

TOWN OF HILTON HEAD ISLAND
Planning and Development Standards Committee
Minutes of the Wednesday, February 27, 2013 Meeting **APPROVED**
4:00pm – Benjamin M. Racusin Council Chambers

Committee Members Present: Chairman John McCann, Bill Harkins, and George Williams

Committee Members Absent: None

Council Members Present: None

Town Staff Present: Marcy Benson, Senior Grants Administrator
Anne Cyran, Senior Planner; Teri Lewis, LMO Official
Jill Foster, Deputy Director, Community Development
Charles Cousins, Director, Community Development
Heather Colin, Development Review Administrator
Kathleen Carlin, Administrative Assistant

1. Call to Order

Chairman McCann 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

The October 24, 2013 meeting minutes were *reviewed* by the committee but *not approved* due to new committee membership and the lack of a quorum of previous committee members.

4. Unfinished Business

None

5. New Business

a) Annual Fair Housing Resolution

Ms. Marcy Benson made the presentation on behalf of staff. The staff recommended that the Planning and Development Standards Committee recommend to Town Council *approval* of the Fair Housing Resolution.

Ms. Benson stated that 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 Resolution is modeled on a recommended format by the Lowcountry Council of Governments which has been used previously by the Town.

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. Ms. Benson stated that this Resolution has been approved by the committee in previous years. The committee and Ms. Benson discussed the purpose of the Annual Fair Housing Resolution. Following final comments, Chairman McCann requested that a motion be made.

Mr. Williams made a **motion** to **forward** the Annual Fair Housing Resolution to Town Council with a recommendation of **approval** as presented by staff. Mr. Harkins **seconded** the motion and the motion **passed** with a vote of 3-0-0.

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.

Ms. Anne Cyran made the presentation on behalf of staff. The staff recommended *amending* LMO Sec. 16-4-1701, Maximum Structure Height, to remove from the table the Not to Exceed column, which specified 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.

Ms. Cyran stated that 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 the staff to make this change island wide rather than in one zoning district. The committee discussed the intent of the proposed amendment with Ms. Cyran.

Chairman McCann then requested public comments. Mr. Peter Ovens presented general statements regarding the amendments. Following final comments by the committee, Chairman McCann requested that a motion be made.

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

c) The Farmers Market, Hilton Head Island at Historic Honey Horn - Request for DOT Signage Recommendation

Ms. Teri Lewis made the presentation on behalf of staff. Ms. Lewis presented an in-depth overhead review of the applicant's request for DOT signage. Staff recommended 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.

Ms. Lewis stated that the staff has had numerous conversations with the Manager of the Farmers Market, Ms. Pamela Ovens, regarding her desire for additional signage for the market. The most recent letter from Ms. Ovens requests that the Mayor place on a public agenda her request to have an off-premises DOT directional sign placed on US 278 that specifically states 'Farmers Market' and the hours of operation.

The DOT is amenable to the request 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 Ms. 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 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.

Ms. Lewis stated that 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.

In conclusion, the staff recommended that the Planning and Development Standards Committee forward the recommendation for DOT signage for the Farmers Market, Hilton Head Island at Historic Honey Horn to Town Council with a recommendation of *denial*.

The committee discussed the request and the staff's recommendation. The committee stated their support of the staff's recommendation of denial. At the completion of final comments by the committee, Chairman McCann requested that a motion be made.

Mr. Williams made a **motion** to forward The Farmers Market, Hilton Head Island at Historic Honey Horn Request for DOT Signage to Town Council with a recommendation of **denial**. The committee agrees with the Town staff's recommendation. Mr. Harkins **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 4:25pm.

Submitted By:

Approved By:

April 25, 2013

Kathleen Carlin
Administrative Assistant

John McCann
Chairman