



The Town of Hilton Head Island
Town Council
Tuesday, January 7, 2020, 4:00 p.m.
Benjamin M. Racusin Council Chambers
AGENDA

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

1. **Call to Order**
2. **FOIA Compliance** - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Pledge to the Flag**
4. **Invocation – The Rev. Dr. William Robinson, First Presbyterian Church, HHI**
5. **Approval of Minutes**
 - a. Town Council Meeting, December 17, 2019
6. **Report of the Town Manager**
 - a. Report of the Auditor, Greene Finney – Emily Sobczak, Partner
 - b. Our Plan Update – Taylor Ladd, Sr. Planner
 - c. Items of Interest
7. **Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Committee – Bill Harkins
 - c. Report of the Community Services & Public Safety Committee – Marc Grant
 - d. Report of the Public Planning Committee – David Ames
 - e. Report of the Finance & Administrative Committee – Tom Lennox
8. **Proclamations/Commendations**
 - a. Commendation Recognizing Mary Briggs
9. **Appearances by Citizens**

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

10. Consent Agenda

a. **Second Reading of Proposed Ordinance 2019-30 – Dissolving of Culture and Arts Advisory Committee**

Second Reading of Proposed Ordinance 2019-30 amending the Municipal Code of the Town of Hilton Head Island, South Carolina (1983), by deleting Chapter 8 (Town Culture and Arts Advisory Committee) of Title 8 (Beaches, Waterways, Recreational Areas and Arts); and providing for severability and effective date.

b. **Second Reading of Proposed Ordinance 2019-31 – Land Management Ordinance Amendments, Set One**

Second Reading of Proposed Ordinance 2019-31 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (“LMO”), Chapters 4, 5, 6, 7, 10 and Appendix B, to revise various Sections. These Amendments, commonly referred to as *General 2019 Amendments – Set One* as Noticed in the Island Packet on October 20, 2019, including changes that provide for General Amendments to a variety of Sections in the LMO, and providing for severability and an effective date.

c. **Second Reading of Proposed Ordinance 2019-32 - Granting of Easement to the South Island Public Service District**

Second Reading of Proposed Ordinance 2019-32 of the Town of Hilton Head Island, South Carolina, authorizing the granting of an easement encumbering real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2019), and § 2-7-20, Municipal Code of the Town of Hilton Head Island (1983); and providing for severability and an effective date.

11. Unfinished Business - NONE

12. New Business

a. **Consideration of a Resolution – Authorizing the Town Manager to Execute Rights of Entry**

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the Town Manager to execute Rights of Entry related to real property owned by the Town of Hilton Head Island, South Carolina.

13. Executive Session

a. **Legal Matters:** Discussions of legal matters related to threatened or potential litigation related to Beaufort County Tax Bills

b. **Contractual Matters:** Discussion of negotiations incident to proposed contractual arrangements regarding the Town Manager

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

15. Adjournment



Town of Hilton Head Island

Town Council

Tuesday, December 17, 2019 at 3:00 pm

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Tom Lennox, Marc Grant, David Ames, Tamara Becker, *Council Members*

Absent from Town Council: Bill Harkins, *Mayor Pro-Tempore*; Glenn Stanford, *Council Member*

Present from Town Staff: Steve Riley, *Town Manager*; Joshua Gruber, *Assistant Town Manager*; Charles Cousins, *Assistant to the Town Manager*; Scott Liggett, *Director of Public Projects and Facilities*; Shawn Colin, *Director of Community Development*; Brad Tadlock, *Fire Chief*; Carolyn Grant, *Communications Director*; Jennifer Ray, *Deputy Director of Community Development*; Melissa Cope, *Systems Analyst*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Kathrine Kokal, *Island Packet*

1. Call to Order

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

2. FOIA Compliance

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

3. Pledge to the Flag

4. Invocation – The Rev. Dr. Mary Anderson, Interim Pastor, Christ Lutheran Church

Dr. Anderson delivered the Invocation.

5. Approval of Minutes

a. Town Council Meeting, November 19, 2019

Mrs. Becker moved to approve the minutes from November 19, 2019. Mr. Grant seconded. The motion was approved by a vote of 5-0. As noted above, Mr. Harkins and Mr. Stanford were absent from the meeting.

b. Town Council Special Meeting, December 6, 2019

Mrs. Becker moved to approve the minutes from December 6, 2019. Mr. Grant seconded. Mr. Ames noted that he was listed as *Present* and *Absent*, but was at the meeting. The motion was approved by a vote of 5-0 as corrected

6. Report of the Town Manager

a. Mitchelville Preservation Project Update – Ahmad Ward, Executive Director

Mr. Ward made a presentation to the members of Town Council providing an update on the Mitchelville Preservation Project.

b. Consideration of Closing the Town's Administrative Offices, Tuesday, December 24, 2019, in Observance of the Christmas Holiday.

Mrs. Becker moved to approve. Mr. Grant seconded. The motion was approved by a vote of 5-0.

c. Items of Interest

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

7. Reports from Members of Council

a. General Reports from Council

Mayor McCann talked about the Sirens with Santa that Fire Rescue does. He said there were a lot more children living on the Island that he thought there was. Mayor McCann also noted other events that have taken place throughout the Island over the past several months.

b. Report of the Intergovernmental Committee – Bill Harkins

Mr. Harkins was not present for the meeting.

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

Mr. Grant reported that at the last meeting he heard a report from the Beaufort County Sheriff's Office. He said that based on the report, crime numbers have gone down throughout the Island. Mr. Gruber, Assistant Town Manager gave a presentation related to the coyotes and the steps to take should a citizen encounter one. Mr. Grant said the Committee reviewed and approved a recommendation for the condemnation of Mitchelville Lane and reviewed the amendments to the LMO with regard to dirt roads.

d. Report of the Public Planning Committee – David Ames

Mr. Ames reported at the December 11, 2019 meeting, the Committee discussed designating areas for workforce housing. He said that the Committee came up with three areas to review. Mr. Ames reported that the Committee reviewed the next set of draft amendments for the Land Management Ordinance, coming forward to Town Council in January.

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

Mr. Lennox reported that the Committee met earlier in the day where they discussed and voted to approve the meeting dates for calendar year 2020.

8. Proclamations / Commendations - NONE

9. Appearance by Citizens

Steven Baer: Addressed the members of Town Council regarding the U.S. 278 Gateway Corridor Project.

Larry Landry: Addressed the members of Town Council regarding the Planters Row land and the noise caused by incoming and outgoing airplanes.

David Berry: Addressed the members of Town Council regarding the Hilton Head Beach subdivision number 2 roads.

Skip Hoagland: Addressed the members of Town Council on matters related to the Town and Chamber. Mr. Lennox made some brief remarks regarding Mr. Hoagland's comments to Council.

10. Consent Agenda - NONE

11. Unfinished Business – NONE

12. New Business

a. Consideration of Recommendations of the Accommodations Tax Advisory Committee.

Mr. Lennox moved to approve the recommendation with the following changes, the Arts Center of Coastal Carolina would receive \$406,000, Hilton Head Concours d'Elegance would receive \$282,000, the Hilton Head Wine and Food Festival would receive \$125,000, the Hilton Head Symphony Orchestra would receive \$260,000, and the Town would receive \$1,346,941. Mrs. Becker seconded. With no discussion, the motion was approved by a vote of 5-0.

12. New Business (cont.)

b. Consideration of a Recommendation – Public Road Right of Way – Mitchelville Lane

Consideration of a Recommendation from the Community Services and Public Safety Committee to Town Council to proceed with the acquisition of a Public Road Right of Way over the private, unpaved portion of Mitchelville Lane.

Mr. Grant moved to approve. Mrs. Becker seconded. Mr. Grant stated that he was happy to see this moving forward as there are some real safety concerns in this area. With no further discussion, the motion was approved by a vote of 5-0.

c. First Reading of Proposed Ordinance 2019-32 – Granting of Easement to the South Island Public Service District

First Reading of Proposed Ordinance 2019-32 of the Town of Hilton Head Island, South Carolina, authorizing the granting of an easement encumbering real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2019), and § 2-7-20, Municipal Code of the Town of Hilton Head Island (1983); and providing for severability and an effective date.

Mr. Grant moved to approve. Mr. Lennox seconded. With no discussion regarding this matter, the motion was approved by a vote of 5-0.

d. First Reading of Proposed Ordinance 2019-31 – Land Management Ordinance Amendments, Set One

First Reading of Proposed Ordinance 2019-31 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (“LMO”), Chapters 4, 5, 6, 7, 10 and Appendix B, to revise various Sections. These Amendments, commonly referred to as *General 2019 Amendments – Set One* as noticed in the Island Packet on October 20, 2019, including changes that provide for General Amendments to a variety of Sections in the LMO, and providing for severability and an effective date.

Mrs. Becker moved to approve. Mr. Grant seconded. Mr. Grant said he had some questions regarding the proposed amendments. Specifically, amendments related to the elimination of the requirement for a resolution of denial of text amendments, zoning map amendments and planned unit developments not moved forward for adoption; amendments related to commercial recreation uses are prohibited as outdoor commercial recreation uses not moved forward; and amendments related to zero lot line subdivisions be revised to require 50% maximum impervious coverage based on the entire development instead of per individual lot. Ms. Teri Lewis, Deputy Director of Community Development addressed the concerns Mr. Grant had related to the referenced. Ms. Nicole Dixon, Development Review Administrator, also spoke on the matters referenced by Mr. Grant. Mrs. Becker asked for further clarification concerning the commercial recreation uses. Mr. Ames asked about the removal of “hazardous trees”, and the definition of what defines a hazardous tree, and if a citizen would need to contact the Town before removing such a tree. Mr. Dixon confirmed both items, noting that staff usually performs a site visit prior to the removal of the tree. Mr. Grant asked about the amendment regarding non-conforming signs. He wanted to know if this would address all signs or just non-conforming signs. Ms. Lewis stated that it is specific to off premises non-conforming signs. Mr. Grant asked why there wasn't a blanket policy in place for all non-conforming signs. Ms. Lewis said that she would check in this matter and return back the information prior to the second reading of the amendments. With little discussion from the general public, the motion was approved by a vote of 5-0.

e. First Reading of Proposed Ordinance 2019-30 – Dissolving of Culture and Arts Advisory Committee

First Reading of Proposed Ordinance 2019-30 amending the Municipal code of the Town of Hilton Head Island, South Carolina (1983), by deleting Chapter 8 (Town Culture and Arts Advisory Committee) of Title 8 (Beaches, Waterways, Recreational Areas and Arts); and providing for severability and effective date.

