

PLANNING COMMISSION

STAFF REPORT

Growth Management Department



MEETING DATE:	June 28, 2023
PROJECT:	Certain Amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance (UDO), Sec. 3.2.3, Public Hearing Notice; Sec. 5.13, Signs, Exempt and Prohibited; and, Sec. 5.15, Old Town Bluffton Historic District, Cupolas, Setbacks in the NCE-HD and NG-HD Districts, and Establishing a Medium House Building Type with Related Building Requirements
PROJECT MANAGER:	Charlotte Moore, AICP Principal Planner

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 the Planning Commission recommend approval to Town Council of certain text amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance, as follows: Sec. 3.2.3, Public Hearing Notice; Sec. 5.13, Signs, Exempt and Prohibited; and, Sec. 5.15, Old Town Bluffton Historic District, Cupolas, Setbacks in the NCE-HD and NG-HD Districts, and Establishing a Medium House Building Type with Related Building Requirements.

BACKGROUND: From time to time, amendments to the UDO are necessary to address procedural processes and standards. The attached proposed amendments relate to both processes and standards and are highlighted below:

- **Public Hearing Notice (Sec. 3.2.3):** Amendments include correcting typos; eliminating the published notice requirement for the demolition of any structure, whether a contributing resource or not, within Old Town Bluffton Historic Bluffton as a property posting requirement exists; and, removing the requirement that public notice be published on the Town's website and posted at Town Hall as neither is required by state law. With regard to the latter amendment, meeting agendas are posted at Town Hall and also appear on the Town's website together with related staff reports.

- **Signs, Exempt and Prohibited (Sec. 5.13):** The amendments include prohibiting non-commercial message flags to only two within Old Town Bluffton Historic District zoning districts; and, specifically identifying and prohibiting flutter/feather signage (see below graphic). Flutter/feather signage is not presently allowed but is recommended to be identified by name to better assist UDO readers.



Source: swirlingsilks.com

- **Cupolas/Towers (Sec. 5.15.6.E.4.):** The amendments include correcting a typo, reformatting, and prohibiting cupolas extending above a roof line—as opposed to the zoning district height limit—as well as limiting the height to 50 feet above the adjacent grade level.
- **Certain Setbacks in the NCE-HD and NG-HD Districts (Sec. 5.15.5):** The amendments include increasing the side yard setbacks for certain building types in the NCE-HD district from five feet to eight feet to allow for a larger side yard for building appurtenances, such as stoops, stairs and service yards. They also include extending the maximum setback for the Village House front build-to zone in the NG-HD district from 15 feet to 20 feet to be consistent the Cottage, Medium House and Vernacular House building types.
- **Medium House Building Type (Sec. 5.15):** A new building type is proposed for Old Town Bluffton Historic District that is similar to a Cottage Building Type but has a larger building footprint, can be two stories and must have a front porch. The Medium House is somewhat similar to a Village House Building Type but can be one-story and have a larger building footprint by 200 feet (1,300 sq.ft. vs 1,100 sq.ft.). Associated building standards, such as front-building to line, side and rear yard setbacks, and building height are proposed, as are the zoning districts in which it would be located (i.e., Neighborhood Conservation-HD, Neighborhood General-HD, and Neighborhood Conservation-HD).

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 have no relationship to this criterion.

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	June 28, 2023	✓
Step 2. Town Council – 1st Reading	July 11, 2023	×
Step 3. Town Council Meeting – Final Reading and Public Hearing	August 8, 2023	×

PLANNING COMMISSION ACTIONS: As granted by the powers and duties set forth in Sec. 2.2.6.C.4 of the UDO, the Planning Commission has the authority to take the following actions with respect to this application:

1. Approval of the application as submitted;

2. Approval of the application with amendments; or
3. Denial of the application as submitted by the Applicant.

STAFF RECOMMENDATION: Growth Management staff recommends the Planning Commission recommend approval of the proposed Text Amendments as submitted.

ATTACHMENTS:

1. Public Hearing Notice
2. Signs, Exempt & Prohibited
3. OTBHD General Standards, Building Type Requirements
4. OTBHD Cupolas & Towers
5. OTBHD Medium House Type