



The Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
June 2, 2011
1:00 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 the Agenda**
- 4. Approval of the Minutes - May 23, 2011 meeting**
- 5. New Business**
 - A. Process Mapping Review – Presented by: Mr. Terry Ennis
 - B. Continuation of Process Portion of LMO Chapter 3
 - 1) Review and staff identified issues – Presented by: Ms. Teri Lewis
 - 2) Committee identified issues
 - 3) Public comment
 - C. Open Session for committee discussion on Goals, Concepts, Concerns and other Broad scope thoughts.
- 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 May 23, 2011 Meeting Minutes

5 1:00p.m. – Benjamin M. Racusin Council Chambers

DRAFT

6
7
8 Committee Members Present: David Ames, David Bachelder, Irvin Campbell, Tom Crews,
9 Chris Darnell, Jim Gant, Walter Nester, Gail Quick, and
10 Councilwoman Kim Likins, *Ex-Officio*

11
12 Committee Members Absent: Charles Cousins, *Ex-Officio*

13
14 Commissioners Present: None

15
16 Town Council Members Present: Bill Ferguson

17
18 Town Staff Present: Teri Lewis, LMO Official
19 Nicole Dixon, Senior Planner
20 Kathleen Carlin, Administrative Assistant
21

22
23
24 **1) CALL TO ORDER**

25 Chairman Crews called the meeting to order at 1:00 p.m.

26
27 **2) FREEDOM OF INFORMATION ACT**

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

30
31 **3) APPROVAL OF THE AGENDA**

32 The agenda was approved as presented by general consent.

33
34 **4) APPROVAL OF THE MINUTES**

35 The minutes of the May 16, 2011 meeting were approved as presented by general consent.

36
37 **5) NEW BUSINESS**

38 Chairman Crews began today's meeting by welcoming Mr. Irvin Campbell as the newest
39 member of the LMO Rewrite Committee.

40
41 Chairman Crews presented introductory remarks regarding today's New Business, LMO
42 Chapter 5, Design and Performance Standards. Chairman Crews then requested that Ms. Teri
43 Lewis make the staff's presentation on Chapter 5.
44
45
46

1 Ms. Lewis made the following presentation on Chapter 5 – Design & Performance Standards:
2

3 **CHAPTER 5 – Design & Performance Standards**

4 **Selected District Standards**

- 5
- 6 • Adopted in 2007 when the Town adopted the Redevelopment Floating Zone
 - 7 • Added for Stoney Mixed Use (SMU), Coligny Commercial Walking District (CCW) and the
 - 8 Dunagans Commercial Walking District (DCW)

- 9 • Provides flexibility for setbacks, buffers and parking

10 **Q:** This was an early attempt at developing a set of standards that were specific to a
11 certain district. Does the LMO Rewrite Committee want to consider something like this, but
12 more developed, to include all standards that pertain to a certain district, for example, Coligny?
13

14 The staff and the committee discussed the number of separate districts. They also discussed
15 separating selected district standards (setbacks, buffers, and parking) in a 3 or 4 page tear-sheet
16 where all the standards applicable to that district would be in one place. It would be easier to
17 find everything in one spot.
18

19 **Street and Pathway Standards**

- 20
- 21 • Provides a listing of major and minor arterials
 - 22 • We have regulations that conform to state and federal regulations (Department of
 - 23 Transportation (DOT).
 - 24 • Provides street standards by type (maximum Average Daily Trips (ADT), pavement width,
 - 25 and minimum Right of Way
 - 26 • Provides specifics about types of streets
 - 27 • States distance between curb cuts, lists what type of frontage development requires, waiver
 - 28 requirements
29

30 The staff and the committee discussed the definitions of and the differences between major and
31 minor arterials. The committee inquired about the size of street standards. This may be a state
32 standard. The committee and staff briefly discussed the ownership of streets, road standards,
33 the issue of density, and the impact of roads. A future presentation by Mr. Darrin Shoemaker,
34 Traffic Engineer, may be helpful. The committee discussed the issue of ‘shared parking’. This
35 practice should be encouraged.
36

