



The Town of Hilton Head Island
Planning Commission
LMO Committee
October 30, 2019, 9:00 a.m.
Benjamin M. Racusin Council Chambers
AGENDA

*As a courtesy to others please turn off / silence ALL mobile devices during the Town Council 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 Minutes – Meeting of October 16, 2019 and Meeting of October 21, 2019

4. Unfinished Business

- a. Discussion related to changes to specific LMO amendments being considered as part of Proposed General 2019 Amendments – Set 1. Changes are proposed related to commercial recreation uses, zero lot line development and protection of trees and understory vegetation.
- b. Discussion related to proposed draft LMO amendments being considered as part of Proposed General 2019 Amendments – Set 2. Changes are proposed related to stamping of subdivision plats, indoor commercial recreation uses in the Community Commercial (CC) zoning district, Corridor Overlay District, allowable setback encroachments, lighting standards, stormwater, fences, classification of health clubs and spas, bicycle shop screening, site plan requirements for Major and Minor Development Plan Reviews and grinding operations. A set of ministerial amendments are also proposed.

5. New Business

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
Planning Commission LMO Committee

Wednesday, October 16, 2019 at 3:30 p.m.

Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from the Committee: Chair Leslie McGowan, Vice Chair Todd Theodore, Michael Scanlon

Absent from the Committee: Palmer E. Simmons

Present from the Planning Commission: Peter Kristian, Caroline McVitty, Mark O'Neil, Alan Perry

Present from Town Council: Tamara Becker, David Ames, Glenn Stanford

Present from Town Staff: Teri Lewis, Deputy Director of Community Development; Nicole Dixon, Development Review Administrator; Shawn Colin, Director of Community Development; Taylor Ladd, Senior Planner; Sally Krebs, Sustainable Practices Coordinator; Tyler Newman, Senior Planner; Eileen Wilson, Senior Administrative Assistant

1. Call to Order

Chair McGowan called the meeting to order at 3:45 p.m.

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

3. Approval of Minutes – Meeting of August 29, 2019

Mr. Scanlon moved to approve. Vice Chairman Theodore seconded. The motion passed unanimously.

4. Unfinished Business – None

5. Discussion related to proposed draft LMO amendments, specifically a change to the denial of text amendments, zoning map amendments and planned unit development districts, changes related to recreational vehicles, changes related to alterations to nonconforming signs, a change to commercial recreation uses, changes to Critical Protection Area and Transition Area Map 16, changes related to zero lot line development, changes related to the protection of trees and understory vegetation and changes related to grinding operations.

Ms. Lewis presented the proposed general 2019 amendments – Set 1.

Proposed Amendment:

- Eliminate the requirement for a resolution for denial of text amendments, zoning map amendments and planned unit developments.

After discussion, Vice Chairman Theodore moved to deny this proposed amendment. Mr. Scanlon seconded. The motion passed 3-0.

Proposed Amendment

- This change will make it clear that recreational vehicles within a recreational vehicle park are not required to meet the conditions in this section.

Vice Chairman Theodore moved to approve this proposed amendment. Mr. Scanlon seconded. The motion passed 3-0.

Proposed Amendment

- This change will allow some leniency to alter a sign that is nonconforming because it is an off-premises sign.

Mr. Scanlon moved to approve this proposed amendment. Vice Chairman Theodore seconded. The motion passed 3-0.

Proposed Amendment

- This change will make it clear that if a use is listed as Indoor Commercial Recreation it is not permitted as an Outdoor Commercial Recreation use.

After discussion, the Committee asked staff to reword this proposed amendment and bring it back to the LMO Committee.

Proposed Amendment

- This change will smooth out the Beachfront Line and Critical Protection Area Line on 23 Salt Spray Lane.

Mr. Scanlon moved to approve this proposed amendment. Vice Chairman Theodore seconded. The motion passed 3-0.

Ms. Dixon presented the proposed amendment for zero lot lines.

Proposed Amendment

- This change will develop more specific standards for zero lot line subdivisions and develop a more specific definition for what qualifies as a zero lot line subdivision.

After much discussion, the Committee asked staff to work on the wording of this proposed amendment with regard to minimum lot width, maximum pervious surfaces and open space, setbacks and buffers, and bring back to the LMO Committee.

Ms. Dixon presented this proposed amendment stating recent removal of trees and understory vegetation during development led to the request for stronger language to be added to the LMO to ensure that trees and other vegetation are protected. Staff will be able to require greater protection of trees and understory vegetation when reviewing development and subdivision plans.

Proposed Amendment

- These amendments will establish greater protection for trees and other vegetation, including but not limited to buffers.

The Committee discussed whether the changes were subjective or too restrictive.

Mr. Scanlon moved to approve this proposed amendment. Chair McGowan seconded. The motion passed 2-1. Vice Chairman Theodore opposed.

Ms. Lewis presented the final proposed amendment.

Proposed Amendment

- These amendments will establish grinding as a standalone use and will provide for where it is allowed, establish conditions, required parking spaces, and a definition.

The Committee was concerned how this proposed amendment would affect PUDs since most PUDs have their own grinding machine and move it temporarily when needed. The Committee also inquired about any other grinding companies on the Island. It was stated that Bruno Landscaping uses grinding equipment. It was agreed that this proposed amendment would affect the Bruno Landscaping business and they should be made aware of this proposed amendment.

Related to the proposed natural resources amendments, the Committee asked why Red Bay and Sassafras trees were singled out in the tree protection of specimen trees when these two are short lived trees; a minimum size should be included. The Committee asked staff to reword this proposed amendment and bring it back to the LMO Committee.

6. Adjournment

Vice Chairman Theodore moved to adjourn. Mr. Scanlon seconded. The meeting was adjourned at 5:35 p.m.

Submitted by: Eileen Wilson, Secretary

Approved: [DATE]



Town of Hilton Head Island
Planning Commission LMO Committee

Monday, October 21, 2019 at 9:30 a.m.
Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present from the Committee: Chair Leslie McGowan, Vice Chair Todd Theodore, Michael Scanlon

Absent from the Committee: Palmer E. Simmons

Present from the Planning Commission: Peter Kristian

Present from Town Council: David Ames, Tamara Becker, Tom Lennox, Mayor John McCann

Present from Town Staff: Nicole Dixon, Development Review Administrator; Teri Lewis, Deputy Director of Community Development; Teresa Haley, Senior Administrative Assistant

1. Call to Order

Chair McGowan called the meeting to order at 9:30 a.m.

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

3. Approval of Agenda

Mr. Scanlon moved to approve. Vice Chairman Theodore seconded. The motion passed 3-0-0.

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

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

Ms. Lewis presented the item described in the Committee's packet. Patsy Brison approached the LMO Committee and the Planning Commission in late 2018 to request changes to the LMO. The amendments propose the following changes to the RD 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.

