

ORDINANCE NO. 2024 – _____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING THE TOWN OF BLUFFTON’S MUNICIPAL CODE OF ORDINANCES, CHAPTER 23, UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 4 (ZONING DISTRICTS) AND ARTICLE 5 (DESIGN STANDARDS) TO ESTABLISH A PLANNED UNIT DEVELOPMENT DISTRICT FOR BLUFFTON VILLAGE, AND TO ADD APPENDIX A TO INCLUDE THE MASTER PLAN, BUILDING AND SIGN STANDARDS FROM THE SOON-TO-EXPIRE BLUFFTON VILLAGE DEVELOPMENT AGREEMENT

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Bluffton’s Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town’s citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

WHEREAS, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

WHEREAS, the Unified Development Ordinance unifies the subdivision, land use, development/design regulations, as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

WHEREAS, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Strategic Plan for Fiscal Years 2024-25 (“Strategic Plan”) serves as a road map for activities and initiatives to implement the Town’s Vision and Mission Statement to ensure that Bluffton is poised to capitalize on opportunities that advance key goals, which includes amendments to the Unified Development Ordinance to support these goals; and

WHEREAS, the Development Agreement for Bluffton Village Planned Unit Development, including zoning regulations, will expire on October 17, 2024; and

WHEREAS, the amendments provided in Exhibit A will ensure zoning regulations are in place upon the expiration of the Development Agreement; and

WHEREAS, the Town of Bluffton Town Council desires to amend the Unified Development Ordinance, Article 4 – Zoning Districts, Article 5 – Design Standards to establish a Planned Unit Development District for Bluffton Village and to add Appendix A to include the master plan, building and sign standards for Bluffton Village from the expiring Development Agreement.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina by adopting and incorporating certain amendments to Chapter 23 – Unified Development Ordinance, including amendments to the following articles: Article 4 – Zoning Districts and Article 5 – Design Standards to establish a Planned Unit Development District for Bluffton Village and to establish related district standards, and the addition of Appendix A to include the master plan, building and sign standards for Bluffton Village as shown Exhibit A attached hereto and fully incorporated herein by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. **THIS ORDINANCE SHALL TAKE FULL FORCE AND EFFECT ON OCTOBER 18, 2024.**

This Ordinance was read and passed at first reading on **September 10, 2024**.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter, Town Clerk
Town of Bluffton, South Carolina

A public hearing was held on this Ordinance on **[Month & Date], 2024**.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marica Hunter, Town Clerk
Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on **[Month & Date]**, 2024.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter, Town Clerk
Town of Bluffton, South Carolina

EXHIBIT A

Article 4 (Zoning Districts)

Sec. 4.1.1, Establishment of Zoning District, Zoning Districts

The following districts are established to meet the purposes of this Ordinance:

Zoning District	District Character	Maximum Density
Preserve (PR)	Permanently preserved lands	N/A
Agricultural (AG)	Agricultural; rural residential at very low densities	1 dwelling unit per acre, nonresidential density based upon the lot standards of Article 5, Design Standards
Rural Mixed Use (RMU)	Low-intensity, mixed-use development	Density based upon the lot standards of Article 5, Design Standards
Residential General (RG)	Moderate-density residential	4 dwelling units per acre, nonresidential density based upon the lot standards of Article 5, Design Standards
Neighborhood Core (NC)	Moderate-intensity, mixed-use development	Density based upon the lot standards of Article 5, Design Standards
General Mixed-Use (GM)	High-intensity, mixed-use development	Density based upon the lot standards of Article 5, Design Standards
Light Industrial	Primarily industrial-based employment centers	Density based upon the lot standards of Article 5, Design Standards
Riverfront Edge Historic District (RV-HD)	Low-density residential along the May River within the Historic District	Density based upon the lot standards of Article 5, Design Standards
Neighborhood Conservation Historic District (NCV-HD)	Low-density residential within the Historic District	Density based upon the lot standards of Article 5, Design Standards
Neighborhood General Historic District (NG-HD)	Moderate-density residential with limited commercial uses within the Historic District	Density based upon the lot standards of Article 5, Design Standards
Neighborhood Center Historic District (NCE-HD)	Moderate-intensity, mixed-use development within the Historic District	Density based upon the lot standards of Article 5, Design Standards
Neighborhood Core Historic District (NC-HD)	Commercial heart of the Historic District with the greatest potential for mixed-use within multi-story buildings	Density based upon the lot standards of Article 5, Design Standards
Planned Unit Development (PUD)	Mixed use master planned communities	Density based upon the lot standards of Article 5, Design Standards

