



Town of Hilton Head Island
Planning Commission
LMO Rewrite Committee Meeting
January 9, 2014
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** – December 12, 2013 and December 18, 2013
- 5. Unfinished Business**
- 6. New Business**
 - a. Review of Comparison Charts for the following zoning districts: Coligny Resort, Community Commercial, Light Commercial, Main Street, Marshfront, Mitchelville, Resort Development, Sea Pines Circle, Stoney and Waterfront Mixed use.
 - b. Discussion of Conditions
- 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
December 12, 2013 Minutes
8:30a.m. – Benjamin M. Racusin Council Chambers

Draft

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

Committee Members Absent: David Ames

Planning Commissioners Present: None

Town Council Members Present: None

Town Staff Present: Teri Lewis, LMO Official
Jill Foster, Deputy Director, 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 minutes of the November 20, 2013 meeting were approved as presented by general consent.

5) UNFINISHED BUSINESS

None

6) NEW BUSINESS

- a) Review of LMO Rewrite Draft – Chapter 2, specifically 16-2-102.D.1
- b) Review of LMO Rewrite Draft – Chapter 2, specifically 16-2-102.I.2.v
- c) Review of LMO Rewrite Draft Chapters 3, 4 & 10

Chairman Crews presented introductory comments regarding today's New Business items and requested that Ms. Teri Lewis make her presentation on behalf of staff.

Ms. Lewis stated that the staff and committee will review three items at today's meeting. The first two are related to the public hearing that was held at the Planning Commission on December 4, 2013 for LMO Rewrite Draft Chapters 1, 2, 8 and 9. The Commission voted to forward Chapters 1, 8 and 9 to Town Council with a recommendation of approval; the Commission continued the public hearing on Chapter 2 to the December 18, 2013 Planning Commission meeting.

The Planning Commission wanted additional time to discuss Chapter 2 and also wanted input from the LMO Rewrite Committee related to the following two sections of the proposed LMO. The language in the below two sections is the same language that was in the initial draft of this document that the committee received in December 2012 and reviewed on January 24, 2013.

16-2-102.D.1 - Staff Review and Opportunity to Revise Application

Upon receipt of an application, the Official shall distribute it to all appropriate staff for review and comment. The Official shall review the application, relevant support material, and any comments or recommendations from other review agencies to which the application was referred. If deficiencies in complying with applicable standards of the LMO are identified, the Official shall notify the applicant of such deficiencies and provide the applicant a reasonable opportunity to discuss the deficiencies and revise the application to address them, in accordance with Sec. 16-2-102.C.6, Application Revision. The Committee discussed this item and stated that as long as Gregg Alford was satisfied with the language and felt that it met state code then the Committee was fine with it.

16-2-102.I.2.v - Appeals

A final appellate decision by the Board of Zoning Appeals on applications appealing any order, requirement, decision, or determination made by the Official in the enforcement of this LMO (e.g., minor deviations of PUD master plans, Tree Removal Permits, Wetland Alteration Permits, Administrative Adjustments, and Written Interpretations). The Committee asked Walt Nester to discuss the issue with Gregg Alford and the Committee would be satisfied with whatever conclusion the two agreed upon.

The third item that the committee will discuss today is the revised draft of Chapters 3, 4 and 10. The Committee reviewed drafts of these chapters earlier this year (specifically at the 5/9, 5/16, 5/23, 5/30, 6/7, 6/13, 6/19, 9/4, 9/12, 10/16 and 11/20 meetings). Additionally the Committee went through the existing and proposed conditions for each proposed use at the meetings on 2/14 and 3/28.

The consultant has prepared the (*attached*) draft based on input from the committee. The staff's recommendation is not to go through the document page by page but rather to go through the specific zoning districts where the committee had changes (or wanted new districts created) and ensure that they meet the expectations of the committee.

The staff will then go through any significant changes to Chapter 4 and the Definitions since the last drafts that the committee reviewed. This will also be the time for committee members to voice any questions, comments, or concerns they have related to these three chapters. These three chapters are scheduled to be reviewed by the Planning Commission starting on January 29, 2014.

The Committee would like a disclaimer on the illustrative building configurations provided for each zoning district. This disclaimer would make it clear that this is a diagram for reference purposes only.

Sea Pines Circle: Discussion about whether height should be increased to 60-ft. to accommodate increased density. The committee discussed adding an additional setback requirement for additional height above 45-feet. The committee discussed only allowing the height increase along minor arterials.

WMU: The committee suggested adding water parks as an allowed use and increasing residential density from 12 to 16 dwelling units per acre.

RD: The committee suggested increasing the density from 10 to 16 dwelling units per acre. The committee also discussed allowing the height to be 75-ft in the entire district.

7) **ADJOURNMENT**

The meeting was adjourned at 10:30 a.m.

