



The Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
June 23, 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** – June 9th and June 16th meeting minutes
- 5. New Business**
 - A. LMO Chapter 6, Natural Resources (Beaches and Trees)
 - 1) Committee identified issues
 - 2) Public comment
 - B. 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 MEETING

4 June 9, 2011 Minutes

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

6 **DRAFT**

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

11
12 Committee Members Absent: Chris Darnell and Charles Cousins

13
14 Commissioners Present: None

15
16 Town Council Members Present: Bill Ferguson

17
18 Town Staff Present: Teri Lewis, LMO Official
19 Joheida Fister, Fire Marshal
20 Darrin Shoemaker, Traffic & Transportation Engineer
21 Trudie Johnson, Flood Plain Administrator
22 Jill Foster, Deputy Director, Community Development
23 Kathleen Carlin, Administrative Assistant
24

25
26 **1) CALL TO ORDER**

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

28
29 **2) FREEDOM OF INFORMATION ACT**

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

32
33 **3) APPROVAL OF THE AGENDA**

34 The agenda was approved as presented by general consent.

35
36 **4) APPROVAL OF THE MINUTES**

37 The minutes of the June 2, 2011 meeting were approved as presented by general consent.

38
39 **5) NEW BUSINESS**

40 Chairman Crews provided introductory remarks regarding today's presentations by staff.
41 Chairman Crews then requested that Joheida Fister, Fire Marshal, make the first presentation:

42
43 **(A) Presentation - Question & Answer Session with Joheida Fister, Fire Marshal**

44 Ms. Fister began her presentation by distributing the (*attached*) handout to the committee.

45 When reviewing an application as part of the Development Plan Review (DPR) process, the
46 Fire Department focuses primarily on: (1) the access to a building; and (2) the water supply.

1 Ms. Fister stated that Fire Codes provide the direction on fire hydrants and on access to
2 buildings. The required access to fire hydrants, based on current South Carolina Building
3 Codes, is 500-ft. This measurement is required for all portions of a building. The location of a
4 hydrant is dependent on the size of the building.
5

6 The size of the building and the type of construction determines the type of hydrant and the
7 amount of water that is required for that location. Ms. Fister stated that sprinklering a building
8 reduces the percentage of water flow that is required. The Fire Department prefers to see as
9 much sprinklering as possible.
10

11 During the Development Plan Review (DPR) process, the Fire Department works with the
12 applicant and tries to be flexible with regard to the type of road used to access his property (i.e.
13 asphalt, crush and run covered by grass). There are creative ways to meet the requirements for
14 access while still maintaining aesthetic standards. The committee and staff discussed the use of
15 crush and run covered with grass as a creative option.
16

17 The Fire Department requires a minimum road width access of 20-ft. Fire trucks are
18 approximately 10-ft. wide mirror-to-mirror. Fire trucks need stabilizers to put their ladders up
19 which adds to the required space. Additional space is also required for equipment.
20

21 Ms. Fister and the committee discussed the ways in which the staff works with an applicant
22 during the Development Plan Review (DPR) process. Ms. Fister stated that staff cannot recall a
23 single project that did not go forward due to problems with access. Ms. Fister stated that the
24 biggest obstacle in access seems to be location of trees.
25

26 Ms. Fister then discussed the purpose of the Fire Department's Map Book and GPS system.
27 The staff is currently working on identifying older properties with the Addressing Technician.
28 The process is time consuming. When this process is complete, the committee recommended
29 that the information be linked to the Town's website for availability to the public. This would
30 be especially helpful for commercial properties.
31

32 The committee and Ms. Fister discussed requirements for installing sprinkler systems. Ms.
33 Fister stated that many variables are involved in determining the type of sprinkler system that
34 should be used including the type of construction, the size of the building, and the type of use.
35 Ms. Fister described the Town's fire trucks including the height of the ladders. Fire truck
36 ladders are 100-ft high.
37

38 Ms. Fister discussed the Fire Department's concerns with access related to the location of trees.
39 Public safety always comes first over trees (staff does work hard to reach some middle
40 ground between public safety and the preservation of trees). This completed the staff's
41 preservation. The committee thanked Ms. Fister for her excellent presentation.
42

43 (B) Presentation - Question & Answer Session with Darrin Shoemaker, Traffic &
44 Transportation Engineer

45 Mr. Shoemaker began his presentation by distributing the (*attached*) handout to the committee.
46 Mr. Shoemaker reviewed the issue of street ownership and the maintenance of roads on Hilton
47 Head Island. Mr. Shoemaker reviewed many of the roads that are owned and maintained by the
48 State, by Beaufort County, and by the Island. Mr. Shoemaker discussed the conditions for

