Town of Hilton Head Island
Public Planning Committee Special Meeting
Monday, October 2, 2017 – 3:30p.m.
Benjamin M. Racusin Council Chambers
AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting.

1. Call to Order

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

3. Approval of Agenda


5. Unfinished Business

6. New Business
   a. Review of the proposed 2017 LMO Amendments – Second Set

7. Committee Business

8. Appearance by Citizens

9. Adjournment

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

Please note that meetings are now held on the fourth Thursday of each month at 3:00p.m.
TOWN OF HILTON HEAD ISLAND
Public Planning Committee
Minutes of the June 22, 2017 – 3:00p.m. Meeting
Benjamin M. Racusin Council Chambers

Committee Members Present: Chairman David Ames, Kim Likins
Committee Members Absent: Bill Harkins
Town Council Present: None
Town Staff Present: Shawn Colin, Deputy Director of Community Development; Charles Cousins, Director of Community Development; Anne Cyran, Senior Planner; Teri Lewis, LMO Official; Jennifer Ray, Planning & Special Projects Manager; Teresa Haley, Senior Administrative Assistant

1. Call to Order
   Chairman Ames called the meeting to order at 3:00p.m.

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

3. Approval of Agenda
   The Public Planning Committee approved the agenda by general consent.

4. Approval of the Minutes – Meeting of May 25, 2017
   The Public Planning Committee approved the minutes of the May 25, 2017 meeting by general consent.

5. Unfinished Business
   Chairman Ames asked Mrs. Lewis to provide an update on the Food Truck Pilot Program. Mrs. Lewis reported contracts have been signed for all four locations and the trucks were on site for the first time last week. Staff will document feedback and measure progress through site visits, phone and email contact, a post-pilot program meeting with the vendors, and documentation will be provided by vendors as well.

   Mr. Colin reported that the beach shuttle contract did not go through. The only interested party recently decided not to proceed. Mr. Colin indicated this party’s shuttle was not ideal as the vehicle held a maximum of six passengers. This process has demonstrated learning opportunities for next season.

6. New Business
   a. Discussion on ways to create better linkage between Island pathways and PUD pathways and the promotion of bike safety

   The Public Planning Committee requested that Town staff assess the connections between gated PUDs and Town pathways. PUD managers and management companies reported some safety concerns, most of which can be addressed with pathway maintenance. The existing connections between the gated areas of PUDs and Town pathways were presented on a map. The connections
are generally safe, though some improvements could be made to improve user safety. Staff is working with PUD managers to address safety concerns and add an additional connection, between Wexford and Crossings Park.

Ms. Cyran presented that per the Committee directive, Staff focused on the existing connections and to see if there’s any possibility to open those up to create a greater island network. Staff surveyed the PUD managers regarding the current connections and ask about their interests in creating new connections. Palmetto Dunes and Sea Pines expressed interest conceptually for discussion of additional connections to Town pathways. None of the PUDs expressed a favorable interest in allowing nonresident and nonguest pathway users to access the network in their communities.

The Committee agreed that the Bicycle Advisory Committee (BAC) needs to be at the forefront of any process going forward. Staff recommended that the Committee ask the BAC to be inclusive of the PUD managers in discussions on these matters going forward.

7. **Committee Business** – None

8. **Appearance by Citizens**

   Randy Tardy presented a brochure that he made showing pathway connectivity, pathway information, dining locations, and safety tips.

   Paul Crunkleton stated the number one issue that he sees is safety for bicyclists and also motorists need to be educated here and throughout the United States. He supports bicyclists and a transportation system like a shuttle to transport people around the Island. This will lessen the number of vehicles on the road.

   Andrew Schumacher, on behalf of Palmetto Dunes, presented statements expressing interest in a dialogue for future connectivity for bike, vehicular, and pedestrian access for the community.

   Frank Babel thanked the Committee for bringing safety and connectivity to the public’s attention in this way. He indicated the BAC focus is mostly on access and safety for everyone. He presented statements and statistics on the importance of bike safety.

   Heather Rath presented statements regarding safety and experience fall under infrastructure. She stated that the Southeast Biking Symposium showed that if you have the proper infrastructure in place, you provide safety and experience for all.

9. **Adjournment**

    The meeting was adjourned at 4:11p.m.

Submitted by: Teresa Haley, Senior Administrative Assistant

Approved:

_____________________
David Ames, Chairman
1. **Call to Order**
   Chairman Ames called the meeting to order at 3:00p.m.

2. **Freedom of Information Act Compliance**
   Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. **Approval of Agenda**
   The Public Planning Committee approved the agenda by general consent.

4. **Approval of the Minutes – Meeting of June 22, 2017**
   The minutes of the June 22, 2017 meeting were not addressed at this time.

5. **Unfinished Business**
   None

6. **New Business**
   a. Discussion of the Housing component of the Workforce Availability Town Council priority item

   Chairman Ames welcomed all those in attendance and presented statements on the purpose of today’s meeting. Today’s meeting will address one of Town Council’s 2017 Key Priorities – Workforce Availability, which includes workforce housing and transportation.

   Chairman Ames asked the Participants to describe their business as it relates to workforce housing on Hilton Head Island. The Participants introduced themselves, provided their experience as employers and housing developers, and described their relevant business needs and challenges.

   There was discussion on the following: the need for affordable housing, transportation, and employees; relevant local area programs; options for moving forward and areas of focus; the
Town’s most productive role as a facilitator of change; the private sector role; leadership sources; define terms of “affordable”, “workforce”, and “need”; educational process; near term opportunities and targets; explore different types of workforce housing (e.g. dormitories); explore needs of the Island as a whole and in parts (North, Middle, and South); make changes to the LMO to provide more flexibility in density, height, rezoning office space for housing, a floating zone; donate Town land for units; provide private capital confidence to invest; waive or reimburse impact fees; land-lease opportunities; and sell land at reasonable price for market rate return.

Following the discussion, the Committee members presented closing remarks and thanked the Participants for their time and support on this key priority.

No action was taken.

7. **Committee Business**
   None

8. **Appearance by Citizens**
   Greg Alexander, Hilton Head Island-Bluffton Chamber of Commerce, presented statements regarding the Chamber’s resources to help reach out to the right people on workforce availability. Mr. Alexander indicated the Chamber plans to reach out to transportation groups first and will help support this effort.

   Clayton Rollison, Owner of Lucky Rooster, described his business as it relates to workforce availability on the Island. Mr. Rollison, as the South Carolina Restaurant & Lodging Association, Hilton Head Island Chapter President, presented statements regarding the need that exists for service industry workers in Hilton Head and how it impacts retirees and persons not in the service industry.