Mr. Grant moved to approve. Mrs. Becker seconded. Mr. Grant asked for confirmation of how long the Committee had been in place working with Ms. McEwen. Mr. Ames confirmed just over two years. With no further discussion, the motion was approved by a vote of 5-0.

12. New Business (cont.)

f. Consideration of a Recommendation – Designated Marketing Organization

Consideration of a Recommendation from the Finance and Administrative Committee to the Town Council designating the Hilton Head Island-Bluffton Chamber of Commerce as its Designated Marketing Organization and authorizing the Town Manager to enter into contract negotiations accordingly.

Mr. Lennox moved to approve. Mr. Grant seconded. Members of the public addressed Town Council concerning this matter. With no further discussion, the motion was approved by a vote of 5-0.

g. Consideration of a Resolution – Temporary Construction Easement and Right of Entry

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the Town Manager to Execute a Temporary Construction Easement and Right of Entry to Real Property owned by the Town of Hilton Head Island, South Carolina.

Mr. Lennox moved to approve. Mr. Grant seconded. With no discussion, the motion was approved by a vote of 5-0.

13. Executive Session

Mr. Gruber stated that he had a need to enter into Executive Session to discuss the following matters (a) Land Acquisition; discussion of negotiations incidents to the proposed sale, lease, or purchase of property in the (i) Union Cemetery Road area, and (ii) Mitchelville Lane area; (b) Legal Matters; discussions of legal matters related to threatened or potential litigation related to Beaufort County Tax bills; (c) Personnel Matters/Employment Matters; discussion of matters related to Boards and Commissions; and (d) Contractual Matters; discussion of negotiations incident to proposed contractual arrangements related to Main Street.

At 4:04 p.m. Mr. Grant moved to go into Executive Session for the items mentioned by Mr. Gruber. Mrs. Becker seconded. The motion was approved by a vote of 5-0.

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

15. Adjournment

At 4:55 p.m., Town Council returned to the dais from Executive Session. Mr. Grant moved to adjourn. Mrs. Becker seconded. The motion was approved by a vote of 5-0.

Approved: January 7, 2020

Krista Wiedmeyer, Town Clerk

John J. McCann, Mayor



Our Plan links the efforts completed in *Our Future* to the new comprehensive plan for Hilton Head Island. Eight Work Groups are developing goals, strategies and tactics built around the *Our Future* Core Values to incorporate with the state required comprehensive plan elements.

Town Council Update

December 26, 2019

Prepared by Town Staff

To Date

- The *Our Plan* Work Groups met from May through November for a total of 88 meetings and almost 100 hours of volunteer time towards the effort. This culminates the majority of the Work Group scope for the project.
- The Development Team has been closely involved with the process and has provided feedback to each group throughout the process. They met on December 2 to review the goals for each core value, as well as draft strategies and tactics.
- *Our Plan* hosted an open house and celebration on December 2 at the Development Team meeting to thank the Work Group participants and Development Team for their work on the project in developing the goals, strategies and tactics for *Our Plan*.
- The consultant is finalizing the draft Parks and Recreation Master Plan. This plan will be incorporated into *Our Plan* in a Parks and Recreation chapter incorporating input from the *Our Plan* Parks and Recreation Task Group and the Parks and Recreation Commission.
- In 2019, the public participated in seven open houses. Five open houses were held specifically for *Our Plan*. Two open houses were held for the Parks and Recreation Master Plan.

January-March 2020

- During this time, staff will work on drafting *Our Plan*.
- The Development Team will be meeting January 13 to review the content outlines for each Core Value chapter. They will continue to meet through the spring to review draft versions of *Our Plan* for recommendation to the Comprehensive Plan Committee of Planning Commission.
- In March, the Work Group's scope for *Our Plan* will continue with one meeting for each group to review their Core Value draft chapters.
- Draft sections of *Our Plan* will become available as Work Groups and the Development Team meet in March to review it with staff.
- Staff anticipates a draft version of *Our Plan* will be under review for recommendation with the Development Team in early April.
- The Parks and Recreation Master Plan consultant will attend a meeting, date to be determined, to present their draft plan to the Parks and Recreation Task Group and the Parks and Recreation Commission for review and discussion.
- The Parks and Recreation Commission will meet in the spring to make their recommendation of the plan to Town Council.
- The Parks and Recreation Commission will meet in the spring to make their recommendation of the plan to Town Council.



Items of Interest

January 7, 2020

TOWN NEWS

- Members of Americans for the Arts recently elected Jenn McEwen as a member of their advisory council for the Private Sector Council. Jenn will advise Americans for the Arts' staff on developing programs and services that will build a deeper connection to the field and the network membership. In the *Private Sector Council*, Jenn will work with fellow arts leaders to develop and implement private-sector advocacy programs and serve as leaders to other local arts agencies seeking to connect with the private-sector.

TOWN MEETINGS

- LMO Committee – Wednesday, January 15, 2020 at 2:00 p.m.
- Planning Commission – Wednesday, January 15, 2020 at 3:00 p.m.
- Finance & Administrative Committee – Tuesday, January 21, 2020 at 2:00 p.m.
- Regular Town Council – Tuesday, January 21, 2020, at 4:00 p.m.

In observance of Martin Luther King Jr. Day, Town Administrative Offices will be closed
Monday, January 20, 2020

HILTON HEAD ISLAND EVENTS

- MLK March and Cookout, Monday, January 20, 2020, 10:00 a.m. – 1:30 p.m. at Hilton Head Island High School



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

The Town of Hilton Head Island

Commendation

Honoring

MARY M. BRIGGS

WHEREAS, the Town of Hilton Head Island is honoring Mary M. Briggs on the occasion of her retirement as President and CEO of the Hilton Head Symphony Orchestra (“HHSO”); and

WHEREAS, since 1982 the Hilton Head Symphony Orchestra has been delighting the Island with the sounds of classical music, pops, and jazz; and

WHEREAS, after 35 years as an educator, in March of 2008, Mary was asked by the Board to come lead the HHSO; and

WHEREAS, under Mary’s leadership, the HHSO has grown in a number of ways; including the development of strategic goals to guide the organization on a path for growth avoiding financial struggles faced by many other orchestras across the Country; and

WHEREAS, one of areas that Mary holds near and dear is the HHSO’s education initiatives, such as the Youth Concerto Competition, the Hilton Head Chamber Music institute, and the International Piano Competition; and

***WHEREAS**, most recently under Mary's guidance, the HHSO opened the SoundWaves venue and launched new creative interactive performances there and in private homes; and*

***WHEREAS**, Mary serves on many local and national associations, such as the League of American Orchestras, Women in Philanthropy, Arts and Cultural Council, and Lean Ensemble Theater; and*

***WHEREAS**, Mary's future plans include spending more time with her husband Michael and their large family made up of seven sons and twelve grandchild.*

NOW, THEREFORE, I John J. McCann, Mayor of the Town of Hilton Head Island, South Carolina, on behalf of Town Council, and its citizens, do hereby commend and honor Mary M. Briggs for her unwavering service and devotion to the Hilton Head Symphony Orchestra and her community.

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

John J. McCann, Mayor

MEMORANDUM

TO: Town Council

FROM: Joshua A. Gruber, Assistant Town Manager

RE: Proposed Ordinance Number 2019-30, dissolving the Town Culture and Arts Advisory Committee.

DATE: **January 7, 2020**

Town Council made no changes to proposed ordinance 2019-30 as a result of the first reading on December 17, 2019

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019-

PROPOSED ORDINANCE NO. 2019-30

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA (1983), BY REPEALING CHAPTER 8 (TOWN CULTURE AND ARTS ADVISORY COMMITTEE) OF TITLE 8 (BEACHES, WATERWAYS, RECREATIONAL AREAS AND ARTS) OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA (1983), AND DELETING THE TEXT OF CHAPTER 8 OF TITLE 8 FROM THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA (1983), AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Culture and Arts Advisory Committee was created by Ordinance 2017-02 adopted on March 7, 2017, which was codified as Section 8-8-10 and 8-8-20, *Municipal Code of The Town of Hilton Head Island, South Carolina* (1983); and

WHEREAS, Town Council's goal for the Town Culture and Arts Advisory Committee was to aid the Culture and Arts Network Director in its duties and responsibilities in the development and implementation of a plan for the enhancement of the Entertainment, Arts, Culture, and Heritage Industry; and

WHEREAS, the Town Culture and Arts Advisory Committee has completed its mission as defined by Council, and because of this, Town Council has determined that the Town Culture and Arts Advisory Committee, should be dissolved; and

WHEREAS, following the dissolution of the Town Cultural and Arts Advisory Committee, it is the intent of the Town to establish a new Arts and Cultural Council which will exist as an advisory body outside of Town Government and which will act in support of the actions of the Culture and Arts Network Director to continue supporting the vision of maintaining a thriving cultural economy within the Town of Hilton Head Island, South Carolina.

