



**Town of Hilton Head Island
Public Planning Committee Meeting
Thursday, May 7, 2015
3:00p.m.
Benjamin M. Racusin Council Chambers
Agenda**

- 1. Call to Order**
- 2. Freedom of Information Act Compliance**
Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 3. Approval of the Minutes – April 2, 2015**
- 4. New Business**
 - a. **Various amendments to the Municipal Code** - Request for recommendation to Town Council for approval of various amendments to the Municipal Code. As a result of the adoption of a new Land Management Ordinance (LMO) and new Official Zoning Map several references and zoning district designations need to be updated in the Municipal Code. – *Presented by Teri Lewis*
- 5. Committee Business**
- 6. Adjournment**

Please note that a quorum of Town Council may result if a majority of their members attend this meeting.

TOWN OF HILTON HEAD ISLAND
Public Planning Committee Meeting **DRAFT**
Thursday, April 2, 2015
3:00p.m. – Benjamin M. Racusin Council Chambers

Committee Members Present: Chairman Tom Lennox, Kim Likins, and John McCann

Committee Members Absent: None

Town Council Present: None

Town Staff Present: Marcy Benson, Senior Grants Administrator
Sally Krebs, Sustainable Practices Coordinator
Teri Lewis, LMO Official
Charles Cousins, Director of Community Development
Jill Foster, Deputy Director of Community Development
Shawn Colin, Deputy Director of Community Development
Kathleen Carlin, Administrative Assistant

1. Call to Order

2. Freedom of Information Act Compliance

Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Approval of the Minutes

The committee **approved** the minutes of the March 5, 2015 meeting as submitted by general consent.

4. New Business

Hilton Head Island Green Blueprint – Request for recommendation to Town Council for approval of the Hilton Head Island Green Blueprint. The final step in the Audubon International Sustainable Communities Program is to create a long-term sustainability plan. The Hilton Head Island Green Blueprint serves as this document and will guide sustainability efforts by the Town. Chairman Lennox introduced the item and requested that staff make their presentation.

Ms. Marcy Benson made the presentation on behalf of staff. Ms. Benson presented an in-depth overhead review of the Hilton Head Island Green Blueprint. The staff requested that the Public Planning Committee forward the resolution to Town Council with a recommendation of approval. Ms. Benson stated that on March 4, 2015 the Planning Commission unanimously approved a recommendation to Town Council to approve by resolution the Hilton Head Island Green Blueprint.

Ms. Benson stated that the Town participated in Stage 1 of the program, the Assessment Stage, and received the Green Community Designation in September 2011. The Town then participated in Stage 2 of the program, which is the Planning Stage. The final step “Stage 2: Planning” is Audubon International’s Sustainable sustainability plan. The plan, titled the “Hilton Head Island Green Blueprint”, meets this requirement. Audubon International states that the sustainability plan created during the Stage 2: Planning process should be considered as a guiding document for Town of Hilton Head Island sustainability efforts.

When the Hilton Head Island Green Blueprint receives approval by resolution from Town Council, Audubon International will present the Program Planning Award and the Town will be eligible to move to the Program’s Stage 3: Implementation.

In 2010 Town Council requested staff to pursue the Audubon International Sustainable Communities Program certification. In September 2011 the Town of Hilton Head Island received the Audubon International Green Community designation. This designation indicates successful completion of all steps in the Program Stage 1: Assessment. After receiving the Green Community designation Town Council requested Town staff to move forward with Stage 2 of the Program. This stage was a multi-year planning process comprised of four action steps, which included (1) creating a policy statement; (2) completing a sustainability portfolio table; (3) conducting community meetings; and (4) creating a long-term sustainability plan. Completion of Stage 2 of the Program built upon the base established by obtaining the Green Community designation.

The Town’s Green Community Steering Committee began work on Stage 2: Planning in August 2012. The steering committee developed a sustainable community policy which was adopted by Town Council in October 2012. Following adoption of the policy statement the sustainability portfolio table was completed and community meetings were held in January and February 2013. Development of the Hilton Head Island Green Blueprint began in the fall of 2013.

Community Development Department staff in collaboration with the steering committee, Audubon International staff, and Town staff in various departments drafted the Hilton Head Island Green Blueprint which addresses the 15 focus areas specified in the Program’s long-term sustainability plan requirement.