37 Chester C. Williams, Esq., presented public comments with regard to the ownership of streets.
38

39 **Stormwater Management**

- 40
- 41 • Important to have these standards to protect water quality
 - 42 • Stormwater Management has typically been a financial responsibility of the property owner
 - 43 • It is not possible financially for the Town to take on this responsibility alone
 - 44 • Town can help facilitate shared stormwater among groups of property owners as they
 - 45 redevelop
 - 46 • Idea: May be possible to look at codifying this in the LMO. We should look at how
 - 47 public/private partnerships might work with this.

1
2 The committee and staff discussed the importance of water quality. Water quality is pivotal to
3 the Island and should be made a priority. Should a taxable approach be considered? The Town
4 should be ‘cutting edge’; recognized for doing certain things very well. Ms. Lewis stated that
5 Mr. Jeff Buckalew, Town Engineer, is available at a future meeting to discuss these issues in
6 greater detail.
7

8 **Setbacks and Buffers**

9

- 10 • Why does the Town have setbacks?
 - 11 ○ Provide separation between structures and property lines or right of way (ROW).
 - 12 ○ Kinds of things allowed in setbacks: lagoons, parking, retaining walls but for the most
 - 13 part the setback is the same as the buffer. Those same things are not allowed in the
 - 14 buffer
 - 15 ○ Adjacent use setbacks and adjacent street setbacks
 - 16 ○ Also provides direction regarding setback angles
 - 17 ○ Lists setbacks for fences, flag poles, signs, zero lot line development
 - 18

- 19 • Why does the Town have buffers?
 - 20 ○ Provides aesthetically pleasing separation between adjacent land uses and the street
 - 21 ○ Vegetated areas in Corridor Overlay Review (COR) per the *Design Guide* with some
 - 22 flexibility given for treating the street buffer differently from the adjacent use buffer
 - 23 ○ In addition to adjacent street and adjacent use buffers, also have buffers for:
 - 24 ■ Adjacent to beachfront line
 - 25 ■ Wetlands (details in Chapter 6)
 - 26
 - 27 ○ There are specific buffer requirements provided as well as a list of activities permitted in
 - 28 street buffers and activities permitted in other buffers
 - 29 ○ Q: In walking villages should there just be a setback or build to line and not a buffer?
 - 30 At least along the front and sides of the parcel?
 - 31 ○ Q: Does the LMO Rewrite Committee want to have separate buffer regulations for
 - 32 single family properties (outside of the overlays)?
33

34 The committee and staff discussed the definitions, the functions and the regulations of setbacks
35 and buffers. The committee stated that natural vegetation should be the theme of the Island.
36 The committee and staff discussed single-family development with regard to subdividing heirs’
37 property on a single parcel of land. The committee and staff discussed buffer requirements for
38 single-family residential property as well as concerns related to traffic visibility/vegetative
39 buffers.
40

41 Chester C. Williams, Esq., presented public comments regarding regulations for subdividing
42 single-family property.

1 **Planned Unit Developments (PUDS)**

- 2
- 3 • Regulations are different inside of the gate than outside of the gate.
- 4
- 5 ○ It was not always that way. Originally the same flexibility was given to areas outside of
- 6 the gate as inside of the gate
- 7 ○ Determined that because outside of the gate parcels tended to develop individually, it
- 8 made more sense for them to have to meet the same LMO regulations as other parcels
- 9 not behind the gates
- 10 ○ Inside the gate flexibility given for open space, impervious coverage, setbacks and
- 11 buffers (except for external Planned Unit Development (PUD) boundaries and
- 12 wetlands)
- 13 ○ Greater than 250 acres – can be a Planned Development (PD-1), between 5 and 249 then
- 14 a Planned Unit Development (PD-2)
- 15 ■ Allows more flexibility in development and design
- 16 ■ Provides greater protection for natural features because it allows development to
- 17 be concentrated in less sensitive areas
- 18 ■ Use it or Lose it clause
- 19 • Put into place because Planned Unit Developments (PUDs) were
- 20 developing only some of their units and wanted to reserve the remainder
- 21 for some future development somewhere non-specific in the Planned
- 22 Unit Development (PUD)
- 23 • Created issues because then it made it difficult to make correct
- 24 assumptions to manage and provide the necessary infrastructure
- 25 • Was originally written for units but has been applied to units and single
- 26 family
- 27 • States that if you don't reserve the units/single family on site as future
- 28 development, that density is lost and the master plan is automatically
- 29 amended
- 30 • Revisions to this are necessary.

