

TOWN OF HILTON HEAD ISLAND  
Planning Commission  
**LMO REWRITE COMMITTEE MEETING**  
September 22, 2011 Minutes

1:00p.m. – Benjamin M. Racusin Council Chambers

**APPROVED**

Committee Members Present: Chairman Tom Crews, David Ames, David Bachelor, Irv Campbell; Vice Chairman, Gail Quick, Chris Darnell, Jim Gant, Walter Nester, Councilwoman Kim Likins, *Ex-Officio*; Charles Cousins, *Ex-Officio*

Committee Members Absent: No

Planning Commissioners Present: Tom Lennox

Town Council Members Present: Bill Ferguson

Town Staff Present: Jill Foster, Deputy Director of Community Development  
Kathleen Carlin, Administrative Assistant  
Heather Colin, Development Review Administrator

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**1) CALL TO ORDER**

Chairman Crews called the meeting to order at 1:00p.m.

**2) FREEDOM OF INFORMATION ACT**

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

**3) APPROVAL OF THE AGENDA**

The agenda was approved as presented by general consent.

**4) APPROVAL OF THE MINUTES**

The minutes of the September 15, 2011 meeting were approved as presented by general consent.

**5) NEW BUSINESS**

**A. Public Comment:**

Chairman Crews requested public comments from the audience and none were received.

**B. Presentation by Mr. Todd Ballantine, Ballantine Environmental Resources**

Chairman Crews welcomed today's special speaker, Mr. Todd Ballantine. Mr. Ballantine is an environmental scientist, planner, and interpretive specialist. Mr. Ballantine has worked in the field of ecotourism for more than 35 years; he enjoys a special relationship with Hilton Head Island that began in 1963. Mr. Ballantine is a consultant and business owner (Ballantine Environmental Resources). He has extensive experience in Sustainable

Development (i.e. people, places and things), which is the subject of today's presentation. Mr. Ballantine uses natural systems to solve problems and provide broad ecological, social, and economic benefits. Mr. Ballantine specializes in conservation planning and sustainability services (reclaimed water wetland ecosystems, beaches, ponds, streams, and community conservation).

*Development-Resource Interface:* The three key components of Sustainability are Economical, social, and ecological resources. These components are a key stimulus and asset to the 'sustainability bank account' that is so important to the community of Hilton Head Island.

Mr. Ballantine presented details regarding the history of the Land Management Ordinance (the section on Natural Resource Protection). Mr. Ballantine co-wrote the following original ordinances for the Town of Hilton Head Island:

- 1) Tree Protection Ordinance including the creation of the four classifications of trees;
- 2) Wetlands Protection Ordinance including the creation of the plan for the first Reclaimed Water project;
- 3) Beach Protection Ordinance including the sequencing of beach nourishment. Sequencing of beach nourishment is critical to the preservation of the Loggerhead Sea Turtle.

Regarding the committee's task of rewriting the LMO, Mr. Ballantine stated that throughout his travels he always hears the same comments from tourists who visit Hilton Head Island. Tourists always remark on how Hilton Head Island makes them feel - the things that they love about the island - the lushness, how green the island is, the many beautiful shade trees, and how they only see the trees on Hilton Head Island (instead of the buildings and the roadways). Mr. Ballantine stated that this is a *key value* – he cautioned the committee to protect this *value* because it's what brings people back to the island year after year after year. Tourists come to the island, as they always will, because this *key value* meets a 'primal human need.'

Mr. Ballantine stated that the *protection of natural resources* is not a way to stop *development/redevelopment*. On the contrary, *the protection of resources* is a way to balance out *development/redevelopment* with the need to protect the functions and the values of nature. Water quality is an important function – water quality is a key asset – and it will make or break the reputation of Hilton Head Island.

