



# **Proposed Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Certain Amendments to Multiple Sections**

**Presentation to Town Council**

**July 11, 2023**

**First Reading**

**Department of Growth Management**

**Kevin P. Icard, AICP**

# *Purpose of the Amendments*

To support the Town's *Strategic Plan* to annually assess and propose amendments to the Unified Development Ordinance related to the "Community Quality of Life" strategic focus area.

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Planning Commission held public hearings in March, April, May & June



# *March Amendments*



## **Focus on Historic Preservation and Development Standards in Old Town Bluffton Historic District**

### **Sec. 3.18: Certificate of Appropriateness – Historic District**

- New or improved standards for new construction, alterations/additions, relocation and demolition

### **Sec. 3.25: Designation of a Contributing Resource**

- Provides a formal process to remove contributing resource designation

### **Sec. 5.15: Old Town Bluffton Historic District**

- Corrects formatting, typos, revises the minimum front build-to zones for certain building types in two zoning districts, and removes stand-alone large building footprint standards

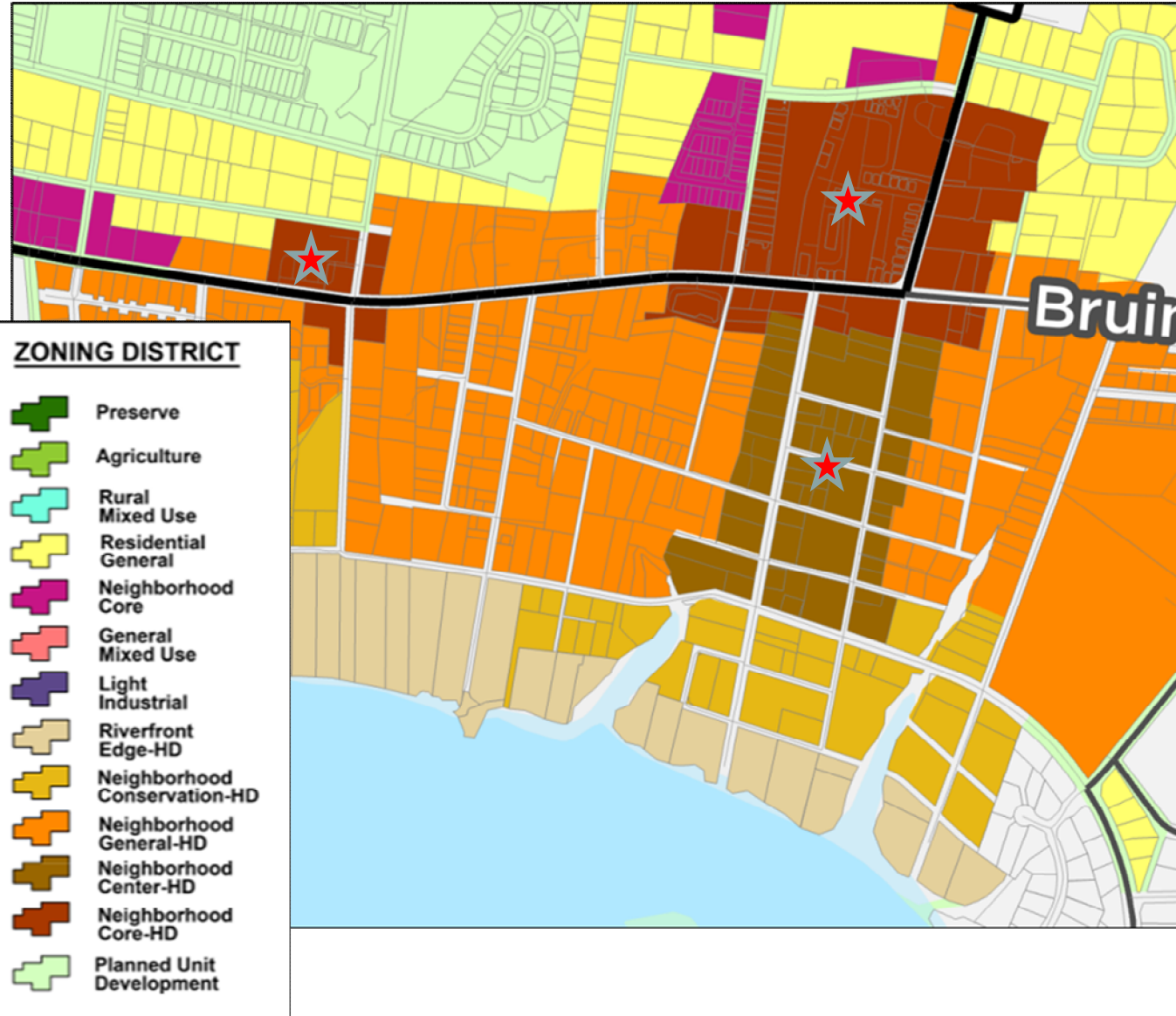
### **Sec. 5.15.8.F. (et al): Carriage House Building Form, Sheds & Garden Structures**

