



Town of Hilton Head Island
Planning Commission Special Meeting
Wednesday, March 29, 2023, 3:00 p.m.
AGENDA

The Planning Commission Meeting will be held in person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be broadcast and can be viewed at: [Beaufort County Channel](#), the [Town's YouTube Channel](#), and Spectrum Channel 1304.

1. Call to Order

2. Pledge of Allegiance

3. 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.

4. Roll Call

5. Swearing in Ceremony of new Commissioners: Albert Mealer, Charles Lobaugh and Florence Ellen Whaley – *performed by Joshua A. Gruber, Deputy Town Manager*

6. Approval of Agenda

7. Approval of Minutes - None

8. Appearance by Citizens

Citizens may submit written comments via the [Town's Open Town Hall Portal](#). The portal will close at 4:30 p.m. the day prior to the scheduled meeting. Comments submitted through the portal will be provided to the Commission and made part of the official record.

9. Unfinished Business

a. LMO Amendments – The Town of Hilton Head Island is proposing to amend Chapters 4 and 10 of the Land Management Ordinance (LMO) to revise the following sections:

Section 16-4-103.D.2, 16-4-103.E.2 and 16-10-105 to eliminate the allowance of divisible dwelling units; and Section 16-10-103.A.2 to modify multifamily and single-family definitions. *Presented by Missy Luick.*

10. New Business

a. Nomination and Election of Officers for a term from March 29, 2023 – June 30, 2023

11. Commission Business

12. Chairman's Report

13. Staff Reports

14. 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

TO: Planning Commission
FROM: Ashley Goodrich, Principal Planner
VIA: Shawn Colin, Assistant Town Manager- Community Development
VIA: Missy Luick, Assistant Community Development Director
VIA: Taylor Ladd, Interim Community Planning Manager
DATE: March 27, 2023
SUBJECT: Consideration of a Proposed Ordinance Amending Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to remove Divisible Dwelling Units as an accessory use and to modify Multifamily and Single-Family definitions

RECOMMENDATION:

That the Planning Commission consider the proposed ordinance amending Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to remove divisible dwelling units as an accessory use and to modify multifamily and single-family definitions for recommendation to Town Council.

BACKGROUND:

This amendment set is Phase 3 of the five phase 2023 LMO Amendments Plan, Attachment 1. The content presented in this phase correlates directly with input received from the Island community and neighborhoods. In this phased approach to adapting the LMO to address present-day concerns and challenges, these amendments will create efficiencies and deliver practical expectations for staff and applicants.

The overall purpose of this phase set is to eliminate divisible dwelling units to calibrate applicable density such there are no partial dwelling units and to modify the definitions for multi-family single-family to be more like commonly used land management definitions.

On March 15, 2023, the Planning Commission held a public hearing to review the proposed amendments and voted to remand them back to staff to conduct a targeted review of the impact and implications of the proposed changes.

SUMMARY:

The definitions for multifamily and single-family are outdated and modifications are proposed to align the definitions with community expectations. The current definitions have been in place since 2014 and are as follows:

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.

Single-Family- A freestanding *structure* containing not more than two *single-family dwelling units*. Two *single-family* homes may be located on the same *lot* if the applicable *density* standard is met. More than two *single-family dwellings* on a single *lot* constitute a *multifamily dwelling*.

Prior to the 2014 LMO rewrite, the definitions were:

Multifamily Residence: A building or parcel containing three or more dwelling units.

Single Family Attached Residence: A structure containing more than one single family dwelling unit in which the units are physically attached, and each has its own separate exterior entrance way and a separately owned lot.

Single Family Detached Residence: A structure containing one dwelling unit that is free standing.

In 1998, the definition for multifamily was:

Multifamily residence- A building containing three or more dwelling units.

The proposed amendment language is:

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

Single-Family- A freestanding structure containing one single-family dwelling unit. More than one single-family dwelling on a single lot constitutes a multifamily dwelling.

