



Town of Hilton Head Island Planning Commission LMO Committee

Monday, March 7, 2016

6:00 p.m. – Benjamin M. Racusin Council Chambers

AGENDA

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

1. Call to Order

2. Freedom of Information Act Compliance

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

3. Approval of Minutes – Meetings held on October 28, 2015 and November 13, 2015

4. 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 16-2-103.B: to clarify who can submit a text amendment, Section 16-2-103.I: codifies existing practice that the DRB takes action on conceptual development, Section 16-2-103.K: codifies existing policy that work in wetlands, wetland buffers and dunes requires a natural resources permit, Section 16-2-103.P: to clarify when a Certificate of Compliance is required, Section 16-3-105.D: changes RV park from permitted by right to permitted by condition in the LC (Light Commercial) zoning district, Section 16-3-105.E: changes wholesale sales from permitted by condition to permitted by right in the IL (Light Industrial) zoning district, Section 16-3-105.L: changes the height requirement for single-family development in the RD (Resort Development) zoning district, Section 16-3-106.H: provides a map that illustrates which parcels are included in the Forest Beach Neighborhood Character Overlay District, Section 16-3-106.M: specifies when activities can occur within a dune or dune system when located in the Transition Area Overlay District, Table 16-4-102.A.6: changes to allow an RV Park as a permitted by condition use in the LC (Light Commercial) zoning district and wholesale sales as a permitted by right use in the IL (Light Industrial) zoning district, Section 16-4-102.B.1 and 4: allows dwelling units, hotel rooms and bed and breakfast rooms on the first floor in the CR (Coligny Resort) zoning district if the proposed development is located behind a commercial services use, Section 16-4-102.B.1.c: relocates the condition stating that recreational vehicles can only be occupied within an RV park from Chapter 10 to Chapter 4, Section 16-4-102.B.9: eliminates the condition associated with wholesale sales in the IL (Light Industrial) zoning district, Section 16-5-102.B: eliminates the need for properties behind the gates of a master planned area but still within the Corridor

Overlay District to meet setback requirements, Section 16-5-102.E: allows bike racks and the like within the adjacent use and street setbacks, Section 16-5-103.B: eliminates the need for properties behind the gates of a master planned area but still within the Corridor Overlay District to meet buffer requirements, Section 16-5-103.H: codifies existing policy that any work in buffers must be reviewed and approved by staff and clarifies that the removal of invasive species in the buffer is allowed with an approved replanting plan, Section 16-5-105.A: clarifies any confusion caused by a conflict in Town and SCDOT standards, Section 16-5-105.O: clarifies the standards that should be used for pathways internal to a site, Section 16-5-107.D: provides more flexibility for site design and ensures that in larger parking lots, electric vehicle charging stations are available to those that need them, Section 16-5-107.E: allows for a safe turning radii under buildings, Section 16-5-107.H: increases flexibility in site design related to bicycle parking, Section 16-5-107.I: relocates the vehicle stacking section to a different section in the LMO since it deals entirely with internal site design, Section 16-6-102.B: codifies existing policy that any work in a wetland or wetland buffer requires a natural resources permit, Section 16-6-102.D: allows pervious walkways in a wetland buffer and eliminates the need for the reestablishment of a wetland buffer when the provided bulkhead is impervious, Section 16-6-103.B: codifies existing policy that any work in a dune or dune system requires a natural resources permit, Section 16-6-103.F: changes the way the bottom of a dune boardwalk is measured from vegetation to grade, Section 16-6-104.C: clarifies that cedar trees are protected at 8” instead of 12”, Section 16-6-104.F: clarifies that specimen trees are protected when the DBH is equal to or greater than the number provided in Table 16-6-104.F.1 and clarifies that specimen trees are not protected on single-family lots, Section 16-10-102: clarifies that when density results in a fraction, it is not rounded up, Appendix A. A-3: adds the review of Traffic Impact Analysis Plans to the powers and duties of the Planning Commission, Appendix D.D-4: adds the requirement that a lot grading plan be submitted as part of the subdivision requirements, Appendix D. D-20: adds two requirements (that are already listed in the Airport Overlay District) to the plat stamping section.

5. 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
October 28, 2015
9:30a.m – Conference Room # 3

DRAFT

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

Committee Members Absent: None

Other Commissioners Present: None

Town Council Present: None

Town Staff Present: Teri Lewis, LMO Official
Kathleen Carlin, Secretary

1. Call to Order

Chairman Gant called the meeting to order at 9:30a.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 minutes of the September 23, 2013 meeting were reviewed but not approved due to the lack of a quorum.

5. New Business

LMO Amendments

Review potential list of amendments to be considered for the first set of 2016 LMO amendments.

Chairman Gant called the meeting to order and welcomed those in attendance. Chairman Gant stated that the committee will review and discuss the potential list of amendments to be considered for the first set of 2016 amendments. Chairman Gant requested that Ms. Teri Lewis make her presentation.

Ms. Lewis stated that at the last LMO Committee meeting the Committee members suggested that staff review the proposed list of 2016 LMO amendments at a LMO Committee meeting prior to bringing forward the drafted amendments. The Committee offered to help go through the list of amendments and determine which amendments should be moved forward and also determine if any Committee members could provide assistance with any of the proposed amendments.

