

**TOWN OF HILTON HEAD ISLAND**  
**Planning Commission Meeting**      **APPROVED**  
**Wednesday, June 18, 2014**  
**3:00p.m – Benjamin M. Racusin Council Chambers**

Commissioners Present: Chairman Gail Quick, Vice Chairman David Bennett, Alex Brown, Judd Carstens, Terry Ennis, Bryan Hughes, Tom Lennox, Barry Taylor and Brian Witmer

Commissioners Absent: None

Town Council Present: Mayor Drew Laughlin, Bill Harkins, and John McCann

Town Staff Present: Teri Lewis, LMO Official  
Curtis Coltrane, Esq., Town Attorney  
Jayme Lopko, Senior Planner & Planning Commission Coordinator  
Brian Hulbert, Staff Attorney  
Charles Cousins, Director Community Development  
Jennifer Ray, Urban Designer  
Kathleen Carlin, Secretary

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- 1. Call to Order**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Presentation of Crystal Awards to outgoing Planning Commissioners:  
Ms. Gail Quick, Mr. Terry Ennis, Mr. Tom Lennox and Mr. Brian Witmer**

Mayor Drew Laughlin presented the Town’s Crystal Award to outgoing Chairman Gail Quick and outgoing Commissioners Terry Ennis, Tom Lennox and Brian Witmer. Mayor Laughlin stated his appreciation to the outgoing Planning Commissioners for their service to the community on behalf of Town Council and the Town of Hilton Head Island.
- 5. Freedom of Information Act Compliance**

Public notice of this meeting has been published and posted in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.
- 6. Approval of Agenda**

The agenda was **approved** as presented by general consent.
- 7. Approval of Minutes**

The Planning Commission **approved** the minutes of the regular June 4, 2014 meeting as submitted by general consent.
- 8. Appearance by Citizens on Items Unrelated to Today’s Agenda**
  - a) Mr. Jim Collett, Chairman of the Telecommunications Taskforce, presented statements in concern of the proposed setback requirements for cell towers. Mr. Collett requested that the language be restored to the original language that was approved two years ago. The proposed language is in conflict with some of the previously agreed upon improvements to the permitting process for cell towers. Chairman Quick presented statements regarding the

issue of technology vs. aesthetics on Hilton Head Island. Commissioner Ennis presented statements in concern of the need to balance technology and aesthetics on the island. A creative solution to the problem needs to be found.

b) Mr. David Martin, business owner of Piggly Wiggly, reiterated his concerns with the lack of adequate beach parking in the Coligny area. Mr. Martin encouraged the Town to take quick action to improve beach parking. This issue should be a priority “quick action” item.

Chairman Quick stated that she and Commissioner Lennox met recently with Town Manager Steve Riley in an effort to expedite beach parking at Coligny. The Town-owned property in Coligny known as the ‘bone yard’ will soon be available for additional temporary parking.

c) Chester C. Williams, Esq., presented statements regarding the issue of setback requirements for cell towers. Mr. Williams stated the need for everyone to follow the same rules for permitting cell towers (as currently proposed in the draft LMO.)

d) Mr. Jack Alderman presented public statements on behalf of the Vision Steering Committee regarding The Greater Island Council’s goals for the future of Hilton Head Island.

e) Ms. Deborah Urato, resident and local business owner, reiterated her concerns with the inadequate parking conditions at Coligny. Ms. Urato agreed with the need to quickly open up the ‘bone yard’ area for additional parking.

f) Mr. Peter Kristian, general manager of the Hilton Head Plantation’s POA, presented statements in opposition to the comments just presented by Chester C. Williams, Esq. regarding the proposed language for permitting cell towers. Cell towers should be considered a necessary utility on Hilton Head Island in this day and age and they need to be treated as such.

g) Mr. Jeff Sickelstein, Coligny area business owner, presented statements in agreement with those presented by Mr. David Martin. The lack of adequate parking in Coligny is a critical issue and needs to be addressed quickly.

