TOWN OF BLUFFTON
BLUFFTON TOWN COUNCIL MEETING

ELECTRONIC MEETING

Tuesday, June 9, 2020 | 6 PM

This meeting can be viewed on the Town of Bluffton's Facebook page (https://www.facebook.com/TownBlufftonSC/)

NOTE: THERE ARE TWO COMMENT SESSIONS DURING THIS MEETING

PUBLIC HEARING - CONTACT THE TOWN CLERK AT 843.706.4505 OR VIA EMAIL AT KCHAPMAN@TOWNOFBLUFFTON.COM TO RECEIVE DIAL IN INSTRUCTIONS.

PUBLIC COMMENT – SUBMIT FORM ELECTRONICALLY AT https://bit.ly/TOBPublicComment PUBLIC COMMENTS WILL BE READ ALOUD BY THE CLERK FOR THE RECORD.

ALL REQUESTS FOR PUBLIC HEARING OR PUBLIC COMMENT WILL BE ACCEPTED UP TO TWO (2) HOURS PRIOR TO THE SCHEDULED MEETING START TIME.

I. Call to Order – Mayor Sulka

II. Pledge of Allegiance

III. Invocation

IV. Adoption of the Agenda

V. Adoption of the Minutes

1. Town Council Regular Meeting Minutes of May 12, 2020
2. Town Council Budget Meeting Workshop Meeting Minutes of May 21, 2020
3. Town Council Budget Meeting Workshop Meeting Minutes of May 26, 2020

VI. Communications from Mayor and Council

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. Public comment must not exceed three (3) minutes.

VII. Public Comment

VIII. Public Hearing and Final Reading:

1. Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget – Second and Final Reading - Marc Orlando, Town Manager

2. Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article IV –Small Wireless Facilities – Second Reading & Public Hearing - Heather Colin, Director of Growth Management

IX. Formal Agenda Items:

1. Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the Use of Certain Town-Operated Properties – Second and Final Reading – Scott Marshall, Deputy Town Manager

2. Consideration of Approval of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 Zoning Districts, Including Uses by District for Shopfront Manufacturing and Storefront Manufacturing, Conditional Use Standards for Junk and Salvage Yard Operations, Manufacturing, Shopfront Manufacturing, Storefront Manufacturing, Solid Waste Transfer Facility/Recycling Center and Article 9 Definitions and Interpretations – First Reading - Heather Colin, Director of Growth Management

3. Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 Zoning Districts, Planned Unit Development, Affordable/Workforce Housing, Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing - First Reading - Heather Colin, Director of Growth Management

X. Consent Agenda Items:

1. Monthly Department Reports: Police, Finance & Administration, Municipal Court, Engineering, Don Ryan Center for Innovation, and Growth Management

2. Town Manager's Monthly Report

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3. Consideration of a Proposed Construction Contractual Agreement Related to the Phase 1 Historic District Sewer (Pritchard Street) – Bryan McIlwee, Director of Engineering

4. Consideration of a Resolution Amending Memorandum of Agreement 2019-04 between Beaufort County and the Town of Bluffton Regarding Financing and Analysis of Water Quality and Natural Resources in the May River– Bryan McIlwee, Director of Engineering

5. Consideration of a Resolution to Authorize the Request to South Carolina Department of Transportation for Removal of a Portion of Bridge Street (S-31) from the State Highway System and the Town of Bluffton's Acceptance of Ownership and Maintenance Responsibility of Said Road – Bryan McIlwee, Director of Engineering

XI. Executive Session:

1. Personnel Matters Regarding Town Council Appointments of Boards, Committees, and Commissions (Pursuant to Freedom of Information Act 30-4-70 [a][1])

2. Consideration of a Resolution Authorizing Just Compensation to Property Owners for Easements Necessary to Complete the Approved Goethe Shults, Phase 2 Sidewalk (Pursuant to Freedom of Information Act 30-4-70 [a][2])

XII. Action from Executive Session

XIII. Adjournment

Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment). Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to Town Council.

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BLUFFTON TOWN COUNCIL MEETING MINUTES

ELECTRONIC MEETING
May 12, 2020

Mayor Sulka called the meeting to order at 5:30 P.M. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Chief of Police Chris Chapmond, Director of Engineering Bryan McIlwee, Director of Finance and Administration Chris Forster Director of Growth Management Heather Colin, and Town Clerk Kimberly Chapman, and Town Attorney Terry Finger were also present.

Pledge of Allegiance and Invocation were given by Councilman Wood.

Adoption of the Agenda:

Hamilton made a motion to adopt the agenda as presented. Frazier seconded. Roll call was taken, and the motion was approved unanimously.

Executive Session:

1. Receipt of Legal Advice Relating to the Town of Bluffton Development Agreements (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])

Wood made a motion to move into Executive Session at 5:35 p.m. to discuss the aforementioned item. Hamilton seconded. The motion was unanimous.

Town Council exited Executive Session and resumed their regular public meeting at approximately 6:00 p.m. No motions were made, and no votes were taken during Executive Session.

Adoption of Minutes:

Town Council Regular Meeting Minutes of April 14, 2020

Frazier made a motion to approve the Town Council Regular Meeting Minutes of April 14, 2020. Toomer seconded. The motion carried unanimously.

Town Council Special Meeting Minutes of April 23, 2020

Toomer made a motion to approve the Town Council Special Meeting Minutes of April 23, 2020. Frazier seconded. The motion carried unanimously.

Town Council Special Meeting Minutes of April 28, 2020

Toomer made a motion to approve the Town Council Special Meeting Minutes of April 28, 2020. Frazier seconded. The motion carried unanimously.

Town Council Special Meeting and Work Session Minutes of April 30, 2020

Wood made a motion to approve the Town Council Special Meeting and Work Session minutes of April 30, 2020. Toomer seconded. The motion carried unanimously.

Presentations, Celebrations and Recognitions

Mayor Sulka acknowledged the proclamations for Kids to Park Day, National Mental Health and Substance Abuse Awareness Month and National Preservation Month.

Hilton Head Island Bluffton Chamber of Commerce Bluffton's Marketing Plan and FY 21-22 Budget as the Town's Designated Marketing Organization (DMO) – Ariana Pernice, Vice President, Visitor and Convention Bureau

Pernice gave an overview of the Hilton Head Island Bluffton Chamber of Commerce Bluffton Marketing Plan. Pernice stated that the budget totals $82,000 and consists of social media, website and campaign maintenance, collateral/fulfillment, research and planning and operation and management.

Key areas of interest are area "district" designations including history, cultural and arts, the National Historic Register Designations including the Church of the Cross and AME Campbell Chapel, Wright Family Park, Garvin-Garvey House, Bluffton Oyster Company, Palmetto Bluff/Montage and the natural beauty of the May River.

Public Comment:

Public comment was received until two hours before the meeting start time through the website and via email to the Town Clerk and read aloud for the record:

Debbie Wunder, 41 and 45 Bridge Street, Bluffton (debbiewunder4@aol.com) -My husband, Rusty Pistachio and myself own the historic building on the corner of Bridge and Boundary, known as The Rate. We were very excited to hear there was a proposal being considered by the Town Council called the "Bailey Bill."

We can only speak from our own experience but as owners in the middle of rehabilitating a historic structure in Old Town Bluffton, the undertaking of this project has been daunting, frustrating but ultimately rewarding as labor of love. We purchased the property two years ago from previous owners that had neglected The Rate and let it come dangerously close to a full collapse. We are not developers nor have experience in construction, but we do have a love and respect for importance of historic buildings in Old Town. Our goal was to stabilize and breathe life into this community landmark by restoring the exterior look of The Rate while making it a functioning space inside.

The support of the HPC, HPRC and the community was been overwhelming. But to say we have faced challenges in this restoration is an understatement. If we were building a brand new structure from the ground up, this project would have been completed a year ago. Thankfully, we met Josh Simpson of Simpson Construction that has a love of the town as much as we do and agreed to go on this journey of stabilizing an old cinderblock building with so many unknowns. We cannot overstate his patience, guidance and understanding of our situation. To speak plainly, we are not wealthy people and really didn't anticipate all the unforeseen costs associated with restoring a dilapidated structure with no foundation, electricity or plumbing. So when our property tax bill arrived in this past fall, we saw the amount had gone up 300% from the previous year, another cost we did not anticipate. Personally, it stung a little to be putting everything we have into bringing back a beloved building in the community and then to be hit with a tax bill of that size.

We see many great historic structures in town that would benefit the community if they were rehabilitated. In having some kind of financial incentive like the Bailey Bill would provide, we believe this would help motivate other people like us who want to do the right thing, but maybe don't have all the money needed to do so.

Another thought- in addition to an abatement on property tax like the Bailey Bill proposes, maybe there can be a fund for vetted and approved contractors who are willing to take on such a project where they can draw on these funds specifically for improvement or rehabilitation for Old Town's historic structures. Thank you for your time and consideration.

Communication from Mayor and Council:

Wood stated that this time is a "new normal" and asked that everyone support local non-profits and churches.

Hamilton stated that he would like to have the DMO support the Gullah culture and do a better job highlighting the Bluffton area.

Toomer stated that he would like for the parks to be opened soon.

Frazier thanked the organizations supporting citizens during the pandemic and the first responders for all their hard work.

Sulka stated that she met with Montage recently and listened to them discuss the procedures that they will be using to reopen. Sulka also thanked Councilmember Frazier and others with Helping Hands for all their work in handing out food to neighborhoods.

Workshop Agenda:

Discussion and Direction on the Town of Bluffton Historic District Financial Incentives to Promote and Support the Preservation of Historic Structures – Heather Colin, Director of

Growth Management

Colin gave an overview and stated that in the FY2019-2020 Strategic Action Plan, Town Council seeks to offer incentives to help support historic preservation, specifically rehabilitation of "historic" structures, through mechanisms such as tax incentives and/or façade improvement programs.

The Strategic Action Plan establishes a vision for the Town of Bluffton based on six strategic areas where Town efforts will be most focused: Fiscal Sustainability, Economic Growth, Town Organization, Community Quality of Life, Infrastructure, the May River & Surrounding Rivers and Watersheds, and Affordable and/or Workforce Housing. Each Strategic Action Plan focus area is supported by objectives or guiding principles. To achieve these principles, supporting initiatives are identified to create a work program for the upcoming year. This initiative most closely aligns with the Economic Growth focus area and the following principles:

> ***Principle 3:*** Focus on strategic economic development pursuits that will increase local jobs, generate additional revenue and create demand for supporting businesses in target industries; and,
>
> ***Principle 4*:** Develop and implement a collaborative economic gardening strategy with local businesses.

Incentives may encourage owners of historic structures to rehabilitate their properties which, in turn, helps to preserve the Town's older buildings, heritage and culture; support tourism, which supports the local economy; and, increase property values. Rehabilitation, according to Section 12-120 of the South Carolina Code of Regulations, is "the process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the building(s) that are significant to its historic, architectural and cultural values."

As shown in the attached matrix (see Attachment 1), there are a variety of local, state and federal grants and tax incentives available to support historic rehabilitation efforts, each with varying eligibility criteria. One particularly promising incentive is a State of South Carolina special property tax assessment commonly known as the "Bailey Bill".

Enacted by the South Carolina General Assembly in 1990 and amended in 2011, the Bailey Bill allows local governments the option of offering special property tax assessments—a tax abatement—for rehabilitated historic properties and low-and-moderate income rental properties. The special assessment permits a property owner to lock-in the taxable assessed value of the property based on its fair market value prior to rehabilitation. Taxes are not paid on

the increased value of the property until the special assessment period ends, which could be up to 20 years. The length of the assessment is determined by the local government.

This tax abatement can be a catalyst for property owners to undertake rehabilitation projects. Should the owner decide to sell the property during the abatement period, the tax abatement would be transferable to the new owner.

Per Section 5-21-140 of the South Carolina Code of Laws, as amended, municipalities have the same power and authority as counties (Section 4-9-195) to grant a special property tax assessment for rehabilitated historic properties. Ideally, both a municipality and the county in which it is located would offer the incentive, as the city of Beaufort and Beaufort County does, to allow for greater tax savings. To offer this incentive, the Town of Bluffton must first adopt a special tax assessment ordinance (i.e., the Bailey Bill).

Once adopted, and after voluntary application by the property owner, the assessment would be available for qualifying properties upon approved preliminary and final certifications by the Town. The preliminary review allows the Town to confirm that the structure is on the Town's contributing structure list and to approve the proposed rehabilitation activities. Final certification allows the Town to review completed work and ensure that it is consistent with the preliminary approval. Once established that a property qualifies and prior to any improvements, the Applicant will be required to apply for a Certificate of Appropriateness – Historic District for approval by the Historic Preservation Commission.

Chapter 12 (South Carolina Department of Archives and History) of the South Carolina Code of Regulations, Sections 12-120 thru 12-125 (Rehabilitation of Designated Historic Buildings) outlines the minimum standards and process for the Bailey Bill as shown in Attachment 2. The main components include:

- Establishing a preliminary and final certification process for eligible properties (Sec. 12-121, Local Governing Body Certification), including designating the responsible agency or department to preform duties, as well as notifying the County Assessor's office of the special tax assessment and of any certified properties; and,

- Establishing a system for designation of qualifying properties (Sec, 12-122, Designation of Property as Historic), which, at minimum, requires: 1) being designated on the National Register of Historic Places; 2) being designated as contributing to an individual property or historic district listed on the National Register of Historic Places; or, 3) being 50 or more years older and meeting the local criteria for designation as a contributing structure; and,

- Rehabilitation work must comply the minimum standards (Sec. 12-125 Standards for Rehabilitation) and process (Sec. 12-124 Review of Rehabilitation Work) established by the State.

Numerous communities in South Carolina have adopted this special assessment program, including but not limited to City of Beaufort, Beaufort County (only for the areas of Daufuskie Island and the City of Beaufort), Columbia, Richland County, Camden, Hartsville, Darlington County and Greenville County.

The Bailey Bill was previously discussed at a Town Council workshop in May 2018. Prior to adoption of a local Bailey Bill ordinance, related additional steps in the process were identified as needing to occur before the ordinance could be adopted. They include:

1. **Make Necessary Corrections to the Unified Development Ordinance**
   The first step is to correct inconsistent terminology in the Unified Development Ordinance (UDO) relating to "historic structures" and "contributing structures," as well as updating the definition of contributing structures. To be eligible for the Bailey Bill, a property would have to be classified by the Town as a contributing structure.

   The current definition references contributing structures from the 1996 National Register of Historic Places nomination, the "most recent Bluffton Historic Resource Survey" or any other structure that is designated as provided by in UDO Section 3.25 (Designation of Contributing Structure).
   For easy reference, there should be one list. This list, an inventory of all contributing resources within the Town, is proposed as part of a separate process to update the Unified Development Ordinance. A revised definition of contributing structures and the list of all such structures will be reviewed at a future Town Council workshop tentatively scheduled for July 14.

2. **Prepare an Updated Historic Resources Survey for the Town of Bluffton**
   Related to the UDO amendments, Town Staff also recommended that the Town's historic resources survey be updated to determine if additional structures may qualify for contributing structure status. This resulted in the *Town of Bluffton Historic Resources Update*, which was undertaken in 2019. This initiative is tentatively scheduled for a Town Council workshop on July 14th for review and subsequent adoption by Resolution.

3. **Develop the Special Property Tax Assessment (i.e. Bailey Bill) Ordinance**

   Prior to developing an ordinance, the following questions will need to be answered:

a. ***What is the Length of the Assessment Period?***

Based on research of other South Carolina communities, the assessment period is usually 10 or 20 years. During this period, the qualifying property is assessed at the pre-rehabilitation fair market value. The City of Beaufort and Greenville County both have a 10-year period, while the City of Columbia and Richland County have a 20-year period.

Staff would recommend being consistent with the City of Beaufort and establish a period of 10 years.

b. ***What Minimum Investment is Required by the Property Owner?***

As with the length of the assessment discussed above, the minimum investment by a property owner varies. The City of Beaufort requires a minimum investment of more than 75%.

Staff would recommend being consistent with the City of Beaufort and establish a minimum investment of 75% of the assessed tax value of a building.

Example: If a property's structure is valued at $100,000, a property owner that is willing to invest $75,000 (75% of the value of the building) in improvements would qualify for the 10 year assessment period. The property owner would continue to pay taxes on the $100,000 value and not would have been the reassessed value at the completion of the project.

c. ***Which Structures Would Qualify?***

Section 12-122 identifies three (3) categories of property that may qualify as "historic": 1) any property listed individually on the National Register of Historic Places; 2) any property that contributes to an individual property or historic district listed on the National Register of Historic Places; or, 3) any property 50 or more years old that meets the local government's criteria for designation.

An inventory of all contributing resources within the Town is proposed as part of a separate process to update the Unified Development Ordinance. The list of all contributing structures, both national and/or local, will be reviewed at a future Town Council workshop tentatively scheduled for July 14th meeting.

d. ***Which Rehabilitation Efforts Qualify? Should There Be a Cap or Limit on Qualifying Expenses for Some Activities?***

Per Section 12-120 of the Act, one (1) or more of the following activities would qualify:

- Improvements located on or within the contributed structure;
- Improvements outside but directly attached to the contributing structure, which are necessary to make the building fully usable (but not the new construction of rentable/habitable floor space);
- Architectural and engineering services attributable to the design of the improvements; and,
- Costs necessary to maintain the historic character or integrity of the building.

e. ***Who Would be Responsible for Oversight of the Ordinance?***
Per Section 12-121 of the Act, Town Council is required to designate an agency or department to perform preliminary and final certifications of qualifying properties. Typically, this would be a historic board of review, such as the Town's Historic Preservation Commission.

Staff would recommend that the Historic Preservation Commission review the preliminary and final certifications for qualifying properties.

4. **Draft the Special Property Tax Assessment Ordinance**
Based on feedback from the Historic Preservation Commission (scheduled as a workshop on the May 6 agenda) and Town Council, staff will draft an ordinance that is similar to the City of Beaufort's Ordinance (see Attachment 3) to adopt a special property tax assessment for rehabilitated historic structures.

5. **Work with Beaufort County to Expand Tax Savings**
Town staff is in the process of working with Beaufort County to identify the necessary steps to pursue the special assessment ordinance for county property taxes in addition to Town of Bluffton taxes. In 2014, the County approved such an ordinance for the City of Beaufort after review by and support from the County's Finance Committee.

While the Bailey Bill has been the most sought incentive, there are grants and incentives presently available and that could be utilized. Should Town Council wish to consider any of the incentives not yet in place, Staff could bring this forward in the future in the form of ordinances, resolutions or policies.

Council supports the Baily Bill and suggested that there be a user guide and packets with a summary sheet for those interested. Council also asked that staff check on how other municipalities have used the Baily Bill and to speak to people who have done projects in the past.

Formal Items:

Consideration of an Emergency Ordinance of the Town of Bluffton Extending the Temporary Suspension of the Normal Operating Procedures of the Town of Bluffton 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 – Scott Marshall, Deputy Town Manager

Marshall stated that on March 16, 20120, Mayor Lisa Sulka declared that a State of Emergency existed in the Town of Bluffton as a result of the COVID-19 pandemic. On March 17, 2020 Town Council unanimously passed Emergency Ordinance 2020-03. This Ordinance sunsets on May 17, 2020 and accomplishes the following:

1. Section 1 provides standards for electronic meetings.
2. Section 2 provides authorization to the Town Manager, pursuant to the Town of Bluffton Code of Ordinances, Section 2-116, to develop and enact all such plans and policies intended to ensure the continuity of delivery of government services In light of the COVID-19 outbreak and to take necessary action to protect the health, safety, and welfare of town residents, visitors, and employees and staff.
3. Section 3 suspends certain municipal deadlines.
4. Section 4, in accordance with Governor McMasters Executive Order 2020-10, extends certain municipal tax deadlines.

Sections 3 and 4 of Emergency Ordinance 2020-3 were extended and modified on April 14, 2020 by Emergency Ordinance 2020-4, extending deadlines for certain municipal taxes and business license fees.

Marshall stated that the draft emergency ordinance presented for consideration, if approved, will effectively extend sections 1 and 2 of Emergency Ordinance 2020-03. Unless rescinded sooner, this emergency ordinance would expire on July 18, 2020.

Hamilton made a motion to approve an Emergency Ordinance Extending the Temporary Suspension of the Normal Operating Procedures of the town of Bluffton 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 COVID19 Outbreak. Frazier seconded. Roll call was taken, and the motion carried unanimously.

Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending March 30, 2020 – Natalie Majorkiewicz, Treasury Manager

Majorkiewicz stated that in accordance with the grant process, the Accommodations Tax Advisory Committee held a meeting on April 24, 2020 to review the budget and marketing plan with the DMO contract and quarterly grant applications. The committee made the following grant award recommendations for Town Council consideration:

Requesting Organization	Amount Requested	Amount Recommended
Hilton Head Island-Bluffton Chamber of Commerce (DMO): FY2021 Budget and Marketing Plan (MP)	$ 82,000	$ 82,000.00
Bluffton Historical Preservation Society (BHPS): Welcome Center at the Heyward House	190,000	190,000.00
Palmetto Bluff Conservancy: Well Living	100,000	66,095.45
Society of Bluffton Artists (SoBA): Promoting the Arts in the Lowcountry at Beyond	16,000	12,000.00
Total for the Quarter	**$ 388,000**	**$ 350,095.45**

Palmetto Bluff notified the Town of Bluffton on May 12, 2020 to formally withdraw their request for the Well Living event due to the COVID19 Pandemic.

Wood made a motion to adopt the Resolution for the FY2021 budget and marketing plan presented by the Hilton Head Island-Bluffton Chamber of Commerce in accordance with the contract 2019-33 as the Town of Bluffton's Designated Marketing Organization. Toomer seconded. Roll call was taken, and the motion carried unanimously.

**Let the record show that Mayor Lisa Sulka abstained from the vote on the Bluffton Historical Preservation Society due to a potential conflict of interest.*

Wood made a motion to adopt the Resolution renewing the Memorandum of Agreement 2017-69 for an additional fiscal year term beginning on July 1, 2020 through Amendment 2 between the Town of Bluffton and the Bluffton Historical Preservation Society for Welcome Center services. Toomer seconded. Roll call was taken, and the motion carried with a vote of four due to Mayor Sulka abstaining from the vote.

Toomer made a motion to grant the Society of Bluffton Artists $12,000 in support of the Promoting the Arts in the Lowcountry and Beyond project as presented in the Staff Report

breakdown for advertising and promotion tourism expenses. Hamilton seconded. Roll call was taken, and the motion carried unanimously.

Consideration of an Ordinance to Authorize the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7, 2020 and to Waive all Late Fees Assessed on Renewals Due but not Paid between April 30, 2020 and August 7,2020 – Second and Final Reading – Chris Forster, Director of Finance and Administration

Forster stated that on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the outbreak of respiratory illness due to a novel coronavirus (COVID-10. On March 15, 2020, the Honorable Henry McMaster, Governor of South Carolina, issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (COVID-19) and declared that a State of Emergency exists in South Carolina. On March 16, 2020, Mayor Lisa Sulka and the Town of Bluffton declared a local state of emergency in the Town of Bluffton. On April 14, 2020 the Council passed an ordinance to extend the deadline for Hospitality Tax remittance, Local Accommodations tax remittance and the Business License renewal deadline until June 14, 2020. On April 28, 2020 Town Council approved the first reading of the proposed ordinance to extend the Business License tax renewal deadline from the current June 14, 2020 deadline until August 7, 2020.

The deferral of outstanding Business License renewal fees will delay the collection of an estimated $1.0 million until August 7, 2020. The Town currently has sufficient cash balances in the corresponding funds to sustain us until the revised tax due date of August 7, 2020.

Toomer made a motion to approve on second and final reading, an Ordinance Authorizing the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7,2020 and to Waive all Late Fees that may have been Assessed on Renewals due but not paid between April 30, 2020 and August 7,2020. Frazier seconded. Roll call was taken, and the motion carried unanimously.

Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article 4 – Small Cell Facilities- First Reading – Heather Colin, Director of Growth Management

Colin gave an overview and stated that ordinance is new in its entirety to establish regulations for wireless "small cell facilities" in public rights-of-way (i.e., covered areas). If adopted, the ordinance will be placed into the Utilities chapter of the Code of Ordinances for the Town of Bluffton.

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 25 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 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.

Toomer made a motion to a pass on first reading, an Ordinance amending Chapter 28 of the Code of Ordinances for the Town of Bluffton, Utilities, Article 4- Small Wireless Facilities in Covered Areas. Wood seconded. Roll call was taken, and the motion passed unanimously.

<u>Consideration of an Ordinance to Amend the Town off Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the Use of Certain Town-Operated Properties – First Reading – Scott Marshall, Deputy Town Manager</u>

Marshall stated that on August 13, 2019, Town Council approved amendments to the Town of Bluffton Code of Ordinances to consolidate and update rules for all existing Town-operated parks.

Since that time, the completion of several capital projects as well as several other pending capital projects necessitated the review of parks and facilities that the Town offers for rental. In a Workshop on March 17, 2020, Town Council conducted such a review.

The results of the March 17 Workshop included the following actionable direction to Staff:

1. Town Council Direction: Place the Martin Family Park on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
    a. Staff Response: The Martin Family Park is included on the on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.
2. Town Council Direction: Modify the existing strict prohibition of alcohol at Martin Family Park, to the allowance of alcohol in conjunction with the issuance of a special events permit.
    a. Staff Response: Amendments to the Town of Bluffton Code of Ordinances, which are presented for consideration in the Ordinance at Attachment 1, include striking paragraph 13.42(c), which reads "The possession of an open container and/or the consumption of alcohol is strictly prohibited." With the omission of this language in paragraph 13.42, the language in paragraph 13.37(c) prevails, which reads "The possession of an open container and/or the consumption of alcohol is prohibited except as permitted in Chapter 22, Article IV."
3. Town Council Direction: Place the Public Park at Buckwalter Place Multi-County Industrial Park (sans the Veterans Memorial) on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
    a. Staff Response: The Public Park at Buckwalter Place Multi-County Industrial Park is included on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.

Other housekeeping items included in the Ordinance presented for consideration include:

1. Amending paragraph 13.42 by striking "Park at 68 Boundary Street" and adding "Martin Family Park." This action is consistent with Town Council's previously adopted Resolution on August 13, 2019 memorializing this property in honor of the family of Jacob and Ida Martin.
2. Amending paragraph 13.48 by striking "Buckwalter Place Veterans Memorial Park," and adding "Public Park at Buckwalter Place Multi-County Industrial Park." The name of this

park has not yet been formally designated. Leaving it labeled as the Veterans Memorial Park may create confusion to prospective renters of the property since the Veterans Memorial itself will not be available for rent.

Hamilton moved to approve the Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the use of Certain Town Operated Propertied, as presented for First Reading. Toomer seconded. Roll call was taken, and the vote carried unanimously.

Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget – Marc Orlando, Town Manager

Orlando stated that this proposed financial plan supports our Bluffton Town Vision that states, "Bluffton, the heart of the Lowcounty, a town that appreciates the past, focuses on today and is planning together for a greater future." This financial plan provides the resources and staff for all our commitments to making Bluffton a better place.

The proposed consolidated budget concentrates on the Town of Bluffton Strategic Plan priority Focus Areas that include May River & Surrounding Rivers and Watersheds, Town Organization, Economic Growth, Fiscal Sustainability, Community Quality of Life, Affordable and/or Workforce Housing, and Infrastructure.

The proposed consolidated budget consists of four funds, the General Fund, the Stormwater Utility Fund, the Capital Improvements Program (CIP) Fund, and Debt Service Fund.

The proposed consolidated budget is a decrease of 8.3% from the FY20 budget which reflects the potential impact of the COVID-19 pandemic on FY21 revenues. The budget keeps the tax millage rate the same at 38.50, which reflects an increase in General Fund mills from 35.30 to 36.80 and a decrease in Debt Service Fund mills from 3.20 to 1.70 mills. In addition, it proposes a new vehicle tag fee to support public works and public safety, a proposed stormwater utility fee increase to complete unfunded stormwater projects that improve the May River and surrounding watershed stormwater quality improvements and a National Pollutant Discharge Elimination System (NPDES) plan review fee and inspection fee.

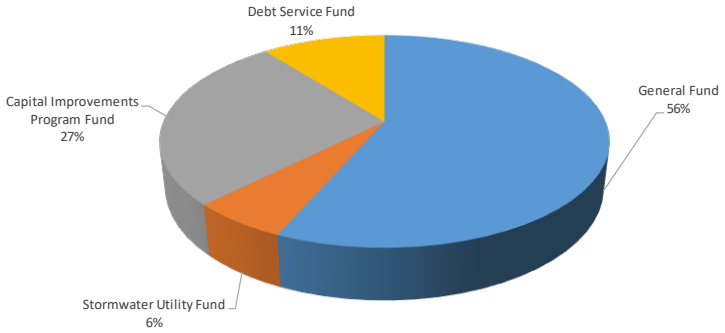
The General Fund accounts for and reports the financial resources for the Town's primary operating fund. Principal sources of revenue are property taxes and licenses and permit fees. The General Fund budget is 56.6% of the consolidated budget at $19,363,015. Budget details are available in the attached Executive Consolidated Budget Summary.

The Stormwater Fund accounts for and reports the financial resources of all stormwater-related expenditures including Watershed Management staffing and operations, routine

watershed maintenance and capital projects. The primary source of revenue is stormwater utility fees. The Stormwater Fund budget is 6.0% of the consolidated budget at $2,043,817 and includes a transfer of funds to the Capital Improvement Program Fund for stormwater related projects. Budget details are available in the attached Executive Consolidated Budget Summary.

Capital Improvement Program (CIP) Fund accounts for and reports financial resources that are restricted, committed or assigned to expenditures for capital outlays including the land acquisition and/or construction of capital facilities and other capital assets. Capital projects are primarily non-recurring in nature. All capital categories require a unit cost threshold of greater than $5,000, except roads, buildings, and computer software (recorded in the general fund) whose threshold is $50,000. The CIP budget is 26.8% of the consolidated budget at $9,185,407 and supports diversified projects throughout our Bluffton neighborhoods. Budget details are available in the attached Executive Consolidated Budget Summary.

Debt Service Fund accounts for the accumulation of resources for the payment of interest and principal on general long-term debt obligations. The primary source of revenue is property tax and bond proceeds. The Debt Service Fund budget is $3,631,628 or 10.6% of the consolidated budget and supports the debt service for the 2014 Tax Increment Revenue Bond, 2020 General Obligation Bond for the Law Enforcement Center at Buckwalter Place, a transfer to the Capital Improvement Program Fund for allowable projects, and future debt payments and allowable expenditures. Budget details are available in the attached Executive Consolidated Budget Summary – attached to the minutes.



Expenditures	FY 2020 Original Budget	FY 2020 Revised Budget	FY 2020 Year-End Estimate	FY 2021 Proposed Budget	$ Change	$ Change
General Fund	$20,032,800	$20,189,114	$19,360,141	$19,363,015	$ (826,099)	-4.1%
Stormwater Utility Fund	2,051,695	2,022,752	1,410,444	2,043,817	21,065	1.0%
Capital Improvements Program Fund	9,661,470	11,895,271	7,455,021	9,185,407	(2,709,864)	-22.8%
Debt Service Fund	3,195,475	3,195,475	3,274,002	3,631,628	436,153	13.6%
Consolidated Budget	$34,941,440	$37,302,612	$31,499,608	$34,223,867	$ (3,078,745)	-8.3%

Toomer made a motion to approve the first reading of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget. Hamilton seconded. Roll call was taken, and the motion passed unanimously.

Consent Agenda:

1. Monthly Department Reports: Police, Finance & Administration, Municipal Court, Engineering, Don Ryan Center for Innovation, and Growth Management

2. Town Manager's Monthly Report

3. Consideration of a Resolution Approving the Town of Bluffton Assessment District Roll for Tax Year 2020 – Heather Colin, Director of Growth Management

4. Consideration of Proposed Outdoor Lighting Agreement with Dominion Energy Relating to the Second Phase of Street Lighting for Boundary Street – Bryan McIlwee, Director of Engineering

5. Consideration of Proposed Contractual Agreement Relating to Residential Solid Waste and Recycling Collection Services – Bryan McIlwee, Director of Engineering

6. Consideration of a Resolution to Approve Renewal of the Memorandum of Understanding with Cornerstone Church to Provide Public Parking in the Bluffton Historic District – Scott Marshall, Deputy Town Manager

7. Consideration of a Resolution to Approve Renewal of the Bluffton Ambassador Program Memorandum of Agreement with the University of South Carolina Beaufort – Scott Marshall, Deputy Town Manager

Hamilton made a motion to approve the consent agenda as presented except for the monthly Police Department Report. Frazier seconded. The motion carried unanimously.

Chief Chapmond gave a snapshot of how the COVID 19 pandemic has affected the Town of Bluffton. Calls for service increased and nearly doubled, with 9500 during the month of April. Proactive policing was down due to the potential exposure rate of COVID 19.

Domestic violence was up approximately 13%, as was forgery and fraud at 90%. Minor assaults, mental subject transports, and breaking an entering number are also up from past months.

Hamilton made a motion to adjourn at 9:08 p.m. Toomer seconded. The motion carried unanimously.

_____ _____

Lisa Sulka, Mayor Kimberly Chapman, Town Clerk

BLUFFTON TOWN COUNCIL BUDGET WORKSHOP MEETING MINUTES

ELECTRONIC MEETING
May 21, 2020

Mayor Sulka called the meeting to order at 6 PM. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Town Clerk Kimberly Chapman, Chris Forster Director of Finance and Administration, and Bryan McIlwee, Director of Engineering were also present.

Public Comment:

Mike Raymond, 58 Ginkgo Lane, Bluffton – With 36 million Americans out of work, now is not the time for local governments to raise taxes or implement new fees. Now is the time to tighten the budget belt in solidarity and wait for better times. Lets let folks get back on their feet before mandating that they pay more.

Workshop Items:

Town of Bluffton Fiscal Year 2021 Consolidated Budget

The proposed consolidated budget consists of four funds, the General Fund, the Stormwater Utility Fund, the Capital Improvements Program (CIP) Fund, and Debt Service Fund.

Orlando gave an overview of the General Fund, the Stormwater Fund and Debt Services Fund.

The proposed consolidated budget is a decrease of 8.3% from the FY20 budget which reflects the potential impact of the COVID-19 pandemic on FY21 revenues. The budget keeps the tax millage rate the same at 38.50, which reflects an increase in General Fund mills from 35.30 to 36.80 and a decrease in Debt Service Fund mills from 3.20 to 1.70 mills. In addition, it proposes a new vehicle tag fee to support public works and public safety, a proposed stormwater utility fee increase to complete unfunded stormwater projects that improve the May River and surrounding watershed stormwater quality improvements and a National Pollutant Discharge Elimination System (NPDES) plan review fee and inspection fee.

The General Fund accounts for and reports the financial resources for the Town's primary operating fund. Principal sources of revenue are property taxes and licenses and permit fees. The General Fund budget is 56.6% of the consolidated budget at $19,363,015. Budget details are available in the attached Executive Consolidated Budget Summary.

The Stormwater Fund accounts for and reports the financial resources of all stormwater-related expenditures including Watershed Management staffing and operations, routine

watershed maintenance and capital projects. The primary source of revenue is stormwater utility fees. The Stormwater Fund budget is 6.0% of the consolidated budget at $2,043,817 and includes a transfer of funds to the Capital Improvement Program Fund for stormwater related projects. Budget details are available in the attached Executive Consolidated Budget Summary.

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Orlando stated that there will be an additional workshop that covers the Capital Improvement Program (CIP) Fund on May 26th. A public hearing and the final reading of the Proposed Consolidated Budget is scheduled for June 9, 2020.

Hamilton made a motion to adjourn. The meeting adjourned at 7:39 p.m.

_____ _____

Mayor Town Clerk

BLUFFTON TOWN COUNCIL BUDGET WORKSHOP MEETING MINUTES

ELECTRONIC MEETING
May 26, 2020

Mayor Sulka called the meeting to order at 6 PM. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Town Clerk Kimberly Chapman, Chris Forster Director of Finance and Administration, and Bryan McIlwee, Director of Engineering were also present.

Public Comment:

There were none.

Workshop Items:

Town of Bluffton Fiscal Year 2021 Consolidated Budget

Orlando gave an overview of the Capital Improvement Program (CIP) Fund. He stated that the Capital Improvement Program (CIP) Fund accounts for and reports financial resources that are restricted, committed or assigned to expenditures for capital outlays including the land acquisition and/or construction of capital facilities and other capital assets. Capital projects are primarily non-recurring in nature. All capital categories require a unit cost threshold of greater than $5,000, except roads, buildings, and computer software (recorded in the general fund) whose threshold is $50,000. The CIP budget is 26.8% of the consolidated budget at $9,185,407 and supports diversified projects throughout our Bluffton neighborhoods. Budget details are available in the Executive Consolidated Budget Summary.

Orlando stated that the public hearing and final reading for the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget will take place on June 9, 2020.

Wood made a motion to adjourn. The meeting adjourned at 7:03 p.m.

_____ _____

Mayor Town Clerk

TOWN COUNCIL

STAFF REPORT
FINANCE & ADMINISTRATION DEPARTMENT

MEETING DATE:	June 9, 2020
ISSUE:	X. Formal Items: 1. Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget – Second and Final Reading
PROJECT MANAGER:	Marc Orlando, ICMA-CM, Town Manager

REQUEST:

Town Council approve second and final reading of the Ordinance for the Town of Bluffton FY 2021 Consolidated Budget of $34,223,867, guided by the Town Mission statement and the Town of Bluffton Strategic Plan. The budget approval is inclusive of the Planning Commission recommendation to Town Council of a prioritized list of proposed Capital Improvements Program projects for Fiscal Years 2021-2025 for the FY 2021 budget.

