



**Town of Hilton Head Island
Planning & Development Standards Committee
Regular Meeting
Wednesday, February 27, 2013 4:00p.m.
Benjamin M. Racusin Council Chambers
Agenda**

- 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. Review of Minutes** - Regular Meeting of October 24, 2012
- 4. Unfinished Business**
None
- 5. New Business**
 - a) Annual Fair Housing Resolution**
Presented by: Marcy Benson
 - b) 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. *Presented by: Anne Cyran*
 - c) The Farmers Market, Hilton Head Island at Historic Honey Horn**
Request for DOT Signage *Presented by: Teri Lewis*
- 6. Committee Business**
- 7. Adjournment**

Please note that a quorum of Town Council may result if a majority of their members attend this meeting.



Date: February 20, 2013

To: Planning & Development Standards Committee Members

From: Kathleen Carlin, Administrative Assistant

Cc: Town Council and Teri Lewis, LMO Official

Subject: Special handling of the draft Planning & Development Standards Committee Meeting minutes dated October 24, 2012

Please note that the attached P&DS Committee meeting draft minutes dated October 24, 2012 will be reviewed by the new committee, but not approved, on February 27, 2013. This special method of handling the October 24, 2012 draft minutes is based on new committee membership and the lack of a quorum of previous committee members for their approval.

The October 24, 2012 meeting minutes will be marked "Reviewed but not Approved" for the official record.

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of the Wednesday, October 24, 2012 Meeting
4:00pm – Benjamin M. Racusin Council Chambers

REVIEWED BUT NOT APPROVED
(BASED ON NEW COMMITTEE MEMBERS)

Committee Members Present: Chairman Bill Ferguson and Bill Harkins

Committee Members Absent: Mayor Pro Tem Ken Heitzke

Council Members Present: None

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

1. Call to Order

Chairman Ferguson called the meeting to order at 4:00p.m.

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 Town of Hilton Head Island requirements.

3. Approval of Minutes

Mr. Harkins made a motion to **approve** the minutes of the September 26, 2012 meeting as presented. Chairman Ferguson **seconded** the motion and the motion **passed** with a vote of 2-0-0.

4. Unfinished Business

None

5. 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 16-4-1204 to allow community service uses in the Office/Institutional Low Intensity (OL) Zoning District to be permitted by right.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee forward the proposed amendment to Town Council with a recommendation of *approval*.

The Planning Commission held a public hearing for the proposed amendment on October 17, 2012 and voted 7-0-0 to forward the proposed amendment as presented by staff to Town Council with a recommendation of approval.

The staff recommends amending LMO Sec. 16-4-1204, Use Table, to allow Community Service uses to be permitted in the OL (Office/Institutional Low Intensity) Zoning District. Community Service uses are compatible with the purpose statement and other permitted uses in the OL Zoning District.

Ms. Cyran stated that this amendment was prompted by the desire to accommodate the SHARE Senior Center as a use in a facility at 58 Shelter Cove Lane (the former Lifespan Building) that was recently purchased by the Town. At the completion of staff's presentation, Chairman Ferguson requested public comments and none were received.

Ms. Cyran and the committee discussed the characteristics and the definition of Community Service. Chairman Ferguson requested that the staff consider adding Community Service uses in other zoning districts as well such as those in Ward 1. Ms. Teri Lewis stated that the staff will be happy to research this issue. Ms. Lewis presented brief comments regarding the changes in zoning districts that will be made in rewriting the LMO. At the completion of the discussion, Chairman Ferguson requested that a motion be made.

Mr. Harkins made a **motion to forward** the proposed amendments to Town Council with a recommendation of **approval** as presented by staff. Chairman Ferguson **seconded** the motion and the motion **passed** with a vote of 2-0-0.

6. Committee Business

None

7. ADJOURNMENT

The meeting was adjourned at 4:15pm.

Submitted By:

Approved By:
N/A

February 27, 2013

Kathleen Carlin
Administrative Assistant

Bill Ferguson (previous chairman)
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Teri Lewis, *LMO Official*
VIA: Shawn Colin, *Deputy Director of Community Development*
FROM: Marcy Benson, *Senior Grants Administrator*
DATE: February 4, 2013
SUBJECT: Fair Housing Resolution

Recommendation:

Staff requests the Planning and Development Standards Committee recommend to Town Council approval of the attached Fair Housing Resolution.