9. **Adjournment**
   The meeting was adjourned at 5:00p.m.

   Submitted by: Teresa Haley, Senior Administrative Assistant

   Approved:

   __________________________
   David Ames, Chairman
1. **Call to Order**  
Chairman Ames called the meeting to order at 3:00p.m.

2. **Freedom of Information Act Compliance**  
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. **Approval of Agenda**  
The Public Planning Committee approved the agenda by general consent.

4. **Approval of the Minutes** – Meetings of June 22, 2017 and July 27, 2017  
The minutes of the June 22, 2017 and July 27, 2017 meetings were not addressed at this time.

5. **Unfinished Business**  
None

6. **New Business**  
a. Discussion of the Housing component of the Workforce Availability Town Council priority item  

Chairman Ames welcomed all those in attendance and presented statements on the purpose of today’s meeting. Today’s meeting will address one of Town Council’s 2017 Key Priorities – Workforce Availability, which includes workforce housing and transportation.

Chairman Ames asked the Participants, as a representative of non-profits, to describe their organization as it relates to workforce housing on Hilton Head Island. The Participants introduced themselves, provided their experience in non-profit organizations, and described their relevant needs and challenges.
The Committee and the Participants discussed and considered the following: the need for affordable housing, transportation, and employees; options for moving forward and areas of focus; the role of both private and public sectors; employers and developers coming together on these issues; employers pay into employee benefits, raise wages for employees to afford housing and standard expenses; repurpose old commercial space for affordable housing; redevelop unused space for affordable housing; change the LMO to allow more density; explore different types of housing facilities (e.g. dormitory, duplex); adequate management and maintenance needs for any type of facility; implement a housing co-op; utilize volunteers to build structures; land availability; building/structure availability; create economic incentives; provide incentives for local developers; learn from what other communities have done successfully and unsuccessfully; leadership role of the Town and the community at large; ideas for convening leaders; perception of “pride in ownership” and strive to “break the cycle”; the terms “affordable housing” versus “workforce housing”; and education in the community.

The Committee and the Participants had in depth discussion on the importance of educating the community on affordable housing and transportation issues, and the current and future impacts on individuals in the community, and the community as a whole.

There was further discussion on the following: whether the Town has the ability to delay new development that is without plans for maintenance and sustainability; and applying the “Habitat Model” to our community. Federal subsidy programs were discussed. The Town does not meet the State criteria to receive Federal funding. Legislation would be required in order for the Town to qualify.

Following the discussion, Chairman Ames opened the meeting for public comment (see 8. Appearance by Citizens). Following public comment, Chairman Ames presented closing remarks regarding the main discussion points, issues, and items for follow up. The next step will involve collating comments from today and the last meeting, work on an action plan, and return to the community with the public standpoint on what to do next. The Committee thanked the Participants and the public for their time and support on this key priority.

No action was taken.

7. Committee Business
None

8. Appearance by Citizens
David Cook presented statements regarding pre-engineered housing options and its building process, suggestions for density and square footage, finding donated land for the project, applying deed restrictions for use and non-use of land, needing community involvement, owning and renting units, prohibiting subleases, the Town and private sector working together, own to work with private sector, up fitting commercial property, and developing commercial areas as multi-use.

Jean Beck presented statements regarding the County needs assessment for affordable housing, reaching out to persons who need affordable housing and understanding their housing desires, changing the term of “workforce” to “community”, educating the community on affordable housing, and community realtors are examining these issues.
Clayton Rollison presented statements regarding recent and upcoming SCRLA meetings, private sector wages, temporary versus seasonal housing, and types of housing.

Eric Esquivel presented statements regarding community accountability, transportation needs, concern for the future, working regionally, changing the LMO to accommodate affordable housing, understanding the housing desires of the persons who need affordable housing, housing oversight, Deferred Action for Childhood Arrivals (DACA), and issues for discussion in the visioning process.

Jocelyn Staigar presented statements regarding support for workforce housing and education for the community, minimal Town owned land is buildable, and rezoning challenges for developers.

9. **Adjournment**
The meeting was adjourned at 4:53 p.m.

Submitted by: Teresa Haley, Senior Administrative Assistant

Approved:

_____________________
David Ames, Chairman
TO: Public Planning Committee
VIA: Charles Cousins, AICP, Director of Community Development
VIA: Shawn Colin, AICP, Deputy Director of Community Development
FROM: Teri Lewis, AICP, LMO Official
DATE: September 26, 2017
SUBJECT: 2017 LMO Amendments – Second Set

Recommendation: The Planning Commission held a public hearing on September 20, 2017 to review the proposed 2017 LMO Amendments – Second Set. The Commission voted 7-0 to recommend forwarding the proposed amendments to the Public Planning Committee with a recommendation for approval.

The LMO Committee met on July 26th and August 16th to review the proposed 2017 LMO Amendments – Second Set. The Committee recommended forwarding the amendments to the Planning Commission with a recommendation for approval with various changes as discussed by the Committee.

Staff recommends that the Public Planning Committee recommend approval of the attached amendments.

Summary: Through the LMO Committee process and the Planning Commission public hearing public input has been solicited and, where appropriate, revisions have been made to the proposed amendments.

Background: A number of proposed amendments to the Town’s Land Management Ordinance (LMO) have been identified. The reason for each proposed amendment is listed above the amendment. Additionally a rationale document has been prepared which gives more details about the reason for the amendment and the discussion at the LMO Committee level. Newly added language is illustrated with double underline and deleted language is illustrated with strikethrough.

Please contact me at (843) 341-4698 or at teril@hiltonheadislandsc.gov if you have any questions.
GROUPED AMENDMENTS

CHAPTER 16-3: ZONING DISTRICTS

D. Light Commercial (LC)

Staff Explanation: These changes will allow commercial parking lots in the LC (Light Commercial), MV (Mitchelville), NC Neighborhood Commercial and S (Stoney) zoning districts subject to the existing conditions for commercial parking lots.

