



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, January 18, 2022, 3:00 PM
AGENDA

The Town Council meeting will be conducted virtually and can be viewed on the [Town of Hilton Head Island Public Meetings Facebook Page](#), the [Town of Hilton Head Island website](#), [Beaufort County Channel](#) and [Spectrum Channel 1304](#).

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 - Rabbi Brad Bloom - Congregation Beth Yam**
5. **Roll Call**
6. **Approval of the Agenda**
7. **Approval of the Minutes**
 - a. Town Council Regular Meeting - January 4, 2022
8. **Report of the Town Manager**
 - a. Items of Interest
 - b. Presentation of 2021 Utility Tax Credit Award - Ashley Feaster, Economic/Community Development Manager, Palmetto Electric
 - c. Design Review Board Bi-Annual Update - Cathy Foss, Chairwoman
 - d. Status Update of the Gullah-Geechee Land & Cultural Preservation Project Workplan - Anne Cyran, Interim Comprehensive Planning Manager
9. **Reports of the Members of the Town Council**
 - a. General Reports from Town Council
 - b. Report of the Community Services & Public Safety Committee – Councilman Harkins
 - c. Report of the Public Planning Committee – Councilman Ames
 - d. Report of the Finance & Administrative Committee – Councilman Lennox
10. **Appearance by Citizens**

Citizens who wish to address the Mayor and Town Council during Appearance by Citizens must contact the Town Clerk at 843.341.4701 no later than 12:00 p.m. the day of the meeting.

Citizens may submit written comments concerning any of the items on the agenda through the eComment portal. The eComment portal can be found by following this link: [January 18, 2022 Town Council Meeting Information](#).

11. Unfinished Business

- a. Second Reading of Proposed Ordinance 2022-01 Authorizing the Execution of a Termination for an Easement Located at 9 Bayberry Lane, Hilton Head Island, South Carolina

12. New Business

- a. First Reading of Proposed Ordinance to Amend Chapter 1 of Title 8 (Beaches), of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 8-1-112 relating to the Definition of Beach; and providing for severability and an effective date.

13. Adjournment



**Town of Hilton Head Island
TOWN COUNCIL
Tuesday, January 4, 2022, 3:00 p.m.
MEETING MINUTES**

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

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Angie Stone, *Assistant Town Manager*; Shawn Colin, *Advisor to the Town Manager*; Chris Yates, *Interim-Director of Community Development*; Jeff Buckalew, *Interim-Director of Infrastructure Services*; Missy Luick, *Senior Planner*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

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

2. FOIA Compliance

Ms. Wiedmeyer confirmed compliance with the South Carolina Freedom of Information Act.

3. Roll Call

Attendance was confirmed by way of roll call.

4. Pledge to the Flag

5. Invocation - Chaplin Glenn Neff, Hospital Chaplain, Hilton Head Regional Hospital

Chaplin Glenn Neff delivered the invocation.

6. Approval of the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried 7-0.

7. Approval of the Minutes

- a. Town Council Regular Meeting - December 7, 2021

Mr. Harkins moved to approve the minutes listed on the agenda. Mr. Stanford Seconded. The motion carried 7-0.

8. Report of the Town Manager

- a. Items of Interest
- b. University of South Carolina Beaufort Hilton Head Island Hospitality Management Facility has been Honored with a Design Award by the South Carolina Chapter of the American Institute of Architects

Mr. Orlando gave an overview of the award received the USCB Hilton Head Island Hospitality campus. Dr. Charlie Calvert, Dean of the Hilton Head Island Campus made some brief remarks and thanked Town Council for their continued support of the campus.

- c. Town of Hilton Head Island Financial Audit Presentation for Fiscal Year Ending June 30, 2021 from Greene Finney, LLP - Emily Sobczak

Ms. Sobczak reviewed the Financial Audit Greene Finney, LLP conducted for Fiscal Year ending June 30, 2021. Mayor McCann asked that Ms. Sobczak come back later to deliver the information and answer questions at the Finance and Administrative Committee.

9. Reports of the Members of the Council

a. General Reports from Town Council

Mrs. Becker spoke to remind everyone that it is a good time to check the batteries in fire alarms to make sure they are in good working condition. She also talked about the Fire in the Streets program conducted by the Hilton Head Island Fire Rescue. Mrs. Becker complimented the program and thanked Fire Rescue.

Mayor McCann reported that he had talked to Joel Taylor, the CEO of Hilton Head Regional Hospital, about the current activity at the hospital for the new variant of the virus. He said currently there are patients in the hospital for the virus and at least 3 patients in the ICU. Mayor McCann reported that some patients were diverted to Coastal Carolina for treatment as Hilton Head was overwhelmed.

Mayor McCann also reported that he would like to begin meeting with each member of Town Council individually to look over priorities throughout 2022. He said he looks forward to working closely with everyone and hearing their perspective.

Mr. Brown asked Mayor McCann for clarification on his report from the Hospital and the diversion of patients. Mr. Brown asked that the CEO be included in Council discussions concerning affordable housing to find out what the needs are to ensure they have appropriate staffing to take care of Island residents. Mayor McCann said he would invite Mr. Taylor to come speak to Town Council about the same.

Mr. Lennox made some additional statements about the award received by USCB, noting the project was successfully completed using TIF funding. He noted that utilizing the TIF stimulated private investment to stimulate the economy. Mr. Lennox again congratulated Dr. Calvert.

b. Report of the Lowcountry Area Transportation Study – Councilman Stanford

Mr. Stanford did not have a report.

c. Report of the Lowcountry Council of Governments – Councilwoman Becker

Mrs. Becker did not have a report.

d. Report of the South Carolina Floodwater Commission – Councilman Brown

Mr. Brown did not have a report.

e. Report of the Southern Lowcountry Regional Board – Councilman Lennox

Mr. Lennox reported that the Board met earlier in the day where they discussed the Regional Housing Trust Fund.

f. Report of the Beaufort County Airports Board – Councilman Ames

Mr. Ames did not have a report.

g. Report of the Community Services & Public Safety Committee – Councilman Harkins

Mr. Harkins did not have a report.

h. Report of the Public Planning Committee – Councilman Ames

Mr. Ames reported that the Committee would be meeting on November 18, 2021.

i. Report of the Finance & Administrative Committee – Councilman Lennox

Mr. Lennox stated he did not have a report and that the next meeting was scheduled for February 22, 2022.

10. Appearance by Citizens

Mr. Hoagland was called upon several times to address Town Council but did not respond.

11. Workshop Agenda

a. Status Update on the William Hilton Parkway Corridor Project

Mr. Orlando opened the discussion up by reminding the Mayor and Town Council of the last time this item was discussed. He noted that MKSK presented a series of recommendations and that Council asked that he go speak with the SCDOT Secretary Christy Hall and her team as well as Eric Greenway and his team about the recommendations. Mr. Orlando said staff has been working and communicating on various matters related to the project and Mr. Colin would be reviewing and updating Council on those items.

Mr. Colin reviewed the items and work accomplished between April 2021 and October 2021 when Town Council last met on the project. He reviewed the key enhancements and recommendations they took action on and the meeting that took place with the SCDOT following that. He discussed and provided information from the meeting that took place with Beaufort County as well. Upon the conclusion of his presentation, Mr. Colin took questions from the Mayor and members of Town Council. Noting

12. New Business

a. Consideration of a Resolution - Authorizing the Submission of Town Pathway Projects in the *Beaufort County Connects: Bicycle and Pedestrian Plan 2021*

Mr. Ames moved to approve. Mr. Stanford seconded. Ms. Luick provided a brief overview of the item and took some questions. With no further discussion, by way of roll call the motion carried 7-0.

b. First Reading of Proposed Ordinance 2022-01 Authorizing the Execution of a Termination for an Easement Located at 9 Bayberry Lane, Hilton Head Island, South Carolina

Mr. Harkins moved to approve. Mr. Stanford seconded. With little discussion, by way of roll call, the motion carried 7-0.

13. Adjournment

With no action taken by Town Council, the meeting adjourned at 4:23 p.m.

Approved: January 18, 2022

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Town Council
FROM: Catherine Foss, *Design Review Board Chair for the Report Period*
DATE: January 03, 2022
SUBJECT: Design Review Board Semi-Annual Report: July – December 2021

One (1) meeting was cancelled during this period due to lack of agenda items.

New Developments

1. The Charles (Final) – approved with conditions
2. Tidal Wave Auto Spa (Final) – approved with conditions
3. 85 Capital Drive (Final) – approved with conditions
4. Benny Hudson Seafood (Final) – approved with conditions
5. Airport Terminal (Final) – approved with conditions
6. Wimbledon Timeshare (Final) – approved with conditions
7. Dolphin Head Recreation Area (Final) – approved with conditions
8. Hudson Waterfront Restaurant (Final) – approved with conditions
9. Heritage Academy Pavilion (Final) – approved with conditions

Alterations/Additions

1. Wei Food Hall – approved with conditions
2. The Lyons – approved
3. St. Andrew's Methodist Church – approved with conditions
4. 1014 William Hilton Parkway Storage Facility – approved with conditions
5. Central Plaza – approved
6. Gardner Water Storage Tank – approved with conditions
7. Crave Station – approved with conditions
8. Subway Restaurant – approved with conditions
9. Harley Davidson Merchandise Store – approved with conditions
10. Bistro 17 Patio – approved with conditions
11. Lucky Rooster – approved with conditions

Signs

1. Circle Center – approved with conditions
2. Parker's – approved with conditions
3. Marriott Shelter Cove – approved



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Marc Orlando, ICMA~CM, *Town Manager*
FROM: Sheryse DuBose, PhD, *Historic Neighborhoods Preservation Administrator*
VIA: Chris Yates, CBO, CFM, CGP, *Interim Community Development Director*
CC: Anne Cyran, AICP, *Interim Comprehensive Planning Manager*
CC: Teri B. Lewis, AICP, *Deputy Community Development Director*
DATE: January 6, 2022
SUBJECT: Gullah Geechee Top Priority Project Recommendations

Summary: The attached information represents the status of the sixteen Top Priority Project Recommendations from the Gullah Geechee Culture Preservation Project Report.

