



**Town of Hilton Head Island
Planning and Development Standards Committee
Regular Meeting
Wednesday, February 23, 2011 4:00p.m.
Benjamin M. Racusin Council Chambers**

REVISED 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 Minutes** - Regular Meeting January 26, 2011
4. **New Business**
 - a) Annual Resolution proclaiming April Fair Housing Month *Presented by: Marcy Benson*
 - b) Recommendation for cell tower height and type proposed for Fire Station 7 site.
Presented by: Shea Farrar
 - c) **ZMA100008:** Mr. Jay Sanders of American Tower Corporation has requested to amend the Official Zoning Map by amending the Indigo Run Master Plan to add Telecommunications Facilities as a permitted use on the property located at 1001 Marshland Road. The property is currently zoned PD-1 within the Indigo Run Master Plan and assigned land uses of Residential and Private & Semi-Private Recreation. The property is referred to Fire Station # 7 and is further identified on Beaufort County Tax Map 11, Parcel 276. *Presented by: Nicole Dixon*
5. **Committee Business**
6. **Adjournment**

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

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of Wednesday, January 26, 2011 Meeting
4:00pm – Benjamin M. Racusin Council Chambers

DRAFT

Committee Members Present: Chairman Bill Ferguson, Mayor Pro Tem Ken Heitzke and Kim Likins (*alternate*)

Committee Members Absent: Bill Harkins

Council Members Present: George Williams

Town Staff Present: Mike Roan, Urban Design Administrator
Teri Lewis, LMO Official
Heather Colin, Development Review Administrator
Nicole Dixon, Senior Planner; Anne Cyran, Senior Planner
Kathleen Carlin, Administrative Assistant

1) CALL TO ORDER

Chairman Ferguson called the meeting to order at 4:00p.m.

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 MINUTES

The minutes of the special meeting on October 18, 2010 and the minutes of the regular meeting on October 27, 2010 were **approved** by Chairman Ferguson. These minutes were **approved** by the Chairman on behalf of former Committee members, Mr. John Safay and Mr. Drew Laughlin.

4) UNFINISHED BUSINESS

None

5) NEW BUSINESS

ZMA090003 – Ms. Louanne C. LaRoche has requested to amend the Official Zoning Map by amending the Sea Pines Master Plan to add a Single-Family Residential use to a property that currently allows uses of Institutional and Recreational. The property is referred to as Parcel ‘A’ Cordillo Parkway and further identified on Beaufort County Tax Map 18 as parcel 218.

Mr. Mike Roan made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee forward the application to Town Council with a recommendation of approval.

Mr. Roan stated that the staff had originally recommended denial of the application, finding the rezoning could potentially put development of the parcel in violation of the Land Management Ordinance. The Planning Commission voted to recommend approval of the proposed Zoning Map Amendment as presented by the staff at the December 15, 2010 public hearing.

Mr. Roan presented a brief history of the application as well as a visual review of the zoning map. Lot A, Cordillo Parkway is part of the Sea Pines Master Plan. The Sea Pines Master Plan was approved by the Town in 1984. Under this approval, Lot A Cordillo Parkway was part of a tract of land designated as Parcel 22, which was assigned institutional and recreational use.

In 2009, Ms. Louanne LaRoche applied to add commercial and residential as allowed uses on the subject parcel. The allowed commercial density would be 19,700 square feet, and the allowed residential density would be 1 single family dwelling unit. The parcel in question originally allowed institutional and recreational uses as part of the 1984 Master Plan adopted by the Town of Hilton Head Island. Sea Pines made revisions to the document in 1992; these revisions included the addition of commercial and residential as allowed uses on the subject parcel.

The Town of Hilton Head Island, however, is the only entity authorized to approve changes to the adopted Master Plan. There is no documentation of the additional uses being permitted for the subject site. Since inheriting the property Ms. LaRoche has been assessed by Community Services Associates for institutional, recreational and residential uses and by the Beaufort County Assessor's office as owning a parcel with institutional, recreational, commercial, and residential designations; however, the residential and commercial uses are not allowed on the parcel without the adoption an amendment to the Sea Pines master plan. This application proposes an amendment to the master plan to allow residential use.

Mr. Roan reviewed the required criteria. The staff has concluded that to allow the addition of 'Residential' use as part of this ZMA would create a parcel that currently has no density unit assigned or reserved, and would, therefore, rezone the parcel in violation of Article I, Section D of the Sea Pines covenants.

At the completion of the staff's presentation, Chairman Ferguson requested that the applicant make her presentation. Chester C. Williams, Esq., attorney for the applicant, presented statements in support of the application. Following these statements, Chairman Ferguson requested public comments on this application and none were received. Chairman Ferguson then requested that a motion on the application be made.

Councilwoman Likins made a **motion to forward** Application for Zoning Map Amendment ZMA090003 to Town Council with a recommendation of **approval**. Mayor Pro Tem Heitzke **seconded** the motion and the motion **passed** with a vote of 3-0-0.

LMO Amendment – The Town of Hilton Head Island is proposing a text amendment to Chapter 4 of the Land Management Ordinance (LMO) to revise the following article and sections: Article XVI. Sections 16-4-1601 and 16-4-1602. This will allow residential properties in zoning districts within the existing Tax Increment Financing districts the ability to increase their density by use conversions.

Ms. Nicole Dixon made the presentation on behalf of staff. Ms. Dixon presented a brief history of the intent of the amendment. The staff discussed the goal which is to allow density conversion from an existing eating establishment or retail sales and service space within a residential structure to be converted to residential units as long as the development can supply the required amount of parking and as long as the footprint of the existing building is not expanded or cause the structure to become non-conforming. The goal of the proposed amendment is to increase redevelopment opportunities in the TIF Districts.

The Committee and the staff discussed the proposed amendment and the areas identified as needing more flexibility and increased redevelopment opportunities.

As part of this discussion, Councilwoman Likins requested additional information from the staff regarding the reasons why the TIF Districts are the only districts under consideration for the proposed amendment at this time. The staff will provide this additional information at the upcoming Town Council meeting.

At the completion of the discussion, Chairman Ferguson requested public comments and none were received. Chairman Ferguson then requested that a motion on the proposed amendment be made.