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

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

Section 1. That Chapter 8 of Title 8 of the Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby repealed, and the text of Chapter 8 of Title 8 shall be deleted from the Municipal Code of The Town of Hilton Head Island, South Carolina (1983), as follows:

~~“Town Culture and Arts Advisory Committee.”
Sec. 8-8-10. Creation.~~

(a) ~~The town culture and arts advisory committee (“committee”) is hereby created pursuant to the authority of the Code of the Town of Hilton Head Island, South Carolina, chapter 13, section 2-13-~~

~~10, [titled] "Establishment," and shall have the organization, powers and duties set out in this chapter.~~

- ~~(b) The committee shall consist of up to twelve (12) members appointed by the town council. The council shall seek members with experience in local entertainment, arts, culture, and heritage endeavors as well as experience in professions it deems appropriate to fulfilling the mission of the committee. The committee members shall be appointed for a term of three (3) years; provided, however, that no member may serve more than two (2) successive terms except for extraordinary circumstances where town council believes it to be in the best interest of the community to have a continuation, for a specified period, of a particular member of the commission. This limitation shall not prevent any person from being appointed to the committee after an absence of one (1) year. All terms shall be established to end on June 30 of the appropriate year and members shall serve until their successors are appointed and qualified. Vacancies shall be filled by the town council for the balance of the unexpired term. The town council may remove a member for cause after written notice and public hearing. The committee shall elect a chairman and a vice chairman from its members who will serve for one year terms. It shall appoint a secretary who may be an officer or employee of the town or of the committee. No member of the committee may hold elected public office in the town or the county. The committee shall meet at the call of the chairman or at such times as the committee may determine. The committee shall adopt rules for the conduct of business and shall keep a public record of all proceedings and shall record the votes of each member on each question. The committee shall file reports on its activities to the town council on a quarterly basis.~~
- ~~(c) In the fulfillment of its duties as outlined herein, the committee shall have access to such town facilities and staff assistance, subject to the control and direction of the manager, as it may reasonably require.~~

~~Sec. 8-8-20. Powers and duties.~~

~~The committee will work actively and collaboratively with the culture and arts network director ("director") to achieve town goals as follows:~~

- ~~(1) Work with the director to create an entertainment, arts, culture and heritage vision and strategy that complements the town's vision.~~
- ~~(2) Support the director in elevating the profile of Hilton Head Island's entertainment, arts, culture and heritage offerings to residents and visitors by developing and implementing a comprehensive marketing and communications plan. Elements of that plan should demonstrate best efforts to include, but not be limited to, the following:
 - ~~a. Integrating into Hilton Head Island branding and marketing efforts including targeted marketing programs such as found within the town's designated marketing organization.~~
 - ~~b. Facilitating a one-stop shop hub for information about the entertainment, arts, culture and heritage community, products and services.~~~~
- ~~(3) Assist the director in establishing Hilton Head Island as a premier entertainment, arts, culture, and heritage destination including, but not limited to, obtaining and maintaining a South Carolina Arts Commission Cultural District status.~~
- ~~(4) Work with the director to integrate entertainment, arts, culture, and heritage into the daily fabric of Hilton Head Island life. Activities include, but are not limited to:
 - ~~a. Formalizing a partnership between schools and the entertainment, arts, culture and heritage communities to provide greater exposure to such communities for students and support school-based entertainment, arts, culture, and heritage programs.~~
 - ~~b. Expanding the variety and number of public art displays.~~~~

- ~~e. Sharing entertainment, arts, culture, and heritage resources and opportunities across the diverse island population.~~
- ~~d. Integrating entertainment, arts, culture, and heritage assets into existing and new island festivals.~~
- ~~(5) Assist the director in developing a plan to identify additional funding and measure plan progress through:

 - ~~a. Exploring and applying for grants and other private/public funding vehicles.~~
 - ~~b. Researching and designing a measurement system to track progress and demonstrate the value to the community of the entertainment, arts, culture, and heritage assets in terms of quality of life and economic impact.~~~~
- ~~(6) Provide annual performance feedback to the appropriate supervisor based on predetermined goals and outcomes.~~

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2020.

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member:



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
FROM: Teri Lewis, AICP, *Deputy Director of Community Development*
CC: Nicole Dixon, AICP, CFM, *Development Review Administrator*
DATE: December 23, 2019
SUBJECT: 2019 LMO Amendments – Set 1
Proposed Ordinance #2019-31

Town Council reviewed the proposed 2019 LMO Amendments – Set 1 at their meeting on December 17, 2019. At that meeting, Town Council voted unanimously to approve the proposed amendments with the changes recommended by the Public Planning Committee related to zero lot line subdivisions. Per the Code of Laws of South Carolina Section 6-29-760 the revised language pertaining to zero lot line subdivisions must go back to Planning Commission for review and recommendation prior to second reading and adoption. The proposed Zero Lot Line amendments have been removed from this set and will have second reading at the January 21, 2019 Town Council meeting.

Attachment A

Rationale for General 2019 Amendments – Set 1

Chapter 16-4: Use Standards

Section 16-4-102.B.1.c: Recreational Vehicles

Proposed Amendment

- This change will make it clear that recreational vehicles within a recreational vehicle park are not required to meet the conditions in this section.

Reason for Change

- The recently adopted changes related to recreational vehicles inadvertently required vehicles within recreational vehicle parks to meet newly established conditions.

Pros and Cons of Amendment

<i>Pros:</i>	This change will fix an error.
<i>Cons:</i>	

Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 3-0 to forward this amendment to the Planning Commission with a recommendation of approval.
<i>Planning Commission</i>
November 20, 2019: The Planning Commission voted 7-0 to forward this amendment to the Public Planning Committee with a recommendation of approval.
<i>Public Planning Committee</i>
December 3, 2019: The Public Planning Committee voted 4-0 to forward this amendments to Town Council with a recommendation of approval.

Attachment A

Rationale for General 2019 Amendments – Set 1

Chapter 16-7: Nonconformities

Section 16-7-104: Nonconforming Signs

Proposed Amendment

- This change will allow some leniency to alter a sign that is nonconforming because it is an off-premises sign.

Reason for Change

- There are currently no options for changing an off-premises nonconforming sign. The sign may only be repaired and maintained to keep the same appearance as originally permitted. Any changes will require the sign to come into compliance with the current sign standards. This becomes a problem when the sign is nonconforming because it is located off-premises from the business that it advertises.

Pros and Cons of Amendment

<i>Pros:</i>	This will allow for more updated, aesthetically pleasing appearances of off-premises nonconforming signs if they are allowed to be altered now.
<i>Cons:</i>	These signs may never come into compliance.

Additional Information

- Examples include St. Francis Thrift store, Graves property sign on Dunnagan’s Alley and the Hudson’s sign at the intersection of Squire Pope and 278.

Recommendations

<i>LMO Committee</i>
The LMO Committee voted 3-0 to forward these amendments to the Planning Commission with a recommendation of approval.
<i>Planning Commission</i>
November 20, 2019: The Planning Commission voted 7-0 to forward this amendment to the Public Planning Committee with a recommendation of approval.
<i>Public Planning Committee</i>
December 3, 2019: The Public Planning Committee voted 4-0 to forward these amendments to Town Council with a recommendation of approval.

Attachment A
Rationale for General 2019 Amendments – Set 1

Appendix B: Maps and Tables

B-2: Critical Protection Area and Transition Area Maps

Map 16: Critical Storm Protection and Dune Accretion Areas From Port Royal Beach Club to North Port Royal Drive

B-3: Beachfront Line Coordinates

Proposed Amendment

- This change will smooth out the Beachfront Line and Critical Protection Area Line on 23 Salt Spray Lane.

Reason for Change

- The property owner contacted the Town’s Environmental Planner to find out why there was a jog in the Beachfront Line and Critical Protection Area Line on this lot. After a site visit and a review of the data, it appears that this jog was made in error.

Pros and Cons of Amendment

<i>Pros:</i>	This change will fix an error.
<i>Cons:</i>	

Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 3-0 to forward this amendment to the Planning Commission with a recommendation of approval.
<i>Planning Commission</i>
November 20, 2019: The Planning Commission voted 7-0 to forward this amendment to the Public Planning Committee with a recommendation of approval.
<i>Public Planning Committee</i>
December 3, 2019: The Public Planning Committee voted 4-0 to forward these amendments to Town Council with a recommendation of approval.

Attachment A
Rationale for General 2019 Amendments – Set 1

Chapter 16-5: Development and Design Standards

Section 16-5-102.B.2.d: Setback Standards - Exceptions

Section 16-5-103.B.2.c: Buffer Standards – Exceptions

Section 16-5-115 (New Section): Subdivision Standards – Zero Lot Line Residential Subdivisions

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-103.A.2: Residential Uses – Use Types and Definitions

Section 16-10-105: General Definitions

Proposed Amendment

- This change will develop more specific standards for zero lot line subdivisions and develop a more specific definition for what qualifies as a zero lot line subdivision.

Reason for Change

- There are limited standards for zero lot line subdivisions and the definition is unclear.

Pros and Cons of Amendment

<i>Pros:</i>	Additional standards will ensure that zero lot line subdivisions are created in such a way to eliminate the creation of an undesirable lot. This language would also be more specific about what qualifies a subdivision as a zero lot line subdivision.
<i>Cons:</i>	This could create some nonconformities.

Recommendations

<i>LMO Committee</i>	
October 30, 2019: The LMO Committee voted 3-1 to forward this amendment to the Planning Commission with a recommendation of approval.	
October 16, 2019: The LMO Committee voted 3-0 to ask staff to bring these amendments back to the Committee with the following changes: <ul style="list-style-type: none"> • Reduce the minimum lot width. • Increase the maximum impervious coverage. • Add a minimum open space requirement. 	
<i>Planning Commission</i>	
November 20, 2019: The Planning Commission voted 7-0 to forward these amendments to the Public Planning Committee with a recommendation of approval with the following change: <ul style="list-style-type: none"> • The 50% maximum impervious coverage be based on the entire development and not per individual lot. 	
<i>Public Planning Committee</i>	

Attachment A

Rationale for General 2019 Amendments – Set 1

December 3, 2019: The Public Planning Committee voted 4-0 to forward these amendments to Town Council with a recommendation of approval with the following change:

- The 50% maximum impervious coverage requirement be per lot and not based on the entire development.
- The word Residential be added to the definition “Zero Lot Line Subdivision”

Attachment A
Rationale for General 2019 Amendments – Set 1

Chapter 16-5: Development and Design Standards

Section 16-5-103: Buffer Standards

Section 16-5-115: Subdivision Standards

Chapter 16-6: Natural Resources Protection

Section 16-6-104: Tree Protection

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-105: General Definitions

Proposed Amendment

- These amendments will establish greater protection for trees and other vegetation, including but not limited to buffers.

Reason for Change

- Recent removal of trees and understory vegetation during development led to the request for stronger language to be added to the LMO to ensure that trees and other vegetation are protected.

Pros and Cons of Amendment

<i>Pros:</i>	Staff will be able to require greater protection of trees and understory vegetation when reviewing development and subdivision plans.
<i>Cons:</i>	

Recommendations

<i>LMO Committee</i>	
October 30, 2019: The LMO Committee voted 4-0 to forward the proposed amendments Planning Commission with a recommendation of approval with the following changes: <ul style="list-style-type: none"> • Make Red Bay trees specimen at 10 inches DBH • Make Sassafras trees specimen at 6 inches DBH 	
October 16, 2019: The LMO Committee voted 2-1 to ask staff to bring these amendments back to the Committee with the following change: <ul style="list-style-type: none"> • Assign a specific DBH at which Red Bay and Sassafras will be considered specimen trees. 	
<i>Planning Commission</i>	
November 20, 2019: The Planning Commission voted 7-0 to forward these amendments to the Public Planning Committee with a recommendation of approval.	
<i>Public Planning Committee</i>	
December 3, 2019: The Public Planning Committee voted 4-0 to forward these amendments to Town Council with a recommendation of approval.	

