



Town of Hilton Head Island **TOWN COUNCIL MEETING** Tuesday, May 18, 2021, 4:00 p.m. **AGENDA**

In accordance with the Town of Hilton Head Island Municipal Code § 2-5-15, this meeting is being conducted virtually and can be viewed on the [Town of Hilton Head Island Public Meetings Facebook Page](#) or the [Beaufort County Channel](#) as well as Hargray channels 9 and 113.

- 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. Pledge to the Flag**
- 4. Invocation – Pastor Jeff Dorth, Island Lutheran Church**
- 5. Approval of the Agenda**
- 6. Approval of the Minutes**
 - a. Workshop – May 3, 2021
 - b. Regular Meeting – May 4, 2021
- 7. Report of the Town Manager**
 - a. Planning Commission Update – Peter Kristian, Chairman
 - b. Items of Interest
- 8. Reports from the Members of Council**
 - a. General Reports from Council
 - b. Report of the Community Services & Public Safety Committee – Councilman Harkins
 - c. Report of the Public Planning Committee – Councilman Ames
 - d. Report of the Finance & Administrative Committee – Councilman Lennox
- 9. Proclamations/Commendations - NONE**
- 10. Appearance by Citizens**

*Citizens who wish to address Town Council during the meeting by phone must contact the Town Clerk at 843.341.4701 no later than **12:00 p.m. the day of the meeting**. Citizens speaking during the meeting will limit their comments to no longer than three (3) minutes and will conduct themselves in a manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, threatening, or obscene language.*

11. Unfinished Business

a. Consideration of a Resolution – Municipal Consent for Mosquito Control

Consideration of a Resolution of the Town of Hilton Head Island, South Carolina, authorizing the Town Manager to execute the Municipal Consent for Beaufort County Mosquito Control to conduct aerial application of public health insecticides for Mosquito Control.

12. New Business

a. First Reading of Proposed Ordinance 2021-15 – Amendments to the Official Zoning Map

First Reading of Proposed Ordinance 2021-15 to amend Title 16, “The Land Management Ordinance,” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map by amending the Planned Development Mixed-Use (PD-1) Zoning District, specifically for the Sea Pines Master Plan, to change the allowed use of a property identified as parcel R550 014 000 0508 000, located at 61 Club Course Drive, from Residential to Golf Course; the subject property would remain in the PD-1 Zoning District; and provide for severability and an effective date.

13. Executive Session

14. Possible actions by Town Council concerning matters discussed in Executive Session

15. Adjournment

Public comments concerning agenda items can be submitted electronically via the [Town's Virtual Town Hall Portal](#). The portal will close at **2:00 p.m.** the day of the scheduled meeting. All comments submitted to the portal will be provided to Town Council for review and made part of the official record.



Town of Hilton Head Island **TOWN COUNCIL WORKSHOP** Monday, May 3, 2021 at 10:00 a.m. **MEETING MINUTES**

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Senior Advisor to the Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; Jeff Buckalew, *Interim Director of Public Projects & Facilities/Chief Engineer*; Teri Lewis, *Deputy Director of Community Development*; Darrin Shoemaker, *Traffic/Transportation Engineer*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 10:00 a.m. By way of roll call, attendance of all members of Town Council was affirmed.

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. Approval of the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. Motion carried by a vote of 7-0.

4. Workforce Housing Initiative Status Update

Mr. Colin opened the discussion with the members of Town Council, giving an overview of what steps are in place since the last time Council met. Mayor McCann stated that a business plan needed to be developed. The members of Town Council echoed the Mayor's sentiments regarding a business plan for this initiative. The majority of the members of Town Council were not ready to introduce a potential referendum at this time. They would like to see what other options would be available for recurring funding. Discussions about continuing to work with Habitat for Humanity took place, as well as further discussion about those commuting to and from the Island for employment. Mayor McCann closed the discussion stating that a well-defined business plan in order for Town Council to be able to take their next steps.

5. Presentation of the U.S. 278 Corridor Project Independent Engineering Review Final Report – Phillip Hutcherson, HDR Project Manager

Phillip Hutcherson, the HDR Project Manager presented the final report to the Mayor and Town Council. The members of Town Council asked many questions specific to the traffic signals, the projected traffic models, limiting or eliminating left turns, and an additional entrance onto the island. Mr. Hutcherson address these questions noting that an additional entrance onto the island would cost twice as much than what is currently projected. He also talked about the traffic models that were run in 2010, show that those forecasted volumes were met by 2017. Mr. Hutcherson said that the regional traffic model talked into account the growth in Bluffton too. Mr. Hutcherson reported that the *Guiding Principles* were taken into consideration when reviewing the project and writing their report. Council members were concerned that the projected level of service does not protect or improve the quality of life.

5. Discussion Continued

It was noted that it seemed as if the ultimate goal was to get as many cars through without keeping in mind the impacts of other communities on the island. Mr. Hutcherson noted that by implementing many of the proposed solutions, the traffic pattern changes would impact about 1% of the travelers. Concern was raised that the community may review the report that HDR submitted as more of a peer report.

6. Adjournment

With no further discussion and by unanimous vote, the meeting adjourned at 12:13 p.m.

Approved: May , 2021

John J. McCann, Mayor

Krista M. Wiedmeyer, Town Clerk



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, May 4, 2021 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Senior Advisor to the Town Manager*; Angie Stone, *Assistant Town Manager*; Jennifer Ray, *Capital Projects Manager*; Jeff Buckalew, *Interim Director of Public Projects & Facilities/Chief Engineer*; Teri Lewis, *Deputy Director of Community Development*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:00 p.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 requirements of the Town of Hilton Head Island.

3. Pledge to the Flag

4. Invocation – Associate Pastor Steve Salvas – Grace Community Church

Pastor Salvas delivered the invocation.

5. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

6. Approval of Minutes

a. Workshop – April 19, 2021

b. Regular Meeting – April 20, 2021

Mr. Harkins moved to approve the minutes as noted on the agenda. Mr. Stanford seconded. By way of roll call, the minutes were approved by a vote of 7-0.

7. Report of the Town Manager

a. Items of Interest

Mr. Orlando gave an update on the status of the U.S. 278 Gateway Corridor Project.

8. Reports from Members of Town Council

a. General Reports from Council

Mr. Ames said that he felt Town Council receives many emails, and that they all try to be as responsive as possible. He suggested to the citizens that when sending an email to identify their ward so as the appropriate member of Town Council can respond.

b. Report of the Community Services & Public Safety Committee – Bill Harkins

Mr. Harkins reported that the Committee would be meeting to review applications for the open vacancies on various boards and commissions.

c. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the Committee met on April 22, 2021 to discuss the concerns of the Design Review Board. He said the Committee came to a conclusion that Town staff should address the items and return to the Committee with recommendations.

d. Report of the Finance & Administrative Committee – Tom Lennox

Mr. Lennox reported that the Committee met earlier in the day where they received a presentation from the Chamber regarding the Destination Marketing Organization year end performance metrics.

9. Proclamations/Commendations – NONE

10. Appearance by Citizens

Gary Smith, Pamela Steele, Marty Bumgarner, Cherry Norris, Wes Breinich, Carol Buxser, Iris Shedlock, Claudia Semidoro, James Stephensho, Tanya Hagedorn, Ken Clark, Michelle Best, Karla Callow, Jeff Laking, and Beth Kaugman addressed Town Council in opposition of extending the face covering ordinance.

Skip Hoagland addressed Town Council concerning matters related to the Town and Chamber.