Background: The Gullah Geechee Land & Cultural Preservation Task Force, in partnership with The Walker Collaborative, developed the Gullah Geechee Culture Preservation Project Report. Thirty-four recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property were identified. Staff and the Task Force were directed by Town Council to prepare a work plan for the high priority recommendations. The Top Priority Recommendations Framework was accepted by Town Council on November 17, 2019.

Attachments:

1. Status of Gullah Geechee Top Priority Projects Recommendations Report
2. Presentation

Status of Gullah Geechee Top Priority Project Recommendations









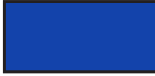
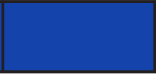
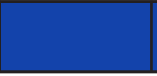
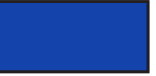












































January 2022

Status of Gullah Geechee Top Priority Project Recommendations

January 2022



 Items completed since October 2021.

Page #	Priority #	Title	25%	50%	75%	100%
3	PP-4	Establish an Overlay District				
4	PP-5	Family Compound/Subdivision				
5	PP-6	Allow Site Design Flexibility				
6	PP-2	Fast Track FC/FS Applications				
7	CP-17	Outreach with Gullah Churches				
8	CP-14	Establish Open Air Market				
9	CP-7	Educate Town Officials and Staff				
10	HP-4	Fund to Clear Property Titles				
11	HP-2	Partner with Heirs' Property Orgs				
12	PP-14	Temporary and Seasonal Signs				
13	HP-1	Heirs' Property Family Research				
14	PP-12	Educational Outreach				
15	HP-3	CHPP Satellite Office				
16	CP-1	Promote Heritage Library				
17	PP-11	Fund for Delinquent Taxes				
18	PP-3	Permitting and Design Studio				

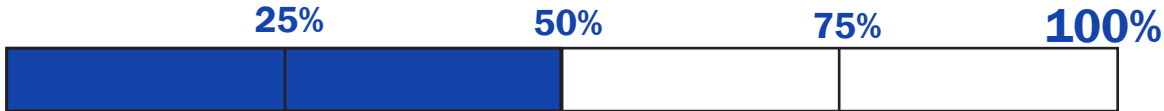
Priority Recommendation 1



PP-4: Establish an Overlay District

Establish a Historic Neighborhoods Preservation Overlay District.

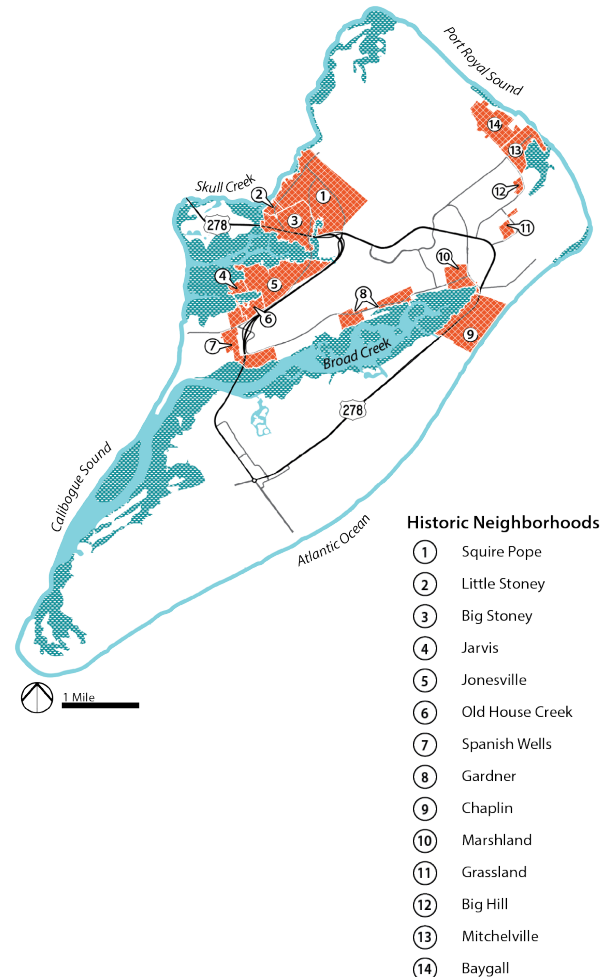
Percent Complete



- Reduces buffer, setback, right-of-way, and access easement minimums.
- Creates rights-of-way without reducing density.

Overview

- Drafted LMO amendments.
- Reviewed by Gullah Geechee Task Force, LMO Committee, and Planning Commission.
- Public Planning Committee requested additional research and revisions related to density increase, land uses, and home occupations.
- Research and analysis will be conducted concurrently with the Island Capacity Baseline Assessment. 1st Quarter 2022 - 3rd Quarter 2022.
- Engage on-call code writing consultant to revise amendments. 4th Quarter 2022.
- Present revised amendments to Gullah Geechee Task Force, Planning Commission, and Town Council for adoption. 4th Quarter 2022 - 1st Quarter 2023.



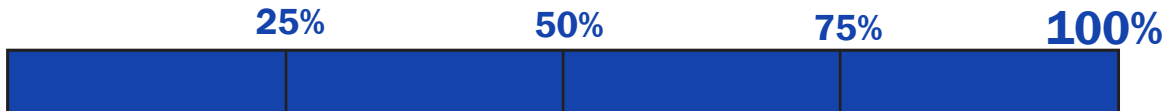
Priority Recommendation 2

PP-5: Family Compound/Family Subdivision

Revise the Land Management Ordinance (LMO) to allow Family Compound and Family Subdivision developments on properties in the Historic Neighborhoods.



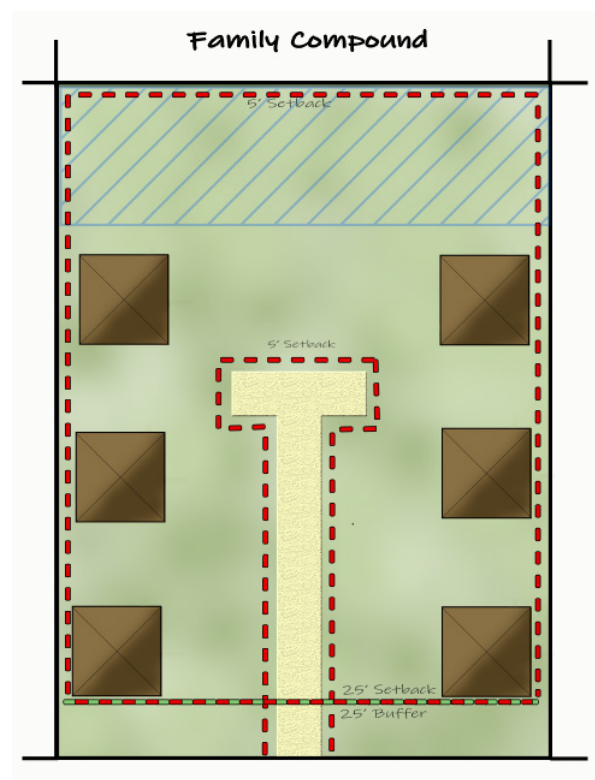
Percent Complete



- Preserve family land for future generations.
- Honor communal living traditions.
- Subdivide without prohibitive expenses.

Overview

- ✓ Posted signs, sent letters, and used the Town's website and social media sites to notify stakeholders and the public. Historic Neighborhoods Preservation Administrator discussed the amendments with property owners and families and made presentations to community groups.
- ✓ Reviewed and recommended for approval by the Gullah Geechee Task Force, the LMO Committee, the Planning Commission (including two public hearings), and the Public Planning Committee.
- ✓ Adopted by Town Council in July 2021.
- ✓ Working with three to five families to develop a Family Compound or Family Subdivision.
- ✓ Implemented a communication plan to inform stakeholders, churches, and community organizations of the Family Compound/Family Subdivision LMO amendments, including a news release and social media posts.



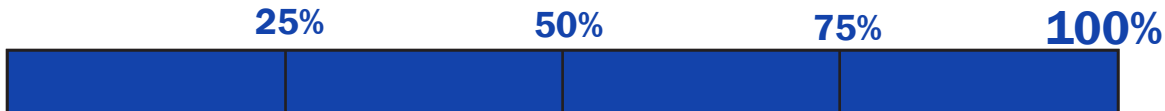
Priority Recommendation 3



PP-6: Allow Site Design Flexibility

The Family Compound/Family Subdivision and Dirt Road LMO amendments allow flexibility for development in Historic Neighborhoods.

Percent Complete



- Reduces buffer, setback, right-of-way, and access easement minimums.
- Creates rights-of-way without reducing density.
- Applies to properties in Historic Neighborhoods.

Overview

- ☑ Wrote the amendments using input from property owners.
- ☑ Notified stakeholders and the public. Historic Neighborhoods Preservation Administrator discussed the amendments with property owners and families and made presentations to community groups.
- ☑ Reviewed and recommended for approval by Gullah Geechee Task Force, LMO Committee, Planning Commission, and Public Planning Committee.
- ☑ Town Council adopted Dirt Road LMO amendments in November 2020.
- ☑ Town Council adopted Family Compound/Family Subdivision LMO amendments in July 2021.



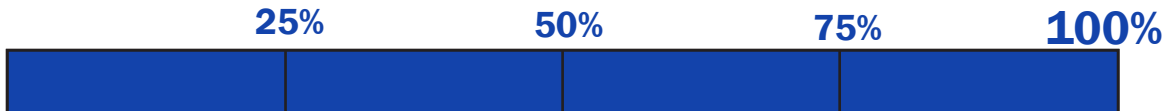
Priority Recommendation 4

PP-2: Fast Track Family Compound/Family Subdivision Applications

Town staff prioritizes the review of Family Compound and Family Subdivision applications and related building permits.



