

**TOWN OF HILTON HEAD ISLAND**  
**Regular Planning Commission**  
**Wednesday, May 16, 2012 Meeting** **APPROVED**  
**3:00p.m – Benjamin M. Racusin Council Chambers**

Commissioners Present: Chairman Loretta Warden, Vice Chairman Tom Lennox, David Bennett, Alex Brown, Jack Docherty, Terry Ennis, Bryan Hughes, Gail Quick and Barry Taylor

Commissioners Absent: None

Town Council Present: None

Town Staff Present: Jayme Lopko, Senior Planner & Planning Commission Coordinator  
Shea Farrar, Senior Planner  
Anne Cyran, Senior Planner  
Kathleen Carlin, Secretary & Administrative Assistant

**1. Call to Order**

**2. Pledge of Allegiance to the Flag**

**3. Roll Call**

**4. 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.

**5. Approval of Agenda**

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

**6. Approval of Minutes**

The Planning Commission **approved** the minutes of the May 2, 2012 meeting as amended by general consent.

**7. Appearance by Citizens on Items Unrelated to Today's Agenda**

Mr. Joseph Grant presented public comments in opposition to the approval of future conceptual plans for the construction of an elliptical circle in the Chaplin area and William Hilton Parkway. Mr. Grant's concerns are related to public safety and best interests of native islander businesses in this area.

**8. Unfinished Business**

None

**9. New Business**

**Public Hearing**

**ZMA120002:** The Town of Hilton Head Island has applied to amend the Official Zoning Map by amending the Palmetto Dunes Master Plan to change the land uses permitted on three parcels, located near the corner of William Hilton Parkway and Queen's Folly Road. A portion of one property is currently zoned OL, Office/Institutional, and will be incorporated into the PD-1 as part of the Palmetto Dunes Resort Master Plan. The remainder of properties are currently zoned PD-1 within the Palmetto Dunes Resort Master Plan and assigned land

uses of “HHI Fire Station”, “PDR Maintenance” and “Outdoor Entertainment Recreation.” These designations will be changed to “Office”, “Office/Maintenance” and “Government Facilities/Maintenance/Parks and Open Areas” with associated density. The properties are identified as parcels 19 and 347A on Beaufort County Tax Map 12 and parcel 2 on Beaufort County Tax Map 15. Chairman Warden introduced the application and opened the public hearing. Chairman Warden then requested that the staff make their presentation.

Ms. Shea Farrar made the presentation on behalf of staff. Staff recommended that the Planning Commission forward application ZMA120002 to Town Council with a recommendation of *approval*. Ms. Farrar presented an overhead review of the existing and the proposed zoning. Ms. Farrar stated that this application was reviewed by the Planning Commission on March 7, 2012. Since that review, the staff has identified the need to add maintenance to the uses associated with the Town’s property. That is the only change since the Planning Commission’s previous review.

Fire Station 6 is located near the entrance to Palmetto Dunes Resort on Queen’s Folly Road. This facility was identified for replacement in the Town’s 2012 Capital Improvements Program based on recommendations from the Town’s Fire and Rescue Master Plan. The existing property would not accommodate the design that the Town uses for new fire stations, so alternative scenarios were explored. This resulted in an agreement between the Town, Palmetto Dune’s Property Owner’s Association (PDPOA) and Greenwood Communities and Resorts (GCR) to sell the existing fire station property to PDPOA and acquire the access needed to another Town property, better suited for the fire station. This will benefit both Palmetto Dunes and the Town.

The Palmetto Dunes community will benefit by having its POA administration and security offices located at the entrance to the community, along with a new pass office. The Town will benefit by being able to relocate Fire Station 6 to a site that has better access and is of adequate size for the new fire station design. In order for the proposed uses to be permitted on the applicable properties, the Town is proposing to rezone all properties to PD-1 as part of the Palmetto Dunes Resort Master Plan and to assign the appropriate land use designations.

The density associated with the OL Zoning District will also be incorporated into the PD-1 Zoning District for use with the development of the new fire station. No other density changes are proposed.

Following the staff’s presentation, and brief review by the Planning Commission, Chairman Warden requested public comments and none were received. Chairman Warden stated that the public hearing for this application is closed. Following final comments by the Planning Commission, Chairman Warden requested that a motion be made.