Chair McGowan asked Ms. Brison to make her presentation to the Committee. Following the presentation, the Committee discussed their concerns with reducing the maximum building height of non-single-family development; placing a maximum on the number of stories a building can have; eliminating one bedroom units; changing how the density for certain uses are calculated; and requiring building height be based on tree height. The Committee expressed concerns about discouraging redevelopment on the Island; negatively impacting the tourism industry; and creating nonconformities.

Chair McGowan asked for public comments and the following were received: consider a viewshed analysis as utilized in Montana; limit the maximum building height to five stories to benefit the residential community; support for more landscaping to help soften building height and mass; concerns that existing regulations would allow more large buildings within the RD zoning district; consider amending setback standards to improve the relationship between a building and pedestrian scale; the Island brand, infrastructure, and quality of life is overburdened; consider comments from residents being negatively impacted by the LMO rewrite in 2014.

Following the public comment, The Committee agreed that the ordinance proposed by Ms. Brison was unfavorable. The Committee further agreed that setback standards should be looked studied in the future. There appears to be minimal vegetation between recent developments and the pedestrian scale. Building height and mass need to be softened more with landscaping.

Mr. Scanlon moved that the LMO Committee reject the ordinance as proposed, stating the following reasons: that the Island is a resort community and should not eliminate one (1) bedroom units; the current height limitations are reasonable and have been adhered to; the Island relies heavily upon tourism, so there needs to be a balance of the residential and the resort communities, and the existing ordinance meets that balance fairly closely. Further recommending, that setback standards be reviewed for future developments similar to those discussed today. Vice Chairman Theodore seconded. The motion passed with 3-0-0.

Chair McGowan thanked Ms. Brison for her presentation and the public for their comments.

6. Adjournment

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

Submitted by: Teresa Haley, Secretary

Approved: [DATE]



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: LMO Committee
FROM: Teri B. Lewis, *AICP, Deputy Director of Community Development*
DATE: October 22, 2019
CC: Nicole Dixon, *CFM, Development Review Administrator*
SUBJECT: Proposed 2019 LMO Amendments – Set 1

After a review of the proposed 2019 LMO Amendments – Set 1 at the LMO Committee meeting on October 16, 2019, staff was asked to make changes related to the following amendments:

- Outdoor Commercial Recreation uses; and
- Zero Lot Line Subdivisions; and
- Buffer and Tree Protection; and
- Grinding.

The following changes have been made as a result of discussion with the LMO Committee:

- Zero Lot Line Subdivisions
 - Reduced the minimum lot width from 33' to 20'.
 - Added a requirement that all zero lot line residential subdivisions provide 16% minimum open space.
- Buffer and Tree Protection
 - Added a height requirement at which Red Bay and Sassafras trees will be considered specimen trees.

Staff moved the proposed changes to Outdoor Commercial Recreation uses and Grinding to the 2019 LMO Amendments – Set 2.

Rationale for General 2019 Amendments – Set 1

Chapter 16-5: Development and Design Standards

Section 16-5-102.B.2.d: Setback Standards - Exceptions

Section 16-5-103.B.2.c: Buffer Standards – Exceptions

Section 16-5-115 (New Section): Subdivision Standards – Zero Lot Line Residential Subdivisions

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-103.A.2: Residential Uses – Use Types and Definitions

Section 16-10-105: General Definitions

Proposed Amendment

- This change will develop more specific standards for zero lot line subdivisions and develop a more specific definition for what qualifies as a zero lot line subdivision.

Reason for Change

- There are limited standards for zero lot line subdivisions and the definition is unclear.

Pros and Cons of Amendment

<i>Pros:</i>	Additional standards will ensure that zero lot line subdivisions are created in such a way to eliminate the creation of an undesirable lot. This language would also be more specific about what qualifies a subdivision as a zero lot line subdivision.
<i>Cons:</i>	This could create some nonconformities.

Additional Information

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Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 3-0 to ask staff to bring these amendments back to the Committee with the following changes: <ul style="list-style-type: none">• Reduce the minimum lot width.• Increase the maximum impervious coverage.• Add a minimum open space requirement.
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Rationale for General 2019 Amendments – Set 1

Chapter 16-5: Development and Design Standards

Section 16-5-103: Buffer Standards

Section 16-5-115: Subdivision Standards

Chapter 16-6: Natural Resources Protection

Section 16-6-104: Tree Protection

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-105: General Definitions

Proposed Amendment

- These amendments will establish greater protection for trees and other vegetation, including but not limited to buffers.

Reason for Change

- Recent removal of trees and understory vegetation during development led to the request for stronger language to be added to the LMO to ensure that trees and other vegetation are protected.

Pros and Cons of Amendment

<i>Pros:</i>	Staff will be able to require greater protection of trees and understory vegetation when reviewing development and subdivision plans.
<i>Cons:</i>	

Additional Information

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Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 2-1 to ask staff to bring these amendments back to the Committee with the following change: <ul style="list-style-type: none">• Assign a specific DBH at which Red Bay and Sassafras will be considered specimen trees.
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Proposed General 2019 Amendments – Set 1

Zero Lot Line Subdivision Amendments

Chapter 16-5: Development and Design Standards

Section 16-5-102: Setback Standards

B. Applicability

2. Exceptions

- a. For *development* within the CR District, see Sec 16-3-105.B.3.
- 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 outside any *gates* restricting *access* by the general public to areas within the PUD, or constituting the boundaries of the district.
- c. For *development* within a PD-2 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 or constituting the boundaries of the district.
- d. ~~For zero lot line subdivisions, adjacent street and use setback standards shall apply only along those lot lines and street rights-of-way constituting the perimeter of the subdivision.~~

Section 16-5-103: Buffer Standards

B. Applicability

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 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.~~
- d. c. Adjacent street buffers shall not apply to *development* within the CR District.

Section 16-5-115: Subdivision Standards

D. Layout of Lots and Blocks

1. *Subdivisions* may be laid out in conventional, cluster, zero lot line, or a combination of block/*lot* designs.

E. Zero Lot Line Residential Subdivisions

1. Zero lot line residential subdivisions are permitted in the following zoning districts: RM-4, RM-8, RM-12, SPC, MS, WMU, S, MF, MV, NC, LC and RD.

2. All lots created in a zero lot line residential subdivision shall be buildable lots (the appropriate size to construct a home) and shall be a minimum of .05 acres in size with a minimum lot width of 20 feet.

3. All lots created in a zero lot line residential subdivision shall be constructed with a 50% maximum impervious coverage.

4. All zero lot line residential subdivisions shall provide 16% minimum open space.

5. No structure shall be located closer than ten feet from adjacent property lines, with the exception of structures that have a wall that rests on a common property line.