2. Allowable Principal Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/TYPE</th>
<th>USE</th>
<th>SPECIFIC CONDITIONS</th>
<th>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Sales and Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auto Rentals</td>
<td>P</td>
<td>Sec. 16-4-102.B.8.b</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td>Auto Repairs</td>
<td>PC</td>
<td>2 per service bay + 1 per 200 GFA of office and waiting area</td>
<td></td>
</tr>
<tr>
<td>Auto Sales</td>
<td>P</td>
<td>See Sec. 16-5-107.D.2</td>
<td></td>
</tr>
<tr>
<td>Car Washes</td>
<td>P</td>
<td>10 per wash unit for automatic wash + 5 per bay for manual wash</td>
<td></td>
</tr>
<tr>
<td>Commercial Parking Lot</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.d</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td>Gas Sales</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.d</td>
<td></td>
</tr>
<tr>
<td>Taxicab Services</td>
<td>P</td>
<td>1 per 200 GFA of office or waiting area</td>
<td></td>
</tr>
<tr>
<td>Watercraft Sales, Rentals, or Services</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.e</td>
<td>1 per 200 GFA</td>
</tr>
</tbody>
</table>
G. Marshfront (MF)

2. Allowable Principal Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/TYPE</th>
<th>USE SPECIFIC CONDITIONS</th>
<th>MINIMUM NUMBER OF OFF- STREET PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicle Sales and Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auto Rentals</td>
<td>P</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td>Car Washes</td>
<td>P</td>
<td>10 per wash unit for automatic wash + 5 per bay for manual wash</td>
</tr>
<tr>
<td>Commercial Parking Lot</td>
<td>PC</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td>Gas Sales</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.d</td>
</tr>
</tbody>
</table>

I. Mitchelville (MV)

2. Allowable Principal Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/TYPE</th>
<th>USE SPECIFIC CONDITIONS</th>
<th>MINIMUM NUMBER OF OFF- STREET PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicle Sales and Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auto Rentals</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.a</td>
</tr>
<tr>
<td>Commercial Parking Lot</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.d</td>
</tr>
<tr>
<td>Watercraft Sales, Rentals, or Services</td>
<td>PC</td>
<td>Sec. 16-4-102.B.8.e</td>
</tr>
</tbody>
</table>
### J. Neighborhood Commercial (NC)

#### 2. Allowable Principal Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/TYPE</th>
<th>USE-SPECIFIC CONDITIONS</th>
<th>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicle Sales and Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Commercial Parking Lot</em></td>
<td>PC Sec. 16-4-102.B.8.d</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td><em>Gas Sales</em></td>
<td>PC Sec. 16-4-102.B.8.d</td>
<td></td>
</tr>
</tbody>
</table>

### N. Stoney (S)

#### 2. Allowable Principal Uses

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/TYPE</th>
<th>USE-SPECIFIC CONDITIONS</th>
<th>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vehicle Sales and Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Car Washes</em></td>
<td>PC Sec. 16-4-102.B.8.c</td>
<td>10 per wash unit for automatic wash + 5 per bay for manual wash</td>
</tr>
<tr>
<td><em>Commercial Parking Lot</em></td>
<td>PC Sec. 16-4-102.B.8.d</td>
<td>See Sec. 16-5-107.D.2</td>
</tr>
<tr>
<td><em>Gas Sales</em></td>
<td>PC Sec. 16-4-102.B.8.d</td>
<td></td>
</tr>
<tr>
<td><em>Taxicab Services</em></td>
<td>P</td>
<td>1 per 200 GFA of office or waiting area</td>
</tr>
<tr>
<td><em>Watercraft Sales, Rentals, or Services</em></td>
<td>P</td>
<td>1 per 200 GFA</td>
</tr>
</tbody>
</table>
CHAPTER 16-4: USE STANDARDS

Sec. 16-4-102. – Principal Uses

A. Principal Use Table

Staff Explanation: This change adds Commercial Parking as a use permitted with conditions in the LC, MF, MV, NC and S zoning districts.

6. Principal Use Table

<table>
<thead>
<tr>
<th>USE CLASSIFICATION/USE TYPE</th>
<th>SPECIAL DISTRICTS</th>
<th>RESIDENTIAL DISTRICTS</th>
<th>MIXED-USE AND BUSINESS DISTRICTS</th>
<th>USE-SPECIFIC CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>VEHICLE SALES AND SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Commercia l Parking Lot*
CHAPTER 16-5: DEVELOPMENT AND DESIGN STANDARDS

Sec. 16-5-102. - Setback Standards

Staff Explanation: Currently setbacks and buffers are required from all access easements. This creates issues when an access easement is located between commercial properties. These changes will eliminate the setback and buffer requirements for access easements located on non-single-family properties.

C. Adjacent Street Setback Requirements

Unless expressly exempted or modified in this subsection or for the CR, S, and IL Districts in Chapter 16-3: Zoning Districts, all portions of a structure shall be located to the interior of the vertical and angled planes established by the applicable minimum setback distance from an adjacent street and maximum setback angle shown in Table 16-5-102.C, Adjacent Street Setback Requirements, based on the proposed use and the classification of the adjacent street. (See Figure 16-5-102.C, Street Setback Angle.)

<table>
<thead>
<tr>
<th>PROPOSED USE</th>
<th>MINIMUM SETBACK DISTANCE 1 / MAXIMUM SETBACK ANGLE 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ADJACENT STREET (BY CLASSIFICATION)</td>
</tr>
<tr>
<td></td>
<td>MAJOR ARTERIAL</td>
</tr>
<tr>
<td>Single-Family</td>
<td>Structure &gt; 24 in high</td>
</tr>
<tr>
<td></td>
<td>Structure ≤ 24 in high</td>
</tr>
<tr>
<td>All Other Uses</td>
<td>Structure &gt; 24 in high</td>
</tr>
</tbody>
</table>

NOTES: in = inches ft = feet ° = degrees
1. Measured from the adjacent street right-of-way or easement line to the closest portion of a structure. A street setback from an easement line is not required for non-single-family properties.
Sec. 16-5-103. - Buffer Standards

E. Adjacent Use Buffer Requirements

1. Unless expressly exempted or modified in this subsection, development shall provide a buffer along common property lines with adjoining properties that is of the type designated in Table 16-5-103.E, Adjacent Use Buffer Requirements, for the proposed use and the classification of the use of the adjacent property (or zoning of a vacant adjacent property). Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.