BACKGROUND/DISCUSSION: This proposed financial plan supports our Bluffton Town Vision that states, "Bluffton, the heart of the lowcountry, a town that appreciates the past, focuses on today and is planning together for a greater future." This financial plan provides the resources and staff for all of our commitments to making Bluffton a better place.

The proposed consolidated budget concentrates on the Town of Bluffton Strategic Plan priority Focus Areas that include May River & Surrounding Rivers and Watersheds, Town Organization, Economic Growth, Fiscal Sustainability, Community Quality of Life, Affordable and/or Workforce Housing, and Infrastructure.

The proposed consolidated budget consists of four funds, the General Fund, the Stormwater Utility Fund, the Capital Improvements Program (CIP) Fund, and Debt Service Fund.

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CURRENT STATUS: **The General Fund** accounts for and reports the financial resources for the Town's primary operating fund. Principal sources of revenue are property taxes and licenses and permit fees. The General Fund budget is 56.6% of the consolidated budget at $19,363,015. Budget details are available in the attached Executive Consolidated Budget Summary.

The Stormwater Fund accounts for and reports the financial resources of all stormwater-related expenditures including Watershed Management staffing and operations, routine watershed maintenance and capital projects. The primary source of revenue is stormwater utility fees. The Stormwater Fund budget is 6.0% of the consolidated budget at $2,043,817 and includes a transfer of funds to the Capital Improvement Program Fund for stormwater related projects. Budget details are available in the attached Executive Consolidated Budget Summary.

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CHANGES SINCE 1ST READING:

- FY2021 Planning Commission prioritization recommendation of the Capital Improvements Program projects for Fiscal Year 2021-2025 as approved at the April 22, 2020 Planning Commission meeting (Attachment 3)
- Master Fee Schedule update for Martin Family Park and the Public Park @ Buckwalter Place Commerce Park per Town Council request at the March 17, 2020 Town Council workshop to reflect rental rates to be the same as for the Field of Dreams at Oscar Frazier Park (Attachment 2-e)

ATTACHMENTS:

1. FY2021 Proposed Consolidated Budget Executive Summary
2. Ordinance for Fiscal Year 2021 Budget
    a. Attachment A: General Fund Proposed Budget
    b. Attachment B: Stormwater Fund Proposed Budget
    c. Attachment C: Capital Improvement Program Fund Proposed Budget
    d. Attachment D: Debt Service Fund Proposed Budget
    e. Attachment E: Master Fee Schedule
3. FY2021 Capital Improvements Program Planning Commission prioritization recommendation

Town of
BLUFFTON
South Carolina

Attachment 1

Photo courtesy of Brett Lance Photography

FY 2021 PROPOSED CONSOLIDATED BUDGET EXECUTIVE SUMMARY

www.TownofBluffton.sc.gov

FY 2021 CONSOLIDATED BUDGET

EXECUTIVE SUMMARY

TOWN OF BLUFFTON, SC
TOWN COUNCIL
Lisa Sulka, Mayor
Fred Hamilton, Mayor Pro Tempore
Bridgette Frazier, Council Member
Larry Toomer, Council Member
Dan Wood, Council Member

APPOINTED BY TOWN COUNCIL
Marc Orlando, ICMA-CM, Town Manager
Terry A. Finger, Town Attorney
Honorable Clifford Bush III, Chief Municipal Court Judge
Honorable Marshall Horton, Associate Municipal Court Judge

SENIOR MANAGEMENT
Scott Marshall, Deputy Town Manager
Kim Chapman, Town Clerk
Chris Chapmond, Chief of Police
Chris Forster, Director of Finance and Administration
Katherine Robinson, Director of Human Resources
Bryan McIlwee, Director of Engineering
Heather Colin, Director of Growth Management
Tommy Sunday, Chief Technology Officer
Lisa Cunningham, Clerk of Court
Mike Levine, CEO, Don Ryan Center for Innovation

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FY 2021 Consolidated Budget Summary	6
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Town of Bluffton Expenditure Budget by Fund	15

Town of Bluffton Overview

The Town of Bluffton is located in Beaufort County, the southernmost coastal county in South Carolina. It is situated on a high bluff overlooking the May River, a pristine waterway that has strongly contributed to the Town's history and continued success. Bluffton is located just 12 miles west of Hilton Head Island, South Carolina and approximately 20 miles northeast of Savannah, Georgia.

Originally established as a one-square mile town, Bluffton has since expanded its territory by 32,000 acres through the annexation of primarily four tracts of undeveloped land. Bluffton's population is approximately 23,000 residents and is the 5th largest town in South Carolina, in terms of land mass. While the population numbers still classify Bluffton as a small town, Town representatives estimate that the Town serves, in terms of police services and for planning purposes, a daily population of more the 45,000-50,000 when tourists and visitors are included.

Town of Bluffton Strategic Plan Summary

The goal of the Strategic Plan is to build an alignment of strategies, projects, and performance measures to address Town of Bluffton focus areas and guiding principles. The Strategic Plan is a compass to continuously make proactive decisions on maintaining and improving the Towns core functions in the following Strategic Focus Areas:

- May River and Surrounding Rivers and Watersheds
- Town Organization
- Economic Growth
- Fiscal Sustainability
- Community Quality of Life
- Infrastructure
- Housing

The Strategic Plan Action Agenda establishes a road map for activities and initiatives that will achieve the vision for the Town and ensure that Bluffton is poised to capitalize on opportunities to advance key initiatives. The Action Plan links to the Town's budget process, staff work plans and performance evaluations, Town-wide performance measures and Town Council agenda to ensure the day-to-day relevancy and effectiveness of the Plan.

Town of Bluffton Vision Statement

"BLUFFTON, THE HEART OF THE LOWCOUNTRY, A TOWN THAT APPRECIATES THE PAST, FOCUSES ON TODAY AND IS PLANNING TOGETHER FOR A GREATER FUTURE."

Bluffton is a welcoming and inclusive community, committed to retaining its historic nature, livable neighborhoods, active lifestyle, and respect for the May River. We are committed to working together to create a great community now and one that is also sustainable for the generations to come.

Town of Bluffton Mission Statement

"WE TAKE CARE OF OUR CITIZENS, THE TOWN AND EACH OTHER BY CONTINUOUSLY MAKING OUR COMMUNITY AND ORGANIZATION BETTER."

The Town organization is committed to:

- Providing excellent services by continuously looking for improvement in services using best practices;
- Providing award winning fiscal management services to our citizens;
- Providing exceptional customer service that is focused on solutions and meeting the needs of our citizens;
- Providing meaningful public engagement opportunities for our community;
- Providing a work environment committed to teamwork, communication, transparency, ethical behavior, and progressive compensation to help employees reach their full potential; and
- Providing and using performance measures to determine if our services are getting the intended results.

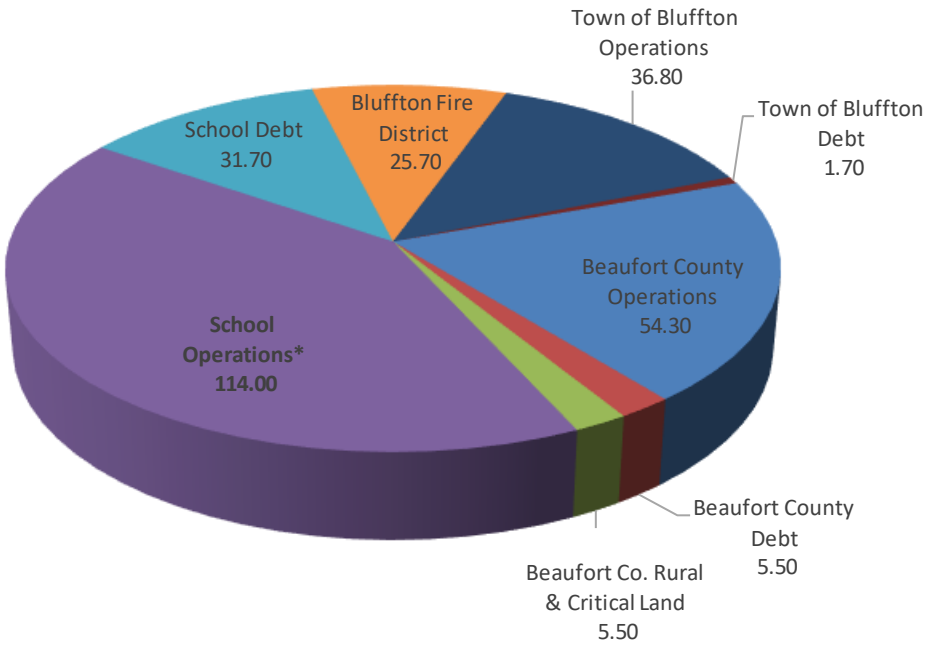
Why Does the Town Prepare a Budget?

1. Establishes priorities to determine how resources will be allocated among the Town's programs and services.
2. Identifies the costs of providing programs and services.
3. Establishes the amount of revenue projected to be available, and subsequently sets limitations on the amount of expenditures that can be supported.
4. Aligns allocated funding with Strategic Plan Action Agenda priorities established by Town Council.
5. Provides budgetary targets to compare with actual revenues and expenditures throughout the year.

The State of South Carolina requires Town Council to adopt an annual balanced budget ordinance prior to July 1. The Town's annual budget is developed in conjunction with feedback from citizens, various boards and commissions including the Town's Planning Commission, the Mayor and Council, the Town Manager, and each department within the Town. Town Council adopts the budget via two readings of the Consolidated Budget Ordinance as well as a public hearing. The first reading is held in May, and the second reading and associated public hearing is held in June. Town Council also holds two budget workshops to review projected revenues, expenditure requests, programs, services, and capital projects.

Property Tax Overview

Tax Year 2020 and Fiscal Year 2021

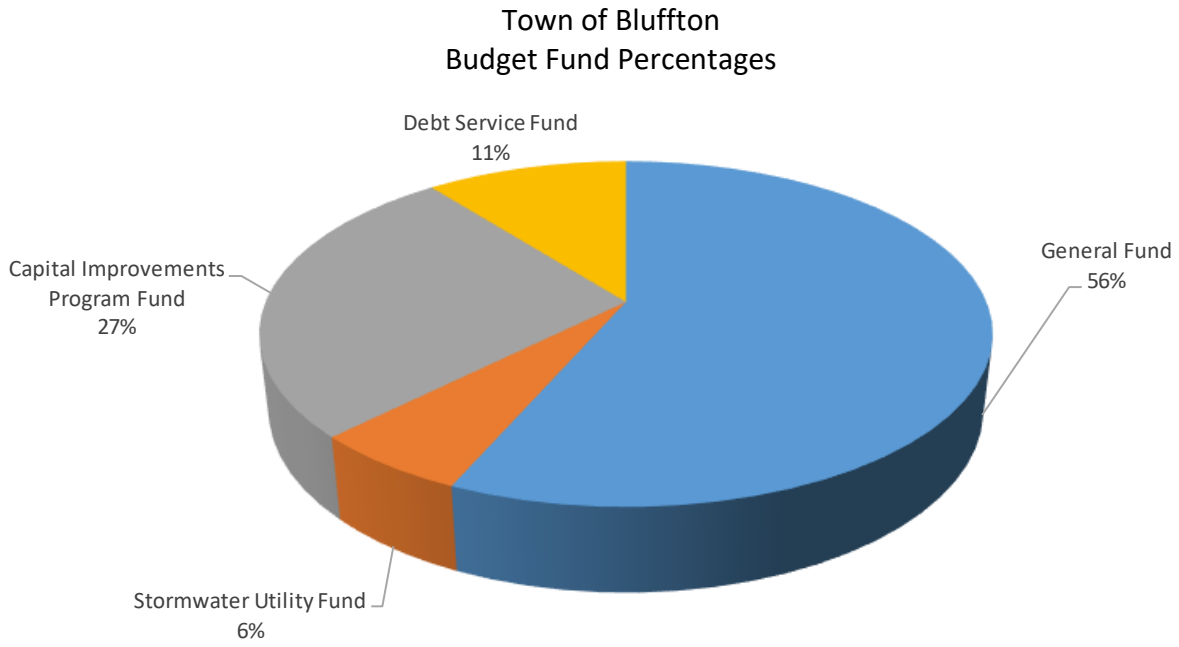


	Tax Rate		
Tax Year	2018	2019	**2020**
Fiscal Year	2019	2020	**2021**
Governing Body			
Beaufort County Operations	52.40	54.30	**54.30**
Beaufort County Debt	5.58	5.50	**5.50**
Beaufort Co. Rural & Critical Land	4.80	5.50	**5.50**
School Operations*	104.60	114.00	**114.00**
School Debt	31.71	31.70	**31.70**
Bluffton Fire District	25.55	25.70	**25.70**
Town of Bluffton Operations	*35.30*	*35.30*	***36.80***
Town of Bluffton Debt	*3.20*	*3.20*	***1.70***
	263.14	275.20	**275.20**

*School Operations applicable to non-resident and commercial taxpayers only.

The Bluffton tax rate is to remain the same at 38.5 with operations at 36.8 and debt at 1.7 (subject to approval by Beaufort County) per $1,000 of assessed valuation. Updates for the other governing bodies are anticipated to be available for second and final reading.

FY 2021 Consolidated Budget Summary



Expenditures	FY 2020 Original Budget	FY 2020 Revised Budget	FY 2020 Year-End Estimate	FY 2021 Proposed Budget	$ Change	$ Change
General Fund	$20,032,800	$20,189,114	$19,360,141	$19,363,015	$ (826,099)	-4.1%
Stormwater Utility Fund	2,051,695	2,022,752	1,410,444	2,043,817	21,065	1.0%
Capital Improvements Program Fund	9,661,470	11,895,271	7,455,021	9,185,407	(2,709,864)	-22.8%
Debt Service Fund	3,195,475	3,195,475	3,274,002	3,631,628	436,153	13.6%
Consolidated Budget	$34,941,440	$37,302,612	$31,499,608	$34,223,867	$ (3,078,745)	-8.3%

FUND TYPES

General Fund
Accounts for and reports the financial resources for the Town's primary operating fund. The primary sources of revenue are property taxes and licenses and permit fees.

Stormwater Fund
Accounts for and reports the financial resources of stormwater-related expenditures including Watershed Management staffing and operations, routine watershed maintenance and capital projects. The primary sources of revenue are stormwater utility fees and state and federal grants.

Capital Improvements Program (CIP) Fund
Accounts for and reports financial resources that are restricted, committed or assigned to expenditures for capital outlays including the land acquisition and/or construction of capital facilities and other capital assets. Capital projects are primarily non-recurring in nature. All capital categories require a unit cost threshold of greater than $5,000, except roads, buildings, and computer software (recorded in the general fund) whose threshold is $50,000. Sources of revenue are state/federal grants, hospitality taxes, stormwater fees and other restricted revenues for capital improvements.

Debt Service Fund
Accounts for the accumulation of resources for the payment of interest and principal on general long-term debt obligations. The primary source of revenue is property tax.

Where Our Funding Comes From

FY 2021 - $34,223,867

	FY 2020 Revised Budget	FY 2021 Proposed Budget	% Change	% of Budget
Property Taxes	$ 9,156,000	$ 9,342,507	2.0%	27.4%
Licenses & Permits[1]	10,162,375	10,564,520	4.0%	30.9%
Stormwater Utility Fees[2]	1,381,295	1,678,667	21.5%	4.9%
Grants and Entitlements	2,713,037	1,210,000	-55.4%	3.5%
Intergovernmental	1,406,152	708,000	-49.6%	2.1%
Service Revenues	965,000	618,035	-36.0%	1.8%
Fees and Fines	230,000	220,000	-4.3%	0.6%
Interest Income	22,000	29,400	33.6%	0.1%
Miscellaneous	671,949	138,150	-79.4%	0.4%
Other Funding Sources	450,000	-	-100.0%	0.0%
Transfers In[3]	6,458,585	5,969,798	-7.6%	17.4%
Fund Balance	3,686,219	3,744,790	1.6%	10.9%
Total Revenues	$ 37,302,612	$ 34,223,867	-8.3%	100.0%

Note: Revenues enhanced by new sources of revenue generated by new NPDES Stormwater Plan Review and Inspection Fee[1], Stormwater Utility Fee increase[2], and new Vehicle Tag Fee[3].

Where Our Resources Go

FY 2021 - $34,223,867

Town of Bluffton Workforce

Budget Personnel History

Personnel by Department and Division	FY 2020 Budget		FY 2021 Budget		Change	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Executive Department	5	-	5	-	-	-
Human Resources Department	3	-	3	-	-	-
Economic Development Department (DRCI)	2	-	2	-	-	-
Municipal Court Department	3	-	3	-	-	-
Information Technology Department	6	-	6	-	-	-
Finance Department	9	-	9	-	-	-
Growth Management Department Total	**21**	**1**	**21**	**1**	**-**	**-**
Customer Service Division	3	1	3	1	-	-
Planning & Community Development Division	11	-	11	-	-	-
Building Safety Division	7	-	7	-	-	-
Engineering Department Total	**25**	**2**	**25**	**2**	**-**	**-**
Public Works Division	12	-	12	-	-	-
Project Management Division	6	2	6	2	-	-
Watershed Management Division (SWU Fund)	7	-	7	-	-	-
Police Department Total	**64**	**10**	**67**	**10**	**3**	**-**
Non-Sworn Positions	7	10	8	10	1	-
Sworn Positions - Salary	3	-	3	-	-	-
Sworn Positions	54	-	56	-	2	-
Total Personnel	**138**	**13**	**141**	**13**	**3**	**-**

Staffing changes:

FY2020 Growth Management Department positions on hold (unbudgeted) in FY2021:
- Historic Preservation Senior Planner
- Civil Engineer Technician

Added positions:
- Director of Emergency Management (January 2021)
- Traffic Police Officer (October 2020) pending grant award
- Traffic Police Officer (October 2020) pending grant award

Town of Bluffton Departmental/Division Budget Overview

Sensitivity analysis of operating expenditures:

- No COLA increase or performance-based salary consistent with Lowcountry region.
- Freeze on current open positions for Historic District Preservation Senior Planner and Planner Technician
- No in-state and out-of-state travel, except for MASC Legislative Action Day and Annual MASC conference
- Consolidates and/or reduces employee activities
- Eliminates Spring Family day, holiday gift cards and tuition reimbursement
- No replacement vehicles or equipment, except for two new traffic police officer positions, grant dependent
- Supports on-line professional certifications for staff
- Continues support of Town celebrations

Salaries and Benefits

- PTO payout option of 25 hours for employees carrying a 40-hour balance
- Public Employee Benefit Authority 1% employer retirement increase ($88,000)
- Public Employee Benefit Authority 5% employer health insurance increase effective January 1, 2021 ($34,000)
- Includes two staff promotions (Human Resources and Information Technology)
- Additional positions:
  - Police Department: Emergency Management Director (1/1/21)
  - Police Department: two Traffic Police Officers (10/1/19), grant dependent

Legislative Department

BUDGET: $177,095

- Supports Mayor and Town Council training and operating expenditures
- Supports Judge Bush contract and subsequent training and operating expenditures

Executive Office

BUDGET: $923,516

TOWN MANAGER: Marc Orlando

- Supports staffing and operations for the Executive department to provide high standards of service delivery
- Continues support of town and local events
- Continues Executive Leadership development
- Supports on-line professional certifications and staff specific training for executive government leadership
- Continues to support and emphasize clear and concise public information through the Town's Public Information Officer
- Continues support of town website and social media communications for our community
- Continues support of the USCB Ambassador program

Town of Bluffton Departmental/Division Budget Overview (continued)

Human Resources Department

BUDGET: $413,660

DIRECTOR: Katherine Robinson

- Supports staffing and operations for the Human Resources department to provide high standards of service delivery
- Provides for promotion of eligible staff
- Supports on-line professional certifications for staff
- Continues Employee Programs including fitness membership reimbursement, employee on-boarding and employee recognition
- Continues Employee and Town Celebrations (Thanksgiving Feast and Christmas Parade)

Municipal Court

BUDGET: $361,836

CLERK OF COURT: Lisa Cunningham

- Supports staffing and operations for the Municipal Court department to provide high standards of service delivery
- Supports on-line professional certification for staff
- Continues Public Defender support for misdemeanor cases per state recommendation in combination with services delivered to the cities of Beaufort and Port Royal

Economic Development

BUDGET: $405,120

CHIEF EXECUTIVE OFFICER: Mike Levine

- Supports continues for the Don Ryan Center for Innovation to operate as the Town's economic development arm, including:
    a. Business Incubation
    b. Business Retention, Expansion and Recruitment
    c. Buckwalter Place Commerce Park
    d. Town of Bluffton COVID-19 Small Business Resiliency Plan

Information Technology Department

BUDGET: $1,1,245,776

DIRECTOR: Thomas Sunday

- Supports staffing and operations of the IT department
- Provides for promotion of eligible staff
- Supports on-line professional certifications for staff
- Continues maintenance and license agreements for existing software (including Spillman, Occularis, EnerGov, MUNIS, AutoCAD) and supports upgraded hardware, software, and associated training to improve staff efficiencies
- Continues replacement plan of computers as part of IT Strategic Plan
- Supports principal and lease payments of prior year purchased equipment and vehicles

Town of Bluffton Departmental/Division Budget Overview (continued)

Finance and Administration Department
BUDGET: $964,265
DIRECTOR: Chris Forster

- Supports staffing and operations in the Finance Department to provide high standards of service delivery
- Supports on-line professional certifications and staff specific training
- Continues collection efforts including but not limited to property tax, business license, etc.
- Supports external Town of Bluffton financial audit
- Continues monitoring of economic conditions with constant review of revenues and expenditures to determine budget amendments

Growth Management Department
BUDGET: $2,288,875
DIRECTOR: Heather Colin

- Supports staffing and operations in the Divisions of Customer Service Center, Planning and Community Development, and Building Safety to maintain high standards of service delivery
- Supports on-line professional and staff specific training for certifications
- Includes 100% of Affordable Housing Work Plan for Neighborhood Assistance Program
- Provides for updates to the Comprehensive Plan

Police Department
BUDGET: $7,102,892
CHIEF OF POLICE: Chris Chapmond

- Supports staffing and operations in the Divisions of Operations and Support/Emergency Management to provide high standards of service delivery
- Provides for Director of Emergency Management position
- Provides for two police officers and equipment, grant dependent – applications have been submitted
- Provides for promotions for eligible staff
- Supports on-line professional and technical certifications for staff
- Supports the Drug Task Force Unit, the Bluffton K-9 Unit, and Special Investigations
- Supports the Lutzie 43 program and the School Resource officers and Crossing Guards per a MOA with Beaufort County School District
- Supports town-wide Emergency Management operations, equipment, and training
- Supports principal and lease payments of prior year purchased equipment and vehicles

Townwide Department
BUDGET: $2,439,100

- Supports garbage service per contract
- Supports increased insurance for additional town equipment and building premiums
- Supports contribution for Career Criminal Prosecution team through Solicitor Duffy Stone's office to enhance the Prosecution Team
- Supports Palmetto Breeze Urban Area local match request
- Consolidated legal expenditures for all departments

Town of Bluffton Departmental/Division Budget Overview (continued)

Engineering Department

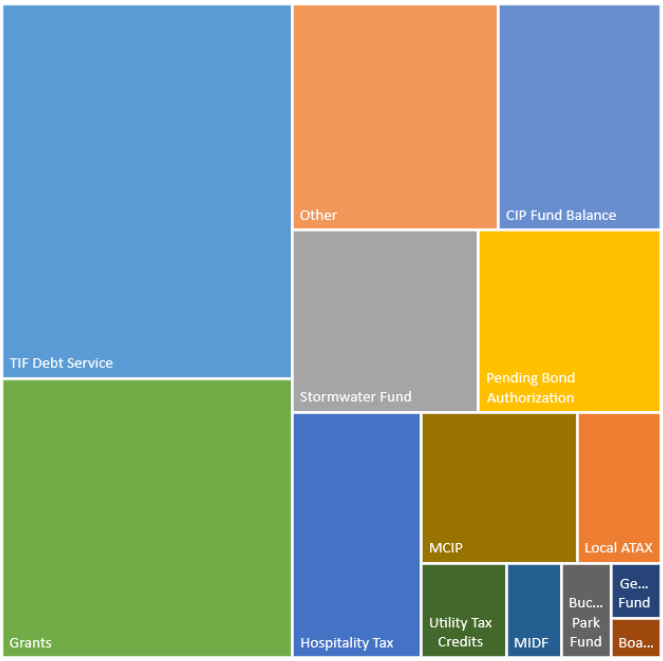
BUDGET: $4,173,663

DIRECTOR: Bryan McIlwee

- Supports staffing and operations in the Divisions of Project Management, Public Works, and Watershed Management to provide high standards of service delivery
- Supports on-line professional certifications for staff
- Provides utilities and maintenance for capital projects completed in FY 2020
- Provides improvements to parks for community events
- Supports Historic District banners and signage
- Continues Urban Design professional services to improve project aesthetics
- Includes Beautification Committee Work Plan funding recommendations as well as Tree City USA designation
- Supports on-going maintenance contracts for town facilities, equipment, and parks maintenance
- Supports principal and lease payments of purchased equipment and vehicles.
- Includes support for Watershed Management Division $1,190,783 use of Stormwater Utility Fees for the following:
    a. Supports Watershed Management Division Contract Services including:
        i. Municipal Separate Storm Sewer Service (MS4) Permit implementation
        ii. Drainage Design, Easement Acquisition & Specialized Construction
        iii. Microbial Source Tracking efforts for identification of the source of bacterial pollution in the May River
    b. Supports on-line professional certification for staff
    c. Supports Drainage & Ditch Maintenance for Town performed, routine drainage maintenance work
    d. Supports the May River Watershed Action Plan
    e. Supports University of South Carolina Beaufort (USCB) Water Quality Monitoring Services
    f. Supports the water quantity model and projects
    g. Provides for a replacement vehicle for Watershed Management division staff to perform regular inspections

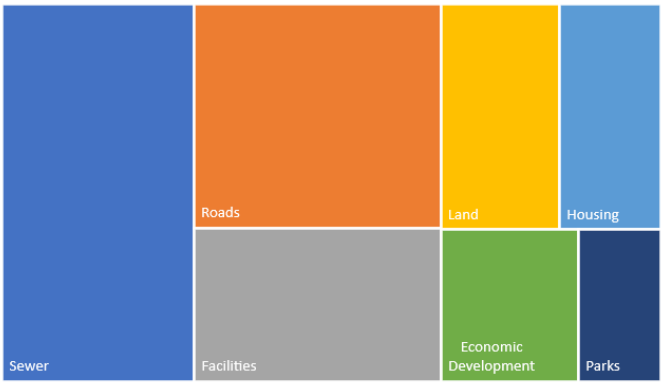
Capital Improvements Program (CIP) Fund

Where are Resources Come From:



Funding Source	FY 2021 Proposed Budget	% of Budget
Hospitality Tax	$ 672,830	7.3%
Local ATAX	269,314	2.9%
Stormwater Fund	722,677	8.0%
Pending Bond Authorization	708,565	7.7%
TIF Debt Service	2,323,526	25.3%
Grants	1,729,736	18.8%
General Fund	58,000	0.6%
Boat Ramp	42,000	0.5%
Buckwalter Park Fund	99,751	1.1%
MCIP	500,000	5.4%
MIDF	110,289	1.2%
Utility Tax Credits	171,740	1.9%
CIP Fund Balance	783,592	8.5%
Other	993,386	10.8%
Total Funding Sources	$9,185,407	100.0%

Where Our Resources Go:



Projects	FY 2021 Proposed Budget	% of Budget
Sewer	$2,677,565	29.2%
Roads	2,041,764	22.2%
Facilities	1,398,606	15.2%
Land	993,386	10.8%
Housing	841,592	9.2%
Economic Development	771,491	8.4%
Parks	461,002	5.0%
Total Projects	$9,185,407	100.0%

More information on the Town of Bluffton capital projects is available in the Five-Year Capital Improvement Program Plan.

Town of Bluffton Expenditure Budget by Fund

General Fund Budget	Salaries	Benefits	Operating	Capital Outlay	Debt	Total
Total General Fund Expenditures	$ 8,854,050	$ 3,871,310	$ 6,201,039	$ 54,200	$ 324,416	$ 19,305,015
Transfer to Capital Improvements Program Fund						58,000
					Total General Fund Budget	$ 19,363,015

Stormwater Utility Fund Budget	Salaries	Benefits	Operating	Capital Outlay	Debt	Total
Watershed Management Expenditures	$ 438,340	$ 206,362	$ 518,381	$ 27,700	$ -	$ 1,190,783
Contribution to Fund Balance						$ 357
Transfer to General Fund						130,000
Transfer to Capital Improvements Program Fund						722,677
					Total Stormwater Utility Fund Budget	$ 2,043,817

Capital Improvements Program Fund Budget	Capital Outlay	Total
Park Projects	$ 461,002	$ 461,002
Road Projects	2,041,764	2,041,764
Facilities Projects	1,398,606	1,398,606
Sewer Projects	2,677,565	2,677,565
Economic Development Projects	771,491	771,491
Housing Projects	841,592	841,592
Land Acquisition	993,386	993,386
	Total Capital Improvements Program Fund Budget	$ 9,185,407

Debt Service Fund Budget	Operating	Principal	Interest	Total
GO Bonds	$ -	$ 210,000	$ 166,371	$ 376,371
TIF Special Revenue Bonds	-	808,488	123,193	931,681
Miscellaneous Expenditures	50			50
Transfer to Capital Improvements Program Fund				2,323,526
			Total Debt Service Fund Budget	$ 3,631,628

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AN ORDINANCE OF THE TOWN OF BLUFFTON
ORDINANCE NO. 2020-
FISCAL YEAR 2021 BUDGET

TO PROVIDE FOR THE LEVY OF TAX FOR THE TOWN OF BLUFFTON FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021; TO PROVIDE FOR EXECUTION OF AND TO PUT INTO EFFECT THE CONSOLIDATED BUDGET; AND TO PROVIDE BUDGETARY CONTROL OF THE TOWN'S FISCAL AFFAIRS.

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA:

SECTION 1. APPROPRIATION.

Funds are hereby appropriated as shown in the Consolidated Budget, the documents attached hereto and incorporated for reference as Attachments A, B, C, and D establishing a Consolidated Budget of $34,223,867 consisting of the General Fund of $19,363,015; the Stormwater Fund of $2,043,817; the Capital Improvements Program Fund of $9,185,407; and the Debt Service Fund of $3,631,628.

SECTION 2. ESTABLISHMENT OF PROPERTY TAX LEVY.

A tax to cover the period from July 1, 2020, through June 30, 2021, inclusive, for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the Treasury of the Town of Bluffton for its uses at a rate of mills on assessed value of real estate and personal property of every description in the Town of Bluffton, except such property as is exempt from taxation under the United States Constitution and laws of the State of South Carolina. Said tax levy shall be collected by Beaufort County Treasurer and paid into the County Treasury for the credit of the Town of Bluffton for its corporate purposes a general fund levy of 36.80 mills and a debt service fund levy of 1.70 mills for at a total levy of 38.50 mills. However, Town Council reserves the right to modify these millage rates at its August 11, 2020 Council meeting.

SECTION 3. ESTABLISHMENT OF VEHICLE TAG FEE.

It is deemed appropriate by Town Council to create a vehicle tag fee and establish the rate at twenty-five dollars ($25) and provide for subsequent annual increases as appropriate based on the Consumer Price Index. All residents who own and operate motor vehicles principally housed and garaged in the Town of Bluffton enjoy the benefits provided by the Town's ownership and maintenance of such roads and roadway improvements and such expense should be borne in large part by the owners and operators of motor vehicles in the Town of Bluffton. The Town Council is hereby authorized to utilize the funds collected from the vehicle tag fee and any other funds deposited into the restricted fund to be known as the "Vehicle Tag Fee Fund" for the following purposes:

1. Acquisition and/or Maintenance of Town-owned roads and pathways and roadway and pathway improvements within the territorial limits of the town;
2. Utilization for General Fund road and traffic related expenditures; and
3. Principal, interest, redemption premium and any other costs associated with debt incurred for a purchase authorized herein.

SECTION 4. STORMWATER MANAGEMENT UTILITY FEES.

The Stormwater Management Utility (SWU) provides funds for protecting the health of our valuable waters and reducing flooding due to storms in our community. The Town of Bluffton establishes the rate of the Equivalent Single-Family Unit at $115.00. This consists of the following:

FEE	AMOUNT
Administrative Fee	$ 5.00
Impervious Area (rooftops, driveways, parking lots, etc.)	$ 85.00
Gross Area	$ 25.00

See Master Fee Schedule as Attachment E for a breakdown of the new rates.

SECTION 5. ESTABLISHMENT OF A MASTER FEE SCHEDULE.

A Master Fee Schedule listing all fees charged by the Town for Fiscal Year 2021 is included and incorporated for reference as Attachment E.

SECTION 6. OUTSTANDING BALANCE APPROPRIATION AND ENCUMBRANCES.

The unobligated balance remaining from the prior fiscal year hereby remains in the fund and will be available for Fiscal Year 2021 appropriations.

Fiscal Year 2020 encumbrances of the Fund Balance will be provided for through a subsequent amendment of this budget ordinance to increase the funds from previous years and increase the appropriated budget expenditures.

SECTION 7. TRANSFER OF FUNDS AND AMENDMENTS.

The Town Manager or his designee is authorized to transfer any sum from one budget line item to another or from one department or division to another provided that no such transfer be made from one fund to another fund, conflict with any existing Bond Ordinance, or conflict with any previously adopted policy of Council. Changes or amendments that alter the total expenditures of any fund must be approved by Council.

SECTION 8. CONTRACTS.

The Town Manager or his designee is authorized to execute contracts on behalf of the Town within budgeted amounts. Contract amounts greater than that budgeted shall be subject to Council approval. All contracts greater than $100,000 shall be subject to Council approval.

SECTION 9. RATE OF EXPENDITURES.

The Town Manager shall control the rate of expenditures within the Consolidated Budget so as not to exceed the amount of funds on hand. Any proposed tax and/or revenue anticipation notes shall be subject to specific Council approval prior to issuance.

SECTION 10. RESERVE FUNDS.

The following Designated Reserve Funds are established and fully funded:

Emergency Recovery Fund – This fund shall be funded at an amount equal to or greater than fifteen (15) percent of the current fiscal year General Fund expenditure amount. For Fiscal Year 2021, this amount is established at $2,895,752.

Vehicle and Equipment Replacement Reserve Fund – This reserve shall be funded at an amount equal to 115% of the designated assets' prior completed fiscal year's depreciation cost from uncommitted Fund Balance. This funding will occur in years in which there is a positive net change in the prior year's fund balance. In addition, any insurance proceeds from totaled vehicles and proceeds from the sale of vehicles and equipment will be designated as reserved for future vehicle or equipment purchases. Debt Service requirements (lease principal and interest payments) are charged to Department Cost Centers and reduce the Vehicle and Equipment Replacement Reserve each year. For Fiscal Year 2021, this amount is established at $811,050.

SECTION 11. SEVERABILITY.

Should any section, phrase, sentence, or portion of this Ordinance be found invalid by a court or competent jurisdiction, such finding shall not invalidate the remaining portions of this Ordinance.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall be effective on July 1, 2020.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF BLUFFTON ON THIS _____ DAY OF _____, 2020.