31

32 The committee and the staff discussed the need to revise this section. The committee and staff

33 discussed the original intent of the 'use it or lose it' clause. The committee stated that the

34 transfer of density seems a little confusing.

35

36 Chester C. Williams, Esq., presented public comments regarding the use it or lose it clause.

37 **Traffic Analysis**

- 38
- 39 ○ Does not try to stop development
- 40 ○ Ensures that capacity is adequate
- 41 ○ Annual traffic counts taken once a year in June

1 **Parking Standards**
2

- 3 • Most parking is provided on site
4 • On street only allowed on non-arterial streets for parks or when the Town deems
5 necessary
6 • Provides regulations related to parking space size, limitation on compacts and parallel
7 spaces
8 • Provides regulations related to how the parking lot should be designed (medians, 10
9 spaces in a row, drive aisle width)
10 • Table lists parking requirements for each use allowed in the LMO (updated in 2006)
11 • Waiver allowed for certain parking standards but not for size or number of spaces
12 ○ Administrator can accept development submitted parking data to allow more or fewer
13 parking spaces
14 • Provides provisions for off street loading areas, fleet vehicles and bicycle
15 parking/only certain uses
16 • The Town does not own many of the Island’s roads. Most are owned by the state or
17 the county (outside of the gates) – (38 roads, some only portions)
18 • **Q:** Does the LMO Rewrite Committee want relaxed parking standards/requirements
19 in the walking districts?

20 **Signs**
21

- 22 ○ Other communities have had challenges to their sign ordinances specifically related to
23 content
24 ○ Staff was directed to work with the Town attorney to make changes to our ordinance to
25 ensure that the Town would not be challenged.
26 ○ Expect to have an updated sign ordinance to bring forward for public comment in the
27 fall
28 ○ This is a separate process from the scope of the LMO Rewrite Committee per the Mayor
29 ○ As part of this update, the staff is taking a look at creating some outdoor merchandise
30 standards
31 • The committee discussed allowing the use of sandwich boards/menu boards (maybe with a
32 requirement that they be consistent Island wide.) The committee and the staff discussed
33 concerns with dilapidated signs and abandoned signs. How does the Town enforce this?
34

35 **Site Lighting**
36

- 37 • Describes the site lighting standards
38 • States that light cannot shine onto someone else’s property
39 • Provides a list of what uses can be lit and their illumination levels

1 The committee discussed concerns with lighting standards (with roadways not being lit, and
2 that light levels for commercial parking lots are not high enough.). This is an important safety
3 concern.

4
5 Flood Zone Standards and Fire Protection Water Supply

- 6
7 • Staff will request that Ms. Trudie Johnson and Ms. Joheida Fister give brief explanations of
8 these sections at a future meeting.
9 The committee thought this was a good idea.

10 **Impact Fees**

- 11
12 • What are they? They are used to fund Capital Improvement Projects (CIP) necessary to
13 serve new development
14 • Adopted in 1989, they have never been updated (much lower than most communities)
15 • Under a redevelopment scenario, the applicant pays the difference between the old single
16 family and the new single family
17 • How do you waive impact fees because the impact of the new development is still there?
18 • Transportation impact fees can only be spent on public street and pathway improvements
19 • Provision for an applicant to ask the Town to conduct an individual impact of the proposed
20 development; the Planning Commission is final decision maker
21 • Disagreement about fees can be appealed to the Board of Zoning Appeals (BZA)

