



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, January 19, 2021, 4:00 p.m.
AGENDA

In accordance the Town of Hilton Head Island Municipal Code § 2-5-15, this meeting is being conducted virtually and can be viewed on the Town's Public Meetings Facebook Page (<https://www.facebook.com/townofhiltonheadislandmeetings>) or the Beaufort County Channel (<https://www.beaufortcountysc.gov/the-county-channel/live.html>), as well as Hargray channels 9 & 113 and Spectrum channel 1304.

1. **Call to Order**
2. **FOIA Compliance:** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Pledge to the Flag**
4. **Invocation – Reverend Denise A. Trogdon, All Saints Episcopal Church**
5. **Approval of Agenda**
6. **Approval of Minutes**
 - a. Special Meeting – December 28, 2020
 - b. Special Meeting – December 30, 2020
 - c. Regular Meeting – January 5, 2021
7. **Report of the Town Manager**
 - a. Corona Virus Pandemic Update – Dr. Jane Kelly, Assistant State Epidemiology
 - b. Design Review Board Annual Report – Michael Gentemann, Chairman
 - c. Items of Interest
8. **Reports from the Members of Council**
 - a. General Reports from Council
 - b. Report of the Community Services & Public Safety Committee – Councilman Harkins
 - c. Report of the Public Planning Committee – Councilman Ames
 - d. Report of the Finance & Administrative Committee – Councilman Lennox
9. **Proclamations/Commendations - NONE**
10. **Appearance by Citizens**

*Citizens who wish to address Town Council during the meeting by phone must contact the Town Clerk at 843.341.4701 or kristaw@hiltonheadislandsc.gov no later than **12:00 p.m. the day of the meeting**. Citizens speaking during the meeting will limit their comments to no longer than three (3) minutes and will conduct themselves in a manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, threatening, or obscene language.*

11. Unfinished Business – None

12. New Business

a. Consideration of Proposed Emergency Ordinance 2021-02 – Face Covering Mandate

Consideration of Proposed Emergency Ordinance 2021-02 to require individuals to wear face coverings in certain circumstances and locations in the Municipal Limits of the Town of Hilton Head Island, South Carolina, and providing for severability and an effective date.

b. First Reading of Proposed Ordinance 2020-36 – Workforce Housing LMO Amendments

First Reading of Proposed Ordinance 2020-36 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 3, 4, and 10. These Amendments commonly referred to as *Workforce Housing LMO Amendments* as noted in the Island Packet on *July 19, 2020*, including changes that add Workforce Housing as a Permitted by Condition use in the RM-4 Zoning District and creates a Density Bonus Incentive, and providing for severability

13. Executive Session

14. Possible actions by Town Council concerning matters discussed in Executive Session

15. Adjournment

Citizens may submit public comments via the Town's Open Town Hall portal (<https://hiltonheadislandsc.gov/opentownhall/>). The portal will close **two (2) hours prior to the start of the scheduled meeting**. All comments submitted to the portal will be provided to Town Council for review and made part of the official record.



Town of Hilton Head Island
TOWN COUNCIL
Monday, December 28, 2020 at 11:30 a.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Marc Grant, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Krista Wiedmeyer, Exec. Assist/Town Clerk

1. Call to Order

Mayor McCann called the meeting to order at 11:30 a.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

4. Executive Session

a. Personnel Matters: Discussion of personnel matters.

At 11:32 a.m., Town Council voted unanimously to enter into Executive Session to discuss items related to personnel matters.

5. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

6. Adjournment

Town Council returned from Executive Session without taking action. By unanimous vote, the meeting adjourned at 12:17 p.m.

Approved: January 19, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL
Wednesday, December 30, 2020 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Marc Grant, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Joshua Gruber, *Deputy Town Manager*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

4. Executive Session

Mr. Gruber stated there was a need to enter into Executive Session for discussions of personnel matters incident to contract negotiations in connection to the Town Manager.

At 4:03 p.m., Town Council voted unanimously to enter into Executive Session to discuss the matter as described by Mr. Gruber.

5. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

At 4:15 p.m., Town Council returned from Executive Session.

