



Town of Hilton Head Island  
Planning Commission  
LMO Rewrite Committee Meeting  
March 28, 2013  
8:30 a.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. **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 – March 14, 2013 Meeting**
5. **New Business**
  - a) Telecommunications Facilities – Specific Use Standards
  - b) Permitted Uses in the Transition Area (TA) of the Critical Storm Protection and Dune Accretion and Transition Area (CSPDAA&TA) Overlay District
  - c) Edge Conditions and Single Family Uses
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**  
March 14, 2013 Minutes  
8:30a.m. – Benjamin M. Racusin Council Chambers

DRAFT

Committee Members Present: Chairman Tom Crews, Vice Chairman Gail Quick,  
David Bachelder, Chris Darnell, Jim Gant,  
Councilwoman Kim Likins, *Ex-Officio*

Committee Members Absent: David Ames, Irv Campbell, Walter Nester and  
Charles Cousins, *Ex-Officio*

Planning Commissioners Present: None

Town Council Members Present: None

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 8:30a.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 committee **approved** the agenda as presented by general consent.

**4) APPROVAL OF THE MINUTES**

The committee **approved** the minutes of the February 28, 2013 meeting as presented by general consent.

**5) NEW BUSINESS**

**Proposed Sign Ordinance Changes**

Chairman Crews presented opening comments and welcomed the public. Chairman Crews then requested that Ms. Teri Lewis make her presentation on the proposed changes to the Sign Ordinance.

Ms. Teri Lewis began her presentation by providing a brief history of the Town's existing Sign Ordinance. The Sign Ordinance was adopted as part of the LMO in 1987. The Design Guide states that sign design should demonstrate the fundamental principles of

good architectural design and signs should be dimensional and constructed of high-quality materials.

The committee and the staff discussed commitment to maintaining fundamental principles of good architectural design. Ms. Lewis stated that the staff encourages creativity in design.

The staff is recommending that the committee consider the following changes to the Sign Ordinance. The recommended changes to the text are double underlined.

Ms. Lewis and the committee reviewed each of the following sections on an individual basis. The committee's comments follow the review of each section.

1. Specify that sign systems with signs over 40 square feet in size shall be reviewed by the Design Review Board instead of being reviewed by both staff and the Design Review Board.

The LMO states that staff reviews applications for sign systems and the Design Review Board reviews applications for signs over 40 square feet in size. Sign systems with signs over 40 square feet in size should therefore be reviewed by both staff and the Design Review Board, which causes unnecessary confusion.

Sec. 16-3-906. - Approval by Design Review Board

- A. Signs greater than 40 square feet shall require approval by the Design Review Board prior to the issuance of a permit by the Administrator. Sign systems that include signs greater than 40 square feet in size shall require approval by the Design Review Board prior to the issuance of a permit by the Administrator.
- B. The Design Review Board may approve, approve with conditions, or deny a permit for a proposed sign.
- C. The Design Review Board may disapprove the sign or sign alteration for aesthetic reasons even if the sign complies with all the requirements of this Article.
- D. Once the Design Review Board has made a decision, the Administrator shall notify the applicant in writing.

The effect of this change will be to eliminate the review of a sign system application with a sign over 40 square feet in size by both staff and the Design Review Board.

Following their discussion, the committee stated that they agree with the staff's recommended changes to this section.

2. Clarify the definition of directory signs to state that a directory sign is "any sign listing multiple businesses or services within a commercial center or commercial subdivision meant to direct pedestrian or vehicular traffic in that development to those businesses or services."

The LMO defines a directory sign as "Any sign listing the businesses or services within a commercial center or commercial subdivision." This definition doesn't clarify whether a directory sign is only defined as a multi-tenant sign meant to direct traffic within a commercial center or subdivision or if a directory sign could also be defined as a multi-tenant sign meant to identify businesses or services to those outside the development. Staff considers a directory sign as a sign meant to be

viewed within a development only and considers multi-tenant signs viewed by those outside a development to be freestanding main ID signs.

**Directory Sign**



**Freestanding Main ID Sign**



The effect of this change will be to clarify that a permit is required to install a new tenant panel on a freestanding main ID sign, whereas a permit is not required to install a new tenant panel on a directory sign as long as the new panel matches the existing panels in terms of materials, dimensions and colors.

Ms. Lewis and the committee discussed the definition of directory signs. At the completion of their discussion, the committee stated that they agree with the staff's recommended changes to this section.

3. Specify that signs located in Planned Unit Developments are not subject to the provisions of the sign ordinance as long as they are not visible anywhere outside the PUD.

The sign ordinance currently states that signs in PUDs are not subject to the sign ordinance as long as they are not visible from any beach or navigable waterway. Staff proposes adding public ways to ensure that signs behind the PUD gates but that are visible from public streets are subject to the provisions of the sign ordinance.