CONSIDERATIONS:

The proposed change does not prohibit more than one single-family home on a lot if the density allows it, but the multifamily development design standards will be considered when a second home is added. With the change in land use classification from single-family to multifamily, there will be changes to the setbacks and buffers. Attachment 3 provides a summary of the impact on setbacks and buffers. The majority of changes

result in more flexibility for sites; however, there will be impacts to how wetland buffers are now applied.

Due to the resulting buffer differences, this change will result in legal nonconformities. For instance, RS3, RS5, RS6 are zoned for single-family; but not multifamily. Family Compounds & Subdivisions are not affected by the proposed change, LMO Section 16-2-103.X.IV considers Family Compounds to be a single-family use.

Divisible dwelling units (or commonly referred to as lock-out rooms) are an accessory use that is permitted with conditions in the Coligny Resort (CR) and Resort Development (RD) Districts. This accessory use is no longer desirable and is recommended to be struck from the LMO. All existing divisible dwelling units would become legal nonconformities per LMO Chapter 16-7, Nonconformities, Attachment 4. While the Town recognizes the continued existence of nonconformities is generally inconsistent with the purpose and intent of the LMO, it also recognizes the need to provide flexibility to encourage redevelopment of nonconforming sites, which lessen the degree of the nonconformity and is consistent with the goals of the comprehensive plan "Our Plan".

A presentation will be provided at the Planning Commission meeting.

ATTACHMENTS:

1. Proposed LMO Amendment
2. LMO Amendments Plan Details by Phase and Critical Path
3. Existing Setback to Buffer Summary
4. LMO Chapter 16-7, Nonconformities

Sec.16-4-103.D.2. Accessory Use/Structure Table

TABLE 16-4-103.D.2: ACCESSORY USE/STRUCTURE TABLE																						
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																						
Blank Cell = Prohibited																						
ACCESSORY USE/ STRUCTURE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED-USE AND BUSINESS DISTRICTS											USE-SPECIFIC CONDITIONS		
	CON	PR	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD		MED	IL
Amateur radio antenna			P C	P C	P C	P C	P C	P C					P C	P C		P C	P C					Sec. 16-4-103.E.1
Automatic teller machine (ATM)									P	P	P	P	P	P	P			P	P	P		
Crematory (as accessory to funeral homes)											P										P	
Divisible Dwelling Unit									P C										P C			Sec. 16-4-103.E.2
Home Occupation			P C	P C	P C	P C	P C	P C	P C	P C		P C	P C	P C	P C	P C	P C	P C	P C			Sec. 16-4-103.E.3
Outdoor display and sale of merchandise									P C	P C	P C	P C	P C				P C	P C				Sec. 16-4-103.E.4
Outdoor storage (as an accessory use)									P C	P C	P C			P C				P C		P C	P C	Sec. 16-4-103.E.5
Satellite dish	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	Sec. 16-4-103.E.6
Small wind energy conversion system (WEC)	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	Sec. 16-4-103.E.7
Solar collection device			P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	Sec. 16-4-103.E.8
Telecommunications Facility, Collocated	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	Sec. 16-4-103.E.9

Sec 16-4-103.E. Use-Specific Conditions for Accessory Uses and Structures

2. Divisible Dwelling Unit

A **divisible dwelling unit** incorporating **lock-out rooms** is allowed as an **accessory use** to a **multifamily dwelling** or **interval occupancy unit** if it complies with the following conditions:

- a. The unit shall have a separate outside entrance serving the **lock-out rooms**.

b. The **lock-out rooms** may not exceed 75 percent of the **gross floor area** of the entire **dwelling**.

c. Each lock-out room in a **divisible dwelling unit** shall count as $\frac{1}{2}$ **dwelling unit** in addition to the one **dwelling unit** counted for the entire divisible **dwelling**.

Sec.16-10-103.A.2. Use Types and Definitions

Multifamily

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

Single-Family

A freestanding **structure** containing one not more than two **single-family dwelling units**. Two single-family homes may be located on the same **lot** if the applicable **density** standard is met. More than one two **single-family dwellings** on a single **lot** constitutes a **multifamily dwelling**.