Mr. Harkins made a motion authorizing the delivery and execution of a contract with Marcus A. Orlando, under which Mr. Orlando will serve as Town Manager for the Town of Hilton Head Island, South Carolina. Mr. Stanford seconded. Each member of Council discussed their feelings concerning this matter. Upon the conclusion of the discussion, but way of roll call, the motion passed by a vote of 6-1, Mr. Brown opposing.

6. Adjournment

Town Council returned from Executive Session without taking action. By unanimous vote, the meeting adjourned at 4:32 p.m.

Approved: January 19, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, January 5, 2021 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Josh Gruber, *Interim Town Manager*; Shawn Colin, *Interim Deputy Town Manager*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; John Troyer, *Finance Director*; Jennifer Ray, *Interim Director of Community Development*; Shari Mendrick, *Floodplain Administrator*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Pledge to the Flag

4. Invocation – Reverend General Hay

Reverend General Hay delivered the invocation.

5. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

6. Approval of Minutes

a. Regular Meeting – December 15, 2020

Mr. Harkins moved to approve the minutes from December 15, 2020. Mr. Stanford seconded. By way of roll call, the minutes were approved by a vote of 7-0.

7. Report of the Town Manager

a. Program for Public Information Update – Shari Mendrick, Floodplain Administrator

Ms. Mendrick gave a brief overview of the report and answered questions posed to her.

b. Items of Interest

Mr. Gruber reviewed and reported on a number of items of interest from the Town.

8. Reports from Members of Council

a. General Reports from Council

Mr. Ames asked the members of Town Council to consider if the Hilton Head Island of today is the same as the Hilton Head Island of yesterday. He asked how the citizens view the Island and how they consider yesterday to today.

Mr. Brown reported that he had talked to Mr. Gruber about the 278 Engineering Oversight Committee and the lag in scheduling their first meeting. He asked that Mr. Gruber keep Town Council informed on how the committee progresses. Mayor McCann stated that he would send out a letter to the County Chairman asking him to expedite the scheduling of the first meeting.

Mrs. Becker reminded everyone participating in the meeting and watching to be sure to check their smoke detectors and have a plan. Mr. Gruber stated that the Town through the Safety and Prevention division of Fire Rescue could help those in need.

Mayor McCann reported that he was drafting a letter to the Governor asking him to get the COVID-19 vaccine rolled out in a more expeditious fashion.

b. Report of the Community Services & Public Safety Committee – Bill Harkins

Mr. Harkins stated that he did not have a report.

c. Report of the Public Planning Committee – David Ames

Mr. Ames stated that he did not have a report.

d. Report of the Finance & Administrative Committee – Tom Lennox

Mr. Lennox stated that he did not have a report.

9. Proclamations/Commendations – NONE

10. Appearance by Citizens

Amber Kuehn: Addressed the members of Town Council on matters concerning citizens addressing Town Council during their meetings.

Skip Hoagland: Addressed the members of Town Council on matters concerning the Town and the Chamber of Commerce.

11. Unfinished Business - None

12. New Business

a. Town Council General Discussion of Town Code Sec. 2-5.70 - Appearance by Citizens

Mayor McCann asked the members of Town Council to review the Town Code as it relates to Appearance by Citizens. He said he has directed Mr. Gruber to set-up a community survey seeking feedback on the same. Mayor McCann said after Council has had time to review and consider and feedback is received from the community, this item would be brought back for full discussion and consideration.

13. Executive Session - None

14. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

15. Adjournment

By unanimous vote, the meeting adjourned at 4:37 p.m.

Approved: January 19, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor

DRAFT



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Town Council
FROM: Michael Gentemann, *Chairman of the Design Review Board*
DATE: January 7, 2021
SUBJECT: Design Review Board Annual Report January – December 2020

Due to the pandemic, the regular meeting schedule was limited to once per month in the middle of 2020 but returned to the schedule, meeting twice monthly by September.