6. Where a proposed zero lot line residential subdivision is adjacent to an existing single family detached residential neighborhood or use, a setback of 20 feet is required along the perimeter of the proposed subdivision.

7. Where a proposed zero lot line residential subdivision is adjacent to an existing single family detached residential neighborhood or use, a Type A buffer, Option 1, is required along the perimeter of the proposed subdivision.

8. A zero lot line residential subdivision is not permitted on existing lots of record that were not previously platted as a zero lot line residential subdivision, unless the entire previously platted subdivision is combined and re-platted to be a zero lot line residential subdivision.

~~E.~~ F. Street Access

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-103. Use Classifications, Use Types, and Definitions

A. Residential Uses

2. Use Types and Definitions

Multifamily - A *building, parcel, or development* containing three or more *dwelling units*. This *use* includes townhouse developments, if all units are on one lot, and manufactured housing parks.

Townhouse – A multi-story structure containing one *dwelling unit* which is attached to one or more similar structures by shared walls in a *development*.

Section 16-10-105 – General Definitions

Zero Lot Line Subdivision – A *subdivision* which permits side by side, *single family dwelling units* that have a minimum of seventy-five percent of the total party wall adjoined together as a common wall on a common shared property line. This includes *townhouse* developments if each dwelling unit is on a separate *lot*.

Buffer and Tree Protection Amendments

Chapter 16-5: Development and Design Standards

Section 16-5-103: Buffer Standards

F. Buffer Types

Table 16-5-103.F, Buffer Types, describes the five different buffer types in terms of their function, opacity, width, and planting requirements. The planting requirements should be used as a guide to achieve an aesthetically pleasing landscaped buffer and only apply if the existing buffer does not meet the intent of the prescribed buffer. Either of the options under a specific buffer type may be used at the option of the *developer/applicant*. If the square footage of an existing building on a site is being increased by more than 50% then the buffers must be brought into compliance with the standards in this table.

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~~ required. Any clearing or other work in buffers must have the prior approval of the *Official*.

2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed in accordance with Section 16-6-104.J, Tree and Buffer Protection During Development Activity.

~~2- 3.~~

~~3- 4.~~

Section 16-5-115: Subdivision Standards

C. General Requirements

1. Layout of the *subdivision* shall be based on complete *site* analysis. *Streets* and *lots* shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic *site* features to be preserved.

2. The *subdivision* layout shall consider the practicality and economic feasibility of *development* of individual *lots* including the environmental characteristics, size of the *site*, and the requirements of this *Ordinance*.

3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve ~~Unique and fragile elements on site,~~ including but not limited to wetlands, significant stands of *trees* and individual *trees* of significant size, ~~shall be preserved where practical,~~ with *development* reserved for environmentally stable areas. Where the applicant demonstrates that a *site* would be rendered unusable by the strict application of

this requirement, the **Official** may waive the standard. A request for such a waiver shall be accompanied by:

a. Written evidence that an applicant has explored all feasible alternatives to the standard for tree and wetland preservation;

b. Qualification of the request in a format consistent with that for a variance request (see Sec. 16-2-103.S, Variance); and

c. A plan showing the alternatives explored.

D. Layout of Lots and Blocks

2. The **lot** configuration and shape shall provide appropriate **sites** for **buildings**, and be properly related to topography, natural elements, existing significant trees and stands of trees, **access**, drainage and utilities, and conform to all requirements of this **Ordinance**.
4. The number of **lots** within a block shall be as appropriate for the location and the type of **development** contemplated, as practical. Visual monotony created by excessive blocks of **lots** which are not interrupted by intersections, **open space**, buffers, trees or features shall be avoided.

Chapter 16-6: Natural Resources Protection

Section 16-6-104: Tree Protection

B. Applicability

1. General

- b. Consistent with the purposes of this section, all **persons** are ~~encouraged~~ required to make all reasonable efforts to preserve and retain any existing stands of **trees**, individual **trees**, and other self-supporting plants, whether or not such plants are protected under this section, as well as such other flora that make up part of the understory, shrub layer, or herb layer.

2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
 - iii. Removal of a **hazardous tree** ~~dead or naturally fallen **tree** or limb, or a diseased **tree** posing a threat to **adjacent trees**, or a **tree** that constitutes an imminent danger to the environment, property, public health, safety, or welfare due to the hazardous or dangerous condition of such **tree**,~~ provided such removal is

reported to the **Official** within five days after removal. Removal of a **hazardous tree** may require mitigation at the discretion of the Official;

D. Pre-Construction Underbrushing

- 4. Following the receipt of final **development** approval, the **applicant** shall work with the **Official** to preserve all existing understory vegetation throughout a site to the greatest extent practicable in the front and side buffers.
- 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 significant trees and stands of trees shall be maintained on site and 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. A Natural Resources Permit shall be required for such **underbrushing**.

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** or **height** equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the **tree** type.

TABLE 16-6-104.F.1: SPECIMEN TREES			
TREE TYPE		DBH (INCHES)	HEIGHT (FEET)
Live oak	Single trunk	35	
	Multiple trunks	60 (sum of all trunks)	
Laurel oak		35	
Water oak		30	
Red oak		25	
White oak		20	
All hickories		20	
American elm		15	

Loblolly and slash pines	35	
Longleaf and pond pines	25	
Red bay	20	<u>6</u>
Southern magnolia	30	
Bald cypress and pond cypress	15	
Black gum and sweet gum	30	
Red maple	30	
Spruce pine	Any size	
Red cedar	10	
Sycamore	30	
Black cherry	25	
Sassafras	12	<u>6</u>

G. Minimum Tree Coverage Standard

1. Applicability

- 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 is required to demonstrate that they have made ~~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~~ shall be required by the Official for these uses.

J. Tree and Buffer Protection During Development Activity

1. Tree and Buffer Protection Zones

- a. *Tree and buffer protection zones* shall include the areas of a *development site* that are within the drip lines of the ~~all~~ individual *trees* and stands of *trees* proposed to be retained and protected in accordance with Sec. 16-6-104.F, Specimen Tree Preservation, ~~and~~ Sec. 16-6-104.G, Minimum Tree Coverage Standard, ~~as well as~~ areas for any supplemental or replacement *trees* proposed to be provided in accordance with Sec. 16-6-104.G, Minimum Tree Coverage

Standard, or Sec. 16-6-104.K, Tree Damage During Development, as well as buffer areas proposed to be protected in accordance with Sec. 16-5-103.D, Adjacent Street Buffer Requirements and Sec. 16-5-103.E, Adjacent Use Buffer Requirements.

b. Tree and buffer protection zones shall be depicted on all *development* plans.