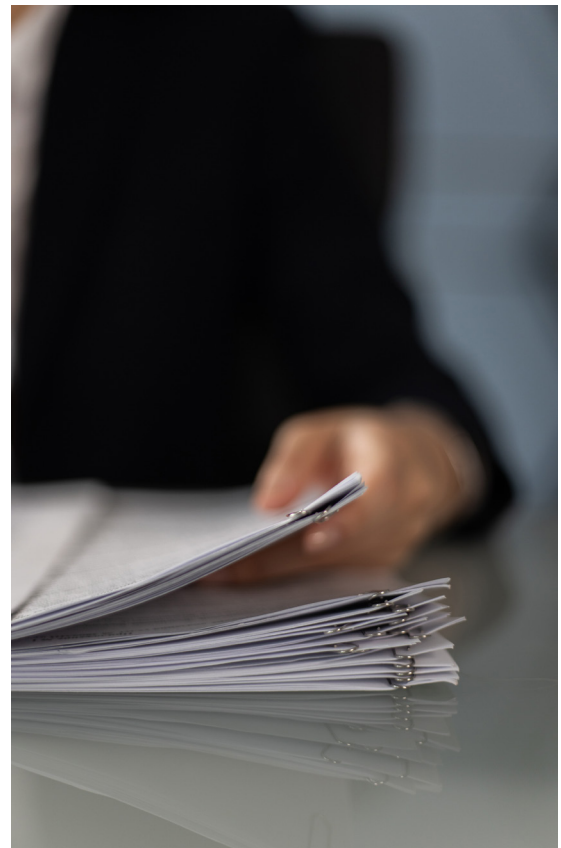
Percent Complete



- **Family Compound/Family Subdivision applications are reviewed before other applications.**
- **Related building permits are fast tracked.**

Overview

- ☑ Review Family Compound and Family Subdivision applications and related building permits prior to other submittals, as specified in the LMO amendments.
- ☑ Noted on the Town webpage and application forms the applications will be fast tracked.
- ☑ Notified applicants that their applications will be prioritized for review.
- ☑ Implemented a communication plan to inform stakeholders, churches, and community organizations of the Family Compound/Family Subdivision LMO amendments, including a news release and social media posts.



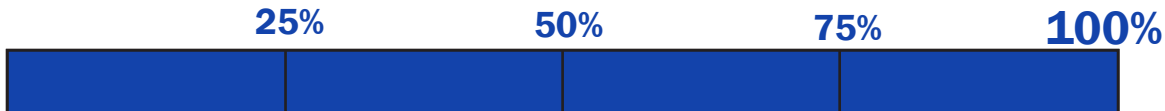
Priority Recommendation 5

CP-17: Outreach with Gullah Churches

Work with Gullah churches to gather information, assess needs, and disseminate information.



Percent Complete



- **Update churches on Gullah-related meetings and initiatives.**
- **Share vital information, such as Town-led COVID-19 testing and vaccination sites.**

Overview

- ☑ Established Historic Neighborhoods Preservation Administrator as point of contact for the Town for all Island Gullah churches.
- ☑ Communicate regularly on Gullah Geechee initiatives, such as the Family Compound/ Family Subdivision LMO amendments.
- ☑ Provide updates regarding Town meetings addressing relevant topics.
- ☑ Receive referrals from churches of community members who need assistance.



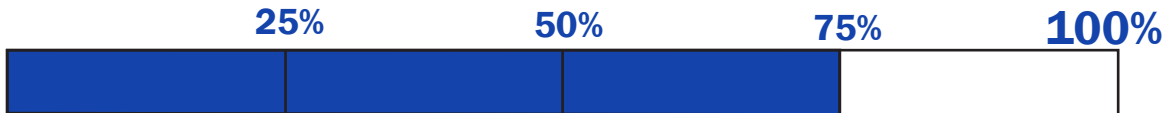
Priority Recommendation 6

CP-14: Establish Open-Air Gullah Market

Work with stakeholders to establish an open-air market to promote Gullah Culture and create economic opportunities.



Percent Complete



- **Create an open-air market for the sale of Gullah items.**
- **Coordinate the management of the market through Native Island Business and Community Affairs Association.**
- **Evaluate success of temporary location and consider alternate locations.**

Overview

- Gathered input from local vendors.
- Coordinated with Native Island Business and Community Affairs Association, Gullah Geechee Task Force representatives, and Culture HHI.
Considered proposed sites and created a layout of proposed site.
- Wrote a business plan.
- Native Island Business and Community Affairs Association will hire a Community Liasion to manage market. 1st Quarter 2022.
- Present Squire Pope Community Park as a temporary location for the market to the Community Services and Public Safety Committee. 2nd Quarter 2022.
- Explore additional locations for the market including Mitchelville Freedom Park, Lowcountry Celebration Park, and the Mid-Island Tract. 2nd Quarter 2022.
- Work with vendors and community organizations to promote the market. 2nd Quarter 2022.



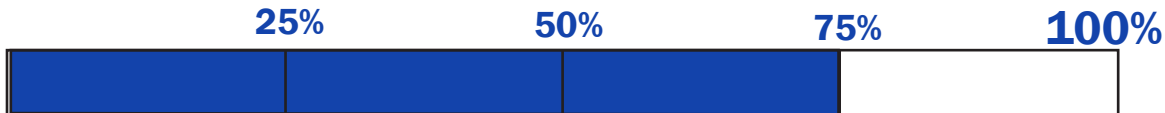
Priority Recommendation 7



CP-7: Educate Town Officials & Employees

Develop education programs on Gullah history, culture, development standards challenges, and land use policies for Town officials, employees, and Board and Commission members.

Percent Complete



- Provide quarterly orientation on Gullah history and culture.
- Offer engaging, ongoing learning opportunities such as panel discussions, site visits, and mobile tours.

Overview

- Created orientation training on Gullah Community for new hires, newly elected officials, and Board and Commission members.
- Offered staff and Board and Commission training using *Resilience in Vulnerable Communities: The Preservation of Gullah Geechee Communities in Hilton Head, South Carolina* webinar in February 2021.
- Conducted staff training on Family Compound and Family Subdivision LMO amendments in September 2021.
- Received approval of draft program from Gullah Task Force in December 2021.
- Receive approval of draft program from Town Council. 1st Quarter 2022.
- Schedule initial orientation program and organize events. 1st Quarter 2022.



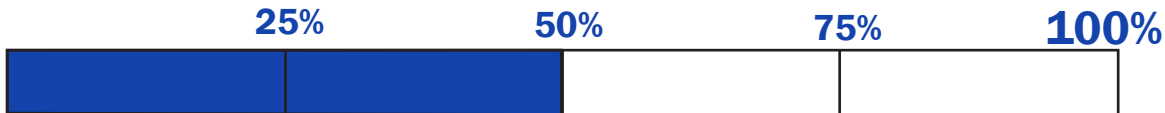
Priority Recommendation 8

HP-4: Fund to Clear Property Titles

Establish a fund to help Heirs' Property owners clear the title to their land.



Percent Complete



- **Create a Community Foundation of the Lowcountry fund to clear Heirs' Property titles.**
- **Preserve family land by preventing sales by non-resident owners.**

Overview

- Met with Community Foundation of the Lowcountry to discuss creating a fund.
- Researched Farm Service Administration Heirs' Property Relending Program as possible funding source.
- Informed community members of process to clear property titles and promoted organizations on Town's website.
- Explore the opportunities and responsibilities associated with creating a fund with the Community Foundation of the Lowcountry.
2nd Quarter 2022 - 2nd Quarter 2023.



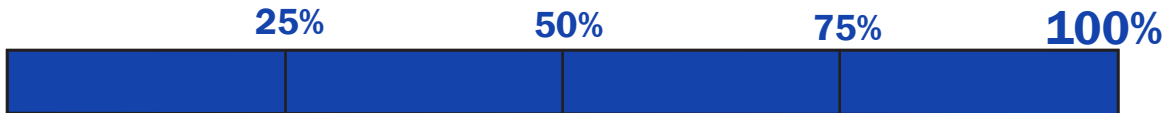
Priority Recommendation 9

HP-2: Coordinate with Heirs' Property Organizations

Connect with organizations that can provide legal assistance and/or education for property owners seeking to clear Heirs' Property.



Percent Complete



- Understand services provided by Heirs' Property organizations.
- Establish relationships with those organizations.
- Direct Heirs' Property owners to the appropriate resources.

Overview

- ☑ Established connections with South Carolina Legal Services, South Carolina Appleseed Legal Justice Center, Black Belt Justice Center, Black Family Land Trust, and the Center for Heirs' Property Preservation.
- ☑ Created a summary of the services each organization provides for reference and distribution to the Gullah community.
- ☑ Continue to refer Heirs' Property owners to the appropriate organization to meet their needs.



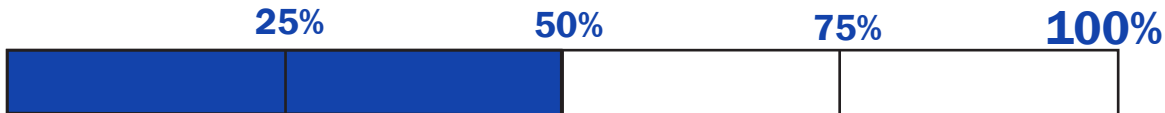
Priority Recommendation 10



PP-14: Temporary and Seasonal Signs

Establish a program to provide temporary and seasonal signs for Gullah businesses in Historic Neighborhoods.

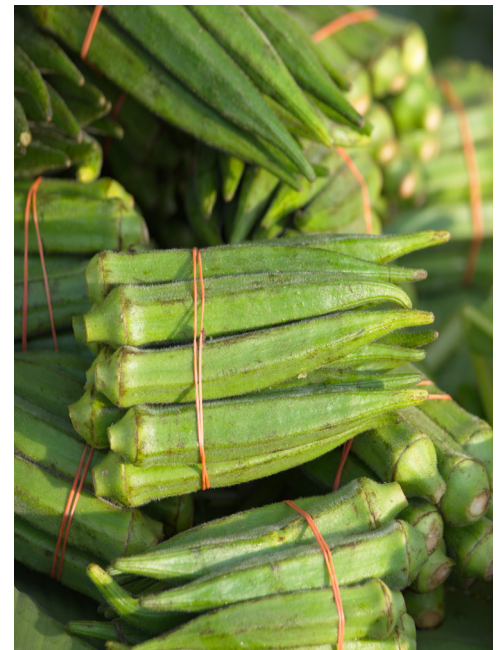
Percent Complete



- **Identify Gullah businesses with shared signs.**
- **Expand opportunities for Gullah residents and businesses.**
- **Portable, reusable signs distributed by Native Island Business and Community Affairs Association.**

Overview

- Coordinated with the Native Island Business and Community Affairs Association on proposed program.
- Prepared initial sign design and cost estimates.
- Presented program to Public Planning Committee in June 2021. Received feedback and request for additional detail.
- Presented additional detail to Public Planning Committee in July 2021. Received additional feedback and requests for additional detail.
- Identified 10 Gullah businesses that would use the signs to sell their produce and fresh seafood.
- Engage on-call code writing consultant to draft LMO amendments. 1st Quarter 2022.
- Present amendments to the Planning Commission, Public Planning Committee, and Town Council. 2nd Quarter 2022 - 3rd Quarter 2022.
- Partner with the Native Island Business and Community Affairs Association to manage the distribution and maintenance of signs. 3rd Quarter 2022.