<table>
<thead>
<tr>
<th>PROPOSED USE 2</th>
<th>REQUIRED BUFFER TYPE 2</th>
<th>USE OF ADJACENT DEVELOPED PROPERTY 3</th>
<th>ZONING OF ADJACENT VACANT PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>SINGLE-FAMILY DWELLING</td>
<td>ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION</td>
<td>PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATIONS; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS</td>
<td>CON, PR, RSF-3, RSF-5, RSF-6, RM-4</td>
</tr>
<tr>
<td>RM-8, RM-12</td>
<td>CR, CC, WMU, S, SPC, RD, MS, MV, MF, LC, NC, MED</td>
<td>IL</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Single-Family</th>
<th>A 4</th>
<th>A 4</th>
<th>C 4</th>
<th>D 4</th>
</tr>
</thead>
</table>

- All Other Residential Uses
- Commercial Recreation

| A | n/a | B | D |
• Public, Civic, Institutional, and Education
  • Resort Accommodations
  • Offices
  • Commercial Services
  • Vehicle Sales and Services
• Boat Ramps, Docking Facilities, or Marinas

<table>
<thead>
<tr>
<th></th>
<th>C</th>
<th>B</th>
<th>n/a</th>
<th>A</th>
</tr>
</thead>
</table>

Industrial Uses

<table>
<thead>
<tr>
<th></th>
<th>D 4</th>
<th>D</th>
<th>A</th>
<th>n/a</th>
</tr>
</thead>
</table>

NOTES: n/a = not applicable

1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F, Buffer Types.
2. When a shared access easement is located along a common property line, any required buffer shall be provided to the interior of the access easement. An adjacent use buffer from an easement line is not required for non-single-family properties.

**Staff Explanation:** Town Council asked staff to ensure that the ability to waive the setback and buffer between single-family properties was eliminated and that criteria were established to use related to the waiver.

**Sec. 16-5-102. - Setback Standards**

D. Adjacent Use Setback Requirements

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.
**Sec. 16-5-103. - Buffer Standards**

E. Adjacent Use Buffer Requirements

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.

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**Staff Explanation:** This change sets out what triggers the requirement that the buffers, EV charging stations and bike parking be brought into compliance when changes are being made to a building on the site.

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**Section 16-5-103 – Buffer Standards**

F. Buffer Types

Table 16-5-103.F, Buffer Types, describes the five different buffer types in terms of their function, opacity, width, and planting requirements. Either of the options under a specific buffer type may be used at the option of the *developer/applicant*. If the square footage of an existing building on a site is being increased by more than 50% then the buffers must be brought into compliance with the standards in this table.

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**Section 16-5-107 – Parking and Loading Standards**

D.10. Use of Parking Spaces as Electric Vehicle (EV) Charging Station

All *multifamily* and nonresidential *development* shall provide one *electric vehicle (EV) charging station* per *site*. If the development requires over 100 parking spaces, the electric vehicle (EV) charging station shall have a sign that states that only electric vehicles being charged can park in that particular parking space. 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 provide an EV charging station on site.

H.7. Bicycle Parking

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.
Sec. 16-5-105 – Mobility, Street, and Pathway Standards

A.5.e.ii. Driveway Width

01. All driveways shall comply with the following minimum and maximum width requirements:

(A) One-way one-lane driveways shall be at least 14 feet wide and no more than 20 feet wide, as measured between the edges of paving.

(B) Two-way, two-lane driveways shall be at least 20 feet wide and no more than 30 feet wide, as measured between the edges of paving.

(C) Service driveways shall be a minimum of 10 feet wide and no more than 14 feet wide, as measured between the edges of paving.

02. The Official may require a wider driveway on determining that it is needed to facilitate special vehicle or traffic demand requirements.

CHAPTER 16-10: DEFINITIONS, INTERPRETATION AND MEASUREMENT

Sec. 16-10-105. General Definitions

Staff Explanation: This change establishes a definition for a service driveway.

Driveway, Service: a private driveway providing access for vehicles to a dumpster or something similar
**STAND ALONE AMENDMENTS**

**CHAPTER 16-2: ADMINISTRATION**

*Sec. 16-2-103.I – Corridor Review (Minor and Major)*

**Staff Explanation:** This change will make it clear that the final notice of action (not an interim notice of action) is what is required to be submitted to the DRB before the DRB can take final action on a project.

### iii. Decision-Making Body Review and Decision

01. A private architectural review board whose jurisdiction includes the subject site shall submit written final notice of any action it takes on the proposed project. The applicant shall submit this final notice to the *Official* at least seven days before the meeting at which the *Design Review Board* conducts its final review of the Corridor Review *application*. The Board shall consider, but is not bound by, the action of such private architectural review board.

**CHAPTER 16-3: ZONING DISTRICTS**

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

I. **Mitchelville (MV) District**

**Staff Explanation:** During a recent variance request before the Board of Zoning Appeals (BZA), it became clear that the maximum impervious coverage for the MV (Mitchelville) zoning district was much less than required for other mixed use districts. The majority of the area that is currently zoned MV had a maximum impervious coverage requirement of 50% prior to the LMO rewrite so staff suggests that the maximum impervious coverage requirement for this district be increased to 50%. The BZA has submitted a letter requesting that the maximum impervious coverage in the MV zoning district be re-studied.

#### 3. Development Form Standards

<table>
<thead>
<tr>
<th>LOT COVERAGE</th>
<th>Max. Impervious Cover</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>35% 50%</td>
</tr>
</tbody>
</table>

*Sec. 16-3-106 – Overlay Zoning Districts*

H. **Forest Beach Neighborhood Character Overlay (FB-NC-O) District**
Staff Explanation: During the LMO Rewrite process the driveway width in the Forest Beach Overlay District was changed from 24’ to 18’. There is no obvious reason for this change and has created many nonconformities. This change will take it back to 24’.

4.b.ii. Buffers shall comply with the standards of Sec. 16-5-103, Buffer Standards, except that *driveways* for *street access* as permitted in Sec. 16-5-103.J, Development Within Required Buffers, shall be limited to a total of 4 feet 24 feet wide within the buffer.

**CHAPTER 16-5: DEVELOPMENT AND DESIGN STANDARDS**

Staff Explanation: This change will allow bollards in the setback and changes the language related to how far a deck or patio can encroach into a setback.

**16-5-102 – Setback Standards**

E. Allowable Setback Encroachments

Table 16-5-102.E, Allowable Setback Encroachments, identifies features that are allowed to encroach beyond the vertical and angled planes defined by minimum adjacent street and use setback requirements.