2. Responsibility

During any *development* activity (including demolition activity), the *property owner* or *developer* shall be responsible for protecting existing, supplemental, or replacement *trees* within tree and buffer protection zones.

3. Protective Fencing, Marking, and Signage

a. Protective Fencing

i. Continuous *tree* protective fencing shall be provided along the boundaries of tree and buffer protection zones. The *Official* shall consider existing *site* conditions and the species and size of the *trees* to be protected in determining the exact location of *tree* protective fencing, and may require the fencing to be extended to include the critical root zones of *trees*. For buffer protection, the fencing shall be installed along the edge of the buffer on the interior of the site.

ii. Protective fencing shall consist of a bright orange plastic mesh or more durable material that is at least four feet high.

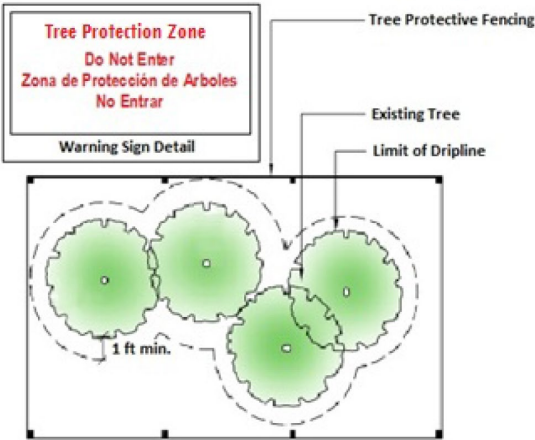


Figure 16-6-104.J.2: Tree Protective Fencing and Signage.

b. Warning Signage

Warning *signs* shall be installed along any required *tree and buffer* protective fencing at points no more than 150 feet apart. The *signs* shall be clearly visible from all sides of the outside of the fenced-in area. The size of each sign must be a minimum of two feet by two feet. The sign message shall identify the fenced or marked area as a *tree or buffer protection zone* and direct *construction* workers not to encroach into the area (e.g., "Tree or Buffer Protection Zone: Do Not Enter"). (See Figure 16-6-104.J.2: *Tree Protective Fencing and Signage*.)

c. Duration of Protective Fencing or Signage

Required protective fencing and signage shall be erected before any grading or other *development* activity begins and shall be maintained until issuance of a Certificate of Compliance following completion of all *development* in the immediate area of the fencing or signage.

4. Tree and Buffer Protection Zone Encroachments and Protective Measures

Encroachments into *tree and buffer protection zones* may occur only when no other alternative exists, and shall comply with landscaping *best management practices* and the following limitations and requirements:

a. Construction Activity, Equipment, or Materials Storage

No *development* or demolition activity—including grading, the operation or parking of heavy equipment or the storage of material—shall be allowed within the *tree and buffer protection zone*.

b. Soil Compaction

Where compaction might occur due to *construction* traffic or materials delivery through a *tree and buffer protection zone*, the area must first be mulched with a minimum four-inch layer of wood chips. Equipment or materials storage shall not be allowed within a *tree and buffer protection zone*.

c. Fill, Retaining Walls, and Drywells

No fill shall be placed within a *tree and buffer protection zone* unless retaining walls and drywells are used to protect *trees* to be preserved from severe *grade* changes and venting adequate to allow air and water to reach *tree* roots is provided through any fill.

d. Chemical Contamination

Trees located within a *tree and buffer protection zone* shall be protected from chemical contamination from liquids or other materials, including but not limited to paint, chemical solvents, gasoline, oil, diesel fuel, hydraulic fluid, concrete spoils, or rinse water from vehicle cleaning, including rinsing of concrete truck tanks and chutes.

e. **Impervious Surface**

No *impervious surface* is allowed within a *tree and buffer protection zone*.

f. **Trenching Prior to Clearing**

The removal of *trees adjacent to tree and buffer protection zones* can cause inadvertent damage to the protected *trees*. Prior to clearing activities, trenches with a minimum width of one-and-one-half inches and a minimum depth of 12 inches shall be cut along the limits of *land* disturbance, so as to cut, rather than tear *tree* roots.

5. Inspections

a. All *tree and buffer protection* measures shall be inspected by the *Official* before start of any *land disturbing activities* and during the *development* process. The *Official* may continue to conduct random inspections to ensure that retained *trees*, supplemental *trees*, and replacement *trees* are maintained in a healthy state.

b. If any *tree* protected by this section is removed, dies, or is destroyed at any time during *development* activities or after completion of the *development*, it shall be replaced in accordance with Sec. 16-6-104.I, Standards for Supplemental and Replacement Trees.

Chapter 16-10: Definitions, Interpretation, and Measurement

Section 16-10-105. General Definitions

Hazardous Tree

A tree possessing physical faults that make the tree likely to fail, including, but not limited to rot in the tree's base, a leaning tree whose roots have heaved the soil, or a dead tree, along with the presence of an adjacent target.

Significant tree

Any native tree whose size is within 20% of specimen size or any native tree who is of an unusually large size for its species and for which no specimen size has been determined.

Significant stand of trees

A group of three or more trees, along with their associated understory, that have one or more of the following:

- The stand is made up of Category I trees;
- The stand is made up of one or more of the following species, which are considered uncommon or rare on the island: red bay, sassafras, spruce pine, pond pine and any of the native hickory species;
- The stand provides shading to a significant portion (20% or more) of the site that will become impervious surface.

Tree and Buffer Protection Zone

A defined area containing one or more healthy *trees* designated for preservation and protection in accordance with Sec. 16-6-104, Tree Protection, delineated generally by the outermost drip line of the *tree(s)* or a buffer area designated to be protected in accordance with Sect. 16-5-103.D, Adjacent Street Buffer Requirements and Sect. 16-5-103.E, Adjacent Use Buffer Requirements.

Chapter 16-2: Administration

Section 16-2-103.F.5: Subdivision Review – Effect of Approval

Proposed Amendment

- This change will clarify the language to make it clear that a final plat will not be stamped for recording of the subdivision with Beaufort County until a final Certificate of Compliance (C of C) has been issued.

Reason for Change

- The current language has caused some confusion with the public.
- The language indicates that the approval of the subdivision constitutes approval of the plat.
- While the approval of the subdivision and issuance of the Notice of Action (written approval) does constitute approval of the plat, the plat will not be stamped for recording until the C of C is issued.
- A C of C is not issued until staff inspects the site and determines that all requirements such as infrastructure, fire lanes and landscaping have been met.
- Once the C of C is issued, staff stamps the plat, the applicant gets the plat recorded with Beaufort County and the lots are then subdivided and can be sold.

