



Town of Hilton Head Island
Public Planning Committee Special Meeting
January 12, 2021 – 9:00 a.m.
AGENDA

In accordance with the Town of Hilton Head Island Municipal Code Section 2-5-15, this meeting is being conducted virtually and can be viewed live on the Town's Public Meeting Facebook Page at <https://www.facebook.com/townofhiltonheadislandmeetings/>. Following the meeting, the video record will be made available on the Town's website at <https://www.hiltonheadislandsc.gov/>.

- 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. Roll Call**
- 4. Approval of Agenda**
- 5. Citizen Comments**
- 6. Unfinished Business**
 - a. Review and recommendation on Workforce Housing – Bonus Density LMO Amendments
 - b. Review and discussion on Historic Neighborhoods Preservation Overlay (HNP-O) District
- 7. New Business**
- 8. Staff Reports**
- 9. Committee Business**
- 10. Adjournment**

Public comments concerning agenda items can be submitted electronically via the Open Town Hall HHI portal at <https://hiltonheadislandsc.gov/opentownhall/>. The portal will close at 4:30 p.m. on January 11, 2021. All comments submitted through the portal will be provided to the Committee for review and made part of the official record. Citizens who wish to comment on agenda items during the meeting by phone must contact the Committee Secretary at 843-341-4684 not later than 12:00 p.m. on January 11, 2021.

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: Public Planning Committee
VIA: Shawn Colin, *AICP, Director of Community Development*
VIA: Jennifer Ray, *ASLA, Deputy Director of Community Development*
FROM: Jayme Lopko, *AICP, Senior Planner*
CC: Teri Lewis, *AICP, Deputy Director of Community Development*
DATE: December 28, 2020
SUBJECT: Workforce Housing LMO Amendments

Recommendation: Staff recommends the Public Planning Committee (PPC) review the proposed Workforce Housing (WFH) Land Management Ordinance (LMO) amendments related to bonus density and forward a recommendation of approval to Town Council.

The Planning Commission will hold a public meeting on January 6, 2021, at which time they will review and provide a recommendation on the proposed WFH LMO amendments related to bonus density. Town staff will provide Planning Commission's recommendation to the Public Planning Committee during the January 12, 2021 meeting.

Summary: Adoption of the WFH LMO amendments related to bonus density by Town Council will put in place additional incentives to encourage the development of WFH and allow staff to begin review and approval of WFH projects utilizing bonus density incentives.

Background: Upon completion of a rigorous, multiyear process to identify needs, issues and strategies that might be considered to address workforce housing, a Workforce Housing Program was brought to Town Council for consideration. The program proposed two main elements. The first was a code change that would permit the conversion of primarily underperforming or vacant commercial inventory to market rate or workforce housing units. The second element was a bonus density program that would allow up to 100% increase in density, provided 50% of the bonus units were qualified workforce housing units. The area of impact involved several zoning districts and approximately 1,800 acres of eligible properties on the Island.

On November 4, 2020, Town Council voted to adopt the Workforce Housing (WFH) Land Management Ordinance (LMO) amendments related to Commercial Conversion, further recommending that Council not adopt amendments related to the proposed bonus density at that time. There were two main concerns expressed related to the bonus density program. The first was that the area of impact and overall potential for significant increase in development levels was too extensive. The second concern was that the allocation of bonus units was too great when compared to the resulting number of units needed to meet the workforce housing requirements. As a result, Town Council was not in a position to support adoption of an incentive that would offer an increased density and development impact level to such a large area of the island.

In an effort to continue refining the program and to meet the needs identified through the extensive public process, staff has worked to address these concerns through a modification of the bonus

density element and asks for additional consideration for adoption. Staff has identified a reduction in both the area of eligibility and the overall development potential that might result from the bonus density program while promoting opportunities to develop WFH consistent with Island development patterns and density levels.

Staff started by identifying the RM-4 Zoning District, which is one of the lowest residential density zoning districts on the island at a rate between 4 units and 8 units per acre depending upon parcel size. The areas of eligibility were further reduced to meet locational and environmental protection goals as well as focus on parcels large enough to provide adequate site planning, including setbacks, buffers and the provision of infrastructure. As a result, staff identified the following qualifications:

- Properties 3 acres or larger that meet these requirements:
 - Located near a minor arterial for access to transportation and employment centers;
 - Not located within close proximity to the Hilton Head Island Airport due to conflicts with FAA requirements related to assembly and occupancy of units; and
 - Not located on high value or sensitive environmental areas such as marshfront and waterfront properties.

Additional conditions are proposed to prohibit application of the program to properties that are currently located within an existing platted and developed single family subdivision or currently developed for a non-single family residential use that is permanent in nature. The only exception to this would be for an existing manufactured home park where the potential redevelopment of the property to WFH would improve the property.

The previously proposed WFH LMO amendments would have included over 1,200 parcels totaling nearly 1,800 acres as eligible to participate in the bonus density incentive. In the currently proposed WFH LMO amendments, there would be approximately 30 parcels totaling just over 160 acres as eligible to participate in the bonus density incentive. This represents a 91% decrease in the number of acres eligible for the bonus density incentive and are identified on Exhibit B.

In addition to significantly reducing areas of eligibility and impact, staff is also proposing to change the bonus density provision that was previously submitted due to concerns that not enough WFH units were being required for the additional density that was being given. The proposed LMO amendments would allow for 100% bonus density if 50% of **all** units within the development are WFH. A secondary tier is also included that would allow for 50% bonus density if 25% of **all** units within the development are WFH. These changes essentially double the number of required workforce housing units than were included in the previous proposal brought to Town Council.

Finally, application of the proposed bonus density would be restricted to RM-4 properties with a maximum development potential that would not exceed 12 units per acre, which is consistent with other multifamily development on the island.

Exhibits

- A. Workforce Housing LMO Amendments
- B. Location Map

Exhibit B

Workforce Housing LMO Amendments

Chapter 16-3: Zoning Districts

Section 16-3-104. Residential Base Zoning Districts

Section 16-3-104.E Low to Moderate Density Residential (RM-4) District

2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
<u>Workforce Housing</u>	PC	<u>Sec 16-4-102.B.1.d</u>	<u>See Sec. 16-5-107.D.2</u>
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable <u>2. Density for development that includes Workforce Housing shall be determined based on Sec. 16-4-105.A.</u>			

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	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SP	CC	MS	WM	US	MF		MV	NC	LC	RD	MED	IL
RESIDENTIAL USES																						
Workforce Housing						PC				PC	PC	PC	PC	PC	PC		PC	PC	PC		PC	Sec 16-4-102.B.1.d

Exhibit B

Workforce Housing LMO Amendments

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

Section 16-4-102.B.1.d

d. Workforce Housing

- i. Any development that includes workforce housing shall comply with the Workforce Housing Program as outlined in Sec. 16-4-105.
- ii. Workforce housing may be permitted in the PD-1 District through a Zoning Map Amendment in accordance with Sec. 16-2-103.C.
- iii. In the MS District, properties developed for WFH shall not be permitted on properties currently utilized as a school or fire station.
- iv. In the S District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway).
- v. In the WMU District, properties developed for WFH shall not have vehicular access to Marshland Road.
- vi. In the LC District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway) between Wexford Drive and Singleton Beach Road.
- vii. In the RM-4 District, existing mobile home parks, located on property that is a minimum of 3 acres, shall be eligible to participate in the WFH Program.
- viii. Except for paragraph vii above, workforce housing use in the RM-4 District shall comply with the following conditions:
 - a. The property shall be a single parcel that is a minimum of 3 acres.
 - b. The property shall not have frontage on Jarvis Creek, Broad Creek, or Old House Creek.
 - c. The site of the WFH use shall not be located within 750 linear feet of the Hilton Head Island Airport property. This distance 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 WFH use is located, and the perimeter boundary of the Hilton Head Island Airport.
 - d. The site of the WFH use shall be located within 3,500 linear feet of a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy. This distance shall be measured from the centerline of the closest vehicular access on the property where the WFH is located, and shall be measured along the centerline of the travel lane of the street providing the shortest route to the minor arterial.

