



The Town of Hilton Head Island
LMO Committee Meeting
Monday, October 21, 2019 – 9:30 a.m.
Benjamin M. Racusin Council Chambers
AGENDA

As a courtesy to others please turn off / silence ALL mobile devices during the meeting. Thank you.

- 1. Call to Order**
- 2. FOIA Compliance** – Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
- 3. Approval of Agenda**
- 4. Appearance by Citizens on Items Unrelated to Today's Agenda**
- 5. Old Business**
 - a. Consider possible amendments to the LMO related to the RD (Resort Development) zoning district, specifically changes to Interval Occupancy and building height
- 6. Adjournment**

Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Committee
FROM: Teri B. Lewis, AICP, *Deputy Director of Community Development*
DATE: October 9, 2019
SUBJECT: Staff Response to Proposed LMO Amendments Related to the RD Zoning District

Patsy Brison approached the LMO Committee and the Planning Commission in late 2018 to request changes (see Attachment A) to the LMO. The amendments propose the following changes to the RD (Resort Development) zoning district.

- Delete 1 bedroom units from Interval Occupancy.
- Change how the density for Hotel and Interval Occupancy uses is calculated from units to gross floor area (GFA).
- Reduce the maximum building height of Non-Single-Family Development on all properties to 60 feet above mean sea level with no more than five stories (including habitable and parking levels) for all buildings on each property.
- Require that building height not exceed the tree height on the same or adjacent properties.

Staff has reviewed the proposed changes and recommends that they not be pursued for the following reasons:

- These changes would be a disincentive for redevelopment and would create nonconformities.
- Additionally the Town has long encouraged full service hotels which have many amenities. These amenities, which require square footage, allow people to stay at the hotel rather than leaving and adding to the traffic on the roads.

LMO Section 16-2-103.B.2.a permits both the Town Manager and the Planning Commission to suggest LMO amendments.

Presentation by Patsy Brison to Town of Hilton Head Planning

Commission on November 15, 2018

I am concerned about the height, density and gross floor area of new buildings being constructed and which have been constructed after 2014 in the South Forest Beach area which are within the Resort Development District. The size of these buildings resulted from language in the LMO adopted in 2014 and from certain amendments to the LMO adopted in 2016. As of yesterday afternoon, I was only able to find out sizes of a few of the buildings.

The information I have found so far is as follows:

South Forest Beach Area:

1. Hilton Gardens Interval Occupancy Project (Zoned Resort Development) (South Forest Beach Drive)

The total acreage of the site is 8.10 acres. The site is being developed with two “condo buildings” (building 1= 121,742 square feet and building 2= 115,976 square feet) containing a total

of 125 units, an administration building with 4865 square feet, and a maintenance building with 1195 square feet. The total square footage is 243,778. On the 8.10-acre site, that results in 30,096 square feet per acre. The two “condo buildings” are interval occupancy or time share buildings. The total height is 89 feet above Mean Sea Level (MSL), which results from the LMO allowing 75 feet above Base Flood Elevation (BFE), which is 14 feet at that location. The buildings include seven stories and the roof structures.

2. Coral Sands (Elite Resorts) Newest Building (Zoned Resort Development) (Pope Avenue)

The newest building is 41,200 square feet in size and consists of four or five stories plus the roof structures. I was not able to find out the acreage assigned to that building since there are at least six other buildings on the property or properties at the intersection of Pope Avenue and Cordillo Parkway.

I am also concerned about the size of the new **Courtyard by Marriott**, which I understand is in the area zoned **Coligny Resort**. As of yesterday afternoon, I was not able to find out the size of that new building. There are no density or gross floor area maximums for that type of building in the Coligny District.

At the October 30, 2018, meeting of the LMO Committee of the Planning Commission, I provided information from the Town staff on the size of the new Hilton Gardens project. I also handed to the LMO Committee and to Town staff a draft ordinance to reduce the size of buildings in the Resort Development District. A copy of that draft ordinance is attached. I asked that the request be considered at the next Planning Commission meeting, which is today. The LMO Committee asked the Town staff to research the request, but I do not see any report from the LMO Committee or staff about the request on today's Planning Commission agenda.

I am very concerned about the impacts of such large buildings on the image of Hilton Head Island, including, but not limited to, the intrusion on the beaches and the disregard for the tree canopy. I am also very concerned about the increased traffic brought by increased and uncontrolled density and the other impacts on the infrastructure of the Island, both man-made infrastructure and the natural environment.

