

BLUFFTON TOWN COUNCIL MEETING MINUTES

March 17, 2020

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Town Clerk Kimberly Chapman, Director of Growth Management Heather Colin, and Town Attorney Terry Finger were also in attendance.

Pledge of Allegiance and Invocation were given by Councilman Hamilton.

Adoption of Agenda:

Frazier made a motion to adopt the agenda with the addition of an Emergency Ordinance Temporarily Suspending the Normal Operating Procedures of the Town of Bluffton Town Council Meetings and Other Town of Bluffton Public Meetings; and to Authorize the Town Manager for the Town of Bluffton to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID-19 Outbreak; to Temporarily Suspend the Operation of Deadlines Imposed Upon the Town; Extend Tax Compliance Deadlines; and Matters Related Thereto; and Severability Ordinance as Item IX.2 Wood seconded. The motion carried unanimously.

Adoption of Minutes:

Town Council Regular Meeting Minutes of February 11, 2020.

Toomer made a motion to adopt the minutes of February 11, 2020 as presented. Hamilton seconded. The motion carried unanimously.

Public Comment:

Sharon Brown, 163 Buck Island Road, Bluffton – Thanked the Town for putting together the past meetings of the Buck Island Simmonsville Road Improvement Committee; stated that the Town has an agreement with the Bluffton Eagles Field Action Committee and that Town Council identified the upgrade of Bluffton Eagles Field in the 2016 Strategic Plan as a high priority; stated that the Town has a partnership with the organization and asked if the Town can reach out to assist the Bluffton Eagles Field Action Committee to help make the park what it was originally intended to be. Brown also stated that the agreement states that the Committee must provide documentation to the Town of Bluffton yearly of their corporate and 501c3 IRS status; stated that the organization's status has been suspended several times and feels that

there should be repercussions and follow-up. Brown states that she has reached out to the Eagles Field Action Committee to determine what their plans are to better the park and they have refused to meet with her, therefore, she requests Town assistance to the Bluffton Eagles Field Action Committee be transparent and improve the field. (Brown emailed photos to Council of the current condition of the Field, which are attached to the minutes and on file in the Town Clerks office.)

Communications from Mayor and Council:

Mayor Sulka stated that the meeting was streaming on Facebook Live and hoped that people were able to watch from home. Asked that people stay in touch with what is going on with the COVID-19 pandemic and that people stay safe and stay home for the fifteen days that have been requested by President Trump.

Workshop Items:

Discussion Regarding Use of Town Operated Public Amenities – Scott Marshall, Deputy Town Manager

Marshall stated that there are three Town-operated venues that are available for rental, with the associated rental fees established in the Town's Master Fee Schedule, adopted annually as part of the Fiscal Year Consolidated Budget.

1. Rotary Community Center at Oscar Frazier Park.
2. Field of Dreams at Oscar Frazier Park, not inclusive of the recently constructed pavilion.
3. Oyster Factory Park.
 - a. West Side, not inclusive of the Garvin-Garvey House.
 - b. East Side.

The following venues are currently not available for rental and do not have any fees associated with their use in the Town's Master Fee Schedule:

1. Wright Family Park.
 - a. Passive park currently under construction.
 - b. Established hours of operation are sunrise to sunset.
 - c. Alcohol, smoking and fireworks are strictly prohibited.
2. Dog Park at Oscar Frazier Park.
 - a. Established hours of operation are sunrise to sunset.
 - b. Alcohol and fireworks are prohibited, unless a permit has been granted. Smoking is prohibited.
3. Dubois Park.
 - a. Established hours of operation are sunrise to sunset.

- b. Alcohol and smoking are strictly prohibited. Fireworks are prohibited, unless a permit has been granted.
4. Martin Family Park.
 - a. Established hours of operation are sunrise to sunset.
 - b. Alcohol and smoking are strictly prohibited. Fireworks are prohibited, unless a permit has been granted.
5. Ulmer Auditorium.
 - a. There are no established hours of operation.
 - b. Town has a license agreement with May River Theater.
6. New Riverside Park.
 - a. Still pending Conceptual Plan approval and funding for construction.
7. Public Park at Buckwalter Place Commerce Park, not inclusive of the Veterans Memorial.
 - a. Construction nearly complete.

Marshall stated that pending the direction of Town Council, staff will incorporate the necessary additions to the Town's Master Fee Schedule as part of the FY21 Consolidated Budget Adoption Process and that administrative procedures would need to be adopted and implemented as necessary to accommodate adding to the list of rentable Town-operated venues.

Council requested that the Dog Park be kept as it currently is, with no consideration for rentals.

Council requested that DuBois Park be kept as it currently is, but that Staff investigate options such as signage and tracking due to overflow from Martin Family Park.

Council requested that Martin Family Park be added to the fee schedule. The Town will limit the number of times the park can be rented and make exceptions in regard to park hours and alcohol usage with special event permits.

Council requested that Staff wait until the Wright Family Park and New Riverside Park are completed before making any decisions on operations.

Council requested that the public park at Buckwalter Place/Veteran's Memorial be added to the fee schedule.

Council requested that Ulmer Auditorium be revisited once the May River Theatre completely moves back in and requests for usage be tracked to determine if there is a need to add it to the fee schedule in the next budget cycle.

Discussion and Direction on Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 – Zoning District, Including Uses by Districts

(Shopfront Manufacturing and Storefront Manufacturing), Conditional Use Standards (Junk and Salvage Yard Operations, Manufacturing, Shopfront Manufacturing, Storefront Manufacturing, Solid Waste Transfer Facility/Recycling Center) and Article 9 Definitions and Interpretations (Shopfront Manufacturing and Storefront Manufacturing) – Heather Colin, Director of Growth Management

On May 8, 2018, the Town of Bluffton Town Council approved a Resolution adopting the Strategic Plan for Fiscal Year 2019-20. The Strategic Plan serves as a road map for activities and initiatives to implement the Town's Vision and Mission Statement to ensure that Bluffton is poised to capitalize on opportunities that advance key goals.

