



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, July 20, 2021, 4:00 p.m.
Benjamin M. Racusin Council Chambers
AGENDA

The Town Council meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The outside doors will be opened to the public at 2:00 p.m., seating will be limited to no more than 80 individuals. The meeting can be viewed on 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. **Roll Call**
4. **Pledge to the Flag**
5. **Invocation – Father Kronz, St. Luke’s Church**
6. **Approval of the Minutes**
 - a. Town Council Workshop – June 15, 2021, 3:00 p.m.
 - b. Town Council Regular Meeting – June 15, 2021, 4:00 p.m.
 - c. Town Council Workshop – June 29, 2021
7. **Report of the Town Manager**
 - a. Items of Interest
 - b. Mid-Island Tract Project Introduction – Jennifer Ray, Interim Director of Community Development
 - c. Semi-Annual Update from the Design Review Board – Michael Gentemann, Chairman
 - d. Presentation of the Antioch Express Project, Darryl Owens, Project Manager for the Antioch Educational Center
8. **Reports from the Members of Town Council**
 - a. General Reports from Town Council
 - b. Report of the Lowcountry Area Transportation Study – Councilman Stanford
 - c. Report of the Lowcountry Council of Governments – Councilwoman Becker
 - d. Report of the South Carolina Floodwater Commission – Mayor McCann
 - e. Report of the Southern Lowcountry Regional Board – Councilman Lennox
 - f. Report of the Beaufort County Airports Board – Councilman Ames
 - i. Jon Rembold, Beaufort County Airports Director

8. Reports from the Members of Town Council (cont.)

- g.** Report of the Community Services & Public Safety Committee – Councilman Harkins
- h.** Report of the Public Planning Committee – Councilman Ames
- i.** Report of the Finance & Administrative Committee – Councilman Lennox

9. Appearance by Citizens

*Citizens who wish to address Town Council on matters not already on the agenda, must contact the Town Clerk at 843.341.4701 no later than **12:00 p.m. the day of the meeting**.*

10. Unfinished Business

a. Second Reading of Proposed Ordinance 2020-26 - Family Compound and Family Subdivision LMO Amendments

Second Reading of the Proposed Ordinance 2020-26 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 2, 3, 4, 5, 10 and Appendix B and D. These amendments, commonly referred to as Family Compound and Family Subdivision Applications as noticed in the Island Packet on May 2, 2021, include changes that add Family Compound and Family Subdivision as a new application and a Use with Permitted Conditions described in Exhibit A to the ordinance; and providing for severability and an effective date.

11. New Business

a. Consideration of a Recommendation –Out of Cycle Supplemental ATAX Grants

Consideration of a Recommendation from the Accommodations Tax Advisory Committee to the Town Council awarding the supplemental year 2021 grants.

b. Consideration of a Recommendation - Burkes Beach Road Parking

Consideration of a Recommendation from the Community Services and Public Safety Committee that Town Council approve the Burkes Beach Road on-street and metered parking remain prohibited, with direction to the Town Manager to establish an appealing and safe, be it temporary solution to address the current situation with appropriate upgrades and signage.

c. Consideration of a Resolution – Reclassifying Public Safety 911 Telecommunicators

Consideration of a Resolution of the Town of Hilton Head Island, South Carolina, reclassifying Public Safety 911 Telecommunicators as Protective Service Providers.

d. First Reading of Proposed Ordinance 2021-19 – Prohibit the Use and Rental of Motorized Scooters

First Reading of Proposed Ordinance 2021-19 amending the Municipal Code of the Town of Hilton Head Island, South Carolina; to add a new Article 611, to Title 12, Chapter 1, to prohibit the use and rental of Motorized Scooters on any Public Right-of-Way and to provide authority to the Town of Hilton Head Island and their designees to remove and dispose of any Motorized Scooters physically left unattended on Public Property and providing for severability and an effective date.

12. Executive Session

- a. Discussion of negotiations incident to the proposed sale, lease or purchase of property in the Northridge area and in the Beach City Road area [pursuant to S.C. Freedom of Information Act § 30-4-70(a)(2)]
- b. Receipt of legal advice related to threatened or potential litigation matters as covered by the attorney-client privilege [pursuant to S.C. Freedom of Information Act § 30-4-70(a)(2)]

13. Possible Actions by Town Council concerning matters discussed in Executive Session

14. Adjournment



Town of Hilton Head Island
TOWN COUNCIL WORKSHOP
Tuesday, June 15, 2021 at 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, *Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; John Troyer, *Finance Director*; Marcy Benson, *Senior Grants Administrator*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 3:04 p.m. By way of roll call, attendance of all members of Town Council was affirmed.

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. Discussion of the funds to the Town of Hilton Head Island from the American Rescue Plan

Josh Gruber, Deputy Town Manager, Marcy Benson, Senior Grants Administrator, and John Troyer, Finance Director gave a brief presentation to the Mayor and members of Town Council. They answered many questions posed by Town Council, speaking on potential timeframes, allocations and what the funding could be spent on. Mr. Orlando said that staff would work with the Finance and Administrative Committee to develop meaningful uses of the funds. Mayor McCann opened the discussion to members of the community to make brief statements.

Heather Rath addressed Town Council as the Consultant for Beaufort County on the American Rescue Plan. She stated what she has done for the County and could answer any questions Town Council has.

Kim Likins addressed Town Council, stating that this is a huge opportunity to solve a community problem.

4. Adjournment

By unanimous vote, the meeting adjourned at 3:45 p.m.

Approved: July 20, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, June 15, 2021 at 4:00 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*; Jennifer Ray, *Capital Projects Manager*; Teri Lewis, *Deputy Director of Community Development*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.m. By way of roll call, attendance of all members of Town Council was confirmed.

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 – Pastor Michael Carr, Central Church

Pastor Carr delivered the invocation.

5. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. The agenda was approved by a vote of 7-0.

6. Approval of Minutes

a. Town Council Workshop – May 26, 2021

b. Town Council Regular Meeting – June 1, 2021

Mr. Harkins moved to approve the minutes as noted on the agenda. Mr. Stanford seconded. By way of roll call, the minutes were approved by a vote of 7-0.

7. Report of the Town Manager

a. Items of Interest

Mr. Orlando reviewed and reported on various items of interest, the first being the opening of Fire Station #2. He noted that a formal opening ceremony would be held in December. He also discussed the Beach Ambassador Program. Noting that improvements were being made. He also reported on the new beach toy borrow in at Islanders Beach Park. Mr. Orlando reported that the Town is working on a beach wheelchair program and would report more as the information is available.

8. Reports from Members of Town Council

a. General Reports from Council

Mayor McCann reported that beginning with the next meeting, he would be asking the members of Town Council to begin reporting on their committees they are assigned to outside of the standing committees. He also stated that all agendas needed to be approved by him prior to posting them publically.

Mrs. Becker thanked Mr. Orlando for being so responsive to the concerns regarding the beaches. She said she had heard from citizens about the beaches and the airport noise. She said both of these will be an ongoing issue and thinking about how to respond is important.

Mr. Harkins reported that he had met with members of the Stormwater team about a couple complex issues in Ward 2. He said that these involve private and public interests. Mr. Harkins reported that remediation to these problems is in the works.

Mr. Brown stated that he was pleased to be back in person, but that he was unhappy about no longer livestreaming on Facebook. He asked Mr. Orlando to see what could be done to bring back the Facebook feed. Mr. Brown also reported that redistricting would be taking place soon. He said that Hilton Head Island does not want to be in position for gerrymandering and requested there to be a public process for such matters.

Mr. Lennox reported at the SOLOCO meeting on May 25th, the consultant regarding the housing trust gave a presentation further recommending that all municipalities remain involved with the program. He said that it had been recommended that a non-profit 501c3 be developed to handle this matter.

Mr. Ames reported that the airport is an issue that reflects on the Town. He said specifically with the airport, crowds are beyond comprehension. He said it was 80+ degrees out and wondered what it would be like when it was 90 degrees. Mr. Ames said that the congestion in the airport's terminal is inhospitable and that we need to do something. He said that he has talked to Jon Rembold and Bill Miles about this problem and they are working on how things can be handled differently. Mr. Ames asked that maybe the Town Manager and County Administrator could discuss this matter and come up with solutions too.

Mr. Stanford reported that at the LATS meeting, a general report was given from the project manager for the 278 widening project. He said the preferred alternative would be coming forward in July. Mr. Stanford said he is pleased to see that the consultant the Town has contracted with is suggesting the creation of a parkway and not a highway.

Mr. Ames closed out the general reports by recognizing Kati Kokal from the Island Packet as she pursues other opportunities in other cities. He said she handled a difficult situation in a very professional way and the Town was fortunate to have that type of quality reporting.

b. Report of the Community Services & Public Safety Committee – Bill Harkins

Mr. Harkins stated he had no report.

c. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the committee recently discussed the Gullah-Geechee overlay which would be discussed later in this meeting. He said at the next meeting the Committee would be reviewing eBikes and eScooters.

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

Mr. Lennox reported that the Committee met earlier in the day where they received a presentation about the model business license ordinance. He said they also received an update on the Town’s finances through the last 11 months.

9. Proclamations/Commendations

- a. Presentation of a Commendation honoring Dr. Kelly Bouthillet for her service to the Town of Hilton Head Island

Mayor McCann presented Dr. Bouthillet a commendation honoring her service to the Town during the COVID-19 Pandemic.

10. Appearance by Citizens

Joanne Voulelis, Kathy Sanders, and Amber Keuhn addressed the Mayor and Town Council concerning the beaches and the trash that is on the beaches.

Jean Fruh addressed the Mayor and Town Council concerning the Town’s Beach Ambassador Program and the bottled water they pass out.

Skip Hoagland addressed Town Council concerning matters related to the Town and Chamber.

11. Unfinished Business

- a. **Revised First Reading of Proposed Ordinance 2020-26 - Family Compound and Family Subdivision LMO Amendments**

Revised First Reading of the Proposed Ordinance 2020-26 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 2, 3, 4, 5, 10 and Appendix B and D. These amendments, commonly referred to as Family Compound and Family Subdivision Applications as noticed in the Island Packet on May 2, 2021, include changes that add Family Compound and Family Subdivision as a new application and a Use with Permitted Conditions described in Exhibit A to the ordinance; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. The Mayor and Town Council had a robust discussion and conversation on this matter. Some of the members were concerned as to what would happen at the end of three years of participation in the program. Mr. Coltrane, Town Attorney, said that there is a risk with the ordinance and in the way it is drafted. He said there are a lot of things that would have to happen before any of the opportunity for selling the land could take place. Others were concerned about the set-backs and buffers should the property be sold after three years. Some asked about the practicality of reverting back the zoning if the property is sold. There was discussion about why there had to be continued discussion on the matter and that Council needed to pass this ordinance and get moving with program. That it is not appropriate to continue holding things up. Upon the conclusion of their discussion, Mayor McCann opened it up to the public for comments. Morris Campbell, Lavon Steven, Patsy Brison, and Caitlin Lee all made comments in support of Town Council passing this ordinance. With a little more discussion from the members of Town Count, by way of roll call, the motion carried by a vote of 6-1, Mrs. Becker opposed.

12. New Business - None

13. Executive Session

- a. **Personnel Matters:** Discussion of the appointments to Boards & Commissions [pursuant to S.C. Freedom of Information Act § 3-4-70(a)(1)].
- b. **Legal Advice:** Receipt of legal advice related to pending, threatened, or potential claim related to the Beaufort County Law Enforcement Fee [pursuant to S.C. Freedom of Information Act § 30-4-70(a)(2)].