Summary:

In order for the Town to be eligible to participate in any future Community Development Block/Economic Development Grants (CDBG) it is required to certify that it will undertake an action to affirmatively further fair housing. By approving and advertising this Resolution the Town will have satisfied this requirement. The attached Resolution is modeled on a recommended format provided by the Lowcountry Council of Governments, which has been used previously by the Town.

Background:

April is recognized as National Fair Housing Month. In order to participate in future CDBG programs it is necessary for the Town to certify that it supports the rights of all individuals, regardless of race, color, religion, sex, national origin, disability or familial status to fair housing opportunities. This resolution is one of the actions that will satisfy this requirement. The attached Resolution has been approved in previous years.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SC TO PROCLAIM APRIL, 2013 AS FAIR HOUSING MONTH

WHEREAS, the Town of Hilton Head Island desires that all its citizens be afforded the opportunity to attain a decent, safe and sound living environment; and

WHEREAS, the Town of Hilton Head Island rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and / or familial status in the sale, rental or provision of other housing services; and

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

WHEREAS, April is recognized nationally as Fair Housing Month;

NOW THEREFORE, BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA DOES HEREBY DESIGNATE APRIL 2013 AS FAIR HOUSING MONTH.

MOVED, APPROVED AND ADOPTED THIS 2nd DAY OF April, 2013.

Drew Laughlin, Mayor

Esther Coulson, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Teri Lewis, AICP, *LMO Official*
CC: Charles Cousins, AICP, *Director of Community Development*
FROM: Anne Cyran, AICP, *Senior Planner*
DATE: February 7, 2013
SUBJECT: Proposed LMO Amendment – Amending Maximum Structure Height

Recommendation

The Planning Commission held a public hearing for the proposed amendment on February 6, 2013 and voted 9-0-0 to forward the proposed amendment as presented by staff to Town Council with a recommendation of approval.

Staff recommends that the Planning and Development Standards Committee forward the attached amendment to Town Council with a recommendation of approval.

Summary

Staff recommends 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.

Background

This 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 that 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.

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

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.:

PROPOSED ORDINANCE NO.: 2013-01

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE, CHAPTER 4, ARTICLE XVII. THIS AMENDMENT, COMMONLY REFERRED TO AS THE *LMO AMENDMENT TO AMEND MAXIMUM STRUCTURE HEIGHT*, AS NOTICED IN THE ISLAND PACKET ON DECEMBER 30 2012, INCLUDES A REVISION TO CHAPTER 4, ARTICLE XVII, SECTION I, MAXIMUM STRUCTURE HEIGHT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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, the proposed amendments are supported by Town Council's Policy Agenda for 2011 which lists Amending the LMO to Foster Greater Flexibility, Simplicity and Revitalization as a Top Priority; and

WHEREAS, the Land Management Ordinance Committee held a public meeting on January 16, 2013 to discuss the proposed amendment and voted 3-0-0 to forward the proposed amendment to the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on February 6, 2013 and voted 9-0-0 to recommend that Town Council approve the proposed amendment; and

WHEREAS, the Planning and Development Standards Committee met on February 27, 2013 and voted to recommend that Town Council *<MOTION>* the proposed amendment; and

WHEREAS, Town Council now finds that, upon further review, it is in the public interest to *<MOTION>* the attached revision to Chapter 4 of the Land Management Ordinance.

NOW, THEREFORE BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY SAID AUTHORITY OF COUNCIL:

Section 1. Amendment. That the Land Management Ordinance of the Town of Hilton Head Island, South Carolina, be, and the same hereby is, amended to read as indicated on the attached pages.

NOTE: New text is indicated by a double underline and deleted text is indicated by a ~~strike through~~.

Section 2. Severability. If any sections, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not attest the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____ 2013.

Drew A. Laughlin, Mayor

ATTEST:

Esther Coulson, Town Clerk

Public Hearing: February 6, 2013

First Reading:

Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

Staff Explanation: Staff recommends 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 parking levels are permitted within the maximum height.

This 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 made sense to staff to make this change island wide rather than in one zoning district.

Sec. 16-4-1701. - Maximum Structure Height

Maximum structure heights for each district are set forth in the Table below. No structure shall exceed the specified height limits unless otherwise allowed in this Article.