Strategic focus areas include Fiscal Sustainability, Economic Growth, Town Organization, Community Quality of Life, Infrastructure, Affordable and/or Workforce Housing, and the May River & Surrounding Rivers and Watersheds.

To support Community Quality of Life, Town Council requested a review of the Unified Development Ordinance (UDO) to determine if amendments could be made to better support the Town's priorities and manage growth. This "calibration of land uses" includes recommending: 1) two new land uses (storefront manufacturing and storehouse manufacturing) with use conditions; 2) elimination of mini-warehouse or self-service storage facilities as a conditional use in the General Mixed (GM) Use District and changing it from a permitted use to a conditional use in the Light Industrial (LI) District; and, 3) improvements to existing use conditions for the development of junk and salvage yard operations; manufacturing; mini warehouses or self-storage facilities and, solid waste transfer facility / recycling centers.

Feedback from the Don Ryan Center for Innovation (Don Ryan Center) regarding amendments to the Unified Development Ordinance (UDO) was also obtained which identified breweries and distilleries as desirable land uses that support Economic Development and Community Quality of Life. Staff has contact John O'Toole with Beaufort County Economic Development Corporation and Ashley Feaster with Palmetto Electric Cooperative to receive their feedback as it relates to economic development strategies. To support a broader range of potential businesses with operational characteristics like breweries and distilleries (i.e., low intensity manufacturing), storefront and storehouse manufacturing is proposed.

Proposed UDO amendments for consideration include:

- 1. Amend Article 4 (Zoning Districts), Sec. 4.3 (Uses by District), Table 4.3 (Uses by District).** The following changes are proposed: a) Add storefront manufacturing and storehouse manufacturing as new conditional uses within specified zoning districts; and 2) Eliminate the Mini-warehouse or Self-service storage facilities as a conditional use in the General Mixed (GM) Use District and change from a permitted use to a conditional use in the Light Industrial (LI) District. Additional buffering is also proposed.

In recent years, traditional retail shops have undergone transformation. While competition with Internet sales has diminished the construction of new brick and mortar

stores to some degree, retailing with related light manufacturing and assembly is expected to continue to increase. Traditionally, zoning regulations have forced these uses to locate in industrial areas; however, they do not cause operational nuisances. By limiting these uses to industrial-zoned property, which is a very limited area of Bluffton, the Town may be losing potential businesses and employment opportunities.

To address this, two new land uses are proposed, one that is primarily retail in nature (“storefront manufacturing”) and the other that is primarily manufacturing (“storehouse manufacturing”). An example of storefront manufacturing use is a coffee shop that receives and stores beans to be roasted in mass. The roasted beans are then used to brew coffee for on-site consumption and may also be packaged for retail sale on-site and/or to be shipped to purchasers. An example of storehouse manufacturing is a brewery or distillery that is primarily engaged in the manufacturing and bottling of beverages for wholesale to be sold by other establishments, and that may provide limited on-site retail to the general public, tastings and tours. It has become common to see this use in conjunction with a restaurant or bar (which are separate principal uses).

Removing mini-warehouses and self-service storage facilities from the General Mixed (GM) Use District is intended to ensure that the GM District remains vibrant with businesses that provide goods and personal services, as well as employment opportunities. The nature of the storage use is more appropriate for the Light Industrial District with very specific conditions.

2. **Amend Article 4 (Zoning Districts), Sec. 4.4 (Conditional Use Standards).** The following change is proposed: a) To refine the introductory paragraph. As identified in UDO Table 4.3 (Uses by District), certain uses are “conditional uses” and are designated with the letter “C.” The letter indicates that the particular use has conditions that are required for it to be developed. Typically, the conditions relate to minimizing impacts, such as requiring more screening or buffering beyond the minimum requirements of the UDO. The proposed amendment provides an explanation of the intent of the conditions and eliminates language that may be confusing.
3. **Amend Article 4 (Zoning Districts), Sec. 4.4.2 (Conditional Use Standards, Commercial Uses: Storefront Manufacturing, Storehouse Manufacturing).** Storefront manufacturing and storehouse manufacturing are proposed to include conditions to ensure that manufacturing activities do not cause potential nuisances for neighboring properties, including noise, odor, vibration and glare. Additionally, limited outdoor activities may be possible for the storehouse manufacturing use if screening is provided. Storefront manufacturing should also incorporate a traditional shopfront appearance.
4. **Amend Article 4 (Zoning Districts), Sec. 4.4 (Conditional Use Standards, Industrial Uses: Junk and Salvage Operations, Solid Waste Transfer Facility/Recycling Center, Manufacturing).** Three uses—junk and salvage operations, manufacturing and solid waste transfer facility/recycling facility—are presently permitted in the Light Industrial

district as conditional uses (i.e., if the specified UDO conditions are met, the use is permitted). The use conditions are designed to prevent or reduce potential nuisance impacts beyond the property lines, such as noise and glare. Amendments are proposed to require improved buffering, including landscaping and screening to ensure greater compatibility with neighboring properties.

5. **Amend Article 9 (Definitions and Interpretation), Sec. 9.4.3 (Description of Uses of Land and Buildings; Commercial Services-Storefront Manufacturing and Storehouse Manufacturing).** With the addition of storefront manufacturing and storehouse manufacturing as new uses (see #1 above), definitions for each are proposed. Storefront manufacturing is primarily engaged in retail sales but also includes limited manufacturing activities (e.g., a coffee shop that roasts beans and packages them for sale on-site or via the Internet). Storehouse manufacturing is primarily engaged in low intensity manufacturing that could include assembly and packaging for limited on-site sales but may include retail sales via the Internet and wholesale for larger quantities. An example, small-scale craft breweries and distilleries, are increasingly popular in mixed use areas and may be in combination with a restaurant and/or bar, separate principal uses.

Feedback from Council included that Staff explore language to eliminate mini warehouses and self-storage facilities in light industrial districts and allow only in PUD agreements.