“Signs located on property within those portions of PD-1 Districts where vehicular access by the general public is restricted by a security gate staffed twenty four (24) hours each day by a security guard and where such signs are not visible from any beach, ~~or~~ navigable waterway or public ways are not subject to the provisions of this Title.”

Ms. Lewis and the committee discussed this section. The committee stated that the staff's recommended change makes good sense as long as it does not prohibit the PUDs from having signage or make the process more cumbersome. The committee agreed with the staff's recommended changes to this section.

4. Clarify the language regarding tenant signs in multi-tenant buildings.

The sign ordinance states “No more than two (2) signs may be placed on or displayed from any one (1) façade of any one (1) building, except that shopping centers shall be

permitted two (2) signs per tenant space per tenant façade; provided that only one (1) such tenant sign per tenant façade is visible from any street right-of-way. Such tenant signs shall only be permitted in lieu of building signs.”

Staff proposes clarifying the language by removing the unnecessary phrase “per tenant space”.

Staff also proposes changing the language from signs that are “visible from any street right-of-way” to signs that are “visible from any public way”. Public way includes any street, highway, road, pathway, internal and external sidewalk, beach or waterway, whether privately or publicly owned. This change would make the ordinance language meet its intent, which is to limit the number of exterior signs visible to the public.

Staff also proposes replacing the term building “building signs” which refers to façade signs that identify the name of a shopping center or building, such as “Island Shopping Center” with an explanation of building signs.

Staff proposes the following: “No more than two (2) signs may be placed on or displayed from any one (1) façade of any one (1) building, ~~except that, s~~ Shopping centers shall be permitted two (2) signs ~~per tenant space~~ per tenant façade, provided that only one (1) such tenant sign ~~per tenant façade~~ is visible from any ~~street right-of-way~~ public way. Such tenant signs shall only be permitted in lieu of ~~building signs~~ façade signs identifying the name of the shopping center or building.”

Ms. Lewis and the committee discussed this section. Ms. Lewis discussed the staff’s recommended change in tenant signs on facades. Ms. Lewis also reviewed hanging signs. The committee agreed with the staff’s recommended changes to this section.

5. Limit the number of days that holiday decorations can be up.

Ms. Lewis stated that as part of the rewrite of the sign ordinance, decorations were allowed up at any time during the year. While they are required to be maintained in good condition, there is no limitation on the amount of time that they are allowed to be up. Staff recommended that decorations have a time limit of 60 days. The committee agreed with the staff’s recommended changes to this section.

6. Permit or not permit inflatables with the same caveats as multi-colored lights: only during the period of November 1<sup>st</sup> – January 15<sup>th</sup>.

The staff’s recommendation is against allowing inflatables (for commercial property only). The committee stated concern with safety issues particularly within walkways. These types of decorations should not be permitted in buffers or walkways.

A couple of committee members stated that this may be an over reach of the Town’s authority to regulate holiday decorations. The committee ultimately recommended that inflatables be allowed during the period of November 1<sup>st</sup> – January 15<sup>th</sup> as long as they do not impede public safety.

7. Neon signs

Ms. Lewis reviewed the policy on internally illuminated signs (a prohibited sign). Neon signs have been prohibited since the LMO was adopted in 1987. Ms. Lewis

presented a couple of examples of internally illuminated signs that are displayed inside area businesses yet are still visible from outside the business. The committee agreed with the staff that these types of signs should not be visible from a public way.

Chester Williams, Esq., presented public statements with regard to regulating the content of signs, which is not allowed.

The committee recommended that the language be revised to state that neon signs are prohibited if they are visible from a public way.

At the completion of their review, Ms. Lewis and the committee briefly discussed agenda items for upcoming meetings. The next committee meeting will be held on March 28, 2013.

## 6) ADJOURNMENT

The meeting was adjourned at 9:30 a.m.

Submitted by:

Approved by:

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Kathleen Carlin  
Administrative Assistant

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Tom Crews  
Chairman



## TOWN OF HILTON HEAD ISLAND

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### *Community Development Department*

**TO:** LMO Rewrite Committee  
**FROM:** Teri Lewis, *LMO Official*  
**DATE:** March 20, 2013  
**SUBJECT:** Telecommunication Facilities - Specific Use Standards

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At the LMO Rewrite Committee meeting on March 28<sup>th</sup> staff will go over the revisions made to the specific use standards (conditions) related to Telecommunication Facilities. The proposed conditions are attached with notations next to each indicating whether the condition is new, revised or unchanged. The changes/additions to the conditions reflect recommendations of the Telecommunications Task Force as discussed with the LMO Rewrite Committee earlier in the process as well as recommendations from Clarion Associates based on their experience working with other communities.

