



**The Town of Hilton Head Island**  
**Regular Planning Commission Meeting**  
**Wednesday, May 4, 2011**  
**9:00 a.m. Benjamin M. Racusin Council Chambers**  
**REVISED AGENDA**

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

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **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.
5. **Approval of Agenda**
6. **Approval of Minutes** - Regular Planning Commission Meeting of April 6, 2011 and Special Planning Commission Meeting of April 14, 2011
7. **Appearance by Citizens on Items Unrelated to Today's Agenda**
8. **Unfinished Business**  
None
9. **New Business**
  - A. **Public Hearing**  
**PPR110001** - Application for Public Project Review for the Mathews Drive area side streets improvements. These improvements will include the rehabilitation of existing Town-owned side streets east of Mathews Drive. The project will include the creation of some on-street parking, additional parking on adjacent properties, and drainage improvements.  
*Presented by: Nicole Dixon*
  - B. **Public Hearing**  
**LMO Amendments** - The Town of Hilton Head Island is proposing to amend Chapter 4 of the Land Management Ordinance (LMO) to revise the following sections: **Section 16-4-1204:** This will allow outdoor recreation uses to be permitted in the Water Front Mixed Use (WMU) Zoning District. **Section 16-4-13XX:** This new section will create the specific use standards for Outdoor Recreation uses.  
*Presented by: Anne Cyran*
  - C. **Changes to the Rules of Procedure**

- 10. Commission Business**
- 11. Chairman's Report**
- 12. Committee Reports**
- 13. Staff Reports**
- 14. Adjournment**

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

1 **THE TOWN OF HILTON HEAD ISLAND**

2 **Planning Commission**

3 **Minutes of the Wednesday, April 6, 2011 Meeting DRAFT**  
4 **9:00a.m. – Benjamin M. Racusin Council Chambers**

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6  
7 Commissioners Present: Chairman Al Vadnais, Vice Chairman Loretta Warden, Tom Crews,  
8 Jack Docherty, Terence Ennis, Terry Leary, Tom Lennox, Gail Quick,  
9 and Charles Young

10  
11 Commissioners Absent: None

12  
13 Town Council Present: None

14  
15 Town Staff Present: David Cooler, Administrative Battalion Chief  
16 Shea Farrar, Senior Planner, Comprehensive Planning Division  
17 Scott Liggett, Director of Public Projects & Facilities  
18 Shawn Colin, Comprehensive Planning Division Manager  
19 Jayme Lopko, Senior Planner and Planning Commission Coordinator  
20 Kathleen Carlin, Secretary & Administrative Assistant  
21

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

25 Chairman Vadnais called the meeting to order at 9:00a.m.

26  
27 **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

28  
29 **3. ROLL CALL**

30  
31 **4. FREEDOM OF INFORMATION ACT**

32 Public notification of this meeting has been published, posted and mailed in compliance  
33 with the Freedom of Information Act and the Town of Hilton Head Island requirements.  
34

35 **5. APPROVAL OF THE AGENDA**

36 The agenda was **approved** as presented by general consent.  
37

38 **6. APPROVAL OF THE MINUTES**

39 The minutes of the March 16, 2011 meeting were **approved** as amended by general  
40 consent.  
41

42 **7. APPEARANCE BY CITIZENS ON ITEMS UNRELATED TO TODAY'S AGENDA**

43 None  
44

45 **8. UNFINISHED BUSINESS**

46 None  
47  
48

1     **9. NEW BUSINESS**

2     **Public Hearing**

3     **a) STRNM110001:** Vehicular Access Easement Name Request – Benjamin Stewart has  
4     applied to name a vehicular access easement located near 109 William Hilton Parkway.  
5     Properties affected by this application are Parcels 61 and 61C on Beaufort County Tax Map  
6     7. The proposed easement name is Betty P Lane.

7     Battalion Chief David Cooler made the presentation on behalf of staff. The staff  
8     recommended that the Planning Commission *approve* the Betty P Lane Vehicular Access  
9     Easement Name Application based on the review criterion outlined in the Land  
10    Management Ordinance.

11    Battalion Chief Cooler stated that the current access easement provides access to seven  
12    addresses. Most of these mobile homes are using the same address with a unit number. It  
13    would be beneficial for each home to have a unique address.

14    Battalion Chief Cooler presented an in-depth review of the application. Mr. Benjamin  
15    Stewart, also known as “Capt Ben”, was born and raised on Hilton Head Island. He was a  
16    fisherman by trade, and the name of his shrimp boat was the Betty P. Mr. Stewart was one  
17    of the few with a shrimp boat in the 1950’s, and the family would be very proud to honor  
18    him with an easement name. At completion of the staff’s presentation, Chairman Vadnais  
19    requested comments from the public.  
20    requested comments from the public.

21    Mr. Benjamin Stewart, also known as “Capt Ben”, presented statements in support of the  
22    application. At the completion of public comments, Chairman Vadnais stated that the public  
23    hearing for this application is closed.

24    Following final discussion by the Planning Commission, Chairman Vadnais requested that a  
25    motion be made for **approval** of Application STRNM110001, Vehicular Access Easement  
26    Name Request, Betty P Lane based on the review criterion outlined in the Land  
27    Management Ordinance and presented today by the staff.

28    Commissioner Leary made the **motion** as stated by Chairman Vadnais. Commissioner  
29    Quick **seconded** the motion and the motion **passed** with a vote of 9-0-0.

30    **Public Hearing**

31    **b) ZMA110001:** Perry Wood of Wood + Partners on behalf of Mr. Robert T. Kolb has  
32    requested to amend the Official Zoning Map by amending the Spanish Wells Master Plan  
33    and its associated text to bring two parcels totaling 5.82 acres into the Spanish Wells  
34    Planned Unit Development . This request would change the zoning designation of the two  
35    properties from RM-4, Low Density Residential to PD-1, Planned Development Mixed Use  
36    District as part of the Spanish Wells Master Plan with assigned uses of single family  
37    residential, multi-family residential and interval occupancy. The properties are located as  
38    738 and 740 Spanish Wells Road and are further identified on Beaufort County Tax Map10  
39    as Parcels 23A and 23B.  
40    as Parcels 23A and 23B.

41    Chairman Vadnais reported that this application has been **withdrawn** by the applicant. The  
42    Chairman read into the record an email (dated April 5<sup>th</sup>) received by staff from the applicant  
43    stating their desire to withdraw the application.  
44    stating their desire to withdraw the application.

1 **Public Hearing**

2 c) **Town Impact Fees:** Review of the Town's Impact Fee Ordinance, Section 16-5-  
3 1815 of the Town's Land Management Ordinance requires the Planning Commission to  
4 review the Ordinance in conjunction with the adoption of the Town's Comprehensive Plan  
5 to determine if revisions to the existing ordinance are warranted.

6 Ms. Shea Farrar made the presentation on behalf of staff. The staff recommended that the  
7 Planning Commission determine that *no modifications* should be made to the Town's  
8 Transportation Impact Fees or associated ordinance at this time.

9  
10 The Town currently charges Transportation Impact Fees to new development in order to  
11 offset the cost of transportation improvements associated with new growth. As required by  
12 the Town's Land Management Ordinance, the Planning Commission should conduct a  
13 review of the fees that is tied to the update of the Town's Comprehensive Plan.

14 In May 2010, Town Council adopted a new Comprehensive Plan. As a result, the staff  
15 reviewed the pros and cons of updating the fees and believes that an update is not warranted  
16 at this time. It is important to note that this recommendation does not prohibit an update at  
17 anytime in the future.

