



Town of Hilton Head Island  
PUBLIC PLANNING COMMITTEE  
MEETING  
Thursday, May 9, 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 2, Glenn Stanford, Ward 6

Adoption of the Agenda

Mr. Stanford moved to approve. Ms. Brison seconded. Motion carried 7-0.

Approval of the Minutes

Regular Meeting Minutes of March 14, 2024

Ms. Brison moved to approve. Ms. Becker seconded. Motion carried 3-0-1 (Stanford abstained as he was not present for the March 14 meeting).

Appearance by Citizens

None.

Unfinished Business

Consideration of a Resolution Accepting the Town of Hilton Head Island Conditions and Trends Assessment - Missy Luick, Director of Planning

It was the consensus of the Committee to forgo a formal presentation as it has been delivered twice before. Chair Ames asked Ms. Luick to review the responses to the comments from the public regarding the Conditions and Trends Assessment.

Ms. Luick provided the following responses to each of the bulleted items listed below:

- Bulleted Item
  - Response
- The real estate section underestimates the boost received from the pandemic.
  - There are several factors that go into real estate trends including interest rates. It would be difficult to calculate the effect of the pandemic on the real estate market in a statistical way that would fit in the context of the document.

- The percentage of property locally owned needs to be further explored. It was suggested that the number of international owners was significantly higher due to personal experiences in real estate sales.
  - It would be difficult to trace ownership to a foreign entity if the LLC that the property was owned through was locally registered.
- It was suggested that many construction permits issued recently were investors renovating short term rental properties to increase occupancy.
  - There were 1345 residential renovation permits in 2023. In addition, there were 194 permits issued for additions to residences. Of those additions, only 23 were adding bedrooms in communities that allow short term rentals.
  - There are additional options for owners to increase occupancy in short-term rentals which would be difficult to track.
- The accuracy of some of the data was questioned.
  - The Conditions and Trends Assessment includes a Sources & Resources section with references to the datasets and reports used to create the assessment.
- A technical error was pointed out regarding the residents to staff ratio.
  - A correction was made so that the document references are using the correct ratio in both places it is mentioned.
- It was suggested that the link between the increase in business licenses and the recent requirement of a business license for short-term rentals be addressed.
  - Page 31 of the Conditions and Trends Assessment includes a sidebar on the recent regulation requiring business licenses for short term rentals and the graphic on the same page uses a color-coded bar chart to show the impact that the short-term rental business licenses have had on the overall number of business licenses.
- A definition of the term “limited services government” was requested.
  - The phrase was removed from the Conditions and Trends Assessment and was replaced with a description of how the Town services residents, businesses, and visitors directly and through partnerships.

Chair Ames asked for public comment.

Melinda Tunner addressed the Committee stating her support for the Assessment, noting that it will provide a baseline for everybody to speak from.

Heather Rath addressed the Committee inquiring about the timeline for updates for the Assessment.

**Mr. Stanford moved to move the resolution forward to Town Council for consideration of approval. Ms. Brison seconded. Motion carried 4-0.**

Presentation and Discussion of the Town of Hilton Head Island Skull Creek District Plan Example - Missy Luick, Director of Planning

Chair Ames noted that the Committee would not be discussing the details of what has been written but the format and the process that is being proposed for all districts.

Ms. Luick provided background regarding the item and expounded on the process for each item.

- The Hilton Head Island Town Council held a two-day strategic plan workshop on January 24 and 25, 2023, to discuss and identify priorities for inclusion in the fiscal year 2023-2025 Strategic Action Plan.
- The establishment of a Growth Management Strategy including creation and adoption of District Plans and an Island-wide Master Plan was identified within the top 15 priority projects.
- On April 10, 2023, working drafts of 8 District Maps were presented to Public Planning Committee for review
- On July 13, 2023, revised Conservation and Growth Framework and District Maps were presented to the Public Planning Committee

The Eight Planning Districts:

1. Marshes
2. Skull Creek
3. Main Street
4. Mid-Island
5. Chaplin
6. Parkway Arts
7. Forest Beach
8. Bridge-to-Beach

District Planning

- On July 13, 2023, a draft of the Marshes District plan was presented to the Public Planning Committee along with revised Conservation and Growth Framework and District Maps
- PPC reviewed draft Bridge-to-Beach District Plan on September 14, 2023
- Both draft plans contain preliminary analysis and recommendations
- Staff has worked to streamline the District Planning process to recalibrate the overall project and modify the anticipated deliverables, outputs, and format of the project to better align with inputs needed for the LMO Overhaul Project

Next Steps:

- Skull Creek District was identified as the next district for review by the Public Planning Committee
- Public engagement will take place through the *Community Connections* consolidated engagement umbrella that will include surveys and public meetings to gain input on the District Plans along with other major initiatives including the LMO Overhaul, Resilience and Corridors

Developing the Plan:

- The development of each plan will combine an analysis of existing conditions and trends, history and culture, and district theme and character, with feedback

from the community.