Exhibit B

Workforce Housing LMO Amendments

- e. Lots within an existing legally platted and developed single family subdivision, including open space are not eligible to participate in the WFH Program.
- f. Properties developed with a non-single family residential use that is permanent in nature are not eligible to participate in the WFH Program.

Section 16-4-105. Workforce Housing (WFH) Program

A. Workforce Housing Density

All Units:

1. Commercial conversion projects that include at least 20% workforce housing units will be eligible for incentives, as described in Sec. 16-10-102B.1, including:
 - a. A reduction in minimum unit sizes by 30% and;
 - b. Up to 50% of the units in the development may be micro-efficiency and/or studio units.
2. In the RM-4 District:
 - a. A density bonus up to 100% above the base residential density standards is permitted if 50% of all units within the development are workforce housing units.
 - b. A density bonus up to 50% above the base residential density standards is permitted if 25% of all units within the development are workforce housing units.
 - c. The maximum density permitted in any workforce housing development is 12 units per acre.

Chapter 10: Definitions, Interpretation and Measurement

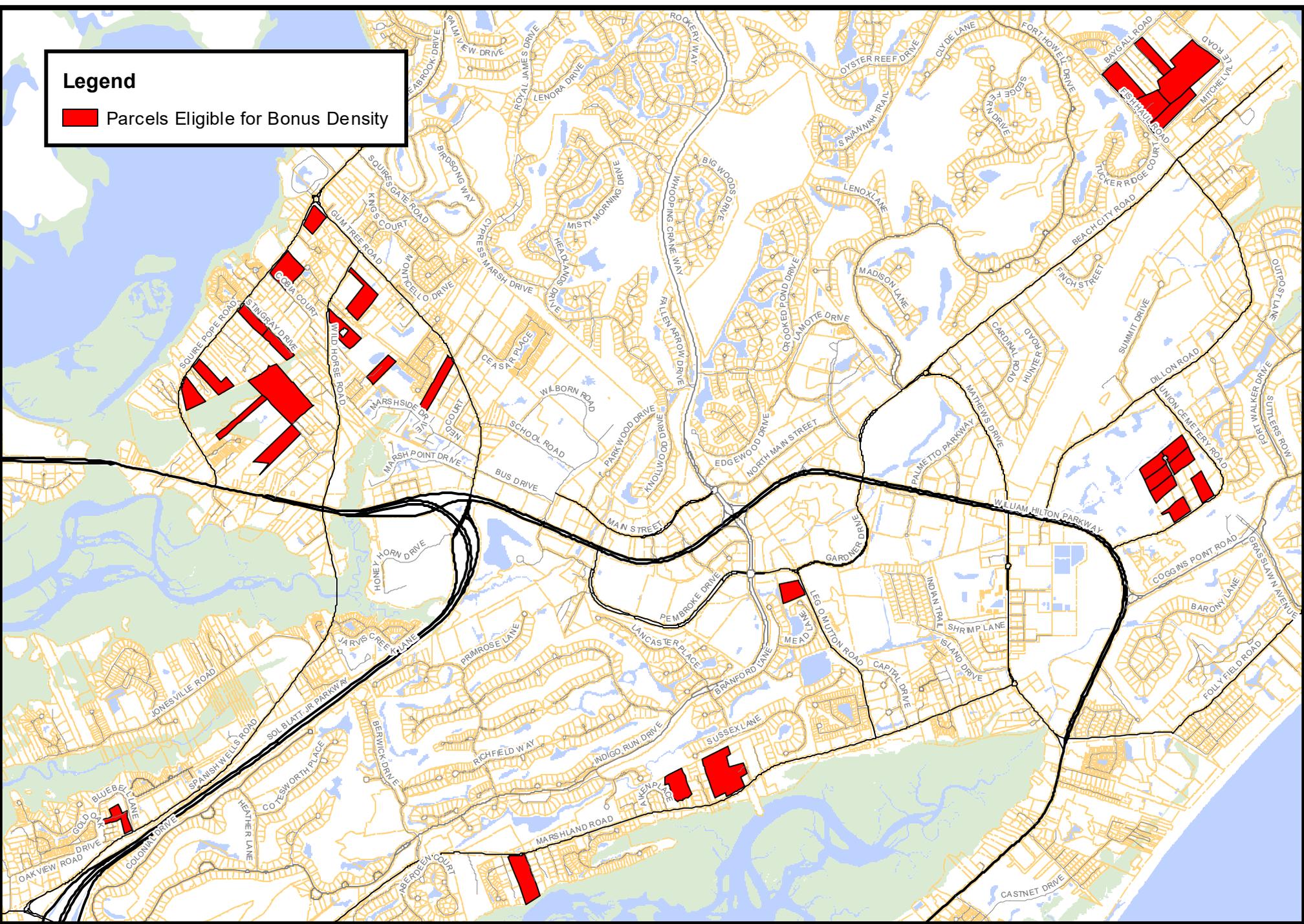
Section 16-10-105. - General Definitions

Density Bonus

An increase in the number of units permitted on the site in order to provide an incentive for the construction of workforce housing.

Legend

 Parcels Eligible for Bonus Density



Town of Hilton Head Island

Bonus Density Map





TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Public Planning Committee
VIA: Shawn Colin, *AICP, Director of Community Development*
VIA: Jennifer Ray, *ASLA, Deputy Director of Community Development*
FROM: Sheryse DuBose, *PhD, Historic Neighborhoods Preservation Administrator*
CC: Teri Lewis, *AICP, Deputy Director of Community Development*
DATE: December 22, 2020
SUBJECT: Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Recommendation: Staff recommends that the Public Planning Committee review the Historic Neighborhoods Preservation Overlay (HNP-O) District Land Management Ordinance (LMO) Amendments and forward a recommendation of approval to Town Council.

On October 14, 2020 the Planning Commission held a public hearing and voted unanimously to forward the proposed HNP-O District Amendments to the Public Planning Committee with the following revision:

- include language in the HNP-O Amendments that provides an exception for major and minor legally platted and developed single family subdivisions.

On September 23, 2020 the LMO Committee voted unanimously to forward the proposed HNP-O District LMO Amendments to the Planning Commission for approval with the following suggestions:

- change right-of-way width within a family subdivision to 30' and add a one-way right-of-way requirement of 24';
- add a 3-year hold to family compounds;
- eliminate the section to round up density; and
- change the density in the MF District to 6 du/acre along major arterials.