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2019-#

PROPOSED ORDINANCE NO. 2019-31

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO), CHAPTERS 4 5, 6, 7, 10 AND APPENDIX B. THESE AMENDMENTS, COMMONLY REFERRED TO AS GENERAL 2019 AMENDMENTS - SET 1, AS NOTICED IN THE ISLAND PACKET ON OCTOBER 20, 2019, INCLUDE CHANGES THAT PROVIDE FOR GENERAL AMENDMENTS TO A VARIETY OF SECTIONS IN THE LMO DESCRIBED ON EXHIBIT "A" TO THIS ORDINANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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

WHEREAS, the LMO Committee held public meetings on October 16, 2019 and October 30, 2019 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed amendments; and

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

WHEREAS, the Planning Commission held a public hearing on November 20, 2019, and at that meeting a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 7-0 to forward the proposed amendments to the Public Planning Committee with a recommendation of approval with some changes; and

WHEREAS, the Public Planning Committee held a public meeting on December 3, 2019, and at that meeting a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, after consideration of the staff presentation and public comments, the Public Planning Committee voted 4-0 to recommend approval of the proposed LMO amendments with two changes related to the proposed amendments related to zero lot line residential subdivisions; and

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

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

Section 1. Amendment. *That the General 2019 Amendments - Set 1* are adopted and the Land Management Ordinance is amended as shown on Exhibit "A" to this Ordinance. Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2020.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

John McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

Public Hearing: November 20, 2019

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member:_____

Exhibit A

Proposed General 2019 Amendments – Set 1

General Amendments

Chapter 16-4: Use Standards

Section 16-4-102. Principal Uses

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

- a. – b. No Changes
- c. Recreational Vehicles

Use of a recreational vehicle for residential purposes, except within a Recreational Vehicle Park, is only permitted with the following conditions:

Chapter 16-7: Nonconformities

Section 16-7-104. Nonconforming Signs

B. Maintained in Good Condition

A legal *nonconforming sign* shall be maintained in good and working condition in accordance with Sec. 16-5-114.C.2.f. Painting, *repair*, and refinishing of the *sign face* or *sign structure* is permitted, as long as the appearance of the sign complies with Sec. 16-5-114, Sign Standards. ~~is maintained and complies with the approved Sign Permit.~~

C. Change to Nonconforming Sign Shall Comply with this Ordinance

If a legal *nonconforming sign* is changed in any way (its dimensional standards, message, or any other element) because of a change in *use*, change in business name ~~or location~~, or for any other reason, the sign shall comply with Sec. 16-5-114, Sign Standards with the exception of location. An off-premises sign may remain off-premises as long as it remains in the same location. Any modification that fails to comply with Sec. 16-5-114 shall render the prior Sign Permit void and shall result in the sign being in violation of this *Ordinance*.

Exhibit A

Proposed General 2019 Amendments – Set 1

Appendix B: Maps and Tables

B-2: Critical Protection Area and Transition Area Maps

Map 16: Critical Storm Protection and Dune Accretion Areas from Port Royal Beach Club to North Port Royal Drive



Exhibit A

Proposed General 2019 Amendments – Set 1

Zero Lot Line Subdivision Amendments

Chapter 16-5: Development and Design Standards

Section 16-5-102: Setback Standards

B. Applicability

2. Exceptions

a. For *development* within the CR District, see Sec 16-3-105.B.3.

b. For *development* within a PD-1 District, adjacent street and use setback standards shall apply only along those *lot* lines and *street rights-of-way* located outside any *gates* restricting *access* by the general public to areas within the PUD, or constituting the boundaries of the district.

c. For *development* within a PD-2 District, adjacent street and use setback standards shall apply only along those *lot* lines and *street rights-of-way* located within a Corridor Overlay District or constituting the boundaries of the district.

~~d. For zero *lot* line *subdivisions*, adjacent street and use setback standards shall apply only along those *lot* lines and *street rights-of-way* constituting the perimeter of the *subdivision*.~~

Section 16-5-103: Buffer Standards

B. Applicability

2. Exceptions

a. For *development* within a PD-1 District, adjacent street and use buffer standards shall apply only along those *lot* lines and *street rights-of-way* located outside any *gates* restricting *access* by the general public to areas within the PUD, or constituting the boundaries of the district.

b. For *development* within a PD-2 District, adjacent street and use buffer standards shall apply only along those *lot* lines and *street rights-of-way* located within a Corridor Overlay District or constituting the boundaries of the district.

~~e. For zero *lot* line *subdivisions*, adjacent street and use buffer standards shall apply only along those *lot* lines and *street rights-of-way* constituting the perimeter of the *subdivision*.~~

~~d. c.~~ Adjacent street buffers shall not apply to *development* within the CR District.

Exhibit A

Proposed General 2019 Amendments – Set 1

Section 16-5-115: Subdivision Standards

D. Layout of Lots and Blocks

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

E. Zero Lot Line Residential Subdivisions

1. *Zero lot line residential subdivisions* are permitted in the following zoning districts: RM-4, RM-8, RM-12, SPC, MS, WMU, S, MF, MV, NC, LC and RD.

2. All *lots* created in a *zero lot line residential subdivision* shall be buildable *lots* (the appropriate size to construct a home) and shall be a minimum of .05 acres in size with a minimum *lot* width of 20 feet.

3. All lots in a *zero lot line residential subdivision* shall have a 50% maximum impervious coverage.

4. All *zero lot line residential subdivisions* shall provide 16% minimum open space.

5. No structure shall be located closer than ten feet from adjacent property lines, with the exception of structures that have a wall that rests on a common property line.

6. Where a proposed *zero lot line residential subdivision* is adjacent to an existing single family detached residential neighborhood or use, a setback of 20 feet is required along the perimeter of the proposed subdivision.

7. Where a proposed *zero lot line residential subdivision* is adjacent to an existing single family detached residential neighborhood or use, a Type A buffer, Option 1, is required along the perimeter of the proposed subdivision.

8. A *zero lot line residential subdivision* is not permitted on existing *lots* of record that were not previously platted as a *zero lot line residential subdivision*, unless the entire previously platted subdivision is combined and re-platted to be a *zero lot line residential subdivision*.

E. Street Access

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Proposed General 2019 Amendments – Set 1

Chapter 16-10: Definitions, Interpretation, and Measurement

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

A. Residential Uses

2. Use Types and Definitions

Multifamily - A *building, parcel, or development* containing three or more *dwelling units*. This *use* includes townhouse developments, if all units are on one lot, and manufactured housing parks.

Townhouse – A multi-story structure containing one *dwelling unit* which is attached to one or more similar structures by shared walls in a *development*.

Section 16-10-105 – General Definitions

Zero Lot Line Residential Subdivision – A *subdivision* which permits side by side, *single family dwelling units* that have a minimum of seventy-five percent of the total party wall adjoined together as a common wall on a common shared property line. This includes *townhouse* developments if each dwelling unit is on a separate *lot*.

Exhibit A

Proposed General 2019 Amendments – Set 1

Buffer and Tree Protection Amendments

Chapter 16-5: Development and Design Standards

Section 16-5-103: Buffer Standards

F. Buffer Types

Table 16-5-103.F, Buffer Types, describes the five different buffer types in terms of their function, opacity, width, and planting requirements. The planting requirements should be used as a guide to achieve an aesthetically pleasing landscaped buffer and only apply if the existing buffer does not meet the intent of the prescribed buffer. Either of the options under a specific buffer type may be used at the option of the *developer/applicant*. If the square footage of an existing building on a site is being increased by more than 50% then the buffers must be brought into compliance with the standards in this table.

H. Existing Vegetation

1. If a buffer area has existing *trees* ~~that are protected under this *Ordinance*~~, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this *Ordinance*. Where groupings of native shrubs are present, their preservation with minimum disturbance is ~~strongly encouraged~~ required. Any clearing or other work in buffers must have the prior approval of the *Official*.

2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with Sect 16-6-104.J, Tree and Buffer Protection During Development Activity.

~~2.~~ 3.

~~3.~~ 4.

Section 16-5-115: Subdivision Standards

C. General Requirements

1. Layout of the *subdivision* shall be based on complete *site* analysis. *Streets* and *lots* shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic *site* features to be preserved.

Exhibit A

Proposed General 2019 Amendments – Set 1

2. The *subdivision* layout shall consider the practicality and economic feasibility of *development* of individual *lots* including the environmental characteristics, size of the *site*, and the requirements of this *Ordinance*.
3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve Unique and fragile elements on site, including but not limited to wetlands, significant stands of trees and individual trees of significant size, shall be preserved where practical, with development reserved for environmentally stable areas. Where the applicant demonstrates that a lot of record would be rendered unusable by the strict application of this requirement, the Official may waive the standard. A request for such a waiver shall be accompanied by:
 - a. Written evidence that an applicant has explored all feasible alternatives to the standard for tree and wetland preservation;
 - b. Qualification of the request in a format consistent with that for a variance request (see Sec. 16-2-103.S, Variance); and
 - c. A plan showing the alternatives explored.

D. Layout of Lots and Blocks

2. The *lot* configuration and shape shall provide appropriate *sites* for *buildings*, and be properly related to topography, natural elements, existing significant trees and stands of trees, *access*, drainage and utilities, and conform to all requirements of this *Ordinance*.
4. The number of *lots* within a block shall be as appropriate for the location and the type of *development* contemplated, as practical. Visual monotony created by excessive blocks of *lots* which are not interrupted by intersections, *open space*, buffers, trees or features shall be avoided.

Chapter 16-6: Natural Resources Protection

Section 16-6-104: Tree Protection

B. Applicability

1. General

- b. Consistent with the purposes of this section, all *persons* are ~~encouraged~~ required to make all reasonable efforts to preserve and retain any existing stands of *trees*, individual *trees*, and other self-supporting plants, whether or not such plants are protected under this section, as well as such other flora that make up part of the understory, shrub layer, or herb layer.