Submitted by:

Kathleen Carlin
Administrative Assistant

Approved by:

Tom Crews
Chairman

DRAFT

TOWN OF HILTON HEAD ISLAND
Planning Commission
LMO REWRITE COMMITTEE MEETING

Draft

December 18, 2013 Minutes
8:30a.m. – Benjamin M. Racusin Council Chambers

Committee Members Present: Chairman Tom Crews, David Ames, David Bachelder, Irv Campbell, Jim Gant, Kim Likins, *Ex-Officio*; and Charles Cousins, *Ex-Officio*

Committee Members Absent: Vice Chairman Gail Quick, Chris Darnell and Walter Nester

Planning Commissioners Present: None

Town Council Members Present: None

Town Staff Present: Teri Lewis, LMO Official
Jill Foster, Deputy Director, 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

Chairman Crews and Ms. Lewis recommended revising today's agenda in order to address the written comments provided by Chester C. Williams, Esq. Mr. Williams' comments are related primarily to Chapter 2 of the draft LMO. The Planning Commission and the LMO Rewrite Committee have received Mr. Williams' written comments in advance of the meeting. Ms. Lewis stated that the Planning Commission will meet at 3:00p.m today and will review Mr. Williams' comments at that time. The Planning Commission will also review the consultant's responses to Mr. Williams' comments. The Planning Commission would appreciate input from the LMO Rewrite Committee on these comments. The Committee **approved** the agenda as revised by general consent.

4) APPROVAL OF THE MINUTES

The minutes of the December 12, 2013 meeting will be approved at the next committee meeting on January 9, 2014.

5) UNFINISHED BUSINESS

None

6) NEW BUSINESS

Review of written comments provided by Chester C. Williams, Esq., and the consultant's response to those comments.

On December 4, 2013 the Planning Commission reviewed draft LMO Chapters: Chapter 1 (General Provisions), Chapter 2 (Administration), Chapter 8 (Enforcement) and Chapter 9 (Disaster Recovery). Following the consultant's presentation of these chapters and discussion by the Planning Commission, the Planning Commission voted to forward Chapter 1 (General Provisions), Chapter 8 (Enforcement) and Chapter 9 (Disaster Recovery) to Town Council with a recommendation of approval.

Due to the extensive public comments presented at that meeting by Chester C. Williams, Esq., particularly regarding Chapter 2 (Administration), the Planning Commission voted to hold Chapter 2 back for additional review. The Planning Commission requested that Mr. Chester Williams provide all of his comments to them in writing.

Mr. Williams has provided his comments in writing and at staff's request Clarion Associates (the LMO Rewrite Project consultant) has prepared a response to those comments. The LMO Rewrite Committee has received copies of all of this information in advance of today's meeting.

Ms. Lewis presented general statements related to Chapters 3, 4, and 10. Mr. Williams presented statements regarding increasing the density in the Mitchelville District. Ms. Lewis presented statements with regard to the appropriate zoning.

Citizen, Mr. Perry White, presented statements regarding the history and significance of the Mitchelville area. Mr. White presented statements regarding the existing density and land uses and the proposed density and land uses for Mitchelville.

Chairman Crews stated his appreciation to Mr. White for his comments. Chairman Crews and Mr. White discussed several issues regarding the Mitchelville District. The Mitchelville District will remain 12-units per acre. Ms. Lewis and Mr. Cousins presented statements regarding the existing uses and zoning. Mr. David Ames and Mr. David Bachelder also presented statements regarding this district.

Ms. Lewis asked what the directive is from the committee regarding the proposed Mitchelville District. Does the committee want to put the existing density and uses back into the district? Mr. Gant suggested that there is an interim step involved in the process. The committee should review on a piece of paper the uses that were there before versus the uses that are proposed. What has changed? We need to look at the differences and then decide what the directives should be to the staff and to the consultant. Based on the comments received from Mr. White, the issue seems to be Resort Accommodations/Commercial uses and density. Chairman Crews and the rest of the committee agreed with the idea to review a side-by-side comparison.

Ms. Lewis and the committee then reviewed the following items provided by Chester C. Williams and the responses provided by Clarion Associates. The staff and the committee began their review with item # 5:

- (5) **Pages 2-1 and 2-7 through 2-10 – Sections 16-2-101, Table 16-2-102, Section 16-2-102.E, Table 16-2-102.F.2, and Footnote 39 – Public hearings generally, and BZA appeal hearings as public hearings in particular:** *Subjecting BZA appeals to public hearings is contrary to the long-established practice of the Town and not required by statutes (or for variance and special exception applications). BZA rules of procedure prohibit public comments on appeals.*

Recommend: Revise provisions regarding BZA appeals to refer to hearings, not public hearings.

