Town of Hilton Head Island
Planning Commission Meeting
Wednesday, October 7, 2015
9:00a.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. **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. **Approval of Agenda**

6. **Approval of Minutes** Regular Planning Commission Meeting – August 19, 2015

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

8. **Unfinished Business**

9. **New Business**

   Public Hearing

   LMO Amendments - The Town of Hilton Head Island is proposing to amend Chapters 2, 3, 4, 5, 6, 10 and Appendices A and D of the Land Management Ordinance (LMO) to revise the following sections:

   Section 16-2-102: to clarify which days count in the computation of Board and Commission related applications, Section 16-2-103.B – D: to require that Text Amendments, Zoning Map Amendments and PUD Zonings are sent back to Planning Commission only when the applicant requests a change to the application, Section 16-2-103.G: to return to the LMO the list of sections with which single-family structures have to comply, Section 16-2-103.I: to require all new development within the Corridor Overlay District to be reviewed by the Design Review Board (DRB) regardless of whether or not the proposed development is visible from an arterial street, Sections 16-3-105 & 16-4-102: to allow Group Living as a permitted use in the MS (Main Street) zoning district, Section 16-5-102: to apply the single-family setback only to the exterior subdivision boundary; to create flexibility from the setback requirements for Minor Subdivisions and Small Residential Developments, Section 16-5-103.B: to eliminate adjacent street buffers in the CR (Coligny Resort) zoning district, Section 16-5-103.E: to apply the single-family buffer only to the exterior subdivision boundary; to change the required buffer between a proposed single-family use and an existing other residential or commercial recreation use, Section 16-5-103.F: to provide a reference in the buffer section to the requirement for a buffer from a loading area, Section 16-5-103.I: to allow ornamental plants in

certain areas when reviewed as part of a minor or major corridor review application, Section 16-5-105.F: to specify when a street is considered a cul-de-sac, Figure 16-5-105.H.6: to make the figure more accurately reflect the associated language in Section 16-5-105.H, Section 16-5-108: to permit LED lights, Section 16-5-109.B: to clarify that only new development (not redevelopment or site additions) of less than ½ acre is exempt from meeting the stormwater standards, Section 16-5-109.D: to clarify that all on-site impervious surfaces shall be used when calculating the on-site retention of the first inch of runoff, Section 16-5-112: to provide an exception to the limitation on fill materials for critical facilities, Section 16-6-103: to allow, as the prior LMO did, the use of Mobi-mat for handicap access and a wooden deck not larger than 144 square feet in the dunes, Section 16-6-104: to allow flexibility for tree replacement during the development of single-family subdivisions, athletic fields, airport runways and golf courses, Section 16-10-101: to match the language in LMO Section 16-2-102.E.2.1, Section 16-10-105: to provide a definition for critical facilities, Appendix A. A-3 & A-4: to fix incorrect State Code section references, Appendix A. A-4.B: to delete the limitation on the number of design professionals on the DRB, Appendix D. D-6: to change the term 'Administrator' to 'Official', Appendix D. D-20: to return to the LMO the plat stamping requirements, Appendix D. D-20 – D-23: to re-number these sections, Appendix D. D-23: to clarify which days count in the computation of Board and Commission related applications.
Presented by: Teri Lewis

10. Commission Business
Approval of the 2016 Meeting Schedule

11. Chairman's Report

12. Committee Report

13. Staff Reports
Quarterly Report – *Presented by: Jayme Lopko*

14. 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 Meeting
Wednesday, August 19, 2015 **DRAFT**
3:00p.m. – Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Jim Gant, Judd Carstens, Bryan Hughes, Caroline McVitty, Lavon Stevens, Barry Taylor and Todd Theodore

Commissioners Absent: None

Town Council Present: None

Town Staff Present: Jayme Lopko, Senior Planner & Planning Commission Coordinator
Suzanne Brown, Addressing Technician
Scott Liggett, Director of Public Projects & Facilities/Chief Engineer
Brian Hulbert, Staff Attorney
Teri Lewis, LMO Official
Shawn Colin, Deputy Director of Community Development
Kathleen Carlin, Secretary

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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 Reappointed Planning Commissioners
Brian Hulbert, Staff Attorney, performed the swearing in ceremony for returning Planning Commissioners, Mr. Bryan Hughes and Mr. Todd Theodore. Chairman Brown welcomed the returning Planning Commissioners and thanked them for their service.

6. Approval of Agenda
The Planning Commission **approved** the agenda as submitted by general consent.

7. Approval of Minutes
The Planning Commission **approved** the minutes of the July 15, 2015 meeting as presented by general consent.

8. Appearance by Citizens on Items Unrelated to Today's Agenda
None

9. Unfinished Business
None

10. New Business

<u>STDV-001372-2015</u>:

Robert Chaneyfield has applied to name a new vehicular access easement located off of Baygall Road that will provide access to five new mobile homes. The proposed name is Palm Tree Place. Chairman Brown introduced the application and requested that the staff make their presentation.

Ms. Suzanne Brown made the presentation on behalf of staff. The staff recommended that the Planning Commission approve the Palm Tree Place vehicular access easement name application based on the review criterion outlined in the Land Management Ordinance and enclosed in the staff's report.

Mr. Chaneyfield has proposed the name of Palm Tree Place to access five new mobile homes off of Baygall Road. Palm trees are abundant throughout tropic and sub tropic climates. There are around 2,600 species currently known. The Southern Atlantic states are mainly known for their Palmetto or Sabal Palms. This is also the state tree for both South Carolina and Florida. We have many different varieties of palms on Hilton Head Island including the Palmetto, Sago, Pindo, Needle and Saw Palm. Hilton Head Island is also a vacation destination and palms are a popular symbol for tropical beach vacations. This would keep with the character of the island and Fire Rescue has no conflicts with the name. Following the staff's presentation, Chairman Brown requested public comments and none were received. Chairman Brown then requested comments by the Planning Commission. Following brief comments, Chairman Brown requested that a motion be made.

Vice Chairman Kristian made a **motion** to **approve** application STDV-001372-2015 as presented by the staff. Commissioner Gant **seconded** the motion and the motion **passed** with a vote of 9-0-0.

