

PLANNING COMMISSION

STAFF REPORT

Growth Management Department



MEETING DATE:	May 24, 2023
PROJECT:	Amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance (UDO), Article 3 – Application Process, Sec. 3.17, Certificate of Appropriateness – Highway Corridor Overlay District and Article 5 – Sec. 5.8, Lot and Building Standards
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:

Article 3 – Application Process, Sec. 3.17, Certificate of Appropriateness – Highway Corridor Overlay District and Article 5 – Sec. 5.8, Lot and Building Standards.

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

- **Certificate of Appropriateness – Highway Corridor Overlay (HCO) District:** The proposed amendment would require that an application for a Certificate of Appropriateness – HCO be consistent with approved plans and agreements (including the recommended addition of a Final Development Plan). The amendment would also remove the reference to “PUD” (as the HCO applies to areas of town not zoned Planned Unit Development). See Attachment 1.
- **Lot and Building Standards:** A development proposal in the Buck Island Road area using the Large Multi-family Lot Type caused the Planning Commission to express concern regarding the allowed front yard setback requirements in relationship to the proposed four-story building

height. The required front yard build-to line for the Large Multi-family lot type ranges from 10 feet minimum to 24 feet maximum and the building height ranges from two to four stories. The development will include two four-story buildings adjacent to Buck Island Road that will have staggered facades that are proposed to be approximately 15 feet to 20 feet from the property line. A 30-foot minimum setback was suggested by the Planning Commission as a more appropriate setback for the buildings, but it was not a requirement of development plan approval.

Because the Unified Development Ordinance (UDO) requires a form-based approach to development, development standards (lot widths, building widths, setbacks, and height) are based on the “lot type” to be applied. There are 17 different lot types that vary by use (house, townhome, multi-family, mixed-use, multi-family, industrial and civic). In the southern portion of the Buck Island corridor, there are two zoning districts (Light Industrial and Neighborhood Core – see Figure 1); between these two districts, 16 lot types are permitted with varying development standards. Potentially, multiple lot types could be used in this area leading to an inconsistent development pattern.

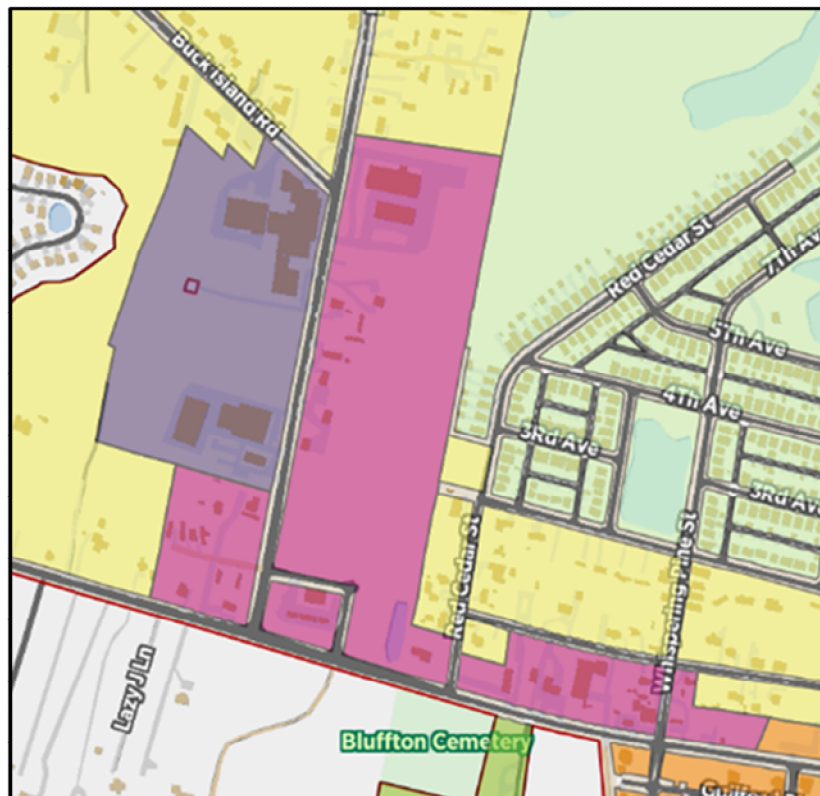


Figure 1-Light Industrial (Purple) and Neighborhood Core (NC) Zoning Districts

Front building setbacks for the various lot types, for example, range from zero (0) feet (Small and Large Townhouse Lots) to no maximum (Small and Large Commercial Lots, Industrial Lots and Civic Lots). As another example, most lot types have a building width limitation, but a maximum width is not required of Small Commercial, Large Commercial, Industrial and Civic Lots.

The Comprehensive Plan identifies the Future Land Use Map classification of the southern portion of Buck Island Road as “Neighborhood Center.” The Neighborhood Center designation is intended to promote neighborhood-serving uses in a pedestrian-oriented environment. To support this scale, buildings would be oriented towards the street and be no taller than three stories, with appropriate buffering where adjacent uses are of lower intensity. Increasing the front yard setback for the Large Multi-family lot type would not achieve this goal, and multiple other changes would be necessary to the other permitted lot types to support the long-range vision. Such changes could affect other areas of the community where the existing lot type requirements may be appropriate. This suggests that a zoning overlay district may be appropriate for the southern portion of Buck Island Road zoned Light Industrial and Neighborhood Core.

Adjustments to Table 5.8.3.B (Lot Standards) should be considered carefully and the use of numerous lot types may need reconsideration. At this time, only the following amendments to this table, as shown in Attachment 2, are suggested:

- Removal of the Light Industrial (LI) district from the Large Commercial Lot, Large Mixed-Use Lot, and Large Multi-family Lot types as development standards for these lot types are not characteristic of the LI-zoned areas of Buck Island Road and Goethe Road where most of the LI-zoned property within town limits is located. Related to this, allowance of the LI district in the Medium Mixed-Use and Medium Multi-family lot types. There is not Medium Commercial Lot Type, however, the Small Commercial lot type already includes the LI district;
- Reduction of the maximum height for the Large Commercial Lot and Civic lot types from five (5) stories to four (4) stories as five stories is uncharacteristic of Bluffton; and,
- An increase of the rear yard setback for Large Multi-family and Large Mixed Use lot types from 20 feet and 10 feet, respectively, to 30 feet because buildings may be up to four stories in height.

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	May 24, 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. Sec. 3.17, COFA-HCO Amendments
2. Sec. 5.8, Lot and Building Standards Amendments