

TOWN OF HILTON HEAD ISLAND
LMO Committee Meeting
July 27, 2016 Meeting
10:00 a.m. – Conference Room 3

Committee Members Present: Chairman Jim Gant, Lavon Stevens, Barry Taylor, and Todd Theodore

Committee Members Absent: None

Other Commissioners Present: None

Town Council Present: None

Town Staff Present: Teri Lewis, LMO Official; Jeff Buckalew, Town Engineer; Bryan McIlwee, Assistant Town Engineer/Storm Water Manager; Bates Rambow, Stormwater Data & Compliance Administrator; Teresa Haley, Administrative Assistant

1. Call to Order

Chairman Gant called the meeting to order at 10:00 a.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 agenda was **approved** as presented by general consent.

4. Approval of the Minutes

The May 2, 2016 minutes were approved by general consent.

5. New Business

LMO Amendments – Review potential changes to the stormwater section of the LMO

Chairman Gant introduced the new business item to discuss potential changes and implementations of the stormwater section of the LMO. Chairman Gant asked the Engineering staff to present their recommendations. Mr. Buckalew stated that in order to provide flexibility for developers in meeting the water quality regulations, staff recommends the following options be drafted for the next LMO amendments:

- Allow water quality treatment within zoning buffers

Staff will draft amendments which allow for water quality treatment (above ground or below ground) that can be maintained while preserving the integrity of the buffer.

Staff and the Committee discussed allowing water quality treatment within the buffer and including provisions related to vegetative buffers and maintenance. Staff stated that they will review and incorporate types of vegetation conducive to stormwater and add to the buffer section accordingly.

- Meet the quantitative pollutant removal criteria of Beaufort County

Staff will draft amendments allowing the development to meet the water quality requirements of the Beaufort County Best Management Practices (BMP) Manual if meeting the simple retention requirement is deemed impractical. Beaufort County is currently revising their BMP Manual, but the pollutants of concern have been Fecal Coliform Bacteria, Total Phosphorus, and Total Nitrogen.

Mr. Buckalew stated that Staff could include a reference to the BMP Manual in the LMO in cases where developers cannot meet the 1” retention requirement, they would be allowed to meet the requirements of the BMP Manual. The Committee asked whether extended detention is an option in the BMP. Mr. Buckalew stated that extended detention is included in the BMP and the Town’s ordinance calls for retention which is an acceptable practice in the BMP. Chairman Gant and Staff indicated that these practices allow for the preservation of the current standard of water quality and provide options for future improvements.

- Fee-in-lieu-of direct compensation for Town managed off-site water quality enhancements

Staff will draft amendments which allow the developer to pay the Town a fee-in-lieu-of as direct compensation towards a water quality enhancement fund to be managed by the Town. This fund may be supplemented with SWU fees to make the most effective use in structural water quality enhancements within the watershed. This option may be confined to certain redevelopment districts.

The Committee and Staff discussed the fee-in-lieu-of would create opportunities to benefit certain areas such as maintenance of PUD systems, the development of wetland mitigation, and water quality control in the Sea Pines Preserve. Staff will work with the Town Finance Department to determine a reasonable fee and further look into what other communities require.

Chairman Gant led the discussion into shared stormwater in the Coligny district. Mr. Buckalew indicated that certain legal requirements need to be met, but nothing prohibits shared stormwater in that district. The Committee and Staff discussed the stormwater retention pond in the Coligny Park redevelopment area and the impact on existing conditions. Mr. Buckalew noted that it’s situated in a way that more land cannot be plumbed to it, however, the Town has rights to manage the related downstream systems and no significant changes would need to occur. The implementation of the fee-in-lieu-of would create the opportunity to benefit that area.

Mr. Rambow discussed the implementation of a Land Disturbance Permit, as the State does, to track grading sites, erosion control and inspection enforcement purposes. In subdivision projects, a Certificate of Compliance is issued once the infrastructure is in (i.e. roads), which indicates Engineering has signed off on the project. However, activity (i.e. building of homes) is still ongoing and the Land Disturbance Permit would allow Engineering to have inspection enforcement over the life of the project. The Committee and Staff discussed the risks and responsibilities this would create for the Town, developer and property owner. Chairman Gant asked if modification of the LMO is required to follow this State regulation. Ms. Lewis indicated the LMO includes catch-all language to warrant this permit, however, she will examine whether specific language is required. Chairman Gant noted that if the Committee were to consider a change in the LMO, it would be consistent with the State’s procedure regarding Land Disturbance

Permits. There would be no increase in regulations and no additional burden on the developer.

It was determined that Staff will draft the stormwater amendments and incorporate them as the LMO amendments 2016 Second Set for the Committee's review at a future meeting to be determined.

- General discussion of Planning Commission recommendation regarding multi-level self-service storage

The Planning Commission recommended that the Committee discuss the proposed amendment of the LMO, by Mr. Walter Nester, McNair Law Firm, to allow additional density in certain districts to accommodate multi-level self-service storage. The Committee made general inquiries as to this proposal. The Committee asked Ms. Lewis to provide the following for the next meeting: how the proposal works with the design and performance standards of the LMO; how the proposed mass of the building works within the Design Guidelines; the comparison of the proposed and existing uses in the Sea Pines District; and the difference of the impact on traffic.

6. Adjournment

The meeting was adjourned at 11:16 a.m.

Submitted By:

Approved By: August 4, 2016

Teresa Haley
Administrative Assistant

Jim Gant
Chairman