

Town of Hilton Head Island

Planning Commission Meeting Wednesday, December 21, 2022, 2:00 p.m.

AGENDA

The Planning Commission Meeting will be held in person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be broadcast and can be viewed at: <u>Beaufort County Channel</u>, the <u>Town of Hilton Head Island Public Meetings Facebook Page</u> and Spectrum Channel 1304.

- 1. Call to Order
- 2. Pledge of Allegiance
- **3. 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.
- 4. Roll Call
- 5. Approval of Agenda
- 6. Approval of Minutes
 - a. Meeting of November 16, 2022

7. Appearance by Citizens

Citizens may submit written comments via the <u>Town's Open Town Hall Portal</u>. The portal will close at 4:30 p.m. the day prior to the scheduled meeting. Comments submitted through the portal will be provided to the Commission and made part of the official record.

- 8. Unfinished Business None
- 9. New Business
 - a. <u>LMO Amendments</u> Request from Josh Tiller of J. K. Tiller Associates, Inc. for a text amendment to LMO Sections 16-3-105.M, Sea Pines Circle District, 16-4-102.A, Principal Uses, 16-4-102.B, Use-Specific Conditions and 16-10-103.A, Use Classifications, Use Types, and Definitions, to allow for a new use to be established called Islander Mixed-Use within the Sea Pines Circle District, establish a definition for the use, establish use-specific conditions and exceptions to development form standards.
 - b. <u>LMO Amendments</u> The Town of Hilton Head Island is proposing to amend Chapters 2, 3, 4, 5, 6, 10 and Appendix D of the Land Management Ordinance (LMO) to revise the following sections:

Sections 16-3-103.C, 16-3-104.B, 16-3-104.C, 16-3-104.D, 16-3-104.E, 16-3-104.F, 16-3-104.G, 16-3-105.C, 16-3-105.D, 16-3-105.E, 16-3-105.F, 16-3-105.G, 16-3-

105.H, 16-3-105.J, 16-3-105.M, 16-3-105.N, 16-5-102.C, 16-5-102.D, 16-5-103.E, 16-5-103.F, 16-5-105.J, 16-5-107.D, 16-5-109.D, 16-5-115.C, 16-6-102.D, 16-6-104.G and 16-10-102.C: remove staff granted waivers and amend some standards; Section 16-2-103.S: allow variances from all sections of the LMO other than use. density or height; Section 16-4-102.B: allow outdoor screened bike storage in the Light Commercial and Community Commercial zoning districts and provide more specificity related to screening; Section 16-10-103.I: provide clarification in the Manufacturing use classification as it relates to the size of a brewery; Section 16-5-106.C: replace using June traffic counts with July traffic counts for Traffic Impact Analysis Plan Standards: Section 16-2-103.P: change when/how plantings are required on single family lots in buffers as part of a subdivision Certificate of Compliance: Section 16-10-105: amend the dwelling unit definition to make it more clear what constitutes a separate dwelling unit; Sections 16-5-114.H and 16-10-105: amend the definition of changeable copy to allow signs to be changed electronically with limitations on frequency and timing; Sections 16-3-106.H, 16-3-106.I, 16-3-106.J, 16-5-102.C, 16-5-102.D and 16-10-102: amend the measurement for height calculation; Appendix D:D-5; add that owners' consent is required for minor subdivisions as it is currently listed as being exempt; and Sections 16-2-102.E and 16-2-103.F: require a public hearing and provide standards for deviations from previously platted subdivisions.

- c. <u>STDV-002403-2022</u> Octavio Roman Gonzalez, owner of R510 003 000 0169 0000, proposes to name a new driveway located at 27 Orage Lane. There are no other affected parcels.
- d. <u>STDV-002585-2022</u> Hank Hofford with Bennett Hofford Construction Company proposes to name a new street that will be located off Jonesville Road on Beaufort County Tax Map Parcels R510 007 000 1120 0000 and R510 007 000 1121 0000.

10. Commission Business

- a. Election of new Vice Chair
- 11. Chairman's Report
- 12. Committee Reports
- 13. Staff Reports
 - a. DPR-000117-2022 15 Wimbledon Court Site Plan Review

14. Adjournment

Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.



Town of Hilton Head Island

Planning Commission Meeting

November 16th 2022, at 2:00 p.m.

MEETING MINUTES

Present from the Commission: Mike Scanlon, Chairman; Alan Perry, Vice Chairman; Bruce Siebold; Mark O'Neil; Rick D'Arienzo; Tom Henz; John Campbell; Stephen Alfred

Absent from the Commission: None

Present from Town Staff: Shawn Colin, Assistant Town Manager - Community Development; Missy Luick, Community Planning Manager; Nicole Dixon, Development Review Program Manager; Joheida Fister, Deputy Fire Chief; Yazmin Winston Black, Community Development Coordinator; Brian Glover, Administrative Assistant

1. Call to Order

Chairman Scanlon called the meeting to order at 2:00 p.m.

2. Pledge of Allegiance

3. 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 Town of Hilton Head Island requirements.

4. Roll Call

As noted above.

5. Approval of Agenda

Chairman Scanlon asked for a motion to approve the agenda. Vice-Chairman Perry moved to approve. Commissioner Alfred seconded. By show of hands, the motion passed with a vote of 8-0-0.

6. Approval of Minutes

a. Meeting of October 19th, 2022

Chairman Scanlon asked for a motion to approve the Minutes of the October 19th, 2022, meeting. Commissioner Siebold moved to approve. Commissioner Campbell seconded. By show of hands, the motion passed with a vote of 8-0-0.

7. Appearance by Citizens

Public comments concerning agenda items were to be submitted electronically via the Open Town Hall portal. Several comments were received about the agenda item SUB-

001860-2022. Copies of the comments were added to the packet. No citizens spoke on items unrelated to the agenda.

8. Unfinished Business

None

9. New Business

a. **STDV-002190-2022**– Request from Nadine Chaplin, Owner of R510 010 000 030D 0000, to rename an access easement off Spanish Wells Road. There are no other affected parcels.

Staff provided a presentation as included in the packet. Staff stated that it meets all requirements for renaming and there are no other affected parcels. Staff recommended approval.

The Commission asked no questions, and there were no comments by the public. Chairman Scanlon asked for a motion. Commissioner O'Neil motioned to approve. Vice-Chairman Perry seconded. Motion passed with a vote of 8-0-0.

11. Commission Business

a. Proposed 2023 Meeting Schedule

The commission approved the 2023 Meeting Schedule with a vote of 8-0-0.

12. Chairman's Report

No Report

13. Committee Reports

No Report

14. Staff Reports

a. SUB-001860-2022 - Twin Oaks Subdivision - Site Plan Review

Ms. Dixon provided staff's presentation as included in the packet. Staff is recommending that the applicant resubmit with further attention pertaining to the open space and amenities. Additionally, staff is pushing for more unique house plans, internal pathways, tree preservations, redesigned road ends, and a site plan with driveway locations and house footprints.

The Commission clarified a few points with staff and then opened the topic to public comment.

Several members of the community spoke about the development. Many concerns were raised about the impact of traffic on the community. Additionally, there were public concerns about the timeline for the bike path on Jonesville, the safety of walkers in the neighborhood, easement access points, Miller Road, and live oak preservation.

Shawn Colin stated that the town will be executing a job order for a traffic study in the greater Jonesville area. This area includes Jonesville Road, the light at HW 278, and down Spanish Wells Road towards Marshland Road. The purpose for this review is to analyze the broader context and infrastructure capacity.

The Commission asked about Miller Road. Mr. Colin stated that it is a possibility, however that is typically done when the road includes public roadways, and this is a private road.

Shawn Colin stated that the current LMO requires traffic impact studies if the development is large enough, but the subject development is not large enough to require a traffic impact study. Because of this, the subject development cannot be denied or delayed by the traffic study that the Town is conducting. The larger development, Bailey's Cove, was required to have a traffic study.

The Commission moved to discussion. The Commission expressed support for the preservation of live oaks on the property. Additionally, they thanked staff for their work within the guidelines of the LMO.

Vice-Chairman Perry stated that there should be another submission for the project which includes live oak preservation. Also, he suggested that the town begin classes for the development designers of future projects so that they understand both the written rules of the LMO and the town's intention.

15. Adjournment

Chairman Scanlon adjourned the meeting at 3:09 p.m.

Submitted by: Brian Glover,

Administrative Assistant

Approved: [DATE]



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Planning Commission

FROM: Missy Luick, Community Planning Manager

VIA: Shawn Colin, AICP, Assistant Town Manager – Community Development

DATE: December 12, 2022

SUBJECT: Public Hearing to consider Islander Mixed-Use LMO Amendment

Recommendation

Staff recommends that the Planning Commission review the proposed Islander Mixed-Use LMO Amendments and forward a recommendation to Town Council.

Summary

The LMO Committee met on September 1, 2022 and reviewed the requested LMO amendments for Islander Mixed-Use. Staff requested that the applicant team explore modifications to the proposed amendment to reflect staff's recommendations and brought back to the Committee for review. The LMO Committee met again on November 1, 2022. The draft amendment was reviewed by the LMO Committee and recommended for a public hearing to the Planning Commission.

Background

The proposed amendments would create a new use called Islander Mixed-Use that is permitted with conditions in the Sea Pines Circle (SPC) District. The request is from Josh Tiller of J. K. Tiller Associates, Inc. for a text amendment to Land Management Ordinance Sections 16-3-105.M, Sea Pines Circle District, 16-4-102.A, Principal Uses, 16-4-102.B, Use-Specific Conditions and 16-10-103.A, Use Classifications, Use Types, and Definitions, to allow for a new use to be established called Islander Mixed-Use within the Sea Pines Circle District, establish a definition for the use, establish use-specific conditions and exceptions to development form standards. (Refer to Attachment A, Proposed Islander Mixed-Use LMO Amendments.)

The proposal includes:

- Creation of a new use called "Islander Mixed-Use" with a definition proposed in 16-10-103.A that includes two or more different uses as well as the allowance of group living dormitory use.
- 2. Separate parking spaces required for residential use at 1.5 spaces per dwelling unit. Separate parking spaces required for nonresidential use at 1 per 500 gross floor area.
- 3. The use is proposed to be permitted with conditions per 16-4-102.B.1.g

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- a. Separate parking spaces are required for the residential units. The parking spaces designated for residential use are eligible to be included as part of a shared parking plan per 16-5-107.H.3
- b. The proposed use must be within 500 feet of an education use
- c. Short-term rental property prohibition as defined in the Municipal Code, Section 10-2-20.(6)
- d. No residential density proposed
- e. Increase building height limit from 45 feet to 55 feet for Islander Mixed Use development
- 4. Per the development form standards in Section 16-3-105.M, Sea Pines Circle District, the new use is proposed as:
 - a. Undefined density allowance
 - b. A maximum building height of 55 feet

Staff Analysis

The concept of the Islander Mixed-use development type is worthy of review and consideration by the Planning Commission. The use is proposed in the Sea Pines Resort district which currently allows mixed-use development with conditions with a maximum density of 12 dwelling units per net acre for residential and 10,000 gross floor area per net acre for nonresidential. The use-specific conditions for mixed-use development do not allow parking spaces for residential use to be included as part of a shared parking plan.

The Islander Mixed-use development use proposes undefined density and the allowance of residential use parking spaces to be part of a shared parking plan. The undefined density would be limited by applicable design and performance standards such as height, parking, lot coverage, setbacks and buffers. Similarly, the Coligny Resort district, Section 16-3-105.B, also does not have a defined density limit and is limited by required design standards. (Refer to Attachment C, Coligny Resort District)

Shared parking plans are currently allowed for other uses (besides mixed-use) meeting the requirements outlined in Section 16-5-107.H.3. Shared parking plans allow up to 50 percent of the number of parking spaces required for a use be used to satisfy the number of parking spaces required for other uses, provided the uses generate parking demands during different times of the day or different days of the week. Shared parking and/or Off-Site Parking must meet the requirements of 16-5-107.H.3 and/or 16-5-107.H.4 which includes the requirement of a parking agreement that would be reviewed and approved among all owners of lands containing the uses proposed to share off-street parking spaces and be recorded with the Beaufort County Register of Deeds. (Refer to Attachment D, Off-Street Parking Alternatives.)

Islander Mixed-use is proposed to be within 500 feet of an Education use. Based on walking and biking tolerances from a residential unit to a primary destination, it is reasonable to walk or bike 500-1,500 feet from a residential unit to a primary destination. Per Attachment B, Education Use Proximity Map, there are 23 parcels within 500 feet, 34 parcels within 1,000 feet and 49 parcels

Subject: LMO Amendment Request – Islander Mixed-Use

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within 1,500 feet within the Sea Pines Circle district. Based on the review of the proximity map, a possible alteration for consideration is to expand the use to parcels within 1,000 feet of an Education use. With that alteration, the Islander Mixed-Use would be applicable to 34 parcels and is within direct biking or walking vicinity of the Education use and would largely be applicable to parcels south of the Sea Pines Circle.

As proposed the use definition allows group living dormitory use. The Education use within the Sea Pines Circle district does not have a permanent student body that attends the Education use site for a majority of its education offerings, so a possible consideration to alter the proposed amendment to create a use-specific condition to allow a maximum portion of the units (perhaps 20%) to be group living dormitory use. Without such a condition, the residential unit mix could be all group living dormitory use.

The height limit for all development within Sea Pines Circle District is 45 feet. Building height is a sensitive matter and staff does not recommend a height limit increase for the proposed use.

Finally, the allowance of undefined density is not tied to a workforce housing component as drafted. A use-specific condition could be added to require a percentage (perhaps 20%) of the Islander Mixed-Use development to be workforce housing units to be rented to households earning 60-120% of the HUD AMI for Beaufort County and with a requirement that a Workforce Housing Agreement be entered into with the Town similar to the requirements in Sections 16-4-105. B-F.

Attachment

- A. Proposed Islander Mixed-Use LMO Amendments
- B. Educational Use Proximity map
- C. Coligny Resort district, Section 16-3-105.B
- D. Shared Parking, Section 16-5-107.H.3. and Off-Site Parking, Section 16-5-107.H.4.