On September 1, 2020 the Gullah Geechee Land & Cultural Preservation Task Force (Task Force) met to review the proposed HNP-O District LMO Amendments. The Task Force voted 5-0-0 to forward the proposed HNP-O District LMO Amendments to the LMO Committee with the following conditions:

- remove proposed changes to Home Occupation;
- change calculation of density to round up;
- allow access via a 20' easement for both family compound and family subdivision;
- change density in the MF District to 8 du/acre along major arterials; and
- change setback to 25' for minor arterial.

Summary: Approval of the proposed HNP-O District LMO Amendments would provide opportunities for cultural preservation as well as provide more flexibility in the development of property within the Historic Neighborhoods on the Island.

Staff has been made aware of concerns regarding the balance between preserving the historic integrity of the Historic Neighborhoods verses providing economic opportunities. Additionally, concern has been expressed that the focus area of the District is too large. Staff seeks guidance from the committee as to how to more narrowly define the the focus of the proposed HNP-O District.

Background: Beginning in September 2018, the Task Force meetings, facilitated by TWC, consisted of stakeholder meetings and community workshops. The comprehensive engagement activities resulted in 34 recommendations under the major headings of Cultural Preservation, Public Policy, and Heirs' Property. On April 22, 2019, the Task Force reviewed the recommendations from the consultant team and accepted the Report as amended. On May 7, 2019, the Task Force recommended forwarding the Report to Town Council for acceptance along with a request for \$105,000 in funding for implementation. On August 19, 2019, the Public Planning Committee voted to forward the Report for acceptance from Town Council, with a request for top priority recommendations, a work plan, identification of resources, and a timeline for completed projects. On September 17, 2019, Town Council voted to accept the Report with the high priority recommendations and directed Staff and the Task Force to prepare a work plan to be reviewed prior to the Town Council Workshop in December. On November 4, 2019, the Task Force recommended forwarding the Top Priority Recommendations Framework (Framework) to Town Council for approval. On November 17, 2019, Town Council voted to accept the Framework. The HNP-O District was identified by the Task Force as the highest priority project. On September 1, 2020, the Task Force voted to recommend the HNP-O District Amendments be forwarded to LMO Committee. On September 23, 2020, the LMO Committee voted to recommend the HNP-O District Amendments to Town Council. On October 14, 2020, the Planning Commission Voted to recommend the HNP-O District Amendments to Town Council.

Exhibit A – Historic Neighborhoods Preservation Overlay District LMO Amendments

Exhibit B – LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District

Exhibit C – Location Map

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
Sec. 16-2-101. Summary Table of Review Procedures

Table 16-2-101, Summary Table of Development Review Procedures, identifies the *Town* boards and staff responsible for making recommendations or decisions on *applications* reviewed under this *Ordinance*, as well as the role each plays in the *Town's* review of *applications*. It also identifies those *applications* that require a hearing. A textual summary of the *development* review responsibilities of the *Town's* boards established in accordance with *State* law by this *Ordinance* (*Planning Commission, Board of Zoning Appeals, and Design Review Board*), as well as staff responsibilities (the *Official*), is set down in Appendix A: Advisory and Decision Making Bodies and Persons, which is incorporated herein by reference. The specific rules that govern the *Town's boards with review responsibilities are also included in Appendix A.*

Table 16-2-101: Summary Table of Development Review Procedures						
R = Recommendation D = Decision A = Appeal <> = Hearing <>* = Public Hearing E = Encouraged						
Procedure	Pre-Application Conference	Review and Decision-Making Authorities				
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council
ORDINANCE AMENDMENTS						
Text Amendment (Sec. 16-2-103.B)		R		<R>*		D
Zoning Map Amendment (Rezoning) (Sec. 16-2-103.C)	E	R		<R>*		D
PUD District (Sec. 16-2-103.D)	E	R		<R>*		D
DEVELOPMENT APPROVALS AND PERMITS						
Special Exception (Sec. 16-2-103.E)		R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D	<A>		
	Major	E	D	<A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D	<A>		
	Major	E	D	<A>		
Small Residential Development Review (Sec. 16-2-103.H)			D	<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>		
	Major		R	<D>		
Traffic Impact Analysis Plan	Without Mitigation		D	<A>		

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Review (Sec. 16-2-103.J)	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	
Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	New name		R		<D>		
	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*		
Utility Project (Sec. 16-2-103.W)			D		<A>		
<u>Family Compound (Sec. 16-2-103.X)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
<u>Family Subdivision (Sec. 16-2-103.Y)</u>		<u>E</u>	<u>D</u>		<u><A></u>		
RELIEF PROCEDURES							
Written Interpretation (Sec. 16-2-103.R)			D			<A>	
Variance (Sec. 16-2-103.S)			R			<D>*	
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals (Sec. 16-2-103.T)						<D>	
Appeal of Official's Decision to Planning Commission (Sec. 16-2-103.U)					<D>		
Appeal of Official's Decision to Design Review Board (Sec. 16-2-103.V)				<D>			
Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.							

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments 16-2-102. Standard Review Procedures

J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans
 - a. General

Approval or conditional approval of an *application* for a *Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision* shall constitute approval of a site specific *development* plan that establishes a *vested right* in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The *vested right* shall expire two years after the approval unless the *vested right* period is extended in accordance with subparagraph b below.

16-2-103. Application Specific Review Procedures

U. Appeal of Official's Decision to Planning Commission

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the *Planning Commission* from decisions of the *Official* to approve, approve with conditions, or deny *applications* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

2. Who May File Appeal

The *Official's* decision on an *application* for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the *Planning Commission* by the *applicant* for the decided *application*, the owner of *land* to which the decision specifically applies, or any other party in interest, who alleges that the *Official* erred in making the decision:

3. Types of Appeal

The following decisions made by the *Official* may be appealed to the *Planning Commission* in accordance with the procedures and standards in this subsection.

- a. Family Compound;
- b. Family Subdivision;
- c. Subdivision Review;
- d. Development Plan Review;
- e. Small Residential Development Review; and
- f. Development Project Name Review.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

X. Family Compound

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Compound approval.

2. Applicability

a. General

- i. Approval of a Family Compound requires that a *person(s)* living in a Family Compound must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- ii. *Applications* for Family Compound Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

3. Family Compound Review Procedure

a. Pre-Application Conference

Prospective *applicants* for Family Compound Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An *application* for Family Compound Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. Staff Review and Action

- i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
 1. Approve the *application*;
 2. Approve the *application* subject to conditions of approval; or
 3. Deny the *application*.
- ii. The *Official* shall act on an *application* for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after it is submitted or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

d. Post- Decision Actions and Limitations

i. Notice of Decision

The *Official* shall provide notice of the final decision on the *application* in accordance with Sec. 16-2-102.H.1.

ii. Appeal

Appeals from the final decision of the *Official* on an *application* for Family Compound Review are governed by Sec. 16-2-103.U, Appeal of *Official's* Decision to Planning Commission, and S.C. Code § 6-29-1150.