At 5:40 p.m., Mr. Harkins moved to enter into Executive Session. Mr. Stanford seconded. The motion carried by a vote of 7-0.

14. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

At 6:36 p.m., the Mayor and Town Council returned from Executive Session.

Mr. Harkins moved to appoint Margaret Johnson as a Hospitality member to the Accommodations Tax Advisory Committee, T. Peter Kristian as an at-large member to the Board of Zoning Appeals, Ryan Bassett and Ben Brown as at-large members to the Design Review Board, and Henry Rick D'Arienzo as the Landscape Architect, and Tom Henz, Bruce Siebold, and Jim Collett as at-large members of the Planning Commission.

Mr. Harkins further moved to reappoint John Farrell as a Hospitality member and James Fluker as an at-large member to the Accommodations Tax Advisory Committee, Patsy Brison as an attorney and David Fingerhut as an at-large member to the Board of Zoning Appeals, Cathy Foss as an at-large member to the Design Review Board, Jack Daly, Tom Dowling, and Christina Kristian as at-large members of the Parks and Recreation Commission, and Michael Scanlon as an at-large member of the Planning Commission.

Mr. Harkins also moved reappoint Neil Gordon as an Architect, Ling Graves as a General Contractor, and Frank Guidobono as a Building Industry Alternate to the Construction Board of Adjustments and Appeals for four year terms ending June 30, 2025.

Lastly, Mr. Harkins moved to appoint John Campbell, Mark O'Neil, and Tom Henz as Planning Commission members and reappoint Lavon Stevens as an at-large member to the Gullah-Geechee Land and Cultural Preservation Task Force.

Mr. Stanford seconded. The motion carried by a vote of 7-0.

15. Adjournment

By unanimous vote, the meeting was adjourned at 6:39 p.m.

Approved: July 20, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL WORKSHOP
Tuesday, June 29, 2021 at 10:00 a.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, *Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Senior Advisor to the Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; Jeff Buckalew, *Interim Director of Public Projects & Facilities/Chief Engineer*; John Troyer, *Finance Director*; Darrin Shoemaker, *Traffic/Transportation Engineer*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 10:00 a.m. By way of roll call, attendance of all members of Town Council was affirmed.

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. Review and Discussion of the William Hilton Parkway Gateway Corridor Project Local Planning and Design Concepts.

Mr. Orlando opened the discussion, making brief opening remarks. He said the Town is seeking improved functionality and to collectively establish a consensus. Mr. Orlando said that the SCDOT has done a great job, operating within the required state and federal guidelines. He said Mr. Colin is doing a great job leading the project, working closing with him, MKSK, the community, and various stakeholders.

Mr. Colin concurred with Mr. Orlando about the SCDOT before introducing Brain Kinzelman with MKSK, Inc.

Mr. Kinzelman gave a presentation discussing the different options his team had come up with. He reviewed information received from the various meetings and also complimented the work the SCDOT has done. Mr. Kinzelman answered questions posed by the members of Town Council. Upon conclusion of the discussion from Town Council, Mayor McCann opened up the discussion to members of public.

4. Adjournment

By unanimous vote, the meeting adjourned at 11:31 a.m.

Approved: July 20, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Items of Interest

July 20, 2021

Recovery in Support of the Community COVID-19 Testing Site

The Town of Hilton Head Island has received \$24,600 in cost recovery from the South Carolina Department of Health and Environmental Control. This amount reflects full payment for Fire Rescue personnel support of the Community COVID-19 testing site from November 20, 2020 until May 2021.

DHEC TESTING						
<u>Invoice Number</u>	<u>Invoice Amount</u>	<u>Date</u>	<u>Customer</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Paid Date</u>
2106	\$ 4,720.00	01/05/2021	SCDHEC	Covid-19 Testing	\$ 4,720.00	03/22/2021
2112	\$ 6,920.00	02/03/2021	SCDHEC	Covid-19 Testing	\$ 6,920.00	02/26/2021
2113	\$ 9,000.00	03/03/2021	SCDHEC	Covid-19 Testing	\$ 9,000.00	03/22/2021
2119	\$ 3,000.00	04/05/2021	SCDHEC	March Covid-19 Testing	\$ 3,000.00	06/01/2021
2129	\$ 960.00	05/20/2021	SCDHEC	Covid-19 Testing	\$ 960.00	06/03/2021
Total	\$24,600.00				\$ 24,600.00	

Fire Rescue Support of the Palmetto Championship at the Congaree

In collaboration with Jasper County, Hilton Head Island Fire Rescue provided support at the Palmetto Championship at the Congaree. Fire Rescue had seven rescue personnel to support EMS and a medic unit for three days. The ambulance golf cart was also provided for the entire tournament. A Fire Inspector assisted with the inspections and provide an understanding out the inspections are done for the RBC Heritage. Emergency Management supported the planning, scheduling and equipment for the event too.



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Town Council
FROM: Michael Gentemann, *Design Review Board Chairman for the Report Period*
DATE: July 6, 2021
SUBJECT: Design Review Board Semi-Annual Report: January – June 2021

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

New Developments

1. Fern Iams Restaurant (Final) – approved with conditions
2. 85 Capital Drive (Conceptual) – approved with conditions
3. Quarter Deck Restaurant (Final) – approved with conditions
4. Mt Calvary (Final) – approved with conditions
5. Palmetto Coastal Commercial (Final) – approved with conditions
6. Benny Hudsons Seafood (Final) – approved with conditions
7. Starbucks Pope Ave (Final) – approved with conditions

Alterations/Additions

1. Hargray Building F Repaint – approved with conditions
2. Grayco Addition – approved with conditions
3. Holy Family Catholic Church Reroof – approved
4. Charlie's L'Etoile Verte Outdoor Dining – approved with conditions
5. Capital Drive Storage Building (alterations to earlier DRB approval) – denied
6. Tropical Smoothie – approved with conditions
7. Smokehouse (alterations to earlier DRB approval) – approved
8. McDonald's Renovation Plaza Drive – approved with conditions
9. Lyons Repaint – approved
10. Deano's Restaurant – approved with conditions
11. Islanders Beach Park Overlook – approved with conditions

Signs

1. Sandbox – approved
2. Hemp Extraction – approved with conditions
3. Chow Daddy's – approved with conditions



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Marc Orlando, ICMA~CM, *Town Manager*
VIA: Jennifer Ray, ASLA, *Interim Community Development Director*
FROM: Sheryse DuBose, PhD, *Historic Neighborhoods Preservation Administrator*
CC: Teri Lewis, AICP, *Deputy Community Development Director*
DATE: July 1, 2021
SUBJECT: Family Compound and Family Subdivision LMO Amendments

Town Council reviewed Proposed Ordinance 2020-26 regarding the Family Compound and Family Subdivision Amendments at their meeting on June 15, 2021. At that meeting, Town Council made no changes to the proposed ordinance.

Attachments:

1. Proposed Ordinance 2020-26
2. Exhibit A – LMO Amendments

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2021-

PROPOSED ORDINANCE NO. 2020-26

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 2, 3, 5, 10 AND APPENDIX B AND D. THESE AMENDMENTS, COMMONLY REFERRED TO AS *FAMILY COMPOUND AND FAMILY SUBDIVISION LMO AMENDMENTS* AS NOTICED IN THE ISLAND PACKET ON MAY 2, 2021 INCLUDE CHANGES THAT ADD FAMILY COMPOUND AND FAMILY SUBDIVISION AS A USE PERMITTED WITH SPECIFIC CONDITIONS AS DESCRIBED IN 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, Town Council identified the Family Compound and Family Subdivision Amendments, as a key 2020 Town Council Priority; and

WHEREAS, on November 5, 2019, Town Council accepted the Gullah Geechee Preservation Project Report prepared by The Walker Collaborative and approved a top priority projects framework for the Family Compound and Family Subdivision; and

WHEREAS, Town Staff worked with the Gullah Geechee Land and Cultural Preservation Task Force and advanced the top priority projects; and

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

WHEREAS, the LMO Committee held public meetings on September 16, 2020 and September 23, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the LMO Committee recommended that the proposed LMO amendments be forwarded to the Planning Commission with a recommendation of approval; and

WHEREAS, the Planning Commission held a public hearing on June 2, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 8-0-0 to forward the proposed LMO amendments to the Public Planning Committee with a recommendation of approval; and

WHEREAS, the Public Planning Committee held a public meeting on January 12, 2021, February 5, 2021, February 20, 2021, and June 2, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; and

WHEREAS, after consideration of the Staff presentation and public comments, the Public Planning Committee voted 3-1-0 to recommend approval of the proposed LMO amendments related to Family Compound and Family Subdivision; and

WHEREAS, the Town Council held a public meeting on March 16, 2021 and April 6, 2021 at which time an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; and

WHEREAS, after due consideration of said LMO amendments, the Town Council, upon further review, finds it is in the public interest to approve the proposed *Family Compound and Family Subdivision LMO 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 SAID COUNCIL:

Section 1. Amendment. That the *Family Compound and Family Subdivision Amendments* 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.

(SIGNATURE PAGE FOLLOWS)

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2021.**

THE TOWN OF HILTON HEAD ISLAND
SOUTH CAROLINA

John McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: June 2, 2021
First Reading: June 15, 2021
Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Family Compound and Family Subdivision LMO Amendments

Chapter 16-2: Administration

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

Table 16 2 101: Summary Table of Development Review Procedures							
R = Recommendation D = Decision A = Appeal <> = Hearing <>* Public Hearing E Encouraged							
Procedure	Pre Application Conference	Review and Decision Making Authorities					
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council	
DEVELOPMENT APPROVALS AND PERMITS							
Special Exception (Sec. 16-2-103.E)			R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D		<A>		
	Major	E	D		<A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D		<A>		
	Major	E	D		<A>		
Small Residential Development Review (Sec. 16-2-103.H)			D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>			
	Major		R	<D>			
Traffic Impact Analysis Plan Review (Sec. 16-2-103.J)	Without Mitigation		D		<A>		
	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	
Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
	New name		R		<D>		

Family Compound and Family Subdivision LMO Amendments

Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*		
Utility Project (Sec. 16-2-103.W)			D		<A>		
<u>Family Compound (Sec. 16-2-103.X)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
<u>Family Subdivision (Sec. 16-2-103.Y)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
<p>Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.</p>							

16-2-102. Standard Review Procedures

J. Vesting and Expiration of Development Approval or Permit

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

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

16-2-103. Application Specific Review Procedures

U. Appeal of Official's Decision to Planning Commission

1. Purpose

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

Family Compound and Family Subdivision LMO Amendments

2. Who May File Appeal

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

3. Types of Appeal

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

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

Family Compound and Family Subdivision LMO Amendments

X. Family Compound

1. Purpose

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

2. Applicability

a. General

- i. Applications for Family Compound Review are only permitted on property that meets these qualifications:
 1. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 2. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 3. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.
- ii. The owner of record of the property shall request the family compound.
- iii. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).
- iv. Family Compounds will be considered a single-family use.

3. Family Compound Review Procedure

a. Pre-Application Conference

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

b. Application Submittal

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

c. Accelerated Application Review

- i. All applications for Family Compounds will be expedited.
 - a. New submittals for Family Compounds will be reviewed prior to other submittals.