Sec.16-10-105. General Definitions-

Divisible Dwelling Unit

A **dwelling unit** in a **multifamily** residential or **interval occupancy development** that includes one or more lock-out bedrooms that can be physically closed or locked off from the remainder of the **dwelling**. Such units must have a bathroom. Size is limited to 75 percent of the **gross floor area** of the entire **dwelling**.

LMO Amendment Plan: Details by Phase

Phase	Details
1	<p>PHASE 1</p> <ul style="list-style-type: none"> • Remove staff granted waivers and amend some standards. • Allow variances from all sections of the LMO other than use, density or height. • Allow outdoor screened bike storage in the Light Commercial and Community Commercial zoning districts and provide more specificity related to screening. • Provide clarification in the Manufacturing use classification as it relates to the size of a brewery. • Replace using June traffic counts with July traffic counts for Traffic Impact Analysis Plan Standards. • Change when/how plantings are required on single family lots in buffers as part of a subdivision Certificate of Compliance. • Amend the definition of changeable copy to allow signs to be changed electronically with limitations on frequency and timing. • Amend the measurement for height calculation. • Add that owners' consent is required for minor subdivisions as it is currently listed as being exempt. • Require a public hearing for subdivision amendments.
2	<p>PHASE 2</p> <ul style="list-style-type: none"> • Section 16-2-103.F: Provide standards for deviations from previously platted subdivisions.
3	<p>PHASE 3</p> <ul style="list-style-type: none"> • Definition for single-family. • Definition for multifamily. • Eliminate divisible dwelling units.
4	<p>PHASE 4</p> <ul style="list-style-type: none"> • Administrative application and procedural changes. • Creation of sustainable development incentives. • Updated residential and commercial site design standards including context sensitive design, neighborhood scale elements and pedestrian connectivity. • Addition of design guidance graphics. • Modified traffic impact analysis methodology. • Parking standards, signage standard updates. • Best-in-class stormwater requirements and manual. • Strengthening of wetland, beach, dune, and tree regulations.
5	<p>PHASE 5</p> <ul style="list-style-type: none"> • Review of all LMO chapters. • Review of overall organization. • Review of user-friendliness of the code. • Alignment with Our Plan. • Integration of outcomes from Growth Framework and District Plan initiative.

LMO Amendment Plan: Critical Path

Phase	2022			2023												2024					
	Q4			Q1			Q2			Q3			Q4			Q1			Q2		
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
1		11/1: LMO of PC	12/21: PC-PH	01/26: PPC	02/14: TC WKSP 02/21: TC-1	03/07: TC-2															
2		11/1: LMO of PC	12/21: PC-PH	01/26: PPC	02/14: TC WKSP	03/07: TC-1 03/08: PC 03/21: TC-2															
3						03/15: PC 03/29: PC	04/10: PPC	05/02: TC-1 05/16: TC-2													
4								PC	PC-PH	PPC	TC WKSP	TC-1	TC-2								
5								GROWTH FRAMEWORK AND DISTRICT PLAN INITIATIVE										PC-PH	PPC	TC1	TC2

Dates for future meetings are subject to change.

03/25/2023

MEETING KEY	
LMO of PC	Planning Commission LMO Committee
PC-PH	Planning Commission Public Hearing
PC	Planning Commission
PPC	Public Planning Committee of Town Council
TC WKSP	Town Council Workshop
TC-1	Town Council First Reading
TC-2	Town Council Second Reading

1 - Summary of Setbacks and Buffers – Change in Single Family & Multifamily Definition:

Adjacent Street Setback (Structure) – Based on the type of street, not use.

- Major Arterial – No Change
- Minor Arterial- No Change
- Other- No Change

Adjacent Use Setback – Based on the use of developed property and zoning of undeveloped property.

- Developed – In all cases, same or reduced
- Undeveloped - In all cases, same or reduced

Adjacent Street Buffer– Based on the type of street, not use.

- Major Arterial – No Change
- Minor Arterial- No Change
- Other- No Change

Adjacent Use Buffer - Based on the use of developed property and zoning of undeveloped property.

- Developed – No change
- Undeveloped – No change

Wetland Buffers – Based on freshwater and tidal wetlands.

