



**Town of Hilton Head Island
Planning Commission Meeting
Wednesday, August 1, 2018 – 9:00 a.m.
Location: Hilton Head Island Public Service District
Community Room – 21 Oak Park Drive
Revised AGENDA**

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

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **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.
5. **Swearing in Ceremony for New Commissioners Leslie McGowan and Michael Scanlon**
Presented by Brian Hulbert, Staff Attorney
6. **Approval of Agenda**
7. **Approval of Minutes** – Meeting of July 18, 2018
8. **Appearance by Citizens on Items Unrelated to Today’s Agenda**
9. **Unfinished Business**
10. **New Business**
 - a. **Public Hearing**
ZA-001467-2018 – Request from property owners Thomas C. Barnwell Jr. and Perry White to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to MV (Mitchelville), and to rezone the southern portion from RM-8 (Moderate Density Residential) to MV (Mitchelville). It is further identified as Beaufort County Tax Map 4, Parcel 16. The effect of this rezoning will be to increase the available density and to increase the number and type of allowable uses. *Presented by Taylor Ladd*
11. **Commission Business**
 - a. Appointment of Sub Committees.
12. **Chairman’s Report**

13. Committee Report

- a. Comp Plan Committee: Discussion of Developing the Process of Phase 2 of Vision "Reinventing Sustainability Again" and Comprehensive Plan.

14. Staff Report

15. Adjournment

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

TOWN OF HILTON HEAD ISLAND
Planning Commission
Minutes of the July 18, 2018 – 3:00 p.m. Meeting
Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Glenn Stanford, Todd Theodore, Judd Carstens, Caroline McVitty

Commissioners Excused: Lavon Stevens

Town Council Present: Tom Lennox, Bill Harkins, John McCann

Town Staff Present: Charles Cousins, Director of Community Development; Greg DeLoach, Assistant Town Manager; Carolyn Grant, Communications Director; Brian Hulbert, Staff Attorney; Teri Lewis, LMO Official; Jennifer Ray, Planning & Special Projects Manager; Emily Sparks, Project Lead; Anne Cyran, Senior Planner; Teresa Haley, Senior Administrative Assistant

1. Call to Order

Chairman Brown called the meeting to order at 3:00 p.m.

2. Pledge of Allegiance to the Flag

3. Roll Call

4. 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.

5. Presentation of Crystal Awards to outgoing Commissioners Bryan Hughes and Barry Taylor

Greg DeLoach, Assistant Town Manager, presented the Town's Crystal Awards to outgoing Commissioners Bryan Hughes and Barry Taylor. Mr. DeLoach expressed appreciation to Mr. Hughes and Mr. Taylor for their service to the community on behalf of the Town Council and the Town of Hilton Head Island. Chairman Brown thanked Mr. Hughes and Mr. Taylor for their service as well.

6. Swearing in Ceremony for Reappointed Commissioner Todd Theodore

Greg DeLoach, Assistant Town Manager, performed the swearing in ceremony for reappointed Commission member Todd Theodore.

7. Approval of Agenda

The Planning Commission approved the agenda as submitted by general consent.

8. Approval of Minutes – Meeting of June 6, 2018

Commissioner Stanford moved to approve the minutes of the June 6, 2018 meeting as submitted. Vice Chairman Kristian seconded. The motion passed unanimously.

9. Appearance by Citizens on Items Unrelated to Today's Agenda

Frank Babel addressed the Commission regarding adding signalized crosswalks at Shelter Cove area/William Hilton Parkway intersections.

10. Unfinished Business – None

11. New Business

a) **Public Hearing**

ZA-001482-2018 – Request from Mike Thomas, with Thomas Design Group, LLC, to amend the Official Zoning Map by changing the zoning designation of an undeveloped 3.73-acre parcel located at 107 Leg O’ Mutton Road from RM-4 (Low to Moderate Density Residential) to PD-1 Indigo Run (Planned Development Mixed Use). It is further identified as Beaufort County Tax Map 8, Parcel 123A. The effect of this rezoning will be to increase the available density and to define the allowable uses.

This public hearing was postponed to the Planning Commission’s regular meeting on August 15, 2018 at 3:00 p.m.

12. Commission Business – None

13. Chairman’s Report – None

14. Committee Report – None

15. Staff Report

a. **Vision Phase 2 and Comprehensive Planning**

Ms. Sparks presented information demonstrating the process and engagement from Phase 1 of the Vision, information about the Comprehensive Plan, and the proposed draft principles and draft process to direct Phase 2 of the Vision as described in the Commission’s packet. Ms. Sparks also presented the Public Planning Committee’s (PPC) questions regarding the proposed principles and process. Staff will work with the Planning Commission to address those questions, and return to the PPC in August 2018.

Ms. Sparks presented additional information pertaining to Vision Phase 1 – the background, process, and results; what staff is proposing – short term and long term plans; rethinking the Comprehensive Plan; using branding to align with the community Vision and Comp Plan; how to align the processes of the Vision and the Comp Plan; the Comprehensive Plan contains three main components and nine elements; comparison of 2010 Comp Plan core themes and 2020 Vision Pillars; 2010 Comprehensive Plan Recommendations and Strategies; continued community engagement and outreach; staff’s concerns; proposed principles; proposed process; PPC feedback; CIP alignment with Vision and Comp Plan 2010; Town Council Priorities alignment with Vision and Comp Plan 2010; and next steps.

PPC and staff discussed working with the Comprehensive Plan Committee to amend the proposed principles and process. Ms. Sparks pointed out that staff’s recommendation is not intended to delay activity and progress in support of the Vision while the Comprehensive

Plan is being rewritten. Town Council could still look to the Vision and the existing Comprehensive Plan while making decisions and moving forward.

Ms. Sparks indicated the next steps would include meeting with the Comp Plan Committee to address Planning Commission and PPC comments regarding the proposed principles and process, returning to Planning Commission in August with Comp Plan Committee feedback, and then returning to PPC with Planning Commission thoughts on principles and process.

The Commission complimented staff's creative approach to incorporate the two plans. The Commission discussed and made inquiries regarding: the enormous undertaking of these two plans; who would be leading the process; where and to what extent staff, a consultant, and the community fit into the process; support for a community driven process; Comp Plan state law requirements; community engagement and vision pillars have to connect; the importance of anchor institutions to help push the process forward; importance of the Commission and staff expressing public input to the best extent possible and continue to check the process against it; benefits to 2010 comparison; needing support and resources beyond Comp Plan Committee and staff; possibly adding a task force to the Committee; the Commission's subcommittees (Comp Plan Committee, Gullah Task Force, LMO Committee) will be moving forward in the near future and the Project Lead will need to bring all of these groups together throughout the process; consideration for who will carry the results through after the Comp Plan rewrite is completed; and preservation of the island's natural assets and redefining environmental sustainability.

Chairman Brown opened the meeting for public comments. Frank Babel expressed his support to join these two complex plans, to simplify and condense the Comprehensive Plan to engage the community and create excitement. Heather Rath expressed her support for staff's proposal and to make this effort more about the community.

