



Town of Hilton Head Island  
Planning Commission  
LMO Rewrite Committee Workshop  
July 19, 2012  
1:00 p.m.  
Benjamin M. Racusin Council Chambers

## **AGENDA**

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

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**  
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Approval of the Agenda**
- 4. Approval of the Minutes** – June 18<sup>th</sup> meeting, June 19<sup>th</sup> meeting, and June 28<sup>th</sup> meeting
- 5. New Business**
  - a. Wetland buffers and other measures available to protect and improve water quality – David Harter, Member, Port Royal Sound Foundation Board of Trustees
  - b. Review of revised schedule from Clarion Associates – Teri Lewis
- 6. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of Town Council members attend this workshop.

TOWN OF HILTON HEAD ISLAND  
Planning Commission  
**LMO REWRITE COMMITTEE WORKSHOP MEETING**

June 18, 2012 Minutes

9:00a.m. – Benjamin M. Racusin Council Chambers

**DRAFT**

Committee Members Present: Chairman Tom Crews, Vice Chairman Gail Quick, David Ames, David Bachelder, Irv Campbell, Jim Gant, Walter Nester, Councilwoman Kim Likins, *Ex-Officio*; and Charles Cousins, *Ex-Officio*

Committee Members Absent: Chris Darnell

Planning Commissioners Present: Tom Lennox and Bryan Hughes

Board of Zoning Appeals Present: Roger DeCaigny

Town Council Members Present: Mayor Drew Laughlin and Bill Ferguson

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

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- 1) **CALL TO ORDER**  
Chairman Crews called the meeting to order at 9:00a.m.
- 2) **FREEDOM OF INFORMATION ACT**  
Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.
- 3) **APPROVAL OF THE AGENDA**  
The agenda was **approved** as presented by general consent.
- 4) **APPROVAL OF THE MINUTES**  
The minutes of the April 6, 2012 meeting were **approved** as presented by general consent.
- 5) **NEW BUSINESS**  
**Discussion of Changes to Code Assessment**  
Chairman Crews presented opening statements and welcomed Clarion consultants, Mr. Craig Richardson and Mr. Stephen Sizemore to the meeting. Following brief comments by the committee, Chairman Crews requested that the consultants make their presentation on changes to the Code Assessment.  
  
Mr. Craig Richardson provided a power-point presentation on the suggested changes. The consultant's power point is intended to organize and summarize the key elements of the Code Assessment.

There are five key elements contained in the power point presentation: (1) Improve User-Friendliness/ Streamline Review Procedures; (2) Modify and Consolidate Zone Districts; (3) Encourage Redevelopment in Targeted Areas, (4) Address Nonconformities; and (5) Modify Natural Resources Regulations.

Today's discussion will focus on issues of Zoning and Community Character, Design Standards, and Redevelopment and Nonconformities. Depending on time, some of today's discussion may be carried over to tomorrow's committee meeting. Tomorrow's committee meeting, which also begins at 9:00am, will cover Ward 1 issues and Natural Resources.

#### **A) Zoning and Community Character**

Mr. Richardson reviewed the proposed changes to the Residential Zoning Districts. In an attempt to simplify the Residential Districts, a number of existing districts have been consolidated.

Mr. Richardson reviewed the consolidation of RS-2 and RS-3 into the new RSF-3, Residential Single-Family District (with a maximum density of 3-units per acre). Mr. Richardson also reviewed the consolidation of RS-4, RS-5 and RS-6 into the new RSF-6, Residential Single-Family District (with a maximum density of 6-units per acre). Both RSF-3 and RSF-6 carry forward allowed uses. The standards from RS-6 district carry forward.

The consultant recommended that the committee consider by right, small-scale residential (4 units or less) where appear as single-family homes. Residential Districts RM-4, RM-8 and RM-12 are carried forward as is.

Chairman Crews asked about the potential impact of the consolidations on un-subdivided tracts of land. Ms. Lewis stated that very few parcels will be affected because the vast majority of properties between RS-2 and RS-6 have already been subdivided into individual lots. The staff and the committee reviewed a zoning map of the island to identify the locations of the Residential Districts.

The committee discussed several issues including the redevelopment of existing single-family lots and locations for apartments. The consultant stated that the committee may wish to consider allowing a smaller scale development (3-units per acre within these RS Districts.) They would be the size of single-family homes (quad-plex with the roof features of a single-family home) within these RS Districts. The committee stated their concerns with the over-sized homes that already exist in the RS districts. The committee will need to provide direction to Clarion regarding the consolidation of the RS districts.

Mr. Cousins commented on changes to parking standards including on-street parking. The committee and staff discussed the 6-units per acre and the consolidated lots in RS-4 and RS-5. Ms. Lewis stated that RS-4, RS-5, and RS-6 are established neighborhoods. The uses are the same but the densities are different. The committee and the staff reviewed locations for multi-family use. Multi-family is currently allowed in RM-4.

Mr. Cousins asked if the committee anticipates the need to increase density beyond 12-units per acre. The committee will discuss the possible need to increase density with the staff and will provide direction to Clarion on this issue.

**I-MX Island Activity Center Mixed Use District:** A new Mixed Use District with Four Subdistricts is proposed: (1) IMX-Coligny Island Activity Center Mixed Use-Coligny; (2) I-MX-Shelter Cove Island Activity Center Mixed Use-Shelter Cove; (3) I-MX-Mathews Island Activity Center Mixed Use-Mathews; and (4) I-MX-C Island Activity Center Mixed Use-Commercial.

Mr. Richardson reviewed the specific locations of the four subdistricts of the I-MX Island Activity Center Mixed Use District: (1) Coligny; (2) Shelter Cove; (3) Mathews Area; (4) Sea Pines Circle (not part of Coligny); and (5) Main Street area outside the gate of Hilton Head Plantation.

The committee may need to establish a framework that shows the underlying theme and differences in character, activity, and uses that they would like to achieve in these activity centers.

