



Bluffton Village Development Agreement Expiration & Transition of Zoning Regulations into the Unified Development Ordinance

Public Hearing and Final Reading

Town Council

October 8, 2024

Department of Growth Management

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Development Agreement



- **State Local Government Development Agreement Act** (S.C. Code §§6-31-10, et seq) allows local governments to enter into a ‘contract’ or agreement with developers relative to the use and development of land. The Agreement is unique to each development.
- Because development typically occurs over the span of years, Agreements can provide predictability, allow master planning of facilities, and cost savings.
- Agreements are multi-year and expire based on amount of acreage, ranging from five to 20 years, but can be extended with mutual agreement.
- If zoning regulations are included in the Agreement, as with Bluffton Village, they must be re-established outside of the Agreement and into the UDO (or stand-alone zoning regulations).
- Zoning regulations can be renegotiated; however, Bluffton Village will retain its regulations as it is nearing build-out.

Bluffton Village PUD

- PUD and Development Agreement approved by Town in 2000. Agreement expires October 17, 2024.
- The approved Development Agreement includes permitted land uses, development standards (i.e., building setbacks and height), building types, design requirements, and signage.
- Property owner meeting held July 11 at library to explain reason and process.
- Staff working with POA Manager.



Transition to UDO



Zoning regulations would transition into the UDO as follows:

- Establish the Planned Unit Development for Bluffton Village District (Sec. 4.1.1)
- Establish Permitted Land Uses for the PUD (Table 4.3) and Use Conditions (Sec. 4.4.2.E)
- Residential Density
- Building Square Footage
- Building Typologies / Design
- Development Standards
- Signage

These standards will be in a new Appendix A in UDO.
No changes are proposed.

UDO Amendments – Establish the Zoning District



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.

The zoning district for Bluffton Village would be created to include cross-references to applicable district standards in Appendix A. Allowed land uses would be included in UDO Table 4.3.

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)	Historic District (NCV-HD)	Neighborhood Conservation Historic District (NGV-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	P	-
Inns – (6-12 bedrooms)	-	-	P	-	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	P
Professional Offices	-	-	P	-	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	P
Group Day Care Home (7 to 12 children)	-	P	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	P
Hospitals	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Medical Offices and Clinics	-	-	P	-	P	P	P	-	-	P	P	P	P	P
Nursing Homes and Long-term Care	-	P	P	-	P	P	P	-	-	P	P	P	P	-

Appendix A – Zoning Info from Dev. Agreement



Planned Unit Development (PUD) for Bluffton Village

Total Acreage: 29.31

Total Approved Heated Building Square Footage for Bluffton Village: 215,250 for all uses

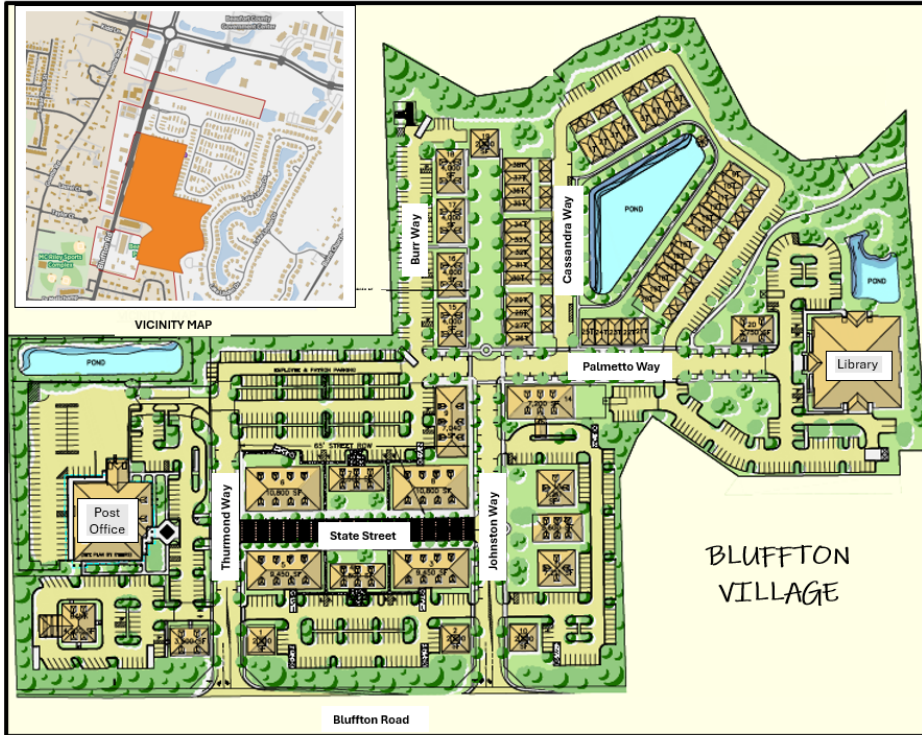
Allowed Uses: See Sec. 4.3, Table 4.3

Allowed Building Types: See Appendix A

Lot Standards: Based on building type. See Appendix A

Maximum Building Height: See Appendix A

Maximum Residential Density: 38 dwelling units, including one (1) accessory dwelling unit for each