Vice Chairman Lennox made a **motion** that the Planning Commission forward Application for Zoning Map Amendment ZMA120002 to Town Council with a recommendation of **approval**. Commissioner Ennis **seconded** the motion and the motion **passed** with a vote of 9-0-0.

## **Public Hearing**

**LMO Amendments:** The Town of Hilton Head Island is proposing to revise and amend Chapter 3, Article XVII and Chapter 4, Article XIII of the Land Management Ordinance (LMO). The proposed amendments will categorize a change in the land use designation of any non-single family residential use to allow a telecommunications facility as a minor amendment to a PUD master plan. The proposed amendments will base the size of a telecommunications tower setback on the tower's height. Chairman Warden introduced the application and opened the public hearing. Chairman Warden then requested that the staff make their presentation.

Ms. Anne Cyran made the presentation on behalf of staff. Staff recommended that the Planning Commission forward the proposed LMO Amendments to Town Council with a recommendation of *approval*.

The LMO Committee discussed the proposed amendments at their April 10, 2012 meeting. The Committee suggested changes to the proposed language and recommended that the revised amendments be presented to the Planning Commission. The staff has made the committee's recommended changes to the amendments.

Ms. Cyran presented an overhead review of the types of telecommunication towers. Cell towers come in a variety of styles. For the purposes of the LMO, however, they are all the same. Ms. Cyran discussed the height of towers and fall zones of towers. Modern towers are designed to collapse within themselves (and still remain attached to the tower). The fall zone for modern cell towers is much smaller than older cell towers. Tower height refers to the actual height of the tower. The fall zone is the safety area around the tower. Ms. Cyran presented a visual review of several existing towers on the island.

Ms. Cyran stated that the first amendment would allow Planned Unit Development (PUD) master plans to be amended via minor amendments – instead of via Zoning Map Amendments (ZMA) – to allow telecommunications facilities as permitted uses on non-single-family properties. The LMO categorizes master plan amendments as one of two types – minor or major. Minor amendments may be approved by the Administrator. All other amendments to PUD master plans are considered major amendments and must be reviewed and approved as a Zoning Map Amendment.

The second amendment would reduce the size of telecommunications tower setbacks from the Ocean & Coastal Resource Management (OCRM) Critical Line, the OCRM Base Line and all publicly-owned rights-of-way. The proposed setback would be equal to the tower's height plus twenty feet.

The third amendment would reduce the size of telecommunications tower setbacks from residential structures. The proposed setback would be equal to the tower's height plus twenty feet. The Planning Commission thanked the staff for today's visual presentation. The presentation is very helpful in understanding cell tower technology.

Ms. Cyran presented a detailed explanation of each of the proposed amendments. The staff also provided the history of the amendments. The proposed amendments are supported by Town Council's Policy Agenda for 2011 which has *Technology Infrastructure: Evaluation*

*and Direction of Town's Role* listed as a Top Priority. To address this Priority, the Telecommunications Taskforce was formed in March 2011 by the Greater Island Council at the request of Mayor Laughlin. The Taskforce was asked to examine the island's telecommunications problems and provide recommendations for how the Town can improve telecommunications service.

A memo outlining the Taskforce's recommendations was presented to Town Council on December 6, 2011, and Town Council voted 7-0-0 to accept the recommendations. One of the Taskforce's findings was that wireless carriers are deferring investments in new infrastructure because of the lengthy process to approve new facilities and because of the restrictions on the location of those facilities, namely setback requirements. The lack of infrastructure investment is particularly acute in the PUDs because the PUD master plans must typically be amended via a zoning map amendment to permit a telecommunications facility as an allowed use on a potential site.

To resolve these problems, the Taskforce recommended amending the LMO to expedite the review process for new telecommunications facilities and to reduce the restrictions on their locations. The Taskforce also recommended decoupling these amendments from the ongoing LMO rewrite process to expedite the changes.

Ms. Shea Farrar also made a presentation on behalf of the staff. Ms. Farrar presented an overhead review of an island map. Ms. Farrar discussed the challenges of placing telecommunication towers in single and multi-family locations in the Palmetto Dunes area. This completed the staff's presentation.