- (6) **Pages 2-4 through 2-6, 2-28, and 2-31 – Section 16-2-102.C, Footnotes 30 and 32, and Sections 16-2-102.D, 16-2-103.F.3.c.ii, 16-2-103.G.4.c.ii, and 16-2-103.G.4.c.iii – Application Submittal, and Staff Review and Action:** *Statutorily required review deadlines for subdivision and land development applications must be in the LMO, not an administrative manual. Removal of a determination of application completeness process leaves an applicant no way to determine when the statutory review deadlines start to run.*

Recommend: No change – The statutory review deadlines are in review procedures for Subdivision Review and Development Plan Review. They expressly state when the time period starts (when the application is submitted) – see p. 2-28 for Subdivision Reviews and p. 2-30 and 31 for Development Plan Reviews. If that is before they are complete, then the review period clearly complies with the statute.

- (7) **Page 2-4 – Section 16-2-102.C.1 – Authority to Submit Applications:** *Provisions stating who must sign development applications are not clear and unfair. The term “owner of record” is not defined. Co-owners of heirs properties shouldn’t be given more favorable treatment than other multiple-owners, and should be determined from deeds records rather than tax records. Suggest authorizing co-owners owning a majority of the interest in the property to file applications. Applications involving condominium common areas would have to be signed by all condominium owners. Is a mortgage holder a person with a recognized property interest, and have the right to file an application over the objection of fee interest owners?*

Recommend: Revise to refer to “owner” rather than “owner of record” and to require applications to be submitted by the property owner(s) or person authorized in writing by the owner(s) – leaving it up to multiple owners to obtain the consent of all owners.

- (8) **Page 2-7 – Section 16-2-102.E.2.a.iii – General Notice Requirements:** *It limits the right to challenge an approval obtained after defective notice.*

Recommend: Revise to better reflect the limited intent to cut off challenges by persons who refused to accept the notice, or who were vacation when notices were provided, etc., versus challenges due to the notice being delivered to the wrong address.

- (9) **Page 2-8 – Table 16-2-102.F.2 – Public Hearing Notice Requirements:** *Statutes require a 30-day notice of amendments to land development regulations.*

Recommend: Agree – Revise to change the notice requirement for all text amendments from 15 to 30 days.

- (10) **Page 2-10 – Section 16-2-102.E.2.e: Notice Contents:** *Content requirements for various types of notices don’t match.*

Recommend: Revise notice requirements for published and posted notices to add identification of subject site location and statement that interested persons may appear as well as speak at hearing.

- (11) **Page 2-10 – Section 12-2-102.E.3 – Request to Defer Public Hearing:** *Should be expanded to address deferral of non-public hearing matters; should require approval of request for deferral or set standards for such approval.*

Recommend: Continue to apply only to deferral of public hearings – where substantial reliance on public notice is involved. Revise to authorize approval upon “good cause shown” – a general standard familiar to courts and reflecting the many potentially justifiable reasons for deferral (e.g., hurricane, illness, requested new information, etc.)

Staff will cover the deferral of non-public hearing matters within each board or commission’s Rules of Procedure.

- (12) **Page 2-12- Section 16-2-102.G.1.b- Remand:** *Allow remand to be applied to other than Town staff; allow Town Council to remand to Planning Commission.*

Recommend: Revise to allow remand to staff or Planning Commission.

- (13) **Pages 2-13, 2-63, 2-64 Appeals to BZA:** *The appeal provisions should track Section 6-29-88(A)(2) of state zoning statute that says BZA has the power to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.”*

Recommend: Needs to be discussed further with Town’s legal staff.

- (14) **Page 2-15 Section 16-2-103.K.2.b- Extension of Time Period:** *Objects to Official being able to extend time period for development approval for up to but no longer than one year as contrary to Vested Rights Act (§6-29-1510 et seq.).*

Recommend: No change. Sec. 16-2-103.K.2.b pertains only to approvals not subject to the Vested Rights Act (i.e., not an approval of a site specific development plan).

- (15) **Page 2-16-Section 16-2-103.B.2.d—Text Amendment:** *Suggests text amendment of permitted uses should be treated as rezoning.*

Recommend: No change.

- (16) **Pages 2-16 through 2-20 Text and Map Amendment Procedure:** *Section 6-29-760(A) of zoning statute says “No change in or departure from the text or maps as recommended by the local planning commission may be made pursuant to the hearing unless the change or departure be first submitted to the planning commission for review and recommendation.” Procedures don’t take this into account.*

Recommend: Revise decision-making steps to add wording mirroring statutory language.

- (17) **Pages 2-16, 2-19, and 2-22 – Legal challenges/appeals to Text and Map Amendments, and PUD Master Plans:** *Should make it clear that challenge or appeal is available in accordance with state law.*

Recommend: Agree: make change.