11. Commission Business

<u>Committee Appointments for the July 2015 – June 2016 term</u>

Chairman Brown reviewed the committee appointments for the term July 2015 – June 2016.

12. Chairman's Report

Chairman Brown reported that he presented the Planning Commission's Semi-Annual Report to Town Council on Tuesday, August 4, 2015. The report covered the Planning Commission's activity from January – June 2015.

13. Committee Report

a) Commissioner Carstens presented a status update on behalf of the Comprehensive Plan Committee. The committee plans to meet in September but a meeting date has not yet been determined.

b) Commissioner Gant presented a status update on behalf of the Circle to Circle Committee.

c) Commissioner Hughes stated that the Rules of Procedure Committee has nothing to report at this time.

DRAFT

Chairman Brown requested that Commissioner Hughes meet with Mrs. Lopko soon to arrange a meeting date for the purpose of reviewing the Rules of Procedure.

At the completion of Committee Reports, Chairman Brown asked the staff if they have any information to share with the Planning Commission regarding Town Council's upcoming annual Workshop.

Mr. Shawn Colin stated that Town Council has decided to change things a little this year and has chosen a new facilitator for their annual retreat. Town Council has decided to be more focused and selective in the number of projects that they take on. The Workshop will be one and one-half days in length and will be held in early November.

14. Staff Reports

Fiscal Year 2016 Capital Improvement Project Budget Summary

Chairman Brown requested that Mr. Scott Liggett present the Fiscal Year 2016 Capital Improvement Project Budget Summary on behalf of staff.

Mr. Liggett stated that the Planning Commission has the duty to prepare a list of priority projects for Town Council to consider as they review and develop the municipal budget each year. Mr. Liggett presented a thorough overview of the following categories:

CIP Expenditures by Category 2016-2055

a) Pathways
b) Roadway Improvements
c) Park Development
d) Existing Facilities & Infrastructure
e) New Facilities & Infrastructure
f) Beach Maintenance

The Planning Commission discussed several of these categories with Mr. Liggett and thanked him for his presentation.

15. Adjournment

The meeting was adjourned at 4:00p.m.

Submitted By:	Approved By:
_____	_____
Kathleen Carlin	Alex Brown
Secretary	Chairman

DRAFT

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Planning Commission
VIA: Jayme Lopko, AICP, *Senior Planner*
FROM: Teri B. Lewis, AICP, *LMO Official*
DATE September 28, 2015
SUBJECT: Proposed 2015 LMO Amendments

Recommendation: The LMO Committee met on September 23, 2015 to review the proposed 2015 LMO Amendments. The Committee recommended forwarding the amendments to the Planning Commission with a recommendation for approval with the changes as discussed by the Committee.

Staff recommends that the Planning Commission forward the attached amendments to Town Council with a recommendation of approval.

Summary: The following changes were made to the proposed amendments as a result of the meeting on September 23rd:

- Administrative Amendments - No Changes
- Functional Amendments:
  - Deleted proposed changes to Table 16-2-102.E.2
  - Table 16-5-102.D (Adjacent Use Setback Requirements) – added superscripts 4 and 5 to the other zoning districts where single-family residential is permitted.
  - Table 16-5-103.E (Adjacent Use Buffer Requirements) – added superscript 4 to the other zoning districts where single-family residential is permitted.
  - Deleted proposed changes to Section 16-3-109.B.2.c.
  - Section 16-5-109.D.3.a – deleted the addition of the word 'all' and added the deletion of the phrase 'regardless of pre-development condition'.

Background: Staff has identified a number of proposed amendments to the Town's Land Management Ordinance (LMO). The reason for each proposed amendment is listed above the amendment. 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.

DRAFT 2015 ADMINISTRATIVE LMO AMENDMENTS

CHAPTER 16-2: ADMINISTRATION

Staff Explanation: This change will return to the LMO the list of sections with which single-family structures have to comply.

Section 16-2-103. Application Specific Review Procedures

G. Development Plan Review (Minor and Major)
1. – 2. No Changes
3. Exemptions
The following activities or ***uses*** are exempt from Development Plan Review (although they may be reviewed under a separate administrative procedure, or may be governed or prohibited by private covenants and restrictions):
a. – c. No Changes.
d. All ***structures*** (including factory-built housing) built or placed on an individual ***single-family*** residential ***lot*** with no other ***dwelling*** on it although such structures shall comply with the provisions set forth below:

i. Section 16-3-106.H, Forest Beach Neighborhood Character Overlay (FB-NC-O) District;
ii. Section 16-3-106.I, Folly Field Neighborhood Character Overlay (FF-NC-O) District;
iii. Section 16-3-106.J, Holiday Homes Neighborhood Character Overlay (HH-NC-O) District;
iv. Section 16-3-104, Residential Base Zoning Districts;
v. Section 16-3-105, Mixed-Use and Business Districts;
vi. Section 16-5-102, Setback Standards;
vii. Section 16-5-105.I, Access to Streets;
viii. Section 16-5-106, Parking and Loading Standards;
ix. Section 16-5-111, Fire Protection Water Supply;
x. Section 16-6-102.D, Wetland Buffer Standards; and
xi. Title 15, Building and Building Codes, Chapter 9, Flood Damage Controls, of the Municipal Code of the Town of Hilton Head Island.

Staff Explanation: This change will provide a reference in the buffer section to the requirement for a buffer from a loading area.

CHAPTER 16-5: ZONING DISTRICTS

Section 16-5-103. Buffer Standards

Table 16-5-103.F: Buffer Types
Minimum Buffer Width and Screening Requirements[1, 2, 3, 4, 5, 6, 7]

Type A Buffer – Type C Buffer. No Changes

Type D Buffer
The buffer includes high-density screening designed to eliminate visual contact up to a height of six feet and create a strong spatial separation between ***adjacent uses***. A Type D buffer is required adjacent to all loading areas per Section 16-5-107.H.8.d, Buffering of Loading Areas.

Staff Explanation: These changes will fix incorrect State Code section references.