The protection of trees is a *Value* – important to having a truly green, cool island – without the 'heat effect' of Myrtle Beach and other such communities. Resorts like Myrtle Beach made the mistake of cutting down all of their trees. This resulted in paving - building – paving – building – paving - building. Protect Hilton Head Island's *Key Values*.

As part of the discussion regarding tree protection, Mr. Ballantine discussed the original intent of the Replacement Ratio. Mr. Ballantine stated that the LMO Rewrite Committee should look closely at Replacement Ratio. This is because of the growth and the

overcrowding of trees over the course of many, many years. Replacement Ratio has in many cases resulted in overcrowding and unhealthy trees (giving a negative result). The percentage (*or value*) of tree coverage is an ecological issue.

Mr. Ballantine stated that there is no real science (to the line item in the Tree Ordinance) regarding Replacement Ratio/Caliper of Trees. It is a value judgment. Mr. Ballantine discussed the value (of trees) in ‘dewatering’ a site. Live oaks, black gums, sweet gums and other hardwood trees are particularly good at this. A rise in groundwater and flooding would be affected by the removal of trees all in one area. Pine trees are not very good at ‘dewatering’ a site because their roots do not go deep enough.

It is not natural for trees to grow into each other. The Town should get good advice from professionals such as tree arborists. Replacement Ratio needs to be closely looked at. The *value of trees* is very strong – property savings, runoff, flood water control, unprotected runoff. It’s an important part of the Ordinance, but it’s in need of some tweaking.

Vice Chairman Quick stated her agreement with Mr. Ballantine’s statements regarding the *value of trees* and the need to protect the Tree Ordinance. Vice Chairman Quick stated that people do not comment on (the island’s) architecture or the beach. They comment on the overall quiet, green shade, and overall southern feeling. Mr. Ballantine stated that the overwhelming comment at (this week’s Ecotourism Conference) was about the green beauty of Hilton Head Island - protect this *key value* in concert with economic development/redevelopment. It’s key to the reputation of Hilton Head Island.

Mr. Ballantine stated that the Wetland Ordinance basically customized the Army Corps of Engineer regulations on Wetlands and EPA regulations above that. Mr. Ballantine wrote a model for assessing the value of the wetland so that the Town could more easily and more flexibly issue a permit - requirements on buffering/preserving/replacing in concert with State and Federal regulations. Mr. Ballantine stated that the Wetland Ordinance was a very forward thinking Ordinance based on State of the Art modeling at the time.

Mr. Ballantine discussed the original Beach Protection Ordinance (including the technology of the sequencing beach nourishment program). The innovative program of sequencing played a key role in preserving the Loggerhead Sea Turtle. This was the first time that sequencing beach nourishment was done in the US. The existing ordinances have great benefit to Hilton Head Island and are reflective of the early work of Mr. Charles Fraser.

This concluded Mr. Ballantine’s presentation and a question and answer session followed. The committee and Mr. Ballantine discussed the issue of tree management. Mr. Ballantine recommended that overgrown trees be thinned. The committee and Mr. Ballantine discussed the unique challenges of the Coligny area (with regard to the beach environment and design of trees). Shade is important here - the design of tree clusters is important - the ordinance should allow for creativity. Different areas of the island should be allowed to be treated differently with regard to trees. Trees that compete with each other are defeating one another. Mr. Ballantine and the committee discussed tree removal for economic reasons as well as the health of existing trees.

Chet Williams, Esq., presented public comments regarding wetland regulations. The committee discussed the function of a wetland and assessing the value of wetlands, dunes, and freshwater basins. The operative word in wetlands and water quality protection in the U.S. is 'Waters of the U.S.', the Clean Water Act.

At the completion of the discussion, the committee, the staff, and the audience thanked Mr. Ballantine for his excellent presentation.

Following final comments by Chairman Crews, the meeting was adjourned at 3:10pm.

Submitted by:

Approved by:

September 29, 2011

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Kathleen Carlin  
Administrative Assistant

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Tom Crews  
Chairman