Chairman Brown expressed the importance of the next Comp Plan Committee meeting and hearing from the public including those involved in the Vision process from the beginning. Ms. Sparks indicated the plan is to take comments from today, PPC, and the community to the Comp Plan Committee to work on the proposed process and principles.

The question was raised if staff is asking the Commission to take on this project. Ms. Sparks clarified staff is asking for feedback on the process and principles to direct Phase 2 of the Vision. The Commission is charged with developing and recommending the Comprehensive Plan to Town Council. Town Council has already adopted the Vision. The direction of Vision Phase 2 has not yet been decided. Staff recommends the community Vision and the Comp Plan rewrite align. Staff's proposal would have to be assigned to the Comp Plan Committee first. Then the Comp Plan Committee would review the proposed process and principles, and make a recommendation to the full Commission. The Commission would then make a recommendation to PPC.

Vice Chairman Kristian recommended the Planning Commission authorize the Chairman to assign staff's proposed principles and process to the Comprehensive Plan Committee. Commissioner Theodore seconded. The motion passed with a vote of 6-0-0.

Chairman Brown indicated the assignment will go to the Comp Plan Committee. Chairman Brown noted the subcommittee assignments have not been decided at this time and asked all Commissioners to attend the Comp Plan Committee's meeting. Staff will work with the Comp Plan Committee to determine a meeting date.

b. Quarterly Report

The report was included in the Commission's packet.

Ms. Cyran indicated upgrades to Council Chambers sound system have been scheduled for the week of July 30 – August 3. Therefore, the Commission's August 1st meeting has been relocated to the Hilton Head Public Service District, Community Room, at 21 Oak Park Drive, Hilton Head Island, SC 29926.

16. Adjournment

The meeting was adjourned at 4:22 p.m.

Submitted by: Teresa Haley, Secretary

Approved:

Alex Brown, Chairman



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT
DEPARTMENT**

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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**STAFF REPORT
ZONING MAP AMENDMENT**

Case #	Name of Project or Development	Public Hearing Date
ZA-001467-2018	280 Fish Haul Road	August 1, 2018

Parcel Data & Location	Owners & Applicants
<u>Parcel ID:</u> R510 004 000 0016 0000 <u>Size:</u> 6.22 Acres <u>Address:</u> 280 Fish Haul Road	Thomas C. Barnwell, Jr. & Perry White P.O. Box 21031 Hilton Head Island, SC 29925
Existing Zoning Districts	Proposed Zoning Districts
COR – Corridor Overlay District within 500’ of the O.C.R.M. critical line. RM-4 – Low to Moderate Density Residential RM-8 – Moderate Density Residential (See Attachment C for complete Zoning District Information)	COR – Corridor Overlay District within 500’ of the O.C.R.M. critical line. MV – Mitchelville (See Attachment C for complete Zoning District Information)

Application Summary
<p>Property owners Thomas C. Barnwell, Jr. and Perry White are proposing to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to MV (Mitchelville), and to rezone the southern portion from RM-8 (Moderate Density Residential) to MV (Mitchelville). The effect of this rezoning will be to increase the available density and to increase the number and type of allowable uses.</p>

Staff Recommendation
<p>Staff recommends the Planning Commission find this application to be consistent with the Town’s Comprehensive Plan and to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.</p>

Background

The subject property is 6.22 acres and located at the intersection of Mitchelville Road and Fish Haul Road. It has been bisected by Fish Haul Road since at least 1965, based on aerial images. The property is bounded to the northeast by Mitchelville Road, to the northwest by four single-family parcels, to the southwest by Palmetto Hall golf facilities, and to the southeast by Palmetto Hall golf facilities and a single-family home. Port Royal Sound is less than 500 feet to the northeast and across Mitchelville Road from the subject property. The property and adjacent parcels in RM-4, RM-8, and MV Districts are part of the historic Bay Gall neighborhood. See Attachment A for a vicinity map.

Thomas C. Barnwell, Jr. and Perry White are the property owners of record as trustees for the Ben White Trust. There are no property sales on record with the Beaufort County Register of Deeds. There is record of title transfer to the White family heirs and incorporation into the Ben White Trust in approximately 1993. Prior to 1993, the property was held in trust by the family.

There is no record the subject property has ever been developed. Aerial imagery since 1955 shows the property has remained vacant. The 2005 Boundary Survey (Attachment E) designates the Fish Haul Road access through the property as a dirt road encompassing 0.9 acres of the property leaving 6.22 net acres. In 2013, this portion of Fish Haul Road was paved by Beaufort County with 20-foot of pavement within a 40-foot easement granted by the property owners.

On the 1986 Official Zoning Map, the entire property was designated as RM-4 and remained RM-4 until the current zoning map was adopted in 2014. At that time, the northern portion of the property remained RM-4 to correlate with adjacent properties to the north of Fish Haul Road and west of Mitchelville Road. The southern portion was rezoned to RM-8 to correlate with adjacent properties to the south of Fish Haul Road and west of Mitchelville Road. See Attachment B for the vicinity zoning map and Attachment C for the RM-4 and RM-8 District use tables.

Approximately two acres of the subject property is zoned RM-4. The RM-4 District allows the following Residential Uses: Group Living, Multifamily, and Single Family residential uses at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. Other uses permitted include Public, Civic, Institutional, and Educational uses; Bed and Breakfasts with conditions; conditional Commercial Services; and Other Uses including Agriculture, Boat Ramps, Docking Facilities, and Marinas. In the RM-4 District the maximum density for nonresidential uses is 6,000 square feet of gross floor area (GFA) per net acre and ten rooms per net acre for Bed and Breakfasts. The maximum building height is 35 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment B for the vicinity zoning map and Attachment C for the RM-4 District use table.

Approximately four acres of the subject property is zoned RM-8. The RM-8 District is similar to RM-4; however, the maximum residential density in the RM-8 District is eight units per net acre regardless of the size of the parcel. Unlike the RM-4 District, Cemeteries and Resort Accommodations are not permitted in the RM-8 District; the other permitted uses are the same. The maximum building height in the RM-8 District is 45 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment B for the vicinity zoning map and Attachment C for the RM-8 District use table.

The MV District permits Mixed-Use, Multifamily, and Single Family residential uses at a density of 12 units per net acre. Other uses permitted in MV District are extensive and variable. The permitted uses support the purpose of the district, which is to recognize the historical and cultural significance of the area and to facilitate development. See Attachment C for a full list of uses permitted in the MV District. The maximum nonresidential density is 8,000 GFA per net acre, the maximum building height is 75 feet and the maximum impervious lot coverage is 50 percent.

Currently and proposed, access to the subject property is by Fish Haul Road and Mitchelville Road. The developer may be required to make improvements to the property access roads as part of the

Development Plan Review process. Electric and water service are currently available. Though sewer service is not currently available, the Hilton Head Island Public Service District stated the owner can install a low pressure sewer line at the owners' expense. Fire Rescue has the capability to immediately access the subject property.

Staff has not received any correspondence from the public regarding this Zoning Map Amendment application other than two phone calls from adjacent property owners requesting an explanation about the proposed rezoning. Neither party specified opposition to the rezoning.

