

BLUFFTON TOWN QUARTERLY WORKSHOP MINUTES
JANUARY 20, 2015

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Mayor Pro Tempore Huffman, Lavery, Hamilton, and Toomer. Town Manager/Executive Director of the Bluffton Public Development Corporation Orlando, Deputy Town Manager Hodge, Director of Growth Management Leininger, Chief of Police Reynolds, and Town Attorneys Finger and LaBruce were also in attendance.

Leininger stated the proposed ordinances help provide Town Staff, particularly the Police Department, some of the tools necessary to address issues that impact the quality of life and safety of the community. Further, these ordinances have been prepared with specific guidance and direction from the Town Attorney and, where applicable, have been amended to align with State Law and best practices. Staff is requesting Town Council to review and give direction of the following draft ordinances amending the Unified Development Ordinance and Town Code:

Review of a Draft Ordinance Amending Article 4 Zoning Districts of the Unified Development Ordinance Establishing Outdoor Patios and Cafes as Conditionally Permitted Use:

Leininger gave an overview.

Outdoor Patios and Cafes:

1. Any outdoor café must be accessory to a restaurant use.
2. Within the Old Town District, any outdoor patio and café on which alcoholic beverages will be possessed, consumed, or sold shall be a minimum of 150 feet from the property line of an existing place of religious assembly, park, school, residential use (only if it is the sole use of the property) or other outdoor patio or café on which alcoholic beverages are possessed, consumed, or sold. If an intervening property line does not exist, then the distance measurement shall be from the nearest point of the existing use to the proposed outdoor patio or café.
3. Any outdoor patio and café located in the Neighborhood General Historic District (NG-HD) and is adjacent to a residential use shall not be permitted to any outside sound equipment or entertainment, such as, but not limited to, speakers, televisions, or live music.

Restaurants:

1. Property must have frontage on SC Hwy. 46, Bruin Road or Burnt Church Road.

(Continued)

Review of a Draft Ordinance Amending Article 4 Zoning Districts of the Unified Development Ordinance Establishing Outdoor Patios and Cafes as Conditionally Permitted Use – Continued:

Public Comments:

Susan Saxon, 10 Church Street, requested for Uses by District concerning restaurants to make it conditional in the Neighborhood Center Historic District as well as the Neighborhood General Historic District being more residential than commercial.

Dan Wood, 35 Boundary Street, stated he agreed with the minimum of 150 feet buffer from the property line.

Council was in consensus for the following recommended revisions:

Restaurants – (E):

On E. – #1 – To read: Property must have frontage on SC Highway 46, Bruin Road or Burnt Church Road *or Calhoun Street.*

Outdoor Patios and Cafes (G):

On #2 – Third line – to read *publically owned parks, and also welcome centers.*

On #3 – Second line – To read all to *have any outside sound....*

Fourth line – add *or located in the Neighborhood Center Historic District.*

Review of a Draft Ordinance Amending Article 5 Design Standards of the Unified Development Ordinance Requiring Parking Area Lighting for All Parking Areas:
Leininger gave an overview. It is the intent of this Section to protect the health, | safety, and welfare of the public by recognizing that sites may need to be illuminated for safety, security, and visibility for occupants, users, pedestrians, and motorists. To do so, this Section provides standards for various forms of lighting that will do the following:

- Minimize light pollution;
- Maintain safe nighttime environmental;
- Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessary contributes to "sky glow";
- Reduce light trespass from light sources onto adjacent properties;
- Conserve electrical energy; and
- Curtail the degradation of the nighttime visual environmental.

Council was in consensus for accent lighting to be allowed.

Review of a Draft Ordinance Repealing Section 18-60 Drinking Intoxicating Beverage in Public of the Town Code and Adopting New Chapter 18 General Offenses, Article IX Alcohol Possession, Consumption, and Sales:

This Article is enacted for the purposes, among others, of promoting the health, safety, and general welfare of the Town; establishing reasonable and ascertainable standards for the regulation and control of the possession and consumption of Alcoholic Beverages within the Town; and with the general intent of promoting desirable living conditions and preserving the essential characteristics of the Town. Chief Reynolds gave an overview. He requested Council's guidance on whether to dispense for the purpose of consumption any alcohol beverage between the hours of 12:00 a.m. or 1:00 a.m. or 2:00 a.m. on the premises of any Licensed Establishment.

Council was in consensus for 1:00 a.m. for last call and to close the establishment at 2:00 a.m.

Review of a Draft Ordinance Repealing Chapter 18 General Offenses Article XI Disorderly or Nuisance Premise of the Town Code and Replacing with New Chapter 18 General Offenses, Article XI Community Safety Ordinance:

The purpose of this chapter is to provide administrative and judicial remedies against property owners and tenants who permit, allow, or fail to prevent ongoing behaviors and activities to occur on their properties that compromise public safety.

Chief Reynolds gave an overview.

Council was in consensus for revision on Sec. 18-234. Definitions – (a) Drug-related Nuisance – fifth line: To read – *with illegal possession of drugs and dealing,*

Review of a Draft Ordinance Amending Chapter 6 Businesses and Business Regulations, Article II Business Licenses and Regulations of the Town Code Establishing Provisions to Deny, Revoke, or Suspend Licenses of Businesses in Violation of Chapter 18 General Offenses, Article XI Community Safety Ordinance:

Grounds for Suspension or revocation of License by the License Official, or his/her designee, may at any time, suspend and propose the revocation of any license issued under the provisions of this Chapter whenever the Licensee, or any officer, employee, partner or agenda thereof.

Chief Reynolds gave an overview.

Review of a Draft Ordinance Amending Chapter 18 General Offenses, Article V Offenses Against Property of the Town Code Adopting New Section 18-119 Graffiti:

The Town Council is enacting this article to help prevent the spread of graffiti vandalism and to establish a program for the removal of graffiti from public and private property. This article will provide additional enforcement tools to protect public and private property from acts of graffiti vandalism and defacement.

Chief Reynolds gave an overview.

Council was in consensus for the revision on Sec. 18-119 – (f) (1) – third line: To remove Program from the Town’s Community Development Neighborhood Assistance Program.

Review of a Draft Ordinance Amending Chapter 18 General Offenses, Article IV Offenses Against the Peace; Public Policy of the Town Code Adopting New Section 18-86 Interference with Public Duties:

This article states it shall be unlawful for any person to willfully resist, obstruct, hinder, impair, prevent, or otherwise interfere with the performance of a legitimate government function by a public servant or to aid or abet any such resistance, obstruction, hindrance, impairment, prevent, or other interference.

Chief Reynolds gave an overview.

First reading on the abovementioned ordinances are proposed to be held on February 10, 2015.

Workshop adjourned at 7:50 p.m.

Mayor

Town Clerk