Discussion and Direction on Amendments to the Town of Bluffton Code of Ordinance, Chapter 23 – Unified Development Ordinance, Article 5 – Design Standards, General Standards Related to Historic District Architectural Design – Heather Colin, Director of Growth Management

The proposed amendments are intended to fix reoccurring issues that have been identified as problematic in their application over the years. This process included input from the Historic Preservation Commission, Town Council, a consultant, local architects and other interested individuals and community members. Additional amendments are also proposed to fix scrivener’s errors, provide consistency with other sections of the Unified Development Ordinance (UDO), allow additional flexibility in some instances (e.g., more material choices), and reduce minimum lot widths for all permitted building types to not less than 50 feet. These amendments were discussed at a Historic Preservation Workshop on May 1, 2019 and are representative of the comments provided.

This HPC and Planning has reviewed the following but once reviewed and approved by Town Council, it will go through a public hearing and two readings before Town Council.

UDO Amendments: Article 5, Design Standards		
Sec. 5.15: Old Town Bluffton Historic District		
Section	Why Amendment is Proposed	Amendment

UDO Amendments: Article 5, Design Standards

General Standards Related to the Various Zoning Districts

<p>Section 5.15.5 (General Standards)</p>	<p>The phrase “and parking” is added as a site element that could affect residential density, in addition to other elements.</p>	<p>5.15.5 General Standards The existing or proposed building type shall determine the applicable lot standards. Building types shall only be permitted as listed in the applicable District. The maximum allowed density is based on the dimensional characteristics established for each building type in combination with other site characteristics that may limit the amount of land able to accommodate density. These other site characteristics include, but are not limited to, lot configuration, right-of-way, easements, protected natural resources, open space, and topography, and parking.</p>
<p>Section 5.15.5.A (Neighborhood Core-HD)</p>	<p>All references to "Town Architect" are to be amended throughout the UDO to "UDO Administrator" as a Town Architect does not exist. "Transect Zone" is corrected to "District."</p>	<p>As approved by the <u>UDO Administrator or Board/Commission with approval authority in accordance with Article 2 of this Ordinance</u>Town Architect, additional building types may be allowed in the Neighborhood Core District <u>Transect Zone</u>. Building types not specifically listed shall be regulated by the following general requirements:</p>
<p>Section 5.15.5.A (Neighborhood Core-HD)</p>	<p>At the request of Town Council, minimum lot sizes for applicable building types are amended to be no less than 50 feet in width.</p>	<p>Lot Width</p> <p>Main Street Building: 30' <u>50'</u> – 100'</p> <p>Commercial Cottage: 30' <u>50'</u> – 75'</p> <p>Live-work Sideyard: 35' <u>50'</u> – 65'</p> <p>Additional Building Type: 30' <u>50'</u> – 100'</p>
<p>Section 5.15.5.B (Neighborhood Center-HD)</p>	<p>Scrivener's error correction regarding name of district</p>	<p>Neighborhood Core<u>Center</u> Building Type Requirements:</p>
	<p>All references to "Town Architect" are to be amended throughout the UDO to "UDO Administrator" as a Town Architect does not exist. "Transect Zone" is corrected to "District."</p>	<p>As approved by the <u>UDO Administrator or Board/Commission with approval authority in accordance with Article 2 of this Ordinance</u>Town Architect, additional building types may be allowed in the Neighborhood Center District <u>Transect Zone</u>. Building types not specifically listed shall be regulated by the following general requirements:</p>

UDO Amendments: Article 5, Design Standards

	<p>At the request of Town Council, minimum lot sizes are amended to be no less than 50 feet in width. Only affected building types shown.</p>	<p>Main Street Building: 40' <u>50'</u> – 80'</p> <p>Commercial Cottage: 30' <u>50'</u> – 60'</p> <p>Live-work Sideyard: 40' <u>50'</u> – 60'</p> <p>Cottage: 30' <u>50'</u> - 60'</p> <p>Village House: 40' <u>50'</u> - 60'</p>																					
<p>Section 5.15.5.C (Neighborhood General-HD)</p>	<p>All references to "Town Architect" are to be amended throughout the UDO to "UDO Administrator" as a Town Architect does not exist. "Transect Zone" is corrected to "District."</p>	<p>As approved by the <u>UDO Administrator or Board/Commission with approval authority in accordance with Article 2 of this Ordinance</u> Town Architect, additional building types may be allowed in the Neighborhood General <u>District Transect Zone</u>. Building types not specifically listed shall be regulated by the following general requirements:</p>																					
	<p>Use of building should be more flexible; it is proposed that mandatory mixed-use not be required and that two additional building types be permitted in the district. The amended language relates to the addition of the two new building types.</p>	<p>1. Mandatory Residential, Commercial and Mixed Use: The Neighborhood General zone shall be primarily residential in nature. All commercial development within this zone must maintain a predominantly residential character, as determined by the UDO Administrator.</p> <p>2. A waiver of the mandatory residential <u>character</u> component may be granted by the UDO Administrator for commercial properties with direct frontage on SC Highway 46 or Bruin Road. <u>These commercial properties may have retail shopfronts or have awning/marquees or colonnades/arcades and be at grade, in accordance with this Ordinance.</u></p>																					
	<p>Live-Work Sideyard and Commercial Cottage building types are proposed to be added as additional building types. Would allow commercial uses to be in building types other than residential. Development standards included.</p>	<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Front Build-to</th> <th>Lot Width</th> <th>Front-age</th> <th>Rear SB</th> <th>Side SB</th> <th>Height</th> </tr> </thead> <tbody> <tr> <td><u>Live-Work Sideyard</u></td> <td><u>10'-20'</u></td> <td><u>50'-100'</u></td> <td><u>N/A</u></td> <td><u>25'</u></td> <td><u>10'</u></td> <td><u>1-2.5</u></td> </tr> <tr> <td><u>Commercial Cottage</u></td> <td><u>10'-20'</u></td> <td><u>50'-100'</u></td> <td><u>N/A</u></td> <td><u>25'</u></td> <td><u>10'</u></td> <td><u>1-1.5</u></td> </tr> </tbody> </table>		Front Build-to	Lot Width	Front-age	Rear SB	Side SB	Height	<u>Live-Work Sideyard</u>	<u>10'-20'</u>	<u>50'-100'</u>	<u>N/A</u>	<u>25'</u>	<u>10'</u>	<u>1-2.5</u>	<u>Commercial Cottage</u>	<u>10'-20'</u>	<u>50'-100'</u>	<u>N/A</u>	<u>25'</u>	<u>10'</u>	<u>1-1.5</u>
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UDO Amendments: Article 5, Design Standards