11. Unfinished Business – NONE

12. Consent Agenda

Town Council may approve the Consent Agenda in its entirety, with all noted items; or a member of Council may request to have an item or items removed for further review and discussion.

a. Second Reading of Proposed Ordinance 2021-11 – Volunteers in Medicine Parking

Second Reading of Proposed Ordinance 2021-11 authorizing the execution of a lease with Volunteers in Medicine, related to real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-3-30, Code of the Town of Hilton Head Island, South Carolina (1983); and, providing for severability and an effective date.

b. Second Reading of Proposed Ordinance 2021-12 – Northridge Conservation Easement Modification

Second Reading of Proposed Ordinance 2021-12 authorizing the modification of a conservation easement to the benefit of Hilton Head Island Land Trust, related to real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-3-30, Code of the Town of Hilton Head Island, South Carolina (1983); and, providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

13. New Business

a. Consideration of Proposed Emergency Ordinance 2021-16 - Requirement of Face Covering

Consideration of Proposed Emergency Ordinance 2021-16 to require individuals to wear face coverings in certain circumstances and locations in the Municipal Limits of the Town of Hilton Head Island, South Carolina, and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Lennox seconded. With some discussion, Mr. Harkins amended his motion, changing the expiration date to 30 days. Mr. Lennox amended his second. With some additional discussion, and by way of roll call, the motion failed by a vote of 3-4, Mr. Ames, Mrs. Becker, Mr. Lennox, Mr. Stanford opposing.

b. Consideration of a Recommendation from the Accommodations Tax Advisory Committee – Approval of the FY2022 Marketing Plan & Budget for the Chamber of Commerce Visitor and Convention Bureau.

Consideration of a Recommendation from the Accommodations Tax Advisory Committee to the Town Council of Hilton Head Island requesting approval of the FY2022 Marketing Plan and Budget for the Chamber of Commerce Visitor and Convention Bureau as required by State law and Town of Hilton Head Island Municipal Code for the VCB to continue as the Town's Designated Marketing Organization for State Accommodations Tax purposes.

Mr. Harkins moved to approve. Mr. Stanford seconded. With some discussion and by way of roll call, the motion carried by a vote of 7-0.

c. Consideration of a Resolution – Community Development Block Grant Entitlement Program 2021 Annual Action Plan Request

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) Entitlement Program Annual Action Plan for Program Year 2021

Mr. Harkins moved to approve. Mr. Ames seconded. With no discussion and by way of roll call, the motion carried by a vote of 7-0.

d. First Reading of Proposed Ordinance 2021-14 – Town of Hilton Head Island FY2022 Municipal Budget

First Reading of Proposed Ordinance 2021-14 to raise revenue and adopt a budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2022; to establish a Property Tax Levy; to establish funds; to establish policy and acquisition of rights of way and easements; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Orlando made a presentation to Town Council, introducing the budget. He noted that budget reflects many of the items discussed at the individual meetings with each member of Town Council. Upon the completion of his presentation, Mr. Orlando answered questions, noting he would be happy to meet with each member of Town Council prior to the workshop on May 11, 2021. With no further discussion, by way of roll call, the motion carried by a vote of 7-0.

14. Executive Session

- a. Receipt of legal advice related to pending, threatened, or potential claim related to the Beaufort County Law Enforcement Fee [pursuant to S.C. Freedom of Information Act § 30-4-70(a)(2)].

At 7:16 p.m., Mr. Harkins moved to enter into Executive Session for the reasons noted on the agenda. Mr. Stanford seconded. The vote was unanimous.

15. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

16. Adjournment

Town Council returned from Executive Session with no action taken. By unanimous vote, the meeting was adjourned at 7:26 p.m.

Approved: May 18, 2021

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Marc Orlando, ICMA~CM, *Town Manager*
FROM: Peter Kristian, *Chairman of the Planning Commission*
DATE: April 23, 2021
SUBJECT: Planning Commission Semi-Annual Report: October 2020 – March 2021

The following regular meetings were cancelled: October 7, 2020, October 21, 2020, November 4, 2020, November 18, 2020, December 2, 2020, and March 17, 2021. Special meetings were held on October 14, 2020, October 21, 2020, and March 24, 2021.

Capital Improvement Program Recommendations

On March 25, 2021, the Commission voted 5-0-0 to approve and recommend to Town Council the Proposed CIP Fiscal Year 2022 Priority Projects.

2020 Traffic Monitoring and Evaluation Report

On February 3, 2021, Darrin Shoemaker, Traffic & Transportation Engineer, presented the 2020 Traffic Monitoring & Evaluation Report.

The Planning Commission voted 8-0-0 to recommend forwarding comments to Town Council regarding: the Commission's preference to the SCDOT Alternative A solution to the traffic issues at William Hilton Parkway with Squire Pope Road and Chamberlin Drive; a request to include safety statistics in the Annual Traffic Report required by the LMO; and a suggestion to conduct a traffic count in July after the removal of the toll at the Cross Island bridge.

Land Management Ordinance Amendments

Dirt Road Paving

A request from the Town to amend the LMO to allow different right-of-way design standards on qualifying private unpaved roads.

On October 14, 2020, the Planning Commission voted 9-0-0 to recommend approval of the amendments to Town Council.

Historic Neighborhoods Preservation Overlay District (HNP-O)

A request from the Town to amend the LMO to support the creation of the HNP-O District.

On October 14, 2020, the Planning Commission voted 9-0-0 to recommend approval of the HNP-O District to Town Council with the following change:

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

Workforce Housing: Commercial Conversion

Review of Town Council's changes related to Workforce Housing LMO Amendments.

On October 21, 2020, the Planning Commission voted 6-0-0 to adopt the amendments related to Commercial Conversion, and consider allowing bonus density in the Opportunity Zone and Palmetto Bay Road areas.

Workforce Housing: Bonus Density

Review and recommendation on Workforce Housing LMO Amendments to create a bonus density incentive for the Workforce Housing Program.

On January 6, 2021, the Planning Commission voted 9-0-0 to forward the proposed Workforce Housing LMO Amendments related to bonus density to Town Council with a recommendation of approval.

On February 3, 2021, the Planning Commission voted 8-0-0 to recommend to Town Council the Workforce Housing LMO Amendments, with the changes made by Town Council, move forward for second reading and adoption.

Flood Zone Standards and Building Height Measurements

Request from the Town of Hilton Head Island to amend Chapters 5 and 10 of the Land Management Ordinance to modify the flood zone standards for consistency with the March 23, 2021 Flood Insurance Rate Maps and to modify the rule of measurement for the calculation of building height from the base flood elevation to the mean sea level.

On February 17, 2021, the Planning Commission voted 9-0-0 to forward the proposed amendments to Town Council with a recommendation of approval and that they seriously consider the 14' plus 1' concept.

On March 3, 2021, the Planning Commission voted 6-2-0 to approve the Public Planning Committee's recommendation in support of the staff recommendation to Town Council regarding the proposed Flood Zone Standards LMO Amendments and Flood Damage Controls Municipal Code Amendments.

Public Project Review Applications

PPR-002020-2020, Summit Drive Realignment and Improvements

Application from the Town to realign and improve Summit Drive.

On December 16, 2020, the Planning Commission voted 9-0-0 to approve the application.

Zoning Map Amendment Applications

ZA-001782-2020, RM-4 to RM-6

A request from the Town to amend the Official Zoning Map for RM-4 properties within the proposed Historic Neighborhoods Preservation Overlay (HNP-O) District to be rezoned to RM-6.

On October 14, 2020, the Planning Commission voted 9-0-0 to recommend approval of the application to Town Council.

ZA-001783-2020, HNP-O District

A request from the Town to amend the Official Zoning Map by applying the Historic Neighborhoods Preservation Overlay (HNP-O) District to identified parcels.

On October 14, 2020, the Planning Commission voted 9-0-0 to recommend approval of the application to Town Council.

ZA-002487-2020, 30 Folly Field Road

A request from the Town to amend the Official Zoning Map to amend the Official Zoning Map to rezone a Town-owned property from Resort Development (RD) to Parks and Recreation (PR). The subject property is located at 30 Folly Field Road, parcel ID R511 009 000 1196 0000.

