 44, 7A-7D, 8A-8K, 11A-11B, 11D-11E, 264, 538, 538 (A1-A4, B1-B4, 101-142, 144, 201-242, 244, 301-342, 344, 401-442, 444), 773, 896-897, 897 (100A-150A, 200A-250A, 300A-350A), 1012, 1023-1024, 1031-1032, 1072--1073, 1075, 1086-1088, 1095-1097, 1102-1103, 1200-1201, and 538A on Beaufort County Tax Map 9, District 510; Parcels 3-9, 26-36, 39, 3A-3F, 40, 4A-4G, 5B-5E, 5G-5H, 6A-6C, 7A-7F, 265-266, 269, 26A-26D, 271, 275-276, 27D-27E, 283, 289, 28A-28B, 290, 296-297, 29A, 303, 306, 308, 30A- 30E, 310-312, 31A, 32A-32B, 32D-32G, 33A-33K, 34B-34C, 352, 355, 359-360, 36B-36G, 402-404, 40A-40K, 425-428, 430-450, 456-457, 531-534, 586, 630, 635-636, 638-639, 641-647, 653, and 713-725 on Beaufort County Tax Map 10, District 510; Parcels 3-7, 21-22, 2B-2C, 3B-3E, 44, 57-59, 5A, 60-73, 76, 7B-7D, 7F-7G, 7J, 80-82, 127-131, 139, 141, 152, 160, 164, 167-169, 171,

## Attachment E

173, 176, 177, 177 (2101-2105, 2201-2205, 2301-2305, 2401-2405, 2501-2503), 180-181, 183, 209, 22A-22D, 22F-22G, 323-324, 333-364, 373-378, 388-389, 393, 395-397, 78A, 80A, 82A, and 129A-129B on Beaufort County Tax Map 11, District 510; Parcels 2-3, 7-8, 10, 25, 25 (1-6, 1101-1126, 1201-1226, 1301-1326, 1401-1426, 2101-2127, 2201-2227, 2301-2327, 2401-2427), 27-29, 2D, 30-37, 39-42, 57, 59-62, 75, 8A, 10A-10G, 10N, 10Q-10R, 11B, 13B, 25B, 25B (3101-3127, 3201-3227, 3301-3327, 3401-3427, 4101-4137, 4201-4237, 4301-4337, 4401-4437), 26C, 350, 363, 366, 377-388, 390-409, 411-412, 454-469, 541-566, and 571 on Beaufort Tax Map 12, District 510; Parcels 1, 2, 2 (6111-6118, 6121-6128, 6131-6138, 6142-6147, 6211-6216, 6221-6226, 6231-6236, 6241-6246, 6252-6255, 6311-6316, 6321-6326, 6331-6336, 6341-6346, 6352-6355), 5-10, 1A-1B, 49, 68-69, 6A-6B, 7A, 8A, 11G-11H, 11J-11M, 136-139, 146-147 149, 14D-14E, 14I, 222-246, 248-250, and 258 on Beaufort County Tax Map 3, District 511; Parcels 3, 2B, 2D-2E, 38, 3A-3D, 40-44, 46, 47, 49, 4B-4D, 4G, 50-51, 53-56, 58, 5A, 60-66, 68-69, 6A, 70, 72-75, 138, 146, 152, 161, 189, 190, 245, 247, 289-293, 377, 37A, 37B, 381, 389, 38A, 38C, 38C (1-22), 391, 394-395, 40A-40B, 426, 42A, 44A-44B, 453, 462, 46A, 46G-46I, 47A, 50A-50B, 55A, 60A-60C, 61A-61C, 62A, 62C, 63B, 63D, 66A-66G, 68A-68C, 68G-68I, 72A-72D, 73A, 74A-74F, 75A-75C, 75E-75F, 808-809, 933, 1042, 1044, 1046, 1048, 1052, 1055-1059, 1062-1063, 1065-1067, 1072-1074, 1159-1160, 189A-189F, 190A-190C, and 192A-192F on Beaufort County Tax Map 7, District 511; Parcels 10-12, 23-25, 8E, 107, 10A, 118-119, 11A, 11D, 11H, 122, 122 (5511-5516, 5521-5526, 5531-5536, 5541-5546, 5551-5556), 12A, 151, 151 (5611-5617, 5621-5627, 5631-5637, 5641-5647, 5651-5657), 159, 204, 20C, 216-218, 218 (1-2, 5111-5117, 5121-5127, 5131-5137, 5141-5147, 5151-5157, 5221-5222, 5231-5234, 5241-5244), 219, 229, 22B, 22E-22F, 23A, 23A (1), 23C-23G, 24A-24B, 24D-24G, 24I-24J, 24L, 24P, 25A, 347, 349, 355, 372, 410, 504, 516, 516 (1), 517, 606, 606 (5411-5418, 5421-5428, 5431-5438, 5441-5448, 5451-5458), 616, 616 (5311-5319, 5321-5329, 5331-5339, 5341-5349, 5351-5359), 621, 627, 629, 637, 646-649, and 688 on Beaufort County Tax Map 8, District 511; Parcels 104, 106, 108, 119, and 137 on Beaufort County Tax Map 8A, District 511; Parcels 1121-1137, and 1192 on Beaufort County Tax Map 9, District 511; Parcels 4-5, 1B-1C, 1F, 1H, 24, 26, 2A, 2C, 43-49, 4B-4C, 50-56, 63-73, 25A, 26A, 335-339, 371-372, 497-538, and 567 on Beaufort County Tax Map 12, District 511.