	<p>At the request of Town Council, minimum lot sizes are amended to be no less than 50 feet in width. Only affected building types shown.</p>	<p>Cottage: 40' <u>50'</u> - 60'</p> <p>Sidyard House: 40' <u>50'</u> - 65'</p> <p>Additional Building Type: 40' <u>50'</u> - 100'</p>
<p>Section 5.15.5.D (Neighborhood Conservation-HD)</p>	<p>All references to "Town Architect" are to be amended throughout the UDO to "UDO Administrator" as a Town Architect does not exist. "Transect Zone" is corrected to "District."</p>	<p>As approved by the <u>UDO Administrator or Board/Commission with approval authority in accordance with Article 2 of this Ordinance</u>Town Architect, additional building types may be allowed in the Neighborhood Conservation <u>District</u> Transect Zone. Building types not specifically listed shall be regulated by the following general requirements:</p>
	<p>At the request of Town Council, minimum lot sizes are amended to be no less than 50 feet in width. Only affected building types shown.</p>	<p>Cottage: 40' <u>50'</u> - 60' Additional Building Type: 40' <u>50'</u> - 100'</p>
<p>Section 5.15.5.E (Riverfront Edge-HD)</p>	<p>All references to "Town Architect" are to be amended throughout the UDO to "UDO Administrator" as a Town Architect does not exist. "Transect Zone" is corrected to "District."</p>	<p>As approved by the <u>UDO Administrator or Board/Commission with approval authority in accordance with Article 2 of this Ordinance</u>Town Architect, additional building types may be allowed in the Riverfront Edge <u>District</u> Transect Zone. Building types not specifically listed shall be regulated by the following general requirements:</p>
<p>General Standards</p>		
<p>Section 5.15.5.F.1.e (Building Height-Half Story)</p>	<p>There are two definitions of "Half Story"; one in this section, and the other within Article 9. This definition will be consistent with the one provided in Article 9.</p>	<p>e. <u>A space under a sloping roof that has the line of intersection of the roof and the exterior wall supporting the roof not more than 3 feet above the floor level, and in which space the possible floor area with head room of 5 feet or more occupies between 30 and 70 percent of the total floor area of the story directly beneath</u>A half story is a finished living floor which is contained wholly or predominantly within the roof of a structure and is subject to the regulations of the local building code. If the possible floor area with head room of 5 feet or more occupies more than 70 percent of the total floor area of the story directly beneath, then that space shall be considered a full story.</p>

UDO Amendments: Article 5, Design Standards

<p>Section 5.15.5.F.4 (Building Composition-Chimneys)</p>	<p>It is recommended that “chimneys” be added as there is a relationship between building proportion, building features and the size of a chimney</p>	<p>a. Overall building proportions and individual building features shall have a proportional relationship with one another. For example, features such as porches, <u>chimneys</u>, cornices, windows and doors must be proportional to other features of the building as well as the overall building form.</p>
<p>Section 5.15.5.F.10 (Turning Radii)</p>	<p>Proposed to be removed in its entirety to avoid duplication with the review of the Fire Marshal. Replace this sub-section with "Service Yards" (below).</p>	<p>10. Corner Radii and Clear Zones. Corner curb radii shall be between 9 feet and 15 feet. Fairly tight turning radii shorten pedestrian crossings and inhibit reckless drivers from turning corners at high speeds. To allow for emergency vehicles (e.g. fire trucks) to turn corners, a 25 foot radius Clear Zone shall be established free of all vertical obstructions such as telephone poles, sign poles, fire hydrants, electrical boxes, or newspaper boxes, etc.</p>
<p>Section 5.15.5.F.10 (Service Yards)</p>	<p>Standards for Service Yards are proposed for improved screening.</p>	<p><u>10. Service Yards. Service yards may be built to conceal trashcans, air condition equipment, pool equipment, above ground propane tanks, lawn equipment, and other service related items. Service yards shall be located in side or rear yards, away from all public vantages, and screened from neighboring properties.</u></p> <p><u>a. Materials used in building service yards shall be visibly compatible with the materials used in the primary structure and accessory structure(s). b. The service yard may be enclosed by louvers, lattice, vertical board or board-on-board panels, or such other styles typical of earlier styling. c. The height of the service yard enclosure shall be sufficient to screen equipment from public vantages; however, may not exceed six (6') feet in height. d. Window air-conditioning units shall not be placed on the primary façade of the primary structure or of any accessory structure. e. Roof mounted equipment, if required, shall be low-profile and located at the side or rear elevations so as to not be visible from the street. f. Utility meters shall be screened from public view.</u></p>
<p>Architectural Standards</p>		
<p>Section 5.15.6.E.1 (Awnings and Marquees)</p>	<p>Proposed to be amended to include: 1) Neighborhood Center HD zoning district; 2) to not require marquees and awnings to be erected forward of the Build-to-Zone because of problems related to zero lot line requirements.</p>	<p>c. Length = 25% to 100% of Building Frontage (F) for commercial and mixed-use buildings within the Neighborhood Core-<u>HD</u>, <u>Neighborhood Center-HD</u> and Neighborhood General-<u>HD zoning districts</u> only). e. Marquees and Awnings shall <u>may</u> occur forward of the Build-to-Zone.</p>

