



Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
June 19, 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 –June 13, 2013 Meeting**
- 5. Old Business**
- 6. New Business**
 - a. Review of proposed regulations related to accessory uses and structures
- 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
June 13, 2013 Minutes
8:30a.m. – Benjamin M. Racusin Council Chambers

Draft

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

Committee Members Absent: Irv Campbell, Chris Darnell and Kim Likins, *Ex-Officio*

Planning Commissioners Present: None

Town Council Members Present: Councilman Bill Harkins

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 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 June 7, 2013 meeting minutes as presented by general consent.

Chairman Crews welcomed the public and asked Ms. Teri Lewis to present introductory remarks regarding today's Unfinished Business.

Ms. Lewis stated that the committee will complete their review of the proposed uses for the MMU (Marsh Front Mixed Use) zoning district and SMU (Stoney Mixed Use) zoning district.

Based on last week's discussion, the committee recommended allowing a few more uses in the MMU zoning district so that it can serve as the service area for the Resort Development zoning district across Highway 278. The committee also recommended allowing fewer uses in the Stoney Mixed Use (SMU) zoning district.

Following today review of the proposed uses in the MMU and SMU zoning districts, the staff would also like to go over the proposed uses and densities for recently created 'core' districts with the committee. Staff would like to receive input from the committee relative to density and the proposed uses for the following 'core' districts: Light Commercial, Community Commercial, Sea Pines, Main Street and Medical. This information will be very helpful to the consultant.

5) UNFINISHED BUSINESS

A. Review of Proposed Uses in the MMU (Marsh Front Mixed Use) zoning district

Ms. Lewis stated that this zoning district is made up of parcels along Marshland Road and Highway 278 adjacent to Broad Creek. At last week's meeting the committee recommended allowing a mix of limited commercial and residential uses in this district. The committee also discussed not allowing any resort accommodations in the district (i.e. no hotels, motels, bed & breakfast).

Ms. Lewis and the committee discussed allowing some commercial recreation to service the Resort Development zoning district across Highway 278. Staff and the committee discussed allowing indoor commercial recreation uses because they may be a good fit for the area. Outdoor commercial recreation may not be a good fit given the sensitivity of the headwaters of Broad Creek. The staff reviewed examples of indoor commercial recreation as well as outdoor commercial recreation.

The committee and staff discussed allowed uses: offices, commercial services - bicycle shops, convenience stores, grocery stores, liquor stores, nightclubs and bars, eating establishments without drive-through, car rentals (no more than 10 cars per site), gas stations without access off of Highway 278, open air sales, shopping centers, car washes.

Ms. Lewis asked if the committee wishes to allow larger retail use with the potential combination of parcels. A couple of committee members stated that this is not a good idea for this district - shopping centers and grocery stores should not be allowed. At completion of the discussion, the committee recommended the following residential and commercial related uses for the MMU zoning district:

- Residential Uses: allow multifamily (P), single family (P), mixed use (PC)
- Resort Accommodations: Do not allow
- Commercial Recreation: allow indoor commercial recreation (P)
- Allow offices (P)
- Commercial Services: Allow Bicycle Shops (PC), Convenience Stores (PC), Eating Establishments (PC) allow limited size convenience store (PC), Liquor Stores (SE), Nightclubs or Bars (PC), Open Air Sales (PC), allow limited size shopping centers (PC), and Other Commercial Services (P).
- Vehicle Sales and Services: Allow Car Rentals (PC), Car Washes (P) and Gas Sales (PC)

The staff and the committee then discussed density in the MMU zoning district. The committee stated that due to the sensitive nature of this district the recommendation is:

- Allow residential at 4DU and nonresidential reduced from 6,000 square feet.

This completed the committee's review of the MMU zoning district.

Stoney Mixed Use (SMU) zoning district

Ms. Lewis identified the location of the Stoney Mixed Use district on a map. This district currently has a density of 6,000 square feet.

Ms. Lewis presented statements regarding residential uses, single family and multi-family. Commercial recreation is not recommended in this zoning district. Allowable uses include office, commercial services - allow animal services, convenience stores, eating establishments, grocery stores, landscape businesses, liquor stores.

The committee then began a discussion on non-residential densities related to the core districts and SMU. The committee discussed the differences in character of each district. The committee presented comments regarding the best location for development/redevelopment. Incentives should be provided in these areas. The difference in densities will help define the character of the districts.