Ms. Lewis passed out the list of amendments and went through them chapter by chapter. The Committee provided direction as to whether or not each proposed amendment should move forward and if so should it be part of the first set or the second set. The Committee specifically decided the following:

- To not add back in the use it or lose it clause;
- To put protection of vegetation in buffers back into Chapter 5;
- To get options/advice from Rocky Browder on the Transitional Area changes;
- To research flexibility for requiring bike parking and EV charging stations on every site;
- To remove the requirement that setbacks/buffers apply when in the Corridor Overlay District but behind the gates in the PD-1 zoning district;
- To research flexibility on the numbers of plants/trees that are required in buffers;
- To get input from Darrin related to changes to 16-5-105.A.e;
- To research flexibility related to loading areas; and
- To research changes to the façade sign section of the LMO.

Due to time constraints, the staff and the committee decided to complete their review and discussion of the proposed amendments at a future meeting. The staff will confirm the date and availability of the members.

6. **Adjournment**

The meeting was adjourned at 10:45a.m.

Submitted By:

Approved By:

Teri Lewis
LMO Official

Jim Gant
Chairman

TOWN OF HILTON HEAD ISLAND
LMO Committee Meeting
November 13, 2015 Meeting
9:30 a.m – Conference Room # 3

DRAFT

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

Committee Members Absent: Lavon Stevens

Other Commissioners Present: None

Town Council Present: None

Town Staff Present: Teri Lewis, LMO Official
Kathleen Carlin, Secretary

1. Call to Order

Chairman Gant called the meeting to order at 9:30a.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

Approval of the October 28, 2015 minutes was suspended to the next LMO Committee meeting.

5. New Business

LMO Amendments – Continuation of review of potential list of amendments to be considered for the first set of 2016 LMO amendments.

Chairman Gant called the meeting to order and welcomed those in attendance. Chairman Gant stated that the committee will continue their review and discuss the potential list of amendments to be considered for the first set of 2016 amendments. Chairman Gant requested that Ms. Teri Lewis make her presentation.

Ms. Lewis stated she would start her review with proposed amendments to Chapter 6. The Committee provided direction as to whether or not each proposed amendment should move forward and if so should it be part of the first set or the second set. The Committee specifically decided the following:

- To allow walkways in the wetland buffer as long as they are pervious and no wider than 4 feet;
- To ask Rocky Browder for input related to various types of bulkheads and which types should be exempt from having to provide an additional wetland buffer;

- To ask Rocky Browder whether the elevation of dune boardwalks should be tied to the grade or existing vegetation;
- To add a pruning section – consider structuring it similar to how the wetland buffer section is written;
- To relocate the removal of invasive species from tree exemptions to buffer section and require a replanting plan;
- To change ‘exceeding’ to ‘equal to or greater than’;
- To research ways to improve the dune definition;
- To review the native plants list and determine if the name should be changed to ‘acceptable’ or ‘desirable’ instead of ‘native’; and
- To allow bike racks and the like in the adjacent street and use setbacks.

The committee discussed the prioritization of all of the proposed amendments. The Chairman suggested that any amendment that was controversial needed to be well researched and that those amendments and any that were more complex should probably be saved until the second set of 2016.

6. **Adjournment**

The meeting was adjourned at 10:50 a.m.

Submitted By:

Approved By:

Teri Lewis
LMO Official

Jim Gant
Chairman



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Committee
VIA: Jayme Lopko, AICP, *Senior Planner*
FROM: Teri B. Lewis, AICP, *LMO Official*
DATE: February 26, 2016
SUBJECT: Proposed 2016 LMO Amendments – First Set

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

EXHIBIT A

DRAFT 2016 LMO AMENDMENTS

CHAPTER 16-2: ADMINISTRATION

Staff Explanation: The current language allows any landowner in the Town (in addition to the Town Manager and Planning Commission) to submit a text amendment. This change would allow only the Town Manager and Planning Commission to propose changes to the LMO. Any citizen is welcome to ask the Planning Commission to consider a change to the LMO.

Section 16-2-103. Application Specific Review Procedures

- A. No Changes
- B. Text Amendment
 - 1. No Changes
 - 2. Text Amendment Procedure

a. Application Submittal

An *application* to amend the text of this *Ordinance* may be filed by the persons identified in Section 16-2-102.C.1, the *Planning Commission* or the Town Manager, and any *application* shall comply with the requirements of Section 16-2-102.C.

Staff Explanation: Currently the language in this section is written in a way that does not require that DRB take an action on conceptual development. This is in conflict with the current process, a process that works well for the DRB and the applicant. The change, which is in keeping with the way the motions are currently made, will require that DRB take action and approve or approve with conditions any conceptual development.