Family Compound and Family Subdivision LMO Amendments

- b. New building permit submittals related to Family Compounds will be reviewed prior to other submittals.
- c. Resubmittals for Family Compounds will be reviewed prior to other submittals.
- d. **Staff Review and Action**
 - i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
 - 1. Approve the *application*:
 - 2. Approve the *application* subject to conditions of approval; or
 - 3. Deny the *application*.
 - ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.
- e. **Post- Decision Actions and Limitations**
 - i. **Notice of Decision**

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

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

Family Compound and Family Subdivision LMO Amendments

4. Family Compound Review Standards

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

- a. All other applicable standards of this **Ordinance**.
- b. All other applicable requirements in the **Municipal Code**.

5. Effect of Approval

Approval of a Family Compound authorizes the submittal of any other subsequent **development applications** that may be required before **construction** or other **development** authorized by this **Ordinance**. Prior to the issuance of the approval, a restriction on the sale of the property to non-family members shall be recorded in the deed. The restriction shall state that the property cannot be sold to non-family members for three years after being established as a Family Compound.

6. Expiration

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

7. Amendment

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

Family Compound and Family Subdivision LMO Amendments

Y. Family Subdivision

1. Purpose

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

2. Applicability

a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a person(s) living in a Family Subdivision must be related to the property owner by blood, marriage, or legal adoption. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).
- iii. Applications for Family Subdivision Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.

3. Family Subdivision Review Procedure

a. Pre-Application Conference

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

Family Compound and Family Subdivision LMO Amendments

b. Application Submittal

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

c. Accelerated Application Review

i. All applications for Family Subdivisions will be expedited.

- a. New submittals for Family Subdivisions will be reviewed prior to other submittals.
- b. New building permit submittals related to Family Subdivisions will be reviewed prior to other submittals.
- c. Resubmittals for Family Subdivisions will be reviewed prior to other submittals.

d. Staff Review and Action

i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.Y.4, Family Subdivision Review Standards, and shall be one of the following:

- 1. Approve the *application*;
- 2. Approve the *application* subject to conditions of approval; or
- 3. Deny the *application*.

ii. The *Official* shall act on an *application* for Family Subdivision Review, in accordance with Sec. 16-2-102.D, within 60 business days after it is submitted, or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

e. Post- Decision Action and Limitations

i. Notice of Decision

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

ii. Appeal

Family Compound and Family Subdivision LMO Amendments

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

4. Family Subdivision Review Standards

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

- a. A notarized affidavit shall be submitted that shows a familial relationship (a person(s) living in a Family Subdivision must be related to the property owner by blood, marriage, or legal adoption, see 16-2-103.Y.2.a.ii) to those purchasing/deeding properties within the **subdivision**.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the **access** must be installed and inspected prior to the sale of property within the **subdivision** to non-family members.
- c. All other applicable requirements in the **Municipal Code**.

5. Effect of Approval

1. Approval of a Family Subdivision constitutes approval of a final plat for the **subdivision**. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable **lots** that may be conveyed and may be developed in accordance with **development applications** authorized by this **Ordinance**. No further **subdivision** of a Family Subdivision shall be permitted. Prior to the issuance of the approval, a restriction on the sale of the property to non-family members shall be recorded in the deed. The restriction shall state that prior to the sale of the property within the Family Subdivision to non-**family** members, a **subdivision application** shall be submitted in accordance with 16-2-103.F, Subdivision Review.

6. Expiration

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

7. Amendment

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

Family Compound and Family Subdivision LMO Amendments

Chapter 16-3: Zoning Districts

Section 16-3-104. Residential Base Zoning Districts

Section 16-3-104.E Low to Moderate Density Residential (RM-4) District, 16-3-104.F Moderate Density Residential (RM-8) District and 16-3-104.G Moderate to High Density Residential (RM-12)

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Residential Uses			
<u><i>Family Compound</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.e</u>	<u>2 per du</u>
<u><i>Family Subdivision</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.f</u>	<u>2 per du</u>

Section 16-3-105. Mixed-Use Zoning Districts

Section 16-3-105.D Light Commercial (LC) District and Section 16-3-105.F Main Street (MS) District, Section 16-3-105.G Marshfront (MF) District, Section 16-3-105.I Mitchelville (MV) District, Section 16-3-105.J Neighborhood Commercial (NC) District and Section 16-3-105.L Resort Development (RD) District, Section 16-3-105.N Stoney (S) District, and Section 16-5-105.O Waterfront Mixed Use (WMU) District

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF STREET PARKING SPACES
Residential Uses			
<u><i>Family Compound</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.e</u>	<u>2 per du</u>
<u><i>Family Subdivision</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.f</u>	<u>2 per du</u>

Family Compound and Family Subdivision LMO Amendments

Chapter 16-4: Use Standards

TABLE 16 4 102.A.6: PRINCIPAL USE TABLE																						
P Permitted by Right		PC Permitted Subject to Use Specific Conditions																				
SE Allowed as a Special Exception		Blank Cell = Prohibited																				
USE CLASSIFICATION/ USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS					MIXED USE AND BUSINESS DISTRICTS										USE SPECIFIC CONDITIONS				
	CON	PR	RSF 3	RSF 5	RSF 6	RM 4	RM 8	RM 12	CR	SP	CC	MS	WM	US	MF	MV	NC		LC	RD	M ED	IL
RESIDENTIAL USES																						
Family Compound						PC	PC	PC					PC	PC	PC	PC	PC	PC	PC	PC		Sec. 16-4-102.B.1.e
Family Subdivision						PC	PC	PC					PC	PC	PC	PC	PC	PC	PC	PC		Sec. 16-4-102.B.1.f

Sec. 16-4-102. Principal Uses

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

e. Family Compound

- i. Applications for Family Compound Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.
- ii. The owner of record of the property shall request the family compound.
- iii. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).

Family Compound and Family Subdivision LMO Amendments

f. Family Subdivision

- i. Applications for Family Subdivision Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.

Family Compound and Family Subdivision LMO Amendments
Chapter 16-5: Development and Design Standards

Sec. 16-5-102. Setback Standards

C. Adjacent Street Setback Requirements

TABLE 16 5 102.C: ADJACENT STREET SETBACK REQUIREMENTS				
PROPOSED USE		MINIMUM SETBACK DISTANCE ¹ / MAXIMUM SETBACK ANGLE ²		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
Single-Family ⁵	Structure > 24 in high	50 ft ^{3,4} /75°	40 ft ^{3,4} / 70°	20 ft ^{3,4} /60°
	Structure ≤ 24 in high	50 ft ^{3,4} /n/a	30 ft ^{3,4} /n/a	10 ft ^{3,4} /n/a
All Other Uses		50 ft ^{3,4} /75°	40 ft ^{3,4} /70°	20 ft ^{3,4} /60°
<p>NOTES: in = inches ft = feet ° = degrees</p> <p>1. Measured from the adjacent street right-of-way or easement line to the closest portion of a structure. <u>A 5' setback is required from an access easement for Family Compounds and Family Subdivisions.</u> A street setback from an easement line is not required for non-single-family properties.</p> <p>2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above the base flood elevation or pre-development grade, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure 16-5-102.C, Street Setback Angle).</p> <p>3. The adjacent street setback shall be a minimum of five (5) feet on any parcel abutting a Town right of way acquired under the Town's Dirt Road Paving Program. See Section 16-5-105.D for additional details.</p> <p>4. For corner lots, reduced to 10 feet from the right-of-way of the street with the lowest average daily vehicle traffic count (ADT). If both streets have equal ADT, the lot owner may choose which street shall be subject to the reduced setback distance.</p> <p>5. May be reduced by up to 30 percent in the S District, 20 percent in the RD and IL Districts, and 15 percent in all other districts, on demonstration to the Official that:</p> <p style="margin-left: 20px;">a. The reduction is consistent with the character of development on surrounding land;</p>				

Family Compound and Family Subdivision LMO Amendments

b. **Development** resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards;

c. The reduction either (1) is required to compensate for some unusual aspect of the site or the proposed **development**, or (2) results in improved site conditions for a **development** with **nonconforming site features** (e.g., allows the extension of a wall or fence that screens an existing **outdoor storage** area);

d. The reduction will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the reduction are mitigated (e.g., the closer proximity of **buildings** to a **street** are mitigated by a wider or more densely screened adjacent street buffer along that **street**);

f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 30 percent in the S District, 20 percent in the RD and IL Districts, or 15 percent in all other districts; and

g. In the S, RD, and IL districts, there are no reasonable options to the reduction that allow **development** of the site to be designed and located in a way that complies with LMO standards.

6. For **Family Compounds** and **Family Subdivisions**, the minimum setback from a minor arterial shall be 25' and the minimum setback from all other streets shall be 10'.

7. Any further reductions to the adjacent street setbacks for Family Compounds and Family Subdivisions will require a **variance** from the BZA.

Family Compound and Family Subdivision LMO Amendments

D. Adjacent Use Setback Requirements

TABLE 16 5 102.D: ADJACENT USE SETBACK REQUIREMENTS¹				
PROPOSED USE³	MINIMUM SETBACK DISTANCE¹/MAXIMUM SETBACK ANGLE²			
	USE OF ADJACENT DEVELOPMENT PROPERTY³			
	SINGLE FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATION; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF 3, RSF 5, RSF 6, RM 4	RM 8, RM 12	CR, CC, WMU, S, RD, SPC, LC, MF, MV, MS, NC, MED	IL
Single-Family⁷	20 ft ^{4,5,6} /75°	20 ft ^{4,5,6} /75°	30 ft ^{4,5,6} /60°	40 ft ^{4,5,6} /45°
<ul style="list-style-type: none"> Any Other Residential Uses Commercial Recreation 	20 ft ⁶ /75°	20 ft ⁶ /75°	25 ft ⁶ /75°	30 ft ⁶ /60°
<ul style="list-style-type: none"> Public, Civic, Institutional, and Education Resort Accommodation Offices Commercial Services Vehicle Sales 	30 ft ⁶ /60°	25 ft ⁶ /75°	20 ft ⁶ /75°	20 ft ⁶ /75°

Family Compound and Family Subdivision LMO Amendments

and Services • Boat Ramps, Docking Facilities, or Marinas				
Industrial <i>Uses</i>	40 ft ^{4,5,6} /45°	30 ft ⁶ /60°	20 ft ⁶ /75°	20 ft ⁶ /75°
<p>1. Measured from the common property line to the closest portion of a structure.</p> <p>2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above the base flood elevation or pre-development grade, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure 16-5-102.D, Use Setback Angle).</p> <p>3. See Sec. 16-10-103 for a description or definition of the listed use classification and types.</p> <p>4. Single family subdivision exterior boundary only.</p> <p>5. For all Minor Subdivisions and Small Residential Developments, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point; it may be reduced to 5 feet where adjoining another single-family dwelling lot in the same subdivision; may be reduced to less than 5 feet if it, when combined with the platted setback distance for the adjoining lot, is at least 10 feet.</p> <p>6. May be reduced by up to 10 percent in any district on demonstration to the Official that:</p> <ul style="list-style-type: none"> a. The reduction is consistent with the character of development on surrounding land; b. Development resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards; c. The reduction either (1) is required to compensate for some unusual aspect of the site or the proposed development, or (2) results in improved site conditions for a development with nonconforming site features (e.g., allows the extension of a wall or fence that screens an existing outdoor storage area); d. The reduction will not pose a danger to the public health or safety; e. Any adverse impacts directly attributable to the reduction are mitigated (e.g., the closer proximity of buildings to a property line are mitigated by a wider or more densely screened adjacent use buffer along that property line); and f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 10 percent. <p><u>7. For Family Compounds and Family Subdivisions, the minimum setback from an adjacent property shall be reduced by 10' from what is required in Table 16-5-102.D</u></p>				