APPENDIX A: Advisory and Decision Making Bodies and Persons

A-3. Board of Zoning Appeals

A. Powers and Duties

1. – 2. No Changes
3. Carry out any other powers and duties delegated to it by the ***Town Council***, consistent with the S.C. Code of Laws Section 6-29-~~310~~ 800, et seq.

B. – C. No Changes
D. Officers, Meetings, Quorum
1. – 3. No Changes
4. Notice of Meetings
Public notice of all meetings of the ***Board of Zoning Appeals*** shall be provided in compliance with the requirements of S. C. Code of Laws Section 30-4-10, et seq.; S. C. Code of Laws Section 6-29-~~310~~ 790, et seq.; and this ***Ordinance***.

A-4. Design Review Board
A. Powers and Duties
1.-3. No Changes
4. Carry out any other powers and duties delegated to it by the ***Town Council***, consistent with the S.C. Code of Laws Section 6-29-~~310~~ 880, et seq.
B. – C. No Changes
D. Officers, Meetings, Quorum
1. – 3. No Changes
4. Notice of Meetings
Public notice of all meetings of the ***Design Review Board*** shall be provided in compliance with the requirements of S. C. Code of Laws Section 30-4-10, et seq.; ~~S. C. Code of Laws Section 6-29-310, et seq.~~; and this ***Ordinance***.

Staff Explanation: This will change the term 'Administrator' to 'Official'.

APPENDIX D: Application Submittal Requirements
D-1. – D-5. No Changes
D-6. Development Plan Review, Major
A. – H. No Changes.
I. Site Lighting Plan
Site lighting plans shall clearly demonstrate conformance to Sec. 16-5-108, Site Lighting Standards. Site lighting plans shall be submitted at a scale of 1"=30' or other appropriate scale acceptable to the ~~Administrator~~ ***Official***, and shall include:

1. – 4. No Changes.

J. – S. No Changes
T. Emergency Preparedness Documentation

1. Affected ***applicants*** listed below shall submit an emergency preparedness plan consistent with the provisions of this section to the ~~Administrator~~ Official and to the Beaufort County Emergency Management Director at the time of ***development*** plan approval ***application***:

D-7 – D-19. No Changes

Staff Explanation: This change will return to the LMO the plat stamping requirement.

D-20. Plat Stamping

A plat ***application*** shall be considered complete when the following items have been submitted.

A. Application Form

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

B. Plat

A minimum of three plats (one for the ***Town*** and two for Beaufort ***County***). These plats shall contain a signature block which shall be signed by the owner of record before these plats can be stamped for recording purposes; this requirement may be waived if the applicant presents a written acknowledgement of the action in a legally recordable form, such as, but not limited to an easement, a right of entry, or a deed. The above requirement shall not apply to plats related to public projects. Upon such plat shall appear:

1. Owner of Record Signature (Sign plat as it appears on the deed). Example: "I the undersigned as the Owner of Record of parcel(s) R### ### ### ####, agree to the recording of this plat." This requirement may be waived if the applicant presents a written acknowledgement of the action in a legally recordable form, such as, but not limited to an easement, a right of entry, or a deed. This requirement shall not apply to plats related to public projects, such as easements obtained through condemnation for a public pathway.
2. Title – Purpose of plat.
3. Vicinity Sketch – Map of property location.
4. Address, State and County where property to be recorded is located.
5. Who the survey was prepared for, name(s) on deed.
6. Tax District, Map and Parcel Number of subject property.
7. Total acreage of parcel(s).
8. All property access improvements.
9. Easements.
10. Date of survey and date of any revisions.
11. Graphic and numeric scale.
12. North arrow.
13. Certification of surveyor stating "class" of survey.
14. Existing monuments – property pins.
15. Improvements.
16. Surveyor's original embossed seal, signature, surveyor ID, address and registration number.
17. "S.C. Certificate of Authorization" embossed seal when survey done by corporation, firm, association, partnership, or other such entity.
18. FEMA zone information – property assigned flood zone.
19. Flood disclosure statement.
20. Notation of specific reference plats.
21. OCRM critical line and base line.
22. Space for stamp – Minimum 4x4 inches

C. Other Requirements

1. Property Deed/Title Source.
2. Recorded easement documents.
3. Transfer agreement – legal document showing property owner change.

Staff Explanation: This change will re-number these sections.

D-~~20~~ 21. Appeals of Official's Decision and Written Interpretations to Board of Zoning Appeals

D-~~21.~~22 Appeals of Official's Decision to Planning Commission

D-~~22.~~ 23 Appeals of Official's Decision to Design Review Board

D-~~23.~~ 24 Application Deadlines

DRAFT 2015 FUNCTIONAL LMO AMENDMENTS

CHAPTER 16-2: ADMINISTRATION

Staff Explanation: The way the language is currently written if Town Council makes a recommendation that differs from the Planning Commission recommendation, then the application needs to go back to the Planning Commission for review. This creates an unnecessary delay for the applicant. The applications (text amendments, zoning map amendments and PUD zonings) should only go back to Planning Commission if the application itself changes after it has been reviewed by Planning Commission. For example, the applicant decides to ask for fewer units.

Section 16-2-103. Application Specific Review Procedures

A. No Changes
B. Text Amendment
1. – 2.d. No Changes

e. Decision-Making Body Review and Decision
i. The *Town Council* shall review the *application*, staff report, and *Planning Commission* recommendation, and make a final decision on the *application*. If the applicant proposes a change or departure from the text amendment that is different than what was reviewed by Planning Commission ~~No change in or departure from the text amendment as recommended by the *Planning Commission* may be made by the *Town Council* unless~~ the change or departure ~~is~~ shall first be submitted to the *Planning Commission* for review and recommendation in accordance with *State* law. The *Town Council's* decision shall be one of the following:
01. Adopt an *ordinance* approving the Text Amendment; or
02. Adopt a resolution denying the Text Amendment.
ii. If the applicant proposes a change or departure from the text amendment that is different than what was reviewed by Planning Commission ~~If the *Town Council* proposes any changes or departures from a Text Amendment as recommended by the *Planning Commission*, it shall first remand~~ the *application* shall be remanded to the *Planning Commission* for review of and a recommendation on the proposed changes and departures. The *Planning Commission* shall deliver its recommendation on the proposed changes and departures to the *Town Council* within 30 days after the remand; if the *Planning Commission* fails to do so, it is deemed to have recommended approval of the proposed changes and departures.