- C. – H. No Changes
- I. Corridor Review (Minor and Major)
 - 1. – 3. No Changes
 - 4. Major Corridor Review Process
 - a. Conceptual Review
 - i. No Change
 - ii. Staff Review and Action

On receiving an *application*, the *Official* shall review the *application* and prepare a staff report with a recommendation for ~~comments~~ action on the *application* in accordance with Sec. 16-2-102.D. The

Official's recommendation shall be based on the standards in Sec. 16-2-103.I.5, Corridor Review (Minor and Major) Standards.

iii. Decision-Making Body Review and Decision

The *Design Review Board* shall review the *application* and staff report at a public meeting, ~~and make a decision on the *application* provide the *applicant* preliminary comments on the *application* and request such additional information or materials as may be required for final review of the *application*. If the *Design Review Board* requests additional information or materials, the *applicant* shall provide them to the Board within thirty days.~~ The Board's decision ~~comments~~ and requests shall be based on the *application's* compliance with the standards in Sec. 16-2-103.I.5, Corridor Review (Minor and Major) Standards, and shall be one of the following:

01. Approve the *application*, or
02. Approve the *application* subject to conditions.

The Board's decision shall be in writing.

Staff Explanation: Although the policy has been to require a natural resources permit for any work in wetlands, wetland buffers and dunes, the current language in this section only applies to trees. The amended language will fix this error.

J. No Changes

K. Natural Resources Permit

1. No Changes

2. Applicability

Except as exempted in Sec. 16-6-104.B.2, Exemptions, no *person* shall cut, destroy, cause to be destroyed, move or remove, transplant, prune, or limb any ~~*tree in the Town, or trim or remove dune vegetation, or*~~ undertake any work authorized through Municipal Code Section 8-1-413 or undertake any work in a wetland or wetland buffer without first receiving approval of a Natural Resources Permit in accordance with the procedures and standards of this subsection—provided that no separate Natural Resources Permit shall be required where the proposed ~~*tree removal or alteration work*~~ is reviewed and authorized in accordance with an approved Subdivision Review (Minor or Major) (see Sec. 16-2-103.F), Development Plan Review (Minor or Major) (see Sec. 16-2-103.G), Small Residential Development Review (see Sec. 16-2-103.H) or Public Project Review (see Sec. 16-2-103.Q).

3. Natural Resources Permit Review Procedure

a. Application Submittal

An *application* for a Natural Resources Permit may be submitted by *persons* identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C. On receiving an *application*, the *Official* shall conduct an inspection of the site to assess the accuracy of the *tree survey* or other related materials, ~~check the condition of *trees* to be preserved, and inspect the site for any unusual features or *specimen trees*.~~ Following the inspection, the *Official* shall advise the *applicant* of any recommended changes that should be made to the *application* to ensure compliance with the standards of this subsection.

b. – c. No Changes

4. Natural Resources Permit Review Standards

A Natural Resources Permit shall be approved on a finding the *applicant* demonstrates the proposed ~~*tree removal*~~ work complies with the standards in Sec. 16-6-102, Wetland Protection, Sec. 16-2-103, Beach and Dune Protection and Sec. 16-6-104, Tree Protection.

Staff Explanation: The current LMO language makes it unclear whether or not a Certificate of Compliance is required if a Certificate of Occupancy is not required. A Certificate of Compliance should be required regardless; this change fixes the issue.

L. – O. No Changes

P. Certificate of Compliance

1. No Changes

2. Applicability

All *development*, or an approved phase thereof, that has received approval of a Subdivision Plan, Development Plan, or Small Residential Development—or any other *development* that has received a permit or *development* approval under this *Ordinance*— shall obtain approval of a Certificate of Compliance prior to a receipt of a Certificate of Occupancy and occupancy of a *building* or *structure* or actual occupancy or use of the *site* or *structure* or portion thereof if no Certificate of Occupancy is required.

CHAPTER 16-3: ZONING DISTRICTS

Staff Explanation: The LMO currently prohibits RVs from being inhabited unless they are located within an RV Park; however, this prohibition is located in the Definitions chapter. This change relocates the prohibition to the Use-Specific Condition section of the LMO in keeping with other prohibitions/conditions.

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

- A. – C. No Changes
- D. Light Commercial (LC) District
 - 1. No Changes

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>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>Recreational Vehicle (RV) Park</i>	PC	<u>Sec. 16-4-102.B.1.c</u>	1 per 300 GFA of office and clubhouse	
Industrial Uses				
<i>Light Industrial, Manufacturing, and Warehouse Uses</i>	PC	Sec. 16-4-102.B.9.a	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office and administrative area	
<i>Self-Service Storage</i>	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area	
<i>Waste Treatment Plants</i>	SE		See Sec. 16-5-107.D.2	
<i>Wholesale Sales</i>	PC	<u>Sec. 16-4-102.B.9.d</u>	1 per 1,000 GFA	

Staff Explanation: The condition related to Wholesale Sales in the IL (Light Industrial) zoning district no longer applies because retail sales are a permitted use in this district.

E. Light Industrial (IL) District

1. No Changes

Uses			
<i>Light Industrial, Manufacturing, and Warehouse Uses</i>	P		1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area
<i>Self-Service Storage</i>	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area
<i>Waste-Related Uses</i> Other than <i>Waste Treatment Plants</i>	P		1 per 2,500 GFA
<i>Wholesale Sales</i>	PC	Sec. 16-4-102.B.9.d	1 per 1,000 GFA

Staff Explanation: The maximum height in the RD (Resort Development) zoning district in the RD zoning district. As part of the LMO Rewrite, some primarily single-family areas that were previously zoned RM-8 with a maximum height of 45' were rezoned to RD. As some of the areas have started to develop, surrounding residents have expressed concern that new single-family houses can be so much taller that what already exists in the area and that the height isn't in keeping with a single-family area. This change would reduce the height requirement for single-family houses in the RD zoning district from 75' to 45'.