At part of their discussion, the committee recommended the following non-residential densities for each of the 'core' districts: Mathews = 10,000 square feet; Sea Pines and Main Street = 9,000 square feet; Light Commercial District = 8,000; Hospital/Medical District = 10,000 square feet. They also recommended that the density for SMU and MMU be 6,000 square feet.

Councilman Harkins presented comments regarding development in the hospital/medical district including parcels of land along Highway 278. The committee discussed allowing other health services in the district.

Mrs. Fran White presented comments regarding the increased density assigned to the Mathews Drive area.

The committee then completed their discussion related to the appropriate uses for the SMU zoning district:

- Residential Uses: Multifamily allowed (P), Single Family allowed (P)
- Resort Accommodations: Bed and Breakfast with a limit of 10 rooms
- Commercial Recreation: do not allow
- Allow offices (P)
- Commercial Services: Allow Animal Services (PC), Convenience Stores (PC), Eating Establishments (PC), Grocery Stores (P), Landscape Businesses (PC), Liquor Stores (SE), allow limited size shopping centers (PC) and Other Commercial Services (P).
- Vehicle Sales and Services: Allow Gas Sales (PC),

Light Commercial District

Ms. Lewis identified the locations of the Light Commercial district on the proposed zoning map. The staff and the committee discussed an overhead view of the proposed zoning map. The district is made up of more parcels than the current OL district; it is also made up of parcels in the current CC, IL and OCIL districts. Ms. Lewis and the committee presented comments on redevelopment of commercial vs. office (conforming vs. non-conforming). The committee

stated that they would like a single allowed square footage number rather than one number for office/institutional and one number for other uses given the location of the districts.

Ms. Lewis and the committee discussed several issues including which districts to allow tattoo facilities (currently there are two in the CC district) and determined that the Light Commercial district made the most sense in order to keep the two existing businesses conforming. They also discussed where to allow adult entertainment (there is one currently in the DCW district; the committee recommended allowing the use in the proposed Sea Pines district to keep the use from being nonconforming. Staff will review the separation requirements against a map and ensure that this is the appropriate location. .

The committee and staff discussed allowing other health services in this district (i.e. diagnostic services, physical therapy, etc.).

At completion of the discussion, the committee recommended the following for the Light Commercial District zoning district:

- Residential Uses: Multifamily allowed (P), Group Living allowed (P), Mixed use allowed (PC)
- Resort Accommodations: allow hotels and motels (P)
- Commercial Recreation: Allow indoor commercial recreation (P), outdoor commercial recreation other than water parks (PC)
- Allow offices (P)
- Commercial Services: Allow Animal Services (PC), Bicycle Shops (PC), Convenience Stores (PC), Eating Establishments (P), Grocery Stores (P), Landscape Businesses (PC), Liquor Stores (SE), Nightclubs or Bars (PC), Shopping Centers (PC), Tattoo Facilities (PC) and Other Commercial Services (P), Other Health Services (P).
- Vehicle Sales and Services: Allow Auto Rentals (P), Auto Repairs (PC), Auto Sales (P), Car Washes (P), Gas Sales (PC), Taxicab Services (P)

Community Commercial District

Ms. Lewis identified the locations of the Community Commercial District (little big box district). The staff and the committee discussed an overhead view of the proposed zoning map indicating that Wal-mart and Publix have been added to this district based on earlier direction from the committee. The staff recommends that no residential uses be allowed, no resort accommodations be allowed, and no commercial recreation be allowed. The proposed uses of offices, and a variety of commercial and vehicle sales and services uses were reviewed.

The committee discussed the existing Publix shopping center and recommended that this parcel be brought into the Main Street district if it will not result in spot zoning the Wal-mart parcel.

At completion of the discussion, the committee recommended the following for the Community Commercial District:

- Residential Uses: none allowed
- Resort Accommodations: none allowed

- Commercial Recreation: none allowed
- Allow offices (P)
- Commercial Services: Allow Animal Services (PC), Bicycle Shops (PC), Convenience Stores (PC), Eating Establishments (P), Grocery Stores (P), Liquor Stores (SE), Nightclubs or Bars (PC), Shopping Centers (PC) and Other Commercial Services (P).
- Vehicle Sales and Services: Allow Auto Rentals (P), Auto Repairs (PC), Auto Sales (P), Car Washes (P), Gas Sales (PC), Taxicab Services (P)

Main Street District

The staff and the committee discussed an overhead view of the proposed zoning map. The committee asked that multi-family and mixed use be allowed in this district as well as other health services.