# Town of Hilton Head Island

## OFFICIAL ZONING DISTRICT MAP


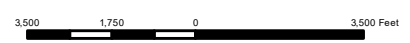
Effective Date\*: October 7, 2014  
 Last Update\*\*: October 15, 2019

\*Effective Date is the most recent date the entire Zoning Map was adopted by Town Council.  
 \*\*Last Update date is the most recent date any amendments to the Zoning District Map were adopted by Town Council.

The Official Zoning Map is composed of this Official Zoning District Map, the Overlay Zoning District Maps, the TUD Maps and the Official Street Map. This Official Zoning District Map is therefore one component of the Official Zoning Map.

The upland boundary of the Conservation Zoning District corresponds to the OCRM Critical Line and therefore, is approximately co-terminus with all tidal wetlands and the upland boundary of the beach as defined in Section 8-1.12 of the Municipal Code and extends outward to the Town Jurisdictional Boundary as defined within Section 2-1.20 of the Municipal Code of the Town of Hilton Head Island, South Carolina. (Reference: LMO Section 16-4-203, Conservation District)

1 inch = 4,000 feet

**RESIDENTIAL ZONING DISTRICTS**

RS-3	SINGLE FAMILY
RS-5	SINGLE FAMILY
RS-6	SINGLE FAMILY
RM-4	LOW TO MODERATE DENSITY
RM-8	MODERATE DENSITY
RM-12	MODERATE TO HIGH DENSITY

**MIXED-USE & BUSINESS ZONING DISTRICTS**

NC	NEIGHBORHOOD COMMERCIAL
MS	MAIN STREET
SPC	SEA PINES COMMERCIAL
LC	LIGHT COMMERCIAL
CC	COMMUNITY COMMERCIAL
MED	MEDICAL
IL	LIGHT INDUSTRIAL

**MIXED-USE & BUSINESS ZONING DISTRICTS**

PD-1	PLANNED DEVELOPMENT
MF	MARSHFRONT MIXED USE
S	STONEY MIXED USE
MV	MITCHELVILLE
WMU	WATER-ORIENTED MIXED USE
RD	RESORT DEVELOPMENT
CR	COLIGNY RESORT