UDO Amendments: Article 5, Design Standards

Section 5.15.6.F (Architectural Elements)	A variety of amendments are proposed based on input received from the HPC and PC.	2. General Requirements: The following shall be located in rear yards/ <u>elevations</u> , or <u>in</u> sideyards/ <u>elevations</u> not facing side streets, <u>with approved screening</u> : <ol style="list-style-type: none"> a. Window and Wall Air Conditioners; b. Electric Utility Meters; c. Air Conditioning Compressors; d. Irrigation and pool pumps; and, e. Non-Residential <u>and Residential</u> Waste Receptacles; f. <u>Systems Equipment</u>; and, g. <u>Roof Penetrations and Wall Penetrations</u>.
Section 5.15.6.F. 4. (Prohibited Materials)	Both HPC and PC recommended greater flexibility in appropriate building material choices, including allowing plain wire meshing as it is often used to create “living” fences with vegetation and certain wood composite material. Electric fences are proposed to not be permitted.	4. The following are prohibited: <ol style="list-style-type: none"> a. Undersized shutters (the shutter or shutters must be sized so as to equal the width that would be required to cover the window opening.); b. Shutters made of plastic, vinyl, aluminum, polystyrene, and metal, <u>or any material not permitted by Section 5.15.6.M of this Ordinance</u>; i. Fences made of chain link, barbed wire, vinyl, plain wire mesh, or coated chain link; j. <u>Fencing that has an electrical charge or is connected to source of electrical current and which is designed or placed that a person or animal coming into contact with the conductive element of the fence receives an electrical shock</u>; jk. Fake-grained materials, <u>except for any approved wood composite material permitted by Section 5.15 of this Ordinance</u>; and kk. Internally lit/neon signs.
Section 5.15.6.G (Building Walls)	The amendments in this section include: 1) correcting minor grammatical errors; and, 2) allowing tabby as a permissible construction and finish material.	G. Building Walls <ol style="list-style-type: none"> 1. General Requirements (required for all buildings): <ol style="list-style-type: none"> a. Exposed foundation walls (below the first floor elevation) shall be: Brick done in bond patterns that match historic patterns in the district; Painted brick; Tabby stucco (mixed shell size only); and or Stucco over block or concrete (sand-finished or steel trowel only). b. All Chimneys shall be made of brick; ; stucco, <u>tabby</u> and natural or manufactured stone. 3. Permitted Finish Materials: <ol style="list-style-type: none"> a. Wood (termite resistant, 50-year siding product). b. Cement fiber siding (50-year siding product). c. Concrete masonry units with stucco <u>tabby</u> (C.B.S.).

UDO Amendments: Article 5, Design Standards

Section 5.15.6.G (Columns, Arches, Piers, Railings, Balustrades)

Amendments are proposed to: 1) correct grammatical issues; 2) provide a measurement for spacing of columns; 3) allow tabby as a finish material; and 4) provide additional requirements for the column bases, trim and beams located above columns.

H. Columns, Arches, Piers, Railings, Balustrades

1. General Requirements: a. Column spacing: Columns and porch posts shall be spaced no farther apart than they are tall as measured from the centerlines of the columns ("o.c."). Piers shall be ~~place~~ placed directly below the columns or posts which they support. Column Proportions shall be consistent with those found in the American Vignola: A Guide to the Making of Classical Architecture, by William Ware. of Classical Architecture, by William Ware. 2. Permitted Finish Materials:

a. Columns: Wood (termite resistant), painted or natural, Cast Iron, Concrete with smooth finish, Brick, Stone, or Tabby.

b. Arches, Lintels, and Sills: Concrete Masonry Units with Stucco (C.B.S.), Reinforced Concrete with Stucco, Brick, Stone, or Tabby.

c. Piers: Concrete Masonry Units with Stucco (C.B.S.), Reinforced Concrete with Stucco, Brick, Stone.

d. Railings & Balusters: Wood (termite resistant), painted or natural Wrought Iron. 3. Permitted Configurations:

a. Columns: Square, 6" minimum, with or without capitals and bases; Round, 6" minimum outer diameter, with or without capitals and bases; Classical orders. b. Arches: Semi-circular & Segmental.

c. Piers: 8" minimum dimension.

d. Porches: Top Rail: 2-3/4". Minimum diameter; Balusters: 4" o.c. spacing minimum, 5" o.c. spacing maximum.

e. The beam above the column to be the same circumference as the neck of the column.

f. Column base or trim are not permitted to overhang the porch or stoop.