Please review the proposed conditions for Telecommunication Facilities in preparation for the discussion on March 28th. At that time staff will go over the proposed conditions and the reason for the associated recommendations.

## 01. Telecommunications Facilities

### (A) Applicability *[NEW]*

All new telecommunications facilities, whether a principal or accessory use, shall comply with these standards unless specifically exempted in Section <>, Exemptions.

### (B) Exemptions *[NEW]*

The following telecommunication facilities shall be exempt from the standards of this section (but shall be required to comply with other relevant standards in this Ordinance):

- (1) Satellite dish (less than 39" in diameter) antennas.
- (2) Wireless communications equipment and antennas located entirely within an enclosed nonresidential, mixed-use, or multi-family building.
- (3) Receive-only television or radio antennas for noncommercial use.
- (4) Antennas legally operated by FCC-licensed amateur radio operators provided the antennas meet all FAA regulations and are less than 150 feet in height.

### (C) Standards Applicable to All Telecommunications Facilities *[NEW]*

All telecommunications facilities, including building-mounted wireless equipment, collocation of antenna, and monopole telecommunication towers shall comply with the following standards:

- (1) No telecommunications tower, antenna, or supporting equipment shall disturb or diminish radio, television, or similar reception. *[NEW]*
- (2) No signage shall be allowed on any tower, antennae, accessory structure, or equipment except that provided for in Section <>, Utility Signs. *[MINOR REVISIONS]*

### (D) Additional Standards for Monopole Telecommunication Towers

Monopole telecommunication towers, whether as a principal or accessory use, shall be reviewed by the Design Review Board, and shall comply with the following standards: *[NEW]*

- (1) The maximum overall height of a tower and all associated equipment shall be 180 feet above grade. *[MINOR REVISIONS]*
- (2) No new tower shall be allowed unless it is demonstrated to the Administrator that no suitable existing tower, building, or other structure within the coverage area is available for the collocation of antennas. *[REVISED]*
- (3) A new tower shall be designed to accommodate the present and future needs of the owner and at least two additional comparable users. *[REVISED]*

- (4) All towers 150 feet or taller shall be lighted. Lighting shall be in accordance with FAA Advisory Circular AC 70/7460-1K (and all future updates) and FAA Advisory Circular AC 150/5345-43E (and all future updates) and shall be red strobe lights (L-864) at night and medium-intensity flashing white lights (L-865) during daylight and twilight use unless otherwise required by the FAA. No general illumination shall be permitted. All commercial communication towers approved by the Town and by the South Carolina State Historic Preservation Office prior to February 3, 2009 and operating in conformance with those approvals shall be deemed to be a lawful nonconforming use and structure and are not subject to these lighting requirements. Status as a lawful nonconforming use or structure under this subsection shall terminate upon the expiration or revocation of a commercial communication tower's permit or upon any modification to the height of the tower. **[MINOR REVISIONS]**
- (5) A tower shall be setback from all major arterials, the OCRM critical line and the OCRM base line by a minimum distance equal to the height of the tower. **[REVISED]**
- (6) A tower shall be setback from all minor arterials by a minimum distance equal to eighty percent of the height of the tower. **[REVISED]**
- (7) A tower shall be setback from all other streets by a minimum distance equal to the fall zone of the subject tower plus twenty feet. **[REVISED]**
- (8) A tower shall be setback from all adjacent uses by a minimum distance equal to fall zone plus the required adjacent use setback. **[REVISED]**
- (9) A tower shall be setback a distance equal to the tower's fall zone and any other structures located on the subject property unless the property owner waives this requirement. **[REVISED]**
- (10) A tower and its associated equipment compounds shall be surrounded by a fence or wall with a minimum height of seven feet. Equipment buildings shall not be required to be setback from fencing surrounding the compound. **[NEW]**
- (11) A fifteen foot vegetated area shall be provided between the property line of the parcel housing the tower and the fence surrounding the tower and equipment. The Design Review Board may waive this requirement upon finding existing vegetation or other screening techniques will provide more effective screening. **[NEW]**

**(E) Discontinued Use**

If a telecommunications facility is not used for a period of six consecutive months, the Official shall provide the facility

owner notice indicating that the facility must be removed within six months from the date of notice. **[REVISED]**



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# TOWN OF HILTON HEAD ISLAND

## *Community Development Department*

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**TO:** LMO Rewrite Committee  
**FROM:** Teri Lewis, *LMO Official*  
**DATE:** March 20, 2013  
**SUBJECT:** Permitted Uses in the Transition Area (TA) of the Critical Storm Protection and Dune Accretion Area and Transition Area (CSPDAA&TA) Overlay District

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Several years ago, the Town adopted regulations to eliminate the potential for seaward migration of the built environment along the beach as well as to protect the area between existing construction and the mean high water mark. The Town created an Overlay District made up of a Critical Storm Protection and Dune Accretion Area and a Transition Area. Generally the Transition Area is located adjacent to beachfront land uses other than golf courses, open space without structures and single family residential uses. Hilton Head Subdivisions 1, 2 and 3 are an exception to the above. The CSPDAA is located from the termination of the TA to the Beachfront Line, mean high water line or the seaward property line, whichever is further seaward.