_____
Lisa Sulka, Mayor

ATTEST:

_____
Kim Chapman, Town Clerk

Attachments:

A. General Fund Budget
B. Capital Improvement Program Fund Budget
C. Stormwater Utility Fund Budget
D. Debt Service Fund Budget
E. Master Fee Schedule

First Reading: May 12, 2020
Second and Final Reading: June 9, 2020

Attachment A

Town of Bluffton
General Fund Proposed Budget
Fiscal Year Ending June 30, 2021

	FY 2020 Current Budget	FY 2021 Proposed Budget	$ Budget Change	% of Budget Change
Revenues				
Property Taxes	$ 6,300,000	$ 6,533,000	$ 233,000	3.7%
Licenses & Permits				
Business Licenses	2,100,000	2,161,080	61,080	2.9%
MASC Telecommunications	70,000	68,000	(2,000)	-2.9%
MASC Insurance Tax Collection	2,200,000	2,341,000	141,000	6.4%
Franchise Fees (electric, gas, water, telephone, cable)	2,600,000	2,758,000	158,000	6.1%
Building Safety Permits	2,350,000	2,106,000	(244,000)	-10.4%
Application Fees	80,000	50,000	(30,000)	-37.5%
Administrative Fees	44,000	44,000	-	0.0%
Total Licenses & Permits	9,444,000	9,528,080	84,080	0.9%
Grants and Entitlements	399,895	410,000	10,105	2.5%
Intergovernmental	433,170	408,000	(25,170)	-5.8%
Service Revenues	965,000	618,035	(346,965)	-36.0%
Fines & Fees	230,000	220,000	(10,000)	-4.3%
Miscellaneous Revenues	180,000	163,000	(17,000)	-9.4%
Total Revenues	17,952,065	17,880,115	(71,950)	-0.4%
Other Financing Sources	450,000	-	(450,000)	-100.0%
Transfers In	1,787,049	1,482,900	(304,149)	-17.0%
Total Other Financing Sources & Tranfers In	2,237,049	1,482,900	(754,149)	-33.7%
Total Revenues and Other Financing Sources	$ 20,189,114	$ 19,363,015	$ (826,099)	-4.1%
Expenditures				
Town Council	$ 219,905	$ 117,185	$ (102,720)	-46.7%
Executive	935,673	923,516	(12,157)	-1.3%
Economic Development	405,120	405,120	-	0.0%
Human Resources	387,681	413,660	25,979	6.7%
Police	7,335,459	7,102,892	(232,567)	-3.2%
Municipal Judges	54,763	59,910	5,147	9.4%
Municipal Court	365,041	361,836	(3,205)	-0.9%
Finance	960,968	964,265	3,297	0.3%
Information Technology	1,176,638	1,245,776	69,138	5.9%
Customer Service Center	227,831	239,700	11,869	5.2%
Planning & Community Development	1,284,018	1,368,670	84,652	6.6%
Building Safety	772,581	680,505	(92,076)	-11.9%
Project Management	944,789	918,172	(26,617)	-2.8%
Public Works	1,886,748	2,064,708	177,960	9.4%
Non-Departmental (Townwide)	2,203,000	2,439,100	236,100	10.7%
Total Expenditures	19,160,215	19,305,015	144,800	0.8%
Other Financing Uses				
Transfers Out to Capital Improvements Program Fund	1,028,899	58,000	(970,899)	-94.4%
Total Transfers	1,028,899	58,000	(970,899)	-94.4%
Total Expenditures and Other Financing Uses	$ 20,189,114	$ 19,363,015	$ (826,099)	-4.1%

Town of Bluffton
Stormwater Fund
Fiscal Year Ending June 30, 2021

	FY 2020 Current Budget	FY 2021 Proposed Budget	$ Budget Change	% of Budget Change
Revenues				
Licenses & Permits				
Stormwater Fees	$ 1,381,295	$ 1,678,667	$ 297,372	21.5%
Plan Review and Inspection Fees	-	365,000	365,000	100.0%
Total Licenses & Permits	1,381,295	2,043,667	662,372	48.0%
Grants and Entitlements				
Grant Income	65,000	-	(65,000)	-100.0%
Total Intergovernmental	65,000	-	(65,000)	-100.0%
Miscellaneous Revenues				
Miscellaneous	-	150	150	100.0%
Total Miscellaneous Revenues	-	150	150	100.0%
Total Revenues	1,446,295	2,043,817	597,522	41.3%
Other Financing Sources				
Prior Year Fund Balance	576,457	-	(576,457)	-100.0%
Total Other Financing Sources	576,457	-	(576,457)	-100.0%
Total Revenues and Other Financing Sources	$ 2,022,752	$ 2,043,817	$ 21,065	1.0%
Expenditures				
Operating				
Watershed Management	$ 1,320,973	$ 1,190,783	$ (130,190)	-9.9%
Total Expenditures	1,320,973	1,190,783	(130,190)	-9.9%
Other Financing Uses				
Transfers Out				
Capital Improvements Program Fund	641,779	722,677	80,898	12.6%
General Fund	60,000	130,000	70,000	116.7%
Contribution to Fund Balance	-	357	357	100.0%
Total Transfers	701,779	853,034	151,255	21.6%
Total Expenditures and Other Financing Uses	$ 2,022,752	$ 2,043,817	$ 21,065	1.0%

TOWN OF BLUFFTON
FY 2021 CAPITAL IMPROVEMENT PROGRAM FUND PROJECTS

pending

					FUNDING SOURCES													
	Current Projects	Revised FY 2020 Budget	FY 2020 Estimated Expenditure	Proposed FY2021 Budget	HTAX	LATAX	SWU	SWU Bond	TIF	Grants Proviso	General Fund	Boat Ramp	Buckwalter Park Fund	MCIP	MIDF	Utility Tax Credits	CIP Fund Balance	Other
	COMPLETED PROJECTS FY2020																	
00041	Buck Island-Simmonsville Sewer Phase 4	46,183	46,183															
00045	Jason-Able Neighborhood Sewer	191,739	130,000															
00063	68 Boundary St (Martin) Park	718,776	718,779															
00064	184 Bluffton Road	287,028	287,028															
00069	Boundary Street Lighting	116,118	116,118															
00084	Veterans Memorial Park	166,610	166,610															
	CARRY FORWARD PROJECTS																	
00020	Land Acquisition	511,949	18,563	993,386	-	-	-	-	-	-	-	-	-	-	-	-	-	993,386
00040	Buckwalter Place Multi-County Commerce Park	1,084,298	630,089	271,491	-	-	-	-	-	-	-	-	99,751	-	-	171,740	-	-
00042	Calhoun Street Streetscape	322,714	65,000	242,714	-	-	-	-	542,714	-	-	-	-	-	-	-	-	-
00044	Buck Island - Simmonsville Sewer Phase 5	1,730,756	750,000	1,243,718	-	-	297,796	-	372,671	462,962	-	-	-	-	110,289	-	-	-
00050	Historic District Lighting, Signage, Parking & Streetscape Enhancements	228,772	100,000	188,550	-	-	-	-	188,550	-	-	-	-	-	-	-	-	-
00052	Watershed Management	13,343	13,343	22,200	-	-	22,200	-	-	-	-	-	-	-	-	-	-	-
00054	BIS Neighborhood Sidewalks & Lighting	532,374	532,374	405,203	-	-	-	-	405,203	-	-	-	-	-	-	-	-	-
00055	Goethe - Shults Neighborhood Improvements Phase 2	151,427	151,427	997,449	-	-	-	-	497,449	500,000	-	-	-	-	-	-	-	-
00059	Oyster Factory Park	90,808	90,808	26,600	-	26,600	-	-	-	-	-	-	-	-	-	-	-	-
00060	Don Ryan Center for Innovation Upfit	435,338	435,338	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00061	Sewer Connections	281,384	-	482,000	-	-	-	-	-	482,000	-	-	-	-	-	-	-	-
00062	Calhoun Street Regional Dock	755,855	609,081	209,324	-	-	-	-	62,550	104,774	-	42,000	-	-	-	-	-	-
00065	Wright Family Park	1,374,614	1,374,614	104,302	-	-	-	-	104,302	-	-	-	-	-	-	-	-	-
00066	Oscar Frazier Park	62,000	20,832	105,100	-	-	-	-	105,100	-	-	-	-	-	-	-	-	-
00067	Squire Pope Carriage House Preservation	76,350	76,350	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00070	Historic District Sewer Extension Phase 1	667,281	450,000	243,282	-	-	243,282	-	-	-	-	-	-	-	-	-	-	-
00071	Historic District Sewer Extension Phase 2	35,845	35,845	348,940	-	-	-	348,940	-	-	-	-	-	-	-	-	-	-
00072	Historic District Sewer Extension Phase 3		-	161,250	-	-	-	161,250	-	-	-	-	-	-	-	-	-	-
00073	Historic District Sewer Extension Phase 4		-	141,125	-	-	-	141,125	-	-	-	-	-	-	-	-	-	-
00074	Historic District Sewer Extension Phase 5		-	26,000	-	-	-	26,000	-	-	-	-	-	-	-	-	-	-
00075	Historic District Sewer Extension Phase 6		-	31,250	-	-	-	31,250	-	-	-	-	-	-	-	-	-	-
00077	Law Enforcement Center Facility Improvements	25,937	10,150	1,029,943	652,830	242,714	134,399	-	-	-	-	-	-	-	-	-	-	-
00078	Public Works Facility Improvements	12,440	12,440	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00079	Rotary Community Center Facility Improvements	29,389	29,389	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00081	Garvin-Garvey House Interpretive Signage	43,518	43,518	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00082	Bridge Street Streetscape	67,848	67,848	72,848	-	-	25,000	-	47,848	-	-	-	-	-	-	-	-	-
00085	New Riverside Park / Barn Site	100,000	100,000	225,000	-	-	-	-	45,000	180,000	-	-	-	-	-	-	-	-
00086	Park Improvements	79,000	13,310	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00087	Town of Bluffton Housing Project	783,592	-	841,592	-	-	-	-	-	-	58,000	-	-	-	-	-	783,592	-
00088	Town Hall Improvements	71,300	71,300	62,139	-	-	-	-	62,139	-	-	-	-	-	-	-	-	-
00089	Ulmer Auditorium Improvements	151,058	151,058	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00090	Technical College of the Lowcountry	500,000	-	500,000	-	-	-	-	-	-	-	-	-	500,000	-	-	-	-
00091	Community Safety Cameras Phase 6	59,627	59,627	75,000	-	-	-	-	75,000	-	-	-	-	-	-	-	-	-
00092	New River Trail	41,000	41,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
00093	Ghost Roads	49,000	49,000	20,000	20,000	-	-	-	-	-	-	-	-	-	-	-	-	-
	NEW PROJECTS																	
P108	Boundary Street Streetscape	-	-	115,000	-	-	-	-	115,000	-	-	-	-	-	-	-	-	-
	TOTAL	**$ 11,895,271**	**$ 7,467,022**	**$ 9,185,407**	**$ 672,830**	**$ 269,314**	**$ 722,677**	**$ 708,565**	**$ 2,623,526**	**$ 1,729,736**	**$ 58,000**	**$ 42,000**	**$ 99,751**	**$ 500,000**	**$ 110,289**	**$ 171,740**	**$ 783,592**	**$ 993,386**

Attachment D

TOWN OF BLUFFTON
DEBT SERVICE FUND
FOR THE YEAR ENDING JUNE 30, 2021

	FY 2020 Current Budget	FY 2021 Proposed Budget	$ Budget Change	% of Budget Change
Revenues				
Property Taxes				
TIF District	$ 2,299,500	$ 2,429,000	$ 129,500	5.6%
GO BABs	556,500	380,507	(175,993)	-31.6%
Total Property Taxes	2,856,000	2,809,507	(46,493)	-1.6%
Licenses, Permits & Fees				
MID Fee	245,175	262,440	17,265	7.0%
Intergovernmental				
Federal Interest Rebate	92,300	-	(92,300)	-100.0%
Miscellaneous				
Interest	2,000	4,400	2,400	120.0%
Total Revenues	3,195,475	3,076,347	(119,128)	-3.7%
Other Financing Sources				
Prior Year Fund Balance	-	555,281	555,281	100.0%
Total Other Financing Sources	-	555,281	555,281	100.0%
Total Revenues and Other Financing Sources	$ 3,195,475	$ 3,631,628	$ 436,153	13.6%
Expenditures				
Series 2014 TIF Bonds Debt Service				
Principal	$ 787,895	$ 808,488	$ 20,593	2.6%
Interest	143,786	123,193	(20,593)	-14.3%
Series 2010 GO Build America Bonds Debt Service				
Principal	245,000	210,000	(35,000)	-14.3%
Interest	288,615	166,371	(122,244)	-42.4%
Miscellaneous	50	50	-	0.0%
Total Expenditures	1,465,346	1,308,102	(157,244)	-10.7%
Other Financing Uses				
Transfers Out				
Capital Improvements Program Fund	1,258,071	2,323,526	1,065,455	84.7%
Contribution to Fund Balance	472,058	-	(472,058)	-100.0%
Total Transfers	1,730,129	2,323,526	593,397	34.3%
Total Expenditures and Other Financing Uses	$ 3,195,475	$ 3,631,628	$ 436,153	13.6%

Master Fee Schedule – FY202~~0~~1

Section I	Miscellaneous Fees
Section II	Police Department Fees
Section III	Business License Fees
Section IV	Facility Rental Fees Add two locations (Martin Family Park and Public Park @ Buckwalter Place Commerce Park)
Section V	IT/GIS Fees
Section VI	Growth Management Department Fees
Section VII	Storm Water Management Fees Change to SWU Rate Add Stormwater Plan Review and Inspection Fees

Master Fee Schedule – FY202~~0~~1

Section I – Miscellaneous Fees

Item/Description	Basis	Fee
Printing, Reproduction, Documents		
Black and White Photocopies (8.5" X 11" or smaller)	Per Page	$ 0.20
Color Photocopies	Per Page	$ 0.25
Photocopies Larger than 8.5" X 11"	Per Page	$ 0.25
Photocopies Plotter/Large Format Copies of Plans	Per Page	$ 6.00
CD Copy	Per Disc	$ 5.00
Staff Time making copies (no less than a 30 minute charge)	Per Hour	$ 25.00
Election Fees		
To Elect Council	Per Election	$100.00
To Elect Mayor	Per Election	$150.00
Finance Fees		
NSF Returned Check Fee	Per Check	$ 30.00
Old Town Business Directional Sign Fees		
Sign Production & Installation	Per Sign	At Cost

Section II – Police Department Fees

Item/Description	Basis	Fee
Police Services		
Off-Duty Police Officer	Per Hour, Per Officer	$52.50
Police Reports, Photocopies & Records		
Police Report Copy Fee (No fee for victim)	Per Report up to 3 pages plus per page	$ 5.00 + .25 cents per page above 3
Accident Report	Per Report up to 3 pages plus per page	$ 10.00 $ .25
Police Photographs, Audio or Video Recordings	Per Fee plus actual costs CD/DVD	$ 20.00 $ 5.00
Police Permits		
Precious Metal Permit	Allowed by State Law	$ 50.00

Section III – Business License Fees

Item/Description	Basis	Fee
Taxation Fees		
Hospitality Tax Fees	Per Quarter or Month	2% of Prepared Meals/ Beverages
Local Accommodation Tax Fees	Per Quarter	3% of Gross Revenue for rentals 30 days or less
Penalties – Business License, Hospitality Tax, and Accommodations Tax	Per Month	5% per month

Master Fee Schedule – FY202~~0~~1

Section III – Business License Fees (continued)

Rate Class	Minimum Rate	Minimum Gross Receipt	Rate Per Thousand or Fraction Thereof Over Minimum Gross
1	$ 50.00	$ 10,000.00	$ 1.00
2	$ 50.00	$ 10,000.00	$ 1.20
3	$ 50.00	$ 10,000.00	$ 1.40
4	$ 50.00	$ 10,000.00	$ 1.60
5	$ 50.00	$ 10,000.00	$ 1.80
6	$ 50.00	$ 10,000.00	$ 2.00
7	$ 50.00	$ 10,000.00	$ 2.20
8.1	$ 50.00	$ 10,000.00	$ 1.00
8.2	See SC Code		
8.3	MASC Telecommunications		
8.4A	$ 50.00	$ 10,000.00	$ 1.00
8.4B	$ 50.00	$ 10,000.00	$ 1.00
8.5	$ 50.00	$ 10,000.00	$ 1.00
8.6	$ 30.00	$ 10,000.00	$ 1.00
8.7	MASC Insurance		
8.81	$12.50 business license for operation of all machines (not on gross income)		PLUS $12.50/machine
8.82	$ 50.00	$ 10,000.00	$ 1.00
8.83	$12.50 business license for operation of all machines (not on gross income)		PLUS $12.50/machine
8.9A	$ 50.00	$ 10,000.00	$ 1.00
8.9B	$ 50.00	$ 10,000.00	$ 1.00
8.9C	$ 50.00	$ 10,000.00	$ 2.20
Non Profit	N/A	N/A	N/A

NON-RESIDENT RATES

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the municipality.

Item/Description	Basis	Fee
Other Business License Fees Annual Mobile Vending Fee	Paid Annually in addition to Business License Tax	$400

Master Fee Schedule – FY202~~0~~1

Section III – Business License Fees

Special Events

Item/Description	Basis	Fee
Special Event Application Fee	• Per Application; or, • Per quarter if event is held more than twice a quarter	$ 50.00
Special Event Permit Fee	Paid by Special Event Sponsor	$10.00
Special Event Unlicensed Vendor Fee	Per Unlicensed Vendor Paid by Sponsor	$10.00

Section IV – Facility Rental Fees

General

Item/Description	Basis	Fee
Reservation Request (Non-Refundable)	Per Facility	$25.00
Non-Resident Surcharge	Percentage of Rental Fee	25%
Bluffton Police Department Officer	Per Hour	$52.50
Lost Key	Each	$25.00
Lost Pass Card	Each	$25.00
Additional Notes: • The Town Manager or designee may waive any or all fees if it is deemed in the best interests of the Town. • Upon approval of a facility rental request, the Reservation Request fee shall be applied towards the applicable facility rental fees.		

Master Fee Schedule – FY202~~0~~1

Section IV – Facility Rental Fees (continued)

Rotary Community Center

Item/Description	Basis	Fee
Private Event Rental		
Rental Fee (6 hour Reservation; 1 hour Setup, 4 hour Event, 1 hour Cleanup)	Per Event	$400.00
Daily Rate	Per Day	$500.00
Security Deposit	Per Event	$150.00
Cleaning Fee	Per Event	$100.00
Non-Profit Rental		
Rental Fee (6 hour Reservation; 1 hour Setup, 4 hour Event, 1 hour Cleanup)	Per Event	$200.00
Daily Rate	Per Day	$300.00
Security Deposit	Per Event	$150.00
Cleaning Fee	Per Event	$100.00
Meeting Rental		
Rental Fee	Per Hour	$ 50.00
Cleaning	Per Event	$100.00

Additional Notes:

- The Town Manager or designee may waive any or all fees if it is deemed in the best interests of the Town.
- All fees will be collected at the Customer Service Center at Town Hall.
- Security Deposit may be refunded provided the park, facilities, and equipment are clean and returned to the condition that existed prior to the rental.
- Meeting rental cleaning fees may be negotiated based on meeting type, length, use, and frequency.
- A full refund of the Rental Fee and Security Deposit will be granted with cancellation notice at least 48-hours prior to the scheduled rental start.

Field of Dreams

Item/Description	Basis	Fee
4 Hour Access (6 hour Reservation; 1 hour Setup, 4 hour Event, 1 hour Cleanup)	Per Event	$100.00
All Day Access	Per Day	$150.00
Security Deposit	Per Event	$150.00

Additional Notes:

- The Town Manager or designee may waive any or all fees if it is deemed in the best interests of the Town.
- All fees will be collected at the Customer Service Center at Town Hall.
- Security Deposit may be refunded provided the park, facilities, and equipment are clean and returned to the condition that existed prior to the rental.
- A full refund of the Rental Fee and Security Deposit will be granted with cancellation notice at least 48-hours prior to the scheduled rental start or if an event is rained out and the part not utilized.

Master Fee Schedule – FY202~~0~~1

Section IV – Facility Rental Fees (continued)

Oyster Factory Park

Item/Description	Basis	Fee
Reservation of Park East of Wharf Street		
Rental Fee	Per Day	$300.00
Less than Full Day (6 hour Reservation: 1 hour Setup, 4 hour Event, 1 hour Cleanup)	4-Hour Block	$150.00
Rental Fee – Non-Profit	Per Day	$150.00
Less than Full Day (6 hour Reservation: 1 hour Setup, 4 hour Event, 1 hour Cleanup)	4-Hour Block	$75.00
Security Deposit	Per Rental	$100.00
Reservation of Park West of Wharf Street		
Rental Fee	Per Day	$100.00
Less than Full Day (6 hour Reservation: 1 hour Setup, 4 hour Event, 1 hour Cleanup)	4-Hour Block	$50.00
Rental Fee – Non-Profit	Per Day	$50.00
Less than Full Day (6 hour Reservation: 1 hour Setup, 4 hour Event, 1 hour Cleanup)	4-Hour Block	$25.00
Security Deposit	Per Rental	$100.00

Additional Notes:

- The Town Manager or designee may waive any or all of the fees if it is deemed in the best interests of the Town of Bluffton.
- All fees will be collected at the Customer Service Center at Town Hall.
- Security Deposit may be refunded provided the park, facilities, and equipment are clean and returned to the condition that existed prior to the rental.
- A full refund of the Rental Fee and Security Deposit will be granted with cancellation notice at least 48-hours prior to the scheduled rental start or if an event is rained out and the park not utilized.

Martin Family Park and Public Park @ Buckwalter Place Commerce Park

Item/Description	Basis	Fee
4 Hour Access (6 hour Reservation; 1 hour Setup, 4 hour Event, 1 hour Cleanup)	Per Event	$100.00
All Day Access	Per Day	$150.00
Security Deposit	Per Event	$150.00

Additional Notes:

- The Town Manager or designee may waive any or all fees if it is deemed in the best interests of the Town.
- All fees will be collected at the Customer Service Center at Town Hall.
- Security Deposit may be refunded provided the park, facilities, and equipment are clean and returned to the condition that existed prior to the rental.
- A full refund of the Rental Fee and Security Deposit will be granted with cancellation notice at least 48-hours prior to the scheduled rental start or if an event is rained out and the part not utilized.

Master Fee Schedule – FY202~~0~~1

Section V – IT/GIS Department Fees

Item/Description	Basis	Fee
GIS Mapping Services – Existing Maps		
11" X 17" (Tabloid Size) Printed and Trimmed	Per Map	$ 10.00
34" X 44" (E-Size) Printed and Trimmed	Per Map	$ 25.00
GIS Mapping Services – Custom Maps		
GIS Data Set Requests	Per Request	$ 30.00
Anything up to Size 34" X 44" (E-Size) Printed and Trimmed	Per Hour	$ 35.00
Bluffton Street and Address Atlas		
79 Double Sided 11" X 17" Bound Pages	Per Book	$100.00

Section VI – Growth Management Fees

Building Safety Fees

Item/Description	Basis (Value of Construction)	Fee
Applications – Calculated Fees		
New Structures Commercial and Residential	$500 - $2,000	$ 35.00
	$2,001 - $3,000	$ 38.50
	$3,001 - $50,000	$38.50 + $5.00 per $1,000 or fraction thereof over $1,000
	$50,001 and above	$273.50 + $4.50 per $1,000 or fraction thereof over $50,000
Miscellaneous Construction Commercial and Residential	$0 - $1,000	$ 35.00
	$1,001 - $2,000	$ 70.00
	$2,001 - $3,000	$ 77.00
	$3,001 - $50,000	$77.00 + $9.00 per $1,000 or fraction thereof over $3,000
Miscellaneous Construction Commercial	$50,000 and above	$500.00 +$4.50 per $1,000 or fraction thereof over $50,000
Miscellaneous Construction Residential	$50,000 and above	$500.00 + $4.00 per $1,000 or fraction thereof over $50,000
Multi-Family and Commercial Plans Check Fee	Each	75% of permit fee (non-refundable)
Residential Plans Check Fee	Each	50% of permit fee (non-refundable)

Master Fee Schedule – FY202~~0~~1

Section VI – Growth Management Fees (continued)

Building Safety Fees (continued)

Item/Description	Basis (Value of Construction)	Fee
Application Fees		
Construction Trailers	Each	$100.00
Demolition	Each	$ 50.00
Electrical < 200 amps	Each	$ 25.00
Electrical (pools/spas/water features)	Each	$ 25.00
HVAC Change Out (per unit, single family or multi-family residential)	Each	$ 50.00
Water Heater Change Out (per unit, single family or multi-family residential	Each	$ 25.00
Manufactured Homes	Each	$ 25.00
Moving a Structure	Each	$100.00
Spa (portable)	Each	$ 50.00
Swimming Pool or Spa Single Family	Each	$100.00
Swimming Pool or Spa Commercial	Each	$150.00
Irrigation Systems (per system)	Each	$100.00
Tent or Air Supported Structure	Each	$100.00
Water Feature (Fountains)	Each	$100.00
First Re-inspection per each permit	Each	$ 50.00
Failure to obtain inspection approval	Each	$ 50.00
Subsequent re-inspections per each permit	Each	$100.00
Safety Inspection	Each	$100.00
Residential Plan Remarking	Each	$ 50.00
Commercial Plan Remarking	Each	50% of plan check or $200.00, whichever is less
Construction Board of Adjustments and Appeals Application	Each	$ 75.00
Work without Applicable Permit	Each	Value of permit fee X 2

Additional Notes:

- Waiver of Fees.
  - Fees shall be waived for single family construction alterations to enlarge, alter, repair, remodel or add additions to existing structures when the value of said alteration is less than one thousand dollars ($1,000.00). A permit is required. Mechanical work is not subject to this waiver.
  - Fees of less than two hundred dollars ($200.00) for repair or renovation of single-family structures when the work to be performed is sponsored by a 501(C)(3) organization shall be waived upon submission of a letter to the building official verifying the sponsorship of the work to be performed.
  - The Town Council may waive any or all fees if it is deemed in the best interests of the Town.

Master Fee Schedule – FY202~~0~~1

Section VI – Growth Management Fees (continued)

Building Safety Fees (Additional Notes continued)

- Plan checking fees.
  - When the value of construction for multi-family or commercial structures exceeds one thousand dollars ($1,000.00) and a plan is required to be submitted, a plan checking fee shall be paid to the building department at the time of plan submittal and specifications for checking. Said plan checking fee shall be equal to seventy-five (75) percent of the building or miscellaneous permit fee.
  - Residential (Single Family) Plan Check Fees are required for all permits that require a plans check regardless of the value of construction. Said plans checking fee shall be equal to fifty percent (50%) of the building or miscellaneous fee.
  - A fee of fifty dollars ($50.00) shall be charged for all remarking/rechecking of single family plans. Commercial remarking/rechecking fee shall be one half (½) of the original plan checking fee or $200.00 whichever is less.
- Residential HVAC change out permits do not include duct work.

Additional details regarding fees are contained in the Municipal Code of the Town of Bluffton, Chapter 5, Official Construction Code, Section 109.Fees.

Planning and Environmental Applications and Permits

Item/Description	Basis	Application Fee
Addressing	Each	$0.00
Annexation:		
100% Petition	Each	$500.00
75% Petition	Each	$650.00
25% Petition	Each	$650.00
Appeal	Each	$250.00
Certificate of Appropriateness:		
Highway Corridor Overlay District	Each	$100.00
Amendment	Each	$50.00
Extension	Each	$50.00
Historic District	Each	$100.00
Amendment	Each	$50.00
Extension	Each	$50.00
Historic District – Demolition	Each	$250.00
Certificate of Construction Compliance	Each	$50.00
Comprehensive Plan Amendment	Each	$500.00
Designation of Contributing Structure	Each	$250.00
Development Agreement:		
New	Each	$2,000.00
Amendment	Each	$2,000.00
Development Plan:		
Preliminary	Each	$500.00
Final	Each	$1,000.00
Amendment	Each	$750.00
Extension	Each	$300.00
Development Surety	Each	$100.00
Emergency Permitting	Each	$0.00
HD Signage and Site Features	Each	$25.00
Exempt Plat	Each	$25.00

Master Fee Schedule – FY202~~0~~1

Section VI – Growth Management Fees (continued)

Planning and Environmental Sustainability Fees (continued)

Item/Description	Basis	Application Fee
Printed Copy:		
Annexation Policy & Procedure Manual	Each	$25.00
Application Manual	Each	$55.00
Stormwater Design Manual	Each	$60.00
UDO	Each	$95.00
PUD Concept Plan:		
New	Each	$500.00
Amendment	Each	$250.00
PUD Master Plan:		
New	Each	$500.00
Amendment	Each	$250.00
Extension	Each	$250.00
Public Project	Each	$0.00
Sign	Each	$25.00
Silviculture	Each	$1,500.00
Special Exception	Each	$250.00
Street Naming	Each	$0.00
Street Renaming	Each	$250.00
Subdivision:		
General:		
New	Each	$100.00 + $10.00/lot
Amendment	Each	$50.00 + $10.00/lot
Extension	Each	$50.00 + $10.00/lot
Historic District:		
New	Each	$100.00 + $10.00/lot
Amendment	Each	$50.00 + $10.00/lot
Extension	Each	$50.00 + $10.00/lot
Transfer of Development Rights	Each	$1,000.00
Tree Removal	Each	$25.00
UDO Text Amendment	Each	$500.00
Variance	Each	$250.00
Zoning Map Amendment	Each	$500.00
Zoning Permit	Each	$25.00

Additional Notes:

- Town Council may waive any or all fees for applications if it is deemed in the best interests' of the Town.
- Applications requiring additional Public Hearings above and beyond the number specified in the Growth Management Application Table in the UDO Application Manual shall be subject to a $200.00 fee per additional Public Hearing.
- In the event that a Feasibility Study for an Annexation Application will need to be contracted out to a third party, the Application shall be responsible for the full cost of the Study.
- Building Permit and Business License Application Fees include the Zoning Permit Application Fee therefore, no additional fee is necessary.

Master Fee Schedule – FY202~~0~~1

Section VI – Growth Management Fees (continued)

Developmental Agreement Fees

Item/Description	Basis	Fee
Bluffton Village		
Commercial, Retail, and Multi-Family Space		Fee Per Development Agreement
Individual Dwelling Units		Fee Per Development Agreement
Dependency Units		Fee Per Development Agreement
Boat Ramp Fee (per dwelling units)	Each	$25.00
Buckwalter		
Single Family Residential (SFR) Affordable Housing		Fee Per Development Agreement
SFR < 2,000 sq. ft.		Fee Per Development Agreement
SFR > 2,000 sq. ft. to 3,000 sq. ft.		Fee Per Development Agreement
SFR > 3,000 sq. ft.		Fee Per Development Agreement
Multi-Family (MF) – 1 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 2 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 3 bedroom		Fee Per Development Agreement
Commercial Development		Fee Per Development Agreement
Municipal Improvement Development Fee –		
All Residential Units Within: Baynard Park, Hampton Lake, Resort Tract, Lawton Station, Northern Tract, Parkside, Rose Dhu Creek Phases II & III	Each	$900.00
Boat Ramp Fee (per dwelling units)	Each	$25.00
Jones Estate		
Single Family Residential(SFR)		
Affordable Housing < $124,000		Fee Per Development Agreement
SFR < 2,000 sq. ft.		Fee Per Development Agreement
SFR > 2,000 sq. ft. to 3,000 sq. ft.		Fee Per Development Agreement
SFR > 3,000 sq. ft.		Fee Per Development Agreement
Multi-Family (MF) – 1 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 2 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 3 bedroom		Fee Per Development Agreement
Commercial Development		Fee Per Development Agreement
Municipal Improvement Development Fee –		
All Residential Units Within: Cypress Ridge	Each	$900.00
Boat Ramp Fee (per dwelling units)	Each	$25.00
Schultz Tract, New Riverside, Palmetto Bluff		
Single Family Residential (SFR)		Fee Per Development Agreement
Multi Family		Fee Per Development Agreement
Commercial Per Square Foot		Fee Per Development Agreement
Municipal Improvement Development Fee –		
All Residential Units Within: New Riverside	Each	$900.00
Boat Ramp Fee (per dwelling units)	Each	$25.00

Master Fee Schedule – FY202~~0~~1

Section VI – Growth Management Fees (continued)

Developmental Agreement Fees (continued)

Item/Description	Basis	Fee
Village at Verdier Plantation		
Single Family Residential (SFR) < 1,800 sq. ft.		Fee Per Development Agreement
SFR 1,801 – 2,400 sq. ft.		Fee Per Development Agreement
SFR 2,401 – 3,000 sq. ft.		Fee Per Development Agreement
SFR > 3,000 sq. ft.		Fee Per Development Agreement
Multi-Family (MF) – 1 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 2 bedroom		Fee Per Development Agreement
Multi-Family (MF) – 3 bedroom		Fee Per Development Agreement
Commercial Development		Fee Per Development Agreement
Boat Ramp Fee (per dwelling units)	Each	$25.00
Additional Notes: • Town Council may waive any or all fees if it is deemed in the best interests of the Town.		

~~Section VII – Stormwater Management Fees~~

Residential Type	Equivalent Single Family Units	Fee
~~Tier 1 – Single Family Unit < 2,521 sq. ft.~~	~~0.50~~	~~$ 49.00~~
~~Tier 2 – Single Family Unit 2,522 to 7,265 sq. ft.~~	~~1.00~~	~~$ 98.00*~~
~~Tier 3 – Single Family Unit > 7,266 sq. ft.~~	~~1.50~~	~~$147.00~~
~~Mobile Homes~~	~~0.36~~	~~$ 35.28~~
~~Apartments~~	~~0.39~~	~~$ 38.22~~
~~Townhouses~~	~~0.60~~	~~$ 58.80~~
~~Condominiums~~	~~0.27~~	~~$ 26.46~~
~~*Equivalent SFU Base Rate for Town of Bluffton - $98.00~~		
~~**Non-residential** properties are charged the same rate as residential properties. The formula is as follows:~~ ~~Total impervious square footage on property divided by 4,906 (one unit median) = X~~ ~~X times $98 = fee due~~ ~~**Vacant Land** is charged various runoff rates based on parcel category and whether land is disturbed or undisturbed. Fees can vary from $0.44 to $21.79 per acre.~~		

Master Fee Schedule – FY202~~0~~1

Section VII – Stormwater Management Fees

Residential Land Uses

Residential Type	Factor	Fee
Administrative Fee		$5.00
Impervious Area Units (IA)		$85.00
Tier 1 – Single Family Unit ≤ 2,521 sq. ft.	0.50	
Tier 2 – Single Family Unit 2,522 to 7,265 sq. ft.	1.00	
Tier 3 – Single Family Unit ≥ 7,266 sq. ft.	1.50	
Mobile Homes	0.36	
Apartments	0.39	
Townhouses	0.60	
Condominiums	0.27	
Commercial (Impervious Area – IA; Square Feet – SF)	IA * 4,906 SF	
Gross Area Charge (GA)		$25.00
First 2 acres	1.00	
For every acre above 2 acres and up to 10 acres	0.50	
For every acre above 10 acres and up to 100 acres	0.40	
For every acre above 100 acres	0.30	
Town of Bluffton SWU		$115.00

The formula is as follows:

Calculation of Tier 1 Single Family Units on less than 2 acres:

$85 * .5 = $42.50 + $25.00 + $5.00 = $72.50

Calculation Example of Tier 3 Single Family Unit with GA of 7 acres:

$127.50 + 25.00 + ((7-2) x .5 x 25 = 62.50) + 5.00 = $215.00

Non-residential properties are charged the same rate as residential properties.

Vacant Land is charged various runoff rates based on parcel category and whether land is disturbed or undisturbed. Fees can vary from $0.44 to $21.79 per acre.

National Pollutant Discharge Elimination System (NPDES) Fees

Item/Description	Fee
Stormwater Plan Review Fee	
Residential <1 acre (not part of subdivision)	Exempt
Residential (single family or subdivision), Multi-family, or Non-residential per disturbed acre (round up to the next whole acre)	$250.00 ($5,000 max)
Stormwater Plan Amendment/Resubmittal Fee	
Residential <1 acre (not part of subdivision)	Exempt
Residential (single family or subdivision), Multi-family, or Non-residential per disturbed acre (round up to the next whole acre)	$150.00 ($2,500 max)

Master Fee Schedule – FY202~~0~~1

National Pollutant Discharge Elimination System (NPDES) Inspection Fees

Item/Description	# of Acres	Fee
Erosion Control Inspection & Re-Inspection Fees		
Residential <1 acre (not part of subdivision)		$25.00/inspection
Residential (single family or subdivision), Multi-family, or Non-residential per disturbed acer (round up to the next whole acre)	0.0-0.99 acres 1.0-5.0 acres 4.01-10 acres 10.01+ acres	$150.00/inspection $250.00/inspection $350.00/inspection $450.00/inspection
Re-Inspection Resulting for Notice of Violation Fee		
Residential <1 acre (not part of subdivision)		$100/inspection $200 to remove Stop Work Order
Residential (single family or subdivision), Multi-family, or Non-residential per disturbed acre (round up to the next whole acre)		$150/inspection $250 to remove Stop Work Order
Waiver Request		
Residential <1 acre (not part of subdivision)		Exempt
Residential (single family or subdivision), Multi-family, or Non-residential per disturbed acre (round up to the next whole acre)		$ 350.00

FY21 BUDGET PROPOSAL
5-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS FY21 - FY25

Item	Project #	FY21-25 Projects	Strategic Plan Focus Area(s)	Description	Previous Prioritization	Staff Priority	PC Priority	TC Priority
1	00020	Land Acquisition	Economic Growth, Infrastructure	Public Land	1	--	--	--
2	00040	Buckwalter Place Multi-County Commerce Park	Economic Growth	Comprehensive Infrastructure	1	--	--	--
3	00042	Calhoun Street Streetscape	Economic Growth, Infrastructure	Comprehensive Infrastructure	1	--	--	--
4	00044	Buck Island-Simmonsville Sewer Phase 5	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
5	00059	Oyster Factory Park	Infrastructure, May River & Surrounding Rivers and Watersheds	Park Improvement and Facility Improvement	1	--	--	--
6	00061	Sewer Connections	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
7	00066	Oscar Frazier Park Field of Dreams	Community Quality of Life	Park Improvement	1	--	--	--
8	00067	Squire Pope Carriage House Preservation	Community Quality of Life	Park Improvement and Facility Improvement	1	--	--	--
9	00070	Historic District Sewer Extension Phase 1	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
10	00071	Historic District Sewer Extension Phase 2	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
11	00072	Historic District Sewer Extension Phase 3	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
12	00073	Historic District Sewer Extension Phase 4	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
13	00074	Historic District Sewer Extension Phase 5	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
14	00075	Historic District Sewer Extension Phase 6	Infrastructure, May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	1	--	--	--
15	00085	New Riverside Park / Barn Site	Community Quality of Life, Infrastructure	Park Improvement and Facility Improvement	1	--	--	--
16	00086	Park Improvements	Community Quality of Life, Infrastructure	Park Improvement	1	--	--	--
17	00087	Town of Bluffton Housing Project	Affordable and/or Workforce Housing	Affordable Housing	1	--	--	--
18	00088	Town Hall Improvements	Town Organization, Infrastructure	Facility Improvement	1	--	--	--
19	00089	Ulmer Auditorium Improvements	Town Organization, Infrastructure	Facility Improvement	1	--	--	--
20	00090	Technical College of the Lowcountry	Town Organization, Infrastructure	Facility Improvement	1	--	--	--
21	00034	May River Watershed Action Plan Implementation	May River & Surrounding Rivers and Watersheds	Sewer and Watershed Protection	2	--	--	--
22	00050	Historic District Lighting, Signage, Parking &	Infrastructure, Community Quality of Life	Lighting and Public Safety	2	--	--	--
23	00054	Buck Island-Simmonsville Neighborhood Sidewalks	Infrastructure, Community Quality of Life	Sidewalks, Lighting, and Public Safety	2	--	--	--
24	00055	Goethe-Shults Neighborhood Improvements	Infrastructure, Community Quality of Life	Sidewalks, Lighting, and Public Safety	2	--	--	--
25	00062	Calhoun Street Regional Dock	Infrastructure, Economic Growth, Community Quality of Life	Facility Improvement	2	--	--	--
26	00068	Wharf Street Lighting	Community Quality of Life, Infrastructure	Lighting and Public Safety	2	--	--	--
27	00080	May River Road Pocket Park	Infrastructure	Park Improvement	2	--	--	--
28	00082	Bridge Street Streetscape	Economic Growth, Infrastructure	Parking Improvement, Sidewalks, and Public Safety	2	--	--	--
29	00083	Cove Pedestrian Bridges (Skids)	Community Quality of Life, Infrastructure	Heritage Infrastructure	2	--	--	--
30	P94	May River Road - Pedestrian Trail	Community Quality of Life, Infrastructure	Sidewalks, Lighting, and Public Safety	2	--	--	--
31	00077	Law Enforcement Center Facility Improvements	Town Organization, Infrastructure	Facility Improvement	--	1	1	
32	00078	Public Works Facility Improvements	Town Organization, Infrastructure	Facility Improvement	--	2	2	
33	00079	Rotary Community Center Facility Improvements	Town Organization, Infrastructure	Facility Improvement	--	2	2	
34	00081	Garvin-Garvey House Interpretive Signage	Infrastructure	Facility Improvement	--	1	1	
35	00091	Community Safety Cameras Phase 6	Community Quality of Life	Public Safety	--	1	1	
36	00093	Ghost Roads	Economic Growth, Infrastructure	Comprehensive Infrastructure	--	2	2	
37	P108	Boundary Street Streetscape	Economic Growth, Infrastructure	Comprehensive Infrastructure	--	2	1	

TOWN COUNCIL

STAFF REPORT
Department of Growth Management

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article IV – Small Wireless Facilities in Covered Areas– Public Hearing and Second & Final Reading
PROJECT MANAGER:	Heather Colin, AICP Director of Growth Management

REQUEST: Town Staff requests that Town Council hold a Public Hearing and consider approval of Second and Final Reading of the following Ordinance:

> An Ordinance to Approve a Text Amendment to Chapter 28 – Utilities to Adopt Article IV - Small Wireless Facilities in Covered Areas.