- F. – K. No Changes
- L. Resort Development (RD) District
 - 1-2. No Changes

3. Development Form and Parameters			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential	16 du	Max. <i>Impervious Cover</i>	50%
<i>Hotel</i>	35 rooms	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT			
<u>Non Single-Family Development</u> on property landward of South Forest Beach Drive	60 ft		
All Other <u>Non Single-Family Development</u>	75 ft		
<u>Single-Family Development</u>	45 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 = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			

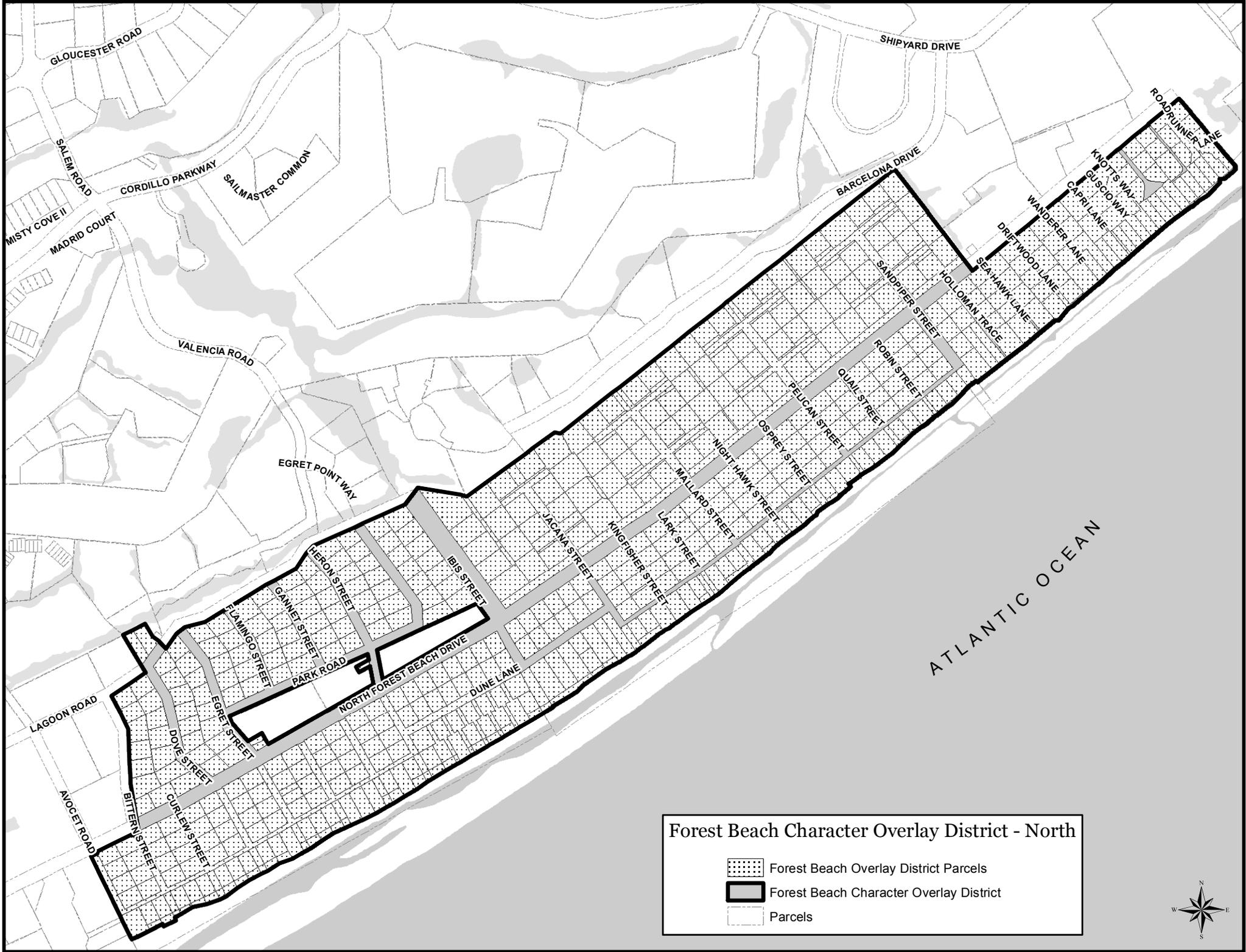
Staff Explanation: The map of parcels that make up the Forest Beach Neighborhood Character Overlay District was inadvertently left out of the LMO. This change will also re-number a section.

Section 16-3-106. Overlay Zoning Districts

- A– G. No Changes
- H. Forest Beach Neighborhood Character Overlay (FB-NC-O) District
 - 1-2. No Changes

3. Delineation of District

The Forest Beach Neighborhood Character Overlay (FB-NC-O) District includes all *parcels* shown as hatched in Figure 16-3-106.H.3 below.