<table>
<thead>
<tr>
<th>FEATURE</th>
<th>EXTENT AND LIMITATIONS</th>
</tr>
</thead>
</table>
| Fences or walls | • Allowed in adjacent use setbacks if located along common property lines and no more than 7 feet high  
• Allowed in adjacent street setbacks if less than 4 feet high |
<p>| Open balconies, fire escapes, or exterior stairways | May extend up to 5 feet into any setback |
| Chimneys or fireplaces | May extend up to 3 feet into any setback if no more than 5 feet higher than the highest point of <em>building</em> to which it is attached |
| Roof eaves and overhangs | May extend up to 3 feet into any setback |
| Awnings | May extend up to 5 feet into any setback |</p>
<table>
<thead>
<tr>
<th>Feature</th>
<th>Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay windows</td>
<td>May extend up to 3 feet into any setback if no more than 9 feet wide</td>
</tr>
<tr>
<td>Sills or entablatures</td>
<td>May extend up to 1 foot into any setback</td>
</tr>
<tr>
<td>Uncovered porches, stoops, decks, patios, or terraces, or walkways</td>
<td>May extend or be located in any setback if set back from lot lines by a distance no more than the feature's height. May extend up to 5 feet into any setback</td>
</tr>
<tr>
<td>Lighting fixtures</td>
<td>May be located in any setback if no more than 20 feet high</td>
</tr>
<tr>
<td>Roof dormers</td>
<td>May extend up to 5 feet beyond the setback angle plane (horizontally or vertically)</td>
</tr>
<tr>
<td>Spires, cupolas, domes, skylights, and similar rooftop architectural features</td>
<td>May extend up above the setback angle plane if they occupy no more than 25% of the roof area of the structure to which they are attached and extend no more than 25% more than the height limit defined by the setback angle plane at the point(s) of penetration</td>
</tr>
<tr>
<td>Solar collection devices</td>
<td>See Sec. 16-4-103.E.8</td>
</tr>
<tr>
<td><strong>Television or radio antennas</strong></td>
<td>May extend up to 10 feet above the setback angle plane if they are attached to a side or rear elevation of a structure</td>
</tr>
<tr>
<td>Small wind energy conversion systems</td>
<td>See Sec. 16-4-103.E.7</td>
</tr>
<tr>
<td>Amateur radio antenna</td>
<td>See Sec. 16-4-103.E.1</td>
</tr>
<tr>
<td>Bike racks, bollards, and other site furnishings (such as tables and chairs)</td>
<td>Allowed in adjacent use and adjacent street setbacks</td>
</tr>
</tbody>
</table>
| Other architectural features not listed above (parts of a structure that provide visual interest to the structure and are nonhabitable and decorative in nature) | May be allowed to penetrate the plane of the setback angle if the Official makes the following determinations:  
• The required setback angle cannot be met for the architectural elements using alternate site layouts without major modifications to an otherwise acceptable application;  
• The excepted architectural elements will not be major or dominant features of the structure;  
• The exception is the minimum reasonably required to achieve |
the architectural goal; and
• If applicable, the placement of the **structure** provides protection of prominent natural features on the site, such as **trees**, wetlands, or historic **sites**.

| Flagpoles/Flags | Unless they constitute a "sign" and thus subject to Sec. 16-5-114.E, Flagpoles no more than 20 feet high and flags no greater than 20 square feet in area may be located in setbacks |
| Signs | See Sec. 16-5-114.E |

**Section 16-5-107. Parking and Loading Standards**

**Staff Explanation:** This change establishes that parking requirements for golf courses and miniature golf courses should be based on the number of holes rather than the number of tees.

**D. Parking Space Requirements**

1. **Minimum Number of Parking Spaces**

   Except as otherwise expressly provided elsewhere in this Ordinance, **development** shall provide the minimum number of off-street parking spaces in accordance with Table 16-5-107.D.1, Minimum Number of Parking Spaces, based on the **principal use(s)** involved and the extent of **development**. Required off-street loading spaces, spaces in **buildings** used for **auto repairs** or **car washes**, and stacking spaces in **driveways** serving **drive-through** and related **uses** shall not be counted as meeting parking space requirements.

**TABLE 16-5-107.D.1: MINIMUM NUMBER OF PARKING SPACES**

<table>
<thead>
<tr>
<th>USE CATEGORY/USE TYPE</th>
<th>MINIMUM NUMBER OF PARKING SPACES (^1,2,3,4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR DISTRICT</td>
<td>ALL OTHER DISTRICTS</td>
</tr>
<tr>
<td>COMMERCIAL RECREATION</td>
<td></td>
</tr>
</tbody>
</table>
### Indoor Commercial Recreation Uses

<table>
<thead>
<tr>
<th>Uses</th>
<th>Indoor Commercial Recreation Uses</th>
<th>Outdoor Commercial Recreation Uses Other than Water Parks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Courses, Miniature Golf Courses, or Driving Ranges</td>
<td>1 per 7 persons + 1 per 300 GFA of office or similarly used area</td>
<td>1 per 2.5 tees holes + 1 per 3 persons max. occupancy + 1 per 200 GFA of office or similarly used area</td>
</tr>
<tr>
<td>Stadiums</td>
<td>1 per 5 spectator seats</td>
<td>1 per 4 spectator seats</td>
</tr>
<tr>
<td>Other</td>
<td>1 per 4 persons max. occupancy + 1 per 300 GFA of office or similarly used area</td>
<td>1 per 3 persons max. occupancy + 1 per 200 GFA of office or similarly used area</td>
</tr>
</tbody>
</table>

**Water Parks**

See Sec. 16-5-107.D.2

---

**Staff Explanation:** This change will keep vehicles in parking spaces from intruding into sidewalks.

---

### F. Design of Parking Areas

3. **Curbs and Wheel Stops**
   
   a. Permanently anchored wheel stops shall be provided at the end of all parking spaces that abut a sidewalk or walkway or are not bounded by curbing.
   
   b. The vehicle side of the wheel stop shall be no less than 18 inches from the end of the parking space.

---

### H. Standards for Specific Types of Signs

**Staff Explanation:** This change establishes when post mounted banners will be allowed and establishes a maximum size limitation.