Mayor Pro Tem Heitzke made a **motion to forward** the proposed amendment to LMO Sec. 6-4-1601 and LMO Sec. 16-4-1602 to Town Council with a recommendation of **approval**. Councilwoman Likins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

LMO Amendment – The Town of Hilton Head Island is proposing to amend Chapter 4 of the Land Management Ordinance (LMO) to revise the following article and section: Article XIII. Section 16-4-1307: This will increase the allowable length of the runway from 4,300 linear feet to 5,000 linear feet.

Mayor Pro Tem Heitzke stated that he had voted to disapprove the proposed amendment at the Special Joint Session of Beaufort County Council and Town Council held on October 27, 2010. Mayor Pro Tem Heitzke stated that his position on this issue is unchanged.

Chairman Ferguson reported that he, too, had voted to disapprove the proposed amendment at the Special Joint Session of Beaufort County Council and Town Council held on October 27, 2010. Chairman Ferguson stated that his position on this issue is unchanged. For these reasons, Chairman Ferguson stated that the Planning and Development Standards Committee will not take any action on the proposed amendment today.

Chairman Ferguson stated that the proposed amendment to LMO Sec. 16-4-1307, Aviation/Surface Passenger Terminal is to be forwarded to Town Council without a recommendation from the Planning and Development Standards Committee being made.

6. ADJOURNMENT

The meeting was adjourned at 4:30pm.

Submitted By:

Approved By:

Kathleen Carlin
Administrative Assistant

Bill Ferguson
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Jill Foster, *Deputy Director of Community Development*
VIA: Shawn Colin, *Manager of Comprehensive Planning*
FROM: Marcy Benson, *Senior Grants Administrator*
DATE February 1, 2011
SUBJECT: Fair Housing Resolution

Recommendation:

Staff requests the Planning and Development Standards Committee recommend to Town Council approval of the attached Fair Housing Resolution.

Summary:

In order for the Town to be eligible to participate in any future Community Development Block/Economic Development Grants (CDBG) it is required to certify that it will undertake an action to affirmatively further fair housing. By approving and advertising this Resolution the Town will have satisfied this requirement. The attached Resolution is modeled on a recommended format provided by the Lowcountry Council of Governments, which has been used previously by the Town.

Background:

April is recognized as National Fair Housing Month. In order to participate in future CDBG programs it is necessary for the Town to certify that it supports the rights of all individuals, regardless of race, color, religion, sex, national origin, disability or familial status to fair housing opportunities. This resolution is one of the actions that will satisfy this requirement. The attached Resolution has been approved in previous years.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SC TO PROCLAIM APRIL, 2011 AS FAIR HOUSING MONTH

WHEREAS, the Town of Hilton Head Island desires that all its citizens be afforded the opportunity to attain a decent, safe and sound living environment; and

WHEREAS, the Town of Hilton Head Island rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and / or familial status in the sale, rental or provision of other housing services; and

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

WHEREAS, April is recognized nationally as Fair Housing Month;

NOW THEREFORE, BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA DOES HEREBY DESIGNATE APRIL 2011 AS FAIR HOUSING MONTH.

MOVED, APPROVED AND ADOPTED THIS 5th DAY OF April, 2011.

Drew Laughlin, Mayor

Betsy R. Mosteller, CMC, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO:	Planning and Development Standards Committee
VIA:	Shawn Colin, <i>Comprehensive Planning Manager</i>
FROM:	Shea Farrar, <i>Senior Planner</i>
DATE	February 22, 2011
SUBJECT:	Recommendation for cell tower height and type proposed for Fire Station 7

Staff Recommendation

Staff recommends that Town Council endorse a tower height of 140', with camouflaged external antennae for the cell tower proposed on the Fire Station 7 site. This option most closely meets the objectives of improving telecommunication service, accommodating installation of emergency management communication equipment, providing for collocation opportunities and minimizing the visual impacts of the tower installation.

Summary

American Tower has requested to lease Town-owned land at the site of Fire Station 7 for the purpose of constructing a 140' communications tower with external antennae on Marshland Road that will help improve service in the Indigo Run area. Previous comments from Council supported a flagpole style tower with internal antennae and a height limit of 120'.

Background

Town Council has identified the need to address the issue of telecommunication service on the Island, which is included as one of Town Council's goals for 2011. The quality of existing service and coverage on the Island varies among the different carriers. In 2010, American Tower, a tower construction company, requested to lease Town-owned property in order to construct additional towers on the Island to improve cellular service. These towers provide the opportunity for cellular companies to add additional antennae to increase coverage as well as the quality of service in that area. Taller towers and external mounted antennae typically have larger coverage areas with better service.

American Tower is currently pursuing a Zoning Map Amendment to allow a tower on the site of Fire Station 7. The current proposal is to construct a 140' monopole tower with externally mounted antennae. A typical picture of this type of tower is shown on page 2. However, previous comments from Council have included limiting the tower type to a flagpole style with internally mounted antennae at a maximum height of 120' to minimize adverse visual impacts. A picture of this type of tower is also shown on page 2. Finally, as part of the agreement with American Tower, the Town would like to reserve space on the tower for the placement of its emergency management communication equipment. It is important to note that in order for Fire and Rescue to utilize space on the tower an external mount is required. To meet the needs of improving telecommunication service, accommodating installation of emergency management communication equipment, providing for collocation opportunities and minimizing the visual impacts of the tower installation a camouflaged style monopole tower similar to that shown on page 2 is recommended. While this option still results in a tower that extends above the tree cover it provides the best alternative to meet the outlined objectives.

Considerations for Tower Type:

- Towers with externally mounted antennae provide the best service and potential for co-locations; however, if not camouflaged they do have more negative visual impacts.
- Towers, with internally mounted antennae, provide for fewer co-locations, but have a more appealing visual impact. However, this type of tower does not permit Fire and Rescue to install emergency management equipment.

Considerations for Tower Height:

- Reducing the tower height from 140' to 120' will reduce the coverage area of the tower and the overall quality of service in the area.
- A 140' tower will provide the opportunity to co-locate up to 4 service providers, while a 120' tower would accommodate 2 co-locations. The Town's request to locate emergency management communication equipment on the tower would result in three remaining co-locations on the 140' tower and only one on the 120' tower. This could result the need for additional towers to meet the needs of other service providers.
- The lease rate for the site may potentially be higher for a 140' tower than a 120' tower because it can accommodate 2 additional co-locations.