### **I-MX – Coligny Island Activity Center Mixed Use Subdistrict**

**Purpose:** Promote growth around Coligny Circle as core high-energy/tourist-oriented place. Accommodate relatively high-intensity mixed use development that is human-scale. **Location:** Lands within the current CCW district, and possibly immediately adjacent between Coligny Circle and the intersection of Pope Avenue and Cordillo Parkway (currently zoned CFB or CC) that make up and contribute to the area's function as an activity center. **General/flexible approach to uses:** Wide range of retail sales/services, eating establishments, recreation and entertainment, hotels, residential. Vertical mixed use strongly encouraged. Drive-thrus not allowed in this location. Encourage and allow for accessory uses like open air markets, produce stands.

**Use Buffers:** Eliminate except at edge of district. **Development Form:** Strong pedestrian features. Modestly higher densities – residential of 6 dwelling units/acre (currently 4 in CCW and CC districts, nonresidential intensities of 8,000 square feet/acre height limit of 45-feet/3 stories, with stepped down height requirements at the edge of the district; max. impervious surface of 65% (currently 55% in CCW and 40% for residential and 65% for nonresidential in CC); reduced minimum parking standards, parking at side or behind buildings; and increase parking lot landscaping.

The consultant and the committee discussed the purpose statement for Coligny. Mr. Ames stated the need to create as much energy as possible in the Coligny area. Increased residential density may be needed (higher than 6-dwelling units per acre). The committee stated that a great deal of flexibility will be needed for the marketplace to determine how the intensity is going to be created.

Chairman Crews presented statements regarding the character, the intensity, and redevelopment potential of this area as related vehicular/pedestrian activity. The committee discussed height limits for vertical residential. Mr. Ames stated that the codes in Coligny should be aimed at increasing private investment. Flexibility in uses will be very important. The committee and the staff briefly discussed the issue of hotels. The current LMO does not allow hotels in the CCW district. Mr. Bachelder presented statements regarding a recent study that he made of area hotels. Mr. Bachelder will share this information with the committee at tomorrow's meeting. The committee stated that issues of height and density should be flagged for further review.

Mr. Cousins presented comments regarding the need for flexibility in parking. Parking should be allowed behind buildings. The committee presented comments regarding impervious coverage requirements. Perhaps there is a way to get around some of these requirements through the use of other engineering tools. The consultant discussed the green technology that is being used in other communities. The consultant presented comments regarding green roofs. The committee stated

that these issues should be flagged for further review as we go through the drafting process.

The committee and the consultant discussed height requirements, residential over retail/sales, and the step back process. The Town will play an important role in stormwater drainage. The committee discussed a need for private investment cooperation in dealing with stormwater drainage. The committee discussed a performance standard vs. base standard. Dealing with stormwater requirements is particularly challenging in this area. Mr. Cousins and the committee discussed the need to not create additional nonconformities. They also discussed parking. The committee stated that parking should be flagged for further review.

### **I-MX-Shelter Cove Island Activity Center Mixed Use Subdistrict**

**Purpose:** Support well-connected island center for arts, cultural, retail, entertainment, business, living, and guest accommodation activities for both islanders and guests, in location that serves as “the creek to the ocean”. **Location:** Lands ‘outside the gate’ of the Palmetto Dunes Plantation PUD, where Shelter Cove Mall and Plaza at Shelter Cove are located, as well as lands between Shelter Cove Lane and Broad Creek. **General/flexible approach to uses:** Wide range of retail sales/services, eating establishments (with drive-thrus), offices, banks (with drive thrus) assisted living facilities, institutional and civic uses, recreation and entertainment, health/medical offices, assisted living facilities, and residential (including interval occupancy).

**Street Buffers:** Carry forward along Highway 278, but reduce in interior to approximately 15-feet, consistent with Shelter Cove Mall development agreement. **Use Buffers:** Modify to allow performance-based standards. **Development Form:** Encourage sidewalks/pedestrian ways on both sides of street beyond Highway 278. Encourage street trees. Require cross access; Densities/intensities similar to current CC district (4 and ½ dwelling units/acre, 10,000 sf/acre for office/institutional and 8,000 sf/acre for other nonresidential, max. impervious coverage of 40% for residential and 65% for non-residential, max. height of 45/feet 3 stories for nonresidential and 35 feet/2 stories for residential, except 75-ft/5 stories in Harbourside condominium area (require step downs in this area); modernize parking standards, but recognize parking is for more auto-oriented development and add bicycle parking requirements.

The committee discussed density with regard to apartments. The committee discussed the unique arts/cultural aspect of Shelter Cove. Mr. Ames stated that the committee may consider the flexibility of allowing a ‘boutique hotel’ - a low-impact hotel in the area. Mr. Cousins and the committee discussed the definition of a ‘boutique hotel’ (something like the Main Street Inn). The committee discussed the thought of having an educational component to the Shelter Cove area. The committee will consider these issues at a later time. Mr. Cousins and the committee discussed the size and the location of apartments (4-stories located behind the mall). The consultant and the committee discussed parking and street buffers. The wetland buffers along Broad Creek need to be considered.

### **I-MX-Mathews Island Activity Center Mixed Use Subdistrict**

**Purpose:** Provide lands for community-scale commercial and mixed use activity center that attracts people from island and mainland. More auto-oriented in nature. Provide lands for large retail developments that have been locating on mainland. Provide opportunities for limited vehicles sales. **Location:** Current CC district lands along Mathews Drive, which includes Port Royal Plaza, Pineland Station Shopping Center, Northridge Plaza, and Mid Island Plaza. **General/flexible approach to uses:** Wide range of retail sales/services (including large retail), eating establishments (with drive-thrus), institutional and civic uses, recreational and

entertainment businesses, hotels/motels, limited vehicular sales and services (gas sales, auto rental, auto sales and repairs) and residential.

Street Buffers: Carry forward. Use Buffers: Modify to apply performance-based standards.

Development Form: Require pedestrian features and cross access; Densities/intensities that are similar to and possibly a little more intense than CC district. Modernize parking standards, but recognize parking is for more auto-oriented development. Establish standards to increase functionality and reduce visual impact of large parking lots. Establish specific standards for large retail developments (mini big-box development.)

