

PLANNING COMMISSION

STAFF REPORT

Growth Management Department



MEETING DATE:	April 27, 2022
PROJECT:	Amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance, Article 2 – Administration, Sec. 2.2.3.B., Establishment, Boards and Commissions Member Terms, Number of Terms
PROJECT MANAGER:	Charlotte L. 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 a Text Amendment to the following UDO section:

Article 2 – Administration, Sec. 2.2.3.B., Establishment, Boards and Commissions Member Terms, Number of Terms

BACKGROUND: Presently, the term length for members of boards and commissions regulated by the UDO is consistent with the term lengths required for non-UDO boards, commissions and committees as provided for in Town Code Chapter 3, Section 3-2(b) for term length; a whole term is three (3) years. However, the number of terms that can be served varies between the UDO and Town Code.

Per UDO Sec. 2.2.3.B., the UDO provides for two (2) consecutive terms and one (1) additional term when Town Council determines that “extraordinary conditions” exist and that when “the best interests of the community are served by the continuation of the term of a particular member, such member may be re-appointed for one additional term.” Further, Sec. 2.2.3.B. does not prevent any person from being appointed after a one (1) year absence.

Town Code does not limit the number of terms; Sec. 3-2(b)(5) states that members “...serve until their successors are appointed and qualified.” Additionally, Town Code does not require an absence period for reappointments to the same board, commission, or committee.

For consistency between the UDO and Town Code, it is suggested that term length and reappointment to any board, committee and commission be the same. Changing the UDO to match Town Code would allow a member whose term of service is expiring, and who wishes to continue, to be of service to the Town of Bluffton if approved by Town Council. Obtaining qualified members, especially those with

professional expertise as it relates to a particular board, can be challenging. The proposed amendment would remove an unnecessary regulation.

PROPOSED AMENDMENT:

The current UDO requirement (Sec. 2.2.3.B) is:

“Number of Terms. No member shall serve for more than two consecutive terms; provided, however, that upon a determination by Town Council in its sole discretion of extraordinary circumstances and that the best interests of the community are served by the continuation of the term of a particular member, such member may be re-appointed for one additional term. This limitation shall not prevent any person from being appointed after an absence of one year.”

The proposed UDO requirement (Sec. 2.2.3.B) is:

Number of Terms. Terms of service for all members shall be in accordance with Town Code Chapter 3, Section 3-2(b).

REVIEW CRITERIA & ANALYSIS: When assessing an application for UDO Text Amendments, the Planning Commission 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 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.

Finding. The proposed 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.

Finding. The proposed amendment has 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 amendment has 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.

PLANNING COMMISSION ACTIONS: As granted by the powers and duties set forth in Section 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.

NEXT STEPS:

UDO Text Amendment Procedure	Date	Complete
Step 1. Planning Commission Public Hearing and Recommendation	April 27, 2022	✓
Step 2. Town Council – 1st Reading	May 10, 2022	✓
Step 3. Town Council Meeting – Final Reading and Public Hearing	June 14, 2022	✓

STAFF RECOMMENDATION: As submitted, Growth Management staff recommends the Planning Commission recommend approval of the proposed Text Amendment to Town Council.

ATTACHMENTS:

1. Proposed Amendment