On January 20, 2021, the Planning Commission voted 8-0-0 to recommend approval of the application to Town Council.

ZA-002584-2020, Former Sam's Club

A request from Josh K. Tiller of J.K. Tiller Associates to amend the Official Zoning Map to rezone the former Sam's Club property from Community Commercial (CC) to Light Commercial (LC). The subject property is located at 95 Mathews Drive, parcel ID R511 008 000 192A 0000.

On January 20, 2021, the Planning Commission voted 7-0-0 to recommend approval of the application to Town Council.



Items of Interest

May 18, 2021

Rotary Club of Hilton Head Island Firefighter of the Year

Congratulations to Fire Rescue Capt. Lee Jenkins on being named Rotary Club of Hilton Head Island's Firefighter of the Year. Capt. Jenkins was recognized for his contributions and leadership in the department's fire hose and community outreach programs, and for setting high standards for himself and team members in support of Fire Rescue's vision of striving for excellence in all they do! As a strong advocate and spokesperson for the department's involvement in our community, Capt. Jenkins participates in activities that promote department safety messages and programs. Capt. Jenkins has been with our Fire Rescue Department since March 2006. Thank you Capt. Jenkins for all you do to keep our community safe, and thank you to the Hilton Head Island Rotary Club for choosing Capt. Jenkins for this well-deserved honor.

MEMORANDUM

TO: Marc Orlando, ICMA-CM, Town Manager

FROM: Diane Busch, Staff Attorney

RE: Mosquito Control Aerial Treatments

DATE: April 27, 2021

CC: Joshua A. Gruber, Esq., Deputy Town Manager

Issue Presented: The Town Manager of the Town of Hilton Head Island (hereinafter, the “Town”) has been invited by Beaufort County Mosquito Control (hereinafter, “BCMC”) to approve the aerial application of public health insecticides. The Federal Aviation Administration (hereafter, “FAA”) requires governmental authorization for low-level flights over congested areas.

Background: The mission of BCMC is to provide safe, effective, and economical abatement of mosquitoes and to reduce the risk of mosquito-borne diseases, such as Eastern equine encephalitis, West Nile, and Zika. Staff adhere to the principles of Integrated Mosquito Management to accomplish this goal. The strategy depends on a multidisciplinary approach including: surveillance of mosquitoes and mosquito-borne diseases, elimination of mosquito breeding sites, strategic application of public health insecticides to control immature and adult mosquitoes, monitoring of insecticide resistance, legislation, community outreach, and continuing education for certified employees.

Aerial treatments conducted by BCMC represent one of several primary strategies to control adult and immature mosquitoes since the 1970s. BCMC uses fixed wing and rotary wing aircraft to apply Environmental Protection Agency-registered and Clemson Department of Pesticide Regulation-approved public health insecticides. BCMC applies these products in accordance with the manufacturer’s product labels as mandated by Federal and State regulations. BCMC aircraft typically fly during early daylight hours to control adult mosquitoes.

BCMC provides weekly Public Service Announcements about the low-flying aircraft (as per FAA regulations) via the Mosquito Control website, Beaufort County Facebook, and news media. Further, BCMC provides courtesy notifications (via phone, text, and/or email messages) for all beekeepers within a tentative target zone the day before an aerial treatment. BCMC provides daily interactive maps about the proposed and completed target zones for the aircraft and spray trucks via the Mosquito Control website.

Summary: Overall, BCMC offers services within a timely manner to protect the residents and visitors from pest and vector mosquitoes and, subsequently, to reduce the risk of mosquito-borne diseases. These services support a healthier and more enjoyable quality of life throughout coastal Beaufort County.

**A RESOLUTION OF THE TOWN OF HILTON HEAD ISLAND, SOUTH
CAROLINA, AUTHORIZING THE TOWN MANAGER TO EXECUTE
CONSENT TO CONDUCT AERIAL APPLICATION OF PUBLIC HEALTH
INSECTICIDES FOR MOSQUITO CONTROL WITH BEAUFORT COUNTY
MOSQUITO CONTROL**

WHEREAS, Beaufort County Mosquito Control (hereinafter referred to as “BCMC”), has invited the Town of Hilton Head Island, South Carolina (hereinafter referred to as “Town”) to participate in its yearly aerial treatment strategy to control adult and immature mosquitos to reduce the risk of mosquito-borne diseases; and,

WHEREAS, BMCS will perform the services at no cost to the Town; and,

WHEREAS, some of the mosquito-borne diseases include Eastern Equine Encephalitis, the West Nile virus, and Zika; and,

WHEREAS, the program managed by BCMC since 1974 is highly regulated and monitored within Beaufort County, overseen by federal, state, and local agencies, including the South Carolina enforcement arm, The Clemson Department of Pesticide Regulation (hereinafter, “CPR”); and,

WHEREAS, the public will be notified of the dates BCMC will be conducting aerial training, surveillance, and application of EPA-registered and CPR public health insecticides; and,

WHEREAS, surveillance is for research and protection of bee habitats within the Town. If BCMC locates bee habitats or are notified by bee keepers of the locations, the areas are excluded from treatment and records of their existence added to records maintained by BCMC; and

WHEREAS, BCMC application flights are flown prior to sunrise as bees are more likely to be in their hives. BCMS does not treat the salt marsh habitats for adult mosquitos during aerial application; and

WHEREAS, the Federal Aviation Administration regulations (FAR 137) require governmental authorization for aerial applications; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hilton Head Island, SC:

1. The Town Manager, Marc Orlando, is authorized to execute a Consent to Conduct Aerial Application of Public Health Insecticides by Beaufort County Mosquito Control.
2. This resolution shall take effect immediately upon adoption.

(SIGNATURES TO FOLLOW ON NEXT PAGE)

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2021.**

**TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA**

John McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

First Reading:
Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Marc Orlando, ICMA-CM, *Town Manager*
VIA: Jennifer Ray, ASLA, *Interim Community Development Director*
VIA: Teri B. Lewis, AICP, *Deputy Community Development Director*
VIA: Nicole Dixon, AICP, CFM, *Development Review Administrator*
FROM: Missy Luick, *Senior Planner*
DATE: April 28, 2021
SUBJECT: Proposed Zoning Map Amendment- ZA-000744-2021 – Sea Pines Country Club

Recommendation: The Planning Commission recommends that Town Council approve the proposed zoning map amendment application with the following conditions:

1. That a vegetative screen be planted on lot 13 near the property line between lot 13 and lot 14.
2. That a vegetative screen be maintained and/or planted on lot 13 near the property line between lot 13 and Club Course Drive.

On April 21, 2021, the Planning Commission voted 5-0-0 to recommend approval of the zoning map amendment.

If Town Council agrees with the Planning Commission's recommendation, the proposed Ordinance 2021-15 is attached for approval.

Summary: Approval of the proposed zoning map amendment will rezone the Planned Development Mixed-Use (PD-1) Zoning District, specifically for the Sea Pines Master Plan, to change the allowed use of a property located at 61 Club Course Drive, from Residential use to Golf Course use. The subject property would remain in the PD-1 Zoning District, in the Sea Pines Master Plan.

The effect of the rezoning will limit the use allowed on the parcel to Golf Course use.

The rezoning is consistent with Our Plan including the Excellence, Environment & Economy core values, and Land Use and Parks + Recreation elements.

Background: A rezoning request has been made on behalf of Sea Pines Country Club to change the allowed use of the property located at 61 Club Course Drive, from Residential use to Golf Course use. The Sea Pines Country Club has begun a major renovation project for the golf course practice area. The improvements planned require the relocation of a green waste storage site currently located at the northwestern end of the driving range area, which is used by the Sea Pines Country Club and the Community Services Associates. In order to lengthen the driving range facility, the Sea Pines Country Club plans on relocating the green waste storage site to the property subject to this rezoning request.