BACKGROUND: This ordinance is new in its entirety to establish regulations for wireless "small cell facilities" in public rights-of-way (i.e., covered areas). If adopted, the ordinance will be placed into the Utilities chapter of the Code of Ordinances for the Town of Bluffton.

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 25 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 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.

The proposed ordinance is attached as Attachment 1.

NEXT STEPS: Should Town Council approve the Second and Final Reading of the Ordinance at the June 9, 2020 Town Council Meeting, the Ordinance will take effect on June 10, 2020.

Small Cell Facilitates Procedure	Date	Complete
Step 1. Town Council Workshop	March 17, 2020	✓
Step 2. Town Council – 1st Reading	May 12, 2020	✓
Step 3. Town Council Meeting – Final Reading and Public Hearing	June 9, 2020	✓

ATTACHMENTS:

1. Proposed Small Wireless Facilities in Covered Areas Ordinance
2. Photos of Small Cell Facilities
3. Proposed Motion

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE STANDARDS FOR THE PLACEMENT OF SMALL WIRELESS FACILITIES IN COVERED AREAS IN THE TOWN OF BLUFFTON, SOUTH CAROLINA; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Bluffton ("Town") encourages wireless infrastructure investment in a manner that promotes the interests of the public health, safety and welfare; and,

WHEREAS, the Town recognizes that Small Wireless Facilities together with high capacity transport medium such as fiber optic cabling may be effectively deployed in Public Rights-of-Way upon certain terms and conditions; and,

WHEREAS, this Ordinance is intended to grant non-exclusive and conditional municipal consent to use of Rights-of-Way and establish a standard application process for the review of permits for Small Wireless Facilities,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, that The Code of Ordinances for the Town of Bluffton, South Carolina, is hereby amended by adding a new Article IV to Chapter 28 (Utilities) entitled "Small Wireless Facilities in Covered Areas," and which shall read as follows:

Sec. 28-50. - ***Definitions.***

The following words or phrases, as used in this Article, shall have the following respective meanings as set forth in this Section unless context dictates otherwise:

"Antenna" means communication equipment that transmits or receives electromagnetic radio frequency signals used in the provision of Wireless Services.

"Applicable Codes" means uniform building, energy, electrical, plumbing, mechanical, gas, and fire codes in Title 6, Chapter 9 of the South Carolina Code of Laws, local amendments to those codes authorized by state law, and local codes or ordinances which impose requirements defined in Section 5 of this Ordinance including objective design and concealment standards to regulate location, context, material, color, stealth and concealment standards on a uniform and nondiscriminatory basis.

"Applicant" means any person who submits an Application to a Town and is a Wireless Services Provider or a Wireless Infrastructure Provider.

"Application" means a request submitted by an Applicant for a permit to (i) Collocate Small Wireless Facilities; or, (ii) construct, install, maintain, operate, replace or modify a Utility Pole or Wireless Support Structure.

"*Cable, Communications, Fiber or Electric Easement*" means an easement, granted to a cable or video service provider, a communications service provider (including without limitation a telephone utility), a fiber optics cable services provider, or an electric services provider created or authorized by state law to provide such services, that runs within a Rights-of-Way and is occupied by existing Utility Poles or Wireless Support Structures carrying electric distribution lines, wires, cable, conduit, fiber optic cable for telecommunications, cable or electric service or supporting municipal street lights, or security lights. The term Cable, Communications, Fiber or Electric Easement excludes easements for service drops or lines connecting the customer's premises to the cable, communications, fiber or electrical provider.

"Collocate" means to install, mount, maintain, modify, operate, or replace one or more Wireless Facilities on, under, within, or adjacent to an existing Wireless Support Structure or Utility Pole located in Covered Areas

within the jurisdiction of the Town. "*Collocation*" has a corresponding meaning.

"*Covered Areas*" means the surface of, and the space above and below, any public "Rights-of-Way," "ROW," "Town Rights-of-Way," "Public Rights-of-Way," and/or "Cable, Communications, Fiber or Electric Easement" as those terms are defined herein.

"Day" means calendar day unless the last day for the Town or an Applicant to take action under this Ordinance ends on a weekend, holiday, or time when all but Town emergency services are closed due to weather or some unforeseen situation.

"Decorative Pole" means a Utility Pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or a temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal practices.

"*Design District"* means an area that is zoned, or otherwise designated by municipal ordinance, and for which the Town maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis. The following areas are within the Design District: Highway Corridor Overlay District, as defined by the Chapter 23 of the Muni-Code (Unified Development Ordinance).

"*Fee"* means a one-time charge.

"*Historic District"* means an area that is zoned or otherwise designated as a Historic District under municipal, state or federal law and for which the Town maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis. The following areas are within the Historic District: Old Town Bluffton Historic District as defined by the Official Zoning Map of the Town of Bluffton.

"*Micro Wireless Facility*" means a Small Wireless Facility that meets the following qualifications: (i) is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height; and, (ii) any exterior antenna is no longer than 11 inches.

"Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the Town.

"Rate" means a recurring charge.

"Rights-of-Way" or "ROW" or "Town Rights-of-Way" or "Public Rights-of-Way" means that area on, below, or above a public roadway, highway, street, sidewalk, alley dedicated to, managed or controlled by the Town, County or the State of South Carolina, but not including a federal interstate highway, in the Town.

"Small Wireless Facility" means a Wireless Facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet; and (ii) all other wireless equipment associated with the facility is cumulatively no more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

"Supplemental Review Districts" means Design, Historic and Underground districts.

"Town-Owned Pole" means (i) a Utility Pole owned or operated by the Town in Covered Areas, including a Utility Pole that provides lighting or traffic

control functions, or other law enforcement functions, including light poles, traffic signals, and structures for signage, and (ii) a pole or similar structure owned or operated by the Town in a Covered Area that supports only Wireless Facilities. The term does not include a Utility Pole owned or operated by and accounted for as an asset of a municipal electric utility.

"Transmission Pole" means a pole or similar structure that is used in whole or in part to carry electric transmission (as opposed to distribution) lines.

"Underground District" means an area that is designated by ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing above ground structures in a Covered Area and for which the Town maintains and enforces standards on a uniform and nondiscriminatory basis.

"Unified Development Ordinance Administrator" as defined under the Unified Development Ordinance as set forth in Chapter 23 of the Town of Bluffton Code of Ordinances and shall also include his or her designees. Unless the context requires otherwise, anytime administrator action is required, the Unified Development Ordinance Administrator shall have authority.

"Utility Pole" means a pole or similar structure that is used in whole or in part for the purpose of carrying electric distribution lines or cables or wires for telecommunications, cable or electric service, or for lighting, traffic control devices, traffic control or directional signage, or a similar function regardless of ownership, including Town-Owned Poles. Such term shall not include structures supporting only Wireless Facilities, nor shall it include Wireless Support Structures.

"Wireless Facility" means equipment at a fixed location that enables Wireless Services between user equipment and a communications network, including: (i) equipment associated with wireless communications; (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power

supplies, and comparable equipment, regardless of technological configuration. The term includes Small Wireless Facilities. The term does not include the structure or improvements on, under, or within which the equipment is Collocated, wireline backhaul facilities, coaxial or fiber optic cable that is between Wireless Support Structures or Utility Poles or coaxial or fiber optic cable that is otherwise not immediately adjacent to, or directly associated with, an Antenna.

"Wireless Infrastructure Provider" means any Person including a Person authorized to provide telecommunications service in the State, that builds, installs or maintains Utility Poles, wireless communication transmission equipment, Wireless Facilities or Wireless Support Structures.

"Wireless Services" means any services provided using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, delivered to the public using Wireless Facilities.

"Wireless Services Provider" means a Person who provides Wireless Services.

"Wireless Support Structure" means a freestanding structure, such as a monopole or, other existing or proposed structure designed to support or capable of supporting Wireless Facilities. Such term shall not include a Utility Pole.

Section 2. *Purpose and Scope.*

(a) The purpose of this Ordinance is to provide policies and procedures for the placement of Small Wireless Facilities in Covered Areas within the jurisdiction of the Town.

(b) It is the intent of this Ordinance to establish uniform standards including, but not limited to:

(i) Prevention of interference with the use of streets, sidewalks, alleys, parkways, traffic light poles or other light poles, and other public ways and places;

(ii) Prevention of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;

(iii) Prevention of interference with other facilities and operations of facilities lawfully located in Covered Areas or public property;

(iv) Preservation of the character of neighborhoods where facilities are installed; and,

(v) Preservation of the character of historic structures, or historic neighborhoods, including but not limited to such structures or neighborhoods listed on the National Register of Historic Places or locally designated Historic Districts.

Section 3. *Permitted Use; Application Process and Fees.*

(a) ***Permitted Use and Consent.*** Collocation of a Small Wireless Facility on an existing Utility Pole or Wireless Support Structure, or a new or modified Utility Pole or Wireless Support Structure installed in a Covered Area shall be a permitted use, except in Supplemental Review Districts where such facilities are a conditional use, subject to administrative review, conditions and other requirements in Section 5. In accord with Article VIII, Section 15 of the State Constitution and related municipal code and ordinance provisions, the Town consents to the use of Public Rights-of-Way by permit holders acting in compliance with this Ordinance.

(b) ***Permit Required.*** No person shall place a Small Wireless Facility in a Covered Area without first filing a Small Wireless Facility Application and obtaining a permit, except as otherwise provided in this Ordinance.

(c) ***Permit Applications.*** All Small Wireless Facility Applications filed pursuant to this Ordinance shall be on a form, paper or electronic, as required by the Town. The Applicant must designate portions of its Application materials that it reasonably believes contain proprietary or confidential

information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly. All documents submitted as part of a small wireless facility application may be subject to public disclosure in accordance with state law. An application is not complete until all required information is provided.

(d) ***Application Requirements.*** The Small Wireless Facility permit Application shall be made by the Applicant, or its duly authorized representative as noted in a notarized statement from a Person with the Applicant with authority to make such an authorization, and shall contain, at minimum, the following:

(i) The Applicant's name, address, telephone number and e-mail address;

(ii) Facility owner's name, address, telephone number and email address, if different from Applicant;

(iii) Intended facility use: owner operated or owner leased capacity;

(iv) The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application;

(v) A general description of the proposed scope of work for the Collocation of the Small Wireless Facility. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters, including but not limited to sub-surface utilities, likely to be affected or impacted by the work proposed;

(vi) Identification of any consultant that is acting on behalf of the Applicant and that is authorized to speak with the Town, or a designee of the Town, on the area of consultation for the Applicant even if the Applicant cannot be available;

(vii) Verification from an appropriate representative of the Applicant that the Small Wireless Facility shall comply with all Applicable Codes;

(viii) Verification of payment of the annual municipal consent or administrative fee for telecommunications companies to use Public Rights-of-Ways pursuant to Section 58-9-2230;

(ix) Verification of local business license, if applicable;

(x) Evidence the Applicant is duly authorized to do business in South Carolina;

(xi) Evidence the Applicant has received any necessary certificate of public convenience and necessity or other required authority from the South Carolina Public Service Commission or the Federal Communications Commission or evidence that it is not required;

(xii) A copy of an approved encroachment permit by the applicable governing agency, including but not limited to the South Carolina Department of Transportation and all documents required by the public authority as part of the encroachment permit application, if the proposed location is within a Right-of-Way; and,

(xiii) If the proposed location is outside of a Right-of-Way, a statement that the Applicant has a lease, attachment agreement or other authorization from the owner of the Utility Pole or structure proposed for Collocation.

(e) ***Routine Maintenance and Replacement.*** An Application shall not be required for:

(i) Routine maintenance;

(ii) The replacement of a Small Wireless Facility with another Small Wireless Facility that is substantially similar or smaller in size, weight, and height; or

(iii) The installation, placement, maintenance, operation, or replacement of Micro Wireless Facilities that are strung on cables between existing Utility Poles and/or Wireless Support Structures in compliance with the National Electrical Safety Code by a Wireless Services Provider or a Wireless Infrastructure Provider that is authorized to occupy the Public Rights-of-Way and that is remitting a consent, franchise, or administrative Fee pursuant to S.C. Code Ann. § 58-9-2230.

(f) ***Information Updates.*** Any amendment to information contained in a permit Application shall be submitted in writing to the Town within ten (10) business days after the change necessitating the amendment.

(g) ***Consolidated Application.*** An Applicant seeking to Collocate multiple Small Wireless Facilities may, at the Applicant's discretion, file a consolidated Application and receive a single permit for up to twenty (20) Small Wireless Facilities. Provided, however, the Town's denial of any site or sites within a single Application shall not affect other sites submitted in the same Application. The Town shall grant a permit for any and all sites in a single Application that it does not deny subject to the requirements of this Section.

(h) ***Application Fees.*** Unless otherwise provided by law, and except as to telecommunication companies exempted pursuant to S.C. Code § 58-9-2230, all Applications for permits pursuant to this Ordinance shall be accompanied by a Fee of $100.00 for each Small Wireless Facility, except that the Fee for Small Wireless Facilities addressed in a consolidated Application shall be $100.00 each for the first five Small Wireless Facilities and $50.00 for each additional Small Wireless Facility up to a maximum of twenty (20) Small Wireless Facilities. For clarity, any Applicant that pays either a franchise, consent Fee, or administrative Fee pursuant to the requirements of S.C. Code § 58-9-2230 shall not be required to pay any building permit Fee, zoning

permit Fee, encroachment Fee, degradation Fee, or any other Fee assessed on a telecommunications provider for its occupation of or work within the ROW.

(i) ***Interference with Public Safety Equipment.*** A Small Wireless Facility shall be operated and maintained in a manner that does not interfere with public safety (police, traffic control, fire and emergency services) equipment.

Section 4. *Action on Permit Application.*

(a) ***Review of Small Wireless Facility Applications.*** The Town shall review the Application for a Small Wireless Facility permit for conformity with applicable requirements of this Ordinance and all Applicable Codes, and may issue a permit on nondiscriminatory terms and conditions subject to the following requirements:

(i) Within ten (10) days of receiving an Application, the Town must determine and notify the Applicant whether the Application is complete; or if an Application is incomplete, the Town must specifically identify the missing information.

(ii) Make its final decision to approve or deny the Application within sixty (60) days of submission of a completed Application.

(iii) Notify the Applicant in writing of its final decision, and if the Application is denied, specify the basis for a denial, including citations to federal, state or local code provisions and/or statutes on which the denial was based.

(iv) Notwithstanding an initial denial, the Applicant may cure the deficiencies identified by the Town and resubmit the Application within thirty (30) days of the denial, and the Town shall approve or deny the revised Application within thirty (30) days of receipt of it. The subsequent review by the Town shall be limited to the deficiencies cited in the original denial.

(b) ***Review Deadline.*** If the Town fails to either approve or deny an application within the 60-day review period without the consent of the applicant, the applicant may provide notice that the time period has lapsed.

(c) ***Review of Eligible Facilities Requests.*** Notwithstanding any other provisions of this Ordinance, the Town shall approve and may not deny Applications that constitute eligible facilities requests for modification of an eligible support structure that does not substantially change the physical dimensions of such structure as provided in 47 CFR 1.40001, within sixty (60) days according to the procedures established under 47 CFR 1.40001(c).

(d) ***Compensation.*** Subject to the limitations set forth in Section 3(h) herein, every permit shall include as a condition the Applicant's agreement to pay such lawful franchise Fees, business license taxes, administrative Fees and consent Fees as are permitted under applicable South Carolina and federal law. The Applicant shall also pay all applicable ad valorem taxes, service Fees, sales taxes, or other taxes and Fees as may now or hereafter be lawfully imposed on other businesses within the Town.

Section 5. *Requirements for Small Wireless Facilities in Covered Areas.*

(a) ***Administrative Review.*** The Town shall perform an administrative review of permit Applications including the location or installation of new, modified, or replacement Utility Poles and/or Wireless Support Structures and the attachment of Wireless Facilities and equipment on Utility Poles or Wireless Support Structures. Review factors, in addition to location, shall include the size, shape, color, texture, and materials of the structures and attachments.

(i) The Town may require a proposed Wireless Facility be designed to not be significantly more readily apparent or plainly visible (to a reasonable person of ordinary sensibilities) from Covered Areas than existing utility structures, poles and equipment located

within two hundred (200) linear feet on the same Covered Area as the subject Utility Pole or Wireless Support Structure.

(ii) Where Small Wireless Facilities are determined to be appropriate, the use of reasonable stealth and concealment treatments, low profile equipment and control boxes, and screening may be required to avoid material negative impacts on the character and visual aesthetics of the area. However, such requirements may be waived by the Unified Development Ordinance Administrator upon a showing that the particular location of a Small Wireless Facility does not warrant stealth or concealment treatments or imposes an excessive expense. The waiver shall be granted or denied within forty-five (45) days after the date of the request.

(iii) Supplemental Review Districts may be subject to a higher level of review.

(b) ***Maximum Size of Permitted Use.***

(i) The height of an Antenna of a Collocated Small Wireless Facility shall be limited to the greater of ten (10) feet above (a) the height of an existing or modified Utility Pole or Wireless Support Structure; or (b) the height of a new Utility Pole or Wireless Support Structure as provided in (ii) below.

(ii) The height of a new or modified Utility Pole, or Wireless Support Structure is limited to the greater of (a) the tallest Utility Pole, excluding Transmission Poles, or Wireless Support Structure located in the same Covered Area, measured from grade, in place within two hundred (200) linear feet on the same Covered Area as the subject Utility Pole or Wireless Support Structure as of the effective date of this Ordinance; or (b) in the absence of any such Utility Pole or Wireless Support Structure, either (i) forty (40) feet

in any area zoned exclusively for single family residential use, unless a waiver is granted for good cause shown, or (ii) fifty (50) feet in any other area.

(iii) Collocation is not allowed on a Decorative Pole less than twenty (20) feet in height.

(c) ***Supplemental Review Districts.*** Collocated Small Wireless Facilitates and new or modified Utility Poles or Wireless Support Structures located in Supplemental Review Districts shall be a conditional use and subject to the design and aesthetic requirements and review processes for structures specified in this Ordinance establishing the Supplemental Review District(s) in addition to the requirement of this Ordinance, provided that the Town will work in good faith with the Applicant to accommodate the installation of Collocated Small Wireless Facilities and new or modified Utility Poles or Wireless Support Structures in Supplemental Review Districts to the fullest extent practicable. The Town reserves its right to maintain and implement the following types of Supplemental Review Districts.

(i) ***Underground Districts***. A Wireless Services Provider or a Wireless Infrastructure Provider shall comply with nondiscriminatory requirements that prohibit electric utilities, telecommunications or cable providers from installing above-ground structures in the Covered Area in these districts. Nothing in this section shall prohibit the use or replacement of existing Utility Poles or Wireless Support Structures in Underground Districts for the Collocation of Small Wireless Facilities subject to administrative review by the Unified Development Ordinance Administrator, appropriate design and concealment and a finding that such use does not increase the height by more than three (3) feet.

(ii) ***Historic and Design Districts.*** As a condition for approval of new Small Wireless Facilities or new Wireless Support Structure in a Historic District or a Design District, the Town may require that a Wireless Services Provider or a Wireless Infrastructure Provider comply with the design and aesthetic standards of the Historic District or Design District to minimize the impact to the aesthetics in a Historic District or on a Design District's Decorative Poles. If design and concealment treatments are determined on review by the Town to be insufficient to mitigate harm to the Historic District or Design District, the Application may be denied.

This section may not be construed to limit the authority of the Town to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. Section 332(c)(7), the requirements for facility modifications under 47 U.S.C. Section 1455(a), or the National Historic Preservation Act of 1966 (54 U.S.C. Section 300101 et seq.), and the regulations adopted to implement those laws.

(d) ***Appeals, Special Exceptions and Variance Requirements***. Appeals of administrative decisions and requests for special exceptions and variances from the provisions of this Ordinance, when strict application would result in an unnecessary hardship or in the inability to deploy needed Small Wireless Facilities, shall be heard and decided by the Board of Zoning Appeals or equivalent board for architectural, design or historical district reviews. An applicant seeking a Special Exception to construct a new Decorative Pole, Utility Pole or other Wireless Support Structure to Collocate a Small Wireless Facility in an Underground District shall demonstrate, including certification through an engineer, that it has diligently attempted to locate the proposed Decorative Pole, Utility Pole, Wireless Support Structure, or Small Wireless Facility outside of the Underground District and that placement of the Decorative Pole, Utility Pole, Wireless Support Structure, or Small Wireless

Facility within the Underground District is necessary to provide the needed wireless coverage or capacity, and one or more of the following conditions exist supporting a Special Exception:

(i) No existing Utility Pole or Wireless Support Structure is located within the location search radius or to the extent a Utility Pole or Wireless Support Structure is located within the search radius, such Utility Pole or Wireless Support Structure:

a. Is not available for Collocation under commercially reasonable rates, terms, and conditions;

b. Cannot accommodate the Collocation of the Small Wireless Facility and meet the technical requirements necessary to deliver adequate wireless service coverage or capacity; or

c. Would require modifications exceeding the three (3) feet height limitation imposed in section 5(c)(i).

(ii) The only available option to deliver adequate wireless service coverage or capacity in the search radius requires modifications to an existing Utility Pole or Wireless Support Structure exceeding the three (3) feet height limitation imposed in section 5(c)(i) or the installation of a new Utility Pole or Wireless Support Structure for Collocation of a Small Wireless Facility, or

(iii) The applicant has demonstrated other circumstances that, in the reasonable discretion of the applicable review authority, warrant a special exception or variance.

The Applicant shall abide by the design, stealth and concealment treatments imposed as conditions of the special exception.

(e) ***Existing Supplemental Review Districts.*** Nothing in this Ordinance shall prohibit or otherwise limit the Town from establishing additional Supplemental Review Districts, provided however, that facilities and structures for which a permit was approved or deemed approved pursuant to

this Ordinance prior to the establishment of the additional Supplemental Review District remain subject to the provisions of this Ordinance, including routine maintenance and replacement of those facilities and structures as set out in Section 3(e)(i) and (ii) of this Ordinance, and not to any provisions otherwise applicable to the additional Supplemental Review District. If a Wireless Services Provider or a Wireless Infrastructure Provider voluntarily replaces such facilities in a manner that does not comply with Section 3(e)(ii) of this Ordinance, or if a Wireless Services Provider or a Wireless Infrastructure Provider voluntarily relocates such facilities, such replacement or relocation is subject to the then-existing provisions and requirements of the additional Supplemental Review District.

(f) ***Repair of Damage***. A Wireless Services Provider or a Wireless Infrastructure Provider shall repair all damage to a Town Right-of-Way directly caused by the activities of the Wireless Services Provider or the Wireless Infrastructure Provider, while occupying, installing, repairing, or maintaining Wireless Facilities, Wireless Support Structures, Town Utility Poles, or Utility Poles and to return the Right-of-Way to its functional equivalence before the damage. If the Wireless Services Provider or the Wireless Infrastructure Provider fails to make the repairs required by the Town within forty-five (45) days after written notice, unless the Town and the Wireless Services Provider or the Wireless Infrastructure Provider agree in writing to a longer time period, the Town may undertake those repairs and charge the applicable party the reasonable and documented cost of the repairs. The Town may maintain an action to recover the costs of the repairs.

Section 6. *Effect of Permit*.

(a) ***Authority Granted: No Property Right or Other Interest Created.*** A permit from the Town authorizes an Applicant to undertake only certain activities in accordance with the Ordinance, and does not create a property

right or grant any authority whatsoever to the Applicant to impinge upon the rights of others who may already have an interest in the Covered Area.

(b) ***Duration.*** Unless construction has actually begun and is diligently pursued to completion at that point, no permit for construction issued under this Ordinance shall be valid for a period longer than twelve (12) months unless both Town and Applicant agree to a reasonable extension and all required Fees are paid for the term regardless of construction. The inability of the Applicant to obtain electrical power or backhaul transport services to serve the Wireless Facility such that it is operational within the twelve (12) months due to the action or inaction of third-party utility providers shall not result in the invalidity of the permit.

Section 7. *Removal, Relocation or Modification of a Small Wireless Facility in the ROW.*

(a) ***Notice***. Within ninety (90) days following written notice from the Town, a Wireless Services Provider or a Wireless Infrastructure Provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any Wireless Facilities or Wireless Support Structures within the Rights-of-Way whenever the Town, in its reasonable discretion, has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any Town improvement in or upon, or the operations of the Town in or upon, the Rights-of-Way.

(b) ***Emergency Removal or Relocation of Facilities.*** The Town retains the right to cut or move any Wireless Facility or Wireless Support Structure located within its Rights-of-Way as the Town, in its reasonable discretion, may determine to be necessary, appropriate, or useful in response to any public health or safety emergency. If circumstances permit, the Town shall notify the Wireless Services Provider or the Wireless Infrastructure Provider and provide opportunity to move its own Wireless Facilities or Wireless Support Structure

prior to the Town cutting or removing a Wireless Facility or Wireless Support Structure and the Town shall notify the Wireless Services Provider or the Wireless Infrastructure Provider after cutting or removing a Wireless Facility.

(c) ***Abandonment of Facilities.*** Upon abandonment of a Wireless Facility or Wireless Support Structure within the Town Rights-of-Way, the Wireless Services Provider or the Wireless Infrastructure Provider shall notify the Town within ninety (90) days of such abandonment. Following receipt of such notice the Town may direct the Wireless Services Provider or the Wireless Infrastructure Provider to remove all or any portion of the Wireless Facility or Wireless Support Structure if the Town, in its sole discretion, determines that such removal will be in the best interests of the public health, safety, and welfare.

(d) ***Abandonment by Inaction.*** At any point when a Wireless Services Provider or a Wireless Infrastructure Provider fails to pay any required Fee, or annual payment to the Town, and fails to respond within sixty (60) days to a written inquiry from the Town as to whether the Wireless Services Provider or the Wireless Infrastructure Provider intends to continue to operate a Wireless Facility or Wireless Support Structure, for whatever reason, the Wireless Facility shall be deemed abandoned and the Town may, at its sole option, remove all or any portion of the Wireless Facility or Wireless Support Structure, or take other action as authorized by law, including recovery of actual costs incurred in removing the Wireless Facility or Wireless Support Structure.

Section 8. *Attachment to Town-Owned Utility Poles in the Covered Areas.*

(a) ***Annual Rate.*** The rate to place a Small Wireless Facility on a Town-Owned Pole in Covered Areas shall be fifty ($50.00) dollars per year per wooden pole or two hundred ($200.00) dollars per year for all other Town-Owned Poles. This rate is in addition to reimbursement to the Town for any expenses for make-ready work. The Town reserves the right to require a pole

attachment agreement to further define the terms and conditions of attachments to Town-Owned Poles. The rates specified in this section shall not apply to poles owned, or operated and accounted for as an asset of, a municipal electric utility.

(b) ***Cease Payment***. A Wireless Services Provider or a Wireless Infrastructure Provider is authorized to remove its facilities at any time from a Town-Owned Pole in Covered Areas and cease paying the annual rate to the Town as of the next due date for payment following the removal.

(c) ***Make-Ready.*** For Town-owned Utility Poles in Covered Areas, the Applicant shall reimburse the Town for expenses for any reasonable make-ready work. The Town shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested Small Wireless Facility, including pole replacement if necessary, within sixty (60) days after receipt of a completed request. Make-ready work including any pole replacement shall be completed within sixty (60) days of written acceptance of the good faith estimate by the Wireless Services Provider or the Wireless Infrastructure Provider.

(d) ***Municipal Utilities Excluded.*** Nothing in this section shall be construed to affect the authority of a municipal electric utility to deny, limit, restrict, or determine the rates, Fees, terms, and conditions for the use of or attachment to a Utility Pole owned, or operated and accounted for as an asset of, a municipal electric utility.

Section 9. S*everability*.

In the event any title, subtitle, section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or work of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so

declared or adjudged invalid or unconstitutional was not originally a part of this Ordinance.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2020.

This Ordinance was read and passed at First Reading on May 12, 2020.

_____

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____

Kimberly Chapman
Clerk, Town of Bluffton, South Carolina

A Public Hearing was held on this Ordinance on June 9, 2020.

_____

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____

Kimberly Chapman
Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at Second and Final Reading held on June 9, 2020.

_____

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____

Kimberly Chapman
Clerk, Town of Bluffton, South Carolina

Light post with attached small cell antenna and associated ground equipment cabinet. (Orlando, FL) *Source: Orlando Sentinel*

Traffic light with antenna attached. (San Antonio, TX) *Source: Rivard Report*

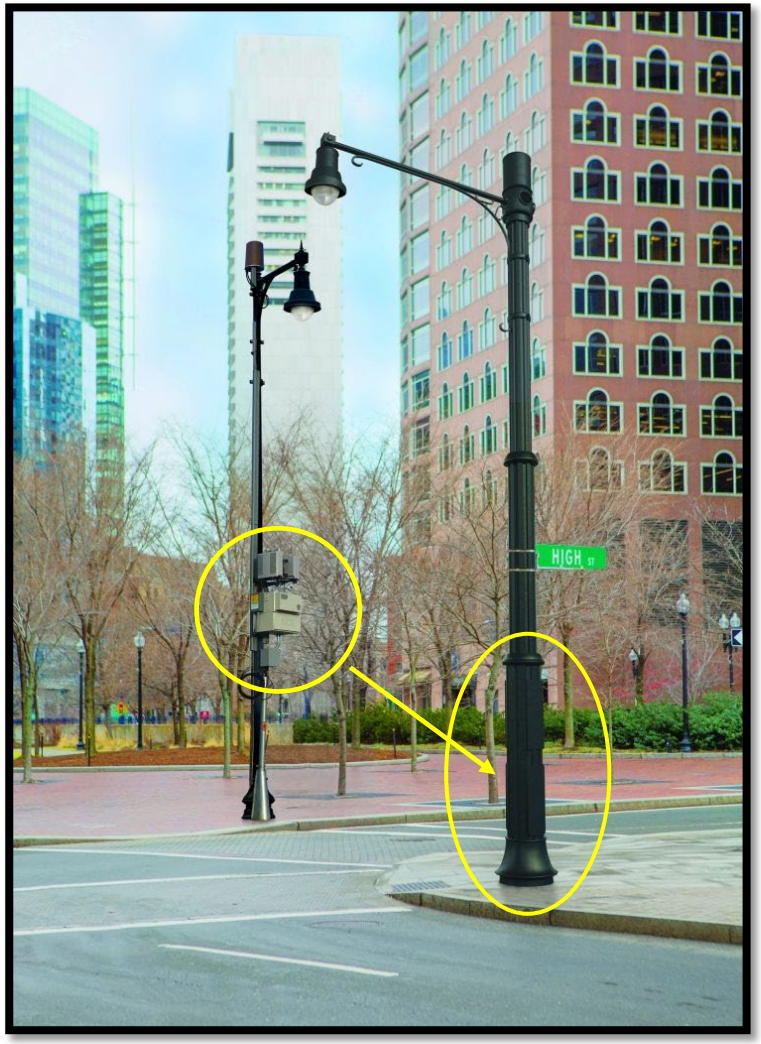

Photo simulation comparing concealed and unconcealed small cell facilities.

Source: AGL Media

Small cell facility (slim line pole) in Charleston, SC

Source: Post and Courier

Attachment 3

Proposed Motion for Formal Items X.4 – Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article 4 – Small Wireless Facilities in Covered Areas – Second and Final Reading

"I move to approve the Second and Final Reading of An Ordinance Amending Chapter 28 Of The Code Of Ordinances For The Town Of Bluffton, South Carolina, Utilities, By Adopting Article 4 – Small Wireless Facilities in Covered Areas – Second and Final Reading."

TOWN COUNCIL

STAFF REPORT
Executive Office

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, *Public Property*, Article II, *Public Park, Dock and Boat Landing Rules*, to Modify the Names and Rules Pertaining to the Use of Certain Town-Operated Properties - Second and Final Reading
PROJECT MANAGER:	Scott Marshall, Deputy Town Manager

RECOMMENDATION:

Request Town Council's consideration of the ordinance at Attachment 1, which changes the reference to "Park at 68 Boundary Street" to "Martin Family Park" and modifies the rules for the same park regarding use of alcohol on the property. The ordinance also amends the name of the public park at Buckwalter Place Multi-County Industrial Park.

Town Council unanimously approved first reading of this ordinance on on May 12, 2020, as presented.

BACKGROUND/DISCUSSION:

On August 13, 2019, Town Council approved amendments to the Town of Bluffton Code of Ordinances to consolidate and update rules for all existing Town-operated parks.

Since that time, the completion of several capital projects as well as several other pending capital projects necessitated the review of parks and facilities that the Town offers for rental. In a Workshop on March 17, 2020, Town Council conducted such a review.

The results of the March 17 Workshop included the following actionable direction to Staff:

1. Town Council Direction: Place the Martin Family Park on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
    a. Staff Response: The Martin Family Park is included on the on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.
2. Town Council Direction: Modify the existing strict prohibition of alcohol at Martin Family Park, to the allowance of alcohol in conjunction with the issuance of a special events permit.
    a. Staff Response: Amendments to the Town of Bluffton Code of Ordinances, which are presented for consideration in the Ordinance at Attachment 1, include striking paragraph 13.42(c), which reads "The possession of an open container and/or the consumption of alcohol is strictly prohibited." With the omission of this language in paragraph 13.42, the language in paragraph 13.37(c) prevails, which reads "The possession of an open container and/or the consumption of alcohol is prohibited except as permitted in Chapter 22, Article IV."

3. Town Council Direction: Place the Public Park at Buckwalter Place Multi-County Industrial Park (sans the Veterans Memorial) on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
    a. Staff Response: The Public Park at Buckwalter Place Multi-County Industrial Park is included on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.

Other housekeeping items included in the Ordinance presented for consideration include:

1. Amending paragraph 13.42 by striking "Park at 68 Boundary Street" and adding "Martin Family Park." This action is consistent with Town Council's previously adopted Resolution on August 13, 2019 memorializing this property in honor of the family of Jacob and ida Martin.
2. Amending paragraph 13.48 by striking "Buckwalter Place Veterans Memorial Park," and adding "Public Park at Buckwalter Place Multi-County Industrial Park." The name of this park has not yet been formally designated. Leaving it labeled as the Veterans Memorial Park may create confusion to prospective renters of the property since the Veterans Memorial itself will not be available for rent.

NEXT STEPS:

Town Council will be asked to consider changes to the Town of Bluffton Master Fee Schedule to accommodate the ability to rent the Martin Family Park and the Public Park at Buckwalter Place Multi-County Industrial Park as part of the Fiscal Year 21 Consolidated Budget.