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Proposed General 2019 Amendments – Set 1

2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
 - iii. Removal of a hazardous tree ~~dead or naturally fallen tree or limb, or a diseased tree posing a threat to adjacent trees, or a tree that constitutes an imminent danger to the environment, property, public health, safety, or welfare due to the hazardous or dangerous condition of such tree,~~ provided such removal is reported to the *Official* within five days after removal. Removal of a hazardous tree may require mitigation at the discretion of the Official;

D. Pre-Construction Underbrushing

- 4. Following the receipt of final *development* approval, the *applicant* shall work with the *Official* to preserve all existing understory vegetation throughout a site to the greatest extent practicable in the front and side buffers.

6. Exemption

a. *Underbrushing* on *land* by a *property owner* in zoning districts RM4, RM8, RM12, RS3, RS5, RS6, MF, MV, S, and WMU is exempt from the requirements of Section 16-6-104.D; however, all significant trees and stands of trees shall be maintained on site and vegetation in required buffers shall be maintained except for a six-foot-wide path providing *access* to the interior of the property. Such buffer areas shall be clearly marked and protected prior to the commencement of the *underbrushing* activity. A Natural Resources Permit shall be required for such *underbrushing*.

F. Specimen and Significant Tree Preservation

1. Specimen and Significant Tree Defined

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

TABLE 16-6-104.F.1: SPECIMEN <u>AND SIGNIFICANT</u> TREES		
TREE TYPE	<u>SPECIMEN</u>	<u>SIGNIFICANT</u>

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		DBH (INCHES)	<u>DBH (INCHES)</u>
Live oak	Single trunk	35	<u>28</u>
	Multiple trunks	60 (sum of all trunks)	<u>48</u>
Laurel oak		35	<u>28</u>
Water oak		30	<u>24</u>
Red oak		25	<u>20</u>
White oak		20	<u>16</u>
All hickories		20	<u>16</u>
American elm		15	<u>12</u>
Loblolly and slash pines		35	<u>28</u>
Longleaf and pond pines		25	<u>20</u>
Red bay		20 <u>10</u>	<u>8</u>
Southern magnolia		30	<u>24</u>
Bald cypress and pond cypress		15	<u>12</u>
Black gum and sweet gum		30	<u>24</u>
Red maple		30	<u>24</u>
Spruce pine		Any size	<u>Any size</u>
Red cedar		10	<u>8</u>
Sycamore		30	<u>24</u>
Black cherry		25	<u>20</u>
Sassafras		12 <u>6</u>	<u>5</u>

Exhibit A

Proposed General 2019 Amendments – Set 1

G. Minimum Tree Coverage Standard

1. Applicability

- c. For the construction of any public *street*, pathway, drainage project, single family subdivision, athletic field, airport runway, golf course or minor utility the applicant is required to demonstrate that they have made ~~shall make~~ all reasonable efforts to save significant trees and stands of trees. In these cases, at the discretion of the official, a centerline field inspection may relieve the applicant of the tree survey requirement. Reasonable tree replanting ~~may~~ shall be required by the Official for these uses.

J. Tree and Buffer Protection During Development Activity

1. Tree and Buffer Protection Zones

a. Tree and buffer protection zones shall include the areas of a *development site* that are within the drip lines of the all individual *trees* and stands of *trees* proposed to be retained and protected in accordance with Sec. 16-6-104.F, Specimen and Significant Tree Preservation, ~~and~~ Sec. 16-6-104.G, Minimum Tree Coverage Standard, ~~as well as~~ areas for any supplemental or replacement *trees* proposed to be provided in accordance with Sec. 16-6-104.G, Minimum Tree Coverage Standard, or Sec. 16-6-104.K, Tree Damage During Development, as well as buffer areas proposed to be protected in accordance with Sec. 16-5-103.D, Adjacent Street Buffer Requirements and Sec. 16-5-103.E, Adjacent Use Buffer Requirements.

b. Tree and buffer protection zones shall be depicted on all *development* plans.

2. Responsibility

During any *development* activity (including demolition activity), the *property owner* or *developer* shall be responsible for protecting existing, supplemental, or replacement *trees* within tree and buffer protection zones.

3. Protective Fencing, Marking, and Signage

a. Protective Fencing

i. Continuous *tree* protective fencing shall be provided along the boundaries of tree and buffer protection zones. The *Official* shall consider existing *site* conditions and the species and size of the *trees* to be protected in determining the exact location of *tree* protective fencing, and may require the fencing to be

Exhibit A

Proposed General 2019 Amendments – Set 1

extended to include the critical root zones of *trees*. For buffer protection, the fencing shall be installed along the edge of the buffer on the interior of the site.

- ii. Protective fencing shall consist of a bright orange plastic mesh or more durable material that is at least four feet high.

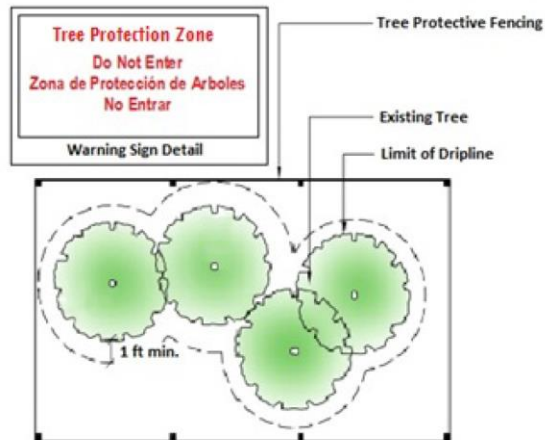


Figure 16-6-104.J.2: Tree Protective Fencing and Signage.

b. Warning Signage

Warning *signs* shall be installed along any required *tree and buffer* protective fencing at points no more than 150 feet apart. The *signs* shall be clearly visible from all sides of the outside of the fenced-in area. The size of each sign must be a minimum of two feet by two feet. The sign message shall identify the fenced or marked area as a *tree or buffer protection zone* and direct *construction* workers not to encroach into the area (e.g., "Tree or Buffer Protection Zone: Do Not Enter"). (See Figure 16-6-104.J.2: *Tree Protective Fencing and Signage*.)

c. Duration of Protective Fencing or Signage

Required protective fencing and signage shall be erected before any grading or other *development* activity begins and shall be maintained until issuance of a Certificate of Compliance following completion of all *development* in the immediate area of the fencing or signage.

4. Tree and Buffer Protection Zone Encroachments and Protective Measures

Encroachments into *tree and buffer protection zones* may occur only when no other alternative exists, and shall comply with landscaping *best management practices* and the following limitations and requirements:

Exhibit A

Proposed General 2019 Amendments – Set 1

a. Construction Activity, Equipment, or Materials Storage

No *development* or demolition activity—including grading, the operation or parking of heavy equipment or the storage of material—shall be allowed within the *tree and buffer protection zone*.

b. Soil Compaction

Where compaction might occur due to *construction* traffic or materials delivery through a *tree and buffer protection zone*, the area must first be mulched with a minimum four-inch layer of wood chips. Equipment or materials storage shall not be allowed within a *tree and buffer protection zone*.

c. Fill, Retaining Walls, and Drywells

No fill shall be placed within a *tree and buffer protection zone* unless retaining walls and drywells are used to protect *trees* to be preserved from severe *grade* changes and venting adequate to allow air and water to reach *tree* roots is provided through any fill.

d. Chemical Contamination

Trees located within a *tree and buffer protection zone* shall be protected from chemical contamination from liquids or other materials, including but not limited to paint, chemical solvents, gasoline, oil, diesel fuel, hydraulic fluid, concrete spoils, or rinse water from vehicle cleaning, including rinsing of concrete truck tanks and chutes.

e. Impervious Surface

No *impervious surface* is allowed within a *tree and buffer protection zone*.

f. Trenching Prior to Clearing

The removal of *trees adjacent* to *tree and buffer protection zones* can cause inadvertent damage to the protected *trees*. Prior to clearing activities, trenches with a minimum width of one-and-one-half inches and a minimum depth of 12 inches shall be cut along the limits of *land* disturbance, so as to cut, rather than tear *tree* roots.

5. Inspections

a. All *tree and buffer protection* measures shall be inspected by the *Official* before start of any *land disturbing activities* and during the *development* process. The *Official* may continue to conduct random inspections to ensure that retained *trees*, supplemental *trees*, and replacement *trees* are maintained in a healthy state.

b. If any *tree* protected by this section is removed, dies, or is destroyed at any time during *development* activities or after completion of the *development*, it shall be

Exhibit A

Proposed General 2019 Amendments – Set 1

replaced in accordance with Sec. 16-6-104.I, Standards for Supplemental and Replacement Trees.

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-105. General Definitions

Hazardous Tree

A tree possessing physical faults that make the tree likely to fail, including, but not limited to rot in the tree's base, a leaning tree whose roots have heaved the soil, or a dead tree, along with the presence of an adjacent target.

Significant tree

Any native tree whose size is within 20% of specimen size or any native tree who is of an unusually large size for its species and for which no specimen size has been determined.

Significant stand of trees

A group of three or more trees, along with their associated understory, that have one or more of the following:

- The stand is made up of Category I trees;
- The stand is made up of one or more of the following species, which are considered uncommon or rare on the island: red bay, sassafras, spruce pine, pond pine and any of the native hickory species;
- The stand provides shading to a significant portion (20% or more) of the site that will become impervious surface.

Tree and Buffer Protection Zone

A defined area containing one or more healthy *trees* designated for preservation and protection in accordance with Sec. 16-6-104, Tree Protection, delineated generally by the outermost drip line of the *tree(s)* or a buffer area designated to be protected in accordance with Sect. 16-5-103.D, Adjacent Street Buffer Requirements and Sect. 16-5-103.E, Adjacent Use Buffer Requirements.



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Shawn Colin, AICP, *Director of Community Development*
VIA: Teri B. Lewis, AICP, *Deputy Director of Community Development*
FROM: Nicole Dixon, CFM, *Development Review Administrator*
DATE: December 19, 2019
SUBJECT: South Island Public Service District Easement
Proposed Ordinance #2019-32

Town Council made no changes to proposed ordinance 2019-32 as a result of first reading on December 17, 2019.