18 Impact fees are one-time costs required to be paid by new developments to cover the  
19 proportionate share of the capital costs for major public facilities that will be needed to  
20 serve those developments. The Town first adopted Transportation Impact Fees in 1989.  
21 The ordinance and fee schedule was updated in 1996. In 2001, the State passed legislation  
22 regulating impact fees which grandfathered the Town's existing ordinance as long as no  
23 changes are made. Any change requires that the ordinance be brought into compliance with  
24 State law.

25 The existing Impact Fee Ordinance (LMO Section 16-5-1815) requires that the Planning  
26 Commission conduct a review of the Town's Transportation Impact fees when the  
27 Comprehensive Plan is updated. The staff has reviewed the Comprehensive Plan as well as  
28 the Transportation Impact Fee Ordinance and has made a recommendation not to make  
29 changes in the ordinance at this time for the following reasons:

30 (1) The update could possibly result in a fee increase which may be a disincentive for some  
31 new projects as well as redevelopments, especially during this challenging economy. The  
32 newly adopted Comprehensive Plan seeks to promote more flexibility for development to  
33 encourage continued investment in properties within the Town; (2) An updated Ordinance  
34 may further shift the costs of the impact fees to undeveloped or underdeveloped areas,  
35 which at this point, are located primarily on the north end of the Island; (3) If the ordinance  
36 is changed, it must be brought into compliance with State Law. Currently the Town's  
37 ordinance is grandfathered and allows for the funding of pathway construction. A change  
38 in the Ordinance would require shifting future pathway funding to other funding sources (4)  
39 The process for updating the fee is mandated by State Law and is a highly staff intensive  
40 and costly process, often requiring the services of specialized consultants.

41 Following the staff's presentation, Chairman Vadnais requested public comments on this  
42 issue and none were received. Chairman Vadnais then stated that the public hearing for this  
43 item is closed. The Planning Commission discussed the staff's recommendation.

44 Following their discussion on this item, Chairman Vadnais requested that a motion be made  
45 that the Planning Commission **accept** the staff's recommendation that no modifications

1 should be made to the Town’s Transportation Impact Fees or associated ordinance at this  
2 time.

3  
4 Vice Chairman Warden made the **motion** as stated by Chairman Vadnais. Commissioner  
5 Ennis **seconded** the motion and the motion **passed** with a vote of 9-0-0.  
6

7 **d) Confirmation of Fiscal Year (CY) 2012 Proposed Priority Projects**

8 Before the staff made their presentation, CIP Chairman Lennox presented opening  
9 statements on behalf of the CIP Committee.

10 The CIP Committee recommends that the Planning Commission endorse and accept the  
11 “Fiscal Year 2012 – Proposed Priority Projects”, and the proposed “Capital Improvement  
12 Program (CIP) Fiscal Years 2012-2021”, and that it further recommends to Town Council  
13 that those Fiscal Year 2012 Proposed Priority Projects be incorporated in the 2012  
14 Consolidated Municipal Budget. CIP Chairman Lennox then requested that Mr. Scott  
15 Liggett make his presentation on behalf of staff.

16 Mr. Liggett stated that in accordance with State law, the Planning Commission reviews the  
17 Proposed CIP for recommendation to Town Council. The CIP encompasses pathways,  
18 drainage improvements, roadway improvements, park development, new and existing  
19 facilities improvements, and beach maintenance.

20 The CIP is funded in the Town’s next fiscal year Consolidated Municipal Budget and  
21 forecast for the nine subsequent and following years (2012 – 2021). Town Council will  
22 conduct a series of budget workshops in May 2011 to discuss, in detail, the recommended  
23 projects. The Planning Commission’s action on the CIP will be provided to Town Council  
24 and will be considered in their deliberations.

25 Chairman Vadnais requested that the staff present each of the following categories on an  
26 individual basis. The Planning Commission will provide comments following each  
27 individual category.

28 Fiscal Year 2012 – Proposed Priority Projects

29 1. Pathways

- 30 a. Pathway Rehabilitation  
31 b. US 278 – B (William Hilton Parkway) Gardner Drive to Mathews Drive  
32 c. US 278 – B (William Hilton Parkway) Wexford Circle to Fresh Market Shops  
33 d. Leg O’Mutton Road  
34 e. Pembroke Drive  
35 f. Gardner Drive  
36

37 Vice Chairman Warden stated the importance of maintaining a ‘bicycle friendly’ pathway  
38 system.  
39

40 2. Drainage Improvements

- 41 a. Stormwater Pump Station Maintenance  
42 1. General Pump Maintenance  
43 2. Buildings, grounds and utilities maintenance  
44 b. Drainage System Rehabilitation, Maintenance, Monitoring, Credits, Education  
45 and NPDES Compliance

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- 1. Sea Pines
  - 2. Shipyard
  - 3. Hilton Head Plantation
  - 4. Port Royal
  - 5. Indigo Run
  - 6. Palmetto Hall
  - 7. Wexford
  - 8. Palmetto Dunes
  - c. System Upgrades, New Projects and Professional Services
    - 1. Hilton Head Plantation - Control Structures, Dredging and Culverts
    - 2. Port Royal - Canal Dredging
    - 3. Shipyard - Dredging and Culverts
    - 4. Palmetto Hall - Weir and Inlets
    - 5. Bay Pines / Point Comfort Outfall
    - 6. Wexford Pump Station Generator Permanent Mount
  - d. Arrow Road Area

Commissioner Ennis presented comments in concern of the siltation level in lagoons. Commissioner Young presented comments in concern of drainage issues on Dillon Road and on Squire Pope Road. Mr. Liggett responded to these concerns on behalf of staff.

3. Roadway Improvements
  - a. Mainland Transportation Improvement (previous obligation by Town Council)
  - b. Mathews Drive / Marshland Road Roundabout
  - c. Mathews Drive / Chaplin Area Connectivity
  - d. US 278 Gateway Improvements at Windmill Harbour
  - e. Pedestrian Crosswalks / Refuges
    - 1. William Hilton Parkway at Chamber Drive
    - 2. William Hilton Parkway at Yacht Cove Drive
    - 3. William Hilton Parkway at Regency Drive
    - 4. William Hilton Parkway at Central Avenue
  - f. Traffic Signal Mast Arms
    - 1. William Hilton Parkway at Mall Boulevard
    - 2. William Hilton Parkway at Queens Folly / King Neptune
  - g. Fire Rescue Emergency Access Points
    - 1. Spanish Wells at Muddy Creek Road
  - h. Private (Dirt) Roads Acquisition
  - i. Directional / Neighborhood Signage (new post-mounted street signs)
  - j. Intersection / Pathway Lighting
  - k. Stoney Secondary Road – south

Commissioner Leary presented comments in regard to the Mathews Drive/Marshland Road Roundabout.

4. Park Development
  - a. Town Parks Upgrades
    - 1. Island Recreation Association Annual Park and Equipment Upgrades
    - 2. Crossings Park

- 1 3. Public Art Program – foundations for purchased items
- 2 4. Island Recreation Center Enhancements
- 3 5. Rock's / Remy's Tract Park
- 4 b. Chaplin Linear Park with Boardwalk
- 5 c. Rowing and Sailing Center
- 6 d. Yacht Cove Community Park
- 7

8 Chairman Vadnais and Vice Chairman Warden recommended that the Rowing and Sailing  
9 Center advance in priority. Vice Chairman Warden presented comments regarding the receipt  
10 of past community feedback indicating a lack of enthusiasm for the creation of passive parks  
11 (vs. interactive parks), and more support for the use of funding to create spaces that would  
12 enhance the unique recreational opportunities present on Hilton Head Island. Chairman  
13 Vadnais agreed with statements and requested that they be included in the record.

14  
15 Commissioner Crews also recommended that the Rowing and Sailing Center be moved up  
16 (below the Island Recreation Center Enhancements.) Mr. Liggett stated that staff will  
17 incorporate the changes in priority.

