



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, June 15, 2021, 4:00 p.m.
Benjamin M. Racusin Council Chambers
AGENDA

The Town Council meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The outside doors will be opened to the public at 2:00 p.m., seating will be limited to no more than 80 individuals. The meeting can be viewed on the [Town of Hilton Head Island](#) website, [Beaufort County Channel](#) 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 Edward B. Alston, Queen Chapel AME Church**
- 5. Approval of the Agenda**
- 6. Approval of the Minutes**
 - a. Town Council Workshop – May 26, 2021
 - b. Town Council Regular Meeting – June 1, 2021
- 7. Report of the Town Manager**
 - a. Items of Interest
- 8. Reports from the Members of Town Council**
 - a. General Reports from Town 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**
 - a. Presentation of a Commendation honoring Dr. Kelly Bouthillett for her service to the Town of Hilton Head Island
- 10. Appearance by Citizens**

*Citizens who wish to address Town Council on matters not already on the agenda, must contact the Town Clerk at 843.341.4701 no later than **12:00 p.m. the day of the meeting.***

11. Unfinished Business

a. Revised First Reading of Proposed Ordinance 2020-26 - Family Compound and Family Subdivision LMO Amendments

Revised First Reading of the Proposed Ordinance 2020-26 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance (LMO), Chapters 2, 3, 4, 5, 10 and Appendix B and D. These amendments, commonly referred to as Family Compound and Family Subdivision Applications as noticed in the Island Packet on May 2, 2021, include changes that add Family Compound and Family Subdivision as a new application and a Use with Permitted Conditions described in Exhibit A to the ordinance; and providing for severability and an effective date.

12. New Business - NONE

13. Executive Session

- a. Personnel Matters:** Discussion of the appointments to Boards & Commissions [pursuant to S.C. Freedom of Information Act § 3-4-70(a)(1)].
- b. Legal Advice:** Receipt of legal advice related to pending, threatened, or potential claim related to the Beaufort County Law Enforcement Fee [pursuant to S.C. Freedom of Information Act § 30-4-70(a)(2)].

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

15. Adjournment



Town of Hilton Head Island
TOWN COUNCIL WORKSHOP
Wednesday, May 26, 2021 at 11:00 a.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: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Senior Advisor to the Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; Jeff Buckalew, *Interim Director of Public Projects & Facilities/Chief Engineer*; John Troyer, *Finance Director*; Darrin Shoemaker, *Traffic/Transportation Engineer*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 11:00 a.m. By way of roll call, attendance of all members of Town Council was affirmed.

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 the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. Motion carried by a vote of 7-0.

4. South Carolina Department of Transportation Response to the HDR Independent Engineering Report on the William Hilton Parkway Project – Craig Winn, SCDOT Project Manager

Shawn Colin, Senior Advisor to the Town Manager, opened the discussion by introducing Craig Winn, the SCDOT Project Manager for the William Hilton Parkway project. Mr. Colin said that Mr. Winn would be providing their response to the HDR report that Council had previously received. He said along with the SCDOT, members from MKSK, the land planning consultant were also on the meeting.

Mr. Winn reviewed and provided feedback and/or a summary for each of the seven recommendations from the report from HDR, The recommendations were, (1) utilize 2-phase signals, (2) limiting conflict points at intersections, (3) understanding costs, level of service, and travel time, (4) standardizing corridor speed limit, (5) bike and pedestrian aesthetics, connectivity, and safety, (6) roadway character east of the bridges, and (7) areas of study for potential improvements. Upon the conclusion of the presentation, Mr. Winn answered questions posed by the Mayor and members of Town Council.

5. Adjournment

By unanimous vote, the meeting adjourned at 12:31 p.m.

Approved: June 15, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, June 1, 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, *Town Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Senior Advisor to the Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; Jeff Buckalew, *Interim Director of Public Projects & Facilities/Chief Engineer*; Teri Lewis, *Deputy Director of Community Development*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.m. By way of roll call, attendance of all members of Town Council was confirmed.

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 – Pastor Michael Carr, Central Church

Pastor Carr 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. **Workshop – May 11, 2021**
- b. **Regular Meeting – May 18, 2021**

Mr. Harkins moved to approve the minutes as noted on the agenda. 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. Items of Interest

Mr. Orlando reported that EMS Captain Tina Sanders in collaboration with TCL secured scholarships for six new firefighters to begin their EMT program. He also reported that the Regional Rescue Team received grant funding to secure and purchase a custom built 17 foot Prodigy shallow water boat with jet drive outboard motor.

8. Reports from Members of Town Council

a. General Reports from Council

There were no general report from Town Council.

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

Mr. Harkins reported that the Committee finished the interviews for new appointments to boards and commissions, and would bring forward the recommendations to the next Town Council meeting for review and consideration.

c. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the Committee would meet on June 2, 2021 where they would discuss the Family Compound and Family Subdivision LMO Amendments, review the 2020 Lowcountry Natural Hazard Mitigation plan, review the research related to a Short-Term Rental ordinance, and review the first set of the 2021 LMO Amendments.

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

Mr. Lennox stated that the Committee will meet on June 15, 2021 where they will discuss the Town's current financial report and review the proposed changes to the Business License ordinance.

9. Proclamations/Commendations – NONE

10. Appearance by Citizens

Ed Bray addressed the Mayor and Town Council concerning the need and funding for a Saturday child care program.

Frank Babel addressed the Mayor and Town Council concerning matters related to eBikes and eScooters.

