

HILTON HEAD ISLAND

R/UDAT

OCTOBER 5 - 9, 1995

TOWN OF HILTON HEAD ISLAND
SOUTH CAROLINA

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1995

REGIONAL/URBAN DESIGN ASSISTANCE TEAM • THE AMERICAN INSTITUTE OF ARCHITECTS

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What is R/UDAT?

The R/UDAT Concept

The Regional and Urban Design Committee of the American Institute of Architects (AIA) has been sending Urban Design Assistance Teams to various American cities since 1967.

The teams respond to the problems as described by the local AIA Chapters and their community sponsors.

Each Regional/Urban Design Assistance (R/UDAT) is specially selected to include professionals experienced in the particular problems of the area under study. Team members are not compensated for their services and agree not to accept commissions for work resulting from their recommendations.

The team acquaints itself with the community and its people, engages in analysis from a fresh and unbiased perspective, and offers its recommendations for planning and action strategies.

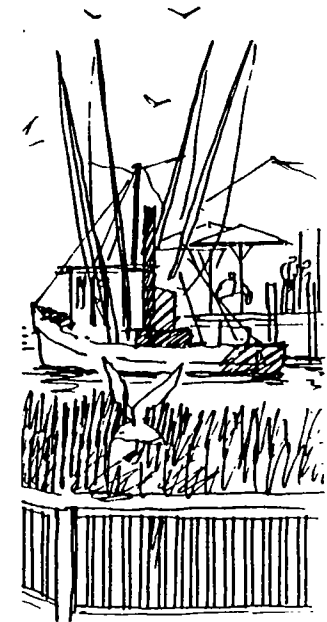
The process is very intense and includes team meetings with community groups, residents, site visits and tours, public hearings and late night work sessions. This report is the end product of the four day effort.

Over two hundred cities with a combined population of more than 25 million citizens have been served and professional services valued in excess of \$4 million have been donated. Hilton Head Island is R/UDAT number 213.

Making R/UDAT Happen

The R/UDAT program receives many inquiries each year from communities throughout the country requesting assistance. Communities that are selected for R/UDAT visits must demonstrate to the National Task Group community-wide support. This support must come from both the public and private sectors and represent broad support throughout all of the segments of the community. This support must be documented to the R/UDAT Task Group through letters, cash contributions, and in-kind services and contributions.

The citizens of Hilton Head Island, acting through their local R/UDAT Steering Committee, have clearly demonstrated their commitment to R/UDAT.



HILTON HEAD ISLAND R/UDAT

Mission Statement

To provide an objective, politics-free process for the Island's northwest quadrant with the goal of bringing that area's development into the Island's economic mainstream; to open up lines of communication among Ward 1's neighborhoods and with the Island community at large; to build trust in an Island wide relationship historically marked by distrust and misunderstanding; and to provide the people of Ward 1 the tools they need to more effectively advance their economic interests.

Objectives

Outline and initiate a process that would eventually culminate in conceptual land use plans to be used by the four neighborhood groupings in Ward 1. The process should result in neighborhoods consensus on a plan and result in market-based development of areas of the community, not just individually owned parcels. The process must take into account the fractionalized nature of land ownership in the area and recommend funding mechanisms and sources to bring a plan closer to fruition.

Outline a process that would result in a conceptual utilities plan (roads, water, sewer, drainage, electricity and cable television) to be used by the four neighborhood groupings in Ward 1. The process should include funding mechanisms and sources to bring a plan closer to fruition.

Identify mechanisms and funding sources for the legal costs of clearing title to heirs property.

Identify methods to provide property tax relief where appropriate and desired to ensure continued ownership even as the land's market value increased with economic development.

A Development History of Hilton Head Island

In the span of a few decades, Hilton Head Island transformed from a small rural, agricultural community to a regional urban center and international resort.

But that development has been the tale of two communities. On the 20,000 acres concentrated in large tract ownership in the 1950's, development came relatively swiftly, guided and funded by private interests who employed private controls over future land use to protect, enhance and profit from the Island's natural beauty.

In contrast, the 3,500 acres of Ward 1, held largely in 5- to 10-acre parcels, remains much as it was in 1956 when the first bridge to Hilton Head opened up development to this sea island. The hurdles to reaping the economic rewards enjoyed by land owners in other parts of the Island have to date proved too high for many. They include fragmented land ownership, multiple ownership with clouded legal title ("heirs" property), lack of financial resources, lack of utility services, and an increasing tax burden as development elsewhere boosted land values. Many Ward 1 families have owned and lived on this land since their forebears bought it shortly after the Civil War. Their ties to the land are deep, and it is an inheritance they have protected fiercely to pass on to their children.

Each of the planned communities on Hilton Head (Sea Pines, Palmetto Dunes, Port Royal, for example) began with a conceptual master plan. Such privately funded master plans were the starting points of a 20- to 30-year process of

community building. Such plans typically involved an array of skilled professionals, including landscape architects and land-use planners, architects, market research analysts, land-use lawyers, financial analysts, engineers, golf course architects, naturalists and ecologists and others. Both initial plan development and subsequent plan revisions were costly and time-consuming.