Family Compound and Family Subdivision LMO Amendments

	<u>except that an adjacent use setback of 5' shall be required between single-family uses.</u>
	<u>8. Any further reductions to the adjacent use setbacks for Family Compounds and Family Subdivisions will require a variance from the BZA.</u>

Sec. 16-5-103 Buffer Standards

D. Adjacent Street Buffer Requirements

TABLE 16 5 103.D: ADJACENT STREET BUFFER REQUIREMENTS			
PROPOSED USE	ADJACENT STREET (BY CLASSIFICATION)		
	MAJOR ARTERIAL	MINOR ² ARTERIAL	ALL OTHER STREETS ²
All <i>uses</i>	E	B	A
<p>NOTES:</p> <p>1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.</p> <p>2. There shall be no adjacent street buffer required on any parcel abutting a Town right of way acquired under the Town’s Dirt Road Paving Program. See Section 16-5-105.D for additional details.</p> <p><u>3. For Family Compounds and Family Subdivisions, only the Option 1 screening requirements apply.</u></p>			

Family Compound and Family Subdivision LMO Amendments

E. Adjacent Use Buffer Requirements

TABLE 16 5 103.E: ADJACENT USE BUFFER REQUIREMENTS ¹				
PROPOSED USE ²	REQUIRED BUFFER TYPE ²			
	USE OF ADJACENT DEVELOPED PROPERTY ³			
	SINGLE FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATIONS; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS; AGRICULTURAL	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF 3, RSF 5, RSF 6, RM 4	RM 8, RM 12	CR, CC, WMU, S, SPC, RD, MS, MV, MF, LC, NC, MED, PD 1	IL
Single-Family ⁵	A ⁴	A ⁴	C ⁴	D ⁴
<ul style="list-style-type: none"> All Other Residential Uses Commercial Recreation 	A	n/a	B	D
<ul style="list-style-type: none"> Public, Civic, Institutional, and Education Resort Accommodations Offices Commercial Services Vehicle Sales and 	C	B	n/a	A

Family Compound and Family Subdivision LMO Amendments

Services • Boat Ramps, Docking Facilities, or Marinas				
Industrial Uses	D ⁴	D	A	n/a

NOTES: n/a = not applicable

1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.
2. When a shared **access easement** is located along a common property line, any required buffer shall be provided to the interior of the **access easement**. An adjacent use buffer from an easement line is not required for non-single-family properties.
3. See Sec. 16-10-103 for a description or definition of the listed **use** classification and types.
4. Single family subdivision exterior boundary only.
5. For **Family Compounds** and **Family Subdivisions**, the **adjacent use** buffers shall include the minimum planting requirements per Table 16-5-103.F.
6. Any further reductions to the adjacent use buffers for Family Compounds and Family Subdivisions will require a **variance** from the BZA.

Family Compound and Family Subdivision LMO Amendments
Section 16-5-107. Parking and Loading Standards

D. Parking Space Requirements

1. Minimum Number of Parking Spaces

TABLE 16 5 107.D.1: MINIMUM NUMBER OF PARKING SPACES		
USE CATEGORY/USE TYPE	MINIMUM NUMBER OF PARKING SPACES ^{1,2,3,4}	
	CR DISTRICT	ALL OTHER DISTRICTS
RESIDENTIAL USES		
<u>Family Compound</u>	<u>n/a</u>	<u>2 per du</u>
<u>Family Subdivision</u>	<u>n/a</u>	<u>2 per du</u>

Family Compound and Family Subdivision LMO Amendments
Chapter 16-10: Definitions, Interpretations, and Measurement

Sec. 16-10-105. General Definitions:

Family Compound

Single parcel of *land* with multiple *dwelling units* owned by one family defined for these purposes as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).

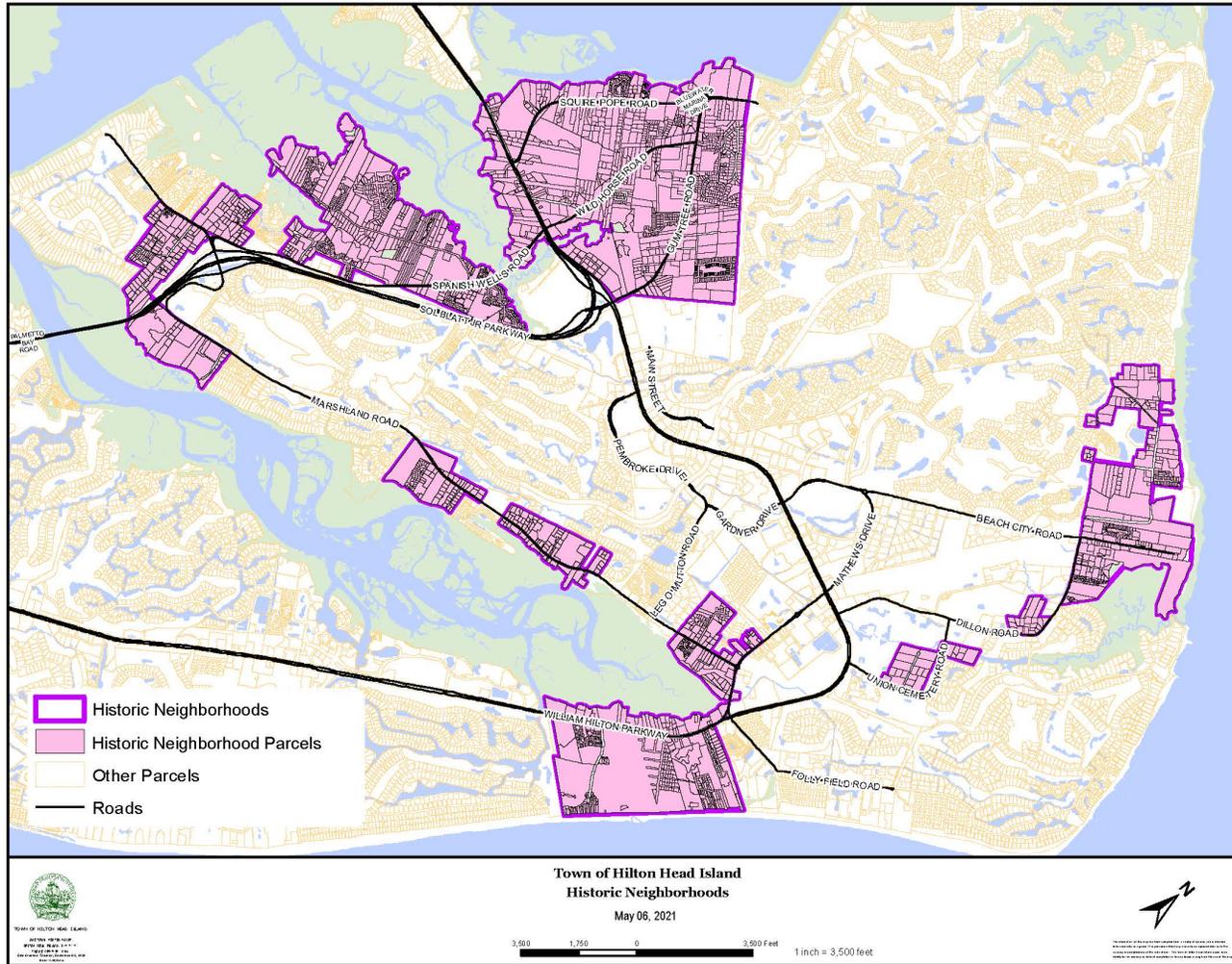
Family Subdivision

Ownership of subdivided *lots* within a *single-family*, defined for these purposes as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family), without requiring the installation of supporting infrastructure.

Family Compound and Family Subdivision LMO Amendments

Appendix B: Maps and Tables

B-5. Historic Neighborhoods Map



Family Compound and Family Subdivision LMO Amendments

D-26. Family Compound

A. Application Form

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

B. Certificate of Owner’s Consent

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

C. Eligibility

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as stated in Sec. 16-2-103.X.2.a.iii.

D. Property Deed

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

E. Boundary Survey Plat

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

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

Family Compound and Family Subdivision LMO Amendments

F. Written Narrative

A written narrative outlining:

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

G. Site Development Plan

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

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town Engineer*, unless waived by the *Town Engineer*.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Tables 16-5-102.C, 16-5-102.D, 16-5-103.D and 16-5-103.E.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

Family Compound and Family Subdivision LMO Amendments

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

H. Approvals, Certifications, and Recommendations

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

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

I. Other Requirements

1. *Access* and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
 - a. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface* .
2. Any other items specifically required of a *development plan application* by any other provisions of this Title.

Family Compound and Family Subdivision LMO Amendments

D-27. Family Subdivision

A. Application Form

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

B. Subdivision Plat

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

1. *Date* (including any revision dates), name and location of the *subdivision*, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed *tract* boundary lines, *right-of-way* lines, proposed *street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with accurate dimensions, bearing or deflecting angles or radii, arcs, and central angles of all curves.
5. The proposed *use* of *lots* shall be noted and the purpose of any *easement* or *land* reserved or dedicated to public or utility *use* shall be designated.
6. Each block shall be numbered, and the *lots* within each block shall be numbered consecutively.
7. Notation of specific reference plats, if applicable.
8. Computed acreage of each *lot* created by the *subdivision*.
9. Minimum *building* setback or buffer lines as required by Tables 16-5-102.C, 16-5-102.D, 16-5-103.D and 16-5-103.E.
10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
11. Certification by a South Carolina professional *land* surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
12. Notation of the one-hundred-year storm *flood* elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
13. Surveyed delineation as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
15. All existing *structures* or other *improvements*.

Family Compound and Family Subdivision LMO Amendments

16. Location of *wetland buffer* area, where applicable.

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

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

C. Certificate of Owner’s Consent

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

D. Eligibility

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as stated in Sec. 16-2-103.Y.2.a.ii.

E. Certification of Title Source

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

F. Certificate of Title and Reference Plat

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

G. Street and Development Names

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

H. Subdivision in Phases

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

J. Stormwater Management

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

K. Other Items

2. *Access* and infrastructure must be installed to serve each *structure* in the order each

Family Compound and Family Subdivision LMO Amendments

structure is constructed.

- a. Access to all lots within a Family Subdivision shall be provided to the point of development as follows:
 - i. For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.
 - ii. For 6 or more lots, direct vehicular access to each lot shall be provided via a paved street with a minimum 30 foot right-of-way for two-way streets and a minimum 24 foot right-of-way for one-way streets.
3. Prior to the sale of the property within the Family Subdivision to non-family members, a subdivision application shall be submitted in accordance with 16-2-103.F.
4. Any applicable items as identified in D-26, Family Compound.



TOWN OF HILTON HEAD ISLAND

Finance Department

TO: Town Council
VIA: Marc Orlando, *ICMA-CM, Town Manager*
FROM: John M. Troyer, *Director of Finance*
DATE: July 7, 2021
SUBJECT: Out of Cycle Supplemental CY 2021 State Accommodations Tax Grant Recommendations

Recommendation:

Staff recommends that Council review the attached Accommodations Tax Advisory Committee (ATAC) recommendations, and award the supplemental year 2021 grants at Council's meeting on July 20, 2021.