Skip Hoagland addressed Town Council concerning matters related to the Town and Chamber.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2021-15 – Amendments to the Official Zoning Map

Second Reading of Proposed Ordinance 2021-15 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map by amending the Planned Development Mixed-Use (PD-1) Zoning District, specifically for the Sea Pines Master Plan, to change the allowed use of a property identified as parcel R550 014 000 0508 000, located at 61 Club Course Drive, from Residential to Golf Course; the subject property would remain in the PD-1 Zoning District; and provide for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion from the members of Town Council, by way of roll call, the motion carried by a vote of 7-0.

12. New Business

a. Consideration of a Resolution – Honoring the Legacy of Scott Parker Liggett

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, honoring the legacy of Scott Parker Liggett by dedicating the lake at Jarvis Creek Park in his honor and naming it “Lake Liggett”.

Mr. Harkins moved to approve. Mr. Stanford seconded. Ms. Wiedmeyer made a few remarks related to this item, explaining how it originated and what future plans to honor Mr. Liggett would be. With no discussion, by way of roll call, the motion carried by a vote of 7-0.

13. Executive Session

At 4:22 p.m., Mr. Harkins moved to enter into Executive Session. Mr. Stanford seconded. The motion carried by a vote of 7-0.

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

At 4:59 p.m., the Mayor and Town Council returned from Executive Session with no action to be taken.

15. Public Hearing and Final Reading – 5:00 p.m.

a. Second Reading of Proposed Ordinance 2021-14 – Final Reading of the FY22 Budget Ordinance.

Second Reading of Proposed Ordinance 2021-14 to raise revenue and adopt a budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2022; to establish a Property Tax Levy; to establish funds; to establish policy and acquisition of rights of way and easements; and providing for severability and an effective date.

Mayor McCann called the Public Hearing to order at 5:00 p.m. With no public discussion the Public Hearing immediately closed.

Mr. Harkins moved to approve the second reading of Proposed Ordinance 2021-14. Mr. Stanford seconded. Mr. Orlando made a brief presentation to the Mayor and Town Council, touching on what the primary goals for this budget are. He spoke about the Strategic Plan currently being drafted and how the budget will play into the execution of the plan. He also talked about several long range planning initiatives, including the William Hilton Parkway road project. Upon the conclusion of the presentation, he answered questions from the Mayor and Town Council. By way of roll call, the motion to approve the final reading carried by a vote of 6-0, Mr. Harkins' lost connection to the virtual meeting.

16. Adjournment

By unanimous vote, the meeting was adjourned at 5:25 p.m.

Approved: June 15, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Items of Interest

June 15, 2021

Beach Toy Borrow Bin at Islanders Beach Park

Recently the Town, in collaboration with the Sea Turtle Patrol and Turtle Trackers of Hilton Head Island, installed a new *Beach Toy Borrow Bin* at Islanders Beach Park. Children may take toys with them to the beach, returning them afterwards. Toys left behind on the beach can be dropped off at the bin for future use. This program will help keep our beaches clean and plastics out of the ocean where it can be harmful to sea-life. Thank you to Kym Castillo, Kathy Sanders, and Amber Kuhn for their help with this project!



New Fire Station #2 is Open & Operating

Team members began the move from the temporary quarters June 8, 2021 and spent the first night in the new fire station last night. It is a great facility! The crews were ready to get out of the temporary fire station! There are still a few items to work out and that is expected with a project of this scope. A formal dedication ceremony will be held in September Thank you to all of Town Council for their support on this project! It is another accomplishment the Elected Officials and entire **Town Team** can be proud of!!



The Town of Hilton Head Island
Commendation
honoring

Dr. Kelly Bouthillet

WHEREAS, the Town of Hilton Head Island is honoring Dr. Kelly Bouthillet for her tireless efforts and support throughout the COVID-19 Pandemic; and

WHEREAS, Dr. Bouthillet contracted with the Town on April 14, 2020, to provide services to the Town, including its Fire Rescue Department; and

WHEREAS, early in the Pandemic, Dr. Bouthillet made house calls to conduct physical examinations and perform tests on employees when tests and treatments were difficult to find; and

WHEREAS, throughout the Pandemic, Dr. Bouthillet evaluated employees with symptoms to determine if they should be present at the workplace; and

WHEREAS, Dr. Bouthillet monitored employees who were in quarantine, arranged for follow-up care and managed their return to work; and

WHEREAS, Dr. Bouthillet assisted with the drafting of the safety protocols for staff and contractors, later working on a customized screening app to capture the information and quickly triage cases; and

WHEREAS, Dr. Bouthillet monitored the screening responses every day for nearly a year of all the employees, responded to phone calls day and night, and maintained files on any employee she had contact with; and

WHEREAS, Dr. Bouthillet performed contact tracing for the Town to ensure that those who had contact with a potentially infected employee were notified of what to do and received any necessary care; and

WHEREAS, through a year of great stress, Dr. Bouthillet maintained her caring, professional attitude, provided outstanding medical guidance and gave her time selflessly to help the Town remain operational and healthy.

NOW, THEREFORE, I, John J. McCann, Mayor of the Town of Hilton Head Island, South Carolina, on behalf of the Town Council and Town staff, do hereby commend the dedication and hard work of Dr. Kelly Bouthillet.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this fifteenth day of June, in the year of our Lord, two thousand and twenty-one.