- Closes square footage gap for accessory structures between 121sf and 249sf

### **Sec. 9.2: Terms**

- Revises and updates definitions to support amendments

# Front Build-to Zone (NC-HD & NCE-HD)



Neighborhood Core Building Type Requirements	Front Build-to Zone
Main Street Building	0' – 10' 10' – 20'
Commercial Cottage	5' – 15' 10' – 15'
Live-Work Sideyard	0' – 5' 10' – 15'
Duplex	5' – 15' 10' – 15'
Triplex	5' – 15' 10' – 15'
Mansion Apartment House	5' – 15' 10' – 25'
Civic Building	5' – 25' 10' – 25'
Additional Building Type	0' – 25' 10' – 25'

Neighborhood Center Building Type Requirements	Front Build-to Zone
Main Street Building	10' – 25'
Commercial Cottage	5' – 20' 10' – 20'
Live-Work Sideyard	0' – 5' 5' – 10'
Duplex	5' – 15' 10' – 15'
Triplex	5' – 15' 10' – 15'
Mansion Apartment House	5' – 15' 10' – 25'
Cottage	5' – 15' 10' – 15'
Village House	5' – 15' 10' – 15'
Sideyard House	5' – 10' 10' – 15'
Vernacular House	10' – 20'
Civic Building	5' – 25' 10' – 25'
Additional Building Type	10' – 25'

# April Amendments



## Sec. 3.14: Certificate of Construction Compliance

- Strengthens requirements to obtain a Temporary CCC, including requiring 75% of site or phase to be completed before a Building Permit can be obtained (presently, “substantially complete”); a

## Outdoor Sales (Definition and Conditions)

- Improves conditions related to display, location, time and area size; expands the type of merchandise that can be sold beyond agricultural, seafood, and seasonal products.

## Sec. 5.11: Parking

- Allows compact parking spaces for non-residential uses only when there are 25 or more parking spaces– reduces percentage from 25% to 10%; eliminates ability to use public parking facilities within 500 feet from counting towards required parking; changes the number of parking spaces to be provided from maximum to minimum; eliminates golf carts spaces from counting towards required parking.



# April Amendments



## Article 7, Nonconformities

- Removes requirement and burden that UDO Administrator must determine that an illegal nonconformity would “adversely impact” public health, safety or welfare—could make removal or abatement more difficult; would require that any change to an illegal nonconformity comply with UDO.

## Sec. 9.2, Family and Single Household Unit Definitions

- Updates current definition of “Family” to be more expansive to include domestic partnerships, foster children. A “Single Household Unit” may be considered “Family” if certain criteria can be met. A definition of Single Household Unit is proposed.