- District Theme and Character
- District SWOT Analysis
- Existing Conditions Analysis (Based on Comprehensive Plan Elements)
- Recommendations and Strategies, including Future Land Use Map

Theme and Character:

- District key questions
  - Who does this district serve?
  - What needs to be preserved/protected in this district?
  - What should be considered to activate in this district?

SWOT Analysis:

- What are the strengths of the district?
- What are the weaknesses of the district?
- What are the opportunities of the district?
- What are the Threats of the district?

Existing Conditions Analysis

- Population
- Natural Resources
- Cultural Resources
- Community Facilities
- Housing
- Land Use
- Transportation
- Economic Development
- Priority Investment
- Resilience
- Parks and Recreation

Navigating the Plan:

- Table of Contents and Acknowledgements

Navigating the Plan:

- What is a District Plan?
- District Planning Process
- Executive Summary
- District Vision
- Defining District Theme and Character
- SWOT
- Existing Conditions Analysis
  - District and Island Comparison
  - Population
  - Natural Resources
  - Cultural Resources
  - Community Facilities

- Housing
- Land Use, Susceptibility to Change and Zoning
- Transportation
- Economic Development
- Resilience
- Parks and Recreation
- Priority Investment
- Recommendations and Strategies Overview
- Implementation Tools
- Recommendations and Strategies Defined

Members of the Committee had questions, comments and discussion regarding: the need to have each district be distinct in character and theme; the need for a definition of them and character; the need for the community to understand the difference between the districts and what is meant by theme and character; concern that determining a theme and character today does not or may not represent what people bought into when they purchased in a particular district or area; inquiry into the plan for community input; inquiry as to how the community input plan and the rewrite of the LMO will be brought together; confirmation all district plans will conform to the new outline template; the need to assure problems that are identified need to be solved; the need to emphasize current zoning and suggestions or recommendations for future zoning; the need for the template to follow the State Comprehensive Plan and Enabling Act; a suggestion the housing portion should contain information regarding workforce housing; a need for the plan for future land use defined within the districts; the suggestion to use infrastructure as a term rather than transportation as it encompasses a broader range; a resilience plan needs to be reflected; the need to protect parcels of land outside the gates; a suggestion that vision and district character should be part of the Executive Summary; a suggestions the Executive Summary should speak to distinctiveness between districts; and a suggestion of cross referencing within the Executive Summary to sections within the document.

It was the consensus of the Committee for staff to move forward with the template for districts in terms of approach and plan organization being utilized to develop the district plans.

### New Business

#### Presentation and Discussion of Priority Amendments as part of the Land Management Ordinance Amendment Project- Missy Luick, Director of Planning

Ms. Luick introduced Christy Dodson and Colin Scarff from Code Studio to conduct a detailed presentation regarding the Priority Amendments with the following information:

Since the project kickoff in February 2024, Code Studio has been analyzing and providing significant review of the Land Management Ordinance (LMO) that will result in a full rewrite of the code including an applications manual. To accomplish this outcome, the LMO Code Overhaul is divided into two parts: a priority amendment set (a.k.a. Phase 4) to address urgent community concerns that have been identified previously and a LMO

code rewrite.

Today's presentation and discussion seeks to address the important and urgent Priority Amendment issues that cannot wait for the full LMO update. The recommendations to address these pressing issues also balance the best short-term solutions to resolve issues while minimizing unintended outcomes. Issues that require more analysis and research are recommended to be further explored and addressed in the Full LMO Update.

Legal review is an important consideration and will be utilized effectively. Code Studio is familiar with land use regulations in South Carolina, having adopted the City of Greenville's LMO in 2023. Legal review of all LMO amendments is being coordinated with the Town Attorney. Code Studio will incorporate a zoning and land use attorney on their team to assist with legal services related to the LMO project.

### Priority Amendment Update

At the January 11, 2024, Public Planning Committee meeting, Priority Amendments were prioritized. The Priority Amendment topics have been grouped into 3 topic clusters based on subject matter and/or implementation groupings.