Attachment A – Proposed Islander Mixed-Use LMO Amendments

Hilton Head Island, South Carolina, Land Management Ordinance Chapter 16-4: Use Standards

Chapter 16-4: Use Standards

Sec.16-4-102. Principal Uses

A. Principal Use Table

6. Principal Use Table

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Group Living						P	Р	Р				P						Р		Р		
Mixed- Use									P C		Sec. 16- 4- 102.B.1. a											
Multifamily						P	Р	Р	P C	Р	P C	P	Р	P	Р	Р	P	P	Р	Р		Sec. 16- 4- 102.B.1. b
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Recreation Vehicle (RV) Parks																		P				Sec. 16- 4- 102.B.1. c
Single- Family			Р	Р	Р	Р	Р	Р					Р	Р	Р	Р	Р	Р	Р			

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Commercial Recreation													С								4- 102.B.5
Uses																					a
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Office								С	С	С	С	С	С	С	С	С	С	С			4-
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Adult entertainm ent uses								S E											Sec. 16- 4- 102.B.7. a
Animal Services								P C	P C			P C				P C		P C	Sec. 16- 4- 102.B.7. b
Bicycle Shops							P C		P C	P C		Sec. 16- 4- 102.B.7. c							
Convenienc e Stores					P C		P C	P C	P C		P C	P C	P C	P C	P C	P C		P C	Sec. 16- 4- 102.B.7. d
Eating Establishme nts							P C	Р	Р	P C	P C	P C	P C	P C	P C	Р	P C	P C	Sec. 16- 4- 102.B.7. e
Grocery Stores							Р	Р	Р	Р		Р				Р			
Landscape Businesses												P C				P C		Р	Sec. 16- 4- 102.B.7
Liquor Stores							S E		Sec. 16- 4- 102.B.7 g										
Nightclubs or Bars							P C	P C	P C		P C	P C	P C	P C		P C	P C		Sec. 16- 4- 102.B.7. h
Open Air Sales		P C			P C		P C	P C		P C	Р		Sec. 16- 4- 102.B.7 i						
Shopping Centers							P C	P C	P C	P C		P C	P C			P C			Sec. 16- 4- 102.B.7

Tattoo Facilities																P C				Sec. 16- 4- 102.B.7. k
Other Commercial Services Uses					P C	P C	P	P	P	Р	P	P	P	Р	Р	P	Р	Р	Р	Sec. 16- 4- 102.B.7.
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Auto Rentals							P C	P C	Р		P C		Р	P C		Р	P C		Р	Sec. 16- 4- 102.B.8. a
Auto Repairs									P C							P C			P C	Sec. 16- 4- 102.B.8. b
Auto Sales									Р							Р			Р	
Car Washes								P	P			P C	P			Р			P	Sec. 16- 4- 102.B.8. c
Commercial Parking Lot							P C	P C	P C		P C						P C			Sec. 16- 4- 102.B.8. d
Gas Sales							P C	P C	P C			P C	P C		P C	P C			P C	Sec. 16- 4- 102.B.8. d
Taxicab Services									Р			Р				Р			Р	
Towing Services or Truck or Trailer Rentals																			Р	
Watercraft Sales, Rentals, or Services INDUSTRIAL L											P C	Р		P C		P C			Р	Sec. 16- 4- 102.B.8. e

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Self- Service Storage										P C								P C			P C	Sec. 16-4- 102.B 9.c
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Boat Ramps, Docking Facilitie s, and Marinas	P C	P	P C	P C		P C	P C				P			P				Sec. 16-4- 102.B. 10.a
Marinas																		

(Revised 5-17-2016 - Ordinance 2016-07; revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance2019-20; revised 8-18-2020 - Ordinance2020-19; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02)

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

g. Islander Mixed-Use

- i. **Islander Mixed-use development** shall designate separate parking spaces for **use** by the residential units. The parking spaces designated for residential **use** are eligible to be included as part of a **shared parking** plan meeting the requirements in Section 16-5-107.H.3.
- ii. <u>Islander Mixed-Use development must be on property which is within 500 feet</u> (measured at nearest property line to property line) of **Education Uses**.
- iii. <u>Islander Mixed-Use shall not be a Short-Term Rental Property as defined in the Municipal Code, Section 10-2-20.(6).</u>

(Revised 11-4-2020 -Ordinance 2020-26; revised 2-16-2021 -Ordinance 2021-02; <u>revised</u> <u>TBD</u>)

M. Sea Pines Circle (SPC) District

SPC

Sea Pines Circle District

1. Purpose

The purpose of the Sea Pines Circle (SPC) District is to provide *lands* for commercial and *mixed-use development* at moderate to relatively high intensities in the area around Sea Pines Circle. District regulations emphasize moderate-scale *buildings* and *shopping centers* that balance the needs of the driving public and pedestrian activity and circulation among the district's retail, dining, and entertainment activities. The district is also intended to accommodate nighttime activities.

2. Allowable Principal Uses					
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS		ANUMBER	
Residential Uses					
Mixed-Use	PC	Sec. 16-4-102.B.1.a	Residentia	al	1.5 per du
			Nonreside	ential	1 per 500 GFA
Multifamily	Р		1 bedroor	n	1.4 per du
			2 bedroor	n	1.7 per du
			3 or more		2 per du
			bedrooms	5	
<u>Islander Mixed-Use</u>	<u>PC</u>	Sec. 16-4-102.B.1.g	<u>Residentia</u>	<u> </u>	1.5 per du
			<u>Nonreside</u>	<mark>ential</mark>	<u>1 per 500</u> GFA
Public, Civic, Institutional, and Educational	Uses				
Community Service Uses	Р		1 per 400	GFA	
Education Uses	Р		Colleges a	nd High	10 per
			Schools		classroom
			Elementa	•	4 per
			Junior Hig	h/Middle	classroom
			Schools		
			Other Edu	ıcation	See Sec. 16-
	+_		Uses		5-107.D.2
Government Uses	P		Fire Stations	GFA of of	+ 1 per 200
			Other	1	
			Other	area	GFA of office
Major Utilities	SE		1 per 1,50	0 GFA	
Minor Utilities	Р		n/a		
Public Parks	Р		See Sec. 1	6-5-107.D.2	2
Religious Institutions	Р		1 per 3 se	ats in main	assembly area
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a		
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1		
Health Services					
Other Health Services	Р		1 per 225	GFA	
Commercial Recreation					
Indoor Commercial Recreation Uses	Р			rsons + 1 p imilarly use	er 200 GFA of d area
Office Uses		·			
Contactor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 350 office/adr	GFA of ninistrative	area

Other Office Uses		Р		1 per 350 GFA	
Commercial Services					
Adult entertainment use		SE	Sec. 16-4-102.B.7.a	1 per 100 GFA	
Animal Services		PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops		PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores		PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments		P		1 per 100 sf of <i>gross</i> and outdoor eating area	<i>floor area</i> and
Grocery Stores		Р		1 per 200 GFA	
Liquor Stores		SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars		PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales		PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/	display area
Shopping Centers		PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Other Commercial Services		Р		See Sec. 16-5-107.D.2	2
Vehicle Sales and Services					
Auto Rentals		PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	2
Car Washes		P		10 per wash unit for a wash + 5 per bay for	
Commercial Parking Lot		PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2	2
Gas Sales		PC	Sec. 16-4-102.B.8.e		
Industrial Uses					
Self-Service Storage		PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of soffice area	torage and
3. Development Form Standa	ards				
MAX. DENSITY (PERNET ACR	E) ²		LOT COVERAGE		
Residential	12 du		Max. Impervious Cov	er	60%
Nonresidential	10,000 GFA		Min. Open Space for Subdivisions	Major Residential	16%
MAX. BUILDING HEIGHT					
All Development	45 ft <mark>3</mark>				

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = *dwelling units*; sf = square feet; GFA = *gross floor area* in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the *Official* that:

- a. The increase is consistent with the character of *development* on surrounding *land*;
- b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;
- c. The increase either (a) is required to compensate for some unusual aspect of the site or the proposed *development*, or (b) results in improved site conditions for a *development* with *nonconforming site features*;
- d. The increase will not pose a danger to the public health or safety;
- e. Any adverse impacts directly attributable to the increase are mitigated; and

- f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
- 2. Islander Mixed-Use has undefined density but limited by applicable design and performance standards such as height and parking.
- 3. A height exception for Islander Mixed-Use is allowed for a maximum building height of 55 feet.

(Revised 4-18-2017 - Ordinance 2017-05)

Sec.16-10-103. Use Classifications, Use Types, and Definitions

A. Residential Uses

1. Description

The Residential *Uses* classification is primarily characterized by the residential occupancy of a *dwelling unit* by a household. Such household living *uses* include *single-family dwellings* and *multifamily dwellings* (triplexes and other *multifamily development*, including townhouse *development*). The Residential *Uses* classification also includes *group living uses* (the residential occupancy of a group of living units by *persons* who do not constitute a *single-family*), as well as *recreational vehicle* (*RV*) *parks* (providing spaces for overnight accommodation of people in a *recreational vehicle*), and workforce housing. *Accessory uses* commonly associated with Residential *Uses* are recreational activities, raising of pets, hobbies, parking of the occupants' vehicles, and administrative offices in *multifamily*, *group living*, and *recreational vehicle* (*RV*) *parks*, and workforce housing developments. Home occupations are *accessory uses* that are subject to additional regulations (see Sec. 16-4-103.E.3, Home Occupation).

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.

Multifamily

A **building**, **parcel**, or **development** containing three or more **dwelling units**. This use includes townhouse developments, if all units are on one **lot**, and manufactured housing parks.

Mixed-Use

Development that includes two or more different *uses*, which shall include *multifamily or workforce housing use* and one or more of the Office *uses*, as described in Sec. 16-10-103.F or one or more of the Commercial Services *uses*, as described in Sec. 16-10-103.G or some combination thereof. Such *uses* should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian *access*.

Recreational Vehicle

Any of the following vehicles designed for travel, recreation, and vacation uses: motorhome or van (a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle); pickup camper (a structure designed to be mounted on a truck chassis); recreational trailer (a portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections); park trailer (a semi-portable structure built on a single chassis, which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to USDHUD standards); or tent trailer (a canvas or synthetic fiber folding structure mounted on a hard body base and towed by a vehicle).

Recreational Vehicle (RV) Park

An establishment consisting of paved parking spaces, served by utilities and accessways, that are utilized for overnight parking and occupancy of *recreational vehicles*. A recreational vehicle park may include an office for an *on-site* manager and rental of parking spaces, and amenities for the use of park tenants and residents, such as *swimming pools*, tennis courts, play grounds and covered or uncovered picnic areas. *Accessory uses* include offices, limited commercial services oriented to the needs of park occupants, and recreational facilities (e.g., swimming pool, playgrounds, and picnic areas) for the use of park occupants.

Single-Family

A freestanding **structure** containing not more than two **single-family dwelling units**. Two **single-family** homes may be located on the same **lot** if the applicable **density** standard is met. More than two **single-family dwellings** on a single **lot** constitute a **multifamily dwelling**.

Townhouse

A multi-story structure containing one *dwelling unit* which is attached to one or more similar structures by shared walls in a *development*.

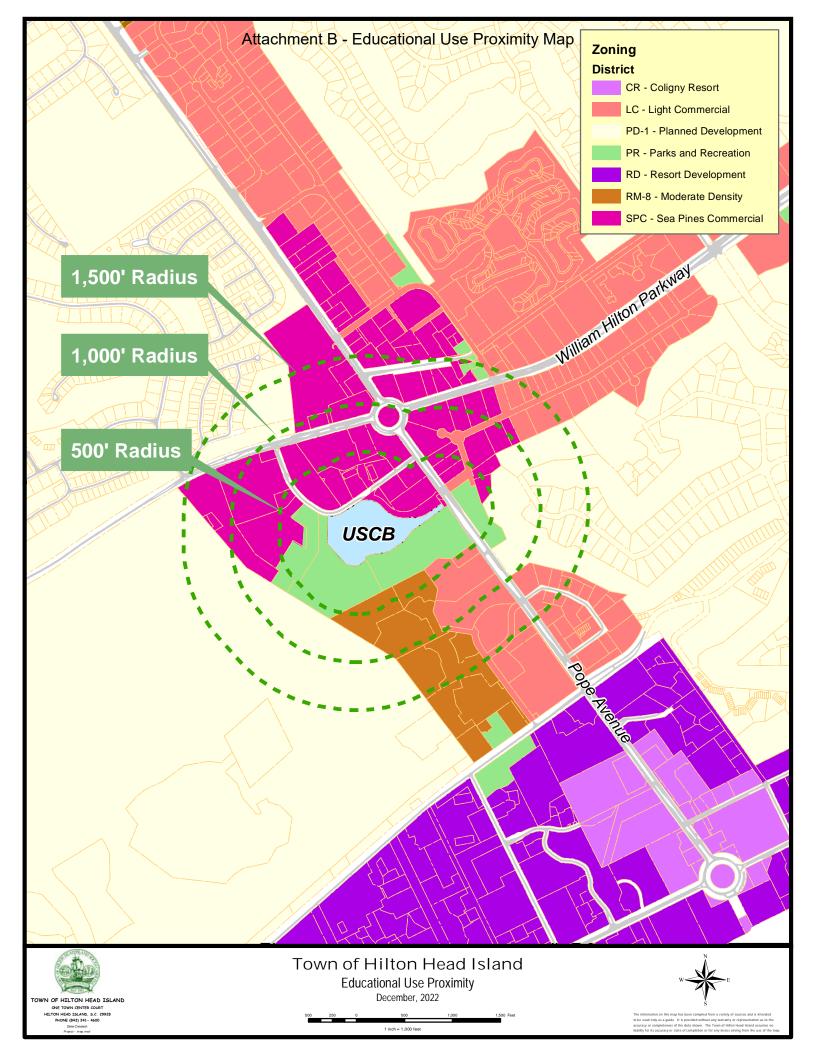
Workforce Housing

Housing that is affordable at 60—100% of the Area Median Income (AMI) for Beaufort County.

Islander Mixed-Use

Development that includes two or more different **uses**, which shall include **Islander mixed-use** and one or more of the Office **uses**, as described in Sec. 16-10-103.F or one or more of the Commercial Services **uses**, as described in Sec. 16-10-103.G or some combination thereof. Such **uses** should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian **access**. **Group Living** dormitory use is allowed within this use type.

(Revised 9-17-2019 - Ordinance2019-20; revised 7-21-2020 - Ordinance2020-16; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02)



Sec.16-3-105. Mixed-Use and Business Districts

B. Coligny Resort (CR) District

CR

Coligny Resort District

1. Purpose

The purpose of the Coligny Resort (CR) District is to recognize and promote further investment in the area near Coligny Circle as an activity center and a core high-energy and visitor-oriented resort destination that encourages people to live, work, and recreate within the district. The district is intended to accommodate relatively high-intensity commercial, office, residential, and *mixed-use development* that is pedestrian-oriented and human-scale. It is also intended to promote *development* that integrates civic and public gathering spaces and connects to such places in nearby developments and public places.