Base Districts	Maximum Height	Not to Exceed
CON	25 feet <u>(bridges over navigable waters may exceed this limitation)</u>	(bridges over navigable waters may exceed this limitation)
PR	45 feet	2 stories
RS-2, RS-3, RS-4, RS-5, RS-6	35 feet	
RM-4	35 feet	
RM-8	45 feet	
RM-12	45 feet	
PD-1	75 feet	5 habitable stories
SMU, MMU—Residential	45 feet	3 habitable stories/1 level parking
SMU, MMU—Non Residential	35 feet	2 habitable stories/1 level parking
SMU, MMU Mixed Use	45 feet	3 habitable stories/1 level parking
CFB—Located greater than 600 feet from the upland boundary of the beach as defined in Sec. 8-1-112 of the Municipal Code.	45 feet	3 habitable stories/1 level parking
CFB—Located within 600 feet of the upland boundary of the beach as defined in Sec. 8-1-112 of the Municipal Code.	75 feet	5 habitable stories/1 level parking
WMU, RD	75 feet	5 habitable stories/1 level parking
OL, NC, OM, CC—Residential	35 feet	2 habitable stories/1 level parking
OL, NC, IL, OCIL—Nonresidential	35 feet	2 stories
OM, CC—Nonresidential	45 feet	3 stories
CCW, DCW	45 feet	3 habitable stories/1 level parking



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning & Development Standards Committee
VIA: Charles Cousins, AICP, *Director of Community Development*
FROM: Teri Lewis, AICP, *LMO Official*
DATE: February 18, 2013
SUBJECT: Request for DOT signage – The Farmers Market, Hilton Head Island at Historic Honey Horn

Recommendation

Staff recommends that the Planning and Development Standards Committee recommend to Town Council that the Land Management Ordinance (LMO) not be amended to allow off-premises signs for commercial retail businesses.

Summary

Staff has had numerous conversations with the Manager of the Farmers Market, Hilton Head Island at Historic Honey Horn, Pamela Ovens, regarding her desire for additional signage for the market. The most recent letter from Mrs. Ovens requests that the Mayor place on a public agenda her request to have an off-premises DOT directional sign(s) placed on US 278 that specifically states 'Farmers Market' and the hours of operation. The DOT is amenable to such but they always approach the Town about these requests as they understand the Town's desire to limit signage, particularly off-premises signage. The LMO prohibits off-premises signs with a few limited exceptions, none of which are for commercial retail businesses. In order to permit the proposed signage as requested by Mrs. Ovens, the LMO would have to be changed to allow off-premises signs for commercial retail businesses. Since the LMO was first adopted in 1987, off-premises signs have been prohibited. Departing from our policy with the DOT of limiting the use of their directional signs for commercial retail businesses not only opens the door for other commercial entities to follow with the same request; it also violates the LMO. There does not appear to be a reason to make an exception in this case. Most of the existing DOT signs are for government facilities; locations such as parks, libraries, government offices, etc. The Town typically does not support DOT signs being placed for commercial enterprises because they are considered off-premises signs which are prohibited by the LMO. The exception to this has been for some marinas and the RV parks due to the size of the vehicles that frequent these facilities and the desire to get them off the road as quickly as possible. The Farmers Market sign does not fall into this category because it is a commercial retail business no different than any of the hundreds of other commercial retail businesses on the island.

The Farmers Market is located on land leased from the Town by the Coastal Discovery Museum. When the market first opened the only option for signage was a permanent on-premises sign that would have to be approved by the Museum since it would be located on property the Museum

Request for DOT signage – The Farmers Market, Hilton Head Island at Historic Honey Horn

02/21/2013

Page 2

leases. Michael Marks, the Director of the Museum, was not amenable to this suggestion because he felt other events held on the Museum property would want similar signage. Changes to the special event sign portion [see Attachment A] of the Land Management Ordinance (LMO) last year, as well as agreement from Michael Marks now would allow the market to place a sign on the Honey Horn property frontage on US 278 and a sign on the Honey Horn property next to the entrance on the Cross Island frontage.

Background

The Museum and the Farmers Market have an arrangement that allows information about the market to be placed on the permanent off-premises special event sign located at the intersection of US 278 and Gumtree Road one Friday each month that the market is open. The Museum also allows information about the market to be placed on their changeable copy sign at the entrance to Honey Horn. In addition, there are currently four off-premises directional DOT signs on the approaches to Honey Horn on US 278 and on the entrance to the Museum off of the Cross Island. All four of these signs provide directions to “The Coastal Discovery Museum at Honey Horn”. The market’s official name as advertised on their website and their letterhead is “The Farmers Market, Hilton Head Island at Historic Honey Horn”. In total, the market could have two on-premises special event signs on the Museum property along the road frontage, there are four existing off-premises DOT signs that direct visitors to the site advertised in the name of the market and there are two other existing changeable copy signs (one of which is off-premises) that periodically feature information about the market [see Attachment B].

