



The Town of Hilton Head Island
LMO Rewrite Committee Meeting
April 22, 2011
1:00p.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 the Agenda**
- 4. Approval of the Minutes** April 8, 2011 meeting and April 15, 2011 meeting
- 5. New Business**
 - A. Discuss committee's final product
 - B. Discuss process to identify committee's goals
 - C. Discuss steps for completing committee's work
- 6. Adjournment**

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

1 THE TOWN OF HILTON HEAD ISLAND
2 Planning Commission
3 **LMO REWRITE COMMITTEE**
4 **ORIENTATION MEETING**

DRAFT

5 April 8, 2011 Minutes
6 3:00p.m. – Benjamin M. Racusin Council Chambers
7

8 Committee Members Present: David Ames, Tom Crews, Chris Darnell, Jim Gant,
9 Walter Nester, Gail Quick, Councilman Bill Ferguson,
10 Councilwoman Kim Likins and Charles Cousins, Community
11 Development Department Director, *Ex-Officio*
12

13 Committee Members Absent: David Bachelder
14

15 Commissioners Present: Chairman Al Vadnais, Vice Chairman Loretta Warden,
16 Jack Docherty, Terry Ennis, Terry Leary and Tom Lennox
17

18 Town Council Members Present: Mayor Drew Laughlin, Mayor Pro Tem Ken Heitzke,
19 Lee Edwards, Bill Harkins and George Williams
20

21 Town Staff Present: Jill Foster, Deputy Community Development Department Director
22 Teri Lewis, LMO Official
23 Kathleen Carlin, Administrative Assistant

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26 **1) FREEDOM OF INFORMATION ACT**

27 Public notification of this meeting has been published, posted and mailed in compliance with the
28 Freedom of Information Act and Town of Hilton Head Island requirements.
29

30 **2) OPENING REMARKS**

31 Mayor Drew Laughlin presented opening remarks. Mayor Laughlin stated that this is the first
32 attempt to comprehensively review and revise the Land Management Ordinance since it was
33 originally adopted in 1987. The Mayor stated that this is an opportunity to take a whole new look
34 at the LMO. Mayor Laughlin thanked the committee for their service to the Town and for their
35 commitment to this important endeavor.
36

37 Mr. Cousins then welcomed the committee to today's Orientation Meeting. Mr. Cousins stated
38 that the first order of business is for the committee to elect a Chairperson and a Vice Chairperson.
39

40 After a brief discussion, Mr. David Ames made a motion to nominate Mr. Tom Crews to serve as
41 Chairman. Councilman Ferguson then made a motion to nominate Ms. Gail Quick to serve as
42 Chairperson. There were no further nominations for the office of Chairman or for the office of
43 Vice Chairman.
44

45 After a brief discussion, the committee voted to elect **Mr. Tom Crews** to serve as **Chairman** and
46 **Ms. Gail Quick** to serve as **Vice Chairman** of the committee. Mr. Crews accepted the office of
47
48

1 Chairman and Ms. Quick accepted the office of Vice Chairman. The committee congratulated the new
2 officers, and Chairman Crews and Vice Chairman Quick thanked the committee for their support.
3

4 Chairman Crews began by reporting that a special Planning Commission meeting is planned on
5 Thursday, April 14, 2011 at 9:00a.m. in Council Chambers. This special meeting will be for a review
6 of the History of Planning on Hilton Head Island, a Review of the General Development History,
7 Major Planning Efforts, and Extent of Master Planning that has taken place on Hilton Head Island.
8 This will be an important meeting presentation for the Planning Commission, Town Council, and the
9 LMO Rewrite Committee.
10

11 **3) THE CHAIRMAN'S REMARKS**

12 Chairman Crews presented statements regarding the need to map out some of the questions facing
13 the committee and the procedures for next steps. The committee will need to set a meeting schedule.
14 The committee's early meetings will be grounded in the history of the Land Management Ordinance.
15 The broad effort will be to keep the committee's eyes open to where we are and how we can move
16 forward.
17