I respectfully request that you place consideration of amendments to reduce these impacts on your agenda. We cannot wait on a lengthy process but should proceed immediately as soon as the State statute and Town LMO allow for action on amendments. The South Forest Beach area cannot take any more of this type of development.

Thank you for service on the Commission and for your time and consideration of this request.

-Patsy Brison

November 14, 2018

AN ORDINANCE TO AMEND SECTION 16-3-105 L. RD RESORT DEVELOPMENT DISTRICT OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO REDUCE THE HEIGHT, DENSITY AND MAXIMUM SQUARE FOOTAGE OF CERTAIN BUILDINGS

WHEREAS, the Town of Hilton Head Island was developed in recognition of and with respect for the natural tree canopy and forests on the Island; and

WHEREAS, Live Oak trees are important to Hilton Head Island and reach a maximum of 40-60 feet in height; and

WHEREAS, Palmettos (also known as sabal palm and cabbage palm) are the State tree of South Carolina and have a common height of 50 feet; and

WHEREAS, the Loblolly Pine is the most common tree on the Island and may grow up to a maximum of 80 feet in height, but is vulnerable to hurricanes and tropical storms; and

WHEREAS, the maximum building heights of non-single-family residential developments in the Resort Development District exceed the maximum height of the Live Oaks and the common height of Palmettos; and

WHEREAS, the density of "Interval Occupancy" in the Resort Development District has increased the traffic beyond the capacity of the existing road infrastructure and beyond the adopted plans of the Town of Hilton Head Island; and

WHEREAS, the gross floor area ("GFA") allowed in the Resort Development District has resulted in massive buildings along the beach in the South Forest Beach area, which conflicts with the Charles Fraser vision of the development of Hilton Head Island;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED THAT SECTION 16-3-105 L. RESORT DEVELOPMENT DISTRICT BE AND IS HEREBY AMENDED AS FOLLOWS:

Section 1. Section 16-3-105 L. 2. be amended to delete the allowance of 1 bedroom units from Interval Occupancy.

Section 2. Section 16-3-105 L. 3. be amended to reduce the gross floor area ("GFA") so that the size of Hotel and Interval Occupancy buildings shall not exceed _____ GFA per building.

Section 3. Section 16-3-105 L. 3. be amended to reduce the maximum building height of Non-Single-Family Development on all properties to 60 feet above mean sea level (MSL), with no more than 5 stories (including habitable levels and any parking levels) for all buildings on each property, and in no event shall any building height exceed the tree height on the same or adjacent properties.

Section 4. All Ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall be effective on the date of final reading.

PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2018.

_____, Mayor

ATTEST: _____

Krista Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

Approved as to form: _____

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

CR

Coligny Resort District

1. Purpose

The purpose of the Coligny Resort (CR) District is to recognize and promote further investment in the area near Coligny Circle as an activity center and a core high-energy and visitor-oriented resort destination that encourages people to live, work, and recreate within the district. The district is intended to accommodate relatively high-intensity commercial, office, residential, and ***mixed-use development*** that is pedestrian-oriented and human-scale. It is also intended to promote ***development*** that integrates civic and public gathering spaces and connects to such places in nearby developments and public places.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES ¹	
Residential Uses				
<i>Mixed-Use</i>	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
<i>Multifamily</i>	PC	Sec. 16-4-102.B.1.b	1 bedroom	1 per du
			2 bedroom	1.25 per du
			3 or more bedrooms	1.5 per du
			Nonresidential	1 per 650 GFA
Public, Civic, Institutional, and Educational Uses				
<i>Community Service Uses</i>	P		1 per 525 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	7.5 per classroom

			Elementary and Junior High/Middle Schools	3 per classroom
			Other Education Uses	See Sec. 16-5-107.D.2
Government Uses	P		Fire Stations	3 per bay + 1 per 300 GFA of office space
			Other	1 per 300 GFA of office area
Major Utilities	SE		1 per 2,000 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 4 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per 1.5 guest rooms	
Hotels	PC	Sec. 16-4-102.B.4.b	1 per 1.5 guest rooms	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				

Indoor Commercial Recreation Uses	P		1 per 7 persons + 1 per 300 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4-102.B.5.b	Miniature Golf Courses	1 per 2.5 tees
			Stadiums	1 per 5 spectator seats
			Other	1 per 4 persons + 1 per 300 GFA of office or similarly used area
Water Parks	P		See Sec. 16-5-107.D.21	
Office Uses				
Contractor's Offices	PC	Sec. 16-4-102.B.6.a	1 per 450 GFA of office/administrative area	
Other Office Uses	P		1 per 500 GFA	
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 250 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 250 GFA	
Eating Establishments	PC	Sec. 16-4-102.B.7.e	1 per 150 sf of gross floor area and outdoor eating area	
Grocery Stores	P		1 per 250 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 250 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 100 GFA	

Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 250 GFA of sales/display area
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 500 GFA
Other Commercial Services	P		See Sec. 16-5-107.D.2
Vehicle Sales and Services			
Auto Rentals	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d	See Sec. 16-5-107.D.2
Gas Sales	PC	Sec. 16-4-102.B.8.e	

3. Development Form Standards	
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS	
Adjacent Street Setbacks	Along major and minor arterials, the minimum adjacent street setback distance shall be 30' as follows:
	<p>The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5'</p> <ul style="list-style-type: none"> landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage . The remaining area may contain a pathway and shall not contain tables, chairs and fountains.
	<p>The second 15' of the setback (measured parallel to the required setback starting from</p> <ul style="list-style-type: none"> the required setback line and moving towards the street) may include plazas, courtyards, tables and chairs, pervious pavers, landscaping and fountains.

	<ul style="list-style-type: none"> The setback angle shall be 60°.
	Along other streets , the minimum adjacent street setback distance shall be 20' as follows:
	<p>The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5'</p> <ul style="list-style-type: none"> landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage . The remaining area may contain a pathway.
	<p>The remaining 5' of the setback (measured parallel to the required setback starting from</p> <ul style="list-style-type: none"> the required setback line and moving towards the street) may pervious pavers, fountains and benches.
	<ul style="list-style-type: none"> The setback angle shall be 60°.
	Awnings, balconies and overhangs may occupy these setback areas.
Adjacent Use Setbacks	The adjacent use setback standards set forth in Sec. 16-5-102.D, Adjacent Use Setback Requirements, shall apply only along the perimeter of the CR district.
MODIFIED ADJACENT STREET BUFFER STANDARDS	
There are no adjacent street buffers in the CR zoning district.	

MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
All development	Undefined, but limited by applicable design and performance standards such as height and parking	Max. Impervious Cover	n/a
		Min. Open Space for Major Residential Subdivisions	n/a
MAX. BUILDING HEIGHT			

All <i>development</i>	36 ft along the adjacent street setback line; 60 ft once the setback angle is attained		
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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. Where all required parking spaces are located within a parking **structure** (e.g., parking deck or parking garage), the standards for the minimum number of parking spaces shall be reduced by 20 percent.

RD

Resort Development District

1. Purpose

It is the purpose of the Resort Development (RD) District to provide for resort **development** in the form of **multifamily development** , **bed and breakfasts** , and resort **hotels** . It is also the purpose of this district to provide for commercial **development** aimed at serving the island visitor.

2. Allowable Principal Uses

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<i>Mixed-Use</i>	PC	Sec. 16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Government Uses</i>	P		Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area

Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4- 102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4- 102.B.2.e	1	
Resort Accommodations				
Bed and Breakfasts	PC	Sec. 16-4- 102.B.4.a	1 per guest room	
Hotels	P		1 per guest room	
Interval Occupancy	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 persons + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4- 102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats

			Other	1 per 3 <i>persons</i> + 1 per 200 GFA of office or similarly used area
Water Parks	P			See Sec. 16-5-107.D.2
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a		1 per 350 GFA of office/administrative area
Other Office Uses	P			1 per 350 GFA
Commercial Services				
Bicycle Shops	PC	Sec. 16-4-102.B.7.c		1 per 200 GFA
Eating Establishments	PC	Sec. 16-4-102.B.7.e		1 per 100 sf of gross floor area and outdoor eating area
Liquor Stores	SE	Sec. 16-4-102.B.7.g		1 per 200 GFA
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h		1 per 70 GFA
Open Air Sales	P			1 per 200 GFA of sales/display area
Other Commercial Services	P			See Sec. 16-5-107.D.2
Vehicle Sales and Services				
Auto Rentals	PC	Sec. 16-4-102.B.8.a		See Sec. 16-5-107.D.2
Commercial Parking Lot	PC	Sec. 16-4-102.B.8.d		See Sec. 16-5-107.D.2

3. Development Form and Parameters

MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ¹	16 du	Max. <i>Impervious Cover</i>	50%
<i>Bed and Breakfasts</i>	10 rooms		
<i>Interval Occupancy</i>	16 du		
<i>Hotel</i> ¹	35 rooms	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT			
<i>Non Single-Family Development</i> on property landward of South Forest Beach Drive	60 ft		
All Other <i>Non Single-Family Development</i>	75 ft		
<i>Single-Family Development</i>	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 = ***dwelling units*** ; sf = square feet; GFA = ***gross floor area*** in square feet; ft = feet; n/a = not applicable

[¹] In order to promote flexibility, an **office, eating establishment** or **commercial services use** that is accessory to and within an existing residential or **hotel structure** may be converted to a residential **unit** or **units** upon the **Official's** determination that the **development** can support the required amount of parking. The alteration shall not expand beyond the footprint of the existing residential or **hotel structure** .