At completion of the discussion, the committee recommended the following for the Main Street District:

- Residential Uses: allow Mixed Use (PC) and Multifamily (P)
- Resort Accommodations: allow B&Bs (PC), Hotels, Inns, Motels (P)
- Commercial Recreation: allow indoor commercial recreation (P)
- Allow offices (P)
- Commercial Services: Allow Bicycle Shops (PC), Eating Establishments (PC), Grocery Stores (P), Liquor Stores (SE), Open Air Sales (PC), Shopping Centers (P) and Other Commercial Services (P) and Other Health Services (P).
- Vehicle Sales and Services: don't allow

Sea Pines Circle District

The staff and the committee discussed an overhead view of the proposed zoning map. The committee asked that multi-family and mixed use be allowed in this district. They also recommended that adult entertainment be allowed as a special exception to keep the existing one from being nonconforming.

At completion of the discussion, the committee recommended the following for the Sea Pines Circle District:

- Residential Uses: allow mixed use (PC) and multifamily (P)
- Resort Accommodations: allow B&Bs (PC), Hotels, Inns, Motels (P)
- Commercial Recreation: allow indoor commercial recreation (P)
- Allow offices (P)
- Commercial Services: Allow Adult Entertainment (SE), Bicycle Shops (PC), Convenience Stores (PC), Eating Establishments (P), Grocery Stores (P), Liquor Stores (SE), Nightclubs or Bars (PC), Open Air Sales (PC), Shopping Centers (P) and Other Commercial Services (P).

- Vehicle Sales and Services: Allow Car Rentals (PC), Car Washes (P)and Gas Sales (PC)

Medical District

The staff and the committee discussed an overhead view of the proposed zoning map. The committee asked that use of multi-family be removed from this district. The concern is that if it is allowed the old Modern Classic Motors site may be redeveloped as multi-family rather than something that is more in keeping with this medical district designation.

At completion of the discussion, the committee recommended the following for the Medical District:

- Residential Uses: don't allow
- Health Services: allow Hospitals (P), Nursing Homes (P), Other Health Services (P)
- Resort Accommodations: don't allow
- Commercial Recreation: don't allow
- Allow offices (P)
- Commercial Services: Allow Other Commercial Services (P)
- Vehicle Sales and Services: don't allow

This completed today's review of uses and densities for the core districts.

Ms. Lewis stated that Ms. Heather Colin will be representing staff at the next committee meeting. The next committee meeting will be held on Wednesday, June 19, 2013 at 8:30a.m. Following final comments, the meeting was adjourned.

7) ADJOURNMENT

The meeting was adjourned at 10:15a.m.

Submitted by:

Approved by:

Kathleen Carlin
Administrative Assistant

Tom Crews
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Rewrite Committee
FROM: Teri Lewis, *LMO Official*
DATE: June 12, 2013
SUBJECT: Review of Accessory Uses and Structures

At the meeting on June 19th the committee will review the **Accessory Uses and Structures** portion of the draft LMO. We will go over the following:

- what makes a use or structure 'accessory'
- those uses or structures that are considered to be accessory
- specific conditions related to any accessory uses or structures

A copy of the relevant section is included for your review prior to the meeting.

An accessory use is one that is incidental and generally subordinate to a principal use. The provided Accessory Use/Structure Table does not list all allowable accessory uses and structures. If a particular accessory use or structure is proposed but not listed in the table its characteristics will be reviewed to determine if it is allowable as an accessory use or structure. Please note that the current LMO lists common accessory uses as examples in the use category descriptions rather than providing a separate table of accessory uses. The consultant and staff believe that providing a separate section related to accessory uses and structures will make this topic easier to understand.