#### 18 19 5. Existing Facilities & Infrastructure

- 20 a. Rehabilitation and Renovation of Fixed Capital Assets
- 21 b. Clean-up, safety/demolition on Town Property - Unsafe structures ordinance  
22 demolition
- 23 c. Apparatus and Vehicle Replacement
- 24 d. Fire Station #6 (Palmetto Dunes) Replacement
- 25 e. Facilities Surveillance Cameras
- 26 f. Town Hall Office Space Reconfigurations
- 27

#### 28 6. New Facilities

- 29 a. Sewer Service Projects
- 30 1. Barker Field Area
- 31 2. SCDOT Parcel on Spanish Wells Road (pump station site?)
- 32 3. Fish Haul Park
- 33 b. Dispatch Center Equipment Upgrade
- 34 c. Fire / Medical Systems and Equipment Replacement
- 35 1. Public Safety Systems Equipment Upgrade
- 36 2. Mobile Computing AVL Upgrade
- 37 3. F&R Computer Systems - CAD Updates
- 38 d. Coligny Area Improvements - Phase II
- 39 1. Design of area-wide Park, Drainage and Roadway improvements
- 40 2. Pope Avenue @ Cordillo Parkway Intersection Improvements
- 41 e. Dunnagan's Alley / Arrow Road Initiative Area Improvements
- 42 f. Intersection Improvements at Arrow Road / Target Road
- 43 g. Pathway Relocation
- 44 h. On-street Parking - Landscaping
- 45

46 Vice Chairman Warden presented statements regarding the Comprehensive Plan's goal of  
47 providing appropriate technology infrastructure for the Island as a whole. Vice Chairman  
48 Warden questioned the issue of funding sources with regard to investing money in technology

1 that may or may not fit into the final plan. Vice Chairman Warden stated that the direction of  
2 technology is a concern.

3  
4 Mr. Shawn Colin presented statements on behalf of staff regarding the issue of the Task Force  
5 on Telecommunication Implementation.

6  
7 7. Beach Maintenance

- 8 a. Beach Management and Monitoring  
9 b. Beach Parks Access Rehabilitation  
10 c. Dune Refurbishment / Maintenance

11  
12 The Planning Commission discussed the issue of Wi-Fi availability, and the need to properly  
13 educate the public when this technology is complete. Following final discussion, Chairman  
14 Vadnais requested that CIP Chairman Lennox make a motion on today's presentation.

15  
16 CIP Committee Chairman Lennox made a **motion** that the Planning Commission **forwards** the  
17 Proposed Priority Projects for 2012 to Town Council in the order presented including the  
18 changes in priority recommended by the Planning Commission today. Commissioner Ennis  
19 **seconded** the motion and the motion **passed** with a vote of 9-0-0.

- 20  
21  
22 e) **LMO Amendments:** The Town of Hilton Head Island is proposing to amend Chapter 4 of  
23 the Land Management Ordinance (LMO) to revise the following sections: **Section 16-4-1204:**  
24 This will allow recreation uses in the Water Front Mixed Use (WMU) District to be permitted  
25 with conditions. This will allow outdoor recreation uses in the Central Forest Beach (CFB)  
26 and Resort Development (RD) Districts to be permitted with conditions instead of by special  
27 exception. **Section 16-4-1343:** This will revise the title of this section to be Outdoor  
28 Recreation/Entertainment. This will remove the condition that outdoor entertainment and  
29 recreation sites shall not exceed 4 acres. This will add a condition that, with the exception of  
30 watercraft, outdoor recreation uses shall not include motorized structures or equipment. This  
31 will allow outdoor recreation uses to be located on sites without direct access to minor arterial  
32 roads. These changes may affect your rights as an owner of land.

33  
34 Chairman Vadnais reported that this item is withdrawn from the agenda. The LMO  
35 Committee will meet this evening at 6:00p.m. for an additional review of the proposed  
36 amendments.

37  
38 **10. COMMISSION BUSINESS**

39 None

40  
41 **11. CHAIRMAN'S REPORT**

42 1. The LMO Rewrite Committee will meet for the first time on April 8, 2011 at 3:00pm. in  
43 Council Chambers.

44 2. The Rules of Procedure Committee will schedule a meeting soon for the purpose of  
45 adding the LMO Rewrite Committee to its rules. ROP Chairman Warden will arrange a date  
46 and time with the ROP committee and staff.

1 3. A special Planning Commission workshop meeting is scheduled on April 14, 2011 at  
2 9:00a.m. in Council Chambers. This will be a joint meeting with members of Town  
3 Council and members of the LMO Rewrite Committee.  
4

5 **12. COMMITTEE REPORTS**

6 None  
7

8 **13. STAFF REPORTS**

9 None  
10

11 **14. ADJOURNMENT**

12 The meeting was adjourned at 10:05a.m.  
13

14  
15 Submitted By:

Approved By:

16  
17  
18 \_\_\_\_\_  
19 Kathleen Carlin  
20 Administrative Assistant  
21

\_\_\_\_\_

Al Vadnais  
Chairman



1           **History of Hilton Head Island Planning:**  
2

- 3           1.       General Development History – 1950s – 1983  
4               a.       Master Planned Communities  
5  
6           2.       Major Planning Efforts (1983 – Present)  
7               a.       Comprehensive Plans  
8               b.       Land Management Ordinance  
9               c.       Area Plans  
10              d.       Experts Employed  
11  
12          3.       Master Planning Extent  
13              a.       Graphic Illustration of Planned Areas  
14

15           **General Development History – 1950s – 1983:**  
16

17           Early 1950s – Large tracts of land purchased, timbered and scheduled for development.  
18           Ferry and electric services are extended to the Island; first vacation cottages are built.  
19

20           1955    Legislation authorizing zoning on Hilton Head Island is enacted by the state  
21               legislature, and then repealed following opposition from Island landowners.  
22

23           Late 1950s – Toll bridge to the mainland is opened (Tolls ended in 1959); Charles Fraser  
24           begins to develop original 3,480 acres as Sea Pines Plantation; another 1,280 acres is added  
25           to Sea Pines; the first hotel opens.  
26

27           Early 1960s –

- 28               a.       First golf course opens in Sea Pines;  
29               b.       Island’s first PSD (public service district) is organized to handle sewage  
30               treatment in Forest Beach;  
31               c.       Development of Port Royal Plantation begins;  
32               d.       First condos are completed in Sea Pines; Medical Clinic opens.  
33

34           Late 1960s –

- 35               a.       Hilton Head Island Community Association is organized;  
36               b.       Sea Pines Academy, the Island’s first private school opens.  
37               c.       Land for Palmetto Dunes is acquired from Hilton Head Agricultural  
38               Company;  
39               d.       Island’s first security gates are installed at Sea Pines.  
40               e.       Harbour Town and Harbour Town Links are completed in Sea Pines; first  
41               Heritage Classic is played at Harbour Town Links.

