

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of the Wednesday, May 23, 2012 Meeting
4:00pm – Benjamin M. Racusin Council Chambers

APPROVED

Committee Members Present: Chairman Bill Ferguson, Mayor Pro Tem Ken Heitzke
and Bill Harkins

Committee Members Absent: None

Council Members Present: None

Town Staff Present: Shea Farrar, Senior Planner
Nicole Dixon, Senior Planner
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

Mayor Pro Tem Heitzke made a motion to **approve** the minutes of the April 25, 2012 meeting as presented. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

4. UNFINISHED BUSINESS

None

5. NEW BUSINESS

Review and consider a recommendation on updates to the Population, Housing and Community Facilities Elements of the Comprehensive Plan.

Mrs. Jayme Lopko made the presentation on behalf of staff. Staff recommended that the Planning & Development Standards Committee forward the proposed changes to the Comprehensive Plan to Town Council with a recommendation of *approval*.

The Town has drafted updates to the Population, Housing, and Community Facilities Elements based on information obtained from the 2010 Census. The Population Element was not completely updated during the rewrite of the current Comprehensive Plan that was adopted in 2010 because the 2010 Census information was not available until 2011. The 2010 Census asked fewer questions than in the past, which caused most of the information to be based on three year estimates. Some of the census information was contained within the Housing and Community Facilities Elements so they have been updated as well.

The population of the Town of Hilton Head Island grew from 33,862 in 2000 to 37,099 in 2010, while Bluffton Township grew from 19,044 in 2000 to 52,777 in 2010. The other notable change was the continuing increase in the median age for the island from 46 in 2000 to 51 in 2010.

The committee discussed several issues including the demographic information for schools. Following staff's presentation, Chairman Ferguson requested comments from the public and none were received. Following final discussion by the committee, Chairman Ferguson requested that a motion be made.

Mr. Harkins made a **motion to forward** the updates to the Population, Housing and Community Facilities Elements of the Comprehensive Plan to Town Council as presented with a recommendation of **approval**. Mr. Heitzke **seconded** the motion and the motion **passed** with a vote of 3-0-0.

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.

Ms. Shea Farrar made the presentation on behalf of staff. Staff recommended that the Planning and Development Standards Committee forward application ZMA120002 to Town Council with a recommendation of *approval*.

Ms. Farrar stated that this application was first reviewed by the committee on March 28, 2012. Since that time the staff has identified the need to add maintenance to the uses associated with the property. This is the only change to the application since the committee's previous review. Ms. Farrar presented a review of the application for the record.

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 Dunes 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 staff's presentation, Chairman Ferguson requested public comments and none were received. Following final discussion by the committee, Chairman Ferguson requested that a motion be made.

Mr. Harkins made a **motion** to forward Application for Zoning Map Amendment ZMA120002 to Town Council as presented with a recommendation of **approval**. Mr. Heitzke **seconded** the motion and the motion **passed** with a vote of 3-0-0.

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 fall zone.

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

Staff proposes to amend Chapter 3, Article XVII and Chapter 4, Article XIII of the Land Management Ordinance (LMO). 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 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 third amendment would reduce the size of telecommunications tower setbacks from residential structures.

Ms. Cyran stated that the Planning Commission held a public hearing on the proposed amendments on May 16, 2012. The Planning Commission approved the amendments with the following revision: the setbacks in Chapter 4, Article XIII have been changed to be equal to a tower's fall zone plus 20 feet. This revision is reflected in today's presentation.

The 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. The amendments are also supported by the Adopted 2010 Comprehensive Plan, Section 6.7 – Communications, Goal A is to have effective communication services that minimize interruptions on the Island and that support emergency management as well as economic development applications. Following staff’s presentation, Chairman Ferguson requested public comments and the following were received:

Mr. Jim Collett, Chairman of the Telecommunications Task Force, presented statements in support of the proposed amendments. Mr. Jonathon Yates and Mr. Jason Grossclose, appearing on behalf of American Tower, presented statements in support of the proposed amendments. Ms. Judy Shade, Palmetto Dunes Homeowner’s Association, presented statements in support of the proposed amendments. Mr. John Mitchell, with AT&T, presented statements in support of the proposed amendments. Chester C. Williams presented an opinion regarding the legality of the amendments. Ms. Cyran responded that the amendments have been reviewed by the Town’s legal staff. The legal staff is confident that the proposed amendments will stand up to judicial scrutiny. Today’s action is a stop-gap measure intended to facilitate the permitting process for telecommunications until such time that the LMO Rewrite Committee completes their work. Following final discussion by the committee, Chairman Ferguson requested that a motion be made.

Mr. Harkins made a **motion** to forward the proposed LMO Amendments to Town Council as presented with a recommendation of **approval**. Mr. Heitzke **seconded** the motion and the motion **passed** with a vote of 3-0-0.

6. COMMITTEE BUSINESS

None

7. ADJOURNMENT

The meeting was adjourned at 5:15pm.

Submitted By:

Approved By:

June 13, 2012

Kathleen Carlin
Administrative Assistant

Bill Ferguson
Chairman