22 The committee asked staff if we have any impact fees that are being legally challenged. The
23 committee requested that Charles Cousins clarify the reasons behind charging impact fees when
24 the infrastructure is already in place.
25

26 This completed the staff's presentation and the committee's discussion on LMO Chapter 5.
27

28 The committee briefly discussed recent changes to the meeting schedule. Starting June 2nd
29 the LMO Rewrite Committee will meet on Thursdays instead of Fridays. All meetings begin at
30 1:00p.m., and are held in Council Chambers.
31

32 Ms. Lewis stated that the committee is scheduled to review the process portion of LMO Chapter
33 3 on June 2nd. Planning Commissioner Terry Ennis will also present the Process Mapping
34 Review on June 2nd. The committee will review Chapter 3, Articles 9-21, on June 9th.
35

36 **6) ADJOURNMENT**

37 Following closing comments by Chairman Crews, the meeting was adjourned at 3:20 p.m.
38
39

40 Submitted by:

Approved by:

41
42 _____
43 Kathleen Carlin
44 Administrative Assistant

41
42 _____
43 Tom Crews
44 Chairman

3
4 **CHAPTER 5 ISSUES**
5

- 6 • Separate selected district standards (setbacks, buffers, parking) in a 3 or 4 page tear-sheet where
7 all the standards applicable to that district would be in one place. Easier to find everything in
8 one spot. How many areas would we need? This would depend on how many zoning districts
9 we end up with
- 10 • What is basis for sizing of street standards? Are we maximum or minimum?
- 11 • Do we continue to take ownership of streets?
- 12 • Does William Hilton Parkway (Highway 278) stop at Pope Avenue? Is Pope Avenue a state
13 road? Does it stop at Coligny Circle? Design standards for state vs. locally owned streets. What
14 options do we have for improvements (such as road width and median plantings)? Requested a
15 presentation from Mr. Darrin Shoemaker, Traffic Engineer, to clarify these issues.
- 16 • Is the committee going to just raise these issues or are they going to go forward with a
17 recommending policy on road standards?
- 18 • Street access to a particular type of street then in turn will limit your type of allowed
19 development (access via an access easement vs. right of way).
- 20 • If we can be flexible with some street standards, can approach development more green.
21 Complete streets - public and private realm, should work together. Bridge to the Beach effort- is
22 it worth it for the Town to own that stretch from the gateway to the Island down to the beach?
- 23 • Can we allow capture of stormwater in the buffers? We need language in the LMO to
24 demonstrate that if we do (ex. bio-swales, etc).
- 25 • Water quality should be a priority in development and redevelopment standards, where the
26 Town should be cutting edge and recognized for doing certain things really well.
- 27 • Can a utility have a stormwater component as part of their utility fee? Share addressing of
28 stormwater issues between the Town and other groups. Encourage public/ private partnerships.
- 29 • Buffer is more restrictive than setback. Should it be put first in this section? Are there certain
30 areas where we don't want to have buffers (ex. Coligny or Shelter Cove); these have been
31 identified as priority investment areas? What if we did away with one of them (either the
32 setback or the buffer)? What would we lose if we only had a buffer vs. having a setback and a
33 buffer?
- 34 • What is the purpose of having setback angles?
- 35 • Theme of the Island should be natural vegetation. But in some cases, protecting slivers of
36 vegetation, when it comes to allowing density, isn't worth it. Should be a width or minimum
37 size so that it doesn't become useless. What may be applicable in one area may not be
38 applicable in another area. Moving building to the road and having a streetscape is also a good
39 idea, depending on the district, like Coligny. Need buffers to hide/protect the 'mish-mash' of
40 architecture that already exists on the Island.
- 41 • Complaints from visitors are that they cannot find anything because of the trees/buffers.
42 Signage also plays an important part. Land uses spread all over the Island – this is another
43 problem. Have to get in your car to get from one place to another because certain types of uses
44 are spread all over.
- 45 • Are these setback/buffer regulations the same for everyone on the Island? Do they apply to
46 single family residential lots? Discussed differences between abbreviated development review
47 process, subdivision, etc.