Forest Beach Character Overlay District - North

-  Forest Beach Overlay District Parcels
-  Forest Beach Character Overlay District
-  Parcels





CORDILLO PARKWAY

MYRTLE LANE

HICKORY LANE

CANVAS BACK ROAD

SOUTH FOREST BEACH DRIVE

LAUREL LANE

SPRING LANE

FIRETHORN LANE

SEA OAK LANE

ELDERBERRY LANE

DOGWOOD

CASSINA LANE

BAYBERRY LANE

ALDER LANE

WOODWARD AVENUE

Forest Beach Character Overlay District - South

-  Forest Beach Overlay District Parcels
-  Forest Beach Character Overlay District
-  Parcels



34. District Regulations

CHAPTER 16-4: USE STANDARDS

Staff Explanation: Two changes are made in conjunction with similar changes made in Chapter 3. RV Parks are now a conditional use (the condition that Recreation Vehicles can only be lived in when located in an RV Park is being relocated from the definitions section to the Specific Use Conditions) and since retail sales are now permitted in the IL zoning district, the condition limiting retail sales associated with wholesale sales is being eliminated.

Section 16-4-102. Principal Uses

A. Principal Use Table

1. – 5. No Changes

6. Principal Use Table

Table 16-4-102.A.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
RESIDENTIAL USES																					
Recreation Vehicle (RV) Parks																		PC			Sec. 16-4-102.B.1.c
INDUSTRIAL USES																					
Wholesale Sales																		PG		PG	Sec. 16-4-102.B.9.d

Staff Explanation: The changes to specific use conditions do the following: establishes conditions that dwelling units, hotel rooms and bed and breakfast rooms can be located on the first floor within the CR zoning district if the proposed development is located behind a commercial services use; relocates the condition related to living in a recreational vehicle from definitions; and eliminates the condition limiting retail services associated with wholesale sales.

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

a. Mixed-Use

i. No Change

ii. In the CR District, there shall be no *dwelling units* located on the first floor of any *mixed-use development* unless the mixed use development is located behind a *commercial services use*.

b. Multifamily

In the CR District, there shall be no *dwelling units* located on the first floor of any *multifamily development* unless the *multifamily development* is located behind a *commercial services use*.

c. Recreation Vehicle (RV) Parks

Use of a recreational vehicle for residential or accommodation purposes is prohibited except in a *Recreational Vehicle (RV) Park*.

2. – 3. No Changes

4. Resort Accommodations

a. Bed and Breakfasts

i. No Change

ii. In the CR District, there shall be no guest rooms located on the first floor of any *bed and breakfast* unless the *bed and breakfast* is located behind a *commercial services use*.

b. Hotels

i. *Hotels* located in the CR District shall have guest rooms with *gross floor area* no smaller than 100 square feet. Such rooms shall not be located on the first floor of any *hotel* unless the *hotel* is located behind a *commercial services use*.

5. – 8. No Changes

9. Industrial Uses

a. – c. No Changes

d. Wholesale Sales

~~Accessory retail operations associated with a wholesale business are permitted if they use no more than 15 percent of the *gross floor area* of the *building*.~~

CHAPTER 16-5: DEVELOPMENT AND DESIGN STANDARDS

Staff Explanation: This change eliminates the need for properties that are behind the gates in a master planned area but still within the Corridor Overlay District to meet setback requirements.

Section 16-5-102. Setback Standards

- A. No Changes
- B. Applicability
 - 1. No Changes
 - 2. Exceptions
 - a. No Changes

b. For *development* within a PD-1 District, adjacent street and use setback 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.

Staff Explanation: This change will allow bike racks and the like within the adjacent use and street setbacks.

- C.-D. No Changes
- E. Allowable Setback Encroachments

Table 16-5-102.E: Allowable Setback Encroachments

Feature	Extent and Limitations
Bike racks and other <i>site</i> furnishings	Allowed in adjacent use and adjacent street setbacks

Staff Explanation: This change eliminates the need for properties that are behind the gates in a master planned area but still within the Corridor Overlay District to meet buffer requirements.

Section 16-5-103. Buffer Standards

- A. No Changes
- B. Applicability
 - 1. No Changes
 - 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.

Staff Explanation: The policy is that any work being done in buffers must be reviewed and approved by the Town’s Environmental Planner, this change codifies that policy.

C. – G. No Changes

H. Existing Vegetation

1. If a buffer area has existing *trees* that are protected under this *Ordinance*, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this *Ordinance*. Where groupings of native shrubs are present, their preservation with minimum disturbance is strongly encouraged. Any clearing or other work in buffers must have the prior approval of the *Official*.

2. No Changes

Staff Explanation: This clarifies that if an invasive species is removed from a buffer, then the area needs to be replanted so that it fulfills its function as a buffer.

3. The removal of invasive species shall be allowed with an approved replanting plan, if needed.

Staff Explanation: This change will clear up any confusion caused by conflict between Town and SCDOT standards.