Pros and Cons of Amendment

<i>Pros:</i>	The process will be easier to understand.
<i>Cons:</i>	None

Additional Information

- Without this process in place of requiring the C of C prior to stamping of the final plat, staff would not be able to ensure that all requirements of the subdivision plan were met.

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-3: Zoning Districts
Section 16-3-105.C.2: Community Commercial (CC) Zoning District
– Allowable Principal Uses
Chapter 16-4: Use Standards
Table 16-4-102.A.6: Principal Use Table

Proposed Amendment

- This change will allow an Indoor Commercial Recreation use as an allowed use in the CC zoning district.

Reason for Change

- Indoor Commercial Recreation uses fit in with the purpose statement of the CC zoning district but are currently not allowed in this district.

Pros and Cons of Amendment

<i>Pros:</i>	This will allow for an appropriate use to be located in an appropriate zoning district. It will allow opportunities for existing empty commercial spaces to be filled with an appropriate use. Staff has had several requests for this type of use in existing vacant spaces in the CC zoning district and has had to turn them down.
<i>Cons:</i>	

Additional Information

- The purpose of the CC zoning district is to provide lands for community-scale commercial activity centers that attract people from the island and the mainland. The district is more auto-oriented than some business districts, and provides land for moderate-sized retail stores. The district also provides opportunities for limited vehicle sales and service uses.
- Indoor Commercial Recreation uses are establishments that offer entertainment activities, events or attractions to the general public on a commercial or fee basis.
- Examples of this use include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, health clubs and spas, indoor tennis and swimming pools, and indoor archery ranges.
- All of the above uses must be located indoors to be allowed.
- Staff has received several requests to open indoor recreation businesses in this district and has had to turn them down even though there is no legitimate reason to not allow this use in this district.
- This use was permitted in this district prior to the LMO Rewrite.

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-3: Zoning Districts
Section 16-3-106.F.2.f: Corridor Overlay (COR) District –
Delineation of District

Proposed Amendment

- This will allow projects that fall within the COR but are not visible from the OCRM Baseline or the OCRM Critical Line to be reviewed through the Minor Corridor Review Procedure.

Reason for Change

- Currently projects that fall within the COR but are not visible from an arterial right-of-way are reviewed through the Minor Corridor Review Procedure rather than the Major Corridor Review Procedure. This change will allow a shorter review time and it will eliminate unnecessary projects from going to the DRB.

Pros and Cons of Amendment

<i>Pros:</i>	The process will be easier to understand and clearer for the applicants. It will also allow for shorter review times in keeping with Department goals.
<i>Cons:</i>	

Additional Information

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Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-5: Development and Design Standards
Table 16-5-102.E – Allowable Setback Encroachments

Proposed Amendment

- This change will add HVAC units to the table of allowable setback encroachments.

Reason for Change

- Several developers of homes on smaller lots have approached the Town about why other encroachments such as uncovered porches, stoops, decks, patios and terraces are allowed but HVAC units are not. Since those other uses can have items on them, staff believes that allowing a platform with an HVAC on it is consistent with other setback encroachments.

Pros and Cons of Amendment

<i>Pros:</i>	This will create some relief for developers and will allow a greater use of the lot.
<i>Cons:</i>	The noise from the HVAC unit may cause problems with adjacent neighbors.

Additional Information

- Similar to other encroachments, HVAC units would be permitted to extend up to 5 feet into any setback.

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-5: Development and Design Standards
Section 16-5-108: Site Lighting Standards

Proposed Amendment

- This change will prohibit the use of non-white lights for exterior site lighting with the exception of lighting that must be sea turtle compliant due to location.

Reason for Change

- Staff recently realized that there are no specifications in the LMO regarding the color of the light source used for exterior site lighting.

Pros and Cons of Amendment

<i>Pros:</i>	This will help to maintain Island character.
<i>Cons:</i>	

Additional Information

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Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-5: Development and Design Standards
Section 16-5-109.B.1: Stormwater Management and Erosion and Sedimentation Control Standards – Applicability

Proposed Amendment

- This change will clarify that stormwater requirements are applicable to any land disturbing activity that both disturbs ½ acre of land or greater and is within ½ mile of coastal receiving waters.

Reason for Change

- This change is necessary to mirror the South Carolina Department of Health and Environmental Control (SCDHEC) regulations which will make it easier for applicants to understand all of the stormwater regulations. Currently the LMO requires any land disturbing activity that disturbs ½ acre or greater or is within ½ mile of coastal receiving waters to comply with the Town’s stormwater standards.

Pros and Cons of Amendment

<i>Pros:</i>	The process will be easier for the public to understand. It will eliminate the conflict with SCDHEC requirements.
<i>Cons:</i>	

Additional Information

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-5: Development and Design Standards
Section 16-5-109.C.9: Stormwater Management and Erosion and Sedimentation Control Standards – General Standards for Stormwater Management – Reference Guides

Proposed Amendment

- This change will add the SCDHEC National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) and the SCDHEC Ocean & Coastal Resource Management (OCRM) Coastal Zone Consistency Certification (CZC) Heightened Stormwater Management Requirement to the list of acceptable reference guides.

Reason for Change

- The LMO should include these references to facilitate the efforts of non-local engineers and design professionals.

Pros and Cons of Amendment

<i>Pros:</i>	
<i>Cons:</i>	

Additional Information

-

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-5: Development and Design Standards
Section 16-5-109.D.1.a: Stormwater Management and Erosion and Sedimentation Control Standards – General Standards for Stormwater Management – Design Methodology

Proposed Amendment

- This change will state that the rational method (one of two accepted hydrological methodologies for computing surface runoff) may be used only for sizing individual culverts or storm drains that are not part of a pipe network or system and have a contributing drainage area of 10 acres or less.

Reason for Change

- These changes are necessary to reflect the standards found in SCDHEC’s guidance for stormwater plan review.

Pros and Cons of Amendment

<i>Pros:</i>	The process will be easier for the public to understand. It will eliminate the conflict with SCDHEC requirements.
<i>Cons:</i>	

Additional Information

-

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-10: Definitions, Interpretation, and Measurement
Section 16-10-103.E.2: Use Classifications, Use Types and
Definitions – Commercial Recreation Uses – Use Types and
Definitions – Indoor Commercial Recreation
Section 16-10-103.G.2: Use Classifications, Use Types and
Definitions – Commercial Services Uses – Use Types and Definitions
– Other Commercial Services

Proposed Amendment

- This change will delete health club/spa from examples under Indoor Commercial Recreation.
- This change will add health club/spa as an example under Other Commercial Services.

Reason for Change

- It is more logical for this use to be considered ‘Other Commercial Services’.