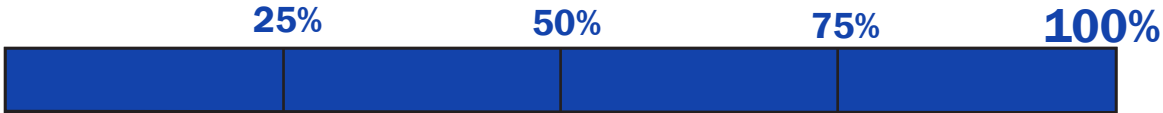
Priority Recommendation 11



HP-1: Heirs' Property Family Research

Develop a program with the Heritage Library Foundation to provide genealogy research assistance for Gullah families seeking to clear Heirs' Property titles.

Percent Complete



- Established the Heirs' Property Family Research Project.
- Partnered with Heritage Library and USCB Hilton Head Island.
- Identify heirs using genealogy research.

Overview

- ✓ Established with the Heritage Library the criteria to accept client referrals.
- ✓ Worked with the Heritage Library to define available services.
- ✓ Partnered with USCB Hilton Head Island to create a dedicated office with equipment and software.
- ✓ Provided the required equipment and software.
- ✓ Held a ribbon cutting ceremony at the Heirs' Property Family Research Project office on the USCB Hilton Head Island campus in August 2021.

Heirs' Property Family Research Project

Sponsored by the Town of Hilton Head Island in partnership with its Gullah Geechee Culture and Land Preservation Task Force, the Heritage Library and the University of South Carolina Beaufort.

PROJECT PURPOSE
The project aims to assist families with the genealogy research necessary for building a family tree that can be used for heirs' property claims and valid land deeds. Heirs' property is land that has been passed down from the original deed holder to succeeding generations without benefit of a formal will or probate. Although the family members know they own the land, their claim to it has not been established by the county. This leaves the family without a title and vulnerable to exploitation, no matter who lives there or who pays the taxes, and restricts the land from development.

PROJECT GUIDELINES:

- Clients are accepted for the project based upon a referral from the Office of Historic Neighborhoods Preservation, Town of Hilton Head Island.
- The project is open to Hilton Head Island families that qualify based on their current situation with heirs' property.
- Heritage library volunteers will be assigned to assist clients with genealogy research.
- Families accepted for the project will be contacted by a Heritage Library volunteer.

Sheryse DuBose, PhD
Historic Neighborhoods Preservation Administrator
Town of Hilton Head Island
(843) 343-4683
SheryseD@hiltonheadislandsc.gov

The Heirs' Property Family Research Project Office
University of South Carolina Beaufort
Hilton Head Island Campus
1 Sand Shark Drive, Room 218
Hilton Head Island, S.C. 29928

Barbara Catenacci
Executive Director
Heritage Library of Hilton Head Island
(843) 686-6560
director@heritagella.org

Office hours are by appointment only.
Call (843) 686-6560 to schedule.

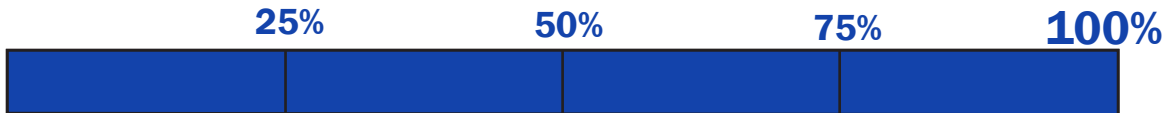
Priority Recommendation 12



PP-12: Educational Meetings & Workshops

Host educational meetings and workshops on issues that impact Gullah residents, such as Heirs' Property, development standards, and property taxes.

Percent Complete



- Offer quarterly educational opportunities for Gullah community.
- Address Town development standards and challenges that impact Historic Neighborhoods.

Overview

- ☑ Established educational outreach programs on topics such as Gullah History and Culture, Development Standards in Historic Neighborhoods, Addressing Policies, etc. to be held quarterly. Held a Community Education Program on Family Compounds and Family Subdivisions on September 30, 2021. Another program on Family Compounds and Family Subdivisions is scheduled for October 20, 2021.
- ☑ Worked with The Links, Inc. to promote education from the Center for Heirs' Property Preservation on Heirs' Property, Forestry, and Wills.
- ☑ Held small group meetings to update community members on development standards, including Family Compounds and Family Subdivisions.



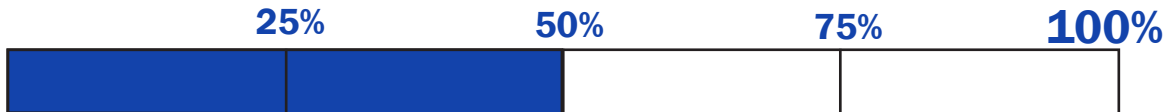
Priority Recommendation 13



HP-3: Create Center for Heirs' Property Preservation Satellite Office on Hilton Head Island

Provide information and assistance to Heirs' Property owners regarding the Center for Heirs' Property Preservation. Explore establishing a satellite office on Hilton Head Island.

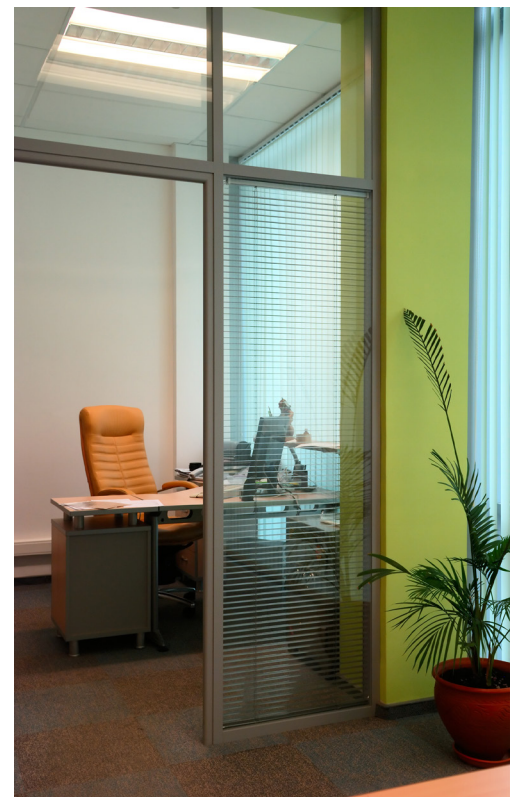
Percent Complete



- **Promote Center for Heirs' Property Preservation services to qualified Heirs' Property owners.**
- **Facilitate consultations with Center for Heirs' Property Preservation for Island clients.**

Overview

- Promoted Center for Heirs' Property Preservation services to qualified Heirs' Property owners.
- Offered Island clients of Center for Heirs' Property Preservation the use of the Heritage Library Family Research Project office at USCB's Hilton Head Island campus for virtual meetings, if needed. (Current Center for Heirs' Property Preservation services are only offered via virtual platforms.)
- Continue to investigate the possibility of creating Center for Heirs' Property Preservation satellite office on Hilton Head Island, including recurring costs and alternative options. 2nd Quarter 2022 - 2nd Quarter 2023.



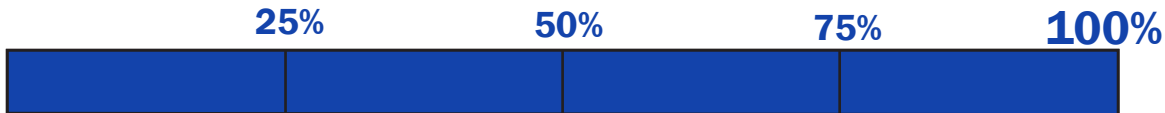
Priority Recommendation 14



CP-1: Promote Heritage Library

Promote the use of the Heritage Library's resources for the Island's Gullah people to research their history and genealogy.

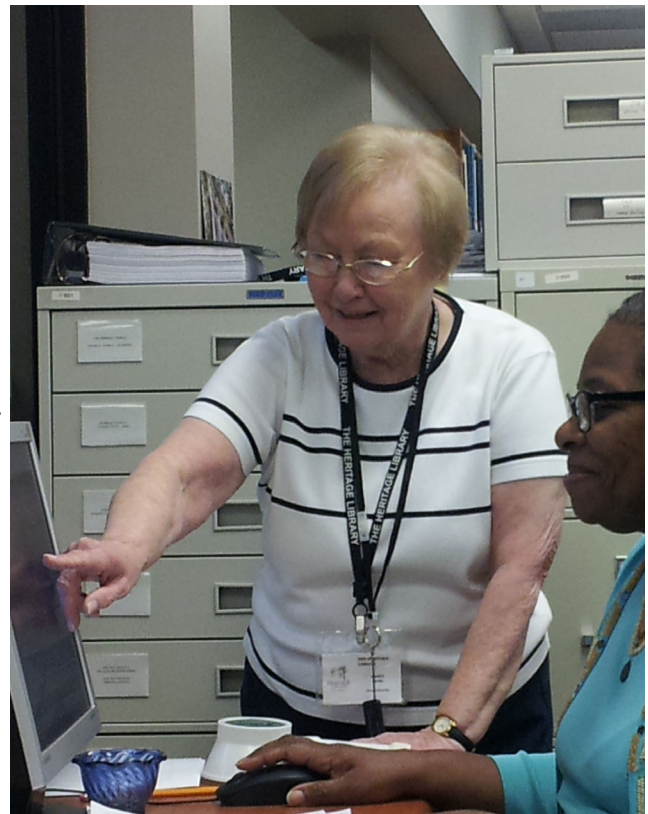
Percent Complete



- Increase awareness of the Heritage Library's resources and services.
- Foster knowledge about Gullah history and genealogy.

