

TOWN OF HILTON HEAD ISLAND  
Planning Commission  
**LMO REWRITE COMMITTEE MEETING**  
February 27, 2014 Minutes  
8:30a.m. – Benjamin M. Racusin Council Chambers

Approved

Committee Members Present: Chairman Tom Crews, David Ames, Irv Campbell, Chris Darnell, Jim Gant, Walter Nester and Kim Likins, *Ex-Officio*

Committee Members Absent: Vice Chairman Gail Quick, David Bachelder, and Charles Cousins

Planning Commissioners Present: Alex Brown

Town Council Members Present: Bill Harkins

Town Staff Present: Teri Lewis, LMO Official  
Brian Hulbert, Staff Attorney  
Kathleen Carlin, Administrative Assistant

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**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 revised agenda as presented by general consent.

**4) Approval of the Minutes**

The committee **approved** the minutes of the February 5, 2014 meeting as presented by general consent.

**5) Unfinished Business**

a. Discussion of Conditions

Chairman Crews requested that Ms. Teri Lewis lead the discussion on Conditions. Ms. Lewis stated that over the past year, the LMO Rewrite Committee has discussed uses and associated conditions. The committee voted to eliminate some conditions and to add other conditions.

Draft Chapter 4 (specifically pages 4-7 – 4-20) contains the recommended conditions for various uses. While a variety of smaller changes need to be made to this section (i.e. eliminate the conditions related to Interval Occupancy, using consistent language) the staff needs specific direction from the committee related to the following conditions:

## **Grocery Stores**

Grocery stores located in the CC District shall have a gross floor area no greater than 50,000 square feet. The staff recommended that there be no limitation on the square footage of grocery stores in the CC district. The committee and the staff discussed the recommendation. The Committee stated that they are in favor of staff's recommendation on Conditions for Grocery Stores.

## **Shopping Centers**

A shopping center shall comply with the following conditions:

01. The site shall have direct access to a major or minor arterial, in accordance with Sec. 16-5-105.B, Street Hierarchy.
02. Shopping centers located in the SMU and MMU Districts shall not have a maximum gross floor area of more than 100,000 square feet.

The Committee had asked the consultant to recommend a maximum gross floor area for shopping centers in the Stoney and Marsh Front districts. The staff believes that this number is higher than the Committee intended.

The committee and staff discussed the existing and the proposed conditions for Shopping Centers. The committee stated that they believe 15,000 square feet for shopping centers is too small. Ms. Lewis and the committee discussed the size of a couple of existing shopping centers. The committee recommended a limit of 50,000 square feet for Shopping Centers in the SMU and MMU districts.

## **Other Commercial Services**

Other commercial services shall comply with the following conditions:

01. Other commercial services located in the RM-4 District shall have a gross floor area no greater than 1,200 square feet. The staff recommended that there be no limitation on the square footage of other commercial services in the CC District.
02. Other Commercial services located in the CC district shall have a gross floor area no greater than 50,000 square feet.

The committee discussed the issue and stated that they are in favor of the staff's recommendation for Other Commercial Services.

## **Gas Sales**

A gas station shall comply with the following conditions:

01. The site shall have direct access to a minor arterial, in accordance with Sec. 16-5-105.B, Street Hierarchy. No direct access to a major arterial shall be permitted.
02. The site shall be located at the intersection of at least two streets, one of which shall be a minor arterial.
03. If the site is within 500 feet of an intersection of any street with a major arterial, there shall be a traffic signal at that intersection. The distance shall be measured using the shortest distance a vehicle could travel from the site to the intersection.
04. No more than two uses offering gas sales shall be located at the intersection of a major arterial with a minor arterial. The two uses shall be located on opposite sides of the major arterial.
05. No more than 16 pumps (defined as a fueling area for an individual vehicle) shall be permitted at

a gas sales establishment.

06. No signs shall be located on any canopy over the pumps. The Committee has expressed some concern with not allowing any access to a major arterial.)

The staff and the committee discussed access on and off minor arterials and on and off major arterials. The committee stated that they would not want to encourage access on and off Highway 278 based on traffic and safety concerns. Ms. Lewis stated that more flexibility is being built into the Non-Conforming Chapter. If people want to re-develop non-conforming sites they will be able to. Several committee members stated that they are comfortable with the language in this section.