- (18) **Page 2-23- Footnote 65 and Section 16-2-103.D.8.a- Minor Deviations from Approved Master Plans for telecommunications towers:** *Stealth telecommunication tower is not defined.*

Recommend: Delete “stealth” from footnote (inadvertently added).

- (19) **Pages 2-23 to 2-24- Section 16-2-103.D.8.a.vi- Monopole telecommunications tower:** *Provisions include no standards for DRB decisions. This is an illegal delegation of the Town’s zoning authority to private parties.*

Recommend: This provision carries forward provisions added to the current LMO in July 2012. We share Mr. Williams’ concerns about the lack of guidance to the DRB review and the delegation of approval authority to private parties. We recommend that the section be revised to address these concerns, after further discussion with Town legal staff. One option is to subject construction of a

new telecommunications towers on land not designated for single family use to provisions similar to those applied to changes in major infrastructure features (in paragraph iii). Other options may be explored as well.

Staff will give this item additional consideration.

- (20) **Pages 2-25, 2-61, and 2-66 – Appeals of Decisions on Special Exceptions, Variances, and Appeals to BZA:** *Should make it clear that appeal from decision of BZA is available in accordance with state law.*
- Recommend:** Agree; make change.
- (21) **Page 2-27- Section 16-2-103.F.2.b.i –Minor subdivision:** *Current definition of minor subdivision in LMO needs to be carried forward.*
- Recommend:** Agree; make change.
- (22) **Page 2-28-Section 16-2-103.F.5- Effect of Subdivision Approval:** *Provision doesn't accurately reflect current practices, which requires a subdivision plat to be stamped for recording before it can be recorded. Not stamped until all infrastructure is completed. Should modify language to bring it into line with current practice.*
- Recommend:** Several LMO Rewrite Committee members recommend reinstating the bonding option to completion of infrastructure. The committee suggests the Planning Commission discuss this further and make a recommendation related to this issue.
- (23) **Page 2-37-Sections 16-2-103.I.4.a.vii and 16-2-103.I.4.b.vii- Appeals of Decisions of Major Corridor Review and Major Sign Permits:** *Should make it clear that appeal from decision of DRB is available in accordance with state law.*
- Recommend:** Agree: make change.
- (24) **Pages 2-38 and 2-69- Sections 16-2-103.I.5 and 16-2-103.W.4.c-Design Guide:** *Who will determine what is in the "Hilton Head Island Design Guide"?*
- Recommend:** Revise Appendix A to authorize DRB to prepare and revise a design manual, subject to adoption by the Town Council.
- (25) **Pages 2-38 through 2-40- Traffic Impact Analysis Plans:** *Regulations do not establish to whom and when a TIA plan applies; additionally, there is no explanation of the effect of the approval, or who can appeal it.*
- Recommend:** Replace with carried forward procedures in Ch. 3. Art. XIII of current LMO, which have the missing information.
- (26) **Pages 2-49, 2-54, and 2-68- Appeals of Decisions on Street Names, Public Project Review, and Appeals to the Planning Commission:** *Should make it clear that appeal from the above decisions is available in accordance with state law.*
- Recommend:** Agree: make change.
- (27) **Pages 2-52, 2-64 – Appeals of Decisions of Certificates of Compliance:** *Procedure currently provides for appeal to BZA. Should be appealable to Planning Commission because Certificate of Compliance is form of land development.*
- Recommend:** Revise if necessary after further discussion with Town legal staff.
- (28) **Page 2-53- Public Hearing on Public Project Reviews:** *Even though state statutes do not require public project review be the subject of a public hearing, Town has always done it this way. This should not be changed.*

Recommend: Revise to require public hearings for public project reviews, carrying forward current notice requirements related to public projects.

- (29) **Pages 2-54 through 2-56 – Written Interpretations:** *Track language of statute about what should be subject to a written interpretation.*

Recommend: No change, except add subsection to 16-2-103 R. 2 that states that request for written interpretations can also be requested on a development approval or permit.

Ms. Lewis stated that we will consult our legal department on this item.

- (30) **Pages 2-57 through 2-60 Administrative Adjustments:** *Believes authorization under zoning statute is not available or suspect.*

Recommend: No change.

- (31) **Pages 2-60 through 2-63 – Variances:** *State statute only allows variances from the zoning ordinance (Section 6-29-800(A)(2). Current variance section authorizes variances from “development and design standards.” Some of these provisions involve land development standards. Section 16-2-10.3T.4.a.i refers to variance granted by the appropriate decision-making body, and only BZA can grant variance.*

Recommend: Modify language in Section 16-2-10.3T.4.a.i to state BZA makes decisions on variances. Make it clear in Section 16-2.T.c. that a variance can be granted only from the following standards in Chapter 16-5: Development and Design Standards: adjacent setback and buffer standards; open space standards; parking and loading standards; fence and wall standards; single-family residential compatibility standards.¹

Make it clear in Section 16-2.T.d. that a variance can be granted only from the specimen tree and wetland buffer standards in Chapter 16-6: Natural Resource Protection.