Monopole with externally mounted antennae



Flagpole with internally mounted antennae



Pine Tree camouflaged external mount antennae



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Teri Lewis, AICP, *LMO Official*
FROM: Nicole Dixon, *Senior Planner*
CC: Charles Cousins, AICP, *Director of Community Development*
DATE: February 9, 2011
SUBJECT: Proposed Ordinance No. 2011-04
ZMA100008 – Indigo Run Telecommunications Facility

Recommendation: Staff recommends that the Planning & Development Standards Committee forward the attached application for Zoning Map Amendment (ZMA100008) for the proposed Indigo Run Telecommunications Facility to Town Council with a recommendation for approval.

The Planning Commission met on January 19, 2011 to review this application and after a public hearing voted unanimously to find the application consistent with the Comprehensive Plan and serves to carry out the purposes of the LMO.

Summary: Jay Sanders, with American Tower Corporation, is proposing to amend the Official Zoning Map by amending the Indigo Run Master Plan to add “Telecommunications Facility” as a permitted land use on Parcel B-1. The property is currently zoned PD-1 within the Indigo Run Master Plan and assigned land uses of “Residential” and “Private & Semi-Private Recreation”. Fire Station #7 is currently located on the subject property.

Background: This application is supported by Town Council’s Policy Agenda for 2011 which has the evaluation of Technology Infrastructure listed as a top priority.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2011-

PROPOSED ORDINANCE NO. 2011-04

AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-4-102, THE OFFICIAL ZONING MAP WITH RESPECT TO THE CERTAIN PARCEL IDENTIFIED AS PARCEL 276 ON BEAUFORT COUNTY TAX MAP 11, FROM PD-1 (PLANNED DEVELOPMENT MIXED USE), WITH ASSIGNED USES OF "RESIDENTIAL" AND "PRIVATE & SEMI-PRIVATE RECREATION" TO PD-1 (PLANNED DEVELOPMENT MIXED USE), WITH ASSIGNED USES OF "RESIDENTIAL" AND "PRIVATE & SEMI-PRIVATE RECREATION" AND "TELECOMMUNICATIONS FACILITY"; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on July 21, 1998, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a revised Land Management Ordinance ("LMO"); and

WHEREAS, Town Council's Policy Agenda for 2011 has the evaluation of Technology Infrastructure listed as a top priority; and

WHEREAS, the Planning Commission held a public hearing on said zoning map amendment application on January 19, 2011, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning Commission, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted unanimously to find the application consistent with the Comprehensive Plan and serves to carry out the purposes of the LMO; and

WHEREAS, the Planning and Development Standards Committee held a public meeting on February 23, 2011 to review said zoning map amendment application, at which time a presentation was made by staff and an opportunity was given for the public to comment on the rezoning request; and

WHEREAS, the Planning and Development Standards Committee, after consideration of the staff report, public comments, and the criteria set forth in Section 16-3-1505 of the LMO, voted to recommend that Town Council <*MOTION*> the proposed amendment; and

WHEREAS, after due consideration of said zoning map amendment application and the recommendations of the Planning Commission and the Planning and Development Standards Committee, the Town Council, upon further review, it is in the public interest to <*MOTION*> the proposed application.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-4-102 of the LMO, be hereby amended to modify the zoning designation of the certain parcel identified as parcel 276 on Beaufort County Tax Map 11, from PD-1 (Planned Development Mixed Use), with assigned uses of “Residential” and “Private & Semi-Private Recreation” to PD-1 (Planned Development Mixed Use), with assigned uses of “Residential”, “Private & Semi-Private Recreation” and “Telecommunications Facility”. The attached Vicinity Map shows the location of the subject property.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2011.

Drew A. Laughlin, Mayor

ATTEST:

Betsy R. Mosteller, CMC, Town Clerk

Public Hearing: January 19, 2011

First Reading:

Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



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

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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**STAFF REPORT
ZONING MAP AMENDMENT**

Case #:	Name of Project:	Public Hearing Date:
ZMA100008	Indigo Run Telecommunications Facility	January 19, 2011

Parcel Data or Location:	Property Owner	Applicant/Agent
<p><u>Existing Zoning District:</u> PD-1 (Planned Development Mixed Use), with assigned uses of “Residential” and “Private & Semi-Private Recreation”</p> <p><u>Proposed Zoning District:</u> PD-1 (Planned Development Mixed Use), with assigned uses of “Residential”, “Private & Semi-Private Recreation” and “Telecommunications Facility”</p> <p><u>Applicable Overlay District(s):</u> Corridor Overlay</p> <p><u>Parcel Affected:</u> Beaufort County Tax Map 11, Parcel 276</p>	<p>Town of Hilton Head Island One Town Center Court Hilton Head Island, SC 29928</p>	<p>Jay Sanders American Tower Corp. 900 Circle 75 Pkwy Atlanta, GA 30339</p>

Application Summary:
<p>Jay Sanders, with American Tower Corporation, is proposing to amend the Official Zoning Map by amending the Indigo Run Master Plan to add “Telecommunications Facility” as a permitted land use on Parcel B-1. The property is currently zoned PD-1 within the Indigo Run Master Plan and assigned land uses of “Residential” and “Private & Semi-Private</p>

Recreation”.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be consistent with the Town’s Comprehensive Plan and does serve to carry out the purposes of the Land Management Ordinance (LMO), based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Background:

The applicant is proposing to amend the Indigo Run Master Plan to add “Telecommunications Facility” as a permitted land use on Parcel B-1. The property currently has assigned land uses of “Residential” and “Private & Semi-Private Recreation”. According to LMO Section 16-4-209, in the PD-1 district, a Telecommunications Facility is a use that is restricted to locations where the Town-approved master plan or master plan text specifically states such use is permitted. Because the master plan does not list Telecommunications Facility as an assigned land use on the subject property, the applicant has requested a rezoning.

Fire Station #7 is currently located on the subject property. The new telecommunications facility will be located within a wooded area on the parcel so that it is heavily screened with vegetation. The property is surrounded by the Cross Island Parkway, Marshland Road and single family residential lots within Indigo Run.

The proposed 140 foot tower would be built for AT&T Mobility to provide residential coverage to Spanish Wells and portions of Indigo Run. The Town’s Fire & Rescue Department will also have space on the tower available to them for their communication equipment to increase communication coverage in this area.

This application is supported by Town Council’s Policy Agenda for 2011 which has the evaluation of Technology Infrastructure listed as a top priority.