C. Zoning Map Amendment (Rezoning)
1. – 2.e. No Changes

f. Decision-Making Body Review and Decision
i. The *Town Council* shall review the *application*, staff report and *Planning Commission* recommendation, and make a final decision on the *application*. If the applicant proposes a change or departure from the Zoning Map Amendment that is different than what was reviewed by Planning

Commission ~~No change in or departure from the Zoning Map Amendment as recommended by the ***Planning Commission*** may be made by ***Town Council*** unless~~ the change or departure ~~is~~ shall first be submitted to the ***Planning Commission*** for review and recommendation in accordance with ***State*** law. The ***Town Council's*** decision shall be one of the following:
01. Adopt an ***ordinance*** approving the Zoning Map Amendment; or
02. Adopt a resolution denying the Zoning Map Amendment.
ii. If the applicant proposes a change or departure from the Zoning Map Amendment that is different than what was reviewed by Planning Commission ~~If the ***Town Council*** proposes any changes or departures from a Zoning Map Amendment as recommended by the ***Planning Commission***, it shall first remand~~ the ***application*** shall be remanded to the ***Planning Commission*** for review of and a recommendation on the proposed changes and departures. The ***Planning Commission*** shall deliver its recommendation on the proposed changes and departures to the ***Town Council*** within 30 days after the remand; if the ***Planning Commission*** fails to do so, it is deemed to have recommended approval of the proposed changes and departures.

D. Planned Unit Development (PUD) District
1. – 2.e. No Changes

f. Decision-Making Body Review and Decision
i. The ***Town Council*** shall review the ***application***, staff report, and ***Planning Commission*** recommendation, and make a final decision on the ***application***. If the applicant proposes a change or departure from the PUD zoning that is different than what was reviewed by Planning Commission ~~No change in or departure from the PUD zoning as recommended by the ***Planning Commission*** may be made by the ***Town Council*** unless~~ the change or departure ~~is~~ shall first be submitted to the ***Planning Commission*** for review and recommendation in accordance with ***State*** law. The ***Town Council's*** decision shall be one of the following:
01. Adopt an ordinance approving the PUD District as submitted; or
02. Adopt a resolution denying the PUD District.
ii. If the applicant proposes a change or departure from the PUD zoning that is different than what was reviewed by Planning Commission ~~If the ***Town Council*** proposes any changes or departures from a PUD District as recommended by the ***Planning Commission***, it shall first remand~~ the ***application*** shall be remanded to the ***Planning Commission*** for review of and a recommendation on the proposed changes and departures. The ***Planning Commission*** shall deliver its recommendation on the proposed changes and departures to the ***Town Council*** within 30 days after the remand; if the ***Planning Commission*** fails to do so, it is deemed to have recommended approval of the proposed changes and departures.

Staff Explanation: Currently any development that is not visible from an arterial can be approved by staff rather than the Design Review Board (DRB). The unanticipated consequence of this is that large projects that would typically require a two-step review by the DRB would not go through this review process.

E. – H. No Changes
I. Corridor Review (Minor and Major)

1. – 2.a. No Changes
b. Minor and Major Corridor Review
There are two types of Corridor Review: Major and Minor.

i. Minor Corridor Review is required for the following types of ***development*** within the Corridor Overlay District:
01. ***Multifamily accessory structure***;
02. The addition of minor ***building*** or site elements (such as patios, decks, railings, awnings, and shutters, landscaping, exterior lighting, fences and walls, dumpster enclosures);
03. The use of the same color(s) on the exterior of an ***accessory structure*** as authorized by a Major Corridor Review approved for the principal ***structure***; and
04. Outdoor merchandising.~~; and~~
05. Any ~~***development***~~ alteration/addition within the Corridor Overlay District that is not visible from an arterial ***street***, the OCRM Beachfront Baseline, or the OCRM Critical Line.

CHAPTER 16-3: ZONING DISTRICTS

Staff Explanation: Group Living was inadvertently left out as a permitted use in the Main Street zoning district. The consequence of this is that Indigo Pines is currently a nonconforming use.

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

A. – E. No Changes
F. Main Street (MS) District

MS
Main Street District

1. Purpose

The purpose of the Main Street (MS) District is to provide ***lands*** for ***shopping center***, other commercial, and ***mixed-use development*** at moderate to relatively high intensities in the Main Street area and the portion of Indigo Run between U.S. Highway 278 and Pembroke Drive. Generally, the district places an emphasis on moderate-scale ***buildings***, quality design, and pedestrian orientation (balanced with some accommodation of auto-oriented ***development***).

2. Allowable Principal Uses

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
Group Living	P		1 per 3 rooms

CHAPTER 16-4: USE STANDARDS

Staff Explanation: **Group Living was inadvertently left out as a permitted use in the Main Street zoning district. The consequence of this is that Indigo Pines is currently a nonconforming use.**

Section 16-4-102. Principal Uses

A.1 – 5. No Changes

6. Principal Use Table

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

CHAPTER 16-5: ZONING DISTRICTS

Staff Explanation: **When the new LMO was adopted, the requirement that the single-family setback only apply to the exterior subdivision boundary was inadvertently eliminated. This change fixes that error.**

Section 16-5-102. Setback Standards

A. – C. No Changes
D. Adjacent Use Setback Requirements

TABLE 16-5-102.D: ADJACENT USE SETBACK REQUIREMENTS [1]				
	MINIMUM SETBACK DISTANCE[1] / MAXIMUM SETBACK ANGLE [2]			
	USE OF ADJACENT DEVELOPMENT PROPERTY [3]			
	SINGLE-FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATION; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
PROPOSED USE [3]	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	RM-8, RM-12	CR, CC, WMU, S, RD, SPC, LC, MF, MV, MS, NC, MED	IL
Single-Family	20 ft [4,5,6] / 75°	20 ft [4,5,6] / 75°	30 ft [4,5,6] / 60°	40 ft [6] / 45°
• Any Other Residential ***Uses*** • Commercial Recreation	20 ft [6] / 75°	20 ft [6] / 75°	25 ft [6] / 75°	30 ft [6] / 60°
• Public, Civic, Institutional, and Education • Resort Accommodation • Offices • Commercial Services • Vehicle Sales and Services • ***Boat Ramps***, ***Docking Facilities***, or ***Marinas***	30 ft [6] / 60°	25 ft [6] / 75°	20 ft [6] / 75°	20 ft [6] / 75°
Industrial ***Uses***	40 ft [6] / 45°	30 ft [6] / 60°	20 ft [6] / 75°	20 ft [6] / 75°