Applicant's Grounds for ZMA

Thomas C. Barnwell, Jr. and Perry White, Trustees for the Ben White Trust, are pursuing a zoning map amendment to rezone the subject property to facilitate their sale of the subject property. The Ben White Trust has entered into a pending contract with Web Investment Group, LLC. A density of 12 du per net acre is one of the conditions of the sale. The buyer/developer is planning a multi-family housing project with long-term rental units on the subject property with moderately priced single-family homes on adjacent tracts in the Mitchelville District: Parcel Numbers 9A, 10 and 11 on Tax Map 4. All parcels would operate as one mixed residential product development. See Attachment E for a boundary survey and Attachment F for the narrative provided by the applicant. The proposed change in zoning will increase the density and the number and type of permitted uses on the subject property.

Summary of Facts and Conclusions of Law

Findings of Fact:

1. The application was submitted on June 16, 2018 as set forth in LMO 16-2-103.C and Appendix D-1.
2. Per LMO 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
3. The LMO Official scheduled the public hearing of the application for the August 1, 2018 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
4. Per LMO 16-2-102.E, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
5. Notice of the August 1, 2018 public hearing was published in the Island Packet on July 15, 2018.
6. Per LMO 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
7. The Town mailed notices of the August 1, 2018 public hearing by first-class mail to the owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land on July 17, 2018.
8. Per LMO 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one notice being visible from each public thoroughfare that abuts the subject land.
9. The LMO Official posted on July 16, 2018 conspicuous notice of the August 1, 2018 public hearing on the lands subject to the application.

Conclusions of Law:

1. The application was submitted in compliance with LMO 16-2-103.C and Appendix D-1.
2. The LMO Official scheduled the public hearing of the application for the August 1, 2018 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 17 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
4. The applicant mailed notices of the public hearing to owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land 15 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.
5. The LMO Official posted conspicuous notice of the public hearing 16 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

As set forth in LMO 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions of Law

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Housing Element

Implications for the Comprehensive Plan – 5.2 Housing Opportunities

- A sustainable workforce is essential to the future economic potential of the Island. To be sustainable over the horizon envisioned by this Comprehensive Plan, the workforce needs appropriate education, training, and access to affordable housing. While efforts for education and training may be broadly addressed on a regional basis, the current strategy for affordable housing seems to hinge on an off-Island labor pool. While this may meet short term (3-5 years) needs, potential development in Jasper County and other areas west of the Island may create competitive pressure on this off-Island labor pool and may threaten the Island's access to a viable work force.
- It is important that the Town of Hilton Head Island assists in the ability for the population to age in place. As the average age of the population gets older, the needs of the community change. It is important that housing options accommodate these changes. It is also important that the family and friends that support aging family members are able to reside in close proximity. The location of assisted living facilities is also important. Special complimentary land uses and associated infrastructure are needed. When one ages in place, it is important that one is living in close proximity to basic services, for instance banks, grocery stores and medical services and provisions for emergency evacuation are considered.

Goal 5.2 – Housing Opportunities

- B. To look at housing opportunities as a mechanism to maintain its essential workforce.
- C. To encourage housing options that provide opportunities for residents to age in place.

Land Use Element

Goal 8.10 – Zoning Changes

- A. To provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Implementation Strategy 8.10 – Zoning Changes

- B. Consider focusing higher intensity land uses in areas with available sewer connections.

Additional Findings of Fact:

1. The proposed rezoning would increase the number of dwelling units allowed on the subject parcel from 40 to 74.
2. The subject property is not located near major tourist attractions.
3. The subject property is not located directly on the water.
4. The median home value on Hilton Head Island is about \$400,000.
5. The average value of homes outside of gated communities in the area around the subject property is \$200,000.
6. New housing developments are proposed or are currently being developed in the area: Beach City Place; Beach City Commons; 140 Fish Haul Road; and Ocean Breeze Cottages.
7. Group Living uses, including Assisted Living Facilities, are permitted in the RM-4 and RM-8 Districts.
8. Group Living uses are not permitted in the MV District.
9. The subject property is located almost four miles from a grocery store, more than three miles from a bank, and three miles from medical services.
10. The subject property does not contain any known wetlands, dunes, or other environmentally sensitive features.
11. Sewer service is not currently available to the subject property.
12. The Hilton Head Island Public Service District stated the property could have sewer service if the developer pays for the installation of a low pressure sewer line.
13. Establishing sewer service to the subject parcel would be required as part of a Development Plan Review or Subdivision application.

Conclusions of Law:

1. This application is **consistent** with the Comprehensive Plan, as described in the Housing, Community Facilities, and Land Use Elements as set forth in LMO Section 16-2-103.C.3.a.i.
2. The proposed rezoning would allow almost twice the number of residential dwelling units to be developed on the subject parcel. Given the location of the property, it is likely most profitably developed for residential use. Based on the value of homes in the area, it is likely that residences developed on this property would be moderately priced and therefore could provide additional workforce housing. Since providing additional housing opportunities maintain the Island's essential workforce is a goal of the Housing Element, the proposed rezoning is consistent with the Housing Element.
3. The Housing Element states the Town should encourage housing options, such as Assisted Living Facilities, that provide opportunities for residents to age in place. Though the proposed rezoning would remove Group Living from the list of allowed uses on the subject parcel, the parcel is not located in close proximity to basic services and therefore is not an ideal location for Group Living uses. The proposed rezoning is consistent with this provision of the Housing Element.
4. Goal 8.10-A of the Land Use Element is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. The new residential development in the area of the subject property suggests there is an increased demand for housing in this area of the island. The subject property is surrounded by properties in the RM-4, MV, and RM-8 Districts. The subject property does not contain any known environmentally sensitive features. Rezoning the subject property from the RM-4 and RM-8 Districts to the MV District would be consistent with the character of the area while allowing the property to be developed at a higher density, consistent with the market demand for residential development in that area.
5. The proposed rezoning would allow higher density development on a parcel that currently does not have sewer service, which appears to be inconsistent with Implementation Strategy

8.10-B of the Land Use Element. However, since the Hilton Head Island Public Service District states the sewer service can be extended to the property and since the Town will require sewer service for the property to be developed, the proposed rezoning is consistent with the Land Use Element.