PROPOSED ORDINANCE: 2019-32

ORDINANCE: 2019-__

AN ORDINANCE OF THE TOWN OF HILTON HEAD, SOUTH CAROLINA, AUTHORIZING THE GRANTING OF AN EASEMENT ENCUMBERING REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, PURSUANT TO THE AUTHORITY OF S. C. CODE ANN. § 5-7-40 (SUPP. 2019), AND § 2-7-20, MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, The Town of Hilton Head Island, South Carolina owns real property which is more particularly known and described as:

All that certain piece, parcel or tract of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and described as "Parcel B" on a plat entitled "Revised Parcel B, 4.00 Acres, William Hilton Parkway, a Section of Shipyard Plantation" prepared by Terry G. Hatchell, SCRLS 11059, dated April 7, 1998, which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 65 at Page 9 (hereinafter the "Town Property").

WHEREAS, South Island Public Service District previously installed underground utility lines consisting of water line and a sewer force main on the Town Property without the benefit of an easement from The Town of Hilton Head Island, South Carolina; and,

WHEREAS, The Town of Hilton Head Island, South Carolina, and South Island Public Service District have now agreed on the terms of a relocatable easement for the underground water line and sewer force main, which are set out in the proposed "Relocatable Utility Line Easement, a copy of which is attached hereto as Exhibit "A."

WHEREAS, under the authority of S.C. Code Ann. § 5-7-40 (Supp. 2019), and § 2-720, *Municipal Code of the Town of Hilton Head Island* (1983), the granting of an easement encumbering real property owned by the Town of Hilton Head Island, South Carolina, must

be authorized by the adoption of an ordinance by the Town Council for the Town of Hilton Head Island, South Carolina.

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

Section 1. Execution and Delivery of Easement to South Island Public Service District:

(a) The Mayor and Town Manager are hereby authorized to execute and deliver the "Relocatable Utility Line Easement," in the form and substance similar to the document attached hereto as Exhibit "A," and which are shown and described on the Plat attached hereto as Exhibit "B"; and,

(b) The Mayor and Town Manager are hereby authorized to take all other and further actions as may be necessary to complete the granting of the easement described herein.

Section 2. Severability:

If any section, phrase, sentence or portion of this Ordinance is, for any reason, held or deemed to be invalid or unconstitutional by any court of competent jurisdiction, then such section, phrase, sentence or portion shall be deemed a separate, distinct and independent provision and shall not affect the remaining portion thereof.

Section 3. Effective Date:

This Ordinance shall become effective upon its adoption by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED AND ADOPTED BY TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS _____ DAY OF JANUARY, 2020.

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By: _____
John J. McCann

ATTEST: _____
Krista M. Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

Approved as to Form: _____

Introduced by Council Member: _____

WHEREAS, The Town of Hilton Head Island, South Carolina, and South Island Public Service District have now agreed on the terms of an easement for the underground water and sewer force main, which are set out in this “Relocatable Utility Line Easement.”

NOW, THEREFORE, know all men by these presents, The Town of Hilton Head Island, South Carolina, for and in consideration of the sum of Ten (\$10.00) Dollars, the receipt and sufficiency whereof is acknowledged, has bargained, granted, and sold and by these presents does hereby bargain, grant, and sell to South Island Public Service its successors and assigns, perpetual, non-exclusive 20' Relocatable Sewer Line Easement and a 20' Relocatable Water Line Easement on, under, over and across portions of the Town Property which are described as follows:

All that certain piece, parcel or lots of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and designated as “20' Relocatable Sewer Line Easement” and 20' Foot Relocatable Water Line Easement” on a Plat entitled “A Plat of a 20' Relocatable Sewer Line Easement” dated November 15, 2019, prepared by Surveying Consultants, Inc., certified by Terry G. Hatchell, SCRLS 11059, and which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book _____ at Page _____. (hereinafter, collectively, the “Easement Property”).

The 20' Relocatable Sewer Line Easement and a 20' Relocatable Water Line Easement are granted to South Island Public Service District and accepted by it as follows:

1. South Island Public Service District may, at its sole expense, maintain, repair, replace and relocate the existing underground sewer line in place in, under and through the Easement Property, subject to the right of The Town of Hilton Head Island, South Carolina, to require the relocation of the underground sewer line as set out in Article 3

below. Provided, however, that any maintenance, repair, replacement or relocation due to the negligence or intentional action or inaction of The Town of Hilton Head Island shall be at the sole expense of The Town of Hilton Head Island.

2. South Island Public Service District may, at its sole expense, enter upon the Easement Property to inspect, operate, replace, relocate, repair, and maintain the existing underground sewer line.

3. Should The Town of Hilton Head Island, South Carolina, in its sole reasonable discretion, determine that the location of the existing underground water line and the existing underground sewer force main interfere in any way with any use that The Town of Hilton Head Island, South Carolina, intends, plans or contemplates for the Town Property, then The Town of Hilton Head Island, South Carolina, shall deliver a written notification to South Island Public Service District that The Town of Hilton Head Island, South Carolina, requires South Island Public Service District to move the underground water line and the underground sewer force main to another location on the Town Property. In its written notice, The Town of Hilton Head Island, South Carolina, shall specify the location on the Town Property to which the underground water line and the underground sewer force main must be moved, which location shall be approved by South Island Public Service District in its reasonable discretion. South Island Public Service District agrees that, it shall, within a period of six (6) months from the date of the written notice, move the underground water line and the underground sewer force main to the location specified by The Town of Hilton Head Island, South Carolina, and shall deliver a recordable survey showing the new location of the underground water line and the underground sewer force main and the boundaries of a twenty foot

easement centered on the underground water line and the underground sewer force main. The Town of Hilton Head Island, South Carolina and the South Island Public Service District shall execute and deliver a recordable termination of this Relocatable Underground Utility Line Easement, and shall execute a new Relocatable Underground Utility Line Easement for the relocated underground utility line containing the same terms as this Relocatable Underground Utility Line Easement.

4. The Town of Hilton Head Island, South Carolina, and the South Island Public Service District agree that in the event that The Town of Hilton Head Island, South Carolina, requires the relocation of the underground water line and the underground sewer force main, the costs shall be allocated as follows:

(a) One Hundred per cent of the costs associated with the relocation of the underground sewer force main shall be paid by South Island Public Service District.

(b) The costs associated with the relocation of the underground water line shall be divided equally between The Town of Hilton Head Island, South Carolina, and the South Island Public Service District.

5. This Relocatable Utility Line Easement is conveyed subject to all other easements, licenses, and conveyances of record and is subject to the rights herein reserved by The Town of Hilton Head Island, South Carolina and its successors and assigns, to utilize the Town Property at any time, in any manner, and for any purpose, provided, however, that such use by The Town of Hilton Head Island, South Carolina, shall not be inconsistent with nor prevent the full utilization by South Island Public Service District of the rights and privileges granted herein.

6. South Island Public Service agrees that the exercise of any rights granted in this Relocatable Utility Line Easement to South Island Public Service District shall be under the exclusive control and management of South Island Public Service District and that South Island Public Service District shall at all times comply with all applicable laws, rules, codes, and regulations in connection with the use, repair, maintenance and relocation (if required by The Town of Hilton Head Island, South Carolina) of the existing underground sewer line.

7. Any notice required to be given under the terms of this Relocatable Utility Line Easement shall be made by personal delivery or mail to The Town of Hilton Head Island, South Carolina, or South Island Public Service District at the following addresses:

To The Town of Hilton Head Island,
South Carolina:

ATTN: Town Manager
One Town Center Court
Hilton Head Island, SC 29928;

To South Island Public Service District:

ATTN: Manager
Post Office Box 5148
Hilton Head Island, SC 29938;

or to such other address as The Town of Hilton Head Island, South Carolina, or South Island Public Service District may direct by written notification to the other.

[Signature Pages Follow]

In Witness whereof, the parties hereto have caused the within Access, Utility and Sign Easement to be executed by their duly authorized officers on this ____ day of December, 2019.

WITNESSES:

SOUTH ISLAND PUBLIC SERVICE DISTRICT

[Redacted signature area]

By: [Redacted signature]

Its: General Manager

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

UNIFORM ACKNOWLEDGMENT
S. C. CODE ANN. § 30-5-30 (Supp. 2019)

I, the undersigned Notary Public do hereby certify that _____
Manager of South Island Public Service District, personally appeared before me on this
day and duly acknowledged the execution of the foregoing instrument on behalf of
South Island Public Service District.

Sworn to and Subscribed before me
on this 20 Day of December, 2019.

[Redacted signature]
Notary Public for South Carolina
My Commission Expires _____
NOTHIA SMITH
Notary Public
State of South Carolina
Commission Expires Oct. 17, 2022

WITNESSES:

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

By: _____

Its: _____

STATE OF SOUTH CAROLINA)	UNIFORM ACKNOWLEDGMENT
)	
COUNTY OF BEAUFORT)	S. C. CODE ANN. § 30-5-30 (Supp. 2019)

I, the undersigned Notary Public do hereby certify that John J. McCann, Mayor, and Stephen G. Riley, Town Manager, personally appeared before me on this day and duly acknowledged the execution of the foregoing instrument on behalf of The Town of Hilton Head Island, South Carolina.

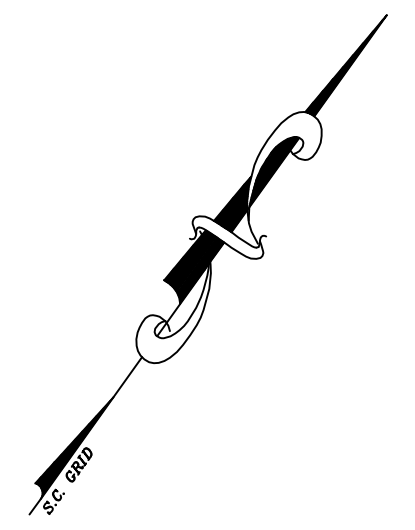
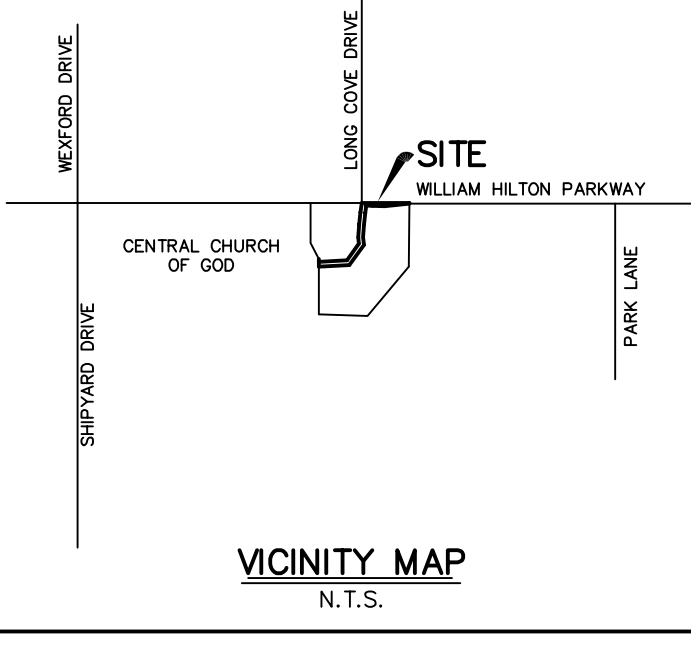
Sworn to and Subscribed before me
on this _____ Day of December, 2019.