While most planned community development on Hilton Head Island occurred under tight private controls, the period from the mid-1970's to the early 1980's saw the emergence of development marked by higher density and few land-use controls. This type of development sparked the effort to incorporate the Town of Hilton Head Island when critics did not get the response they sought from Beaufort County officials.

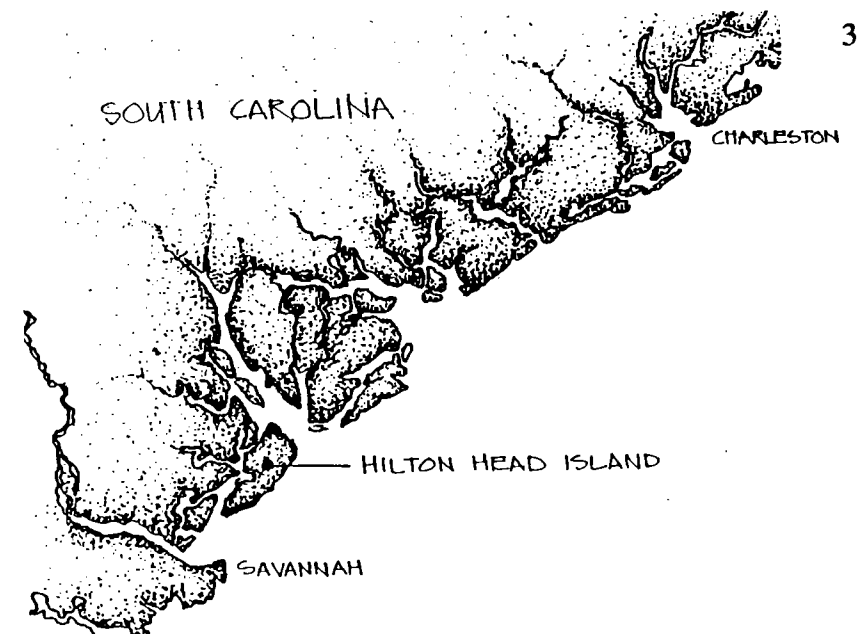
In 1983, Island voters approved a "limited services" government that concentrated initially on the regulation of development and growth. The local branch of the NAACP and many Ward 1 residents fought incorporation because they saw few benefits for their community from a "limited services" government, only higher taxes.

The resulting political climate is one marked by distrust. Many native islanders have seen wholesale change brought to their community's way of life with relatively little perceived economic benefit, particularly as landholders. Some seek ways to hold onto their land as is, but face mounting financial pressures to do otherwise. Others are ready to reap the economic benefits of development, but lack the resources.

The fragmented land ownership and heirs property issues have made even the seemingly simple task of paving a road nearly impossible and has added to the complexity and expense of providing water and sewer service to Ward 1 residents and landowners.

What the Hilton Head Island community now seeks is the end to this separation by degrees of development. The Island can no longer bear the fragmentation brought by economic disparity if it ever hopes to move forward as one community.

**Special thanks to Charles E. Fraser for his contributions to this narrative.*



Introduction

*We're free on Carolina's shore
We're all at home and free.*

John Greenleaf Whittier

The theme of this report is simple. This R/UDAT is not a study of design or planning, but of a chronic failure of a town to meet its municipal obligations. The town is focusing the costs of remedying the problems of growth on this Island on a small, closed class of its residents---the residents and owners of property in Ward 1. This policy appears to be conscious and permanent, no matter how much it is couched in words of deferral. It appears to be focused on the native Island residents, who have concluded, with some justification, that "we seem to be the real non-conforming use here."

This report sets forth a series of steps we believe that the town can take, if taken promptly, to retreat from this inequity. These are steps that we believe are basic duties of municipal government, and therefore they are not projects for the future, but mandates for the present. We believe that if the town does not implement these steps, it will be in further substantial default of its legal obligations.

It may very well be true that the Island is choked by traffic and growth and that every citizen faces the effects of congestion and perhaps even a sense of paradise lost. It may well be that the plantations were in the aggregate a significant over-development of the Island, because of the traffic and other demands they impose on the Island's resources. What is equally true is that the remedy for this problem is not to impose substantially all the cost of fixing it on the residents of Ward 1.

That, unfortunately, is what at present is being done. It is being done by refusing to see that Ward 1 residents get the same basic services that the residents of the rest of the town have enjoyed for years. It is being done by effectively closing down Ward 1 from development, certainly from the same level and acceptance of development that greeted the master plans for the plantations.

When the town officials say "we are not in the water, sewer, or road business," they miss, in our opinion, the most fundamental of their duties---the duty to provide equal and effective services to their residents. If there is another district or entity around that might take the lead in providing these services, all well and good, but the underlying obligation to pick up the flag if it is dropped by someone else is the duty of the town and the duty of no one else.