42           Early 1970s –

- 43               a.       Development of Shipyard Plantation begins;  
44               b.       Incorporation of Forest Beach as a municipality proposed;  
45               c.       Sea Pines acquires land for the development of Hilton Head Plantation.  
46               d.       Spanish Wells initializes development;  
47               e.       Residents of Port Royal Plantation create Hilton Head Island’s first property  
                 owners’ association in a planned community;

- 1 f. Beaufort County’s proposed zoning for Hilton Head is withdrawn in the face  
2 of opposition from Native Island landowners, PUD residents, and other  
3 Islanders;  
4 g. First movie theater opens.  
5  
6 1970s  
7 a. Development companies propose creation of a council based on the Island’s  
8 PSDs as an alternative to incorporation as a municipality;  
9 b. Sea Pines residents organize Association of Sea Pines Plantation Property  
10 Owners;  
11 c. Family Circle tennis tournament is held at Sea Pines Racquet Club;  
12 d. Development begins at Moss Creek Plantation, the area’s first private  
13 planned community to be located off Hilton Head Island;  
14 e. First phase of the modern development of Hilton Head ends as a result of  
15 rising interest rates, sharp increases in oil prices, and a troubled national  
16 economy;  
17 f. Beaufort County adopts weak land use controls; study of local government  
18 options for Hilton Head Island is undertaken;  
19 g. The swing-bridge was struck by a barge which forced Island residents to  
20 travel on a pontoon bridge constructed by the Army Corps of Engineers;  
21 h. Beaufort County rejects a proposal to create an elected Island commission  
22 with taxing and planning authority;  
23 i. Heritage Classic golf tournament is televised;  
24 j. Sea Pines develops first time-share project on the Island;  
25 k. Hilton Head Island Hospital opens;  
26 l. Beaufort County enacts development standards, but they fail to address  
27 density, building heights, and other concerns of Island residents;  
28 m. Second study of local government options is undertaken.  
29  
30 1982  
31 a. Current four-lane bridge is opened to replace two-lane drawbridge  
32 b. First prefabricated modular housing development is erected, dubbed the  
33 stack-a-shacks;  
34 c. Beaufort County approves creation of appointed Island commission with no  
35 taxing or planning powers.  
36 1983  
37 a. Island voters approve the incorporation of the Town of Hilton Head Island  
38 First mayor and Town Council elected;  
39 b. The Town immediately adopted an emergency ordinance (modified Beaufort  
40 County Development Standards Ordinance) to gain greater control over  
41 Island development. Main concerns were the rate of approvals and whether  
42 or not the Island had the capacity to handle development as approved.  
43 c. The Town approves master plans for Long Cove Club and Wexford, Hilton  
44 Head, Palmetto Dunes, Sea Pines, and Port Royal Plantations.  
45  
46 1985  
47 a. Hilton Head Island’s town government approves the Island’s first  
48 Comprehensive Plan, developed by the Philadelphia based land planning  
49 firm John Rahencamp and Associates;

- 1                   b.     Development of Indigo Run Plantation;  
 2                   c.     The Town approves Master Plans for Palmetto Hall and Shipyard  
 3                         Plantations.  
 4  
 5                   1986     A Grass Roots Amendment, designed to limit growth, is approved in a  
 6                         referendum (rendered moot by adoption of the Land Management Ordinance  
 7                         the following year).  
 8  
 9                   1987     Town Council adopts the Land Management Ordinance and the Town  
 10                         approves final PUD Master Plan for Spanish Wells.  
 11  
 12                   1988  
 13                   a.     Town acquires parcel by Coligny Circle for Beach Park, first purchase of  
 14                         land acquisition program designed to preserve open space, provide  
 15                         recreational facilities, and prevent development;  
 16                   b.     Enacted Rate of Growth Ordinance (ROG) as temporary measure (set to  
 17                         expire in 1992 when the Cross Island Parkway was scheduled to open.)  
 18                   1989  
 19                   a.     Traffic Safety Amendment, proposed to halt growth, is defeated in  
 20                         referendum;  
 21                   b.     First segment of multi-use pathway network constructed;  
 22                   c.     Adopted High Traffic Commercial Special Exception Ordinance (HTC) to  
 23                         supplement the ROG Ordinance;  
 24                   d.     Adopted Street Improvement Fee Ordinance;  
 25                   e.     Cross-Island Parkway, which has been discussed by Town Council for  
 26                         several years receives initial approval;  
 27                   f.     The Island's first beach renourishment project is completed;  
 28                   g.     Beaufort County adopts Airport Master Plan.  
 29  
 30                   1991  
 31                   a.     Hilton Head Island's Comprehensive Plan is updated by the Comprehensive  
 32                         Plan Citizen Advisory Committee; it includes 63 policy positions in 7 focus  
 33                         areas, and implementation recommendations;  
 34                   b.     Growth Management Task Force established;  
 35                   c.     Real Estate Transfer Fee (RETF) takes effect, to provide funding for land  
 36                         acquisition;  
 37                   d.     Beach Management Plan adopted;  
 38                   e.     Post Disaster Recovery & Mitigation Plan adopted;  
 39                   f.     Transportation Plan is updated by Wilbur Smith & Associates.  
 40  
 41                   1992     New Town Hall opened off William Hilton Parkway in front of Wexford.  
 42                         The Town approves the master plan for Indigo Run Plantation.  
 43  
 44                   1993     Growth Management Element of the Comprehensive Plan adopted, resulting  
 45                         in amendments to the LMO;  
 46                   a.     Post Disaster Recovery & Mitigation Plan revised;  
 47                   b.     Adopted Interim Traffic Analysis & Documentation Ordinance, (replaced the  
 48                         ROG and HTC ordinances);  
 49                   c.     Adopted Traffic Congestion and Growth Management Ordinance.

- 1  
2 1994 North Island traffic study completed by consultant (PBS&J) Post, Buckley,  
3 Schuh & Jernigan, Inc.  
4  
5 1995 R/UDAT – The R/UDAT was produced with the community through a series  
6 of meetings by the Regional/Urban Design Assistance Team of the American  
7 Institute of Architects;  
8  
9 1995 Response to the RUDAT. The Mayor appointed Resource Committee for  
10 Native Island Affairs provided a response to the R/UDAT report  
11 recommendations. This plan led to the development of the Ward One Plan.  
12  
13 1996 Recreation and Open Space Plan adopted.  
14  
15 1998 A new LMO, drafted by Duncan Associates was adopted to bring the LMO  
16 into compliance with 1994 Planning Enabling Legislation;  
17  
18 1998 Adopted Traffic & Access Management section of LMO to replace the  
19 Traffic Congestion and Growth Management Ordinance;  
20  
21 1998 Beach Access Plan adopted and the Cross Island Parkway opened.  
22  
23 1999 Hilton Head Island’s Comprehensive Plan is updated by EDAW, Inc. The  
24 plan established immediate action items that included the recommendation  
25 that the Ward One area be rezoned consistent with the Ward One Land use  
26 Plan, which was under draft.  
27  
28 The plan also recommended LMO amendments to promote redevelopment.  
29 Future planning was to include the implementation of the newly drafted  
30 recreation and Open Space Plan and to implement a plan for Broad Creek.  
31  
32 This plan also indicated the need to promote redevelopment in the older  
33 commercial areas on the Island and identified specific target areas including  
34 the Bridge to the Beach or Pope Avenue/Palmetto Bay Road Corridor.  
35  
36 1999 Bridge to Beach Charette: Recommendations prepared by a Council-  
37 appointed steering committee of Community Representatives.  
38  
39 Many issues were identified and catalogued at the charette, including the  
40 need for interconnections and systems for safe and pleasant circulation, open  
41 space and recreation, stormwater management, and parking with emphasis  
42 on the pedestrian environment, and the ability to redevelop properly and  
43 efficiently in case of a natural disaster.  
44  
45 1999 Creating a Tax Increment Financing District was recognized as a viable  
46 funding source for making improvements in the public realm that would  
47 promote redevelopment. A TIF District was then established for those areas  
48 targeted for redevelopment including the Pope Avenue/Palmetto Bay Road  
49 Corridor and the Chaplin and Stoney areas.