Applicant’s Grounds for ZMA:

The applicant states that the proposed application is in conformance with the Comprehensive Plan and other Zoning Map Amendment criteria because a new telecommunications facility will improve cell phone and E911 coverage on the Island in areas where it is lacking in what is referred to as “cold” spots in the Comprehensive Plan. The proposed tower will be located in an area with natural vegetation to act as a buffer and screen it from adjacent properties and will be in compliance with all LMO regulations.

Summary of Facts and Conclusions of Law:

Findings of Facts:

- Notice of the Application was published in the Island Packet on December 12, 2010 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
- Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
- A letter was sent soliciting comments from the property owners' association as set forth in LMO 16-3-1502.
- A public hearing was held on January 19, 2011 as set forth in LMO 16-3-1504A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1504.

Conclusion of Law:

- The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO 16-3-110, 16-3-111, 16-3-1502 and 16-3-1504.

As set forth in Section 16-3-1505, Zoning Map Amendment Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:

Summary of Facts and Conclusions of Law:

Criteria 1: Consistency (or lack thereof) with the Comprehensive Plan (LMO Section 16-3-1505A):

Findings of Facts:

The Comprehensive Plan addresses this application in the following areas:

Land Use Element:

An Implication for Zoning Changes

Future land use decisions and requests for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town's Official Zoning Map.

Goal 8.1 – Existing Land Use

- A. The goal is to have an appropriate mix of land uses to meet the needs of the existing and future populations.

Goal 8.4 – Existing Zoning Allocation

- A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.5 – Land Use Per Capita

- A. The goal is to have an appropriate mix and availability of land uses to meet the needs of existing and future populations.

Goal 8.10 – Zoning Changes

- A. The goal is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Community Facilities Element:

An Implication for Town Acquired Property on the Island

As the number of Town-owned properties continues to increase careful consideration of future utility is important to long range planning efforts.

Implication for Communications on the Island

As technology improves, it is important for the Town to implement improvements that will help to enhance the services provided to Island residents and visitors.

Implication for Communications on the Island

The Town should continue to monitor available technologies for improvements to the Town’s communications system for emergency management purposes as well as economic development incentives.

Goal 6.4 – Town Acquired Property

- B. The goal is to assess the utility and character of Town acquired property.

Goal 6.7 – Communications

- A. The goal is to have effective communication services that minimize service interruptions on the Island that support emergency management as well as economic development applications.

Implementation Strategy 6.7 – Communications

- A. Communication improvements should be made to improve capacity for economic development (3G) and emergency management through cooperation with service providers.

Economic Development Element:

Potential Strategies with Implications for the Comprehensive Plan

- o Promotion of the Island as world class, but quiet, well-maintained, coastal Island resort community with hi-speed telecommunication capability, road, sea and air access that may lend itself to segments like consulting, some focused medical or medical/sporting research where it is possible to operate with remote capability (“telecommuting”) and also enjoy a rich Island lifestyle.

Some Key Implementation Strategies – 7.7

Encouragement should be given to upgrading electronic telecommunication capability on the Island to facilitate development of the telecommuting market segment. Far too many wireless “cold” spots exist and 3G (third generation) capability on the Island (and higher as it evolves) is limited and spotty. A necessary element of the evolution of the Island’s economy will be the need to embrace the upgrading of reliable wireless capability if the Island is to attract and retain the rapidly growing telecommuting community market segment. Best Management Practice communities, such as Aspen

CO, provide excellent learning opportunities to adopt on the Island.

Conclusions of Law:

- Staff concludes that this application is consistent with the Comprehensive Plan, as set forth in LMO Section 16-3-1505A.
- The subject property is currently owned by the Town and developed as Fire Station 7. It is located in an area where additional telecommunication infrastructure is needed. This rezoning would provide an appropriate mix of land uses to meet the needs of the population and improve the quality of life on the Island.
- Increasing the land available for “Telecommunication Facilities” through this rezoning will help facilitate the construction of infrastructure needed to improve telecommunication services on the Island. This infrastructure is also needed for emergency management services.
- This rezoning will help to meet the market demands for improved cellular service, as well as meet the need for improved emergency management infrastructure, both of which help to improve the quality of life and desirability of the Island.

Summary of Facts and Conclusions of Law:

Criteria 2: Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood (LMO Section 16-3-1505B):

Findings of Facts:

- LMO Section 16-4-209 describes the purpose of the PD-1 zoning district: to recognize the existence of unique mixed use Planned Unit Developments within the Town.
- The present zoning of the property is PD-1, and according to the Indigo Run Master Plan, has assigned land uses of “Residential” and “Private & Semi-Private Recreation”.
- The application proposes to add “Telecommunications Facility” as a permitted use on the subject property.
- The uses in the vicinity are the Fire Station, single family residential, and the Cross Island Parkway.

Conclusion of Law:

- Staff concludes that the land use proposed by this amendment is compatible with the present zoning, the conforming uses of nearby property and with the character of the neighborhood as set forth in LMO Section 16-3-1505B because the area is currently comprised of a mix of uses.

Summary of Facts and Conclusions of Law:

Criteria 3: Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment (LMO Section 16-3-1505C):

Findings of Facts:

- LMO Section 16-4-209 describes the purpose of the PD-1 zoning district: to recognize the existence of unique mixed use Planned Unit Developments within the Town.
- There is currently a Fire Station located on the subject property.
- The application proposes to add “Telecommunications Facility” as a permitted use on the subject property.

Conclusion of Law:

- Staff concludes that the affected property is suitable for the use that would be permitted by the proposed rezoning as set forth in LMO Section 16-3-1505C because a Telecommunications Facility is compatible with a Fire Station since they are similar uses that are classified as Public and Civic uses in LMO Section 16-4-1212.

Summary of Facts and Conclusions of Law:

Criteria 4: Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505D):

Findings of Facts:

- LMO Section 16-4-209 describes the purpose of the PD-1 zoning district: to recognize the existence of unique mixed use Planned Unit Developments within the Town.
- The present zoning of the property is PD-1, and according to the Indigo Run Master Plan, has assigned land uses of “Residential” and “Private & Semi-Private Recreation”.

Conclusion of Law:

- Staff concludes that the affected property is suitable for the uses permitted by the PD-1 zoning district as set forth in LMO Section 16-3-1505D because there is an existing Fire Station currently on the property, which is a permitted use according to the Indigo Run Master Plan.

Summary of Facts and Conclusions of Law:

Criteria 5: Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505E):

Finding of Fact:

- The proposed Telecommunications Facility could potentially be a revenue generating use but will be neutral as to whether it makes the property more marketable as it is

publicly owned land.

