Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
September 21, 2012
1:00 p.m.
Benjamin M. Racusin Council Chambers

AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the 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 –**August 30th meeting
5. **New Business**
   a) Discussion of recommended changes to the Telecommunications Facilities portion of the LMO – Jim Collett, Chairman, Telecommunications Task Force
   b) Follow up from 8/30 Meeting – Jim Gant
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 MEETING

August 30, 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, Irvin Campbell, Jim Gant, Walter Nester and Councilwoman Kim Likins, *Ex-Officio*
Committee Members Absent:	Chris Darnell, David Bachelder and Charles Cousins
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

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) APPROVAL OF THE MINUTES

The committee approved the minutes of the August 9, 2012 meeting as presented by general consent.

5) NEW BUSINESS

Chairman Crews presented opening comments and requested that Mr. Jim Gant present his report to the committee. The staff distributed copies of Mr. Gant's report entitled, High Level Summary of Proposed LMO Changes.

Mr. Gant and the committee discussed the communication process. How do we begin to communicate what the new Land Management Ordinance is to the Planning Commission, to Town Council, and to the community at large? Mr. Gant stated that it was difficult to figure out all of the changes that have been discussed over the last 16 - 18 months. Mr. Gant stated that he began by going back to the Clarion Code Assessment, the committee's response to the Code Assessment, and the consultant's response to the committee. The

report addresses changes to the LMO at a conceptual level. They are broad, conceptual statements at this point. How do we communicate something like this? The first step is identifying what we are changing and why at a high level. We move from there into the specifics. The consultant has stated that they will assist the committee with the presentation process. Can we get guidance from Clarion on how we might structure a series of reviews? What will Clarion's role be? Simplistically, zoning and nonconformities should go together – they are a big topic. Design standards and natural resources go together – they are another big topic.

Mr. Gant suggested that the committee start with an interim report on the conceptual changes to the LMO. This can be followed by two very specific sessions on zoning and nonconformities and design standards and natural resources. As a starting point, we can discuss this with the consultants. The committee will not have the draft of the new LMO from the consultant until the first of November. Between now and then, should the committee consider presenting a conceptual report indicating the changes and the direction of the new LMO to the Planning Commission and to Town Council? Sometime between November and January, the committee could present one or both of the detail sessions.

Chairman Crews stated that this is an excellent idea. The committee agreed with the importance of staging the presentations to the Planning Commission and Town Council. The presentation will be too big to do in only one session.

The committee discussed how the presentation will be organized. The committee decided that they will not need to spend very much time on User Friendliness. It will be obvious that the new LMO will be easier to read with graphics, diagrams, and pictures included. The committee also will not need to spend a lot of time on the Review Process (although this section is important). The committee will mention these two sections and then will move on to the sections on Zoning and Nonconformities, Design Standards and Natural Resources.

The committee discussed the importance of educating the public. The rewriting of the LMO should be perceived as a positive change. How does the committee go about summarizing that?

The committee stated that there is a two-pronged objective: to stimulate investment and redevelopment while remaining true to core values. Both messages need to be communicated. The Board discussed the importance of educating the Board of Zoning Appeals and the Planning Commission. The committee discussed combining these presentations. The committee recommended that the Board of Zoning Appeals and the Planning Commission attend some of the remaining committee meetings so that they can present their concerns and their ideas.

Mr. Ames stated that the education and the tone should meet the needs of the audience. Chairman Crews stated that zoning and design standards are interrelated, and they should be considered that way when they are presented.

Mr. Gant and the committee reviewed the report on an item-by-item basis: (1) Improve User Friendliness; (2) Update, Clarify and streamline review processes; (3) Modify and consolidate Zoning districts; (4) Encourage development or redevelopment in targeted areas; (5) Address non-conformities; (6) Revise design standards; (7) Modify natural resource regulations; and (8) Revised Planned Unit Development (PUD) Regulations.

The committee suggested a couple of changes to the report including removing some of the specificity. The committee recommended the removal of specific location references. The committee discussed the possible need for two individual documents – one will be the presentation document, and the second document will be a working document. This document will become the communication device with the consultant. Detail becomes the outline for the eventual presentation

The committee discussed the "Use it or Lose It" clause. The committee remembered that the consultant suggested eliminating the "Use it or Lose It" clause. The staff will review their notes from the consultant. The committee then discussed the need to apply standardized nomenclature to the PUDs. Ms. Lewis stated that the staff is currently working on converting their master plans to GIS plans so that the public can review them from a computer.

Chet Williams, Esq., stated that the Town should use this opportunity to change all of the master plan maps that are approved by the Town. Mr. Williams stated that staff should go ahead and standardize all of the master plan maps now including specifying the uses that are allowed.

The committee, the staff, and Mr. Williams discussed the PD1 master plans. Mr. Williams stated that since we are rezoning everything else, the PD1 master plans should be taken care of. The staff should make it easy to maintain and update. It should be user friendly. The committee agreed that this would be a good idea.

Ms. Teri Lewis stated that the committee has the authority to request this (they do not need to go to Town Council). Mr. Nester and Ms. Lewis discussed the appropriate nomenclature. Ms. Lewis stated that it can be done; however, it is a time consuming process.

The committee summarized the recommendation that all PD1s be standardized and converted to GIS along with accompanying nomenclature (text). Mr. Gant stated that he will add this information to the committee's report. The committee stated that there may be a third category of complexities and oddities that will need to be solved in some fashion. Standardizing the nomenclature will be needed to deal with these.