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- 1999      Ward One Lane Use Plan was adopted. It outlined development for most areas that were not included in the planned developments. Its focus was on the future pattern and density of land uses and related implications for economic development, property rights and development regulations.
- The plan resulted from a collaborative effort by the Resource Committee for Island Affairs, a consultant team lead by Wallace Roberts and Todd, Amesco, Kellerco, Connor & Associates and Permar and Ravenel, and Town Staff.
- The plan also identified two “Initiative Areas” in the Chaplin and Stoney areas, where additional planning and negotiation were needed to determine recommendations of future land use, density and infrastructure could be made.
- 2000      Town Council formed the Bridge to the Beach Steering Committee in 2000 composed of six Island citizens drawn from various disciplines together with support personnel from the Town. Their purpose was to provide direction for redevelopment planning efforts made by the Town.
- 2001      Bridge to the Beach Redevelopment Plan was adopted for one of the Island’s oldest resort, commercial and residential areas. The purpose of this plan was to provide a framework, or vision, for public and private actions that would revitalize the Bridge to the Beach area.
- 2002      Bridge to the Beach Advisory Report on Redevelopment is adopted, providing guidance for redevelopment in the Palmetto Bay Road and Pope Avenue corridors.
- 2002      Chaplin Initiative Area Plan was adopted. Helped to shape land uses towards a mix of more efficient residential, commercial and tourism development patterns while enhancing the character and natural amenities of the Chaplin Neighborhood.
- 2002      Broad Creek Management Plan adopted, lists recommendations for actions to improve the water quality of Broad Creek and the environmental quality of the marshes and surrounding area. Long Range Transportation Study completed by Wilbur Smith & Associates which updates the traffic modeling done for prior transportation elements and the Ward One Plan, and summarized recommended transportation improvements necessary to handle traffic volumes projected at “most likely build out” of the Island.
- 2003      Stoney Initiative Area Plan adopted, outlining recommendations for future development along William Hilton Parkway in the Stoney Neighborhood.

- 1           2004     Bridge to the Beach Implementation – Redevelopment strategies were  
2                     adopted to address programs, policies and projects that could help promote  
3                     redevelopment of the corridor and surrounding areas.  
4  
5           2004     Chaplin Plan Implementation – Chaplin – Mathews Redevelopment Plans  
6                     were designed to identify programs, policies and projects that would further  
7                     implement the Ward One Plan from 1999.  
8  
9           2004     Comprehensive Plan was updated from the 1999 Plan.  
10  
11          2005     Stoney Plan Implementation – Skull Creek Redevelopment Workbook was  
12                     adopted that addressed projects, programs, and policies for the Stoney area.  
13  
14          2007     Redevelopment LMO Amendments; More flexible provisions for  
15                     redevelopment; Created CCW and DCW as well as Redevelopment Floating  
16                     Zone to implement recommendations from planning efforts for the Pope  
17                     Avenue/Palmetto Bay Road.  
18  
19          2010     Comprehensive Plan was drafted internally by the Planning Commission and  
20                     planning staff rather than using a consultant.  
21  
22          2010     Airport Master Plan updated.  
23  
24          2010     The Mayor’s Task Force for the Future was formed to refine the Town’s  
25                     vision, to provide a set of key policies and suggestions for their  
26                     implementation to chart the course for the Island’s future.  
27

28           This concluded the staff’s presentation. The Planning Commission thanked Mr. Colin for  
29           his excellent presentation. The Planning Commission discussed several issues.  
30

31           Commissioner Crews presented statements related to the issue of a ‘master plan for the  
32           entire Island.’ Mr. Crews stated that we have a lot of adopted plans with different rules and  
33           different intents. There is no homogenous sense as some plans are from pre-incorporation of  
34           the Island. A fresh look should be taken at what all of this means. We need to take a careful  
35           look at what makes ‘a community whole.’ Civic spaces are important -- a collection of  
36           many, there needs to be a ‘knitting together’ of a master plan.  
37

38           Chairman Vadnais stated the value of public meetings (similar to the public hearings in  
39           development of the Comprehensive Plan.) Commissioner Lennox presented statements  
40           relating to development and funding. Following the Planning Commission’s discussion,  
41           Chairman Vadnais invited public comments. The following citizens presented statements  
42           for the record: Mrs. Mary Amonitti complimented the staff on today’s presentation and  
43           recommended that the presentation be given again in the evening for the benefit of the  
44           working public.  
45

46           Vice Chairman Warden stated the importance of public meetings. Commissioner Leary  
47           agreed with Commissioner Crews with regard to the ‘collection of master plans’ and the  
48           need to provide some public space for the community. This is where our focus should be.  
49           Chester C. Williams, Esq., presented statements with regard to plans to rewrite the LMO.

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At the completion of public comments and discussion by the Planning Commission, today's special meeting was adjourned.

**14. ADJOURNMENT**

The meeting was adjourned at 10:15a.m.

Submitted By:

Approved By:

\_\_\_\_\_  
Kathleen Carlin  
Administrative Assistant

\_\_\_\_\_  
Al Vadnais  
Chairman

DRAFT



**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

**STAFF REPORT  
PUBLIC PROJECT REVIEW**

| <b>Case #:</b> | <b>Name of Project:</b>                         | <b>Public Hearing Date:</b> |
|----------------|---|-----------------------------|
| PPR110001      | Mathews Drive Area<br>Side Streets Improvements | May 4, 2011                 |

| <b>Parcel Data or Location:</b>  | <b>Applicant</b>  |
|--|---|
| Town-owned streets: Thompson Street,<br>Cooperative Way, Mingo Way, Oak Park<br>Drive, Power Alley and Electric Avenue | Jennifer Lyle<br>Town of Hilton Head Island<br>Engineering<br>One Town Center Court<br>Hilton Head Island, SC 29928 |

**Application Summary:**

The purpose of this application is to improve the Town-owned side streets east of Mathews Drive from Power Alley to Oak Park Drive, including Thompson Street, Cooperative Way, Mingo Way and portions of Electric Avenue. The project will include the creation of some on-street parking, additional parking on adjacent properties, and drainage improvements.

**Staff Recommendation:**

Staff recommends the Planning Commission find this application to be compatible with the Town's Comprehensive Plan for location, character, and extent based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

**Background:**

In 2007, the Town acquired the subject street rights-of-way with the intent of rehabilitating the dilapidated streets. Poor drainage, wear and tear from travel, and low maintenance of the streets prior to the Town acquiring ownership of the roadways in 2007 have contributed to the current roadway conditions. Some of the streets are paved and some are gravel. Many of the surrounding businesses utilize the streets and park within the street right-of-way. This has caused traffic flow problems.

This project was first presented to the Planning Commission and the Public Facilities Committee in 2008. In the Summer and Fall of 2009, Town staff met with the Public Facilities Committee and local businesses to reduce encroachments by property owners on the subject street rights-of-way. While the encroachments on the streets are less since this meeting, the roadways' traffic flow is still limited due to the confined right-of-way space. The proposed side streets improvement project was put on hold in 2009 as other projects were made a higher priority.

Funding of the design for the Mathews Drive side streets improvement project has been identified in the current fiscal year (2011) through the Capital Improvement Program (CIP). The funding for construction of this project is subject to Town Council approval for the 2012 Fiscal Year.

A public meeting was held on March 23, 2011 to receive input from affected property owners of their parking needs, on allowing the Town to create and maintain parking spaces within their property and to discuss the characteristics of the proposed street improvements.

**Description of Project:**

The side street network improvement project has many objectives associated with it. The first objective is to rehabilitate the existing roads because the existing pavement has many failures. Adequate paving and base materials will be installed and the road width will be increased in areas to allow for sufficient two-way traffic.

The second objective of the proposed project is to provide on-street parking. Currently, motorists park in a random, haphazard fashion, sometimes blocking the drive aisles. Formal parking spaces will be installed in conformance with the design and performance standards of the Land Management Ordinance.