**CONSERVATION & RECREATION DISTRICTS**

CON	CONSERVATION
PR	PARKS AND RECREATION

Attachment G

View and/or download the

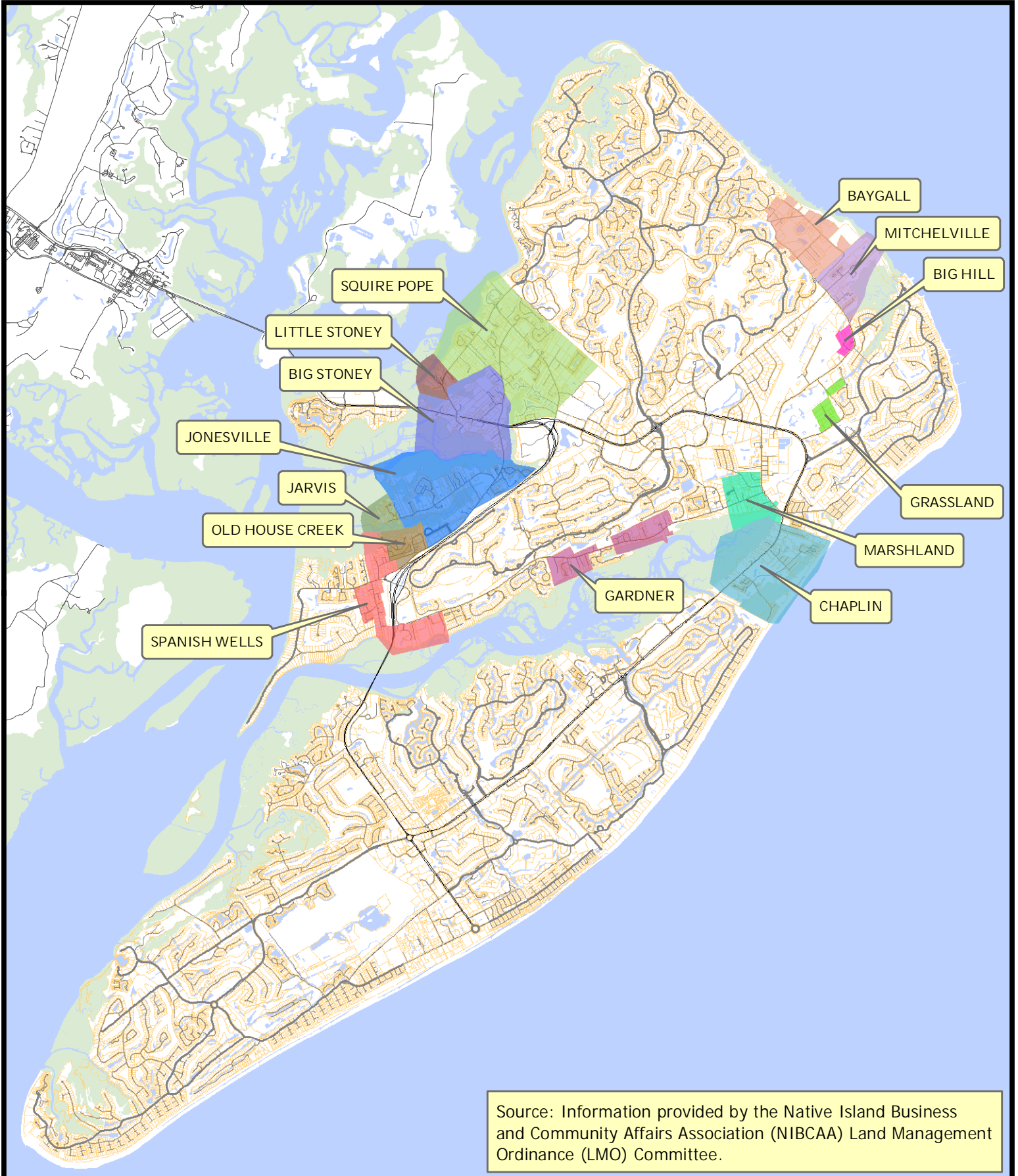
**Final**

**Hilton Head Island  
Gullah Geechee Culture  
Preservation Report**

in pdf format at

<https://www.hiltonheadislandsc.gov/publications/reports/GullahGeecheeCulturePreservationReport.pdf>

Figure 2.2: Historic Native Island Neighborhoods of Hilton Head Island



Source: Information provided by the Native Island Business and Community Affairs Association (NIBCAA) Land Management Ordinance (LMO) Committee.





The Town of Hilton Head Island  
**Planning Commission**  
**2021 Meeting Schedule**

All meetings will be held in Benjamin M. Racusin Council Chambers at Town Hall, One Town Center Court, unless otherwise posted. Changes to meeting dates, times and/or the location will be posted.

Meeting dates are Wednesdays. Application deadlines are Mondays, unless otherwise noted.

<b>PUBLIC MEETING DATES</b>	<b>MEETING TIMES</b>	<b>APPLICATION DEADLINES</b>
January 6, 2021	9:00 a.m.	December 7, 2020
January 20, 2021	3:00 p.m.	December 21, 2020
February 3, 2021	9:00 a.m.	January 4, 2021
February 17, 2021	3:00 p.m.	*Friday, January 15, 2021
March 3, 2021	9:00 a.m.	February 1, 2021
March 17, 2021	3:00 p.m.	February 15, 2021
April 7, 2021	9:00 a.m.	March 8, 2021
April 21, 2021	3:00 p.m.	March 22, 2021
May 5, 2021	9:00 a.m.	April 5, 2021
May 19, 2021	3:00 p.m.	April 19, 2021
June 2, 2021	9:00 a.m.	May 3, 2021
June 16, 2021	3:00 p.m.	May 17, 2021
July 7, 2021	9:00 a.m.	June 7, 2021
July 21, 2021	3:00 p.m.	June 21, 2021
August 4, 2021	9:00 a.m.	**Friday, July 2, 2021
August 18, 2021	3:00 p.m.	July 19, 2021
September 1, 2021	9:00 a.m.	August 2, 2021
September 15, 2021	3:00 p.m.	August 16, 2021
October 6, 2021	9:00 a.m.	***Friday, September 3, 2021
October 20, 2021	3:00 p.m.	September 20, 2021
November 3, 2021	9:00 a.m.	October 4, 2021
November 17, 2021	3:00 p.m.	October 18, 2021
December 1, 2021	9:00 a.m.	November 1, 2021
December 15, 2021	3:00 p.m.	November 15, 2021

\*The application deadline is Friday, January 15 because Town Hall will be closed on Monday, January 18 in observance of Martin Luther King, Jr. Day.