- Tidal – Introduces an average buffer for pervious surfaces, structures and impervious surfaces.
 - Pervious - Same
 - Structures - Same
 - Impervious – Adds 5'
- Freshwater – Introduces new setback.
 - Structures – 20'

Attachment 4

Chapter 16-7: Nonconformities

Sec.16-7-101. General Provisions

A. Purpose

The zoning regulations and **development** standards established by this **Ordinance** are designed to guide the future **development** and redevelopment of **land** within the **Town** by encouraging and regulating **site development** and appropriate groupings of compatible and related **uses** that promote and protect the public health, safety, and general welfare. While the **Town** recognizes the continued existence of nonconformities is generally inconsistent with the purpose and intent of this **Ordinance**, it also recognizes this **Ordinance** needs to provide flexibility to encourage redevelopment of nonconforming **development** if it lessens the degree of the nonconformity and if redevelopment is consistent with the goals of the **Comprehensive Plan** and the district in which the **development** is located. This Chapter provides for the regulation of **nonconforming uses, structures, signs, and site** features, and specifies those circumstances and conditions under which such nonconformities are allowed to continue and redevelop.

B. Applicability

This Chapter applies to **uses, structures, signs, and site** features that were made nonconforming by initial adoption of this **Ordinance** or a subsequent amendment to this **Ordinance**. It also applies to **uses, structures, signs, and site** features that were a lawful nonconformity under a provision of a previously applicable **ordinance** of the **Town** and that remain nonconforming with one or more provisions of this **Ordinance**, even if the type or extent of nonconformity is different.

C. Authority to Continue

Legal nonconformities are allowed to continue in accordance with the regulations of this Chapter.

D. Burden of Proof

The burden of establishing that any nonconformity is a legal nonconformity as defined by this Title shall, in all cases, be upon the owner of such nonconformity and not upon the Town or any other person.

E. Repairs and Maintenance

1. **Repairs** and normal **maintenance** required to keep legal **nonconforming uses, structures, or site** features in a safe condition are permitted, provided that no alterations may be made except those allowed by this Chapter, or as may be required by other law or **ordinance**.
2. This Chapter shall not be construed to prevent strengthening or **repair** of a **structure** in compliance with the order of a public official whose duties include protecting the public safety.

F. Substitution of Nonconformities for Redevelopment

To provide flexibility and encourage redevelopment of **sites** with nonconforming features or **structures**, the **Official** is authorized to approve a Development Plan for such **sites** if the proposed **development**:

1. Will not include any new **development** that increases the amount of encroachment into any required buffer or setback;
2. Will not increase the **impervious cover** on the **site** over the maximum allowed for the district or the existing **impervious cover**, whichever is greater;
3. Will not result in a **density** in excess of what is allowed under this **Ordinance**, or the existing **density**, whichever is greater;
4. Will lessen the extent of existing **nonconforming site features** to the greatest extent possible;
5. Will not have an adverse impact on the public health, safety or welfare; and
6. Will lessen the extent of nonconformities related to any existing **nonconforming structure** on the **site** to the greatest extent possible.

G. Discontinuance or Abandonment

1. A legal **nonconforming use** which has been discontinued for a period of 18 consecutive months shall not be re-established. Any **structure** or **land**, or **structure** and **land** in combination which was formerly devoted to a legal **nonconforming use** which has been discontinued for a period of 18 consecutive months, shall not again be devoted to any **use** other than a **use** that is allowed in the zoning district in which the **land** is located. A conforming **use** shall not be permitted to revert back to a **nonconforming use**.
2. A legal **nonconforming use** shall be considered discontinued immediately if it is replaced by a conforming **use** on the **land** and thereafter the **nonconforming use** shall not be re-established.
3. A legal **nonconforming structure** shall be considered abandoned immediately if it is replaced by a conforming **structure**. Thereafter the **nonconforming structure** shall not be re-established.
4. Discontinuance of a legal **nonconforming use** or abandonment of a legal **nonconforming structure** shall be deemed to exist upon the occurrence of any one or more of the following, for a period of 18 consecutive months:
 - a. Failure to obtain permits or take all other necessary steps to resume a legal **nonconforming use**;
or
 - b. Utility services, such as water and electricity, to the property are disconnected; or
 - c. Removal of equipment or fixtures which are necessary for the operation of a legal **nonconforming use**; or
 - d. **Structures** that have fallen into disrepair as defined by Section 9-8-10 of the **Municipal Code**; or
 - e. Signs advertising a legal **nonconforming use** are removed.