UDO Amendments: Article 5, Design Standards

<p>Section 5.15.6.I (Windows and Doors)</p>	<p>The HPC and PC recommend more flexibility for window and door materials, especially with the improvement of wood composite materials. They believe that wood composite could be permissible in Old Town Bluffton if 1) the structure is not contributing; and, 2) the UDO Administrator determines the composite material is of high quality and will not conflict with the character of the Historic District.</p>	<p>I. Windows and Doors</p> <p>1. General Requirements: a. The primary entrance to all buildings shall be located on the exterior wall facing the frontage street. b. Window openings shall be oriented vertically. c. Masonry Construction: A header and sill is required for all windows that are not located in a shopfront.</p> <p><u>d. The following accessories are permitted: Shutters, Wooden Window Boxes, Muntins and Mullions, Fabric or Metal Awnings (no backlighting; no glossy-finish fabrics). Snap-in muntins or mullions, and muntins between the glass are not recommended. Windows with true divided lite or simulated divided lite are encouraged.</u></p> <p>e. Dormer windows are encouraged.</p> <p>2. Permitted Finish Materials: a. Windows & Shopfronts: Wood, Aluminum, Copper, Steel, Vinyl, CladWood.</p> <p>b. Doors: Wood, or Metal or <u>Metal-Clad. Except in the case of a Contributing Structure, the UDO Administrator may approve of the use of WoodComposite material for doors provided the UDO Administrator determines that the door will be consistent with the character of the Historic District and the materials used are of equal or better quality than traditional building materials.</u></p> <p><u>3. Permitted Configurations:</u></p> <p>a. Windows: Rectangular, Square, Transom, Sidelite. <u>Transoms must be aligned with the window or door located directly below them.</u></p> <p>b. Window Operations: Single- and Double-Hung, Casement, Industrial, <u>Tilt</u>, Fixed Frame (36 square feet max. <u>and permitted within retail storefront only</u>). c. Door Operations: Casement, French.</p>
<p>Section 5.15.6.J (Roofs and Gutters)</p>	<p>More flexibility is proposed relating to roofs and gutters, including allowing rain chains. Design is also addressed.</p>	<p>J. Roof and Gutters</p> <p>1. General Requirements:</p> <p>a. Permitted Roof Types: gabled, hipped, & shed. Flat roofs shall be concealed on all sides with parapets. Applied mansard roofs are not permitted.</p> <p>b. Downspouts are to match gutters in material and finish. <u>Rain chains may be used.</u></p> <p>2. Permitted Finish Materials:</p> <p>a. Metal: Galvanized, Copper, Aluminum, Zinc-Alum.</p> <p>b. Shingles: Metal or Asphalt “dimensional” type, Slate, Composite Slate.</p> <p>c. Gutters: Copper, Galvanized Steel, Aluminum (14-18 gauge).</p> <p>d. Use recycled-content, 30- or 40-year roofing material.</p> <p><u>e. Design: Appropriate leaderheads, collector boxes, or scupper boxes are encouraged.</u></p>

UDO Amendments: Article 5, Design Standards

<p>Section 5.15.6.K (Garden Walls, Fences and Hedges)</p>	<p>This Report recommends that tabby be clearly identified as an acceptable finish material and configuration within subsections 3(c), 3(e) and 4(f) of Section 5.15.6.K. The Planning Commission has also requested the inclusion of a requirement that garden fences meet “contextual standards” or “professional standards.” Additionally, the current iteration of the UDO expressly permits spacing for wrought iron fencing of up to 6”, which spacing, under certain conditions, could be in violation of the International Building Code (“IBC.”) This Report recommends appropriate revisions to Section 5.15.6.K. as follows:</p>	<p>K. Garden Walls, Fences, and Hedges</p> <ol style="list-style-type: none"> 1. General Guidelines: Fences, garden walls, or hedges are recommended along all un-built rights-of-way which abut streets and rear lanes as shown in the diagram below. Fences, garden walls, or hedges are encouraged along Side Yards (behind the front plane of the primary structure), and Rear Yards. Fences, garden walls and hedges shall be minimum 25% opaque, <u>and shall meet appropriate contextual standards or professional standards.</u> When fences, garden walls, or hedges occur, they must follow the below requirements: <ol style="list-style-type: none"> 2. Height: <ol style="list-style-type: none"> a. Front Yard (in front of the primary structure): minimum height of 24 inches, maximum height of 42 inches. Pillars and posts shall extend farther. b. Rear Yards and Side Yards (behind the front plane of the primary structure): minimum height of 36 inches, maximum height 6 feet. 3. Permitted Finish Materials: <ol style="list-style-type: none"> a. Wood (termite resistant). b. Wrought Iron <u>or Tube Steel.</u> c. Brick (A cap protects the tops of all brick elements exposed to the weather such as garden walls and freestanding piers. Caps are generally comprised of brick, but may also be comprised of stone, cast stone, terra cotta, <u>tabby</u>, concrete, <u>metal</u>, or slate. The edges of caps shall be rectangular or more ornate. Caps shall project past the edge of the brick element below a minimum of 1/2in.). d. Stone. e. Concrete Masonry Units with <u>Stucco or Tabby</u> Stucco (C.B.S. – if primary structure is masonry). f. Reinforced Concrete with Stucco (if primary structure is masonry). g. Wood posts with “Hog wire” infill and a board rail on top. 4. Permitted Configurations: <ol style="list-style-type: none"> a. Wood: Picket fences with corner posts and rail fences. b. Wrought Tube Steel <u>or Iron: Vertical, 5/8” minimum dimension, 4” to 6” spacing or spacing that complies with the applicable building code.</u> c. Brick. d. Stone. e. Stucco: with texture and color to match building walls. f. <u>Tabby Stucco: with texture and color to match building walls.</u>
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UDO Amendments: Article 5, Design Standards

Section 5.15.6.M (Shutters)	Residents and developers alike contend that Section 5.15.6.M of the UDO, which regulates shutter and shutter dog design, is too limiting and does not allow for other historically accurate or otherwise acceptable designs and materials. To address these issues, this Report proposes the following revision to Section 5.15.6.M.1:	<p>d. Shutters may be louvered, paneled, board and batten, or plank construction used with shutter dog of typical<u>the standard "S" design</u>, hook, rat-tail hooks, generally<u>less decorative iron butterfly, or other style shutter dog typical of the Old Town Bluffton Historic District's period of significance.</u></p> <p>e. Shutters shall be constructed of a durable wood. <u>Except in the case of a Contributing Structure, the UDO Administrator may approve of the use of Wood Composite material for shutters provided the UDO Administrator determines that the shutters will be consistent with the character of the Historic District and the materials used are of equal or better quality than traditional building materials.</u></p>
Section 5.15.6.N (Corners and Water Table Corners)	Minimal changes are recommended to Section 5.15.6.N of the UDO. In particular, the Consultant and Staff focused on the requirements of subsection (7), which governs the water table. This Report recommends that Section 5.15.6.N.7 be amended so as to better differentiate between the requirements for drip boards and for skirt boards.	<p>7. Water Table Trim:</p> <p>a. Water table Drip boards should <u>shall be a minimum 2x 5/4</u> stock with a bevel (any exposed flashing must be copper or match color of water table trim);</p> <p>b. Water table trim should <u>shall</u> extend beyond any skirt</p> <p>trim; and c. Skirt boards shall be <u>a minimum 5/4 stock and</u> furred out to sit just beyond <u>the</u> face of <u>the</u> foundation wall (after finish foundation material is applied, i.e. brick, stucco).</p>
Section 5.15.6.O (Skirting & Underpinning)	Based on the Consultant's recommendations, this Report proposes that the Town amend Section 5.15.6.O of the UDO by including additional restrictions on skirting and underpinning in subsection (1). The additional language proposed to be added is as follows:	<p>1. The following are permitted materials for skirting and underpinning: Brick lattice, vertical or horizontal pattern wood lattice or fencing referred to as "pigboard" and louvered vents. <u>Underpinning must be a minimum of 1" behind face of pier. Skirting must lay on top of pier. When using stucco or tabby allow for the material to be behind the skirting. Foundational vents of a similar configuration are permitted and should be aligned with window and door openings.</u></p>
Section 5.15.6.P (Cornice, Soffit, and Frieze)	A minor amendment is required to subsection (9) of Section 5.15.6.P to clarify certain blocking requirements. The proposed amendment is as follows:	<p>9. When exposed rafters are used, it is important that <u>either vented or unvented</u> blocking be provided between the rafters. Continuous venting in enclosed soffits with aluminum vents is permitted on new construction, but it is recommended that it be less than 3" wide and is disguised in the soffit to the extent feasible.</p>