New Developments

1. Cordillo Tennis Courts (Final) – approved with conditions
2. Smokehouse (Final) - approved with conditions
3. Harris Teeter Fuel Station (Final) - approved with conditions
4. Hilton Head Go Kart (Final) - approved with conditions
5. Palmetto Bay Lodges (Final) – approved
6. Parker’s (Final) – approved with conditions
7. Mt Calvary (Conceptual) - approved with conditions
8. Mitchelville Lot 11 (Conceptual) - approved with conditions
9. Airport Terminal (Conceptual) - approved with conditions

Alterations/Additions

1. Circle K Lagoon Road - approved with conditions
2. Sunset Pavilion - approved with conditions
3. Scott’s Fish Market - approved with conditions
4. Darling Building - approved with conditions
5. Charlie’s - approved with conditions
6. The Oaks - approved with conditions
7. Executive Center - approved with conditions
8. Wild Wings - approved with conditions
9. Northridge Plaza - approved with conditions
10. Vacation Homes Buffer - approved with conditions
11. Beach Villas Palmetto Dunes - approved with conditions
12. Boathouse Storage - approved with conditions
13. Marriott Harbour Point Reroof – approved
14. 8 Palmetto Business Park – approved
15. Port Royal Renovation (old Sam’s) - approved with conditions
16. Burkes (old Sam’s) - approved with conditions
17. Janes – approved
18. Schooner Court Repaint – approved with conditions
19. Schooner Court Unit 709 - approved
20. Smokehouse – approved with conditions
21. Dune House Lane – approved

22. Nunzio Patio Roof – approved with conditions
23. Port Royal Plaza Renovations (old BI-LO) – approved with conditions
24. 18 Lighthouse Lane – approved with conditions
25. Shelter Cove Harbour Railing – approved with conditions
26. NYC Pizza Shelter Cove - approved with conditions
27. T Dalton Clothing Shelter Cove - approved with conditions
28. Ella’s Reroof – approved
29. Piggly Wiggly - approved with conditions

Signs

1. Goodwill Sign -approved with conditions
2. Vacation Homes Sign - approved with conditions
3. Ocean Oaks Sign – approved
4. MDVIP Sign – approved
5. Purple Cow Sign – approved with conditions
6. Port Royal Sign – approved with conditions
7. Inspired Closets Sign – approved with conditions
8. Circle K Sign – approved with conditions
9. Harris Teeter Fuel Center Sign - approved with conditions



Items of Interest

January 19, 2021

Town News

- ◆ Fire Rescue personnel worked a total of 88 hours during the month of December 2021 in support of the COVID-19 community testing site located at the Hilton Head Hospital.
- ◆ Fire Rescue personnel participated in the first round of the COVID-19 vaccination. Hilton Head Hospital was the provider for Fire Rescue. 55 Line personnel and 9 Uniformed Administrative staff received the vaccine. 58% of uniformed personnel have taken the vaccine. The E911 Dispatchers will be eligible to receive the vaccine beginning the week of Jan. 12, 2021.

Town Meetings

Currently all public meetings are being conducted virtually. Please check the [Town's website](#) for all scheduled meetings.

PROPOSED ORDINANCE 2021-02 EMERGENCY ORDINANCE 2021-__

AN EMERGENCY ORDINANCE TO REQUIRE INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND LOCATIONS IN THE MUNICIPAL LIMITS OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, on March 16, 2020, Mayor John J. McCann , under the authority of § 7-7-20, *Municipal Code of the Town of Hilton Head Island* (1983), declared that a State of Emergency exists throughout the Town as a result of impacts arising from the COVID-19 pandemic; and

WHEREAS, as of January 13, 2021 the State of Emergency still exists in the Town of Hilton Head Island; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) and South Carolina Department of Health and Environmental Control (“SCDHEC”) advise the use of cloth or other types face coverings to slow the spread of COVID-19 in our communities and reduce the demand on the local health care delivery system; and

WHEREAS, there are large numbers of visitors and residents who patronize grocery stores, pharmacies, restaurants, retail establishments and other establishments within the municipal limits of the Town; and

WHEREAS, on August 2, 2020 South Carolina Governor Henry McMaster issued *Executive Order 2020-50*, urging counties and municipalities to adopt and implement mask ordinances to combat the spread of COVID-19; and

WHEREAS, on January 7, 2021, Governor McMaster issued *Executive Order 2021-03*, further extending the provisions from all prior *Executive Orders issued*; and

WHEREAS, the Town Council finds that it is in the best interest of the Town that an Emergency Ordinance be adopted requiring the wearing of cloth or other types of face coverings in certain circumstances, and that the Emergency Ordinance be put into immediate effect; and

WHEREAS, Town Council may, by two thirds majority vote of those members present, adopt emergency ordinances authorized and limited by S. C. Code Ann. §5-7-250(d) (Supp. 2019) during a State of Emergency.

