



**Town of Hilton Head Island  
Planning Commission  
LMO Committee**

**Wednesday, November 9, 2016  
10:00 a.m. – Conference Room 3  
AGENDA**

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

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**  
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Approval of Agenda**
- 4. Approval of Minutes** – Meeting held on September 20, 2016
- 5. LMO Amendments**
  - a. Discuss proposed LMO amendments related to underbrushing and multi-level self-service storage
- 6. Adjournment**

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

**TOWN OF HILTON HEAD ISLAND**  
**LMO Committee Meeting**  
**September 20, 2016 – 9:00 a.m.**  
**Benjamin M. Racusin Council Chambers**

Committee Members Present: Chairman Jim Gant, Lavon Stevens, Barry Taylor, Todd Theodore

Committee Members Absent: None

Other Commissioners Present: Alex Brown

Town Council Present: None

Town Staff Present: Teri Lewis, LMO Official; Bates Rambow, Stormwater Data & Compliance Administrator; Rocky Browder, Environmental Planner; Teresa Haley, Administrative Assistant

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**1. Call to Order**

Chairman Gant called the meeting to order at 9:00 a.m.

**2. Freedom of Information Act**

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

**3. Approval of the Agenda**

The agenda was **approved** as presented by general consent.

**4. Approval of the Minutes**

The September 8, 2016 minutes were **approved** by general consent.

**5. New Business**

**LMO Amendments**

a. Discuss draft 2016 LMO Amendments – 2<sup>nd</sup> Set

Chairman Gant welcomed those in attendance and asked Staff to begin the discussion of the draft 2016 LMO Amendments – 2<sup>nd</sup> Set. Mr. Browder went through the proposed natural resources amendments. The Committee and Staff discussed the pre-construction underbrushing proposed alternatives. The public expressed concerns for the requirements associated with maintaining their residential properties. The Committee, Staff and public discussed options to maintain versus development of vacant and residential properties through underbrushing and/or bush-hogging. The discussion involved finding ways to address development and livability within the regulations; the concept of waving internal buffers on commonly held property; the concept of some level of exemption with some boundaries and criteria around it; establishing tree size criteria to allow opportunity for bush-hogging without cutting down larger trees. The Committee and Staff expressed the purpose of these amendments is to create flexibility to the existing underbrushing regulation.

Mr. Rambow went through the changes to the proposed stormwater LMO amendments since the last Committee meeting. The Committee discussed concerns for stormwater management plan submittal requirements and the burden it may impose on developers.

Staff indicated the intent of the submittal requirements is to be in keeping with current state regulations and county-wide practices. Staff noted that they are awaiting comments and clarifications from DHEC on certain proposed stormwater changes. Chairman Gant suggested that Staff and the Committee work together with these engineers to clarify concerns of regulations and compare county-wide practices. The Committee, Staff and public discussed the required maintenance agreements for stormwater management facilities and easements; and the duty of the property owner or responsible party to retain and provide inspection and maintenance records.

*(Mr. Theodore recused himself from the discussion of draft LMO amendments in connection with multi-level self-service storage due to a professional conflict of interest. A Conflict of Interest form was completed and signed, and attached to the record.)*

Ms. Lewis recapped the discussion from the last Committee meeting regarding the proposed multi-level self-service storage LMO amendments and then went through the changes since the last Committee meeting. A change was made to a condition and the applicable tables to include that the structure shall be set back a minimum of 200' from any arterial road. A change was made to the applicability of certain conditions. Certain conditions are applicable to all multi-level self-service storage uses. In addition, certain conditions are applicable to the Light Commercial (LC) and Sea Pines Circle (SPC) districts. The requirement that the adjacent use setback be 40' was deleted based upon the last discussion. Some members of the public expressed concern for these changes, the scale and mass of the building. Some members of the public provided renderings of existing buildings similar to the proposed size of a multi-level self-service storage facility. The proposed facility would generate less traffic and parking; and would be subject to the Design Guidelines as discussed in prior meetings. The proposal would be subject to review and approval of the Planning Commission, Public Planning Committee, and Town Council.

Ms. Lewis went through the remaining proposed LMO amendments pertaining to the following: bed and breakfast use; commercial parking lots with conditions; interval occupancy; group living; divisible dwelling units as an accessory use to interval occupancy use; stacking distance to be in line with SCDOT standards; signs on vehicles; zoning map general submittal requirements; and defined terms.

Chairman Gant expressed concern for moving forward with amendments related to divisible dwelling units due to the current issue with lock-outs. Ms. Lewis stated she would discuss this with the appropriate Town Staff as to whether or not to bring it forward.

Ms. Lewis stated that the public hearing for the proposed 2016 LMO Amendments – Second Set would be held at the Planning Commission meeting on Wednesday, October 5, 2016 at 9:00a.m.

## **6. Adjournment**

The meeting was adjourned at 11:56 a.m.