4. Family Compound Review Standards

An *application* for Family Compound Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Compound complies with the following:

- a. All *persons* that will live on the *parcel* are of the same family as defined in Sec. 16-3-106.N.1.d.
- b. All other applicable standards of this *Ordinance*.
- c. All other applicable requirements in the *Municipal Code*.

5. Effect of Approval

Approval of a Family Compound authorizes the submittal of any other subsequent *development applications* that may be required before *construction* or other *development* authorized by this *Ordinance*. The property cannot be sold to non-family members for three years after being established as a Family Compound.

6. Expiration

Approval of a Family Compound establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Y. Family Subdivision

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an *application* for Family Subdivision approval. This section will allow the *subdivision* and transfer of familial owned property to future generations.

2. Applicability

a. General

- i. Approval of a Family Subdivision in accordance with the procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No *land* in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this *Ordinance* and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.
- ii. Approval of a Family Subdivision requires that a *person(s)* living in a Family Subdivision must be related to the *property owner* by blood, marriage, or legal adoption as defined in Section 16-3-106.N.1.d.
- iii. *Applications* for Family Subdivision Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

3. Family Subdivision Review Procedure

a. Pre-Application Conference

Prospective *applicants* for Family Subdivision Review are encouraged to request and hold a *pre-application* conference with *Town* staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An *application* for Family Subdivision Review may be submitted by *persons* identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

c. Staff Review and Action

- i. On receiving an *application*, the *Official* shall review and make a final decision on the *application* in accordance with Sec. 16-2-102.D. The *Official's* decision shall be based on the standards in Sec. 16-2-103.Y.4, Family Subdivision Review Standards, and shall be one of the following:
 1. Approve the *application*;
 2. Approve the *application* subject to conditions of approval; or
 3. Deny the *application*.
- ii. The *Official* shall act on an *application* for Family Subdivision Review, in accordance with Sec. 16-2-102.D, within 60 business days after it is submitted, or such extended time agreed to by the *applicant*. If the *Official* fails to take action on the *application* within this time period, the *application* shall be deemed approved, and the *Town* shall issue the *applicant* a letter of approval and written notice to proceed based on the submitted *application*.

d. Post- Decision Action and Limitations

i. Notice of Decision

The *Official* shall provide notice of the final decision on the *application* in accordance with Sec. 16-2-102.H.1.

ii. Appeal

Appeals from the final decision of the *Official* on an *application* for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of *Official's* Decision to Planning Commission, and S.C. Code § 6-29-1150.

4. Family Subdivision Review Standards

An *application* for Family Subdivision Review shall be approved if the *Official* finds the *applicant* demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (per Sec. 16-3-106.N.1.d) to those purchasing/deeding properties within the *subdivision*.
- b. A notarized affidavit shall be submitted stating that all infrastructure including the *access* must be installed and inspected prior to the sale of property within the *subdivision* to non-family members.
- c. All other applicable requirements in the *Municipal Code*.
- d. All standards of this *Ordinance* that appear in Section 16-2-103.X Family Compound.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

5. Effect of Approval

Approval of a Family Subdivision constitutes approval of a final plat 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 conveyed and may be developed in accordance with *development applications* authorized by this *Ordinance*. No further *subdivision* of a Family Subdivision shall be permitted.

6. Expiration

Approval of a Family Subdivision establishes a *vested right* in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
Sec. 16-3-104. Residential Base Zoning Districts

E. Low to Moderate Density Residential (RM-4) District

<h2 style="margin: 0;">RM-4</h2> <h3 style="margin: 0;">Low to Moderate Density Residential District</h3>			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> ²	35%
<i>Bed and Breakfast</i>	10 rooms		
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft ^{1,3}		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
<u>2. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			
<u>3. The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
F. Moderate Density Residential (RM-6) District

RM-6

Moderate Density Residential District

1. Purpose

The purpose of the Moderate Density Residential (RM-6) District is to allow for the *development* of residential *uses* at densities up to six *dwelling units* per *net acre*. The district allows a variety of residential *uses* along with *uses* that support *neighborhoods*. The district is intended to discourage *development* that would substantially interfere with, or be detrimental to moderate residential character.

2. Allowable Principal Uses

<u>USE CLASSIFICATION/TYPE</u>	<u>USE-SPECIFIC CONDITIONS</u>	<u>MINIMUM NUMBER OF OFF-STREET PARKING SPACES</u>	
<u>Residential Uses</u>			
<u>Group Living</u>	<u>P</u>	1 per 3 rooms	
<u>Multifamily</u>	<u>P</u>	<u>1 bedroom</u>	1.4 per du
		<u>2 bedroom</u>	1.7 per du
		<u>3 or more bedrooms</u>	2 per du
<u>Single-Family</u>	<u>P</u>	2 per du + 1 per 1,250 GFA over 4,000 GFA	
<u>Public, Civic, Institutional, and Educational Uses</u>			
<u>Cemeteries</u>	<u>P</u>	1 per 225 GFA of office area + 1 per 500 GFA of maintenance facilities	
<u>Community Service Uses</u>	<u>P</u>	1 per 400 GFA	
<u>Education Uses</u>	<u>P</u>	<u>Colleges and High Schools</u>	10 per classroom
		<u>Elementary and Junior High/Middle Schools</u>	4 per classroom
		<u>Other Education Uses</u>	See Sec. 16-4-107.D.2
<u>Government Uses</u>	<u>PC</u>	<u>Fire Stations</u>	4 per bay + 1 per 200 GFA of office area
		<u>Other</u>	1 per 200 GFA of office area
<u>Major Utilities</u>	<u>SE</u>	1 per 1,500 GFA	
<u>Minor Utilities</u>	<u>P</u>	N/A	
<u>Public Parks</u>	<u>P</u>	See Sec. 16-5-107.D.2	
<u>Religious Institutions</u>	<u>P</u>	1 per 3 seats in main assembly area	
<u>Telecommunication Antenna, Collocated or Building Mounted</u>	<u>PC</u>	Sec. 16-4-102.B.2.e	N/A
<u>Telecommunication Towers, Monopole</u>	<u>PC</u>	Sec. 16-4-102.B.2.e	1
<u>Commercial Services</u>			
<u>Convenience Stores</u>	<u>PC</u>	Sec. 16-4-102.B.7.d	1 per 200 GFA
<u>Open Air Sales</u>	<u>PC</u>	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area
<u>Other Commercial Services</u>	<u>PC</u>	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Resort Accommodations				
<u>Bed and Breakfasts</u>	<u>PC</u>	<u>Sec. 16-4-102.B.4.a</u>	<u>1 per guest room</u>	
Other Uses				
<u>Agriculture Uses</u>	<u>P</u>		<u>Stables or Riding Academies</u>	<u>1 per 5 stalls</u>
			<u>Other</u>	<u>N/A</u>
<u>Boat Ramps, Docking Facilities, and Marinas</u>	<u>PC</u>	<u>Sec. 16-4-102.B.10.a</u>	<u>1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips.</u>	