Mr. Nester questioned staff on why we would not allow gas stations to exit out on 'other roads'. Ms. Lewis stated that there is not necessarily a reason not to. However, due to traffic a signalized intersection is preferred. Ms. Lewis and the committee agreed that flexibility should be built into the Non-Conforming chapter. Ms. Lewis distributed copies of Chapters 5, 6 and 7 for the Board's review.

Following final comments, the staff and the committee stated that the review of Conditions is now complete.

## 6) **New Business**

### LMO Rewrite Committee Review Process

Chairman Crews presented comments regarding the committee's need to have a more structured timeline in order to complete their task of rewriting the LMO. Chairman Crews requested that Mr. Gant make his presentation on a proposed review process for the completion of the LMO Rewrite process.

Mr. Gant stated that he met with Ms. Lewis and Mr. Cousins earlier this week for the purpose of making some recommendations to better organize the committee's review process. Mr. Gant presented an overhead review of a new "scorecard" that indicates the status of what the committee is currently working on. The "scorecard" contains several columns: the items listed in the green boxes indicate the completion of those items. Today's completed review of 'Conditions' will be added to the green column. The orange column indicates the topics that are still incomplete and are in progress.

Mr. Gant recommended that, in order to stay on track, the committee adopt a Town Council style format for conducting their meetings. The committee will review a topic first and will then invite public comments before moving on to the next topic. This process will work better than everyone (staff, committee, and the public) joining the conversation at the same time.

Mr. Gant recommended that pre-review teams be formed to review specific issues before the issue comes before the full committee. Pre-review teams will review the major changes as identified by Teri and they will make a recommendation, and identify options (if any) for those issues. They will then form a recommendation for the full committee to review.

Mr. Gant stated that individual skill sets have been considered in the proposed assignments of team members. The committee discussed the need for an aggressive schedule (perhaps two meetings a week) in order to finish their task. Mr. Gant discussed the Planning Commission's review of the proposed chapters in the weeks and months to come. A change in the Planning Commission's membership will occur at the end of June so it will be important to have everything ready to be reviewed by the current Planning Commission for the sake of consistency. The pre-review teams will present to the committee first and then they will present to the Planning Commission at a later date. The Planning Commission will have the opportunity to accept or reject the committee's recommendation. If the Planning Commission rejects the committee's recommendation, the Planning Commission will assume some ownership in presenting their recommendations. The timeframe is May – June 2014.

The committee discussed the proposed plan and they agreed with Mr. Gant's recommendations. The three member prep review team idea is a very good one – especially in appearing before the Planning

Commission. The schedule is aggressive but important in order for the LMO Rewrite Committee to complete this important task. The pre-review teams will be referred to as Advisory Committees.

Mr. Nester presented comments regarding Town Council's role in adopting or amending the new LMO.

Ms. Lewis stated that the plan is to start taking sections (Chapters 3, 4, and 10) to Town Council on May 20<sup>th</sup>. The staff and the committee discussed the timeline. Mr. Darnell recommended that the committee consider evening meetings for the public hearings. The committee stated that holding two meetings per week may be necessary. The Planning Commission plans to hold the public hearings for the draft LMO during their regular meeting schedule. Ms. Lewis discussed the notification process that is required for public hearings vs. public meetings.

Ms. Likins stated that she believes Town Council will be pleased with the proposed schedule. Ms. Likins stated that she will provide Town Council with an updated "scorecard" as it becomes available. Mr. Gant stated that he will provide target dates on the 'scorecard'. Mr. Nester recommended that 'prep team' meeting dates be included as well. Ms. Likins stated that she will encourage members of Town Council to attend the Planning Commission public hearings for a better understanding of the issues.

The committee thanked Mr. Gant for his assistance in preparing the committee's 'scorecard' and prep team assignments.

#### Follow-up discussion related to February 12, 2014 Workshop

Mr. Ames presented opening statements regarding the need to look at zoning in a strategic way. The committee's recommendation will be made to the Planning Commission. The committee needs to define the area of the RM-4 and make some suggestions. The committee has received some public feedback from RM-4 property owners.

The committee wants to advance something on behalf of the RM-4 areas that will have immediate potential. The committee does not have the time or the authorization from Town Council to begin to have public hearings at this time. The committee should advance some recommendations for RM-4 but trying to do everything at once may not be possible.