Overview

- ☑ Promoted Heritage Library on Town's website.
- ☑ Notified Gullah community of Heritage Library events.
- ☑ Established the Heirs' Property Family Research Project.
- ☑ Implemented a sustainable communication plan to inform stakeholders, churches, and community organizations of the Heritage Library's resources and of the Family Research Project.



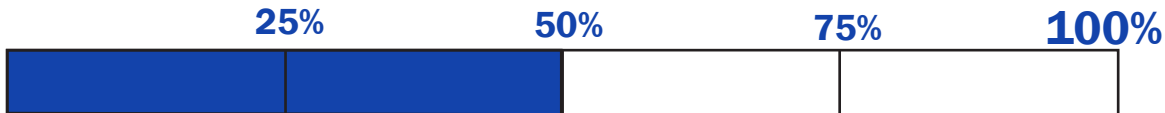
Priority Recommendation 15

PP-11: Fund for Delinquent Taxes

Establish a fund to help Heirs' Property owners avoid losing their property to delinquent tax sales.



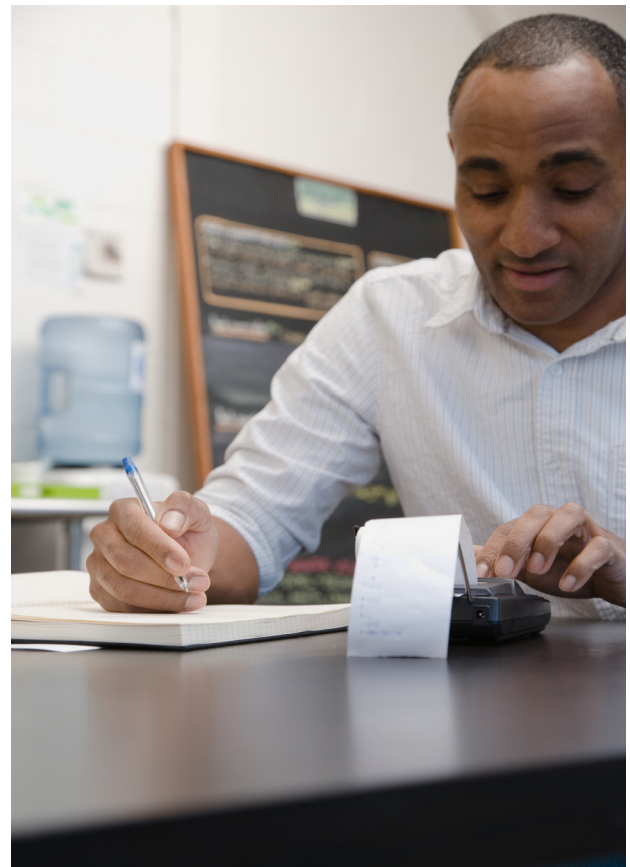
Percent Complete



- **Create a fund with the Community Foundation of the Lowcountry.**
- **Prevent properties from becoming delinquent.**
- **Coordinate with related organizations to identify at-risk properties.**

Overview

- Promoted Penn Center's Land Preservation Assistance Program in February 2021.
- Promoted the Pan African Family Empowerment and Land Preservation Network, which pays owners' delinquent taxes.
- Coordinated with related organizations such as Lowcountry Gullah to identify properties that are delinquent and at risk of being lost.
- Explore the opportunities and responsibilities associated with creating a fund with the Community Foundation of the Lowcountry.
2nd Quarter 2022 - 2nd Quarter 2023.



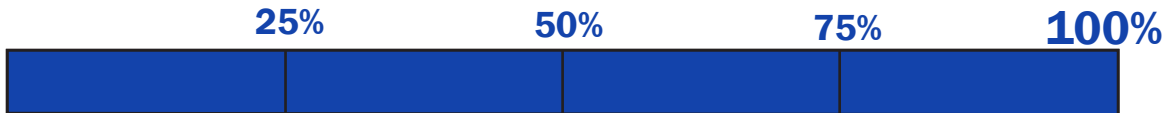
Priority Recommendation 16



PP-3: Permitting & Design Studio

A one-stop resource to assist property and business owners in navigating the Town's land use and development standards, preparing development applications, and resolving related issues.

Percent Complete



- **Provide personalized guidance.**
- **Current Planning, Urban Design, Fire Rescue, Infrastructure, and Business License assistance.**
- **Reduce barriers to property preservation and development.**

Overview

- ☑ Provides assistance to property and business owners in the Historic Neighborhoods on a variety of issues, including subdivisions; buffers and setbacks; easements and rights-of-way; property access; dirt roads; mobile home placements; building permit issues; addressing; fire hydrants; and code enforcement issues.
- ☑ Offers conceptual site design services and business license assistance.
- ☑ Create a communication plan to inform stakeholders, churches, and community organizations of the Historic Neighborhoods Permitting and Design Studio and that staff is available to provide information and assistance.





Town Council
January 18, 2022

Status of Gullah Geechee Top Priority Recommendations



Establish an Overlay District

- Conduct research and analysis of density, land uses, and home occupations concurrently with the Island Capacity Baseline Assessment.

1st Quarter 2022 – 3rd Quarter 2022

- Coordinate with the on-call code writing consultant to revise LMO Amendments.

4th Quarter 2022

- Present revised LMO amendments to Gullah Task Force, Planning Commission, and Town Council.

1st Quarter 2023 – 2nd Quarter 2023



Establish Open-Air Gullah Market

- Native Island Business and Community Affairs Association will hire a Community Liaison to manage the market.
1st Quarter 2022
- Present Sailing & Rowing Center as temporary location to Community Services & Public Safety Committee.
- 2nd Quarter 2022
- Continue to explore alternative market locations.
2nd Quarter 2022
- Promote the market, in coordination with partners.
2nd Quarter 2022



Establish a Program to Educate Town Officials & Employees

- Receive approval of draft program from Town Council.

1st Quarter 2022

- Schedule initial orientation program and organize events.

1st Quarter 2022



Fund to Clear Property Titles

- Explore the opportunities and responsibilities associated with creating a fund with the Community Foundation of the Lowcountry
2nd Quarter 2022 – 2nd Quarter 2023



Temporary and Seasonal Signs

- Engage on-call code writing consultant to draft LMO Amendments.

1st Quarter 2022

- Present LMO Amendments to Planning Commission and Town Council.

2nd Quarter 2022 – 3rd Quarter 2022

- Partner with the Native Island Business and Community Affairs Association to manage the distribution and maintenance of signs.

3rd Quarter 2022



Create Center for Heirs' Property Preservation Satellite Office

- Continue to investigate the possibility of creating a Center for Heirs' Property Preservation satellite office on Hilton Head Island, including recurring costs and alternative options.

2nd Quarter 2022 – 2nd Quarter 2023



Fund for Delinquent Taxes

- Explore the opportunities and responsibilities associated with creating a fund with the Community Foundation of the Lowcountry
2nd Quarter 2022 – 2nd Quarter 2023





Town Council
January 18, 2022

Status of Gullah Geechee Top Priority Recommendations





TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Town Council
FROM: Curtis Coltrane, Town Attorney
VIA: Marc Orlando, ICMA-CM
CC: Joshua Gruber, Deputy Town Manager
DATE: 01/05/2021
SUBJECT: 9 Bayberry Lane

Recommendation:

The Town Attorney recommends that the Town release a beach nourishment easement that is located at 9 Bayberry Lane as is no longer needed for beach nourishment purposes.

Background:

In the 1980's staff for the Town acquired and recorded an easement for beach nourishment purposes over 9 Bayberry Lane. There is now currently a strand block located between this parcel and the beach and as such, this property would not be utilized for beach nourishment purposes. Additionally, the Town has dedicated access in close proximity to this location thereby ensuring that its beach nourishment needs will be met for future activities. Lastly, a home has been constructed on this lot in the time since this easement was originally granted and therefore the lot no longer provides any usage areas for public purposes. The property owner is desiring to sell this property and the closing attorney has requested that this easement be relinquished since the Town is likely to exercise its rights under the easement at any point in the future.

At its meeting on January 4, 2022, Town Council voted unanimously to approve the Ordinance abandoning its easement on 9 Bayberry Lane.

Summary:

The Town is no longer in need of a beach nourishment easement located on 9 Bayberry Lane and should therefore execute an Ordinance formally authorizing its release and extinguishment so that the current owner may transfer the property to another purchaser.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A TERMINATION OF AN EASEMENT HELD BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, UNDER THE AUTHORITY OF S. C. CODE ANN. § 5-7-40 (SUPP. 2021), AND § 2-7-20, CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, on February 9, 1989, Betty Anne Shilling and I. E. Shilling granted and easement to the Town of Hilton Head Island, South Carolina, encumbering property commonly known as 9 Bayberry Lane, Hilton Head Island, South Carolina (herein, “9 Bayberry Lane”), in connection with the Beach Nourishment Project planned for calendar year 1990; and,

WHEREAS, the easement given by Betty Anne Shilling and I. E. Shilling was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 549 at Page 445; and,

WHEREAS, it appears that 9 Bayberry Lane was undeveloped in calendar years 1989 and 1990, and the purpose of the easement was to allow for use of 9 Bayberry Lane for storage in staging in connection with the 1990 Beach Nourishment project; and,

WHEREAS, it appears the easement was inadvertently drafted as permanent easement instead of a temporary easement; and,

WHEREAS, following the completion of the 1990 Beach Nourishment Project, 9 Bayberry Lane has been developed with a residence; and,

WHEREAS, the current owner of 9 Bayberry Lane has requested that the easement be terminated of record to remove the cloud on the title to 9 Bayberry Lane; and,

WHEREAS, the Town's investigation reveals that the easement is not needed and is of no utility to the Town; and,

WHEREAS, S. C. Code Ann. § 5-7-40 (Supp. 2018) and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983), states that the lease, conveyance or granting of an interest in real property owned by the Town of Hilton Head Island, South Carolina, must be authorized by Ordinance.

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

Section 1. Execution of Termination of Easement.

The Mayor and the Town Manager are authorized to execute and deliver a termination of the Easement given by Betty Anne Shilling and I. E. Shilling, recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 549 at Page 445, in a substantially similar form and substance to the document attached hereto as Exhibit "A."

Section 2. Severability.

If any section, phrase, sentence, term or part 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 part and shall not affect the remaining parts of this Ordinance.

Section 3. Effective Date.

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

PASSED, APPROVED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS _____ DAY OF JANUARY, 2022.

