

ATTACHMENT 1
ORDINANCE NO. 2025-__

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF SIXTY (60) RESIDENTIAL DEVELOPMENT RIGHTS WITHIN THE BUCKWALTER PLANNED UNIT DEVELOPMENT OWNED BY THE TOWN OF BLUFFTON AND HELD IN THE TOWN'S DEVELOPMENT RIGHTS BANK TO BEAUFORT MEMORIAL HOSPITAL FOR THE AFFORDABLE HOUSING PROJECT TO BE DEVELOPED ON THAT CERTAIN PROPERTY LOCATED AT 335 BUCKWALTER PARKWAY AND CONSISTING OF 10.09 ACRES, MORE OR LESS, AND IDENTIFIED AS BEAUFORT COUNTY TAX MAP NO. R610 030 000 0712 0000; AND, AUTHORIZING THE EXECUTION AND RECORDING OF ASSOCIATED DOCUMENTS.

WHEREAS, the Town of Bluffton, South Carolina, (the "Town") presently owns certain development rights within the Buckwalter Planned Unit Development which are held in the Town's Development Rights Bank which was established by the Transfer of Development Rights Ordinance 2007-19 approved by Town Council on November 6, 2007 ("Town Owned Property"); and,

WHEREAS, Beaufort County ("County") conveyed certain property located at 333 and 335 Buckwalter Parkway consisting of 10.09 acres, bearing Beaufort County Tax Map No. R610 030 000 0712 0000 ("Property") and assigned the associated 10.09 acres of general commercial development rights to Beaufort Memorial Hospital ("BMH") for the construction of a 120 unit multi-family development providing affordable housing as well as up to 6,000 square feet of medical facilities (collectively hereinafter the "Project") pursuant to certain terms as set forth in County Ordinance 2024-36, as amended by County Ordinance 2025-08; and

WHEREAS, in order to construct the 120 multi-family unit portion of the Project, BMH must acquire 120 residential development rights ("RDUs"); and

WHEREAS, BMH has submitted a request to the Town to acquire 60 RDUs owned by the Town which are associated with Buckwalter from the Development Rights Bank via approval pursuant to the Transfer of Development Rights Ordinance and a purchase and sale agreement approved by Ordinance; and

WHEREAS, BMH also requested a 100% density bonus of 60 RDUs as 100% of the RDUs will be designated for affordable housing for households which qualify at up to 80% of the current Area Median Income ("AMI") requiring an amendment to the Development Agreement and Concept Plan to add the 60 RDUs to the total

RDU's allowed within Buckwalter PUD as well as incorporate additional terms as deemed necessary; and

WHEREAS, the Town recognizes the need for additional affordable housing within the Town; and

WHEREAS, throughout the County and, in particular, southern Beaufort County, a shortage of affordable housing remains a pressing issue for local businesses, residents, and governmental organizations. Both the Town and BMH suffer due to the difficulties caused by a lack of reasonable housing options in attracting and retaining well-trained and highly qualified employees; and

WHEREAS, the Town of Bluffton Comprehensive Plan ("Blueprint Bluffton") adopted by Bluffton Town Council ("Town Council") on November 8, 2022, as amended, identifies affordable housing as an Objective for the Town's focus per Sections H1.4 and Sections H2.4; and

WHEREAS, on July 23, 2025, the Town of Bluffton Planning Commission held a Public Hearing and voted to forward to Town Council a recommendation of approval for the conveyance of 60 RDU's from the Town's Development Rights Bank; and

WHEREAS, the Town Council concurs with Planning Commission's recommendation; and

WHEREAS, the Town Council finds it to be in the Town's best interest to approve the conveyance of sixty (60) residential development rights to BMH at no cost pursuant to the Transfer of Development Rights Ordinance and Purchase and Sale Agreement, to be attached and incorporated as Exhibit A, and as further described herein.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA:

SECTION 1. Conveyance of Town Owned Residential Development Rights. Approval of the conveyance of sixty (60) residential development rights to BMH at no cost for use on that certain property consisting of 10.09 acres and identified as Beaufort County Tax Map No. R610 030 000 0712 0000 to BMH, Purchase and Sale Agreement, to be attached and incorporated as Exhibit A.

SECTION 2. AUTHORIZATION FOR ADDITIONAL ACTIONS. The Mayor, Town Manager, and Town Clerk are each hereby authorized to execute any and all

documents necessary to consummate the exchange, acceptance, transfer and conveyance of the property, easements and obligations including, without limitation, the delivery and recordation of an Assignment of Rights, to be attached and incorporated as Exhibit "B", which is to be recorded with the Office of the Register of Deeds for Beaufort County, South Carolina. The Town Manager is hereby authorized to pay such reasonable costs of the transaction as may be necessary.

SECTION 3. This ordinance shall become effective upon its final adoption.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2025.

This Ordinance was read and passed at First Reading on July 15, 2025.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter
Clerk, Town of Bluffton, South Carolina

A Public Hearing for this Ordinance was held on August 12, 2025.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter
Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at Second and Final Reading held on August 12, 2025.

Larry C. Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter
Clerk, Town of Bluffton, South Carolina

Exhibit "A"
PURCHASE AND SALES AGREEMENT

Exhibit "B"
ASSIGNMENT OF DEVELOPMENT RIGHTS