Submitted By:

Approved By:

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Teresa Haley  
Administrative Assistant

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Jim Gant  
Chairman

## CHAPTER 16-6: NATURAL RESOURCE PROTECTION

### D. Pre-Construction Underbrushing

#### 1. – 5. No Changes

#### 6. Exemption

a. *Underbrushing on land* by a *property owner* in zoning districts RM4, RM8; RM12, RS3, RS5, RS6, MF, MV, S, and WMU is exempt from the requirements of Section 16-6-104.D; however, all vegetation in required buffers shall be maintained except for a six-foot-wide path providing *access* to the interior of the property. Such buffer areas shall be clearly marked and protected prior to the commencement of the *underbrushing* activity.

b. In the event that a *property owner* applies for a permit for *development* or commences any *construction on land* within twelve (12) months of *underbrushing*, the *property owner* shall be presumed to have undertaken the underbrushing in anticipation of *development or construction* and shall be required to apply for a Natural Resources Permit pursuant to Section 106-2-103.K. The presumption that the *underbrushing* activity was completed in anticipation of *development* may be rebutted by the production by the *property owner* of evidence establishing that the *underbrushing* was not in anticipation of *development*.

## CHAPTER 16-3: ZONING DISTRICTS

### D. Light Commercial (LC) District

<b>LC</b> <b>Light Commercial District</b>			
<b>1. No Change</b>			
<b>2. Allowable Principal Uses</b>			
		<b>USE-SPECIFIC CONDITIONS</b>	<b>MINIMUM NUMBER OF OFF- STREET PARKING SPACES</b>
<b>Vehicle Sales and Services</b>			
<u><b>Commercial Parking Lot</b></u>	<u>PC</u>	<u>Sec. 16-4-102.B.8.d</u>	<u>See Sec. 16-5-107.D.2</u>
<b>Industrial Uses</b>			
<u><b>Multi-Level Self-Service Storage</b></u>	<u>PC</u>	<u>Sec. 16-4-102.B.9.c</u>	<u>1 per 15,000 GFA of storage and office area</u>
<b>3. Development Form Standards</b>			
<b>MAX. DENSITY (PER NET ACRE)</b>			<b>LOT COVERAGE</b>
Residential <sup>1</sup>	4 du		Max. <b>Impervious Cover</b> 60%
<b>Hotel</b> <sup>1</sup>	35 rooms		Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b> 16%
Nonresidential <sup>2,3,4</sup>	10,000 GFA		
<b>MAX. BUILDING HEIGHT</b>			

All <i>Development</i>	45 ft <sup>4,5</sup>	
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>		
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.		
<p style="text-align: center;"><b>TABLE NOTES:</b></p> <p>P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <b><i>dwelling units</i></b>; sf = square feet; GFA = <b><i>gross floor area</i></b> in square feet; ft = feet; n/a = not applicable</p> <ol style="list-style-type: none"> <li>1. No Change</li> <li>2. No Change</li> <li>3. No Change</li> </ol> <p style="margin-left: 40px;"><u>4.</u> The maximum density for <b><i>multi-level self-service storage</i></b> shall be 55,000 GFA.</p> <p style="margin-left: 40px;"><u>45.</u> May be increased by up to ten percent on demonstration to the <b><i>Official</i></b> that:</p>		
a. – f. No Change		

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**Staff Explanation:** This change will allow a Commercial Parking Lot as a permitted use in the IL zoning district with conditions. This change will also add multi-level self-service storage as an allowed use with conditions in the IL zoning district and establish a maximum density for this use.

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E. Light Industrial (IL) District

<b>IL Light Industrial District</b>				
<b>1. No Change</b>				
<b>2. Allowable Principal Uses</b>				
	<b>USE-SPECIFIC CONDITIONS</b>	<b>MINIMUM NUMBER OF OFF- STREET PARKING SPACES</b>		
<b>Vehicle Sales and Services</b>				
<u><b>Commercial Parking Lot</b></u>	<u>PC</u>	<u>Sec. 16-4-102.B.8.d</u>	<u>See Sec. 16-5-107.D.2</u>	
<b>Industrial Uses</b>				
<u><b>Multi-Level Self-Service Storage</b></u>	<u>PC</u>	<u>Sec. 16-4-102.B.9.c</u>	<u>1 per 15,000 GFA of storage and office area</u>	
<b>3. Development Form and Parameters</b>				
<b>MODIFIED ADJACENT STREET SETBACK STANDARDS</b>				
Adjacent Street Setback	No Change			
<b>MAX. DENSITY (PER NET ACRE)</b>			<b>LOT COVERAGE</b>	
<b>Nonresidential Development</b>	10,000 GFA		<b>Max. Impervious Cover</b>	65%

<b>MAX. BUILDING HEIGHT</b>		
All <i>Development</i>	35 ft <sup>1</sup>	
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>		
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.		
<b>TABLE NOTES:</b>		
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable		
1. <u>The maximum density for <i>multi-level self-service storage</i> shall be 55,000 GFA.</u>		
±2. May be increased by up to ten percent on demonstration to the <i>Official</i> that:		
a. - f. No Change		