18 Chairman Crews distributed several handouts to the committee which included a list of LMO
19 chapters considered a priority for review. A web link to the South Carolina Enabling Act of 1994
20 was also distributed which outlines some of the committee's powers and authority. Mr. Crews also
21 distributed a National Realtors Association booklet regarding 'Smart Growth.' Chairman Crews
22 stated that an almost endless number of documents are available for the committee's review if they
23 want to learn more about the planning and zoning realm including Form Based Codes.
24

25 Once the committee decides upon a meeting schedule, the officers will meet with staff to come up
26 with a specific effort (in order to get grounded in what we can do to open doors to the future.) This is
27 a big undertaking, a big commitment, and the committee should be aggressive with meetings.
28

29 Chairman Crews recommended that the committee begin meeting once every two weeks. Mr. Ames
30 suggested that the committee consider meeting once every week for the first month in order to
31 develop a firm foundation. The committee can reduce the meeting schedule to once every two weeks
32 and ultimately to once a month after a firm foundation is established.
33

34 Vice Chairman Quick stated that the committee's work should be communicated to the public on a
35 regular basis. The public needs to have input into what the committee is discussing. Chairman
36 Crews agreed and encouraged public participation along the way (particularly in the beginning when
37 the foundation is formed.) Milestone presentations should be made. Chairman Crews stated that this
38 is a long term, very comprehensive endeavor, which speaks to the economic future of Hilton Head
39 Island. The committee will work towards mapping out the next 11 months during the first month of
40 meetings.
41

42 The committee discussed the preferred day of the week. The committee decided that meeting on
43 Fridays from 1:00 – 3:00p.m.seemed to work best for most committee members. The committee can
44 re-evaluate the meeting schedule after the first month. The first month will be most critical.
45 Afterwards, the committee can probably put more emphasis on what they want to accomplish and
46 create a list of milestones.
47

48 Chairman Crews will work with staff to set the agenda for the next meeting on Thursday, April 14,
49 2011. This meeting will follow the special Planning Commission meeting at 9:00a.m. in Council

1 Chambers. The committee will work towards narrowing down what they want to accomplish and
2 refining the goals. The committee wants to ensure that Town Council supports their ideas.
3

4 Vice Chairman Quick presented statements in regard to the permitting process evaluation. Based on
5 input from the public, it seems that the public is most frustrated with the process (rather than with the
6 LMO). It is important to understand the differences in frustration with the process vs. the Land
7 Management Ordinance, as they are two separate issues.
8

9 Planning Commissioner Terry Ennis has worked with staff to develop a very intensive analysis – a
10 document of the day – which follows the entire permitting process from the beginning to the end.
11 The process is quite involved and will be embedded into the staff’s day-to-day efforts. Chairman
12 Quick stated that this effort will be of great benefit to the Town, the citizens, and the business
13 community.
14

15 Following these comments, Planning Commissioner Terry Ennis invited the committee to join him in
16 Conference Room # 4 for a review the permitting process evaluation.
17

18 Chairman Crews stated that today’s meeting will conclude with this presentation by Mr. Ennis.
19
20

21 Submitted by:

Approved by:

22
23
24 _____
25 Kathleen Carlin
26 Administrative Assistant
27

Tom Crews
Chairman LMO Rewrite Committee

1 THE TOWN OF HILTON HEAD ISLAND
2 Planning Commission
3 LMO REWRITE COMMITTEE

4 April 15, 2011 Meeting Minutes

5 10:30p.m. – Benjamin M. Racusin Council Chambers
6
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8 Committee Members Present: David Ames, David Bachelder, Tom Crews, Chris Darnell,
9 Jim Gant, Gail Quick, Councilwoman Kim Likins, and
10 Charles Cousins, Community Development Department
11 Director, *Ex-Officio*
12

13 Committee Members Absent: Walter Nester and Councilman Bill Ferguson
14

15 Town Council Members Present: Mayor Drew Laughlin, Mayor Pro Tem Ken Heitzke,
16 Lee Edwards, Bill Harkins and George Williams
17

18 Town Staff Present: Brian Hulbert, Staff Attorney
19 Jill Foster, Deputy Director Community Development
20 Department; Teri Lewis, LMO Official
21 Kathleen Carlin, Administrative Assistant