### Code Audit and Blueprint

The Code Audit and Blueprint will kick off in May, where the team will assess existing code issues and explore additional code observations and best practices. This effort will include conversations with stakeholders to ensure the team fully understands issues that are to be addressed during the LMO Update. The team will also coordinate with other planning efforts, including the District Plans, to ensure the Code Blueprint reflects the recommendations of those plans. The findings and recommendations of this report will set the roadmap for how to move forward during the LMO Update.

### LMO Code Update

The LMO Update will include a full overhaul of the LMO, including reorganization of the LMO, exploring, and analyzing updates to address key issues identified during the Priority Amendments and Code Audit and Blueprint phases, and updating regulations to implement adopted plans.

### Priority Amendment Overview of Approach

Advance a set of Priority Amendments based on existing pressing community issues. This set, scheduled ahead of the LMO Update, will put critical fixes in place while the LMO Update is being developed. The Priority Amendments work together as a system to address the issues most effectively while minimizing negative or unintended outcomes.

### Priority Amendment Topics and Summaries

#### **Topic 1: General Administration**

Topic 1 consists of amendments that deal with the day-to-day use and administration of the code by Town staff. These amendments reflect technical updates rather than policy updates.

1. **Sign Standards**
  - Amend the sign code for content-neutral sign standards.
2. **Short-Term Rental Enforcement Fines and Penalties**

- Establish a framework of administrative fines (instead of criminal citations) that escalate to penalize property owners who do not comply with regulations, particularly as it concerns repeat offenders and those who operate a Short-Term Rental property without a valid permit.

### 3. **Transportation Impact Analysis**

- Changing “Traffic” to “Transportation” Impact Analysis reflecting multimodal approach.
- Include multimodal infrastructure (such as bike paths and sidewalks) in the analysis.
- Include more options for traffic mitigation that account for improvements to the Island's traffic management system.
- Expand mitigation options.

## **Topic 2: Better Subdivision Outcomes**

Topic 2 consists of amendments that are interrelated and impact the outcomes of subdivisions. These amendments are intended to produce better subdivision outcomes than what is required today.

### 4. **Major DPR and Major Subdivision Review Processes**

- Revise review procedures to require pre-application meetings with Town staff and to add a Planning Commission public meeting (with advanced mailed public notice) for Major Subdivisions and Major Developments.
- *Connected to Subdivision Standards, Common Open Space, and Tree Protection.*

### 5. **Common Open Space**

- Clarifying the definition of open space and common open space.
- Adding clarifying language and additional design standards resulting in higher quality site design and improved access to functional and meaningful open space.
- *Connected to Subdivision Standards, Major DPR and Subdivision Processes, and Tree Protection.*

### 6. **Tree Protection**

- Updating mitigation requirements and increasing the size plant back requirements.
- Update the list of native plants.
- Add definitions of common terms missing from the current regulations.
- Increase requirements for trees that must be preserved by reducing the diameter breast height (DBH) for oaks.
- *Connected to Subdivision Standards, and Common Open Space.*

### 7. **Subdivision Standards**

- Apply a maximum lot coverage to all subdivision development, including single-family.
  - *Helps balance built and open spaces by controlling density and intensity of land use.*
  - *Preserves permeable surfaces.*

- *Reduce flooding risk and increase natural resource protection.*
  - Require pedestrian connectivity.
  - *Connected to Short-Term Rental, Single-Family Mass and Scale, Single-Family Parking, Major DPR and Subdivision Processes, Common Open Space, and Tree Protection.*
- 8. **Single-Family Mass and Scale**
  - Apply a maximum lot coverage to all subdivision development, including single-family.
    - *Helps balance built and open spaces by controlling density and intensity of land use.*
    - *Preserves permeable surfaces.*
    - *Reduce flooding risk and increase natural resource protection.*
  - Explored FAR analysis Island-wide and will continue to utilize research and data analysis for the Full LMO Code Overhaul.
  - *Connected to Short-Term Rental, Single-Family Parking, and Subdivision Standards.*
- 9. **Single-Family Parking**
  - Create consistent standards for single-family parking in Residential Base and Overlay Districts.
  - *Connected to Short-Term Rental, Single-Family Mass and Scale, and Subdivision Standards.*

### **Topic 3: Miscellaneous**

Topic 3 consists of amendments that are important but are not considered urgent because the recommendations require more analysis and research. Because of this, they are recommended for the Full LMO Update.

### **10. Food Trucks**

- Staff recently modified the Open-Air Sales Business License (current process) application requirements, review and approval processes, and enforcement policy that has proactively resolved permitting issues in the following way:
  - A Food Truck site plan review process has been enacted. The site plan displays minimum code regulations are being met.
  - A Notice of Action is issued that includes conditions of approval.
  - Code Enforcement is sent list of approved Food Trucks regularly and has access to all approval requirements and associated conditions that are required to be met.
- Needing clear direction from Public Planning Committee concerning Food truck regulations to address the following activities: food trucks on vacant land, food trucks on developed sites, food truck court (more than one food truck), special events with food trucks, and roaming food trucks.