\*\*The application deadline is Friday, July 2 because Town Hall will be closed on Monday, July 5 in observance of Independence Day.

\*\*\*The application deadline is Friday, September 3 because Town Hall will be closed on Monday, September 6 in observance of Labor Day.

All applications for review by the Planning Commission must be received by the Community Development Information Center a minimum of thirty (30) days prior to the public meeting date. Please refer to Chapter 2 of the Town's Land Management Ordinance for additional information.



# **TOWN OF HILTON HEAD ISLAND**

## *Community Development Department*

**TO:** Planning Commission  
**FROM:** Anne Cyran, AICP, *Senior Planner & PC Coordinator*  
**DATE:** October 2, 2020  
**SUBJECT:** Planning Commission Quarterly Report: January – September 2020

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The February 5, 2020 regular meeting was cancelled due to a lack of agenda items. The following regular meetings were cancelled due to the State of Emergency declaration for COVID-19: March 4, 2020; March 18, 2020; April 1, 2020; April 15, 2020; May 6, 2020; May 20, 2020; June 3, 2020; June 17, 2020; and July 1, 2020. Special meetings were held on July 15, 2020, August 19, 2020, and September 16, 2020. An Our Plan Workshop with Town Council was held on August 26, 2020.

### **Capital Improvements Program (CIP) Fiscal Year 2021 Priority Projects**

On September 2, 2020, the Planning Commission voted 8-0-0 to recommend the CIP Fiscal Year 2021 Priority Projects to Town Council for approval, noting Main Street Rehabilitation as a high priority.

### **Land Management Ordinance (LMO) Amendments**

#### **Workforce Housing**

A request from the Town to amend the LMO to create a Workforce Housing Program, revise various sections of the LMO to allow Workforce Housing as a Permitted Subject to Use-Specific Conditions, and revise various sections of the LMO to specify the required conditions.

On August 19, 2020, the Planning Commission voted 8-0-0 to recommend approval of the amendments to Town Council with the following changes:

- Consider permitted WFH on properties between William Hilton Parkway and Pembroke Drive, as well as properties along Gardner Drive and Leg O' Mutton Road.
- Consider updating the purpose statement for zoning districts where WFH will be permitted to include a reference to residential or WFH use in the district.

#### **Our Plan (2020 Comprehensive Plan)**

- On August 26, 2020, the Planning Commission hosted an Our Plan Workshop with Town Council. Staff presented the draft Our Plan document and described the process and compliance with State requirements, community alignment, and management through the process. Judd Carstens, former Planning Commissioner and Chairman of the Our Plan Development Team, described the Development Team's work throughout the process.

Members of Town Council and Planning Commissioners made comments and inquiries about the draft document and process.

- On September 16, 2020, the Planning Commission reviewed the complete Our Plan document and voted 8-0-0 to recommend by Resolution that Town Council adopt Our Plan, the Town of Hilton Head Island 2020 to 2040 Comprehensive Plan, with staff’s recommended additions and revisions.

**Street Renaming Applications**

**STDV-001236-2020, Firethorn Lane**

A request from Hilton Head Fire Rescue to rename a portion of Firethorn Lane to Firethorn Way to reduce confusion of addresses in the area and to ensure prompt emergency responses.

On July 15, 2020, the Planning Commission voted 7-0-0 to approve the application.

**Zoning Map Amendments (ZMAs)**

**ZA-001245-2020, Arbor Nature**

A request from the Town to amend the Indigo Run PUD Master Plan to change the allowed uses and density of the Arbor Nature property at 76 Leg O’ Mutton Road to either a Wholesale Landscape Nursery and Landscape Contractors Office with Outside Storage at up to 6,000 square feet per net acre, without any Grinding or Logging for the entire site or Residential at 8 units per net acre for the entire site.

On July 15, 2020, the Planning Commission voted 7-0-0 to recommend approval of the application to Town Council with the following conditions:

- Grinding is prohibited on this site.
- Logging or storage of logs is prohibited on this site.
- Tree or log length trailer trucks carrying logs are prohibited from entering this site.
- Dropping of logs is prohibited on this site.