Section 16-5-105. Mobility, Street, and Pathway Standards

A. Mobility

1.-4. No Changes

5. Accessway Layout and Design

a. – d. No Changes

e. Driveway Layout and Design

i. Driveway Entrances

Driveway entrances from *streets* shall comply with standards in the current edition of SCDOT's *Access and Roadside Management Standards* manual—including, but not limited to, standards for *driveway* spacing, angle of intersection, entry width, radius, offset, approach grade and side slope, throat length, and islands and medians. In instances where the Town’s access spacing standard as outlined in 16-5-105.I is greater than the SCDOT standard, the Town’s standard shall be applicable.

Staff Explanation: This section doesn't fit in 16-5-105 since it deals entirely with internal site design. It is being moved to Section 16-5-107, Parking and Loading Standards. The two sections below are being re-numbered.

- ~~f. Vehicle Stacking Distance for Drive-Through and Related Uses~~
 - ~~g f. Bikeway Layout and Design~~
 - ~~h. g Walkway Layout and Design~~
-

Staff Explanation: This change clarifies the standards that should be used for pathways internal to a site.

B. – N. No Changes
O. Multi-Purpose Pathways

Multi-purpose pathways to accommodate both pedestrian and bicycle traffic may be provided independent of the street system. The pathway standards in this section apply only to pathways constructed generally parallel to streets within a private or public right-of-way. The following standards shall apply to multi-purpose pathways:

1. Pathways shall be designed and provided in accordance with the latest edition of AASHTO's *Guide for the Development of Bicycle Facilities*. Dimensions and **construction** specifications of multi-purpose paths shall be determined by the number and type of users and the location and purpose of the path.
 2. A minimum eight-foot paved width shall be provided for two-way traffic and a five-foot width for one-way traffic. A five-foot sidewalk on each side of the roadway is an acceptable alternative to providing a single separated two-way pathway facility.
-

Staff Explanation: The deletion is made to provide more flexibility during site design. The addition is made to ensure that in larger parking spaces that the EV space is available to those who need it.

Section 16-5-107. Parking and Loading Standards

A. – C. No Changes
D. Parking Space Requirements
1. – 9. No Changes

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

All *multifamily* and nonresidential *development* shall provide one *electric vehicle (EV) charging station* per *site*. ~~The *electric vehicle charging station* shall be located within 100 feet of the primary entrance. If the development requires over 100 parking spaces, the electric vehicle (EV) charging station shall have a sign that states that only electric vehicles being charged can park in that particular parking space.~~

Staff Explanation: This change will allow for a safe turning radii under buildings.

E. Parking Space and Aisle Dimensions

1. No Changes

2. a. – d. No Changes

e. Parking spaces under buildings, where it is not feasible to provide a landscaped median on the end of a parking bay, shall be separated from adjoining parallel *drive aisles* by a raised or curbed area that is a minimum of four feet in width.

Staff Explanation: The changes to this section are being made to increase flexibility with site design.

F. - G. No Changes

H. 1-6. No Changes

7. Bicycle Parking

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

b. The bike racks shall be located in visible, well-lit areas ~~within 50 feet of a primary entrance to the *building* they serve~~ and shall be in an area maintained with an all weather surface. They shall be located where they do not interfere with pedestrian traffic and are protected from conflicts with vehicular traffic.

c. The required minimum number of vehicular parking spaces shall be reduced by one space for every ten bicycle parking spaces provided.

Staff Explanation: The changes relocates this section from Mobility, Street and Pathway Standards to the Parking and Loading Standards section since it deals entirely with internal site design

I. Vehicle Stacking Distance for Drive-Through and Related Uses

1. Required Stacking Distance

Driveways on which vehicles queue up to access a drive-through facility or similar service facility, or a drop-off or pick-up zone, shall provide at least the minimum stacking distance behind the facility or zone in accordance with Table 16-5-107.I.1, Minimum Stacking Distance for Drive-Through and Related Uses.

TABLE 16-5-107.I.1: MAXIMUM STACKING DISTANCE FOR DRIVE-THROUGH AND RELATED USES		
<u>USE OR ACTIVITY¹</u>	<u>MINIMUM STACKING DISTANCE</u>	<u>MEASURED FROM</u>
<u>Automated teller machine (ATM)</u>	<u>60 ft</u>	<u>Center of the teller machine</u>
<u>Bank or financial Institution, with drive-through service</u>	<u>60 ft per lane</u>	<u>Center of the teller window</u>
<u>Car wash and auto detailing, automatic</u>	<u>40 ft per bay</u>	<u>Bay entrance</u>
<u>Car wash and auto detailing, self-service</u>	<u>20 ft per bay</u>	<u>Bay entrance</u>
<u>Drug store or pharmacy, with drive-through service</u>	<u>60 ft per lane</u>	<u>Center of the window</u>
<u>Dry cleaning or laundry drop-off establishment with drive-through service</u>	<u>60 ft per lane</u>	<u>Center of the window</u>
<u>Gas sales</u>	<u>20 ft</u>	<u>Each end of the outermost gas pump island</u>
<u>Gated driveway/entrance</u>	<u>40 ft</u>	<u>Gate</u>
<u>Nursing home</u>	<u>60 ft</u>	<u>Back end of the designated drop-off/pick-up zone</u>
<u>Oil change/lubrication shop</u>	<u>40 ft per bay</u>	<u>Bay entrance</u>
<u>Restaurant, with drive-through service²</u>	<u>80 ft</u>	<u>Center of the order box</u>
<u>School, elementary or middle</u>	<u>200 ft</u>	<u>Back end of the designated drop-off/pick-up zone</u>
<u>Other</u>	<u>Uses not specifically listed are determined by the Official based on standards for comparable uses, or alternatively based on a parking demand study</u>	

NOTES: ft = feet
 1. See Chapter 16-4: Use Standards.
 2. Restaurants with drive-through service shall provide at least 80 feet of stacking distance between the center

of the order box and the center of the pick-up window closest to the order box—see Figure 16-5-107.I.1:
Stacking Distance for a Drive-Through Restaurant.