John J. McCann, Mayor





TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Marc Orlando, ICMA~CM, *Town Manager*
VIA: Jennifer Ray, ASLA, *Interim Community Development Director*
FROM: Sheryse DuBose, PhD, *Historic Neighborhoods Preservation Administrator*
CC: Teri Lewis, AICP, *Deputy Community Development Director*
DATE: June 2, 2021
SUBJECT: Family Compound and Family Subdivision LMO Amendments

Recommendation: The Public Planning Committee (PPC) recommends Town Council approve the proposed Family Compound and Family Subdivision LMO Amendments.

The Public Planning Committee (PPC) met on June 2, 2021 and voted 3-1-0 to forward the Family Compound and Family Subdivision LMO Amendments to Town Council with a recommendation of approval.

On June 2, 2021, the Planning Commission held a public hearing and voted 8-0-0 to forward a recommendation of approval to PPC for the proposed Family Compound and Family Subdivision LMO Amendments.

Town Council met on April 6, 2021 and voted 6-1-0 to adopt the Family Compound and Family Subdivision LMO Amendments with the following revisions:

- Include Family Compound and Family Subdivision as a Use Permitted with Conditions.
- Include the Historic Neighborhoods map to outline permitted boundaries for Family Compound and Family Subdivisions.
- Include notation that further reductions to adjacent use setbacks and buffers require a variance from the Board of Zoning Appeals (BZA).

The Public Planning Committee (PPC) met on February 25, 2021 and voted 3-1-0 to forward the Family Compound and Family Subdivision LMO Amendments to Town Council with a recommendation of approval.

On January 12, 2021, the PPC asked that Staff consider the following items to narrow the target area for the proposed HNP-O District:

- Clearly define geographic boundaries for the proposed HNP-O District.
- Research a definition of “ownership” for Gullah owned properties.
- Conduct community outreach to gain feedback concerning first moving forward the Family Compound and Family Subdivision applications from the proposed HNP-O District.
- Research which noxious disturbances are acceptable.

On October 14, 2020 the Planning Commission held a public hearing and voted unanimously to forward the proposed HNP-O District Amendments to the Public Planning Committee with the following revision:

- Include language in the HNP-O Amendments that provides an exception for major and minor legally platted and developed single family subdivisions.

On September 23, 2020 the LMO Committee voted unanimously to forward the proposed HNP-O District LMO Amendments to the Planning Commission for approval with the following suggestions:

- Change right-of-way width within a family subdivision to 30' and add a one-way right-of-way requirement of 24';
- Add a 3-year hold to family compounds;
- Eliminate the section to round up density; and
- Change the density in the MF District to 6 du/acre along major arterials.

On September 1, 2020 the Gullah Geechee Land & Cultural Preservation Task Force (Task Force) met to review the proposed HNP-O District LMO Amendments. The Task Force voted 5-0-0 to forward the proposed HNP-O District LMO Amendments to the LMO Committee with the following conditions:

- Remove proposed changes to Home Occupation;
- Change calculation of density to round up;
- Allow access via a 20' easement for both family compound and family subdivision;
- Change density in the MF District to 8 du/acre along major arterials; and
- Change setback to 25' for minor arterial.

Summary: Approval of the proposed HNP-O District LMO Amendments would provide opportunities for cultural preservation as well as provide more flexibility in the development of property within the Historic Neighborhoods on the Island.

Staff addressed the concerns regarding the balance between preserving the historic integrity of the Historic Neighborhoods verses providing economic opportunities.

Background: Beginning in September 2018, the Task Force meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property. On April 22, 2019, the Task Force reviewed the recommendations from the consultant team and accepted the Report as amended. On May 7, 2019, the Task Force recommended forwarding the Report to Town Council for acceptance along with a request for \$105,000 in funding for implementation. On August 19, 2019, the Public Planning Committee voted to forward the Report for acceptance from Town Council, with a request for top priority recommendations, a work plan, identification of resources, and a timeline for completed projects. On September 17, 2019, Town Council voted to accept the Report with the high priority recommendations and directed Staff and the Task Force to prepare a work plan to be reviewed prior to the Town Council Workshop in December. On November 4, 2019, the Task Force recommended forwarding the Top Priority Recommendations Framework (Framework) to Town Council for approval. On November 17, 2019, Town Council voted to accept the Framework. The HNP-O District was identified by the Task Force as the highest priority project.

Attachments:

1. Proposed Ordinance 2020-26
2. Exhibit A – LMO Amendments

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2021-

PROPOSED ORDINANCE NO. 2020-26

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 2, 3, 5, 10 AND APPENDIX B AND D. THESE AMENDMENTS, COMMONLY REFERRED TO AS *FAMILY COMPOUND AND FAMILY SUBDIVISION LMO AMENDMENTS* AS NOTICED IN THE ISLAND PACKET ON MAY 2, 2021 INCLUDE CHANGES THAT ADD FAMILY COMPOUND AND FAMILY SUBDIVISION AS A USE PERMITTED WITH SPECIFIC CONDITIONS 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 the Family Compound and Family Subdivision Amendments, as a key 2020 Town Council Priority; and

WHEREAS, on November 5, 2019, Town Council accepted the Gullah Geechee Preservation Project Report prepared by The Walker Collaborative and approved a top priority projects framework for the Family Compound and Family Subdivision; and

WHEREAS, Town Staff worked with the Gullah Geechee Land and Cultural Preservation Task Force and advanced the top priority projects; and

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

WHEREAS, the LMO Committee held public meetings on September 16, 2020 and September 23, 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 June 2, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; and

WHEREAS, after consideration of the Staff presentation and public comments the Planning Commission voted 8-0-0 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, February 5, 2021, February 20, 2021, and June 2, 2021 at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; and

WHEREAS, after consideration of the Staff presentation and public comments, the Public Planning Committee voted 3-1-0 to recommend approval of the proposed LMO amendments related to Family Compound and Family Subdivision; and

WHEREAS, the Town Council held a public meeting on March 16, 2021 and April 6, 2021 at which time an opportunity was given for the public to comment on the proposed *Family Compound and Family Subdivision LMO Amendments*; 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 *Family Compound and Family Subdivision 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 *Family Compound and Family Subdivision 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.