Mr. Bachelder reviewed some of his marketing experience dealing with commercial real estate. Many local businesses have relocated to Bluffton so they can attract business from both Hilton Head Island and Bluffton. The reverse is not true for businesses located on Hilton Head Island.

Mr. Cousins and the committee discussed the possibility of having a scaled down 'big box' shopping center that would be appropriately sized for Hilton Head Island. The committee discussed the idea of allowing a business convention center on the island. Mr. Bachelder and several other committee members supported the idea of a business convention center. This would be a huge business incentive. The committee discussed its potential size and its potential location.

The committee identified two issues for a business convention center: (1) allow the use; and (2) encourage the use. The committee discussed a stand-alone convention center versus one affiliated with a hotel. Based on traffic impacts, an affiliation with hotels probably makes better sense.

The committee and the consultant discussed efforts to facilitate development in the Mathews area. The committee feels that a lot seems to be carried forward. The consultant discussed the issue with the committee. The committee discussed sites that do not meet street buffer standards. The consultant stated that a tiered structure is set up to deal with nonconformities. The committee stated that a good opportunity exists for the Town to reinforce development opportunities.

### **I-MX-C Island Activity Center Mixed Use Commercial Subdistrict**

Purpose: Provide lands for commercial and mixed use development at moderate to relatively high intensities. In Main Street area carry forward development currently "outside the gate" of Hilton Head Island PUD. Location: Sea Pines Circle area and Main Street area (lands "outside the gate" of the Hilton Head Island Plantation PUD.) General/flexible approach to uses: Wide range of retail sales/services, eating establishments, offices, banks (with drive thrus), recreational and entertainment businesses, hotels/motels, medical offices, assisted living facilities, institutional and civic uses, limited vehicular sales and services, and residential. Drive-thrus allowed.

Street Buffers: Carry forward; Use Buffers: Modify to apply performance-based standards.

Development Form: Require pedestrian features and cross access. Densities/intensities similar to the CC district; modernize parking standards and recognize parking is for more auto-oriented development.

### **COM-MX-Community Mixed Use District**

Purpose: Provide lands for office, banking, restaurant, lower intensity retail sales and services, and residential uses that are auto-oriented and easily accessed. Location: Consolidates OL, OM, NC, and OCIL districts. General/flexible approach to uses: Wide range of retail sales/services that are lower in intensity, eating establishments (with drive-thrus), offices, banks (with drive-thrus), religious institutions, day care, government facilities, civic uses, residential, and mixed use.

Street Buffers: Carry forward; Use Buffers: Modify to apply performance-based standards. Development Form: Require pedestrian features and cross access; Densities/intensities consistent with OM district (4 dwelling units/acre for residential and 8,000 sf/acre for non-residential), max. building height of 35 feet/2 stories. Modernize parking standards, but parking is for more auto-oriented development.

The committee and the staff discussed the issue of small technology. Mr. Cousins stated his concern with vacancies in the Commercial Center District. Perhaps some of this space can be made available for small technology. Mr. Cousins and the committee discussed the economic development of this area. They discussed the range of retail sales/services that are lower in intensity.

**SMU-Stoney Mixed Use District:** More flexibility is needed in Stoney but it is also important to maintain the character of this community.

Purpose: Carry forward in current form, with refinements to allow more flexibility while ensuring island character maintained. Allowed Uses: Carry forward (single family, multifamily, day care, religious institutions, parks, mixed uses, eating establishments, medical, real estate/other offices, inns, hotels (as special exception), banks, retail and service uses (including shopping centers), and limited vehicle sales and service uses. Street Buffers: Carry forward along Highway 278. Beyond 278 allow reduction up to 30% (with added tree planting) and administrative adjustments or waivers. Use Buffers: Modify to apply performance standards; Development Form: (1) Require pedestrian features and cross access; (2) Carry forward current densities/intensities (10 dwelling uses/acre for residential, 20 rooms/acre for hotels, and 7,000 sf/acre for nonresidential, max. building height of 45 feet/3 stories for residential/mixed use and 35 feet/2 stories for nonresidential, max. impervious surface coverage of 45% for residential and nonresidential, and 50% for mixed use; (3) Modernize parking standards, but parking is for more auto-oriented development.

### **HP Hotel and Resort District** (New District)

Purpose: Provide lands for development of moderate density/intensity resort-oriented development that includes range of resort housing choices in a pedestrian-friendly environment and small-scale, neighborhood-oriented retail and service uses in close in proximity to the resort housing choices. Location: Consolidates CFB Central Forest Beach and RD Resort districts. General/flexible approach to uses: Allowed uses include single family, multifamily, interval ownership (in form of multifamily), group living, mixed use, government facilities, religious institutions, eating establishments (w/o drive-thrus, real estate/professional offices, indoor recreation, inns, hotels/motels (with interval ownership as special exception), banks (w/drive thru), small-scale, shopping centers, other small-scale retail sales and service uses, and auto rentals.

Street Buffers: Carry forward, but use administrative adjustments and waivers to encourage redevelopment where there are nonconforming street buffers. Use Buffers: Modify to apply performance standards. Development Form: (1) Require pedestrian features and cross access; (2) Development parameters generally consistent with CFB and RD districts, except increase density from 8 to 15 dwelling units/acre for residential. Other densities would be 25 rooms/acre for inns/hotels, (RD currently allows 25/acre and CFB allows 20 rooms/acre), and 8,000 square feet/acre for nonresidential, max. building height of 75 feet/5 stories within 600 feet of beach and 45 feet/3 stories beyond this point; max. impervious surface coverage of 50% (current standard in RD district, CFB is 55%). Modernize parking standards, but recognize parking is for more auto-oriented development. Basic building form standards for nonresidential development to ensure it is small-scale, and building facades broken up.

The committee discussed buffers as related to landscaping. The consultant does not recommend making any changes to buffers on Highway 278. The consultant and the committee discussed the concept of 'Complete Streets'. The consultant defined the concept of Complete Streets (creating a street that is safe and pleasant for all traffic - vehicular, bike, pedestrian). Hilton Head Island already has many of the elements of Complete Streets.