At the completion of the discussion, Mr. Gant stated that he will work on a one or two-page Executive Summary that describes how the committee started their journey and what they are trying to accomplish on their journey. The committee briefly discussed 'streamlining reinvestment or redevelopment while still holding true to core values'. The committee briefly discussed the 'layering' that is involved in rewriting the LMO. The first level is the Comprehensive Plan, the Land Management Ordinance is the second layer, and then there are various other layers on top of that. The committee discussed putting this concept in a graphic of some type to include in the new LMO. Based on today's discussion, Mr. Gant stated that he will work on preparing a high level conceptual one level document with an Executive Summary. The committee thanked Mr. Gant for his excellent report. Mr. Gant stated that he will update the report and will email it to staff and the committee for their consideration.

Chairman Crews presented brief comments regarding the next committee meeting on Friday, September 21st at 1:00p.m. Mr. Jim Collett, with the Telecommunications Task Force, will make a presentation at that meeting. The staff will forward this information as part of the meeting packet in advance of the next meeting.

DRAFT

Chairman Crews presented statements with regard to public input that he has received regarding flood regulations and the amount of fill that is allowed on a site above existing grade. Following final comments, the meeting was adjourned.

6) ADJOURNMENT

The meeting was adjourned at 2:50pm.

Submitted by:	Approved by:
_____	_____
Kathleen Carlin	Tom Crews
Administrative Assistant	Vice Chairman

DRAFT

GREATER ISLAND COUNCIL

Telecommunications Taskforce

TO:	Town of Hilton Head Island Land Management Ordinance Rewrite Committee
FROM:	Jim Collett, Chairman, GIC Telecommunications Taskforce
DATE	September 17, 2012
SUBJECT:	Suggested Changes for LMO Rewrite - Telecommunications Facilities

I am sure that I not only represent the Telecommunications Taskforce but many other residents and visitors that are concerned with the quality of wireless coverage on the Island by asking that the Land Management Ordinance Rewrite Committee consider making additional changes to the requirements for Telecommunications Facilities. As you may recall, an expedited set of amendments was recently approved that addressed the most problematic issues reported by wireless companies that permit Telecommunications Facilities on the Island. Those changes created an expedited approval process for sites located in Planned Unit Developments (PUD's) and reduced setback requirements that limited potential sites for new infrastructure. The purpose of this memo is to outline additional issues/changes that could be explored by the Committee to bring the LMO up to date with current industry standards and continue to make it easier to permit sites. In support of these changes, the Telecommunications Taskforce and representatives of the wireless companies are available to work with the Committee. Thank you for your consideration of this important matter.

<u>Potential LMO Changes</u>

1. **Add definitions that distinguish between the different types of Telecommunications Facilities.**

   Currently, the LMO does not have separate definitions for the different types of telecommunications equipment and facilities. It does not distinguish between, guyed towers, free standing towers, building mounted towers, co-locations or disguised towers and requires the same permitting process for each. Each of these facilities should have separately defined terms.

2. **Reduce the need to rezone property for towers by using preapproved tower designs in more zoning districts.**

   Currently Telecommunications Facilities are not permitted in all zoning districts, making a rezoning amendment necessary to locate facilities in many cases, which can decrease the certainty that approval can be obtained in the timeframe needed by carriers. The LMO Rewrite process will most likely result in changes to these districts. It is recommended that the number of districts in which telecommunications facilities can be located increase and that Design Review Board preapproved designs be used in these districts to allow administrative permitting. For example, towers with less impact, such as flagpole or disguised designs, could be preapproved for permitting closer to residential areas, whereas other tower types like the standard monopole with externally mounted antenna could be permitted in more commercially oriented areas.

3. **Evaluate setbacks and buffers requirements for accessory structures and equipment related to a tower.**

Compounds are usually fenced and screened with vegetation. Currently additional buffer and setbacks widths are required behind the fence. The size of compounds can be smaller than 70 foot by 70 foot area. The requirement for buffers inside the compound consumes a large amount of the compound area. A standard fence buffer could be specified as a preapproved design to create more flexibility inside tower compounds.

4. **Reduce the separation requirement for towers from 10,500 to 1,500.**

The separation requirement for towers needs to be reduced because towers are now needed more frequently than when the ordinance was originally adopted. The coverage area of towers has gotten smaller due to the rapid increase in the usage of data services. The minimum height that is acceptable for infrastructure should also be established.

5. **Limit towers that must be lit.**

Currently, towers 150 feet tall or more in height must be lit. As a condition of permitting, such towers could require special approval by the Administrator. This would prevent the construction of towers that must have lighting unless a clear need for the additional height and efforts to minimize the visual impact of the tower have been made. Criteria could include balloon tests, sight line analysis, aerial photographs or any other information that justifies the need for the tower.

6. **Remove the requirement that towers meet setback requirements for accessory structures on residential lots that are not considered dwelling units**

This would remove the requirement that towers meet setback requirements for accessory structures on residential lots that are not considered dwelling units, which are categorized as providing living, sleeping, eating, cooking and sanitation, for example a garage.

7. **Increase time towers are allowed to be unused from 3 months to 6 months**

This increases the time allowed for removing unused equipment and allows tower companies more time to secure additional locations.

8. **Require FCC approved provider for new towers**

Require the applicant for a new tower to submit evidence that a FCC licensed or regulated communications provider has executed an agreement to locate and operate communications equipment on the tower. This prevents towers from being built in locations that are not beneficial to the carriers, which can also prevent sites that are needed due to the tower separation requirements.

9. **Remove requirement for surveying outside of the property lines of the proposed tower location.**

This removes the requirement for surveying 500 feet outside of the actual property proposed for the facility. This requirement was added to the LMO to enable setback measurements to be made that extended beyond the tower property. Due to recent setback reductions, this is no longer needed.