- (32) **Pages 2-63 through 2-66- Section 16-2-103.U-Appeals of the Official’s Decision to the BZA:** *The appeal provisions should track Section 6-29-88(A)(2) of state zoning statute that says BZA has the power to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.”*

Recommend: Revise if necessary after further discussion with Town legal staff.

- (33) **Pages 2-663 through 2-68- Section 16-2-103.V-Appeals to the Planning Commission:** *Concerned that language of who can appeal a decision does not include “party in interest,” which Section 6-29 1150 (C) provides can make an appeal.*

Recommend: Agree. Change language in Section 16-2-103.V.2 to make it clear “any party in interest” has the right to make an appeal to the Planning Commission.

- (34) **Page 2-70- Section 16-2-103.W.4.g- Appeals of Decisions on Appeals to the DRB:** *Should make it clear that appeal from decision of DRB is available in accordance with state law.*

Recommend: Agree; make change.

- (35) **Page 8-3-Section 16-8-105.C.3- Notice of Violation:** *This section refers to “record owner, but term is not defined.*

Recommend: Revise to use “owner” rather than “record owner.”

- (36) **Page 8-4-Section 16-8-108- Town Maintenance of Common Open Space:** *Believe it would be better to have Planning Commission serve as the public body to hold the hearing referred to in*

Section 16-8-108, as Town Council is otherwise not involved in overseeing administration and enforcement of LMO, and Planning Commission is.

Recommend: No change. The proceedings can result in the Town taking over maintenance of common open space, which typically involves Town expenditures that only the Town Council can authorize.

Based on the lack of time, the staff and the committee agreed to review Rewrite Draft Chapters 4 & 10 at a later date. The next committee meeting is scheduled to be held on Thursday, January 9, 2014 at 8:30a.m. Following final comments, the meeting was adjourned.

7) ADJOURNMENT

The meeting was adjourned at 9:20a.m.

Submitted by:

Kathleen Carlin
Administrative Assistant

Approved by:

Tom Crews
Chairman

DRAFT



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Rewrite Committee
FROM: Teri Lewis, *LMO Official*
DATE: January 3, 2014
SUBJECT: Discussion Items for the January 9th LRC Meeting

At the meeting on December 18th, the LMO Rewrite Committee asked staff to develop comparison charts for some of the newly created districts. The purpose of the charts is to compare the allowed uses, density and height in the new district with the allowed uses, density and height in the associated old districts. Those comparison charts are provided to you as a part of this packet. We will go over them at the meeting on January 9th.

Additionally staff plans to review some of the conditions, both specific conditions and where certain conditions apply. Please bring your draft LMO Rewrite Chapters 3, 4 and 10 to the meeting.

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	CR (Coligny Resort)	CCW (Coligny Commercial Walking)
Restaurant (no drive thru)	X	X
Indoor Recreation/Entertainment	X	X
Real Estate Office/Other Offices	X (this category is being changed to a generic 'office' category)	X
Bed & Breakfast	X	
Hotel or Motel	X	
Inn	X	
Bank	X	X
Bicycle Shop w/outdoor storage	X	X
Community Theater	X	X
Convenience Store	X	X
Department or Discount Store	X	X
Health Club or Spa	X	X
Liquor Store	X	X
Nightclub or Bar	X	X
Open Air Sales	X	X
Shopping Center	X	X
Souvenir or T-shirt Store	X	X
Supermarket	X	X
Other Retail Sales or Services	X	X
Auto Rentals	X	
Gas Sales		X
DENSITY		
Residential	unlimited	4 du/acre
Hotel/Motel/Inn	unlimited	
Bed & Breakfast	10 rooms	
Non Residential	unlimited	8000 sf/acre
HEIGHT	60'	45'

Notes:

- 'X' denotes that the use is allowed in the district

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	CC (Community Commercial)	CC (Central Commercial)
Restaurant (no drive thru)	X **	X
Indoor Recreation/Entertainment		X
Real Estate Office/Other Offices/Health Services Offices	X (this category is being changed to a generic 'office' category)	X
RV Park		X
Adult Entertainment		X
Bank	X	X
Bicycle Shop w/outdoor storage	X (outdoor storage not permitted)	X
Community Theater	X	X
Dance Studio	X	X
Convenience Store	X	X
Department or Discount Store	X	X
Funeral Home	X	X
Furniture Store	X	X
Hardware, Paint, Glass, Wallpaper or Flooring Store	X	X
Health Club or Spa	X	X
Kennel	X	X
Liquor Store	X	X
Nightclub or Bar	X	X
Pet Store	X	
Shopping Center	X	X
Souvenir or T-shirt Store	X	X
Supermarket	X	X
Tattoo Facility		X
Veterinary Hospital	X	X
Other Retail Sales or Services	X	X
Auto Rentals	X	X
Auto Repair	X	X
Auto Sales	X	X
Car Wash	X	X
Gas Sales	X	X
Taxicab Service	X	X
Towing Service		X
Contractor's Office		X
Other Light Industrial Service		X
Self Service Storage		X
Wholesale Business		X
Wholesale Business w/Accessory		X