Public Comments: Chester C. Williams, Esq., and Ms. Jocelyn Staigar presented public comments on a couple of issues.

Chairman Crews stated that due to the time, the committee and the consultant will continue their discussion of the HP Hotel and Resort District tomorrow morning. Tomorrow's committee meeting begins at 9:00a.m in Council Chambers.

## 6) **ADJOURNMENT**

Following final comments, the meeting was adjourned at 12:05pm.

Submitted by:

Approved by:

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Kathleen Carlin  
Administrative Assistant

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Tom Crews  
Chairman

TOWN OF HILTON HEAD ISLAND  
Planning Commission  
**LMO REWRITE COMMITTEE WORKSHOP MEETING**

June 19, 2012 Minutes

9:00a.m. – Benjamin M. Racusin Council Chambers

**DRAFT**

Committee Members Present: Chairman Tom Crews, David Ames, David Bachelder, Irv Campbell, Chris Darnell, Jim Gant, Walter Nester, and Charles Cousins, *Ex-Officio*

Committee Members Absent: Councilwoman Kim Likins and Vice Chairman Gail Quick

Planning Commissioners Present: Loretta Warden, David Bennett and Bryan Hughes

Town Council Members Present: Bill Ferguson

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

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**1) CALL TO ORDER**

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

**2) FREEDOM OF INFORMATION ACT**

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

**3) APPROVAL OF THE AGENDA**

The agenda was approved as presented by general consent.

**4) NEW BUSINESS**

**Discussion of Code Assessment Changes**

Chairman Crews stated that the committee will continue their review of the proposed changes to the Code Assessment with Clarion Associates, Mr. Craig Richardson and Mr. Stephen Sizemore. The committee began the review of the Code Assessment on Monday, June 18<sup>th</sup>.

Today the committee will complete the discussion on the proposed changes to Zoning Districts. They will then review the proposed changes to Design Standards, Redevelopment and Nonconformities, Ward 1, and Natural Resources.

In follow up to yesterday's discussion on the subject of hotels, Mr. David Bachelder shared some data relative to a study of hotels in Bluffton. Mr. Bachelder stated that five hotels have been built in Bluffton over the last decade. All five of these hotels are 3 and 4 stories in height with densities that average 35 rooms per acre. All of the hotels are located on 2 – 4 acres of land. The committee briefly compared the hotels in Bluffton to the hotels on the island. Chairman Crews thanked Mr. Bachelder for sharing this information with the committee.

Chairman Crews requested that the consultant begin their presentation on the next zoning district. Mr. Richardson made the following presentation on the WMU, MW and IL zoning districts:

**WMU Water Front Mixed Use District, MW Marsh and Waterfront, and IL Light Industrial**

It is recommended that we carry forward the WMU Waterfront Mixed Use District, with stepped down height requirements at the edge, if heights are lower in adjacent districts. It is also recommended to carry forward **MMU** and rename **MW Marsh and Waterfront** Allowed uses: single-family attached, multifamily, community service, day care, government facilities, religious institutions, parks, telecommunication facilities, utilities, eating establishments (without drive thrus), offices, bed and breakfast inns, convenience stores (without drive thrus or gas pumps), health clubs/spas, water oriented uses, and agriculture. The densities/intensities and related development standards are carried forward.

It is also recommended that we carry forward the IL Light Industrial/Commercial Distribution District and rename **IL Light Industrial**. Generally carry forward the current allowed uses. Carry forward current street buffers, but allow for reduction by up to 20 percent with additional tree plantings in the buffers to increase opacity levels. Modify use buffers to allow performance based standards.

The committee and the staff reviewed a large zoning map of the island to identify the WMU Districts. The committee reviewed the locations of Broad Creek, Skull Creek, Palmetto Bay, Edgewater, and the location at the end of Beach City Road. Mr. Ames stated that a hotel in the area of Palmetto Bay Marina makes sense because of the connection to services and amenities. However, allowing a 5-story hotel in the other locations may not be as defensible because these hotels would have to exist on their own. When you have higher densities in an area without services and amenities, you are asking people to get into their cars and go someplace else. Densities and services should go hand in hand. Mr. Ames stated concern in allowing a hotel in the location of Beach City Road due to proximity to the airport. Allowing a 5-story hotel to be placed close to the flight path would be a huge safety issue. Zoning should be handled in conjunction with other planning commitments. The committee discussed the Beach City Road location. This location will need to be treated differently. It should be isolated because it may need a district of its own. The committee will flag this issue for future consideration. The committee and Mr. Cousins discussed 'pockets of density' and the need for services to support the 'pockets of density'.

With regard to the area of Skull Creek, Mr. Ames stated that there is an opportunity to expand the uses in this area so that the Skull Creek area becomes something more than just residential. This area should be an activity center for the island. We need to be more intentional in this location. Public investment should be encouraged; the Town should step forward to encourage things to happen in this area that will make it a special place.

With regard to Broad Creek Marina, the committee stated that they need to understand what they are trying to achieve in this area and then go for it. The committee and Ms. Lewis discussed the allowed uses in the WMU district that would be needed for the desired type of development. The WMU District already has a lot of allowed uses to support this type of development.

Following this discussion, the committee and the consultant then moved to a review of the proposed Overlay Districts.

AZ Airport Overlay District, COR Corridor Overlay District; PD-2 Planned Development Overlay District; FB-NCOD Forest Beach Neighborhood Character Overlay District, FF-NCOD Folly Field Neighborhood Character Overlay District, HH-NCOD Holiday Homes Neighborhood Character Overlay District, RO Redevelopment Overlay District, CSPDAA&TAOD Critical Storm Protection and Dune Accretion Area and Transition Area Overlay District.

The consultant recommends carrying forward PD-1. The consultant recommends carrying forward the overlay districts, with one exception. The exception is the RO Redevelopment Overlay District, which will be modified: (1) to serve as a “last resort” for the landowner to resolve nonconformities; (2) it requires rezoning, so it could be time consuming and uncertain; (3) depending on the ultimate form of the administrative adjustment and waiver, there will probably be modifications to design standards in the current provision; (4) it would require enhancement of nonconformities and provision of compensating public benefits.

