

PLANNING COMMISSION

STAFF REPORT

Growth Management Department



MEETING DATE:	January 24, 2024
PROJECT:	Amendments to the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance, Relating to Contributing Resources and Development Standards in Old Town Bluffton Historic District, including Article 3 – Application Process, 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, Table 4.3, Uses by District; Article 5 – Design Standards, Sec. 5.10, Stormwater; 5.11, Parking; and, Sec. 5.15, Old Town Bluffton Historic District; and, Article 9 – Definitions and Interpretations, Sec. 9.2, Defined Terms and Sec. 9.3, Interpretation of Dimensional 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. 3.18, 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, Table 4.3, Uses by District; Article 5 – Design Standards, Sec. 5.10, Stormwater, Sec. 5.15, Old Town Bluffton Historic District; and, Article 9 – Definitions and Interpretations, Sec. 9.2, Defined Terms and Sec. 9.3, Interpretation of Dimensional Standards.

HISTORY: These amendments were previously discussed by the Historic Preservation Commission (HPC) on March 1, 2023 (as applicable), recommended for approval by the Planning Commission on April 26, 2023 with a couple of modifications, approved by Town Council on first reading (July 11, 2023), and subsequently withdrawn by Town Council at the public hearing/final reading held on September 12, 2023.

Given lengthy discussion regarding some of the Old Town Bluffton Historic District preservation and parking-related amendments at the public hearing, it was determined that further discussion at a joint Town Council-Planning Commission meeting in January, 2024 might be in order. This resulted in the amendments being withdrawn rather than continued. With additional information since the public hearing, as well as a joint Town Council-Planning Commission meeting held last year to discuss these same amendments, it was determined that a joint meeting would be unnecessary. Since the public hearing last year, Town Staff made some minor additional amendments, including minor reformatting and a proposal to allow the storefront manufacturing use in the Neighborhood General-Historic District as a conditional use. Minor amendments to stormwater regulations are also proposed to make better distinctions between development, redevelopment/infill and land disturbance.

On January 3, 2024, the HPC discussed the proposed historic preservation-related amendments. Per the UDO, HPC is not charged with providing a recommendation to the Planning Commission regarding text amendments; however, HPC desires to be made aware of applicable amendments and to provide comments. The HPC did not recommend any changes to the preservation amendments as proposed.

BACKGROUND: From time to time, amendments to the UDO are necessary to address insufficient procedural processes and standards that are lacking or that may allow development that is inconsistent with the Town's vision. The proposed amendments are highlighted below and are provided as attachments:

- **Certificate of Appropriateness – Historic District:** A COFA-HD is required for certain activities within Old Town Bluffton Historic District. The proposed amendments to this section identify those activities with more specificity than presently exists, as well as the review processes and criteria to be applied to each activity. Activities include New Construction, Alterations, Relocation and Demolition of a structure. For the latter three, procedures and criteria are provided for both contributing and non-contributing structures (i.e., whether the structure contributes historically to the district or not). These amendments will streamline the COFA-HD review process and will be supplemented by guidelines for relocation and demolition, which will be presented to Town Council for adoption by resolution. The guidelines will include supplemental information, such as building documentation to be provided to the Town before relocation and demolition occurs, and how salvaged historic components are to be identified and stored. (Attachment 1)

- **Designation of Contributing Resources:** The UDO includes a formal process for listing a structure, object or site as a contributing resource to the Old Town Bluffton Historic District. However, it does not include a process for removing the designation. Reasons for the removal may relate to an absence of those elements that were applied at the time of designation, or the desire of a property owner. (Attachment 1)
- **Accessory Structures (Carriage House Building Type, Sheds and Garden Structures):** Presently, the UDO is silent regarding accessory structures that are between 121 square feet and 249 square feet. Any accessory structure less than 121 square feet is a “garden structure,” and any accessory structure greater than 249 square feet is a “carriage house” building type (which could be a stand-alone accessory dwelling, garage or combination thereof). The proposed amendments would close this gap, including providing related and necessary definitions. Amendments to the Carriage House building type are also proposed to update its characteristics. Related UDO sections to be amended include: 3.19 (Site Feature Historic District Permit); 5.15.5 (Old Town Bluffton Historic District, General Standards, various sub-sections); and 9.2 (Defined Terms). (Attachment 1)
- **Miscellaneous Standards:** Amendments are proposed to revise front build-to zones for certain building types on the Neighborhood Center-HD and Neighborhood Core-HD districts, to add or update definitions, and correct typos. (Attachment 1)
- **Parking:** Amendments include: 1) a cross-reference to parking requirements in Old Town Bluffton Historic District; 2) removal of the allowance to apply parking at a public facility located within 500 feet of a property towards the required parking calculation; 3) a change of parking space requirements from maximum to minimum requirements (Table 5.11.3.c); 4) elimination of the ability to the UDO Administrator to reduce minimum parking requirements as a variance process is available; 5) a reduction of the percentage of parking spaces that may be identified as compact from 25% of all spaces to 10% of all spaces when at least 25 parking spaces are provided (and providing for dimensional requirements); 6) elimination of the ability to apply golf cart parking spaces towards the required parking calculation (and providing for dimensional requirements); 7) a requirement for accessory dwelling units to provide one parking space (presently, requirement is two spaces per dwelling unit); 8) Parking space dimensions would be revised for some angled parking to avoid vehicular encroachment into drive aisles and parallel parking dimensions would be slightly increased to accommodate larger vehicles and, 9) correction of typos. (Attachment 2)
- **Stormwater (New):** The stormwater amendments would better distinguish between development, redevelopment/infill and land disturbing activities, as well as clarify the threshold that triggers the requirement for a Town grading plan. (Attachment 3)

- **Storefront Manufacturing (New):** The proposed amendment would allow the Storefront Manufacturing use in the Neighborhood General – Historic District zone as a conditional use. This use primarily functions as a commercial store but may have some related manufacturing, assembly and packaging of items that is not discernible from the exterior. (Attachment 4)

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 preservation-related proposed amendments support the Comprehensive Plan goal to “[p]reserve the Town’s historic and cultural resources,” as well as to review and update the Stormwater Ordinance as needed.

2. **Section 3.5.3.B.** Consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

Finding. The proposed amendments will help to better retain the Town’s traditional pattern of development and its older structures, which supports a more sustainable and authentic environment, and which aligns with best practices for historic preservation.

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

Finding. The proposed amendments support the general welfare of the Town and its residents.

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. Historic Preservation Commission Discussion	January 3, 2024	✓
Step 2. Planning Commission Public Hearing and Recommendation	January 24, 2024	✓
Step 3. Town Council – 1st Reading	March 12, 2024	✓
Step 4. Town Council Meeting – Final Reading and Public Hearing	April 9, 2024	✓

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. Historic District-related Amendments
2. Parking Amendments
3. Stormwater Amendments
4. Storefront Manufacturing Use Amendment