The third objective of the project is to enhance emergency access. Currently the roads exhibit failed pavement, potholes, and flooding, all of which pose hazards to emergency vehicles. Random parking leaves vehicles extending out into the travel lane, potentially blocking emergency vehicles. Rehabilitating these streets and installing adequate parking spaces will provide better access for emergency vehicles.

The fourth objective of the proposed project is to provide adequate storm drainage infrastructure. Whenever it rains, flooding occurs throughout the rear alley right-of-way and

some of the side streets. With the proposed project, the rehabilitated roads will be sloped to properly drain surface runoff and a collection system of pipes and inlets will convey runoff along the rear alley or into the drainage system on Mathews Drive. Runoff collected from the rear alley will be discharged into the freshwater wetlands of the 71 acre, Town-owned Ashmore Tract. The runoff will filter through the wetlands and poses no adverse impacts to the water quality of the Broad Creek. When Mathews Drive was widened in this area, the storm system was designed to include surface runoff from these side streets. The drainage system on Mathews Drive runs through a water filtration system prior to releasing into Broad Creek to ensure water quality runoff into Broad Creek.

The fifth objective is to preserve the mature trees within the street rights-of-way. The improved roads and proposed parking will be designed to limit impacts to the trees.

The sixth objective of the proposed project is to minimize impacts on the local property owners. The proposed road improvements and parking design will consider impacts on existing driveways and garages.

#### **Location, Character, and Extent:**

LMO Section 16-3-1201. Applicability and Purpose

*The Planning Commission shall review any new street, structure, utility, square, park, or other public way, grounds or open space or public buildings for any use, whether publicly or privately owned, and make a determination of compatibility with the Comprehensive Plan for **location, character and extent.***

#### **Summary of Facts and Conclusions of Law:**

##### **Findings of Facts:**

- Notice of the Public Project Application was published in the Island Packet on March 27, 2011 as set forth in LMO Sections 16-3-110 & 16-3-111.
- Notice of the Public Project Application was posted and mailed as set forth in LMO Sections 16-3-110 & 16-3-111.
- A public hearing will be held on May 4, 2011 as set forth in LMO Section 16-3-1204A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1204.

##### **Conclusion of Law:**

- The Public Project application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO Sections 16-3-110, 16-3-111 and 16-3-1204A.

**Summary of Facts and Conclusions of Law, for the LOCATION of the project:**

**Finding of Fact:**

The adopted Comprehensive Plan addresses the *location* of this project in the following areas:

**Chaplin/Mathews Redevelopment Strategies Workbook**

**Proposed Policy:**

- Allow specific secondary roadways to be designed for on street parking to alleviate shortages created from the reconstruction of Mathews Drive on existing parking spaces which are located in the road right-of-way.

**Conclusion of Law:**

Staff concludes that the project is compatible with the adopted Comprehensive Plan and its appendices for the location of the project. The subject project and location is specifically identified in the Chaplin/Mathews Redevelopment Strategies Workbook.

**Summary of Facts and Conclusions of Law, for the CHARACTER of the project:**

**Findings of Facts:**

The adopted Comprehensive Plan addresses the *character* of this project in the following area:

**Goal 9.1 A - Road Network**

- The goal is to improve the road network by creating safe and convenient access and interconnections to all areas of the Island while protecting community investments, neighborhoods, and the natural environment.

**Goal 9.1 D – Road Network**

- The goal is to maintain all roads on Hilton Head Island to ensure safety and adequate access.

**Implications for the Comprehensive Plan - Transportation Network**

- The Town needs a comprehensive transportation network composed of roads, pathways, water and air transportation opportunities that are adequately maintained that meet current standards.

**Implication for the Comprehensive Plan – Water Quality and Quantity**

- The data collected on the local, regional and national scale suggests that the current development strategies can have a negative impact on water quality. The Town needs to continue to make water quality and quantity a high priority by encouraging water conservation, reducing impervious surfaces, encouraging environmentally sound drainage and flood control practices, as well as sustainably manage stormwater for small and large scale development.

**Conclusions of Law:**

Staff concludes that the project is compatible with the adopted Comprehensive Plan and its appendices for the character of the project. The proposed project will be designed to improve the water quality and quantity, aesthetics and safety of the road network in this area by bringing the existing streets and stormwater management into compliance with existing standards.

**Summary of Facts and Conclusions of Law, for the EXTENT of the project:**

**Finding of Fact:**

The adopted Comprehensive Plan addresses the *extent* of this project in the following areas:

**Chaplin/Mathews Redevelopment Strategies Workbook**

**Proposed Policy:**

- o Allow specific secondary roadways to be designed for on street parking to alleviate shortages created from the reconstruction of Mathews Drive on existing parking spaces which are located in the road right-of-way.

**Conclusion of Law:**

Staff concludes that the project is compatible with the adopted Comprehensive Plan and its appendices as described in the Chaplin/Mathew Redevelopment Strategies Brochure and Workbook for the extent of the project. The extent of the proposed project is consistent with that area defined by these sources.

**Summary of Facts and Conclusions of Law:**

**Finding of Fact:**

- o The Town's adopted Capital Improvement Program (CIP) addresses this project as having funding for the design of the project in the current fiscal year (2011) and funding for the construction being scheduled for fiscal year 2012.

**Conclusion of Law:**

Staff concludes that the adopted CIP supports this application.

**LMO Official Determination**

**Determination:** Staff determines that this application is compatible with the Comprehensive Plan for the location, character, and extent as based on the above Findings of Fact and Conclusions of Law.

**Planning Commission Determination and Motion:**

**The Planning Commission's role is to determine if the application is compatible with the Comprehensive Plan for location, character, and extent.**

**PREPARED BY:**

ND

Nicole Dixon  
*Senior Planner*

April 18, 2011

DATE

**REVIEWED BY:**

TL

Teri B. Lewis, AICP  
*LMO Official*

April 18, 2011

DATE

**REVIEWED BY:**

JL

Jayne Lopko, AICP  
*Senior Planner & PC Board Coordinator*

April 18, 2011

DATE

**ATTACHMENTS:**

A) Vicinity Map





## **TOWN OF HILTON HEAD ISLAND**

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### *Community Development Department*

**TO:** Planning Commission  
**VIA:** Heather Colin, AICP, *Senior Planner*  
**FROM:** Anne Cyran, AICP, *Senior Planner*  
**DATE:** April 20, 2011  
**SUBJECT:** Proposed Waterfront Mixed Use (WMU) LMO (Land Management Ordinance) Amendment

The proposed amendments to LMO Section 16-4-1204, Use Table, and Section 16-4-13XX, Outdoor Recreation, are attached for your review. The proposed amendments will:

- Allow limited outdoor recreation uses in the WMU Zoning District to be permitted by special exception; and
- Create specific use standards for outdoor recreation uses in the WMU Zoning District.

After reviewing the proposed amendments on March 16, the LMO Committee voted 4-0-0 to approve the proposed amendments on April 6.

Also attached is a letter from Truitt Rabun with Truitt Rabun Associates.

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

**Staff Explanation:** Based on the request of the owner of Broad Creek Marina and the comments from the LMO Committee Meetings on March 16, 2011 and April 6, 2011, staff recommends allowing limited outdoor recreation uses in the WMU Zoning District to be permitted by special exception. Staff also recommends adding specific use standards for outdoor recreation uses in the WMU Zoning District.

Parcels in the WMU Zoning District are adjacent to Broad Creek, Skull Creek and Port Royal Sound. Allowing limited outdoor recreation uses on these properties 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.

Per the LMO Committee's recommendation, this amendment will limit outdoor recreation uses in the WMU Zoning District to those permitted by special exception. Special Exception applications are reviewed by the Board of Zoning Appeals (BZA), which determines if the use meets both the Special Exception Review Criteria listed in LMO Section 16-3-1805 and the specific use standards listed in LMO Chapter 4, Article XIII, Specific Use Standards.