---

### 9. Temporary Special Event Signs

a. Off-Premises Signs Directing Traffic
i. **Signs** directing traffic to the site of an event may be used for events at which more than 5,000 attendees are expected.

ii. **Signs** shall meet South Carolina DOT standards.

b. Off-Premises Signs Identifying Race Routes

**Signs** intended to direct pedestrians, runners, and bicyclists on race routes are subject to the following standards:

i. Such **signs** shall be no larger than two square feet each.

ii. Such **signs** may be displayed one day prior to the event, during the duration of the event, and one day after the event.

c. Off-Premises Post Mounted Banners

i. Post mounted banners may only be used for events which are multi-day and at which more than 18,000 attendees are expected during the course of the event.

ii. The banners shall be no larger than 16” in width and 45” in height.

iii. The banners must be approved and installed as part of the Town permitting process.

d. On-Premises Signs Identifying an Event

**Signs** located at the entrances of **special events** that are meant to identify a special event are subject to the following standards:

i. No more than two **signs** shall be displayed per event, with no more than four **sign faces**. Any single **sign face** shall not exceed 16 square feet.

ii. **Signs** shall be constructed of ½-inch MDO, or a material of equal durability, mounted on four-by-four wood posts.

iii. The amount of information on **signs** shall be no more than is necessary to provide reasonable identification of the event or other information to be conveyed.

iv. **Signs** shall be displayed no sooner than one day prior to the event, during the duration of the event, and one day after the event.

v. **Signs** shall not be illuminated by artificial light.

e. On-Premises Signs

**Signs** displayed within a special event are subject to the following standards:

i. **Signs** shall be displayed no sooner than one day prior to the event, during the duration of the event, and one day after the event.

ii. Banners and pennants are permitted within the area where the special event takes place.
ADMINISTRATIVE AMENDMENTS

CHAPTER 16-3: ZONING DISTRICTS

 Sec. 16-3-103. – Mixed-Use and Business Districts

B.  Coligny Resort (CR) District

**Staff Explanation:** This change lets people know that there are no street buffers in the CR zoning district. This language is currently only found in the buffer section in Chapter 5.

<table>
<thead>
<tr>
<th>3. Development Form Standards</th>
<th>MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent Street Setbacks</td>
<td>No Changes</td>
</tr>
<tr>
<td>Adjacent Use Setbacks</td>
<td>No Changes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MODIFIED ADJACENT STREET BUFFER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are no adjacent street buffers in the CR zoning district.</td>
</tr>
</tbody>
</table>

 Sec. 16-3-106. – Overlay Zoning Districts

G. Planned Development Overlay (PD-2) District

**Staff Explanation:** Town Council adopted an amended master plan for the former Marsh Tacky Village PD-2 earlier in 2017. This change will reflect the updated information related to this PD-2 master plan.

5. PD-2 Listed Plans

- The following PUDs are included in PD-2 Overlay Districts and their Town-approved Master Plans including associated text and any subsequent amendments are hereby incorporated by reference as a part of the *Official Zoning Map* and LMO text.
<table>
<thead>
<tr>
<th>FILE NAME</th>
<th>NUMBER</th>
<th>PARCEL</th>
<th>TAX MAP #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palmetto Headlands and H.H. Hospital</td>
<td>CUR-3-88</td>
<td>27/103/103A/337</td>
<td>4,8</td>
</tr>
<tr>
<td>Centre Court on Mathews Drive</td>
<td>CUR-1-89</td>
<td>88B</td>
<td>8</td>
</tr>
<tr>
<td>Presbyterian Conference Center</td>
<td>CUR-2-89</td>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>Marriott-South Forest Beach</td>
<td>CUR-1-90</td>
<td>67/69/71/73/252</td>
<td>15-A,18</td>
</tr>
<tr>
<td>Park Plaza Self Storage</td>
<td>CUR-2-90</td>
<td>336</td>
<td>15</td>
</tr>
<tr>
<td>Tidepointe Retirement</td>
<td>CUR-1-92</td>
<td>342/342A</td>
<td>14</td>
</tr>
<tr>
<td>Exec/Air Hilton Head</td>
<td>CUR-1-94</td>
<td>271A</td>
<td>5</td>
</tr>
<tr>
<td>Spanish Grove</td>
<td>CUR-1-95</td>
<td>34A/34B</td>
<td>10</td>
</tr>
<tr>
<td>First Baptist Church</td>
<td>CUR-1-96</td>
<td>138A/138C</td>
<td>18</td>
</tr>
<tr>
<td>Bermuda Point</td>
<td>CUR-1-97</td>
<td>1B</td>
<td>7</td>
</tr>
<tr>
<td>Waterside (Town Center)</td>
<td>N/A-JPC</td>
<td>202/202D</td>
<td>18</td>
</tr>
<tr>
<td>Palmetto Bay Marina</td>
<td>N/A-JPC</td>
<td>47/66A/273/273A/273C/314E</td>
<td>10</td>
</tr>
<tr>
<td>Tabby Village</td>
<td>ZA-000954-2017</td>
<td>223, 49, 14D, 16, 14I, 14, 58, 58A</td>
<td>3</td>
</tr>
</tbody>
</table>

**CHAPTER 16-4: USE STANDARDS**

**Sec. 16-4-102 – Principal Uses**

B. Use-Specific Conditions for Principal Uses

**Staff Explanation:** The word ‘have’ is missing from this condition. This change fixes the error.

7.c.iii. In the S District, a bicycle shop shall not have direct vehicular access to a major arterial.
These changes will allow commercial parking lots in the LC, MV, NC and S zoning districts subject to the existing conditions for commercial parking lots.

Proposed Changes
These changes will allow commercial parking lots to be located within the Light Commercial, Mitchelville, Neighborhood Commercial and Stoney zoning districts as a PC (permitted with conditions) use. Commercial parking lots in these districts would be subject to the existing conditions for this use.

Reason for Change
The Town was approached by someone who wished to have commercial parking lot as an available use in the LC zoning district. During the LMO Committee meeting about this amendment, an audience member requested that this use be added to all of the predominantly Native Islander zoning districts as well.

Considerations
Staff explained that the use had been proposed in these districts during an earlier set of amendments and that the Public Planning Committee and ultimately Town Council voted to remove them from consideration. Reasons given during the March 2, 2017 PPC meeting against allowing this use in all zoning districts were as follows:
- the use only fits in certain districts, those districts with higher density or more of a possibility of having a higher concentration of people
- the use should be in areas where the Town proposes to have a shuttle
- in areas without the higher density this use just becomes additional impervious surface

Pros/Cons
Pro
- Will provide more flexibility for additional uses

Con
- Will increase impervious surfaces in the allowable zoning districts

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
These changes will eliminate the setback and buffer requirements for access easements located on non-single-family properties.

**Proposed Change**
This change will eliminate the setback and buffer requirements for access easements located on non-single-family properties.

**Reason for Change**
Currently setbacks and buffers are required for access easements on all properties. This creates issues when an access easement is located on non-single-family properties. These changes will eliminate the conflicts.

**Considerations**
These changes were originally recommended only for commercial properties. The Committee suggested that multi-family properties be included in these changes.

**Pros/Cons**

**Pro**
- will eliminate the conflict created when setback and buffers are required from an access easement is located within a property

**Con**
- none

**Recommendation**
The LMO Committee voted 4-0 to recommend the proposed changes.
Eliminates the ability to waive the setback and buffer requirements between single-family properties establish criteria to use related to the waiver.