Menu of compensating benefits in regulations could include: environmentally sustainable and energy efficient building design; provision of other green building elements; provision of cultural facilities; permanent protection of scenic views to the water; and enhanced environmental protection.

The consultant discussed their experience with these concepts in other communities. If you allow someone to expand a use, they will provide some kind of benefit in return for this.

The consultant also discussed the use of administrative adjustments and waivers. Some of the standards in this district will need to be modified. Exactly how that will be accomplished will not be known until the drafting process begins. The committee stated that the concepts need to be geared towards redevelopment and new development.

The committee discussed several issues related to Planned Unit Developments (PUD). The LMO is being rewritten to accommodate redevelopment and growth on the island for the next 25 years. It is difficult to predict where the next area of investment priorities will be.

The consultant described the role of a Zoning Administrator in solving a lot of unknown problems regarding use. Administrative waivers have been used successfully in other communities. The consultant stated that they are very optimistic that the use of administrative waivers will solve a lot of problems for the Town.

Chairman Crews presented statements regarding the Overlay Districts and design parameters. Technical overlay districts (like the airport) can be problematic because of the many technical components. Chairman Crews and Mr. Cousins briefly discussed the Airport Master Plan. It's a challenge for the LMO to be an 'all encompassing document'. Other sources of information may always be needed (reference DOT, DEHEC, and FAA). It may not be practical to expect the LMO to include all of the technical data that is needed. Incorporating by reference is a big challenge. The consultant will flag this issue for additional study.

Chester C. Williams, Esq., stated that this may be an illegal delegation of authority.

The committee reviewed the Critical Storm Protection and Dune Accretion Area. Mr. Darnell stated that this title and acronym (CSPDAA&TAOD) needs to be simplified. Mr. Darnell also presented comments on the Conservation District and Overlay District. Perhaps some of this overlay district information can be handled in a setback or a buffer from the OCRM line. Mr. Darnell stated that people often have trouble with these regulations because they are confusing.

Ms. Lewis and Mr. Darnell discussed the overlay district and the OCRM line. Mr. Darnell stated that development on the beach seems confusing because of the Transition Area, set back from the OCRM for the Town, and setback from OCRM. The process needs to be simplified.

Mr. Lewis stated that staff has tried to make the Transition Area and the CSPDAA mirror what the OCRM allows in the area. The staff agreed that the name is too long and should be simplified. The consultant will review this issue and see if the name can be simplified. Mr. Cousins and Mr. Darnell discussed the Conservation District. Mr. Darnell questioned the need for the Conservation District. The committee discussed the need to classify all of the property on the island. Mr. Nester agreed with Mr. Cousins that all property located within Municipal boundaries must have a classification.

Chester Williams presented comments regarding the PD-1 zoning districts without addressing the concerns from Town Council.

The committee and the staff discussed the issue and stated that it is a complex issue. The committee stated that it should be dealt with as part of the LMO rewrite process.

Mr. Cousins and Mr. Nester discussed the possibility of taking all of the PUD master plans to make the definitions and commercial more consistent for all of them. Mr. Nester stated that the problem is nomenclature and we would not have the authority to do that. Mr. Nester also presented statements with regard to expanding the definitions and including a master listing of definitions.

Chairman Crews and the committee discussed the issue of trying to cross-reference everything in the LMO that is going to affect a piece of property. There are a lot of software and GIS issues involved; some communities have been successful in doing this. There are numerous administrative and legal issues involved.

### Redevelopment in Targeted Areas

The committee and the consultant discussed encouraging redevelopment in the Targeted Areas: (1) Coligny; (2) Shelter Cove and Shelter Cove mall area; (3) Mathews/Highway 278 intersection, including Pineland Mall and Northridge areas; (4) Stoney area; and (5) Mitchelville. This is addressed through a new I-MX District with subdistricts with distinct development standards for Coligny, Shelter Cove, and Mathews/Highway 278. The LMO should remove barriers to desired types of redevelopment in these targeted areas.

### Ward 1

The LMO Rewrite report has identified the following Ward 1 issues:

Setbacks in Stoney and Chaplin limit ability to develop on small, narrow lots. In the SMU District, changes proposed beyond Highway 278 allowing reduction of street setbacks/buffers by up to 30 percent (with additional tree plantings), and provisions for administrative adjustments and waivers. Use buffers modified to allow performance standards. In Chaplin area no changes proposed to street buffers because lots seem adequate. Use buffers modified to allow performance standards.

### Address Nonconformities:

Overarching approach to addressing nonconformities is multi dimensional:

(1) Evaluating uses and modifying districts to reduce nonconformities; (2) Evaluating design standards to reduce nonconformities, specifically:

Buffer and setback standards: revising adjacent use buffers to allow application of performance based standards; limited reductions of the street setback/buffers (in Coligny, away from Highway 278 in Shelter Cove, away from Highway 278 in the SMU District), due to the importance they play in maintaining the Town's character.

Parking standards: modernization of standards; possible further reductions in IM-Coligny Subdistrict; alternative arrangements for meeting, parking in addition to shared and off-site parking (deferred parking, tandem and valet parking, on-street parking); reduced parking demand; alternative configurations of parking.

Adding a range of flexibility provisions: Alternative forms of compliance (parking, landscaping, and possibly buffers.) Administrative adjustment – allows staff review and decisions on prescribed modifications to certain dimensional standards or numerical design standards to allow development that otherwise conforms to development goals of community. Can be used in a number of ways, and usually evolves during drafting process.

### Recommendations:

(1) Up to 30% reduction of street setbacks/buffers in SMU District beyond Highway 278; (2) Up to 10% reduction in minimum parking standards; (3) up to a 10 % reduction in landscaping standards.

Exceptions to restrictions: (1) allowing nonconforming uses to expand throughout building where they are located; (2) allow conversion of nonconforming use to another nonconforming use when specific standards are established (from nonconforming light industrial to nonconforming retail in specific district.) Allow message of nonconforming signs to change with change of business occupant; (4) Adding a range of flexibility provisions: revised administrative waiver – target to nonconformities that pose greatest impediment to redevelopment – street buffers, off-street parking, impervious surfaces, and open space. Carry forward requirement that waiver be accompanied by site enhancement that reduces nonconformity for which restriction is waived.