The subject property is currently a vacant residential lot located immediately west of the current green waste storage area. The applicant has offered to plant a vegetative screen on the subject parcel adjacent to the neighboring parcel located at 63 Club Course Drive and has stated that the view from Club Course Drive will remain unchanged. The view from Club Course Drive is currently densely vegetated. Because this property is within a PD-1 District, conditions can be placed on the rezoning.

Attachments:

- 1) Proposed Ordinance
- 2) Staff Report
 - Attachment A) Applicant's Submittal
 - Attachment B) Vicinity Map
 - Attachment C) Site Photos

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2021-__

PROPOSED ORDINANCE NO. 2021-15

AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-1-107, THE OFFICIAL ZONING MAP BY AMENDING THE PLANNED DEVELOPMENT MIXED-USE (PD-1) ZONING DISTRICT, SPECIFICALLY FOR THE SEA PINES MASTER PLAN, TO CHANGE THE ALLOWED USE OF A PROPERTY IDENTIFIED AS PARCEL R550 014 000 0508 0000, LOCATED AT 61 CLUB COURSE DRIVE, FROM RESIDENTIAL TO GOLF COURSE; THE SUBJECT PROPERTY WOULD REMAIN IN THE PD-1 ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on April 21, 2021 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

WHEREAS, the Planning Commission, after consideration of the staff presentation and the criteria set forth in Section 16-2-103, voted 5-0-0 to recommend that Town Council approve the proposed zoning map amendment application with conditions; and

WHEREAS, after due consideration of said zoning map amendment application and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest to approve the proposed zoning map amendment application with conditions.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-1-107 of the LMO, be hereby amended to modify the zoning designation of 61 Club Course Drive, identified as PIN R550 014 000 0508 0000 by amending the Planned Development Mixed-Use (PD-1) Zoning District, specifically for the Sea Pines Master Plan to change the allowed use of a property from Residential to Golf Course with conditions to require a vegetative screen be planted on lot 13 near the property line between lot 13 and lot 14, and to require a vegetative screen be maintained and/or planted on lot 13 near the property line between lot 13 and club course drive. The subject property would remain in the PD-1 Zoning District.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2021.**

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

John J. McCann, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing: April 21, 2021

First Reading:

Second Reading:

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court

Hilton Head Island, SC 29928

843-341-4757

FAX 843-842-8908

STAFF REPORT ZONING MAP AMENDMENT

Case #	Subject Property	Public Hearing Date
ZA-000744-2021	61 Club Course Drive	April 21, 2021

Parcel Data	Property Owner	Applicant
<u>Parcel Number:</u> R550 014 000 0508 0000 <u>Size:</u> approximately .35 acres <u>Address:</u> 61 Club Course Drive	Sea Pines Country Club, Inc. 30 Governors Road Hilton Head Island, SC 29928	E. Richardson LaBruce Finger, Melnick, Brooks & LaBruce, P.A. PO Box 24005 Hilton Head Island, SC 29925-4005
Existing Zoning	Proposed Zoning	
<u>Zoning District:</u> PD-1 (Planned Development Mixed Use) <u>Existing Use:</u> Residential	<u>Zoning District:</u> PD-1 (Planned Development Mixed Use) <u>Proposed Use:</u> Golf Course	

Application Summary:

Request from E. Richardson LaBruce, on behalf of the Sea Pines Country Club, to amend the Official Zoning Map by amending the Planned Development Mixed-Use (PD-1) Zoning District, specifically for the Sea Pines Master Plan, to change the allowed use of a property identified as parcel R550 014 000 0508 0000, located at 61 Club Course Drive, from Residential to Golf Course. The subject property would remain in the PD-1 Zoning District, in the Sea Pines Master Plan.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be **consistent** with the Town's Comprehensive Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein. Staff recommends that the Planning Commission recommend **approval** of this application to Town Council with the following conditions:

1. A vegetative screen be planted on lot 13 near the property line between lot 13 and lot 14.
2. A vegetative screen be maintained and/or planted on lot 13 near the property line between lot 13 and Club Course Drive.

The recommended conditions are the concurrent with conditions referenced in the letters from the Community Services Associates and the owner of the adjacent property of lot 14 as referenced in the Application Materials as Exhibit A-3 and Exhibit A-4.

Background:

Established in 1989, the Sea Pines Country Club is a 501(c)(7) South Carolina nonprofit corporation that offers resort-level golf, tennis, recreational and social amenities to a diverse group of members. The Sea Pines Country Club (Club) has begun a major renovation project for the golf course practice area. The improvements planned require the relocation of a green waste storage site currently located at the northwestern end of the driving range area, which is used by the Club and the Community Services Associates (CSA). In order to lengthen the driving range facility, the Club plans on relocating the green waste storage site to the property subject to this rezoning request. The subject location is currently a vacant residential lot located immediately west of the current green waste storage area. The applicant has offered to plant a vegetative screen on the subject parcel adjacent to the neighboring parcel located at 63 Club Course Drive and has stated that the view from Club Course Drive will remain unchanged. The view from Club Course Drive is currently densely vegetated.

Applicant's Grounds for ZMA:

The applicant would like to amend the zoning of the property pursuant to the Sea Pines Master Plan. The use of the subject parcel in the Sea Pines Master Plan would need to be amended from residential to golf course to use the property for a green waste storage site. Per the Land Management Ordinance, an amendment to the Sea Pines Master Plan requires a Zoning Map Amendment. The zoning for the subject parcel will remain PD-1.

Summary of Facts and Conclusions:**Findings of Fact:**

- The application was submitted on March 22, 2021 as set forth in LMO Section 16-2-103.C and Appendix D-1.
- Per LMO Section 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
- The LMO Official scheduled the public hearing on the application for the April 21, 2021 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
- Per LMO Section 16-2-102.E.2, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
- Notice of the April 21, 2021 public hearing was published in the Island Packet on April 4, 2021.
- Per LMO Section 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
- The applicant mailed notices of the April 21, 2021 public hearing by first-class mail to the owners of record of properties within 350 feet of the subject land on March 26, 2021.
- Per LMO Section 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land.
- The LMO Official posted on April 6, 2021 conspicuous notice of the public hearing on the land subject to the application.

Conclusions of Law:

- The application was submitted in compliance with LMO Section 16-2-103.C and Appendix D-1.
- Notice of the public hearing was published, mailed and posted, in compliance with LMO Section 16-2-102.E.2.

As set forth in LMO Section 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.

Summary of Facts and Conclusions:

Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i):

Findings of Fact:

The Comprehensive Plan addresses this application in the following areas:

Excellence Core Value

Strategies & Tactics

- 2.9: Recognize the importance of parks and recreation for the Island community through the development, maintenance, improvement, and enhancement of recreation facilities and programs.
- 3.3: Continue to provide an appropriate range of land uses that accommodate the needs of the community.
- 3.3.1: Provide appropriate modifications to the zoning designations and land use regulations to meet community needs while maintaining Island character.

Environment Core Value

Strategies

- 1.1: Examine waste collection options that take into account the unique aspects of the Island and maximize efficient collection.

Economy Core Value

Strategies

- 3.1: Support sustainable redevelopment that preserves the environment, modernizes infrastructure, and creates economic benefit to the greatest extent possible.

Land Use Element

- “Good planning ensures the amount and location of each land use category is balanced and sustainable for the existing and future needs of the community” (pp. 79).

Parks + Recreation Element

Goals & Strategies

- Goal 1, Community Value: To continue to promote and prioritize the value parks and recreation add to the Island community.
- 1.2: Maintain parks and recreation facilities at a high level to maximize value to the community.