Summary of Facts and Conclusions of Law

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO 16-2-103.C.3.a.ii):

Findings of Fact:

1. The properties adjacent to the subject parcel are zoned MV, RM-4, RM-8, and PD-1 Palmetto Hall (Planned Development Mixed-Use). Less than one half-mile from the subject property is the PD-1 Zoning District for Hilton Head Plantation.
2. The proposed rezoning to MV will permit a variety of use types: Residential; Civic, Public, Institutional and Educational; Resort Accommodation; Commercial Recreation; Office; Commercial Services; Vehicle Sales and Services; Industrial Uses and Others, such as Agriculture. See Attachment C for a complete list of uses permitted within these categories. Conditions not met by the subject property for uses like Boat Ramps and Seafood Processing are due to the lack of direct waterfront access. Conditions not met by the subject property for Outdoor Commercial Recreation other than Water Parks and Convenience Stores are due to the property not having frontage on a minor arterial. Conditions not met by the subject property for Liquor Stores and Night Clubs or Bars are due to and proximity to residential RM districts. Auto Rentals in this district can only be associated with a Resort development.
3. The uses permitted in the RM-4 District are similar to the uses permitted in the MV District, except that Group Living, Government Uses, and Education Uses are not permitted in the MV District. Use categories not permitted in the RM-4 District that are permitted in the MV District include Commercial Recreation, Office, Vehicle Sales and Services, and Industrial.
4. The uses permitted in the RM-8 District are similar to the uses permitted in the MV District, except that Group Living and Government uses are not permitted in the MV District. Use categories not permitted in the RM-8 District that are permitted in the MV District include Resort Accommodation, Commercial Recreation, Office, Vehicle Sales and Services, and Industrial.
5. The uses permitted in the PD-1 District are restricted to those listed for each parcel in the approved Master Plan. The two properties directly south of the subject property are in the PD-1 District. The approved uses of those properties are residential and recreation (golf and facilities), and common area. The properties are already developed as the Palmetto Hall Golf Maintenance facility, Holes Five and Six of the Arthur Hills golf course, and a Public Service District storage lagoon.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.ii.
2. The proposed rezoning will allow a range of uses that are compatible with the uses allowed on other properties in the vicinity.
3. The residential and permitted or permitted with conditions nonresidential uses that would be allowed on the subject property as a result of the rezoning will be compatible with the uses on the adjacent MV, RM-4, RM-8 and PD-1 zoned parcels.

Summary of Facts and Conclusions of Law

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):

Findings of Fact:

1. The subject property is currently zoned RM-4 and RM-8 due to its proximity to other parcels with similar zoning. The parcel is split zoned due to being bisected by Fish Haul Road and subsequently divided into two independently zoned portions.
2. Fish Haul Road has been paved by the County with the paved portions of Mitchelville Road and Bay Gall Road in the area supporting development on this parcel. The developer may be required to make road improvements as determined during the Development Plan Review process.
3. There are no known sensitive environmental features on the subject property.
4. The subject property is located within one-half mile of community amenities such as the Barker Field complex with access to the beach via Fish Haul Beach Park. The Town public bike path extends to the corner of the property at Fish Haul Road and Mitchelville Road.
5. The proposed rezoning will allow all the uses listed in the MV District, except those with conditions not met by the subject property due to access, location, proximity to residential districts or specific use associations. An example of a specific use association is Auto Rentals, which are only permitted in association with a Resort.
6. Many of the uses permitted within the MV District that are waterfront in nature would be irrelevant to development on this parcel due to conditional restrictions having to do with waterfront properties. These include Watercraft Sales, Rentals or Service; Boat Ramps, Docking Facilities and Marinas; and Seafood Processing.
7. Uses permitted within the MV District that require the condition of direct access to a minor arterial roadway would not be permitted on the subject property. Fish Haul Road and Mitchelville Road are not classified as minor arterials per the LMO. These uses include Outdoor Commercial Recreation other than Water Parks and Convenience Stores.
8. Uses permitted within the MV District that require the condition of being more than 200 feet from a RS or RM zoned district would not be permitted on the subject property. The RM-4 and RM-8 Districts are adjacent to the subject property. These uses include Liquor Stores, Night Clubs and Bars.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.iii.
2. The proposed zoning is appropriate for the land because the subject property is adjacent to a number of parcels zoned MV where a variety of uses are permitted and where development is intended for the land.
3. The subject property is close to community and public amenities with a paved road network supporting the residential and commercial densities proposed for the property, though the developer may be required to make improvements to the roads as part of the Development Plan Review process.
4. There are no known sensitive environmental features on the subject property that would prevent or create hardship for development.
5. Some of the uses permitted within the MV District would not apply to the subject property because the conditions for the uses are not met due to access, location or proximity to residential districts.

Summary of Facts and Conclusions of Law

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):

Findings of Fact:

1. The subject property has the potential to provide more housing in the area.
2. Hilton Head Island has a need for more housing.
3. The applicant has stated the intention for future development on the subject property is for

- multifamily affordable housing.
4. Town Council has recognized and prioritized the need for more affordable housing on Hilton Head Island.
 5. Both proposed major subdivisions in the area are expected to provide 35-40 new single-family homes each in the \$280,000 to \$400,000 range, which is not a price range generally considered affordable. This does, however, speak to the increase in demand for housing on the island, specifically in this area.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.iv.
2. The proposed rezoning is meeting a demonstrated community need for more housing because the demand for housing on the island and in this area in particular has increased based on the number of residential developments being built now or under review.
3. The applicant has proposed to rezone the property in an effort to encourage affordable housing for the area, which is a demonstrated community need as prioritized by Town Council.
4. At this time there are no zoning districts or ordinances in place that require a developer to create affordable housing, thus the Town has no way to enforce affordable housing for residential development. There is no way to guarantee the subject property will in fact be developed with affordable housing.

Summary of Facts and Conclusions of Law

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

1. The subject property has remained undeveloped and vacant as can be determined by aerial imagery dating to 1955.
2. Per LMO 16-3-103.B, the purpose of the MV District is to recognize the historical and cultural significance of this area of the island. A variety of uses are permitted in an effort to facilitate development in this area. The MV District zoned parcels have the unique ability to provide an environment conducive to water-oriented commercial and residential development.
3. While the subject property is not waterfront, it is within 500 feet of the waterfront. Development on the subject parcel could provide a connection to the water via development with adjacent properties on the water in the MV District, as well as provide connections to the nearby public beach access at Fish Haul Beach Park.
4. Rezoning the subject property would align with the purpose of the MV District zoning program as a district established to facilitate development in this area of the island.
5. This area of the island is intended by the Town to be developed with a variety of uses. The 2014 LMO rewrite focused zoning in this area to encourage future development as per the defined purpose of the MV District.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.v.
2. The proposed rezoning is consistent with the overall zoning program as expressed in future plans for the Town because the purpose of the zoning districts established in this area is to promote development and a diverse density of residential uses ranging from four dwelling units up to 12 dwelling units across the districts incorporated into the area.

Summary of Facts and Conclusions of Law

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO 16-2-103.C.3.a.vi):

Finding of Fact:

1. Both portions of the subject property are located across Mitchelville Road from a portion of the MV District.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.a.vi.
2. Due to the proximity of the MV District across Mitchelville Road, the proposed rezoning would not create an inappropriately isolated zoning district that is unrelated to adjacent and surrounding zoning districts.

Summary of Facts and Conclusions of Law

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

1. The subject property has never been developed.
2. The subject property as proposed to be rezoned will allow a variety of uses that could encourage commerce or mixed-uses in the area, such as eating establishments and offices, or provide housing, including multifamily development at a density of 12 du per net acre.
3. The current zoning has two different districts assigned on two separate portions with slightly different density (four dwelling units versus eight dwelling units) and use allowances (varied Commercial Services versus Resort Accommodation), as well as different design standards in development height, as described in the Background portion of this report and provided in Attachment C. This presents a hardship for any development utilizing both portions of the property in terms of providing consistent density and decreases its economic viability.
4. Rezoning so that both portions of the subject property have the same density, use allowances and design standards will promote a higher and better use of the land for development, thus providing more economic viability for the land.
5. While rezoning the RM-4 portion of the subject property to RM-8 is an option to achieve congruency across the property and provide better economic viability. The applicant is proposing to rezone to the MV District to not only achieve congruent density across the subject property, but also across adjacent, higher density properties in the target MV District.