Conclusion of Law:

- Staff concludes that the proposed application does not affect the marketability of the property as set forth in LMO Section 16-3-1505E.

Summary of Facts and Conclusions of Law:

Criteria 6: Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use (LMO Section 16-3-1505F):

Findings of Facts:

- The subject property has adequate water, sewer and stormwater facilities servicing the property.
- The proposed Telecommunications Facility will not require any new water, sewer or stormwater facilities.

Conclusion of Law:

- Staff concludes that the property has available water, sewer and stormwater facilities as set forth in LMO Section 16-3-1505F; however the proposed use would not require these services.

LMO Official Determination

Determination: Staff determines that this application is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

N.D.

Nicole Dixon
Senior Planner

2/11/11

DATE

REVIEWED BY:

T.L.

Teri B. Lewis, AICP
LMO Official

2/11/11

DATE

REVIEWED BY:

J.L.

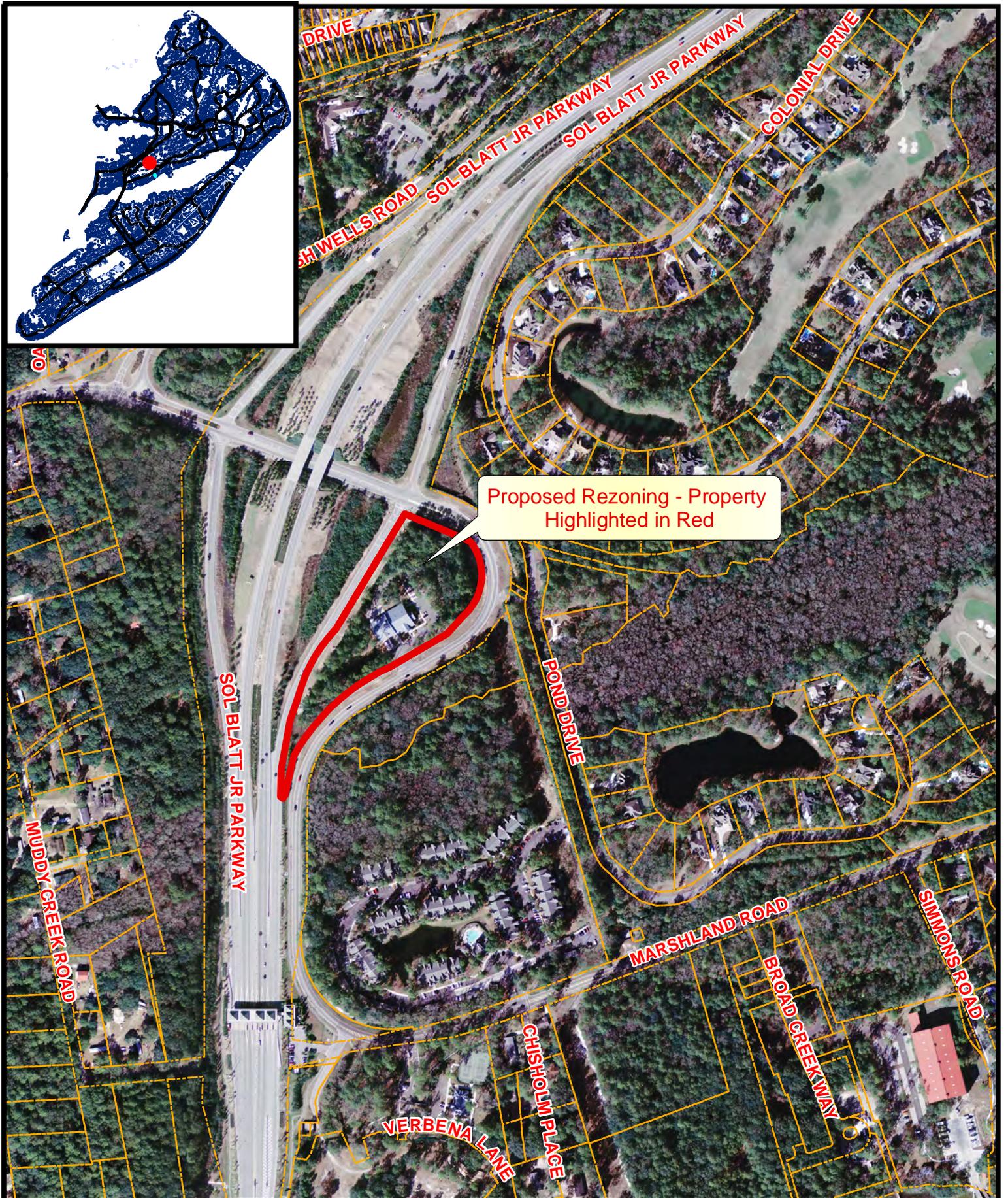
Jayme Lopko, AICP
*Senior Planner & Planning Commission Board
Coordinator*