M. Sea Pines Circle (SPC) District

<b>SPC</b>			
<b>Sea Pines Circle District</b>			
<b>1. No Change</b>			
<b>2. Allowable Principal Uses</b>			
		<b>USE-SPECIFIC CONDITIONS</b>	<b>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</b>
<b>Vehicle Sales and Services</b>			
<u><i>Commercial Parking Lot</i></u>	<u>PC</u>	<u>Sec. 16-4-102.B.8.d</u>	<u>See Sec. 16-5-107.D.2</u>

**Industrial Uses**

<u><b>Multi-Level Self-Service Storage</b></u>	<u>PC</u>	<u>Sec. 16-4-102.B.9.c</u>	<u>1 per 15,000 GFA of storage and office area</u>
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**3. Development Form Standards**

<b>MAX. DENSITY (PER NET ACRE)</b>		<b>LOT COVERAGE</b>
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Residential <sup>1</sup>	12 du		Max. <b>Impervious Cover</b>	60%
Nonresidential <sup>2</sup>	10,000 GFA		Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%

<b>MAX. BUILDING HEIGHT</b>		
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All <b>Development</b>	45 ft <sup>2,3</sup>	
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**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. No Change

2. The maximum density for multi-level self-service storage shall be 55,000 GFA.

± 3. May be increased by up to ten percent on demonstration to the **Official** that:

a. - f. No Change



1. – 7. No Changes

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**Staff Explanation:** This change establishes conditions for Multi-Level Self-Service Storage uses.

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9. Industrial Uses

a. – b. No Changes

**c. Multi-Level Self-Service Storage**

**Multi-level self-service storage** facilities shall comply with the following conditions:

- i. The only **uses** allowed **on-site** shall be the rental of storage bays, the pickup and deposit of goods or property in dead storage, and limited incidental sales of storage and moving materials (e.g., boxes, tape).
- ii. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or **repair** vehicles, small engines or electrical equipment, or conduct similar **repair** activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.
- iii. The structure shall be set back a minimum of 200' from any arterial road.
- iv. There is a maximum of up to 35,000 GFA per floor.

In addition, multi-level self-service storage facilities in the LC and SPC Districts shall comply with the following conditions:

- i. All storage units and all property stored on the site shall be contained entirely within the building.
- ii. There shall be no outside storage of vehicles or other goods.
- iii. There shall be no exterior functional storage doors on the ground level. Storage doors serving individual storage units shall be located so as to only be accessible to the interior of the enclosed buildings.

**e d.** Self-Service Storage

## CHAPTER 16-5: DEVELOPMENT AND DESIGN STANDARDS

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

A. – B. No Changes

**Staff Explanation:** This change establishes a specific street setback for multi-level self-service storage uses.

### C. Adjacent Street Setback Requirements

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

TABLE 16-5-102.C: ADJACENT STREET SETBACK REQUIREMENTS				
PROPOSED USE		MINIMUM SETBACK DISTANCE <sup>1</sup> / MAXIMUM SETBACK ANGLE <sup>2</sup>		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
<b>Single-Family</b>	Structure > 24 in high	50 ft <sup>3,4</sup> /75°	40 ft <sup>3,4</sup> / 70°	20 ft <sup>3,4</sup> /60°
	Structure ≤ 24 in high	50 ft <sup>3,4</sup> /n/a	30 ft <sup>3,4</sup> /n/a	10 ft <sup>3,4</sup> /n/a
All Other <b>Uses</b> <sup>5</sup>		50 ft <sup>3,4</sup> /75°	40 ft <sup>3,4</sup> /70°	20 ft <sup>3,4</sup> /60°
NOTES: in = inches ft = feet ° = degrees 1. - 4. No Change				
<u>5. All multi-level self-service structures shall be set back a minimum of 200' from any arterial road.</u>				

## CHAPTER 16-10: DEFINITIONS, INTERPRETATION AND MEASUREMENT

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**Staff Explanation:** This change establishes a definition for a new use, multi-level self-service storage.

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### I. Industrial Uses

#### • Multi-Level Self Service Storage

An enclosed multi-level establishment providing individual, self-contained units or areas leased to individuals, organizations, or businesses for *multi-level self-service storage* of household and personal property. The storage units or areas are designed to allow private *access* by the tenant for storing or removing personal property. The *use* does not include a transfer and storage business not involving individual storage areas and businesses where employees are the primary movers of property being stored or transferred (an *Industrial, Manufacturing, and Warehouse Use*). *Accessory uses* may include leasing offices and incidental sales or rental of moving supplies and equipment. Use of the storage areas for sales, service, *repair*, or manufacturing operations is not considered accessory to *multi-level self-service storage*. The rental of trucks or equipment is also not considered accessory to the *use*.