## **9. Unfinished Business**

### Public Hearing

- a) Repeal of existing Land Management Ordinance and Adoption of a new Land Management Ordinance as part of Title 16 of the Municipal Code.
- b) Repeal of existing Official Zoning Map and Adoption of a new Official Zoning Map as part of Title 16 of the Municipal Code.
- c) Amend Title 16 (Land Management Ordinance) of the Municipal Code, specifically Chapter 5, Article XVIII (Impact Fees). The only change to this article will be to re-number it in conjunction with the Land Management Ordinance Rewrite project.

Chairman Quick presented a brief background on this Unfinished Business item. The public hearing for the above referenced three business items began on June 4, 2014. Chairman Quick stated that the Planning Commission will begin with the issue of Telecommunication setback requirements. Ms. Teri Lewis, LMO Official, will make this

presentation to the Planning Commission. Following this introduction, Chairman Quick requested that Ms. Teri Lewis make her presentation.

Ms. Teri Lewis reported that at the public hearing on June 4, 2014, there was a brief discussion on the setbacks for Telecommunication Facilities. It was determined by the Planning Commission that additional discussion should be held on this topic at today's meeting. Ms. Lewis presented the following specific details related to this issue:

The LMO Rewrite Committee and the project's consultant, Clarion Associates, have been working diligently over the past three years to rewrite the Town's Land Management Ordinance. As part of their work, the LMO Rewrite Committee reviewed the existing conditions related to Telecommunications Facilities.

Some of the conditions related to setbacks for Telecommunication Facilities were amended in July, 2012 based on recommendations from the Telecommunications Task Force. Among other changes, the setbacks for Telecommunications Facilities from the Ocean & Coastal Resource Management (OCRM) Base Line and Critical Line and from publicly owned rights-of-way were reduced from *the tower height divided by .35 to the fall zone plus 20 feet.*

The LMO Rewrite Committee spent quite a bit of time discussing the protection of 'edge conditions' – those areas along our major thoroughfares and waterways; as part of this discussion it was determined that a greater setback was needed for Telecommunication Facilities along the major and minor arterials and along the water in an effort to protect the aesthetics of the edge conditions. It is for this reason that the proposed setbacks for Telecommunication Facilities are as follows:

- Setbacks from OCRM Base Line, Critical Line and Major Arterials: *setback a minimum distance equal to the overall height of the tower*
- Setbacks from Minor Arterials: *setback a minimum distance equal to 80 percent of the height of the tower*

The Planning Commission and Ms. Lewis discussed the issue of aesthetics as it relates to the protection of edge conditions. Chairman Quick then requested opening public comments on this issue and the following statements were received:

Mr. Jack Mitchell, Regional Director of External Legislative Affairs, ATT, presented statements regarding the issue of aesthetics and the modifications made to cell towers. Mr. Mitchell and the Planning Commission discussed the need for quality telecommunications service on the island.

Mr. Jim Collett, presented statements in opposition to the comments presented previously by Chester Williams, Esq. The need for clarity in the rules and permitting process is very important.

Mr. Richard Pattisall, Sea Pines resident, presented statements in support of Mr. Collett's statements for the need for increased telecommunications on Hilton Head Island. The issues of safety and aesthetics in telecommunications were included. This completed today's discussion regarding cell towers.

Chairman Quick then requested that Mr. Tom Crews, Chairman of the LMO Rewrite Committee, make his presentation to the Planning Commission.

Mr. Crews stated that the intent of the Coligny redevelopment process has taken a lot of discussion on the committee's part. One of the charges from TC was to encourage redevelopment in Coligny.

Mr. Crews presented an overhead review of the following issues: building setbacks and height. The proposed language relates to a build to line (which is different than a setback line.) Mr. Crews reviewed the differences between a build to line and a setback line. The committee recommends the use of two different types of setbacks. The recommended setback on Pope Avenue and South Forest Beach is 30-ft. The committee recommends that other streets have a setback of 20-ft. This is in lieu of the committee's previous recommendation.

Mr. Crews then discussed the issue of height and scale. The only way to increase density in the Coligny commercial district is in height. The current height limitation is 45-ft. Mr. Crews discussed the committee's concerns with increasing the height limitation to 65-75 feet. Mr. Crews recommended that the building footprint could rise to 65-ft. in height. The goal of this is to increase some balance and variety without sacrificing the aesthetics of the area.