Building Types

UDO Amendments: Article 5, Design Standards		
Section 5.15.8.B (Commercial Cottage)	An amendment to allow the Commercial Cottage building type within the Neighborhood General-HD zoning district. This reflects the amendment to Sec. 5.15.5.	Core • Center • General •
Section 5.15.8.C (Live-Work Sideyard)	An amendment to allow the Live-Work Sideyard building type within the Neighborhood General-HD zoning district. This reflects the amendment to Sec. 5.15.5. Also, an amendment to include a note that porches are permitted on the building frontage.	Core • Center • General • Under "Notes:", add the following note: " <u>May have porch on the front.</u> "
Section 5.15.8.D (Duplex / Triplex)	Amendments are recommended to improve clarity within the notes section.	Notes: Each Unit must have own separate <u>street façade entrance, forward (street) Facing entrance.</u> Units shall be arranged with fronts parallel to the <u>primary street</u> on which the Unit is located. Units shall all be constructed simultaneously and be of the same architectural character. Units may be rentals or condominiums. <u>Regardless of the ownership of the individual units, each building shall share a single lot.</u> Units share one single lot. One carriage house is allowed per <u>Unit/Lot.</u> Triplex may be 3 full stories if raised up on a full height basement. Each unit is typically 15' - 30' wide.
Section 5.15.8.F (Carriage House)	Carriage Houses are permitted to be detached or attached by the UDO. For consistency, an amendment to remove the word "Detached" is proposed.	General: Detached Accessory Structure.
Section 5.15.8.F (Carriage House)	A reduction of the minimum carriage house size from 250 square feet to 200 square feet is proposed for consistency with applicable building codes and a various sections of the UDO	Size Range: 250 <u>200</u> - 1,200 sq. ft. (per unit)
Section 5.15.8.M (River House)	Two of the photos showing the River House building type are not good examples of a River House and are proposed to be replaced by two photographs proposed during the review process.	PHOTOS TO BE PROVIDED

Council was in consensus that the proposed edits were needed.

Discussion and Direction on Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing – Heather Colin, Director of Growth Management

The Town of Bluffton is committed to improving the quality of families and communities, by helping to develop, produce and/or assist with low-cost affordable and/or workforce housing in safe neighborhoods including rental units and home ownership programs. To help guide efforts, Town Council created the Affordable Housing Committee by a majority vote on January 12, 2010 and Town Council Resolution adopted on August 11, 2015 establishing its Charter. The AHC is tasked with assisting and advising Town Council on the establishment of affordable housing criteria for Town sponsored affordable housing development projects and initiatives as well as defining the Town's affordable housing goals, guidelines, & policies, and funding mechanisms per the Committee.

On August 7, 2018, the AHC discussed the Town of Bluffton's Unified Development Ordinance's (UDO) requirements and incentives for Affordable/Workforce Housing and voted to forward the following recommendations for revisions to the UDO to Town Council:

1. Amend Section 4.2.13.F. Planned Unit Development (PUD) – Affordable/Workforce Housing. Currently, the UDO requires all new PUDs include a minimum of 10% affordable/workforce housing. The AHC recommends increasing the minimum amount of affordable/workforce housing required for new and amended PUDs from 10% to 20%.
2. Amend Section 6.5.3.B.4.a. Owner-Occupied Eligibility - Currently, the UDO requires that the sale of owner-occupied workforce/affordable housing units is limited to individuals and families earning no more than 120% of the current gross AMI for Beaufort County. The AHC recommends lowering the qualifying percentage to no more than 100% of the current gross Area Median Income (AMI) for Beaufort County. By lowering the percentage, it will allow more units to be available to lower earning households.

The following sections of the Unified Development Ordinance are proposed to be amended:

WORKFORCE / AFFORDABLE HOUSING

Article 4: Zoning Districts

Sec. 4.2.13.F. (Affordable/Workforce Housing)

As of [date of the adopted amendment], a new or amended PUD with a residential component shall include a minimum of 10% 20% affordable/workforce housing. For amended PUDs, this requirement applies only to the portion of the PUD subject to the amendment. PUD's that include more than 10% 20% affordable/workforce housing, a density bonus of two additional market price units shall be allowed for each additional affordable/workforce housing unit. This may be utilized for a density increase of up to 20%. The Town of Bluffton may accept a fee in lieu of

including affordable/workforce housing.

Article 6: Sustainable Development Incentives

Sec. 6.5.3.B.4.a. (Workforce/Affordable Housing, Specific Standards)

4. Owner-occupied workforce/affordable housing shall meet the following criteria:

- a. **Eligibility.** Sale of owner-occupied workforce/affordable housing units is limited to individuals and families earning no more than 120% 100% of the gross Area Median Income (AMI) for Beaufort County, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size. The workforce/affordable housing unit shall serve as the owner's primary residence for the duration of ownership or until the deed restrictions required by this Section have expired."