(SIGNATURE PAGE FOLLOWS)

**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

First Reading: April 6, 2021
Public Hearing: June 2, 2021
Revised First Reading: June 10, 2021
Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Family Compound and Family Subdivision LMO Amendments

Chapter 16-2: Administration

Sec. 16-2-101. Summary Table of Review Procedures

Table 16-2-101: Summary Table of Development Review Procedures							
R = Recommendation D = Decision A = Appeal <> = Hearing <>* = Public Hearing E = Encouraged							
Procedure	Pre-Application Conference	Review and Decision-Making Authorities					
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council	
DEVELOPMENT APPROVALS AND PERMITS							
Special Exception (Sec. 16-2-103.E)			R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D		<A>		
	Major	E	D		<A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D		<A>		
	Major	E	D		<A>		
Small Residential Development Review (Sec. 16-2-103.H)			D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>			
	Major		R	<D>			
Traffic Impact Analysis Plan Review (Sec. 16-2-103.J)	Without Mitigation		D		<A>		
	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	
Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
	New name		R		<D>		

Family Compound and Family Subdivision LMO Amendments

Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*		
Utility Project (Sec. 16-2-103.W)			D		<A>		
<u>Family Compound (Sec. 16-2-103.X)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
<u>Family Subdivision (Sec. 16-2-103.Y)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
<p>Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.</p>							

16-2-102. Standard Review Procedures

J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans
 - a. General

Approval or conditional approval of an *application* for a *Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision* shall constitute approval of a site specific *development* plan that establishes a *vested right* in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The *vested right* shall expire two years after the approval unless the *vested right* period is extended in accordance with subparagraph b below.

16-2-103. Application Specific Review Procedures

U. Appeal of Official's Decision to Planning Commission

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the **Planning Commission** from decisions of the **Official** to approve, approve with conditions, or deny *applications* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

Family Compound and Family Subdivision LMO Amendments

2. Who May File Appeal

The **Official's** decision on an **application** for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the **Planning Commission** by the **applicant** for the decided **application**, the owner of **land** to which the decision specifically applies, or any other party in interest, who alleges that the **Official** erred in making the decision:

3. Types of Appeal

The following decisions made by the **Official** may be appealed to the **Planning Commission** in accordance with the procedures and standards in this subsection.

- a. Family Compound;
- b. Family Subdivision;
- c. Subdivision Review;
- d. Development Plan Review;
- e. Small Residential Development Review; and
- f. Development Project Name Review.

Family Compound and Family Subdivision LMO Amendments

X. Family Compound

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Compound approval.

2. Applicability

a. General

- i. Applications for Family Compound Review are only permitted on property that meets these qualifications:
 1. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 2. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 3. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.
- ii. The owner of record of the property shall request the family compound.
- iii. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).
- iv. Family Compounds will be considered a single-family use.

3. Family Compound Review Procedure

a. Pre-Application Conference

Prospective *applicants* for Family Compound Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An *application* for Family Compound Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. Accelerated Application Review

- i. All applications for Family Compounds will be expedited.
 - a. New submittals for Family Compounds will be reviewed prior to other submittals.

Family Compound and Family Subdivision LMO Amendments

- b. New building permit submittals related to Family Compounds will be reviewed prior to other submittals.
- c. Resubmittals for Family Compounds will be reviewed prior to other submittals.
- d. **Staff Review and Action**
 - i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
 - 1. Approve the *application*:
 - 2. Approve the *application* subject to conditions of approval; or
 - 3. Deny the *application*.
 - ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.
- e. **Post- Decision Actions and Limitations**
 - i. **Notice of Decision**

The *Official* shall provide notice of the final decision on the *application* in accordance with Sec. 16-2-102.H.1.
 - ii. **Appeal**

Appeals from the final decision of the *Official* on an *application* for Family Compound Review are governed by Sec. 16-2-103.U, Appeal of *Official's* Decision to Planning Commission, and S.C. Code § 6-29-1150.

Family Compound and Family Subdivision LMO Amendments

4. Family Compound Review Standards

An **application** for Family Compound Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Compound complies with the following:

- a. All other applicable standards of this **Ordinance**.
- b. All other applicable requirements in the **Municipal Code**.

5. Effect of Approval

Approval of a Family Compound authorizes the submittal of any other subsequent **development applications** that may be required before **construction** or other **development** authorized by this **Ordinance**. Prior to the issuance of the approval, a restriction on the sale of the property to non-family members shall be recorded in the deed. The restriction shall state that the property cannot be sold to non-family members for three years after being established as a Family Compound.

6. Expiration

Approval of a Family Compound establishes a **vested right** in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

Family Compound and Family Subdivision LMO Amendments

Y. Family Subdivision

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Subdivision approval. This section will allow the *subdivision* and transfer of familial owned property to future generations.

2. Applicability

a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a person(s) living in a Family Subdivision must be related to the property owner by blood, marriage, or legal adoption. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).
- iii. Applications for Family Subdivision Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.