NOW, THEREFORE, BE IT ORDERED, AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL, AS FOLLOWS:

1. As used in this Ordinance, “Face Covering” means a cloth or other type of masking device that covers the wearer’s nose and mouth, and which remains in place without use of the wearer’s hands.

2. As used in this Ordinance, “Commercial Business Establishment” means any establishment located in a closed building or other indoor environment that primarily sells or provides goods or services, or a combination of them, to the general public, including but not limited to, grocery stores, restaurants, lobbies and public spaces in hotels, motels, and timeshare complexes, pharmacies, bars, salons, retail stores, medical and dental offices.
3. Subject only to the exemptions and exceptions stated in Section 6 of this Ordinance, any person entering any Commercial Business Establishment in the municipal limits of the Town must wear a Face Covering while inside the Commercial Business Establishment.
4. Commercial Business Establishments shall post conspicuous signage at all entrances to the establishment informing its patrons of the requirements of Section (3) of this Ordinance.
5. All Commercial Business Establishments in the municipal limits of the Town shall require all employees to wear a Face Covering at all times that the employees are in any area where the general public is allowed, or when the employees must be in close proximity to one another.
6. The following persons are exempt from the requirements of this Ordinance:
 - (i) Any person who is unable to safely wear a Face Covering due to age, an underlying health condition, or who is unable to don or remove the Face Covering without the assistance of others is exempt from the requirements of this ordinance
 - (ii) Persons eating or consuming food and beverages
 - (iii) Persons receiving medical care or treatment
7. Any person found to have violated any mandatory provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to the penalties set forth in Section 1-5-10, Municipal Code of the Town of Hilton Head Island (1983).
8. Any Commercial Business Establishment that is subject to this Ordinance at which three more violations of this Ordinance occur is hereby declared a nuisance. To abate the nuisance, the Town may:
 - (i) Seek a restraining order, preliminary injunction, permanent injunction, or any other means authorized under the Laws of the State of South Carolina to abate the nuisance; and,
 - (ii) Seek suspension or revocation of the business license issued by the Town, under the authority of Section 10-1-150 and Section 10-1-160, Municipal Code of the Town of Hilton Head Island (1983).

9. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

10. This Ordinance shall become effective immediately following the adoption by the Town Council for The Town of Hilton Head Island, South Carolina, , and will expire on the sixty first day following adoption or the end of the State of Emergency in The Town of Hilton Head Island, South Carolina, whichever occurs first.

MOVED, APPROVED, AND ADOPTED THIS _____ DAY OF JANUARY, 2021.

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Joshua A. Gruber, *Interim Town Manager*
VIA: Shawn Colin, *AICP, Interim Deputy Town Manager*
VIA: Jennifer Ray, *ASLA, Interim Community Development Director*
FROM: Jayme Lopko, *AICP, Senior Planner*
CC: Teri Lewis, *AICP, Deputy Director of Community Development*
DATE: January 13, 2021
SUBJECT: Workforce Housing LMO Amendments

Recommendation: The Public Planning Committee (PPC) recommends that Town Council approve the proposed Workforce Housing (WFH) Land Management Ordinance (LMO) amendments related to bonus density.

The PPC met on January 12, 2021 and voted 3-1 to forward the WFH LMO amendments related to bonus density to Town Council with a recommendation of approval. The PPC also voted 3-1 to add dormitories to the definition of Group Living and to exclude Group Living use in the RM-4 District from participating in the WFH Program.

