

PLANNING COMMISSION



STAFF REPORT

Department of Growth Management

MEETING DATE:	July 22, 2026
PROJECT:	Village at Verdier (aka Seagrass Station) – Expiration of Development Agreement and UDO Amendments to Establish/Embed Planned Unit Development (PUD) Standards (UDO Article 4, Article 5, and new Appendix B)
PROJECT MANAGER:	Dan Frazier , 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.”

PLANNING COMMISSION WORKSHOP: Per UDO Section 3.2.2.F. “Planning Commission Workshops are intended to be the first official presentation of a proposed project to provide the public with information and a forum to initially review the application and identify applicable application review criteria. Meetings are encouraged as opportunities for informal, non-binding communication between the Applicant and neighboring property owners who may be affected by the application.”

While a text amendment is not a development project, discussion of the amendment in a workshop setting is an opportunity to have an informal discussion regarding its purpose, necessity and implications. Town Staff may also receive guidance from the Planning Commission in its preparation of a formal recommendation per the process indicated in UDO Sec. 3.5. No votes are taken, and no recommendation will be made at the workshop.

BACKGROUND: The General Assembly adopted the South Carolina Local Government Development Agreement Act in 1993 S.C. Code Title 6, Chapter 31, § 6-31-10, et seq. The Act authorizes binding agreements between local governments and developers for the long-term development of large tracts of land. A development agreement gives a developer a vested right for the term of the agreement to process according to land use regulations in existence on the execution date of the agreement.

The original Village at Verdier Development Agreement was approved by Town Council on December 18, 2002, and first amended on April 12, 2011, and then again for a second amendment on January 10, 2017. An amendment was made to the Master Plan in May 2023, but there was no impact to the Development Agreement.

Original Agreement: The Agreement (2002) established a mixed-use development with 510 residential dwelling units and 200,000 square feet of commercial space for 10 years.

First Amendment: The first amendment to the Agreement (2011) altered the entitlements and dedications to the following.

- 404 residential dwelling units (RDUs).
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- 404,000 square feet of commercial space.
- 30,000 square feet of civic use.
- Allocate five percent (5%) of the RDUs for affordable/workforce housing.
- Development standards governed by the UDO.
- Granted a Second Renewal Term for an additional five (5) years.

Second Amendment: The second amendment to the Agreement in 2017 amended the PUD Text and Master Plan to incorporate Health/Human Care as a Planning Area.

Tolling: In 2010 & 2013, SC State Acts 297 & 112 (respectively) provided an additional nine (9) years of tolling. With additional years, the Village at Verdier Development Agreement has been extended to December 17, 2026.

Development Rights: The Development Rights outlined in the agreement (first amendment) permitted 404 RDUs, 404,000 square feet of non-residential use, and 30,000 square feet of civic use. In 2018 (approximate), the Security Bank of Kansas City converted 108,000 SF of non-residential square footage to 54 RDUs. These RDUs were sold to ESA P Portfolio, LLC and were used for the construction of the Extended Stay America hotel, in conjunction with the 6 RDUs to create the 120-room hotel.

As the Development Agreement nears expiration, the remaining development rights include 9 RDUs to be dedicated to the workforce housing obligation and 30,582 SF of non-residential use will be transferred to the Town of Bluffton's Density Bank (See Attachment 1).

During the April 7, 2026, Town Council workshop, Town Staff requested direction on the process to expire the Development Agreement and incorporate the PUD into the UDO, noting the Agreement expiration date of December 17, 2026, and providing a tentative timeline for UDO amendments.

Town Staff are proposing to incorporate language into the UDO to include the Village at Verdier PUD description and allowed densities. Planning Commission is now asked to continue the public process and assist in refining the ordinance approach prior to hearings and formal recommendations.

FOR DISCUSSION: Changes are proposed to Article 4 – *Zoning Districts* and Article 5 – *Design Standards*. In Article 4, the Village at Verdier Planned Unit Development would be added as a zoning district with its permissible uses incorporated into Table 4.3. Modifications to Article 5 of the UDO would clarify that Village at Verdier is subject to the rules and regulations of the UDO, while identifying where the Development Agreement standards continue to apply. An *Appendix B* is also proposed to codify design and development standards which are specific to the Village at Verdier Planned Unit Development.

See Attachment 1 for the proposed amendments.

Consideration of the items above will serve as the basis for determining the appropriateness of the proposed UDO amendments. Input received from the Planning Commission and public during the discussion will be used to make necessary changes to the proposed amendments. Town Staff intends for the item to return to Planning Commission for a public hearing and recommendation at the August 22, 2026 meeting. This is an informal discussion, and no votes will be taken nor a recommendation by the Planning Commission.

NEXT STEPS: The proposed text amendment will be reviewed as follows:

- Town Council Workshop: 04-07-2026
- Planning Commission Workshop: 07-22-2026
- Community Meetings (2): TBD*
- Planning Commission Public Hearing and Recommendation: 08-22-2026*
- Town Council 1st Reading: 11-10-2026*
- Town Council 2nd Reading: 12-08-2026*

ATTACHMENTS:

1. Proposed UDO Text Amendments
2. Verdier Development Rights Calculations 02.23.2026
3. Amended Master Plan 05.09.2023