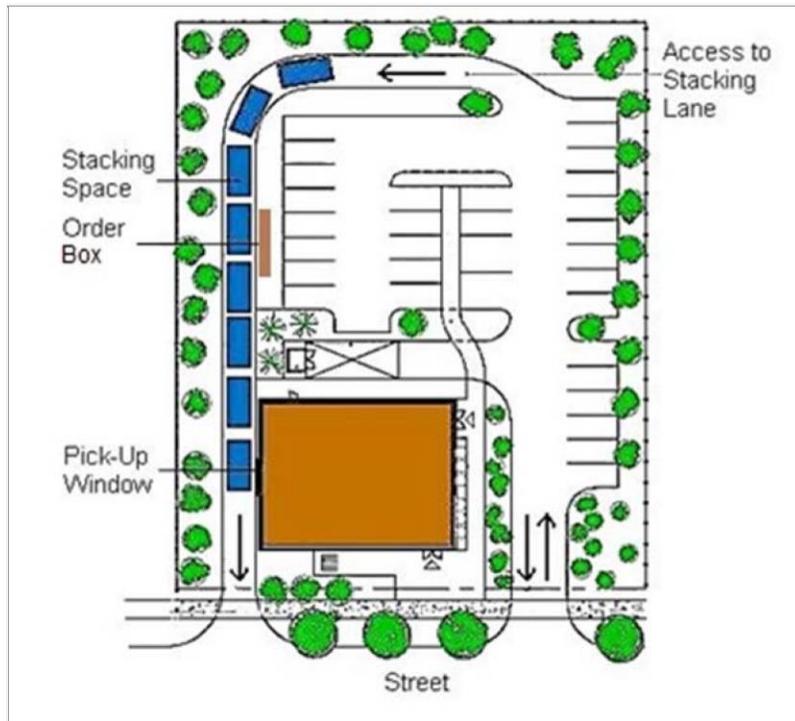


Figure 16-5-107.I.1: Stacking Distance for a Drive-Through Restaurant

2. Layout and Design

- a.** The minimum clear width for any *drive-through* aisle shall be ten feet.
- b.** Driveways providing required stacking distance shall be designed so as not to impede onsite or offsite vehicular traffic movements into or out of off-street parking spaces, or onsite or offsite bicycle or pedestrian traffic movements.
- c.** Driveways providing required stacking distance may be required to be separated from other internal driveways if deemed necessary for traffic movement and safety by the *Official*.

CHAPTER 16-6: NATURAL RESOURCE PROTECTION

Staff Explanation: This clarifies that any work in a wetland or wetland buffer requires a natural resources permit.

Section 16-6-102. Wetland Protection

A. No Changes

B. Applicability

1. – 2. No Changes

3. No person shall undertake any work in a wetland or wetland buffer without first receiving approval of a Natural Resources Permit in accordance with the procedures and standards of Sec. 16-2-103.K, Natural Resources Permit, and the standards in this section.

Staff Explanation: When reviewing the allowed activities in a wetland buffer, it seemed to make sense that pervious walkways should be allowed. This change does that.

D. Wetland Buffer Standards

1. – 2. No Changes

3. Development Within Wetland Buffers

a. No Changes

b. Allowed Development Activities

i. 01. – 02. No Changes

03. Construction and *maintenance* of pedestrian walkways, including minor associated *structures* such as benches and signage, that provide public *access* to *adjacent* wetlands for wildlife management and viewing, fishing, and recreational purposes, or that provide *access* to approved water-dependent *development* activities—provided the walkway is not more than four feet wide and is pervious, ~~is not paved, and is not boarded;~~

Staff Explanation: This change eliminates the need for the reestablishment of a wetland buffer when the provided bulkhead is impervious. This is because if the bulkhead is impervious there can be no interplay between the wetland buffer and the adjacent wetland.

04. Construction and *maintenance* of pervious bulkheads or revetments, including associated backfill in tidal *wetland buffers*—provided:

(A) A *wetland buffer* in accordance with the standards in this section is re-established; and

(B) The *Official* approves the replanting plan and any tree removal;

05. Construction and maintenance of impervious bulkheads or revetments;

05: 06.

06: 07.

07- 08.
08- 09.

Staff Explanation: This clarifies that any work in a dune or dune system requires a natural resources permit.

Section 16-6-103. Beach and Dune Protection

- A. No Changes
- B. Applicability
 - 1. – 3. No Changes
 - 4. No person shall undertake any work in a dune or dune system without first receiving approval of a Natural Resources Permit in accordance with the procedures and standards of Sec. 16-2-103.K, Natural Resources Permit, and the standards in this section.