Revised RO Overlay District: “Last resort” for landowner to resolve nonconformities. Requires rezoning, so it could be time consuming and uncertain. Depending on ultimate form of the administrative adjustment and waiver, probably be modifications to provisions standards. Require enhancement of nonconformities and provision of compensating public benefits. Menu included in regulations could include: environmentally sustainable and energy efficient building design; provision of other green building elements; provision of cultural facilities; permanent protection of scenic views to the water; enhanced environmental protection.

### **Revise Design Standards Related to Targeted Issues and Areas: Nonconformities:**

Roads: Review and incorporate mobility standards, as appropriate, and standards related to public street connectivity, cross access, access way layout and coordinating with bicycle and pedestrian access, pedestrian circulation, and pedestrian cut-thrus.

Codes in the Southeast have included something called a connectivity index – ensures a minimum of connections on the road system. HHI is built out so that may not apply.

Buffers – street buffers carried forward

Building on suggestions in Sec. 2.6.2 of Assessment, will maintain current edge conditions, with the following exceptions:

- 1) In IMX-Coligny Subdistrict, recommend street buffers be eliminated and replaced by increased site and parking lot landscaping, and landscape strip along the road.
- 2) In IMX-Shelter Cove Subdistrict, recommend street setbacks beyond Highway 278 be reduced to 15-feet, consistent with proposed Shelter Cove Mall PUD amendment. Street trees would be strongly encouraged in this area.
- 3) Modification of use buffers so performance-based buffers could be applied.
- 4) Establishment of administrative adjustment to allow reduction of street buffers: a) beyond Highway 278 by up to 30 percent in SMU District; b) up to 20 percent in Sea Pines Circle area of IM-C Subdistrict with additional tree plantings.
- 5) Require cross access between adjacent parcels on which there is commercial or mixed use development.
- 6) Incentives that allow further reduction or elimination of adjacent use buffers on developed sites, when vehicular and pedestrian cross access is provided in appropriate locations.

Mr. Darnell presented statements regarding the consultant's response to the LMO Rewrite Committee's comments on the Code Assessment. The consultant and Mr. Darnell discussed street trees (do not make it a hard number). They also discussed modernizing minimum parking standards. Mr. Darnell presented statements regarding the parking graphic. People may not wish to park in the back of a 'big box' building.

**Parking:** Building on the suggestions in Sec. 2.6.1 of Assessment on revisions to parking will: Provide more specific provision for offsite parking; Identify uses where shared offsite parking might be appropriate; Allow for certain percentage of on street parking in I-MX-Shelter Cove District (beyond Highway 278).; Establish different minimum parking standards in IM-X Coligny

The consultant stated that we are considering the allowance of some on-street parking and having different parking requirements for different locations. We are also considering allowing decreased parking requirements. We are also looking at bicycle parking standards.

Mr. Irv Campbell presented comments with regard to the need to accommodate large tour buses. Expansion will increase the number and the size of tour buses. The consultant will review this.

**Height:** Stepped down height requirements proposed to be included at edge of WMU District (which has a 75-foot height limit), those areas of the HR and I-MX-Shelter Cove districts with 75-foot height limits, and other locations where there might be a significant height difference between districts. To protect single-family residential neighborhoods from height incompatibilities, neighborhood compatibility standards are proposed.

The committee discussed several issues including pervious - impervious surface coverage requirements. Mr. Nester presented statements regarding the reduction of parking requirements and setting minimum parking requirements. Town should not require businesses to have more parking than they need. The committee discussed peak periods of parking and caps on

maximum parking.

Following this discussion, the consultant and the committee moved to Natural Resources. Mr. Stephen Sizemore made the presentation on behalf of the consultant.

**Water Quality** – The Town should move forward and apply to the state for delegated authority to apply state stormwater management regulations rather than the combination of town and Beaufort County regulations, as currently required by the LMO. The benefits are: (1) State regulations more adaptable to redevelopment and development than current LMO and Beaufort County stormwater regulations (relying on assortment of low impact development technique and engineered structural facilities that allow stormwater management to be tailored to specific sites); (2) Engineers designing stormwater management for development in Hilton Head Island would be subject to familiar single set of standards.

The consultant will: (1) work with the Town staff and team members to determine if certain stormwater techniques are more appropriate to Hilton Head Island, focusing on revisions and enhancements that encourage “green” stormwater management techniques, and then propose supplemental standards, as necessary, to encourage use of those techniques; (2) Further evaluate parking reduction provisions to see if there are additional ways to reduce parking; (3) Tailor wetland buffer regulations to wetland types and surrounding context. Clearly identify activities allowed and prohibited in wetland buffers, and expand those activities allowed to include essential and water-dependent development activities.; Allow modest selective pruning as necessary to enhance the effectiveness of the buffer vegetation in protecting water quality and establishing limited view corridors; Strengthen the language in the purpose and intent section. Prohibit the use of pesticides, herbicides, and fertilizers in wetland buffers.

**Tree Preservation and Protection** – Recommend retaining the LMO’s current tree preservation standards supplemented by standards requiring retention of existing tree canopy, with required percentage varying along a sliding scale based on existing tree canopy on the site.

**Dune Protection and Redevelopment of Beachfront Property** – Modify view corridor provisions to: (1) include specific criteria that clarify how view corridors to the beach may be established, based on maximum percent of site that can be devoted to view corridors; (2) give highest priority to corridors established through removal of non-native invasive vegetation; (3) preserve low growing vegetation within corridors to retain or establish root systems important to dune preservation; (4) add flexibility provisions that allow consideration of alternative forms of compliance.

The committee and the consultant discussed water quality, allowing some variation in the width of buffers, essential activities allowed in buffer areas, selective pruning, and operational issues (what happens around the buffer.)