Commissioner Ennis and Mr. Crews discussed the proposed language and potential next steps for the Planning Commission. The expectation is for the Planning Commission to be prepared to vote on setbacks and heights.

Ms. Teri Lewis presented background statements on setback requirements for Coligny. If the Planning Commission feels prepared, they may vote on the proposed changes today.

Mr. Charles Cousins presented statements regarding setback requirements and right of way in Coligny on behalf of staff. Mr. Crews and the Planning Commission discussed the consideration of height and density in the Coligny district. Vice Chairman Bennett and Mr. Crews discussed the issue of height as it relates to the character of Coligny. A variety of height was included in the discussion. Mr. Crews stated that his presentation is not being made on behalf of the entire LMO Rewrite Committee. The presentation is made based on Mr. Crews' long-term experience as an architect on the island. Commissioner Lennox stated that the proposal has an economic impact on the property owner or developer if the relaxed standards are adopted.

Commissioner Witmer and Vice Chairman Bennett presented statements in concern of the existing lack of adequate parking in the Coligny area even without considering redevelopment. Commissioner Ennis stated his appreciation to Mr. Crews and stated that he believes that this is a good idea.

Chairman Quick stated that the Planning Commission's charge today is to approve the LMO language, approve the LMO language with conditions, and disapprove the LMO language. The Planning Commission would be forwarding a recommendation for approval by Town Council of the entire package as a whole (rather than separating it into parts.) The Planning Commission discussed separating the package – approve the portion that can be forwarded and holding back the Coligny district at this time until the outstanding items

can be worked out. Chairman Quick requested that Curtis Coltrane weigh in on this suggestion.

Mr. Coltrane stated that the Planning Commission can forward the entire LMO to Town Council with a recommendation of approval if they wish or they may forward only a portion of the LMO to Town Council and hold back the Coligny portion if they wish. Mr. Coltrane presented some draft legal language on this issue to the Planning Commission for their consideration. The proposed language is with regard to the 20-ft and 30-ft. setbacks.

Vice Chairman Bennett and Mr. Tom Crews discussed the need to fine-tune some of the proposed language before it reaches Town Council. Mr. Crews stated that he will work on the proposed language regarding height in an effort to meet the Planning Commission's concerns.

Chairman Quick then requested public comments and the following were received:  
(1) Chester Williams, Esq., presented general comments regarding the proposed new regulations.

Chairman Quick stated that they are still two outstanding issues before the Planning Commission. One is telecommunications issue and the second is setback requirements for the Coligny district. Chairman Quick recommended that the Planning Commission vote on each of the Unfinished Business issues separately.

Mr. Coltrane recommended that the public hearing on these issues remain open to the next meeting. Mr. Coltrane recommended that the Planning Commission complete their review all at one time. The Planning Commission will hold off and be prepared to take a vote on the completed project at the next meeting. Ms. Lewis stated that Council Chambers is available next Wednesday, June 25, 2014. If a quorum of Planning Commissioners is available to attend a meeting on that date. Chairman Quick requested that Mr. Coltrane complete his presentation on today's two Unfinished Business items.

Mr. Coltrane stated that the next item to be reviewed is the list of changes to the LMO that have been made since the beginning of the public review draft. Mr. Coltrane stated that a number of these changes are not substantive. Mr. Coltrane presented a review of the changes. Following this review, Chairman Quick requested public comments and the following were received: (1) Chester Williams, Esq., presented brief comments regarding the proposed changes. Following public comments, Chairman Quick requested that a motion be made.

Vice Chairman Bennett made a **motion** that the Planning Commission **approve** the minor recommended changes to the draft LMO as presented by Curtis Coltrane, Esq. Commissioner Ennis **seconded** the motion and the motion **passed** with a vote of 9-0-0.

Mr. Coltrane then stated that a question was previously raised by the Planning Commission regarding the issue of conditional zoning. Conditional zoning deals with whether or not the Planning Commission can place conditions on their review of a rezoning application. Mr. Coltrane and the Planning Commission reviewed the existing and the proposed LMO language. Mr. Coltrane stated that conditions are allowed if it is determined that such conditions are necessary to ensure compliance with the code. It does not provide for the Planning Commission to draft conditions that are not stated in the code. Vice Chairman

Bennett and Mr. Coltrane discussed the issue of conditional uses as identified in the LMO and State Code. Vice Chairman Bennett stated that he does not agree with Mr. Coltrane's conclusion on this issue.