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24 **1) Freedom of Information Act**

25 Public notification of this meeting has been published, posted and mailed in compliance
26 with the Freedom of Information Act and Town of Hilton Head Island requirements.
27

28 **2) Meeting Schedule**

29 The committee is scheduled to meet *once* every week according to the following meeting
30 schedule: Friday, April 22nd; Friday, April 29th and Friday, May 6th. All meetings begin at
31 1:00p.m. and will be held in Council Chambers. Following the May 6th meeting, the
32 committee will meet once every *two* weeks. That meeting schedule is as follows: Friday,
33 May 20th; Friday, June 3rd and Friday, June 17th. All meetings begin at 1:00p.m. and will
34 be held in Council Chambers. The committee will revisit this meeting schedule at a later
35 date.
36

37 **2) Discussion of FOIA and Ethics**

38 Brian Hulbert made the presentation on behalf of staff. Mr. Hulbert reviewed the
39 FOIA and Ethic responsibilities associated with board/committee appointments. The LMO
40 Rewrite Committee is a public body and subject to the same rules and regulations as
41 other boards or committees.

42 Mr. Hulbert reviewed the FOIA statute for the State as well as the rules for State ethics.
43 Mr. Hulbert and the committee discussed several issues including public discussions,
44 public disclosure, and public communications (particularly as related to e-mail
45 communications).

46 The LMO Rewrite Committee has seven voting members and three ex-officio members.
47 The ex-officio members (Councilwoman Likins, Councilman Ferguson, and Mr. Cousins)

1 are non-voting members. Mr. Hulbert stated that a quorum of six members is required to
2 be in attendance to conduct business.

3 At the completion of the staff's presentation, Mr. Hulbert requested that the committee
4 contact him if they have questions or need additional information. The committee thanked
5 Mr. Hulbert for his presentation on FOIA and Ethics.

6 Chairman Crews then began today's discussion of the Land Management Ordinance. At a
7 basic level – what is the LMO? What is its function? What is the effect of the LMO? The
8 LMO is a collection of many different things.

9 Chairman Crews stated that the committee needs to develop a sense of the LMO. What is
10 the public perception of the LMO? (We) need to develop an understanding of the
11 character and the visual experience unique to Hilton Head Island.

12 Mr. Ames stated that one of the goals should be to create a document that stimulates the
13 public sector. A discussion of the importance of the water and natural resources followed.
14 Mr. Gant questioned why the need to protect Natural Resources was not included as part of
15 the charter for the LMO Rewrite Committee.

16 Chairman Crews stated the importance of community space. The development of
17 community space is very important – as this is what defines a community.

18 Chairman Crews stated that the process of rewriting the LMO should be similar to the
19 process used to rewrite the Comprehensive Plan. It's a complicated process with
20 many, many elements.

21 Mr. Ames agreed and stated the importance of the prospective effect – public investment –
22 be aware of the many connections. Mr. Ames suggested that (we) consider a
23 'point' system for developing a 'brown' site. Provide a meaningful 'award system' in an
24 Ordinance. (We) need to encourage things that (we) want with rewards – a point system
25 needs to be real and meaningful. Encourage upgrades in development. Deliver a positive
26 message that reflects the Island's values – water, natural resources, bike paths and great
27 legacy.

28 Ms. Quick stated the importance of stewardship -- of protecting the value and image
29 unique to Hilton Head Island.

30 Mrs. Likins stated that (we) need to bring some of the issues forward that we hope to have
31 resolved in the process. Ms. Quick stated that (we) need to be specific with what we want.

32 The committee discussed providing opportunities. (Here) are some of the things that as a
33 community we hope that we can accomplish through the re-write process.

34 Chairman Crews presented statement regarding zoning and design standards. Mr. Crews
35 discussed an 'organized process.'

36 With regard to hiring a consultant to assist in this process, Mr. Darnell stated that the
37 required timeline for hiring a consultant is rather limited. The committee would have to
38 move quickly and make good progress in order to hire a consultant within the timeframe
39 required. The committee discussed the use of a consultant to broaden the potential for what
40 (we) would like to accomplish. The committee discussed a charette as a possibility. (We)
41 need to take advantage of what is available.

