



**Town of Hilton Head Island  
LMO Committee Meeting  
Monday, September 9, 2013  
6:00 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 Meeting.

- 1. Call to Order**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Freedom of Information Act Compliance**  
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5. Approval of Agenda**
- 6. Approval of Minutes – January 16, 2013 Meeting**
- 7. Unfinished Business**  
None
- 8. New Business**  
**LMO Amendments** - The Town of Hilton Head Island is proposing to amend Chapter 4 of the Land Management Ordinance (LMO) to revise Section 16-4-1305 to remove the standard that auto sales are not permitted on sites within 1,500 feet of an existing residential use.  
*Presented by: Anne Cyran*
- 9. Adjournment**

**TOWN OF HILTON HEAD ISLAND**  
**LMO Committee Meeting**  
**Wednesday, January 16, 2013 Meeting** **DRAFT**  
**6:00p.m – Benjamin M. Racusin Council Chambers**

Commissioners Present: Chairman David Bennett, Alex Brown, Jack Docherty  
Tom Lennox, Vice Chairman, Planning Commission

Commissioners Absent: Terry Ennis and Gail Quick, *Ex-Officio*

Other Commissioners Present: None

Town Council Present: None

Town Staff Present: Anne Cyran, Senior Planner  
Heather Colin, Development Review Administrator  
Teri Lewis, LMO Official  
Kathleen Carlin, Secretary

**1. Call to Order**

Chairman Bennett called the meeting to order at 6:00p.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 minutes of the October 24, 2012 meeting were **approved** as presented by general consent.

**5. Unfinished Business**

None

**6. New Business**

**LMO Amendments** - The Town of Hilton Head Island is proposing to amend Chapter 4 of the Land Management Ordinance (LMO) to revise Section 16-4-1701 to remove the limit on number of stories and number of parking levels within the Maximum Structure Height table. Chairman Bennett introduced the proposed amendments and requested that the staff make their presentation.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the LMO Committee forward the proposed amendments to the Planning Commission with a recommendation of *approval*.

The staff recommended amending LMO Sec. 16-4-1701, Maximum Structure Height, to remove from the table the Not to Exceed column, which specifies how many stories,

habitable stories and levels of parking are permitted within the maximum structure height standards. This amendment will not change the maximum structure height, it will simply eliminate the limitation on how many stories or levels of parking are permitted within the maximum height.

Ms. Cyran stated that the amendment was prompted by a discussion with a potential developer regarding the impact of these restrictions on redevelopment projects. The developer brought to our attention the removal of these restrictions would allow greater flexibility in building design while not changing the maximum height of structures or the total permitted density. It makes sense to make this change island wide. At the completion of the staff's presentation, Chairman Bennett requested public comments and none were received. Chairman Bennett stated that the public comment portion of the meeting is closed.

The committee discussed the proposed amendment with staff. Chairman Bennett and Ms. Cyran briefly discussed the issue of design standards. Ms. Teri Lewis presented additional comments regarding design standards on behalf of staff. The committee stated that they agree with the staff's proposed amendment. At completion of the discussion, Chairman Bennett requested that a motion be made.

Mr. Docherty made a **motion** to forward the proposed LMO amendment to the Planning Commission with a recommendation of **approval** as presented by staff. Mr. Brown **seconded** the motion and the motion **passed** with a vote of 3-0-0.

**7. Adjournment**

The meeting was adjourned at 6:30p.m.

Submitted By:

Approved By:

\_\_\_\_\_  
Kathleen Carlin  
Secretary

\_\_\_\_\_  
David Bennett  
Chairman



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## TOWN OF HILTON HEAD ISLAND

### *Community Development Department*

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**TO:** LMO Committee  
**VIA:** Teri B. Lewis, AICP, *LMO Official*  
**VIA:** Jayme Lopko, AICP, *Senior Planner*  
**FROM:** Anne Cyran, AICP, *Senior Planner*  
**DATE:** August 16, 2013  
**SUBJECT:** Proposed LMO Amendment – Auto Sales Standards

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#### **Recommendation**

Staff recommends that the LMO Committee forward the attached amendment to the Planning Commission with a recommendation of approval.

#### **Summary**

Staff recommends amending LMO Section 16-4-1305, Auto Sales, to remove the standard that sites where vehicles are sold cannot be located within 1,500 feet of an existing residential use. This amendment will allow new development and redevelopment of sites in the Commercial Center (CC) and Light Industrial (IL) Zoning Districts for a relatively benign retail use.

#### **Background**

On August 6, 2013, Town Council approved Resolution #2013-15 which directed staff to pursue an amendment to the LMO to eliminate the distance requirements between an auto sales site and an existing residential use.

This amendment was prompted by a discussion with a property owner whose tenant, an auto repair shop, wants to also sell vehicles but cannot due to the site's proximity to Hilton Head Plantation. The property owner brought to our attention that auto repair and auto sales uses are complementary uses that are frequently offered by the same business. It makes sense to allow some flexibility in Auto Sales use standards so that Auto Sales can be offered along with Auto Repair on appropriate sites.

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

**Staff Explanation**

Staff recommends amending LMO Section 16-4-1305, Auto Sales, by removing the standard that sites where vehicles are sold cannot be located within 1,500 feet of an existing residential use. This amendment will allow new development and redevelopment of sites in the CC and IL Zoning Districts for a relatively benign retail use.