1. Measured from the common property line to the closest portion of a ***structure***.
2. Measured within the upper inward quadrant of the intersection of a horizontal plane at a ***height*** of 20 feet above the ***base flood elevation*** or ***pre-development grade***, whichever is higher, and a vertical plane extending upward at the minimum setback distance (see Figure16-5-102.D, Use Setback Angle).
3. See Sec. 16-10-103 for a description or definition of the listed ***use*** classification and types.
4. Single family subdivision exterior boundary only.
5. For all Minor Subdivisions and Small Residential Developments, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point; it may be ~~r~~Reduced to 5 feet where adjoining another ***single-family dwelling lot*** in the same ***subdivision***; may be reduced to less than 5 feet if it, when combined with the platted setback distance for the adjoining ***lot***, is at least 10 feet.
6. May be reduced by up to 10 percent in any district on demonstration to the ***Official*** that:
   a. The reduction is consistent with the character of ***development*** on surrounding ***land***;
   b. Development resulting from the reduction is consistent with the purpose and intent of the adjacent setback standards;
   c. The reduction either (1) is required to compensate for some unusual aspect of the site or the proposed ***development***, or (2) results in improved site conditions for a ***development*** with ***nonconforming site features*** (e.g., allows the extension of a wall or fence that screens an existing ***outdoor storage*** area);
   d. The reduction will not pose a danger to the public health or safety;
   e. Any adverse impacts directly attributable to the reduction are mitigated (e.g., the closer proximity of ***buildings*** to a property line are mitigated by a wider or more densely screened adjacent use buffer along that property line); and
   f. The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than a 10 percent.

<u>Staff Explanation:</u> The intent of the LMO Rewrite Committee in creating the CR (Coligny Resort) zoning district was to eliminate the adjacent street buffers and instead create very specific adjacent street setback standards. The exception for street buffers was inadvertently left out during the LMO rewrite. This error is corrected with this amendment.

Section 16-5-103. Buffer Standards

A. No Changes
B. Applicability

1. General
Except as provided in subsection 2 below, the requirements of this section shall apply to all ***development*** in the ***Town***.
2. Exceptions
a. For ***development*** within a PD-1 District, adjacent street and use buffer standards shall apply only along those ***lot*** lines and ***street rights-of-way*** located within a Corridor Overlay District, located outside any ***gates*** restricting ***access*** by the general public to areas within the PUD, or constituting the boundaries of the district.
b. For ***development*** within a PD-2 District, adjacent street and use buffer standards shall apply only along those ***lot*** lines and ***street rights-of-way*** located within a Corridor Overlay District or constituting the boundaries of the district.
c. For zero ***lot*** line ***subdivisions***, adjacent street and use buffer standards shall apply only along those ***lot*** lines and ***street rights-of-way*** constituting the perimeter of the ***subdivision***.
<u>**d.** Adjacent street buffers shall not apply to ***development*** within the CR District.</u>

Staff Explanation: **When the new LMO was adopted, the requirement that the single-family buffer only apply to the exterior subdivision boundary was inadvertently eliminated. This change fixes that error. Additionally, a review of the table indicated that there was an error in the required buffer between a proposed single-family use and an existing other residential use or commercial recreation use.**

C. – D. No Changes

E. Adjacent Use Buffer Requirements

TABLE 16-5-103.E: ADJACENT USE BUFFER REQUIREMENTS[1]				
	REQUIRED BUFFER TYPE [2]			
	USE OF ADJACENT DEVELOPED PROPERTY[3]			
	SINGLE-FAMILY DWELLING	ALL OTHER RESIDENTIAL USES; COMMERCIAL RECREATION	PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATION; RESORT ACCOMMODATIONS; OFFICES; COMMERCIAL SERVICES; VEHICLE SALES AND SERVICES; BOAT RAMPS, DOCKING FACILITIES, AND MARINAS	INDUSTRIAL USES
	ZONING OF ADJACENT VACANT PROPERTY			
PROPOSED OR EXISTING USE [2]	CON, PR, RSF-3, RSF-5, RSF-6, RM-4	RM-8, RM-12	CR, CC, WMU, S, SPC, RD, MS, MV, MF, LC, NC, MED	IL
Single-Family	~~n/a~~ A[4]	~~C~~ A[4]	C[4]	D
• 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***	C	B	n/a	A
Industrial ***Uses***	D	D	A	n/a

NOTES: n/a = not applicable
1. Descriptions and width and screening requirements for the various buffer types are set out in Sec. 16-5-103.F. Buffer Types.
2. When a shared ***access easement*** is located along a common property line, any required buffer shall be provided to the interior of the ***access easement***.
3. See Sec. 16-10-103 for a description or definition of the listed ***use*** classification and types.
4. Single family subdivision exterior boundary only.

Staff Explanation: **Applicants often want to plant ornamentals in the street buffer adjacent to the sign and to the driveway entrance. The Design Review Board often approves ornamental plantings in these specific areas. This change will allow ornamental plants when reviewed as part of a minor or major corridor review application.**

F. – H. No Changes

I. Buffer Materials
At the time of planting, overstory and understory ***trees*** included as part of required buffers shall comply with the size standards for supplemental and replacement ***trees*** in Sec. 16-6-104.I, Standards for Supplemental and Replacement Trees; evergreen shrubs shall be at least three feet in ***height*** above ground level. All buffer plantings must be native species of plants, see Appendix C, except where ornamental plantings or plants that have historically been prevalent on Hilton Head Island are approved as part of a Corridor Review approval.