2. Allowable Principal Uses					
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS		M NUMBER OF SPACES ¹	OFF-STREET
Residential Uses					
Mixed-Use	PC	Sec. 16-4-	Residenti	al	1.125 per du
		102.B.1.a	Nonresid	ential	1 per 650 GFA
Multifamily	PC	Sec. 16-4-	1 bedroo	m	1 per du
		102.B.1.b	2 bedroo	m	1.25 per du
			3 or more	e bedrooms	1.5 per du
			Nonresid	ential	1 per 650 GFA
Public, Civic, Institutional, and Educ	cational	Uses			
Community Service Uses	Р		1 per 525	GFA	
Education Uses	Р		Colleges	and High	7.5 per classroom
			Schools		
				ry and Junior	3 per classroom
				ldle Schools	
			Other <i>Ed</i>	ucation Uses	See Sec. 16-5- 107.D.2
Government Uses	Р		Fire	3 per bay + 1	per 300 GFA of office
Covernment Coes	'		Stations	space	per 300 di 71 di ambe
			Other	1 per 300 GF/	A of office area
Major Utilities	SE		1 per 2,0	00 GFA	
Minor Utilities	Р		n/a		
Public Parks	Р		See Sec.	16-5-107.D.2	
Religious Institutions	Р		1 per 4 se	eats in main ass	embly area
Telecommunication Antenna,	PC	Sec. 16-4-	n/a		
Collocated or Building Mounted		102.B.2.e			
Telecommunication Towers,	PC	Sec. 16-4-	1		
Monopole		102.B.2.e			
Resort Accommodations					
Bed and Breakfasts	PC	Sec. 16-4-	1 per 1.5	guest rooms	
		102.B.4.a			

Hotels	PC	Sec. 16-4- 102.B.4.b	1 per 1.5 guest rooms	
Interval Occupancy	Р		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				
Indoor Commercial Recreation Uses	Р		1 per 7 <i>persons</i> + 1 per 3 similarly used area	300 GFA of office or
Outdoor Commercial Recreation	PC	Sec. 16-4-	Miniature Golf Courses	1 per 2.5 tees
Uses Other than Water Parks		102.B.5.b	Stadiums	1 per 5 spectator seats
			Other	1 per 4 <i>persons</i> + 1 per 300 GFA of office or similarly used area
Water Parks	Р		See Sec. 16-5-107.D.21	
Office Uses				
Contractor's Offices	PC	Sec. 16-4- 102.B.6.a	1 per 450 GFA of office/	administrative area
Other Office Uses	Р		1 per 500 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4- 102.B.7.c	1 per 250 GFA	
Convenience Stores	PC	Sec. 16-4- 102.B.7.d	1 per 250 GFA	
Eating Establishments	PC	Sec. 16-4- 102.B.7.e	1 per 150 sf of <i>gross floo</i> eating area	or area and outdoor
Grocery Stores	Р		1 per 250 GFA	
Liquor Stores	SE	Sec. 16-4- 102.B.7.g	1 per 250 GFA	
Nightclubs or Bars	PC	Sec. 16-4- 102.B.7.h	1 per 100 GFA	
Open Air Sales	PC	Sec. 16-4- 102.B.7.i	1 per 250 GFA of sales/c	lisplay area
Shopping Centers	PC	Sec. 16-4- 102.B.7.j	1 per 500 GFA	
Other Commercial Services	Р	,	See Sec. 16-5-107.D.2	
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4- 102.B.8.a	See Sec. 16-5-107.D.2	
Commercial Parking Lot	PC	Sec. 16-4- 102.B.8.d	See Sec. 16-5-107.D.2	
Gas Sales	PC	Sec. 16-4- 102.B.8.e		

3. Development Form Standards

Attachment C – Coligny Resort District

Adjacent Street	Along major and minor arterials, the minimum adjacent street setback distance shall be 30'				
Setbacks	as				
	follows:				
	• The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one street tree planted every				
	25' along the <i>street frontage</i> . The remaining area may contain a pathway and shall not contain tables, chairs and fountains.				
	• The second 15' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may include plazas,				
	courtyards, tables and chairs, pervious pavers, landscaping and fountains.				
	The setback angle shall be 60°.				
	Along other <i>streets</i> , the minimum adjacent <i>street</i> setback distance shall be 20' as follows:				
	The first 15' of the setback (measured parallel to the required <i>street</i> setback starting)				
	from the property line along the street and moving inward) shall include a minimum				
	5' landscaped area. This landscaped area shall have one street tree planted every				
	25' along the <i>street frontage</i> . The remaining area may contain a pathway.				
	• The remaining 5' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may pervious pavers,				
	fountains and benches.				
	The setback angle shall be 60°.				
	Awnings, balconies and overhangs may occupy these setback areas.				
Adjacent Use	The adjacent use setback standards set forth in Sec. 16-5-102.D, Adjacent Use Setback				
Setbacks	Requirements, shall apply only along the perimeter of the CR district.				
MODIFIED ADJAC	ENT STREET BUFFER STANDARDS				
There are no adja	cent street buffers in the CR zoning district.				

Attachment C – Coligny Resort District

MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
limited applica and pe standa	Undefined, but		Max. Impervious Cover	n/a
	limited by applicable design and performance standards such as height and parking	licable design performance ndards such as	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	n/a
Residential ²				
MAX. BUILDING HEIGHT				
All development	36 ft along the adjacent street setback line; 60 ft once the setback angle is attained			

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = *dwelling units*; sf = square feet; GFA = *gross floor area* in square feet; ft = feet; n/a = not applicable

- 1. Where all required parking spaces are located within a parking **structure** (e.g., parking deck or parking garage), the standards for the minimum number of parking spaces shall be reduced by 20 percent.
- 2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

Sec.16-5-107. Parking and Loading Standards

H. Off-Street Parking Alternatives

1. General; Alternative Parking Plan

The *Official* is authorized to approve an alternative parking plan that proposes alternatives to providing the minimum or maximum number of off-street parking spaces required by this section, in accordance with the standards listed below. The alternative parking plan shall be submitted with an *application* for Development Plan Review (Sec. 16-2-103.G), Small Residential Development Review (Sec. 16-2-103.H), or Corridor Review (Sec. 16-2-103.I), as appropriate.

2. Provision over Maximum Allowed

An alternative parking plan may propose to exceed the maximum number of off-street parking spaces allowed by Sec. 16-5-107.D.5, Maximum Number of Off-Street Parking Spaces, in accordance with the following standards:

a. Parking Demand Study

The alternative parking plan shall include a parking demand study demonstrating how the maximum number of parking spaces allowed by Sec. 16-5-107.D.5, Maximum Number of Off-Street Parking Spaces, is insufficient for the proposed *development*.

b. Limited to Minimum Amount Required

Additional off-street spaces allowed by this subparagraph shall be limited to the minimum number of additional spaces recommended as needed by the required parking demand study.

c. Extra Parking to Have Pervious Surfacing

Any additional parking spaces allowed under this subparagraph shall be constructed with **pervious** materials.

3. Shared Parking

An alternative parking plan may propose to meet a portion of the required minimum number of offstreet parking spaces with **shared parking** in accordance with the following standards:

a. Maximum Shared Spaces

Up to 50 percent of the number of parking spaces required for a *use* may be used to satisfy the number of parking spaces required for other *uses*, provided the *uses* generate parking demands during different times of the day or different days of the week.

b. Location and Pedestrian Access

i. **Shared parking** spaces other than those serving **development** in the CR District shall be located no more than 500 feet walking distance from the primary pedestrian entrance(s) to the **uses** served by the parking, as measured along sidewalks or other **pedestrian accessways** connecting the shared spaces and such entrance(s).

- ii. Adequate and safe pedestrian *access* shall be provided between the *shared parking* spaces and the primary pedestrian entrances to the *uses* served by the parking.
- iii. **Shared parking** spaces shall not be separated from the **use** they serve by an arterial **street** unless pedestrian **access** across the arterial **street** is provided by a grade-separated pedestrian walkway or appropriate traffic controls (e.g., signalized crosswalk).

c. Justification

The alternative parking plan shall include justification of the feasibility of **shared parking** among the proposed **uses**. Such justification shall address, at a minimum, the size and type of the **uses** proposed to share off-street parking spaces, the composition of their tenants, the types and hours of their operations, the anticipated peak parking and traffic demands they generate, and the anticipated rate of turnover in parking space use.

d. Shared Parking Agreement

- An approved shared parking arrangement shall be enforced through written agreement among all the owners of lands containing the uses proposed to share off-street parking spaces.
- ii. The agreement shall provide all parties the right to joint use of the **shared parking** area for as long the **shared parking** spaces are needed to comply with this **Ordinance**, and shall be binding on subsequent owners.
- iii. The agreement shall be submitted to the *Official* for review and approval before execution.
- iv. A Certified True Copy of an approved agreement that has been recorded in the Beaufort County Register of Deeds shall be delivered to the *Official* before issuance of a *Building Permit* or Certificate of Occupancy for any *use* to be served by the *shared parking* area.
- v. Any termination of the *shared parking* agreement does not negate the parties' obligations to comply with parking requirements and thus shall constitute a violation of this *Ordinance*. No *use* served by the *shared parking* may be continued if the *shared parking* becomes unavailable to the *use* unless substitute off-street parking spaces are provided in accordance with this section.

4. Off-Site Parking

An alternative parking plan may propose to meet a portion of the required minimum number of offstreet parking spaces with **off-site** parking in accordance with the following standards.

a. Maximum Off-Site Spaces

Off-site parking may be used to satisfy up to 100 percent of the number of parking spaces required for a *use* in the CR District. *Off-site* parking may be used to satisfy up to 50 percent of the number of parking spaces required for a *use* in any other district.

b. Zoning

The zoning district classification of the *off-site* parking area shall be one that allows the *use* served by *off-site* parking (and thus off-street parking accessory to such *use*).

c. Location and Pedestrian Access

- i. Off-site parking spaces other than those serving development in the CR District shall be located no more than 500 feet walking distance from the pedestrian entrance(s) to the uses served by the parking, as measured along sidewalks or other pedestrian accessways connecting the shared spaces and such entrance(s).
- ii. Adequate and safe pedestrian *access* shall be provided between the *off-site* parking spaces and the primary pedestrian entrances to the *uses* served by the parking.
- iii. *Off-site* parking spaces shall not be separated from the *use* they serve by an arterial *street* unless pedestrian *access* across the arterial *street* is provided by a grade-separated pedestrian walkway or appropriate traffic controls (e.g., signalized crosswalk).

d. Off-Site Parking Agreement

- i. If *land* containing the *off-site* parking area is not under the same ownership as *land* containing the *principal use* served, the *off-site* parking arrangement shall be established in a written agreement between the owners or long-term lessees of *land* containing the *off-site* parking area and *land* containing the served *use*.
- ii. The agreement shall provide the owner of the served *use* the right to use the *off-site* parking area for as long the *shared parking* spaces are needed to comply with this *Ordinance*, and shall be binding on subsequent owners or long-term lessees.
- iii. The agreement shall be submitted to the *Official* for review and approval before execution.
- iv. An attested copy of an approved and executed agreement shall be recorded with the Beaufort County Register of Deeds before issuance of a *Building Permit* or Certificate of Occupancy for any *use* to be served by the *off-site* parking area.
- v. Any termination of an off-site parking agreement or transfer of land containing the off-site parking area does not negate the developer's obligation to comply with parking requirements and thus shall constitute a violation of this Ordinance. No use served by the off-site parking may be continued if the off-site parking becomes unavailable unless substitute off-street parking spaces are provided in accordance with this section and this Ordinance.

5. Deferred Parking

An alternative parking plan may propose to defer *construction* of up to 20 percent of the required minimum number of off-street parking spaces, in accordance with the following standards:

a. Justification

The alternative parking plan shall include an assessment demonstrating that because of the location, nature, or mix of *uses*, there is a reasonable probability the number of parking spaces actually needed to serve the *development* is less than the minimum required by the Minimum Number of Parking Spaces table in Sec. 16-5-107.D.1.

b. Reserve Parking Plan

The alternative parking plan shall include a reserve parking plan identifying the amount of offstreet parking being deferred and the location of the area to be reserved for future parking, if future parking is needed.

c. Parking Demand Study

- i. The alternative parking plan shall provide assurance that within 18 months after the initial Certificate of Occupancy is issued for the proposed *development*, an off-street parking demand study evaluating the adequacy of the existing parking spaces in meeting the off-street parking demand generated by the *development* will be submitted to the *Official*.
- ii. If the *Official* determines that the study indicates the existing parking is adequate, then *construction* of the remaining number of parking spaces shall not be required and the areas reserved for future parking shall no longer be so reserved. If the *Official* determines that the study indicates additional parking is needed, such parking shall be provided consistent with the reserve parking plan and the standards of this section.

d. Maintenance of Reserve Areas as Open Space

As long as areas are reserved for future parking, they shall be maintained as *open space*, without any clearing of *trees*. During such time, the reserve areas shall not count as *open space* for purposes of complying with Sec. 16-5-104, Open Space Standards, and shall count as *impervious surface* for purposes of complying with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.

e. Deferred Parking Agreement

- i. A deferred parking agreement shall be included as part of any *development* approval which includes deferred parking. The agreement shall incorporate by reference the deferred parking plan and agreement by the owner to reserve a future parking area as *open space* consistent with the deferred parking plan, and assurances that a parking demand study will be completed in accordance with the terms of the *development* approval and this section, and additional parking provided, if determined necessary.
- ii. An attested copy of an approved and executed agreement shall be recorded with the Beaufort County Register of Deeds before issuance of a *Building Permit* or Certificate of Occupancy for any *use* subject to deferred parking.
- iii. Any termination of a deferred parking agreement does not negate the *developer's* and owner's obligation to comply with parking requirements of this *Ordinance*. Failure to comply shall constitute a violation.

6. On-Street Parking

An alternative parking plan may propose to meet a portion of the required minimum number of offstreet parking spaces with on-street parking spaces, in accordance with the following standards:

- a. On-street parking may be used to satisfy up to 100 percent of the number of parking spaces required for a *use* in the CR District.
- b. The on-street parking spaces shall be located along the *development* site's *street frontage* or no more than 150 feet walking distance from the primary entrance(s) of the proposed *use*, as measured along sidewalks or other *pedestrian accessways* connecting the on-street spaces and such entrance(s).
- c. The on-street parking spaces are not counted towards meeting the off-street parking requirement for any other *development*; and
- d. There is no negative impact to existing or planned traffic circulation patterns.

7. Bicycle Parking

al. Allmultifamily and nonresidential development shall provide bike racks sufficient to accommodate the parking of at least four bicycles for every ten vehicle parking spaces required, or major fraction thereof except that once twenty bicycle parking spaces are provided, any required bicycle parking after that shall be required at a ratio of two bicycle parking spaces for every ten vehicle parking spaces, or major fraction, thereof. An applicant may use developer submitted data to demonstrate fewer bicycle parking spaces should be required. If a lower number of bicycle parking spaces is accepted, the applicant shall submit a site plan that includes a reserve parking plan identifying the amount of bicycle parking spaces being deferred and the location of the area to be reserved for future bicycle parking, if future bicycle parking is needed. If the proposed project does not reasonably connect to a Town multi-purpose pathway, then the required bicycle parking spaces can be reduced.

(Revised 5-17-2016 - Ordinance 2016-07)

b. The bike racks shall be located in visible, well-lit areas and shall be in an area maintained with an all weather surface. They shall be located where they do not interfere with pedestrian traffic and are protected from conflicts with vehicular traffic.

(Revised 5-17-2016 - Ordinance 2016-07)

- c. The required minimum number of vehicular parking spaces shall be reduced by one space for every ten bicycle parking spaces provided.
- d. If the square footage of an existing building on a site is being increased by more than 50% then the applicant will be required to meet the bicycle parking standards.

(Revised 12-5-2017 - Ordinance 2017-19)

8. Loading Areas

a. Minimum Number of Off-Street Loading Spaces

- i. Any development involving the routine vehicular delivery or shipping of goods, supplies, or equipment to or from the development shall provide a sufficient number of off-street loading spaces to accommodate the delivery and shipping operations of the development's uses in a safe and convenient manner.
- ii. Table 16-5-107.H.8, Minimum Number of Off-Street Loading Spaces, sets forth the minimum number of loading spaces that presumptively satisfies the loading area requirement in provision i above for the listed *principal uses*. For proposed *uses* not listed in Table 16-5-107.H.8, the requirement for a *use* most similar to the proposed *use* shall apply.
- iii. The Official may require more loading spaces or fewer loading spaces than indicated by Table 16-5-107.H.8 on determining that the characteristics of the particular development warrant such addition or reduction and the general standard is met. Such a determination may be based on information submitted by an applicant for development approval or by documented analyses or case studies.

