



**Town of Hilton Head Island
The Planning Commission
LMO Committee**

**Wednesday, March 16, 2011
6:00 p.m. – Benjamin M. Racusin Council Chambers**

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Approval of Agenda**
- 4. Approval of Minutes – July 7, 2010 Meeting**
- 5. New Business**
The Committee will discuss and hear public comments on the proposed Outdoor Recreation and Water Front Mixed Use (WMU) District amendments to the Land Management Ordinance.
- 6. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this meeting.

THE TOWN OF HILTON HEAD ISLAND
Planning Commission
LMO COMMITTEE MEETING
Wednesday, July 7, 2010 Minutes
6:00pm – Benjamin M. Racusin Council Chambers

DRAFT

Committee Members Present: Chairman Gail Quick, Jack Docherty, Terence Ennis,
Charles Young and Al Vadnais, Ex Officio

Committee Members Absent: None

Other Commissioners Present: Loretta Warden and Tom Crews

Town Council Members Present: Ken Heitzke, Mayor Pro Tem

Town Staff Present: Nicole Dixon, Planner
Teri Lewis, LMO Official
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

Chairman Quick called the meeting to order at 6:00pm.

II ROLL CALL

III FREEDOM OF INFORMATION ACT

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

IV SWEARING IN OF NEW AND RETURNING PLANNING COMMISSIONERS

Mayor Pro Tem performed the swearing in ceremony for new Planning Commissioner, Mr. Charles Young, and returning Planning Commissioners, Mr. Jack Docherty and Mr. Terence Ennis. Mayor Pro Tem Heitzke welcomed the Planning Commissioners and thanked them for their service.

V APPROVAL OF AGENDA

The agenda was **approved** as presented by general consent.

VI APPROVAL OF THE MINUTES

The minutes of the March 3, 2010 meeting were **approved** as amended by general consent.

VII UNFINISHED BUSINESS

None

VIII NEW BUSINESS

Proposed Amendment to LMO Section 16-4-1305, Auto Sales

Ms. Nicole Dixon made the presentation on behalf of staff. Ms. Dixon stated that the proposed amendment was included with the 2010 General LMO Amendments; however the item was removed from the general set by Town Council at 1st reading on May 18, 2010. Town Council sent this item back to the LMO Committee for further review.

Town Council specifically asked that the LMO Committee review the suggested changes made by the Planning & Development Standards Committee, which was to reduce the proposed 500 foot separation to a 400 foot separation of auto sales use to auto sales use, eliminate the requirement of direct access to a major or minor arterial road and discuss removing the auto sales use from the CC (Commercial Center) Zoning District. Ms. Dixon referenced the May 18th Town Council meeting minutes as part of her presentation.

Ms. Dixon stated that the proposed changes before the LMO Committee this evening are: (1) to create a minimum lot size of one acre; (2) to remove the direct access requirement from major and minor arterial; (3) to reduce the 1,500 foot separation requirement from 1,500 to 500; and (4) how the distance is measured (from the nearest property line of the affected use to the nearest property line of the proposed facility).

In order to be more flexible for redevelopment and development opportunities, and to be more business friendly so that auto sales uses don't have to locate off island, staff recommends reducing the separation requirement between auto sales facilities and between auto sales facilities and residential uses from 1,500 feet to 500 feet. Staff is recommending a 500 foot separation between auto sales facilities because the separation requirements between other like uses – liquor stores, nightclubs and bars, tattoo facilities – is already established as 500 feet. After doing research, staff has determined there are no parcels within the Town that would allow an auto sales use using the existing 1,500 foot separation requirement, along with the other standards that are currently provided in the LMO for auto sales use.

Staff is also proposing to eliminate the requirement of a proposed auto sales site to have direct access to a major or minor arterial road. In an effort to be consistent with other sections in the LMO, staff is also proposing to add language stating how the distance shall be measured, changing residential use to residential zoning district and establishing a minimum lot size requirement. There were concerns voiced at the Town Council meeting that it may not be appropriate to have auto sales on small lots. With these changes, 113 parcels would allow the use of auto sales. (Parcels Federally, County or Town owned were eliminated from the analysis.)

Ms. Dixon and the LMO Committee discussed the existing separation requirement of 1,500 feet. The Committee discussed the Planning & Development Standards recommendation of 400 feet from auto sales to auto sales use and 500 feet from auto sales use to residential. Ms. Teri Lewis presented statements regarding existing regulations (as they relate to an existing auto repair business who wishes to add auto sales. This competing business is also located on Hunter Road).

Following the staff's presentation and discussion by the Committee, Chairman Quick requested public comments. The following citizens presented statements for the record: Mr. Bill Head, owner of H & H Auto Shop, and Chester C. Williams, Esq.