H. Expansion, Enlargement, or Extension

For purposes of this Chapter only, the terms "expansion", "enlargement" or "extension" refer to any increase in the size of a legal **nonconforming structure**, or **site** feature. The footprint of any existing **nonconforming site feature** or **structure** may be maintained or expanded as long as the **applicant** receives an approval as provided in Sec. 16-7-101.F, Substitution of Nonconformities for Redevelopment, unless one of the following is involved:

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1. **Expansion**, enlargement, or extension associated with a **nonconforming use**; and
 2. Replacement of a nonconforming **site** feature with a **nonconforming structure**; and
 3. The demolition or modification of an existing **nonconforming structure** with the intent to rebuild or remodel the **structure** in accordance with an approved Zoning Map Amendment for the Redevelopment Overlay (R-O) District (see Sec. 16-3-106.K); and
 4. **Nonconforming signs**.

Sec.16-7-102. Nonconforming Uses

A. Expansion

A legal **nonconforming use** shall not be enlarged, expanded, or extended to occupy a greater area of **land** or **gross floor area** than was occupied on the date it became a legal **nonconforming use**. No new **accessory use** or **structure** shall be established on the **site** of a **nonconforming use**.

B. Relocation

A legal **nonconforming use** may not be moved, in whole or in part, to any other portion of the **parcel** of **land** on which it is located, or to another **parcel** of **land**, unless the **use** will be in conformance with the **use** regulations of the district into which it is moved.

C. Change in Use

A **nonconforming use**, if changed to a conforming **use**, may not thereafter be changed back to any **nonconforming use**.

D. Accessory Use

A **use** that is accessory to a legal **nonconforming use** shall not continue after the legal **nonconforming use** has ceased or been abandoned or discontinued, unless it conforms to all provisions of this **Ordinance**.

Sec.16-7-103. Nonconforming Structures

The following provisions apply to all **nonconforming structures** unless approved in accordance with Sec. 16-7-101.F, Substitution of Nonconformities for Redevelopment.

A. Expansion, Relocation or Redevelopment

A legal **nonconforming structure** shall not be expanded, enlarged, relocated, or redeveloped, in whole or in part, unless the **structure** is made conforming in accordance with the provisions of this **Ordinance** or is otherwise allowed by the provisions in this Chapter or Chapter 16-9: Disaster Recovery.

B. Damage or Destruction of Nonconforming Structure

A legal **nonconforming structure** that is damaged or destroyed by means not covered by Chapter 16-9: Disaster Recovery (including intentional human destruction), may be repaired, reconstructed, or rebuilt only in accordance with the following requirements.

1. Single-Family Exception

- a. A **single-family dwelling unit** existing within the **Town** that is damaged or destroyed, and is either permitted in the district in which it is located, or is a **legally established nonconforming use** in that district, may be rebuilt, restored or repaired consistent with the requirements of Title 15 of the **Municipal Code**.
- b. If any such **dwelling unit** is a **legally established nonconforming structure** as to a **development** standard under this **Ordinance**, then the rebuilding, restoration or **repair** shall comply with the **development** standards of this **Ordinance** to the extent deemed reasonably practical by the **Official**. In such circumstances, the **applicant** shall make every effort to eliminate the nonconformities and lessen the extent of the nonconformity.

2. Structure Less Than 50 Percent Destroyed

- a. A **building** permit may be issued to rebuild, restore, or **repair** a legal **nonconforming structure** within 18 months of damage or destruction of not more than 50 percent of its appraised fair market value immediately prior to the damage.
- b. Such appraisal, undertaken and submitted to the **Town** at the owner's expense, may be challenged by the **Town** on the basis of its own appraisal. The **Town** shall notify the **applicant** within 15 days of its intent to obtain another appraisal. The **Board of Zoning Appeals** shall have final determination authority in the case of any dispute.
- c. If the reconstruction is delayed through litigation or other cause beyond the control of the owner, the time of such delay shall not be considered when computing the 18-month period.