5 When the town officials say that we have traffic or other problems that temporarily prevent us from approving development of any size in Ward 1, they are not being entirely candid. It is apparent both in what has been said and done in the past 13 years that the town presently does not intend to permit Ward 1 to develop and that today's "deferral" of development is a prelude to some new policy of tomorrow that will say again that Ward 1 cannot get there from here. It is a simple fact that Ward 1 is not being permitted to develop; the town should face that fact squarely and for its own sake.

There is, finally, an irony in how this is all playing out, an irony that cannot go unnoticed or unmentioned. The native Island people were here first; some of their families go back many generations on this Island. They did not bring development here; left to themselves, they probably would have gone on into the distant future living the quiet, introspective, unchanging lives that most of them value above all else. They are not responsible for the ills of this Island;

their way of life is just as impacted by the congestion and the change as the environment is. They unwittingly mortgaged their way of life to the changes on this Island. And if being somewhere first counts for anything, it must bestow on these Island people a special equity in the well-being and bounty of this place.

To visit on them, therefore, the major burden of fixing the mistakes of growth here is wrong. It is a function not of a balance between right and wrong, but of political power and the neglect of simple justice. We have been profoundly moved, all of us, at how what has happened here to the native Island residents in the last 15 or 20 years cannot be made to seem symmetrical or fair no matter what vantage point is adopted to observe it.

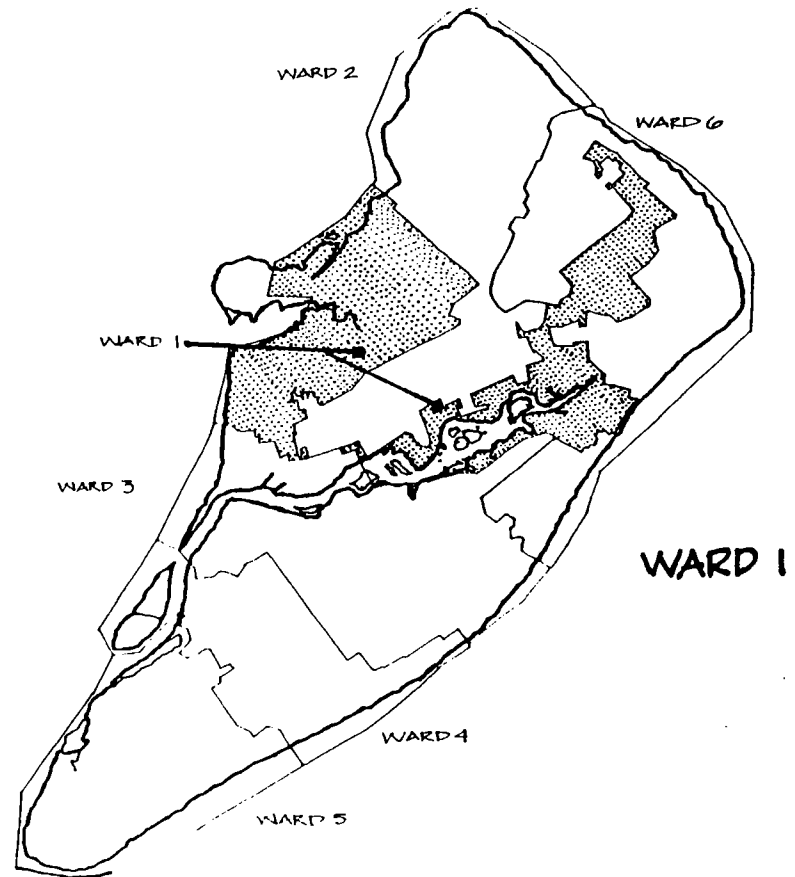
We have suggested that the town adopt a brief, focused, and specific period for master planning for Ward 1, perhaps no more than six months. The deferrals and delays of the last 15 years suggest that any longer period would be another invitation to delay for its own sake. During this period, we believe the town should examine and deal forthrightly with the specific issues that this R/UDAT has developed and set forth in this report. This is not because R/UDAT is able to see what no one else can see, but because R/UDAT has simply articulated in a categorical way what is as plain as the hand in front of your face. These issues are **obvious**.

Within the Ward 1 community there are differences of opinion, some disputes, and some would claim a certain "lack of vision." It is not possible to be too critical of anyone who seems to lack vision, when that person is preoccupied with getting basic services and a right to the use of his or her land. On the other hand, if the town enters into this brief period of planning with an open heart, the citizens of Ward 1 must be

prepared immediately to collaborate to make this period meaningful and productive.

One way in which the citizens of Ward 1 can collaborate is by fixing the problem of the heirs' property. We have suggested the creation of a non-profit corporation to bring within the means of every citizen the clearing of heirs title. We talk more of this plan in this report.

We have enjoyed it here, although this has been a non-traditional R/UDAT. The essence of R/UDAT is design, planning, and the implementation of ideas a whole community can get behind---ideas that the political structure supports, or at least takes seriously. This, at the moment, does not seem to be the definition of the problem here, but we have felt obligated for that fact alone to adopt a different and very direct approach to this problem.