SECTION 16-4-103. ACCESSORY USES AND STRUCTURES

A. Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. Specific accessory uses are also considered incidental and subordinate accessory uses, if they comply with all relevant provisions of this Ordinance. The purpose of this section is to allow a broad range of accessory uses, so long as such uses are located on the same site as the principal use and comply with the standards set forth in this section to reduce potentially adverse impacts on surrounding lands, and all requirements under this Ordinance for the principal use to which it is accessory, and all other relevant provisions of this Ordinance.¹

B. Applicability

1. Any use that is customarily incidental and subordinate to a principal use on the same lot is allowed as an accessory use to the principal use, and any structure that is detached from a principal structure on the same lot and incidental and subordinate in use and size to the principal structure and the principal use of the lot is allowed as an accessory structure to the principal structure and use. The Accessory Use/Structure Table in Sec. 16-4-103.D.2 does not list all allowable accessory uses and structures. If a use or structure proposed as an accessory use or structure is not listed in the Accessory Use/Structure table, the characteristics of the particular use or structure relative to the principal use or structure will be considered to determine if the use or structure is an allowable accessory use or structure.
2. Sec. 16-4-103.C, General Standards for All Accessory Uses and Structures, establishes general standards that apply to all allowed accessory uses and structures. Sec. 16-4-103.D.2, Accessory Use/Structure Table,, shows whether certain types of accessory uses or structures are permitted or prohibited within the various zoning districts. Sec. 16-4-103.E, Use-Specific Conditions for Accessory Uses and Structures, establishes conditions that apply to certain types of accessory uses or structures regardless of the zoning district in which they are allowed, unless expressly stated to the contrary.

C. General Standards for All Accessory Uses and Structures

1. An accessory use or structure shall not be established or constructed before the establishment or construction of the principal use or structure.
2. If the principal use or structure is destroyed or removed, the accessory use or structure shall no longer be allowed.

¹ This provision builds on Section 16-4-1209 of the current LMO.

D. Accessory Use/Structure Table²

1. Abbreviations Used In Accessory Use/Structure Table

- a. In the table designating the zoning districts in which an accessory use or structure is allowed, the following abbreviations apply:
- b. A “P” indicates that the use or structure is allowable as an accessory use or structure by right in the corresponding zoning district, subject to compliance with Sec. 16-4-103.C, General Standards for All Accessory Uses and Structures, and all other applicable regulations of this Ordinance.
- c. A “PC” indicates that the use or structure is allowable as an accessory use or structure in the corresponding base zoning district, subject to compliance with Sec. 16-4-103.C, General Standards for All Accessory Uses and Structures, Sec. 16-4-103.E, Use-Specific Conditions for Accessory Uses and Structures, and all other applicable regulations of this Ordinance.
- d. A blank cell indicates that the use or structure is prohibited as an accessory use or structure in the corresponding zoning district.

2. Accessory Use/Structure Table

TABLE 16-4-103.D.2: ACCESSORY USE/STRUCTURE TABLE																
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																
Blank Cell = Prohibited																
ACCESSORY USE/ STRUCTURE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED USE AND BUSINESS DISTRICTS						USE-SPECIFIC CONDITIONS	
	CON	PR	RSF-3	RSF-5	RSF-6	RM4	RM8	RM12	I-MX COLIGNY	I-MX-C	COM-MX	WMU	SMU	RD		IL
Amateur radio antenna ³			PC	PC	PC	PC	PC	PC					PC			Sec. 16-4-103.E.1
Automatic teller machine (ATM) ⁴									P	P	P		P	P		
Crematory (as accessory to funeral homes) ⁵											P				P	
Divisible Dwelling Unit ⁶									PC					PC		Sec. 16-4-103.E.2
Home Occupation ⁷			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		Sec. 16-4-103.E.3
Outdoor display and sale of merchandise ⁸									PC	PC	PC	PC	PC			Sec. 16-4-103.E.4

² As discussed in the introductory footnote to this section, this subsection generally explains how the Accessory Use/Structure table operates, and how it is to be interpreted.

³ The current LMO does not identify amateur radio antenna as an accessory use. It is included in this draft, along with use specific standards because FCC regulations require local zoning regulations to reasonably accommodate amateur radio antennas.

⁴ The current LMO does not expressly identify ATMs as an accessory use. They are included in this draft.

⁵ The current LMO allows crematories as accessory to a funeral home. This provision codifies that practice.

⁶ The current LMO treats a divisible dwelling unit as a permitted use. This draft treats it as an accessory use.

⁷ These provisions are carried forward from Section 16-4-1402. - Home Occupations, of the current LMO.

⁸ This is a new accessory use regulating the sale and display of merchandise outside the fronts of retail sales and service uses and wholesale sales establishments (see Sec. 16-4-103.E.4).