Commissioner Quick stated that the staff's presentation is very important because it sets the stage for why we are here today - to expedite the process. The LMO Rewrite Committee will address many more of the issues concerning telecommunication facilities, processes and procedures in the coming months. Today's action is important because it is a stop-gap measure that will allow the process to begin. Chairman Warden then requested public comments and the following were received:

Mr. Jim Collett, Chairman of the Telecommunications Task Force, presented statements in support of the need for improved telecommunications on the island. Mr. Collett stated that telecommunications providers have underinvested on the island in terms of facilities. We have made it a long, difficult process for them. The permitting process needs to be improved so that carriers will be interested in investing in Hilton Head Island.

Mr. Joe Baker, also a member of the Telecommunications Task Force, presented additional comments in support of improved telecommunications service. Ms. Judy Shade, President of Port Royal Plantation Homeowners Association, presented comments regarding the need for improved cell phone coverage in Port Royal. Mr. Dick Sell, member of the telecommunications community, presented additional statements in support of the need for increased telecommunications service. The Town needs to have a procedure that will expedite the permitting process. Ms. Margaret Clay also presented statements in support of the need for better telecommunications service in Palmetto Dunes.

Mr. Jack Mitchell, Regional Director AT&T, presented statements echoing the need for improved telecommunications on Hilton Head Island. We need to make the process much easier. Chester C. Williams, Esq., presented statements in support of the Town's efforts to

improve cell coverage. Mr. Williams also presented a legal opinion on permitted uses and buffer requirements. Gary Pennington, Esq., presented statements regarding the issue of zoning. Verizon supports the staff's proposed amendments. Mr. Jonathon Yates and Mr. Jason Gross, with American Tower, also presented statements in support of the need for improved telecommunications service. Mr. Gross stated his concern with the staff's most recent change to proposed amendments. The change in regulations will cause difficulties with the location of cell towers. Following all public comments, Chairman Warden stated that the public hearing for this item is closed. The Planning Commission discussed the proposed amendments.

Commissioner Quick presented statements with regard to the LMO Committee's review of the proposed amendments. The committee's recommendations regarding issues of aesthetics and safety reflected the concerns that were presented that evening by the public in attendance at the meeting. Commissioner Quick stated that the staff's visual presentation is very helpful in gaining a better understanding of cell towers.

Chairman Warden stated that, at this point, we are focusing on the language in Article 17 Telecommunications Approval Process in PUDs. Chairman Warden stated that we need to be aware of Commissioner Quick's comments with regard to the LMO Rewrite Committee. The committee will address some of the language with respect to Telecommunications at some point in the future.

Commissioner Ennis presented statements regarding the far reaching effects of telecommunications. The issue goes far, far beyond cell phone usage. Telecommunications is a business tool that continues to grow very rapidly. Wireless devices have tremendous capabilities that have enabled the business world to become hyper-connected. The Hilton Head Island Community needs to gain a much better understanding of this issue. One of our goals is to attract new businesses – we will not be able to join the business community without it. Mr. Ennis stated that we need to accelerate the process in a way that is safe and that fits within our core values. We need to make cell towers as aesthetically pleasing as possible. At the completion of the discussion, Chairman Warden requested that a motion be made.

Commissioner Ennis made a **motion** to **approve** the proposed LMO amendments as recommended by staff but with the modification that we change the setback language in both sections so that the setback would be the fall zone plus 20-feet. Commissioner Quick **seconded** the motion. The motion **passed** with a vote of 9-0-0.

## 10. **Commission Business**

### Appointment of Nominating Committee for the Election of New Officers 2012-2013

Chairman Warden stated that the Rules of Procedure require that a Nominating Committee be appointed by the Chairman for the election of officers (July 1, 2012 – June 30, 2013). The Nominating Committee needs to be confirmed by the Planning Commission. The Chairman may be a voting member of the Nominating Committee. Chairman Warden requested that the Planning Commission confirm her appointment to the Nominating Committee along with the appointment of Commissioner Docherty and Commissioner Hughes. A motion to confirm the appointments was requested. Vice Chairman Lennox made a **motion** that the Planning Commission should **confirm** the members of the Nominating Committee as stated by the Chairman. Commissioner Ennis **seconded** the motion and the motion **passed** with a

vote of 9-0-0.

**11. Chairman's Report**

None

**12. Committee Reports**

**13. Staff Reports**

**14. Adjournment**

The meeting was adjourned at 4:55p.m.

Submitted By:

Approved By:

June 6, 2012

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Kathleen Carlin  
Administrative Assistant

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Loretta Warden  
Chairman