Conclusions of Law:

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.vii.
2. The rezoning of the subject property would allow it to be put to a reasonably viable economic use because both portions of the subject property will be congruent and promote development in an area of the island intended to be developed.
3. Rezoning the RM-4 portion of the subject property to RM-8 is also an option to achieve consistency across the property and could also provide better economic viability, but does not achieve the economies of scale desired by the applicant for developing the subject property in concert with other properties in the MV District.

Summary of Facts and Conclusions of Law

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by

available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

1. Fish Haul Road is a paved, Beaufort County-owned road bisecting the property. Mitchelville Road along the northeastern boundary is a paved road with right of way owned by the State. Improvements to Fish Haul Road at the developer's expense may be required during the Development Plan Review process.
2. Water service is available.
3. Sewer service is available if developers pay for a low pressure sewer line to be installed.
4. Electric service is available.
5. Hilton Head Island Fire and Rescue has the capability to immediately access the subject property.

Conclusions of Law:

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.viii.
2. The proposed rezoning would result in development that can be served by all typically available, adequate and suitable public facilities for properties in the Town of Hilton Head Island.
3. The developer can improve the property by providing sewer and possibly upgrading the road to meet any existing deficiencies as required in the Town's Development Plan Review process.

Summary of Facts and Conclusions of Law

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

1. In close proximity to the subject property on Mitchelville Road and Fish Haul Road there are currently two major subdivision projects at 140 Fish Haul Road and Ocean Breeze Cottages on Mitchelville Road and one minor subdivision project on Mitchelville Road under review with Town staff.
2. Town staff has reviewed a pre-application for a multifamily development for 15 to 20 homes nearby on Fish Haul Road.
3. The more recent development of single-family homes within the Beach City Place and Beach City Commons developments on Beach City Road near the subject property and the proposed subdivisions are construed as a changing condition.
4. The Hilton Head Island Public Service District is actively working with the Town to bring sewer infrastructure to the Mitchelville Road and Fish Haul Road area within the next 5 years.
5. The Town of Hilton Head Island is working with local property owners to pave the portion of Mitchelville Road near the subject property to provide safe and improved access.
6. The improved infrastructure for what has been a rural area is a changing condition that will encourage development.

Conclusions of Law:

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.ix.
2. Rezoning the subject property will be appropriate due to the changing condition of increased development on nearby properties.
3. Rezoning the subject property will be appropriate due to the changing condition of proposed infrastructure improvements to the area.
4. The uses allowed by the proposed zoning district are appropriate due to these changing

conditions in the affected area.

LMO Official Determination
Staff determines that this application **is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO** as based on the Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein.
Staff recommends that the Planning Commission recommend **APPROVAL** to Town Council of this application.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

TL

Taylor Ladd
Senior Planner

July 24, 2018

DATE

REVIEWED BY:

ND

Nicole Dixon, CFM
Development Review Administrator

July 24, 2018

DATE

REVIEWED BY:

TL

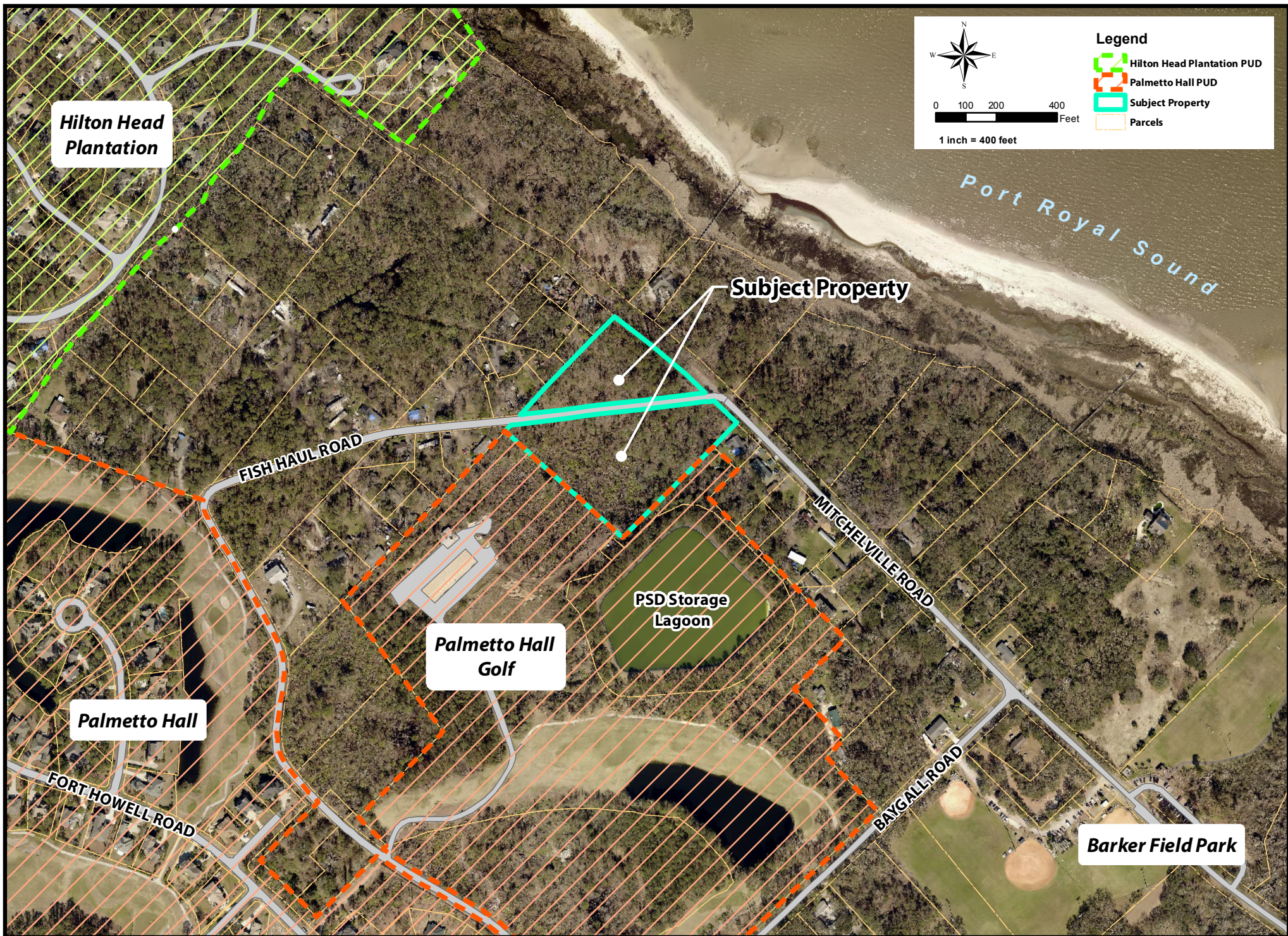
Teri Lewis, AICP
LMO Official

July 24, 2018

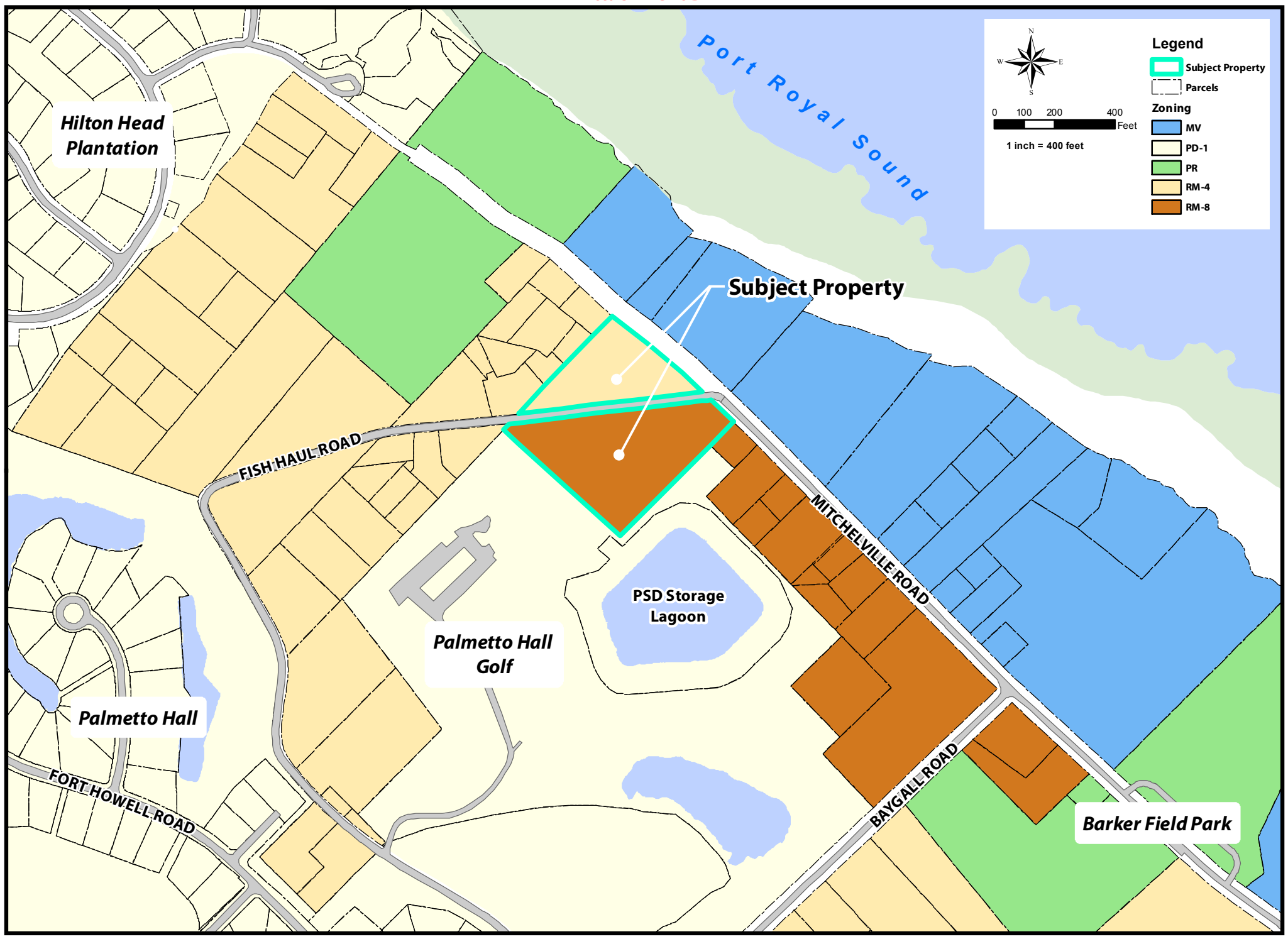
DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Zoning Map
- C) LMO Use Tables
- D) Subject Property Aerial Imagery
- E) Boundary Survey
- F) Applicant Narrative



280 Fish Haul Road and Vicinity
ZA-001467-2018



280 Fish Haul Road Zoning
ZA-001467-2018

RM-4 Low to Moderate Density Residential District

1. Purpose

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and *neighborhoods* at *densities* up to four *dwelling units* per *net acre* . This district is used to encourage a variety of residential opportunities, including *multifamily* residential units, *single-family* residences, and *group living* . The regulations of the district are intended to discourage *development* that would substantially interfere with, or be detrimental to, residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			<i>Other Education Uses</i>	See Sec. 16-5-107.D.2
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area

Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats 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	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Commercial Services				
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps , Docking Facilities , and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)		Max. Impervious Cover for All Development Except Single-Family	35%
Bed and Breakfast	10 rooms			
Nonresidential	6,000 GFA		Min. Open Space for Major Residential Subdivisions	16%
MAX. BUILDING HEIGHT				
All Development	35 ft ¹			
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 (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.

(Revised 4-18-2017 - [Ordinance 2017-05](#))

Attachment C

ZA-001467-2018

Town of Hilton Head Island Municipal Code

Title 16: Land Management Ordinance, Section 16-3-104.F

RM-8

Moderate Density Residential District

1. Purpose

The purpose of the Moderate Density Residential (RM-8) District is to allow the **development** of residential **uses** at **densities** up to eight **dwelling units** per **net acre** . The district allows a variety of residential **uses** , along with **uses** that support **neighborhoods** . The district is intended to discourage **development** that would substantially interfere with, or be detrimental to, moderate residential character.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Group Living	P		1 per 3 rooms	
Multifamily	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats 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	
Commercial Services				
Other Commercial Services	PC	Sec. 16-4-102.B.7.I	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding	1 per 5 stalls

			Academies	
			Other	n/a
Boat Ramps , Docking Facilities , and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE		
Residential	8 du	Max. Impervious Cover for All Development Except Single-Family	35%	
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT		Min. Open Space for Major Residential Subdivisions	16%	
All Development	45 ft ¹			
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 (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.				