Notary Public for South Carolina
My Commission Expires: _____

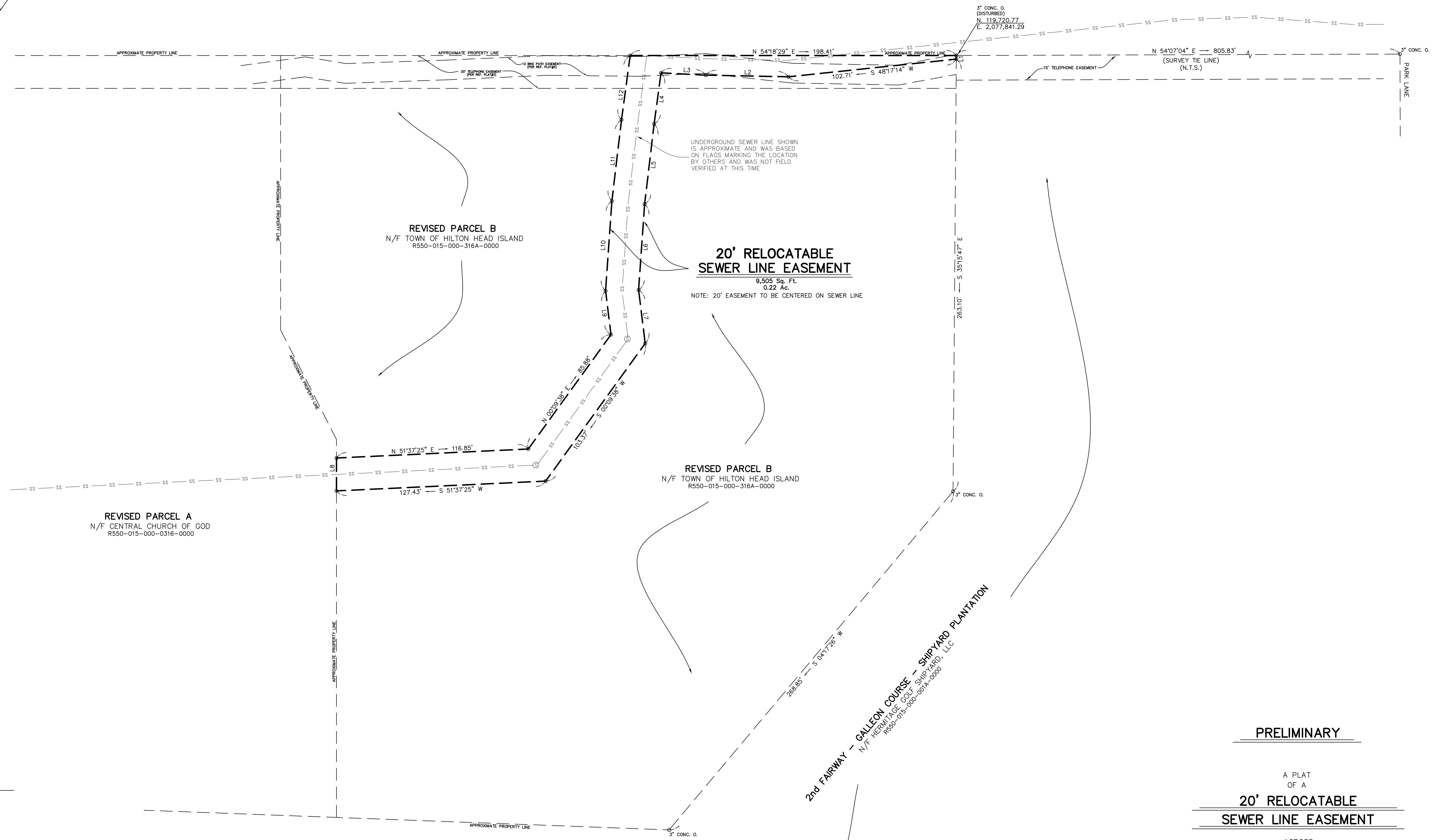
Exhibit "B" to Ordinance Granting Relocatable Utility Line Easement in favor of South
Island Public Service District

EXHIBIT B

WILLIAM HILTON PARKWAY
U.S. HIGHWAY 278 - R/W VARIES



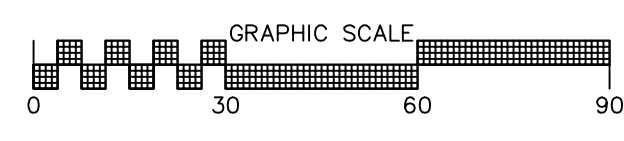
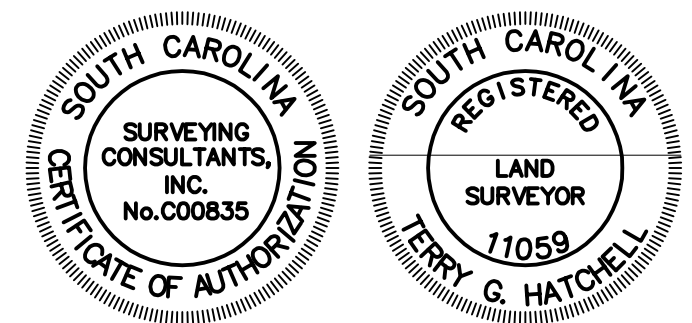
LINE	BEARING	LENGTH
L1	S 35°15'47" E	2.18'
L2	S 55°27'21" W	50.33'
L3	S 57°16'08" W	27.21'
L4	S 27°59'20" E	31.36'
L5	S 28°56'29" E	49.14'
L6	S 31°40'17" E	52.39'
L7	S 42°43'53" E	32.78'
L8	N 35°41'31" W	20.02'
L9	N 42°43'53" W	26.86'
L10	N 31°40'17" W	54.80'
L11	N 28°56'29" W	49.79'
L12	N 27°59'20" W	39.46'



- NOTES
- 1) I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO OBVIOUS, APPARENT OR VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
 - 2) AS PER THE REFERENCE PLAT THIS PROPERTY IS LOCATED IN ZONE C, NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.D. PANEL 85-D, COMMUNITY NO. 450250, MAP DATED 9/29/86, BASE ELEVATION N/A. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
 - 3) BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN OR NOT SHOWN ON THIS SURVEY, ARE EXPLAINED IN THE COVENANTS, EASEMENTS & SETBACKS SHOWN SHOULD BE VERIFIED THRU THE APPROPRIATE ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY.
 - 4) UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
 - 5) THE PURPOSE OF THIS EXHIBIT SKETCH IS TO SHOW A PROPOSED 20' RELOCATABLE SEWER LINE EASEMENT ONLY. THIS IS NOT A BOUNDARY SURVEY OF REVISED PARCEL B. ANY BACKGROUND INFORMATION SHOWN WAS TAKEN FROM REFERENCE PLAT AND WAS NOT UPDATED OR FIELD VERIFIED AT THIS TIME.
 - 6) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.

REFERENCE PLAT:
1) BOUNDARY SURVEY OF REVISED PARCELS A & B, 9.00 ACRES WILLIAM HILTON PARKWAY, A SECTION OF SHIPYARD PLANTATION, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DATED: 6/25/2001, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059, RECORDED: P.B. 87, PG. 189, DATE: 06/28/2002.

PREPARED FOR: THE TOWN OF HILTON HEAD ISLAND



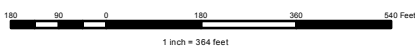
PRELIMINARY
A PLAT
OF A
**20' RELOCATABLE
SEWER LINE EASEMENT**
ACROSS
REVISED PARCEL B
N/F LANDS OF THE TOWN OF HILTON HEAD ISLAND
SHIPYARD PLANTATION
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
SCALE: 1" = 30' DATE: 03/05/2019 JOB NO: SC91503Q

SC SURVEYING CONSULTANTS
17 Sherington Drive, Suite C, Bluffton, SC 29910
SC Telephone: (843) 815-3304 FAX: (843) 815-3305
GA Telephone: (912) 828-2775
www.SurveyingConsultants.com
Email: SC@SurveyingConsultants.com
CREW: N/A
DATE: 03/05/2019
COPYRIGHT © BY SURVEYING CONSULTANTS