3. Development Form and Parameters

MAX DENSITY (PER NET ACRE)		LOT COVERAGE	
<u>Residential</u>	<u>6 du (8 du if lot area is at least 5 acres)</u>	<u>Max. Impervious Cover for All Development Except Single-Family²</u>	<u>35%</u>
<u>Nonresidential</u>	<u>6,000 GFA</u>	<u>Min. Open Space for Major Residential Subdivisions</u>	<u>16%</u>
MAX. BUILDING HEIGHT			
<u>All Development</u>	<u>45 ft¹</u>		

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. May be increased by up to ten percent on demonstration to the Official that:
 - a. The increase is consistent with the character of development on surrounding land;
 - b. Development resulting from the increase is consistent with the purpose and intent of the building height standards;
 - c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development, or (2) results in improved site conditions for a development with nonconforming site features;
 - d. The increase will not pose a danger to the public health or safety;
 - e. Any adverse impacts directly attributable to the increase are mitigated; and
 - f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. The maximum impervious cover for properties located within the HNP-O shall be 45%.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
G. Moderate Density Residential District (RM-8) District

RM-8			
Moderate to High Density Residential District			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential	8 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> ²	35%
Nonresidential	6,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	45 ft ¹		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
H. Moderate to High Density Residential District (RM-12) District

<h2 style="margin: 0;">RM-12</h2> <h3 style="margin: 0;">Moderate to High Density Residential District</h3>			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential	12 du	Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i> ²	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
<i>All Development</i>	45 ft ¹		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
<u>2. The maximum <i>impervious cover</i> for properties located within the HNP-O shall be 45%.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
Sec. 16-3-105. Mixed-Use and Business Districts

H. Marshfront District (MF)

MF Marshfront District				
1. No Change				
2. No Change				
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)			LOT COVERAGE	
Residential ²	Along Major Arterials	4 du (8 du if <i>lot</i> area is at least 3 acres) 6 du (8 du if <i>lot</i> area is at least 3 acres)	Max. <i>Impervious Cover</i>	60%
	Along Other <i>Streets</i>	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
Nonresidential	7,000 GFA			
MAX. BUILDING HEIGHT				
All <i>Development</i>	45 ft ¹			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
TABLE NOTES:				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable				
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:				
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;				
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				
2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.				

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
K. Neighborhood Commercial (NC)

<p style="font-size: 24pt; margin: 0;">NC</p> <p style="font-size: 36pt; margin: 0;">Neighborhood Commercial District</p>			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²	4 du	Max. <i>Impervious Cover</i>	45%
Nonresidential	3,000 GFA	Min. <i>Open Space</i> for Major Residential <i>Subdivisions</i>	16%
MAX. BUILDING HEIGHT			
All <i>Development</i>	35 ft ^{1,3}		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the <i>Official</i> that:			
a. The increase is consistent with the character of <i>development</i> on surrounding <i>land</i> ;			
b. <i>Development</i> resulting from the increase is consistent with the purpose and intent of the <i>building height</i> standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the <i>site</i> or the proposed <i>development</i> , or (2) results in improved <i>site</i> conditions for a <i>development</i> with <i>nonconforming site features</i> ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
3. <u>The maximum <i>building height</i> for properties located within the HNP-O shall be 45 ft.</u>			

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
Sec. 16-3-106. Overlay Zoning Districts

N. Historic Neighborhoods Preservation Overlay (HNP-O) District

1. Applicability and Purpose

- a.** The purpose of the Historic Neighborhoods Preservation Overlay (HNP-O) District is to expand opportunities to pass *land* to future generations and allow for increased *development* potential.
- b.** All new *development* and changes to existing *development* in the HNP-O District are subject to the regulations of this section.
- c.** For *parcels* within the HNP-O District, family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of *persons* related by blood, and descended from common ancestor (as in extended family).
- d.** Family Compounds will be considered a *single-family use*.

2. Delineation of the HNP-O District

The Historic Neighborhoods Preservation Overlay (HNP-O) District includes all *parcels* shown as hatched in Figures 16-3-106.N.2 and 16-3-106.N.3 below.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

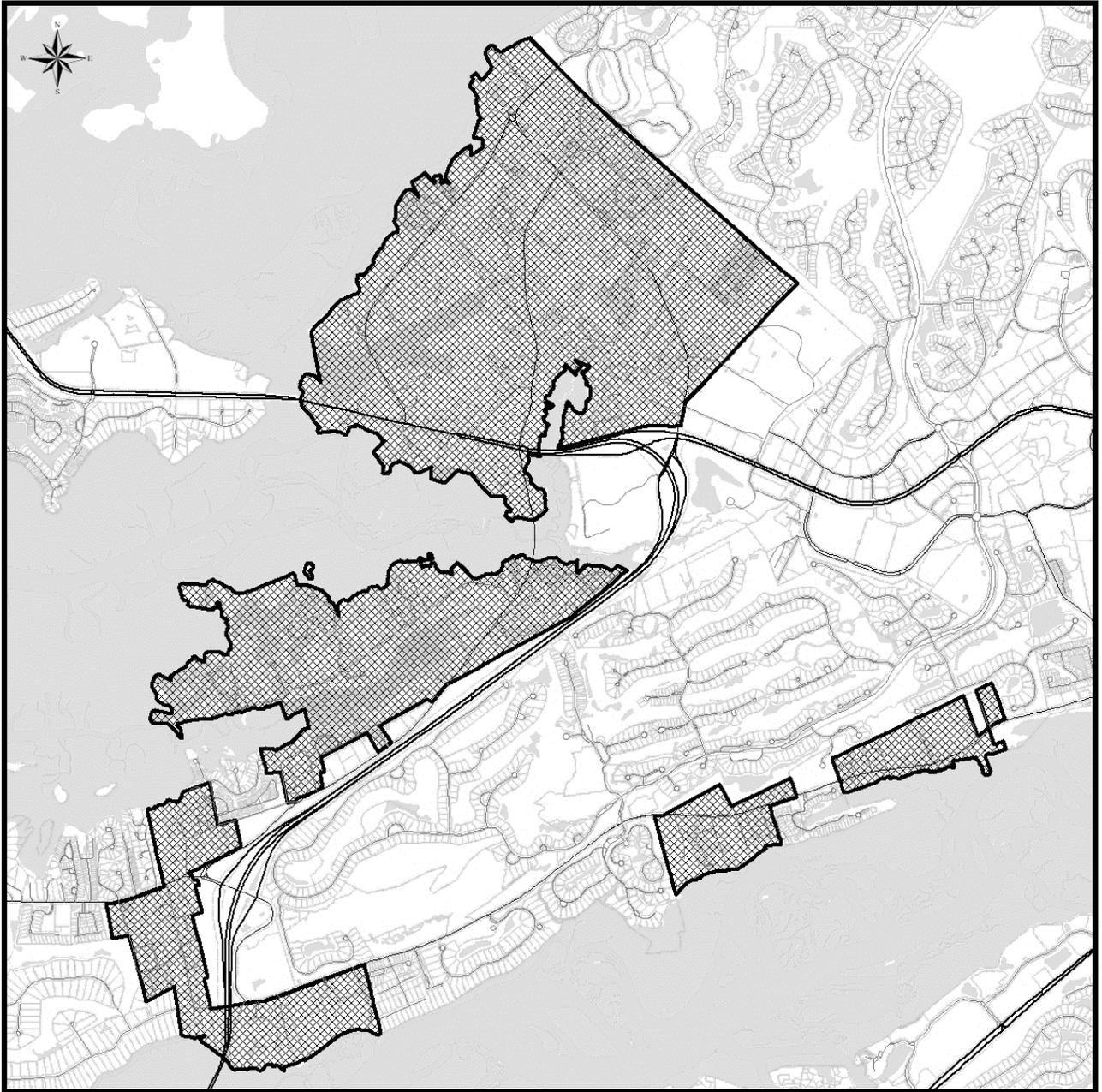


Figure 16-3-106.N.2

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments



Figure 16-3-106.N.3

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

3. District Regulations

a. Setbacks

i. Street

<u>Street Type</u>	<u>Required Setback</u>
<u>Major Arterial</u>	<u>50 ft</u>
<u>Minor Arterial</u>	<u>25 ft</u>
<u>All Other Streets</u>	<u>10 ft</u>
<u>Access Easement</u>	<u>5 ft</u>