Each focus area of the “Hilton Head Island Green Blueprint” includes actions with identified purposes, measurable indicators, status updates and lead and partner designations which are unique to Hilton Head Island. The actions were developed with the aim to move the Town towards greater sustainability and future improvements. If continuation with Stage 3: Implementation of the Program commences, data gathering, and progress reports pertaining to the actions listed in the “Hilton Head Island Green Blueprint” will be submitted to Audubon International for review and follow-up. The information compiled will be used to develop case studies which would be available to other communities participating in the Program.

Continued use of the Audubon International logo and the use of educational and outreach materials provided by Audubon International are other components of participation in Stage 3: Implementation of the Program.

In addition to the Sustainable Communities Program, Audubon International administers the Cooperative Sanctuary Program for Golf Courses, which help golf courses protect the environment and preserve the natural heritage of the game of golf; and the Green Lodgings Program, which provides assurances that audited lodging facilities meet environmental best practice standards.

Within the Town of Hilton Head Island there are four (4) Audubon International certified cooperative sanctuary golf courses; Harbour Town Golf Links, Heron Point Golf Course at Sea Pines Resort, Ocean Course at Sea Pines Resort, and Robert Trent Jones Course at Palmetto Dunes. The Arthur Hills Course in Palmetto Dunes is currently participating in the certification process. There are eight (8) Marriott properties located in the Town of Hilton Head Island with the Audubon International certified green lodging designation.

Ms. Sally Krebs presented statements regarding sustainability. The definition of sustainability is “the practice of meeting the needs of the current generation without degrading or destroying the natural resources and natural services that future generations will also need.” Sustainability involves three different levels: (1) environment level; (2) economic level; and also the (3) social level.

At the completion of staff’s presentation, Chairman Lennox requested public comments and the following were received: (1) Mr. Randy Tardy presented statements in support of the Sustainable Communities Program on Hilton Head Island.

The committee discussed the plan and complimented the staff on their efforts in developing the plan’s goals. The committee and the staff briefly discussed the achievable goals related to traffic and transportation. Following final comments by the committee, Chairman Lennox requested that a motion be made.

Mrs. Likins made a **motion** that the Public Planning Committee **forward** the resolution for the Hilton Head Island Green Blueprint to Town Council with a recommendation of **approval** as presented. Mr. McCann **seconded** the motion and the motion **passed** with a vote of 3-0-0.

5. Committee Business

None

6. Adjournment

The meeting was adjourned at 3:20p.m.

Submitted By:

Approved By:

Kathleen Carlin
Administrative Assistant

Tom Lennox
Chairman

DRAFT



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Public Planning Committee
VIA: Jill Foster, *AICP, Deputy Director of Community Development*
FROM: Teri B. Lewis, *AICP, LMO Official*
CC: Charles Cousins, *AICP, Community Development Director*
DATE: April 28, 2015
SUBJECT: General Amendments to the Municipal Code

Recommendation: Staff recommends that Town Council approve the proposed amendments to the Municipal Code.

Summary: The Municipal Code needs to be updated to reflect changes made as a result of the adoption of a new Land Management Ordinance (LMO) and a new Official Zoning Map. Specifically amendments are proposed to the following Titles:

- *Title 1 - The Code:* changes 'Administrator' to 'Official'
- *Title 8 - Beaches, Waterways and Recreational Areas:* adds language to allow Mobi-Mat across dune areas, updates sections numbers and changes 'administrator' to 'Official'
- *Title 15 – Building and Building Codes:* changes 'Director of Planning' to 'Community Development Director' and deletes outdated references related to affordable housing
- *Title 17 – General Regulations:* updates zoning districts and LMO sections related to the noise ordinance, replaces outdated maps with new parcel based maps for the Harbour Town and Shelter Cove areas.

Background: The new LMO and Official Zoning Map were adopted by Town Council on October 7, 2014. A recent review of the Municipal Code indicated that there were several portions that listed outdated LMO sections or references. The proposed amendments will fix these outdated section numbers and references.

Exhibit I

TITLE 1 – THE CODE

Chapter 3 – Definitions and Construction

Sec. 1-3-50. - Amendment to Code.