**Proposed Change**
These changes will eliminate the ability for the buffers and setbacks to be waived between any single-family properties. These changes will also establish criteria for staff to use when considering waiving buffers and setbacks between non-single-family properties.

**Reason for Change**
The LMO Official made the determination that the buffer and setback requirements between two single-family homes in the Forest Beach area could be waived. Nearby residents were very unhappy with this determination and in addition to appealing the determination, petitioned Town Council to change to LMO to eliminate this waiver provision for single-family homes. As an additional note, the BZA overturned the determination of the LMO Official on August 28, 2017.

**Considerations**
The Committee recognized that these changes reflect what Town Council and some residents of the Forest Beach area have requested.

**Pros/Cons**

*Pro*
- per comments from some Town Council and Forest Beach residents these changes will protect the single-family character of the Forest Beach area

*Con*
- none

**Recommendation**
The LMO Committee voted 4-0 to recommend the proposed changes.
**Sets out what triggers the requirements that buffers, bike parking and EV charging stations come into compliance during a redevelopment or addition project**

**Proposed Change**
These changes will specify that if an existing building on a site is being increased by more than 50% then the buffers, bike parking and EV charging requirement must be met.

**Reason for Change**
Since the LMO was adopted staff, per legal guidance, has used this philosophy; however, there is currently nothing in the LMO to codify this interpretation.

**Considerations**
None

**Pros/Cons**

*Pro*
- these changes will make it easier for the public to understand when these requirements (which were added in October 2014) apply.

*Con*
- increased cost to applicant to meet the noted requirements

**Recommendation**
The LMO Committee voted 4-0 to recommend the proposed changes.
Adds minimum and maximum widths and a definition for service driveways

**Proposed Change**
These changes will add minimum and maximum widths for a service driveway. These changes will also add a definition for service driveway.

**Reason for Change**
On several recent projects, applicants have wanted to provide a driveway to a dumpster. This driveway does not need to be any wider than 10 feet to be functional but under the existing LMO, this is not allowed.

**Considerations**
The Committee added the phrase, ‘or something similar’ to the definition and agreed that ‘roadway’ should be changed to ‘driveway’.

**Pros/Cons**

**Pro**
- will make it easier for applicants to develop their property when such a driveway is involved, reduces impervious surface

**Con**
- none

**Recommendation**
The LMO Committee voted 4-0 to recommend the proposed changes.
Change requiring a final notice of action from ARBs before final DRB review

Proposed Change
This change will make it clear that the final notice of action (not an interim notice of action) is what is required to be submitted to the DRB before the DRB can take final action on a project.

Reason for Change
Without this change, it is unclear whether the notice of action from the ARB needs to be the final action an ARB takes.

Considerations
Through the request of an audience member, the Committee asked staff to clarify that the applicant, not the ARB, is responsible for furnishing the final notice of action to the DRB.

Pros/Cons
Pro
• will make it easier for applicants to understand which notice of action is required before final DRB action

Con
• none

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Increases the maximum impervious coverage in the MV zoning district

Proposed Change
This change will increase the maximum impervious coverage in the Mitchelville zoning district from 35% to 50%.

Reason for Change
During a recent variance request before the Board of Zoning Appeals (BZA), it became clear that the maximum impervious coverage for the MV (Mitchelville) zoning district was much less than required for other mixed use districts. The majority of the area that is currently zoned MV had a maximum impervious coverage requirement of 50% prior to the LMO rewrite so staff suggests that the maximum impervious coverage requirement for this district be increased to 50%. The BZA has submitted a letter requesting that the maximum impervious coverage in the MV zoning district be re-studied.

Considerations
As part of the review process for this amendment, the Committee reviewed the maximum impervious coverage requirements for each zoning district and also questioned whether there was a technical effort to determining maximum impervious coverage requirements for zoning districts.

Pros/Cons

Pro
• will bring the maximum impervious coverage for the MV zoning district more into alliance with other mixed-use zoning districts

Con
• increases amount of impervious surface coverage in the MV zoning district

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Changes the maximum width of driveways in Forest Beach to 24’

Proposed Change
This change will increase the maximum width of driveways in the Forest Beach Neighborhood Character Overlay district from 18’ to 24’.

Reason for Change
Prior to the LMO Rewrite in October 2014, the maximum width for driveways in this area was 24’. Staff can find no research or notes to indicate why this change was made. The effect has been that many driveways are now non-conforming.

Considerations
These changes have to be made in order for the Town to comply with the State permit.

Pros/Cons
Pro
• will eliminate nonconformities

Con
• none

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Changes what is allowed in a setback

Proposed Change
These changes will allow bollards and walkways in the setback, will add ‘such as tables and chairs’ as an example of site furnishings and will change the language related to how far a deck or patio can encroach into a setback.

Reason for Change
Staff was requested to consider whether bollards should be allowed in a setback since bike racks and site furnishings are allowed in a setback. Staff identified that the language related to how far a deck or patio could encroach into a setback was confusing.

Considerations
During the Committee review, staff was asked to change the code to always allow walkways in a setback. Additionally, the Committee asked that during a future set of amendments, staff consider allowing uncovered porches, stoops, decks, patios and terraces to be located within a setback.

Pros/Cons
Pro
• make the LMO easier to understand and more flexible

Con
• could reduce amount of pervious coverage/green space

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Changes how parking for golf courses and mini golf courses are determined

Proposed Change
This change establishes that parking requirements for golf courses and miniature golf course should be based on the number of holes rather than the number of tees.

Reason for Change
It was brought to staff’s attention that by requiring parking spaces by tee rather than hole, more parking than necessary was being required.

Considerations
none

Pros/Cons
Pro
• will keep golf courses and miniature golf courses from building unnecessary parking spaces, reduces amount of impervious surface

Con
• none

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Keeps parked cars from encroaching into adjacent walkways

Proposed Change
This change will clarify the distance that wheel stops need to be placed from the end of a parking space.

Reason for Change
The Town’s Traffic and Transportation Engineer pointed out that this change was necessary to keep vehicles in parking spaces from intruding into sidewalks.

Considerations
The Committee through input from an audience member asked that ‘approximately’ be replaced with ‘no less than’.

Pros/Cons
Pro
• will keep vehicles from intruding into walkways
Con
• none

Recommendation
The LMO Committee voted 4-0 to recommend the proposed changes.
Establishes when post-mounted banners will be allowed

**Proposed Change**
This change establishes when post mounted banners will be allowed and establishes a maximum size limitation.