3. Family Subdivision Review Procedure

a. Pre-Application Conference

Prospective *applicants* for Family Subdivision Review are encouraged to request and hold a pre-*application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

Family Compound and Family Subdivision LMO Amendments

b. Application Submittal

An *application* for Family Subdivision Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. Accelerated Application Review

i. All applications for Family Subdivisions will be expedited.

- a. New submittals for Family Subdivisions will be reviewed prior to other submittals.
- b. New building permit submittals related to Family Subdivisions will be reviewed prior to other submittals.
- c. Resubmittals for Family Subdivisions will be reviewed prior to other submittals.

d. Staff Review and Action

i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.Y.4, Family Subdivision Review Standards, and shall be one of the following:

- 1. Approve the *application*;
- 2. Approve the *application* subject to conditions of approval; or
- 3. Deny the *application*.

ii. The *Official* shall act on an *application* for Family Subdivision Review, in accordance with Sec. 16-2-102.D, within 60 business days after it is submitted, or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

e. Post- Decision Action and Limitations

i. Notice of Decision

The *Official* shall provide notice of the final decision on the *application* in accordance with Sec. 16-2-102.H.1.

ii. Appeal

Family Compound and Family Subdivision LMO Amendments

Appeals from the final decision of the **Official** on an **application** for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of **Official's** Decision to Planning Commission, and S.C. Code § 6-29-1150.

4. Family Subdivision Review Standards

An **application** for Family Subdivision Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (a person(s) living in a Family Subdivision must be related to the property owner by blood, marriage, or legal adoption, see 16-2-103.Y.2.a.ii) to those purchasing/deeding properties within the **subdivision**.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the **access** must be installed and inspected prior to the sale of property within the **subdivision** to non-family members.
- c. All other applicable requirements in the **Municipal Code**.

5. Effect of Approval

1. Approval of a Family Subdivision constitutes approval of a final plat for the **subdivision**. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable **lots** that may be conveyed and may be developed in accordance with **development applications** authorized by this **Ordinance**. No further **subdivision** of a Family Subdivision shall be permitted. Prior to the issuance of the approval, a restriction on the sale of the property to non-family members shall be recorded in the deed. The restriction shall state that prior to the sale of the property within the Family Subdivision to non-**family** members, a **subdivision application** shall be submitted in accordance with 16-2-103.F, Subdivision Review.

6. Expiration

Approval of a Family Subdivision establishes a **vested right** in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

Family Compound and Family Subdivision 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, 16-3-104.F Moderate Density Residential (RM-8) District and 16-3-104.G Moderate to High Density Residential (RM-12)

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
<u><i>Family Compound</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.e</u>	<u>2 per du</u>
<u><i>Family Subdivision</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.f</u>	<u>2 per du</u>

Section 16-3-105. Mixed-Use Zoning Districts

Section 16-3-105.D Light Commercial (LC) District and Section 16-3-105.F Main Street (MS) District, Section 16-3-105.G Marshfront (MF) District, Section 16-3-105.I Mitchelville (MV) District, Section 16-3-105.J Neighborhood Commercial (NC) District and Section 16-3-105.L Resort Development (RD) District, Section 16-3-105.N Stoney (S) District, and Section 16-5-105.O Waterfront Mixed Use (WMU) District

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
<u><i>Family Compound</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.e</u>	<u>2 per du</u>
<u><i>Family Subdivision</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.1.f</u>	<u>2 per du</u>

Family Compound and Family Subdivision LMO Amendments

f. Family Subdivision

- i. Applications for Family Subdivision Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.

Family Compound and Family Subdivision LMO Amendments
Chapter 16-5: Development and Design Standards

Sec. 16-5-102. Setback Standards

C. Adjacent Street Setback Requirements

TABLE 16-5-102.C: ADJACENT STREET SETBACK REQUIREMENTS				
PROPOSED USE		MINIMUM SETBACK DISTANCE ¹ / MAXIMUM SETBACK ANGLE ²		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
Single-Family ⁵	Structure > 24 in high	50 ft ^{3,4} /75°	40 ft ^{3,4} / 70°	20 ft ^{3,4} /60°
	Structure ≤ 24 in high	50 ft ^{3,4} /n/a	30 ft ^{3,4} /n/a	10 ft ^{3,4} /n/a
All Other Uses		50 ft ^{3,4} /75°	40 ft ^{3,4} /70°	20 ft ^{3,4} /60°
<p>NOTES: in = inches ft = feet ° = degrees</p> <p>1. Measured from the adjacent street right-of-way or easement line to the closest portion of a structure. <u>A 5' setback is required from an access easement for Family Compounds and Family Subdivisions.</u> A street setback from an easement line is not required for non-single-family properties.</p> <p>2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above the base flood elevation or pre-development grade, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure 16-5-102.C, Street Setback Angle).</p> <p>3. The adjacent street setback shall be a minimum of five (5) feet on any parcel abutting a Town right of way acquired under the Town's Dirt Road Paving Program. See Section 16-5-105.D for additional details.</p> <p>4. For corner lots, reduced to 10 feet from the right-of-way of the street with the lowest average daily vehicle traffic count (ADT). If both streets have equal ADT, the lot owner may choose which street shall be subject to the reduced setback distance.</p> <p>5. May be reduced by up to 30 percent in the S District, 20 percent in the RD and IL Districts, and 15 percent in all other districts, on demonstration to the Official that:</p> <p style="margin-left: 20px;">a. The reduction is consistent with the character of development on surrounding land;</p>				

Family Compound and Family Subdivision LMO Amendments

b. **Development** resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards;

c. The reduction either (1) is required to compensate for some unusual aspect of the site or the proposed **development**, or (2) results in improved site conditions for a **development** with **nonconforming site features** (e.g., allows the extension of a wall or fence that screens an existing **outdoor storage** area);

d. The reduction will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the reduction are mitigated (e.g., the closer proximity of **buildings** to a **street** are mitigated by a wider or more densely screened adjacent street buffer along that **street**);

f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 30 percent in the S District, 20 percent in the RD and IL Districts, or 15 percent in all other districts; and

g. In the S, RD, and IL districts, there are no reasonable options to the reduction that allow **development** of the site to be designed and located in a way that complies with LMO standards.