3. Structure More Than 50 Percent Destroyed

- a. A legal **nonconforming structure** damaged or destroyed to the extent of 50 percent or more of its appraised fair market value immediately prior to the damage shall not be repaired or replaced except in accordance with the requirements of this **Ordinance**.
- b. Such appraisal, undertaken and submitted to the **Town** at the owner's expense, may be challenged by the **Town** on the basis of its own appraisal. The **Town** shall notify the **applicant** within 15 days of its intent to obtain another appraisal. The **Board of Zoning Appeals** shall have final determination authority in the case of any dispute.
- c. This provision shall not be construed or enforced to deprive a unit owner in a horizontal property regime from rebuilding in the event the members of the regime vote for and fully fund, through insurance or otherwise, the total restoration of the project. The **Town** shall require a surety to insure full performance of the restoration project when regime insurance is not sufficient to fully cover the costs of reconstruction.

Sec.16-7-104. Nonconforming Signs

A. Enlargement or Expansion

A legal **nonconforming sign** shall not be enlarged or structurally altered in any way that increases the extent of the nonconformity.

B. Maintained in Good Condition

A legal **nonconforming sign** shall be maintained in good and working condition in accordance with Sec. 16-5-114.C.2.f. Painting, **repair**, and refinishing of the **sign face** or **sign structure** is permitted, as long as the appearance of the sign complies with Sec. 16-5-114, Sign Standards.

(Revised 1-7-2020 - Ordinance2020-02)

C. Change to Nonconforming Sign Shall Comply with this Ordinance

If a legal **nonconforming sign** is changed in any way (its dimensional standards, message, or any other element) because of a change in **use**, change in business name, or for any other reason, the sign shall comply with Sec. 16-5-114, Sign Standards with the exception of location. An **off-premises sign** may remain **off-premises** as long as it remains in the same location. Any modification that fails to comply with Sec. 16-5-114 shall render the prior Sign Permit void and shall result in the sign being in violation of this **Ordinance**.

(Revised 1-7-2020 - Ordinance2020-02)

D. Repair, Reconstruction, or Replacement After Damage or Destruction

Repair, reconstruction, or replacement of a damaged or destroyed legal **nonconforming sign** shall be subject to the same provisions applicable to the **repair**, reconstruction, or replacement of a damaged or destroyed legal **nonconforming structure** in Sec. 16-7-103.B, Damage or Destruction of Nonconforming Structure.

Sec.16-7-105. Nonconforming Site Features

A. Purpose

The purpose of this section is to cause certain legal **nonconforming site features** to be brought into compliance with the standards of this **Ordinance** as part of remodeling or **expansion** of an existing **development**.

B. Applicability

1. Examples of Nonconforming Site Features

For the purposes of this Chapter and section, the term "**nonconforming site features**" includes **site features** to the extent they fail to comply with the standards in the referenced sections.

Nonconforming site features include, but are not limited to, the following:

- a. Lack of or inadequate adjacent street or use buffer width or screening (Sec. 16-5-103);
- b. Lack of or inadequate number or dimensions of parking spaces (Sec. 16-5-107.D-E);
- c. Lack of or inadequate parking lot landscaping (Sec. 16-5-107.G);
- d. Fence or wall **height** (Sec. 16-5-113.C);
- e. Lack of or inadequate screening for particular **uses**;
- f. Use-Specific Conditions for Principal Uses; Sec. 16-4-103.E, Use-Specific Conditions for Accessory Uses and Structures; and Sec. 16-4-104.D, Use-Specific Conditions for Temporary Uses and Structures.

2. Applicability

If an ***application*** is filed for a ***development*** approval or permit that proposes or would result in alteration of a ***nonconforming site feature*** on the ***development site***, such ***nonconforming site feature(s)*** shall be brought into conformance with the standards of this ***Ordinance*** to the ***maximum extent practicable***, except for disaster recovery situations covered by the provisions in Chapter 16-9: Disaster Recovery.