Principles

During the course of the R/UDAT, many issues were raised by those who spoke to the team, at the Saturday morning hearing, in the small group meetings, and one on one in formal and informal encounters. While many people raised specific issues, whether they be the effects of the Traffic Impact Fee or the extension of sewer and water service into Ward 1, others raised fundamental questions about the nature of the community and its history, the role of local government, and the relationship of one part of the community to another. From a wide range of opinions, insights and viewpoints, five basic issues emerged:

- Vision
- Equity
- Responsibility
- History
- Urgency

These issues inevitably define the basic framework within which all other matters, from the most general to the most specific, must be perceived and addressed.

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Vision

Every community has a vision of what it is, and what it wants to become. Hilton Head Island, however, shares two conflicting visions for the same space. Until those visions are resolved into one, the Island can never become a true community.

The plantations were developed as resort communities, selling a idyllic vision unmarred by the realities of the communities from which the vacationers - and later the retirees - came. In this vision, the Native Islanders have become all but invisible. While it would be an exaggeration to suggest that this vision entails the

disappearance of the Native Islanders from Hilton Head Island, it has gone a long way in that respect. The traditional communities are unmarked on Island maps, and the rich history of the Island from the Civil War to the establishment of Sea Pines Plantation gets short shrift in tourist brochures and guidebooks.

This community has no true vision of the future, or if it does, it is of a future that is essentially the present refined and marginally improved. It is no surprise that the Town's comprehensive plan, although detailed and informative, makes no attempt to convey a vision of the future. The creative spirit that characterized the initial development of the plantations appears to have been lost.

Side by side with the plantations live the Native Islanders, a people with a radically different vision of the Island, which is home to them in a more intense and permanent way, an Island to which - despite the pressures of recent decades - they remain committed. Their vision is of a community seeking to survive in and on their land, fighting to do so against almost insurmountable social and economic pressure.

While it appears that much of the Town's majority looks forward to a future much like the present, the same is not true of the Native Islanders. Their future as a community is likely to be either worse - perhaps far worse - or better.

While many Ward 1 residents and property owners with whom we spoke talked of a vision of a place in which they could live comfortably, supported by a strong community, with good public services and economic opportunities, they all realized that this would only come into being through concerted action, not only by themselves, but by the entire Island. The R/UDAT team feels that this is a vision worth working, and if necessary fighting, for.

The goal of making that vision a reality forms the fundamental grounding for our recommendations.

Equity

Equity is a fundamental principle of American society. It means that different individuals and groups are treated fairly, that resources are fairly divided and shared, and that opportunities are equally available to all. Hilton Head Island falls seriously short of living up to this principle.

Within the Island live two groups, one made up of people whose families have been long-time residents, and another of - more or less - recent migrants. The latter group, largely residents of the plantations, are substantially more affluent as a group than the former, the Native Islanders. By living in the plantations, where services are provided by private associations, the latter enjoy a far higher level of service than the former, who are dependent for public services on a government with a narrow view of its responsibilities to its citizens. While there may be historical reasons for this disparity, and some may try to justify it on economic grounds, the fact remains that it is not equitable. It is not a fair distribution of resources.

That same government, mandated by the majority of its citizens to control growth on the remaining vacant land on the Island, imposes constraints with a heavy hand on the owners of the remaining vacant land, predominately the Native Islanders. By comparison, the owners of the plantations - more than 2/3 of the Island - largely wealthy recent arrivals, obtained vested development rights prior to incorporation of the Town, and are thus immune from the Town's restrictive land management policies. One can argue that this inequity is a function of time, rather than conscious design, but its existence cannot be denied.

Opportunities, in this case for development, have not been equally available.



"I have been a lot of places. I have met a lot of people. I have done a lot of things. But this is home."

-Perry White (Native)

Native Islanders have not benefited proportionately from the development of the plantations. While there has been some improvement, and some jobs, they have not led to a quality of life that is necessarily better than before. The cost of living on the Island has skyrocketed, so that Native Islanders employed in poorly paid menial positions are often worse off than before. As property values have risen, so have property taxes. Few if any Native Islanders are in positions of power or influence in the public or private sectors of Hilton Head Island. Town government, which reputedly employs no Native Islanders, has not responded to their needs and concerns.

Perhaps the greatest inequity of all is that of the change in the character of the Island. An island which once belonged to the Native Islanders has slipped away from them. The greater part of the Island is off limits, behind locked gates. Islanders whose ancestors are buried in the Harbor Town cemetery must obtain permission from Sea Pines security guards to visit their graves. The Islanders have become virtually invisible to the new residents, who are largely ignorant or indifferent to their traditions, practices, and interests.

Respect for the minority, and a willingness to address its needs and concerns, is essential to equity, and indeed to the practice of democracy. Too often, on Hilton Head Island, the majority has not followed that practice. It is crucial that the imbalance that has been perpetuated for many decades be redressed. That principle has been a central theme in the recommendations that follow.

"If my home is destroyed I was told I couldn't build it back. If anything happens to my home, I cannot leave. I was born on that site."