(a) – (f) – NO CHANGE

(g) The ~~administrator of the~~ Land Management Ordinance (LMO) Official, Title 16 of the Municipal Code, or his designee, may make formal, nonsubstantive changes in the ordinance insofar as it is necessary to do so to embody them into a unified chapter. The ~~administrator~~ Official may make such changes in the LMO as the codifier is authorized to do in Code section 1-3-50(f).

TITLE 8 – BEACHES, WATERWAYS AND RECREATIONAL AREAS

Chapter 1 - Beaches

Article 4 – Dune Protection

Sec. 8-1-411 – Sec. 8-1-412 – NO CHANGE

Sec. 8-1-413. - Destruction of sea oats or other dune vegetation.

It shall be unlawful for any person to alter, remove or otherwise destroy sea oats or any other vegetative matter growing out of the sand dunes with the exception of permitted elevated dune walkovers or similar beach access for accessibility or pruning of dune vegetation when authorized by the town, in accordance with accepted International Society of Arboriculture practices, and land management ordinance (LMO) sections ~~16-3-402(A)(4), 16-5-806(C) and 16-6-305(A)~~ 16-6-104.B.2.viii and 16-6-103.F. The LMO ~~administrator~~ Official may allow removal of nonnative invasive vegetation in the dune systems, including but not limited to, Chinese tallow or beach vitex. In addition, the administrator may approve the removal of trees below six (6) inches in diameter, with the exception of live oaks, or grant a tree removal permit for trees of protected size if determined by the administrator it is needed to create a view corridor. All trees removed must be cut flush with existing grade and leave the root system intact.

TITLE 15 – BUILDING AND BUILDING CODES

Chapter 5 – Fees and Permits

Article 2 – Fees and Permits

Part A - Fees

Sec. 15-5-211. - Generally.

(a) – (g) – NO CHANGE

(h) Reduction of fees for qualified affordable/moderate income housing construction. Permit fees shall be reduced up to a maximum of fifty (50) percent for any affordable/moderate income housing units so qualified by the Town's ~~Director of Planning~~ Community Development Director. Proof of qualification shall consist of the provision of ~~legally tendered documents either establishing the recordation of a Density Housing Agreement (LMO: Chapter 4 Moderate Income Housing Program)~~ or, in the case of a project not requesting a density bonus, a sworn affidavit filed by the building entity establishing that units will be sold or rented exclusively to households with incomes equal to or less than eighty (80) percent of the most recent median annual income of Beaufort County and identifying the number and placement of the affordable housing units. Plan checking fees shall be calculated based on reduced building permit fee. No reduction shall be provided for any penalties owed if work is undertaken without a permit.

(i) Definitions for the purposes of this article:

Affordable housing is defined as housing units either operated as rental or available for sale exclusively to households with incomes equal to or less than eighty (80) percent of the most recent median family annual income of Beaufort County.

Moderate income housing is defined as residential units either operated as rental or available for sale exclusively to households with incomes equal to or less than one hundred and twenty (120) percent of the most recent median family annual income of Beaufort County. ~~and are subject to a Density Housing Agreement (LMO: Chapter 4 Article XVII Section 16-4-1704A.1.)~~

(j) NO CHANGE

Sec. 15-5-212 – Sec. 16-5-224 – NO CHANGE

TITLE 17 – GENERAL REGULATIONS

Chapter 4 – Noise Control

Sec. 17-4-111 – Sec. 17-4-113. NO CHANGE

Sec. 17-4-114. - Prohibited acts.

The following acts are declared to be nuisances hereunder and are hereby declared to be unlawful and in violation of the provisions hereof:

- (1) The willful creation or causing of any excessively loud sound. The creation or causing of any excessively loud sound shall be deemed to be "willful" if upon notice to the emitter of any excessively loud sound, the emitter fails or refuses to cease the creation or causing of the excessively loud sound.
- (2) The erection, including construction, excavation, demolition, alteration or repair work, or the permitting or causing thereof, of any building or other structure, or the operation or the permitting or causing the operation of any tools or equipment used in construction, excavation, drilling, demolition, alteration or repair work; or the performance of landscape maintenance and the operation of tools and equipment customarily used in connection with landscape maintenance:
 - a. Other than during the daytime; or