During the discussion of Chapter 6, Natural Resources, the LMO Rewrite Committee asked to review whether or not additional flexibility should be provided within the Transition Area. The limitations on activities and uses permitted in the Transition Area are very specific as detailed in Section 16-4-1005 below. Staff recommends that some of the specificity be eliminated but that any uses or activities requiring density still be prohibited in this area.

*Section 16-4-1005. Activities and Uses Permitted in the Transition Area (TA)*

- A. In addition to the activities and uses permitted in the CSPDAA, the TA may include any uses that do not require density (rooms, units, square footage) to operate. ~~the following activities and uses are permitted in the TA:~~ These activities and uses include but are not limited to swimming pools, boardwalks, fire pits, decks, required drainage improvements and necessary utilities.
- ~~Swimming pools, wading pools, hot tubs and their decks, and fences, impenetrable landscape or structural barriers, as required by applicable State regulations; and~~
  - ~~Other pool and hot tub related improvements as required by State regulations including facilities for bathrooms, equipment and chemical storage, lifeguard chairs, hand rails, pool rules signs, drinking fountains, telephones, trash receptacles and underwater and swimming area lighting that cannot be reasonably located elsewhere on the site; and~~

Permitted Uses in the Transition Area (TA) of the Critical Storm Protection and Dune Accretion Area and Transition Area (CSPDAA&TA) Overlay District

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3. ~~Site lighting that does not illuminate the beach in the opinion of the administrator of title 16 of the Municipal Code; and~~
  4. ~~Boardwalks, sidewalks and paths that serve as access to the development or to permitted activities and uses; and~~
  5. ~~Fire pits, decks, and picnic areas; and~~
  6. ~~Non-motorized sand games; and~~
  7. ~~Volleyball nets and poles not to exceed eight feet and four inches in height; and~~
  8. ~~Seating for permitted activities and uses; and~~
  9. ~~Landscaping limited to native vegetation; and~~
  10. ~~Storm water detention, retention and required drainage improvements; and~~
  11. ~~Utilities as required to serve the activities and uses in the transition area.~~
- B. All of the activities and uses permitted in the TA shall comply with applicable state regulations and the Americans with Disabilities Act (ADA) of 1990. Any improvements necessary for permitted uses and activities to comply with applicable state regulations or the ADA are also permitted.
- C. ~~The height of any activity or use, excluding volleyball poles and nets, seating, and umbrellas, shall not exceed 18 inches above the average undisturbed ground unless required by SCDHEC. Miniature golf or putting greens shall not be permitted in the TA.~~
- D. The activities and uses in the TA shall be located as far landward as possible. Activities or uses in the TA shall be accessory activities or uses to the development to which it is directly seaward.
- E. The TA shall conform to the standards for impervious surface coverage and open space for the zoning district in which it lies ~~as regulated by title 16 of the Municipal Code.~~
- F. Activities or uses in the TA shall not be on or in any part of a dune or dune system.
- G. ~~All activities and uses in the TA shall comply with current local, state and federal laws.~~

Please review the proposed changes to the permitted activities and uses in the Transition Area in preparation for the discussion on March 28th. At that time staff will go over the proposed changes and the reason for the associated recommendations.



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## TOWN OF HILTON HEAD ISLAND

### *Community Development Department*

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**TO:** LMO Rewrite Committee  
**FROM:** Teri Lewis, *LMO Official*  
**DATE:** March 20, 2013  
**SUBJECT:** Edge Conditions and Single Family Uses

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The LMO Rewrite Committee asked that Clarion Associates consider the edge conditions along roads and waterways and between non residential development and single family development. Clarion recommends the addition of a specific section that would establish single-family compatibility standards which would provide for transition and compatibility between single family residential development and adjacent non-residential, multi-family and mixed use development. Standards that are being proposed include limitations on height, parking lot location, lighting, service, loading and trash areas as well as some specific design considerations. Staff has concerns that these type of regulations, while addressing the concerns of the compatibility of non residential development adjacent to single family development, may not be appropriate as part of the LMO rewrite. These concerns include the following:

- How is single family residential development determined? Is it a subdivision, a single house?
- One of the goals of the LMO rewrite project is to create additional flexibility where possible - how will this create flexibility for anyone that wants to development adjacent to existing single-family?
- Will this create additional nonconformities?

Please think about what the committee was hoping to accomplish related to edge conditions and compatibility between single family and non single family development as well as the staff concerns listed above in preparation for the discussion on March 28th.