<u>Planned Unit Development (PUD) for Bluffton Village</u>	<u>Mixed use master planned community</u>	<u>Density based on standard in Appendix A, Planned Unit Development for Bluffton Village</u>
Highway Corridor Overlay (HCO)	Overlay district for major corridors	Density based upon the lot standards of Article 5, Design Standards

Sec. 4.2.15 Zoning District Provisions,

4.2.15 Planned Unit Development (PUD) for Bluffton Village

- A. **Purpose and Intent.** The PUD district provides certain zoning regulations for Bluffton Village subsequent to the expiration of its Development Agreement with the Town of Bluffton.
- B. **Applicability.** The boundaries of Bluffton Village PUD district are illustrated on the Official Zoning Map and the district is shown as “PUD.”
- C. **Allowed Uses.** Uses permitted and conditions and standards for those permitted uses are provided in Section 4.3
- D. **Density.** Maximum residential density shall be subject to the standard in Appendix A of this UDO.
- E. **Square Footage.** Maximum square footage allocated for the entirety of Bluffton Village and for individual lots within Bluffton Village shall be subject to Appendix A of this UDO.
- F. **Lot Standards.** All lots shall be subject to the standards in Appendix A of this UDO.
- G. **Building Standards.** All buildings shall be subject to the standards in Appendix A of this UDO.

Sec. 4.3 Uses by District

Table 4.3 Uses by District

	Preserve (PR)	Agricultural (AG)	Rural Mixed Use (RMU)	Residential General (RG)	Neighborhood Core (NC)	General Mixed Use (GM)	Light Industrial (LI)	Riverfront Edge Historic District (RV-HD)	Neighborhood Conservation Historic District (NCV-HD)	Neighborhood General Historic District (NG-HD)	Neighborhood Center Historic District (NCE-HD)	Neighborhood Core Historic District (NC-HD)	PUD for Bluffton Village
Residential													
Single-family Detached	-	P	P	P	P	P	P	P	P	P	P	P	-
Single-family Attached	-	-	P	P	P	P	P	-	-	P	P	P	P
Multi-Family	-	-	-	-	P	P	P	-	-	-	P	P	P
Accessory Dwelling Unit	-	C	C	C	C	C	C	C	C	C	C	C	C
Agriculture/Conservation													
Agricultural Use and Structures	P	P	P	P	P	P	P	P	P	P	P	P	-
Animal Hospital, Veterinary Clinic, Kennel	-	-	SE	-	SE	SE	SE	-	-	-	-	SE	SE
Horse Riding School, Horse Training Facility and/or Commercial Stables	-	P	P	-	-	P	P	-	-	-	-	-	-
Seafood/Shellfish Packaging/Processing	-	-	-	-	-	SE	P	SE	-	-	-	-	-
Commercial Services													
Outdoor Sales	-	C	C	-	C	C	C	-	C	C	C	C	C
Retail Businesses	-	-	P	-	P	P	P	-	C	C	C	C	P
Restaurant	-	-	C	-	C	C	C	-	-	C	C	C	C
Motor Vehicle Sales and Service	-	-	-	-	-	P	P	-	-	-	-	-	-
Fueling/Service Station including fuel pumps/ Convenience Store	-	-	C	-	C	P	P	-	-	C	-	C	-
Car Wash	-	-	C	-	C	P	P	-	-	C	-	C	-
Tattoo/Body Art Parlor	-	-	-	-	-	P	P	-	-	-	-	-	P
Adult Oriented Business	-	-	-	-	-	SE	SE	-	-	-	-	-	-
Low Speed Recreational Vehicle Sales	-	-	-	-	-	-	-	-	-	-	-	C	-
Lodging													
Short-term Rental	-	C	C	C	C	C	-	C	C	C	C	C	C
Homestay Rental (1-bedroom)	-	C	C	C	C	C	-	C	C	C	C	C	C