- b. In such a manner as to create noise levels greater than 95 dBA at the property line of the property where such activity occurs.
 - c. This section shall not apply in cases of extreme and urgent necessity in the interest of public safety and convenience, and then only by permit obtained from, and issued by, town manager.
- (3) The operation of any automobile, motorcycle, boat, vehicle, machine, machinery or equipment with a nonfunctioning or disabled muffler.
- (4) a.
 On any property located within the following zones: ~~RS-2~~, RSF-3, ~~RS-4~~, RSF-5, RSF-6, RM-4, RM-8 and RM-12, as defined in title 16, specifically Section 16-3-104, Residential Base Zoning Districts, ~~chapter 4, article II~~, the making of any noise during the daytime, wherein the sound level from any operation, use or occupancy exceeds the sound level limits specified in the octave band or the A-scale measurement indicated in the following table when measured from any other property under separate ownership.

Octave Band Center Frequency (Hertz)	63	125	250	500	1000	2000	4000	8000	A-Scale
Sound Level Limit (dB re: 0.0002 microbar)	76	66	59	54	50	47	44	42	60

- b. The daytime sound level limits are to be reduced by five (5) dB during the nighttime.
 - c. The sound level limits set forth in subsections (4)a. and (4)b. above are to be reduced by five (5) dB in the case of impulsive sound.
- (5) a.
 On any property located within the following zones: NC, PD-1, S, MF, WMU, CR, SMU, ~~MMU~~, ~~CFB~~, ~~CCW~~ and RD, as defined in title 16, specifically Section 16-3-105, Mixed-Use and Business Districts, ~~chapter 4, article II~~, the making or allowing or causing to be made of any noise, wherein the sound level from any operation, use or occupancy exceeds the sound level limits specified in the octave band indicated or the A-Scale measurement indicated in the following table when measured from any other property under separate ownership.

Octave Band Center Frequency (Hertz)	63	125	250	500	1000	2000	4000	8000	A-Scale
Sound Level Limit	81	71	66	61	57	54	52	49	67

(dB re: 0.0002 microbar)									
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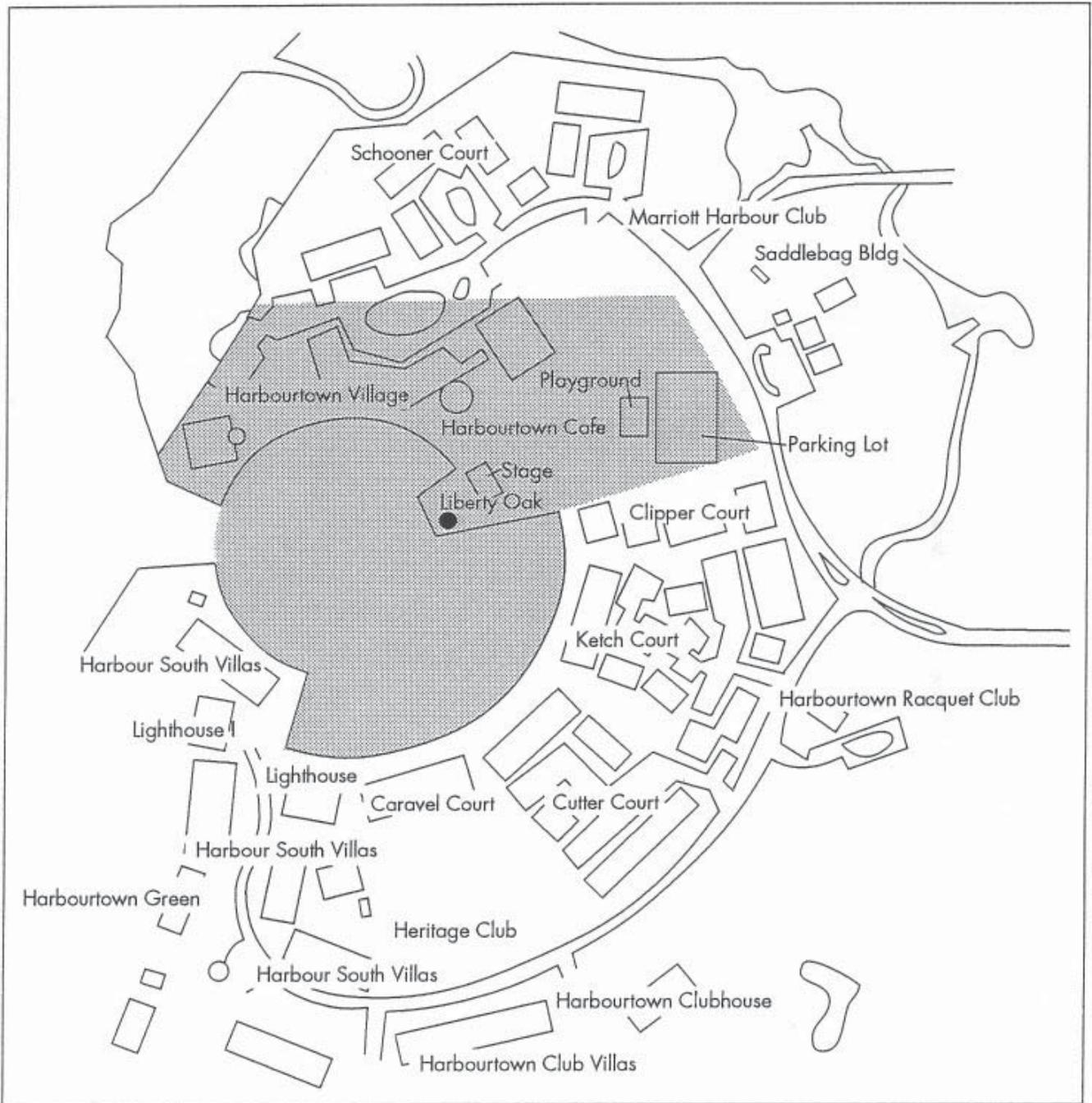
- b. The daytime sound level limits are to be reduced by five (5) dB during the nighttime.
- c. The sound level limits set forth in subsections (5)a. and (5)b. above are to be reduced by five (5) dB in the case of impulsive sound.