Summary:

ATAC received 9 applications totaling \$384,279, held hearings with each applicant, and made the recommendations attached. **The Chairman's letter is also attached which describes the applicants' requests, deliberations, and the Committee's recommendations to fund requests totaling \$335,230.** The ATAC recommended leaving \$45,752 for future grants knowing the grant application process starts again this month -- in addition to the \$50,000 minimum reserve.

Council has **\$380,982 total funds to award now** if it chooses **after leaving a \$50,000 reserve balance** which could be used later in future grants. Town Council adopted a policy for accommodations taxes (ATAX) for a minimum \$50,000 reserve. Council could choose to leave a reserve larger than \$50,000.

Background:

Calendar year 2021 grants awarded by Town Council left \$380,982 for possible out-of-cycle grants above the \$50,000 minimum.

The Accommodations Tax Advisory Committee sought applications for out-of-cycle grants. Grant applications were received. The Committee reviewed the applications. The Committee made the following recommendations to Town Council for awards.



THE TOWN OF HILTON HEAD ISLAND ACCOMMODATION TAX ADVISORY COMMITTEE

To: Mayor John McCann, Town of Hilton Head Island
Town Council Members, Town of Hilton Head Island

Cc: Marc Orlando, Town Manager, Town of Hilton Head Island

From: Accommodations Tax Advisory Committee

Date: July 7, 2021

Subject: ATAC Recommendations for 2021 Out-of-Cycle ATAX Grant Awards

On May 26, 2021, the Accommodations Tax Advisory Committee (ATAC) met to make grant funding recommendations for nine ATAX grant applications that applied for out-of-cycle funding. As a result, the ATAC was pleased to make funding recommendations on eight of the nine submitted ATAX grant applications. This year's out-of-cycle grant process did have a remaining amount that will be used in the fall for awarding.

Total Applicant Funding Requests	\$384,279
Total Available Funding for Grants	\$380,983
ATAC Funding Recommendations for Grants	<u>\$335,230</u>
ATAC Recommended Carryover for 2022 Grant Cycle	\$ 49,049

As with past practice, the ATAC has worked to establish a consistent philosophy in how applications are reviewed and prioritized. Over the past six years, the review and recommendation approach of the ATAC has evolved through continuous improvement into the following guiding principles:

- **Economic Growth Through Tourism** - Does the applicant organization drive overnight visitors to Hilton Head Island?
- **Creation of Sustainable Visitor Traffic** - Does the applicant organization enhance or improve the visitor experience on Hilton Head Island creating opportunities that would encourage visitors to return to Hilton Head Island?
- **Collaboration Amongst Organizations** - How well does the applicant organization collaborate with other local organizations, especially fellow grant applicants? Where possible, do applicants cross-promote each other to further enhance the visitor experience?

- **Organization Viability and Return on Investment** - Does the organization possess a clear vision and an achievable direction? Does the organization have other sources of public and private support available? What is the organization's long-term dependency on ATAX funding going to be? Do established applicant organizations have the financial means to support themselves without an ATAX award for the upcoming year and/or beyond? Do organizations with a strong balance sheet have a strategic plan for their cash reserves?
- **Operational Confidence** - How well do the applicant organizations understand their operations? Do they track and report metrics, do they provide sufficient transparency and are they accountable for their results?

The Committee also strives to enhance the grant review process as it is important to evolve our thinking to the strategic focuses of the Town, the best practices of other ATAX municipalities and evaluate feedback solicited through the past year.

There are several items of note for the 2021 out-of-cycle process:

- The 2021 out-of-cycle application process was considered a condensed submittal process to allow for the grants to be reviewed and awarded in a timely manner.
- The 2021 out-of-cycle funding available is \$380,983 and any remaining funds after the Accommodations Tax Committee has awarded grants will be used toward the 2022 grants.
- Given the unknown future amount of funding due to the global pandemic of COVID-19, many organizations, with the approval of Town Council, were able to carry-over funding from its 2020 awards to assist in the 2021 year. In return, those that requested out-of-cycle funding were of minimal amounts they felt they would need for future use.

In an effort to provide an additional layer of summary detail with our recommendation, each application has been broken out into sections categorizing, at the highest level the type of recommendation each application received from the Committee this year. These four categories will group applications together based on whether they received recommendations for full, TERC capped or no funding. As with previous recommendation memos, a review of the Committee's recommendation of each application will follow these summaries.

Applicants Receiving Recommendations of Full Funding

This year, given the unknown of the global pandemic of COVID-19, the Committee was still in a fortunate position to make several full-funding recommendations. The Committee felt that the 5 organizations that fell into this category were thoughtful with their grant requests, demonstrated a reasonable financial need and were able to show a strong Return on Investment (ROI) with how they chose to invest their financial resources to drive and enhance tourism on Hilton Head Island. Furthermore, the Committee is cautious in recommending increased year over year funding to ensure that a new benchmark would not be created that could adversely impact the applicant in upcoming years if the same funding levels were not available in the future. This resulted in a revenue neutral variance between what was requested by the applicant and what was recommended by the Committee.

	<u>Request</u>	<u>Committee</u>
Lean Ensemble Theater	\$ 25,000	\$ 25,000
Palmetto Quilt Guild	\$ 4,110	\$ 4,110
The Coastal Discovery Museum-Operations	\$ 64,319	\$ 64,319
The First Tee of the Lowcountry	\$ 30,000	\$ 30,000
The Outside Foundation	\$ 20,000	\$ 20,000
Total Full Funding	\$ 143,429	\$ 143,429

Applicants Receiving Recommendations with TERC-based Reimbursement Caps

This year there were three applicants whose requests did not fully meet certain reimbursement requirements and were subject to maximum allowable reimbursement limits as defined by state statute and/or Tourism Review Expenditure Committee (TERC) opinion. In these situations, with the assistance of Town Staff, the ATAC used the tourism metrics provided by the applicant to determine the maximum allowable reimbursement amount each applicant would be eligible to receive, if awarded. The ATAC feels strongly that TERC capped funding should not be considered as a negative reflection on the organization. The final determination was based solely on TERC guidelines for funding. This resulted in a \$19,049 variance between what was requested by the applicant and what was recommended by the Committee.

	<u>Committee</u>	<u>Request</u>	<u>Variance</u>
The Sandbox	\$ 135,000	\$ 143,202	(\$ 8,202)
Hilton Head Symphony Orchestra	\$ 29,813	\$ 30,000	(\$ 187)
Sea Turtle Patrol HHI	\$ 26,988	\$ 37,648	(\$ 10,660)
Total TERC based Funding	\$ 191,801	\$ 210,850	(\$ 19,049)

Applicants Receiving Recommendations of No Funding

Unfortunately, there was one application that was submitted this year that did not receive a recommendation for funding. This application was thoughtful and well-presented; however, the organizations did not meet the civic, cultural or event qualification requirements of TERC. The request was considered ineligible based on the details of funding of a Saturday School program that “provides working families affordable and accessible early childhood education and childcare services.” While The Children’s Center is proposing an admirable cause, The Committee and Staff determined it did not meet the legal requirements for support of ATAX funds.

	<u>Request</u>	<u>Committee</u>	<u>Variance</u>
The Children’s Center	\$ 30,000	\$ 0	(\$ 30,000)
Total No Funding	\$ 30,000	\$ 0	(\$30,000)

The remainder of this recommendation memo will provide summary information on the applicant organizations, a snapshot of their funding requests and the Committee’s recommendation and rationale. This memo is not meant to encompass all the applicant data or information, as this can be further referenced within each individual grant application that was submitted for the 2021 out-of-cycle grant cycle. A spreadsheet of the committee’s grants recommendations accompanies this memo.

THE ATAC SUBMITS THE FOLLOWING RECOMMENDATIONS TO TOWN COUNCIL FOR REVIEW AND APPROVAL BASED ON THE ATAC'S REVIEW OF EACH GRANT APPLICATION, THE APPLICANT'S INDIVIDUAL PRESENTATIONS AND THE COMMITTEE'S PUBLIC DISCUSSION:

HILTON HEAD SYMPHONY ORCHESTRA, INC.
2021 Out-of-Cycle Grant Application

The Hilton Head Symphony Orchestra (HHSO) provides world-class arts programming for residents and visitors. In addition to Symphony productions and collaborative performances with many of the other local arts organizations, the Symphony hosts and produces the International Piano Competition and other summer and fall series for those of all ages to enjoy. During COVID-19, the addition of outdoor performances became most popular as it was the safest way to attend.

"Jazz on the Patio Series & Pops Concert"

Tourism Ratio: 39% / 3,744 visitors served out of 19,193 total people; of which 3,680 were beyond 50 miles

Grant Request: **\$30,000**

Grant Reason: For marketing and operational expenses to contribute towards the organization's "Jazz on the Patio" series budget of \$52,983.

Recommendation: **\$29,813 – TERC Capped Funding**

ATAC Opinion: The HHSO is a signature organization within our community and has remained consistent in its success and quality of productions. The addition of "Jazz on the Patio" and the outdoor pops concerts at the Town's new park, Lowcountry Celebration will allow tourists and visitors to experience performances in a new way. The Committee commends the HHSO with how they have chosen to stay safe and at the top of the visitors mind even during Covid-19. The Symphony has opened its smaller venue, Sound Waves, which offers programming with performance opportunities in a more relaxed atmosphere tailored to younger audiences. This space also allows other Island performing arts organizations the ability to rehearse and perform when the Orchestra is not in season.

The Committee recommends TERC capped funding for the HHSO solely based on the allowable amount that is allowable to be reimbursed based on the organization's tourism percentage. By supporting the marketing and operational efforts of the two proposed summer and fall series, the Committee is confident that the organization will spend the funds awarded and maximize overall attendance.

LEAN ENSEMBLE
2021 Out-of-Cycle Grant Application

The Lean Ensemble Theater, which is a professional, performing arts-based company that was founded in August 2014. The mission is to bring an innovative form of theater to the Lowcountry using both equity actors and local talent. The season runs from October through May providing 4 classic productions and 2 benefit performances during the season.

“Lean Ensemble Theater Fall Production”

Tourism Ratio: 39% / 657 visitors served out of 4,174 total people; of which 835 were beyond 50 miles

Grant Request: **\$25,000**

Grant Reason: For marketing and operational expenses to contribute towards the organization’s project budget of \$203,525.

Recommendation: **\$25,000 – Full Funding**

ATAC Opinion: The Committee was impressed with this application and believes this organization continues to provide a unique arts experience for our visitors to enjoy. By providing their two fall productions on video, this will allow those that are still uncomfortable with COVID-19 to enjoy the Lean Ensemble Theater experience. Due to COVID-19 the theater was closed for 18 months and during that time they were able to produce four virtual productions as well as a 10-episode act of an online talk show.

The Committee recommends full funding to ensure the production and marketing to expand a focus on tourist viewership for those wishing to still participate in the “Theater Experience”. The Committee continues to have confidence that this organization will continue to make a mark on our arts community with its forward thinking and eagerness to grow.

<p><u>PALMETTO QUILT GUILD</u> 2021 Out-of-Cycle Grant Application</p>

In its 30th year, the Palmetto Quilt Guild (PQG) has stood to it’s mission of “Promoting the Art of Quilting in the South Carolina Lowcountry”. They offer community service workshops where quilts are made for areas within our community of which more than 76 have gone to local charities. Giving back to the Community is important to PQG, so they provide a scholarship to a local graduating senior who can apply to pursue a degree in the visual arts field. As a unique community organization, PQG strives to increase the talents of those who wish to perfect their quilting skills or learn the craft.