TABLE 16-4-103.D.2: ACCESSORY USE/STRUCTURE TABLE

P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions

Blank Cell = Prohibited

ACCESSORY USE/ STRUCTURE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED USE AND BUSINESS DISTRICTS						USE-SPECIFIC CONDITIONS	
	CON	PR	RSF-3	RSF-5	RSF-6	RM4	RM8	RM12	I-MX COLIGNY	I-MX-C	COM-MX	WMU	SMU	RD		IL
Outdoor storage (as an accessory use) ⁹									PC	PC	PC		PC		PC	Sec. 16-4-103.E.5
Satellite dish ¹⁰	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.6
Small wind energy conversion system (WEC) ¹¹			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.7
Solar collection device ¹²			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	Sec. 16-4-103.E.8

E. Use-Specific Conditions for Accessory Uses and Structures

1. Amateur Radio Antenna¹³

Amateur radio (ham radio) antennas shall comply with the following conditions:

- a. The antenna shall not exceed a height of 150 feet above grade.
- b. An antenna attached to a principal structure shall be located on a side or rear elevation of the structure.
- c. A freestanding antenna shall be located to the rear of the principal structure on the lot, but shall be set back from any lot line by a distance equal to or exceeding its height.
- d. The Official may grant modifications of the above standards if the amateur radio operator can satisfactorily demonstrate that the modification is necessary to reasonably accommodate the operator's amateur radio communications needs, as guaranteed by federal law.

2. Divisible Dwelling Unit¹⁴

A divisible dwelling unit incorporating lock-out rooms is allowed as an accessory use to a multifamily dwelling if it complies with the following conditions:

- a. The unit shall not have a separate outside entrance serving the lock-out rooms.

⁹ This is a new accessory use regulating outdoor storage as an accessory use. Standards address the location of storage areas, screening, and height limitations (see Sec. 16-4-103.E.5).

¹⁰ Satellite dishes as an accessory use are carried forward from Section 16-4-1404. - Satellite Dishes, of the current LMO.

¹¹ The current LMO is silent about whether a small wind energy conversion system can be used in the Town as a source of alternative energy, where, and subject to what standards. This new provision allows small WEC systems subject to their compliance with a specific set of standards to mitigate their external impacts.

¹² Solar collection devices are carried forward from Section 16-4-1405. - Solar Collection Devices Standards, of the current LMO. Revisions to the standards are made to further ensure they are visually compatible with the surrounding environment (see Sec. 16-4-103.E.8).

¹³ These are new conditions for a new use.

¹⁴ This subsection carries forward Section 16-4-1319 of the current LMO.

- b. The lock-out rooms may not exceed 75 percent of the gross floor area of the entire dwelling.
- c. Each lock-out room in a divisible dwelling unit shall count as ½ dwelling unit in addition to the one dwelling unit counted for the entire divisible dwelling.

3. Home Occupation¹⁵

Home occupations are allowed as accessory to a dwelling unit in accordance with the following conditions:

- a. The home occupation is conducted entirely within a single-family dwelling or integral part thereof and has no outside storage of any kind related to the home occupation or in the case where activities take place away from the dwelling such activities are in full compliance with the provisions of this Ordinance.
- b. The home occupation is clearly incidental and secondary to the principal use of the dwelling. It shall not occupy an area exceeding 25 percent of the floor area of the dwelling unit.¹⁶
- c. The home occupation is conducted only by persons residing on the premises (nonresident employees are not permitted).
- d. The home occupation does not necessitate or cause the exterior appearance of any structure to be other than residential and is not disruptive of the residential character of the neighborhood.
- e. There is no advertising of the home occupation on the site.
- f. The home occupation creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic or parking problem.

4. Outdoor Display and Sale of Merchandise¹⁷

Where the outdoor display and sales of merchandise is allowed as accessory to retail sales and service uses and wholesale sales establishments, it shall comply with the following conditions, which are intended to allow such outdoor display and sales to the extent it does not impede the flow of pedestrian or vehicular traffic or create an unsafe condition:

- a. Outdoor display/sales areas shall be depicted on any Site Plan or photograph for the principal use.
- b. All outdoor display of goods shall be located immediately adjacent to the front or side of the principal building, and not in drive aisles, loading zones, fire lanes, or parking lots.
- c. Outdoor display/sales areas shall be limited to no more than one-half of the length of the front or side of the principal building. In the case of a multitenant building, the total amount of outdoor display/sales area for all the in-line

¹⁵ These provisions are carried forward from Section 16-4-1402. - Home Occupations, of the current LMO.