Pros and Cons of Amendment

<i>Pros:</i>	
<i>Cons:</i>	

Additional Information

-

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-10: Definitions, Interpretation, and Measurement
Section 16-10-103.G.2: Use Classifications, Use Types and
Definitions – Commercial Services Uses – Use Types and Definitions
– Bicycle Shop

Proposed Amendment

- This change will add ‘screened’ in front of ‘outdoor storage’ in the Bicycle Shop definition.

Reason for Change

- Outdoor bike storage always has to be screened per the conditions for bicycle shops found in Chapter 4. This will add clarification and consistency.

Pros and Cons of Amendment

<i>Pros:</i>	This will make it easier for applicants to understand what is required of them.
<i>Cons:</i>	

Additional Information

-

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Appendix D: Application Submittal Requirements

D-6.F.23: Development Plan Review, Major – Site Development Plan

D-7.D.23: Development Plan Review, Minor – Site Development Plan

Proposed Amendment

- This change will add a requirement that dumpsters be screened in keeping with the Design Guide.

Reason for Change

- The Design Guide (specifically page 32) requires that dumpsters be screened.

Pros and Cons of Amendment

<i>Pros:</i>	This will make the process easier to understand.
<i>Cons:</i>	

Additional Information

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

D-6.F: Development Plan Review, Major – Site Development Plan
D-7.D: Development Plan Review, Minor – Site Development Plan

Proposed Amendment

- This change will require that setbacks be shown on the site plan.

Reason for Change

- Setbacks are required but were inadvertently left off of the list of requirements.

Pros and Cons of Amendment

<i>Pros:</i>	
<i>Cons:</i>	

Additional Information

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Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-10: Definitions, Interpretation, and Measurement
Section 16-10-103: Use Classifications, Use Types, and Definitions
Section 16-10-103.E.1: Commercial Recreation Uses, Description

Proposed Amendment

- This change will require that outdoor commercial recreation uses be approved by special exception.

Reason for Change

- Staff recently determined that a go-cart track was not a permitted Outdoor Commercial Recreation use because it is listed as an example of Indoor Commercial Recreation uses. This determination was appealed to the BZA and they reversed staff's decision because they believed the list of examples was not intended to be exhaustive. There is concern that some Outdoor Commercial Recreation uses may not be appropriate on every parcel where they are permitted. A special exception review allows the BZA to review the potential use against specific criteria and approve or deny the proposed location.

Pros and Cons of Amendment

<i>Pros:</i>	
<i>Cons:</i>	

Additional Information

-

Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 3-0 to ask staff to bring this amendment back to the Committee with the following change: <ul style="list-style-type: none"> ▪ Make Outdoor Commercial Recreation uses Special Exception uses in the zoning districts where these uses are permitted.
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Chapter 16-3: Zoning Districts
Section 16-3-105.E.2: Light Industrial (IL) District, Allowable Principal Uses
Chapter 16-4: Use Standards
Section 16-4-102.A.6: Principal Use Table
Section 16-4-102.B.9: Use-Specific Conditions for Principal Uses, Industrial Uses
Chapter 16-5: Development and Design Standards
Section 16-5-107: Parking and Loading Standards
Table 16-5-107.D.1: Minimum Number of Parking Spaces
Chapter 16-10: Definitions, Interpretation, and Measurement
Section 16-10-103.I: Use Classifications, Use Types, and Definitions, Industrial Uses

Proposed Amendment

- These amendments will establish grinding as a standalone use and will provide for where it is allowed, establish conditions, required parking spaces and a definition.

Reason for Change

- As a result of various noise complaints related to grinding, amendments to the Municipal Code were recently adopted. In conjunction with those changes, staff is proposing to add grinding as a standalone use to make it clear what is considered grinding and where it is allowed.

Pros and Cons of Amendment

<i>Pros:</i>	
<i>Cons:</i>	

Additional Information

Recommendations

<i>LMO Committee</i>
October 16, 2019: The LMO Committee voted 3-0 to ask staff to bring this amendment back to the Committee with the following change: <ul style="list-style-type: none"> ▪ Exempt PD-1 zoning districts from the conditions associated with these amendments.

The Committee also requested that staff inform Bruno Landscaping and Nursery about these proposed amendments.

Planning Commission

Public Planning Committee

Ministerial Amendments

Chapter 16-2

Section 16-2-103.D.4 – PUD District Review Standards

- There is an incorrect reference that will be corrected.

Chapter 16-3

16-3-105.I (MV), 16-3-105.K (PD-1) and Table 16-3-106.G.4 (PD-2 Listed Master Plan)

- There are incorrect references that will be corrected.

Chapter 16-5

Table 16-5-102.C (Adjacent Street Setback Requirements)

- There is an incorrect footnote labeled which will be corrected.

16-5-105.I.7.c (Access to Streets)

- There is an incorrect reference that will be corrected.

16-5-109.D.1.d (Engineering Checklist)

- The checklist has been renamed and this new name will be reflected.

Recommendations

<i>LMO Committee</i>
<i>Planning Commission</i>
<i>Public Planning Committee</i>

Proposed General 2019 Amendments – Set 2

General Amendments

Chapter 16-2: Administration

Section 16-2-103.F.5. Subdivision Review (Minor or Major)

5. Effect of Approval

Approval of a Subdivision (Minor or Major) constitutes approval of a ~~final~~ preliminary plat for the *subdivision*. The final plat will be stamped upon issuance of the Certificate of Compliance for the subdivision. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates developable *lots* that may be sold or otherwise conveyed and may be developed in accordance with *development applications* authorized by this *Ordinance*.

Chapter 16-3: Zoning Districts

Section 16-3-105.C. Community Commercial District

2. Allowable Principal Uses		
	USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Commercial Services		
<u>Indoor Commercial Recreation</u>	P	<u>1 per 3 persons + 1 per 200 GFA of office or similarly used area</u>