John J. McCann, Mayor

ATTEST:

Krista M. Weidmeyer, Town Clerk

First Reading: January 5, 2022

Second Reading: _____

Approved as to form: _____
Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

EXHIBIT A TO ORDINANCE 2022-_____

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) TERMINATION OF EASEMENT

WHEREAS, on February 9, 1989, Betty Anne Shilling and I. E. Shilling granted and easement to the Town of Hilton Head Island, South Carolina, encumbering property commonly known as 9 Bayberry Lane, Hilton Head Island, South Carolina (herein, “9 Bayberry Lane”), in connection with the Beach Nourishment Project planned for calendar year 1990; and,

WHEREAS, the easement given by Betty Anne Shilling and I. E. Shilling was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 549 at Page 445; and,

WHEREAS, it appears that 9 Bayberry Lane was undeveloped in calendar years 1989 and 1990, and the purpose of the easement was to allow for use of 9 Bayberry Lane for storage in staging in connection with the 1990 Beach Nourishment project; and,

WHEREAS, it appears the easement was inadvertently drafted as permanent easement instead of a temporary easement; and,

WHEREAS, following the completion of the 1990 Beach Nourishment Project, 9 Bayberry Lane has been developed with a residence; and,

WHEREAS, the current owner of 9 Bayberry Lane has requested that the easement be terminated of record to remove the cloud on the title to 9 Bayberry Lane; and,

WHEREAS, The Town of Hilton Head Island, South Carolina's investigation reveals that the easement is not needed and is of no utility to The Town of Hilton Head Island, South Carolina.

Now, therefore, for and in consideration of the sum of One (\$1.00) Dollar, the receipt and sufficiency of which is acknowledged, The Town of Hilton Head Island, South Carolina, terminates the Easement recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 549 at Page 445.

In Witness, whereof John J. McCann and Marc A. Orlando, as Mayor and Town Manager of The Town of Hilton Head Island, South Carolina, have set their hands and seals on this _____ Day of January, 2022.

WITNESSES:

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By: _____
John J. McCann, Mayor

By: _____
Marc A. Orlando, Town Manger

STATE OF SOUTH CAROLINA)

) UNIFORM ACKNOWLEDGMENT

COUNTY OF BEAUFORT)

The undersigned Notary Public certifies that John J. McCann and Marc A. Orlando, as Mayor and Town Manager of The Town of Hilton Head Island, South Carolina, personally appeared before me on this day and duly acknowledged the execution of this Termination of Easement.

Sworn to and Subscribed before me
on this _____ Day of January, 2022.

Notary Public for South Carolina
My Commission Expires: _____

6
12/13/11
RJW
RJW

BEAUFORT COUNTY SC - ROD
BK 03090 PGS 1856-1861
FILE NUM 2011051721
10/13/2011 10:36:10 AM
REC'D BY R WEBB RCPT# 658635
RECORDING FEES 12.00

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) MAINTENANCE
 EASEMENT AGREEMENT

WHEREAS, Lawton Beach Holdings, LLC (hereinafter, the "Grantor") is the owner of that certain parcel of real property located in Lawton Beach Subdivision Number 1, Hilton Head Island, Beaufort County, South Carolina being known as Beaufort County TMS# R550 015 00A 0525 0000 (hereinafter, the "Lawton Beach Parcel"); and,

WHEREAS, the Town of Hilton Head Island, South Carolina (hereinafter, the "Town") has requested an easement from the Grantor over and across a portion of the Lawton Beach Parcel for the purposes of allowing the Town, its contractors and agents to perform litter pick up on the beach, perform turtle and turtle nest watching activities and install and maintain beach markers, all of which is for the benefit of the general public, pursuant to the terms and conditions set forth hereinbelow; and,

WHEREAS, a portion of the Lawton Beach Parcel is encumbered by that Grant of Conservation Easement from Grantor to the Beaufort County Open Land Trust ("BCOLT") recorded December 28, 2009 in the Office of Register of Deeds for Beaufort County, South Carolina, in Record Book 2919 at Page 1161 (the "Conservation Easement"), and BCOLT joins as a party to the within Maintenance Easement Agreement to confirm that the easement rights granted herein are consistent with the provisions of

the Conservation Easement, including but not limited to the Purposes as set forth in Section One (1) therein.

NOW, therefore, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and no other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in further consideration of the enhanced emergency access contemplated herein, Grantor does hereby grant, bargain, sell and convey to the Town, its successors and assigns forever, a permanent easement and right-of-way for ingress, egress and maintenance on, over and across the following described real property, to-wit:

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 "Maintenance Easement" on a plat entitled "Easement & Right of Way Acquisition Plat of: Lawton Beach Subdivision No. 1, Hilton Head Island, Beaufort County, South Carolina" dated August 16, 2010, prepared by Sea Island Land Survey, LLC, certified by Mark R. Renew, S.C.R.L.S. #25437, and recorded in the Office of Register of Deeds for Beaufort County, South Carolina in Plat Book 133 at Page 99.

Said "Maintenance Easement" represents the entire area of Grantor's property lying between the "top of the primary dune" and the "mean high water mark" of the Atlantic Ocean as shown on the above-referenced plat; however it being understood by the parties hereto that the locations of both the "top of the primary dune" and the "mean high water mark" may meander over time; accordingly, this easement shall encumber the entire area between the primary dune and the mean high water mark as actually exists from time to time.

Hereinafter, the "Easement Property".

The within easement is granted and accepted upon the following terms:

1. The within easement is granted for the Town, its contractors and agents to utilize the Easement Property for pedestrian and vehicular ingress and egress for purposes of performing litter pickup services, turtle and turtle nest watching activities and installing

and maintaining beach markers, including the right to utilize any equipment or materials necessary or incidental to facilitate the easement rights granted herein.

2. This easement is conveyed subject to all other easements, licenses, and conveyances of record, including but not limited to the Conservation Easement, and is subject to the rights herein reserved by the Grantor to utilize its property at any time, in any manner, and for any purpose, provided, however, that such use by the Grantor shall not be inconsistent with nor prevent the full utilization by the Town of the rights and privileges granted herein.

3. The Town shall restore any other part of the Grantor's property that may be damaged as a result of the Town's exercise of the rights granted hereunder to its pre-existing state. The Town shall at all times comply with all applicable laws, rules, codes, and regulations.

4. BCOLT warrants that the easement rights granted to the Town herein are consistent with the provisions of the Conservation Easement, including but not limited to the Purposes as set forth in Section One (1) therein, and that the execution, delivery and recording of the within Maintenance Easement Agreement do not violate or contradict any provisions of the Conservation Easement.

5. The easement rights granted herein shall run with the land and shall be binding upon inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor, Town, and BCOLT, by and through their duly authorized officers, have caused this Maintenance Easement Agreement to be executed in multiple counterparts effective on this 15th day of August, 2011.

WITNESSES:

LAWTON BEACH HOLDINGS, LLC

2)
(Signature of Witness #1)

By:1) Frances R. Worthy

3)
(Signature of Notary Public)

Its: Authorized Member

STATE OF SOUTH CAROLINA)

UNIFORM ACKNOWLEDGMENT

COUNTY OF BEAUFORT)

S. C. CODE ANN. § 30-5-30 (SUPP. 2010)

I, the undersigned Notary Public, do hereby certify that Frances R. Worthy personally appeared before me on this day in the presence of the above-named witnesses and duly acknowledged the execution of the foregoing instrument on behalf of Lawton Beach Holdings, LLC.

Sworn to and subscribed before me
on this 15th day of August, 2011.

Notary Public for South Carolina
My Commission Expires: 10/22/11

WITNESSES

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

Signe W. Buchman
(Signature of Witness #1)

By: Stephen G. Riley
Stephen G. Riley, CM, Town Manager

Victoria L. Hansselsmidt
(Signature of Notary Public)

STATE OF SOUTH CAROLINA) UNIFORM ACKNOWLEDGMENT
)
COUNTY OF BEAUFORT) S. C. CODE ANN. § 30-5-30 (SUPP. 2010)

I, the undersigned Notary Public do hereby certify that Stephen G. Riley personally appeared before me on this day in the presences of the above-named witnesses 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 16th day of September, 2011.

Victoria L. Hansselsmidt
Notary Public for South Carolina
My Commission Expires: October 13, 2017

WITNESSES

BEAUFORT COUNTY OPEN LAND TRUST

Debbie Quinn
(Signature of Witness #1)

By: Ann Blitzer

G. J. B.
(Signature of Notary Public)

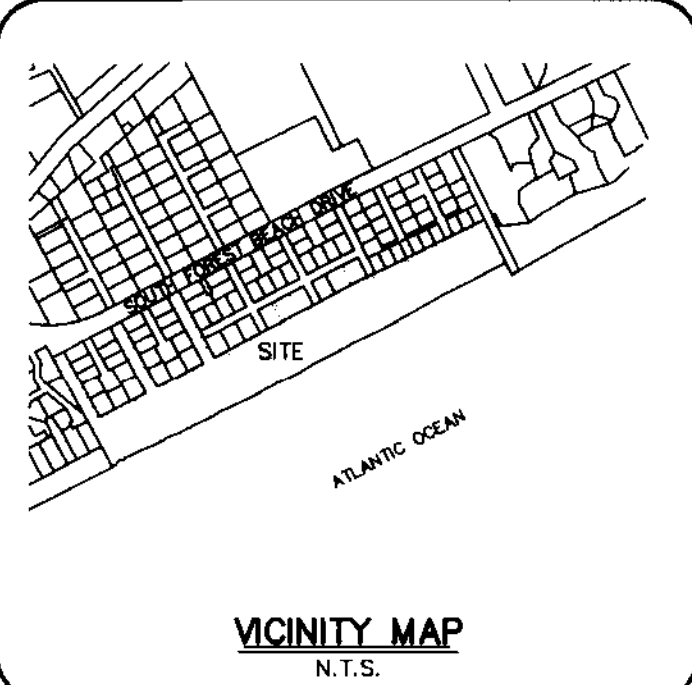
Its: Executive Director

STATE OF SOUTH CAROLINA) UNIFORM ACKNOWLEDGMENT
)
COUNTY OF BEAUFORT) S. C. CODE ANN. § 30-5-30 (SUPP. 2010)

I, the undersigned Notary Public do hereby certify that Ann Blitzer personally appeared before me on this day in the presences of the above-named witnesses and duly acknowledged the execution of the foregoing instrument on behalf of the Beaufort County Open Land Trust.