Retail Outlet		
DENSITY		
Residential		4 du/acre
Non Residential	10000 sf/acre	10000 sf/acre – Office/Institutional 8000 sf/acre - Other
HEIGHT	45'	35' residential 45' other

Notes:

- 'X' denotes that the use is allowed in the district
- **As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	LC (Light Commercial)	CC (Central Commercial), OL (Office/Institutional, low intensity), OCIL (Office /Light Commercial/Light Industrial), IL (Light Industrial), NC (Neighborhood Commercial), DCW (Dunnagan's Commercial Walking)
Restaurant w/drive thru	X **	X - drive thru in CC only
Indoor Recreation/Entertainment	X	X – CC, DCW only
Outdoor Recreation/Entertainment	X	
Hotels/Inns/Motels	X	
Real Estate Office/Other Offices/Health Services Offices	X (this category is being changed to a generic 'office' category)	X, no Health Services offices in OCIL
RV Park	X***	X - CC only
Adult Entertainment		X – CC, DCW only
Bank	X	X - CC, OL, NC, DCW only
Bicycle Shop w/outdoor storage	X (outdoor storage not permitted)	X – CC, DCW only
Community Theater	X	X – CC, IL, OCIL, DCW only
Dance Studio	X	X – CC, IL, OCIL, DCW only
Convenience Store	X	X – CC, OCIL, NC, DCW only
Department or Discount Store	X	X– CC, DCW only
Funeral Home	X	X– CC, IL, OCIL, DCW only
Furniture Store	X	X– CC, IL, OCIL, DCW only
Hardware, Paint, Glass, Wallpaper or Flooring Store	X	X– CC, IL, OCIL, DCW only
Health Club or Spa	X	X– CC, OCIL, NC, DCW only
Kennel	X	X– CC, IL, OCIL, DCW only
Landscape Nursery		X – IL, OCIL only
Liquor Store	X	X– CC, NC, DCW only
Nightclub or Bar	X	X– CC, DCW only
Open Air Sales		X – NC, DCW only
Pet Store	X	X – OCIL , DCW only
Shopping Center	X	X – CC, DCW only
Souvenir or T-shirt Store	X	X – CC, NC, DCW only
Supermarket	X	X– CC, DCW only
Tattoo Facility	X	X – CC only
Veterinary Hospital	X	X– CC, IL, OCIL, DCW only
Watercraft Sales, Rental or Service		X – IL only
Other Retail Sales or Services	X	X– CC, NC, DCW only, services only in OL and OCIL

Auto Rentals	X	X– CC, IL, OCIL, DCW only
Auto Repair	X	X– CC, IL, OCIL, DCW only
Auto Sales	X	X – CC, IL only
Car Wash	X	X – CC, IL only
Gas Sales	X	X – CC, NC, DCW only
Taxicab Service	X	X – CC, IL, OCIL only
Towing Service		X– CC, IL, DCW only
Truck or Trailer Rental		X – IL only
Aviation Services		X – IL only
Contractor’s Office	X	X– CC, IL, OCIL, NC, DCW only
Other Light Industrial Service	X	X – CC, IL, OCIL only
Other Manufacturing & Production	X	X – IL only
Limited Manufacturing	X	X – OCIL only
Moving & Storage		X – IL only
Self Service Storage	X	X – CC, IL, OCIL only
Warehousing	X	X – IL, OCIL only
Waste Related Services		X – IL only
Waste Treatment Plants	X	X – IL only
Contractor’s Materials	X	X – IL, OCIL, DCW only
Wholesale Business	X	X– CC, IL, OCIL, DCW only
Wholesale Business w/Accessory Retail Outlet	X	X– CC, IL, OCIL, DCW only
DENSITY		
Residential		CC, OL, NC, DCW: 4 du/acre
Non Residential	10000 sf/acre	CC, OCIL, DCW: 10000 sf/acre – Office 8000 sf/acre – Other OL: 8000 sf/acre – Office/Institutional 6000 – Other IL: 12000 sf/acre – Warehouse 10000 sf/acre – Other NC: 7000 – Public/Civic 3000 - Other
HEIGHT	45’	OL, NC, IL, OCIL - Non residential: 35’ CC – Non residential: 35’ OL, NC, CC – Residential: 35’ DCW: 45’

Notes:

- ‘X’ denotes that the use is allowed in the district

- **As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.
- ***This use was inadvertently left out of the LC district in the draft document.