Staff Explanation: Boardwalks over the dunes should be low profile, changing the language so that the bottom of the boardwalk is measured from grade rather than vegetation will allow this.

- F. Development on Dunes
 - 1. No Changes
 - 2. Dune Boardwalks
 - a. – b. No Changes
 - c. *Dune boardwalks* constructed across existing or proposed native *beach* and *dune* vegetation shall be post-supported and elevated a minimum of two feet above the ~~vegetation~~ grade to allow for sand build-up and clearance above the vegetation.

Staff Explanation: During the rewrite, the Committee opted to protect pine trees at 12” instead of 8” (in the old LMO, all Category III trees were protected at 8”). Cedar trees are also in Category III – it has been suggested that since the Committee only opted to change the size that pine trees were protected at that cedar trees should still be protected at 8”. It is particularly important to protect the cedar trees here on the Island because many grow adjacent to salt water and never grow larger than about 10”.

Section 16-6-104. Tree Protection

- A. – B. No Changes
- C. Minimum Tree Coverage Standard
 - 1. No Change
 - 2. Tree Survey

a. i. **No Change** The *tree survey* shall be in the form of a map or a *site plan* prepared and sealed by a registered *land* surveyor within two years of the date of *application*. The *tree survey* shall be at the same scale as the required *site development* plan and shall include the following information:

i. The location of all Category I, II and IV *trees* with a *DBH* of 6 inches or greater, ~~and~~ Category III *trees* (other than cedar and palmetto *trees*) with a *DBH* of 12 inches or greater and cedar and palmetto *trees* with a *DBH* of 8 inches or greater within the areas to be developed and within areas 25 feet beyond such area in each direction, or extending to the property line, whichever is less;

ii. The location of any *trees* with a *DBH* less than 6 inches (Category I, II and IV), less than 8 inches (cedar and palmetto *trees*) and less than 12 inches (Category III other than cedar and palmetto *trees*) that the *applicant* wishes to count toward the minimum standard of *tree* coverage on the *site*; and

Staff Explanation: The current language inadvertently states that if a tree exceeds the DBH listed in Table 16-6-104.F.1 then it is a specimen tree; the change corrects it to equal or greater than.

D. – E. No Changes

F. Specimen Tree Preservation

1. Specimen Tree Defined

For purposes of this section, a *specimen tree* is any *tree* of a species designated by the *State* or federal government as an endangered, threatened, or rare species, or any *tree* of a type and with a *DBH* ~~exceeding~~ equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the *tree* type.

Staff Explanation: The change clarifies that specimen trees are not protected on single-family lots.

2. General Requirements

a. No *specimen tree* may be removed except in accordance with paragraph b below. In addition, all *specimen trees* shall have the following protections, whether located on public or private *land* with the exception of *specimen trees* located on *single-family lots*.

CHAPTER 16-10: DEFINITIONS, INTERPRETATION, AND MEASUREMENT

Staff Explanation: This change clarifies that density is not rounded up.

Section 16-10-102. Rules of Measurement

A. No Changes

B. Density

1. Density

A measurement of intensity of the *development* of a *parcel* of *land*, calculated by dividing total number of *dwelling units* by the *net acreage* of the *parcel* for residential *development*; by dividing the total number of guest rooms by the net acreage of the *parcel* for *hotel development*; and by dividing the total number of square feet of *gross floor area* by the *net acreage* of the parcel for other nonresidential *development*. In *mixed-use* developments, acreage allocated to residential *use* shall not be used to calculate nonresidential *density*, and acreage allocated for nonresidential *uses* shall not be used to calculate residential *density*; and acreage allocated to *hotel use* shall not be used to calculate other nonresidential *density*, and acreage used for other nonresidential *uses* shall not be used to calculate *hotel density*. Where residential and nonresidential *uses* are combined in a single *building*, the *density* of each *use* within the *building* shall be calculated separately. When computation of the *density* results in a fraction, the result shall not be rounded up to the nearest whole number.

APPENDIX A – ADVISORY AND DECISION MAKING BODIES AND PERSONS

Staff Explanation: This change adds back in the review of Traffic Impact Analysis Plans which is listed in the Rules of Procedure for the Planning Commission.

A-1. No Changes

A-2. Planning Commission

A. 1 – 2. No Changes

A.3. Review and make decisions on *applications* for:

a. – b. No Changes

c. Traffic Impact Analysis Plans (Section 16-2-103.1.5.b.ii).

APPENDIX D – APPLICATION SUBMITTAL REQUIREMENTS

Staff Explanation: This change adds two requirements (that are already listed in the Airport Overlay District) to the plat stamping section.

D-1 – D-3. No Changes

D-4. Subdivision Review, Major

A. No Changes

B. Subdivision Plat

1. – 19. No Changes

20. The grading plan for each lot.

D-5. – D. 19. No Changes

D-20. Plat Stamping

A. No Changes

1. – 22. No Changes

23. If a property is located in the Airport Overlay (A-O) District a note shall be added to the plat per Section 16-3-106.E.3.b.i.

24. If a property is located in the Outer Hazard Zone of the Airport Overlay (A-O) District a note shall be added to the plat per Section 16-3-106.E.3.b.ii.