ATTACHMENTS:

1. Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, *Public Property*, Article II, *Public Park, Dock and Boat Landing Rules*, to Modify Rules Pertaining to the Use of Certain Town-Operated Properties
2. Town of Bluffton Code of Ordinances, Chapter 13, *Public Property*, Article II, *Public Park, Dock and Boat Landing Rules* as currently codified
3. Language to support motion to approve

ATTACHMENT 1

ORDINANCE NO. 2020 –

TOWN OF BLUFFTON, SOUTH CAROLINA

CONSIDERATION OF AN ORDINANCE TO AMEND THE TOWN OF BLUFFTON CODE OF ORDINANCES, CHAPTER 13, *PUBLIC PROPERTY*, ARTICLE II, *PUBLIC PARK, DOCK AND BOAT LANDING RULES*, TO MODIFY THE NAMES AND RULES PERTAINING TO THE USE OF CERTAIN TOWN-OPERATED PROPERTIES

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has the authority to enact resolutions, ordinances, regulations, and procedures pursuant to Section 5-7-140 of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, the Town of Bluffton Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest amendments as Town Council deems appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules in order to correctly identify the public park at 68 Boundary Street as the Martin Family Park and to modify the rules with regard to use of the Martin Family Park; and

WHEREAS, the Town of Bluffton Town Council desires to amend Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules in order to correctly identify the public park at Buckwalter Place Multi-County Industrial Park.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends Chapter 13 of the Code of Ordinances for the Town of Bluffton, South Carolina, by modifying paragraphs 13.42 and 13.48 as shown in Exhibit "A" attached hereto and fully incorporated herein by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

ATTACHMENT 1

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2020.

This Ordinance was read and passed at first reading on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman, Clerk
Town of Bluffton, South Carolina

This Ordinance was read and passed at second reading on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman, Clerk
Town of Bluffton, South Carolina

EXHIBIT "A"

ARTICLE II. - PUBLIC PARK, DOCK AND BOAT LANDING RULES[1]

Footnotes:

--- (**1**) ---

Editor's note— Ord. No. 2019-11 , § 1(Exh. A), adopted August 13, 2019, set out provisions intended for use as §§ 13-17—13-31. To preserve the style of this Code, and at the editor's discretion, these provisions have been included as §§ 13-37—13-51.

Sec. 13-37. - General prohibitions.

The following prohibited activities apply to all public parks, docks and boat landings. Further restriction of these activities may vary by property as noted in subsequent paragraphs of this article.

(1) *Camping.* No overnight camping of any type shall be permitted.

(2) *Litter.* Littering is prohibited per Section 22-43. All garbage, other solid waste, trash or offensive matter must be disposed of in receptacles designated for such use. When such receptacles are full, patrons must remove items from the premises upon exiting.

(3) *Alcohol.* The possession of an open container and/or the consumption of alcohol is prohibited except as permitted in Chapter 22, Article IV.

(4) *Solicitation.* It is prohibited that any person or group of persons sells, solicits sales or offers distribution of any merchandise, handbill or pamphlet unless otherwise approved in writing by the Town Manager.

(5) *Fireworks.* The discharge of fireworks is prohibited except as provided for in Chapter 14, Article IV.

(6) *Fires.* Fires are not permitted. Exceptions to this prohibition are only allowed in accordance with Section 13-10 and Chapter 14.

(7) *Weapons.* Possession, discharging or brandishing a firearm or other weapon is prohibited, with the exception of law enforcement personnel in the normal course of duty.

(8) *Hunting.* Hunting is strictly prohibited.

(9) *Pets.* Pets must be under restraint at all times and in full compliance with Chapter 4. Pet waste must be picked up and disposed of in pet waste containers.

(10) *Parking.* Motorized vehicles and parking are allowed only in designated areas.

(11) *Structural alterations.* No person or agency shall build, maintain, extend or make structural alterations to any Town park, dock or boat landing without first obtaining a written permit to do so from the Town Manager.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-38. - Oyster Factory Park.

(a) *Hours of operation.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV. Exceptions to this are the boat ramp and dock, which shall be available for use 24 hours per day.

(b) *Grilling.* No grilling allowed underneath the pavilion.

EXHIBIT "A"

(c) *Unattended vehicles.* Vehicles, trailers, or boats stored more than 24 hours are subject to removal at owner's expense.

(d) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(e) *Dock rules.*

(1) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(2) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(3) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(4) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(5) *Obstructing access.* It is unlawful to obstruct any pier, dock, wharf, boat ramp, or the access area to the facilities. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(6) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(7) *Priority of emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(8) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(9) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(10) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(11) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(12) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(13) *Sewage discharge.* Discharge of raw, untreated sewage from any watercraft is prohibited.

(14) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

(f) *Landing/boat ramp rules.*

(1) *Launching and recovery.* Use of the boat landing for launching and recovery of vessels shall be on a first-come, first-served basis.

EXHIBIT "A"

(2) *Unattended or abandoned vehicles and watercraft.* The following shall apply to unattended or abandoned watercraft in access areas of landings:

a. It is unlawful to obstruct any pier, dock, wharf, boat ramp or the access areas to the facilities.

b. Any vessel, vehicle or other object left unattended which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

c. The Town Manager is empowered to remove any watercraft, vessel, or vehicle that has been abandoned. A watercraft, vessel, or vehicle will be deemed abandoned if it is left unattended at a public boat landing for more than 24 hours unless express permission is obtained from the Town Manager.

(3) *Oystermen, crabbers, commercial fishermen, and other commercial uses.* Oystermen, crabbers, other commercial fishermen, and other commercial users may use the Town's public landings where permitted to launch and unload their boats. However, they must manage their launching and unloading operations so that whenever another citizen needs to use the landing to get into or out of the water, the other citizen will have no longer than a 15-minute wait for the commercial vehicles and boats to clear space on the landing.

(4) *Parking of vehicles and watercraft.* The use of access ways and public boat landings shall be for placement in the water and the retrieving of boats from the water.

a. It shall be unlawful for any person or owner to allow the parking, stopping, or leave standing, whether attended or unattended, any vehicle, obstruction, or watercraft in or on any public boat landing:

1. That is blocking, obstructing, or limiting the use of dock or access area;

2. For any purpose not related to public access for fishing and boating, loading and unloading boating passengers, supplies, boats and boating gear, or other similar purposes; or

3. Contrary to any posted notice prohibiting parking in a given area.

b. Under no circumstance shall any vehicle be parked at a public boat landing for more than 24 consecutive hours without express permission from the Town Manager.

(5) *Fishing at public boat landings.* Fishing is allowed at public boat landings as long as it does not interfere with the launching or recovery of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the public boat landing.

(6) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(7) *Government and emergency agency use.* The Town Manager may utilize any public boat landing for any governmental use at his discretion. Other governmental agencies wishing to utilize a public boat landing for purposes other than emergency services such as medical services, law enforcement, fire control, search and rescue, or for the ordinary use of the boat landing as set forth above, must obtain approval for that use from the Town Manager.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-39. - Oscar Frazier Park, not to include the recreational baseball/softball complex under the operational control of Beufort County.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Grilling.* No grilling allowed underneath the pavilion.

EXHIBIT "A"

(c) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(d) *Dog park rules.*

(1) *Hours of operation.* Open for public use from sunrise to sunset.

(2) *Prohibitions.*

a. No dog shall be admitted to the dog park that is not fully compliant with Chapter 4, Article II of the Town Code.

b. Children under the age of 12 are not permitted, unless accompanied by a parent or guardian.

c. Dogs shall not be unattended. Any unattended dog shall be considered abandoned, in accordance with subsection 4-35(d) of the Town Code.

d. No dogs under four-months-old are allowed in park.

e. No female dogs in heat are allowed in park.

f. No food of any kind and no dog treats are allowed in the park.

g. No glass containers are allowed in the park.

h. Climbing on fences is prohibited.

i. Professional dog trainers shall not utilize the dog park for the conduct of business.

j. No person shall allow any animal that is not a dog in the dog park.

k. No dog shall be permitted to attack, bite, molest, leap, jump or harass anyone or any dog, whether leashed or unleashed.

l. No dog is permitted in the park that is known to have previously attacked, bitten, molested or harmed anyone or any other animal.

m. No more than two dogs are permitted per person.

(3) *Dog park rules.*

a. Dogs must remain on leash when entering or leaving park or designated fenced area.

b. Gates must be closed and latched immediately upon entering and exiting.

c. No dog that is not under strict voice control or supervision, as defined in Section 4-27 of the Town Code, may be off-leash.

d. Owners/handlers are responsible for any injuries caused by dogs under their control.

e. All dogs must be licensed and current with required vaccinations.

f. Dogs must not be allowed to dig. Owner/handler is responsible for refilling any holes created by digging.

g. Owner/handler shall clean up and remove any droppings left by their dog.

h. Any objects (chairs, toys, training aids, etc.) left in the dog park will be considered trash and will be disposed of accordingly.

(e) *Rotary Community Center.*

(1) *Smoking.* Smoking, as defined in Section 18-159, is prohibited both inside and outside of the Rotary Community Center. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

EXHIBIT "A"

(2) *Pets.* Only service dogs are permitted inside the Rotary Community Center. Other pets are not permitted inside the facility and may not be left unattended outside the facility. Pets must be under control at all times and in full compliance with Chapter 4. Pet waste must be picked up and disposed of in pet waste containers.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-40. - Pocket parks.

(a) *Applicability.* This Section shall pertain to Tom Herbkersman Commons, Pritchard Street Pocket Park, May River Road Pocket Park and the Pocket Park located at 184 Bluffton Road.

(b) *Hours of operation.* Open for public use from sunrise to sunset.

(c) *Fires.* Fires are strictly prohibited. No grilling.

(d) *Fireworks.* The discharge of fireworks is strictly prohibited.

(e) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-41. - Wright Family Park.

(a) *Hours.* Open for public use and special events from sunrise to sunset.

(b) *Fireworks.* The discharge of fireworks is strictly prohibited.

(c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(d) *Amplified music.* The amplification of music is prohibited.

(e) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-42. – Martin Family Park.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Grilling.* No grilling allowed in the park.

(d) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-43. - Calhoun Street Dock.

Deleted: -

Deleted: Park at 68 Boundary Street

Deleted: (c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited. ¶

EXHIBIT "A"

(a) *Hours.* Hours of operation shall be from sunrise to 10:00 p.m. Occupying the dock after 10:00 p.m. and prior to sunrise is prohibited.

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(c) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(d) *Maximum vessel size.* Vessels exceeding 60 feet in length, from stern to bow, are prohibited, whether they are privately owned or designated for commercial use.

(e) *Barges.* Barges used for ferrying supplies and equipment are prohibited from using the dock, whether they are empty or carrying a payload.

(f) *Prohibited uses.* The dock shall not be used as a point of commerce, rental or sale of kayaks, paddleboards, wave runners or any other recreational water vehicle or apparatus.

(g) *Commercial use.* Allowed commercial uses include, but are not limited to loading and unloading of passengers and temporary docking of commercial fishing vessels for the purpose of loading or unloading personnel or cargo. In no case may a commercial vessel be docked for a period longer than 15 minutes.

(h) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(i) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(j) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(k) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock in the area designated for docking and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(l) *Obstruction of the dock.* It is unlawful to obstruct the dock. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(m) *Emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(n) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(o) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(p) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(q) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(r) *Fireworks.* The discharge of fireworks is strictly prohibited.

EXHIBIT "A"

(s) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(t) *Sewage discharge.* Discharge of raw, untreated sewage from any watercraft is prohibited.

(u) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-44. - Palmetto Bluff Public Dock.

(a) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(b) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(c) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock in the area designated for docking and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(d) *Obstruction of the dock.* It is unlawful to obstruct the dock. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(e) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(f) *Priority of emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(g) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(h) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(i) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(j) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(k) *Fireworks.* The discharge of fireworks is prohibited except as provided for in Chapter 14, Article IV.

(l) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(m) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

EXHIBIT "A"

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-45. - New River Linear Trail.

(a) *Hours.* Open for public use from sunrise to sunset.

(b) *Fires.* Fires are strictly prohibited. No grilling.

(c) *Motorized vehicles.* Motorized vehicles are prohibited on the New River Linear Trail with the exception of American Disabilities Act-compliant motorized wheel chairs, and vehicles used by the Town of Bluffton Public Works staff and the Town of Bluffton Police Department when used in the normal course of duties.

(d) *Horses.* Horses are prohibited on the New River Linear Trail.

(e) *Fireworks.* The discharge of fireworks is strictly prohibited.

(f) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(g) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-46. - Dubois Park.

(a) *Hours.* Open for public use from sunrise to sunset.

(b) *Fires.* Fires are not permitted. Grilling underneath the pavilion is prohibited.

(c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(d) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-47. - New Riverside Park.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-48. – Public Park at Buckwalter Place Multi-County Industrial Park.

Deleted: -

Deleted: Buckwalter Place Veterans Memorial Park

(a) *Hours.* Open from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

EXHIBIT "A"

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-49. - Penalties.

Any person violating any section of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall pay such penalties as the court may decide, not to exceed $500.00 or not to exceed 30 days' imprisonment, or both, for each violation. Each violation shall constitute a separate violation which shall subject the offender to liability prescribed in this section.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-50. - Enforcement.

The responsibility to enforce the rules and regulations set forth in this article is hereby vested in the Town of Bluffton Police Department.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-51. - Exceptions.

The Town of Bluffton Town Manager may allow for exceptions to the rules and regulations set forth in this article, on a case by case basis, provided that such exception(s) are in the best public interest and do not otherwise contradict any State or Federal public law. Such exception(s) shall be requested and designated in writing, except where emergency conditions dictate the need for greater expediency. In such cases, documentation of the exception(s) will be accomplished as soon as reasonably possible.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

ATTACHMENT 2

ARTICLE II. - PUBLIC PARK, DOCK AND BOAT LANDING RULES[1]

Footnotes:

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Editor's note— Ord. No. 2019-11 , § 1(Exh. A), adopted August 13, 2019, set out provisions intended for use as §§ 13-17—13-31. To preserve the style of this Code, and at the editor's discretion, these provisions have been included as §§ 13-37—13-51.

Sec. 13-37. - General prohibitions.

The following prohibited activities apply to all public parks, docks and boat landings. Further restriction of these activities may vary by property as noted in subsequent paragraphs of this article.

(1) *Camping.* No overnight camping of any type shall be permitted.

(2) *Litter.* Littering is prohibited per Section 22-43. All garbage, other solid waste, trash or offensive matter must be disposed of in receptacles designated for such use. When such receptacles are full, patrons must remove items from the premises upon exiting.

(3) *Alcohol.* The possession of an open container and/or the consumption of alcohol is prohibited except as permitted in Chapter 22, Article IV.

(4) *Solicitation.* It is prohibited that any person or group of persons sells, solicits sales or offers distribution of any merchandise, handbill or pamphlet unless otherwise approved in writing by the Town Manager.

(5) *Fireworks.* The discharge of fireworks is prohibited except as provided for in Chapter 14, Article IV.

(6) *Fires.* Fires are not permitted. Exceptions to this prohibition are only allowed in accordance with Section 13-10 and Chapter 14.

(7) *Weapons.* Possession, discharging or brandishing a firearm or other weapon is prohibited, with the exception of law enforcement personnel in the normal course of duty.

(8) *Hunting.* Hunting is strictly prohibited.

(9) *Pets.* Pets must be under restraint at all times and in full compliance with Chapter 4. Pet waste must be picked up and disposed of in pet waste containers.

(10) *Parking.* Motorized vehicles and parking are allowed only in designated areas.

(11) *Structural alterations.* No person or agency shall build, maintain, extend or make structural alterations to any Town park, dock or boat landing without first obtaining a written permit to do so from the Town Manager.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-38. - Oyster Factory Park.

(a) *Hours of operation.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV. Exceptions to this are the boat ramp and dock, which shall be available for use 24 hours per day.

(b) *Grilling.* No grilling allowed underneath the pavilion.

(c) *Unattended vehicles.* Vehicles, trailers, or boats stored more than 24 hours are subject to removal at owner's expense.

(d) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(e) *Dock rules.*

(1) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(2) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(3) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(4) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(5) *Obstructing access.* It is unlawful to obstruct any pier, dock, wharf, boat ramp, or the access area to the facilities. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(6) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(7) *Priority of emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(8) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(9) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(10) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(11) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(12) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(13) *Sewage discharge.* Discharge of raw, untreated sewage from any watercraft is prohibited.

(14) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

(f) *Landing/boat ramp rules.*

(1) *Launching and recovery.* Use of the boat landing for launching and recovery of vessels shall be on a first-come, first-served basis.

(2) *Unattended or abandoned vehicles and watercraft.* The following shall apply to unattended or abandoned watercraft in access areas of landings:

a. It is unlawful to obstruct any pier, dock, wharf, boat ramp or the access areas to the facilities.

b. Any vessel, vehicle or other object left unattended which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

c. The Town Manager is empowered to remove any watercraft, vessel, or vehicle that has been abandoned. A watercraft, vessel, or vehicle will be deemed abandoned if it is left unattended at a public boat landing for more than 24 hours unless express permission is obtained from the Town Manager.

(3) *Oystermen, crabbers, commercial fishermen, and other commercial uses.* Oystermen, crabbers, other commercial fishermen, and other commercial users may use the Town's public landings where permitted to launch and unload their boats. However, they must manage their launching and unloading operations so that whenever another citizen needs to use the landing to get into or out of the water, the other citizen will have no longer than a 15-minute wait for the commercial vehicles and boats to clear space on the landing.

(4) *Parking of vehicles and watercraft.* The use of access ways and public boat landings shall be for placement in the water and the retrieving of boats from the water.

a. It shall be unlawful for any person or owner to allow the parking, stopping, or leave standing, whether attended or unattended, any vehicle, obstruction, or watercraft in or on any public boat landing:

1. That is blocking, obstructing, or limiting the use of dock or access area;

2. For any purpose not related to public access for fishing and boating, loading and unloading boating passengers, supplies, boats and boating gear, or other similar purposes; or

3. Contrary to any posted notice prohibiting parking in a given area.

b. Under no circumstance shall any vehicle be parked at a public boat landing for more than 24 consecutive hours without express permission from the Town Manager.

(5) *Fishing at public boat landings.* Fishing is allowed at public boat landings as long as it does not interfere with the launching or recovery of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the public boat landing.

(6) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(7) *Government and emergency agency use.* The Town Manager may utilize any public boat landing for any governmental use at his discretion. Other governmental agencies wishing to utilize a public boat landing for purposes other than emergency services such as medical services, law enforcement, fire control, search and rescue, or for the ordinary use of the boat landing as set forth above, must obtain approval for that use from the Town Manager.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-39. - Oscar Frazier Park, not to include the recreational baseball/softball complex under the operational control of Beufort County.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Grilling.* No grilling allowed underneath the pavilion.

ATTACHMENT 2

(c) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(d) *Dog park rules.*

(1) *Hours of operation.* Open for public use from sunrise to sunset.

(2) *Prohibitions.*

a. No dog shall be admitted to the dog park that is not fully compliant with Chapter 4, Article II of the Town Code.

b. Children under the age of 12 are not permitted, unless accompanied by a parent or guardian.

c. Dogs shall not be unattended. Any unattended dog shall be considered abandoned, in accordance with subsection 4-35(d) of the Town Code.

d. No dogs under four-months-old are allowed in park.

e. No female dogs in heat are allowed in park.

f. No food of any kind and no dog treats are allowed in the park.

g. No glass containers are allowed in the park.

h. Climbing on fences is prohibited.

i. Professional dog trainers shall not utilize the dog park for the conduct of business.

j. No person shall allow any animal that is not a dog in the dog park.

k. No dog shall be permitted to attack, bite, molest, leap, jump or harass anyone or any dog, whether leashed or unleashed.

l. No dog is permitted in the park that is known to have previously attacked, bitten, molested or harmed anyone or any other animal.

m. No more than two dogs are permitted per person.

(3) *Dog park rules.*

a. Dogs must remain on leash when entering or leaving park or designated fenced area.

b. Gates must be closed and latched immediately upon entering and exiting.

c. No dog that is not under strict voice control or supervision, as defined in Section 4-27 of the Town Code, may be off-leash.

d. Owners/handlers are responsible for any injuries caused by dogs under their control.

e. All dogs must be licensed and current with required vaccinations.

f. Dogs must not be allowed to dig. Owner/handler is responsible for refilling any holes created by digging.

g. Owner/handler shall clean up and remove any droppings left by their dog.

h. Any objects (chairs, toys, training aids, etc.) left in the dog park will be considered trash and will be disposed of accordingly.

(e) *Rotary Community Center.*

(1) *Smoking.* Smoking, as defined in Section 18-159, is prohibited both inside and outside of the Rotary Community Center. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(2) *Pets.* Only service dogs are permitted inside the Rotary Community Center. Other pets are not permitted inside the facility and may not be left unattended outside the facility. Pets must be under control at all times and in full compliance with Chapter 4. Pet waste must be picked up and disposed of in pet waste containers.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-40. - Pocket parks.

(a) *Applicability.* This Section shall pertain to Tom Herbkersman Commons, Pritchard Street Pocket Park, May River Road Pocket Park and the Pocket Park located at 184 Bluffton Road.

(b) *Hours of operation.* Open for public use from sunrise to sunset.

(c) *Fires.* Fires are strictly prohibited. No grilling.

(d) *Fireworks.* The discharge of fireworks is strictly prohibited.

(e) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-41. - Wright Family Park.

(a) *Hours.* Open for public use and special events from sunrise to sunset.

(b) *Fireworks.* The discharge of fireworks is strictly prohibited.

(c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(d) *Amplified music.* The amplification of music is prohibited.

(e) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-42. - Park at 68 Boundary Street.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Grilling.* No grilling allowed in the park.

(c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(d) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-43. - Calhoun Street Dock.

ATTACHMENT 2

(a) *Hours.* Hours of operation shall be from sunrise to 10:00 p.m. Occupying the dock after 10:00 p.m. and prior to sunrise is prohibited.

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(c) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(d) *Maximum vessel size.* Vessels exceeding 60 feet in length, from stern to bow, are prohibited, whether they are privately owned or designated for commercial use.

(e) *Barges.* Barges used for ferrying supplies and equipment are prohibited from using the dock, whether they are empty or carrying a payload.

(f) *Prohibited uses.* The dock shall not be used as a point of commerce, rental or sale of kayaks, paddleboards, wave runners or any other recreational water vehicle or apparatus.

(g) *Commercial use.* Allowed commercial uses include, but are not limited to loading and unloading of passengers and temporary docking of commercial fishing vessels for the purpose of loading or unloading personnel or cargo. In no case may a commercial vessel be docked for a period longer than 15 minutes.

(h) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(i) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(j) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(k) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock in the area designated for docking and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(l) *Obstruction of the dock.* It is unlawful to obstruct the dock. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(m) *Emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(n) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(o) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(p) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(q) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(r) *Fireworks.* The discharge of fireworks is strictly prohibited.

(s) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(t) *Sewage discharge.* Discharge of raw, untreated sewage from any watercraft is prohibited.

(u) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-44. - Palmetto Bluff Public Dock.

(a) *Blocking and congesting of Town docks.* To ensure public use and avoid extensive occupancy, congestion or blocking of Town docks, the Town Manager is authorized to post signs limiting the time to three hours during which a vessel may be docked or gear may be placed at or on any Town dock. When the loading or unloading operation is complete, the vessel shall move to the extreme end of the main dock.

(b) *Maximum docking time of three hours.* A vessel shall not be allowed to dock for more than three cumulative hours in a 24-hour period. Exceptions to this rule may be granted by the Town Manager on a case-by-case basis.

(c) *Vessels needing repair.* Vessels needing engine repairs shall moor to the extreme end of the main dock in the area designated for docking and shall get under way as soon as repairs are made, but in no case shall this period exceed 24 hours. In such cases, the vessel operator must contact the Town police department at (843) 706-4550 to register the vessel occupancy of dock in excess of three hours.

(d) *Obstruction of the dock.* It is unlawful to obstruct the dock. Any vessel, vehicle, or other object which obstructs any of the facilities or the access to them may be removed entirely at the risk and expense of the owner.

(e) *Fishing.* Fishing is allowed from the dock as long as it does not interfere with the docking of watercraft, or the loading and unloading of passengers. Boaters shall have priority of use of the dock.

(f) *Priority of emergency vehicles.* Emergency vehicles shall have priority over all other vehicles at all Town docks, landings and piers.

(g) *Securing vessels.* Every vessel tying up at any Town dock shall be fastened thereto with such lines, at least from both bow and stern, and in such manner as to ensure the security of such vessel. Tethering one or more vessels to another vessel is prohibited.

(h) *Fueling vessels.* No person shall fuel any vessel on Town docks with any petroleum product directly from a tank wagon or truck.

(i) *Motor vehicles on dock.* No person shall drive any motor vehicle upon any Town dock.

(j) *Skateboards and bicycles.* Skateboarding, rollerblading, roller skating, use of manually powered scooters and bicycles shall not be permitted on docks, landings, piers and walkways.

(k) *Fireworks.* The discharge of fireworks is prohibited except as provided for in Chapter 14, Article IV.

(l) *Damages.* Any damage to the floating or main dock by a vessel or person shall be paid for by the owner or the responsible person. Such payment shall be the actual amount of the damage and paid to the Town.

(m) *Storage and disposal of toxic substances.* Storage and disposal of new or used batteries, oil or lubrication containers, fuel containers, solvents, toxic cleaners, paint cans, and other harmful materials or substances on the dock is prohibited.

ATTACHMENT 2

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-45. - New River Linear Trail.

(a) *Hours.* Open for public use from sunrise to sunset.

(b) *Fires.* Fires are strictly prohibited. No grilling.

(c) *Motorized vehicles.* Motorized vehicles are prohibited on the New River Linear Trail with the exception of American Disabilities Act-compliant motorized wheel chairs, and vehicles used by the Town of Bluffton Public Works staff and the Town of Bluffton Police Department when used in the normal course of duties.

(d) *Horses.* Horses are prohibited on the New River Linear Trail.

(e) *Fireworks.* The discharge of fireworks is strictly prohibited.

(f) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(g) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-46. - Dubois Park.

(a) *Hours.* Open for public use from sunrise to sunset.

(b) *Fires.* Fires are not permitted. Grilling underneath the pavilion is prohibited.

(c) *Alcohol.* The possession of an open container and/or the consumption of alcohol is strictly prohibited.

(d) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-47. - New Riverside Park.

(a) *Hours.* Open for public use from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-48. - Buckwalter Place Veterans Memorial Park.

(a) *Hours.* Open from sunrise to sunset, unless a special events permit has been issued by the Town of Bluffton in accordance with Chapter 22, Article IV.

ATTACHMENT 2

(b) *Smoking.* Smoking, as defined in Section 18-159 is prohibited. All provisions of Chapter 18, Article VII shall apply, to include penalties as set forth in Section 18-165 which shall prevail over Section 13-49.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-49. - Penalties.

Any person violating any section of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall pay such penalties as the court may decide, not to exceed $500.00 or not to exceed 30 days' imprisonment, or both, for each violation. Each violation shall constitute a separate violation which shall subject the offender to liability prescribed in this section.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-50. - Enforcement.

The responsibility to enforce the rules and regulations set forth in this article is hereby vested in the Town of Bluffton Police Department.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

Sec. 13-51. - Exceptions.

The Town of Bluffton Town Manager may allow for exceptions to the rules and regulations set forth in this article, on a case by case basis, provided that such exception(s) are in the best public interest and do not otherwise contradict any State or Federal public law. Such exception(s) shall be requested and designated in writing, except where emergency conditions dictate the need for greater expediency. In such cases, documentation of the exception(s) will be accomplished as soon as reasonably possible.

(Ord. No. 2019-11 , § 1(Exh. A), 8-13-2019)

ATTACHMENT 3

Motion Language

"I move to approve the Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the Use of Certain Town-Operated Properties, as presented for second and final reading"

TOWN COUNCIL

STAFF REPORT
Department of Growth Management

MEETING DATE:	June 9, 2020
PROJECT:	Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 – Zoning Districts and Article 9 – Definitions and Interpretation – First Reading
APPLICANT:	Town of Bluffton
PROJECT MANAGER:	Heather Colin, AICP Director of Growth Management

REQUEST: The Unified Development Ordinance (UDO) Administrator requests that Town Council approve a First Reading of the following Ordinance:

> Amendments to Chapter 23 (Unified Development Ordinance), Article 4 – Zoning Districts and Article 9 – Definitions and Interpretation.

BACKGROUND: As set forth in Section 3.5.2 of the Unified Development Ordinance (UDO), "an application for a Unified Development Ordinance 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."

On May 8, 2018, the Town of Bluffton Town Council approved a Resolution adopting the Strategic Plan for Fiscal Year 2019-20 ("Strategic Plan"). 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 general welfare. This review resulted in a "calibration of land uses," which includes recommending the following:

> 1) The creation of two new land uses (Storefront Manufacturing and Storehouse Manufacturing), both with use conditions;
>
> 2) The elimination of Mini-warehouse or Self-service Storage Facilities as a conditional use in the General Mixed (GM) Use District; within the Light

Industrial (LI) District, changing it from a permitted use to a conditional use; and,

3) Amendments 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 to improve buffering and other good neighbor standards.

This calibration was assisted with feedback obtained from the Don Ryan Center for Innovation (Center) regarding amendments to the Unified Development Ordinance (UDO). The Center identified breweries and distilleries as desirable land uses that support Economic Development and Community Quality of Life. John O'Toole with Beaufort County Economic Development Corporation and Ashley Feaster with Palmetto Electric Cooperative also provided feedback as it relates to economic development strategies. To support a broader range of potential businesses with operational characteristics similar to breweries and distilleries (i.e., low intensity manufacturing), Storefront Manufacturing and Storehouse Manufacturing are 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,
    b. 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 and good neighbor standards are 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 a 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**). 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. Additional conditions relate to screening and design. If screening is provided, limited outdoor activities may be possible for the Storehouse Manufacturing use. Also, a traditional shopfront appearance is recommended to be incorporated into the design of a Storefront Manufacturing structure as retail is the main component of this use.

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.

PROPOSED AMENDMENTS: The proposed amendments are provided in Attachment 1.

REVIEW CRITERIA & ANALYSIS: When assessing an application for a UDO Text Amendment, the 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, the consistency with the overall intent of the Plan, recent development trends and the general character of the area.

   Finding. The proposed amendments are consistent with the needs, goals and implementation strategies of the Comprehensive Plan. The Comprehensive Plan, as adopted on September 4, 2007, balances "long-term visioning and goals" with "short-term actions." Adding to Storefront Manufacturing and Shopfront Manufacturing supports diversification of the local economy, as called for the Comprehensive Plan. Likewise, the Comprehensive Plan encourages the protection of the health, safety and welfare of residents and visitors; improved use conditions support this.

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

   Finding. The proposed amendments are consistent with best planning practices in response to the Town's economic trends and further the public welfare.

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

   Finding. The proposed amendments will help to promote the Town's general welfare by encouraging new types of businesses and improving buffering for the Town's most intensive uses.

4. Section 3.5.3.D. Impact of the proposed amendment on the provision of public services.

   Finding. The amendments will have no impact on providing public services.

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 RECOMMENDATION: The Planning Commission made a recommendation at their May 27, 2020 meeting to unanimously approve the proposed amendments to the Unified Development Ordinance.

TOWN COUNCIL ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.C.4 of the UDO, Town Council has the authority to take the following actions with respect to this application:

1. Approve the application as submitted;

2. Approve the application with conditions; or

3. Deny the application as submitted.

NEXT STEPS: Should Town Council approve the First Reading of the Ordinance at the June 9, 2020 meeting, Staff will present the Second and Final Reading at the July 14, 2020 meeting.

UDO Text Amendment	Date	Complete
Step 1. Town Council Workshop	March 17, 2020	✓
Step 2. Planning Commission - Recommendation	May 27, 2020	✓
Step 3. Town Council – 1st Reading	June 9, 2020	✓
Step 4. Town Council Meeting – Final Reading and Public Hearing (Tentative)	July 14, 2020	

ATTACHMENTS:

1. Proposed Ordinance
2. Proposed Motion

ATTACHMENT 1

ORDINANCE NO. 2020 – _____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING THE TOWN OF BLUFFTON'S MUNICIPAL CODE OF ORDINANCES, CHAPTER 23, UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 4 – ZONING DISTRICTS; AND, ARTICLE 9 – DEFINITIONS AND INTERPRETATION TO ESTABLISH STOREFRONT MANUFACTURING AND STOREHOUSE MANUFACTURING USES, RELATED USE CONDITIONS AND DEFINTIONS; AND, TO AMEND USE CONDITIONS FOR JUNK AND SALVAGE OPERATIONS; SOLID WASTE TRANSFER FACILITIES/RECYCLING CENTERS; MANUFACTURING; AND, MINI-WAREHOUSES AND SELF-STORAGE FACILITIES.

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Bluffton's Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town's citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

WHEREAS, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

WHEREAS, the Unified Development Ordinance unifies the subdivision, land use, development/design regulations, as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

WHEREAS, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend the Unified Development Ordinance, Article 4 – Zoning Districts, Section 4.3 to establish

storefront manufacturing and storehouse manufacturing as conditional uses, and to amend mini-warehouses or self-storage facilities to be permitted as a conditional use only in the Light Industrial zoning district; Section 4.4 to clarify the purpose of conditional use standards; Section 4.4.2 to establish conditional use standards for Storefront Manufacturing and Storehouse Manufacturing; Section 4.4.5 to amend conditional use standards for Junk and Salvage Operations, Solid Waste Transfer Facilities/Recycling Centers, Manufacturing, Mini-warehouses or Self-storage Facilities; Article 9 – Definitions and Interpretation, Section 9.4.3 to add definitions for Storefront Manufacturing and Storehouse Manufacturing.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina by adopting and incorporating amendments to Chapter 23 – Unified Development Ordinance, Article 4 – Zoning Districts; and, Article 9 – Definitions and Interpretation as shown on Exhibit A attached hereto and fully incorporated herein by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2020.

This Ordinance was read and passed at first reading on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

ATTACHMENT 1

A public hearing was held on this Ordinance on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

EXHIBIT A

I. Article 4 (Zoning Districts); Sec. 4.3 (Uses by District)

Table 4.3 Uses by District												
	Preserve (PR)	Agricultural (AG)	Rural Mixed Use (RMU)	Residential General (RG)	Neighborhood Core (NC)	General Mixed Use (GM)	Light Industrial (LI)	Riverfront Edge Historic District (RV-HD)	Neighborhood Conservation Historic	Neighborhood General Historic District (NG-HD)	Neighborhood Center Historic District (NCE-HD)	Neighborhood Core Historic District (NC-HD)
Manufacturing, Storefront	-	-	C	-	C	C	C	-	-	-	C	C
Manufacturing, Storehouse	-	-	-	-	C	C	C	-	-	-	-	C
Mini-warehouses or Self-service Storage Facilities	-	-	-	-	-	~~C~~	~~P~~ C	-	-	-	-	-

II. Article 4 (Zoning Districts); Sec. 4.4 (Conditional Use Standards)

There are certain uses that, by their nature, have the potential to create adverse impacts on nearby properties. It is the purpose of this Sec. 4.4 to allow such uses to be conditionally permitted while minimizing adverse effects through the establishment of additional standards that mitigate the impacts of their design and operation. The specified standards are intended to ensure that these conditional uses fit the vision of the zoning districts in which they are permitted, and that these conditional uses are compatible with other development permitted within the districts. ~~The Conditional Uses, as listed in Table 4.3 above, do not constitute development as defined herein and thereby do not require a Development Plan Application; however, the UDO Administrator may require a conceptual site plan to ensure compliance with the following Conditional Use Standards:~~

III. Article 4 (Zoning Districts); Sec. 4.4.2 (Conditional Use Standards, Commercial Uses: Storefront Manufacturing, Storehouse Manufacturing)

H. Storefront Manufacturing

1. Buildings shall convey a commercial character, most often promoting the form of a traditional shopfront. As such, the Large Commercial Lot Type and the Industrial Lot Type shall not be permitted with this use.
2. All operations related to this use shall be conducted completely within a building. No impacts or byproducts of the use, including noise, vibration, dust, fumes, or odor, or electrical or communications interference shall be discernible from the property line.
3. Outdoor loading areas shall be located to the rear of the principal structure and shall not interfere with the on-site circulation of pedestrians or vehicles.

I. Storehouse Manufacturing

1. All operations related to this use shall be conducted completely within a building. No impacts or byproducts of the use, including noise, vibration, dust, fumes, or odor, or electrical or communications interference shall be discernible from the property line.
2. Limited daily outdoor operations and storage may occur behind the building and at least 50 feet from any property line, as follows:
   a. Outdoor storage areas shall be screened using an opaque fence or wall of no less than 8 feet in height.
   b. Outdoor operations consisting of promotional gatherings, tastings, or dining (in which visitors are able to sample the product) may occur at or near the property line if the area is landscaped using plantings, hardscape, materials, seating, lighting, and other amenities.
3. Outdoor loading areas shall be located to the rear of the principal structure and shall not interfere with the on-site circulation of pedestrians or vehicles.

B. Junk and Salvage Operations

1. Salvage yards shall be screened by a solid screening fence or wall that is a minimum 8 feet tall and set back at least 10 feet from the property line with a landscaped buffer between the property line and fence or wall that includes a minimum of one canopy tree per 50 feet with a row of shrubs between each tree, around the entire property. The fence or wall shall be of similar composition, construction and color throughout, and only contain openings for necessary entrances and exits.
2. Entrances and exits shall be equipped with solid 8 foot high gates which shall be closed at all times except when in use.

3. Material stored outside of a completely enclosed building shall be stacked or arranged so that no portion of such material is visible from any public right-of-way or adjacent property.
4. All loading and unloading shall be conducted within the enclosed area.
5. Maximum lot size for a junk and salvage yard use shall be ten acres.