-Lou Ethel Hill (Ward 1 Resident)

Responsibility

Fundamental to the American civic system is the obligation of all parties to accept responsibility for their communities, whether as citizens or as government. Americans are known as citizens, rather than subjects, in recognition of their commitment to be an active part of their community, rather than a passive spectator to its unfolding. Similarly, the concept of home rule, enshrined since 1973 in the South Carolina Constitution, assumes that in return for the ability to act, local government will take responsibility for its actions. On Hilton Head Island, all parties, but particularly the Town government, have failed to live up to their responsibilities under the American social compact.

The concept of Town government as a "limited service government", excluding large realms of service delivery from its purview, is not a statutory or legal formulation, but a policy decision entered into at the time of incorporation. Whatever merit it may have had at the time, its abandonment as a guiding principle of local government is long overdue. It has served as a means by which Town government has escaped taking responsibility for matters that are rightfully theirs.

Local government, as the government closest to the people, has a fundamental obligation to ensure, to the best of its ability, that all of its citizens obtain the services that they need, according to generally recognized national or regional standards. If some other entity, be it the County, the State, or a PSD adequately provides that service, the municipality need not act. If they do not, it is the municipality's responsibility to do so. No principle is more fundamental to the ethic of public service and local government.

Responsibility, however, is a reciprocal relationship between government and citizenry. The abdication of responsibility on the part of Town government is paralleled in the reluctance of much of its constituents to act as citizens. Living behind gates in plantations, they lose track of the fact that they are, whatever their inclinations, also citizens of a public realm, the Town of Hilton Head Island. Rather than cater to the tendency of Island residents to withdraw behind their gates, the Town government and civic leadership have an obligation to foster a sense of citizenship, and a consciousness of their membership in an Islandwide community.

While perhaps more understandable in view of this history of frustration and disappointment, the reluctance of many Ward 1 residents to participate more fully as citizens, both of their own community and of the Islandwide community, will also act as a hindrance to achieving their vision. Exercise of political rights, including voting and active participation, creation of strong organizations to carry out programs and activities on behalf of the community, are all essential parts of any strategy to undo the historic inequities affecting the Native Islander community.

The willingness of Town government to acknowledge its responsibilities to its citizens, and on the part of its citizens to acknowledge their responsibilities to their community and to the public realm, are a basic building block without which no strategy to address the needs of Ward 1 can be successful. Without that commitment on the part of all those involved, it will inevitably fail.

"This town needs to develop a system of protocol."

-Thomas C. Barnwell, Jr. (Developer,
Native)

History

The dynamics of conflict and inequity affecting what might be called the two cultures of Hilton Head Island are inevitably complicated by the history of those cultures, and the clash that began with the development of Sea Pines in the 1950's. At the same time, the reality of the Island is immeasurably enriched by the rich cultural heritage of the Native Islanders, a heritage which, if respected by the entire Island community, may well become a vehicle for increasing opportunities for participation by the Native Islanders in the larger economy and polity.

During the years following the Civil War, the African-American residents of the Island developed a rich, vital, and distinctive culture with its own language, Gullah, organized around a materially poor but spiritually rich farming and fishing life. Although that culture has suffered under the pressure of dramatic economic and political change, it survives. It is unlikely that the Native Islanders would still exist as a distinct and viable community on Hilton Head without the support provided by their history and culture. One cannot separate their demands for better public services and the culture that gives them cohesion.

It is the recognition of this culture that drives much of the direction of this report. Ward I and its vacant lands cannot be treated as a clean slate to be made available for development, or preserved for environmental or aesthetic reasons. All steps taken by government, whether in the provision of services or the framing of development regulations, must be sensitive to the history and the cultural dynamics of the community. Its survival demands no less.

"When I look around, I don't see any communities of native islanders on any map. These communities meant a lot to us. To be accepted, we've got to get these communities back on the map."

-Irvin Campbell (Native)



Urgency

Little is new about the concerns of the Ward 1 residents. It is unlikely that any issue raised during the R/UDAT visit has not been raised before. The documentation provided to the team shows that in many cases issues have been raised for 10, even 20 years. Most Native Islanders opposed incorporation in 1983, fearing that it would do their community more harm than good. After 12 years, it is hard to argue that they were not accurate in their assessment. The residents of Ward 1 have experienced an extended period during which development opportunities were constrained, needed services were not provided, and bit by bit the island they considered their own slipped further and further from their grasp. The frustration and low expectations of many of the individuals speaking to the R/UDAT team was manifest; indeed, after so many years, it is admirable and surprising that so many residents are still hopeful that the future may bring improvement.

This cannot be expected to continue indefinitely. The team came away with a strong feeling that in some respects the R/UDAT process may be something of a last effort, one final attempt to frame a responsible, effective and comprehensive strategy to redress the inequities of the past and create a new future not only for Ward 1, but for the entire Island. For this reason, we feel strongly that the time during which the team's recommendations can successfully be implemented is not a long one. Without visible results within a short period - certainly within a year or less - the rupture between the Native Islanders and the balance of the Island community may become impossible to heal.