“Promoting the Art of Quilting in the South Carolina Lowcountry”

Tourism Ratio: 38%

Grant Request: **\$4,110**

Grant Reason: For marketing and PR efforts.

Recommendation: **\$4,110 – Full funding**

ATAC Opinion: The Committee felt that as a fist time applicant the Palmetto Quilt Guild has shared a unique side to the Lowcountry. By hosting a quilting festival this upcoming spring allows those that enjoy quilting or wish to learn to attend to experience what it has to offer. The Committee feels confident in the applicant’s ability to expand their advertising to national areas of interest to draw from other parts of the country. Drawing and reaching those who have a calling for quilting is what will attract those to the area.

The Committee feels that this organization provides a unique hobby to bring to Hilton Head. Though participants and attendees typically are females, those

that visit for the arts are an important driver of enthusiasts to the area and are sure to continue visit again.

Sea Turtle Patrol of HHI
2021 Out-of-Cycle Grant Application

Sea Turtle Patrol is a non-profit organization on Hilton Head designed to monitor Hilton Head beaches for turtle nesting. The Town of Hilton Head Island passed a beach ordinance is are designed to protect the turtle during the season. There are several regulations that visitors may not be aware of for example, removing personal property at night and lights out between 10pm-6am. Proper education can be an entertaining activity and PSA to a local property owners and renters could serve beneficial.

“Promoting Awareness”

Tourism Ratio: 55% / 2,600 total people to date in 2020

Grant Request: **\$37,648**

Grant Reason: For Marketing and PR materials

Recommendation: **\$26,988- TERC Capped Funding**

ATAC Opinion: The Committee appreciated learning about this community engaged event; and felt that if marketed in the correct way can become an enhance to those seeking information on ecological experiences on Hilton Head. This applicant shows vast knowledge, drive, and determination to educate tourists on beach stewardship for sea turtles and other beach fauna.

The Committee was impressed with the applicant coming back to apply for out-of-cycle funding. They have shown much drive and understanding of how to enhance the visitor’s experience. Through the use of creative marketing tools such as QR codes and 5-minute documentaries, they will be able to showcase what Hilton Head is all about. Based on TERC guidelines this applicant is is capped at the amount requested, the Committee feels that they will do an exceptional job of the funds received.

THE COASTAL DISCOVERY MUSEUM
2021 Out-of-Cycle Grant Application

The Coastal Discovery Museum was established in 1985 with the mission to educate the public about cultural heritage and natural history of the Lowcountry. The Museum provides over 1,700 programs per year, conducts outreach to tourists on the Island, continuously maintains its website, and distributes extensive print marketing all while maintaining the beauty of the Honey Horn property. The Museum consistently has high attendance with a large saturation of tourists.

“Exhibitions Improvement Project”

Tourism Ratio: 94% / 93,985 tourists served out of 103,280 total people*
*(*Several 2020 events were cancelled due to COVID-19 & rescheduled for 2021)*

Grant Request: **\$64,319**

Grant Reason: For marketing, event, and facility expenses.

Recommendation: **\$64,319 – Full funding**

ATAC Opinion: The Committee continues to be impressed with the CDM and its ability to drive and enhance tourism on the Island. Each year, the Museum creates new experiences for visitors and enhances its static exhibits. By obtaining museum quality temporary exhibits CDM will be able to curate high-quality exhibits for all that visit to enjoy. The Museum’s commitment to continuous growth and evolution plays a key part in providing repeat visitors with new experiences and memories.

The Committee is continuously impressed with the skill with which the Museum has grown its business plan and tourist attendance over the years. CDM has proven to be a leader of the museums on Hilton Head thru its successful marketing plans to boost their online presence and by maintain stimulating exhibits for those of all ages to enjoy. The Committee recommends full funding to facilitate the “Volumes of Light” exhibition and showcase the evolution of lantern art over the past ten years.

<u>THE CHILDREN’S CENTER</u> 2021 Out-of-Cycle Grant Application

The Children’s Center is a unique non-profit organization that provides working families affordable and accessible early childhood education and childcare services. Their mission is to make high quality early education and childcare services available and affordable for all working families giving children a great start to life. In late 2020, The Children’s Center was approached by members of the rental community to discuss the need of a Saturday School for the hospitality industry of Hilton Head during tourist season.

“Saturday School”

Tourism Ratio: Unknown at this time

Grant Request: **\$30,000**

Grant Reason: For operational expenses to run the Saturday School program

Recommendation: **\$0 – No funding**

ATAC Opinion: The Committee was very impressed with the drive and determination that this organization had to fill a need within our community. This program would serve 40-50 children of those parents that work in the hospitality industry on Saturday’s. Currently there is no organized childcare program that would benefit those that work on Saturday’s so this program would be the first of its kind.

The Committee felt that while The Children’s Center is proposing an admirable cause, the Committee determined it did not meet the requirements for support

of funding. State Law Requires applicant to meet at least 1 of the 7 categories of “tourism-related expenditures” to attract and provide for tourists. The Committee is very impressed with level of thought that was put into the proposal of this program. Based on TERC guidelines and Staff guidance the Committee found that that this organization was ineligible for funding.

THE FIRST TEE OF THE LOWCOUNTRY
2021 Out-of-Cycle Grant Application

The First Tee of the Lowcountry was created through the collaboration of The Boys and Girls Club of Hilton Head Island and The First Tee beginning in 2013. The organization aims to bring golf and life skills to younger players. The First Tee is a nationally recognized brand that offers similar programs across the country. The First Tee offers visitors a family friendly and affordable golf or Disc Golf experience to Hilton Head Island. Additionally, amenities are open seven days a week and include a 325-yard driving range, six-hole golf course and nine-hole disc golf course.

“Women in Golf Event”

Tourism Ratio: 65% / 1,000 visitors served out of 1837 total people; of which 837 were beyond 50 miles

Grant Request: **\$30,000**

Grant Reason: For marketing and promotion of the facilities.

Recommendation: **\$30,000 – Full Funding**

ATAC Opinion: The Committee views this application positively and believes this organization provides a unique sports and family experience to our visitors. The Committee also feels that hosting a Women in Golf Event targets a demographic that is often overlooked. Marketing of such event is important to allow for visitors within drive or direct fly markets to turn them into repeat visitors. It was appreciated that this organization has worked to establish itself within the community over the last few years and such hard work and dedication has showed.

The Committee felt that participation at this venue is growing due to the increased print advertising, mail campaigns, email blasts and social media advertising. The FTL has become a multi-generational place where families can enjoy their time learning and practicing the sport they adore to play. This is an added enhancement to the visitor’s experience and has emerged as a tourist attraction on Hilton Head. The Committee recommends full funding to sustain marketing of this facility to visiting tourists.

THE OUTSIDE FOUNDATION
2021 Out-of-Cycle Grant Application

The Outside Foundation was formed in 2014 with a mission to get kids outside to preserve and protect our local environment. It seeks to provide outdoor experiences that will have a positive impact on people by creating awareness, expanding knowledge and developing responsible understanding of nature and the environment. Programs provided include Kids in Kayaks, Learn to Paddle, Charter Fishing, beach and

waterway clean ups, the oyster shell recycling program and bed restoration project all focus on including children and their impact on our local environment.

“Olukai Lowcountry Boil Paddle Battle”

Tourism Ratio: 77% / 14 visitors out of 147 total people; of which 99 were beyond 50 miles

Grant Request: **\$20,000**

Grant Reason: For marketing and promotion of the paddle battle event

Recommendation: **\$20,000– Full Funding**

ATAC Opinion: The Committee felt that organizing and promoting the natural environment while facilitating an event the encourages sports tourism showcases the natural beauty of what Hilton Head has to offer. Education of the island will ensure that the local waterways, beaches, and parks remain clean and free of litter, to protect and preserve the local environment. This further promotes tourism without adding any burden to our island and also adds a different activity for those that are visiting.

The Committee recommends full funding for the marketing and promotion of the Olukai Lowcountry Boil Paddle Battle. The Committee knows that the expansion of the local environment sustainability project is a beneficial way to engage with those that enjoy environmental activities and want to learn more about our area.

THE SANDBOX MUSEUM
2021 Out-of-Cycle Grant Application

The Sandbox is a museum attraction for tourist families visiting the Hilton Head Island area. The Sandbox promotes hands-on educational learning in a fun and safe environment. Throughout the years, The Sandbox has steadily grown and enhanced its programming. During the summer months, The Sandbox offers a number of events and programs geared towards tourists – including hosting parent’s night out – providing an opportunity for parents to enjoy the Island’s culinary options. This is a well-run and managed organization who has requested less funding for the last several years. The Sandbox will soon have a new home in the Town’s Lowcountry Community Park with more exhibit space and building enhancements for visitors to enjoy.

“Enhancing the Tourist Experience”

Tourism Ratio: 94%/1,348 visitors served out of 15,924 total people with 13,733 beyond 50 miles* (**2021 programming events were delayed due to COVID-19*)

Grant Request: **\$143,202**

Grant Reason: For marketing, advertising and new exhibit outfitting.

Recommendation: **\$135,000 – TERC Capped Funding**

ATAC Opinion: The Committee continues to applaud the efforts of The Sandbox Museum which has shown steady and consistent growth since inception. The Committee takes great consideration in the fact that over 94% of the people served are visitors and many are repeat visitors to our wonderful Island. Moving into a new building can

be a challenge; however, it has and will continue to have a positive impact on the local community as well as enhance the experience. The Sandbox fills a unique niche in our community by providing our Island's youngest guests the opportunity to create lasting memories for years to come. The new facility will feature a holographic exhibit, a rock wall and other exciting exhibits. The Committee is excited to see what the future holds for The Sandbox with the completion of its new building.

The Committee's recommendation is to award the TERC Capped funding. This applicant has proven to continue to show a strong ROI showcase that previous funding that has been awarded goes to good use.