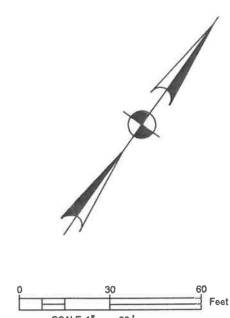
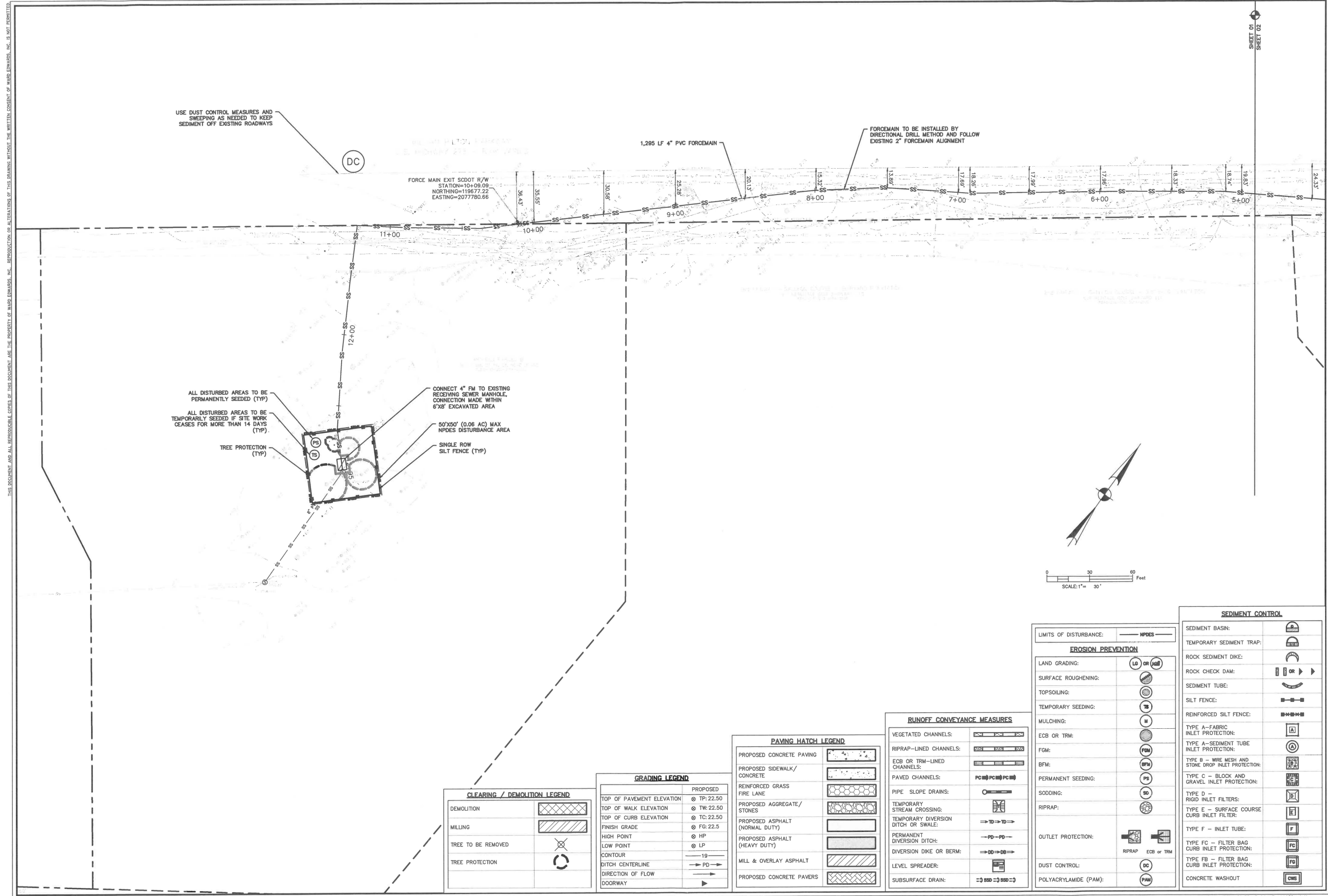
Property highlighted in blue is Town Parcel subject to proposed easement

Town of Hilton Head Island
 Proposed Sewer Easement
 Exhibit C - Vicinity Map



TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-4600
 Data Created: November 16, 2017
 Project: map.mf

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



CLEARING / DEMOLITION LEGEND	
DEMOLITION	
MILLING	
TREE TO BE REMOVED	
TREE PROTECTION	

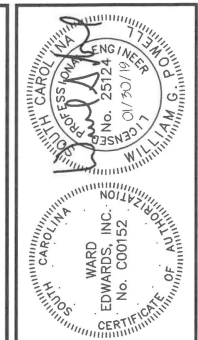
GRADING LEGEND	
TOP OF PAVEMENT ELEVATION	TP: 22.50
TOP OF WALK ELEVATION	TW: 22.50
TOP OF CURB ELEVATION	TC: 22.50
FINISH GRADE	FG: 22.5
HIGH POINT	HP
LOW POINT	LP
CONTOUR	19'
DITCH CENTERLINE	PD
DIRECTION OF FLOW	→
DOORWAY	▶

PAVING HATCH LEGEND	
PROPOSED CONCRETE PAVING	
PROPOSED SIDEWALK/ CONCRETE	
REINFORCED GRASS FIRE LANE	
PROPOSED AGGREGATE/ STONES	
PROPOSED ASPHALT (NORMAL DUTY)	
PROPOSED ASPHALT (HEAVY DUTY)	
MILL & OVERLAY ASPHALT	
PROPOSED CONCRETE PAVERS	

RUNOFF CONVEYANCE MEASURES	
VEGETATED CHANNELS:	
RIPRAP-LINED CHANNELS:	
ECB OR TRM-LINED CHANNELS:	
PAVED CHANNELS:	
PIPE SLOPE DRAINS:	
TEMPORARY STREAM CROSSING:	
TEMPORARY DIVERSION DITCH OR SWALE:	
PERMANENT DIVERSION DITCH:	
DIVERSION DIKE OR BERM:	
LEVEL SPREADER:	
SUBSURFACE DRAIN:	

EROSION PREVENTION	
LAND GRADING:	
SURFACE ROUGHENING:	
TOPSOILING:	
TEMPORARY SEEDING:	
MULCHING:	
ECB OR TRM:	
FGM:	
BFM:	
PERMANENT SEEDING:	
SODDING:	
RIPRAP:	
OUTLET PROTECTION:	
DUST CONTROL:	
POLYACRYLAMIDE (PAM):	

SEDIMENT CONTROL	
SEDIMENT BASIN:	
TEMPORARY SEDIMENT TRAP:	
ROCK SEDIMENT DIKE:	
ROCK CHECK DAM:	
SEDIMENT TUBE:	
SILT FENCE:	
REINFORCED SILT FENCE:	
TYPE A - FABRIC INLET PROTECTION:	
TYPE A - SEDIMENT TUBE INLET PROTECTION:	
TYPE B - WIRE MESH AND STONE DROP INLET PROTECTION:	
TYPE C - BLOCK AND GRAVEL INLET PROTECTION:	
TYPE D - RIGID INLET FILTERS:	
TYPE E - SURFACE COURSE CURB INLET FILTER:	
TYPE F - INLET TUBE:	
TYPE FC - FILTER BAG CURB INLET PROTECTION:	
TYPE FB - FILTER BAG CURB INLET PROTECTION:	
CONCRETE WASHOUT:	



NO.	DESCRIPTION	DATE
7		
6		
5		
4		
3		
2		
1		

Ward Edwards
ENGINEERING

P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910
PH (843) 837-5250 / FAX (843) 837-2558
WWW.WARDEDWARDS.COM

PARK LANE FORCE MAIN
TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

SOUTH ISLAND PUBLIC SERVICE DISTRICT
Hilton Head Island, South Carolina

FORCE MAIN LAYOUT PLAN

VERTICAL DATUM:
NAVD88

PROJECT #: 180256
DATE: 01/10/19
DESIGNED BY: JCM
CHECKED BY: WGP

SHEET
C201

NOT FOR CONSTRUCTION

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE TOWN MANAGER TO EXECUTE RIGHTS OF ENTRY RELATED TO REAL PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

WHEREAS, The Town of Hilton Head Island, South Carolina, owns parcels of real property within the municipal limits of The Town of Hilton Head Island, South Carolina; and,

WHEREAS, The Town of Hilton Head Island, South Carolina, receives requests for temporary rights of entry onto Town owned real estate in connection with the capital improvements projects, the installation of utilities and drainage work; and,

WHEREAS, The Town Council for The Town of Hilton Head Island, South Carolina, finds that it is in the best interests of The Town of Hilton Head Island, South Carolina, to authorize the Town Manager to grant temporary rights of entry onto real property owned by The Town of Hilton Head Island, South Carolina, in aid of the completion of capital improvements projects, the installation of utilities and drainage work.

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

1. The Town Manager is hereby authorized to execute and deliver temporary rights of entry, allowing for temporary entry onto real property owned by The Town of Hilton Head Island, South Carolina.
2. The rights of entry authorized by this Resolution shall be in a form and substance consistent with the document attached hereto as Exhibit "A."
3. This Resolution shall remain in effect for a period of Six (6) Months following the

date of its adoption by the Town Council for The Town of Hilton Head Island, South Carolina.

**MOVED, APPROVED AND ADOPTED BY THE TOWN COUNCIL THIS
_____ DAY OF JANUARY, 2020.**

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

EXHIBIT "A" TO RESOLUTION

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) TEMPORARY CONSTRUCTION
) EASEMENT AND RIGHT OF ENTRY

WHEREAS, _____ has requested a temporary construction easement and right of entry over Town owned real property in connection with a capital improvements project/utility installation/drainage work known as _____; and,

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, the receipt and sufficiency at and before the execution and delivery of these presents is acknowledged, The Town of Hilton Head Island, South Carolina, has granted and delivered to _____ a Temporary Construction Easement and Right of Entry on, over and across a portion of the real property owned by The Town of Hilton Head Island, South Carolina, which is known and described as follows:

_____ (Hereinafter, the “Temporary Easement Property”)

This Temporary Construction Easement and Right of Entry is granted and accepted subject to the following terms and conditions:

1. This Temporary Construction Easement and Right of Entry is granted to permit _____, its agents, employees, contractors and subcontractors the temporary right to enter on the Temporary Easement Property to _____

(hereinafter, the "Work").

2. _____, agrees to assume all costs in connection with the Work.

3. _____ agrees that all entry, access, over, along, across, through and under the Temporary Easement Property for the purpose of completing the Work shall be under the exclusive control of _____ and that it shall comply with all applicable laws, rules, codes, and regulations governing or affecting the Work.

4. This Temporary Construction Easement and Right of Entry shall expire under the sooner of: (a) six (6) months from the Effective Date of this Temporary Construction Easement and Right of Entry; or, (b) the conclusion of the Work.

In Witness whereof, the parties hereto have caused the within Easement Agreement to be executed by their duly authorized officers on this _____ day of _____, 2020.

WITNESSES:

By: _____

Its: Manager

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

UNIFORM ACKNOWLEDGMENT

I, the undersigned Notary Public do hereby certify
_____, personally appeared before
me on this day and duly acknowledged the execution of the foregoing instrument.

Sworn to and Subscribed before me
on this ____ Day of _____, 2020.

Notary Public for South Carolina
My Commission Expires:_____