6. For **Family Compounds** and **Family Subdivisions**, the minimum setback from a minor arterial shall be 25' and the minimum setback from all other streets shall be 10'.

7. Any further reductions to the adjacent street setbacks for Family Compounds and Family Subdivisions will require a **variance** from the BZA.

Family Compound and Family Subdivision LMO Amendments

D. Adjacent Use Setback Requirements

TABLE 16-5-102.D: ADJACENT USE SETBACK REQUIREMENTS¹				
PROPOSED USE³	MINIMUM SETBACK DISTANCE¹/MAXIMUM SETBACK ANGLE²			
	USE OF ADJACENT DEVELOPMENT PROPERTY³			
	SINGLE-FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATION; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	RM-8, RM-12	CR, CC, WMU, S, RD, SPC, LC, MF, MV, MS, NC, MED	IL
Single-Family⁷	20 ft ^{4,5,6} /75°	20 ft ^{4,5,6} /75°	30 ft ^{4,5,6} /60°	40 ft ^{4,5,6} /45°
<ul style="list-style-type: none"> Any Other Residential Uses Commercial Recreation 	20 ft ⁶ /75°	20 ft ⁶ /75°	25 ft ⁶ /75°	30 ft ⁶ /60°
<ul style="list-style-type: none"> Public, Civic, Institutional, and Education Resort Accommodation Offices Commercial Services Vehicle Sales 	30 ft ⁶ /60°	25 ft ⁶ /75°	20 ft ⁶ /75°	20 ft ⁶ /75°

Family Compound and Family Subdivision LMO Amendments

and Services • Boat Ramps, Docking Facilities, or Marinas				
Industrial Uses	40 ft ^{4,5,6} /45°	30 ft ⁶ /60°	20 ft ⁶ /75°	20 ft ⁶ /75°
<p>1. Measured from the common property line to the closest portion of a structure.</p> <p>2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above the base flood elevation or pre-development grade, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure 16-5-102.D, Use Setback Angle).</p> <p>3. See Sec. 16-10-103 for a description or definition of the listed use classification and types.</p> <p>4. Single family subdivision exterior boundary only.</p> <p>5. For all Minor Subdivisions and Small Residential Developments, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point; it may be reduced to 5 feet where adjoining another single-family dwelling lot in the same subdivision; may be reduced to less than 5 feet if it, when combined with the platted setback distance for the adjoining lot, is at least 10 feet.</p> <p>6. May be reduced by up to 10 percent in any district on demonstration to the Official that:</p> <ul style="list-style-type: none"> a. The reduction is consistent with the character of development on surrounding land; b. Development resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards; c. The reduction either (1) is required to compensate for some unusual aspect of the site or the proposed development, or (2) results in improved site conditions for a development with nonconforming site features (e.g., allows the extension of a wall or fence that screens an existing outdoor storage area); d. The reduction will not pose a danger to the public health or safety; e. Any adverse impacts directly attributable to the reduction are mitigated (e.g., the closer proximity of buildings to a property line are mitigated by a wider or more densely screened adjacent use buffer along that property line); and f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 10 percent. <p><u>7. For Family Compounds and Family Subdivisions, the minimum setback from an adjacent property shall be reduced by 10' from what is required in Table 16-5-102.D</u></p>				

Family Compound and Family Subdivision LMO Amendments

	<u>except that an adjacent use setback of 5' shall be required between single-family uses.</u>
	<u>8. Any further reductions to the adjacent use setbacks for Family Compounds and Family Subdivisions will require a variance from the BZA.</u>

Sec. 16-5-103 Buffer Standards

D. Adjacent Street Buffer Requirements

TABLE 16-5-103.D: ADJACENT STREET BUFFER REQUIREMENTS			
PROPOSED USE	ADJACENT STREET (BY CLASSIFICATION)		
	MAJOR ARTERIAL	MINOR ² ARTERIAL	ALL OTHER STREETS ²
All <i>uses</i>	E	B	A
<p>NOTES:</p> <p>1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.</p> <p>2. There shall be no adjacent street buffer required on any parcel abutting a Town right of way acquired under the Town’s Dirt Road Paving Program. See Section 16-5-105.D for additional details.</p> <p><u>3. For Family Compounds and Family Subdivisions, only the Option 1 screening requirements apply.</u></p>			

Family Compound and Family Subdivision LMO Amendments

E. Adjacent Use Buffer Requirements

TABLE 16-5-103.E: ADJACENT USE BUFFER REQUIREMENTS ¹				
PROPOSED USE ²	REQUIRED BUFFER TYPE ²			
	USE OF ADJACENT DEVELOPED PROPERTY ³			
	SINGLE-FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATIONS; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS; AGRICULTURAL	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	RM-8, RM-12	CR, CC, WMU, S, SPC, RD, MS, MV, MF, LC, NC, MED, PD-1	IL
<i>Single-Family</i> ⁵	A ⁴	A ⁴	C ⁴	D ⁴
<ul style="list-style-type: none"> All Other Residential <i>Uses</i> Commercial Recreation 	A	n/a	B	D
<ul style="list-style-type: none"> Public, Civic, Institutional, and Education Resort Accommodations Offices Commercial Services Vehicle Sales and 	C	B	n/a	A