Planned Unit Development for Bluffton Village Permitted Building Type and Maximum Building Square Footage		
Building Address	Building Type	Building Maximum Square Footage (Heated)
4 Burr Way	..	1,950
10 Burr Way	..	2,600
12 Burr Way	..	2,600
16 Burr Way	..	2,600
18 Burr Way	..	2,600
22 Burr Way	..	1,950
24 Burr Way	..	1,950
34 Burr Way	Vista	2,500
6 Johnston Way	..	5,000
7 Johnston Way	..	5,000
10 Johnston Way	..	10,766
12 Johnston Way	Vista	4,850
14 Johnston Way	..	10,766
23 Johnston Way	..	5,000
25 Johnston Way	..	5,000
7 Palmetto Way	..	1,950
18 Palmetto Way	..	7,800
18 Palmetto Way	..	3,600
9 Palmetto Way, Unit B	..	7,500
120 Palmetto Way	Civic/Vista (Library)	25,000
139 State St	Corner / Street Front	3,000
140 State St	Corner	3,000
140 State St	Street Front	3,000
142 State St	Street Front	3,000
143 State (141-149)	Street Front	11,014
143 State St	Street Front	3,000
143 State St	Street Front	3,000
144 State St	Street Front	3,000
148 State St	Street Front	3,315
150 State St	Street Front	3,300
151 State St	Street Front	3,614
152 State St	Street Front	3,615
153 State St	Street Front	3,000
154 State St	Street Front	4,060
155 State St	Street Front	3,000
158 State St	Street Front	6,000
158 State St	Corner	3,000
159 State St	Corner/Street Front	6,000
1 Thurmond Way	..	3,500
4 Thurmond Way	..	5,000
7 Thurmond Way	..	6,200
25 Thurmond Way	Civic/Vista (Post Office)	18,650
TOTAL		215,250

CORNER BUILDINGS

General Requirements:

- Building design must address the importance of the corner. It is recommended that this is done by introducing a separate and distinct element that is independent of the surfaces it joins. The corner condition can be articulated in several ways. These options must be explored.
- The ground floor of the building must be roughly level with the sidewalk on the edge defining street front.
- The building must have a defined datum line occurring between 10' and 12' above the sidewalk.
- Facade at street front must have a substantial amount of transparent window and door openings with a minimum of one entrance fronting each street front unless an entry is provided at the corner.
 - Minimum first floor opacity = 60%
 - Minimum second floor opacity = 20%
- The building must express the three basic components of *Base, Body, and Capital*.

Building Placement:

Build-to-line Locations: 0 ft. from street front property line

Side setbacks: none

Minimum building frontage: 75% of street frontage

Height:

Maximum building height: 35 ft.

Minimum building height: 2 stories*

*less otherwise noted on Regulating Map.

Graphic Representation:



Development Agreement History

- October 18, 2000 – Establishment of Bluffton Village
- October 18, 2005 – First Amendment to Development Agreement is Executed (Required Obligations are Completed)
- 2010 & 2013 – SC Act No. 297 & 112 (respectively) Extends Agreements for Nine-Years
- October 17, 2024 – Expiration Date

Current Extinguishment Process

- March 12, 2024 – Town Council Workshop
- June 24, 2024 – Zoom Meeting with Bluffton Village POAs
- July 11, 2024 – Two Drop-In Community Meetings
- July 24, 2024 – Planning Commission Public Hearing and Recommendation
- September 10, 2024 – Town Council First Reading
- October 8, 2024 – Town Council Second Reading
- October 17, 2024 – Bluffton Village Development Agreement Expires
- October 18, 2024 – UDO Edits Take Effect

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.

Town Council Action



As granted by the powers and duties set forth in Section 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.

Amendment Process



UDO Text Amendment Steps	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	x
Step 4. Effective Date of Ordinance	October 18, 2024	x

Suggested Motion



*“I move to **Approve** the amendments to the Town of Bluffton 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 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.”*



QUESTIONS & DISCUSSION