TABLE 16-5-107.H.8: MINIMUM NUMBER OF OFF-STREET LOADING SPACES

GROSS FLOOR AREA (GFA)

MINIMUM NUMBER OF LOADING SPACES

Attachment D – Off-Street Parking Alternatives

Up to 25,000 sf	1
25,001 to 40,000 sf	2
40,001 to 100,000 sf	3
100,001 to 160,000 sf	4
Over 160,000 sf	4 + 1 per additional 80,000 GFA above 160,000 GFA
NOTES: sf = square feet	

- iv. Where a *change of use* not involving the enlargement of a *structure* is proposed on a *lot* with insufficient area to practically accommodate an off-street loading area, the *developer* need only comply with these loading area standards to the *maximum extent practicable*.
- v. No area used to comply with loading area standards may be used to comply with the parking standards, nor shall any area used to comply with parking standards be used to comply with loading area standards.

b. Dimensional Standards for Loading Areas

- i. Each loading space shall be of sufficient size to accommodate the types of delivery/shipping vehicles likely to use the loading area.
- ii. A loading space that presumptively satisfies the needs of delivery/shipping vehicles shall be at least 12 feet wide and 40 feet long, and shall have at least 14 feet of vertical clearance. The *Official* may require larger or smaller loading spaces or lesser or greater vertical clearance on determining that the characteristics of the particular *development* warrant such a variation and the general standard in subparagraph a above is met.

c. Location and Design of Loading Areas

- i. Where possible, loading areas shall be located to the rear of the *building(s)* they serve.
- ii. The loading area shall be located *adjacent* to the *building's* loading doors, in an area that promotes its practical use.
- iii. The loading area shall be located and designed so vehicles using them can maneuver safely and conveniently to it from a public *street* and complete loading without obstructing or interfering with any public *right-of-way* or any parking space or parking lot *drive aisle*—provided, however, that a loading area may overlie a *drive aisle* if it is included as a condition of approval and the *applicant* provides a recorded memorandum of agreement that loading will not occur during normal business hours.

d. Buffering of Loading Areas

Loading areas shall be separated from *adjacent streets* and *uses* by a type D buffer in accordance with Table 16-5-103.F: Buffer Types.



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Planning Commission

FROM: Nicole Dixon, AICP, CFM, Development Review Program Manager

VIA: Shawn Colin, AICP, Assistant Town Manager – Community Development

CC: Christopher Yates, CBO, CFM, CGP, Development Services Manager

DATE: December 8, 2022

SUBJECT: Proposed LMO Amendments – Tier 1-A

Recommendation

Staff recommends that the Planning Commission review the proposed Tier 1-A LMO Amendments and forward a recommendation to Town Council.

At the November 1, 2022 meeting, the LMO Committee recommended approval of the proposed Tier 1-A LMO Amendments.

Summary

The proposed Tier 1-A LMO Amendments were reviewed by the LMO Committee at their meeting on September 1, 2022. Staff was asked to have a legal review of the proposed LMO Amendments conducted by the Town Attorney. Staff was also asked to make changes related to the following amendments:

- Temporary Certificate of Compliance; and
- Dwelling Unit Definition; and
- Deviations from Previously Platted Subdivisions.

At their November 1, 2022 meeting, the LMO Committee again voiced concerns about the proposed revisions to the Dwelling Unit Definition. They questioned why there is a need to change the current definition and had concerns that the proposed revisions might create complications with other provisions in the LMO. After additional Staff review it was decided the current definition is sufficient and a determination about what constitutes a separate dwelling unit is what needs to be updated. The proposed amendment has been pulled from the proposed Tier 1-A LMO Amendments.

Background

The Strategic Action Plan adopted by Town Council includes an initiative as part of the Connected Community action item to conduct a Strengths, Weaknesses, Opportunities & Threats (SWOT) Analysis of the LMO. The SWOT analysis will serve as an assessment tool that will identify the core strengths, weaknesses, opportunities, and threats of the existing code regulations. The proposed amendments are step one of a deeper effort on the SWOT Analysis.

Newly added language is illustrated with <u>double underline</u> and deleted language is illustrated with strikethrough.

LMO Amendments List

Tier 1.A

AMENDMENT	ISSUE	SECTION	Suggested By
Remove staff waivers	It is more appropriate for any waiver or varying from the code to go to the BZA as a request for variance.	16-5-105.I.8, 16-5-102.C, 16-5-102.D, 16-5-103.F, all zoning district standards for heights, 16-5-102.D.4, 16-5-103.E.2, 16-5-107.D.1, 16-5-107.D.9, 16-5-109.D.2, 16-5-109.D.2.c, 16-6-102.D.2.b, 16-6-104.G.1.c, 16-10-102.C.2.b	Staff
Allow variances from all sections of the LMO other than use, density, and height	Currently the LMO lists only a few specific sections that a variance can be applied for.	16-2-103.S.2	Staff (restricting height from variance requests was brought up by a Town Council member at a Public Planning Committee meeting)
Allow outdoor screened bike storage in the Light Commercial and Community Commercial zoning districts and provide more specificity related to screening	The LC and CC zoning districts are the only two districts that allow bike businesses but do not allow outdoor storage of them. This amendment is a recommendation from the BZA as a result of variance requests pertaining to bike businesses over the past few years. Staff is also proposing more specificity related to the screening requirements.	16-4-102.B.7.c	Board of Zoning Appeals
Provide clarification in the Manufacturing use classification as it relates to the size of a brewery; what size makes it a manufacturing use versus a nightclub or bar	Small scale breweries such as nano or microbreweries shouldn't be classified as a manufacturing use. This amendment is a recommendation of the BZA	16-10-103.I	Board of Zoning Appeals

	because of an appeal. The use should be considered a commercial use similar to a bar or eating establishment.		
Replace using June traffic counts with July traffic counts for Traffic Impact Analysis Plan Standards	This amendment is a recommendation of the Planning Commission as a result of their review of the annual traffic report presented by staff. They asked that June traffic counts be replaced with July traffic counts for traffic impact analysis plan standards.	16-5-106.C	Planning Commission
Change when/how plantings are required on single family lots in buffers as part of a subdivision Certificate of Compliance	Landscaping is currently required to be planted before a Certificate of Compliance is issued for a subdivision, which is prior to the homes being constructed. The landscaping is often damaged during construction of the homes. The amendment will allow a performance guarantee for a specific period of time where landscaping and tree planting is deferred due to inappropriate weather conditions for planting or the likelihood that the trees will be damaged during additional construction activities related to residential subdivisions.	16-2-103.P	Developers and Staff
Amend the definition of changeable copy	The current definition of changeable copy as it relates to signs does not allow signs to be changed electronically. The sign provisions should be amended as well to allow	16-10-105, 16-5-114.H.10	Business Owner

	the signs to be changed electronically with limitations on frequency and timing.		
Amend the measurement for height calculation	When the LMO was revised to measure height from 11 or 13 feet above mean sea level, some sections that reference height being measured from the BFE were overlooked. It was also determined that the option to measure height from pre-development grade, if it is higher than the height measured from mean sea level, should be used.	16-3-106.H.4, 16-3-106.I.4, 16-3-106.J.4, 16-5-102.C and D, 16-10-102.C.1.a	Staff
Add that owners' consent is required for minor subdivisions as it is currently listed as being exempt	The application requirements for Minor subdivisions states that it requires all the same requirements for a Major sub with the exception of owners' consent, open space dedication and phasing plan. Owners' consent should be required for all application types.	Appendix D: D-5.A	Staff
Provide standards for deviations from previously platted subdivisions	Currently lots in a platted subdivision can be combined in a way that results in an increase in density or additional lots. Property owners within the subdivision should have to consent to changes made to a previously platted subdivision.	16-2-102.E and 16-2-103.F	Staff

Proposed LMO Amendments – Tier 1.A

1. Staff Waivers

- a) Remove Height waivers. In all tables bullet-listed below, remove height waiver provision text (shown subsequently below), and renumber provisions where applicable.
 - Table 16-3-103(C) Parks and Recreation (PR) District;
 - Table 16-3-104(B) Residential Single-Family-3 (RSF-3) District;
 - Table 16-3-104(C) Residential Single-Family-5 (RSF-5) District;
 - Table 16-3-104(D) Residential Single-Family-6 (RSF-6) District;
 - Table 16-3-104(E) Low to Moderate Density Residential (RM-4) District;
 - Table 16-3-104(F) Moderate Density Residential (RM-8) District;
 - Table 16-3-104(G) Moderate to High Density Residential District (RM-12) District
 - Table 16-3-105(C) Community Commercial (CC) District
 - Table 16-3-105(D) Light Commercial (LC) District
 - Table 16-3-105(E) Light Industrial (LI) District
 - Table 16-3-105(F) Main Street (MS) District
 - Table 16-3-105(G) Marshfront (MF) District
 - Table 16-3.105(H) Medical (MED) District
 - Table 16-3.105(J) Neighborhood Commercial (NC) District
 - Table 16-3.105(M) Sea Pines Circle (SPC) District
 - Table 16-3.105(N) Stoney (S) District
 - (1) May be increased by up to ten percent on demonstration to the *Official* that:
 - a. The increase is consistent with the character of *development* on surrounding land;
 - b. *Development* resulting from the increase is consistent with the purpose and intent of the building height standards;
 - e. The increase 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:
 - d. The increase will not pose a danger to the public health or safety;
 - e. Any adverse impacts directly attributable to the increase are mitigated; and
 - f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
- b) Remove Adjacent Street Setback waivers. In Table 16-5-102.C, remove the following text in footnote (5) that states:

- (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:
 - g. The reduction is consistent with the character of *development* on surrounding *land*.
 - h. *Development* resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards;
 - i. The reduction either (1) is required to compensate for some unusual aspect of the site or the propped *development*, or (2) results in improved stie 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);
 - i. The reduction will not pose a danger to the public health or safety;
 - k. 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*);
 - l. 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
 - m. 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.
- c) Remove Adjacent Use Setback waivers. In Table 16-5-102.D, remove the following text from footnote (6):
 - (6) May be reduced by up to 10 percent in any district on demonstration to the Official that:
 - a. The reduction is consistent with the character of development on surround 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 from 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 extensive 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 building 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.

- d) Remove Adjacent Use Setback waiver and provide a provision for properties that function together. In Section 16-5-102.D, revise provision (4) that states:
 - (4) The Official may waive the requirement for an adjacent use setback for non-single-family properties on determining that the proposed development and the adjacent development function as a single development. The criteria to determine if the properties will function as a single development may include the recording of a cross-access easement agreement between the two properties. There is no adjacent use setback requirement for non-single-family properties when the proposed development and the adjacent development function as a single development due to having either shared parking, connecting vehicular access or shared stormwater facilities. The recording of a cross access easement agreement between the two properties is required.
- e) Remove Adjacent Use Buffer waiver and provide a provision for properties that function together. In Section 16-5-103.E, revise provision (2) that states:
 - (2) The Official may waive the requirement for an adjacent use buffer for Non-single family properties on determining that the proposed development and the adjacent development function as a single development. The criteria to determine if the properties will function as a single development may include the recording of a cross-access easement agreement between the two properties. There is no adjacent use buffer requirement for non-single-family properties when the proposed development and the adjacent development function as a single development due to having either shared parking, connecting vehicular access or shared stormwater facilities. The recording of a cross access easement agreement between the two properties is required.
- f) Remove Adjacent Street and Use Buffer waivers. In Section 16-5-103.F. Buffer Types, remove footnotes (6) and (7) that state:
 - (6) Minimum buffer widths and minimum planting requirements for adjacent street buffers 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:
 - 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 (a) is required to compensate for some unusual aspect of the site or the proposed development, or (b) results in improved site conditions for a development with nonconforming stie features;

- d. The reduction will not pose danger to the public health or safety;
- e. Any adverse impacts directly attributable to the reduction are mitigated;
- f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than 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.
- (7) Minimum buffer widths and minimum planting requirements for adjacent use buffers may be reduced by up to 10 percent any district on demonstration to the Official that:
 - 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 (a) is required to compensate for some unusual aspect of the site or the proposed development, or (b) results in improved site conditions for a development with nonconforming stie features:
 - d. The reduction will not pose danger to the public health or safety;
 - e. Any adverse impacts directly attributable to the reduction are mitigated;
 - f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than 30 percent in the S District, 20 percent in the RD and IL Districts, or 15 percent in all other districts.
- g) Remove Access to Streets waiver in Section 16-5-105.J.8 its entirety and amend the Access to Street standards in Section 16-5-105.J.

(8) Waiver

Where the *applicant* demonstrates that a *lot of record* would be rendered unusable by the strict application of the standards in this subsection (Sec. 16-5-105.), Access to Streets) and that the vehicular *access* point is otherwise optimally located so as to provide acceptable turning radii and minimize adverse impact (including turning movements and visual impact of "strip *development*" resulting from the less than minimum separation of *access* points from the *roadway*), the *Official* may waive the standard. A request for such a waiver shall be accompanied by:

- a. Ownership and recording data associated with the *lot of record*;
- b. Written evidence that an *applicant* has explored all feasible alternatives to the standard for controlled vehicular *access*—including, but not limited to, joint use with adjoining properties, vehicular *access* from *adjacent* minor *streets*, and establishment of *frontage* space or *frontage* street *access*:

- c. Qualification of the request in a format consistent with that for a variance request (see Sec. 16-2-103.S, Variance); and
- d. A map or plan showing the proposed vehicular *access* and the surveyed distances to nearest existing ingress/egress points.
- (J) Access to Streets

1. Major Arterials

Along the same side of major arterials, no street, driveway, or other vehicular access point shall enter at a point nearer than 500 feet from the centerline of an existing or final approved street, driveway, or other vehicular access point to the centerline of the proposed vehicular access unless the lot would be rendered unusable by the strict application of this standard, in which case the access point should be optimally located.

2. Minor Arterials

Along the same side of minor arterials no street, driveway, or other vehicular access point shall enter at a point nearer than 200 feet from the centerline of an existing or final approved street, driveway, or other vehicular access point to the centerline of the proposed vehicular access unless the lot would be rendered unusable by the strict application of this standard, in which case the access point should be optimally located.

3. All Other Streets

Along the same side of all other streets, no street, driveway, or other vehicular access point shall enter at a point nearer than 100 feet from the centerline of an existing or final approved street, driveway, or other vehicular access point to the centerline of the proposed vehicular access—provided, however, that this minimum separation standards shall not apply to vehicular access points serving single-family dwellings in subdivisions unless the lot would be rendered unusable by the strict application of this standard, in which case the access point should be optimally located.