42

43

1 Ms. Quick stated that she would like to know what kind of tools a consultant would be
2 bringing to the table. Ms. Quick cautioned the committee to be careful with a consultant,
3 because sometimes the outcome is less than hoped for. The process can also be very
4 expensive.

5 Mr. Darnell stated the importance of considering the end product – consider a professional
6 to handle the writing of documents and ordinances. The product needs to be “user”
7 friendly.

8 Mr. Cousins stated that a consultant will need to have tightly controlled parameters to
9 work with.

10 Mr. Crews stated that (we) need to have a way to rate our success; to measure
11 improvements in the code, in the ordinance; so that we know what we are doing is working.
12

13 The committee discussed what they hope to accomplish at the April 22nd meeting:

- 14 1. Educate (on the LMO)
- 15 2. What are the issues?
- 16 3. What are the concepts to address these issues?

17 The early discussion should operate from a background of knowledge.

18 Chet Williams presented public comments regarding the law side of the LMO, zoning
19 ordinance and land development.

20 At the completion of the discussion, the meeting was adjourned at 11:40a.m.
21
22

23 Submitted by:

Approved by:

24
25
26 _____
27 Kathleen Carlin
28 Administrative Assistant
29

Tom Crews
Chairman

M E M O R A N D U M

DATE: April 20, 2011
TO: LMO Rewrite Committee
FROM: Tom Crews, Chairman
RE: April 22, Committee Meeting

I had a discussion today with Charles Cousins to develop an agenda for our April 22 meeting and to begin discussing a process the committee will use as we move forward. As a first step I believe we should discuss what the final product of our committee will be. My thoughts are that the final product should be the rewritten text of the LMO that is ready to be presented to the Planning Commission and Town Council for adoption. By this I am not saying the committee should actually write this document but that we should oversee its preparation. It is not clear to me that all members of the committee agree with this concept based on comments made at our last meeting. In addition, I would also like for us to discuss how we identify the goals we want the committee to accomplish. I am anticipating that we will use our Friday, April 29 meeting to develop these goals.

Lastly, at our April 22 meeting we will discuss the general steps we should undertake to accomplish our task. To help frame our discussion I am proposing the following steps:

Step 1 - Identify the goals we want to accomplish in rewriting the LMO. This discussion should include thoughts on how the LMO impacts these goals.

Step 2 - Education on the elements of the existing LMO and how it works.

Step 3 - Identify issues that are created by the existing LMO.

Step 4 - Review concepts to address these issues and accomplish the goals of the committee.

Step 5 – Develop drafts for committee review

Step 6 – Finalize product to forward to PC

Please keep in mind that this is intended as a very general framework for how we move forward. There will be intermediate steps injected through out this process. Further, until we identify the steps we will take, I think it is premature to have a detailed discussion of the specifics of how we accomplish our task.

Attached are two lists that may stimulate some thought on your part as we move forward identifying the goals we want to accomplish. The first is a list of 7 concepts for Hilton Head from Charles Fraser. The second is a list issues Town Council identified in their 2010 and 2011 priorities for rewriting the LMO. This list was compiled by Town staff.

Hilton Head Island began its development with Charles Fraser and his intent to develop in harmony with nature, using the following 7 concepts:

1. Do not impose development on the environment
2. Create green space for privacy
3. Keep density as low as profitably possible
4. Create roads for beauty and efficiency not just transit
5. Build no structure higher than the tallest tree
6. Cut only those trees that are absolutely necessary
7. Think always of enhancing the quality of life for those who would be residents of the Island

(Source: Town of HHI Comprehensive Plan, 2010- pg. 14)

Rewriting the LMO was listed as a priority in both the 2010 and 2011 Town Council Goals with the following direction:

- Simplify the process
- Provide greater flexibility
- Foster Revitalization
- Evaluate existing zoning districts and design & performance standards
- Determine how to deal with nonconformities
- Review PUDS in terms of ‘use it or lose it’ clause, common area review and consistency among the ten PUDs
- Develop incentives for redevelopment
- Identify priority investment areas
- Keep sustainability and natural resources as a priority