Main Street District

Due to the fact that the majority of the Main Street district is being pulled out of the PD-1 (Planned Development Mixed Use) district, specifically out of portion of both the Hilton Head Plantation and Indigo Run Master Plans, it is difficult to create a comparison chart for this district. The reason for this is that in a master planned area, the zoning and uses are assigned to each parcel rather than on a district wide basis.

Staff suggests that the Committee review the proposed uses, density and height proposed for the Main Street District (this information can be found on pages 3-38 – 3-39 of draft Chapter 3) and if there are any concerns they can be discussed at the meeting.

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	MF (Marshfront District)	MMU (Marshfront Mixed Use)
Restaurant (no drive thru)	X **	X
Indoor Recreation	X	
Real Estate/Health Services/Other Offices	X (this is being changed to a generic 'Office' category)	X
Bed & Breakfast		X
Bicycle Shop w/outdoor storage	X (no outdoor storage)	X
Convenience Store	X	X
Grocery Store	X	
Health Club or Spa	X	X
Liquor Store	X	X
Nightclub or Bar	X	
Open Air Sales	X	X
Shopping Center	X	X
Other Retail Sales or Services	X	X
Auto Rentals	X	
Car Wash	X	
Gas Sales	X	X
DENSITY		
Residential	4 du/acre	4 du/acre
Bed & Breakfast	10 rooms	10 rooms
Hotels/Motels/Inns		
Non Residential	6000 sf/acre	7000 sf/acre
HEIGHT	45'	35' – non residential 45' – residential 45' – mixed use

Notes:

- 'X' denotes that the use is allowed in the district
- ****As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	MV (Mitchelville)	WMU (Waterfront Mixed Use)
Restaurant (no drive thru)	X	X
Indoor Recreation		X
Real Estate Office	X (this category is being changed to a generic 'office' category)	X
Bed & Breakfast		X
Hotel or Motel		X
Inn		X
Bicycle Shop w/outdoor storage		X
Community Theater	X	X
Dance Studio	X	X
Convenience Store	X	X
Nightclub or Bar		X
Open Air Sales		X
Souvenir or T-shirt Store	X	X
Other Retail Sales & Services	X	X
Watercraft, Sales, Rental or Service		X
Seafood Processing		X
DENSITY		
Residential	12 du/acre**	12 du/acre
Hotel/Motel/Inn		20 rooms/acre
Bed & Breakfast		10 rooms
Non Residential	6000 sf/acre	8000 sf/acre
HEIGHT	35'	75'

Notes:

- 'X' denotes that the use is allowed in the district
- **this is shown in the draft as 4 du/acre, the LMO Rewrite Committee recommended that this be changed to 12 du/acre

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	RD (Resort Development – South Forest Beach and Folly Field areas)	CFB (Central Forest Beach) & RD (Resort Development – Folly Field area)
Restaurant (no drive thru)	X**	X
Indoor Recreation/Entertainment	X	X
Outdoor Recreation/Entertainment	X	X
Water Parks	X	X
Real Estate Office	X (this category is being changed to a generic 'office' category)	X
Bed & Breakfast	X	X
Hotel or Motel	X	X
Inn	X	X
Bank	X	X (currently only allowed in RD)
Bicycle Shop w/outdoor storage	X	X
Convenience Store		X
Health Club or Spa	X	X
Liquor Store	X	X
Nightclub or Bar	X	X
Open Air Sales		X
Shopping Center		X (currently only allowed in RD)
Souvenir or T-shirt Store	X	X (currently only allowed in CFB)
Other Retail Sales or Services	X	X
Auto Rental	X	X (currently only allowed in RD)
Gas Sales		X (currently only allowed in RD)
DENSITY		
Residential	16 du/acre***	8 du/acre
Hotel/Motel/Inn	35 rooms/acre	25 and 20 rooms/acre
Bed & Breakfast	10 rooms	10 rooms
Non Residential	8000 sf/acre	8000 sf/acre
HEIGHT	75'	75'

Notes:

- 'X' denotes that the use is allowed in the district
- **As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.
- **this is shown in the draft as 10 du/acre, the LMO Rewrite Committee that this be changed to 16 du/acre