TEMPORARY SPECIAL EVENT SIGNS

SEC. 16-5-1317

A SPECIAL EVENT IS DEFINED IN SEC. 16-10-201 AS A TEMPORARY COMMERCIAL OR FESTIVE ACTIVITY OR PROMOTION AT A SPECIFIC LOCATION THAT IS PLANNED OR REASONABLY EXPECTED TO ATTRACT LARGE ASSEMBLIES OF PERSONS. THE ORGANIZER OF A SPECIAL EVENT SHALL OBTAIN A TEMPORARY SPECIAL EVENT SIGN PERMIT PRIOR TO DISPLAYING TEMPORARY SIGNS AT A SPECIAL EVENT. THE APPLICATION SHALL STATE THE LOCATION AND DATES OF THE EVENT, THE EXPECTED NUMBER OF ATTENDEES AND THE TYPES AND NUMBER OF PROPOSED TEMPORARY SIGNS. THE APPLICATION SHALL BE SUBMITTED NO FEWER THAN FIVE (5) BUSINESS DAYS PRIOR TO THE EVENT. THE FOLLOWING TEMPORARY SPECIAL EVENT SIGNS MAY BE USED AS SPECIFIED:

- A. **OFF-PREMISES SIGNS DIRECTING TRAFFIC.** SIGNS DIRECTING TRAFFIC TO THE SITE OF AN EVENT MAY BE USED FOR EVENTS AT WHICH MORE THAN 5,000 ATTENDEES ARE EXPECTED. SIGNS SHALL MEET SOUTH CAROLINA DOT STANDARDS.
- B. **OFF-PREMISES SIGNS IDENTIFYING RACE ROUTES.** SIGNS INTENDED TO DIRECT PEDESTRIANS, RUNNERS AND BICYCLISTS ON RACE ROUTES ARE SUBJECT TO THE FOLLOWING STANDARDS:
 - 1. SUCH SIGNS SHALL BE NO LARGER THAN TWO (2) SQUARE FEET EACH.
 - 2. SUCH SIGNS MAY BE DISPLAYED ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
- C. **ON-PREMISES SIGNS IDENTIFYING AN EVENT.** SIGNS LOCATED AT THE ENTRANCES OF SPECIAL EVENTS, THAT ARE MEANT TO IDENTIFY A SPECIAL EVENT ARE SUBJECT TO THE FOLLOWING STANDARDS:
 - 1. NO MORE THAN TWO (2) SIGNS SHALL BE DISPLAYED PER EVENT, WITH NO MORE THAN FOUR (4) SIGN FACES. ANY SINGLE SIGN FACE SHALL NOT EXCEED SIXTEEN (16) SQUARE FEET.
 - 2. SIGNS SHALL BE CONSTRUCTED OF ONE-HALF (1/2) INCH MDO, OR A MATERIAL OF EQUAL DURABILITY, MOUNTED ON FOUR-BY-FOUR (4x4) WOOD POSTS.
 - 3. THE AMOUNT OF INFORMATION ON SIGNS SHALL BE NO MORE THAN IS NECESSARY TO PROVIDE REASONABLE IDENTIFICATION OF THE EVENT OR OTHER INFORMATION TO BE CONVEYED.
 - 4. SIGNS SHALL BE DISPLAYED NO SOONER THAN ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
 - 5. SIGNS SHALL NOT BE ILLUMINATED BY ARTIFICIAL LIGHT.
- D. **ON-PREMISES SIGNS.** SIGNS DISPLAYED WITHIN A SPECIAL EVENT ARE SUBJECT TO THE FOLLOWING STANDARDS:

1. SIGNS SHALL BE DISPLAYED NO SOONER THAN ONE (1) DAY PRIOR TO THE EVENT, DURING THE DURATION OF THE EVENT AND ONE (1) DAY AFTER THE EVENT.
2. BANNERS AND PENNANTS ARE PERMITTED WITHIN SPECIAL EVENTS.

Attachment B