Conclusions of Law:

- The proposed rezoning is in accordance with the Comprehensive Plan as described in the Excellence, Environment, and Economy Core Values, and the Land Use and Parks + Recreation Elements as set forth in LMO Section 16-2-103.C.3.a.i.
- The proposed rezoning will be an appropriate modification of the subject parcel's zoning designation, in compliance with Excellence Strategies 2.9 and 3.1, and Tactic 3.3.1. The applicant proposes to improve and enhance existing recreation facilities in the Sea Pines community to better accommodate the needs of the community and facility users. This is also supported by tenets of the Land Use Element. Doing so is recognition of the importance of recreation for Sea Pines residents and visitors. Rezoning this property to better provide a location for the temporary storage of green waste materials will further enable the facility improvement plans. Island character will be promoted through the proposed low impact development required for the proposed use of the subject parcel, which is a lower impact than its current zoning designation.
- The proposed rezoning will allow the Applicant to provide more efficient waste collection for the golf course operations as supported by Environment Strategy 1.1. The collection of green waste exemplifies the Vision for sustainability exhibited in the Comprehensive Plan and the Environment Core Value.
- The proposed rezoning will reinforce redevelopment that modernizes recreation facilities and creates economic benefit for the Sea Pines community in keeping with Economy Strategy 3.1.
- While the Sea Pines Country Club offers private recreation, the Comprehensive Plan establishes that private facilities, "play a role to serve the island community. They provide significant recreation opportunities to the residents and visitors within each community, and in some cases may offset the use intensity on the Town's public parks" (pp. 231). Goal 1 and Strategy 1.2 of the Parks + Recreation Element further support the proposed rezoning as an effort towards maintaining and prioritizing recreation facilities as high value commodities for the community. The site improvements that will be facilitated by the proposed rezoning are therefore compatible with the Parks + Recreation Element.

Summary of Facts and Conclusions:

Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii):

Findings of Fact:

- The subject property is zoned PD-1 and the Sea Pines Master Plan designates the parcel as residential.
- The subject property is surrounded by golf course uses on two sides including being immediately adjacent to the golf course maintenance building.
- The proposed zoning requests the subject property to be designated as golf course use.
- The subject property is under ownership by the Club.

Conclusion of Law:

- The proposed rezoning will allow a use that is compatible with the uses allowed in the immediate vicinity in accordance with LMO Section 16-2-103.C.3.a.ii.

Summary of Facts and Conclusions:

Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii):

Findings of Fact:

- The current PD-1 zoning will remain in place with this rezoning, but the Sea Pines Master Plan use designation is requested to change from residential to golf course.
- The subject property is adjacent to golf course and residential uses.
- The subject property is located off Club Course Drive and can also be accessed from the golf course maintenance driveway which offers convenient access for the proposed use as a green waste storage site for both the Club and the CSA.
- The applicant has offered to plant a vegetative screen on the subject parcel adjacent to the neighboring parcel located at 63 Club Course Drive and has stated that the view from Club Course Drive will remain unchanged. The view from Club Course Drive is currently densely vegetated.

Conclusions of Law:

- The proposed zoning is appropriate for the land in accordance with LMO Section 16-2-103.C.3.a.iii.
- The proposed zoning is appropriate for the land as it is adjacent to the golf course use and the land use impacts are planned to be minimized for the direct neighbor and from Club Course Drive through maintenance of vegetative plantings.

Summary of Facts and Conclusions:

Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv):

Findings of Fact:

- The proposed zoning allows the site to be developed as golf course use, specifically as a green waste storage site.
- The proposed zoning allows the Club to expand the golf practice facility and driving range and expand the services offered at the Club. This improvement is intended to modernize the Club's facilities to meet the needs of its membership.

Conclusions of Law:

- The rezoning would fulfill a demonstrated community need in accordance with LMO Section 16-2-103.C.3.a.iv.
- The proposed rezoning will allow expansion of a golf course use which is a demonstrated community need.

Summary of Facts and Conclusion:

Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):

Findings of Fact:

- The proposed zoning allows and future development of the subject property for golf course use and meets the Town's Our Plan that encourages modernizing existing facilities without substantial expansion of development footprint areas.

- The Town's overall zoning program allows flexibility in the PD-1 Zoning District by allowing land uses and assigned density to change to address changing needs in the community.

Conclusions of Law:

- The proposed zoning is consistent with the overall zoning program as expressed in Our Plan in accordance with LMO Section 16-2-103.C.3.a.v.
- The proposed rezoning will allow the PD-1 zoning designation to remain but change the subject parcel's Master Plan designation from residential use to golf course use.

Summary of Facts and Conclusions:

Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi):

Findings of Fact:

- The subject property is currently zoned PD-1 as part of the Sea Pines Master Plan.
- The proposed rezoning does not change the zoning designation, it only redefines the use allowed for the subject property.

Conclusion of Law:

- The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts in accordance with LMO Section 16-2-103.C.3.a.vi because the existing base zoning district will remain PD-1.

Summary of Facts and Conclusions:

Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):

Findings of Fact:

- The subject property is currently vacant and provides no economic impacts.
- The proposed zoning allows the subject property to be developed for golf course use, which will result in the ability for the Club to complete renovations to existing facilities and provide immediate economic impacts.

Conclusion of Law:

- The proposed zoning would allow the subject property to be put to a reasonably viable economic use in accordance with LMO Section 16-2-103.C.3.a.vii.

Summary of Facts and Conclusion:

Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):

Findings of Fact:

- The site has direct access to Club Course Drive and the golf course maintenance driveway.
- The site already has adequate infrastructure and public facilities serving the existing development.

Conclusion of Law:

- The proposed zoning would result in development that can be and is already served by available public facilities in accordance with LMO Section 16-2-103.C.3.a.viii.

Summary of Facts and Conclusion:

Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):

Findings of Fact:

- The proposed rezoning from residential to golf course use is consistent with similar uses within the affected area.
- The changing conditions in the affected area are the Club's major renovation project intended to modernize the Club's existing practice facility.

Conclusion of Law:

- The proposed rezoning is appropriate due to the changes in the area, in accordance with LMO Section 16-3-103.C.a.ix.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ML

Missy Luick
Senior Planner

April 2, 2021

DATE

REVIEWED BY:

TL

Teri B. Lewis, AICP
Deputy Director of Community Development

April 9, 2021

DATE

REVIEWED BY:

ND

Nicole Dixon, AICP, CFM
Development Review Administrator

April 7, 2021

DATE

REVIEWED BY:

AC

Anne Cyran, AICP
Senior Planner & Planning Commission Board Coordinator

April 5, 2021

DATE

ATTACHMENTS:

A) Application Materials

- B) Vicinity Map
- C) Site Photos

INTRODUCTION:

The real property which is the subject of this Application is Lot 13 of Club Course Drive I Subdivision of Sea Pines Plantation, commonly known as 61 Club Course Drive, Hilton Head Island, South Carolina, and assigned Beaufort County Tax Map No. R550-014-000-0508-0000 (the “***Property***”). A more specific description of the Property is attached hereto as **EXHIBIT “A-1”** and which is incorporated herein by reference.

1

BACKGROUND OF PROJECT:

Established in 1989, the Sea Pines Country Club is a 501(c)(7) South Carolina nonprofit corporation that offers resort-level golf, tennis, recreational and social amenities to a diverse group of members. As part of its commitment to serve its membership, the Club has begun a major renovation project intended to modernize the Club's existing golf practice facility. An illustrative depiction of the practice facility's renovations is attached hereto as **EXHIBIT "A-2"** and is incorporated herein by reference (the "**Renovation Plans**"). The Club, as shown on the Renovation Plans, will double the size of the practice putting greens, renovate and redesign the "short game" practice area, incorporate more target greens within the driving range, expand the driving range tee area to increase player capacity and player safety, and lengthen the driving range beyond its existing two hundred and fifty (250) yard limitation.

Currently, the northwestern end of the driving range area is being used by the Club and CSA as a temporary storage site for green waste, in which grass clippings, plant prunings, leaves, mulch, and other green waste generated through routine landscape maintenance are deposited in a safe and environmentally sensitive manner until the green waste can be removed. In order to lengthen the driving range facility, the Club intends to relocate the temporary storage site for green waste from its current location to the Property, a vacant lot located immediately to the west of the current temporary storage site.