Chairman Crews presented background details regarding the previous discussion on RM-4 from a master planning standpoint. The proper planning approach is to look at the master plan format. Mr. Darnell, Chairman Crews and other committee members discussed the master plan approach for the community.

What can the committee do from a zoning standpoint to accelerate the RM-4 area when we do not have the buy in from the community? Mr. Campbell presented statements in support of the committee making a recommendation for increasing the density of RM-4.

Mr. Ames presented comments regarding the market and the location of RM-4. A recommendation for a higher density is there for some but not all parcels in RM-4. Certain areas should have a higher density. The committee discussed the master plan process. Is this an issue that the committee can advance to the Planning Commission?

Mr. Nester presented statements regarding the option of up-zoning the RM-4 area. A full re-zoning would be a disservice to the committee, to Planning Commission, and other property owners in the RM-4 district. The framework that has been developed shows that some parcels are appropriate for up-zoning. We recommend that the Planning Commission review those areas. We do a disservice to the process if we say all of RM-4 should be up-zoned. This was not part of Town Council's direction to the LMO Rewrite Committee.

Public Comments: Ms. Dot Law presented statements regarding a letter that she has which contains over 300 signatures in support of increasing density in RM-4. The letter and signatures from the community in support of increased density were made part of the official record.

Chairman Crews presented statements in support of approaching the subject with a master plan approach. Some property owners in the RM-4 zoning district just want a single family home and others

want a development approach. The committee is limited in its powers by the authority of Town Council.

Mr. Campbell presented comments regarding the impact of increasing the density of RM-4. Mr. Campbell stated that he is in favor of increasing the density of all of RM-4. Mr. Gant presented comments regarding the density of residential areas in RM-4 as they relate to the Planned Unit Developments on the island.

Chester Williams, Esq., presented comments in support of the availability of workforce housing in RM-4. The original promise of density of 4 to 8 units per acre was discussed. Mr. Ames stated that density alone does not necessarily increase land value. It's how everything fits together in a community that enhances individual property.

Mr. David Ames read a letter that he composed and sent to the committee regarding the issue of density in RM-4. The letter was made part of the official record. Mr. Ames stated that his letter begins with the proposition that one single density across all areas of the RM-4 zoning district discourages capital investment and overlooks the opportunity for growing the island's economy.

The unique characteristics of neighborhoods should be reflected in land use and density. The committee's recommendation should strive to capitalize and leverage on a neighborhood's special qualities thereby enhancing the property values and the richness of the island's human environment.

For example, Mitchelville/Port Royal Sound has unique potential because of its Civil War history and sites of Mitchelville plus views of Port Royal Sound. It also has popular amenities such as Barker Field and Mitchelville Beach, and likely the Mitchelville Preservation project. We should ask how these areas (some of which are located in RM-4) should be combined in order to encourage private investment to reinforce one another and contribute to the island. The same thought process can be applied to each RM-4 neighborhood. With that thought in mind, the committee should consider recommending the following to the Planning Commission:

- 1) **Mitchelville/Port Royal Sound Initiative Area** – Leverage history during and following the Civil War. Land uses should encourage education, the buying of a gift, and staying overnight. Take advantage of views of Port Royal Sound and transition areas within the Initiative Area might have higher densities where FAA regulations permit. Increase density for RM-4 properties along Port Royal Sound by moving them to Mitchelville District. Create a transition density area west of those parcels of 8 units per acre. This would be a special place for Hilton Head Island. These are concepts based on experience. The Planning Commission will need to work very carefully with the residents to develop a vision for these areas.

- 2) **Squire Pope/Wild Horse/Gumtree Initiative Area**

This area has significant public investment and a variety of housing options. No other area on the island has the same concentration of family-oriented amenities: the school campus, the Rec. Center, the Boys and Girls Club, Taylor Park, bike paths and easy access to Jarvis Creek Park and the Children's Center. Our recommendations could stimulate more affordable housing for working families. This suggests a modest increase in density (to spread land costs) and perhaps broader land use options (to accommodate some of the needs of the neighborhood).

Create RM-8 district near schools to create a walkable affordable housing area for working families in the area between Chinaberry Ridge and Allenwood and the area to the south of Carolina Isles and west of Gumtree Road. This should include all of the parcels within one half mile of the school campus. The existing PD-2 designation at Gumtree/Squire Pope Circle provides commercial opportunity.