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	SPC (Sea Pines Circle)	DCW (Dunnagan's Commercial Walking) and CC (Central Commercial)
Restaurant (no drive thru)	X**	X (drive thru's allowed in CC)
Indoor Recreation/Entertainment	X	X
Real Estate Office/Other Offices/Health Services Offices	X (this category is being changed to a generic 'office' category)	X
Bed & Breakfast	X	
Hotels/Motels/Inns	X	
RV Park	X	X (only allowed in CC)
Adult Entertainment	X	X
Bank	X	X
Bicycle Shop w/outdoor storage	X	X
Community Theater	X	X
Dance Studio	X	X
Convenience Store	X	X
Department or Discount Store	X	X
Funeral Home	X	X
Furniture Store	X	X
Hardware, Paint, Glass, Wallpaper or Flooring Store	X	X
Health Club or Spa	X	X
Kennel	X	X
Liquor Store	X	X
Nightclub or Bar	X	X
Open Air Sales	X	X (only allowed in DCW)
Pet Store	X	X (only allowed in DCW)
Shopping Center	X	X
Souvenir or T-shirt Store	X	X
Supermarket	X	X
Tattoo Facility		X (only allowed in CC)
Veterinary Hospital	X	X
Other Retail Sales or Services	X	X
Auto Rentals	X	X
Auto Repair		X
Auto Sales		X (only allowed in CC)
Car Wash	X	X (only allowed in CC)
Gas Sales	X	X
Taxicab Service		X (only allowed in CC)
Towing Service		X
Contractor's Office		X
Other Light Industrial Service		X (only allowed in CC)

Self Service Storage		X (only allowed in CC)
Contractor's Materials		X (only allowed in DCW)
Wholesale Business		X
Wholesale Business w/Accessory Retail Outlet		X
DENSITY		
Residential	12 du/acre	4 du/acre
Hotel/Motel/Inn	35 rooms/acre	
Bed & Breakfast	10 rooms	
Non Residential	10000 sf/acre	10000 sf/acre – Office 8000 sf/acre - Other
HEIGHT	45'	35' residential (CC district only) 45'

Notes:

- 'X' denotes that the use is allowed in the district
- **As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	S (Stoney District)	SMU (Stoney Mixed Use)
Restaurant (no drive thru)	X	X
Indoor Recreation/Entertainment		X (recreation only)
Real Estate/Health Services/Other Offices	X (this is being changed to a generic 'Office' category)	X
Bed & Breakfast	X	X
Hotel/Motel/Inn		X
Animal Services	X	
Bank	X	X
Bicycle Shop w/outdoor storage		X
Dance Studio	X	X
Convenience Store	X	X
Grocery Store	X	
Health Club or Spa	X	X
Landscape Businesses	X	
Liquor Store	X	X
Nightclub or Bar		X
Open Air Sales	X	X
Shopping Center	X	X
Souvenir or T-shirt store	X	X
Watercraft Sales, Rental or Service		X
Other Retail Sales or Services	X	X
Car Wash		X
Gas Sales	X	X
Taxicab Service		X
Seafood Processing	X	X
DENSITY		
Residential	10 du/acre	10 du/acre
Bed & Breakfast	10 rooms	10 rooms
Hotels/Motels/Inns		20 rooms/acre
Non Residential	6000 sf/acre	7000 sf/acre
HEIGHT	35'	35' – non residential 45' – residential 45' – mixed use

Notes:

- 'X' denotes that the use is allowed in the district

	Proposed District & Allowed Uses	Current District & Allowed Uses
EXISTING USE	WMU (Waterfront Mixed Use)	WMU (Waterfront Mixed Use)
Restaurant (no drive thru)	X **	X
Indoor Recreation/Entertainment	X	X (recreation only)
Outdoor Recreation	X	
Water Parks	X***	
Real Estate Office		X
Bed & Breakfast	X	X
Hotel/Motel/Inn	X	X
Bicycle Shop w/outdoor storage	X (outdoor storage is not permitted)	X
Community Theater	X	X
Dance Studio	X	X
Convenience Store		X
Liquor Store	X	
Nightclub or Bar	X	X
Open Air Sales	X	X
Watercraft Sales, Rental or Service	X	X
Other Retail Sales or Services	X	X
Auto Rentals	X	
Seafood Processing	X	X
DENSITY		
Residential	16 du/acre****	12 du/acre
Bed & Breakfast	10 rooms	10 rooms
Hotels/Motels/Inns	35 rooms/acre	20 rooms/acre
Non Residential	8000 sf/acre	8000 sf/acre
HEIGHT	75'*****	75'

Notes:

- 'X' denotes that the use is allowed in the district
- **As part of the discussion on conditions, staff would like to discuss which districts are appropriate for drive-thru restaurants.
- ** *The LMO Rewrite Committee recommended that water parks be allowed in this district.
- ****The density is shown in the draft document as 12 du/acre, the LMO Rewrite Committee recommended that this be changed to 16 du/acre.

- ****The Committee needs to review Note 2 and footnote 181 related to height in the WMU district and decide which direction they want to go. Staff suggests that Note 2 reflects the original direction from the Committee.