The committee and the consultant discussed additional standards. Are they needed? Water quality in Broad Creek is good at this time. The committee asked if the buffer has to be as large as it is. The committee also discussed the buffers around man-made lagoons, the treatment of lagoon edges, pesticides and lagoons, golf courses and residential. Mr. Ames stated that Hilton Head Island should have water standards that raise the bar. The committee agreed to address the issues of water quality and wetland buffers further and provide feedback to the consultant.

## 5) **ADJOURNMENT**

Following final comments, the meeting was adjourned at 12:05pm.

Submitted by:

Approved by:

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Kathleen Carlin  
Administrative Assistant

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Tom Crews  
Chairman

DRAFT

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

June 28, 2012 Minutes

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

**DRAFT**

Committee Members Present: Chairman Tom Crews, Vice Chairman Gail Quick, David Ames, David Bachelder, Chris Darnell, Jim Gant, Walter Nester, Councilwoman Kim Likins, *Ex-Officio*; and Charles Cousins, *Ex-Officio*

Committee Members Absent: Irv Campbell

Planning Commissioners Present: None

Town Council Members Present: Bill Ferguson

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

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**1) CALL TO ORDER**

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

**2) FREEDOM OF INFORMATION ACT**

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

**3) APPROVAL OF THE AGENDA**

The agenda was approved as presented by general consent.

**4) NEW BUSINESS**

a) Consolidation of the RS2 – RS6 (single family residential) zoning districts

Chairman Crews presented opening statements and then requested that Ms. Teri Lewis make her presentation. Ms. Lewis began with the staff's response to the proposed consolidation of the RS-2 – RS-6, single-family residential zoning districts. Ms. Lewis distributed copies of a zoning map of the island which indentified the locations of the single-family residential zoning districts, RS2 - RS6.

Ms. Lewis and the committee discussed the consolidation of the RS-2 and the RS-3 zoning districts into the new RS-3 zoning district. Ms. Lewis reviewed a couple of un-subdivided parcels within these districts. Staff has no concerns with consolidating the RS-2 and RS-3 residential zoning districts into the new RS-3 zoning district. The committee stated their agreement with staff.

Ms. Lewis and the committee then reviewed the proposed consolidation of RS-4, RS-5, and RS-6 into the RS-6 residential zoning district. Ms. Lewis stated that staff has a couple of concerns with the proposed consolidation. Currently there are no minimum lot sizes in these districts, so we would want to talk with the consultant to see if it would be beneficial for us to have minimum lot sizes. Also, we will want to know if any nonconformities will be created by the consolidation.

Ms. Lewis and the committee discussed the issue of minimum lot sizes. Currently there are setback requirements in these neighborhood overlay districts and maybe that would be sufficient. After discussing the issue, staff and the committee agreed that it would be better to be upfront with the minimum lot size requirement. The committee agreed with staff that we do not want to create new non-conformities.

The committee discussed concerns with changing the character of these neighborhoods (with sub-dividing lots.) The committee agreed that having minimum lot sizes will hedge against the risk of changing neighborhood character. Chairman Crews presented comments in concern of other redevelopment issues such as potential changes in FEMA regulations that may influence what people can do with older homes. Staff will discuss these issues with the consultant.

b) Apartment density

Ms. Lewis distributed copies of a map of the island that indicated the locations where apartments are allowed and where they are proposed to be allowed. Staff and the committee discussed whether density should be increased beyond 12 units per acre in some areas to encourage apartment development. The consultant proposes allowing multi-family in a majority of zoning districts (all of the new Mixed Use Districts and in SMU, WMU, RM-4, RM-8 and RM-12). Is the allowed density of 12 units per acre sufficient to encourage apartments?

Mr. Ames presented comments regarding these locations as related to the availability of services. We should be encouraging housing that will encourage walking which means it needs to be near services. Mr. Cousins presented comments regarding redevelopment as related to infrastructure. We need to ensure if we increase density that the infrastructure can accommodate the higher density numbers.

The committee discussed concerns with density and infrastructure. What does density feel like? What about height? Ms. Lewis presented photos and descriptions of the following villas and condominiums: (1) Seascape Villas (16-units per acre 2 & 3 story); (2) Sea Side Villas (49-units per acre 3-stories over parking); (3) North Shore Place (48-units per acre 5-stories over parking); (4) Ocean Front Sea Crest (96 units 20-units per acre 4-story); and (5) Ocean Dunes Villas (40 units per acre, 4-stories). Ms. Lewis and the committee discussed the density and height of these developments and the committee stated that 16-units per acre seem reasonable for some areas. The committee stated that it is important to incent apartments in areas that already have services.

The staff and the committee discussed the zoning districts where the increased density would be allowed. The committee discussed the need to provide a net benefit for developing housing in those areas. The committee stated that apartments will provide an opportunity for young professional people to live on the island.

Ms. Lewis stated that density is tied to the zoning district. The committee discussed the locations of Sea Pines, Cordillo, and Mathews. The committee agreed that we should concentrate on apartments rather than encouraging resort accommodations in these locations.

Mr. Cousins and the committee stated that the apartments need to stay apartments (rather than

being converted to villas or condominiums down the road). Mr. Cousins discussed the challenges of dealing with multiple property owners with the conversion of apartments to condominiums. It is a challenge to deal with 100 -150 property owners when dealing with aged property. Mr. Nester and the committee discussed the legal issues involved in keeping apartments as apartments. Restrictive covenants will be involved. There should be an incentive if restricted (by covenant) to apartments. Ms. Lewis will forward the committee's recommendation for extra density (from 12-units to 16-units per acre with a limit of 2 to 3 stories) to the consultant.

At this point, Mr. Jim Collett, with the Telecommunications Task Force, presented public comments with regard to cell towers and the need for improved telecommunications on Hilton Head Island. Mr. Collett asked to be notified that when the committee is ready to review cell towers, so that industry people can participate in the public meeting. Staff will notify Mr. Collett when the committee is ready to review telecommunications and cell towers.

c) Review of existing and proposed heights in the Mitchelville WMU zoning district

Ms. Lewis and the committee reviewed a map of the island that identified the WMU zoning district. Mr. Cousins reviewed the Town-owned land in the WMU zoning district. The committee discussed what they would like to see happen in this zoning district. They discussed the historic Mitchellville area and land use. Mr. Cousins presented statements regarding the history of Mitchelville and the direction given in the past by Town Council.