E. Solid Waste Transfer Facility/Recycling Center

1. The solid waste transfer facility/recycling center may accept previously sorted non-food items, such as glass, newspaper, cardboard, metal, construction and demolition debris, or other similar materials. Sewage or hazardous substances in quantities considered to be detrimental to the operation of the transfer facility shall not be permitted.
2. All activities and storage shall be conducted within a completely enclosed building. Doors shall remain closed during operations and there shall be no outdoor storage.
3. The entire site shall be fully ~~landscaped,~~ screened~~, and/or fenced from adjacent properties and public rights of way.~~by:
   a. a solid screening fence or wall that is a minimum 8 feet tall; or
   b. a minimum 50-foot wide landscaped buffer of 100% opacity.
4. All areas adjacent to the transfer point, such as the tipping floor, the turning area, and the area supporting the trailer while it is being packed, shall be paved with concrete.
5. Adequate standing and parking facilities shall be provided on the site so that no packers or other collection vehicles at any time stand on a public right-of way waiting entrance to the site.
6. Only cut off lighting fixtures shall be used. If an adjacent property is residential, the height of a light pole shall not exceed 15 feet from the top of finished grade level.

~~6.~~ 7. Publicly owned or operated facilities are allowed to collect and sort any non-hazardous waste on-site and outdoors. All outdoor waste or collection bins must be setback a minimum of ~~40~~50 feet from the property line, ~~of which 25 feet shall be a landscape buffer.~~and shall not be visible from any neighboring property or public right of way.
   a. If a property adjoins saltmarshes, tidal waters, or existing or permitted residential uses, and outdoor collection and sorting will take place, all collection bins shall be setback a minimum of 100 feet from the property line by a 100 foot wide landscape buffer of 100% opacity that surrounds the entire site.

8. The use shall be located outside of the 100-year floodplain.
9. The use shall comply with all applicable State and Federal Regulations.
10. An operations plan and transportation plan must be approved and include:
   a. A transportation plan demonstrating the primary routes that trucks will utilize to access the site, that these will be comprised of arterial roads with sufficient capacity to absorb the impact, and how such impacts will be mitigated.
   b. An operations plan to identify the specific types of activities and technologies that are required for successful operation of the use,

potential impacts on adjacent lands and mitigation measures, size of the operation, number of employees, operating hours, etc.

G. Manufacturing

1. All storage and operations shall occur indoors, except that limited daily outdoor operations and storage which may occur behind the front building line and at least 50 feet from any property line ~~may occur~~.
2. No impacts or byproducts of the use, including noise, vibration, dust, fumes, ~~or~~ odor, or electrical or communications interference shall be discernible from the property line.
3. Outdoor loading areas shall be located to the rear of the principal structure and shall not interfere with the on-site circulation of vehicles and pedestrians.

H. Mini-warehouses or Self-Storage Facilities

1. The use shall be limited to storage only. The premises shall not be used for operating any other business or repairing of any vehicles, except truck rental may be approved as an accessory use.
2. No storage or combustible or flammable liquids, combustible fibers, or explosive materials as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises.
3. Outdoor storage shall be limited to vehicles, trailers, boats, campers, recreational vehicles, and other motorized or towable equipment and may only be located behind a building.
4. ~~Outdoor storage areas shall be screened by a solid screening fence or wall a minimum of 6 feet in height.~~ The entire site shall be screened by a solid screening fence or wall that is a minimum 6 feet tall and sets back at least 15 feet from the property line with a landscaped buffer between the property line and fence or wall that includes a minimum of one canopy tree per 50 feet, around the entire property. The fence or wall shall be of similar composition, construction and color throughout, and contain openings for only necessary entrances and exits.

IV. Article 9 (Definitions and Interpretation); Sec. 9.4.3 (Description of Uses of Land and Buildings; Commercial Services-Storefront Manufacturing and Storehouse Manufacturing)

N. Storefront Manufacturing – A storefront or shopfront where the primary function is commercial sales, but daily operational activities often include a combination of low intensity manufacturing, assembly, packaging, and/or warehousing activities, including those related to online sales. Secondary operational activities shall have no discernable impact upon neighboring properties, structures or occupants. (Examples: a leather goods store or

coffee shop in which wholesale items are received, assembled on site, and either displayed for retail sales or stored for online transactions).

O. **Storehouse Manufacturing** – A facility or group of buildings where the primary function is low intensity manufacturing, but daily operational characteristics often include a combination of assembly, packaging, and/or warehousing activities; including those related to sales distribution. Operational impacts shall have no discernable impact upon neighboring properties, structures or occupants. Public exhibitions, tours, samplings, tastings and ancillary retail may be secondary activities and uses. (Examples: a brewery or distillery in which raw goods and other items are received, assembled, and packaged as part of the manufacturing process. The end product may be warehoused for shipping, shelved for retail sales, or consumed as part of onsite tastings or dining).

Attachment 2

Proposed Motion for Formal Items IX.2 – Consideration of Approval of Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance; Article 4, Zoning Districts and Article 9 – Definitions and Interpretation – First Reading

"I move to approve First Reading of Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance; Article 4 Zoning Districts and Article 9 – Definitions and Interpretations – First Reading."

TOWN COUNCIL

STAFF REPORT
Department of Growth Management

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 – Planned Unit Developments; Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing; Article 9 – Definitions and Interpretation – First Reading
APPLICANT:	Town of Bluffton
PROJECT MANAGER:	Heather Colin, AICP Director of Growth Management

REQUEST: The Unified Development Ordinance (UDO) Administrator requests that Town Council approve a First Reading of the following Ordinance:

> Amendments to Chapter 23 (Unified Development Ordinance), Article 4 – Planned Unit Developments, Article 6 – Sustainable Development Incentives for Workforce/Affordable Housing, and Article 9 – Definitions and Interpretation.

BACKGROUND: As set forth in Section 3.5.2 of the Unified Development Ordinance (UDO), "an application for a Unified Development Ordinance 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."

On May 8, 2018, the Town of Bluffton Town Council approved a Resolution adopting the Strategic Plan for Fiscal Year 2019-20 ("Strategic Plan"). 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.

During the FY2019-20 Strategic Action Plan process, Town Council included a new Strategic Focus Area to address Affordable and/or Workforce Housing. Other strategic focus areas include Fiscal Sustainability, Economic Growth, Town Organization, Community Quality of Life, Infrastructure, and the May River & Surrounding Rivers and Watersheds.

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 (AHC) 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 and 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 Area Median Income (AMI) for Beaufort County. The AHC recommends lowering the qualifying percentage to no more than 100% of the current gross (AMI) for Beaufort County. By lowering the percentage, it will allow more units to be available to lower-earning households.

Based on additional discussion in 2019, the AHC further recommended that the payment in lieu of providing affordable/workforce housing be eliminated.

Text amendments were prepared as directed by the AHC and shared with Town Council at a workshop on March 17, 2020. Town Council supported the text amendments as presented and advised that the definition for workforce housing also be amended to lower the qualifying percentage from 120% of the gross AMI for the County to 100%.

PROPOSED AMENDMENTS:

1. **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.~~

2. 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."

3. Article 9 (Definitions and Interpretation); Sec. 9.2 (Defined Terms – Workforce Housing)

   Workforce Housing: Housing affordable to low and moderate-income families (those earning up to ~~120%~~100% of the Beaufort County Area Median Income (AMI), as defined in the schedule published annually by the U.S. Department of Housing and Urban Development).

REVIEW CRITERIA & ANALYSIS: When assessing an application for a UDO Text Amendment, the Planning Commission and Town Council are 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, the consistency with the overall intent of the Plan, recent development trends and the general character of the area.

   Finding. The proposed amendments are consistent with the needs, goals and implementation strategies of the Comprehensive Plan. The Comprehensive Plan, as adopted on September 4, 2007, balances "long-term visioning and goals" with "short-term actions." The Action Agenda Initiatives found in the 2019-20 Strategic Plan capture non-capital improvement projects of significance, many of which emanate from the Comprehensive Plan. The proposed Text Amendments are a direct result of these Initiatives.

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

   Finding. The proposed amendments are consistent with best planning practices in response to the Town's economic trends and demographics. As stated in the 2019-2020 Strategic Plan, "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 (affordable) housing in safe neighborhoods

including rental units and home ownership programs." This includes "enhancement" of ordinances to meet the future housing needs of the Town.

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

   Finding. The proposed amendments will help to promote the Town's general welfare by requiring more housing opportunities for income-qualifying households.

4. Section 3.5.3.D. Impact of the proposed amendment on the provision of public services.

   Finding. The amendments will have no impact on providing public services.

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 RECOMMENDATION: The Planning Commission made a recommendation at their May 27, 2020 meeting to unanimously approve the proposed amendments to the Unified Development Ordinance.

TOWN COUNCIL ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.C.4 of the UDO, the Town Council has the authority to take the following actions with respect to this application:

1. Approve the application as submitted;

2. Approve the application with amendments; or

3. Deny the application as submitted.

NEXT STEPS: Should Town Council approve the First Reading of the Ordinance at the June 9, 2020 meeting, Staff will present the Second and Final Reading at the July 14, 2020 meeting.

UDO Text Amendment	Date	Complete
Step 1. Town Council Workshop	March 17, 2020	✓
Step 2. Planning Commission - Recommendation	May 27, 2020	✓
Step 3. Town Council – 1st Reading	June 9, 2020	✓
Step 4. Town Council Meeting – Final Reading and Public Hearing (Tentative)	July 14, 2020	

ATTACHMENTS:

1. Affordable Housing Committee Minutes August 7, 2018
2. Proposed Ordinance
3. 2020 Area Median Income Beaufort County
4. Proposed Motion

TOWN OF BLUFFTON AFFORDABLE HOUSING COMMITTEE
Rotary Community Center/Oscar Frazier Park, at 11 Recreation Court
Tuesday, August 07, 2018, Minutes

Present: Councilman Fred Hamilton, Chairperson; Sheri Kroupa, Vice Chairperson Councilman Dan Wood; Meg James; Denolis Polite; Gwen Chambers

Staff: Marc Orlando, Town Manager; Kevin Icard, Planning & Community Development Manager; Brad Mole, Community and Business Development Coordinator

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I. CALL TO ORDER

Hamilton called the meeting to order at 10:03 a.m.

II. ROLL CALL

III. ADOPTION OF AGENDA

Kroupa made a motion to adopt the August 07, 2018, Affordable Housing Committee Agenda. Wood seconded the motion and the motion passed.

IV. ADOPTION OF MINUTES – July 03, 2018

Wood made a motion to approve the July 03, 2018, Affordable Housing Committee meeting minutes. Kroupa seconded the motion. All were in favor and the motion passed.

V. PUBLIC COMMENTS

Representatives from South State Bank, The Island Packet, Bank of the Ozarks, and Hilton Head Island Habitat for Humanity was in attendance.

VI. OLD BUSINESS

VII. NEW BUSINESS

1. NAP Budget Update

Staff Updated the Committee with current and future home repair projects that is going on under the NAP program.

2. Unified Development Ordinance Text Amendment Request

Staff summarized the process of changing the Unified Development Ordinance (UDO) and how that would initially start as a motion from the Affordable Housing Committee in a formal document that is presented to the Town Manager and ultimately sent to Town Council to request that the process is started. Within the

discussion of UDO changes, the subjects fee in lieu of, and density bonuses were mentioned.

The Affordable Housing Committee (AHC) has requested that Town Council direct Town Staff to amend the following sections of the Unified Development Ordinance (UDO) concerning new residential Planned Unit Developments (PUD) and affordable/workforce housing in Bluffton.

1. Amend Section 4.2.13.F. Planned Unit Development – Affordable/Workforce Housing. Currently, the UDO requires a minimum of 10% of all new PUDs meet the minimum requirements for affordable/workforce housing changed to 20%. The AHC would like to increase the minimum amount of affordable/workforce housing required for new PUDs.
2. Amend Section 4.2.13.F. Planned Unit Development – Affordable/Workforce Housing. Currently, the UDO states that the Town of Bluffton may accept a fee in lieu of including affordable/workforce housing. The AHC would like the language changed from "may" to "shall" listed above. The AHC would like additional clarification as to how the fee is calculated if an Applicant choses to present a fee in lieu of providing affordable/workforce housing.
3. Amend Section 6.5.3.B.4.a., Owner-Occupied Eligibility, to lower the percentage to no more than 100% of the gross AMI for Beaufort County of who can qualify to own an affordable/workforce unit based on the current AMI for Beaufort County. 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 gross AMI for Beaufort County. By lowering the percentage it will increase the pool of residents who are able to own their own homes.

While not part of the proposed UDO changes, the AHC has asked that staff create a comparison of a 3-tiered approach to provide housing options for future PUD developments with unit options in the 60-80-100% AMI range. Staff will provide a comparison to help explain what would be a typical home sales price at different AMI levels.

The AHC is proposing these changes to meet the needs of the growing community and would like to work with Staff to bring a formal request before Planning Commission and Town Council for their consideration.

VIII. PUBLIC COMMENTS

There were no additional public comments.

IX. DISCUSSION

X. ADJOURNMENT

The August 07, 2018 Affordable Housing Committee Meeting adjourned at 11:10 a.m.

ATTACHMENT 1

ORDINANCE NO. 2020 – _____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING THE TOWN OF BLUFFTON'S MUNICIPAL CODE OF ORDINANCES, CHAPTER 23, UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 4 – PLANNED UNIT DEVELOPMENTS; ARTICLE 6 – SUSTAINABLE DEVELOPMENT INCENTIVES, WORKFORCE/AFFORDABLE HOUSING; AND, ARTICLE 9 – DEFINITIONS AND INTERPRETATION

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Bluffton's Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town's citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

WHEREAS, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

WHEREAS, the Unified Development Ordinance unifies the subdivision, land use, development/design regulations, as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

WHEREAS, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend the Unified Development Ordinance, Article 4 – Planned Unit Developments, Section 4.2.13.F to require new and amended Planned Unit Developments to have at least 20% of all residential units designated as affordable/workforce housing; Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing, Section 6.5.3.B.4.a. to reduce household income qualification for owner-occupied workforce/affordable

housing from 120% to no more than 100% of the gross Area Median Income(AMI) for Beaufort County; and, Article 9 – Definitions and Interpretation to revise the definition of Workforce Housing for consistency with the change to the AMI qualification in Article 6.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina by adopting and incorporating amendments to Chapter 23 – Unified Development Ordinance, Article 4 – Planned Unit Developments; Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing; and, Article 9 – Definitions and Interpretation as shown on Exhibit A attached hereto and fully incorporated herein by reference.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2020.

This Ordinance was read and passed at first reading on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

A public hearing was held on this Ordinance on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on _____, 2020.

_____
Lisa Sulka, Mayor
Town of Bluffton, South Carolina

_____
Kimberly Chapman
Town Clerk, Town of Bluffton, South Carolina

EXHIBIT A

Article 4: Zoning Districts
Section 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
Section 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."

Article 9: Definitions and Interpretation
Section 9.2 (Defined Terms – Workforce Housing)

Workforce Housing: Housing affordable to low and moderate-income families (those earning up to ~~120%~~100% of the Beaufort County Area Median Income (AMI), as defined in the schedule published annually by the U.S. Department of Housing and Urban Development).

2020 Beaufort County
Area Median Income (AMI) Limits

Income Limit	Persons in Household								
	1	2	3	4	5	6	7	8+	
30%	$ 17,150	$ 19,600	$ 22,050	**$ 26,200**	$ 30,680	$ 35,160	$ 39,640	$ 44,120	extremely low
50%	$ 28,550	$ 32,600	$ 36,700	**$ 40,750**	$ 44,050	$ 47,300	$ 50,550	$ 53,800	very low
60%	$ 34,240	$ 39,150	$ 44,030	**$ 48,900**	$ 52,840	$ 56,740	$ 60,640	$ 64,580	moderately low
80%	$ 45,650	$ 52,200	$ 58,700	**$ 65,200**	$ 70,450	$ 75,650	$ 80,850	$ 86,100	low
AMI	$ 57,060	$ 65,250	$ 73,380	**$ 81,500**	$ 88,060	$ 94,560	$ 101,060	$ 107,630	median
***120%**	$ 68,470	$ 78,300	$ 88,060	**$ 97,800**	$ 105,670	$ 113,470	$ 121,270	$ 129,160	moderately low
***150%**	$ 85,590	$ 97,880	$ 110,070	**$ 122,250**	$ 132,090	$ 141,840	$ 151,590	$ 129,160	high

Note: Prepared by Beaufort Housing Authority 5/15/2020

Attachment 4

Proposed Motion for Formal Items IX.4 – Consideration of Approval of Amendments to Chapter 23, Unified Development Ordinance Article 4 – Planned Unit Developments, Article 6 – Sustainable Development Incentives for Workforce/Affordable Housing, and Article 9 – Definitions and Interpretation – First Reading

"I move to approve First Reading of Amendments to Chapter 23, Unified Development Ordinance Article 4 – Planned Unit Developments, Article 6 – Sustainable Development Incentives for Workforce/Affordable Housing, and Article 9 – Definitions and Interpretation – First Reading."

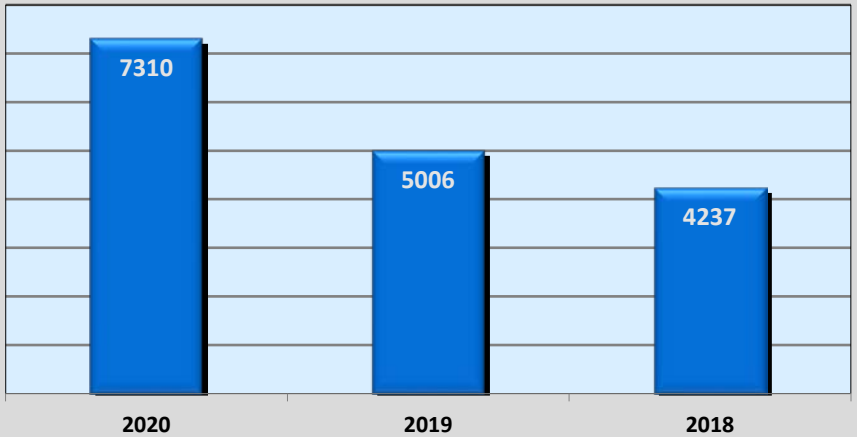
Bluffton Police Department
May 2020 Statistical Information

Presented by:
Chief Chris Chapmond

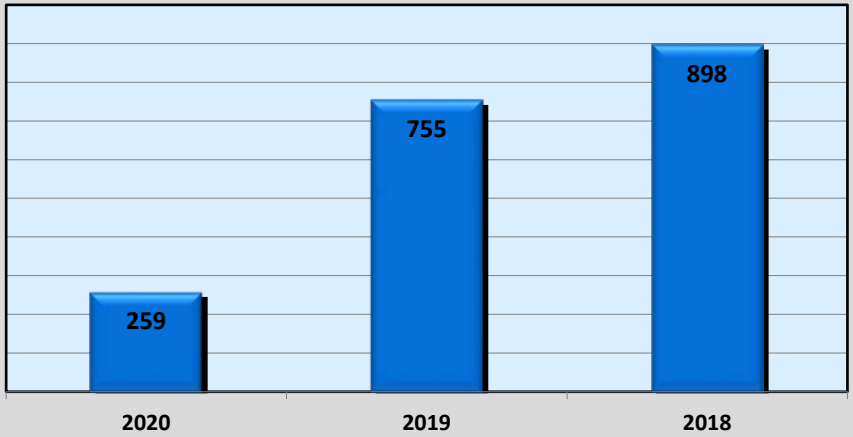
May 31, 2020

May Trends

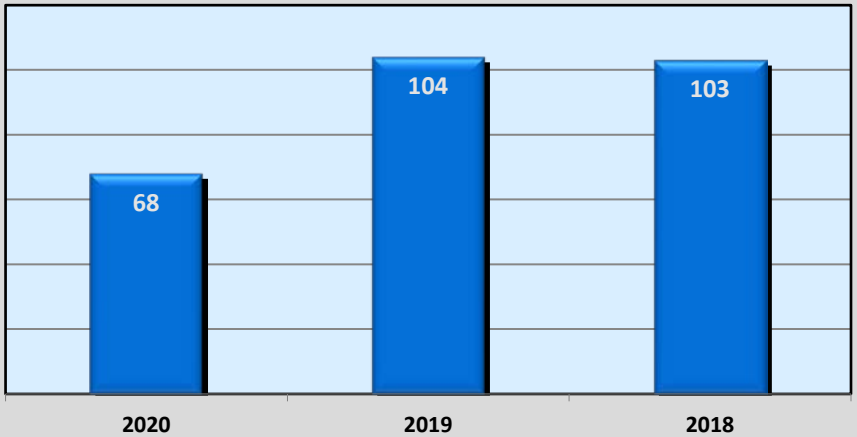
May Calls for Service Comparison



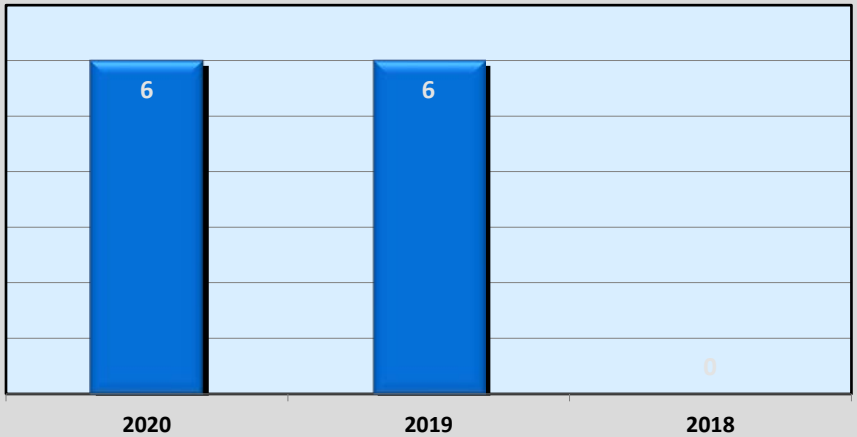
May Traffic Citation Comparison



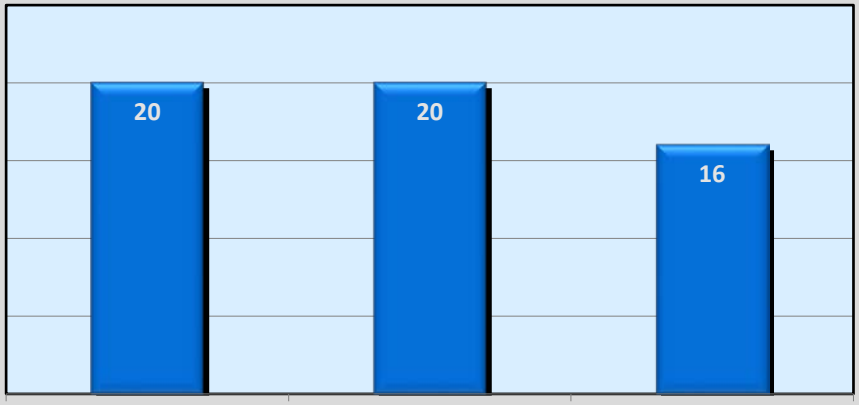
May Collision Comparison



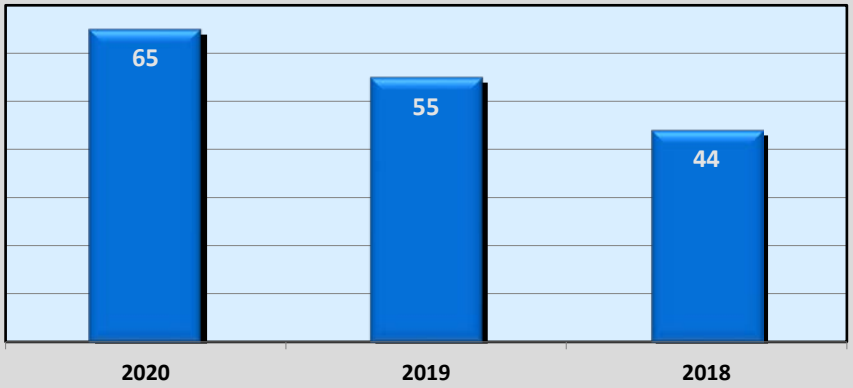
May Burglary Comparison



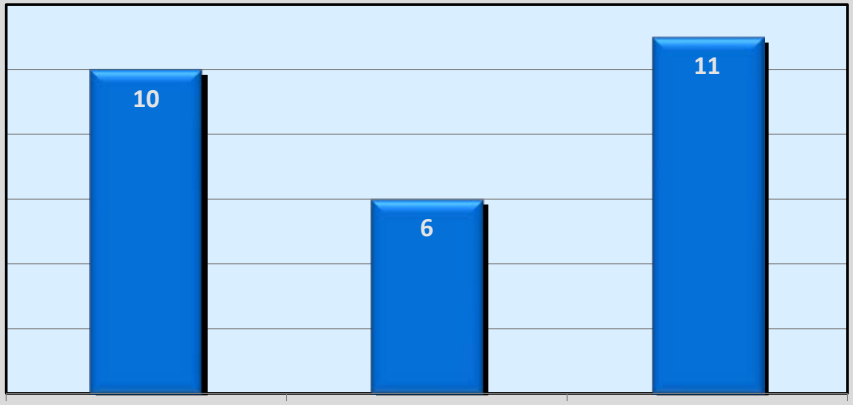
May Theft Comparison



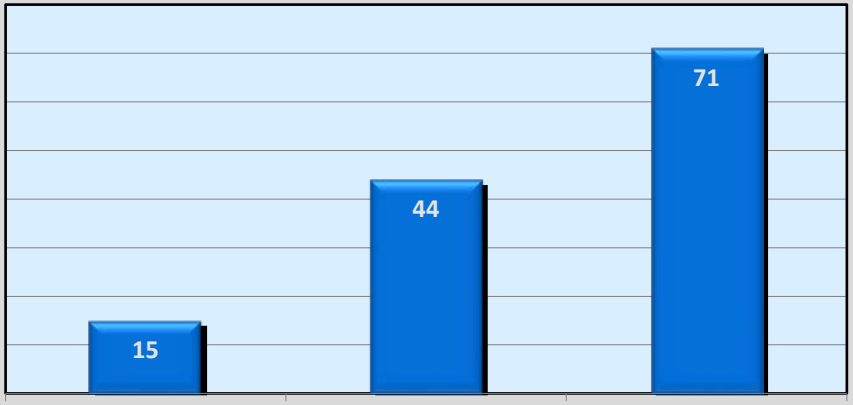
May Domestic Calls for Service Comparison



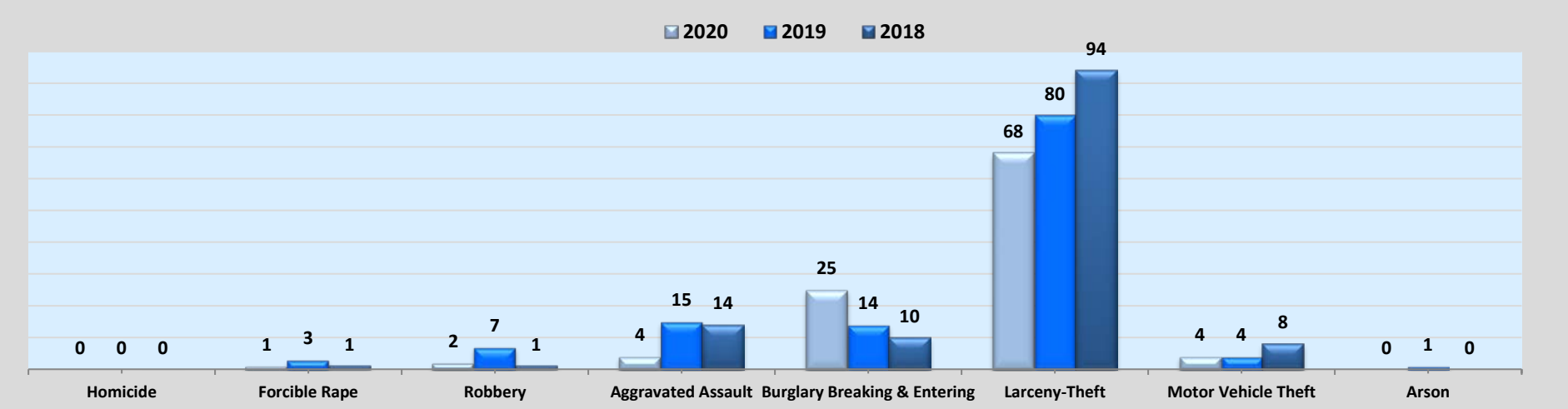
May Assault Comparison

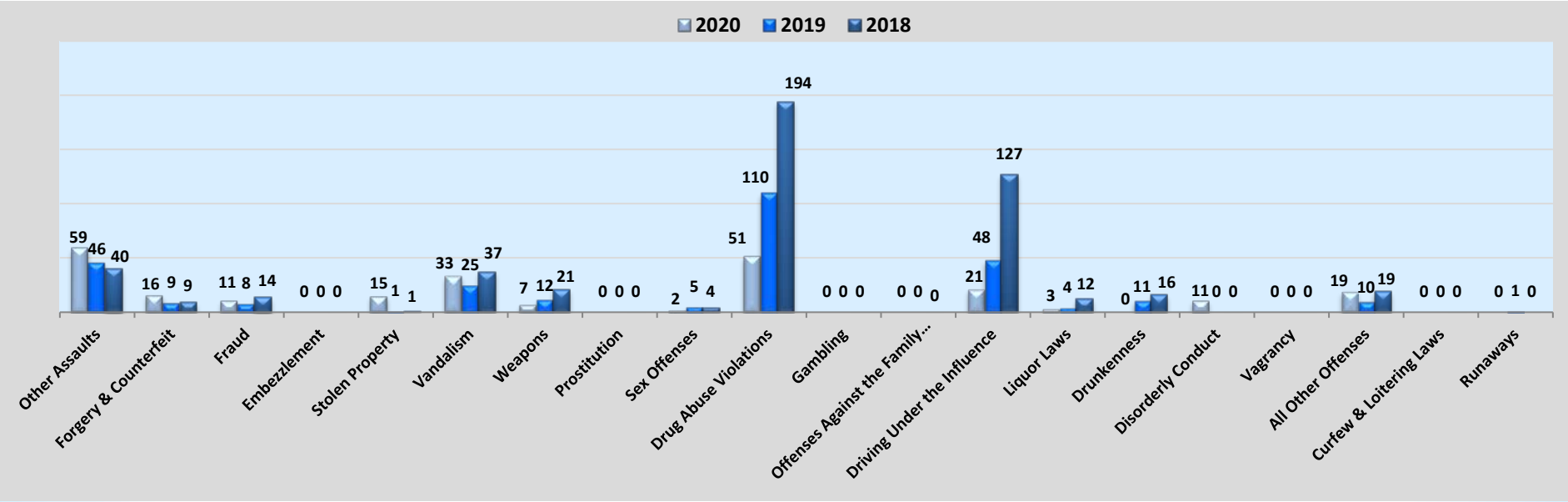


May Arrest Comparison



Part I and Part II Offenses





Department Highlights

Arrests
Adult Felony: 1
Adult Misdemeanor: 6
Juvenile: 0
DUI: 5

Complaints
No complaints received in May 2020

Commendations
May 4th – Thank You email from T. Kennedy commending Bill Bonhag
May 4th – Thank You email from J. Williams commending Officer Harden
May 9th – Thank You Officer Harden from Addison (Facebook Post)

Department Highlights

<u>Meetings Attended by Chief Chapmond</u>
Every Wednesday – Attended Senior Staff Communications Meeting
Daily – SCEMD Covid-19 Call

May 1st - Covid-19 County Call Webex Meeting
May 4th – Monday Standing Covid-19 Conference Call
May 6th – Emergency Management Advice Zoom Meeting
May 8th - Covid-19 County Call Webex Meeting
May 11th – Facebook Live Update Zoom Meeting
May 11th – Monday Standing Covid-19 Conference Call
May 12th – Bluffton Town Council Zoom Meeting
May 13th – Senior Staff Zoom Meeting
May 15th - Covid-19 County Call Webex Meeting
May 18th – Monday Standing Covid-19 Conference Call
May 20th – Senior Staff Zoom Meeting
May 20th - Lutzie 43 Scholarship Committee Rating Meeting
May 21st - Thursday Standing Covid-19 Conference Call
May 21st – Budget Workshop #1 Zoom Meeting
May 22nd - Covid-19 County Call Webex Meeting
May 25th – Monday Standing Covid-19 Conference Call
May 26th – Facebook Live Update Zoom Meeting
May 26th – Budget Workshop #2 Zoom Meeting

DO THE FIVE

Help stop coronavirus

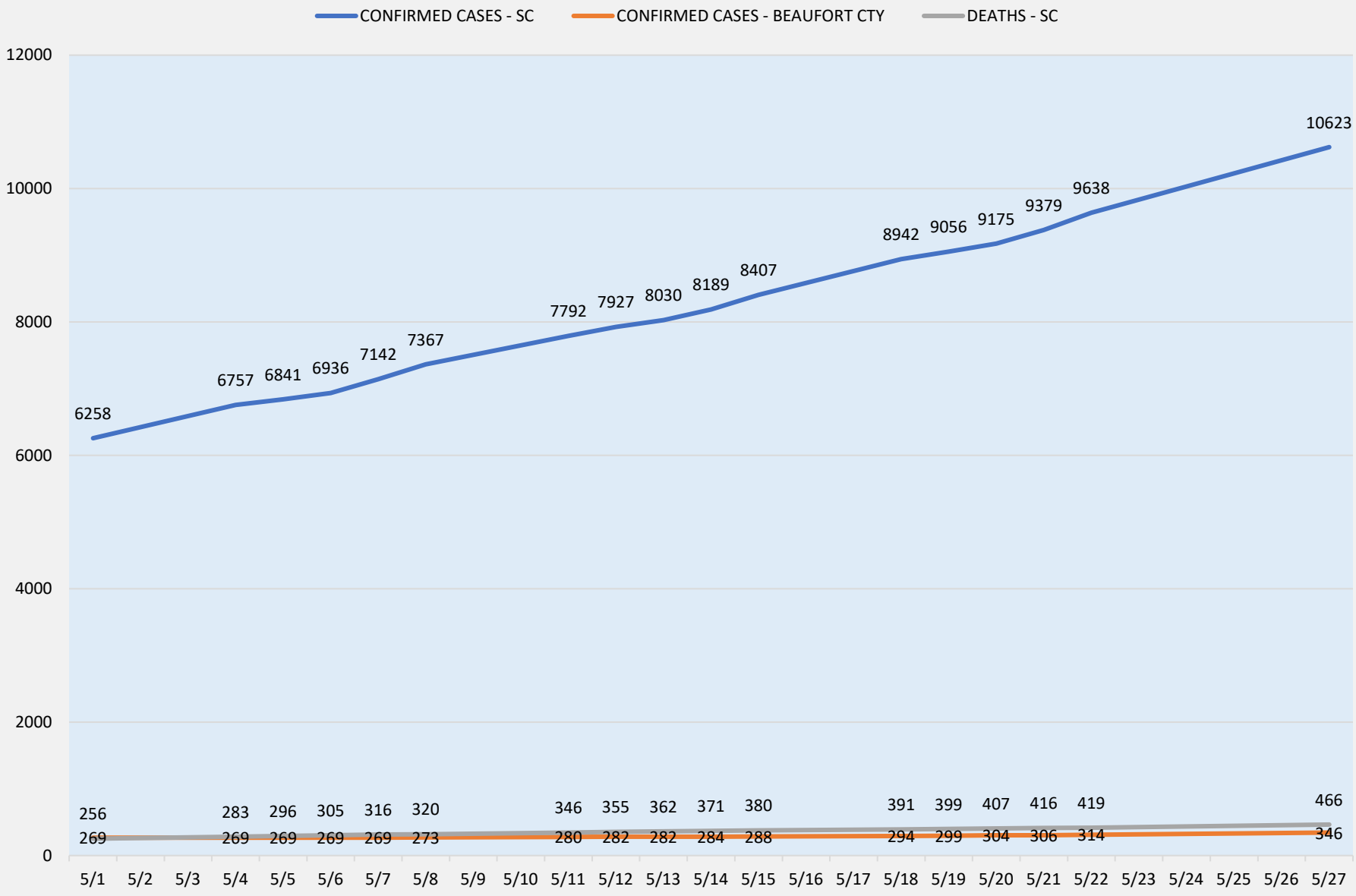
1. **HANDS** Wash them often
2. **ELBOW** Cough into it
3. **FACE** Don't touch it
4. **SPACE** Keep safe distance
5. **HOME** Stay if you can