Table 4.3 Uses by District

	Preserve (PR)	Agricultural (AG)	Rural Mixed Use (RMU)	Residential General (RG)	Neighborhood Core (NC)	General Mixed Use (GM)	Light Industrial (LI)	Riverfront Edge Historic District (RV-HD)	Neighborhood Conservation Historic District (NCV-HD)	Neighborhood General Historic District (NG-HD)	Neighborhood Center Historic District (NCE-HD)	Neighborhood Core Historic District (NC-HD)	PUD for Bluffton Village
Bed and Breakfast – (2-5 bedrooms)	-	P	P	P	P	P	-	P	P	P	P	P	-
Inns – (6-12 bedrooms)	-	-	P	-	P	P	-	-	P	P	P	P	-
Hotel (13 or more bedrooms)	-	-	-	-	-	P	P	-	-	-	-	P	-
Office													
Home Occupation	-	P	P	P	P	P	P	P	P	P	P	P	P
Professional Offices	-	-	P	-	P	P	P	-	P	P	P	P	P
Health/Human Care													
Family Day Care Home (6 or less children)	-	P	P	P	P	P	P	P	P	P	P	P	P
Group Day Care Home (7 to 12 children)	-	P	P	P	P	P	P	-	-	P	P	P	P
Child Care Center (13 or more children)	-	P	P	P	P	P	P	-	-	P	P	P	P
Hospitals	-	-	-	-	-	P	P	-	-	-	-	-	-
Medical Offices and Clinics	-	-	P	-	P	P	P	-	-	P	P	P	P
Nursing Homes and Long-term Care	-	P	P	-	P	P	P	-	-	P	P	P	-
Recreation/Entertainment													
Campgrounds and Recreational Vehicle Parks	P	P	-	-	-	-	-	-	-	-	-	-	-
Golf Course	-	P	-	P	-	P	P	-	-	-	-	-	-
Recreation Facility	C	C	C	-	C	C	C	-	-	-	C	C	P
Theaters and Auditoriums	-	-	-	-	P	P	-	-	-	-	P	P	P
Civic/Institutional													
Cemetery	-	P	P	P	P	P	P	-	-	P	P	P	-
Club, Lodge, Union Hall, or Social Center	-	-	P	-	P	P	P	-	-	P	P	P	P
Conference or Exhibition Center	-	-	-	-	P	P	P	-	-	-	-	P	P
Government Building	P	P	P	P	P	P	P	P	P	P	P	P	P
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P
Museum	P	P	P	P	P	P	-	P	P	P	P	P	P
Religious Assembly	-	P	P	P	P	P	P	P	P	P	P	P	P
School	-	P	P	P	P	P	P	P	P	P	P	P	P
Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P

Table 4.3 Uses by District													
	Preserve (PR)	Agricultural (AG)	Rural Mixed Use (RMU)	Residential General (RG)	Neighborhood Core (NC)	General Mixed Use (GM)	Light Industrial (LI)	Riverfront Edge Historic District (RV-HD)	Neighborhood Conservation Historic District (NCV-HD)	Neighborhood General Historic District (NG-HD)	Neighborhood Center Historic District (NCE-HD)	Neighborhood Core Historic District (NC-HD)	PUD for Bluffton Village
Industrial													
Artisan Workshop	-	P	P	-	P	P	P	-	P	P	P	P	P
Concrete and Asphalt Plants	-	-	-	-	-	-	SE	-	-	-	-	-	-
Contractor's Office	-	-	C	-	C	C	C	-	-	C	-	-	-
Junk and Salvage Operations	-	-	-	-	-	-	C	-	-	-	-	-	-
Light Assembly/Fabrication	-	-	-	-	-	C	P	-	-	-	-	P	-
Manufacturing	-	-	-	-	-	-	C	-	-	-	-	-	-
Manufacturing, Storefront			C		C	C	C				C	C	C
Manufacturing, Storehouse					C	C	C					C	-
Research and Laboratory	-	C	C	-	P	P	P	-	-	-	P	P	-
Solid Waste Transfer Facility/ Recycling Center	-	-	-	-	-	-	C	-	-	-	-	-	-
Telecommunication Towers	-	C	C	C	C	C	C	-	-	-	-	-	-
Warehouse or Distribution Operation	-	-	-	-	-	-	P	-	-	-	-	-	-
Other													
Public and Private Parking Structures and Stand-Alone Parking Lots	-	-	-	-	-	-	-	-	-	-	P	P	-

Sec. 4.4.2.E. Commercial Services, Restaurants

E. Restaurants

1. Property must have frontage on SC Highway 46, Bruin Road or Burnt Church Road within the Neighborhood General – HD zoning district and Calhoun Street within the Neighborhood Center – HD zoning district. In the Neighborhood Core – HD, Light Industrial (LI), General Mixed Use (GM,) Neighborhood Core (NC), and Rural Mixed Use (RMU), where restaurants are conditionally permitted, restaurants are allowed on all properties regardless of frontage location.
2. Within the Historic District, any outdoor patio and café on which alcoholic beverages will be possessed, consumed, or sold shall be located a minimum of 150 feet from the property line of an existing place of religious assembly, publicly owned 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 measured from the nearest point of the existing use to the proposed outdoor patio or café.