The committee also discussed the impact of the airport location. The staff and the committee discussed whether the existing land uses and the height are appropriate for the area. The committee discussed the potential impact of a five-story hotel in this location. The committee discussed safety and noise as it relates to high density in this area, both now and in the future. Do we want to deal with issues of safety and noise now, or leave it to be dealt with in the future? What will a five story building look like in that location? What about the infrastructure and lack of nearby services? The committee and the staff noted that a five-story hotel is already an allowed use in this location. The committee stated that the use should not be taken away.

The committee asked if we should increase the density to 16 units per acre and lower the allowed height (due to the proximity to the airport). The committee asked what the zoning district in this location would be if it were not WMU. Ms. Lewis stated that the surrounding properties are zoned RM-4.

The committee stated the need to consider the infrastructure, the neighborhood, the airport, and related safety issues. The committee also discussed the implications of height. The committee questioned whether the land uses are appropriate for the area. Perhaps a limit of 4-stories might be better than allowing 5-stories. The staff and the committee commented on alternative zoning for the area (RS-4, RS-5 and RS-6).

The committee then stated that the height of 75-feet in this area may not be the major issue. The issues of density, infrastructure, lack of nearby services and noise may be the bigger concerns. Chairman Crews and the committee discussed the TDR issue. The committee stated that this location may be ideal for creating a greater sending zone. The committee discussed the benefits of doing this. The committee would like to discuss this issue further at a later time. The staff will forward the committee's thoughts to the consultant.

e) SMU Stoney Mixed Use District

Ms. Lewis distributed a map of the island identifying the locations of the SMU Stoney Mixed Use Zoning District. The staff and the committee discussed the use of this district and the consultant's recommendation to generally move forward the current form. The only

recommended change is to have some reduction in the buffer in areas off of Highway 278. Increased planting in the area is recommended. The density and everything else would remain the same.

Mr. Cousins presented statements regarding Town Council's efforts to buy land in this area to prevent excessive commercial development. The committee discussed the prominence of this area as 'gateway to the island'. The aesthetic experience should be important.

Mr. Cousins and the committee discussed the land owned by the town, Transfer of Development Rights (TDRs), and Purchase of Development Rights (PDRs). This area might be another sending zone for density. The current density is 10-units per acre and 20-rooms per acre. The committee stated that we should consider using TDRs as a tool to encourage redevelopment. We need to think about how far densities can be bumped up or bumped down without negatively affecting property rights. We need to identify the areas where we would like to transfer from and transfer to.

The committee discussed potential safety concerns related to traffic and curb cuts off of Highway 278. The committee and staff discussed street access and minor arterials. The committee agreed with staff that nonconformities in the area should be avoided. Ms. Lewis summarized the committee's final comments on this section as follows: (1) this area might be another sending zone for a TDR program; (2) keep limited uses on the Jarvis side of Hwy. 278; (3) look at eliminating uses that will generate more trips; (4) the uses that are allowed need to have access to a lighted intersection of a secondary road (not Highway 278). Ms. Lewis will forward the committee's recommendations to the consultant.

(f) Review of existing and proposed heights in the CCW, CFB, and RD zoning districts Hotel density

Ms. Lewis presented statements regarding the existing and proposed heights in the CCW, CFB, and RD zoning districts. The committee discussed whether density and height should be increased for hotels to encourage new hotels and to encourage existing hotels to redevelop. The ocean side of Central Forest Beach can go up to 75 feet – four stories over parking. The landward side can go up to three stories over parking. The committee stated that perhaps hotels in this area should be given an incentive for reinvestment. The committee and the staff discussed hotel density. Much of the existing development is two and three stories high (rather than three and four stories high). The committee also discussed the landward side of Forest Beach and suggested if a hotel was proposed to be set back further than the current required buffers, then the hotel should be able to go up to 75' in height.

The committee discussed the age of existing hotels and the need for redevelopment. The committee stated the need to encourage existing hotels to redevelop. The committee suggested allowing hotels to increase to 35 rooms per acre but stated that staff needed to determine if some similarly sized hotel footprints in Bluffton would fit on potential site on Hilton Head Island. Look into changing the hotel and motel definitions so that hotels and motels in the HR district do not have to provide amenities because there are already amenities located nearby.

Lastly, the staff and the committee discussed scheduling the next committee meeting. The committee decided to meet again on Thursday, July 19, 2012 at 1:00p.m for the purpose of having guest speakers in to discuss wetland buffers and water quality.

**5) ADJOURNMENT**

Following final comments, the meeting was adjourned at 2:40pm.

Submitted by:

Approved by:

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

\_\_\_\_\_  
Tom Crews  
Chairman

DRAFT

David Harter has been a Hilton Head Island resident for 33 years and is the president of the Hilton Head Island Sportfishing Club and VP and projects director for the Hilton Head Reef Foundation which includes the “Friends of Waddell”. On behalf of the HH Reef Foundation Dave has been chief investigator for three NOAA cooperative fisheries grants for research on cobia, red drum and dolphin fish. He is an advisory panel member for the South Atlantic Fisheries Management Council and is a board member of the South Carolina Wildlife Federation.

Dave was an original member of the Beaufort County Clean Water Task Force and helped co-author “A Blueprint for Clean Water-Strategies to Protect and Restore Beaufort County’s Waterways” which was recognized by the SC General Assembly with the 1996 Environmental Awareness Award. This document was used to help guide the Beaufort County LMO process and was the initiator of the Storm Water Utility. Dave served on the oversight committee for the Beaufort County Special Area Management Plan. He wrote and produced public education radio ads for the Beaufort County Storm Water Utility, 2006-present. He is the past chairman of “Friends of the Rivers” and is on the board of trustees for its successor, the Port Royal Sound Foundation. Dave is an instructor for USCB’s Osher Lifelong Learning Institute on fisheries and environmental issues.

David Harter  
13 New Orleans Rd.  
Hilton Head Island, SC 29928  
843-785-4106  
daveh@hargray.com