

# TOWN COUNCIL STAFF REPORT

## Growth Management Department



<b>MEETING DATE:</b>	September 10, 2024
<b>PROJECT:</b>	Amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance (UDO), Article 4 - Zoning Districts and Article 5 – Design Standards to Establish a Planned Unit Development District for Bluffton Village and Related Standards, and to Add Appendix A to Include the Master Plan, Building and Sign Standards from the Soon-to-Expire Bluffton Village Development Agreement
<b>PROJECT MANAGER:</b>	Kevin Icard, AICP Director of Growth Management

**INTRODUCTION:** As set forth in Section 3.5.2 of the Unified Development Ordinance (UDO), “an application for a UDO Text Amendment may be initiated by a town of Bluffton property owner, Town Council, Planning Commission, or the UDO Administrator when public necessity, convenience, State or Federal law, general welfare, new research, or published recommendations on zoning and land development justifies such action.”

**REQUEST:** The UDO Administrator requests that Town Council approve certain text amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance as described herein.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the proposed UDO text amendments, which are the same amendments recommended to the Planning Commission by Town Staff.

**BACKGROUND:** On October 18, 2000, the development known as Bluffton Village was zoned by the Town of Bluffton as the Bluffton Village Planned Unit Development (PUD). To support its unique characteristics, the related zoning regulations, including land uses, lot and design standards, as well as sign standards, were established within the Development Agreement associated with the approved PUD.

The Development Agreement will expire on October 17, 2024 based on the initial five-year term, two five-year automatic extensions, and a nine-year tolling period. The zoning-related regulations must be in place to avoid a lapse; therefore, the zoning regulations within the Development Agreement are proposed to be transferred into the UDO.

The transition process includes establishing a “new” zoning district (Planned Unit Development for Bluffton Village in Secs. 4.1.1 and 4.2.15) and carrying over the permitted land uses (Table 4.3), associated use conditions (Sec. 4.4.2.E.), lot and building standards (Sec. 5.8) and sign standards specific to the PUD (Sec. 5.13). For ease of use, an appendix (“Appendix A”) is proposed that will include the Bluffton Village Master Plan, a chart identifying properties by address and the associated building type and maximum heated square footage for each building, as well as for the overall development (a total of 215,250 sf). Building design requirements and sign standards would also be in Appendix A. If the sign requirements of UDO Sec. 5.13 and Appendix A should conflict, the more restrictive standard would govern. The permitted density of 38 townhome units with one associated accessory dwelling unit each would not change.

If adopted by Town Council, these amendments would take effect on October 18, 2024. For any zoning-related matters not specifically provided in the amendments, the UDO will govern. A rezoning of Bluffton Village is not required as the zoning designation will remain “PUD.”

The requirements and procedures of the Community Association for the four Bluffton Village property regimes would not be affected by the text amendments. Town staff has been in contact with the property manager, Ronda Murphy of High Tide Associates, who has communicated with property owners. Additionally, Town Staff held a drop-in session at the Bluffton public library on July 11 from 3:30 to 5:30 p.m. to allow property owners and tenants an opportunity to discuss how the changes might affect their properties. Five individuals attended. A presentation was also planned for 6:00 p.m. but was not provided due to the lack of attendees.

**REVIEW CRITERIA & ANALYSIS:** When assessing an application for UDO Text Amendments, Town Council is required to consider the criteria set forth in UDO Section 3.5.3, Application Review Criteria. These criteria are provided below, followed by a Finding.

1. **Section 3.5.3.A.** Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, consistency with the overall intent of the Plan, recent development trends and the general character of the area.

**Finding.** The proposed amendments are consistent with the Comprehensive Plan.

2. **Section 3.5.3.B.** Consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

**Finding.** The proposed amendments have no relationship to this criterion.

3. **Section 3.5.3.C.** Enhancement of the health, safety, and welfare of the Town of Bluffton.

**Finding.** The proposed amendments have no relationship to this criterion.

4. **Section 3.5.3.D.** Impact of the proposed amendment on the provision of public services.

**Finding.** The proposed amendments have no relationship to this criterion.

5. **Section 3.5.3.E.** The application must comply with applicable requirements in the Applications Manual.

**Finding.** The application complies with all applicable requirements of the Applications Manual.

**NEXT STEPS:**

UDO Text Amendment Procedure	Date	Complete
Step 1. Planning Commission Public Hearing and Recommendation	July 24, 2024	✓
Step 2. Town Council – 1st Reading	September 10, 2024	✗
Step 3. Town Council Meeting – Final Reading and Public Hearing	October 8, 2024	✗
Step 4. Effective Date of Ordinance	October 18, 2024	✗

**TOWN COUNCIL ACTIONS:** As granted by the powers and duties set forth in Sec. 2.2.6.C.4 of the UDO, Town Council has the authority to take the following actions with respect to this application:

1. Approve the application as submitted;
2. Approve the application with amendments; or
3. Deny the application as submitted.

**ATTACHMENTS:**

1. Presentation
2. Ordinance and Proposed Amendments
3. Suggested Motion