Chairman Quick invited additional public comments and the following were received: (a) Mr. David Ames, LMO Rewrite Committee member, presented statements in regard to the cell tower issue and the protection of edge conditions. The need for advanced telecommunications is absolutely vital to Hilton Head Island. Mr. Ames also presented comments regarding the Coligny discussion. Additional understanding by the Planning Commission on this issue is needed; (b) Ms. Jocelyn Steiger, Government Affairs Director, Realtors' Association, presented a number of recommendations for changes to the draft LMO, particularly as related to home ownership and housing development; (c) Mr. Peter Kristian, General Manager, Hilton Head Plantation, POA, presented statements regarding the need to test some of the proposed changes in the LMO, particularly related to Coligny.

Ms. Teri Lewis inquired if a quorum of Planning Commissioners is available on Wednesday, June 25<sup>th</sup> at 9:00a.m. A number of Planning Commissioners stated that they are available to meet at that time (a quorum of members.) Today's public hearing will remain open until that day. Chairman Quick asked Mr. Tom Crews if the LMO Rewrite Committee might be able to meet prior to the June 25<sup>th</sup> meeting date in order to clarify their position. Ms. Lewis stated that she will work with the LMO Rewrite Committee members later today to set up a meeting date.

Chairman Quick stated that the next business item is approval of the proposed revisions to the Rules of Procedure. Mrs. Jayme Lopko made the presentation on behalf of staff. Mrs. Lopko reviewed the proposed changes including those to the submission of new materials and to Appeals. Commissioner Bryan Hughes presented brief comments in support of the proposed revisions. Following this discussion, Chairman Quick requested public comments and none were received. Chairman Quick then requested that a motion be made.

Commissioner Witmer made a **motion** to **approve** the proposed revisions to the Rules of Procedure as presented by staff. Commissioner Carstens **seconded** the motion and the motion **passed** with a vote of 9-0-0. *Commissioner Carstens excused himself from the remainder of the meeting at this time.*

**10. New Business**

None

**11. Commission Business**

**(a) Appointment of a Nominating Committee for the election of Officers**

Chairman Quick requested that Commissioner Lennox, Chairman of the Nominating Committee, make his report to the Planning Commission. Commissioner Lennox stated that the Nominating Committee met on June 9, 2014 for the purpose of Nominating officers for the upcoming term, July 1, 2014 – June 30, 2015. Commissioner Alex Brown is nominated to serve as Vice Chairman for the new term and Commissioner David Bennett is nominated to serve as Chairman for the new term. Chairman Quick thanked Commissioner Lennox and requested that a motion be made.

Commissioner Taylor made a **motion to appoint** Commissioner David Bennett as Chairman and Commissioner Alex Brown as Vice Chairman for the new term, July 1, 2014 – June 30, 2015. Commissioner Hughes **seconded** the motion and the motion **passed** with a vote of 8-0-0.

Chairman Quick then requested that a motion be made to appoint Ms. Kathleen Carlin as Secretary of the Planning Commission for the term of July 1, 2014 – June 30, 2015.

Commissioner Lennox made the **motion to appoint** Ms. Carlin as Secretary for the new term. Commissioner Ennis **seconded** the motion and the motion **passed** with a vote of 8-0-0.

**12. Chairman’s Report**

Chairman Quick stated that she will save her Chairman’s Report until the June 25, 2014 meeting.

**13. Committee Reports**

None

**14. Staff Reports**

a) Staff presented the Quarterly Report.

b) Staff update on the Coligny Project

Ms. Jennifer Ray made the presentation on behalf of staff. Ms. Ray stated that last week the team prepared some traffic counts in association with the LMO’s requirements for a certain time of the year. The traffic and parking counts, including Coligny pedestrian and vehicular traffic counts, should be available in July.

**15. Adjournment**

There being no further business, the meeting was adjourned at 6:00p.m.

Submitted By:

Approved By:

August 6, 2014

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Kathleen Carlin  
Secretary

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David Bennett on behalf of Gail Quick  
Chairman