Sworn to and subscribed before me on this 1 day of August, 2011.

G. J. B.
Notary Public for South Carolina
My Commission Expires: 4/18/2011



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

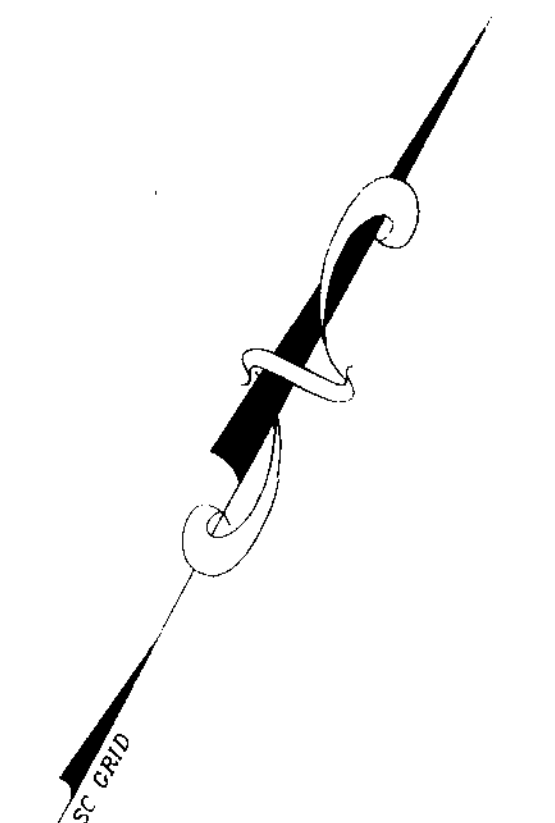
This plat does not constitute development pursuant to the Town of Hilton Head Island, SC Land Management Ordinance Section: 16-1-106(1) 16-1-106(2) 16-1-106(3) 16-1-106(4) 16-1-106(5) 16-1-106(6) Certified by: *[Signature]* Title: *[Signature]* Date: *[Signature]* Disclaimer: The Town of Hilton Head Island makes an expressed declaration of policy that the public regulation of land is entirely separate from and independent of private restrictions. This approval in no way implies that the proposed development is in conformance with any restrictive covenants, private easements or deed restrictions.

LINE TABLE with columns: LINE, LENGTH, BEARING. Contains lines L1 through L31.

LINE TABLE with columns: LINE, LENGTH, BEARING. Contains lines L32 through L62.

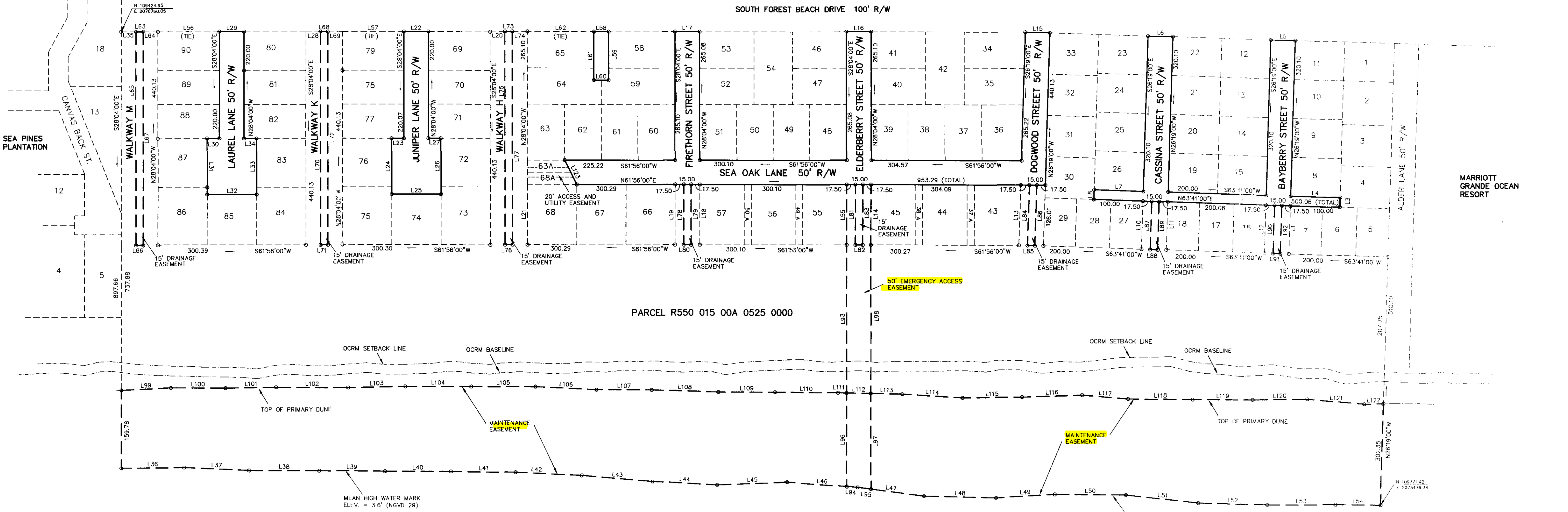
LINE TABLE with columns: LINE, LENGTH, BEARING. Contains lines L63 through L93.

LINE TABLE with columns: LINE, LENGTH, BEARING. Contains lines L94 through L124.



PALM FOREST SUBDIVISION

SOUTH FOREST BEACH DRIVE 100' R/W



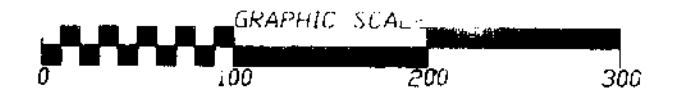
PARCEL R550 015 00A 0525 0000

ATLANTIC OCEAN

BEAUFORT COUNTY SC - ROD BK 00133 PG 0099 FILE NUM 2011051718 10/13/2011 10:36:10 AM REC'D BY R WEBB RCPT# 636635 RECORDING FEES 10.00

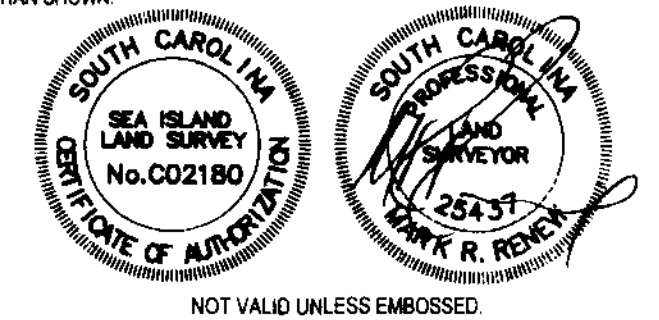
EASEMENT & RIGHT OF WAY ACQUISITION PLAT OF: LAWTON BEACH SUBDIVISION NO. 1, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA PREPARED FOR: THE TOWN OF HILTON HEAD ISLAND

DATE: 8/16/10 SCALE: 1" = 100'



SILS Sea Island Land Survey, LLC. 4D Mathews Court, Hilton Head Island, SC 29926. Tel: (843) 681-3248 Fax: (843) 689-3871 E-mail: sils@sprynet.com FILE NO.: 020324 DWG NO.: 1-2151

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



NOT VALID UNLESS EMBOSSED

SYMBOLS: 3" CONCRETE MONUMENT FOUND, 3/4" IRON PIPE FOUND, 1/2" IRON PIN FOUND

REFERENCE PLATS

- 1) A PLAT OF LAWTON BEACH SUBDIVISION NO. 1, SOUTH FOREST BEACH, DRAWN: JUNE 1954, RMC, BEAUFORT COUNTY, SC BY: FRED HACK, S.C.R.L.S. NO. 1377
2) A BOUNDARY CONSOLIDATION SURVEY OF LOT 27 AND CA, LAWTON BEACH SUBDIVISION NO. 1, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA. DRAWN: 3/07/07 RECORDED IN BOOK 119, PAGE 83, DATED 4/03/07 ROD, BEAUFORT COUNTY, SC BY: MARK R. RENEW S.C.R.L.S. # 25437

NOTE:

- 1) HORIZONTAL DATUM IS S.C. STATE PLANE (NAD 83) 2007.
2) THIS PROPERTY IS AFFECTED BY THE CRITICAL STORM PROTECTION AND DUNE ACCRETION AREA (CSPDAA) ADOPTED BY THE TOWN COUNCIL ON 9/1/09
3) THIS PROPERTY IS AFFECTED BY THE BEACHFRONT SETBACK REQUIREMENTS OF THE S.C. BEACH PROTECTION ACT OF JULY 1, 1988.
4) THE TOWN OF HILTON HEAD ISLAND WILL BE ACQUIRING THE RIGHT OF WAYS FOR BAYBERRY STREET, CASSINA STREET, DOGWOOD STREET, ELDERBERRY STREET, FIRETHORN STREET, JUNIPER LANE, LAUREL LANE AND SEA OAKS LANE.

DISTRICT: 550, MAP: 15A, PARCEL: 525 THIS PROPERTY LIES IN F.E.M.A. ZONES: A7-14' AND 15', V9-16' THROUGH 20' COMMUNITY #: 450250, PANEL #: 0012D & 0013D, DATE: 09/29/86



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Town Council
VIA: Marc Orlando, Town Manager
Curtis Coltrane, Town Attorney
FROM: Jeff Buckalew, Interim Infrastructure Services Director
COPY: Josh Gruber, Deputy Town Manager
DATE: January 13, 2022
SUBJECT: Consideration of an Ordinance Revising Portions of Title 8, Chapter 1, of the Town of Hilton Head Island Code of Ordinances to expand the definition of Beach to include the shoreline from Fish Haul Creek Park Creek, on the western side of Pine Island

Recommendation:

Consider approval of Ordinance amendment to portions of Title 8, Chapter 1, of the Town of Hilton Head Island Code of Ordinances to expand the definition of Beach to include the shoreline from Fish Haul Creek to Park Creek, on the western side of Pine Island as described in Exhibit A (attached).