Family Compound and Family Subdivision LMO Amendments

Services • Boat Ramps, Docking Facilities, or Marinas				
Industrial Uses	D ⁴	D	A	n/a

NOTES: n/a = not applicable

1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.
2. When a shared **access easement** is located along a common property line, any required buffer shall be provided to the interior of the **access easement**. An adjacent use buffer from an easement line is not required for non-single-family properties.
3. See Sec. 16-10-103 for a description or definition of the listed **use** classification and types.
4. Single family subdivision exterior boundary only.
5. For **Family Compounds** and **Family Subdivisions**, the **adjacent use** buffers shall include the minimum planting requirements per Table 16-5-103.F.
6. Any further reductions to the adjacent use buffers for Family Compounds and Family Subdivisions will require a **variance** from the BZA.

Family Compound and Family Subdivision LMO Amendments
Section 16-5-107. Parking and Loading Standards

D. Parking Space Requirements

1. Minimum Number of Parking Spaces

TABLE 16-5-107.D.1: MINIMUM NUMBER OF PARKING SPACES		
USE CATEGORY/USE TYPE	MINIMUM NUMBER OF PARKING SPACES ^{1,2,3,4}	
	CR DISTRICT	ALL OTHER DISTRICTS
RESIDENTIAL USES		
<u>Family Compound</u>	<u>n/a</u>	<u>2 per du</u>
<u>Family Subdivision</u>	<u>n/a</u>	<u>2 per du</u>

Family Compound and Family Subdivision LMO Amendments
Chapter 16-10: Definitions, Interpretations, and Measurement

Sec. 16-10-105. General Definitions:

Family Compound

Single parcel of *land* with multiple *dwelling units* owned by one family defined for these purposes as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).

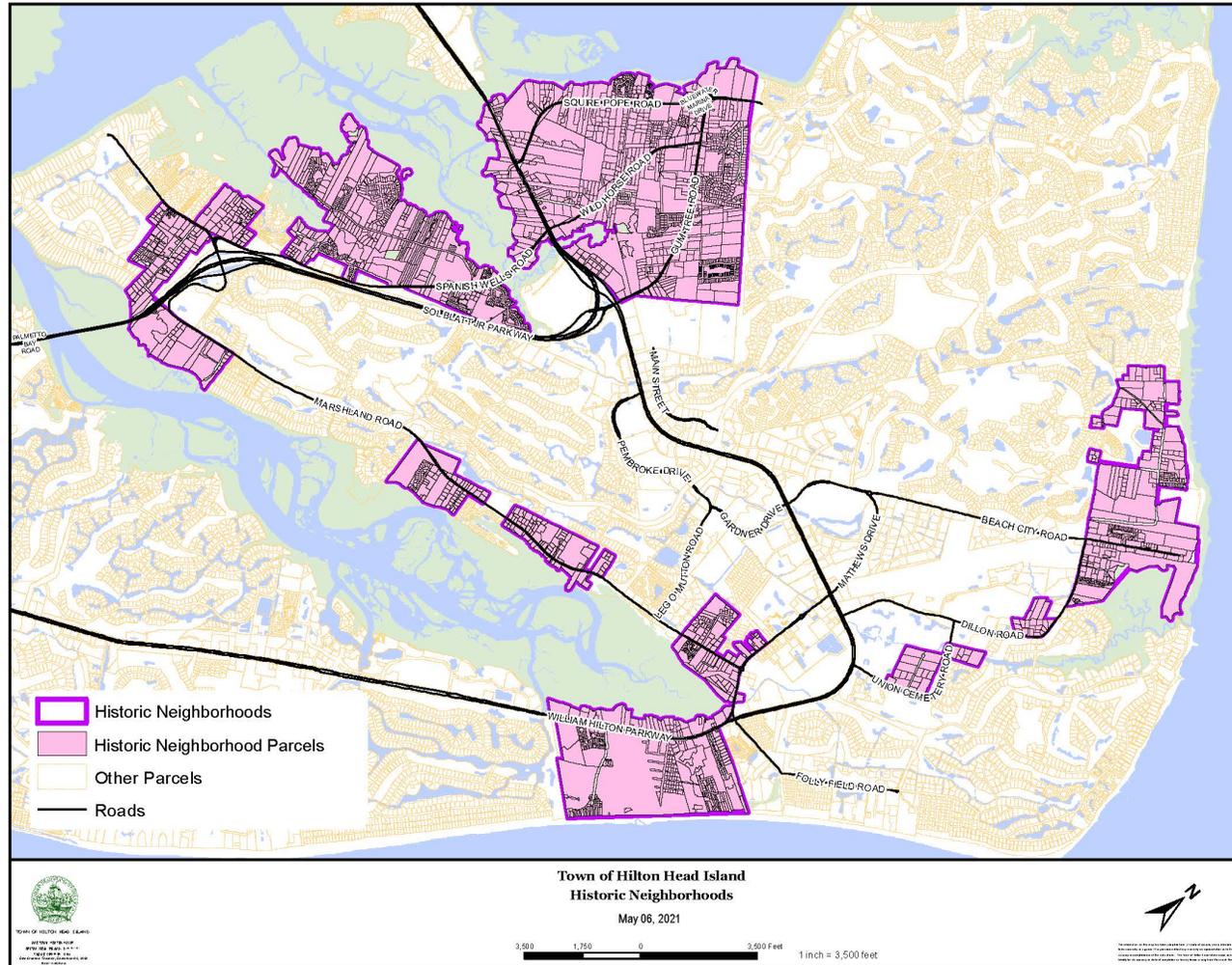
Family Subdivision

Ownership of subdivided *lots* within a *single-family*, defined for these purposes as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family), without requiring the installation of supporting infrastructure.