1 making those determinations. Mr. Shoemaker discussed issues related to the ownership and the
2 maintenance of private roads. Mr. Shoemaker also reviewed design standards for roads
3 including the classifications of roads (based on Average Daily Trips - ADT). South Carolina
4 Department of Transportation (SCDOT) standards are very rigid. Beaufort County is more
5 flexible.
6

7 The staff and the committee discussed Hilton Head Island's street hierarchy and the amount of
8 street traffic. This completed the staff's presentation. The committee thanked Mr. Shoemaker
9 for his excellent presentation.
10

11 (C) Presentation - Question & Answer Session with Trudie Johnson, Floodplain Administrator
12

13 Mrs. Johnson presented a brief history of the National Flood Insurance Program (NFIP). Mrs.
14 Johnson then reviewed the National Flood Protection Program at the County level. Beaufort
15 County entered the National Flood Insurance Program in 1976; Hilton Head Island entered the
16 program when it incorporated in 1985.
17

18 Mrs. Johnson discussed the adoption and administration of the National Flood Insurance
19 Program on the Beaufort County level. The staff briefly reviewed the creation of the Island's
20 Flood Hazard Maps; 83% of Hilton Head Island is located in the flood plain. The staff
21 emphasized the importance of maintaining the flood insurance program for all of Hilton Head
22 Island; flood insurance protection is highly recommended for all residents of the Island. Mrs.
23 Johnson discussed the National Flood Insurance Program's Community Rating System (CRS).
24 Hilton Head Island is rated a Class 5 (out of a possible 10.) Mrs. Johnson stated that the Island
25 is in good standing at a solid Class 5 rating.
26

27 The committee and the staff discussed a couple of issues regarding redevelopment options
28 (including fire walls and elevating a building by dry flood proofing). Staff highly recommends
29 dry flood proofing. Mrs. Johnson stated that flexibility in redevelopment comes from the
30 imagination and the creativity of developers. At the completion of the discussion, the
31 committee thanked Mrs. Johnson for her excellent presentation.
32

33 Following the staffs' presentations, Chairman Crews stated that Mr. Jim Collett would like to
34 provide an update to the committee on behalf of the Telecommunications Taskforce. The
35 committee agreed to receive this update from Mr. Collett.
36

37 Mr. Collett distributed the *(attached)* Telecommunications Taskforce membership list to the
38 committee. Mr. Collett reviewed the purpose of the Telecommunications Taskforce. The
39 Taskforce is working to improve telecommunication service on the Island. Over the past
40 several months the Taskforce has been working with cell tower companies, facility providers,
41 and carriers. The committee thanked Mr. Collett for today's update.
42

43 Ms. Teri Lewis stated that, due to the need to adjourn today's meeting promptly at 3:00pm,
44 staff will reschedule the review of Chapter 3, Articles 9-21 to a later date.
45
46
47
48

1 Following closing comments by Chairman Crews, the meeting was adjourned at 3:00 p.m.
2
3

4 Submitted by:

Approved by:

5
6
7
8 _____
Kathleen Carlin
9 Administrative Assistant

_____ Tom Crews
Chairman

10
11
12 *LMO REWRITE COMMITTEE*

13 *June 9, 2011*
14

15 **Related to Fire Marshal Discussion**

- 16 • Chapter 5: Flag for future discussion by the committee. Most conflicts come with trees vs. fire
17 access roads. Is there a priority for this kind of conflict?
- 18 • Chapter 5: How to find out where grassed fire access roads are (for owner) so that the area isn't
19 shown to be developed or planted
- 20 • Chapter 5: Early discussions with applicants sometimes reveal that they do not know what
21 specific details they need/want for a building, so the Fire Marshal cannot give specific direction
22 regarding sprinklering.
23

24 **Related to Traffic & Transportation Engineer Discussion**

- 25 • SCDOT standards are very rigid and they are not very flexible. County is more flexible.
- 26 • Need to proactively deal with private roads that are not being maintained (single family issue).
- 27 • Hierarchy of roads affects buffers & setbacks. In light of redevelopment, the committee should
28 review the list to see if they still fit into the correct category.
29

30 **Related to Floodplain Administrator Discussion**

- 31 • To achieve a Class 4 or Class 3, the Town would have to adopt a Freeboarding ordinance and
32 Cumulative Substantial Damage ordinance.
- 33 • How to assist older buildings for redevelopment with the flood laws-- How to encourage
34 renovation/redevelopment of these? Flood laws are not flexible, but designing of the building
35 can allow you the flexibility. Some old buildings are not worth saving due to outdated or
36 unsafe construction—would be better for applicant to tear down & start over. Dry
37 floodproofing and the use of fire walls may allow for flexibility.
- 38 • Percentage of renovation to comply is 50% of fair market value (as defined by Federal
39 Government) -- substantial improvement or substantial damage.
- 40 • Uneven enforcement (especially in small communities) could result in different culture with
41 flood program.
42

43 **Telecommunications Discussion:**

- 44 • Look at distance between towers in LMO—new technology might require the Town to change
45 this—how much distance between towers do we want?