- h) Remove Minimum Number of Parking Spaces waiver. In Table Section 16-5-107.D.1, remove the following table note in its entirety:
 - (4) The minimum number of vehicle parking spaces may be reduced by up to 15 percent in the CR, SPC, CC, and MS Districts, and 10 percent in all other districts, on demonstration to the *Official* that:
 - a. The reduction is consistent with the character of *development* on surround *land*;

- b. *Development* resulting from the reduction is consistent with the purpose and intent of the parking standards;
- e. 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 widening of an adjacent nonconforming buffer);
- 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;
- f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 15 percent in the CR, SPC, CC, and MS Districts or 10 percent in all other districts; and
- g. At least one bicycle parking space is provided for every two vehicle parking spaces subtracted.
- i) Remove passenger pick up waiver in Section 16-5-107.D.9, as shown in the following revision:
 - (9) Temporary Parking for Passenger Drop-Off and Pick-Up *Uses* that involve the frequent stopping of vehicles (including taxis, limousines, vans, and passenger vehicles) to drop-off or pick-up passengers (e.g., schools, recreation/entertainment facilities, *hotels*)—and especially *nightclubs*, bars, or *eating establishments* that serve alcohol—are encouraged to supplement required parking with a designated area for temporary parking and the dropping off or picking up of passengers. Such spaces shall comply with parking space dimension standards, but the *Official* may waive other parking standards as necessary to accommodate such areas
- j) Remove Drainage Design Standards waiver in Section 16-5-109.D.2.c, as shown in the following revision for Pre-Development Peak Discharge Rates:
 - (c) The Town Engineer may waive this peak discharge requirement <u>is not</u> required upon the Town Engineer on determining that the *applicant* has demonstrated that:
 - (i) A suitable means of flow into a downstream tidal discharge point is accessible by means of recorded permanent storm drainage easements, through drainage infrastructure that will adequately convey the peak discharge from the 100-year storm without any adverse impacts on downstream properties; or
 - (ii) The *development* includes a drainage system with adequate capacity to carry site flows to an ultimate downstream tidal discharge point.

- k) Remove subdivision standard waiver in Section 16-5-115.C.3., as shown in the following revision:
 - (3) The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, significant stands of *trees* and individual *trees* of significant size, with *development* reserved for environmentally stable areas. Where the applicant demonstrates that a *lot of record* would be rendered unusable by the strict application of this requirement, the *Official* may waive the standard. A request for such a waiver shall be accompanied by:
 - a. Written evidence that an applicant has explored all feasible alternatives to the standard for tree and wetland preservation;
 - b. Qualification of the request in a format consistent with that for a variance request (see Sec. 16-2-103.S, Variance); and
 - c. A plan showing the alternatives explored.
- 1) Remove Wetland Buffer Width waiver. In section 16-6-102.D.2.b, remove the following provision in its entirety:
 - (b). The *Official* may authorize a reduction in the average or minimum wetland buffer width by up to ten percent on determining that pollution of the wetlands due to adjacent land disturbance is comparably reduced due to site specific conditions (e.g., the buffer area drains away from the wetlands) or because the adjacent development is designed to reduce the flow, and maximize the filtration, of stormwater runoff towards the wetlands beyond the extent required by stormwater management regulations.
- m) Remove Minimum Tree Coverage waiver. In Section 16-6-104.G.1.c , revise the following provision:
 - (c) For the construction of any public *street*, pathway, drainage project, single family subdivision, athletic field, airport runway, golf course or minor utility, the applicant is required to demonstrate that they have made all reasonable efforts to save significant trees and stands of trees. In these cases, at the discretion of the official, a centerline field inspection may relieve the applicant of the tree survey requirement. Reasonable tree replanting shall be required by the Official for these uses.
- n) Remove Height waiver. In Table Section 16-10-102.C.2.b, remove the following provision in its entirety:
 - (b) The *Official* may approve architectural elements such as church steeples, spires, and chimneys that do not exceed the otherwise allowable *height* by more than 20 percent.

2. Variances

Revise Section 16-2-103.S.2 to allow variances from all sections of the LMO (other than for use, height and density) and not just what is listed in this section currently.

(2) Applicability

The Variance procedure may be used to seek and obtain relief from the standards of this LMO except for *uses* outlined in LMO Section 16-4-102.A.6, Principal Use Table, *height* and *density* standards. following standards:

- a. The district standards in Chapter 16-3: Zoning Districts, except standards designating permitted or prohibited *uses*, and setting maximum *density*;
- b. The use-specific conditions in Chapter 16-4: Use Standards;
- e. The following standards in Chapter 16-5: Development and Design Standards: adjacent setback and buffer standards; *open space* standards; parking and loading standards and fence and wall standards; and
- d. The following standards in Chapter 16-6: Natural Resource Protection: specimen tree and wetland buffer standards.

3. Bicycle Shops

Revise Section 16-4-102.B.7.c regarding bicycle shops as follows:

- (c) A *bicycle shop* shall comply with the following conditions.
- i. Outdoor storage is permitted only in the CR, SPC, MS, WMU, S, MF, MV, and RD Districts. Outdoor storage for *bicycle shops* includes the storage of bicycles and all bicycle accessories.
- ii. <u>Bicycle processing, which includes the loading, unloading and washing of bicycles, is not considered *outdoor storage*. The location for the bicycle processing shall be identified on a site plan and approved by staff.</u>
- iii. <u>ii.</u> Vegetation, fences, and <u>or</u> walls shall be installed to screen *outdoor* storage areas.
- iv. Each *outdoor storage* area shall be incorporated into the overall design of the principal *structure* on the site.
- v. iii. In the S District, a *bicycle shop* shall not have direct vehicular *access* to a major arterial.

4. Nano Brewery Definition

In Section 16-10-103.I. Industrial Uses, revise the use classification for Manufacturing in Section 16-10-103.I.2 as follows:

A manufacturing *use* is primarily engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Examples of manufacturing *uses* include catering establishments; woodworking, cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; motion picture production facilities; concrete batching and asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of equipment, instruments, including musical instruments, appliances, precision items and other electrical items; production of artwork and toys; and sign making; and breweries. This *use* type does not include *seafood processing*. This *use* type does not include small scale breweries such as nano or micro-breweries, which are classified as a Nightclub, Bar or Eating Establishment.

5. Traffic Impact Analysis Traffic Counts

In Section 16-5-106.C – Traffic Analysis Standards, revise as follows:

(C) Traffic Impact Analysis Plan Standards

All required traffic impact analysis plans shall, at a minimum, indicate compliance or non-compliance with the standards of this section.

- 1. The average total delay in seconds per vehicle for each signalized intersection does not exceed 55.0 seconds during the *peak hour* for an average June July weekday; and
- 2. The volume-to-capacity (V/C) ratio for each signalized intersection does not exceed 0.90 during the *peak hour* for an average <u>June July</u> weekday; and
- 3. The average total day on any approach to a traffic circle or roundabout does not exceed 150 seconds per vehicle during the *peak hour* for an average <u>June July</u> weekday.

6. Certificate of Compliance

In Section 16-2-103.P.3.b – Certificate of Compliance, amend provisions for a Temporary Certificate of Compliance as follows:

(b) Staff Review and Action

On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D, subject to the following procedures:

i. Following review of the *application*, the *Official* shall schedule and conduct a final inspection for the purpose of verifying compliance with all applicable provisions of this *Ordinance*—including, but not limited to, the requirements of the approved

- Subdivision Plan, Development Plan, Small Residential Development, or other applicable permits and *development* approvals.
- ii. After the final site inspection, the *Official* shall either approve or deny the *application*, based on compliance with Sec. 16-2-103.P.4, Certificate of Compliance Review Standards.
- iii. The *Official* may issue a Temporary Certificate of Compliance for a period up to a maximum of six months where the only uncompleted development consists of landscaping/tree planting that is deferred until more appropriate weather conditions for planting is expected (e.g., deferring plantings from hot summer months to cooler autumn months). subject to a performance guarantee of improvements for a period up to a maximum of 18 months where the only uncompleted *development* consists of landscaping/*tree* planting that is deferred due to inappropriate weather conditions for planting (e.g., deferring plantings from hot summer months to cooler autumn months) or the likelihood that landscaping or trees will be damaged during additional construction activities related to a residential subdivision.
- iv. Performance Guarantee of Improvements. If landscaping installations are not completed and accepted by the *Town* prior to issuance of a Certificate of Compliance, a Temporary Certificate of Compliance may be issued and shall be subject to the posting of a performance guarantee with conditions satisfactory to the *Town*, providing for and securing to the *Town* the actual construction and installation of improvements.
- <u>01. Form of Guarantee. Where required, the *applicant* shall furnish a performance guarantee in any of the following acceptable forms:</u>
- (A) Cash deposit with the *Town*;
- (B) Certified check from a Federal or South Carolina banking institution based upon a cash deposit, in a form acceptable to the *Town Attorney*;
- (C) Irrevocable letter of credit from a Federal or South Carolina banking institution in a form acceptable to the *Town*Attorney; or
- (D) Any other financial security found acceptable by the *Town Attorney*.
- <u>02. Length of Time of Guarantee. The term of the performance guarantee shall reflect any time limit for completing installation of required landscaping not to exceed 18 months.</u>

- 03. Amount of Guarantee. Performance guarantees for the completion of landscaping shall be a minimum of 125 percent of the cost of materials and labor required for completion.
- 04. Final Plat. Where a performance guarantee is accepted by the *Town* in-lieu of the completion of landscaping installation in a subdivision, the final plat shall include the following statement:
- "THIS FINAL PLAT IS SUBJECT TO A PERFORMANCE WHICH MEANS THAT ALL REQUIRED GUARANTEE, LANDSCAPING IS NOT COMPLETED. ISSUANCE OF BUILDING PERMITS PRIOR TO COMPLETION LANDSCAPING **SUBJECT** THE TO **PERFORMANCE** GUARANTEE SHALL OCCUR AT THE SOLE DISCRETION OF THE TOWN OF HILTON HEAD ISLAND. IN THE EVENT THE DEVELOPER DEFAULTS AND THE TOWN MUST COMPLETE THE LANDSCAPING, THE DEVELOPER WILL BE ASSESSED ANY DIFFERENCE BETWEEN THE AMOUNT OF THE **PERFORMANCE GUARANTEE AND ACTUAL** CONSTRUCTION COST."

05. Release of Guarantee.

- (A) Release. Release of a performance guarantee shall occur after the Town Project Manager determines that the landscaping inlieu of which the guarantee was accepted is complete.
- (B) Partial Release. A partial release of a performance guarantee is prohibited.
- (C) Release to be Recorded. The *Town* shall record all releases of performance guarantees, or the *Town*'s final acceptance of landscaping installation, in the *Beaufort County Register of Deeds*.

06. Forfeiture of Security.

- (A) Notice of Failure to Install or Complete Landscaping. If an *applicant* fails to properly install all required landscaping within the term of the performance guarantee, the *Town* shall give 30 days' written notice to the *applicant* by certified mail, after which time the *Town* may draw on the security and use the funds to complete the required installation.
- (B) Town Completion of Landscaping. After completing the required landscaping installation, the *Town* shall provide a complete accounting of the expenditures (to include administrative fees) to the *applicant* and, as applicable, refund all unused security deposited, without interest.

7. Signs with Changeable Copy

(a) In Section 16-5-114.H.10. Standards for Specific Types of Signs, amend provisions as follows:

(10) Signs with Changeable Copy.

- a. Description of Changeable Copy Types.
 - i. Manually activated *changeable copy* shall mean a sign or portion of a sign that can be changed or re-arranged manually or mechanically, and has a readerboard for the display of text information in which each alphanumeric character, graphic, or symbol is defined by objects, not consisting of an illumination device.
 - ii. Electronically activated *changeable copy* shall mean a sign or portion of a sign that can be changed by means of remote electrically energized on-off switching combinations of alphanumeric character, graphic, or symbol.
- **b**. **a.** Signs with changeable copy are limited to one sign per street frontage per parcel.
- <u>c.</u> b. The total size of *changeable copy* shall not exceed 20 square feet per *sign face*, with no more than three lines of *copy*.
- <u>d.</u> e. *Copy height* shall be eight inches maximum and four inches minimum.
- <u>e.</u> d. *Copy* shall be securely fastened to the *sign face* and neatly maintained.
- <u>f.</u> e. Changeable copy shall be limited to announcing:
 - i. On-premises special events.
 - ii. Motion pictures or entertainment at a theater whose primary function is to provide musical or dramatic events; or
 - iii. Gasoline prices as described in Sec. 16-5-114.H.11, Price Displays at Gas Establishments.
- g. f. Permanent Special Event Signs as described in Sec. 16-5-114.H.8, Permanent Special Event Signs, are exempt from the requirements of this section.
- h. Minimum Fixed Period. Electronic *changeable copy* shall remain fixed and should be changed no more than twice per day.
- i. Transition Between Copy. The duration of change between electronic *changeable copy* shall be accomplished within two seconds or less.
- (b) In Section 16-10-105. General Definitions, amend the definition of 'Changeable Copy' as follows:

Any *copy* or *graphics* on a sign designed to be changed manually in the field \underline{or} electronically.

8. Building Height Measurement.

(a) In Section 16-3-106.H.4.a.ii- Forest Beach Neighborhood Character Overlay District Standards, amend the provisions as follows:

i. In addition to the *single-family* setback requirements of <u>Sec. 16-5-102</u>, Setback Standards, a side, and rear adjacent use setback shall be required.

ii.Setbacks shall comply with the standards of <u>Sec. 16-5-102</u>, Setback Standards, except that the 65 degree setback angle shall be measured from 20 feet above <u>thirteen feet (13') above mean sea level using the NAVD 88 vertical datum or *pre-development grade*, whichever is higher the required *base flood elevation*.</u>

(b) In Section 16-3-106.I.4.a.ii- Folly Field Neighborhood Character Overlay District Standards, amend the provisions as follows:

In addition to the *single-family* setback requirements of <u>Sec. 16-5-102</u>, Setback Standards, with the exception that *structures* greater than 24 inches in *height* along minor arterials are required to have a minimum adjacent street setback of 20 feet, the following setbacks shall be required.

- i. Rear yard setbacks shall be a minimum of ten percent of *lot* depth or ten feet, whichever is greater.
- ii. Side yard setbacks shall each contain a minimum of ten percent of the total *lot* width.
- iii. Maximum setback angle of 65 degrees shall be measured from 20 feet above thirteen feet (13') above mean sea level using the NAVD 88 vertical datum or *pre-development grade*, whichever is higher the required *base flood elevation*.
- (c) In Section 16-3-106.J.4.a.ii- Holiday Homes Neighborhood Character Overlay District Standards, amend the provisions as follows:

In addition to the *single-family* setback requirements of Sec. 16-5-102, Setback Standards, the following setbacks shall be required:

i.Rear yard setbacks shall be a minimum of ten feet. ii.Side yard setbacks shall be a minimum of ten feet; however, to preserve existing *trees*, any one side yard setback may be reduced to five feet provided the sum of the required side yard setbacks equals at least 20 feet.

01.A *lot* with less than 50 feet of *street frontage* or less than 0.15 acres in area shall be permitted to reduce side yard setbacks to a minimum of five feet.

