



Town of Hilton Head Island
PUBLIC PLANNING COMMITTEE MEETING
Thursday, January 11, 2024, 10:00 AM
Minutes

Call to Order

Chair Ames called the meeting to order at 10:00 a.m.

Committee Members Present: David Ames, Chair, Ward 3; Tammy Becker, Ward 4; Patsy Brison, Ward 5, Glenn Stanford, Ward 6

Council Members in Attendance: Steve Alfred, Ward 5; Alex Brown, Ward 1

Adoption of the Agenda

Mr. Stanford moved to approve. Ms. Becker seconded. Motion carried 4-0

Approval of the Minutes

Regular Meeting Minutes of October 13, 2023

Regular Meeting Minutes of November 9, 2023

Mr. Stanford moved to approve the minutes of October 13, 2023 and November 9, 2023 as presented. Ms. Becker seconded. Motion carried 4-0.

Appearance by Citizens:

David Schweiger addressed the Committee regarding the change in character of the North Forest Beach neighborhood noting the original intent for zoning was not for VRBO rentals.

Patricia Courtney addressed the Committee noting that short-term and long-term rental regulations are in need of revamping. She suggested grandfathering in the existing ones with changes to future builds and a limit of the number of bedrooms allowed.

Melissa Robin, Hilton Head Vacation Rental Association (HHVRA) addressed the Committee and requested a member of the HHVRA have a seat on any committee regarding rentals. She noted one size does not fit all.

Melinda Tunner addressed the Committee stating she felt there is not a need for the creation of a short-term rental committee and data from the previous year needs analyzed. She suggested

staff create a presentation regarding the results and come forward with recommendations and strategies on going forward as short-term rentals should be part of district planning.

Pam Franklin addressed the Committee regarding issues regarding overdevelopment on Hickory Lane and Shellman Lane with safety being a big concern.

Jim Brolley addressed the Committee regarding overdevelopment and safety concerns on pathways due to the use of electric bicycles, scooters, one-boards, etc.

Unfinished Business

Presentation of Land Management Ordinance Contract and Project Schedule - Missy Luick, Director of Planning

Ms. Luick conducted a detained presentation. The LMO Amendment Plan will incorporate policy changes to address administrative processes, residential and commercial development, design standards, and natural resource regulations to bring the LMO into alignment with the comprehensive plan, Our Plan, simultaneously incorporating the growth framework and district planning recommendations. Several code amendments have been brought forward over the past year.

Three phases of LMO amendments have been approved by Town Council:

- Phase 1 - approved by Town Council on March 7, 2023
- Phase 2 - approved by Town Council on March 7, 2023
- Phase 3 - approved by Town Council on May 2, 2023
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On September 18, 2023, an RFQ was released, seeking qualified firms for code writing services, specifically for LMO and overall municipal code; the goals being to align these codes with Town's plans, policies, and growth strategies. The scope involved thorough research, drafting amendments, and guiding approval processes. Key aspects included:

1. Alignment with Plans: Ensuring the code amendments matched the goals outlined in the Town's Comprehensive Plan and other ongoing planning efforts.
2. Research and Input: Gathering feedback from Town staff, stakeholders, and consultants on administrative issues, best practices, and model ordinances.
3. Drafting Amendments: Writing innovative code amendments covering various topics from zoning districts to specific regulations like storm water, subdivisions, short term rentals, transportation, workforce housing, and more.
4. Public Engagement: Involving stakeholders and the public in the process through workshops and communication to gather input and feedback.
5. Drafting the Code and Zoning Map: Creating a comprehensive, user-friendly code with graphics and a potential web-based system. This included a clear outline of changes and potential options for discussion.

Adoption Process: Guiding the code amendments through the approval process

with presentations, public hearings, and tracking changes during adoption.

Ms. Luick stated that after careful review Code Studio has been chosen as the firm to assist. She provided background information regarding the organization. Code Studio emphasizes user-friendly, design-centric codes that enhance urban form and ease administration. Code Studio and staff will be assisting in undertaking a significant review and amendment process for the LMO that will result in a full rewrite of the code including an applications manual.