(6) a. On any property located within the following zones: ~~OL, OM, DCW,~~ LC, MS, MED, MV, SPC, CC, IL, and PR, as defined in title 16, specifically 16-3-105, Mixed-Use and Business Districts ~~chapter 4, article II,~~ and the Shelter Cove and Harbour Town multiple use areas (as defined on the maps which are found at the end of this chapter), the making or allowing or causing to be made of any noise, wherein the sound level from any operation, use or occupancy exceeds the sound level limits specified in the octave band or the A-scale measurement indicated in the following table when measured from any other property under separate ownership.

Octave Band Center Frequency (Hertz)	63	125	250	500	1000	2000	4000	8000	A-Scale
Sound Level Limit (dB re: 0.0002 microbar)	83	74	69	64	62	57	54	52	69

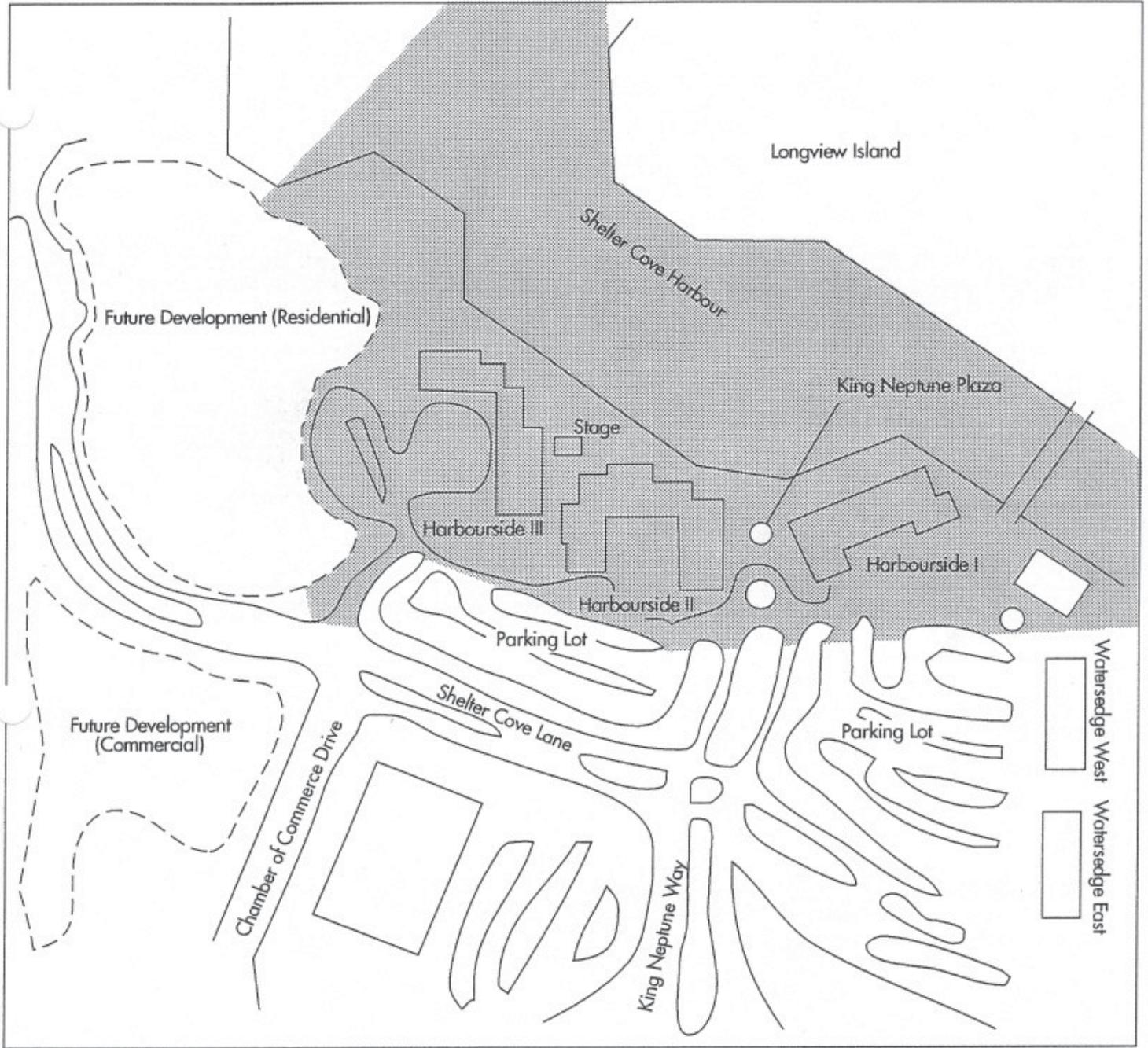
- b. The daytime sound level limits are to be reduced by five (5) dB during the nighttime.
- c. The sound level limits set forth in subsections (6)a. and (6)b. above are to be reduced by five (5) dB in the case of impulsive sound.