The Committee and Ms. Lewis discussed the current 1,500 foot separation and the options available to the Committee. Chairman Quick stated concern with using a standard approach to all of the businesses discussed in terms of separation requirements.

At the completion of the discussion, Chairman Quick requested that a motion on this evening's proposal be made. Mr. Ennis made a **motion to accept** the staff's proposal on the 500 foot requirement. Chairman Quick stated that the motion is that the LMO Committee accepts the changes recommended by staff including the 500-foot separation requirement with the other recommended changes. Mr. Young **seconded** the motion and the motion **passed** with a vote of 4-0-0. The Planning Commission will hold a public hearing for this amendment on July 21, 2010 at 3:00pm.

VIII ADJOURNMENT

The meeting was adjourned at 6:35pm.

Submitted by:

Approved by:

Kathleen Carlin
Administrative Assistant

Gail Quick
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Committee
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Anne Cyran, AICP, *Senior Planner*
DATE: March 11, 2011
SUBJECT: Proposed Waterfront Mixed Use (WMU) LMO (Land Management Ordinance) Amendment

The proposed amendments to LMO Section 16-4-1204, Density Standards Table, and Section 16-4-1343, Outdoor Entertainment, are attached for your review. The proposed amendments will:

- Allow outdoor recreation uses in the WMU Zoning District to be permitted with conditions; and
- Allow outdoor recreation uses in the CFB and RD Zoning Districts to be permitted with conditions rather than by special exception; and
- Eliminate the condition that an outdoor entertainment or recreation use cannot exceed 4 acres; and
- Add a condition that prohibits the use of motorized structures or equipment with outdoor recreation uses. This restriction does not apply to watercraft; and
- Exempting sites with outdoor recreation uses from the requirement of having access to minor arterials only.

Please contact me at (843) 341-4697 or at annec@hiltonheadislandsc.gov if you have any questions.

Staff Explanation: *Based on the request of a property owner, staff recommends adding outdoor recreation uses in the WMU Zoning District to be permitted with conditions. This will allow outdoor recreation uses on properties on Broad Creek, Skull Creek and Port Royal Sound, which will broaden the scope of outdoor recreation opportunities on the island. This amendment will also expand opportunities for property owners to develop, redevelop and market their properties.*

Staff proposes removing the need for a special exception for outdoor recreation uses in the CFB and RD Zoning Districts and instead allowing these uses to be permitted with conditions. This change will expedite the approval of proposed uses by allowing staff to ensure those uses meet the required conditions.

Staff proposes eliminating the condition that an outdoor entertainment or recreation use cannot exceed 4 acres. Increasingly popular outdoor recreation uses, including zip lines and trail bike riding, require larger areas.

Staff proposes adding a condition that prohibits the use of motorized structures or equipment with outdoor recreation uses. This restriction does not apply to watercraft. The restriction will limit noise, pollution and odors created by motors from disturbing the natural ambiance of these waterfront areas.

Staff proposes exempting sites with outdoor recreation uses from the requirement of having access to minor arterials only. Many properties do not have direct access to a minor arterial road but could still support outdoor recreation uses with minimal interruptions to vehicular or pedestrian circulation. Sites with outdoor entertainment uses will still be required to have access to minor arterials only.

This amendment is supported by Town Council's Policy Agenda for 2011 which has amending the LMO to foster greater flexibility, simplicity and revitalization listed as a Top Priority. This amendment is also supported by the Adopted 2010 Comprehensive Plan, which promotes providing flexibility for redevelopment opportunities.

Chapter 4. Zoning District Regulations

Article XII. Use Regulations

Sec. 16-4-1204. - Use Table

| Specific Use | WMU | CFB | RD |
|--|-----------|-------------------------|-------------------------|
| P = Permitted By Right SE = Special Exception PC = Permitted With Conditions | | | |
| Outdoor Recreation/Entertainment | | | |
| Outdoor Recreation | <u>PC</u> | <u>PC</u> SE | <u>PC</u> SE |

Article XIII. Specific Use Standards

Sec. 16-4-1343. - Outdoor Recreation/Entertainment

- A. ~~The site shall not exceed 4 acres. With the exception of watercraft, motorized structures or equipment shall be prohibited in conjunction with outdoor recreation uses.~~
- B. The site shall not be located within 750 feet of any other such facility or any RS-2, RS-3, RS-4, RS-5, RS-6, RM-8 or RM-12 zoning district.
- C. ~~The Outdoor Entertainment sites~~ shall have access to a minor arterial only as defined in Section 16-5-503.
- D. Seating for spectators shall not exceed 250 seats.
- E. Is clearly designed to serve the needs of Island residents or tourists utilizing Island overnight accommodations.