Figure 2. View of the shared boundary line between 59 Club Course Drive (to the left), which is the existing green waste site, and the Property (to the right). Image taken in December of 2020.

Although the expansion requires the relocation of the green waste site from its current location to the Property, the view from Club Course Drive will remain unchanged. Moreover, both CSA and the owners of 63 Club Course Drive, the lot adjacent to the Property, are in support of the practice facility renovation and the Application. Letters in support from CSA and the owners of 63 Club Course Drive are attached hereto as **EXHIBIT "A-3"** and **EXHIBIT "A-4"** respectively, and are incorporated herein by reference.

REQUEST:

The Property is zoned as Residential pursuant to the Sea Pines Master Plan. In order to relocate the temporary storage site from its current location to the Property, the Sea Pines Master Plan should be amended to reflect the change in use from Residential to Golf Course. In accordance with the Land Management Ordinance, an amendment to the Sea Pines Master Plan requires a Zoning Map Amendment. *See LMO §§ 16-2-102.C & 16-2-102.D.*

ANALYSIS:

The Land Management Ordinance (the “**LMO**”) establishes the standards for the review of an application for a Zoning Map Amendment. For the reasons set forth herein, the Owner contends that the Application satisfies or exceeds all of the applicable requirements for a Zoning Map Amendment set forth in the LMO.

CRITERIA 1: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING IS IN ACCORDANCE WITH THE COMPREHENSIVE PLAN?

The Property is zoned as Residential pursuant to the Sea Pines Master Plan. The proposed amendment requests amending the zoning designation to Golf Course. Rezoning the Property from Residential to Golf Course is not only consistent with the seven Core Values set forth in the *2020-2040 Comprehensive Plan for the Town of Hilton Head Island, South Carolina* (the “**Comprehensive Plan**”) but it also directly furthers at least three of these Core Values.

For years, golf and tennis were the engines that drove the tourism and retirement-based **economy** of Hilton Head.¹ Consistent with the Town’s Core Value to revitalize and modernize the economy, the rezoning of the Property will allow the Owner to modernize its practice facilities to provide a better product to its existing members while also attracting a more diverse group of potential new members and guests.² The new practice facilities will provide a comfortable location for current members to better their game and/or engage in a recreational activity that is less time-consuming than a traditional round of golf. Perhaps even more importantly, improved and modernized driving ranges and putting greens have proven to be effective at introducing new players to the game of golf. This innovative redesign of an existing facility is consistent with the Comprehensive Plan’s desire to “build on the current strengths in the economy” and encourage the re-purposing of existing commercial facilities.³

¹ Comp. Plan, pgs. 73 & 256.

² Comp. Plan, p. xv.

³ Comp. Plan, pgs. 139 - 144.

Of the nine priority elements identified in the Comprehensive Plan, only one is not a required element of consideration under South Carolina law: **Recreation**.⁴ Nevertheless, the oversized importance of recreational opportunities to the Town is evidenced by its inclusion as the sole additional priority element of the Comprehensive Plan. While the Town's publically-owned and publically-managed facilities are the primary topic of the Comprehensive Plan, the crucial role played by private recreational facilities does not go unnoted: "They provide significant recreation opportunities to the residents and visitors within each community, and in some cases may offset the use intensity on the Town's public parks."⁵ While demand for these activities fluctuate, the Comprehensive Plan acknowledges that "there is a cohort of people who live and work on the Island who golf and play tennis as their primary recreational outlet."⁶

Moreover, modernizing the practice facilities of the Sea Pines Country Club will further the Town's goal of promoting "to Island visitors the destination as a best-in-class, well-maintained, coastal Island residential and resort community ..."⁷ and fostering "an economy that includes support for a healthy aging population and allows for aging in place."⁸ As noted by the Town's *Future Vision and Strategic Action Plan* (the "**Future Vision Plan**"): "In 2015, the median age [on the Island] was 54.1 and is forecast to increase. Confronting an aging population and the attendant impacts on community character was a significant concern to some community residents during the visioning sessions."⁹ By investing capital into greatly improving its existing facilities, the Owner is embracing the Town's *Ideal of Excellence* as incorporated within the Core Values of the Comprehensive Plan and addressing a demonstrated need for recreational outlets for the Town's population.¹⁰

Rezoning the Property from Residential to Golf Course is essential to ensuring that Sea Pines Country Club and CSA will continue to have access to a green waste site. Operation of a green waste site furthers the Comprehensive Plan's goals of **environmental sustainability** and is consistent with the Core Ideal of "redefining environmental sustainability."¹¹ The green waste site offers an innovative alternative to waste management that "take[s] into account the unique aspects of the Island and maximize[s] efficient

⁴ S.C. Code Ann. § 6-29-510(D).

⁵ Comp. Plan, p. 231.

⁶ Comp. Plan, p. 256.

⁷ Comp. Plan, p. 145.

⁸ Comp. Plan, p. 145.

⁹ Future Vision Plan, p. 8.

¹⁰ Comp. Plan, p. xv.

¹¹ Comp. Plan, p. xv.

Attachment A - Application Materials

collection.”¹² It also provides an opportunity for a local organization to promote and educate alternative waste management practices.¹³

The proposed rezoning is also consistent with the Comprehensive Plan’s **land use** elements. As noted by the Comprehensive Plan, “managing growth will continue” to be a major factor in future development on Hilton Head but with a new “focus on redevelopment including creative strategies to adapt to unique conditions.”¹⁴ Converting a single lot zoned Residential to Golf Course will assist – albeit minimally – with reducing the overall number of residentially zoned properties within the Town while transforming the Property into a new, fully compatible use within the Sea Pines PUD.

As far as the remaining elements of the Comprehensive Plan and the Core Ideals of the Town, the proposed rezoning has no obvious impact given the very limited nature of the request – a rezoning of a small residential lot within a PUD. Nevertheless, the proposal is not inconsistent with any of the elements of Comprehensive Plan. Ultimately, the rezoning of the Property will offer the Owner the opportunity to accommodate the needs of its membership, to respond to the demands of the market, and to modernize and improve its facilities in a minimally invasive way.

CRITERIA 2: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING WOULD ALLOW A RANGE OF USES THAT ARE COMPATIBLE WITH THE USES ALLOWED ON OTHER PROPERTY IN THE IMMEDIATE VICINITY?

The Property is currently zoned Residential and the proposed rezoning requests that the Property be zoned Golf Course. To the north (across Club Course Drive) and the west of the Property are improved single-family residences on lots zoned as Residential. To the south and the east, the Property is surrounded by property of Sea Pines Country Club, all of which are zoned as Golf Course. As such, the proposed rezoning will be compatible with other uses allowed in the immediate vicinity of the Property.

CRITERIA 3: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING IS APPROPRIATE FOR THE LAND?

The Applicant believes the Property is uniquely suitable for the proposed use in the Application. Although the expansion requires the relocation of the green waste site from its current location to the Property, the view from Club Course Drive will remain unchanged. The fact that the green waste site is currently located

¹² Comp. Plan, p. 127.

¹³ Comp. Plan p. 127-128.

¹⁴ Comp. Plan, p. 79.

Attachment A - Application Materials

on the parcel immediately to the east of the Property further illustrates that the proposed use is appropriate for the land. The Property has direct access to Club Course Drive and access to any utilities necessary for the operation of the Property. Finally, as noted herein, both CSA and the owners of 63 Club Course Drive, the lot adjacent to the Property, are in support of the practice facility renovation and the Application.

CRITERIA 4: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING ADDRESSES A DEMONSTRATED COMMUNITY NEED?