Respectfully submitted on behalf of the Accommodations Tax Advisory Committee,

2021 Accommodations Tax Advisory Committee Members:

Andrew Brown, Chairman
James Fluker, Vice Chairman
Richard Thomas
Stephen Arnold
Julie Martin
John Farrell
James Berghausen

Calendar Year 2021 Accommodations Tax Advisory Grant Requests

	2021 GRANTS			2021 Out-of-Cycle GRANTS		
	2021 Applicant Request	ATAC Recommendation	Town Council Award	2021 Out-of-Cycle Request	ATAC Recommendation	Town Council Award
12 Jewels of Life	\$ 40,000	\$ -	\$ -			
Art League of Hilton Head	\$ 65,000	\$ 65,000	\$ 65,000			
Arts Center of Coastal Carolina	\$ 325,000	\$ 325,000	\$ 325,000			
David M. Carmines Memorial Fnd	\$ 115,000	\$ 115,000	\$ 115,000			
Gullah Museum of Hilton Head Island	\$ 17,000	\$ 17,000	\$ 17,000			
Hilton Head Choral Society	\$ 16,000	\$ 16,000	\$ 16,000			
Hilton Head Concours d'Elegance	\$ 88,000	\$ 88,000	\$ 88,000			
Hilton Head Dance Theater	\$ 19,000	\$ 19,000	\$ 19,000			
Hilton Head Island Airport	\$ 165,000	\$ 165,000	\$ 165,000			
Hilton Head Island Land Trust	\$ 30,000	\$ 28,684	\$ 28,684			
HHI Rec Association (Wingfest & Oyster Festival)	\$ 10,000	\$ 10,000	\$ 10,000			
HHI Wine and Food, Inc.	\$ 88,000	\$ 88,000	\$ 88,000			
HHI-Bluffton Chamber of Commerce VCB	\$ 350,000	\$ 476,994	\$ 350,000			
Hilton Head Symphony Orchestra-Operations	\$ 270,000	\$ 270,000	\$ 270,000	\$ 30,000	\$ 29,813	
Lean Ensemble Theatre	\$ 40,000	\$ 40,000	\$ 40,000	\$ 25,000	\$ 25,000	
Lowcountry Golf Course Owners Assoc.	\$ 50,000	\$ 50,000	\$ 50,000			
Lowcountry Gullah	\$ 75,000	\$ 75,000	\$ 75,000			
Main Street Youth Theater	\$ 25,000	\$ 25,000	\$ 25,000			
Mitchelville Preservation Project	\$ 185,000	\$ 185,000	\$ 185,000			
Native Island Business & Community	\$ 225,000	\$ 225,000	\$ 225,000			
Operation R & R	\$ 15,000	\$ 2,000	\$ 2,000			
Palmetto Quilt Guild <i>(New Application)</i>				\$ 4,110	\$ 4,110	
Sea Turtle Patrol HHI	\$ 10,660	\$ -	\$ -	\$ 37,648	\$ 26,988	
The Coastal Discovery Museum-Operations	\$ 310,000	\$ 310,000	\$ 310,000	\$ 64,319	\$ 64,319	
The Coastal Discovery Museum-Honey Horn Capital Improvements	\$ 350,000	\$ 350,000	\$ 350,000			
The Children's Center <i>(New Application)</i>				\$ 30,000	\$ -	
The First Tee of the Lowcountry- Operations	\$ 25,000	\$ 25,000	\$ 25,000	\$ 30,000	\$ 30,000	
The Heritage Library	\$ 110,000	\$ 110,000	\$ 110,000			
The Outside Foundation	\$ 20,000	\$ 10,367	\$ 10,367	\$ 20,000	\$ 20,000	
The Sandbox	\$ 17,875	\$ 17,875	\$ 17,875	\$ 143,202	\$ 135,000	
Town of Hilton Head Island-Operations	\$ 1,000,000	\$ 1,126,994	\$ 1,000,000			
World Affairs Council of HH	\$ 10,000	\$ 8,984	\$ 8,984			
Total	\$ 4,066,535	\$ 4,244,898	\$ 3,990,910	\$ 384,279	\$ 335,230	\$ -

AMOUNT REMAINING

\$ 49,049 \$ 384,279

Grant #	Accommodations Tax Applicants	Amount Requested	Approved Grants	Paid FY20	Paid FY21	Paid FY22	Amount Remaining
AT275	Art League of Hilton Head	65,000.00	65,000.00	14,987.12	50,012.88		-
AT276	Arts Center of Coastal Carolina	406,000.00	406,000.00	315,247.61	90,752.39		0.00
AT277	David M. Carmines Memorial Foundation	138,000.00	115,000.00	70,000.00	45,000.00		-
AT278	Gullah Museum of Hilton Head	60,000.00	55,000.00	-	11,928.36		43,071.64
AT279	Harbour Town Merchants Association	22,000.00	21,000.00	-	-		21,000.00
AT280	HH Audubon Society	6,500.00	3,600.00	3,513.24	-		86.76
AT281	Hilton Head Choral Society	43,000.00	40,000.00	7,127.41	5,600.95		27,271.64
AT282	Hilton Head Concours d' Elegance	282,000.00	282,000.00	37,251.68	74,480.72		170,267.60
AT283	Hilton Head Dance Theatre	23,000.00	15,000.00	5,404.12	3,064.50		6,531.38
AT284	Hilton Head Disc Golf	39,000.00	20,000.00	20,000.00	-		-
AT285	Hilton Head Island Airport	180,000.00	90,000.00	-	90,000.00		-
AT286	Hilton Head Island Bridge Assoc	38,800.00	25,000.00	9,531.06	2,981.75		12,487.19
AT287	Hilton Head Island Land Trust	23,000.00	15,000.00	8,250.55	6,749.45		0.00
AT288	Hilton Head Island Recreation Association	30,000.00	25,000.00	12,500.00	-		12,500.00
AT289	Hilton Head St. Patrick's Day Parade	25,000.00	22,000.00	-	-		22,000.00
AT290	Hilton Head Wine & Food	130,000.00	125,000.00	78,026.22	23,200.00		23,773.78
AT291	HHI-Bluffton Chamber of Commerce	635,000.00	575,000.00	342,956.61	76,892.48		155,150.91
AT292	Hilton Head Symphony Orchestra, Inc	270,000.00	260,000.00	260,000.00	-		-
AT293	Lean Ensemble Theater	40,000.00	35,000.00	35,000.00	-		-
AT294	Lowcountry Golf Course Owners Assoc	50,000.00	50,000.00	-	46,011.34		3,988.66
AT295	Main Street Youth Theater	20,000.00	17,000.00	6,808.97	10,191.03		-
AT296	Mitchelville Preservaiton Project	185,000.00	185,000.00	54,488.63	89,768.57		40,742.80
AT297	NIBCAA, INC.	225,000.00	125,000.00	75,502.89	48,655.86		841.25
AT298	Shelter Cove Harbour Company	88,700.00	80,000.00	-	-		80,000.00
AT299	Skull Creek July 4th Celbration, Inc.	26,900.00	21,000.00	-	-		21,000.00
AT300	The Boys & Girls Club	22,000.00	22,000.00	-	22,000.00		-
AT301	The Coastal Discovery Museum	310,000.00	297,500.00	141,678.39	155,821.60		0.01
AT302	The Coastal Discovery Museum- Lwcntry Fair	15,000.00	5,000.00	1,721.73	-		3,278.27
AT303	The First Tee of the Lowcountry	30,000.00	25,000.00	-	25,000.00		-
AT304	The Heritage Library Foundation	120,000.00	115,000.00	16,283.70	51,922.50		46,793.80
AT305	The Sandbox	54,500.00	54,500.00	7,172.91	11,817.08		35,510.01
AT306	Town of Hilton Head Island	1,427,664.00	1,346,941.00	1,346,941.00	-		-
CY 2020 GRANTS Sub-Total		5,031,064.00	4,538,541.00	2,870,393.84	941,851.46	-	726,295.70

* 2020 Grants were approved for 2 year spending rather than than the tradional 1-year by TC on July 21st. Those grants will expire on December 31, 2021 (FY 22).

Grant #	Accommodations Tax Applicants	Amount Requested	Approved Grants	Paid FY21	Paid FY22	Amount Remaining
AT 306	Art League of Hilton Head	65,000.00	65,000.00	17,805.07		47,194.93
AT 307	Arts Center of Coastal Carolina	325,000.00	325,000.00	176,682.22		148,317.78
AT 308	David M. Carmines Memorial Foundation	115,000.00	115,000.00	17,950.00		97,050.00
AT 309	Gullah Museum of Hilton Head	17,000.00	17,000.00			17,000.00
AT 310	Hilton Head Choral Society	16,000.00	16,000.00			16,000.00
AT 311	Hilton Head Concours d' Elegance	88,000.00	88,000.00			88,000.00
AT 312	Hilton Head Dance Theatre	19,000.00	19,000.00			19,000.00
AT 313	Hilton Head Island Airport	165,000.00	165,000.00			165,000.00
AT 314	Hilton Head Island Land Trust	30,000.00	28,684.00	22,575.75		6,108.25
AT 315	Hilton Head Island Recreation Association	10,000.00	10,000.00			10,000.00
AT 316	Hilton Head Wine & Food	88,000.00	88,000.00			88,000.00
AT 317	HHI-Bluffton Chamber of Commerce	350,000.00	350,000.00	68,972.19		281,027.81
AT 318	Hilton Head Symphony Orchestra, Inc	270,000.00	270,000.00	195,535.00		74,465.00
AT 319	Lean Ensemble Theater	40,000.00	40,000.00	9,972.82		30,027.18
AT 320	Lowcountry Golf Course Owners Assoc	50,000.00	50,000.00			50,000.00
AT 321	Lowcountry Gullah	75,000.00	75,000.00	15,193.90		59,806.10
AT 322	Main Street Youth Theater	25,000.00	25,000.00	5,725.00		19,275.00
AT 323	Mitchelville Preservaiton Project	185,000.00	185,000.00			185,000.00
AT 324	NIBCAA, INC.	225,000.00	225,000.00			225,000.00
AT 325	Operation R & R	15,000.00	2,000.00			2,000.00
AT 326	The Coastal Discovery Museum	310,000.00	310,000.00	146,071.20		163,928.80
AT	The Coastal Discovery Museum- Honey Horn	350,000.00	350,000.00	7,374.30		342,625.70
AT 328	The First Tee of the Lowcountry	25,000.00	25,000.00			25,000.00
AT 329	The Heritage Library Foundation	110,000.00	110,000.00			110,000.00
AT 330	The Outside Foundation	20,000.00	10,367.00			10,367.00
AT 331	The Sandbox	17,875.00	17,875.00			17,875.00
AT	Town of Hilton Head Island	1,000,000.00	1,000,000.00			1,000,000.00
AT 332	World Affairs Council	10,000.00	8,984.00			8,984.00
	CY 2021 GRANTS Sub-Total	4,015,875.00	3,990,910.00	683,857.45	-	3,307,052.55



TOWN OF HILTON HEAD ISLAND

Infrastructure Services Department

TO: Marc Orlando, Town Manager
VIA: Josh Gruber, Deputy Town Manager
FROM: Jeff Buckalew, Interim Director Infrastructure Services
DATE: June 28, 2021
SUBJECT: Burkes Beach Road – On-street Parking

Recommendation:

The Community Services and Public Safety Committee recommends that Town Council approve the Burkes Beach Road on-street and metered beach parking remaining prohibited, with direction to the Town Manager to establish an appealing and safe, be it temporary, solution to address this situation, with appropriate upgrades to signage.

Summary:

At its June 28 meeting, Community Services and Public Safety Committee discussed this item and voted unanimously continue the prohibition of on-street parking, including the metered spaces and make safety and signage improvements. Interim improvements will include signage and strict enforcement to prohibit parking along the road shoulders and spaced at the end of the road, and enhanced signage will be installed to better direct beach bound motorists to utilize available parking areas in Chaplin Park and the overflow lot on the other side of Singleton Beach Drive, and direct pedestrians to utilize the available pathway facility within Chaplin Park. Although signage will clearly direct parking to other areas, improvements will be made at the end Burkes Beach Road for improved drop-off and turn around vehicular maneuvers. As for the long term solution, please know that staff is in the process of selecting a park design consultant for improvements to Chaplin Park, and re-designing the Burkes Beach Road right of way infrastructure to address the on-street parking issue and pedestrian travel ways will be part of their work and a proper turnaround and drop-off facility at the end of the road.

Background:

This item was last discussed by Town Council at the October 20, 2020 meeting which resulted a 7-0 vote to close on street parking along Burkes Beach Road.



HILTON HEAD ISLAND FIRE RESCUE



To: Marc Orlando, Town Manager
From: Becky Neugent, Communications Manager
VIA: Joheida Fister, Deputy Fire Chief
Brad Tadlock, Fire Chief *BT* *BN*
Date: June 4, 2021
Subject: Reclassify 911 Telecommunicators as Protective Service

Recommendation

I am recommending that the Town of Hilton Head Island adopt a resolution to include the 911 Telecommunicators as part of the protective service to give them the respect and recognition they deserve. This simple move would be the spark needed to get this measure passed at the county level and then hopefully the state level.

