

TOWN OF HILTON HEAD ISLAND
The Planning Commission
LMO COMMITTEE MEETING APPROVED
Wednesday, September 2, 2009 Minutes
10:00am – Benjamin M. Racusin Council Chambers

Committee Members Present: Chairman Gail Quick, Jack Docherty, Terence Ennis and David White

Committee Members Absent: None

Other Commissioners Present: Loretta Warden, Tom Crews and Tom Lennox

Town Council Members Present: Bill Ferguson and Bill Harkins

Town Staff Present: Nicole Dixon, Planner;
Heather Colin, Development Review Administrator
Teri Lewis, LMO Official
Sally Krebs, Natural Resources Administrator
Kathleen Carlin, Administrative Assistant

I CALL TO ORDER

Chairman Quick called the meeting to order at 10:00am.

II ROLL CALL

III 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.

IV APPROVAL OF AGENDA

The agenda was **approved** as presented by general consent.

V APPROVAL OF THE MINUTES

The minutes of the August 5, 2009 meeting were **approved** as presented by general consent.

VI UNFINISHED BUSINESS

None

VII NEW BUSINESS

Proposed Tree Replacement Fund LMO Amendment

Ms. Nicole Dixon made the presentation on behalf of staff. The proposed amendments to the tree replacement fund include changes to Chapter 6, Section 16-6-409.

When the language in this section was originally drafted and adopted, the staff thought that using the highest of three quotes from a landscaping firm would be ideal because with inflation, the price to replace trees may be higher than when the fees were first placed in the fund. It could potentially

be several years before trees would need to be mitigated following a disaster. Staff thought that the Town would recoup our costs better by using the highest of the three quotes. Through additional study of this section, however, it was determined that there were some issues with using the highest of the three quotes. Some agencies will not reimburse the costs if the highest quote is being used. Staff is proposing to revise the language so that an average of the three quotes is used to determine the tree mitigation fee as opposed to the highest. This will create more flexibility, while still allowing for an adequate amount of funds to be in reserve to cover the costs of tree mitigation after a disaster.

Section 16-6-409. Tree Replacement Fund

The tree mitigation fee is established in order to allow the future planting of trees in better suited locations following a disaster. The applicant for this provision must prove that all reasonable steps have been taken to meet LMO tree requirements for the development site. This shall include alternate site designs and upgrading caliper inch sizes of planted trees. The tree mitigation fee payment is appropriate only when the Administrator determines that the adequate tree replacement and the required caliper inches of trees cannot be met on site, or in the case of a PUD on adjoining open space or other open space within the same PUD as approved by the Administrator. The qualification to utilize this provision must be consistent with the format of a request for variance.

The proposed change in language is as follows: (A) remains the same; (B) the tree mitigation fee shall be calculated by the Administrator based on the number of caliper inches, the cost of the trees, the cost of installation of the trees and the cost of one year of maintenance for the trees, in accordance with the average of three quotes received from local landscaping firms for these costs or through pricing information available through a project completed within one year of the tree replacement request, if appropriate. There are no changes proposed to (C), (D), and (E).

The Planning Commission and the staff discussed the proposed language. Ms. Teri Lewis and Ms. Sally Krebs presented statements regarding the intent and the purpose of the tree replacement fund.

Ms. Dixon stated that the proposed amendments will be reviewed by the Planning Commission at a public hearing on October 7, 2009. Following final comments, Chairman Quick requested that a motion be made.

Mr. Docherty made a **motion** to **forward** the proposed tree replacement fund amendments to the full Planning Commission for their consideration as presented. Mr. White **seconded** the motion and the motion **passed** with a vote of 3-0-0.

VIII ADJOURNMENT

The meeting was adjourned at 10:00am

Submitted by:

Approved by:

Kathleen A. Carlin
Administrative Assistant

Gail Quick
Chairman