LMO Section 16-4-1204, Use Table, limits auto sales to parcels in the Commercial Center (CC) and Light Industrial (IL) Zoning Districts. The other standards for auto sales in LMO Section 16-4-1305 require that sites where vehicles are sold must have direct access to a major or minor arterial and cannot be located within 1,500 feet of an existing auto sales use, which limit the number of sites that meet these standards. The removal of the distance requirement will have a negligible effect on the few residential uses along major and minor arterials that abut parcels in the CC and IL Zoning Districts.

The perceived negative impacts of auto sales are the outdoor storage of merchandise and advertising. The LMO restrictions on site design reduce the visibility of outdoor storage areas, and the LMO restrictions on signs strictly limit outdoor advertising. These restrictions will minimize the negative externalities of auto sales uses.

**Sec. 16-4-1305. – Auto Sales**

Auto sales are permitted subject to the following standards.

- A. No auto sales site shall exceed 7 acres in size.
- B. The site shall have direct access to a minor arterial, as defined in Sec. 16-5-503.
- ~~C. The site is not located within 1,500 feet of an existing residential use.~~
- D. The site is not located within 1,500 feet of an existing auto sales site.

**A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND DIRECTING STAFF TO PURSUE AN AMENDMENT TO THE LAND MANAGEMENT ORDINANCE (LMO) TO ELIMINATE THE DISTANCE REQUIREMENTS BETWEEN AN AUTO SALES SITE AND AN EXISTING RESIDENTIAL USE.**

**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**, at that time the Town Council determined that a separation requirement of 1,500 feet between a proposed auto sales use and an existing residential use was appropriate; and

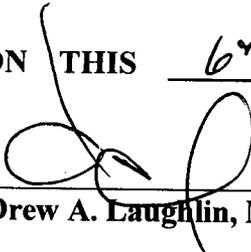
**WHEREAS**, Town Council has revisited this separation requirement and finds that it is onerous to auto sales businesses and in conflict with Town Council's desire to keep some auto sales uses on Hilton Head Island; and

**WHEREAS**, the Town Council adopted a Destination 2028 Guiding Principle that states that the Town should, 'sustain community prosperity through a diversified, strong local economy based upon resort, retirement, and non-hospitality businesses'; and

**WHEREAS**, one of the Town Council goals for 2018 is to provide a positive climate for business investment.

**NOW, THEREFORE, BE IT, AND HEREBY IT IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT THE TOWN COUNCIL HEREBY DIRECTS STAFF TO PURSUE AN AMENDMENT TO THE LAND MANAGEMENT ORDINANCE (LMO) TO ELIMINATE LMO SECTION 16-4-1305.C, THE SEPARATION REQUIREMENT BETWEEN AUTO SALES AND EXISTING RESIDENTIAL USES.**

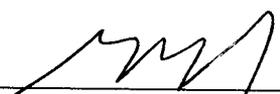
MOVED, APPROVED, AND ADOPTED ON THIS 6<sup>th</sup> DAY OF AUGUST, 2013.

  
Drew A. Laughlin, Mayor

ATTEST:

  
Estlier Coulson, Town Clerk

Approved as to form:

  
Gregory M. Alford, Town Attorney

Introduced by Council Member: GEORGE W. WILLIAMS, JR



## TOWN OF HILTON HEAD ISLAND

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### *Community Development Department*

**TO:** Stephen G. Riley, CM, *Town Manager*  
**VIA:** Teri Lewis, AICP, *LMO Official* *TL*  
**CC:** Charles Cousins, AICP, *Director of Community Development*  
**FROM:** Heather Colin, AICP, *Development Review Administrator* *HC*  
**DATE:** July 12, 2013  
**SUBJECT:** Proposed Resolution  
Eliminate the distance requirements between an auto sales site and an existing residential use.

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#### **Recommendation:**

The Planning and Development Standards Committee considered the proposed resolution on June 26, 2013 and voted 3-0-0 to forward the resolution to Town Council with a recommendation of approval.

Staff recommends that Town Council approve the proposed resolution.

#### **Summary:**

The conditions associated with uses in the LMO (Land Management Ordinance) were discussed at the LMO Rewrite Committee on February 2013. The Committee agreed with staff's recommendation to eliminate the existing conditions in the LMO. A citizen has requested that this move more quickly than the entire LMO rewrite process and an amendment to the current LMO to be ultimately approved by Town Council. The only condition that is proposed to be deleted as part of this process is the distance requirement between an auto sales use and an existing residential use.

#### **Background:**

Currently the LMO allows auto sales uses with conditions in the CC (Commercial Center) and IL (Light Industrial) districts. The conditions are:

- A. No auto sales site shall exceed 7 acres in size.
- B. The site shall have direct access to a major or minor arterial, as defined in Sec. 16-5-503.
- C. The site is not located within 1,500 feet of an existing residential use.
- D. The site is not located within 1,500 feet of an existing auto sales site.

The condition that requires 1,500 feet between an auto sales site and an existing residential use eliminates numerous properties that may otherwise comply and operate an auto sales business. Staff does not believe that the elimination of this condition would create incompatibility between the two uses. Therefore, this condition is requested to be deleted.