TABLE 16-5-102.E: ALLOWABLE SETBACK ENCROACHMENTS

FEATURE	EXTENT AND LIMITATIONS
Fences or walls	<ul style="list-style-type: none"> • Allowed in adjacent use setbacks if located along common property lines and no more than 7 feet high • Allowed in adjacent street setbacks if less than 4 feet high
Open balconies, fire escapes, or exterior stairways	May extend up to 5 feet into any setback
Chimneys or fireplaces	May extend up to 3 feet into any setback if no more than 5 feet higher than the highest point of building to which it is attached
Roof eaves and overhangs	May extend up to 3 feet into any setback
Awnings	May extend up to 5 feet into any setback
Bay windows	May extend up to 3 feet into any setback if no more than 9 feet wide
Sills or entablatures	May extend up to 1 foot into any setback
Uncovered porches, stoops, decks, patios or terraces	May extend up to 5 feet into any setback
Lighting fixtures	May be located in any setback if no more than 20 feet high
Roof dormers	May extend up to 5 feet beyond the setback angle plane (horizontally or vertically)
Spires, cupolas, domes, skylights, and similar rooftop architectural features	May extend up above the setback angle plane if they occupy no more than 25% of the roof area of the structure to which they are attached and extend no more than 25% more than the height limit defined by the setback angle plane at the point(s) of penetration
Solar collection devices	See Sec. 16-4-103.E.8
Television or radio antennas	May extend up to 10 feet above the setback angle plane if they are attached to a side or rear elevation of a structure
Small wind energy conversion systems	See Sec. 16-4-103.E.7
Amateur radio antenna	See Sec. 16-4-103.E.1
Bike racks, bollards and other site furnishings (such as tables and chairs)	Allowed in adjacent use and adjacent street setbacks
Other architectural features not listed above (parts of a structure that provide visual interest to the structure and are nonhabitable and decorative in nature)	<p>May be allowed to penetrate the plane of the setback angle if the Official makes the following determinations:</p> <ul style="list-style-type: none"> • The required setback angle cannot be met for the architectural elements using alternate site layouts without major modifications to an otherwise acceptable application ; • The excepted architectural elements will not be major or dominant features of the structure ; • The excepted architectural elements will not penetrate the vertical plane of the minimum required setback distance; • The exception is the minimum reasonably required to achieve the architectural goal; and • If applicable, the placement of the structure provides protection of prominent natural features on the site, such as trees , wetlands, or historic sites .
Flagpoles/Flags	Unless they constitute a "sign" and thus subject to Sec. 16-5-114.E, Flagpoles no more than 20 feet high and flags no greater than 20 square feet in area may be located in setbacks
Signs	See Sec. 16-5-114.E
<u>HVAC Units</u>	<u>May extend up to 5 feet into any setback</u>

Section 16-5-108. Site Lighting Standards

C. General Exterior Lighting Standards

2. Light Source (lamp)

Only LED, 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. Non-white lights are prohibited for exterior site lighting.

Section 16-5-109. Stormwater Management and Erosion and Sedimentation Control Standards

B. Applicability

1. General

~~This section applies to all land disturbing activity that disturbs ½ acre or greater of land and all development that is within ½ mile of *coastal receiving waters*, regardless of disturbed area. Additionally, this section applies to any project or activity that is part of a *Larger Common Plan*, regardless of size. Exceptions to these requirements are listed in subsection 2. below.~~

This section applies to all construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres and, in coastal counties within one-half (½) mile of a receiving water body (but not for single-family homes which are not part of a subdivision development), that result in any land disturbance less than five (5) acres. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

C. General Standards for Stormwater Management

9. Reference Guides

The standards and design guidelines as set forth in the latest editions of the *Beaufort County Manual for Storm Water Best Management and Design Practices*, the South Carolina DHEC's *Stormwater Management BMP Handbook*, *SCDHEC National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP)* and the SCDHEC *Ocean & Coastal Resource Management (OCRM) Coastal Zone Consistency Certification (CZC) Heightened Stormwater Management Requirement* and the *Georgia Coastal Stormwater Supplement* shall serve as guides to technical specifications for the design and *construction* of various types of stormwater management facilities (including, but not limited to, structural and nonstructural stormwater *best management practices* (BMPs) and *maintenance* standards).

D. Drainage Design Standards

1. General

a. Design Methodology

ii. The rational method may be used only for sizing individual culverts or storm drains that are not part of a pipe network or system and have a contributing drainage area of ~~20~~ 10 acres or less.

16-10: Definitions, Interpretation, and Measurement

Section 16-10-103. - Use Classifications, Use Types, and Definitions

E. Commercial Recreation Uses

2. Use Types and Definitions

Indoor Commercial Recreation

An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation *uses* include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, ~~health clubs and spas~~, indoor tennis and *swimming pools*, and indoor archery ranges.

G. Commercial Services

2. Use Types and Definitions

Other Commercial Services

A Commercial Services establishment other than those listed and defined above that primarily involves the sale, rental, and incidental servicing of consumer goods and commodities, or the provision of personal services or business-related services to consumers. This *use* includes, but is not limited to, day care centers, banks and other financial institutions, clothing stores, department and discount stores, furniture stores, hair and nail salons, health clubs and spas, laundry and dry-cleaning establishments, funeral homes, home electronics and small appliance stores, shoe *repair* shops, and tanning salons.

Bicycle Shop

An establishment that sells, services, or rents new or used bicycles, and accessories, with screened outdoor storage facilities permitted in certain zoning districts.

APPENDIX D

D-6. - Development Plan Review, Major

F. Site Development Plan

One black line print of a final *site plan* or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the *Official*, showing the following:

- 23. Location of screened outside trash receptacles and/or enclosures for use by the *building* occupants.
- 24. Location of proposed setback areas as required by Sec. 16-5-102.

D-7. - Development Plan Review, Minor

D. Site Development Plan

One black line print of a final *site plan* or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the *Official*, showing the following:

- 23. Location of screened outside trash receptacles and/or enclosures for use by the *building* occupants
- 24. Location of proposed setback areas as required by Sec. 16-5-102.

Chapter 16-4: Use Standards

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	RS F-3	RSF -5	RSF -6	RM -4	RM -8	RM -12	CR	SP	CC	MS	WMU	S	MF	MV	NC		LC	RD
COMMERCIAL RECREATION USES																				
Outdoor Commercial Recreation Uses Other than Water Parks									PC					PC			PC	PC	PC	Sec. 16-4-102.B.5.a
									SE					SE			SE	SE	SE	

Grinding Operation Amendments

Chapter 16-3: Zoning Districts

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

E. Light Industrial (IL) District

IL Light Industrial District			
2. Allowable Principal Uses			
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Industrial Uses			
<u>Grinding</u>	<u>SE</u>	<u>Sec. 16-4-102.B.9.a</u>	<u>1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area</u>

Chapter 16-4: Use Standards

Section 16-4-102. - Principal Uses

A. Principal Use Table

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 CLASSIFIC ATION/ DISTRICTS	SPECI AL DISTRI CTS	RESIDENTIAL DISTRICTS	MIXED-USE AND BUSINESS DISTRICTS	USE- SPECIFI C

USE TYPE	CO N	P R	RS F- 3	RS F- 5	RS F- 6	R M -4	R M -8	R M - 12	C R	S P C	C C	M S	W M U	S	M F	M V	N C	L C	R D	M E D	I L
INDUSTRIAL USES																					
<u>Grinding</u>																					<u>Sec. 16-</u> <u>S</u> <u>4-</u> <u>E</u> <u>102.B.9.</u> <u>a</u>

B. Use-Specific Conditions for Principal Uses

9. Industrial Uses

a. Grinding

All facility operations, including but not limited to, operating trucks and other equipment, loading and unloading of logs and materials, and grinding must comply with the decibel levels as stated in Title 17 (Noise Control) of the Municipal Code of the Town of Hilton Head Island. Additionally, all **grinding uses** in the IL district shall comply with the following conditions:

i. Locational Restrictions

A **grinding use** shall comply with the following locational restrictions:

01. It shall not be located within 200 feet of the boundary of an RM-4, RM-8 or PD-1 zoning district.
02. These distances shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any **grinding use** is located, and the perimeter boundary of the property on which any **use** from which the separation is required.

ii. The minimum acreage for a **grinding use** shall be four net acres.

iii. The site shall not have direct vehicular access onto a major or minor arterial.