2/11/11

DATE

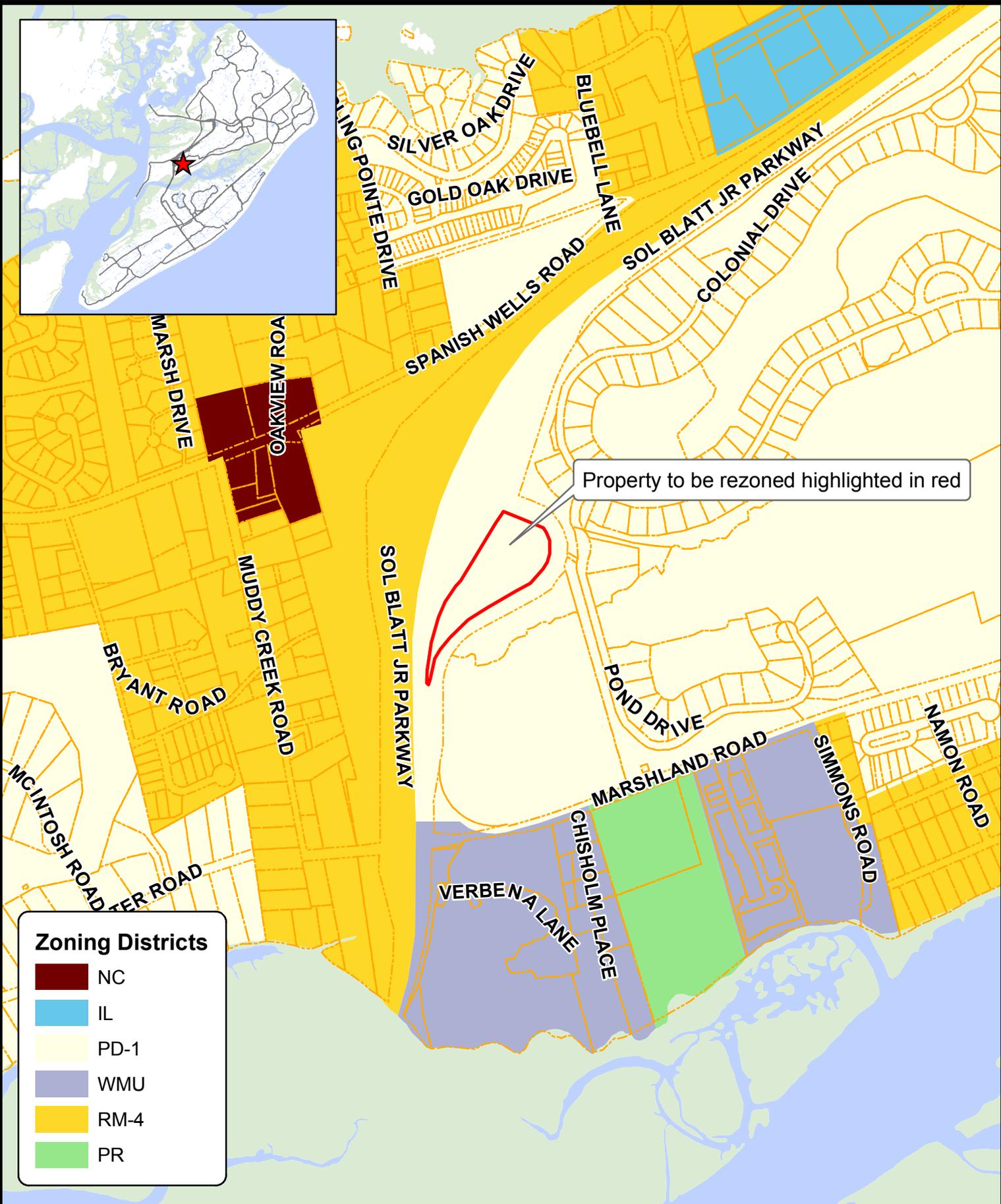
ATTACHMENTS:

- A) Vicinity Map
- B) Zoning Map
- C) Applicant's Narrative
- D) Proposed Plans



Proposed Rezoning - Property Highlighted in Red





Property to be rezoned highlighted in red

Zoning Districts

- NC
- IL
- PD-1
- WMU
- RM-4
- PR





November 15, 2010

Teri B, Lewis, AICP
LMO Official
Community Development Department
One Town Center Court
Hilton Head Island, South Carolina 29928

RE: A narrative explains the rezoning request.

Dear Ms. Lewis,

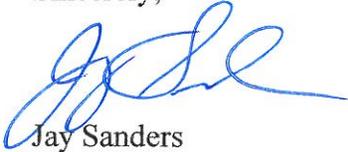
This letter is a narrative explaining the reason(s) for the rezoning request and how the request meets the criteria of the LMO Section 16-3-1505.

- A. Consistency (or lack thereof) with the Comprehensive Plan.** The request that is being made ties in with section 6.7 addressing Communication on Hilton Head Island of the Comprehensive Plan. The approval of the rezoning for a cell tower will improve cell phone and E911 coverage. The Comprehensive Plan refers to these areas as “cold” spots, and this will improve a cold spot area.
- B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.** The cell tower will be located at Fire Station #7. It will be located in a wooded area that will provide a natural screening buffer. The tower setbacks will conform to the required setbacks of the property.
- C. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment.** The property would not be affected by the proposed cell tower but it would affect the cell phone and E911 coverage in a positive way to the property and surrounding area.
- D. Suitability of the property affected by the amendment for the uses permitted by the district applicable to the property at the time of the proposed amendment.** The property that we have proposed to put the cell tower on is currently used for a Fire Station. This location is the most suitable location in the area for the proposed use.

ATTACHMENT C

- E. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment.** Currently the zoning does not allow for cell towers. The rezoning would allow for a cell tower to be built and would provide cell phone and E911 coverage to the area that is currently considered a “cold” spot.
- F. Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use.** Not applicable.

Sincerely,



Jay Sanders
Agent for American Tower

LINE/CURVE TABLE

LINE	ARC	RADIUS	CHD. BRG.	CHD.
L1	54.59'		S09°00'46"E	
L2	46.18'		S80°52'17"W	
L3	19.04'		N44°23'01"W	
L4	14.12'		N33°31'23"W	
L5	68.33'		N58°20'09"E	
L6	87.55'		S03°09'40"W	
C1	24.38'	40.00'	S14°18'10"E	24.01'
C2	62.29'	40.00'	S12°50'32"W	56.18'
L7	91.37'		S57°27'05"W	
C3	52.94'	40.00'	S19°32'10"W	49.16'
L8	11.41'		S18°22'45"E	

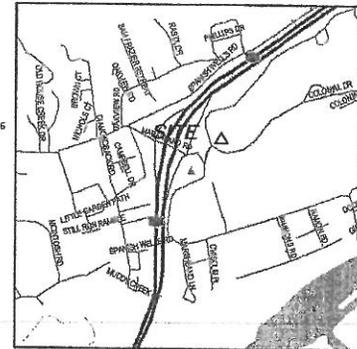
- LEGEND**
- POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - PS IRON PIV SET
 - PP IRON PIV FOUND
 - CMF CONCRETE MONUMENT FOUND
 - UP UTILITY POLE
 - LP LIGHT POLE
 - FP FLAG POLE
 - CSM SANITARY SEWER MANHOLE
 - SMH STORM DRAIN MANHOLE
 - INSH INSET
 - FI FIRE HYDRANT
 - EP EDGE OF IMPAVMENT
 - TC TOP OF CURB
 - GC GAGE OF DRIVE
 - TV TOP OF WALL
 - OBV BOTTOM OF WELL
 - OU OPEN UDD UTILITY
 - UE UNDERGROUND UTILITY
 - CCP CORRUGATED METAL PIPE
 - PCP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - CW CEMENT ANCHOR
 - TR TRANSFORMER
 - JB JUNCTION BOX
 - SWB SINGLE WING GUTTER BASIN
 - CSB DOUBLE WING GUTTER BASIN
 - CLF CHAIN LINK FENCE
 - WV WATER VALVE
 - WM WATER METER
 - CO CONCRETE CURB/OUT
 - GV GUY WIRE
 - HW HWY OVERPASS
 - BI ICE BRIDGE
 - IP ICE INSIDE POLE