Family Compound and Family Subdivision LMO Amendments

Appendix B: Maps and Tables

B-5. Historic Neighborhoods Map



Updated April 26, 2021

Family Compound and Family Subdivision LMO Amendments

D-26. Family Compound

A. Application Form

An *application* form as published by the *Official*.

B. Certificate of Owner's Consent

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *development*.

C. Eligibility

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as stated in Sec. 16-2-103.X.2.a.iii.

D. Property Deed

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

E. Boundary Survey Plat

One copy of the boundary survey plat of the *lot* of record or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50 or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.

Family Compound and Family Subdivision LMO Amendments

F. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of *development* and detailed provisions for *maintenance* responsibility for all *improvements*, including, but not limited to: *streets*, parking areas, storm drainage facilities, water and sewer systems, and the like, up to the point of *development*.

G. Site Development Plan

One black line print of a final *site plan* or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the *Official*, showing the following:

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town Engineer*, unless waived by the *Town Engineer*.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Tables 16-5-102.C, 16-5-102.D, 16-5-103.D and 16-5-103.E.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

Family Compound and Family Subdivision LMO Amendments

16. Notation as to FEMA/FIRM *flood* zones covering the *site* , and proposed first floor elevation of all *buildings* .
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or *contiguous* with the proposed *development tract* .
18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

H. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate *Town, County, State* and federal regulations for the proposed *development* , and documentation of compliance with such, as applicable. Failure of the *Official* to request an approval or certification required does not relieve the *applicant* of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the *site development* plan.
5. U.S. Army Corps of Engineers permits related to dredging, *filling, wetlands* , or other elements of the *development* .
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The *applicant* must receive a determination from the FAA prior to the issuance of any approvals from the *Town* .

I. Other Requirements

1. *Access* and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
 - a. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface* .
2. Any other items specifically required of a *development plan application* by any other provisions of this Title.

Family Compound and Family Subdivision LMO Amendments

D-27. Family Subdivision

A. Application Form

An *application* form as published by the *Official*.

B. Subdivision Plat

One black line print of a *subdivision* plat at a scale of 1"= 50' or other scale acceptable to the *Official*, showing:

1. Date (including any revision dates), name and location of the *subdivision*, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed *tract* boundary lines, *right-of-way* lines, proposed *street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with accurate dimensions, bearing or deflecting angles or radii, arcs, and central angles of all curves.
5. The proposed *use* of *lots* shall be noted and the purpose of any *easement* or *land* reserved or dedicated to public or utility *use* shall be designated.
6. Each block shall be numbered, and the *lots* within each block shall be numbered consecutively.
7. Notation of specific reference plats, if applicable.
8. Computed acreage of each *lot* created by the *subdivision*.
9. Minimum *building* setback or buffer lines as required by Tables 16-5-102.C, 16-5-102.D, 16-5-103.D and 16-5-103.E.
10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
11. Certification by a South Carolina professional *land* surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
12. Notation of the one-hundred-year storm *flood* elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
13. Surveyed delineation as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
15. All existing *structures* or other *improvements*.

Family Compound and Family Subdivision LMO Amendments

16. Location of *wetland buffer* area, where applicable.

17. For *subdivisions* where a portion is *adjacent* to a *wetland*, a statement that reads, “The only activities permitted in the *wetland buffer* shall be those listed in Wetland Buffers as per the LMO.”

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

C. Certificate of Owner’s Consent

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *subdivision*.

D. Eligibility

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as stated in Sec. 16-2-103.Y.2.a.ii.

E. Certification of Title Source

Certification signed by the surveyor setting forth the source of title of the owners of the *land* subdivided or a copy of the deed by which the property was conveyed to the owner.

F. Certificate of Title and Reference Plat

A current certificate of title referencing the proposed *subdivision* plat and if recorded, a copy of the last plat in the chain of title.

G. Street and Development Names

Appropriate approvals for all *street* and *development* names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

H. Subdivision in Phases

Whenever part of *tract* is proposed for platting and it is intended to subdivide additional parts in the future or *abutting land* is in the same ownership, a sketch plan for the entire *tract* shall be submitted with the plat.

J. Stormwater Management

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

K. Other Items

2. *Access* and infrastructure must be installed to serve each *structure* in the order each

Family Compound and Family Subdivision LMO Amendments

structure is constructed.

- a. Access to all *lots* within a Family Subdivision shall be provided to the point of development as follows:
 - i. For 5 or fewer *lots*, direct vehicular *access* to each *lot* shall be a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface* or paved *street* with a minimum 30 foot right-of-way.
 - ii. For 6 or more *lots*, direct vehicular *access* to each *lot* shall be provided via a paved *street* with a minimum 30 foot right-of-way for two-way streets and a minimum 24 foot right-of-way for one-way streets.
3. Prior to the sale of the property within the Family Subdivision to non-*family* members, a *subdivision application* shall be submitted in accordance with 16-2-103.F.
4. Any applicable items as identified in D-26, Family Compound.