On January 6, 2021, the Planning Commission voted unanimously to forward the proposed WFH LMO amendments related to bonus density to the Town Council for approval.

Summary: Adoption of the WFH LMO amendments related to bonus density by Town Council will put in place additional incentives to encourage the development of WFH and allow staff to begin review and approval of WFH projects utilizing bonus density incentives.

Background: Upon completion of a rigorous, multiyear process to identify needs, issues and strategies that might be considered to address workforce housing, a Workforce Housing Program was brought to Town Council for consideration. The program proposed two main elements. The first was a code change that would permit the conversion of primarily underperforming or vacant commercial inventory to market rate or workforce housing units. The second element was a bonus density program that would allow up to 100% increase in density, provided 50% of the bonus units were qualified workforce housing units. The area of impact involved several zoning districts and approximately 1,800 acres of eligible properties on the Island.

On November 4, 2020, Town Council voted to adopt the Workforce Housing LMO amendments related to Commercial Conversion, further recommending that Council not adopt amendments related to the proposed bonus density at that time. There were two main concerns expressed related to the bonus density program. The first was that the area of impact and overall potential for significant increase in development levels was too extensive. The second concern was that the allocation of bonus units was too great when compared to the resulting number of units needed to meet the workforce housing requirements. As a result, Town Council was not in a position to support adoption of an incentive that would offer an increased density and development impact level to such a large area of the island.

In an effort to continue refining the program and to meet the needs identified through the extensive public process, staff has worked to address these concerns through a modification of the bonus density element and asks for additional consideration for adoption. Staff has identified a reduction in both the area of eligibility and the overall development potential that might result from the bonus density program while promoting opportunities to develop WFH consistent with Island development patterns and density levels.

Staff started by identifying the RM-4 Zoning District, which is one of the lowest residential density zoning districts on the island at a rate between 4 units and 8 units per acre depending upon parcel size. The areas of eligibility were further reduced to meet locational and environmental protection goals as well as focus on parcels large enough to provide adequate site planning, including setbacks, buffers and the provision of infrastructure. As a result, staff identified the following qualifications:

- Properties 3 acres or larger that meet these requirements:
 - Located near a minor arterial for access to transportation and employment centers;
 - Not located within close proximity to the Hilton Head Island Airport due to conflicts with FAA requirements related to assembly and occupancy of units; and
 - Not located on high value or sensitive environmental areas such as marshfront and waterfront properties.

Additional conditions are proposed to prohibit application of the program to properties that are currently located within an existing platted and developed single family subdivision or currently developed for a non-single family residential use that is permanent in nature. The only exception to this would be for an existing manufactured home park where the potential redevelopment of the property to WFH would improve the property.

The previously proposed WFH LMO amendments would have included over 1,200 parcels totaling nearly 1,800 acres as eligible to participate in the bonus density incentive. In the currently proposed WFH LMO amendments, there would be approximately 30 parcels totaling just over 160 acres as eligible to participate in the bonus density incentive. This represents a 91% decrease in the number of acres eligible for the bonus density incentive and are identified on Exhibit B.

In addition to significantly reducing areas of eligibility and impact, staff is also proposing to change the bonus density provision that was previously submitted due to concerns that not enough WFH units were being required for the additional density that was being given. The proposed LMO amendments would allow for 100% bonus density if 50% of **all** units within the development are WFH. A secondary tier is also included that would allow for 50% bonus density if 25% of **all** units within the development are WFH. These changes essentially double the number of required workforce housing units than were included in the previous proposal brought to Town Council.

Finally, application of the proposed bonus density would be restricted to RM-4 properties with a maximum development potential that would not exceed 12 units per acre, which is consistent with other multifamily development on the island.