Council requested that Staff look at some key definitions in Article 6 and make certain that they are clearly defined.

Discussion and Direction on Amendments to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article 4 – Small Cell Facilities – Heather Colin, Director of Growth Management

Colin stated that Small cell facilities are intended to support the next generation of cellular service (5G), which provides greater bandwidth and faster download speeds for the increasing number of devices that require wireless service.

Unlike cell towers that cover a broad area, a small cell facility is an antenna (and its related equipment) that provides cellular coverage for a radius of approximately 1500 feet. Typically, the antenna is attached to a structure within a public right-of-way that is less than 50 feet in height. These types of facilities are mostly located in densely populated places but will expand with the growth of 5G technology.

To deploy these types of facilities quickly and less expensively, the telecommunications industry prefers to use structures within public rights-of-way, such as light poles and traffic light structures. To avoid delays and expenses that occurred when cell towers were first deployed, the telecommunications industry has, to some degree, attempted to pre-empt the degree to which local governments can regulate these facilities.

A Federal Order released by the Federal Communications Commission in September 2018 is intended to remove regulatory barriers that were commonplace with cell towers. This includes a "shot clock" to expedite plan review, capping application costs and limiting aesthetic review of the entire facility.

More than 20 states have adopted legislation, suggested by the telecommunications industry that is even more restrictive than the Federal Order with regards to local government control. The State of South Carolina is also considering similar legislation. House Bill 4262 was approved by the House in 2019; it is presently under review by a Senate sub-committee.

The proposed small cell facility ordinance is based on a model ordinance provided by the Municipal Association of South Carolina (MASC), which it crafted with the telecommunications industry to streamline the review and permitting process. The ordinance is intended as a guide to prepare local governments to receive applications. If adopted, the ordinance will be placed into the Utilities chapter of the Code of Ordinances for the Town of Bluffton because placement of facilities is intended within public rights-of-way.

Council agreed with the proposed Ordinance model from the Municipal Association of South Carolina.

Formal Items:

Accommodations Tax Advisory Committee Funding Recommendation for Quarter Ending December 31, 2019 – Natalie Majorkiewicz, Treasury Manager

Majorkiewicz stated that in accordance with the grant process, the Accommodations Tax Advisory Committee met on February 18, 2020 to review the quarterly grant applications and made the following grant award recommendations for Town Council’s consideration:

Requesting Organization	Amount Requested	Amount Recommended
Celebrate Bluffton, Inc.: “Discover Bluffton” Revision of Grant No. 2018-L014 and Reformatting of Bluffton Buddy App	\$ 7,132	\$ 7,132
May River Theatre: Production and Advertising Costs	14,520	14,520
Total for the Quarter	\$ 21,652	\$ 21,652

Celebrate Bluffton, Inc. requested a revision to their current grant of \$7,132 to support the reformatting of the Bluffton Buddy App for advertising and promotion of tourism.

The committee voted to recommend the revision of the total grant amount of \$7,132 as presented below:

“Discover Bluffton” Revision of Grant No. 2018-L014 and Reformatting of App	Total Budget	Recommended ATAX Grant (approx. 49% of project budget)
Arts and Cultural Events (Marketing):	\$ 14,632	\$ 7,132
Total	\$ 14,632	\$ 7,132

May River Theatre, Inc, requested \$14,520 to support advertising and promotion expenses for “Plaza Suite” and “The 25th Annual Putnam County Spelling Bee” shows.

The committee voted to recommend a total award of \$14,520 as presented in the chart below:

Advertising and Production Costs for 2 Shows	Total Budget	Recommended ATAX Grant (approx. 21% of project budget)
Arts and Cultural Events (Marketing)	\$ 9,610	\$ 8,260
Civic and Cultural Events:	18,375	6,260
Project Expenses:	13,700	N/A
Total	\$ 41,685	\$ 14,520

Toomer made a motion to approve the request from Celebrate Bluffton, Inc., to revise Grant No. 2018-L014 for \$7,132 as presented in the Staff Report for advertising and promoting arts and cultural events expenses. Frazier seconded. The motion carried unanimously.

Toomer made a motion to grant May River Theatre, Inc. \$14,520 in support of “Plaza Suite” and “The 25th Annual Putnam County Spelling Bee” as presented for advertising and promoting arts and cultural events expenses. Hamilton seconded. The motion carried unanimously.

Consideration of an Emergency Ordinance Temporarily Suspending the Normal Operating Procedures of Town Council Meetings and Other Public Meetings and to Authorize the Town Manager to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID-19 Outbreak to Temporarily Suspend the Operation of Deadlines Imposed Upon the Town and to Extend Tax Compliance Deadlines - Final Reading under Emergency Proclamation – Terry Finger, Town Attorney

Hamilton made a motion to approve the Emergency Ordinance Temporarily Suspending the Normal Operating Procedures of Town Council Meetings and Other Public Meetings and to Authorize the Town Manager to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID-19 Outbreak to Temporarily Suspend the Operation of Deadlines Imposed Upon the Town and to Extend Tax Compliance Deadlines. Frazier seconded. The motion carried unanimously.

Consent Agenda:

1. Monthly Department Reports: Police, Finance/Administration, Engineering, Don Ryan Center for Innovation, and Growth Management
2. Town Manager’s Monthly Report

3. Consideration of Proposed Contractual Agreement Relating to Buck Island Simmonsville Neighborhood Sanitary Sewer Extension Phases 5A-D – Bryan McIlwee, Director of Engineering

Wood made a motion to accept the consent agenda as presented. Toomer seconded. The motion carried unanimously.

Adjournment:

Hamilton made a motion to adjourn. Wood seconded. The meeting adjourned at 8:08 p.m.

Lisa Sulka, Mayor

Kimberly Chapman, Town Clerk

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