Staff Explanation: **This language specifies when a street is considered a cul-de-sac.**

Section 16-5-105

A. – E. No Changes

F. Cul-de-Sac
To be classified as a ***cul-de-sac***, a street must terminate at one end with the hammerhead or ***cul-de-sac*** geometric end treatment described in 16-5-105.F and 16-5-105.G, respectively.

G. No Changes

H. 1-5. No Changes

Staff Explanation: **The changes within the figure more accurately reflect the associated language in the LMO.**

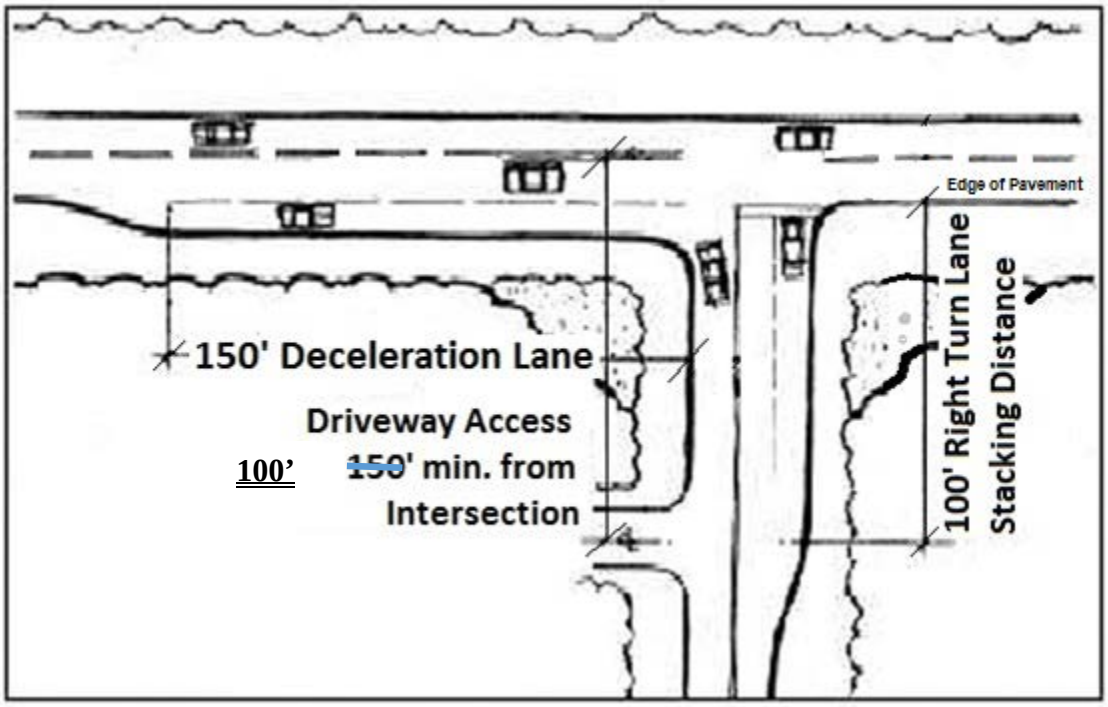

Figure 16-5-105.H.6 Deceleration Lanes

<u>Staff Explanation:</u> The LMO currently does not permit LED lights. This change will allow LED lights to be used.

Section 16-5-108. Lighting Standards

A. – B. No Changes

C. General Exterior Lighting Standards
1. No Change
2. Light Source (lamp)
Only <u>LED,</u> incandescent, florescent, metal halide, or color corrected high-pressure sodium may be used. The same type must be used for the same or similar types of lighting on any one ***development*** site or Planned Unit Development district.

Staff Explanation: This change will clarify that in a redevelopment scenario, only the new impervious surfaces shall be used when calculating the on-site retention of the first inch of runoff.

Section 16-5-109

A - C. No Changes
D. 1-2. No Changes
D.3.a All ***development*** shall provide for ***on-site*** retention (dry or wet) or percolation of a minimum of one inch of runoff from ***on-site impervious surfaces***~~, regardless of pre-development condition~~. Major drainage canals may not be used for retention where doing so may adversely impact the storm hydrology upstream or downstream.

Staff Explanation: It is important for emergency purposes that the Town's critical facilities (such as fire stations, hospitals, etc.) be built at an elevation of 20'. Currently fill materials is limited to 3' above grade regardless of the elevation of the site. This amendment would provide an exception to this regulation for critical facilities only. A definition of critical facilities is also being added.

Section 16-5-112

A. – B. No Changes
C. Elevation of Sites
Sites shall not be elevated with fill material to an average ***height*** greater than three feet above existing ***grade*** with the exception of critical facilities. The fill material shall be retained under the footprint of the ***structure***. Other methods of elevation may be used solely or in conjunction with three feet of fill to meet ***base flood elevation*** requirements. ***Single-family*** residential ***development*** is exempt from this provision.

CHAPTER 16-6: NATURAL RESOURCE PROTECTION

Staff Explanation: The prior LMO had language that allowed mobi-mats or similar products for the purpose of providing handicap access to the beach. This language was inadvertently left out during the rewrite. This change fixes that omission. The prior LMO also allowed small wooden decks per OCRM regulations; this was also left out during the rewrite. This change fixes that omission.

Section 16-6-103. Beach and Dune Protection

F. Development on Dunes
1. General
No ***dune*** in an active ***beach*** system shall be leveled, breached, altered, or undermined in any way by ***development*** or other human-caused activity, and no ***dune*** vegetation may be disturbed or destroyed, except for:

> **a.** The ***construction*** and ***maintenance*** of very limited elevated boardwalks with a two foot minimum clearance or similar beach access for handicap accessibility necessary for pedestrian and bicycle ***access*** to the ***beach***, in accordance with the standards in paragraph 2 below and their associated wooden deck not larger than 144 square feet;

Staff Explanation: **The prior LMO allowed flexibility for tree replacement during the development of single-family subdivisions, athletic fields, airport runways and golf courses given the nature of these types of development. This language was inadvertently left out during the rewrite. This change fixes that omission.**