The overall Land Management Ordinance overhaul project includes 5 tasks:

1. Issue Identification
2. Quick Fixes
3. Public Engagement
4. Draft Code and Zoning Map
5. Adoption Process

Ms. Luick reviewed the topic areas to be included in the quick fix LMO set which include:

- Single-family dwelling mass and scale (calibrate appropriate single-family dwelling development scale)
- Single-family parking (calibrate residential parking)
- Residential subdivision regulations (context sensitive design, neighborhood scale, pedestrian connectivity, lot configuration, etc.)
- Public review of Major Subdivisions and Major Developments (require Planning Commission approval)
- Open space standards (adjust open space requirements)
- Traffic impact analysis (adjust threshold requirements and expand to multi-modal transportation evaluation)
- Tree protection (strengthen protected tree requirements and tree mitigation)
- Sign standards (content neutral amendments for compliance with *Reed v. Gilbert*)

Members of the Committee had questions, comments and discussion regarding: the opportunity for council members to be stakeholders during the process; inquiry as to why Code Studio was selected; inquiry as to whether a law firm or staff attorney is associated with Code Studio; an expectation there would be legal review and input during the process and not at the end; confirmation there would be two parts to addressing the LMO with the quick fix list and the complete overhaul; confirmation that if certain items in the set proved to not be a quick fix, they will be pushed to the full rewrite; support of adopting the list of quick fixes to be accomplished within a three month timeframe for presentation to the public; concern the list is too much for a quick fix; a statement that the request from the Design Review Board regarding a redesign of mass and scale of non-single family residences needs to be on the list; a suggestion to reduce

the list to focus on the Design Review Board request; a suggestion to remove open space standards from the list; a suggestion to only address traffic analysis if a case demands; the need for clarification that short-term rentals are not single family dwellings and the need for a definition of such; a comment that Council needs to follow through on the Floor Area Ratio and parking for single family dwellings; and a suggestion to move on to other agenda items before addressing this one.

Following discussion, Mr. Stanford moved to accept the list as presented. Ms. Becker seconded.

Chair Ames asked for public comment.

Jocelyn Steiger addressed the Committee stating data should be discussed rather than basing decisions on emotion.

Lisa Cottle addressed the Committee stating a quick fix is not a good term to use and three months is not enough time. She added there should not be blanket rules across the Island.

Jim Callan addressed the Committee stating they need to consider the differences in neighborhoods and there needs to be a balance for the future of the Island. He stated investment in property needs to be considered.

Ryan Esposito addressed the Committee stating parking needs to be controlled and addressed and the need for careful and thoughtful development.

Jim Brolley addressed the Committee expressing his concern that the Public Planning Committee was not involved in the development of the list. He stated a single-family residence should not be permitted to have large box rentals in the neighborhood and should be on the list.

Ms. Brison moved to amend the motion on the floor to be tabled until the end of new business. The motion died due to lack of a second.

Chair Ames called for a vote on the original motion. Motion carried 3-1 (Brison opposed)

Discussion of Amendments to the Land Management Ordinance related to Parking, Floor Area Ratio, and Mass and Scale for Single Family Dwellings - Missy Luick, Director of Planning

Ms. Luick stated the purpose of this discussion was to identify issues and then go back to crafting the code with those issues in mind. She reviewed the following discussion questions included in the packet and hopefully will result in direction from the Public Planning Committee. The following are the questions that were addressed

Parking Issues

1. Do you believe parking is an issue for all single-family homes Island-wide?
2. Do you believe parking is an issue for single-family homes within planned development

communities?

3. Do you believe parking is an issue for single family homes that are short-term rentals?

Mass and Scale

1. Do you believe the mass and scale of single-family homes is an issue Island-wide?
2. Do you believe the mass and scale of single-family homes is an issue within planned development communities?
3. Do you believe the mass and scale of single-family homes is an issue for new development or existing single-family development?
4. Do you believe the mass and scale of single-family homes should be a uniform standard applied Island-wide or be calibrated by neighborhood type or zoning district?

Chair Ames invited the audience to vote yes or no by show-of-hands on the various questions listed above. Committee members voiced their opinions on each issue. Please see the recording for detailed answers.

Concluding discussion, Ms. Brison moved to recommend that the Town Council amend Section 16-3-106. H. 4.d. for the Forest Beach Neighborhood Character Overlay District to reduce the Floor Area Ratio from 0.55 to 0.45 [and the maximum square footage be reduced from 5,000 square feet to 4,500 square feet] so that the language in the first sentence reads as follows: “The maximum gross floor area is limited to 0.45 times the area of the lot [containing a single-family residence up to a maximum of 4,500 square feet].” Mr. Stanford seconded.

Mr. Ames stated he is not in favor of reducing the maximum square footage to 4,500 square feet but is in favor of reducing the maximum gross floor area to 0.45.

Mr. Ames moved to amend the motion to keep the maximum square footage at 5,000 square feet. Mr. Stanford seconded. Mr. Stanford clarified all this motion is doing is making a recommendation to Town Council to consider approval, and the rules are not being changed at this time.

Ms. Becker stated the motion and the discussion had apparently taken place previously which she was not party to and separating out individual communities when it is an Island-wide issue leaves some communities with substantial concerns and long-standing problems. Mr. Ames stated he tried to call her yesterday. She asked that her statement be on the record.

