

TOWN COUNCIL

STAFF REPORT

Projects and Watershed Resilience Department



MEETING DATE:	March 11, 2025
PROJECT:	Consideration of a Resolution to Approve Amendments to the Town of Bluffton's Southern Lowcountry Stormwater Design Manual
PROJECT MANAGER:	Andrea Moreno, MS4 Program Manager

REQUEST: Staff requests Town Council approve a Resolution to amend various sections of the regional Southern Lowcountry Design Manual (Manual), as presented.

BACKGROUND: The Southern Lowcountry Regional Board (SoLoCo) prioritized the need for a uniform set of stormwater standards and design guidelines to meet the goal of protecting the region's sensitive environment, residents' quality of life, and future economic development opportunities.

SoLoCo municipalities along with Center for Watershed Protection and McCormick Taylor received local stakeholder input from the project's outset and garnered feedback from the professional design community during statewide, regional, and national presentations. The resulting [Southern Lowcountry Stormwater Design Manual](#), adopted by Bluffton Town Council in September of 2021, is unique in that it accomplished the following:

- Regional collaboration for consistent, effective management of stormwater at the watershed scale.
- The Manual unified past diverse municipal requirements due to Municipal Separate Storm Sewer System (MS4) permits, need, and community dynamics:
 - Allows for "Special Watershed Protection Area" designations and requirements,
 - Establishes post-construction criteria for volume control (quantity and quality) and design standards, and
 - Provides enforcement for current design through life of the development.
- The Manual is a watershed-based approach, not by jurisdiction, and
 - Incorporates green infrastructure/low impact development,
 - Protects existing natural areas and incorporates open space in new development, and
 - Provides water quality and quantity credit for thirteen (13) Best Management Practices (BMPs).

Included within the Town of Bluffton's and WAPAC's FY2025-2026 Strategic Plan is a Priority Item to complete an assessment of the stormwater regulations within the Manual to ensure its intended outcomes are being met and modifications made to the regulations, if necessary.

In April of 2024, Town Council unanimously voted to adopt [Unified Development Ordinance \(UDO\) Amendments to the Stormwater regulations](#), outlined in Chapter 5.10 of the UDO. These UDO Amendments changed:

1. The stormwater applicability unit of measure from impervious surface to land disturbance to align with Beaufort County standards, and

2. Created a distinction between Development and Redevelopment with regard to area of land disturbance.

These UDO Amendments were made in anticipation of changes to the Manual.

Staff are proposing the following amendments to the Manual to align with UDO language and Beaufort County stormwater standards:

- Provide clarifications on the implementation of stormwater practices including refining design standards to ensure the intent of the Manual agrees with field application. Examples include:
 - Amends 10% Analysis language to prioritize protection of the overall watershed, even if that results in lessened on-site detention requirements,
 - Amends design specifications for bioretention areas (rain gardens) to remove seasonal high-water table as a limiting factor so that these practices can be utilized more frequently,
- Enhance enforcement capabilities for post-construction maintenance of pre-MS4 communities
 - Expands the Town's current post-construction program to inspect and enforce maintenance of stormwater practices in communities built after 1992 via the 1991 Sediment and Reduction Act,
- Promote the use of Better Site Design principles through credits towards meeting stormwater retention volume requirements
 - Provides conservation area credits to incentivize preservation of natural land cover and/or revegetation to pre-development state,
 - These areas would then be protected by a conservation easement or equivalent form of protection,
 - The conservation area acreage is then subtracted from the total site when calculating the required stormwater retention volume, resulting in fewer or smaller stormwater practices,
- Establish a mechanism for stormwater retention volume Fee-in-Lieu
 - When a development project cannot accommodate the required stormwater retention volume for water quality due to approved on-site constraints, the developer could opt to pay a fee-in-lieu for the shortfall of on-site treatment,
 - Funds collected through fee-in-lieu payments would then be used by the Town to install green infrastructure practices in the same watershed, purchase land for increased conservation areas, application of Better Site Design to the approved Master Plan, buffers, undisturbed open space, and natural resource of significance areas; and/or purchase of development rights, and
- Multiple housekeeping edits that do not change regulatory requirements.

HISTORY: On October 8, 2024, these amendments were presented to Town Council for Workshop. The amendments are provided in **Attachment 1**.

On November 20, 2024, the Planning Commission recommended approval of the amendments with the following change: inclusion of verbiage pertaining to submittal of post-construction maintenance inspection reports stipulating that should the inspection report be found non-representative of the site, the Town is authorized to require completion by a third-party individual or company. Based on the Planning Commission's proposed recommendation, Town Staff updated the text to reflect the proposed change.

On December 5, 2024, the Watershed Action Plan Advisory Committee recommended approval of the amendments, as presented by Staff.

On January 28, 2025, amendments specific to Fee-in-Lieu were presented to Town Council as part of the Quarterly Workshop.

NEXT STEPS:

SoLoCo Manual Text Amendment Procedure	Date	Complete
Step 1. Town Council – Workshop	October 8, 2024	✓
Step 2. Planning Commission Workshop Recommendation	November 20, 2024	✓
Step 3. Watershed Action Plan Advisory Committee Recommendation	December 5, 2025	✓
Step 4. Town Council Meeting – Quarterly Workshop	January 28, 2025	✓
Step 5. Town Council Meeting – Adoption by Resolution	March 11, 2025	✓
Step 6. Implementation of Proposed Amendments to SoLoCo Manual	April 1, 2025	✓

ATTACHMENTS:

1. SoLoCo Manual Compiled Edits
2. Proposed Motion