Many of our recommendations are designed to be implemented immediately. Even with respect to issues such as the provision of sewer and water service, where factors beyond the Town's control may delay implementation to 1997 and later, the Town can take key actions, including making explicit policy commitments, immediately. The master plan process for Ward 1, a key recommendation, should be begun immediately, and completed within six months. Adoption of amendments to the Land Management Ordinance to implement master plan recommendations should be complete within a year or less. The time is now, and the need is great. The sense of urgency must not be lost.

"I've heard a lot of talk, but nobody has done anything at all in the last five years I've been home."

-William Bligen (Native)

"We get promises, promises, promises and no action has been done yet. I want to hear when something will be done."

-Benjamin Miller (Resident)

Issues

Over the course of the R/UDAT, the residents of Hilton Head advanced specific problems that had been left unaddressed or had been addressed unsatisfactorily. These problems were cited as either real or perceived impediments to advancing the overall goals of equity and opportunity for the citizens of Ward 1. In some cases these same items were echoed by residents outside of Ward 1 during the course of public discussion. Each of the eleven items in this section were considered by the R/UDAT Team as substantive issues that begged specific strategies or suggestions for consideration.

Heirs Property

Heirs property is a sign of ancient culture, not a genuine title problem. It should be protected and preserved for its value in representing a special element of the past, if it can be sufficiently clarified and saved from unwarranted expense and delay in fitting it into the modern use of land titles.

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The problem with heirs property, as it has been explained to us, is delay in clearing title and the expense of lawyers' assistance and title searching. We have a proposal to alleviate and perhaps eliminate this problem. It is illustrated by the adjacent diagram.

We propose to create a non-profit corporation under South Carolina law, to be called "The Heirs Property Non-Profit Title Assistance Service," or "Heirs Property Service" for short. Its members will be a co-op of heirs, Ward 1 leaders, bar association volunteers, title searchers and experts, and community historical and philanthropic leaders. Their joint task will be:

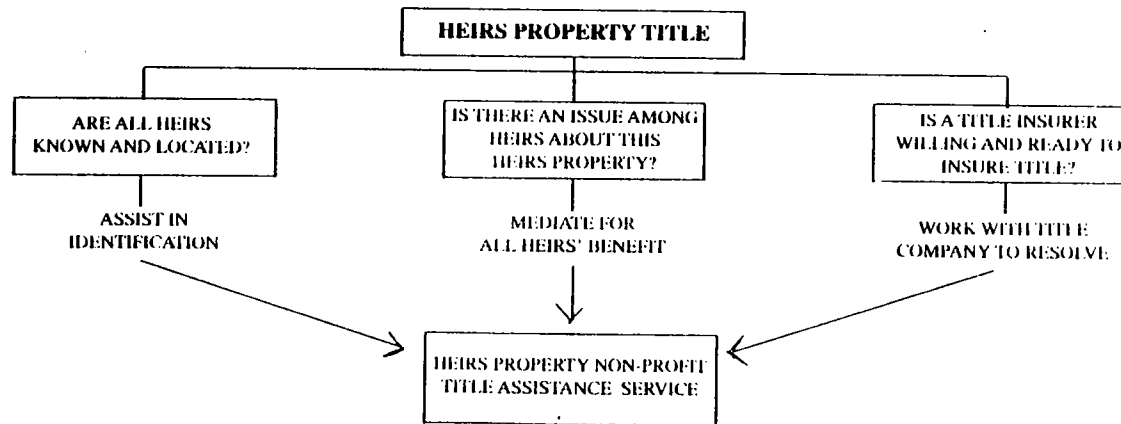
- To preserve heirs property for those who remain dedicated to its ways.
- To offer low- or no-cost legal and title assistance to heirs property owners who desire to straighten out their titles. This would be funded by pro bono legal and title services and grants.
- To ascertain whether there is a possible question among heirs of specific properties about heirs title and, if so, to offer mediation services by bar association volunteers, Ward 1 leaders, or others who will insure the trust of heirs.

- To work with title companies and lenders to resolve quickly heirs property problems, so that land development or transfer is not delayed or derailed.
- To devise by consultation with the Ward 1 community innovative ways to preserve heirs property as part of the Gullah culture, while assuring heirs that their property is prepared and ready for modern real estate transactions.
- To use this practical example of cooperation between the Ward 1 community and the community at large to generate other ways in which these two communities can know and cooperate with each other.

HEIRS PROPERTY

- RESPECTING TRADITION
- PROTECTING HEIRS FROM EXPENSIVE WAYS TO CLEAR HEIRS' TITLE
- SETTING UP A NON-PROFIT CORPORATION TO HELP CLEAR TITLE

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- NON-PROFIT CORPORATION: A CO-OP OF HEIRS, WARD 1 LEADERS BAR ASSOCIATION, AND COMMUNITY PHILANTHROPIC LEADERS
- PRO-BONO LEGAL AND TITLE WORK
- MEDIATION OF HEIRS PROPERTY PROBLEMS, IF ASKED BY ALL HEIRS

Infrastructure and Physical Improvements

The Town of Hilton Head Island has the fundamental responsibility to ensure that necessary services, whether provided by the Town, Public Service District No. 1 (PSD 1), Beaufort County, or private entities, are available to all its citizens. Among the most important of those services are access to adequate and safe sewer and water service, and access to paved collector roads. The time is long overdue that the Town acknowledge that responsibility.