**Subdivision (SUB) Applications**

<b>Subdivision Applications</b>	<b>Status</b>
<b><u>SUB-000477-2020, 9 Falabella Manor</u></b> Minor subdivision of a 1.08-acre parcel into two lots.	Applied on March 2, 2020 Approved on May 13, 2020
<b><u>SUB-001115-2020, 2 Grand View Court</u></b> Minor subdivision of a 1.08-acre parcel into two lots.	Applied on March 2, 2020 Approved on May 13, 2020
<b><u>SUB-001591-2020, 15 Royal Tern Road</u></b> Minor subdivision of a 1.09-acre parcel into two lots.	Applied on August 12, 2020 Under Review
<b><u>SUB-001604-2020, 16 Bald Eagle Road West</u></b> Minor subdivision of a 0.57-acre parcel into two lots.	Applied on August 13, 2020 Approved on August 24, 2020
<b><u>SUB-001615-2020, 595 Spanish Wells Road</u></b> Minor subdivision of a 3.12-acre parcel into five lots.	Applied on August 16, 2020 Under Review
<b><u>SUB-001674-2020, 1 Old Wild Horse Road</u></b> Minor subdivision of a 0.77-acre parcel into two lots.	Applied on August 24, 2020 Under Review
<b><u>SUB-001904-2020, 43 Amelia Common</u></b> Minor subdivision of a 1.32-acre parcel into five lots.	Applied on September 23, 2020 Under Review

<b>SUB-001905-2020, 21 Hickory Lane</b> Minor subdivision of a 1.2-acre parcel into four lots.	Applied on September 23, 2020 Under Review
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**Committees & Task Force**

<b>CIP Committee</b>	
February 11, 2020	Fiscal Year 2020 Update; Fiscal Year 2021 – Development of Priority Projects List, Source Document Discussion
March 9, 2020	Fiscal Year 2021 Initial Draft Proposed Priority Projects

<b>Comp Plan Committee</b>	
August 25, 2020	Review and recommendation of <i>Our Plan</i>

<b>LMO Committee</b>	
The following meetings were cancelled due to the State of Emergency declaration for COVID-19: March 18, 2020; March 25, 2020; April 8, 2020; April 15, 2020; May 20, 2020; June 17, 2020; and July 15, 2020. Special meetings were held on August 11, 2020, September 16, 2020, and September 23, 2020. The August 19, 2020 regular meeting was cancelled.	
January 15, 2020	Discuss Resort Development (RD) zoning district standards
February 6, 2020	Review of proposed Workforce Housing LMO Amendments
February 19, 2020	Discussion with DRB members related to the RD and CR zoning district standards
August 11, 2020	Review of proposed Workforce Housing LMO Amendments
September 16, 2020	Review of Historic Neighborhoods Preservation Overlay (HNP-O) District
September 23, 2020	Review of Historic Neighborhoods Preservation Overlay (HNP-O) District; Review of Dirt Road Paving LMO Amendments

<b>Gullah Geechee Land &amp; Cultural Preservation Task Force</b>	
The March 16, 2020 meeting was cancelled due to the State of Emergency declaration for COVID-19.	
July 20, 2020	Historic Neighborhoods Overlay District LMO Amendments
August 6, 2020	Historic Neighborhoods Overlay District; Delinquent taxes
August 24, 2020	Revisions to Historic Neighborhoods Preservation Overlay District
September 1, 2020	Review and Recommendations for Historic Neighborhoods Preservation Overlay District

**Capital Improvement Projects**

<b>Pathways</b>	<b>Status</b>
Along South Forest Beach (SFB) Drive from Coligny Circle to Tanglewood Drive	Complete.
Along Tanglewood Drive from SFB Drive to Cordillo Parkway	Complete.

<b>Roadway Improvements</b>	<b>Status</b>
US 278 Corridor Improvements in the Shelter Cove Area	Complete.
Accessibility and Safety Enhancements	Complete.

**Planning Commission Quarterly Report: January – September 2020**

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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	Researching titles and requesting right-of-way donations.
Dirt Road Paving: Mitchelville Lane	Researching titles and requesting right-of-way donations.

<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>• Projected completion: December 2020</li></ul>

<b>Existing Facilities and Infrastructure</b>	<b>Status</b>
Cordillo Tennis Courts Redevelopment, Phase 2	<ul style="list-style-type: none"><li>• Bids received September 11, 2020</li><li>• Projected start: November 2020</li><li>• Projected completion: January 2021</li></ul>
Fire Station #2 (Sea Pines)	<ul style="list-style-type: none"><li>• Under construction</li><li>• Projected completion: May 2021</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.