Attachment C

ZA-001467-2018

Town of Hilton Head Island Municipal Code

Title 16: Land Management Ordinance, Section 16-3-105.I

MV

Mitchelville District

1. Purpose

The purpose of the Mitchelville (MV) District is to recognize the historical and cultural significance of this area of the Island. A variety of *uses* are permitted in an effort to facilitate *development* in this area. These *sites* have a unique ability to provide an environment conducive to water-oriented commercial and residential *development*.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
--	--	-------------------------	---	--

Residential Uses

<i>Mixed-Use</i>	PC	Sec. 16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	

Public, Civic, Institutional, and Educational Uses

<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Major Utilities</i>	SE		1 per 1,500 GFA	
<i>Minor Utilities</i>	P		n/a	
<i>Public Parks</i>	P		See Sec. 16-5-107.D.2	
<i>Religious Institutions</i>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or	PC	Sec. 16-4-102.B.2.e	n/a	

Building Mounted				
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Interval Occupancy	P		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	P		1 per 3 persons + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 persons + 1 per 200 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.2	
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
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	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of gross floor area and outdoor eating area	
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	
Other Commercial Services	P		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	
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.e	1 per 200 GFA	
Industrial Uses				
Seafood Processing	PC	Sec, 16-4-102.B.9.b	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps , Docking Facilities , and Marinas	P		1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential	12 du		Max. Impervious Cover	50%
Bed and Breakfasts	10 rooms			
Hotel	35 rooms		Min. Open Space for Major Residential Subdivisions	16%
Interval Occupancy	12 du			
Nonresidential	8,000 GFA			
MAX. BUILDING HEIGHT				
All Development	75 ft			

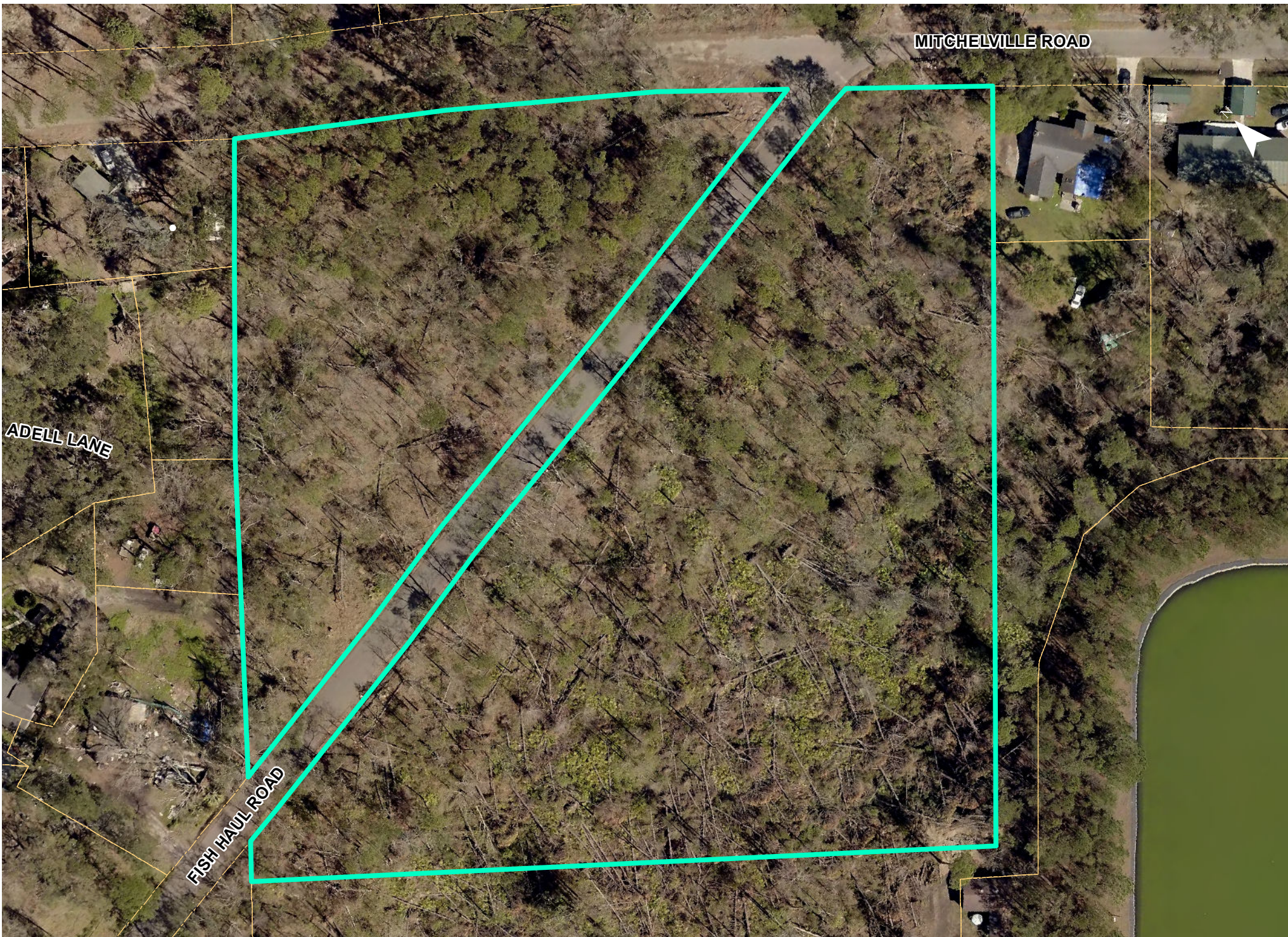
USE AND OTHER DEVELOPMENT STANDARDS

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

(Revised 4-18-2017 - [Ordinance 2017-05](#); revised 12-5-2017 - [Ordinance 2017-19](#))