Exhibits

- A. Workforce Housing LMO Amendments
- B. Location Map
- C. Group Living Recommendations

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2021-

PROPOSED ORDINANCE NO. 2020-36

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO), CHAPTERS 3, 4, AND 10. THESE AMENDMENTS, COMMONLY REFERRED TO AS *WORKFORCE HOUSING LMO AMENDMENTS* AS NOTICED IN THE ISLAND PACKET ON *JULY 19, 2020*, INCLUDE CHANGES THAT ADD WORKFORCE HOUSING AS A PERMITTED BY CONDITION USE IN THE RM-4 ZONING DISTRICT AND CREATES A DENSITY BONUS INCENTIVE AS DESCRIBED IN EXHIBIT “A” TO THIS ORDINANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, Town Council identified Workforce Availability, including Workforce Housing, as a Key 2018 Town Council Priority; and

WHEREAS, on November 5, 2019, Town Council accepted the Workforce Housing Strategic Plan prepared by Lisa Sturtevant & Associates, LLC and approved a policy framework for a workforce housing program on the island; and

WHEREAS, on December 19, 2019, Town staff met with the Public Planning Committee to develop criteria to identify areas of the island to target for workforce housing initiatives; and

WHEREAS, from time to time it is necessary to amend the LMO; and

WHEREAS, the LMO Committee held public meetings on February 6, 2020 and August 11, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the LMO Committee recommended that the proposed LMO amendments be forwarded to the Planning Commission with a recommendation of approval; and

WHEREAS, the Planning Commission held a public hearing on August 19, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Workforce Housing LMO Amendments*; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 8-0 to forward the proposed LMO amendments to the Public Planning Committee with a recommendation of approval; and

WHEREAS, the Public Planning Committee held a public meeting on August 27, 2020 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, after consideration of the Staff presentation and public comments, the Public Planning Committee voted 2-1 to recommend approval of the proposed LMO amendments; and

WHEREAS, the Town Council held public meetings on October 6, 2020 and November 4, 2020 at which time an opportunity was given for the public to comment on the proposed LMO amendments;

WHEREAS, the Town Council adopted the Commercial Conversion portion of the *Workforce Housing LMO Amendments* and recommended not adopting amendments related to bonus density at that time; and

WHEREAS, the Planning Commission held a public meeting on January 6, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Workforce Housing LMO Amendments* related to bonus density; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 9-0 to forward the proposed LMO amendments to the Public Planning Committee with a recommendation of approval; and

WHEREAS, the Public Planning Committee held a public meeting on January 12, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments related to bonus density; and

WHEREAS, after consideration of the Staff presentation and public comments, the Public Planning Committee voted 3-1 to forward the WFH LMO amendments related to bonus density to Town Council with a recommendation of approval. The PPC also voted 3-1 to add dormitories to the definition of Group Living and to exclude Group Living use in the RM-4 District from participating in the WFH Program; and

WHEREAS, the Town Council held a public meeting on January 19, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed LMO amendments related to density bonus; and

WHEREAS, after due consideration of said LMO amendments, the Town Council, upon further review, finds it is in the public interest to approve the proposed *Workforce Housing LMO Amendments*.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the *Workforce Housing LMO Amendments* are adopted and the Land Management Ordinance is amended as shown on Exhibit “A” to this Ordinance. Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2021.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

John McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: August 19, 2020

First Reading: January 19, 2021

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Exhibit B

Workforce Housing LMO Amendments

Chapter 16-3: Zoning Districts

Section 16-3-104. Residential Base Zoning Districts

Section 16-3-104.E Low to Moderate Density Residential (RM-4) District

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
<u>Workforce Housing</u>	PC	<u>Sec 16-4-102.B.1.d</u>	<u>See Sec. 16-5-107.D.2</u>
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable <u>2. Density for development that includes Workforce Housing shall be determined based on Sec. 16-4-105.A.</u>			

Chapter 16-4: Use Standards

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE																						
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																						
SE = Allowed as a Special Exception Blank Cell = Prohibited																						
USE CLASSIFICATION/ USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS					MIXED-USE AND BUSINESS DISTRICTS									USE-SPECIFIC CONDITIONS					
	CON	PR	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SP	CC	MS	WM	US	MF	MV		NC	LC	RD	MED	IL
RESIDENTIAL USES																						
Workforce Housing						PC				PC	PC	PC	PC	PC	PC		PC	PC	PC		PC	Sec 16-4-102.B.1.d