Chair Ames asked for public comment.

Patricia Courtney addressed the Committee regarding needing a limit on the number of bedrooms.

Melinda Tunner addressed the Committee and voiced concern on focusing on a particular area and questioned the process, particularly public notice regarding the issue.

Lisa Cotter addressed the Committee regarding the need for public notice and expressed her opinion and the need for specifics, noting that they are back at square one.

Jack Daly addressed the Committee and stated the Forest Beach representatives met with staff and agreed to the proposed 0.45, a 5,000 square foot cap, and a delayed effective date or grandfather clause for those homes recently purchased.

Mr. Ames stated that the Committee met on November 9 and these same discussions took place with no motions. He stated he is trying to act on those items that took place in November.

Mr. Stanford called for a vote. The amended motion carried 4-0.

Ms. Brison moved to recommend that the Town Council amend Section 16-3-106. I. 4.e. For the Folly Field Neighborhood Character Overlay District to reduce the Floor Area Ratio from 0.45 to 0.32 and the maximum square footage be reduced from 4,500 to 4,000 square feet so that the language in the first sentence reads as follows: "The maximum gross floor area is limited to 0.32 times the area of the lot containing a single-family dwelling up to a maximum of 4,000 square feet." Ms. Becker seconded.

Mr. Stern, representing Folly Field residents, addressed the Committee stating this is something that needs to be brought back to their membership because the consensus is they do not want to lose the cap.

Ms. Brison withdrew her motion. The seconder agreed.

Shawn Colin suggested staff bring forward an assessment of all communities regarding floor area ratio and square footage for the Committee to review. He stated the need for the members of the communities to know the items that are being discussed. Ms. Brison suggested an outline be prepared of what an overlay district would look like for those communities that don't have overlay districts.

Ms. Luick asked for confirmation that Island beach neighborhoods, Jonesville and Mitchelville are the areas Committee would like assessments regarding FAR details. It was confirmed they were. Ms. Becker requested an outreach to the communities involved for the purpose of providing input. Ms. Brison requested a copy of recorded subdivision plats be provided so the Committee can see lot sizes in the various communities.

Ms. Brison moved to recommend that the Town Council amend Section 10-2-50(d) of the Municipal Code of The Town of Hilton Head Island as shown on the attached copy of the Section, with amended language shown by tracking changes. (The copy will be attached to the minutes as Exhibit A.) Mr. Stanford seconded.

Mr. Stanford expressed concern with the motion as the items within the motion have not been vetted by staff or the community. Ms. Becker noted this data had been vetted previously and questioned the 10% requirement stating it would not work. Ms. Luick confirmed this change would apply Island-wide. Mr. Ames stated he is in support of moving the item forward but not under the specifics noted today as feedback is needed.

Mr. Colin noted this motion would address parking under the short-term rental permit and not the LMO and is a new direction and expressed concerns with the timeline for vetting with stakeholders and the public in time to bring it back to the Committee in February. Ms. Brison expressed her lack of patience and requested a media release be prepared to tell the public the item will be heard in February by the Committee stating the public could “speak now or forever hold their peace”.

Ms. Brison moved to amend the motion on the floor (contained within Exhibit A) provided the vote on the amendment be considered at the February meeting of the Public Planning Committee. Mr. Stanford seconded.

Melissa Robin addressed the Committee and questioned if the impervious requirement was reviewed as crushed stone and shells could be an option.

Jim Callan addressed the Committee regarding existing parking requirements for short-term rentals.

Pam Franklin addressed the Committee noting the need for clear cut regulations for short-term rental properties.

Chair Ames called for a vote. The motion carried 4-0.

New Business

Introduction of the Town of Hilton Head Island Conditions and Trends Assessment Report - Missy Luick, Director of Planning

Ms. Luick conducted a presentation and detailed the key points listed below:

Agenda

1. Introducing the Conditions & Trends Assessment
 - Purpose, objectives, and impetus
 - Relationship to preceding work
 - Intended outcomes and future use
2. Case study: Land use analysis
 - Methodology and findings

- Integration and use

3. Next steps

Purpose

1. Collect and organize a baseline of critical data
 - Investigate available sources and existing research
 - Assemble a comprehensive database organized around ten topics.
2. Identify major trends
 - Organize findings around critical trends.
 - Supplement with a database of all information collected through analysis
3. Clearly communicate the information
 - Focus on “need to know” information
 - Present in a clear, graphically rich format
4. Consider application and “next steps”
 - Introduce future strategies and actions to be considered as an outgrowth of the analysis.
 - Leverage the work through forthcoming plans and studies