- 02.Dwelling units that are nonconforming as to the side yard setbacks identified above are permitted to be expanded along the subject boundary line; however, *expansions* shall be constructed no closer than five feet from the side property line.
- 03.Side yard setback angles shall be a minimum of 65 degrees measured from 20 feet above thirteen feet (13') above mean sea level using the NAVD 88 vertical datum or pre-development grade, whichever is higher the required base flood elevation (BFE), at the setback line. The illustration in Sec. 16-5-102.D, Adjacent Use Setback Requirements, can be referenced for an example of a setback angle.
- (d) In Section 16-5-102.C, amend the text in Table 16-5-102.C, footnote (2) as follows:
 - 2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above <u>13 feet above Mean Sea Level for residential use or 11 feet above Mean Sea Level for nonresidential use, 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).</u>
- (e) In Section 16-5-102.C- Adjacent Street Setbacks and 16-5-102.D Adjacent Use Setbacks, amend the Figures illustrating the Setback Angles to measure height according to the height definition.
- (f) In Section 16-5-102.D, amend the text in Table 16-5-102.D, footnote (2) as follows:
 - 2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a height of 20 feet above 13 feet above Mean Sea Level for residential use or 11 feet above Mean Sea Level for nonresidential use, 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).
- (g) In Section 16-10-102 Rules of Measurement, amend Section 16-10-102.C.1.a as shown below
 - (C) Height
 - 1. Calculation of Height
 - a. Maximum structure height for development in each zoning district shall be calculated as follows:
 - i. Residential maximum building height shall be measured from thirteen feet (13') above mean sea level

- using the NAVD 88 vertical datum or *pre-development* grade, whichever is higher; and
- ii. Nonresidential maximum building height shall be measured from eleven feet (11') above mean sea level using the NAVD 88 vertical datum or *pre-development grade*, whichever is higher.

9. Minor Subdivision Requirements

In Appendix D: D-5. – Subdivision Review, Minor, amend as follows:

(A) Submittal Requirements

A minor subdivision plat shall be submitted with each of the items set forth in D-4, Subdivision Review, Major, with the exception of the following:

- 1. Item C., Certification of Owner's Consent;
- 1. 2. Item F., Open space and Public Dedication narrative; and
- 2. 3. Item H., Subdivision in Phases.

10. Deviations to Approved Single-Family Residential Subdivisions

(a) In Section 16-2-102.E.2 – Hearing Notice Requirements, amend Table 16-2-102.E.2 as follows:

Subdivision Amendment	Publish notice of the hearing no less than 15 calendar days before the hearing date	owners of record of properties located within the subdivision	Post conspicuous notice of the hearing at the entrance of the subdivision no less than 15 days before the hearing date
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- (b) In Section 16-2-103.F Subdivision Review (Minor or Major), amend as follows:
 - 7. Amendment-Deviations to Platted Single-Family Residential Subdivisions

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

- a. For a previously platted single-family residential subdivision, any changes proposed to be made to commonly owned property such as open space, rights-of-way, amenities and parking or any lot combinations or subdivisions that will result in an increase in density or additional lots shall require approval by the Planning Commission following a public hearing of the Planning Commission.
- b. A decision to approve a proposed change to a previously platted subdivision shall be based on a finding that the proposed change is not detrimental to the reasonable, investment backed expectations of owners of lots in the subdivision arising from:
 - <u>i. Increased burdens on utility of roadways caused by off-site parking;</u>
 - <u>ii. Increased burdens on amenities in the subdivision caused by increased numbers of dwelling units;</u>
 - iii. Overcrowding in the subdivision;
 - iv. Increased noise and traffic in the subdivision; and
 - <u>v. Decreased utility of amenities and other commonly owned property.</u>



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

STAFF REPORT NEW STREET NAME

Case #	New Street Name	Public Hearing Date
STDV-002403-2022	Orage Trace	December 21, 2022

Location	Applicant	Agent
		Joheida Fister
In the vicinity of 26 and		Deputy Fire Chief
•	Octavio Roman	Hilton Head Island Fire
27 Orage Lane	179 Knightsbridge Rd	Rescue
R510 003 000 0169 0000	Bluffton, SC 29910	40 Summit Drive
K310 003 000 0109 0000		Hilton Head Island, SC
		29926

Application Summary

Hilton Head Island Fire Rescue, on behalf of Octavio Roman, proposes to name a vehicular driveway Orage Trace. Located off Orage Lane, Orage Trace provides direct access to the possibility of 4 dwelling units.

Staff Recommendation

Staff recommends the Planning Commission <u>approve</u> the application to name the subject vehicular driveway <u>Orage Trace</u> based on the review criteria outlined in Land Management Ordinance Section 16-2-103.O.4 and enclosed herein.

Background

The subject vehicular driveway is located off of Orage Lane. An application was submitted in 2022 to place 4 additional dwelling units on the lot. Based on zoning the lot can accommodate up to 6 dwelling units. As a result, the vehicular driveway must be named to provide the dwelling units with addresses.

Octavio Roman submitted six names for consideration. The application was originally reviewed by the Planning Commission at the October meeting, at which time members of the Orage family and prior property heirs requested that a family name be used. Following the meeting, staff worked with the applicant and Orage Trace was selected.

As set forth in LMO Section 16-2-103.0.3.d, Decision-Making Body Review and Decision, the Commission shall hold a public hearing and make a final decision on the application based on the standards in LMO Section 16-2-103.0.4, Street/Vehicular Access Easement Review Standards.

Summary of Facts and Conclusion of Law

Criterion A: No new street or vehicular access easement, or proposed modification of the name of an existing street or vehicular access easement, shall duplicate, be phonetically similar to, or in any way be likely to be confused with an existing street or vehicular access easement, despite of the use of prefixes or suffixes. (LMO Section 16-2-103.O.4.a).

Findings of Fact:

- 1. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Orage Trace is not duplicated within the Town or Beaufort County.
- 2. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Orage Trace is not phonetically similar to an existing street or vehicular access easement.
- 3. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Orage Trace will not likely be confused with an existing street or vehicular access easement.

Conclusion of Law:

1. The proposed street name, Orage Trace, **meets the requirements** of this criterion.

Summary of Facts and Conclusion of Law

Criterion B: Name(s) shall be simple, logical, easy to read and pronounce, and are clear and brief. Use of frivolous or complicated words or unconventional spellings in names shall not be approved. (LMO Section 16-2-103.O.4.b).

Findings of Fact:

- 1. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Orage Trace is simple, logical, easy to read and pronounce.
- 2. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Orage Trace is clear and brief.
- 3. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Orage Trace does not include frivolous or complicated words or unconventional spelling.

Conclusion of Law:

1. The proposed street name, Orage Trace, <u>meets the requirements</u> of this criterion.

Summary of Facts and Conclusions of Law

Criterion C: It is desirable to use names that have some association with Hilton Head Island and specifically with the immediate location of the street or place, such as reference to local history or physiographic features. (LMO Section 16-2-103.O.4.c).

Finding of Fact:

1. The proposed street name Orage Trace was selected because it represents an animal that is prevalent on the island.

Conclusion of Law:

1. The proposed street name, Orage Trace, <u>meets the requirements</u> of this criterion.

Summary of Facts and Conclusion of Law

Criterion D: Use of a common theme is recommended for names of streets that are associated with one another, such as those within a residential development. (LMO Section 16-2-103.O.4.d).

Finding of Fact:

1. Orage Trace is the only street that provides access to the subject properties.

Conclusion of Law:

1. This criterion **does not apply** to this application.

Summary of Facts and Conclusion of Law

Criterion E: Streets or vehicular access easements that continue through an intersection should generally bear the same name, except where the street crosses a major arterial or where existing address points on a street require that the street given a different name. (LMO Section 16-2-103.O.4.e).

Finding of Fact:

1. The proposed OrageTrace does not continue through an intersection.

Conclusion of Law:

1. This criterion does not apply to this application.

Summary of Facts and Conclusion of Law

Criterion F: A street or vehicular access easement making an approximate right-angle turn where there is no possibility of extending the street or vehicular access easement in either direction shall be considered to be continuous and continue the same name. Where there is a choice of direction or a possibility of extending either section in the future, such configuration shall be considered to be an intersection and the street/easement segments extending from the intersection shall bear different names. (LMO Section 16-2-103.O.4.f).

Finding of Fact:

1. The proposed Orage Trace would not make a right-angle turn.

Conclusion of Law:

1. This criterion does not apply to this application.

Summary of Facts and Conclusion of Law

Criterion G. New or modified street names should generally use Drive, Lane, Place, Road, Street, or Way as suffixes. The following street designations should only be used if the street design meets one of the following descriptions. This list is not intended to limit the use of other appropriate suffixes.

- 1. Alley A street providing vehicular access to the rear of lots or buildings, usually as a secondary means of access to a property.
- 2. Avenue A street that is continuous.
- 3. Boulevard A street with a landscaped median dividing the roadway.
- 4. Circle A street with a complete loop on the end or a side street that intersects another street at two adjacent intersections.
- 5. Court A street terminating in a cul-de-sac, not longer than 1,000 feet in length.
- 6. Extension A section of street forming an additional length.
- 7. Parkway A street designated as a collector or arterial road, with a landscaped median reflecting the parkway character implied in the name.

(LMO Section 16-2-103.O.4.g).

Finding of Fact:

1. The proposed street name is Orage Trace.

Conclusion of Law:

1. This criterion **does not apply** to this application.

Summary of Facts and Conclusion of Law

Criterion H. The suffixes Manor, Trace, and Common shall typically be used to name vehicular access easements. (LMO Section 16-2-103.O.4.h).

Finding of Fact:

1. The proposed street name is Orage Trace.

Conclusion of Law:

1. The proposed street name, Orage Trace <u>meets the requirements</u> of this criterion.

Summary of Facts and Conclusions of Law

Criterion I. Where natural barriers, intervening land uses, or developments that break an existing street into two separate streets that are not likely to be reconnected in the future, the streets shall be named in a manner that considers the potential economic impact of the number of address points and type of addresses impacted. (LMO Section 16-2-103.O.4.i).

Finding of Fact:

1. The subject street is not broken into two separate streets.

Conclusion of Law:

1. This criterion **does not apply** to this application.

PREPARED BY:

JBF December 12, 2022

Joheida Fister DATE

Deputy Fire Chief

REVIEWED BY:

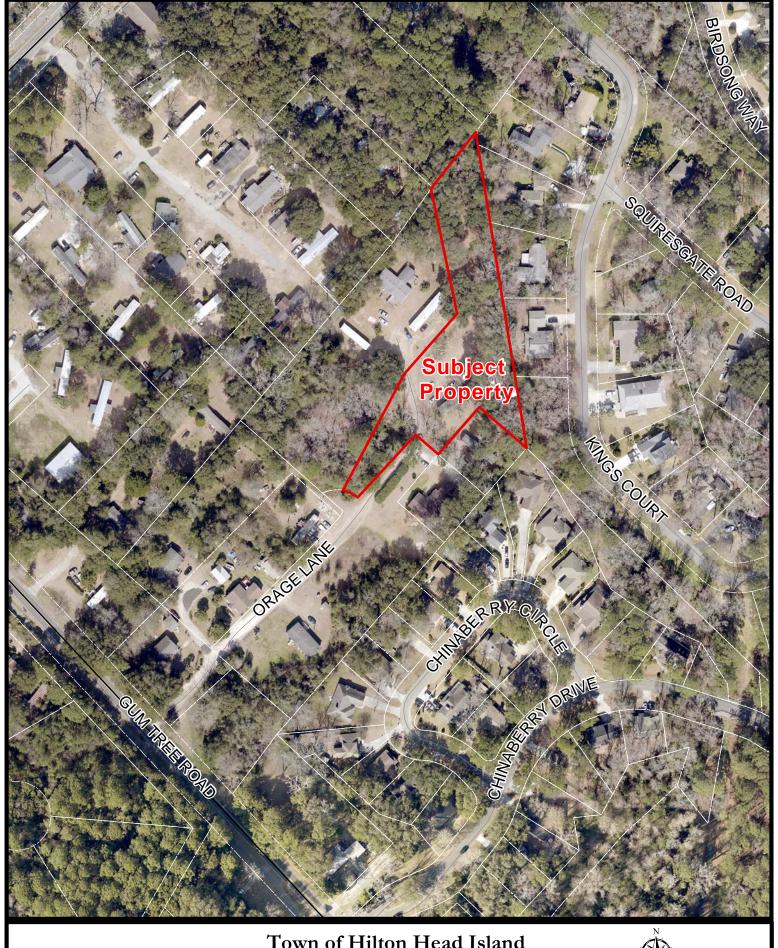
ML December 14, 2022

Missy Luick, DATE

Community Planning Manager

ATTACHMENTS:

- A) Location Map
- B) Application Plan

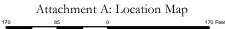


Town of Hilton Head Island

One Town Center Court Hilton Head Island, SC 29928 (843) 341-4600

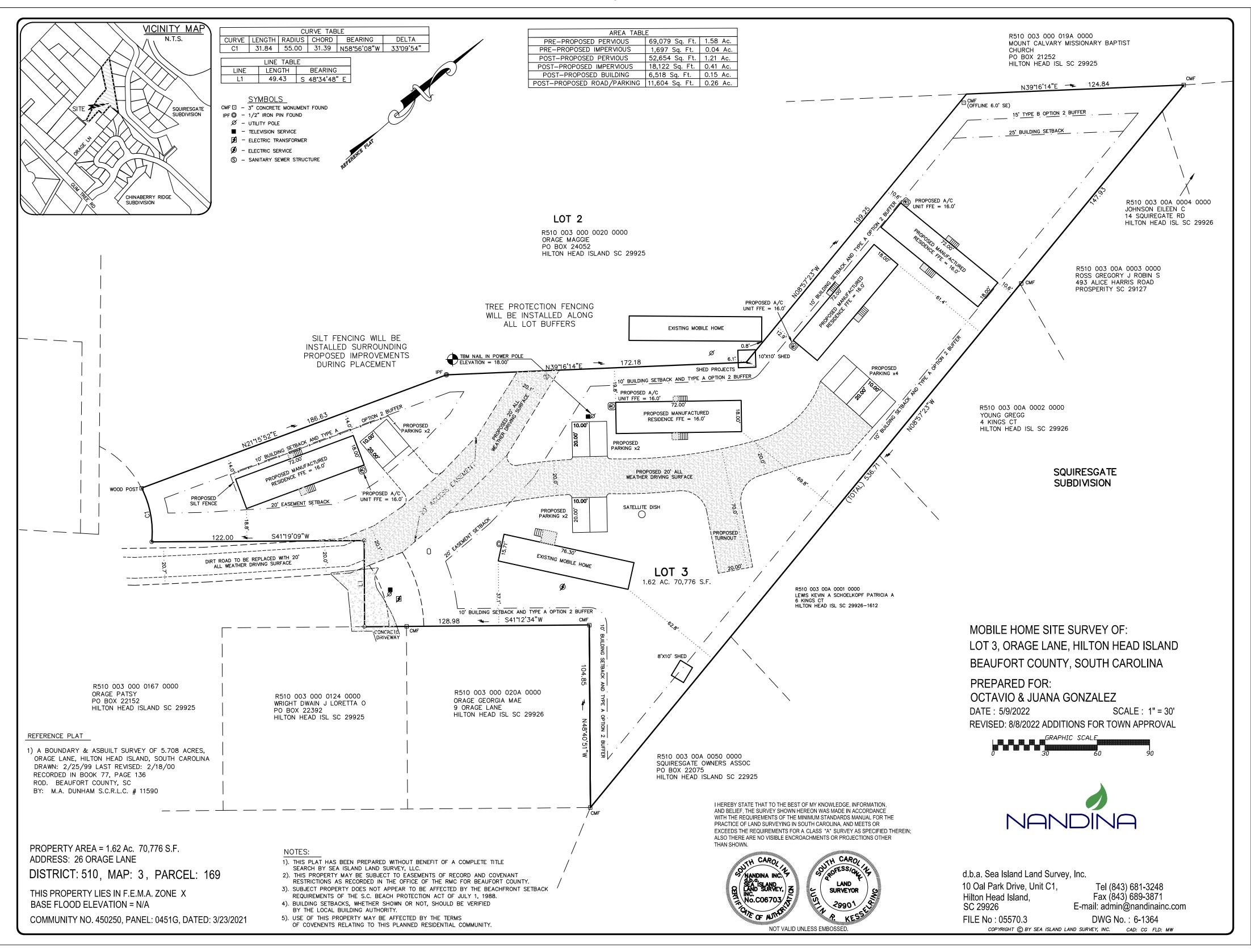
Town of Hilton Head Island

STDV-2403-2022 Orage





This information has been compiled from a variety of unverified general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.





TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

STAFF REPORT NEW STREET NAME

Case #	New Street Name	Public Hearing Date
STDV-002585-2022	Sandy Oaks Drive Sandy Oaks Lane	December 21, 2022

Location	Applicant	Agent
		Joheida Fister
		Deputy Fire Chief
Jonesville Road	Hank Hofford	Hilton Head Island Fire
510 007 000 1120 0000	Bennett Hofford	Rescue
510 007 000 1121 0000	Construction Company	40 Summit Drive
		Hilton Head Island, SC
		29926

Application Summary

Hilton Head Island Fire Rescue, on behalf of Hank Hofford, proposes to name the proposed streets in a new subdivision. The subdivision is located off Jonesville Road.

The proposed street provides direct access to the possibility of 22 dwelling units.

Staff Recommendation

Staff recommends the Planning Commission <u>approve</u> the application to name the subject Streets Sandy Oaks Drive and Sandy Oaks Lane based on the review criteria outlined in Land Management Ordinance Section 16-2-103.O.4 and enclosed herein.

Background

The subject street is located off Jonesville Road.

As set forth in LMO Section 16-2-103.0.3.d, Decision-Making Body Review and Decision, the Commission shall hold a public hearing and make a final decision on the

application based on the standards in LMO Section 16-2-103.0.4, Street/Vehicular Access Easement Review Standards.

Summary of Facts and Conclusion of Law

Criterion A: No new street or vehicular access easement, or proposed modification of the name of an existing street or vehicular access easement, shall duplicate, be phonetically similar to, or in any way be likely to be confused with an existing street or vehicular access easement, despite of the use of prefixes or suffixes. (LMO Section 16-2-103.O.4.a).

Findings of Fact:

- 1. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Sandy Oaks Drive and Sandy Oaks Lane are not duplicated within the Town or Beaufort County.
- 2. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Sandy Oaks Drive and Sandy Oaks Lane are not phonetically similar to an existing street or vehicular access easement.
- 3. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch have determined Sandy Oaks Drive and Sandy Oaks Lane will not likely be confused with an existing street or vehicular access easement.

Conclusion of Law:

1. The proposed street names, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> <u>requirements</u> of this criterion.

Summary of Facts and Conclusion of Law

Criterion B: Name(s) shall be simple, logical, easy to read and pronounce, and are clear and brief. Use of frivolous or complicated words or unconventional spellings in names shall not be approved. (LMO Section 16-2-103.O.4.b).

Findings of Fact:

- 1. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Sandy Oaks Drive and Sandy Oaks Lane is simple, logical, easy to read and pronounce.
- 2. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Sandy Oaks Drive and Sandy Oaks Lane is clear and brief.
- 3. Town staff, Fire Rescue Dispatch, and Beaufort County Dispatch determined Sandy Oaks Drive and Sandy Oaks Lane does not include frivolous or complicated words or unconventional spelling.

Conclusion of Law:

1. The proposed street name, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> <u>requirements</u> of this criterion.

Summary of Facts and Conclusions of Law

Criterion C: It is desirable to use names that have some association with Hilton Head Island and specifically with the immediate location of the street or place, such as reference to local history or physiographic features. (LMO Section 16-2-103.O.4.c).

Finding of Fact:

The proposed street name Sandy Oaks Drive and Sandy Oaks Lane was selected because Live oaks are a large part of the natural beauty of Hilton Head Island and the Lowcountry and "Sandy" references the community's location by Sandy Creek/Old House Creek and for being located by the beach of Hilton Head Island.

Conclusion of Law:

1. The proposed street name, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> requirements of this criterion.

Summary of Facts and Conclusion of Law

Criterion D: Use of a common theme is recommended for names of streets that are associated with one another, such as those within a residential development. (LMO Section 16-2-103.0.4.d).

Finding of Fact:

1. Sandy Oaks Drive and Sandy Oaks Lane provide a common theme. The Subdivision has not received approval yet, two names are being brought forward in case the configuration changes and an additional name is needed to meet the requirements of the LMO

Conclusion of Law:

1. The proposed street name, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> requirements of this criterion.

Summary of Facts and Conclusion of Law

Criterion E: Streets or vehicular access easements that continue through an intersection should generally bear the same name, except where the street crosses a major arterial or where existing address points on a street require that the street given a different name. (LMO Section 16-2-103.O.4.e).

Finding of Fact:

1. The proposed Sandy Oaks Drive and Sandy Oaks Lane does not continue through an intersection.

Conclusion of Law:

1. This criterion **does not apply** to this application.

Summary of Facts and Conclusion of Law

Criterion F: A street or vehicular access easement making an approximate right-angle turn where there is no possibility of extending the street or vehicular access easement in either direction shall be considered to be continuous and continue the same name. Where there is a choice of direction or a possibility of extending either section in the future, such configuration shall be considered to be an intersection and the street/easement segments extending from the intersection shall bear different names. (LMO Section 16-2-103.O.4.f).

Finding of Fact:

1. The Subdivision has not received approval yet, two names are being brought forward in case the configuration changes and an additional name is needed to meet the requirements of the LMO

Conclusion of Law:

1. The proposed street name, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> <u>requirements</u> of this criterion.

Summary of Facts and Conclusion of Law

Criterion G. New or modified street names should generally use Drive, Lane, Place, Road, Street, or Way as suffixes. The following street designations should only be used if the street design meets one of the following descriptions. This list is not intended to limit the use of other appropriate suffixes.

- 1. Alley A street providing vehicular access to the rear of lots or buildings, usually as a secondary means of access to a property.
- 2. Avenue A street that is continuous.
- 3. Boulevard A street with a landscaped median dividing the roadway.
- 4. Circle A street with a complete loop on the end or a side street that intersects another street at two adjacent intersections.
- 5. Court A street terminating in a cul-de-sac, not longer than 1,000 feet in length.
- 6. Extension A section of street forming an additional length.
- 7. Parkway A street designated as a collector or arterial road, with a landscaped median reflecting the parkway character implied in the name.

(LMO Section 16-2-103.O.4.g).

Finding of Fact:

1. The proposed street name is Sandy Oaks Drive and Sandy Oaks Lane.

Conclusion of Law:

1. The proposed street name, Sandy Oaks Drive and Sandy Oaks Lane, <u>meets the</u> <u>requirements</u> of this criterion.

Summary of Facts and Conclusion of Law

Criterion H. The suffixes Manor, Trace, and Common shall typically be used to name vehicular access easements. (LMO Section 16-2-103.O.4.h).

Finding of Fact:

1. The proposed street name is Sandy Oaks Drive and Sandy Oaks Lane.

Conclusion of Law:

1. This criterion does not apply to this application.

Summary of Facts and Conclusions of Law

Criterion I. Where natural barriers, intervening land uses, or developments that break an existing street into two separate streets that are not likely to be reconnected in the future, the streets shall be named in a manner that considers the potential economic impact of the number of address points and type of addresses impacted. (LMO Section 16-2-103.0.4.i).

Finding of Fact:

1. The subject street is not broken into two separate streets.

Conclusion of Law:

1. This criterion **does not apply** to this application.

PREPARED BY:	
JBF	December 12, 2022
Joheida Fister	DATE
Deputy Fire Chief	
REVIEWED BY:	
ML	December 14, 2022
Missy Luick,	DATE
Community Planning Manager	

ATTACHMENTS:

- A) Location Map
- B) Application Plan



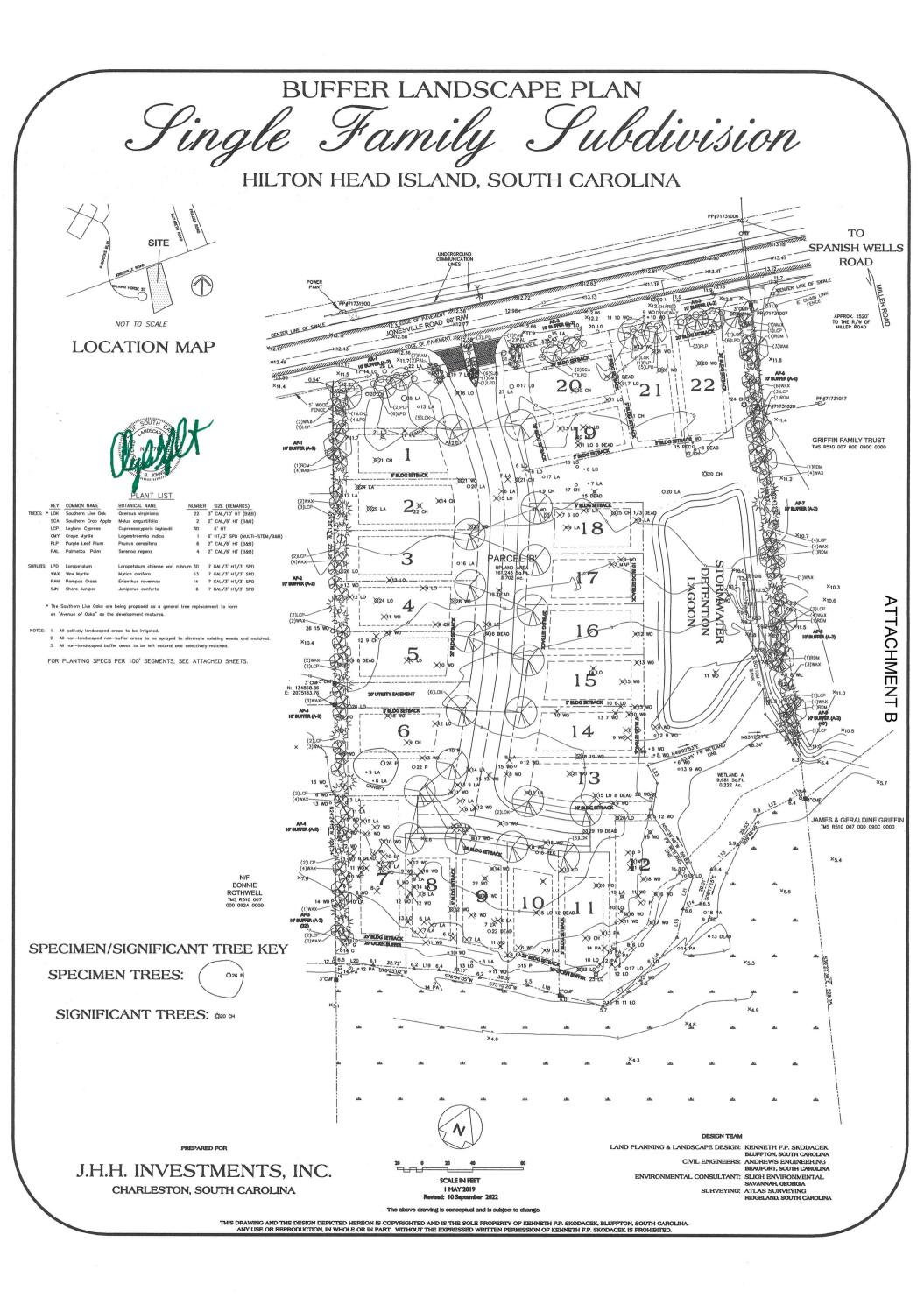


Town of Hilton Head Island
Attachment A -Location Map
December 2022





The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses asking from the use of the ma





TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Planning Commission

FROM: Nicole Dixon, AICP, CFM, Development Review Program Manager VIA: Chris Yates, CBO, CFM, CGP, Development Services Manager

DATE: December 9, 2022

SUBJECT: New Development Site Plan Review

Town Staff continuously looks for ways to improve its processes. One recent change implemented by Staff for the Development Review Program is to require all Development Plan Review applications for new commercial development and Major Subdivision applications be shared with the Planning Commission. The applications will be presented by Staff for information purposes only. This will provide a way for the Planning Commission and the general public to be made aware of all new development being proposed on Hilton Head Island.

There is one new Development Plan Review application ready to be shared with the Planning Commission – DPR-000117-2022 – 15 Wimbledon Court.

Attachment:

- A. DPR-000117-2022 Narrative
- B. DPR-000117-2022 Site Plan

ATTACHMENT A

Hilton Head Port Royal Resort

Hilton Head Island, SC

Final DRB Project Narrative

December 16, 2021

HH Island Acquisition Partners LLC is proposing to construct a new resort facility to replace the previous development known as The Port Royal Racquet Club Tract (parcel 4 – Wimbledon Court) along Folly Field Road and adjacent to Fiddler's Cove, The Lyons and Ocean Palms Villas. The existing property consists of approximately 8.4 acres of land with remnants of the Racquet Club remaining on the site including portions of Wimbledon Court, existing parking spaces, an existing pro-shop/club building, and tennis courts.

HH Island Acquisition Partners is looking to redevelop the property into a signature destination resort in keeping with Hilton Head Island vernacular. The proposed buildings will consist of (3) four story and (4) three story residential structures containing a mix of 1, 2, and 3-bedroom units (166 units total - including the lockout units as 1/2 unit- see plans for breakdown). The proposed scale of these structures are in keeping with the adjacent existing developments and appropriate for the surrounding neighborhoods.

The development will be constructed in two separate phases. The first phase will include the clubhouse (including guest support amenities, two story clubhouse, resort pool and spa, pool restroom facilities, maintenance building and (3) three residential structures and along with the entry drive. Also, as part of the first phase of the development, the entire Folly Field Road buffer plantings will be installed and irrigated. The second phase will include (4) residential structures and the balance of the site amenities.