Background

The 911 Telecommunicators in our community are critically important public safety personnel. The 911 Communications Center serves over 39,600 residents and 2.74 million visitors every year. We employ twelve full time 911 Telecommunicators, that are cross-trained as both call takers and dispatchers, and each one works tirelessly to ensure residents, visitors and first responders are safe and receive prompt help when needed. At Hilton Head Island Fire Rescue each employee is a certified Emergency Medical Dispatcher and certified Emergency Fire Dispatcher, trained to give lifesaving instructions until responders arrive. Did you know that for every minute that goes by, the chance for surviving a sudden cardiac arrest decreases by 10%? Each employee is trained to assist the caller in performing CPR until paramedics arrive which substantially increases their survival rate. As part of the first responder team, these individuals answer incoming calls in less than five seconds 97% of the time, and process calls for service (answer the call to dispatching units) in 68 seconds 90% of the time.

Even in lieu of the many lives saved due to 911 Telecommunicators providing lifesaving instructions and call response efficiency, the U.S. Bureau of Labor Statistics still classify Public Safety Telecommunicators as "Office and Administrative Support Occupations" in its Standard Occupational Classification (SOC) System — alongside secretaries, office clerks, and taxi dispatchers. This is an outdated, misinformed view of the work performed by 911 professionals, and must be changed.

To fix this problem, Rep. Norma Torres of California introduced a bill in 2019 titled, The 911 Saves Act, which pushed to reclassify Public Safety Telecommunicators as "Protective Service Occupations," alongside a broad range of other protective occupations, such as lifeguards, fish and game wardens, parking enforcement workers, firefighters, and playground monitors. This small change — which costs nothing — would have realigned the SOC with the actual nature of 911 work and given Telecommunicators and dispatchers the recognition they deserve. The passing of the bill could have led to better research and action on workforce issues related to 911. Unfortunately, the bill was not passed at that time. In the two years since the first introduction, the idea behind the bill has gained significant support and on April 1, 2021 the bill was reintroduced by Rep. Torres to the House of Representatives. During this two year period many jurisdictions began locally adopting resolutions to recognize 911 Telecommunicators. A move that has ultimately led to many states formally adopting and reclassifying these vitally important 911 employees as first responders. They are the first first responders and should rightfully be classified as such.

A RESOLUTION OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, RECLASSIFYING PUBLIC SAFETY 911 TELECOMMUNICATORS AS PROTECTIVE SERVICE PROVIDERS

WHEREAS, the Town of Hilton Head Island Fire Rescue, South Carolina (hereinafter referred to as “Fire Rescue”) enjoys the hard-earned International Accreditation Status and has a state-wide reputation for excellence and innovation within the community; and

WHEREAS, Fire Rescue recognizes the 911 Telecommunicators employed by the Town of Hilton Head Island are important public safety personnel, contributing to the renowned status of Fire Rescue; and

WHEREAS, The Town of Hilton Head Island Fire Rescue further recognize the critical role 911 Telecommunicators serve as first responders, serving to protect the public and save lives through coaching and communicating with callers; and

WHEREAS, each of the thirteen (13) 911 Communications Center personnel employed by the Town of Hilton Head Island holds dual certifications of Emergency Medical Dispatcher and certified Emergency Fire Dispatcher- serving as both medical and emergency fire call takers and dispatchers; and

WHEREAS, each of the 911 Telecommunicators work selflessly to insure the safety and prompt assistance of nearly 40,000 residents and 2.74 million yearly visitors and also insuring the Fire Rescue front line personnel have the information they need in order to safely and efficiently serve the community; and

WHEREAS, the Town of Hilton Head Island desires to reclassify 911 Telecommunicators as part of the protective service providers would give them the respect and recognition they deserve.

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

1. The Town of Hilton Head Island 911 Telecommunicators are hereby designated as members of the Protective Service Providers.
2. This resolution shall take effect immediately upon adoption.

(SIGNATURES TO FOLLOW ON NEXT PAGE)

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2021.**

**TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA**

John McCann, Mayor

ATTEST:

Krista 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

TO: Town Council
FROM: Diane Busch, *Staff Attorney/Prosecutor*
CC: Marc Orlando, ICMA-CM, *Town Manager*
CC: Josh Gruber, *Deputy Town Manager*
DATE: July 2, 2021
SUBJECT: Motorized Scooter Prohibition

Recommendation:

On June 16, 2021, during the Public Planning Special Meeting, the committee reviewed Staff's recommendation that motorized scooters be expressly prohibited for use on public roads, pathways and rights-of-way within the Town of Hilton Head Island. The committee voted 4-0 in favor of staff preparing an Ordinance to that effect.

Background:

Staff has recently learned of an attempt by local businesses to offer motorized scooter rentals on the Island. Motorized scooters (propelled by a motor) are lightweight, two-wheeled tandem, open motor vehicles on which the rider stands on a floorboard, self-balancing, with the help of a long-steering handle. (Illustrative photo attached as Exhibit 'A').

Classified by State law as motor vehicles, motorized scooters are not permitted on public sidewalks or pathways. A motor vehicle is defined as "every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails." SC Code of Laws does not distinguish, or further define motorized scooters; however, both motorcycles and mopeds are defined. Of the two, the definition which most closely describes a motorized scooter is a moped, which is defined as "a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof."

If we apply the definition of a moped to identify motorized scooters, SC law requires, "A moped operated on a public highway must be registered and licensed with the SCDMV (South Carolina Department of Motor Vehicles) in the same fashion as passenger vehicles." Staff contacted Val Valenta, General Council for SCDMV, and confirmed our interpretation was consistent. Mr. Valenta opined:

"Electric scooters fit the definition of motor vehicle as stated in 56-1-10(7)

(7) "Motor vehicle" means every vehicle which is self propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

However, it would not be a moped if it operates on 750 watts or less, as 56-1-10(26) states

(26) "Moped" means a cycle, defined as a motor vehicle, with or without pedals, to permit propulsion by human power, that travels on not more than three wheels in contact with the ground whether powered by gasoline, electricity, alternative fuel, or a hybrid combination thereof. Based on the engine or fuel source, the moped must be equipped not to exceed the following limitations: a motor of fifty cubic centimeters; or designed to have an input exceeding 750 watts and no more than 1500 watts. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

South Carolina law includes additional requirements for those selling, leasing or renting mopeds. The devices must be equipped with operable pedals (if equipped with pedals); at least one rear view mirror; operable headlights and running lights; and brake lights which are operable when either brake is deployed. Please note that motorized scooters are not equipped with any of the above. Other than on private property, there are no lawful public roadways or pathways on which a motorized scooter may be operated within the Town of Hilton Head Island.

Importantly, there are also significant safety concerns regarding the operation of motorized scooters on public pathways and roads. A study released by the JAMA Network Open Study found “Standing motorized scooters are increasingly used for personal transportation, yet such devices confer considerable risk for trauma, particularly to the head and extremities. As potential dangers are not widely known and training is often minimal, riders may often use these devices in an unsafe manner, e.g., without protective gear and/or while intoxicated. This single-center study assessed the incidence and severity of traumatic injuries associated with motorized scooters and the associated use of protective devices and/or intoxicants.”¹ Further, in a 2020 study of e-scooter injuries, Kathleen Yaremchuk, M.D., chair of the Department of Otolaryngology at the Henry Ford Health System –says a review of emergency visits in the last three years shows e-scooter injuries have increased significantly with many of them related to head and neck injuries.²

Incidents within the Town are antidotal at this time as no official data compiling mechanism has been established to keep track of incidents involving motor scooters. However, there the increased risk for collisions with bicyclists, pedestrians, individuals with physical limitations, motorists, and other scooter riders if Town pathways or roads included one-person motorized scooters.

¹ Bauer F, Riley JD, Lewandowski K, Najafi K, Markowski H, Kepros J. Traumatic Injuries Associated with Standing Motorized Scooters. *JAMA Netw Open*. 2020;3(3):e201925. doi:10.1001/jamanetworkopen.2020.1925

² <https://www.henryford.com/news/2020/10/ent-e-scooters-study>

EXHIBIT 'A'



AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2021-19

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; TO ADD A NEW ARTICLE 611, TO TITLE 12, CHAPTER 1, TO PROHIBIT THE USE AND RENTAL OF MOTORIZED SCOOTERS ON ANY PUBLIC RIGHT-OF-WAY AND TO PROVIDE AUTHORITY TO THE TOWN OF HILTON HEAD ISLAND AND THEIR DESIGNEES TO REMOVE AND DISPOSE OF ANY MOTORIZED SCOOTERS PHYSICALLY LEFT UNATTENDED ON PUBLIC PROPERTY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council now desires to add Article 611, to Title 12, Chapter 1, for the purpose of defining “motorized scooter” and to establish prohibited uses thereof; and

WHEREAS, the Town Council finds that motorized scooters are a safety hazard to visitors and residents, particularly those enjoying the public sidewalks and pathways of Hilton Head Island; and

WHEREAS, as defined by South Carolina Code, motorized scooters are motorized vehicles, which are prohibited by the Municipal Code of the Town from use on Town sidewalks, pathways and beaches; and

WHEREAS, South Carolina law requires motor vehicles to be registered and titled with the SCDMV if they are driven upon public roadways; and

WHEREAS, the Town Council finds that it is in the best interests for the safety of the citizens and visitors of the Town to prohibit the use of motorized scooters on or about public roads, public right-of-ways, and public pathways.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; 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 1 (Motorized Vehicles Prohibited on Pathways) of Title 12 of the Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby amended to include Article 611:

Section 12-1-611 Motorized Scooters: Defined.

For the purposes of this chapter, the term “Motorized Scooter” shall mean every device which has one, two, or three wheels, with or without handlebars, a floorboard that is designed to be stood upon while riding, powered by an electric motor, or any other artificial power source. Devices commonly known as electric scooters, hoverboards and one-wheels are illustrative of, but not limited to, other devices intended to be included in this section. Powered scooters or powered wheelchairs designed for use by persons with limited mobility and “Electronic Personal Assistive Mobility Devices,” as defined in S. C. Code Ann. § 56-5-3301 are not "Motorized Scooters" as that term is defined in this Ordinance and are excluded from the application of this Ordinance.

- (1) Section 12-1-612 Motorized Scooters: It shall be unlawful for any person to operate a Motorized Scooter:**
- a. Upon any public roadway designed for vehicular traffic;**
 - b. Upon any public sidewalk or pathway;**
 - c. On any public right-of-way;**
 - d. Upon any Town owned or leased property, including parks, recreation centers, beaches, athletic fields or parking lots.**
- (2) It shall be unlawful to rent, offer, or make available a Motorized Scooter for the use on a public roadway, public sidewalk or pathway, or public right-of-way.**
- (3) Any Motorized Scooter left physically unattended on public property may be removed and disposed of by discarding, donation, auction, or any other manner deemed appropriate by the Town. The Town shall bear no responsibility to a Motorized Scooter owner for loss or damage to a confiscated motorized scooter, including any chain or locking mechanism, in its enforcement of this Section.**

Section 2 Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held to be 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 TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2021.

(SIGNATURES ON FOLLOWING PAGE)

John D. McCann, Mayor

ATTEST:

By: _____
Krista Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Curtis Coltrane, Town Attorney

Introduced by Council Member: _____