SEE SITE DETAILS ON SHEET 2 OF 3



SUBJECT PROPERTY

OWNER: TOWN OF HILTON HEAD, SC
 SITE ADDRESS: 1001 MARSHLAND ROAD, HILTON HEAD ISLAND, SC 29926
 PARCEL ID: R510-011-000-0275-0020
 AREA: 3.5 ACRES±
 ZONED: PD-1 (PLANNED UNIT DEVELOPMENT)
 REFERENCE: DEED BOOK 123 PAGE 141 AND A UTILITY AS-BUILT PREPARED BY SURVEYING SERVICES INC. DATED 07/14/2003



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

THIS EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF AMERICAN TOWER CORPORATION AND EXCLUSIVELY FOR THE TRANSFER OF THE LEASEHOLD AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FUTURE TRANSFER OF THE SUBJECT PROPERTY NOR ANY PORTION OR PORTIONS THEREOF. NO BOUNDARY SURVEY WAS PERFORMED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TORA 1103 ROBOTS

THE FIELD DATA UPON WHICH THIS EASEMENT SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000 FEET AND AN ANGULAR ERROR OF 5.0" PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.

THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 100,000 FEET.

THE 2' CONTOURS SHOWN ON THIS EASEMENT SURVEY ARE ADJUSTED TO NAVD 83 DATUM AND HAVE A VERTICAL ACCURACY OF ± 1'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

DEARNESS SHOWN ON THIS EASEMENT SURVEY ARE BASED ON GRID NORTH 2004 631.

THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA (FLOOD ZONE "A-1" - BASE FLOOD ELEVATION: 14.07) AS PER F.L.R.M. COMMUNITY PANEL NO. 4502500070 DATED 09-29-1986.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



SURVEYOR CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY SPECIFIED THEREIN.

THIS SURVEY IS NOT FOR RECORDATION PURPOSES.



NO.	DATE	REVISION

EASEMENT SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
 810 Jackson Street
 Locust Grove, Georgia 30248
 (p) 678.565.4440 (f) 678.565.4497
 (w) pointtopointsurveyors.com



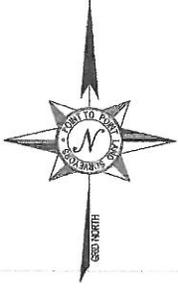
EASEMENT SURVEY PREPARED FOR:



AMERICAN TOWER CORPORATION

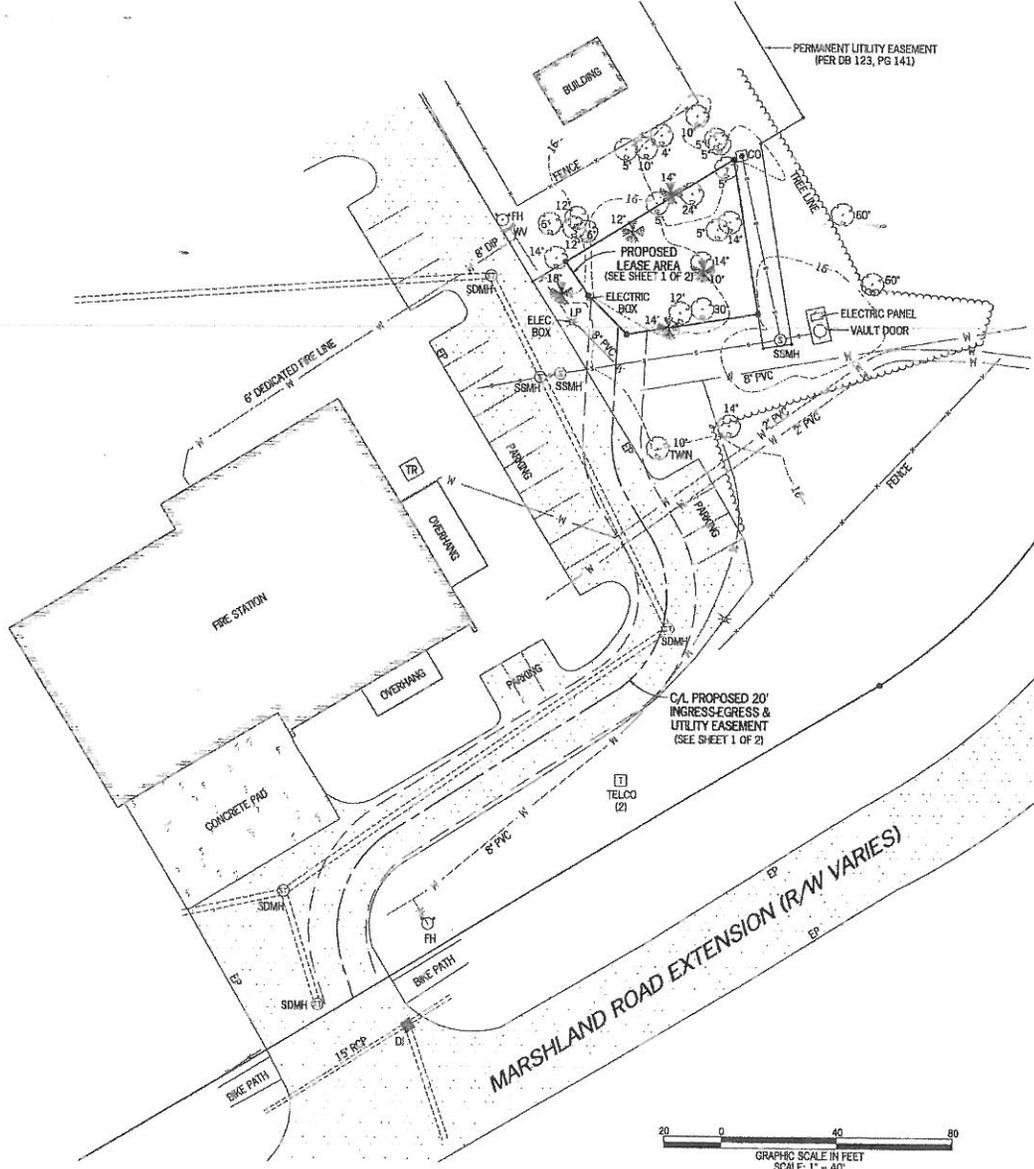
"HHI 16"
 SITE NO. 410-415
 HILTON HEAD ISLAND
 BEAUFORT COUNTY
 SOUTH CAROLINA

DRAWN BY: NIW SHEET: 1 OF 3
 CHECKED BY: MW
 APPROVED: C. INER
 DATE: 5 OCTOBER, 2010
 P2P JOB #: 2010.380

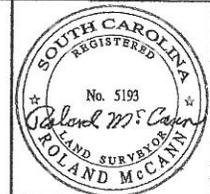
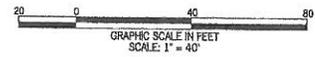