Old Map - Harbour Town



Liberty Oak/Sea Pines Plantation

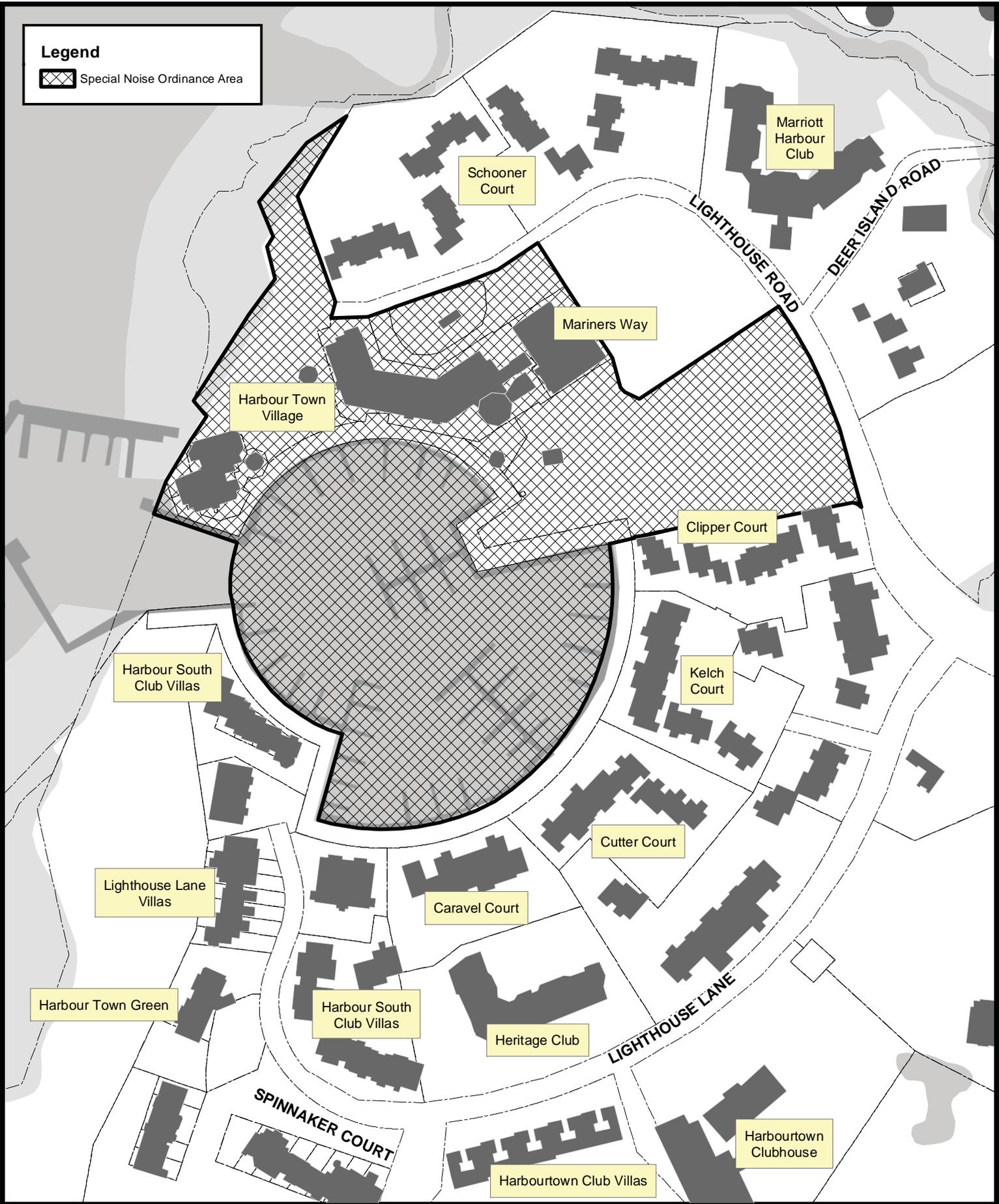
Old Map - Shelter Cove



Shelter Cove

Legend

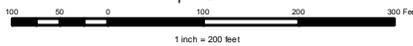
 Special Noise Ordinance Area



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-4400
Date Created: April 7, 2015
Project - HarbourTown_NoiseOrdinance.mxd