3. Any outdoor patio and café located on property in the Neighborhood Town of Bluffton Unified Development Ordinance 4-17 General Historic District (NG-HD) or Neighborhood Center Historic District (NCE-HD) and is adjacent to a residential use is only permitted to have entertainment in the form of an acoustic (unamplified) guitar and/or televisions without the aid of microphones, additional speakers or other amplification.
4. The outdoor patio and cafe shall be delineated with railings, ornamental walls, landscaping or other suitable features that are a minimum of three feet tall.
5. Within the Planned Unit Development District for Bluffton Village, drive-thru and drive-in service is not permitted.

Article 5 (Design Standards)

Sec. 5.8 Lot and Building Standards

5.8.1 Intent

This Section sets forth regulations for lots and buildings, such as lot dimensions, lot coverage, building placement, and building height. The goal of this Section is the creation of a healthy and vital public realm. The standards also provide and protect more open, undeveloped land than would exist otherwise to absorb and filter rainwater, reduce flooding and stormwater drainage needs, and lower the amount of pollution entering our watersheds.

5.8.2 Applicability

These standards are applicable to all development and redevelopment within the Town of Bluffton outside of the Old Town Bluffton Historic District. For the Planned Unit Development (PUD) District for Bluffton Village, standards are provided in Sec. 5.8.4.

5.8.3 Standards

The existing or proposed use in combination with the lot width shall determine the lot type and applicable standards. Lot types shall only be permitted in those Districts listed. The maximum allowed density is based on the dimensional characteristics of the lot type in combination with other site characteristics that may limit the amount of land able to accommodate density. These other site characteristics include, but are not limited to, lot configuration, right-of-way, easements, protected natural resources, open space, and topography.

5.8.4 Planned Unit Development for Bluffton Village

Lot and building standards, including building materials, are based on the approved building types, which are provided in Appendix A of this UDO.

Article 5 (Design Standards)

Sec. 5.13 Signs

Editor's Note: This section is proposed to be reformatted to distinguish Old Town Bluffton Historic District, Planned Unit Development (PUD) Districts, and proposed PUD district for Bluffton Village.

5.13.2 Applicability

- A. This Section shall apply to all properties within the Town except where otherwise specified by this UDO.
1. Old Town Bluffton Historic District. For properties with a Historic District (HD) zoning designation, Sec. 5.15.6.Q. shall also apply; however, where a standard exists in this Section and in Sec. 5.15.6.Q., Sec. 5.15.6.Q. shall govern.
2. Planned Unit Development Districts. For properties within a Planned Unit Development zoning designation, not including the Planned Unit Development District for Bluffton Village, where a standard exists in this Section and the approved Development Agreement, the approved Development Agreement shall apply and govern.
3. Planned Unit Development for Bluffton Village. Signage for Bluffton Village shall comply with the requirements of this UDO and, when applicable, Appendix A of this UDO. The more restrictive standard shall apply and govern.
- B. A sign may be installed, placed, painted, modified, maintained or replaced only in conformance with the requirements of this UDO.
- C. The effect of this Section, as more specifically set forth herein, is:
1. To allow a variety sign types subject to the standards and the permit procedures of this UDO;
 2. To exempt certain signs that are small, unobtrusive, and incidental to the principal use of the lot on which they are located, subject to the requirements of this UDO, but without a requirement for permits; and
 3. To prohibit all signs not expressly permitted in this UDO.
- D. Regulatory Interpretations: The provisions of this UDO, as they relate to signs, shall be applied in a content neutral manner. Non-communicative aspects of all signs, not related to the content of the sign, shall comply with the provisions of this Section. "Non-communicative aspects" include the time, place, manner, location, size, height, illumination, spacing, and orientation of signs.

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Appendices

Appendix A: Planned Unit Development for Bluffton Village [Editor's Note: Page Number to be determined by the codifier.]

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