### **11. Short-Term Rental Parking and Occupancy**

- General Administration proposed policy will help staff in the short-term.
- Explore connecting parking requirements with occupancy.

## **ANTICIPATED SCHEDULE FOR PRIORITY AMENDMENT REVIEW:**

- May-June: Finalize code
- July: Legal review
- August 21: Planning Commission Public Hearing
- September 18: Planning Commission continuation of Public Hearing (if needed)
- October 10: Public Planning Committee Meeting #1
- November 14: Public Planning Committee Meeting #2 (if needed)
- December 3: Town Council Briefing
- January 7: Town Council 1<sup>st</sup> Reading
- January 21: Town Council 2<sup>nd</sup> Reading

Members of the Committee had questions, comments and discussion regarding:

### Topic 1

Confirmation this process would be to make amendments now to deal with high priority issues and then separately the entire rewrite of the Land Management Ordinance (LMO) will take place; affirmation sign standards need addressed to come into compliance with any legal issues; confirmation the current sign ordinance does not meet federal Law Standards regarding content; clarification requested regarding short-term rental penalties and fines; the need to look at the standards for fines and penalties within other communities; clarification regarding the Transportation Impact Analysis (TIA); the proposed threshold change in the TIA will take place in the full overhaul of the LMO; confirmation that any new development or usage change would be subject to a TIA; clarification that TIA's are not only determined by the number of trips; the need to detail what would trigger a TIA; a comment that TIA's provided by the developer rarely add improvement; suggestion that sign standards be deal with by lawyers, not planners; confirmation that penalties, including fines will assist code enforcement officers with enforcement; a suggestion short-term rental parking be moved up to Topic 1; and a suggestion of a separate timeline for the short-term rental penalties and fines as they are part of the Municipal Code and not the LMO.

### Topic 2

Clarification some issues are not in major subdivisions and the need to be all-inclusive; the need to prohibit clear-cutting across the board; comment that some minor subdivisions need to be looked at as well as major ones; the need to preserve our trees and wildlife; a suggestions Hilton Head Island needs to own road within the community to address stormwater issues; the need for control regarding single family subdivisions and short-term rentals; the need for a better definition of a single family residence; the need to be more sensitive to impervious surfaces and make the requirements and definition of such very clear; comment that the public needs to be aware of upcoming significant projects; agreement defining open space will be of assistance; the need for a conversation to deal with the portion of the Island that is occupied by the Gullah residents with their own culture, practices and attitudes toward land use.

### Topic 3

Inquiry as to why Short-Term Rental Parking and Occupancy are included in Topic 3; the need to decide whether Food Trucks should move to Topic 1; the need for additional data to make that determination; the need for all short-term rental recommendations to be placed in Topic 1; the need to add Mass and Scale regulations to Topic 3; inquiry as to whether short-term rental portions should be a part of the Short-Term Rental Licensing; inquiry as to timing regarding adding it to the Short-Term Rental Licensing; clarification if the short-term rental issues were changed/implemented through licensing it would be done through the Municipal Code rather than the LMO; clarification if the change would take place through the Short-Term Rental Licensing, it would have to be done prior to November; and the need to better define occupancy.

Chair Ames recognized Mr. Alfred from Ward 6 and invited him to approach the dais. Mr. Alfred stated that he, as a Council Member representing Sea Pines, receives complaints regarding short-term rentals and he stated the need for short-term rental occupancy to be addressed as soon as possible. He was of the opinion the Municipal Code may be the best answer. He added that enforcement problems are a result of the violations not being reported to the Town by the planned unit developments. Mr. Alfred also said there is a need for staff to be available at all times to implement enforcement.

Chair Ames asked for public comment.

Beth Petro of Beachside Getaway and Hilton Head Vacation Alliance addressed the Committee regarding her support for short-term rental fines and penalties being added and the need to have something in place that they can communicate to their clients.

It was the consensus of the Committee for staff to move Short-Term Parking and Occupancy to Topic 1 as long as both are dealt with separately and Food Trucks can be delayed. It was suggested staff review the chart of Short-Term Rental regulations within the State of South Carolina which can be accessed through the Municipal Association of South Carolina.

#### Adjournment

Chair Ames adjourned the meeting at 12:30 p.m.

**Approved: July 11, 2024**

**The recording of this Meeting can be found on the Town's website at [www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)**