



Town of Hilton Head Island
Planning Commission LMO Committee
Regular Meeting
September 1, 2022 at 9:00 a.m.
MEETING MINUTES

Present from the Committee: Chairman Alan Perry, Vice Chairman Rick D'Arienzo, Michael Scanlon, Ex-Officio, Jim Collett, Bruce Siebold

Absent from the Committee: None

Present from the Planning Commission: Stephen Alfred

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

Present from Town Staff: Shawn Colin, Assistant Town Manager – Community Development; Chris Yates, Development Services Manager; Chris Darnell, Urban Designer; Missy Luick, Community Planning Manager; Nicole Dixon, Development Review Program Manager; Karen Knox, Senior Administrative Assistant; Brian Glover, Administrative Assistant

Others Present: Patsy Brison; Josh Tiller

1. Call to Order

Chair Perry called the meeting to order at 9:00 a.m.

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 Town of Hilton Head Island requirements.

3. Roll Call – See as noted above.

4. Approval of Agenda

Chairman Perry asked for a motion to approve the agenda. Vice Chairman D'Arienzo moved to approve. Commissioner Siebold seconded. By way of roll call, the motion passed with a vote of 4-0-0.

5. Appearance by Citizens

Mr. Skip Hoagland and Mr. Jim Hall spoke before the Committee. There were two portal comments for the meeting. Copies of the comments were sent to all Committee members and made part of the official record.

6. New Business

a. Potential LMO Text Amendment for Housing Unit Conversion – *presented by requester*

Lewis Hammat, a local attorney representing the development team, began the presentation with a brief overview of the amendment proposal. He stated that the amendment would create a floating overlay district which individuals would then request a map change to be covered within said district. Mr. Hammat added that the

LMO already has a different floating overlay district, and that the language is similar. He also noted that their proposal includes short term rental prohibition.

Following Mr. Hammat's description of the amendment proposal, Josh Tiller spoke on the details of the building plan. Mr. Tiller discussed the difference between what could be built by right and their proposed plan building. He states that the plan includes many more units but less beds than could be built in the by right plan. Mr. Tiller finished the presentation with an overview of parking differences between plans.

Missy Luick, Community Planning Manager, then spoke on staff's recommendations and concerns on the project listed below.

1. The overlay zone is an unmapped floating zone and is not clearly defined. Staff recommends requiring more specific language.
2. The short-term rental prohibitions are private covenants, which are not enforced by the town. Staff recommends requiring a different structure such as agreements in place of covenants.
3. There are changes to the Development Form Standards. Staff would like Committee input on the no cap density and the increased height standards.
4. In the minor amendment section, there is a 10% deviance waiver. In the other proposed LMO Amendments covered later in the meeting, there is intention to eliminate waivers, and this would go against that intention.

Following staff recommendations, the requesters answered questions from the Committee covering parking, commercial space, and unit specifics. Afterwards, Shawn Colin spoke on the need for overlay model review, market rate or lower delivery and protections against short-term rentals. Mr. Colin and the requesters answered further questions from the Committee.

After discussion, Chairman Perry asked for a motion. Commissioner Siebold moved to approve. Vice Chairman D'Arienzo seconded. By way of roll call, motion passed 4-0-0.

b. Tier 1.A Proposed LMO Amendments – *presented by Nicole Dixon*

Nicole Dixon provided an overview of the LMO amendments and stated that staff recommends approval. Ms. Dixon covered each amendment individually with both Committee questions and public comments. Upon review, the committee found several issues with the current amendments stated below.

1. Amendment 6 – Certificate of Compliance: In IV.B, IV.C, South Carolina lender and South Carolina banking institution should be changed to Federal or State lender and Federal or State banking institution respectively.
2. Amendment 7 – Definition of Dwelling Unit: The Committee finds the language too confusing and raised concerns about the inclusion of rough-ins. The Committee asked for a rewrite.

3. Amendment 11 – Deviations to Approved Subdivisions: Chester Williams, Attorney, stated that requiring all property owners' consent as stated was not legal. To allow property owners to express concerns for subdivision changes, Mr. Williams suggested requiring an application to amend in a public hearing rather than requiring all property owners' consent. The Committee asked for a rewrite.

Following the discussion, Chairman Perry asked for a motion. Commissioner Collett moved to approve. Commissioner Siebold seconded. By way of roll call, motion passed 4-0-0.

After the meeting it was noted by Chairman Perry that the motion should have been done for approval with the corrections voiced during the meeting. It will be included in the following meeting.

7. Committee Business

No Business

8. Adjournment

The meeting was adjourned at 10:31 a.m.

Submitted by: Brian Glover
Administrative Assistant

Approved: November 1, 2022