Summary:

At their January 13, 2022 meeting, the Community Services and Public Safety Committee voted unanimously to revise the definition of Beach in Title 8, Chapter 1, of the Town of Hilton Head Island Code of Ordinances to be expanded to include the shoreline area from Fish Haul Creek to Park Creek on the northern side of Pine Island as per Exhibit A in the staff memorandum.

Background:

Title 8, Chapter 1 of the Town Code of Ordinances is entitled BEACHES and is to be known and maybe cited as the "Town of Hilton Head Island Beach Ordinance". The definition of "beach" in this chapter determines the areas subject to prohibitions and regulated activities and other articles under the beach ordinance and the permitted use of funds collected under the beach preservation fee. The proposed revision to this definition is attached as Exhibit A and adds the area from the existing terminus at Fish Haul Creek to Park Creek, on the western side of Pine Island. The illustration of the proposed limits is attached as Exhibit B. This revision allows the

use of Beach Preservation Fees to be used in managing, monitoring and renourishing these beach areas.

The Town's Strategic Action Plan for FY 22 includes the priority of Implementing the Beach Renourishment Program. Part of this initiative is to:

- Evaluate the Beach Renourishment Program and identify any new goals and objectives to incorporate into the next project before design begins.
- Facilitate partnership discussion with Hilton Head Plantation representatives to pursue a cooperative renourishment of the Pine Island Beach as part of the Town's beach renourishment program.
- Consider adding additional geographical areas of the island, such as Mitchellville and Fish Haul Beach into the statutory definition of "public beach" in order to facilitate the renourishment of these areas as part of the Town's beach renourishment program.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2022-02

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 8 (BEACHES), OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 8-1-112 RELATING TO THE DEFINITION OF BEACH; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council originally adopted Chapter 1 of Title 8 on April 7, 1987 and subsequently amended the definition of “beach” on May 17, 1994; and

WHEREAS, the beaches on Hilton Head Island are a singular and unique resource of Hilton Head Island which are used as a park for the enjoyment of the Town’s residents, visitors, and guests; and

WHEREAS, the Town of Hilton Head Island’s Strategic Plan for Fiscal Year 2022 includes the priority of implementing beach resilience and a renourishment plan; and

WHEREAS, the Town Council finds that due to the heightened utilization of Mitchelville Park area beaches and Pine Island beach, it is necessary to include these beach areas in the Town’s beach renourishment program; and

WHEREAS, the Town Council finds it desirable to geographically extend the Town’s beach area as defined in the Municipal Code of the Town of Hilton Head Island, South Carolina, Chapter 1 of Title 8, which will effectively allow the use of Beach Preservation Fees to be used in managing, monitoring and renourishing these additional beach areas.

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

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

Section 1: Amendment. That Section 8-1-112 (1) (Definitions) of the Municipal Code of The Town of Hilton Head Island, South Carolina, is hereby amended as follows:

“Section 8-1-112. Definitions.”

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

~~(1) Beach shall mean that area lying between the low water mark of the Atlantic Ocean, commencing at Port Royal Sound at the southern shore of Fish Haul Creek and the first property line of property lying closest in proximity to the water, hence southward along the Atlantic Ocean to Port Royal Sound at Port Royal Beach Club.~~

~~Additionally, "beach" shall mean that area lying between the low water mark of the Atlantic Ocean, commencing at Port Royal Sound at Port Royal Beach Club and the first property line of property lying closest in proximity to the water, hence southward along the Atlantic Ocean to the southern boundary of Tower Beach Club at Calibogue Sound, and shall extend out from the mean low water mark for a distance of one hundred fifty (150) yards into the water.~~

~~Additionally, "beach" shall mean that area lying between the low water mark of the Calibogue Sound, commencing at the southern boundary of Tower Beach Club and the property line of property lying closest in proximity to the water, hence northward along the Calibogue Sound to the southern shore of Braddock Cove at Calibogue Sound and shall extend from the mean low water mark for a distance of seventy five (75) yards into the water.~~

(1) As used in this Ordinance, "Beach" shall mean:

(a) commencing at the southern shore of Braddock Cove, the area lying between the mean low water mark of Calibogue Sound and the property line of property lying closest to Calibogue Sound or the Atlantic Ocean, south west, south east along Calibogue Sound and north east along the Atlantic Ocean to the Tower Beach Club, and extending from the mean low water mark of Calibogue Sound and the Atlantic Ocean for a distance of seventy-five (75) yards into the waters of Calibogue Sound and the Atlantic Ocean;

(b) commencing at Tower Beach Club, the area between the mean low water mark of the Atlantic Ocean and the first property line of property lying closest to the Atlantic Ocean, northeast along the Atlantic Ocean to the Port Royal beach Club, and extending from the mean low water mark of the Atlantic Ocean for a distance of one hundred fifty (150) yards into the waters of the Atlantic Ocean;

(c) commencing at the Port Royal Beach Club, the area lying between the mean low water mark of the Atlantic Ocean or Port Royal Sound and the first property line of property lying closest to the Atlantic Ocean or Port Royal Sound, then northwestward along the Atlantic Ocean or Port Royal Sound to the southeast terminus of the Rock Revetment at Dolphin Head Recreation Area, and extending from the mean low water mark of Port Royal Sound for a distance of seventy-five (75) yards into the waters of Port Royal Sound;

(d) commencing at southeast terminus of the Rock Revetment at Dolphin Head Recreation Area, the area lying between the low water mark of Port Royal Sound, and the seaward boundary of the Rock Revetment, then northwest along Port Royal Sound to the northwest terminus of the Rock Revetment at Dolphin Head Recreation Area, and extending from the mean low water mark of Port Royal Sound for a distance of seventy-five (75) yards into the waters of Port Royal Sound; and

- (e) commencing at the northwest terminus of the Rock Revetment at Dolphin Head Recreation Area, the area lying between the low water mark of Port Royal Sound and the vegetated marshes and vegetated upland northwest and west along Port Royal Sound to the northern shore of Park Creek and extending from the mean low water mark of Port Royal Sound for a distance of seventy-five (75) yards into the waters of Port Royal Sound.

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 no affect the validity of the remaining portions thereof.

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

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL OF THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2022.

By: _____
John J. McCann, Mayor

ATTEST:

By: _____
Krista Wiedmeyer, Town Clerk

First Reading: _____, 2022

Revised First Reading _____, 2022

Second Reading: _____

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

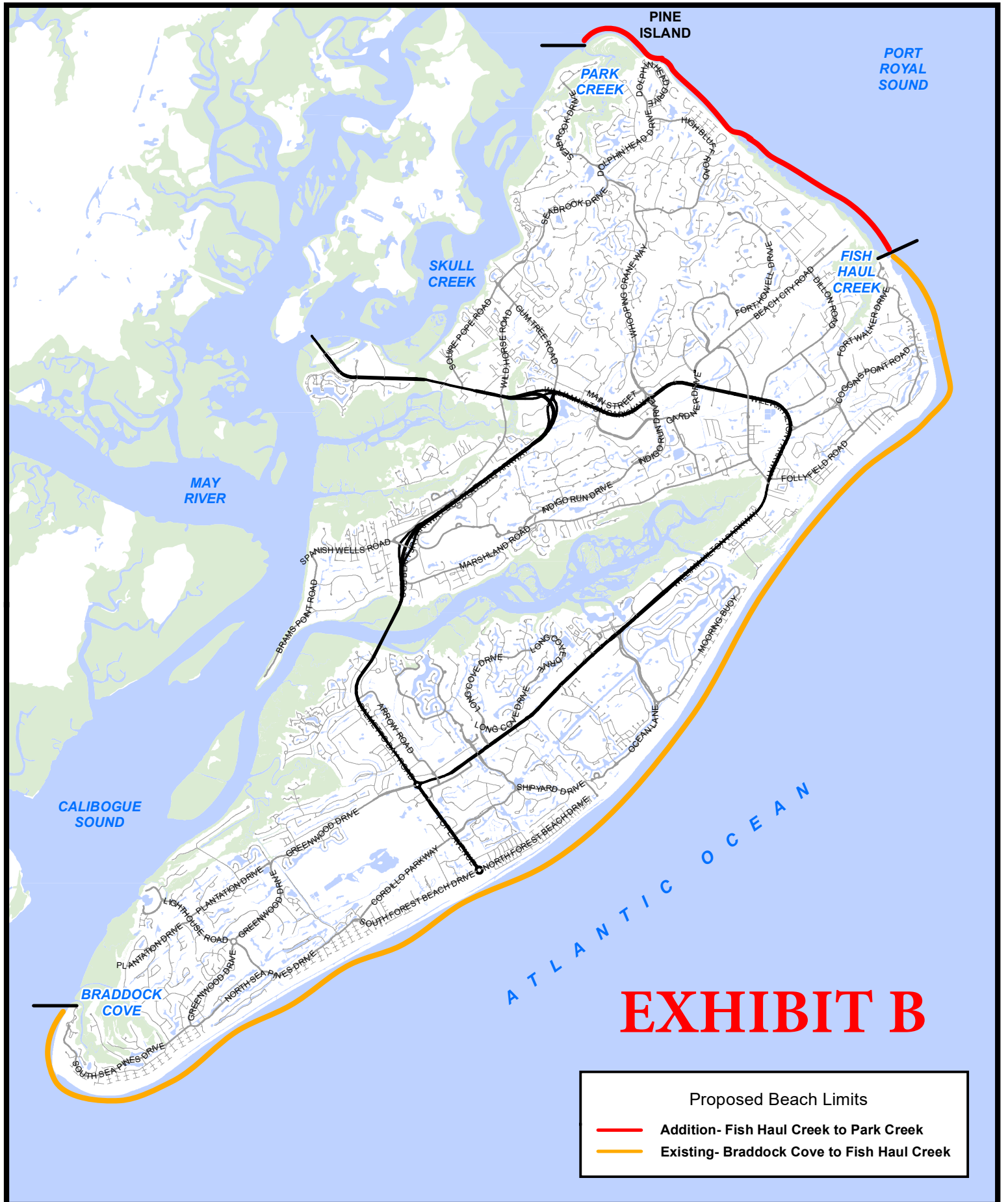


EXHIBIT B

Proposed Beach Limits

- Addition- Fish Haul Creek to Park Creek
- Existing- Braddock Cove to Fish Haul Creek

Town of Hilton Head Island
 Proposed Beach Limit Additions
 January 2022



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