- 1 • Separate buffer requirements for single family properties outside of the overlay districts. Do we
2 want to have them? This affects a lot of Native Islanders' properties if they want to develop or
3 place homes on them.
- 4 • Does the Town require a landscape bond? Answer: No
- 5 • Pruning to assist with traffic safety, at intersections of roads and parking lots, should be
6 considered. Who handles these complaints? Facilities Management?
- 7 • How/why did the Town create requirements for land in Planned Use Developments (PUDs)
8 outside of the guard gates?
- 9 • Sec. 16-5-905 – Use it or lose it clause. Can the LMO be modified to just allow them to go back
10 to the original square footage/units that were originally allowed? Committee should make a
11 policy recommendation on this issue. This could really limit redevelopment. Reasoning behind
12 this was to track density so that proper infrastructure was put in place to support such square
13 footage and units. Why is it limited to properties in PD1's and not for properties outside of
14 PD1's? Does the value of the property change? Who gets the benefit if someone doesn't build
15 to their maximum?
- 16 • Sec. 16-5-906, would there be an advantage for the property owners between Cordillo and
17 South Forest Beach Roads. For an example, to enter into a Planned Unit Development (PUD)?
18 Do we want to encourage private sector developers to do something like this? This needs to be
19 a policy decision. This section needs to be easier to read and understand.
- 20 • Can a road be a limiting factor on development ability, in particular when it comes to traffic
21 analysis? Yes, but there are things that can be done to allow the development, such as adding a
22 turn lane, the addition of a traffic signal, etc.
- 23 • Not only require bike parking for certain uses, but have a bonus incentive to provide bike
24 parking for other uses.
- 25 • Encourage 'shared parking', use incentives, if properties develop together they can eliminate
26 buffers. We should really encourage this.
- 27 • Buffer for service yards should be moved to the buffer section because it gets missed. Privacy
28 fence required in addition to buffer is excessive.
- 29 • Research parking standards numbers
- 30 • Issues with outdoor merchandising, working with the Town attorney on regulations that will
31 address that
- 32 • What are areas we are worried about lawsuits on (signs). Content of signs. Beef up purpose
33 statements as to why we have strict sign regulations. We will have several LMO Committee
34 meetings on this topic to get as much public input as we can.
- 35 • Consider allowing sandwich boards/menu boards. Maybe something consistent throughout the
36 Island for this use.
- 37 • Holiday decorations and special event signs are other sign standards that staff are looking at
38 changing.
- 39 • Banners, just for identification purposes of special events. Hard to allow it for some and not for
40 others. If staff can regulate and be flexible with other standards like buffers for certain areas,
41 why can't we do it with signs and have certain sign regulations for certain areas of the Island?
42 Have different aesthetic regulations for certain zoning districts.
- 43 • Allowing certain sign types might encourage redevelopment in certain areas
- 44 • Are there any requirements for Town directional signs that Department of Transportation
45 (DOT) puts up?

- 1 • What can we do about dilapidated signs or signs where businesses have closed? How do we
- 2 enforce this?
- 3 • Look at regulations for prohibition of off-premise signs
- 4 • Concerns about our lighting standards with roadways not being lit, and that light levels for
- 5 commercial parking lots are not high enough. Even though there may be a light there, it isn't
- 6 bright enough - safety concern
- 7 • Let committee know which regulations we can't change due to being FEMA regulations, Fire
- 8 Codes, etc.
- 9 • Do we have any impact fees being legally challenged?
- 10 • Request that Charles Cousins clarify reasons behind charging impact fees when the
- 11 infrastructure is already in place
- 12
- 13

14 To summarize:

- 15
- 16 ➤ Provide Incentives to private sector in order to get appropriate development and redevelopment
- 17 as we environmentally want it
- 18 ➤ We want to encourage certain things as opposed to restricting things
- 19 ➤ Importance of Town's design element
- 20 ➤ Simplify how one will navigate through the LMO Sections
- 21 ➤ Identify areas the committee can't change
- 22