The above conditions do not apply to properties located within the PD-1 zoning district.

a. b. Light Industrial, Manufacturing, and Warehouse Uses

b. c. Seafood Processing Facilities

e. d. Self-Service Storage

d. e. [Reserved]

Chapter 16-5: Development and Design Standards

Section 16-5-107. Parking and Loading Standards

D. Parking Space Requirements

1. Minimum Number of Parking Spaces

TABLE 16-5-107.D.1: MINIMUM NUMBER OF PARKING SPACES		
USE CATEGORY/USE TYPE	MINIMUM NUMBER OF PARKING SPACES ^{1,2,3,4}	
	CR DISTRICT	ALL OTHER DISTRICTS
INDUSTRIAL USES		
<u>Grinding</u>	<u>n/a</u>	<u>1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area</u>

Chapter 10: Definitions, Interpretation and Measurement

Section 16-10-103. - Use Classifications, Use Types, and Definitions

I. Industrial Uses

2. Use Types and Definitions

Grinding

The reduction of vegetative materials in size or volume into materials such as but not limited to mulch or chips.

MINISTERIAL AMENDMENTS

Chapter 16-2: Administration

Section 16-2-103. Application Specific Review Procedures

D. Planned Unit Development (PUD) District

4. PUD District Review Standards

In determining whether to recommend that *Town Council* adopt a proposed PUD zoning district classification, the *Planning Commission* may consider and weigh the standards of Sec. 16-2-103.C.3, Zoning Map Amendment (Rezoning) Review Standards, and the extent to which the proposed PUD District complies with the standards of Sec. ~~16-1-104~~ 16-3-105.K, or Sec. 16-3-106.G, Planned Development Overlay (PD-2) District.

Chapter 16-3: Zoning Districts

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

I. Mitchelville (MV) District

2. Allowable Principal Uses			
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Vehicle Sales and Services			
<i>Watercraft Sales, Rentals, or Services</i>	PC	Sec. 16-4-102.B.8.e <u>f</u>	1 per 200 GFA

K. Planned Development Mixed-Use (PD-1) District

3. Principal Uses Restricted by Master Plan			
The Master Plans and associated text, as approved and amended by the Town, establish general permitted <i>uses</i> for the respective PUDs, except as may be modified by an <i>overlay zoning district</i> . Undesignated areas on these Master Plans shall be considered as <i>open space</i> .			
The following <i>uses</i> are restricted to locations where a Town-approved Master Plan or associated text specifically states such <i>uses</i> are permitted. In addition, the <i>use</i> -specific conditions referenced below shall apply to any new such <i>use</i> or change to the site for any existing such <i>use</i> .			
		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Vehicle Sales and Services			
<i>Gas Sales</i>	PC	Sec. 16-4-102.B.8.d <u>e</u>	
<i>Watercraft Sales, Rentals, or Services</i>	PC	Sec. 16-4-102.B.8.e <u>f</u>	1 per 200 GFA

Section 16-3-106. Overlay Zoning Districts

G. Planned Development Overlay (PD-2) District

5. PD-2 Listed Master Plans

The following PUDs are included in PD-2 Overlay Districts and their Town-approved Master Plans including associated text and any subsequent amendments are hereby incorporated by reference as a part of the *Official Zoning Map* and LMO text.

TABLE 16-3-106.G.4 5: PD-2 LISTED MASTER PLAN			
FILE NAME	NUMBER	PARCEL	TAX MAP #
Palmetto Headlands and H.H. Hospital	CUR-3-88	27/103/103A/337	4,8
Centre Court on Mathews Drive	CUR-1-89	88B	8
Presbyterian Conference Center	CUR-2-89	2	18
Marriott-South Forest Beach	CUR-1-90	67/69/71/73/252	15-A,18
Park Plaza Self Storage	CUR-2-90	336	15
Tidepointe Retirement	CUR-1-92	342/342A	14
Exec/Air Hilton Head	CUR-1-94	271A	5
Spanish Grove	CUR-1-95	34A/34B	10
First Baptist Church	CUR-1-96	138A/138C	18
Bermuda Point	CUR-1-97	1B	7
Waterside (Town Center)	N/A-JPC	202/202D	18
Palmetto Bay Marina	N/A-JPC	47/66A/273/273A/273C/314E	10
Tabby Village	ZA-000954-2017	223, 49, 14D, 16, 14I, 14, 58, 58A	3

Chapter 16-5: Development and Design Standards

Section 16-5-102. Setback Standards

C. Adjacent Street Setback Requirements

TABLE 16-5-102.C: ADJACENT STREET SETBACK REQUIREMENTS				
PROPOSED USE		MINIMUM SETBACK DISTANCE ^{1/} / MAXIMUM SETBACK ANGLE ²		
		ADJACENT STREET (BY CLASSIFICATION)		
		MAJOR ARTERIAL	MINOR ARTERIAL	ALL OTHER STREETS
<i>Single-Family</i>	Structure > 24 in high	50 ft ^{3,4} / 75°	40 ft ^{3,4} / 70°	20 ft ^{3,4} / 60°
	Structure ≤ 24 in high	50 ft ^{3,4} / n/a	30 ft ^{3,4} / n/a	10 ft ^{3,4} / n/a
All Other <i>Uses</i> ⁵		50 ft ^{3,4} / 75°	40 ft ^{3,4} / 70°	20 ft ^{3,4} / 60°

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

I. Access to Streets

7. Gates

c. Gates shall be located at least 100 feet from any arterial or collector *street* , and shall comply with the stacking distance standards in ~~See: 16-5-105.A.5.f~~ Table 16-5-107.I.1, Vehicle Stacking Distance for Drive-Through and Related Uses.

Section 16-5-109. Stormwater Management and Erosion and Sedimentation Control Standards

D. Drainage Design Standards

1. General

d. ~~Engineering~~ Stormwater Plan Review Checklist

Detailed design standards for all stormwater management systems required by this section can be found in the ~~Engineering~~ Stormwater Plan Review Checklist maintained by the Town Engineer.