Large New Buildings in Forest Beach Area

Within the last 2-3 years, the Forest Beach area has been impacted by the construction of new, larger buildings and sites under the 2014 Land Management Ordinance (“LMO”) (as amended). Within the Resort Development and Coligny Resort Districts, the current language of the LMO allows increased height and density, while not setting a maximum gross floor area per acre for certain uses. Based upon information from Town of Hilton Head Island staff and from Beaufort County, the sizes of the newest buildings and their sites are as follows:

1. Hilton Gardens Interval Occupancy (South Forest Beach Drive)

According to Town staff, the total acreage of the site is 8.10 acres. The site was developed with two condominium (interval occupancy/time share) buildings (building 1- 121,742 square feet and building 2- 115,976 square feet) containing a total of 125 units, an administration building with 4865 square feet, and a maintenance building with 1195 square feet. The total square footage is 243,778, resulting in 30,096 square feet per acre.

According to the building elevations submitted to the Town, the height is 89 feet. The site is zoned Resort Development District. The LMO has a maximum height of 75 feet in that zoning district, but height is measured from the Base Flood Elevation (BFE), which is 14 feet on that property. See attached photos of the building as constructed. The buildings are clearly above the adjacent tree canopy.

2. Coral Sands (Elite Resort Group) (Newest Building Completed on Pope Avenue)

According to Town staff, the newest building is Building 5, which is 41,692 square feet in size and 55.5 feet in height. It appears to have 4 habitable stories. The total acreage is 10.58 acres, but it is difficult to get the sizes of all the buildings online in order to calculate the square feet per acreage. The best information available seems to indicate about 17,400 to 21,400 square feet per acre. Another building has been permitted but is not yet under construction. The site is zoned Resort Development District. Photo not available.

3. Marriott/Courtyard Hotel (North Forest Beach/off Pope Avenue)

According to Town staff, the approved structure is 87,081 square feet in size and the site is 4.23 acres. That calculates to 20,587 square feet per acre. The total number of rooms is 115. The Coligny Resort District allows 60 feet plus up to an additional 20% in height for architectural elements. The Town staff says the building is 65 feet, with additional height allowed for architectural elements. See attached photo.

Previously, and after the 2014 LMO was adopted, another large building was constructed along the ocean in the South Forest Beach area. The height reaches well above the tree canopy. See attached photo. When the Town staff was contacted, it was reported that the height allowed in this zoning district (Resort Development) was increased in 2014, resulting in the height shown in the attached photo.

The increase height, density and gross floor areas of these buildings are contrary to the agreed limitations of Charles Fraser and Fred Hack in 1971 when taller, larger buildings were being planned for Hilton Head Island and the Island community opposed those plans. See attached excerpts from Profits and Politics in Paradise by Michael N. Danielson. According to the excerpts, they agreed to a 5-floor limit, except for the planned hotel in Palmetto Dunes, and a density of 2 or 3 units per acre. Danielson stated that the 5-floor limitation remained in place for two decades after that, except for the 10-floor hotel in Palmetto Dunes. The agreed limitations responded to Island residents who “do not want another Miami Beach.” Danielson, page 87. Today’s plea of island residents is that Hilton Head Island not “become another Myrtle Beach.”

Increased density results in increased traffic in the Forest Beach area, as exhibited by the last few years, and contrary to the assertion that visitors stay within the confines of these new, larger buildings. The Forest Beach area is not a resort, but is a mix of beach, forests, single family homes, smaller condominium developments and local businesses. The location of large buildings and new hotels is contrary to the community of Forest Beach, assaults the Island character, violates the long-standing agreement on limitations of size, increase traffic and creates substantial safety issues. The Island is at a tipping point in development and growth should be more carefully managed. It is time to stop Forest Beach from becoming the resorts of Miami Beach and Myrtle Beach.

-Patsy Brison
October 9, 2019



Hilton
Grand Vacations
Model Open
Final Phase
Wed. Jan 24, 10:00am-12:00pm

STOP

Hilton
Grand Vacations
Model Open
Final Phase
Wed. Jan 24, 10:00am-12:00pm