Section 16-6-104. Tree Protection

A. – F. No Changes

G. Minimum Tree Coverage Standard
1. Applicability
a. All new ***development*** except for the ***construction*** of any public ***street***, pathway, drainage project, single family subdivision, athletic field, airport runway, golf course or minor utility and the redevelopment or alteration of existing ***development*** (see subparagraph b below) shall include at least 900 adjusted caliper inches (ACI) of ***trees*** per acre of ***pervious*** surface area. ***Pervious*** surface area equals the ***gross acreage*** less the maximum ***impervious cover*** required for the proposed ***development***.
b. Redevelopment or alteration of existing ***development*** shall have the option of meeting the standard in subparagraph a above or meeting replacement requirements in Sec. 16-6-104.I, Standards for Supplemental and Replacement Trees, based on ***trees*** removed by ***tree*** category
c. For the construction of any public ***street***, pathway, drainage project, single family subdivision, athletic field, airport runway, golf course or minor utility the applicant shall make all reasonable efforts to save significant trees and stands of trees. In these cases, at the discretion of the official, a centerline field inspection may relieve the applicant of the tree survey requirement. Reasonable tree replanting may be required by the Official for these uses.

CHAPTER 16-10: DEFINITIONS, INTERPRETATION, AND MEASUREMENT

Staff Explanation: **This has been changed to match the language used in 16-2-102.E.2.1.**

Section 16-10-101. General Rules for Interpretation

A. – C. No Changes
D. Computation of Time
1. The time in which an act is to be done shall be computed by excluding ~~first day~~ the day the notice is postmarked or published and including the day of the hearing. ~~and including the last day~~. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the ***Town***, the deadline or required date of action shall be the ~~next~~ day prior that is not a Saturday, Sunday, or holiday observed by the ***Town***. References to days are calendar days unless otherwise stated.

Staff Explanation: **A definition is being provided for critical facilities in conjunction with the proposed amendment which will allow an exception to the maximum fill requirements for critical facilities.**

Section 16-10-105. General Definitions

Critical Facility
A structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities include but are not limited to health and safety facilities, utilities and government facilities.

Staff Explanation: **The Design Review Board (DRB) is dependent on design professionals. At-large members without a design background typically have little to nothing to add compared to trained professionals and this is a disservice to the community.**

Appendix A: Advisory and Decision Making Bodies and Persons

A-4. Design Review Board
A. No Changes
B. Membership, Terms and Compensation
1. Number, Appointment
The ***Design Review Board*** shall consist of seven members, appointed by the ***Town Council***, and shall include~~, to the extent practicable, at least one attorney and at least two but not more than three~~ design professionals (such as~~ a~~ registered architects, ~~a~~ landscape architects or ~~a~~ graphic artists). None of the members shall hold elected public office in the ***Town*** or ***County***.

Appendix D: Application Submittal Requirements

Staff Explanation: **This section is being amended to make it clear which days count in the computation.**

D-23. Application Deadlines
All ***applications*** shall be completed and submitted to the Administrator not less than the following number of days prior to the meeting at which the permit, appeal or approval will be considered. The date of the hearing shall be included when computing the required deadlines.

Town of Hilton Head Island
PLANNING COMMISSION
2016 Meeting Schedule

Application for changes to Zoning Maps or Master Plan Maps, Public Project Reviews, Major Traffic Analysis, Street Names and LMO Text Amendments are heard by the Planning Commission on the **first** and **third** Wednesdays of each month.

The **first meeting** of each month **begins at 9:00am**. The **second meeting** of each month **begins at 3:00pm.** All meetings are held in Benjamin M. Racusin Council Chambers at Town Hall, One Town Center Court. Changes to meeting dates and times will be posted.

PUBLIC MEETING DATES	APPLICATION DEADLINES
January 6, 2016 * January 20, 2016	December 7, 2015 * December 21, 2015
February 3, 2016 * February 17, 2016	January 4, 2016 * January 15, 2016
March 2, 2016 * March 16, 2016	February 1, 2016 * February 15, 2016
April 6, 2016 * April 20, 2016	March 7, 2016 * March 21, 2016
May 4, 2016 * May 18, 2016	April 4, 2016 * April 18, 2016
June 1, 2016 * June 15, 2016	May 2, 2016 * May 16, 2016
July 6, 2016 * July 20, 2016	June 6, 2016 * June 20, 2016
August 3, 2016 * August 17, 2016	July 1, 2016 * July 18, 2016
September 7, 2016 * September 21, 2016	August 8, 2016 * August 22, 2016
October 5, 2016 * October 19, 2016	September 2, 2016 * September 19, 2016
November 2, 2016 * November 16, 2016	October 3, 2016 * October 17, 2016
December 7, 2016 * December 21, 2016	November 7, 2016 * November 21, 2016

* 3:00p.m meeting

All applications for review by the Planning Commission must be received by the Community Development Information Center a minimum of thirty (30) days prior to the public meeting date. Please refer to Chapter 2 of the Town's Land Management Ordinance for additional information.

PLANNING COMMISSION QUARTERLY REPORT
3rd QUARTER 2015

Previously Reviewed Applications or Documents:

Zoning Map Amendment Applications:	***Status:***
ZA-000089-2015: Chester C. Williams, on behalf of Gary L. Dee and Heritage Golf Port Royal, LLC, has applied to amend the Official Zoning Map by amending the Planned Development Mixed-Use (PD-1) Zoning District, specifically the Port Royal Plantation and Surrounds Master Plan, to clarify and change the allowed uses and to increase the density on a 38.62 acre property. The property is identified as a portion of parcel 277 on Beaufort County Tax District R510, Map 9. The property is addressed as 10 Clubhouse Drive and is known as Port Royal Clubhouse.	• Public Hearing Date: February 18, 2015 • Adoption Date: May 5, 2015
ZA-000091-2015: Chester C. Williams, on behalf of Gary L. Dee and Heritage Golf Port Royal, LLC, has applied to amend the Official Zoning Map by changing the base zoning district of an 8.4 acre property from the Planned Development Mixed-Use (PD-1) Zoning District, specifically the Port Royal Plantation and Surrounds Master Plan, to the Resort Development (RD) Zoning District. The property is identified as a portion of parcel 277 on Beaufort County Tax District R510, Map 9. The property is addressed as 15 Wimbledon Court and is known as the Port Royal Racquet Club.	• Public Hearing Date: February 18, 2015 • Adoption Date: May 5, 2015
ZA-001190-2015 - Victor J. Mills on behalf of Shelter Cove Towne Centre, LLC and Shelter Cove II, LLC has submitted a request to amend the Palmetto Dunes Resort Master Plan to reallocate the multifamily density and allow for flexibility in assigning density in the following manner: • change the number of multifamily dwelling units (apartments) on the Multifamily Site #1 of the development (120 to 150); • increase the number of multifamily dwelling units (apartments) on the Multifamily Site #2 from 0 permitted units to a range of (80 to 120) • the aggregate total of dwelling units for both properties would not exceed 240 units; and • no other changes to the Master Plan land use designations and associated densities for the properties.	• Public Hearing Date: July 15, 2015 • Adoption Date: September 15, 2015

