



The Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
June 30, 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 23rd meeting
- 5. New Business**
 - A. LMO Chapter 7, Nonconformities
 - 1) Review issues identified by the staff - Presented by: Teri Lewis
 - 2) Review issues identified by the Committee
 - 3) 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.

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

June 23, 2011 Minutes

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

DRAFT

Committee Members Present: David Ames, David Bachelder, Irvin Campbell, Tom Crews, Chris Darnell, Jim Gant, Walter Nester, Gail Quick, Councilwoman Kim Likins, *Ex-Officio* and Charles Cousins, Director, Community Development, *Ex-Officio*

Committee Members Absent: None

Planning Commissioners Present: Tom Lennox

Town Council Members Present: Bill Ferguson

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

1) CALL TO ORDER

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

2) 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.

3) APPROVAL OF THE AGENDA

The agenda was approved as presented by general consent.

4) APPROVAL OF THE MINUTES

The June 9th meeting minutes were approved as presented by general consent. The June 16th meeting minutes were also approved as presented by general consent.

5) NEW BUSINESS

Completion of LMO Chapter 6, Natural Resource Protection - Beaches and Trees

Chairman Crews presented introductory comments regarding today's review of Beaches and Trees. Chairman Crews acknowledged today's attendance by the public and invited the public to participate in the workshop discussion. Chairman Crews then requested that Ms. Teri Lewis make her presentation on Chapter 6, Beaches and Trees.

Beaches:

Ms. Teri Lewis began her presentation on beaches by discussing the definitions of beaches and dunes. Ms. Lewis described the function of the dunes. Based on input received previously from the public, there is a need to find a better balance between the rights of property owners' (commercial and residential) and the need to protect the dunes.

Ms. Lewis presented a review of dune walkovers and access points to the beach. The staff discussed the two jurisdictions (OCRM and the Town). Walkovers need to be elevated. Ms. Lewis and the committee discussed the issue of ownership with regard to beach renourishment and the dunes. Ms. Lewis presented an overhead map review of beach baselines, critical lines and transitional areas related to Critical Storm Protection and Dune Accretion Overlay Zone. Office of Coastal and Resource Management (OCRM) terms need to be consistent with the LMO.

The committee discussed several issues including business and private interests related to development or redevelopment around dunes. Ms. Jill Foster recommended that the committee develop a philosophy for the area first; and the committee agreed that this would be a good starting point for further discussion.

Trees:

Ms. Lewis discussed the regulations for tree preservation and protection. The staff discussed specimen trees and mitigation. The committee and the staff discussed regulations on larger tracts and smaller tracts of land.

The following members of the public participated in today's discussion: Mr. Bob Sharp, General Manager, Palmetto Dunes; Mr. Dan Davis, General Manager, Port Royal Plantation; Mr. Peter Kristian, General Manager, Hilton Head Plantation; and Chester C. Williams, Esq. *(Please see the following List of Issues for comments on this discussion.)*

At the completion of the discussion regarding beaches and trees, Chairman Crews thanked the public for participating in the discussion. The public input received today has been very helpful in gaining a better understanding of several important issues.

Following this discussion, Chairman Crews and the committee discussed the committee's meeting schedule. The committee decided to continue meeting each week (every Thursday from 1:00pm – 3:00pm) during the month of July. The committee will consider meeting bi-weekly perhaps in August.

Following final comments by Chairman Crews, the meeting was adjourned at 3:30p.m.

Submitted by:

Approved by:

Kathleen Carlin
Administrative Assistant

Tom Crews
Chairman

CHAPTER 6 ISSUES – continued

Beach:

- Ch. 6: Dune walkovers need discussed & researched for the accretion & erosion at the walkover edge after it is built & dune continues to move in or out.
- Ch. 6: Who should bear the responsibility of protecting the dunes? Town? POAs? Ownership comes into play here. Mobi-mat does not work on dunes. This is a high maintenance solution.
- Ch. 6: Foot washing stations—can they be on the beach?
- Ch. 6: How to deal with walkovers that are being maintained, and now the dunes have formed between it & the beach. How to extend walk area without compromising the dune & intent of the dune.
- Ch. 6: Should we constrain the areas designated for walkovers & walkways via fence or other means?
- Staff research: How do other communities deal with beach walkover issues?
- Ch. 6: How to deal with folks ‘storing’ beach articles along walkways.
- Ch. 6: How do the laws affect hotels, etc. if they have pools, etc. and they want to renovate? LMO prohibits construction along the dunes.
- Ch. 6: Should the Town look at only protecting the primary dunes and consider allowing activities or development on dunes leeward of the OCRM baseline?
- Ch. 6: Terms used by OCRM along beach should be same as those in the LMO.
- Ch. 6: In revised LMO, be sure to indicate that GIS data is readily available at town hall to see how a property is affected by the OCRM beach lines and town protection lines.
- Ch. 6: Make it clear to potential expansion plans or new construction on where these beach lines are.
- Ch. 6: If you rebuild the structure, you cannot change its use in these beach areas. Do we still want this restriction?
- Ch. 6: consider having nodes where development can extend closer to the beach
- Ch. 6: How do you incentivize redevelopment of older condos on the beach? Are there ways to use the transition zone to incentivize redevelopment

Trees:

- Ch. 6: should we move from tree preservation/protection to a forest management approach? If an area has a forest management plan, could/should they be treated differently from those areas where no plan exists?
- Ch. 6: Which trees get taken down can greatly affect a site design—should have a broader perspective and look at it as part of landscape, aesthetics, ongoing construction vs each tree.
- Ch. 6: Should there be different regulations on larger tracts vs smaller tracts? Edge conditions along roads should be important.
- Ch. 6: Mitigation—where do we mitigate for trees? We are out of room. What are we trying to accomplish in that trade-off? Need a balance & keep in mind the core values.
- Research: Ch. 6: how do other communities manage their trees? Underbrush can cause fire hazards during drought situations.

Public comments:

- LMO 16-3-402.a.2: that requires the owner to report a tree has come down. Need to change this & use common sense.
- Ch. 6: Tree mitigation can be a waste of money because they die and mitigation did not work.
- Legal Research: POAs (Palmetto Dunes, HHP, PR, Shipyard) have architectural plans, tree protection, storm water plans, etc. which manage their areas and should be reflected in how the town deals with them. (can we exempt them from certain regulations?) could have periodic reviews or other methods to ensure these stay up to standards. Criteria might allow this legally. Need to keep in mind some POA jurisdictional boundaries are outside of gates.
 - Enforcement cannot be delegated. Choosing not to regulate something by the town can be done.

DRAFT