ii. Adjacent Use Setbacks

1. An *adjacent use* setback of 5 feet is required between two *single-family uses*.
2. All other *adjacent use* setbacks are reduced by 10 feet from what is required in Table 16-5-102.D.

b. Buffers

i. Street and Plantings

<u>Street Type</u>	<u>Required Buffer</u>	<u>Required Plantings</u>
<u>Major Arterial</u>	<u>50 ft</u>	<u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 5 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 20 every 100 linear feet and at least 3 feet high at maturity</u>
	<u>35 ft</u>	<u><i>Overstory trees</i>: 5 every 100 linear feet</u> <u><i>Understory trees</i>: 7 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 25 every 100 linear feet and at least 3 feet high at maturity</u> <u>At least 50% of all <i>trees</i> must be evergreen</u>
<u>Minor Arterial</u>	<u>15 ft</u>	<u><i>Single-Family</i>:</u> <u><i>Overstory trees</i>: 3 every 100 linear feet</u> <u><i>Understory trees</i>: 6 every 100 linear feet</u> <u><i>Evergreen shrubs</i>: 10 every 100 linear feet</u> <u><i>Non Single-Family</i>:</u> <u><i>Overstory trees</i>: 4 every 100 linear feet</u> <u><i>Understory trees</i>: 8 every 100 linear feet</u>

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

		<u>Evergreen shrubs: 12 every 100 linear feet</u>
<u>All Other Streets</u>	<u>10 ft</u>	<u>Single-Family:</u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 3 every 100 linear feet</u> <u>Evergreen shrubs: 8 every 100 linear feet</u> <u>Non Single-Family:</u> <u>Overstory trees: 2 every 100 linear feet</u> <u>Understory trees: 4 every 100 linear feet</u> <u>Evergreen shrubs: 10 every 100 linear feet</u>
<u>Access Easement</u>	<u>0 ft</u>	<u>N/A</u>

ii. Adjacent Use Buffers

1. Adjacent use buffers shall not apply to properties where the proposed development and the existing use on the adjacent property are within the same use classification.
2. All other adjacent use buffers shall include the minimum planting requirements per Table 16-5-103.F.

c. Impervious Cover

Maximum impervious cover of the lot shall be 45 percent except for development within LC, MF, MV, NC, RD, S, and WMU Districts. For impervious cover requirements in these districts, see Sec. 16-3-105.

d. Building Height

Maximum building height shall be 45 feet except for development within MV, RD, and WMU Districts. For building height in these districts, see Sec.16-3-105.

e. Access

i. Access to all lots within a Family Subdivision shall be provided to the point of development as follows:

01. For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.
02. For 6 or more lots, direct vehicular access to each lot shall be provided via a paved street with a minimum 30 foot right-of-way for two-way streets and a minimum 24 foot right-of-way for one-way streets.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

- ii. *Access to dwelling units* within a Family Compound via a minimum 20 foot wide *access easement* constructed of an *all-weather driving surface*.

f **Wetlands Protection**

Wetland buffers shall be provided along the perimeter of all *wetlands*.

- i. *Single-family* (including *accessory structures* and pervious and *impervious surfaces*) shall be no less than 20 feet from a tidal *wetland*. A buffer from a freshwater *wetland* is not required.
- ii. *Multifamily* or nonresidential *structures* shall be no less than 20 feet from tidal and freshwater *wetlands*.
 - 1. Pervious surfaces shall be no less than 15 feet from the tidal *wetland* and no less than 10 feet from the freshwater *wetland*.
 - 2. *Impervious surfaces* shall be no less than 25 feet from the tidal *wetland* and no less than 20 feet from the freshwater *wetland*.

4. **Allowable Uses/Activities**

- a. All *uses* currently permitted by Table 16-4-102.A.6: Principal Use Table will continue to be permitted on properties in the HNP-O District.
- b. Family Compound is permitted in accordance with Section 16-2-103.X.
- c. Family Subdivision is permitted in accordance with Section 16-2-103.Y.

5. **Application Review**

All *applications* for *development* activity on eligible properties within the HNP-O District will be expedited.

- a. New submittals for properties within the HNP-O District will be reviewed prior to other submittals.
- b. New *building* permit submittals within the HNP-O District will be reviewed prior to other submittals.
- c. Resubmittals for properties with the HNP-O District will be reviewed prior to other submittals.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
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	RESIDENTIAL DISTRICTS				USE-SPECIFIC CONDITIONS
	RM-4	<u>RM-6</u>	RM-8	RM-12	
RESIDENTIAL USES					
Group Living	P	<u>P</u>	P	P	
<i>Multifamily</i>	P	<u>P</u>	P	P	
<i>Single-Family</i>	P	<u>P</u>	P	P	
PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES					
Cemeteries	P				
Community Services Uses	P	<u>P</u>	P	P	
Education Uses	P				
Government Uses	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.d
Major Utilities	SE	<u>SE</u>	SE	SE	
Minor Utilities	P	<u>P</u>	P	P	
Public Parks	P	<u>P</u>	P	P	
Religious Institutions	P	<u>P</u>	P	P	
Telecommunication Antenna, Collocated or Building Mounted	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
Telecommunications Tower, Monopole	PC	<u>PC</u>	PC	PC	Sec. 16-4-102.B.2.e
RESORT ACCOMMODATIONS					
Bed and Breakfasts	PC				Sec. 16-4-102.B.4.a
COMMERCIAL SERVICES					
Convenience Store	PC				Sec. 16-4-102.B.7.d
Open Air Sales	PC				Sec. 16-4-102.B.7.i
Other Commercial Services Uses	PC	<u>PC</u>	PC		Sec. 16-4-102.B.7.l
OTHER SERVICES					
Agriculture Uses	P	<u>P</u>	P	P	
Boat Ramps, Docking Facilities, and Marinas	PC	<u>PC</u>	PC		Sec. 16-4-102.B.10.a

B. Use-Specific Conditions for Principal Uses

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Sec. 16-4-102.B.7.1

1. *Other commercial services* located in the RM-4 District, RM-6 District, or RM-8 District shall have a *gross floor area* no greater than 1,200 square feet.

