



Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
April 25, 2013
8:30 a.m.
Benjamin M. Racusin Council Chambers

AGENDA

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

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Approval of the Agenda**
- 4. Approval of the Minutes – April 11, 2013 Meeting**
- 5. Old Business**
 - a. Edge Conditions
- 6. New Business**
- 7. 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

DRAFT

April 11, 2013 Minutes

8:30a.m. – Benjamin M. Racusin Council Chambers

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

Committee Members Absent: David Bachelder, Chris Darnell and Jim Gant

Planning Commissioners Present: Tom Lennox and Alex Brown

Town Council Members Present: Bill Harkins and John McCann

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

- 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 March 28, 2013 meeting as presented by general consent.

5) **UNFINISHED BUSINESS**

Edge Conditions and Single Family Uses

Chairman Crews welcomed the public and presented comments regarding today's Unfinished Business item, Edge Conditions and Single Family Uses. Following these introductory comments, Chairman Crews requested that staff make their presentation on Edge Conditions and Single Family Uses.

Ms. Teri Lewis made the presentation on behalf of staff. Ms. Lewis stated that, as part of the LMO Rewrite process, the committee asked Clarion Associates to 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 types 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. Staff's concerns include the following:

- (1) How is single-family residential development determined? Is it a subdivision, a single house?
- (2) 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?
- (3) Will this create additional nonconformities?

Ms. Lewis stated that the staff and consultant would like to know what the committee is hoping to accomplish with regard to edge conditions and compatibility between single-family and non-single family development. With regard to edge conditions, so far Clarion has only provided input related to compatibility between single-family and all other uses. The consultant would like to know what the committee is looking for in terms of other edge conditions and what should be in the LMO related to that.

The consultant would also like to know if they are on the right track with regard to what they are thinking for protection of single family from other non-single family development. The committee has stated, from the very beginning of the LMO Rewrite process, that the protection of edge conditions is very important.

The committee discussed a broad definition of edge conditions as the separation of two land uses or two ecosystems (marsh, ocean, water bodies, roads, golf courses with uses such as single-family houses, commercial.) Some are aesthetic and some are environmental – all are important. The consultant may only be dealing with land use and perhaps land use compatibility. Edge conditions are very important in how we are experiencing the island. The protection of edge conditions should have priority status. There are safety issues and environmental issues to be considered.

The staff and the committee discussed the protection of existing edge conditions as it relates to redevelopment. For example, how do we open view corridors to the water and yet still protect the environment? There are many subtleties to the natural vegetation on the island. The preservation of understory vegetation is critical to the character of the island. How do we balance the need for redevelopment vs. the need to protect the unique character of Hilton Head Island? We do not want to lose the lowcountry feel that is so important to the island. Mr. Cousins and Ms. Lewis briefly discussed staff's efforts to work with the public in opening pockets and view corridors to the water. Protection vs. flexibility is at odds by its nature.

The committee stated that we are talking about two different things: (1) edge conditions between two different uses: residential and non-residential; and (2) edge conditions along water ways. Buffers and setbacks were briefly discussed. The committee stating that they should be firm on the protection of natural resources. The public may need to walk to the edge if they want to see the water.

The staff and the committee stated that overall edge conditions are very important. They should be protected and they should be a priority in some way. The committee is now approaching a level of specificity and detail. The staff and the committee discussed edge conditions between single-family and other uses. They briefly discussed the standards that are being proposed including limitations on height, parking lot location, lighting, service, loading and trash areas as well as some specific design considerations.

The staff and the committee briefly discussed the definition of a single-family subdivision. The committee questioned the purpose of changing the existing sections of the LMO that relate to edge conditions. Is there a need for additional flexibility? The committee decided that there may not be a need to change the existing requirements for edge conditions.

Ms. Lewis identified sections of the existing LMO that relate to edge conditions. The committee asked if it might be a good idea to have a section of the LMO that contains the requirements for Edge Conditions. Sometimes it's difficult for the public to decipher what can and cannot be done to their property when they have to refer to different sections of the LMO.

The committee stated the need to give good direction to the consultant on the priority of preserving the island's natural resources. The consultant should be able to give the committee some advice on opening view corridors while still maintaining the integrity and character of the island. The committee is tasked with identifying and interpreting the philosophy of Hilton Head Island. The consultant will need to have an understanding of the specifics provided to them by the committee.

With regard to dissimilar uses, it might be appropriate to leave what we have currently in the LMO as to buffers and setbacks. With regard to waterways and environmental issues and roadway right-of-ways, maybe there is some flexibility that can be built into the buffers and setback requirements for certain arterials. We need to be able to provide sufficient information to owners and their consultants so that they can figure out what they can do with their real estate before they have to talk to anybody. With respect to edge conditions and rights of way and even waterways we need to ask the consultant to come up with some ideas as it relates to standards. Maintaining standards that people can rely on when reading the LMO will be important. Perhaps we should get some public feedback with regard to rights of way and bodies of water. Is there an opportunity for the edge condition character to be changed in different places on the island? Maybe you can do it within the different land uses on the island.