¹⁷ As discussed earlier, this is a new accessory use regulating the sale and display of merchandise outside the fronts of retail sales and service uses and wholesale sales establishments. Standards address the locations of these areas, protecting vehicular and pedestrian accessways, and prohibition of the sale/display of noxious or dangerous materials.

tenants combined shall not exceed one-half the aggregate length of the front of the building.

- d. Outdoor display/sales areas shall be located to maintain a clearance area in front of primary building entrances for a depth of at least ten feet, projected straight out from the width of entrance doors.
- e. An obstruction-free area at least five feet wide shall be maintained through the display/sales area or between it and adjacent parking areas for the length of the front building facade, so as to allow pedestrians and handicapped persons to safely and conveniently travel between parking areas or drive aisles to the building, or along the front of the building, without having to detour around the display/sales area.
- f. No goods shall be attached to a building's wall surface.
- g. The height of the outdoor display shall not exceed six feet.

5. Outdoor Storage (as an accessory use)¹⁸

Outdoor storage may be allowed as an accessory use in accordance with the following conditions:

- a. Each outdoor storage area shall be incorporated into the overall design of the principal structure on the site, and shall be located to the side or rear of the principal structure.
- b. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way by any combination of an opaque fence, wall, or landscaped berm that is at least six feet high.
- c. Materials in outdoor storage areas shall not be stored higher than the height of the primary structure.

6. Satellite Dish

Satellite dishes are allowed as accessory to any principal use or structure, provided they are no more than 39 inches in diameter.

7. Small Wind Energy Conversion (WEC) System¹⁹

Small-scale wind energy conversion (WEC) systems are allowed as accessory to any principal use or structure in accordance with the following conditions.

a. Location and Setback

- i. Tower-mounted WEC systems shall not be located within a front setback.
- ii. A small WEC system shall be set back a distance equal to its total extended height (e.g., if on a roof, roof height plus the height of any

¹⁸ As discussed earlier, this is a new accessory use regulating outdoor storage as an accessory use. Standards address the location of storage areas, screening, and height limitations.

¹⁹ As noted earlier, these are standards for a new accessory use, reflecting growth in the use and promotion of alternative energy systems as a means of reducing fuel costs for property owners. The standards address height, blade clearance, and access to tower. The height standard is intended to provide wind turbines sufficient clearance above surrounding buildings and trees to ensure the unobstructed wind flow needed to operate efficiently. The 70-foot extension of the generally applicable height limit should provide sufficient clearance above buildings, but perhaps not tall trees.

tower extending from the roof) plus five feet from all property lines, public street rights-of-way, and overhead utility lines). Guy wires and other support devices shall be set back at least five feet from all property lines.

b. Height

The maximum extended height of a small WEC system shall be the maximum height allowed in the zoning district plus 70 feet.

c. Blade Clearance

The blade tip or vane of any small WEC system shall have a minimum ground clearance of 15 feet, as measured at the lowest point of the arc of the blades. No blades may extend over parking areas, public right of ways, driveways, or sidewalks.

d. Access to Tower

On a freestanding tower, any climbing foot pegs or rungs below 12 feet shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.

8. Solar Collection Devices²⁰

Solar collection devices are allowed as accessory to any principal use or structure in accordance with the following conditions:

- a.** The system may be located on the roof of a principal or accessory structure, on the side of such structures, on a pole, or on the ground.
- b.** The system shall comply with all the requirements of this Ordinance, except that the maximum height standards for the zoning district may be varied by up to eight feet for a roof-mounted system if it can be demonstrated that the system needs to be extended above the height limit to properly operate.
- c.** In no case shall the device deprive an adjacent property owner of direct sunlight

²⁰ As noted earlier, these standards build on the provisions in Section 16-4-1405. - Solar Collection Devices Standards, of the current LMO. They are intended to ensure solar collection devices are visually compatible with the surrounding environment. The one significant modification is that the provisions are modified to allow the solar collection device to exceed the height limit by eight feet if it can be demonstrated the system needs to be extended above the height limit to properly operate.