Sec. 16-4-102.B.10.a

a. Boat Ramps, Docking Facilities, and Marinas

- i. A *boat ramp, docking facility*, or marina in the CON District shall be associated with an approved *use* in the *adjacent zoning district*.
- ii. A *boat ramp* is allowed in the RSF-3, RSF-5, RM-4, RM-6, or RM-8 District only if the purpose is to serve the *adjacent neighborhoods*.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments
Chapter 16-10: Definitions, Interpretations, and Measurement;

Sec. 16-10-105. General Definitions:

Family Compound

Single parcel of *land* with multiple *dwelling units* owned by one family as defined in Sec. 16-3-106.N.1.d.

Family Subdivision

Ownership of subdivided *lots* within a *single-family*, defined by Sec. 16-3-106.N.1.d without requiring the installation of supporting infrastructure.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

D-26. Family Compound

A. Application Form

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

B. Certificate of Owner's Consent

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *development*.

C. Eligibility

Written, signed, and notarized statement that the household(s) within the Family Compound is a family member as defined by Sec 16-3-106.N.1.d.

D. Property Deed

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

E. Boundary Survey Plat

One copy of the boundary survey plat of the *lot* of record or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50 or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

F. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of *development* and detailed provisions for *maintenance* responsibility for all *improvements*, including, but not limited to: *streets*, parking areas, storm drainage facilities, water and sewer systems, and the like, up to the point of *development*.

G. 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:

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the *Town Engineer*, unless waived by the *Town Engineer*.
6. Proposed *site development*, including current and future *land uses*, any *building* or other *structure* locations, *street*, *driveway*, and parking area layouts, and interconnections with *off-site* facilities, if applicable.
7. Location of proposed drainage system, including *off-site* area of interconnection.
8. Location of proposed water and sewer system, including *off-site* areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the *development*.
12. Minimum *building* setback or buffer lines as required by Sec. 16-3-106.N.3.a and Sec. 16-3-106.N.3.b.
13. Tables indicating calculations for *impervious cover* and required parking.
14. Delineation of any *zoning district* boundary which traverses or is *contiguous* to the *development site*, including overlay zones.
15. Where applicable, surveyed delineation of any *wetland* area and required buffers or other delineation of a natural feature on the *site* which is protected or defined under provisions of this Title.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

16. Notation as to FEMA/FIRM *flood* zones covering the *site* , and proposed first floor elevation of all *buildings* .
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or *contiguous* with the proposed *development tract* .
18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

H. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate *Town, County, State* and federal regulations for the proposed *development* , and documentation of compliance with such, as applicable. Failure of the *Official* to request an approval or certification required does not relieve the *applicant* of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the *site development* plan.
5. U.S. Army Corps of Engineers permits related to dredging, *filling, wetlands* , or other elements of the *development* .
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The *applicant* must receive a determination from the FAA prior to the issuance of any approvals from the *Town* .

I. Other Requirements

1. *Access* and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
2. Buffers, setbacks, and access shall be required in accordance with 16-3-106.N.3 for any property sold to non-family members sooner than three years after the establishment of the Family Compound.
3. *Any other items* specifically required of a *development plan application* by any other provisions of this Title.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

D-27. Family Subdivision

A. Application Form

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

B. Subdivision Plat

One black line print of a *subdivision* plat at a scale of 1"= 50' or other scale acceptable to the *Official*, showing:

1. *Date* (including any revision dates), *name and location* of the *subdivision*, *name of owner*, *north arrow*, *graphic scale* and *reference meridian*.
2. *Beaufort County Tax Map* and *Parcel Number*.
3. *Location and description* of all *primary control points* and *monuments* used in the survey, *with ties to such control points* to which all *dimensions*, *angles*, *bearings*, *distances*, *block numbers*, and *similar data* shall be referred.
4. *Existing and proposed tract* boundary lines, *right-of-way* lines, *proposed street* names, *easements* and other *rights-of-way*, all *lot* lines and other *site* lines with *accurate dimensions*, *bearing or deflecting angles or radii*, *arcs*, and *central angles of all curves*.
5. The *proposed use* of *lots* shall be noted and the *purpose* of any *easement* or *land* reserved or *dedicated* to *public* or *utility use* shall be designated.
6. Each *block* shall be numbered, and the *lots* within each *block* shall be numbered consecutively.
7. *Notation* of specific *reference plats*, if applicable.
8. *Computed acreage* of each *lot* created by the *subdivision*.
9. *Minimum building* setback or *buffer lines* as required by *Sec. 16-3-106.N.3.a* and *Sec. 16-3-106.N.3.b*.
10. The *location* of all *lines and equipment* for *water*, *sewer*, *electric*, *telephone*, and *cable TV* as approved by the *appropriate utility*, if applicable.
11. *Certification* by a *South Carolina professional land* surveyor as to the *accuracy* of the *details of the plat*, with *seal and signature* affixed.
12. *Notation* of the *one-hundred-year storm flood* elevation *MSL* and *Flood Disclosure Statement* (if in *FEMA Zone A* or *V*).
13. *Surveyed delineation* as appropriate of any *wetland* area within or *contiguous* to the *subdivision*.
14. *Delineation* of any *airport hazard zone*, as defined in *Sec. 16-3-106.E*, *Airport Overlay (A-O) District*.
15. All *existing structures* or other *improvements*.

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16. Location of *wetland buffer* area, where applicable, as required by Sec. 16-3-106.N.3.f.

17. For *subdivisions* where a portion is *adjacent* to a *wetland*, a statement that reads, “The only activities permitted in the *wetland buffer* shall be those listed in Wetland Buffers as per the LMO.”

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

C. Certificate of Owner’s Consent

If the *applicant* is someone other than the owner, notarized certification, written and signed by the *development site* owner of record that such owner formally consents to the proposed *subdivision*.

D. Eligibility

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as defined by Sec. 16-3-106.N.1.d.

E. Certification of Title Source

Certification signed by the surveyor setting forth the source of title of the owners of the *land* subdivided or a copy of the deed by which the property was conveyed to the owner.

F. Certificate of Title and Reference Plat

A current certificate of title referencing the proposed *subdivision* plat and if recorded, a copy of the last plat in the chain of title.

G. Street and Development Names

Appropriate approvals for all *street* and *development* names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

H. Subdivision in Phases

Whenever part of *tract* is proposed for platting and it is intended to subdivide additional parts in the future or *abutting land* is in the same ownership, a sketch plan for the entire *tract* shall be submitted with the plat.

J. Stormwater Management

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

K. Other Items

1. Access and infrastructure must be installed to serve each *structure* in the order each *structure* is constructed.
2. Prior to the sale of the property within the Family Subdivision to non-*family* members, a *subdivision application* shall be submitted in accordance with 16-2-103.F.
3. Any applicable items as identified in D-26, Family Compound.