The committee discussed the different characters of the island from the viewpoint of someone driving on to the island. Perhaps you cannot apply just one rule all along Highway 278. Design flexibility (staff flexibility) will be important but we still need to say something in the ordinance that allows someone to say there is a character issue here that may affect my choices on this particular piece of property.

Perhaps the consultant can give the committee some metrics or standards for the different types of land use for different parts of the island or for different sizes of property for edge conditions for that kind of use. We need to give some standards to the consultant based on land use or the size of a parcel. The committee discussed the view of water from the water as well as the view of water from the land. The committee noted that the LMO does not currently have a chapter exclusively on edge conditions. Regulations for edge conditions are currently contained in several different chapters of the LMO (i.e. buffers and setbacks.) Should there be a chapter in the LMO that speaks to edge conditions?

Chester C. Williams, Esq., presented public comments with regard to buffers and edge conditions. Mr. Cousins also presented comments regarding buffers and edge conditions as they relate to different size parcels (particularly as related to smaller sized commercial property.) Perhaps a sliding scale with regard to the requirements for buffer and edge conditions would be a good idea. Ms. Lewis presented comments regarding the use of a sliding scale method when adopting the Folly Field Neighborhood Character District because of the different lot sizes. Ms. Lewis also noted that the committee has already discussed the possibility of eliminating side buffers between similar uses.

The committee discussed the possibility of having different edge conditions for different parts of the island. The committee needs to give concrete information to the consultant so that the consultant can come back to the committee with their ideas. The law requires that there be a certain level of objectivity; there needs to be a balance between subjectivity and objectivity.

The committee also briefly discussed the rules and regulations for developing commercial property as related to edge conditions. The committee and the staff also discussed setback and buffer requirements between commercial and residential and commercial and non-residential property (as related to the standards that are being proposed for limitations on height, parking lot location, lighting, service, loading and trash areas as well as some specific design considerations.) Following this discussion, the committee stated that the current requirements should be maintained.

Lastly the committee and staff also discussed concerns with the street and side setback and buffer requirements for single family properties in Ward 1 (particularly Chaplin and Stoney neighborhoods.) Additional flexibility in these neighborhoods is needed, perhaps with the elimination of some of these requirements. The committee stated that they would like to receive input from Chaplin and Stoney residents. Mr. Campbell will assist in receiving input from the residents in the Chaplin and Stoney areas with regard to their concerns with trying to develop single-family property. Perhaps the LMO needs to be changed with regard to some of the mixed use areas in Ward 1. Ms. Lewis stated that she will pull all of this information together and will bring it to the next committee meeting along with zoning maps for additional discussion on Thursday, April 25th.

6) **NEW BUSINESS**
None

7) **ADJOURNMENT**

The meeting was adjourned at 9:45 a.m.

Submitted by:

Approved by:

Kathleen Carlin
Administrative Assistant

Tom Crews
Chairman

DRAFT



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Rewrite Committee
FROM: Teri Lewis, *LMO Official*
DATE: April 17, 2013
SUBJECT: Edge Conditions

The LMO Rewrite Committee met on April 11th and had an extensive discussion related to edge conditions. The committee asked that the discussion be summed up in order for the committee members to review proposed recommendations to Clarion related to edge conditions. The discussion and associated recommendations are listed below:

- Edge conditions are addressed in the current LMO through buffers, setbacks, tree protection and Design Review Board (DRB) review.
- There is a difference between internal edges (private property) versus external edges (public property).
- The edge is defined by the separation of two land uses or the separation of two ecosystems.
- Edge conditions along and between waterways, roadways and dissimilar uses should receive priority status.
- Beef up the purpose statements in the buffer, setback, tree protection and DRB sections to reflect the importance of edge conditions.
- Develop an 'Edge Conditions' section of the LMO. **
- Create a sliding scale of buffers based on either character, the size of the parcel, the location of the parcel, the size of structures on the parcel or the use of the property.**
- Keep the existing buffers and setbacks between dissimilar uses.

As the committee discussed on April 11th, Clarion needs specific recommendations from the committee in order to adequately address edge conditions. The two bullets that I have marked above with ** need to be discussed in greater detail keeping the following in mind:

- We are trying to create an LMO that is flexible and easier to read with information in a logical location – will separating out 'edge conditions' into a separate section still accomplish this or is it possible to beef up various purpose statements with information about why edge conditions are important and keep buffers, setbacks and tree protections in more intuitive locations?
- In relation to the creation of a 'sliding scale' how do you logically determine where the buffer is less or more simply based on size of a structure, location of the parcel or use of the parcel? This is likely to create discord among Hilton Head Island property owners.
- What roles do buffers play in trying to encourage redevelopment yet also protect our edges – we need to ensure that the recommendations of the committee accomplish both.