Staff is concerned that requiring owners to apply for and receive BZA approval, a process that is a minimum of forty-five days long, does not meet Town Council's goal of amending the LMO to foster greater simplicity.

Staff suggests eliminating use standard B, "Use of recreation facilities shall be limited to daylight hours," because it is redundant. Use standard C addresses the LMO Committee's concerns about site lighting.

Please note that outdoor entertainment and water parks are separate uses in the Use Table. This amendment would not permit outdoor entertainment or water park uses in the WMU Zoning District.

Please also note that LMO Section 16-4-1213.C(4)(B), Outdoor Recreation/Entertainment, specifically states that, "Theme park, amusement park, boardwalk, or midway type attractions such as rides, bumper cars, go-cart tracks, game booths and all other similar attractions are only allowed inside completely enclosed buildings and are classified as Indoor Entertainment." This amendment would not permit these uses in the WMU Zoning District.

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       |
|--|-----------|
| P = Permitted By Right SE = Special Exception PC = Permitted With Conditions |           |
| <b>Outdoor Recreation/Entertainment</b>                                      |           |
| Outdoor Recreation   | <u>SE</u> |

### Article XIII. Specific Use Standards

#### Sec. 16-4-13XX. - Outdoor Recreation

Outdoor recreation uses in the WMU Zoning District are permitted subject to the following standards:

- A. Uses shall be limited to those that both preserve and enhance the natural features of the subject parcel.
- B. Use of recreation facilities shall be limited to daylight hours.
- C. Site lighting fixtures shall not exceed 20 feet in height, whether attached to a structure or freestanding.

April 14, 2011

Mr. Al Vadnais, Chairman  
Town of Hilton Head Island Planning Commission  
1 Town Center  
Hilton Head Island, SC 29928

Re: LMO Text Amendment Allowing Outdoor Recreation in the WMU District

Dear Chairman Vadnais,

We would like to propose an LMO Text Amendment allowing Outdoor Recreation in WMU District as a Conditional Use. This LMO Text Amendment supports the Town's Comp Plan and Vision 2025 by broadening family friendly, eco-tourism related recreational opportunities for residents and visitors alike, while protecting the Island's natural beauty, environmental resources and unique sense of place. Allowing Outdoor Recreation in the WMU District as a Conditional Use also furthers the Town Council's goals of amending the LMO to foster greater simplicity, shorten approval time and minimize uncertainty of outcomes.

**An LMO Text Amendment Allowing Outdoor Recreation in the WMU District as a Conditional Use Supporting the Town's Comp Plan and Vision 2025**

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*(The proposed amendment is based in minimal, yet effective revisions to the existing LMO. Text that is stricken-through is intended for deletion and underlined text is intended for addition.)*

**CHAPTER 4. - ZONING DISTRICT REGULATIONS**

- Article XII. Use Regulations
  - Sec. 16-4-1204 – Use Table
    - Allow Outdoor Recreation in WMU as Permitted with Conditions (PC)
  - Sec. 16-4-1213 – Commercial Use Categories
    - “C. Outdoor Recreation/Entertainment”
      3. Examples
        - a. “Outdoor Recreation uses are participatory in nature and include such facilities as golf courses; driving ranges; miniature golf courses; and active sports complexes including such uses as tennis courts, ball fields, and basketball courts; challenge course activities such as zip lines, ropes courses, and climbing walls; natural/cultural history based recreation such as nature trails and interpretive facilities; and arts and crafts activities.”

- Article XIII. Specific Use Standards
  - Sec. 16-4-1343 – Outdoor Entertainment
    - Eliminate condition that Outdoor Entertainment "...site shall not exceed 4 acres."
    - All other conditions (B., C., D., E.) remain.
  - Add "Section 16-4-13XX – Outdoor Recreation
    - A. In the WMU District Outdoor Recreation uses shall be limited to challenge course activities such as zip lines, ropes courses, and climbing walls; natural/cultural history based recreation such as nature trails and interpretive facilities; and arts and crafts activities."

**CHAPTER 10. – DEFINITIONS**

- Article I. General
  - Sec. 16-10-201 – Defined Terms
    - Add "Challenge Course Activities: A single or series of recreational activities, sometimes on or close to the ground (usually referred to as a low course) and sometimes high above ground (a high course), including such activities as zip lines, ropes courses, and climbing walls. Challenge courses can serve individual participants, communities, and groups such as school or club groups and corporate management training groups. Challenge course activities can also provide interpretation of the site's and region's natural environment as part of the overall recreational and educational experience."

Attached is a supplementary document that addresses concerns that have been raised.

In essence, the proposed amendment:

- Restricts Outdoor Recreation uses in WMU to only certain low-intensity types of uses, especially when compared to other permitted uses in WMU.
- Controls the development of Outdoor Recreation uses through 1.) the proposed Conditions; and 2.) the existing effective, restrictive LMO development standards for buffers; tree and natural resources protections, noise and site lighting requirements; access and traffic requirements; and other development standards.

Further, WMU is within the COR District, where all development is subject to extensive review by the Town staff and DRB.

We believe the Town's residents and visitors will be well served by an LMO Text Amendment permitting Outdoor Recreation in WMU as a Conditional Use (PC) as proposed herein.

With best regards,



F. Truitt Rabun, Jr., FASLA, LEED AP  
Principal

CC: Roger M. Freedman  
Planning Commission Members

## **LMO TEXT AMENDMENT ALLOWING OUTDOOR RECREATION IN THE WMU DISTRICT AS A CONDITIONAL USE**

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### **TYPES OF USES ALLOWED:**

The LMO Amendment that we are proposing allows only certain low-intensity types of uses and is more restrictive than the present amendment under consideration.

The LMO amendment under consideration by the PC does not define the types of uses that are the genesis of the proposed amendment. As written, in Sec. 16-4-1213 - Commercial Use Categories, "C. Outdoor Recreation/Entertainment, 3. Examples", the amendment defers to the existing LMO in describing Outdoor Recreation as "*a. Outdoor Recreation uses are participatory in nature and include such facilities as golf courses; driving ranges; miniature golf courses; and active sports complexes including such uses as tennis courts, ball fields, and basket ball courts.*"

Our proposed LMO Text Amendment adds to the examples the following low-intensity type uses, "Challenge course activities such as zip lines, ropes courses, and climbing walls; natural/cultural history based recreation such as nature trails and interpretive facilities; and arts and crafts activities.", then limits Outdoor Recreation uses in WMU to those uses.

Uses such as theme parks, midway type attractions, bumper cars, go-cart tracks, etc. are already limited in the LMO to Indoor Entertainment. Indoor Entertainment is not an allowed use in WMU (P, PC, nor SE).

### **PERMITTED WITH CONDITIONS (PC), RATHER THAN SPECIAL EXCEPTION (SE):**

Requiring Outdoor Recreation in WMU to be a Special Exception (SE) is contrary to the Town Council's goal of amending the LMO to foster greater simplicity, shorten approval time and minimize uncertainty of outcomes. Not only will a SE require additional time, more important, the SE process eliminates predictability in allowable land uses. Predictability in allowable land uses is vital to new development investment.

WMU is already within the COR District and subject to the terms of the LMO, adherence to the Hilton Head Guide, and review and approval by town staff and the DRB. These set high standards and call for design compatible with Hilton Head Island's natural environment and sense of place. With Town staff and DRB review and approval, our proposed Outdoor Recreation uses are easily controlled by:

- 1.) The Conditions that limit the types of uses allowed, i.e.
  - Article XIII. Specific Use Standards
    - Add "Section 16-4-13XX – Outdoor Recreation
      - A. In the WMU District Outdoor Recreation uses shall be limited to challenge course activities such as zip lines, ropes courses, and climbing walls; natural/cultural history based recreation such as nature trails and interpretive facilities; and arts and crafts activities."