SITE INFORMATION

PROPOSED LEASE AREA = 2,403 SQUARE FEET (0.0552 ACRES)
 LATITUDE = 32°11'28.0" (NAD 83)
 AT CENTER OF PROPOSED LEASE AREA
 LONGITUDE = 80°45'48.2" (NAD 83)
 ELEVATION AT CENTER OF PROPOSED LEASE AREA = 16' A.M.S.L.

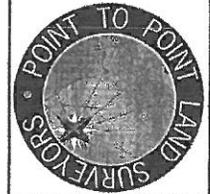


- LEGEND**
- POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - IPB IRON PIN SET
 - IPF IRON PIN FOUND
 - IPR IRON PIN REBAR
 - CMF CONCRETE MONUMENT FOUND
 - UP UTILITY POLE
 - LP LIGHT POLE
 - FP FLAG POLE
 - SSMH SANITARY SEWER MANHOLE
 - SDMH STORM DRAIN MANHOLE
 - SWI SWIRET
 - FH FIRE HYDRANT
 - EP EDGE OF PAVEMENT
 - TC TOP OF CURB
 - BC BACK OF CURB
 - TM TOP OF MOUND
 - BT BOTTOM OF MOUND
 - OU OVERHEAD UTILITY
 - US UNDERGROUND UTILITY
 - CMF CORRUGATED METAL PIPE
 - RCR REINFORCED CONCRETE PIPE
 - PVC PIPE MANHOLE CALIBRE PIPE
 - GV GUY WIRE ANCHOR
 - TR TRANSFORMER
 - JB JUNCTION BOX
 - SWB SINGLE WHOLE CATCH BASIN
 - DWCB DOUBLE WHOLE CATCH BASIN
 - CLF CHAIN LINK FENCE
 - WV WATER VALVE
 - WVA WATER VALVE
 - SCS SCHED. CLEANOUT
 - GV GAS VALVE
 - NVW ROW OF VEHICULARLY
 - BI ICE BRIDGE
 - IP ICE BRIDGE POLE



NO.	DATE	REVISION

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POINT TO POINT LAND SURVEYORS
 810 Jackson Street
 Locust Grove, Georgia 30248
 (p) 678.565.4440 (f) 678.565.4497
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EASEMENT SURVEY PREPARED FOR:



"Hill 16"
 SITE NO. 410-415
 HILTON HEAD ISLAND
 BEAUFORT COUNTY
 SOUTH CAROLINA

DRAWN BY: NRV
 CHECKED BY: MM
 APPROVED: C. INER
 DATE: 5 OCTOBER, 2010
 P2P JOB #: 2010.380

SHEET: **2**
 OF 3



LEGAL DESCRIPTION SHEET

PROPOSED LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CENTERLINE INTERSECTION OF THE CROSS ISLAND EXPRESSWAY NORTHBOUND EXIT ROAD AND MARSHLAND ROAD EXTENSION, SAID POINT HAVING A SOUTH CAROLINA STATE PLANES COORDINATE VALUE OF N=130609.84, E=2073105.17; THENCE LEAVING SAID INTERSECTION AND RUNNING ALONG A TIE LINE, SOUTH 22°22'01" EAST, 323.63 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE RUNNING, SOUTH 09°00'46" EAST, 54.59 FEET TO A POINT; THENCE, SOUTH 80°52'17" WEST, 46.18 FEET TO A POINT; THENCE, NORTH 44°23'01" WEST, 19.04 FEET TO A POINT; THENCE, NORTH 33°31'23" WEST, 14.12 FEET TO A POINT; THENCE, NORTH 58°20'09" EAST, 68.33 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.0552 ACRES (2,403 SQUARE FEET), MORE OR LESS.

PROPOSED 20' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A PROPOSED 20-FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT LYING AND BEING IN THE HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, BEING DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE CENTERLINE INTERSECTION OF THE CROSS ISLAND EXPRESSWAY NORTHBOUND EXIT ROAD AND MARSHLAND ROAD EXTENSION, SAID POINT HAVING A SOUTH CAROLINA STATE PLANES COORDINATE VALUE OF N=130609.84, E=2073105.17; THENCE LEAVING SAID INTERSECTION AND RUNNING ALONG A TIE LINE, SOUTH 22°22'01" EAST, 323.63 FEET TO A POINT; THENCE, SOUTH 09°00'46" EAST, 54.59 FEET TO A POINT; THENCE, SOUTH 80°52'17" WEST, 46.18 FEET TO A POINT; THENCE, NORTH 44°23'01" WEST, 4.10 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE RUNNING, SOUTH 03°09'40" WEST, 37.55 FEET TO A POINT; THENCE, 24.38 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET AND BEING SCRIBED BY A CHORD BEARING SOUTH 14°18'10" EAST, 24.01 FEET TO A POINT; THENCE, SOUTH 31°46'00" EAST, 14.20 FEET TO A POINT; THENCE, 62.29 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET AND BEING SCRIBED BY A CHORD BEARING SOUTH 12°50'32" WEST, 56.18 FEET TO A POINT; THENCE, SOUTH 57°22'05" WEST, 31.37 FEET TO A POINT; THENCE, 52.94 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET AND BEING SCRIBED BY A CHORD BEARING SOUTH 19°32'10" WEST, 49.16 FEET TO A POINT; THENCE, SOUTH 18°22'48" EAST, 11.41 FEET TO THE ENDING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MARSHLAND ROAD EXTENSION.



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3
 OF 3