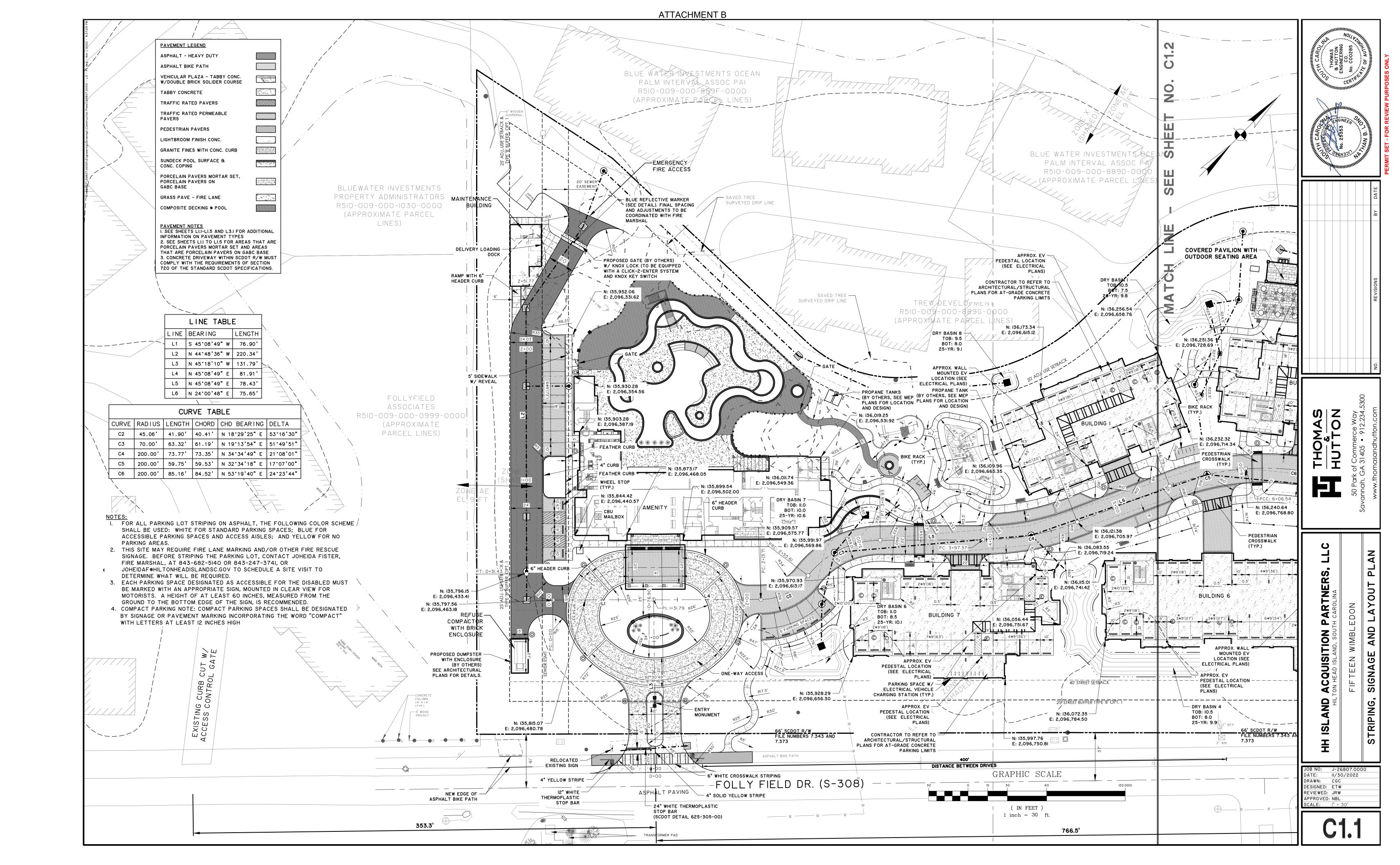
The site will feature landscaped walking paths with common areas connecting to the adjacent Town bike path. Included in the amenities will be lounge/gathering areas with barbecuing area and a children play area within the natural stand of existing trees. The required bicycle parking will be provided and distributed throughout the site.

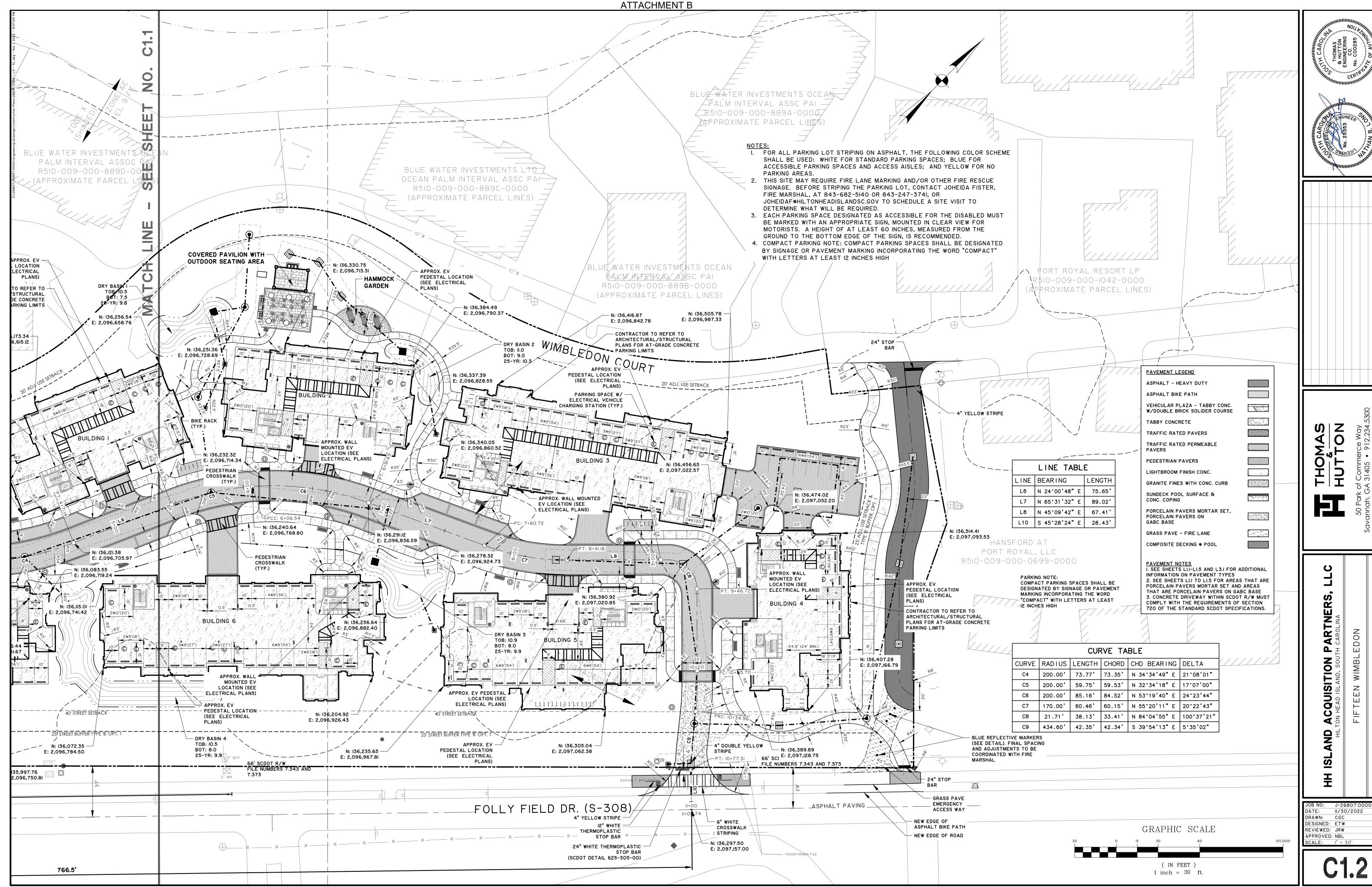
There are two specimen trees (Live Oak and Cork Oak) located on the property that are to be preserved, as well as stands of oaks, pines, and palms throughout the development. The proposed landscape design will incorporate native plant material while preserving as many existing trees and vegetation as permissible.

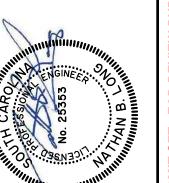
The main entry to the site will be offset to the south of the existing entry drive of the Island Club on Folly Field Dr by approximately 465 feet. Access to the site will be via two entrances on Folly Field Road. The main resort entry provides a strong sense of arrival for guests with the clubhouse with a covered motor court plaza entry with landscaping and signage. There will also be pedestrian connectivity to Wimbledon Drive to Folly Field Road.

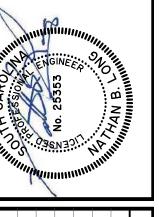
Most of the site is a sandy soil with elevations ranging between 9' and 13'. The proposed residential, clubhouse and related amenity buildings are to have a finish floor elevation set at 12.3' +1'0 MSL, with the majority of the parking being covered parking underneath the raised podiums.

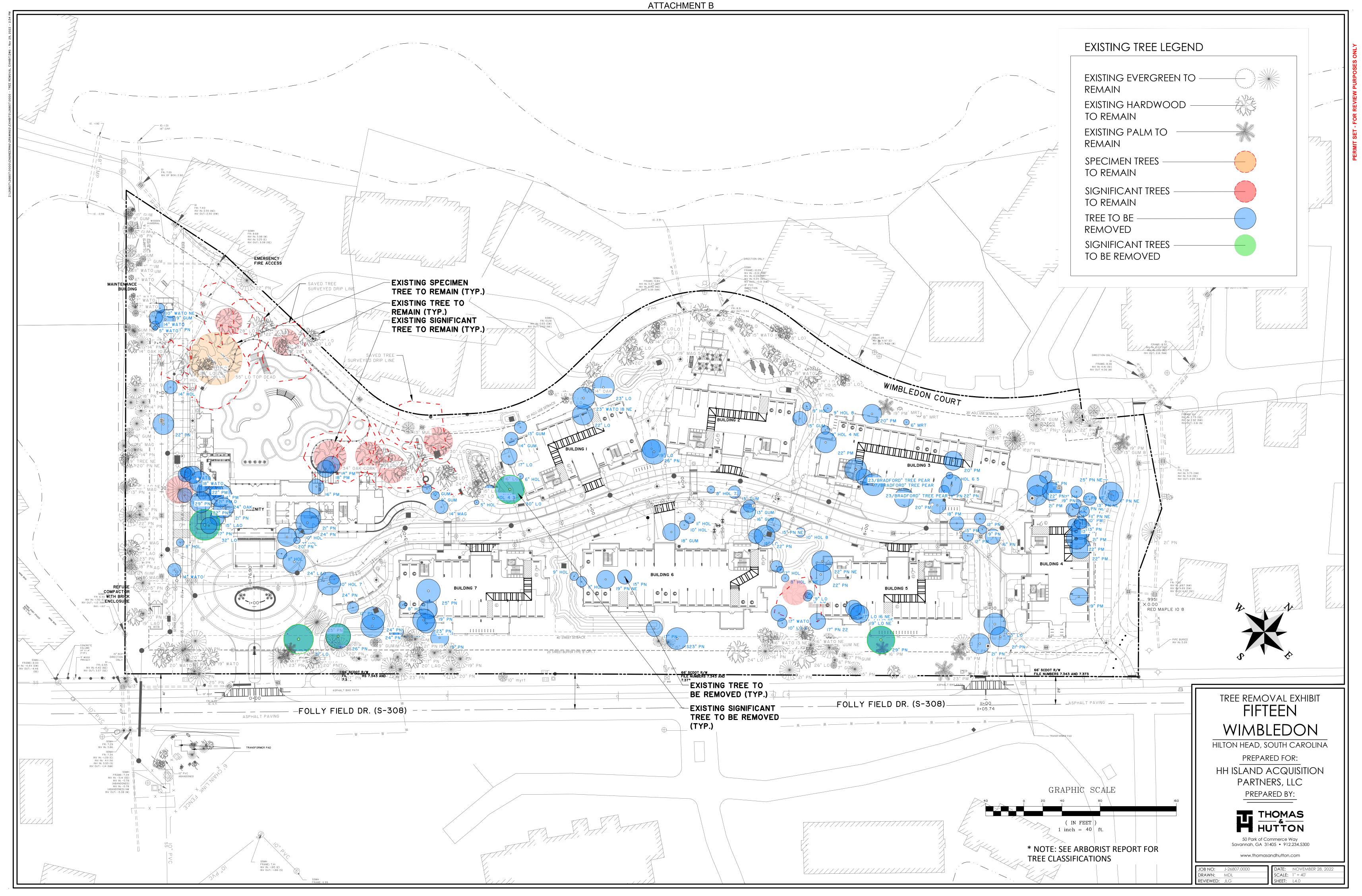
Parking will be provided at the appropriate rate for 1, 2, and 3 bedroom units per LMO requirements. The number of parking spaces to be provided is estimated to be +/-221 spaces. The required number of bike parking spaces will be provided along with electric vehicle charging station.

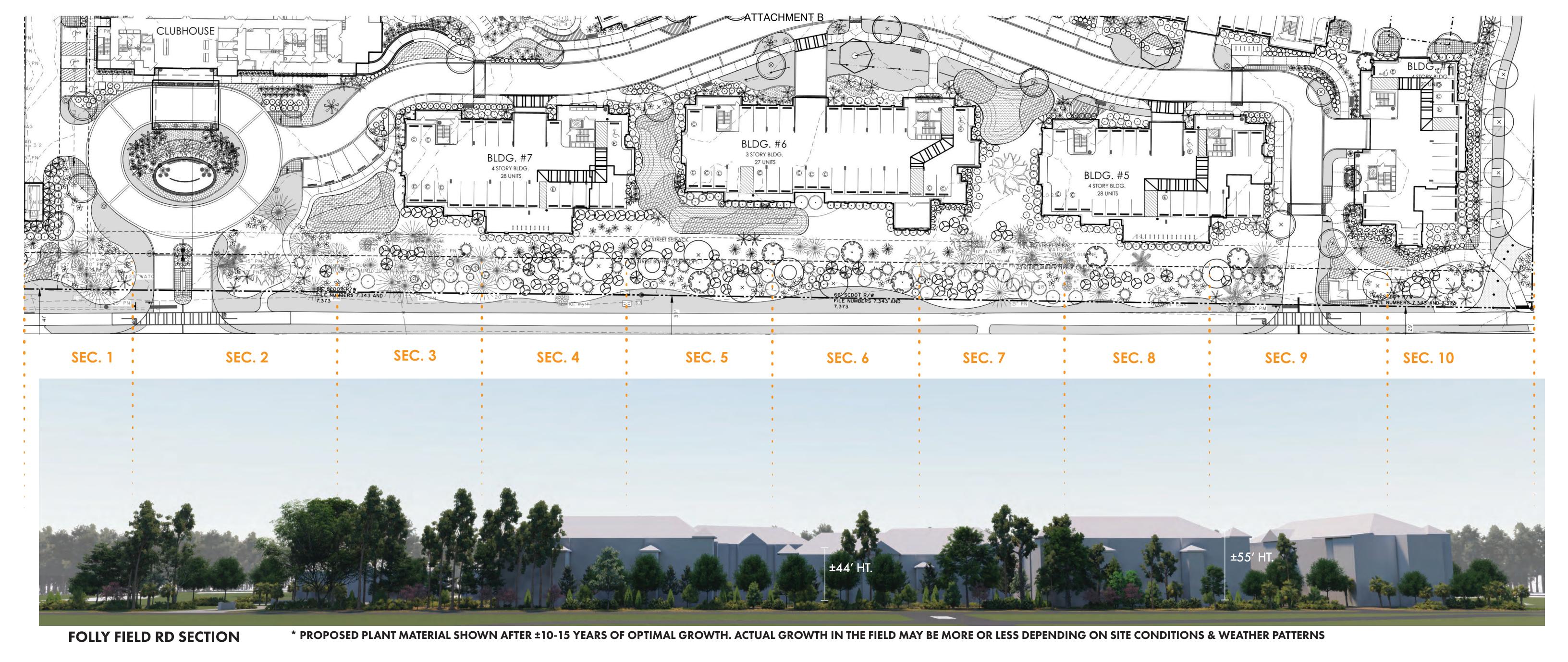


















FIFTEEN WIMBLEDON - FOLLY FIELD SECTION

SEPTEMBER 28, 2021