Over and above the services that have been identified as urgent needs, **the Town must establish a long-term source of dedicated funds for future community improvements, to be used to bring the quality of life in Ward 1 up to the level already available to the balance of the community.** Although this fund can take many forms, its creation is essential to the long-term establishment of balance and equity in the Hilton Head community.

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Water and Sewer Service

Without public water and sewer service, the rational and environmentally-sound development of vacant lands in Ward 1 is not possible. Although there is disagreement on whether extensive reliance on individual wells and septic systems has or has not created problems up to this point, it is clear that it is not an environmentally-or economically-sound long-term solution for Ward 1 property owners.

The expansion of PSD 1 to include the entire Ward 1 has, for the first time, potentially brought the opportunity for sewer and water service to every property in the ward. Whether this is a

"We just want to get the basic services everyone else is getting."
-Veronica Miller (Native)

realistic opportunity or not depends on many factors still undetermined. We believe that making this a realistic opportunity is a key responsibility of town government.

Working together with the PSD, the County, and other public and private entities, the town must ensure that over the next five years - by the end of 2000 - all Ward 1 property owners will have an economically realistic opportunity to connect to public water and sewer systems.

Based on discussions with PSD 1, we estimate - once PSD 1 has installed sewer collector lines in Ward 1 - that the cost of connecting to the sewer system will be approximately as follows: Connection fee (to recapture PSD capital costs) of approximately \$8.50 per gallon, and tap-in fee of \$900 per house. This, along with on site plumbing costs, translates to a basic cost, assuming the property is more or less adjacent to the PSD line, of roughly \$5,000 per house. For properties more remote from the line, the cost increases sharply, as lines must be laid and - in most cases - lift stations installed to bring the sewerage flow from the house to the PSD line.

Connecting a house 1,000 feet down a lane from the line can easily add \$35,000 to \$50,000 to the cost. The base cost for a water hookup is estimated at \$1,500. Since fire protection requirements dictate that the water distribution system being installed by PSD 1 be more extensive, most property owners will not incur substantially higher costs than this estimate.

The Town's commitment should be defined as follows:

- **Ensure that PSD 1 provides the sewer collector and water distribution system throughout Ward 1 in a timely fashion; and**
- **Ensure that adequate funds are available to permit every property owner who wants to connect to the sewer and**

water systems to do so in a manner that is affordable in light of their household income.

In order to achieve this second goal:

The Town should establish a program of grants for sewer and water connections for Ward 1 property owners, with the amount of the grant - as a percentage of the cost of the connections - established on the basis of family income.

The Town would establish a sliding scale for assistance; those families whose incomes were above some reasonably-established level would not be eligible, while homeowners of particularly low income would be eligible for grants to cover their entire cost. Home-owners with incomes between these extremes would be eligible for a partial matching grant.

PSD 1 should establish a fee structure for connections for Ward 1 property owners that specifically provides for (a) adjustment of fees based on family income; and (b) credit against connection charges to reflect taxes paid to the PSD before the opportunity to connect to the system became realistically available.

This last point is very important. Although the legal system may have provided no alternative, the fact that many Ward 1 property owners were required to pay taxes to PSD 1 long before they had any opportunity to benefit from any services provided by the PSD raises issues of fundamental equity. Simple fairness dictates that the amount paid by those property owners be - in effect - refunded to them in the form of a rebate, or a credit against their costs of connecting to the system.

The creation of a responsive fee structure by PSD 1, as recommended above, would substantially reduce the extent of

the Town's financial commitment; still, some funding would be required. This funding could be obtained in a variety of ways:

- **The Town should plan to apply for up to \$500,000 in Community Development Block Grant funds for this purpose each year for the next five years;**
- **The Town, and the Ward 1 leadership, should seek private funding through the Deepwell Foundation and Hilton Head Foundation;**

These sources may be enough to cover the cost of this commitment. If not, however, it should be clear that the Town must bear the ultimate responsibility.

- **The Town Council should make a commitment to appropriate up to \$500,000 per year for the next five years to cover the additional cost that must be required.**

No family, however, would be required to connect to public water and sewer except where specific conditions made connections a matter of public health and safety.