The Property is currently vacant. Rezoning the Property will permit the Owner to offer a high class, fully functioning practice facility to its members and the market at large. Designed and built decades ago – when many amateurs and professionals were still using fairway woods made of persimmon rather than steel - the existing practice facility must similarly evolve with the technological advancements made in golf. New clubs have increased the distance of many players, necessitating a longer driving range. The creation of multiple target greens visible from various angles and approaches is intended to encourage young families and professionals to participate in golf, as the practice facility will offer a more course-like experience without the corresponding time commitment.¹⁵

CRITERIA 5: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING IS CONSISTENT WITH THE OVERALL ZONING PROGRAM AS EXPRESSED IN FUTURE PLANS FOR THE TOWN?

The Applicant submits that the proposed rezoning and future development of the Property meets the spirit of the Town's future plans. As noted in the Future Vision Plan, modernizing existing facilities without a substantial expansion of development footprint areas should be a focus for future growth within the Town.¹⁶ Moreover, developments should ideally (i) engage with young professionals to support a stronger core living within the Town, and (ii) apply the concept of healthy aging to make Hilton Head the premier location for retirees and others.¹⁷ The proposed rezoning of the Property and its future development support each of these ideals.

CRITERIA 6: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING WOULD AVOID CREATING AN INAPPROPRIATELY ISOLATED ZONING DISTRICT UNRELATED TO ADJACENT AND SURROUNDING ZONING DISTRICTS?

The rezoning proposed in the Application maintains the PD-1 base zoning district; however, it amends the Sea Pines Master Plan to change the use of the Property from Residential to Golf Course. As noted herein,

¹⁵ Comp. Plan, p. 182.

¹⁶ Future Vision Plan, p. 39.

¹⁷ Future Vision Plan, pgs. 35, 38-39.

Attachment A - Application Materials

the property to the south and the east of the Property are already designated as Golf Course use on the Sea Pines Master Plan; thus, an inappropriately isolated zoning district would not be created by the proposed rezoning.

CRITERIA 7: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING WOULD ALLOW THE SUBJECT PROPERTY TO BE PUT TO A REASONABLY VIABLE ECONOMIC USE?

Currently, the Property is vacant and providing no economic impacts. The proposed rezoning and development of the Property will permit the Owner to complete much needed renovations to existing facilities and provide an immediate economic impact.

CRITERIA 8: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING WOULD RESULT IN DEVELOPMENT THAT CAN BE SERVED BY SUITABLE PUBLIC FACILITIES?

The rezoning proposed in the Application can be served by existing public facilities.

CRITERIA 9: WHETHER AND THE EXTENT TO WHICH THE PROPOSED ZONING IS APPROPRIATE DUE TO ANY CHANGED OR CHANGING CONDITIONS IN THE AFFECTED AREA?

As noted thoroughly herein, the proposed rezoning of the Property from Residential to Golf Course is consistent with similar uses throughout the affected area.

CONCLUSION:

The requested rezoning, albeit of small scale and nominal impact, is not only in conformance but furthers the Town's Comprehensive Plan as set forth herein. The Applicant believes that the Application meets the review standards set forth in the LMO and, as such, respectfully requests that the Planning Commission:

1. Review the Application and all other evidentiary material entered into the record and find as follows:
 - a. That the Application and the supporting evidence of record establish that the requested zoning map amendment is in accordance with the Town's Comprehensive Plan; and,

Attachment A - Application Materials

- b. That the Application and the supporting evidence of record establish that the requested zoning map amendment allows a use that is compatible with the uses allowed on other property in the immediate vicinity; and,
 - c. That the Application and the supporting evidence of record establish that the requested zoning map amendment is appropriate for the Property; and,
 - d. That the Application and the supporting evidence of record establish that the requested zoning map amendment addresses a demonstrated community need; and,
 - e. That the Application and the supporting evidence of record establish that the requested zoning map amendment is consistent with the overall zoning program as expressed in future plans for the Town; and,
 - f. That the Application and the supporting evidence of record establish that the requested zoning map amendment avoids the creation of an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts; and,
 - g. That the Application and the supporting evidence of record establish that the requested zoning map amendment allows the Property to be put to a reasonably viable economic use; and,
 - h. That the Application and the supporting evidence of record establish that the requested zoning map amendment results in development that may be served by adequate and suitable public facilities; and,
 - i. That the Application and the supporting evidence of record establish that the requested zoning map amendment is appropriate due to changed or changing conditions in the affected area; and,
2. Recommend to the Town Council for the Town of Hilton Head Island, South Carolina, to approve the Application and the rezoning of the Property from Residential, as designated by the Sea Pines Master Plan, to Golf Course.

Attachment A - Application Materials

Respectfully submitted on behalf of the Applicant on this 22nd day of March, 2021.

March 22, 2021
Hilton Head Island, SC.

s/ E. Richardson LaBruce
E. Richardson LaBruce
FINGER, MELNICK, BROOKS & LABRUCE, P.A.
Post Office Box 24005
Hilton Head Island, SC 29925-4005
Telephone: (843) 681-7000
Email: erlabruce@fingerlaw.com
Attorney(s) for Sea Pines Country Club, Inc.

EXHIBIT A-1
(THE PROPERTY)

All that certain piece, parcel or lot of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and described as Lot Number 13 on the Plat of Club Course Drive I Subdivision of Sea Pines Plantation. Said property having the dimensions, metes, and bounds as shown on the Plat thereof recorded in Plat Book 20 at Page 59 in the Register of Deeds Office for Beaufort County, South Carolina.

This being the same property conveyed to Sea Pines Country Club, Inc., by Sea Pines Resort, LLC, on February 8, 2019, which deed was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, on February 14, 2019, in Record Book 3737 at Page 2723.

TMS No. R550-014-000-0508-0000

EXHIBIT A-2
(THE RENOVATION PLANS)