United States:
Cases Confirmed: 1,692,786
Deaths: 99,783

South Carolina:
Confirmed Cases: 10,623
Deaths: 466

Beaufort County:
Confirmed Cases: 346
Deaths: 14

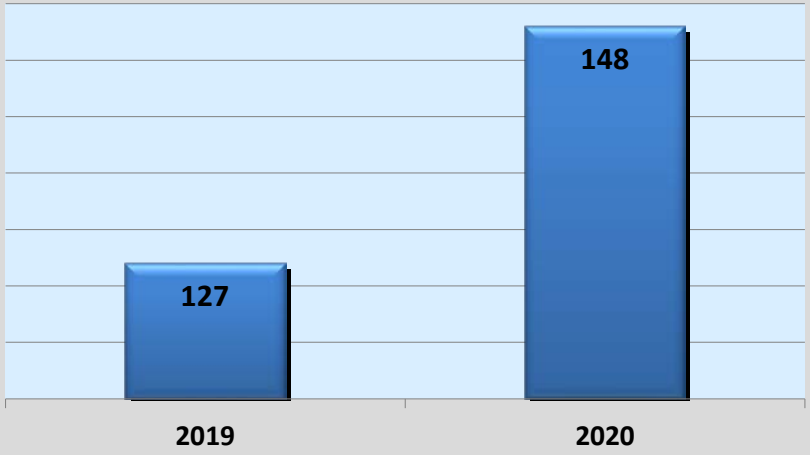
COVID-19 Pandemic
South Carolina



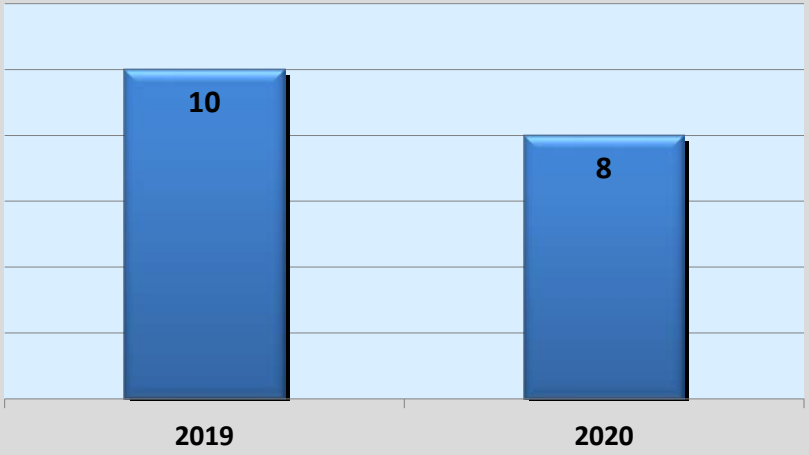
COVID-19 Pandemic
Calls for Service Comparison Charts

Period of March 15 thru May 28

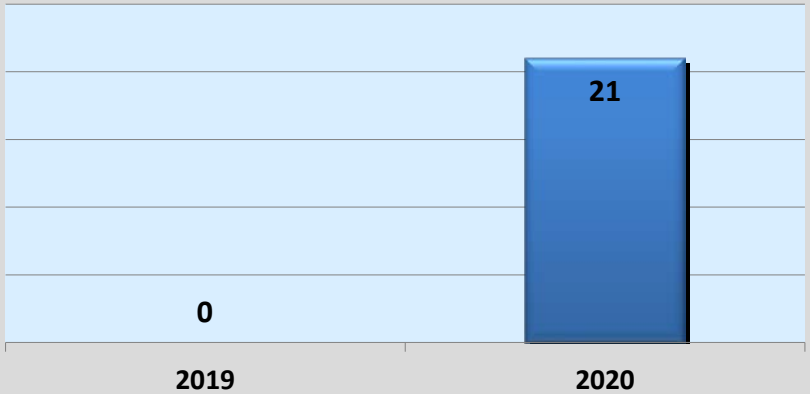
Domestic Comparison



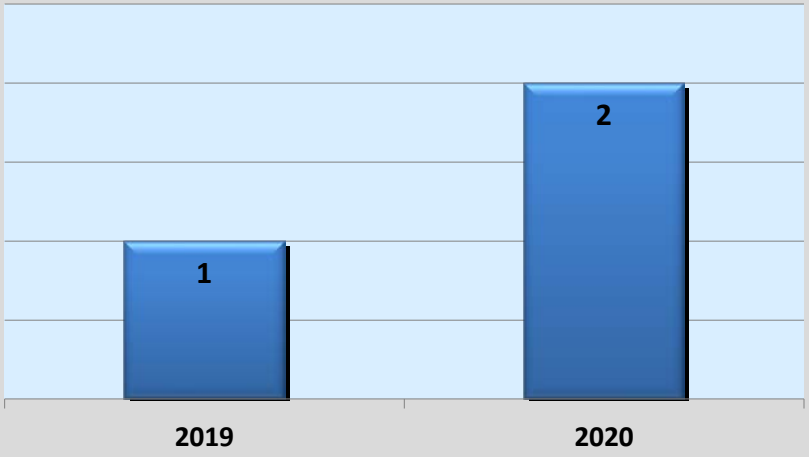
Assault & Battery Comparison



Mental Subject Transports Comparison



Armed Robbery Comparison



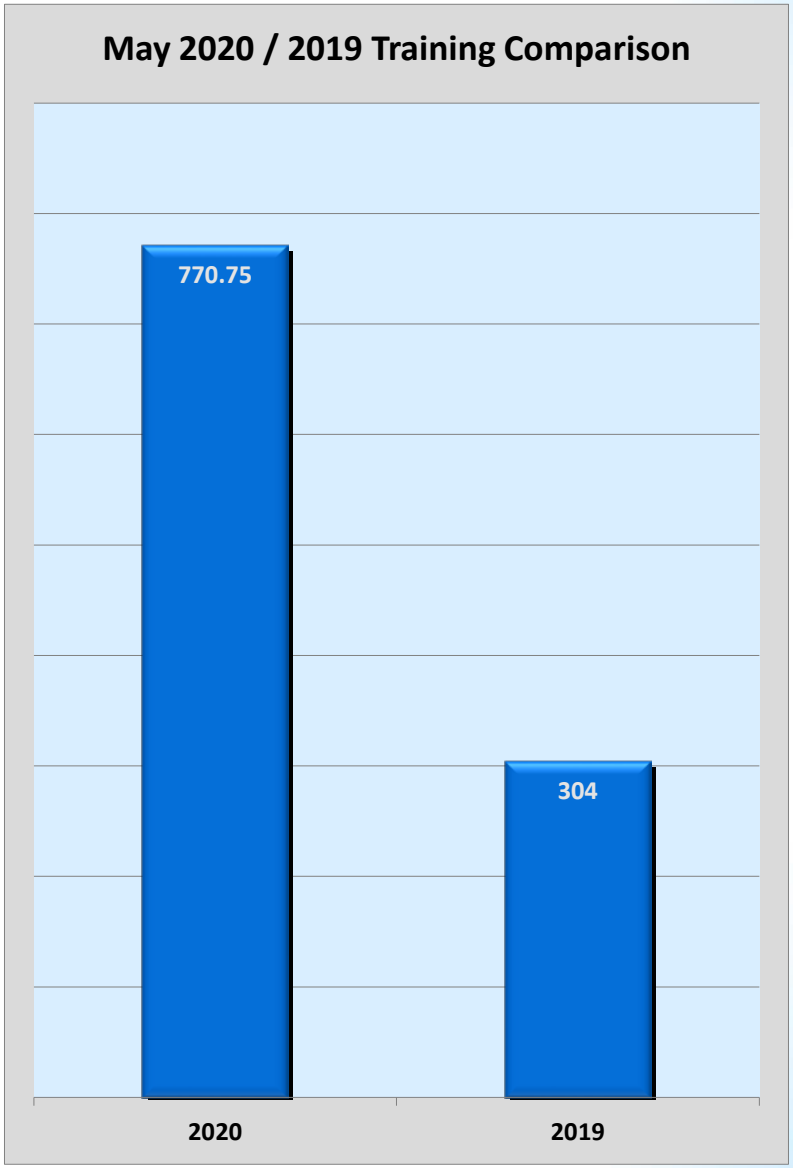
Department Highlights

Training – In-House
Recruit Pre- Service Training hours - 673 hrs.

(ACADIS Training) – 1 hour
- Lineup Training 2020 (May-June)

Training – Outside
Special Basic Academy – 97.75 hrs.

Marine Patrol
May 2nd – 0800 – 1830 – Robson/George
May 3rd – 0800 – 1830 – Robson (bad weather checked docks)
May 4th – 0800 – 1100 – Robson (boat repair)
May 5th – 0800 – 1830 – Robson
May 6th – 0800 – 1830 – Robson
May 7th – 0800 – 1830 – Robson/Grant
May 8th – 0800 – 1830 – Robson/Grant
May 9th – 0800 – 1830 – Robson/Grant
May 14th – 0800 – 1830 – Robson/Grant
May 15th – 0800 – 1830 – Robson/Grant
May 16th – 0800 – 1830 – Robson/Grant
May 17th – 0800 – 1830 – Robson/Grant
May 22nd – 0800 – 1830 – Robson/Brown
May 23rd – 0800 – 1830 – Robson/Brown
May 24th – 0800 – 1830 – Robson/Brown
May 25th – 0800 – 1830 – Robson/Brown (Memorial Day)
May 28th – 0800 – 1830 – Robson/Brown
May 29th – 0800 – 1830 – Robson
May 30th – 0800 – 1830 – Robson/Brown



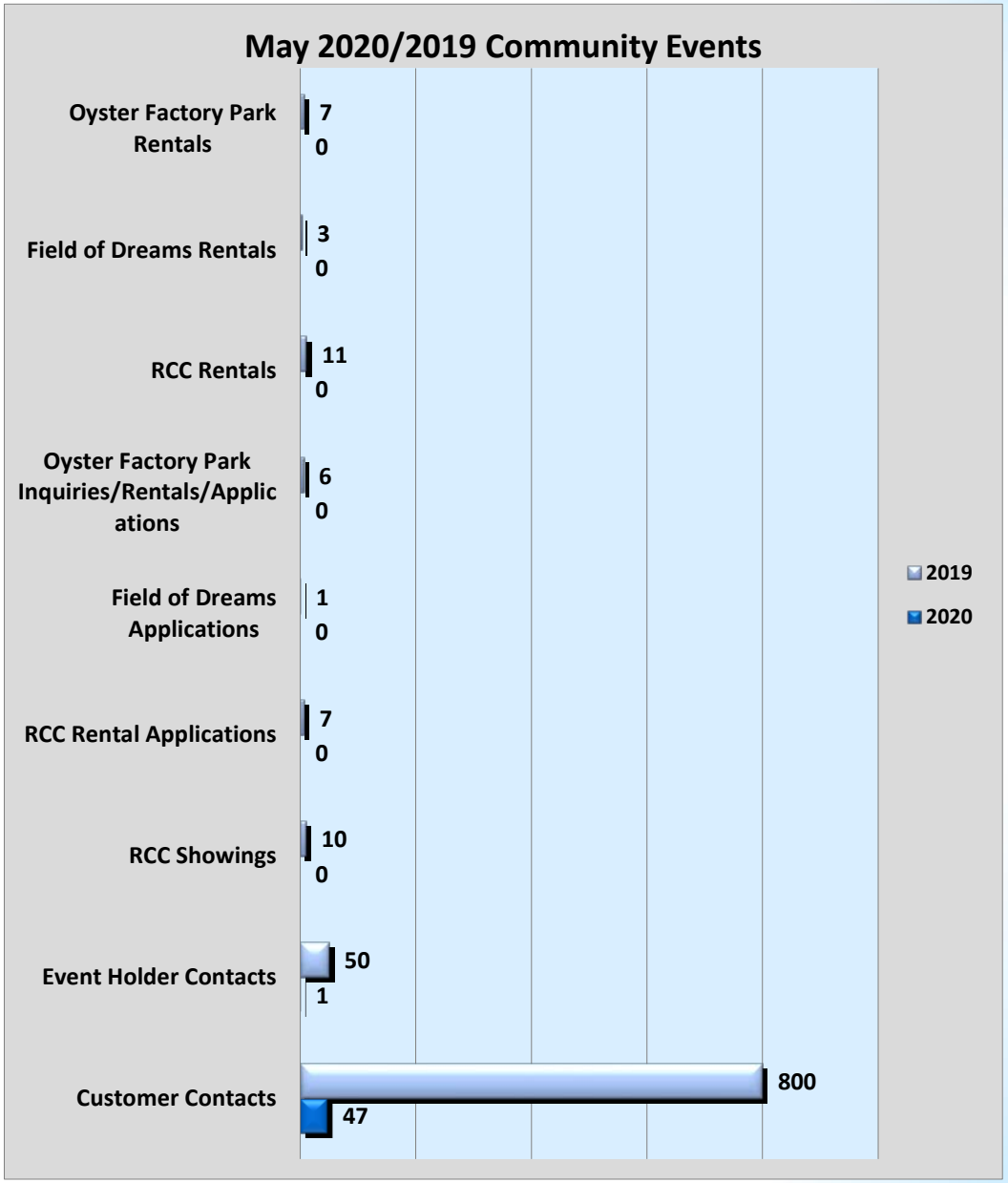
Department Highlights

Marine Patrol continued
Total Community Hours: 129 hrs.
Total Man Hours Operator and Crew: 443 hrs.
Community Contacts: 940
Extra Patrols of Area Landings: 18
Safety Checks: 1
Vessel Stops: 0
Stranded Boaters Assist: 3
Pounds of Trash removed from May River: 1 lb.

Community Events
Customer Contacts: 47 (phone & email only)
Event Holder Contacts: 1 (phone & email only)
RCC Showings: 0
RCC Rental Applications: 0
Rotary Community Center (RCC) rentals: 0
Field of Dreams Applications: 0
Field of Dreams Rentals: 0
Oyster Factory Park Inquiries/Rentals/Applications: 0
Oyster Factory Park (OFP) rentals: 0
Community Events Applications Submitted: 0

Community Events

Due to COVID-19 All other extra duties, and rentals were cancelled



Patrol Division

CALLS FOR SERVICE TOP 10 CALL TYPES	
Extra Pat Busin	4242
Extra Pat Resid	1243
Traffic Stop	219
Activated Alarm	147
911 Hang-Up	140
Disturbance	98
Case Follow Up	76
Domestic	59
Susp Vehicle	52
Accident	44

Total Calls for Service: 7310

Avg per day: 261

UNIFORM TRAFFIC CITATIONS TOP 10 VIOLATIONS	
Speeding15mph-24mph & mor	39
DUS/notsuspforDUI-1st & m	9
Exp or Unreg Lice Plate &	8
Speeding 11mph-15mph & mo	7
Driving without a License	6
Parking Other-In Comments	5
Speeding25MphOrMore & mor	5
L/Plate;NoTag & more	5
Uninsured Vehicle & more	3

Total Traffic Citations Issued: 116

WARNING CITATIONS TOP 10 VIOLATIONS	
Speeding	41
Defective Equipmnt	12
Disregrd Stop Sign	11
Vehcle Licnse Viol	10
Speeding & more	6
Other	5
Improper Lane Use	5
Improper Turn	4
Defective Equipmnt & more	3
Disrgrd Traf Signl	3

Total Warning Citations Issued: 143

WARRANTS SERVED	
Burglary Non-Violent-2nd	1
RSG Value $2K or less	2
Unlawful Carry of Pistol	2

Criminal Investigation Division

CRIMINAL INVESTIGATIONS	
Cases Assigned	31
Incident Reports Taken	2
Supplemental Reports	29
Cases Closed	16
Arrests Made	5
Arrest Warrants	8
Bond Court	5
Case Call Outs	2
Search Warrants	3

Main Cases May 2020:
20BP30740 Armed Robbery / Pending Arrest
20BP30991 Armed Robbery
20BP35822 Criminal Sexual Conduct alleged
20BP34706 Criminal Sexual Conduct

Case Call Outs May 2020:
20BP37379 Burglary
20BP31949 Unlawful Carry/RSG/Possession of Stolen Firearm

Bond Court May 2020:
19BP13869 Burglary
20BP30194 Assault & Battery 3rd
20BP28272 Domestic Violence 2nd
20BP31949 Unlawful Carry/RSG/Possession of Stolen Firearm
20BP36969 Assault & Battery 3rd

Training May 2020:
None

DRUG TASK FORCE	
Cases -	6
Incident Reports	6
Supplements	3
Crime stoppers	2
BPD Vice/Drug Reports Assigned	0
Searches Vehicles	5
Search Warrants	0
Arrests	9
Arrest Warrants	8
Controlled Buys	1
Traffic Stops	5
UTT's – 6 County tickets – 8 Warnings - 4	18
Assist Other Agency	0

Drugs Seized (grams):
Marijuana: 41/g
Cocaine: .3/g
Crack Cocaine: 1.4/g

Charges:
Sale and Distribution of Marijuana: 1
PWITD Marijuana: 1
Possession of Crack Cocaine: 2
Simple Possession of Marijuana: 3

Searches:
Vehicle - 5
Residence – 0

Money Seizure:
0

Weapons Seized:
0

CAREER CRIMINAL UNIT	
Cases Assigned	6
Incident Reports Taken	3
Supplemental Reports	6
Cases Closed	1
Arrests Made	
Arrest Warrants	
Bond Court	
Case Call Outs	1
Search Warrants	1

CCU Ongoing Cases:
19BP52519 – Confidential Case (Conspiracy)
19BP52996- Attempted Murder
20BP26435- Confidential Case (Conspiracy)
20BP36155- Assisting Another Agency (HIS/DEA)
Service of 2 Federal Search Warrants related to firearms and narcotics trafficking. Seized approximately 13 firearms and a large quantity of Heroin, Cocaine and Marijuana. Seized approximately $124.000.00 in currency so far. Case ongoing.

CCU/CID Case Call Outs:
20BP37379- Burglary

Bond Court:

Digital Forensic Extractions:

Community Action Team

Traffic Officer:
Cpl. Dickson
Tickets: 49
Warnings: 9
Total Citations: 58
Collision Reports: 5
Incident Reports: 0

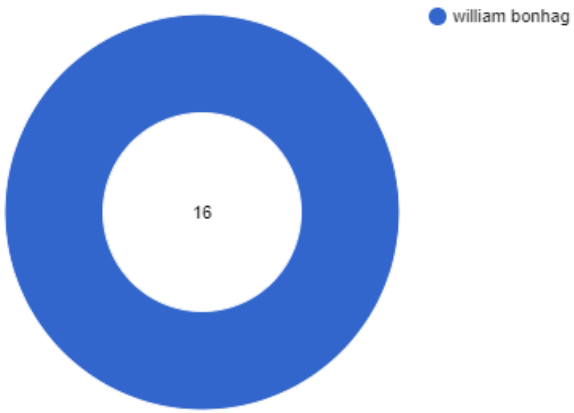
Downtown Traffic Stats:
Tickets: 8
Warnings: 1
Truck Route: 0
Parking Tickets: 0

Code Enforcement:

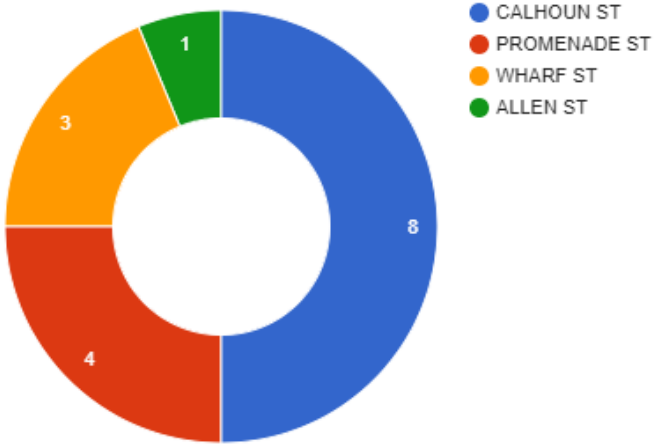
No data available due to no Code Enforcement Officer at this time.

Community Service Assistants – May 2020

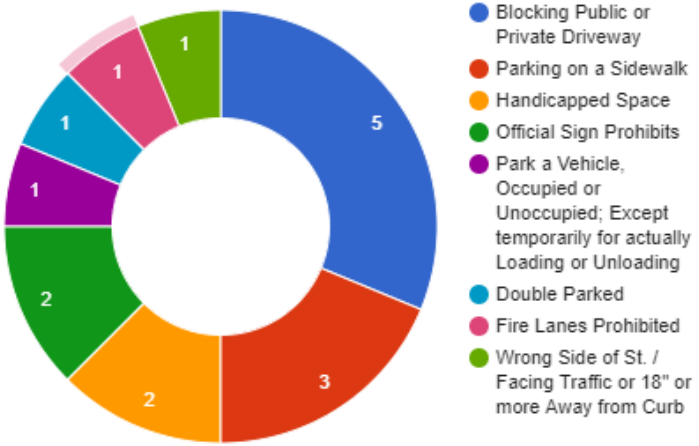
Tickets By Officer May. 2020



Tickets By Location May. 2020



Tickets By Violation May. 2020



Bluffton Community Contacts

May 2, 9, 16, 23 and 30 - Officers have helped prepare and deliver meals to Bluffton neighborhoods. This is a partnership with numerous volunteers and the Bible Missionary Baptist Church.

Commendations . . .

From: [redacted] <[redacted]
Sent: Sunday, May 3, 2020 11:20 AM
To: Chapmond, Christopher <cchapmond@townofbluffton.com>
Cc: SChandler@TownofBluffton.com; Bonhag, Bill <bbonhag@townofbluffton.com>
Subject: Thank you!

WARNING!
This email originated from outside of the Town of Bluffton's email system. DO NOT click any links or open any attachments unless you recognize the sender and know the content is safe.

Good Morning Chief Chapmond,

During these crazy Covid times, I thought you might like nice feedback about one of your staff members who made our visit to Bluffton very pleasant yesterday.

My wife and I arrived from HHI by boat at your public dock with new friends who recently relocated here from CA. We had a picnic lunch to enjoy fresh air and day.

We apparently did not pay enough attention to signs, because we ended up on a bench in shaded area of Freedman's Cottage not realizing park was closed.

After we'd gotten settled, we were approached by Mr. Bonhag who started by politely saying "this is difficult part of my job, but unfortunately I must tell you that park is closed and we would not be able to stay there for picnic."

Although we were disappointed, Mr. Bonhag could not have been more friendly and courteous as he explained and we discussed Covid situation, and he went further by welcoming/inviting us back to Bluffton in the future.

Trying times demonstrate that even when things are not ideal, interactions can still be positive, and Bluffton is fortunate to have Mr. Bonhag as an ambassador.

We definitely look forward to returning to Bluffton, and seeing him again!

Sincerely,
Tom/Kim Kennedy, and our friends Dale/Najia Chipman

Commendations . . .

From: [redacted] <[redacted]com>
Sent: Saturday, May 2, 2020 9:36 PM
To: Chapmond, Christopher <cchapmond@townofbluffton.com>
Subject: Officer Harden

WARNING!

This email originated from outside of the Town of Bluffton's email system. DO NOT click any links or open any attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Good evening Chief Chapmond,

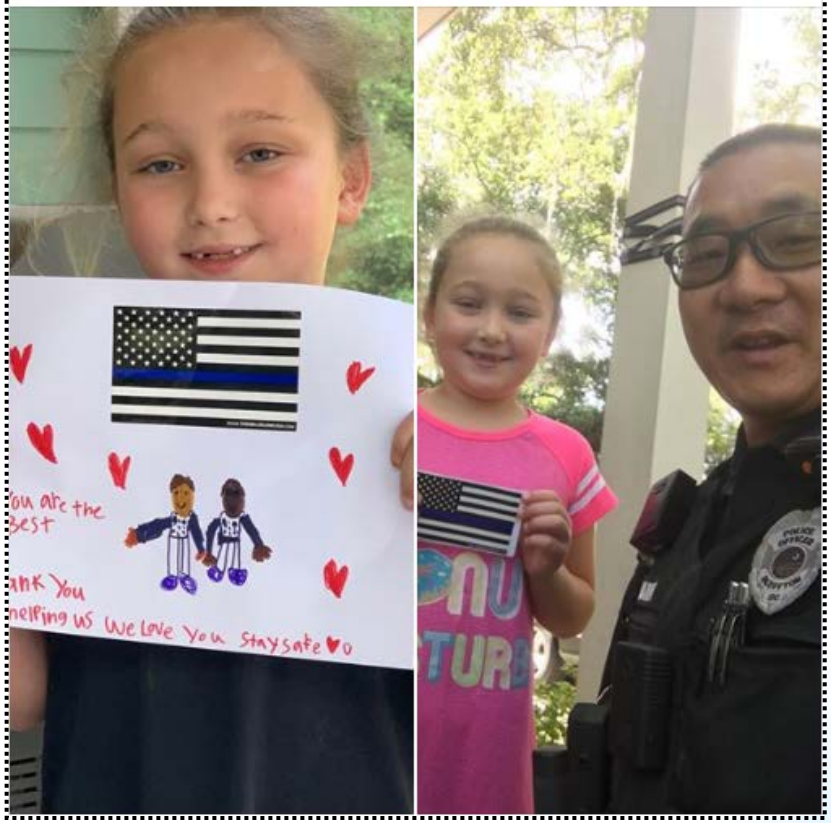
My name is Jason Williams and I live at 89 8th Avenue. My wife and I recently called in a complaint about a man who sold us a golf cart and appeared to be ripping us off for it after taking it back to perform service on it, then failing to return it for 2 months. Officer Harden was assigned to our case and he went above and beyond giving this the time and attention it needed to get resolved. At one point we could not even get the man on the phone and had nearly given up on retrieving back our golf cart or the near 5k we spent on it. Not only did he reach the guy, he was able to orchestrate a supervised drop off of our equipment and help us to not take a loss. He was always easy to reach, followed up promptly on questions we had about the case, and showed up to our home to help navigate a frustrating situation for us the day of drop off. The guy we were dealing with was obviously trying to get one over on us and Officer Harden was very persistent about keeping him accountable for returning our cart. I am completely understanding that losing a golf cart is not an emergency related call but at no point did he ever make us feel like it wasn't important to resolve. You have a good officer on your team and I hope you don't mind I reached out to you directly like this to give him the credit he deserves. I found the email address on the town website. We appreciate it!

Sincerely,

Jason and Heather Williams

Bluffton Police Department
May 9 at 5:13 PM ·

Addison's brother had his bike stolen yesterday. Thanks to the hard work by Officer Terry Harden he was able to locate the bicycle, charge the people who took it, and returned the bike to him. Addison was also given a sticker from Officer Harden. Addison was so thankful she made us a picture. Thank you sweet Addison.



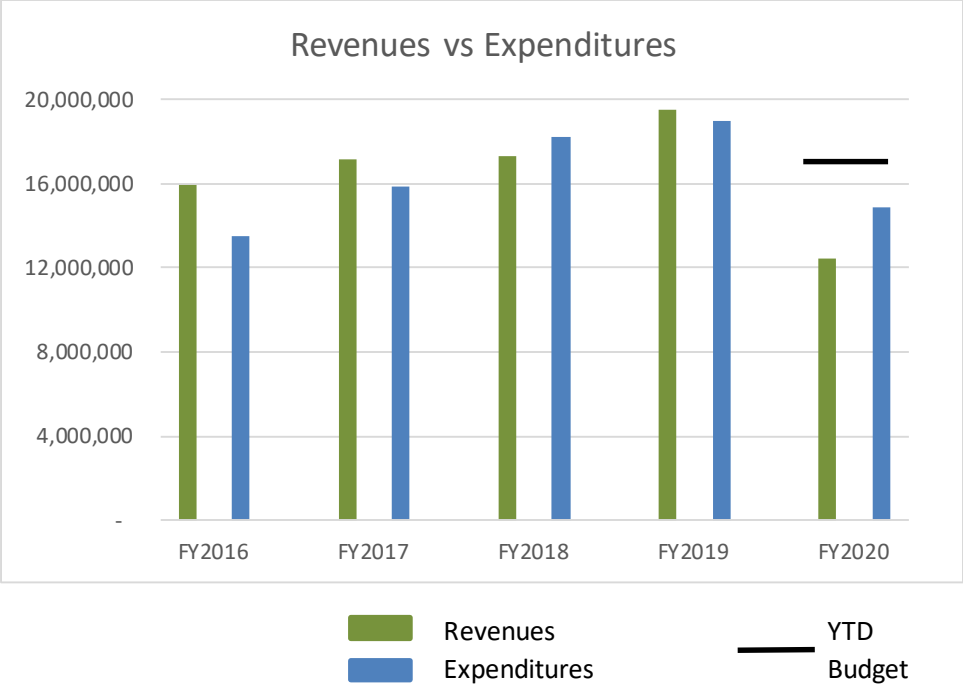
TOWN COUNCIL

STAFF REPORT
Finance & Administration Department

MEETING DATE:	June 9, 2020
PROJECT:	Consent Agenda: Year-to-date Financial Report
PROJECT MANAGER:	Chris Forster, MPA, CPFO, CGFM, Director of Finance & Administration

General Fund Financial Overview:

The chart below shows the revenue collections and expenditures trend for the last four full years and FY2020 year-to-date (YTD) through April 2020. Revenues have been higher than expenditures the last four full years except for FY2018 which reflects a budgeted use of fund balance transferred to the Capital Improvements program fund for the Town Hall renovation project.



FY2020 YTD through April shows revenues and expenditures below the YTD budget amount. Many License and Permit Fee (Franchise, MASC Insurance, etc.) revenues are not received until the end of the fourth fiscal quarter and annual expenditures are not due until the end of the second fiscal quarter.

Property tax collections are up from prior year as expected with 98% of the current budget collected. Licenses and Permits are down $1,078k, Business License down $800k from prior year (approximately a one-month lag), Building permits are down $245k (April collections down $85k) and MASC payment for

Telecommunications and Insurance have been delayed until May. Service Revenues are down $320k from prior year, development fees down $290k and contract police services down $25k.

FY20 General Fund Financial Overview

Revenues		Expenditures
$12.4m		$14.9m
61.7%	*% of Budget*	73.7%
$16.8m	83%	$16.8m

The budget and actual reports for the period ending April 2020 are attached for the following funds:

- General Fund
- Stormwater Fund
- Capital Improvements Program Fund
- Debt Service Fund

ATTACHMENTS:

1. General Fund
2. Stormwater Fund
3. Capital Improvement Program Fund
4. Debt Service Fund
5. Business License Statistics

Town of Bluffton
Budget and Actual - General Fund
For Period Ending April 30, 2020

	Prior YTD Actual	YTD Actual	Adopted Budget	Budget Amendments and Transfers	Revised Budget	Actual vs Budget Difference	Actual as % of Budget
Revenues							
Property Taxes	$ 5,655,850	$ 6,154,206	$ 6,300,000	$ -	$ 6,300,000	$ (145,794)	97.7%
Licenses & Permits							
Business Licenses	2,027,385	1,223,626	2,100,000	-	2,100,000	(876,374)	58.3%
MASC Telecommunications	72,338	-	70,000	-	70,000	(70,000)	0.0%
MASC Insurance Tax Collection	127,781	-	2,200,000	-	2,200,000	(2,200,000)	0.0%
Franchise Fees (electric, gas, water, telephone, cable)	894,872	1,069,055	2,600,000	-	2,600,000	(1,530,945)	41.1%
Building Safety Permits	2,257,424	2,025,417	2,350,000	-	2,350,000	(324,583)	86.2%
Application Fees	75,940	59,282	80,000	-	80,000	(20,718)	74.1%
Administrative Fees	-	-	44,000	-	44,000	(44,000)	0.0%
Total Licenses & Permits	5,455,740	4,377,380	9,444,000	-	9,444,000	(5,066,620)	46.4%
Intergovernmental	461,202	422,693	721,395	111,670	833,065	(410,372)	50.7%
Service Revenues	991,224	673,358	965,000	-	965,000	(291,642)	69.8%
Fines & Fees	166,415	129,377	230,000	-	230,000	(100,623)	56.3%
Miscellaneous Revenues	247,243	162,498	180,000	-	180,000	(17,502)	90.3%
Total Revenues	12,977,674	11,919,512	17,840,395	111,670	17,952,065	(6,032,553)	66.4%
Other Financing Sources	-	-	524,735	(74,735)	450,000	(450,000)	0.0%
Transfers In	570,833	530,059	1,667,670	119,379	1,787,049	(1,256,990)	29.7%
Total Other Financing Sources & Tranfers In	570,833	530,059	2,192,405	44,644	2,237,049	(1,706,990)	23.7%
Total Revenues and Other Financing Sources	$ 13,548,507	$ 12,449,571	$ 20,032,800	$ 156,314	$ 20,189,114	$ (7,739,543)	61.7%
Expenditures							
Town Council	$ 133,999	$ 122,508	$ 219,905	$ -	$ 219,905	$ (97,397)	55.7%
Executive	636,718	734,556	938,218	9,155	947,373	(212,817)	77.5%
Economic Development	236,078	298,364	405,120	-	405,120	(106,756)	73.6%
Human Resources	245,405	297,735	384,295	3,386	387,681	(89,946)	76.8%
Police	3,616,382	5,764,015	7,270,955	64,504	7,335,459	(1,571,444)	78.6%
Municipal Judges	43,581	44,609	56,763	-	56,763	(12,154)	78.6%
Municipal Court	244,845	303,773	350,774	109	350,883	(47,110)	86.6%
Finance	699,351	713,258	957,355	3,613	960,968	(247,710)	74.2%
Information Technology	1,207,229	952,694	1,173,018	3,620	1,176,638	(223,944)	81.0%
Customer Service	161,459	157,242	296,140	(68,309)	227,831	(70,589)	69.0%
Planning & Community Development	854,739	824,477	1,142,640	141,378	1,284,018	(459,541)	64.2%
Building Safety	481,808	542,397	768,540	4,041	772,581	(230,184)	70.2%
Project Management	667,627	674,961	1,037,990	(70,043)	967,947	(292,986)	69.7%
Public Works	1,181,025	1,290,397	1,857,617	29,131	1,886,748	(596,351)	68.4%
Non-Departmental (Townwide)	934,069	1,421,934	2,181,800	(1,500)	2,180,300	(758,366)	65.2%
Total Expenditures	11,344,315	14,142,918	19,041,130	119,085	19,160,215	(5,017,297)	73.8%
Other Financing Uses							
Transfers Out to Capital Improvements Program Fund	-	843,348	991,670	37,229	1,028,899	(185,551)	82.0%
Total Transfers	-	843,348	991,670	37,229	1,028,899	(185,551)	82.0%
Total Expenditures and Other Financing Uses	$ 11,344,315	$ 14,986,266	$ 20,032,800	$ 156,314	$ 20,189,114	$ (5,202,848)	74.2%

Town of Bluffton
Budget and Actual - Stormwater Utility Fund
For Period Ending April 30, 2020

	Prior YTD Actual	YTD Actual	Adopted Budget	Budget Amendments and Transfers	Revised Budget	Actual vs Budget Difference	Actual as % of Budget
Revenues							
Licenses & Permits							
Stormwater Fees	$ 1,455,893	$ 1,439,146	$ 1,381,295	$ -	$ 1,381,295	$ 57,851	104.2%
Total Licenses & Permits	1,455,893	1,439,146	1,381,295	-	1,381,295	57,851	104.2%
Intergovernmental							
County Funds	15,000	-	65,000	-	65,000	(65,000)	0.0%
Total Intergovernmental	15,000	-	65,000	-	65,000	(65,000)	0.0%
Miscellaneous Revenues							
Miscellaneous	-	1,400	-	-	-	1,400	n/a
Total Miscellaneous Revenues	-	1,400	-	-	-	1,400	n/a
Total Revenues	1,470,893	1,440,546	1,446,295	-	1,446,295	(5,749)	99.6%
Other Financing Sources							
Prior Year Fund Balance	-	-	605,400	(28,943)	576,457	(576,457)	0.0%
Total Other Financing Sources	-	-	605,400	(28,943)	576,457	(576,457)	0.0%
Total Revenues and Other Financing Sources	$ 1,470,893	$ 1,440,546	$ 2,051,695	$ (28,943)	$ 2,022,752	$ (582,206)	71.2%
Expenditures							
Operating							
Watershed Management	$ 705,683	$ 862,756	$ 1,320,973	$ -	$ 1,320,973	$ (458,217)	65.3%
Total Operating Expenditures	705,683	862,756	1,320,973	-	1,320,973	(458,217)	65.3%
Total Expenditures	705,683	862,756	1,320,973	-	1,320,973	(458,217)	65.3%
Other Financing Uses							
Transfers Out							
Capital Improvements Program Fund	126,911	54,704	670,722	(28,943)	641,779	(587,075)	8.5%
General Fund	36,737	-	60,000	-	60,000	(60,000)	0.0%
Total Transfers	163,648	54,704	730,722	(28,943)	701,779	(647,075)	7.8%
Total Expenditures and Other Financing Uses	$ 869,331	$ 917,460	$ 2,051,695	$ (28,943)	$ 2,022,752	$ (1,105,292)	45.4%

Town of Bluffton
Budget and Actual - Capital Improvement Program Fund
For Period Ending April 30, 2020