- 3) **Skull Creek Frontage along Squire Pope Initiative Area**

Given its impressive views, Green's Shell Park and the expected Rowing & Sailing Center, this

stretch of Squire Pope Road could become an important point of public access to the water, environmental education and education around traditional Gullah life on the water. Even without a cohesive theme, the views, the location and the neighborhood suggest that a higher density than RM-4 is reasonable. Extend WMU District south/west along Squire Pope Road from the Fuller Pointe development to marsh adjacent to Heritage Trust property.

**4) Stoney Initiative Area**

This area probably requires a public/private partnership to resolve land use patterns and traffic concerns. The committee may conclude that an existing density of 10 dwelling units per acre be retained while acknowledging access onto Highway 278 must be limited. Therefore, we probably will want to recommend a neighborhood/Town partnership to determine alternate ways of providing access and development. This might result in land swaps, density swaps and or/other secondary roads.

**5) Cross Island Parkway Initiative Area**

Existing light industrial uses adjacent to the Parkway are logical. On the other hand, RM-4 density, where land cost cannot be distributed broadly, conflicts with normal marketplace economics: high land cost, low intrinsic market appeal because of noise. Therefore, we might recommend a slightly higher residential density backing up to the highway (perhaps 400-ft. to 500-ft.) in depth. Special consideration may be needed in this area. Rezone the area west of the parkway and east of Muddy Creek Road to 8 units per acre. Rezone the triangular shaped area between the Cross Island Parkway and Spanish Wells Road to 8 units per acre. Aerial photos of this area will be helpful in gaining a better understanding of this Initiative Area.

Mr. Ames stated that these Initiative Areas provide a vision of the potential. If the property owners come to an agreement, it could happen. The majority of property owners on the island have a vision of what they would like the island to become.

The committee is trying to articulate and elevate the vision of a minority of residents on the island. The committee is trying to do something in the public arena that benefits RM-4 property owners. Up-zoning all of RM-4, however, is not realistic. The committee is trying to find a way for the public to buy into the idea that making incremental adjustments to the RM-4 district is a good idea. The committee cannot recommend up-zoning the entire RM-4 zoning district.

Mr. Ames stated that Spanish Wells is a special area. This area lacks the concentration of public investment, public amenities, and other things to suggest that it be given higher density. The committee should target the areas that have the highest likelihood of success and go forward from there. Mr. Campbell presented comments in support of increasing the baseline so that Spanish Wells is included.

Chester Williams presented comments regarding the Spanish Wells area and an increase in density. A set of criteria could be applied to this area.

Mr. Gant stated that, based on the discussion, four options have been identified: (1) a month ago the committee was suggesting making no changes to RM-4 (far end of the spectrum); (2) Mr. Campbell is recommending up-zoning the density in all of the RM-4 (the other far end of the spectrum); (3) In between the two extremes, there are two options: return the bonus density provisions that were in the Ward 1 Master Plan; or (4) follow the vision set out by Mr. Ames in his identification of five initiative areas (plus the opportunity for bonus outside of those five initiative areas).

The prep team (i.e. the Advisory Committee for Zoning) will meet to discuss the pros and cons of each of these four options. They can, hopefully, formulate a recommendation for the full LMO Rewrite Committee to consider at the next meeting. The Advisory Committee on Zoning is made up of Mr. Jim Gant, Mr. Irv Campbell, Mr. David Ames, and Mr. Chris Darnell.

Mr. Nester stated that there is a sub-set – is this committee now going to embark on the areas that have been identified? Look at the master plan, access and engineering issues that are there? Then make a decision if re-zoning is appropriate? Are there new zoning districts? This should be a recommendation for Town Council - this committee should not necessarily be the one doing this. Mr. Campbell encouraged the committee to make a recommendation on this issue just as they have in the past on other areas (i.e. Coligny).

Mr. Thomas Barnwell, Sr., presented statements in support of the progress that is being made by the committee on this important issue. Following final comments, the meeting was adjourned.

**7) ADJOURNMENT**

The meeting was adjourned at 10:20a.m.

Submitted by:

Approved by:

March 13, 2014

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Kathleen Carlin  
Administrative Assistant

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Tom Crews  
Chairman