Practice Facility Upgrades

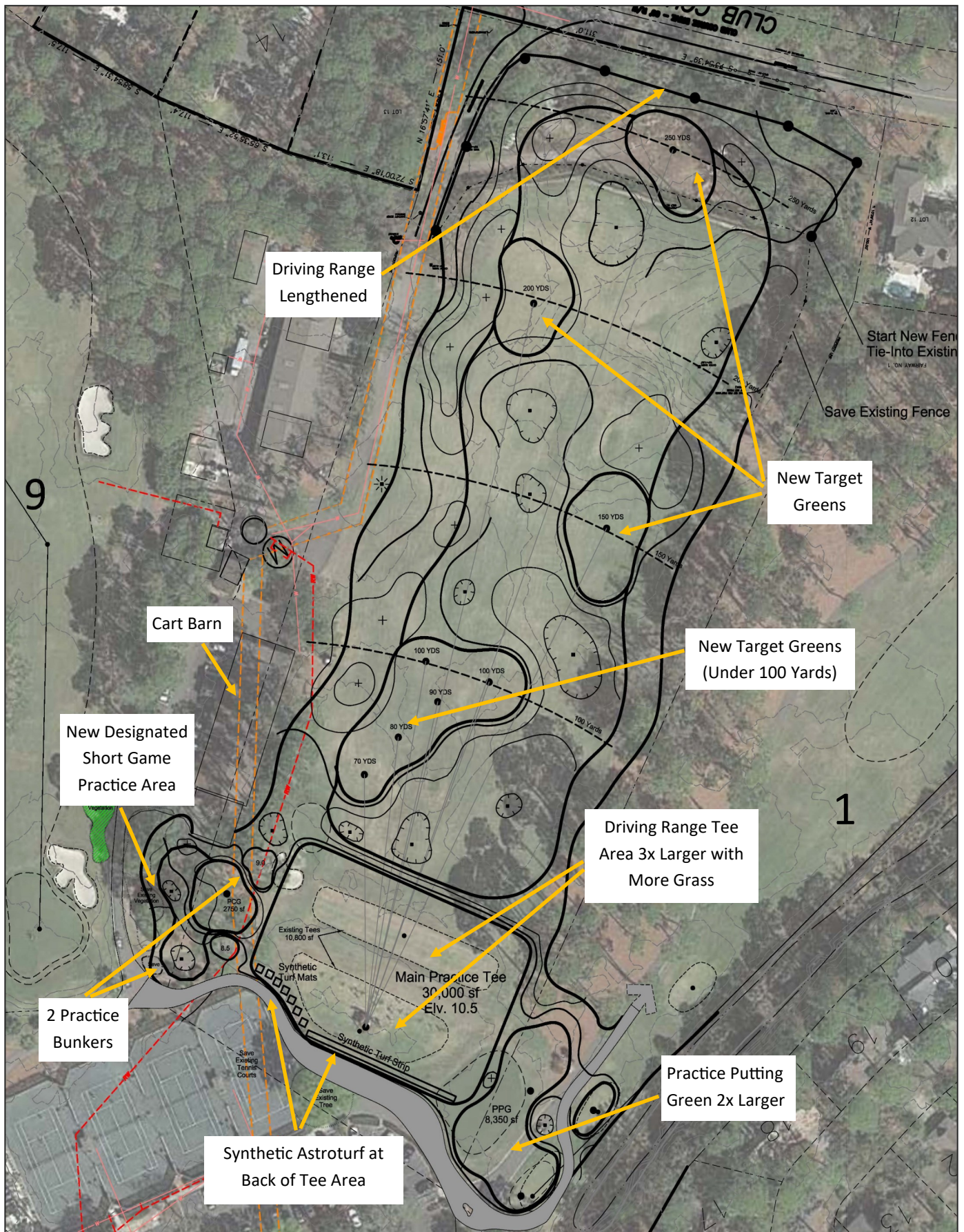


EXHIBIT A-3
(LETTER OF SUPPORT FROM CSA)



ADMINISTRATION DEPARTMENT
OFFICE (843) 671-1343 • INFO@CSASEAPINES.COM • FAX (843) 671-2621
WWW.SEAPINESLIVING.COM

February 3, 2021

Robbie Ames
Sea Pines Country Club
30 Governors Road
Hilton Head Island, SC 29928

Re: Lot # 13, 61 Club Course Drive

Mr. Ames,

CSA is aware of the Sea Pines Country Club's driving range renovation project, to extend the nets on the driving range and recognizes the need to relocate the current site of green waste storage, collected by CSA.

Please be advised that CSA supports the Country Club's effort to rezone lot # 13, 61 Club Course Drive, from residential to Country Club usage and the following to be true:

- Intent to rezone is to accommodate a new green waste pick up point;
- Goal is to preserve the property in its natural state and remove just a handful of trees in the middle of the lot, allowing CSA to easily pick up the green waste;
- Assurance to keep the natural borders on Club Course Drive and on the property line for 63 Club Course Drive.

Please do not hesitate to contact me for further discussion.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Bennett", written over a light blue horizontal line.

Sam Bennett
President
Community Services Associates, Inc.

EXHIBIT A-4
(LETTER OF SUPPORT FROM OWNERS OF ADJACENT LOT)

**David and Gail Bisbee
63 Club Course Drive
Hilton Head Island, SC 29928**

Sea Pines Country Club
Attn: Robbie Ames
30 Governors Road
Hilton Head Island, SC 29928

**Re: Lot #13, 61 Club Course Drive
(hereinafter the "Lot")**

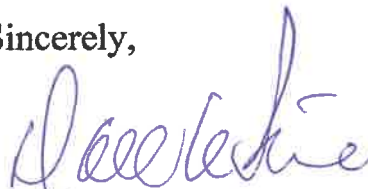
Dear Robbie,

As you know, we are the owners of 63 Club Course Drive and members of Sea Pines Country Club ("SPCC"). SPCC has advised us of their proposed use of the Lot and necessity for zoning change to accommodate that use. We have been advised that the proposed use of the Lot is for temporary storage and a pick-up point for golf course green waste. We have also been advised that SPCC:

- a. will not clear-cut the Lot but will leave as many trees standing as possible;
- b. will not store chemicals or noxious or hazardous substances on the Lot; and
- c. that a hedge screen will be planted near the lot line between our property and the Lot.

Accordingly, we fully support the planned use of the Lot and the rezoning to permit that use.

Sincerely,



David & Gail Bisbee

February 5, 2021

Mr. Robbie Ames
Rames@seapinescountryclub.com

**Re: SEA PINES COUNTRY CLUB
(30 GOVERNORS ROAD)**

Dear Robbie:

The Sea Pines Architectural Review Board approved the application submitted to relocate and add to the safety netting at the end of the driving range on Club Course Drive.

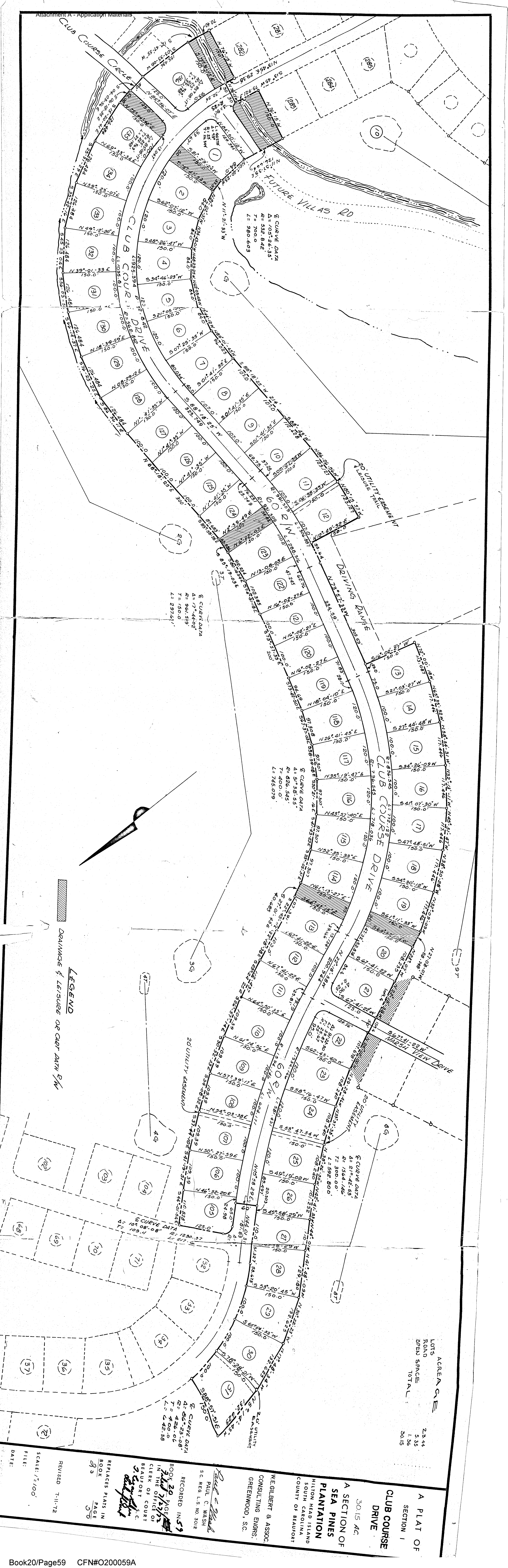
It will not be necessary to pay an escrow deposit for compliance and clean up but please call me when the project is complete so I can do a final inspection.

You may call me if you have any questions.

Sincerely,



**Ken Rabon
Administrator**





Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
(843) 341-4600

Town of Hilton Head Island

61 Club Course Dr (Lot 13 of Club Course Dr I Subdivision of Sea Pines Plantation)
Attachment B - Vicinity Map



100 50 0 100 Feet

This information has been compiled from a variety of unverfied general sources at various times and as such is intended to be used only as a guide. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion.

