**Reason for Change**
Representatives of the Heritage approached the Town about changing to LMO to allow rectangular banner signs along some of the Town’s major roadways to accommodate larger special events.

**Considerations**
The Committee asked staff to clarify that the minimum number of attendees was the number expected over the duration of the event. The Committee further asked staff to add language such as ‘subject to meeting the permitting requirements of the Town’ to this amendment.

**Pros/Cons**

*Pro*
- will allow large special events to call attention to their events through the use of community-type signage

*Con*
- will add installation and administrative costs to the Town

**Recommendation**
The LMO Committee voted 4-0 to recommend the proposed changes.
Administrative changes

- Chapter 3 - Adds cross reference to make it clear there are not street buffers in the CR zoning district
- Chapter 3 - Adds the updated rezoning information related to the Tabby Village PD-2
- Chapter 4 - Adds a missing word

Recommendations

The LMO Committee voted 4-0 to recommend approval of the above three amendments.
July 25, 2017

Hilton Head Island Town Council
Hilton Head Island Planning Commission
One Town Center Court
Hilton Head Island, SC 29928

Re: Impervious Surface Coverage Ratio Mitchelville Mixed Use District

Dear Town Council and Planning Commission Members:

At its June 26, 2017 meeting, the Board of Zoning Appeals heard Case VAR-1254-2017, a variance application by K. Hovnanian Homes in connection of its proposed purchase of 7.61 acres at 66 Mitchelville Road on which it planned to construct 46 single family detached and zero lot line residential homes. The subject property is in the Mitchelville Mixed Use District (MV District) and the application sought a variance from the Town's Land Management Ordinance (LMO) Section 16-3-105.1.3, Development Form Standards, in order to increase the impervious coverage from 35% to 60%.

During the BZA hearing, testimony was presented by the Town Staff and the Applicant's counsel that:

- The homes planned to be constructed would range between 2,000 and 3,000 conditioned square feet with anticipated sales prices between $350,000 and $450,000 in order to compete with comparable “off Island” single family residential communities.
- Prior to the 2014 adoption of the LMO, the subject property was zoned Waterfront Mixed Use District (WMU) which allowed residential density of up to 12 units per acre with a maximum impervious coverage of 50%.
- Under the 2014 LMO, zoning for the property was changed to come under the new MV District which also allows residential density of up to 12 units per acre but limits maximum impervious coverage to 35%. Residential density for the WMU District under the 2014 LMO was increased from 12 to 16 units per acre with the maximum impervious coverage of 50%.
- The 2014 LMO contains 14 Mixed Use and Business Districts. Maximum impervious coverage is “N/A” in the Coligny Resort District (CR) and dependent upon the applicable PUD Master Plan and associated text in the Planned Development Mixed-Use District (PD). Of the twelve remaining Districts, seven permit maximum impervious coverage of 60%, three 50%, one 45% and only the MV District is limited to 35%.
Prior to the June 26 meeting, BZA members asked Town Staff to research the rationale that lead the LMO Rewrite Committee and Town Council to create a new MV District with more restrictive impervious coverage out of a portion of the former WMU District, however the LMO Official was unable to locate any record of why lower impervious coverage was assigned to the MV District.

In order to grant a variance, the Board of Zoning Appeals must conclude that the LMO imposes an unnecessary hardship on the subject property and the property meets four specific criteria set out in the LMO:

- there are extraordinary and exceptional conditions pertaining to the particular property,
- these conditions do not generally apply to other properties in the vicinity
- application of the Ordinance will effectively prohibit or unreasonably restrict the utilization of the property, and
- authorization of the variance will not be of substantial detriment to adjacent property or the public good and the character for the zoning district will not be harmed.

Since all property within the MV District is subject to the same impervious coverage ratio, there was nothing exceptional about the subject property and the BZA had no choice but to deny the request for variance.

The consensus among BZA members, however, was that in the absence of an explanation of why the MV District has a lower impervious coverage ratio than any other Mixed Use and Business District, there appears to be inconsistent treatment of this District. Instead, the maximum impervious cover for the MV district appears to be consistent with the six Residential Zoning Districts mentioned in LMO Section 16-9-104. In that section, all six Residential Zoning Districts limit impervious cover to 35%.

The Board of Zoning Appeals respectfully recommends that the Town review the impervious coverage ratio of the MV District and determine whether any adjustment to the LMO is warranted.

Very truly yours,

[Signature]

Hilton Head Island Board of Zoning Appeals
By: David L. Fingerhut
Chairman

Cc: Stephen G. Riley, ICMA-CM, Town Manager
AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

PROPOSED ORDINANCE NO. 2017-19

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO), CHAPTERS 2, 3, 4, 5 AND 10 TO REVISE VARIOUS SECTIONS. THESE AMENDMENTS, COMMONLY REFERRED TO AS 2017 LMO AMENDMENTS – SECOND SET AS NOTICED IN THE ISLAND PACKET ON AUGUST 20, 2017, INCLUDE CHANGES THAT PROVIDE FOR GENERAL AMENDMENTS TO A VARIETY OF SECTIONS IN THE LMO, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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

WHEREAS, the LMO Committee met on July 26, 2017 to develop a list of proposed LMO Amendments; and

WHEREAS, the LMO Committee held a public meeting on August 16, 2017 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed amendments; and

WHEREAS, the LMO Committee recommended that the proposed amendments be forwarded to the Planning Commission with a recommendation of approval with the changes as discussed by staff, the public and the Committee; and

WHEREAS, the Planning Commission held a public hearing on September 20, 2017 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and public comments, voted 7-0 to recommend that Town Council approve the proposed amendments; and

WHEREAS, the Public Planning Committee held a public meeting on October 2, 2017 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed LMO amendments; and

WHEREAS, the Public Planning Committee, after consideration of the staff presentation and public comments, voted <> to recommend <> of the proposed LMO amendments as drafted; and
WHEREAS, after due consideration of said LMO amendments and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest to <> the proposed amendments.

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

Section 1. Amendment. That the 2017 LMO Amendments – Second Set are adopted as indicated on the attached pages (Exhibit A). Newly added language is illustrated with double underline and deleted language is illustrated with strikethrough.

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

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

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____________, 2017.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

____________________________
David Bennett, Mayor

ATTEST:

____________________________
Krista Wiedmeyer, Town Clerk

Public Hearing:  September 20, 2017
First Reading:
Second Reading:

APPROVED AS TO FORM:

____________________________
Gregory M. Alford, Town Attorney

Introduced by Council Member: ____________________________