- 2.) The existing LMO buffer requirements; tree and natural resources protections; noise and site lighting requirements.

By permitting Outdoor Recreation with Conditions (PC) in WMU, and with the LMO's existing extensive requirements, both the applicant and Town have an acceptable degree of predictability about the outcome of the development.

Further, if the LMO text amendment requires SE, given the descriptive examples of allowable Outdoor Recreation uses in the existing LMO ("uses are participatory in nature and include such facilities as golf courses; driving ranges; miniature golf courses; and active sports complexes including such uses as tennis courts, ball fields, and basketball courts."), the BZA could well find it difficult to stretch those uses to include the uses in our proposed amendment "challenge course activities such as zip lines, ropes courses, and climbing walls; natural/cultural history based recreation such as nature trails and interpretive facilities; and arts and crafts activities." Therefore, on a strict reading a "Special Exception" for those uses could easily be denied.

#### **EVENING OPERATIONS FOR OUTDOOR RECREATION IN WMU:**

Evening operations are essential to the success of any family oriented recreational activity on Hilton Head Island. If the concerns are site light and sound:

- Site lighting is already under excellent control by the LMO, witness the effects of the ordinance and review/approval procedures already in effect. The amount of light and how it is applied is covered by Article XIV – Site Lighting Standards and further defined as to environmental concerns by the COR requirements to adhere to the Hilton Head Island Guide, and review/approval by the DRB.
- The Town's Municipal Code Section 17-4-114(5) limits daytime and nighttime sounds in the WMU District.

Given the geographic location of the Island's WMU Districts and their adjacent land uses, there would be little if any evening operational impact by the proposed low-impact type uses proposed in the LMO text amendment either across the adjacent marshes and water bodies, or to neighboring properties. This is especially true when compared to the residential and waterfront commercial uses already in operation and those permitted for future development in the WMU District.

*For Example:*

*The level of lighting required for the proposed Broad Creek Marina Eco-Tourism Park zip-line tours is very low, consisting of the light emanating from small ticketing/retail sales buildings; walkway lighting; and lighting for the stair treads for the zip line platforms. This is much less lighting than typical residential development. The lighting carried by the evening zip line participants usually consists of a small battery-powered light mounted on a helmet, similar in output to a flashlight.*

*The sounds emanating from the zip-line tours (small groups of 4-6 participants moving individually from platform to platform) will not carry the distance across Broad Creek. In fact, the zip line sounds will barely, if at all, carry to the Broad Creek Marina docks.*

## VISUAL IMPACT

### LMO Required Buffers

The LMO requires all structures within WMU to adhere to 40' average width, naturally vegetated buffers measured from the edge of the marsh. These buffers have proven very effective in protecting both natural resources and the visual aspect of development when viewed from the waterside.

Also, structures or uses are prohibited from upland wetlands and other buffer areas by LMO Sections 16-5-808, 16-5-809 and 16-6-204. To build a structure in a wetland buffer would require a variance from BZA. Development beyond the OCRM critical line is in the purview of SCDHEC-OCRM, under Federal Coastal Zone Management regulations.

*For Example:*

*The three zip line structures parallel to Broad Creek in the proposed Broad Creek Marina Eco-Tourism Park zip lines far exceed the minimum buffers by being located from 55 ft. to 110 ft. from the edge of the marsh behind dense buffering of native oaks, hickory, pine and thick understory.*

### View Shed to WMU Districts

The view shed toward the WMU Districts' shoreline is already limited in scope. WMU is less than five percent of the overall shoreline frontage of Hilton Head Island, and the vast majority of the WMU parcels are already developed or owned by the Town. Views to those parcels on Skull Creek and Port Royal Sound are across vast expanses of thousands of feet of marsh and/or sound. Even views to the WMU Districts across Broad Creek are across more than 2,500 feet of marsh and creek.

*For Example:*

*The closest residential lots across Broad Creek from the proposed Broad Creek Marina Eco-Tourism Park zip lines are 2,740 ft., 2,780 ft. and 2,915 ft. respectively.*

*The height to the top of the tree crowns in the existing forest averages 65 feet. The heights of the zip line platforms ranges from 75' to 25' to the top platforms. There are four 2-pole platforms and six single-pole platforms. The zip lines skirt the very tops of the tree canopies and extend through the canopy to platforms as low as 15 ft. above ground.*

*The four 2-pole platforms incorporate stairs to accommodate zip line access and changes in entry and exit heights. These have a foot-print of only 8 ft. x 17 ft. each (136 sq. ft. rectangle) The single-pole platforms have a six-sided foot print of 8 ft. x 8 ft. overall (52 sq. ft. hexagon). The ten platform structures total 856 sq. ft. of pervious coverage, which is less than one-half percent (1/2 %) of the more than five acres of forested land over which these platforms are scattered. This is an almost negligible structural impact when compared with the LMO permitted residential densities of 12 DU/net ac., or 20 rooms of hotel/motel/inn /net ac; and, 50% impervious coverage for buildings, parking, etc.*

*With the exception of the initial platform at the edge of the marina parking lot, these structures will be barely visible, if visible at all from Broad Creek.*

*Further, in the case of the proposed Broad Creek Marina zip line, it has already received DRB Conceptual approval, with the condition that the platform structures be paint/stained at to better blend with the trees at the outset, rather than waiting for the wood to naturally weather. The Applicant has agreed to paint/stain the structures during construction. The zip line has conceptually passed the Town's aesthetics and sense-of-place test. Detailed plans for tree protection, pruning, removal and mitigation; zip line construction details; walkways and site furnishings; plantings and mulching; and low level site lighting will be presented during the DRB Final Approval process. Final approval will be subject to the adopted LMO text amendment.*

#### **ACCESS AND TRAFFIC:**

Current LMO project review standards include confirmation that new streets meet LMO Section 16-5-504, Design Standards by Street Type, and that existing streets are capable of handling anticipated traffic generated by new uses.

In summary, when these considerations are taken into account, the Town's residents and visitors will be well served with an LMO text amendment allowing Outdoor Recreation in WMU as a Conditional Use (PC), as proposed in our April 14, 2011 letter to PC Chairman Al Vadnais.

Prepared: Truitt Rabun  
TRUITT RABUN ASSOCIATES  
April 14, 2011

**TOWN OF HILTON HEAD ISLAND**  
*Community Development Department*

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**TO:** Planning Commission  
**FROM:** Jill Foster, Deputy Director  
**CC:** Jayme Lopko, Senior Planner  
**CC:**  
**DATE:** April 26, 2011  
**SUBJECT:** Revisions to Rules of Procedure

At their April 25, 2011 meeting, the Rules of Procedure Committee agreed to the following changes. Additions are underlined.

**Page 5:**

Section 4. Duties of the Commission.

6. ... reviewing and making recommendations to the Town Council on any & all text amendments to the LMO, from whatever source; and

Section 5. Committees.

A. Standing Committees.

2. *LMO Committee*: This Committee reviews all proposed amendments to the Land Management Ordinance, exclusive of those presented directly to the Commission by the specially appointed ad hoc LMO Rewrite Committee.

**Page 6:**

- B. Membership of Standing Committees.
- C. Referral back to Standing Committee.

New Section:

- D. **Ad Hoc Committees.**  
From time to time Town Council may establish an ad hoc committee with its membership and charge determined by Town Council and such committee may be designated a committee of the Planning Commission with duty to report regularly to Planning Commission and periodically to Town Council.