Town of Hilton Head Island
Harbour Town - Sea Pines

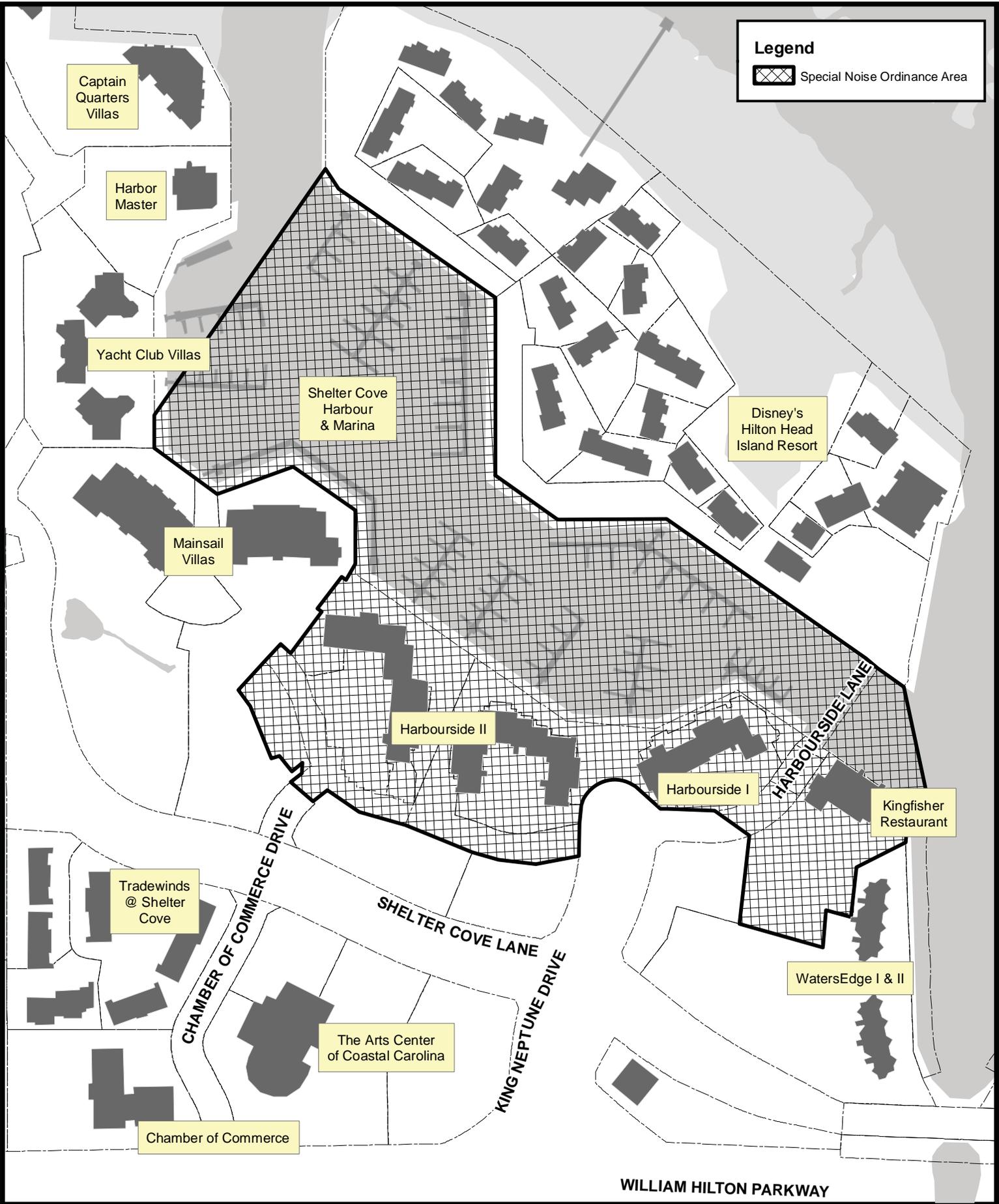
April 2015



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Legend

 Special Noise Ordinance Area

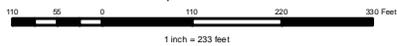


TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-1460
 Date Created: April 7, 2015
 Project: ShelterCove_NoiseOrdinance.mxd

Town of Hilton Head Island

Shelter Cove

April 2015



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AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2015-#

PROPOSED ORDINANCE NO. 2015-14

AN ORDINANCE TO AMEND TITLE 1, TITLE 8, TITLE 15 AND TITLE 17 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, MAKING GENERAL AMENDMENTS TO REFLECT NEW LAND MANAGEMENT ORDINANCE SECTIONS AND REFERENCES AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did amend Title 16 of the Municipal Code of the Town of Hilton Head Island by enacting a new Land Management Ordinance (the “LMO”) and Official Zoning Map; and

WHEREAS, Title 1, Title 8, Title 15 and Title 17 of the Municipal Code all have references to specific LMO sections; and

WHEREAS, these Municipal Code titles must be updated to reflect the current and correct LMO sections and references; and

WHEREAS, the Public Planning Committee is authorized by Town Council to hold a public meeting on the proposed general amendments to the Municipal Code, and the Public Planning Committee held a public meeting on May 7, 2015, at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed amendments; and

WHEREAS, the Public Planning Committee, after consideration of the staff memo, proposed amendments to the Municipal Code and public comments, voted < > to recommend to Town Council that the proposed amendments be < >.

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 Municipal Code of the Town of Hilton Head Island, South Carolina, be, and the same hereby is, amended to read as indicated on the attached pages (Exhibit 1).

NOTE: New text is indicated by a double underline and deleted text is indicated by a ~~strike through~~.

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 _____ 2015.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

David Bennett, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

First Reading:

Second Reading:

Approved as to form:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____