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Public Project Review Applications:	***Status:***
PPR-646-2015 - Application for Public Project Review from the Town of Hilton Head Island to construct a pathway connectivity improvement project that would consist of a new 900 foot segment of multi-use pathway along Pembroke Drive that would extend from the intersection of Pembroke Drive with William Hilton Parkway to Otter Hole Road. In addition, a new pathway connection will be added from this pathway to the existing pathway along Natures Way.	The Planning Commission heard this item on April 22, 2015 and found the project to be consistent with the Comprehensive Plan for location, character, and extent.
PPR-647-2015 - Application for Public Project Review from the Town of Hilton Head Island to construct a pathway connectivity improvement project that would consist of a new 500 foot multi-use pathway segment along Eastbound William Hilton Parkway (WHP) that would extend from the endpoint of the existing sidewalk in the Chaplin area at the Broad Creek tributary to the intersection of Shelter Cove Lane, where a new crosswalk on Shelter Cove Lane would connect to the existing crosswalk that extends across WHP in this location.	The Planning Commission heard this item on April 22, 2015 and found the project to be consistent with the Comprehensive Plan for location, character, and extent.

Street Name Applications:	***Status:***
STDV-001372-2015 – Robert Chaneyfield has applied to name a new vehicular access easement located off of Baygall Road that will provide access to five new mobile homes. The proposed name is Palm Tree Place.	The Planning Commission heard this item on August 19, 2015 and recommended approval of the modified vehicular access easement name.

Appeal Applications:	***Status:***
APL100006: Request for Appeal from Chester C. Williams on behalf of Ephesian Ventures, LLC. The Community Development Department issued a notice of action, approving the construction of a tabby walkway and brick areas at Edgewater on Broad Creek. The appellant contends that the Community Development Department erred in its decision to issue a notice of action and is requesting that the notice of action be declared void.	This item was postponed to a future date to be determined after a decision is made by the Circuit Court.

Planning Commission Quarterly Report – 3rd Quarter 2015

Subdivision Applications:	***Status:***
SUB-000723-2014 – Silver Moss Subdivision – 48 single family lots located off Spanish Wells Road	Received a Certificate of Compliance on August 18, 2015. First home is under construction.
SUB-000986-2014 – Salt Creek Landing Subdivision – 39 single family lots located off Spanish Wells Road	Notice of Action issued June 30, 2015. Infrastructure construction underway.
SUB-001124-2014 – Lopez Mobile Home Park Subdivision – 14 single family lots located off Spanish Wells Road	Notice of Action issued January 29, 2015. Infrastructure construction underway.

Ongoing Capital Improvement Projects:

Pathways:	***Status:***
Fresh Market to Shelter Cove	Project Complete.
Pedestrian Crossing on Palmetto Bay Road at the Audubon Newhall Preserve	• Under Construction. • Target completion October 2015.
Pembroke Drive from William Hilton Parkway to Otter Hole Road	• Under Construction. • Target completion October 2015.
William Hilton Parkway from existing sidewalk to Shelter Cove Lane	• Under Construction. • Target completion October 2015.
Bridge Pathway under WHP near Shelter Cove	• Permitting underway. • Anticipated start of construction December/January 2015/16. • Target completion March 2016.

Roadway Improvements:	***Status:***
Mathews/Marshland Roundabout	Project Complete.
Mast Arm at Spanish Wells & WHP	Project Complete.
Intersection improvements at Squire Pope Road & WHP	• Possible change in project scope. • Design and engineering deferred to Fiscal Year 2017.
Honey Horn Driveway Improvements	Project Complete.
Office Park/Pope/New Orleans Intersection – USCB Roadway Improvements	• Traffic study complete for improvement to Office Park/Pope/New Orleans Intersection. • Public Project Review anticipated in 2015.

Park Development:	***Status:***
Rowing & Sailing Center	Project Complete.
Island Recreation Center Expansion	• Design underway. • Phased project over several years.

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Existing Facilities and Infrastructure:	***Status:***
Fire Station #2	• Design complete. • Permitting underway. • Anticipate start of construction in Fiscal Year 2017.

Power Line Burials ***15 year project to be completed by 2019***	*Not CIP funded, included for update. Funded by 3% franchise fee from Palmetto Electric*
• Marshland Road	• 85% Complete
• Allen Road	• 95% Complete
• Roller's Trailer Park	• 0% Complete
• Spanish Wells Road feeder	• 0% Complete (Jarvis Creek section postponed for new bridge) Engineering now
• William Hilton Pkwy/ Fresh Market to The Greenery	• 100% Complete
• William Hilton Pkwy/ Greenery to Village of Wexford Feeder	• 80% Complete
• William Hilton Pkwy/ Village of Wexford to Arrow Road Feeder	• 0% Complete
• Otter Hole Trailer Park	• 100% Complete

New Facilities and Infrastructure:	***Status:***
Palmetto Dunes Emergency Access Gate	• Revised easement under negotiation. • Anticipated start of construction early 2016.
F&R Computer Systems Upgrades	Ongoing.

Beach Maintenance:	***Status:***
Dune Refurbishment	Ongoing.
Beach Renourishment	• Awaiting Army Corps permit. • Out to bid. Bids expected by September 30th • Anticipated start of construction late Winter 2015/2016.