- 1 • Should every application for a cell tower site go through the boards for review & approval?
- 2 Can this process be circumvented to speed up process? What laws in the LMO can the
- 3 committee put in to make new technology easy to get/build?
- 4 • Can the committee prioritize major roads where visitors spend time to permit tower coverage?
- 5 • Smaller towers with new technology will probably become more prevalent than larger towers
- 6

DRAFT

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

4 June 16, 2011 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,
10 Charles Cousins, Director, Community Development, *Ex-Officio*
11
12 Committee Members Absent: Councilwoman Kim Likins, *Ex-Officio*
13
14 Planning Commissioners Present: None
15
16 Town Council Members Present: Bill Ferguson
17
18 Town Staff Present: Teri Lewis, LMO Official
19 Jill Foster, Deputy Director, Community Development
20 Shawn Colin, Comprehensive Planning Division Manager
21 Kathleen Carlin, Administrative Assistant
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 Approval of the June 9th meeting minutes was deferred to the June 23rd meeting.

36
37 **5) NEW BUSINESS**

38 LMO Chapter 6, Natural Resource Protection

39 Chairman Crews presented introductory remarks regarding the review of Chapter 6, Natural
40 Resource Protection. Chairman Crews acknowledged today's public attendance and invited the
41 public to participate in today's workshop discussion. Chairman Crews then requested that Ms.
42 Teri Lewis make her presentation on Chapter 6.

43
44 Ms. Lewis began by stating that the regulations for Natural Resources have been part of the
45 LMO since the LMO was first adopted in 1987. Incremental changes have been made
46 throughout the years. In 2008 after hearing concerns about the Natural Resources regulations,

1 Town Council adopted Review of the Environmental Issues and Regulations within the LMO as
2 a Top Priority item on their Policy Agenda. Ms. Lewis reviewed the two types of wetlands on
3 the Island - freshwater and tidal. The committee and members of the public participated in the
4 staff's review of this item. The committee and the public discussed several issues including
5 wetland regulations, the criteria and identification of wetlands and lagoons, and buffer
6 requirements. They also briefly discussed the issue of trees (without benefit of the staff's
7 presentation).
8

9 The following members of the public participated in today's discussion: Mr. Dan Davis,
10 General Manager, Port Royal Plantation; Mr. Peter Kristian, General Manager, Hilton Head
11 Plantation; Mr. Todd Theodore, Landscape Architect, Wood + Partners; and Chester C.
12 Williams, Esq. *(Please see the following List of Issues for comments on this discussion.)*
13

14 Chairman Crews thanked the public for their participation at today's meeting. The public input
15 that was received and the committee discussion that was generated has been helpful in gaining a
16 better understanding of a number of issues.
17

18 However, due to the time that was dedicated to this discussion, Ms. Lewis is unable to complete
19 her presentation on Chapter 6 (Article III. Beaches and Article IV. Trees have not been
20 discussed.) Chairman Crews requested that Ms. Lewis complete this portion of her
21 presentation on June 23rd. This completed the business portion of today's meeting.
22

23 Chairman Crews then requested that Mr. Shawn Colin present an update on Economic
24 Development on behalf of staff. Mr. Colin stated that the Comprehensive Plan Committee and
25 staff has been working for some time on an approach to Economic Development. A
26 presentation to the Planning & Development Standards Committee is planned on July 27, 2011.
27

28 Mr. Colin discussed the meaning of Economic Development to the Town. A distinction
29 between Economic Development and Redevelopment was discussed. Mr. Colin discussed the
30 redevelopment of Coligny and Shelter Cove. Mr. Colin presented the history of economic
31 potential Island wide. The economic development program can be administered in several
32 ways. Mr. Colin discussed staff's efforts to work with business owners in Coligny.
33

34 The committee thanked Mr. Colin for his presentation on Economic Development. Following
35 final comments by Chairman Crews, the meeting was adjourned at 3:30p.m.
36

37 Submitted by:

Approved by:

38
39 _____
40 Kathleen Carlin
41 Administrative Assistant
42

43 _____
44 Tom Crews
45 Chairman
46

47 *LMO REWRITE COMMITTEE*
48 *June 16, 2011*

CHAPTER 6 ISSUES

**any time buffer is mentioned in this particular list of issues, it refers to the wetland buffer*

- 1 ➤ How much of the wetland regulations are still relevant today on this developed island? Are
2 they still pertinent today for our manmade lakes? Renovation projects can get caught in the
3 process for regulations. Army COE considers most of the Town's water bodies to be critical
4 areas which then kicks in the LMO wetland buffer regulations.
- 5 ➤ Is there an opportunity to exclude lagoons in certain areas from having to meet the wetland
6 buffer requirement?
- 7 ➤ Can town play a role in identifying lagoons, etc. that don't have to go to COE for regulatory
8 requirements?
- 9 ➤ Town wetland buffer requirements are basic issue that need examined.
- 10 ➤ Lots pre-platted before COE determined some lakes, etc. are under their jurisdiction were not
11 platted to accommodate the buffers that now kick in due to LMO regulations.
- 12 ➤ Town cannot designate what gets sent & reviewed by Core of Engineers (COE); but the town
13 does have jurisdiction over uplands next to water bodies and can change the regulation on
14 those.
- 15 ➤ Buffers are there because of water quality issues and each case might be different; maybe the
16 issue should be looked at on a case-by-case basis.
- 17 ➤ Views of water bodies are getting obliterated by growing vegetation.
- 18 ➤ Should there have different regulations or exemptions for already-platted subdivisions vs. new
19 platted lots that could better follow current regulations?
- 20 ➤ For further discussion: Under what conditions could or should the town change their buffer
21 regulations next to water bodies? How can someone 'manage' these buffers to achieve both
22 objectives?
- 23 ➤ Should there have different regulations on manmade lagoons from other water bodies? Those
24 water bodies charging into other water bodies might have different regulations. Look at
25 difference in freshwater wetlands vs. tidal? Look at purpose of the water body—why was it
26 created or why does it exist?
- 27 ➤ Policy decision: does the Town want to hold status quo, improve it or back off on water
28 quality.
- 29 ➤ Policy decision: Should town impose regulations on water bodies that used to not be regulated
30 by town? Should these be called non-conforming in some way with possible exemptions?
31 Need to have standards for exemptions to alleviate contributing to deteriorating water quality.
- 32 ➤ Need to keep any regulation simple and understandable.
- 33 ➤ Average buffer is hard to measure—is there a different, more easily understandable way to
34 convey this? Should it be changed?
- 35 ➤ Determine what needs to be filtered depending on type of water body—storm water mgt system
36 vs. other type of water body.
- 37 ➤ Should town get involved in creating mitigation bodies for overall benefit to community?
38 Needs to be based on our watershed bodies. LMO already accommodates this.
- 39 ➤ 16-6-205—vague statement re: alteration to wetlands. What does this mean? How to allow for
40 flexibility and not get too subjective. Can the LMO have criteria to follow that meets the intent
41 of the code to allow flexibility yet give good direction? Project Manager advocate can assist
42 with this.
- 43 ➤ Ch 6 regulations are based on community's value system. This determines its subjectivity.
44 This would come into play in suggestion of allowing PUDs to manage their common areas &
45 trees.
- 46 ➤ Can the Town incorporate into LMO better ways for public access exemptions in certain areas?
47 16-6-204C.4
- 48 ➤ Look at all exemptions in buffers or any activities in a wetland.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- Public comments on beaches:
 - Two issues: protection of dune vegetation (16-6-305) (causes conflicts in views), and access to beach (renourishment has built a better dune system that was not there previously). Suggested that committee look at definition of dunes.
 - Many existing dune walkovers are non-conforming. Committee should look at ‘breach’ in dune systems caused by no walkovers. In some cases, PUDs don’t own land beyond their existing walkover over new dunes.

 - Public comments on trees:
 - Leisure paths make it difficult with trees because of continuous maintenance/root intrusion.
 - Should town turn over regulations of trees in common areas of PUDs (not specimen trees) instead of having the town regulate them? Some ARBs don’t have same ‘ethics.’ Is there an option for some PUDs to have this? Can they be ‘qualified’ or ‘certified’? Would a forest management plan be part of the certification? Can the Town legally delegate tree management to others?
 - Design techniques might or might not be better around tree routes—3-4” of concrete vs. 12” gravel & pervious pavers. Other techniques might be better.
 - Trade-off—bobcat vs. cutting one root. Some solutions are much more costly to protect a tree.
 - Staff decisions on projects are not ‘prioritized’ to balance all issues—Project Manager would alleviate that. Must achieve balance between trees and other issues.
 - Management of forest is better than the management of trees.
 - Do not like that POAs must have permission from town to remove dead trees or stumps.
 - Some removal of underbrush is good because it helps keep unwanted vegetation out that would contribute to fires.
 - Might need more representation outside of the PUDs to resolve the above.