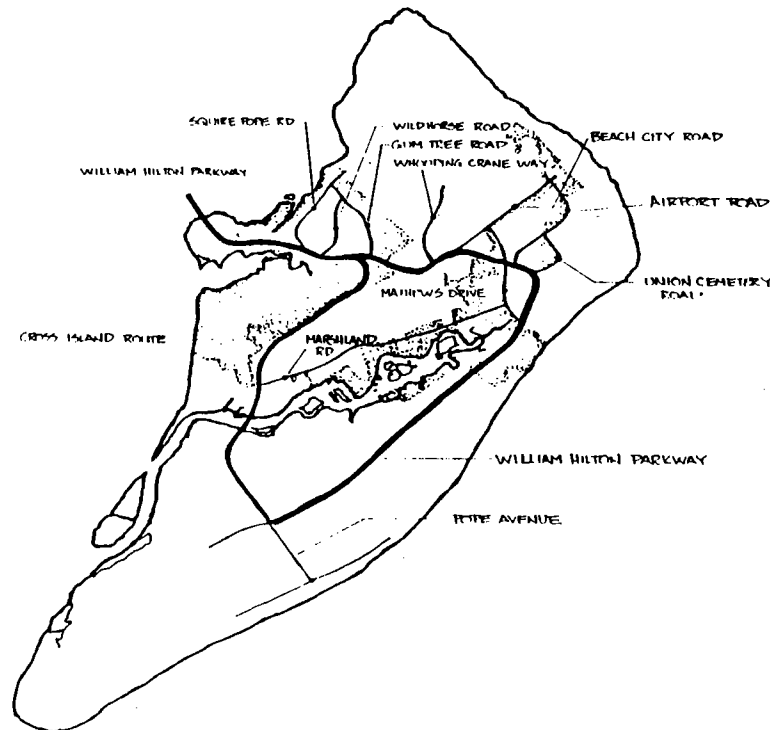
Road Improvement

The widespread extent of unpaved - and in many cases unsafe - roadways in Ward 1 is a major concern of the residents of the area. The extended delay in the paving of Jonesville Road, although arising from many different factors, has added to the frustration of many residents, who feel that Ward 1 has been significantly underserved in this respect compared to the rest of Hilton Head Island.

Not all public roadways need to be paved. Elsewhere on the Island, and throughout much of rural America, small dead-end lanes serving only a handful of houses are often left unpaved.

"We need a road. Let's be fair. Treat our road like all the other roads."

-Ben Miller (Native)



Many unpaved roads throughout Ward 1, however, do not fit that description. In particular, **all collector roads - roads linking one or more local streets and lanes with other, major, roadways - must be paved.** Jonesville Road falls into this category. In addition, certain local streets, even if dead-end, if their length or the number of homes on the street exceed certain minimum levels, should be paved.

Traditionally, the Town of Hilton Head Island has taken a limited role in the improvement and maintenance of the Town's road infrastructure, relying largely on the County and State for those services. While it may be immaterial which entity maintains which roadway, as the governmental entity with direct responsibility for its citizens' well-being, the Town has a responsibility to make sure that all roads are improved to acceptable standards.

The Town should make a commitment that over the next five years, all collector roads in Ward 1 are improved to appropriate paved standard. In so doing, the Town should seek all available funds, including state gasoline tax funds available through the County Transportation Committee (CTC). To the extent that additional funds are needed, the Town should:

- **Give priority in use of Street Improvement Fee funds for this effort.**
- **Provide additional funds, either through bonding or through annual appropriations, to ensure that adequate funds are available for this purpose.**

One major aspect of this program should be initiated immediately. CTC funds are available only with respect to roads where the right of way is donated to the County. The heirs property issue, which is discussed further below, dictates that the Town must provide up-front funds, and on occasion use its

power of eminent domain, to acquire the right of way which it then donates to the County. In order to have a pool of eligible projects "ready to go" through the CTC, the Town should immediately:



- **Develop a comprehensive list of all roads in need of paving.**
- **Identify priorities among this list.**
- **Immediately move forward, using Town funds, to acquire rights of way for all priority road pavement projects.**

In the event that development subsequently takes place on roads paved with Town funds under this program, the Town may be able to recapture all or part of the funds expended by fees imposed on those developments.

Community Improvement Fund

Ward 1 has consistently received fewer services and resources, despite its greater needs, than the balance of the Town. It is time that the Town made a concerted effort to redress that balance, by creating a long-term dedicated fund to be used for the full range of physical improvements in the Ward 1 community. These funds should be used for public improvements over and above those described here, affordable housing improvements, economic development projects, and other activities that enhance the quality of life in Ward 1 generally, and within the Native Islander community.

There are a number of ways in which such a fund could be established, including use of the tax-increment financing or municipal improvement district provisions of South Carolina law. **We strongly recommend that the Town use the provisions of Title 31 of South Carolina law to make Ward 1 a Tax Increment Financing (TIF) district, under which all incremental property tax revenues generated from development in Ward 1 would go into a dedicated fund for community improvements as permitted by statute.**

The Town would be required to take a number of procedural steps in order to make this possible. Ward 1 would have to be designated a conservation area, and a redevelopment commission established by the Town. Should this approach be pursued, the ordinance establishing the redevelopment commission should specify that at least a 2/3 majority of the commissioners be Ward 1 residents, since Ward 1 is the area in which the commission will be engaged in activity.

"When it rains, I have to get a boat to get to my house."

Binah Yates (Gum Tree Rd.. resident)