Exhibit B

Workforce Housing LMO Amendments

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

Section 16-4-102.B.1.d

d. Workforce Housing

- i. Any development that includes workforce housing shall comply with the Workforce Housing Program as outlined in Sec. 16-4-105.
- ii. Workforce housing may be permitted in the PD-1 District through a Zoning Map Amendment in accordance with Sec. 16-2-103.C.
- iii. In the MS District, properties developed for WFH shall not be permitted on properties currently utilized as a school or fire station.
- iv. In the S District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway).
- v. In the WMU District, properties developed for WFH shall not have vehicular access to Marshland Road.
- vi. In the LC District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway) between Wexford Drive and Singleton Beach Road.
- vii. In the RM-4 District, existing mobile home parks, located on property that is a minimum of 3 acres, shall be eligible to participate in the WFH Program.
- viii. Except for paragraph vii above, workforce housing use in the RM-4 District shall comply with the following conditions:
 - a. The property shall be a single parcel that is a minimum of 3 acres.
 - b. The property shall not have frontage on Jarvis Creek, Broad Creek, or Old House Creek.
 - c. The site of the WFH use shall not be located within 750 linear feet of the Hilton Head Island Airport property. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any WFH use is located, and the perimeter boundary of the Hilton Head Island Airport.
 - d. The site of the WFH use shall be located within 3,500 linear feet of a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy. This distance shall be measured from the centerline of the closest vehicular access on the property where the WFH is located, and shall be measured along the centerline of the travel lane of the street providing the shortest route to the minor arterial.

Exhibit B

Workforce Housing LMO Amendments

- e. Lots within an existing legally platted and developed single family subdivision, including open space are not eligible to participate in the WFH Program.
- f. Properties developed with a non-single family residential use that is permanent in nature are not eligible to participate in the WFH Program.

Section 16-4-105. Workforce Housing (WFH) Program

A. Workforce Housing Density

All Units:

1. Commercial conversion projects that include at least 20% workforce housing units will be eligible for incentives, as described in Sec. 16-10-102B.1, including:
 - a. A reduction in minimum unit sizes by 30% and;
 - b. Up to 50% of the units in the development may be micro-efficiency and/or studio units.
2. In the RM-4 District:
 - a. A density bonus up to 100% above the base residential density standards is permitted if 50% of all units within the development are workforce housing units.
 - b. A density bonus up to 50% above the base residential density standards is permitted if 25% of all units within the development are workforce housing units.
 - c. The maximum density permitted in any workforce housing development is 12 units per acre.

Chapter 10: Definitions, Interpretation and Measurement

Section 16-10-105. - General Definitions

Density Bonus

An increase in the number of units permitted on the site in order to provide an incentive for the construction of workforce housing.

Exhibit C

Group Living Recommendations

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

Section 16-4-102.B.1.d

d. Workforce Housing

Paragraphs i through vi are unchanged.

- vii. In the RM-4 District, properties developed for Group Living use are not be eligible to participate in the WFH Program.

2. Use Types and Definitions

Group Living

The residential occupancy of a group of living units by *persons* who do not constitute a *single-family* and may receive some level of personal care. Individual living units often consist of a single room or group of rooms without cooking and eating facilities, but unlike a *hotel*, are generally occupied on a monthly or longer basis. *Uses* include group homes, assisted living facilities, dormitories and similar *uses*. Although continuing care retirement communities may include *single-family* and *multifamily dwellings* and health care *uses*, they are categorized as a group living *use* because of their focus on the present or future provision of personal care to senior citizens and their integration of various *uses* as a single cohesive *development*. Dormitories are categorized as a group living use because they consist of a building or buildings which house students, employees, etc. and contain communal facilities and sleeping rooms with several beds. Group living does not include *uses* where *persons* generally occupy living units for periods of less than 30 days (e.g., *hotels*), which are categorized as Resort Accommodation *Uses*. It also does not include *uses* where residents or inpatients are routinely provided more than minor health care services (e.g., *nursing homes, hospitals*) unless they are associated with a continuing care retirement community. These types of facilities are categorized as Health Services *uses*. *Accessory uses* common to group living *uses* include recreational facilities, administrative offices, and food preparation and dining facilities.