ZA-001467-2018

280 Fish Haul Road 2017 Aerial View

Attachment D



ZA-001467-2018

280 Fish Haul Road 2017 Aerial View North

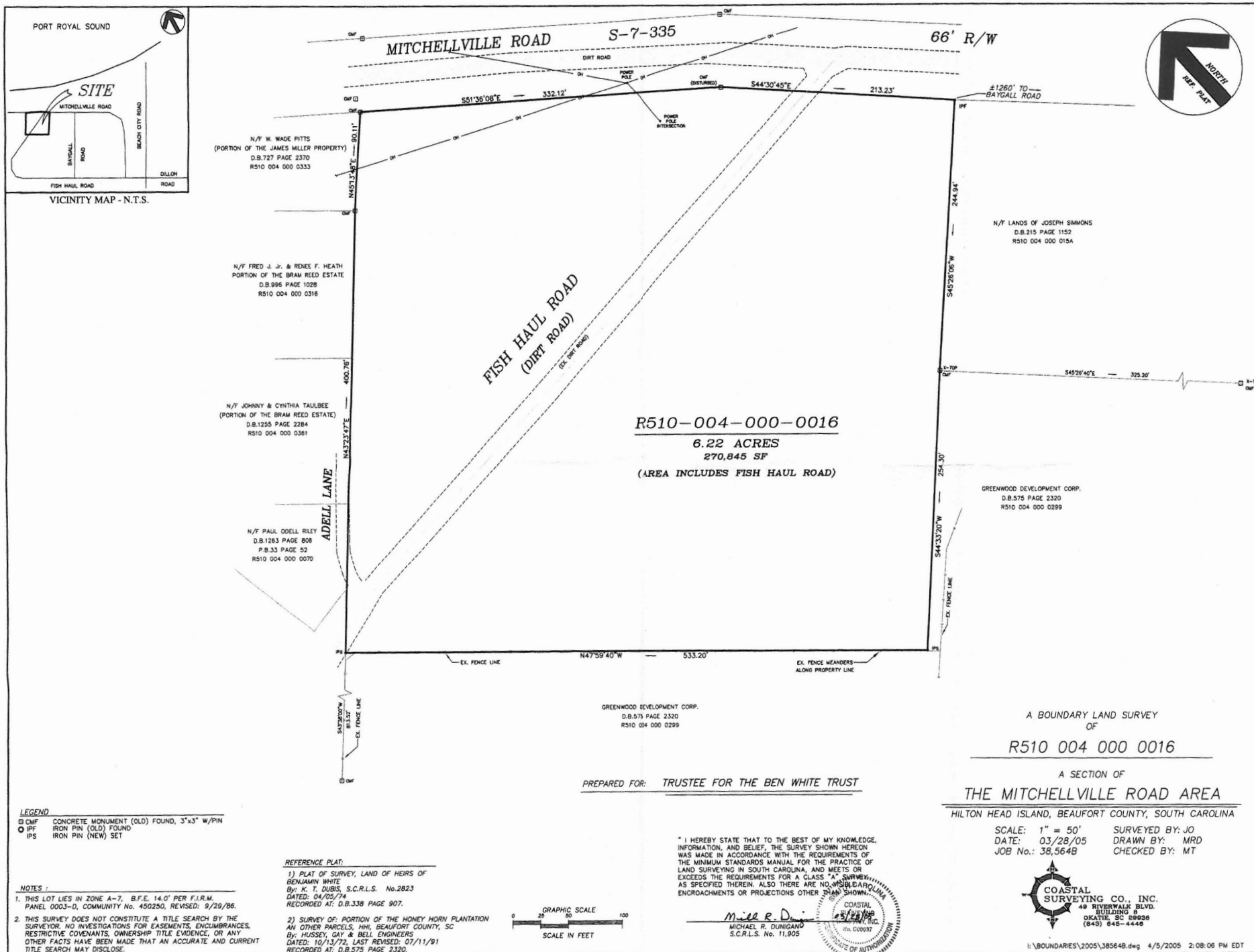
Attachment D



ZA-001467-2018

280 Fish Haul Road 2017 Aerial View West

Attachment E



LEGEND
 □ C/MF CONCRETE MONUMENT (OLD) FOUND, 3"x3" W/PIN
 ○ I/PF IRON PIN (OLD) FOUND
 ○ I/PS IRON PIN (NEW) SET

NOTES:
 1. THIS LOT LIES IN ZONE A-7, B.F.E. 14.0' PER F.I.R.M. PANEL 0003-D, COMMUNITY No. 450250, REVISED: 9/29/86.
 2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

REFERENCE PLAT:
 1) PLAT OF SURVEY, LAND OF HEIRS OF BENJAMIN WHITE
 By: K. T. DUBIS, S.C.R.L.S. No. 2823
 DATED: 04/05/74
 RECORDED AT: D.B.338 PAGE 907.
 2) SURVEY OF PORTION OF THE HONEY HORN PLANTATION AN OTHER PARCELS, NHI, BEAUFORT COUNTY, SC
 By: HUSSEY, GAY & BELL ENGINEERS
 DATED: 10/13/72, LAST REVISED: 07/11/91
 RECORDED AT: D.B.575 PAGE 2320.



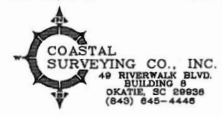
" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO UNDISCOVERED ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

Michael R. Dunigano
 MICHAEL R. DUNIGANO
 S.C.R.L.S. No. 11,905

A BOUNDARY LAND SURVEY
 OF
R510 004 000 0016
 A SECTION OF
THE MITCHELLVILLE ROAD AREA
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 50'
 DATE: 03/28/05
 JOB No.: 38,564B

SURVEYED BY: JO
 DRAWN BY: MRD
 CHECKED BY: MT



280 Fish Haul Road 2005 Boundary Survey
 ZA-001467-2018

Attachment F

ZA-001467-2018

Zoning Map Amendment Application
from Thomas C. Barnwell, Jr. and Perry White
Trustees for the Ben White Trust
June 15, 2018

This zoning amendment request is being made because the Ben White Trust has entered into a contract to sell the 6.22 acre tract to the Web Investment Group, LLC and a density of 12 units per acre is one of the conditions of the sale.

The buyer/developer is planning a multi-family housing project on this parcel. The planned development is consistent with the land use of the neighboring properties.

Fish Haul Road runs through the middle of this property and there is access to water and sewer.

Attachment F

ZA-001467-2018

For a Zoning Map Amendment application, please submit a response for each of the following criteria in regards to your request for consideration of rezoning the property:

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i): The proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i.) because the surrounding properties, properties across the street are already zoned Mitchelville District RM 12. The proposed zoning amendment requested is Mitchelville District RM 12. Rezoning would maximize owner's/developer's highest and best use of the land.

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii): The proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity because the proposed zoning will be the zoning of other property in the immediate vicinity.

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii): The proposed zoning is appropriate for the land just as it was surrounding properties, properties across the street, matching their zoning.

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv): The proposed zoning to match the zoning of surrounding properties in the immediate vicinity would better allow the owner to build affordable housing which addresses a demonstrated community need.

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v): The proposed zoning matches adjacent and surrounding properties in the immediate vicinity which were rezoned to the proposed zoning. Thus the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town just as the surrounding properties' zoning is.

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi): The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts because the proposed zoning would now match the adjacent and surrounding properties.

Attachment F

ZA-001467-2018

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

The investors/developers are presently under pending contract to purchase 280 Fish Haul Rd, as well as the waterfront parcels directly across the street, Parcels 9A, 11, and are in the process of securing ground lease on parcel 10 Mitchelville Rd. All the above aforementioned parcels, and the other parcels directly across from, adjacent to 280 Fish Haul Rd are zoned Mitchelville District Residential Medium Density 12 units/acre. The Developers' Preliminary Conceptual Site Development Plan is inclusive of all of the above aforementioned parcels for one larger multi-family unit development. Prior to contract ratification on 280 Fish Haul Road, Investors/Developers were given disclosures of the present zoning density. In a subsequent meeting between Town Manager Steve Riley and the Developers/Purchasers meeting with Zoning & Planning Manager Teri Lewis, a recommendation was determined and made that in consideration of and to maximize the most viable, highest and best use of this Land, rezoning this parcel to the same as the above aforementioned parcels, Mitchelville District RM12, would maximize the land's value and economic viability.

The Investors/Developers have underwritten the preliminary conceptual site development plan using 12 units/acre. They did so with the provision in mind to provide quality, more available long term rental units and potentially some affordable median price-point privately owned residential housing inventory to a broader range of local citizens and our valuable local work force in our community.

With the above said, it should be taken into serious account the economies of scale. 12 units per acre is more economically viable than 8 units per acre. The proposed zoning would allow construction of more, much needed available housing inventory to offset the present housing inventory deficit. The proposed zoning to Mitchelville District RM12 would increase the subject property's value, thus higher tax assessment on the property, bringing more revenue into local economy. More revenue, more families living and spending their money on the island creates and sustains a more robust local economy.

Land's viability can be best determined when improvements can be made upon it which allow for, maximize it's highest and best use, and gives it tangible value.

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii): The proposed zoning would result in development that can be served by the available, adequate, and suitable public facilities (streets, potable water, sewerage, electric, and stormwater management)

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix): The proposed zoning is appropriate so that the subject property can be zoned just like adjacent, surrounding properties in the immediate vicinity.