LMO Changes to Reflect Historic Neighborhoods Preservation Overlay (HNP-O) District

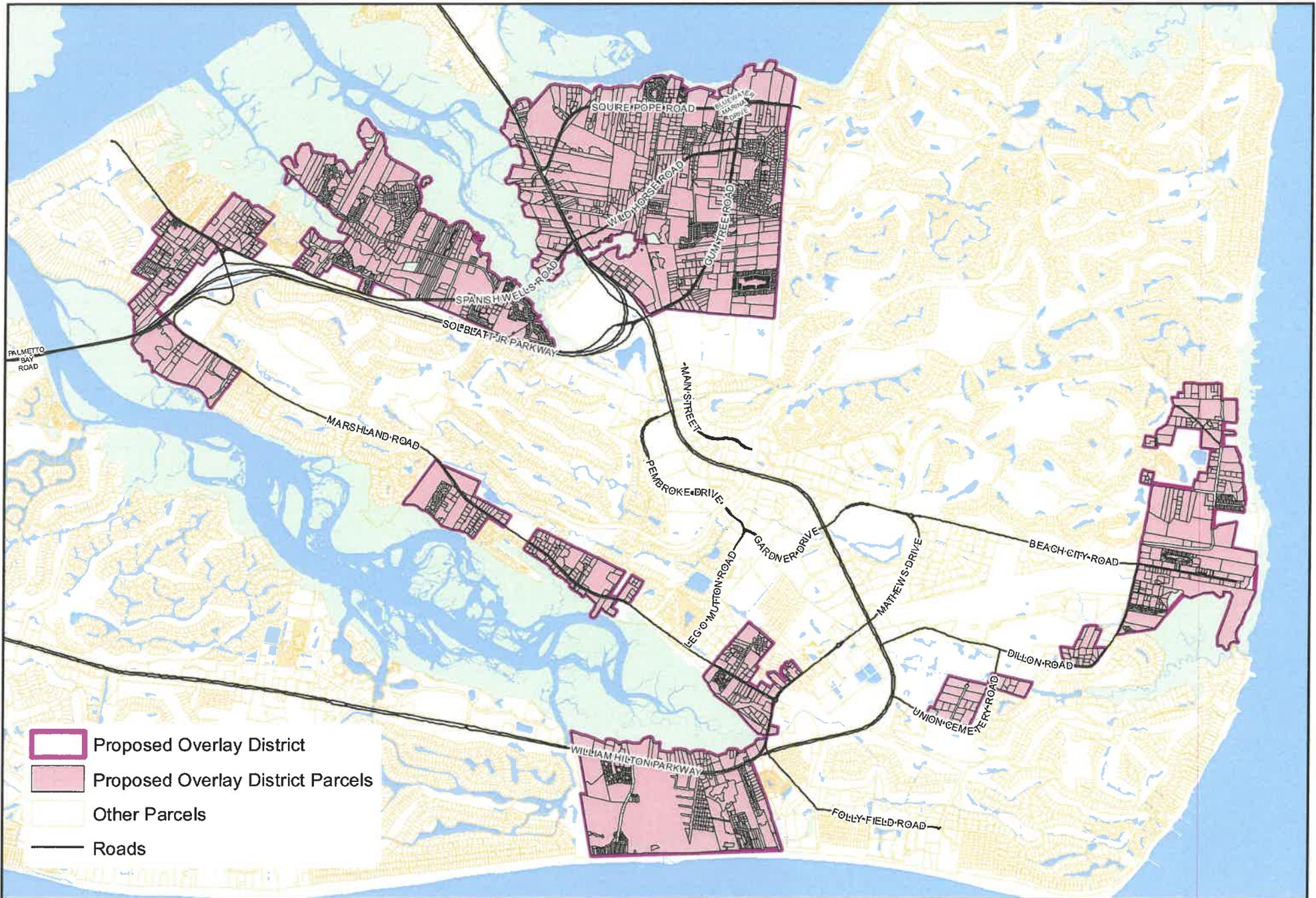
Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District			
Setbacks	Minor Arterial	40'		25'			
	All Other Streets	20'		10'			
	Access Easement	20'		5'			
	Adjacent Use	20' Single Family (Varies 20' - 40')		5' between single family uses Reduction by 10' between other uses			
Buffers	Minor Arterial	25'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	15'	<u>Single Family:</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet <u>Multifamily:</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet		
		15'	<u>Maximum Planting Requirements</u> Overstory Trees: 4 Every 100 Linear Feet Understory Trees: 8 Every 100 Linear Feet Evergreen Shrubs: 12 Every 100 Linear Feet				
	All Other Streets	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 3 Every 100 Linear Feet Evergreen Shrub: 8 Every 100 Linear Feet			10'	<u>Single Family:</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 3 Every 100 Linear Feet Evergreen Shrub: 8 Every 100 Linear Feet <u>Multifamily:</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 4 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet
		10'	<u>Maximum Planting Requirements</u> Overstory Trees: 2 Every 100 Linear Feet Understory Trees: 4 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet				

Exhibit B

Element		Current LMO		Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District	
Buffers (Continued)	Access Easement	20'	<u>Minimum Planting Requirements</u> Overstory Trees: 3 Every 100 Linear Feet Understory Trees: 6 Every 100 Linear Feet Evergreen Shrubs: 10 Every 100 Linear Feet	0'	N/A
	Adjacent Use	Varies (20' -30')		A buffer is not required for adjacent like uses All other buffers permitted to be the minimum option and have the minimum planting requirements with the exception of industrial uses Industrial uses permitted to have the minimum option but must have the maximum planting plus fence/hedge.	
Impervious cover (Residential & Mixed-Use Base Zoning Districts)		Residential Districts 35% maximum		Residential Districts 45% maximum	
Building Height		Varies (35'-45')		45' Maximum	
Access		For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access must be installed before subdivision plans are stamped. For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 40' right-of-way; access must be installed before subdivision plans are stamped.		For 5 or fewer lots within a Family Subdivision, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access shall be provided to the point of development For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 30' right-of-way; access shall be provided to the point of development For all homes within a Family Compound: Minimum 20' wide access easement constructed of an all-weather driving surface	

Exhibit B

Element	Current LMO	Proposed Historic Neighborhoods Preservation Overlay (HNP-O) District
Allowable Uses	All uses in the base district	All uses in the base district Family Compound Family Subdivision
Density	<p><u>RM-4</u> (Zoning class in base district) 4 dwelling units per acre 6 dwelling units per acre with at least 3 acres 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 4 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p>	<p><u>RM-6</u> (All RM-4 rezoned to RM-6) 6 dwelling units per acre 8 dwelling units per acre with at least 5 acres</p> <p><u>MF Along Major Arterials</u> 6 dwelling units per acre 8 dwelling units per acre with at least 3 acres</p> <p><u>MF Along Other Streets</u> 6 dwelling units per acre 10 dwelling units per acre with at least 3 acres</p>
Application Review	All applications for development activity are reviewed in the order they are received.	All applications for development activity for eligible properties within the district will be expedited.



-  Proposed Overlay District
-  Proposed Overlay District Parcels
-  Other Parcels
-  Roads

Town of Hilton Head Island
Exhibit C - Location Map
Proposed Historic Neighborhood Preservation Overlay District
 September 22, 2020

3,500 1,750 0 3,500 Feet
 1 inch = 3,500 feet



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This document and the data herein have been prepared from the best information available and are intended to be used as a guide. The Town of Hilton Head Island does not warrant the accuracy or completeness of the data herein. The Town of Hilton Head Island reserves the right to modify or amend this information at any time without notice.