Work Program

1. Initiation
2. Discovery
 - Collect, catalogue, and evaluate all pertinent data sources it receives through Town Staff and additional sources
3. Strategic Analysis
 - Conduct detailed analysis into target questions based on the conclusions from the gaps analysis
4. Sharing and Integration

Topic and Clusters

The Conditions and Trends Assessment is a statistical report that provides a community snapshot in ten key topic areas including:

- Demographics
- Workforce
- Economics
- Real Estate
- Environment
- Housing
- Governance
- Community
- Systems
- Land Use

Key Findings

- About 7%, or 1,500 acres, of the Island's total land area (above mean high tide) is undeveloped. Of that 1,500 acres, 28% (425 acres) is Town-Owned Property.
- The Land Management Ordinance, in conjunction with several boards and commissions, regulates the character and desired development forms on the Island.
- Redevelopment of aging retail centers and the addition of single-family homes are the biggest development trends on the Island.
- While the Island as a whole is dominated by Planned Development zoning districts, overall land use is more evenly distributed.
- Older commercial properties are more susceptible to change or redevelopment in the near-term.
- Housing density is slowly increasing but varies significantly across the Island's neighborhoods.

How will we use what we've learned?

- Identifying areas susceptible to change based on zoning, current land use, performance, real estate patterns, and market forces
- Marking trends in recent building patterns: density, use, quality, etc.
- Recognizing and mapping major and minor constraints to development or redevelopment

Next Steps

- Integrating your questions and ideas into the research and analysis
- February consideration of Resolution by Public Planning Committee
- Adoption by Town Council
- Publishing and sharing findings
- Integrating work with ongoing and future planning processes

Ms. Luick stated now that we have the baseline then we can see further trend data and if it is decided to change a specific trend, it can be mapped over time and see if intentional actions are having an impact on the data and future analysis. She then asked the Committee for feedback to assist in development of the resolution which would come back to the Committee for review and consideration of moving it forward to Town Council.

Members of the Committee had questions, comments and discussion regarding: inquiry as to whether the plan would be added as an appendix to the Comp Plan; confirmation that ultimately it will be a Comp Plan amendment but initially staff is requesting support by resolution from Council so it can be utilized as a tool to help decision making; a suggestion that the summary be placed on the website for the public to see; what needs to be focused on based on the condition and trends assessment; confirmation that the assessment will help make data-driven decisions and help inform how to move forward; a request for assistance to

focus on where the priorities are; a comment this document would be more of an appendix to the Comp Plan because it will be reviewed and updated more often; concern regarding timeframes and the need for further discussion; what is the expectation of interaction with Council and the timeframe of such; and confirmation that staff is not asking the Committee to approve action plans as concrete.

It was the consensus of the Public Planning Committee accept the report and recommend it come back to the Public Planning Committee in the form of a Resolution.

Discussion regarding the Creation of a Short-Term Rental Ad Hoc Committee - Missy Luick, Director of Planning

After discussion, Chair Ames stated this item should be postponed until they are closer to the LMO and Short-Term Rental Ordinance demand for that kind of input. It was the consensus of the Committee to postpone the item until such time.

Adjournment

The meeting was adjourned at 12:50 p.m.

Approved: February 8, 2024

The recording of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov

Section 10-2-50. Regulations for short-term rentals and short-term rental properties.

51B

(d) Parking regulations. During any lease of any short-term rental property and prior to the issuance of any short-term rental permit:

(1) The owner must designate the number of vehicles allowed to be parked on the premises during any short-term rental and designate the on-site areas available for parking of vehicles. The number of parking spaces must comply with the chart set out below:

(i) 4,5,6,7, & 8 Bedrooms---

2500-3499 sq. ft.: 3

3500-3999 sq. ft.: 4

4000-4499 sq. ft.: 5

4500-5499 sq. ft.: 6

5500-5999 sq. ft.: 7

6000 & above sq. ft.: 8

(ii) At least 75 % of ~~±~~ the areas for parking of more than four (4) vehicles must be improved with either a pervious or an impervious surface; provided, however, no more than ten percent (10%) of the total of the front, side & rear yards of the premises may be used for parking spaces.

(iii) Parking areas must include a space at least nine (9) feet by eighteen (18) feet for each vehicle allowed to be parked on the premises, and improved with an impermeable or semi-impermeable surface.

(iv) Areas for parking must comply with all other applicable requirements of section 16-1-101, et seq., Municipal Code of the Town of Hilton Head Island, South Carolina (1983) which are not in conflict with these requirements.

(2) The owner must notify all prospective short-term lessees in writing of the maximum number of vehicles permitted at the short-term rental property prior to making any agreement for any short-term rental.

(3) The owner must ensure that no vehicles associated with the short-term lessee will park off-site, including in adjacent rights-of-way, during the short-term rental lease.