## Sec. 9.4, Residential Use Descriptions

- Updates the definition of “Accessory Dwelling Unit” to include elements that must be included allows for attached and detached units; proposes allowing “Single-Family Attached Dwelling” units on separate or same lot, requiring ground floor access to each unit.

# May Amendments



## Sec. 3.17: Certificate of Appropriateness – Highway Corridor Overlay District

- Requires an approved Final Development Plan before COFA-HCO review by the Planning Commission

## Sec. 5.8 Lot and Building Standards:

- “Housekeeping” Items
- **Light Industrial (LI) District:** Removes from Large Lot Types (Multi-family, Mixed Use and Large Commercial) and Adds the Removed LI District to Medium Lot Types (Multi-family and Mixed Use)
- **Large Mixed Use Lot Type Rear Yard Setback:** Increases from 10 feet to 30 feet
- **Story Height Reduction:** For Large Commercial and Civic Lots, reduces stories from 5 to 4

# June Amendments



## Sec. 3.2.3: Public Notice

Removes:

- Published notice requirement for demolition of any structure in Old Town Bluffton Historic District (posted site notice required);
- Posting requirement for *published* notice at Town Hall, the Town website and registrants
- Public notice requirement for Street Naming and minor amendments to a Subdivision Plan associated with an *active* Development Plan.

## Sec. 5.13: Signs

- Identifies the maximum number of flags to be allowed within the Old Town Bluffton Historic District zoning districts (two).
- Prohibits “flutter signs” or “feather signs”
- Exempts construction project, real estate and campaign signs from Sign Permit requirement



# June Amendments



## Sec. 5.15.8.: Addition of Medium House Type (Old Town Bluffton Historic District)

Addresses need for a residential building type of 1-2 stories



Village House (2 – 2.5 stories)



Medium House (1 - 2 stories)



Vernacular House (1.5 stories)

## Sec. 5.15.5: General Standards for OTBHD

- Establishes standards for Medium House Type
- Increases side yard setbacks for several building types from 5 ft. to 8 ft.

# *Text Amendment Review Criteria*



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

The amendment has 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.**

The amendment has no relationship to this criterion.

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

The amendment has no relationship to this criterion.

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

The amendment has no relationship to this criterion.

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

Complies.

# *Planning Commission Recommendation*



- **March 22:** Approve (7-0) with three revisions as noted in staff report.
- **April 27:** Approve (5-0) with three revisions as noted in staff report.
- **May 24:** Approve (6-0) as recommended by staff.
- **June 28:** Approve (7-0) as recommended by staff.

# *Town Council Action*



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

1. Recommend approval the application as submitted;
2. Recommend approval the application with amendments; or
3. Recommend denial the application as submitted.

# Next Steps



UDO Text Amendment Procedure	Date	Complete
Step 1. Planning Commission Public Hearing and Recommendation	March 22, April 26, May 24 and 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	✓

# Proposed Motion



*“I move to **[Approve, Approve with amendments, Deny]** certain amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance, Article 3 – Application Process, Sec. 3.2 (General Application Approval Process), Sec. 3.14 (Certificate of Construction Compliance), Sec. 3.17 (Certificate of Appropriateness-Highway Corridor Overlay), Sec. 3.18 (Certificate of Appropriateness-Historic District), Sec. 3.19 (Site Feature-Historic District Permit) and Sec. 3.25 (Designation of Contributing Resources); Article 4 – Zoning Districts, Sec. 4.4.(Conditional Use Standards); Article 5 – Design Standards, Sec. 5.8 (Lot and Building Standards), Sec. 5.11 (Parking), Sec. 5.13 (Signs) and Sec. 5.15 (Old Town Bluffton Historic District); Article 7 - Nonconformities; Article 9 – Definitions and Interpretations, Sec. 9.2 (Defined Terms); Sec. 9.3 (Interpretation of Dimensional Standards); Sec. 9.4.1 (Description of Land Use and Buildings)*





# *QUESTIONS & DISCUSSION*