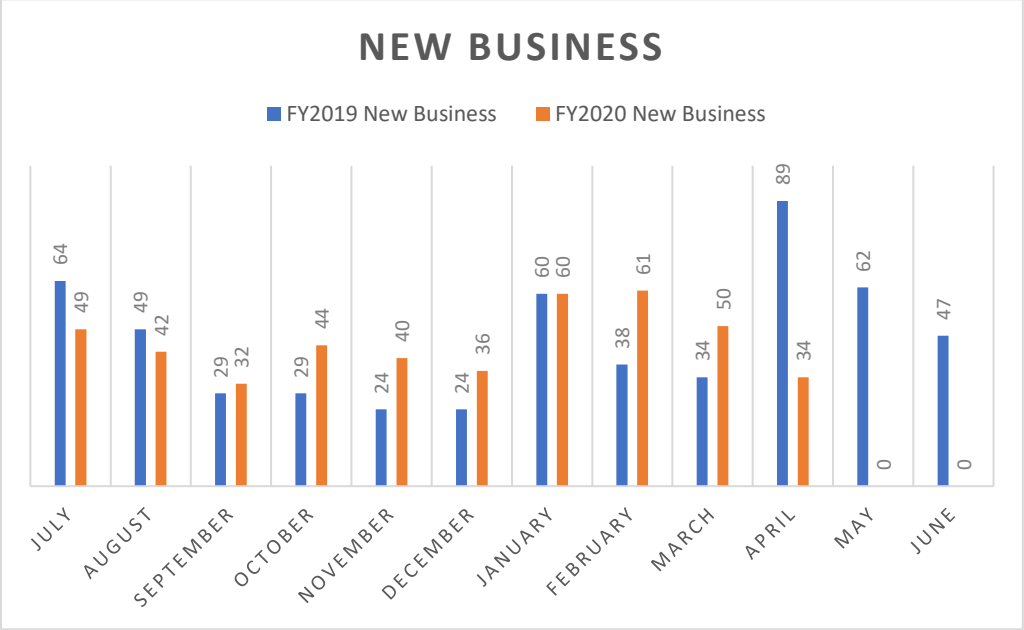
		YTD Actual	Adopted Budget	Budget Amendments and Transfers	Revised Budget	Actual vs Budget Difference	Actual as % of Budget
	Infrastructure						
00040	Buckwalter Place Multi-County Commerce Park	$ 396,771	$ 975,060	$ 109,238	$ 1,084,298	$ 687,527	36.6%
00042	Calhoun Street Streetscape	16,746	293,115	29,599	322,714	305,968	5.2%
00050	Historic District Lighting, Signage, Parking & Streetscape Enhancements	38,342	164,500	64,272	228,772	190,430	16.8%
00052	Watershed Management Facility Improvements	11,450	-	13,343	13,343	1,893	0.0%
00055	Goethe - Shults Neighborhood Improvements Phase 2	61,780	140,952	10,475	151,427	89,647	40.8%
00059	Oyster Factory Park	9,730	84,250	6,558	90,808	81,078	10.7%
00060	Don Ryan Center for Innovation Upfit	306,397	260,338	175,000	435,338	128,941	70.4%
00062	Calhoun Street Regional Dock	3,470	705,993	49,862	755,855	752,385	0.5%
00063	68 Boundary Street Park	676,127	528,957	189,819	718,776	42,649	94.1%
00064	184 Bluffton Road Parking Improvements	240,085	50,000	237,028	287,028	46,943	83.6%
00069	Boundary Street Lighting	821	-	116,118	116,118	115,297	0.0%
00077	Law Enforcement Center Facility Improvements	10,150	22,300	3,637	25,937	15,787	39.1%
00078	Public Works Facility Improvements	12,280	12,440	-	12,440	160	98.7%
00079	Rotary Community Center Facility Improvements	16,349	21,900	7,489	29,389	13,040	55.6%
00082	Bridge Street Streetscape	30,463	67,848	-	67,848	37,385	44.9%
00085	New Riverside Park / Barn Site	46,701	100,000	-	100,000	53,299	46.7%
00088	Town Hall Improvements	65,444	71,300	-	71,300	5,856	91.8%
00089	Ulmer Auditorium Improvements	143,515	151,058	-	151,058	7,543	95.0%
00092	New River Trail	30,094	41,000	-	41,000	10,906	73.4%
00093	Ghost Roads	39,453	-	49,000	49,000	9,547	0.0%
	Total Infrastructure	**2,156,168**	**3,691,011**	**1,061,438**	**4,752,449**	**2,596,281**	**45.4%**
	May River & Surrounding Rivers and Their Watersheds						
00041	Buck Island - Simmonsville Sewer Phase 4	-	-	46,183	46,183	46,183	0.0%
00044	Buck Island - Simmonsville Sewer Phase 5	127,339	1,234,000	496,756	1,730,756	1,603,417	7.4%
00045	Jason-Able Sewer	740	-	191,739	191,739	190,999	0.4%
00054	Buck Island - Simmonsville Neighborhood Sidewalks & Lighting	117,745	393,185	139,189	532,374	414,629	22.1%
00061	Sewer Connections	66	281,384	-	281,384	281,318	0.0%
00070	Historic District Sewer Extension Phase 1	6,953	680,695	(13,414)	667,281	660,328	1.0%
00071	Historic District Sewer Extension Phase 2	-	5,000	30,845	35,845	35,845	0.0%
	Total May River & Surrounding Rivers and Their Watersheds	**252,843**	**2,594,264**	**891,298**	**3,485,562**	**3,232,719**	**7.3%**
	Economic Growth						
00020	Land Acquisition	18,563	500,000	11,949	511,949	493,386	3.6%
00087	Town of Bluffton Housing Project	-	750,000	33,592	783,592	783,592	0.0%
00090	Technical College of the Lowcountry	-	500,000	-	500,000	500,000	0.0%
	Total Economic Growth	**18,563**	**1,750,000**	**45,541**	**1,795,541**	**1,776,978**	**1.0%**
	Community Quality of Life						
00065	Wright Family Park	796,286	1,174,717	199,897	1,374,614	578,328	57.9%
00066	Oscar Frazier Park	22,468	62,000	-	62,000	39,532	36.2%
00067	Squire Pope Carriage House Preservation	60,000	50,000	26,350	76,350	16,350	78.6%
00081	Garvin-Garvey House Interpretive Signage	18,133	43,518	-	43,518	25,385	41.7%
00084	Veterans Memorial at Buckwalter Place	208,430	166,610	-	166,610	(41,820)	125.1%
00086	Park Improvements	5,113	79,000	-	79,000	73,887	6.5%
00091	Community Safety Cameras Phase 5	57,230	50,350	9,277	59,627	2,397	96.0%
	Total Community Quality of Life	**1,167,660**	**1,626,195**	**235,524**	**1,861,719**	**694,059**	**62.7%**
	Total CIP Expenditures	**$ 3,595,234**	**$ 9,661,470**	**$ 2,233,801**	**$ 11,895,271**	**$ 8,300,037**	**30.2%**

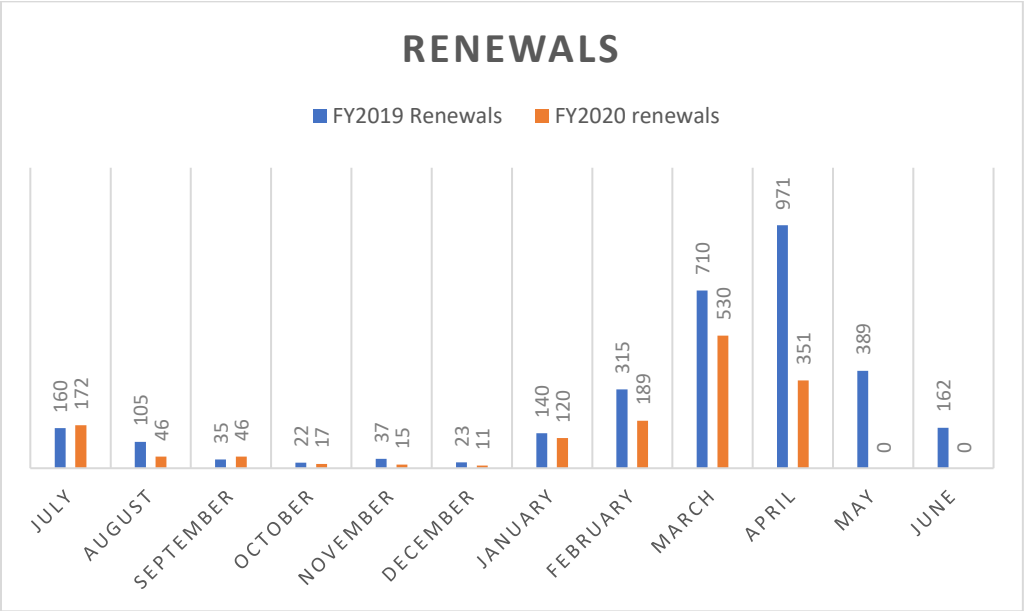
Town of Bluffton
Budget and Actual - Debt Service Fund
For Period Ending April 30, 2020

	Prior YTD Actual	YTD Actual	Original Budget	Budget Amendments and Transfers	Current Budget	Actual vs Budget Difference	Actual as % of Budget
Revenues							
Property Taxes							
TIF District	$ 1,752,039	$ 2,454,760	$ 2,299,500	$ -	$ 2,299,500	$ 155,260	106.8%
GO BABs	455,154	557,846	556,500	-	556,500	1,346	100.2%
Total Property Taxes	2,207,193	3,012,606	2,856,000	-	2,856,000	156,606	105.5%
Licenses, Permits & Fees							
MID Fee	216,812	278,775	245,175	-	245,175	33,600	113.7%
Intergovernmental							
Federal Interest Rebate	100,401	94,802	92,300	-	92,300	2,502	102.7%
Miscellaneous							
Interest	1,462	6,063	2,000	-	2,000	4,063	303.2%
Total Revenues	2,525,868	3,392,246	3,195,475	-	3,195,475	192,708	106.2%
Other Financing Sources							
Prior Year Fund Balance	-	-	-	-	-	-	0.0%
Proceeds from Bond Issuance	-	-	-	-	-	-	100.0%
Total Other Financing Sources	-	-	-	-	-	-	100.0%
Total Revenues and Other Financing Sources	$ 2,525,868	$ 3,392,246	$ 3,195,475	$ -	$ 3,195,475	$ 196,771	106.2%
Expenditures							
Series 2014 TIF Bonds Debt Service							
Principal	$ 748,268	$ 787,895	$ 787,895	$ -	$ 787,895	$ -	100.0%
Interest	96,533	76,975	143,786	-	143,786	(66,811)	53.5%
Series 2010 GO Build America Bonds Debt Service							
Principal	235,000	245,000	245,000	-	245,000	-	100.0%
Interest	307,625	288,615	288,615	-	288,615	-	100.0%
Miscellaneous	-	-	50	-	50	(50)	0.0%
Total Expenditures	1,387,426	1,398,485	1,465,346	-	1,465,346	(66,861)	95.4%
Other Financing Uses							
Transfers Out							
Capital Improvements Program Fund	130,641	136,790	968,764	289,307	1,258,071	(1,121,281)	10.9%
Contribution to Fund Balance	-	-	761,365	(289,307)	472,058	(472,058)	0.0%
Total Transfers	130,641	136,790	1,730,129	-	1,730,129	(1,593,339)	7.9%
Total Expenditures and Other Financing Uses	$ 1,518,067	$ 1,535,275	$ 3,195,475	$ -	$ 3,195,475	$ (1,660,200)	48.0%

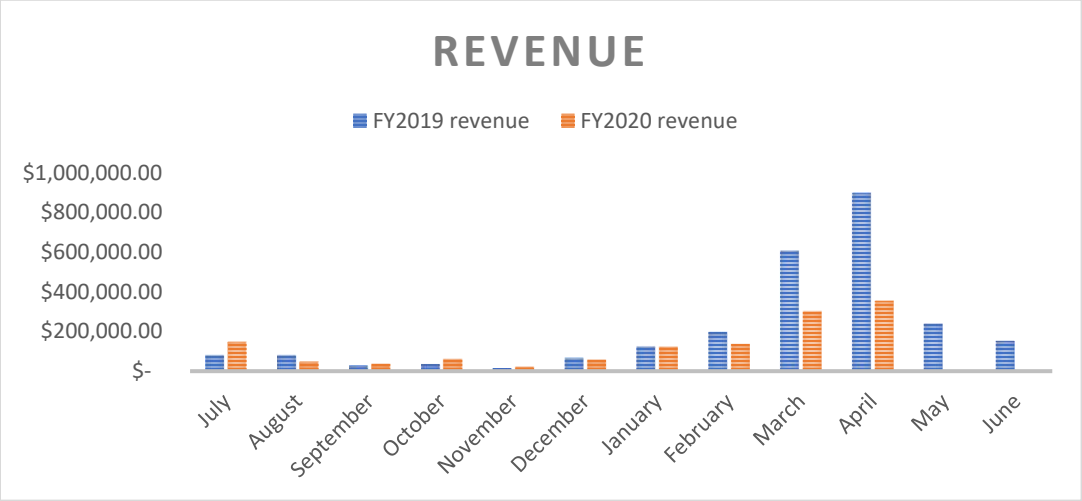
Business License Statistics:

Business License applications for FY2020 through April total 1945 (448 new business and 1497 renewals) compared to FY2019's total of 2,958 (440 new business and 2,518 renewals).





Business license renewals have decreased by 64% and revenue collections declined by 61% for the month of April when comparing to last year due to the impacts of COVID-19 and the extension of the renewal due date.



The amended ordinance that went into effect January 1st, 2019 included additional incentives for new businesses and businesses with multiple locations within the Town. In April, ninety-four (95) businesses qualified for the Town's incentives, with one of those businesses qualifying for more than one, for a total revenue reduction of $37,856.14 in fiscal year 2020.

Incentive	Number of Businesses	Gross Income Deducted	Total Incentive Amount
10%	27	$ 5,833,176	$ 6,038
20%	30	728,965	1,005
40%	35	2,998,629	3,528
CAP	2	24,426,295	24,426
2+	2	2,858,501	2,859
Grand Total	**96**	**$ 36,845,566**	**$ 37,856**

Rate Class	Number of Businesses	Total Incentive Amount
1	36	$ 24,574
2	21	1,936
3	18	1,491
4	0	0
5	3	336
6	2	34
7	1	147
8.1	12	252
8.5	3	9,086
8.6	0	0
Grand Total	**96**	**$ 37,856**

TOWN COUNCIL

STAFF REPORT
Municipal Court Department

MEETING DATE:	June 9, 2020
PROJECT:	April Activity Report
PROJECT MANAGER:	Lisa Cunningham, Clerk of Court

Court Summary

Town of Bluffton Municipal Court convenes every Tuesday, typically with a morning session and an afternoon session. In April, 2020 a total of six sessions were postponed after the State of Emergency was declared. Therefore, any pending court hearings after March 17th were rescheduled to minimize the spread of COVID-19.

Municipal Court currently has 767 cases pending which is a combination of 666 criminal/traffic cases, 58 jury trial request, and 43 defendants enrolled in alternative programs.

Indigent Defense cases

Town of Bluffton currently contracts with the 14th Circuit Public Defenders Office to provide Indigent Defense Counsel to all defendants who meet the Annual Federal Poverty Guidelines. Year to date our Indigent Defense Attorney has 135 cases which is a combination of 103 pending and 32 disposed on the docket as of April 2020.

Alternative Programs

Defendants are sometimes offered the opportunity to complete Alternative Programs in lieu of convictions on their traffic and/or criminal record.

There are currently 12 active participates in the Conditional Discharge Program. The Conditional Discharge Program requires the completion of 40 hours of community service as well as a drug and alcohol program. Participants must also pay a program fee of $150.00 upon completion.

There are currently 13 active participants in the Alive@25 classes which are offered through the National Safety Council. Alive@25 classes are for traffic offenders under 25 years of age who have never had a traffic infraction and the current charge pending carries no more than 4 points.

Traffic Education Program referred to as TEP has 11 active participates. The TEP Program cost is $280.00 plus the cost of online driving class. It is designed for offenders who have pending moving violations except for Driving under the Influence, Driving under Unlawful Alcohol Concentration, and Reckless Driving.

Alcohol Education Program referred to as AEP has 0 active participants. AEP is only inclusive for alcohol related charges such as minor in procession of alcohol or false identification for

offenders between the ages of 17-21. AEP costs $250.00 plus the cost of online driving class and alcohol education classes.

Pre-Trial Intervention referred to as PTI has 7 active participants. PTI is a program for first-time offenders charged with non-violent crimes all charges are accepted in the program except for Driving Under Influence (DUI) or Driving under Unlawful Alcohol Concentration (DUAC). Program cost $350.00 plus the cost of online driving class, counseling and/or drug testing.

TEP, AEP, and PTI are directly managed through the Solicitors office. The Court provides a referral and the Solicitors Office provides a completion or termination report upon completion date.

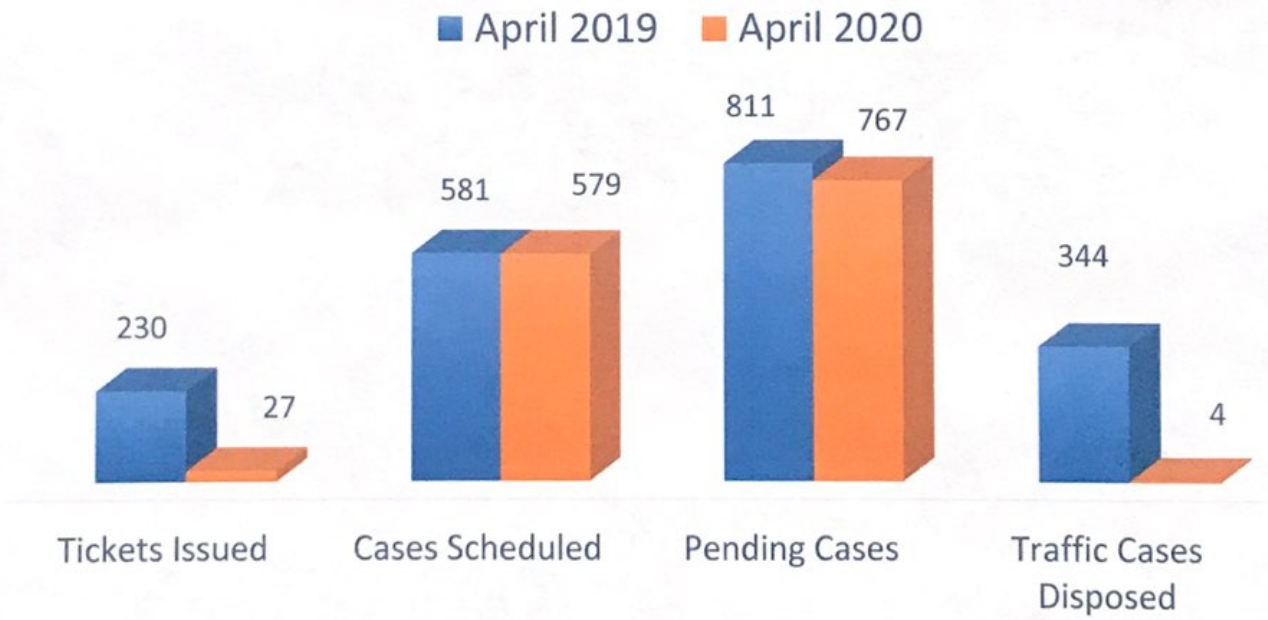
Town of Bluffton Municipal Court

Statistics for April 2020

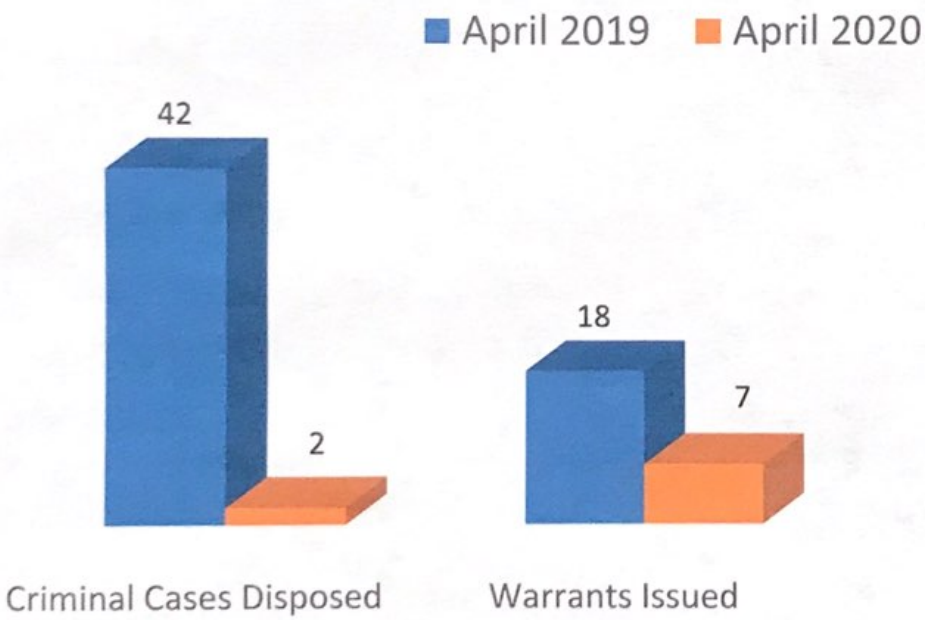
Presented by:

Lisa Cunningham, Clerk of Court

Town of Bluffton Municipal Court



Town of Bluffton Municipal Court



TOWN COUNCIL

STAFF REPORT
Engineering Department

MEETING DATE:	June 9, 2020
SUBJECT:	Engineering Department Monthly Report
PROJECT MANAGER:	Bryan McIlwee, Director of Engineering

CAPITAL IMPROVEMENTS PROGRAM (CIP) AND SPECIAL PROJECTS UPDATE

PATHWAYS

1. Goethe-Shults Sidewalks Phase 2

- Construction documents, permitting and appraisals are underway.
- **Next Steps**
  - Complete easement acquisition, permitting and construction documents in October 2020.
  - Begin construction in January 2021.

2. Buck Island-Simmonsville Neighborhood Sidewalks and Lighting

- Construction of Phase 4 sidewalks (Buck Island Road from Jennifer Court to Grayco) is complete and awaiting SCDOT approval.
- Phase 5 (Kitty Road to 301 Buck Island Road) construction is underway.
- Phase 6A (along Simmonsville Road from Grayco northward to Sugaree Drive) is under permit review.
- Phase 6B (along Simmonsville Road from Sugaree Drive northward to the existing New Mustang Road sidewalks) is under design.
- **Next Steps**
  - Phase 4 - SCDOT signoff of sidewalk construction.
  - Phase 5 - Construction (from Kitty Road to lot 310 Buck Island Road) anticipated to be completed in late Summer 2020.
  - Phase 6 - Design and construction of the remaining Simmonsville Road sidewalks, Phase 6 to be completed in FY 2021-2022.

3. Bridge Street Streetscape

- Construction documents and permitting are underway for Phase 1 streetscape (Burnt Church Road to Calhoun Street)
- **Next Steps**
  - Responding to preliminary review comments provided from SCDOT.

- Complete engineering design, street lighting plans, permitting and easement plats in FY 2020.
- Easement acquisition and bidding are proposed for FY 2021 with construction in FY 2022.

4. New Riverside Linear Trail

- FY21 parking, trail and signage improvements are complete.
- Installation of entry gate is complete.
- **Next Steps**
  - Begin planning and prepare a Conceptual Master Plan in FY 2022 pending budget approval.

SEWER & WATER

1. Buck Island-Simmonsville Sewer (Phases 5A-5E)

- Construction has started on Phase 5E (Poseys Court).
- **Next Steps**
  - Finalize the construction contract for Phase 5A-D.
  - Start house connections after the main line construction is complete.

2. Historic District Sewer Extension Phase 1 - Pritchard Street

- Project has been advertised for bid on mainline construction and connections.
- **Next Steps**
  - Obtain road ownership from SCDOT.
  - Present construction contract to Council at the June meeting.

3. Historic District Sewer Extension Phase 2 - Bridge Street

- Received SCDHEC permit to construct.
- Continue negotiations with property owners for right of entry agreements.
- **Next Steps**
  - Present request for road ownership to Town Council.
  - Obtain road ownership from SCDOT.

4. Jason-Able Neighborhood Sanitary Sewer

- A contract has been issued to Potter Construction for the sewer main to serve the additional lots fronting the May River Road.
- **Next Steps**
  - Resolve disagreement regarding easement.
  - Complete construction and project closeout.

HISTORIC DISTRICT IMPROVEMENTS

1. Boundary Street Lighting

- Phase 2 photometric plans complete.

- Received Phase 2 encroachment permit from SCDOT.
- Lighting agreements approved by Town Council in May.
- Dominion Energy has reported delays in manufacturing and shipping of fixtures and poles.
- **Next Steps**
  - Execute agreement.
  - Obtain easements as needed for Phase 2 street lighting.
  - Begin installation of street lighting in the late Summer 2020.

2. 184 Bluffton Road Renovations

- Site work, landscaping, lighting and signage complete.
- **Next Steps**
  - Install parking lot rules signs.

3. Historic District Enhancements

- Town is evaluating survey data collected along Boundary Street to prepare drainage solutions at AME Church and Boundary and Lawrence Street intersection.
- **Next Steps**
  - Implement Storm Water Management features to address drainage issues in the area.
  - Continue planning of lighting, signage, crosswalks and ADA improvements.

4. Calhoun Street Streetscape

- MKSK updated streetscape plans to incorporate alternate site furnishings and proposed Dominion Energy facilities.
- SC811 utility locate request completed and field survey made by Sea Island Surveying for inclusion into future engineering plans.
- **Next Steps**
  - Submit Streetscape Master Plans and illustrations for review at the July Town Council Workshop.
  - Meet with Dominion Energy to discuss next steps for planning of underground power.

PARK DEVELOPMENT

1. Oyster Factory Park

- Obtained draft Conceptual Master Plan and cost estimate from Witmer, Jones, Keefer**.**
- Submitted IFB for retrofitting salvaged Calhoun Street dock components at Oyster Factory.
- Garvin-Garvey interior signage is complete.
- **Next Steps**
  - Obtain bids on 6/3/20 for the relocation of salvaged Calhoun Street dock components to Oyster Factory Park.
  - Present updated Master Plan at a future Town Council Workshop.

- Begin final design of next phase of improvements per Town Council direction provided at the Workshop.
- Garvin-Garvey exterior signage to be installed in late June 2020.

2. 68 Boundary Street Park Renovations

- Park and retractable bollards complete.
- Contract approved to replace detectable warning mats with pavers.
- Completed dedication sign draft awaiting date for park opening.
- **Next Steps**
  - Install detectable warning pavers.
  - Install Martin Family sign prior to park dedication.

3. Calhoun Street Dock and Public Riverfront Access Improvements

- Began Construction of dock in May 2020.
- **Next Steps**
  - Complete construction of dock in August 2020.

4. Wright Family Park

- Stairs to bulkhead are 90% complete.
- Site work construction began in January 2020. Bulkhead, boardwalk, restroom building and parking area are substantially complete.
- Perimeter sidewalks and landscape are 75% complete.
- Site signage, and furniture are 80% complete.
- Interpretive signage design is underway.
- **Next Steps**
  - Complete sidewalks, landscape, and lighting by June.
  - Install site furnishings, warming kitchen equipment and Calhoun Street plaza in July.
  - Install additional stormwater retention and infiltration to park to accommodate drainage and erosion concerns.
  - Install driveway and obtain CO for restroom building.
  - Meters to be installed and inspected in June.
  - Install Dominion lighting in July.

5. Oscar Frazier Park

- Survey and design of perimeter sidewalks are complete.
- Obtained new bids for sidewalk construction on 2/24/20.
- **Next Steps**
  - Revised bids exceeded budget and sidewalk will be installed in FY 2021.

6. Veterans Memorial

- Project is substantially complete.
- Southern Palmetto Landscape and Grand Oaks Construction have completed punch list items.

- Engraved bricks have been installed.
- **Next Steps**
  - Install dedication plaque, tables and chairs prior to dedication.

7. New Riverside Barn/Park

- Surveying and public input sessions are complete. Survey results were presented at January TC Workshop.
- Received initial Concept Plans from consultants. Staff and Hart Howerton provided review comments.
- Requested design services from Hart Howerton to provide additional master planning and design studies.
- **Next Steps**
  - Hart Howerton to complete Conceptual Master Plan alternatives and Conceptual Architectural Plan for the Barn renovation by 6/15/20.
  - Submit grant application to LWCF for initial phase of the project by 7/1/20.
  - Present progress plans to Council at the October Workshop.
  - Complete construction drawings of Phase 1 development in FY 2021.
  - Construction anticipated in FY 2022.

TOWN FACILITIES AND MISCELLANEOUS PLANNING

1. Buckwalter Place Multi-County Commerce Park

- Playground fencing and wayfinding signage have been installed.
- Site development and landscape plans for the LEC expansion are complete and sent to permitting agencies.
- Invitation for Bid will be reissued for the LEC Expansion Site Development in June.
- Don Ryan Center for Innovation construction is complete.
- **Next Steps**
  - Complete final landscaping and punch list items at the park. Close out project in June.
  - Obtain bids for the LEC site work and prepare contract for Town Council approval in August.
  - Continue infrastructure planning for the Town's future development parcels. Final design and construction pending clarification of project scope and FY 2021 budget approval.

2. Town of Bluffton Housing Project

- Surveying and geotechnical services complete for 1095 May River Road and 115 Bluffton Road sites.
- Evaluation and interviews of proposed joint venture partners are underway.
- **Next Steps**
  - Preparation of Joint Venture Partners Agreement.
  - Planning and design to begin in FY 2021.

3. Ghost Roads

- Surveying is underway for easement exhibits.
- Pritchard Street Quit Claim Deed exhibits are complete. The Town Attorney is working on finalizing the document with Beaufort County.
- Staff is meeting with property owners to raise awareness of the acquisition efforts and communicate next steps.
- **Next Steps**
  - Continue meeting with property owners and obtaining quit claim deeds.

DIVISION/STAFF UPDATES

Project Management

Thirty-five (35) CIP projects are currently in progress. Two new parks, one parking area, one sidewalk project, one street lighting project and several improvements to existing public facilities were completed prior to the end of 2019. Additional CIP projects including Wright Family Park, Calhoun Street Dock, BIS Phase 5 sewer and BIS Phase 5 sidewalks are currently under construction. The LEC Expansion, Pritchard Street Sewer, Jason Able Sewer Extension and the Boundary Street Lighting projects are expected to start construction in the summer of 2020.

Watershed Management

1. Southern Lowcountry Regional Board (SoLoCo)

a. Southern Lowcountry Regional Stormwater Ordinance and Design Manual

- Via concurrence of the Mayor and direction by the Town Manager, staff has participated in the SoLoCo Technical Working Group to develop a regional stormwater model ordinance and design manual and investigate the viability of a regional stormwater authority.
- Final documents have been delivered for each jurisdiction's adoption.
- **Next Steps**
  - Final documents are being reviewed by Staff for consistency with the Unified Development Ordinance. Legal review will follow.

b. Sea Level Rise Task Force

- Following Beaufort County's presentation and request for regional participation at the 10/22/19 SoLoCo meeting, staff is attending the Sea Level Rise Task Force meetings to discuss a possible No Fill Ordinance and county-wide adaptation strategies.
- **Next Steps**
  - Bi-weekly meetings continue to discuss projected impacts of sea level rise on the region with a focus on ways that local government can respond through policies, ordinances and projects to mitigate the projected impacts of sea level rise.

2. Joint Councils Meeting for Watershed Management Initiatives

- BJWSA developed their CIP list for FY2020 sewer projects which does not include any projects in the County's jurisdiction in the May River Headwaters without cost-sharing.
- Following the Joint Councils Meeting with BJWSA, held on 2/25/20, staff from Beaufort County and Town of Bluffton met to discuss sewer extension scope and strategy on 2/27/20.
- Staff from the Town, County, and BJWSA met via Zoom 3/27/20 to confirm project scope, cost, and potential project manager. the last project cost estimate to extend, connect, and abandon septic in the Stoney Creek project area is $4.7 million (B. Chemsak email 7/22/19) but they anticipate those numbers increasing to $5.5 million. The proposal is 1/3 cost-share, so the Town's portion would be approximately $1.83 million. Beaufort County has not formally agreed or committed any funding.
- **Next Steps**
  - Neither BJWSA nor Beaufort County have committed funds in FY21 to begin sewer extension.

3. SC Department of Health and Environmental Control May River Shellfish Harvesting Monitoring Data Year-to-Date and May River Shellfish Harvesting Status Exhibit – Attachments 1 and 1a

4. May River Watershed Action Plan Implementation Summary - Attachment 2

5. MS4 Minimum Control Measure (MCM) - #1 Public Education and Outreach, and MS4 MCM - #2 Public Participation and Involvement

- Beaufort County Stormwater Utility Board meeting on 5/13/20 was canceled due to COVID-19.
- May River Watershed Action Plan Advisory Committee meeting was canceled due to COVID-19. **Attachment 3**

6. MS4 MCM – #3 Illicit Discharge Detection and Elimination

- Stormwater Infrastructure Inventory Map - **Attachment 4a**
- *E. coli* Concentrations Trend Map - **Attachment 4b**
- Monthly, Microbial Source Tracking (MST) Maps - **Attachments 4c and 4d**
  - Town staff coordinates with the SC Department of Health and Environmental Control (SCDHEC) to pull MST samples concurrently with the state's routine shellfish harvesting water quality sampling at stations 19-19, 19-19A, 19-19B, 19-19C, 19-24, and 19-16. SCDHEC conducted sampling on 05/18/20. Town staff will notify Town Council and Senior Staff of any pertinent results. Town staff continues to communicate with SC DHEC regarding scheduled sampling events and regulatory bacteria results.
  - Town staff collected MST samples in conjunction with quarterly MS4 sampling on 04/16/20. MST results indicated that the human genetic marker was not detected at any of the locations sampled.

- Illicit Discharge Investigations – **Attachment 4e**

7. MS4 MCM – #4 Construction Site Stormwater Runoff Control – Attachment 5

8. MS4 MCM – #5 Stormwater Plan Review and Related Activity – Attachment 6

9. MS4 MCM – #6 Good Housekeeping (Staff Training/Education)

10. Citizen Drainage, Maintenance, and Inspections Concern Map – Attachment 7

11. Citizen Request for Watershed Management Services & Activities – Attachment 8

Public Works

1. MS4 MCM – #6 Good Housekeeping (Ditch, Drainage and Roadside Maintenance)

- Performed weekly, street sweeping on Calhoun Street, Highway 46, Bruin Road, May River Road, Pin Oak Street, and curbs and medians on Simmonsville and Buck Island Roads.
- Performed ditch inspections
  - Arrow ditch (2,569 LF)
  - Red Cedar ditch (966 LF)
  - Buck Island roadside ditch (15,926 LF)
  - Simmonsville roadside ditch (13,792 LF)
- Ongoing roadside mowing, litter clean-up and maintenance of Master's Way, McCracken Circle, Hampton Parkway, Buck Island and Simmonsville Roads, Goethe Road, Shults Road, Jason and Able Streets, Whispering Pine Road, May River Road and Eagles Field.
- Ongoing mowing of the New River Side Trail and field at New River barn.
- Beautification Program –Landscape Maintenance - ongoing routine

2. Facilities

- Facilities and Parks Maintenance - ongoing routine

3. Public Works Activities Report - Attachment 9

Attachments

1. SCDHEC Shellfish Harvesting Monitoring Data Year-to-Date
   a. SCDHEC May River Shellfish Harvesting Status Exhibit
2. May River Watershed Action Plan Implementation Summary*
3. MS4 Minimum Control Measures #1 and #2 – May River Watershed Action Plan Advisory Committee Agenda
4. MS4 Minimum Control Measure #3 – Illicit Discharge Detection and Elimination
   a. Stormwater Infrastructure Inventory Map
   b. *E. coli* Concentrations Trend Map
   c. Microbial Source Tracking Trend Map – Human Source
   d. Microbial Source Tracking Map – All Sources

   e. Illicit Discharge Investigations
5. MS4 Minimum Control Measure #4 – Construction Site Stormwater Runoff Control
6. MS4 Minimum Control Measure #5 – Stormwater Plan Review and Related Activity
7. Citizen Drainage, Maintenance and Inspections Concern Map
8. Citizen Request for Watershed Management Services and Activities Map
9. Public Works Activities Report

* Attachment noted above includes the latest updates in bold and italic font.

SCDHEC Shellfish Harvesting Monitoring Data Year-to-Date
May River Headwaters Shellfish Stations

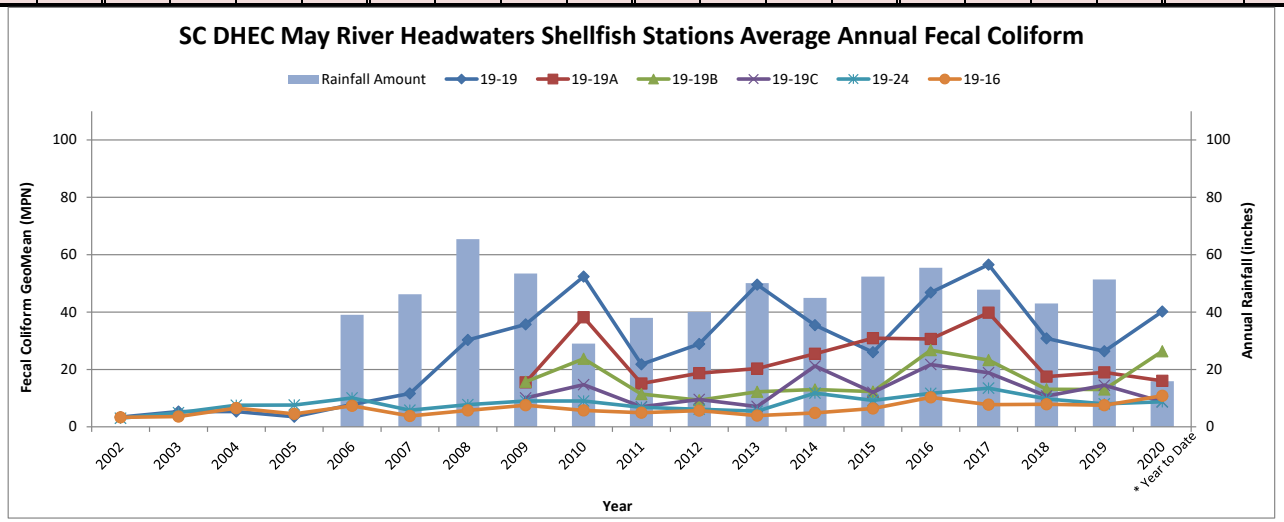
ATTACHMENT 1

	19-19				19-19A				19-19B				19-19C				19-24				19-16			
	2017	2018	2019	2020	2017	2018	2019	2020	2017	2018	2019	2020	2017	2018	2019	2020	2017	2018	2019	2020	2017	2018	2019	2020
	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)	Fecal Coliform (MPN)
December	1600.0	79.0	170.0		920.0	49.0	33.0		540.0	33.0	140.0		240.0	46.0	33.0		220.0	23.0	13.0		49.0	21.0	110.0	
November	49.0	49.0	17.0		33.0	13.0	6.8		7.8	23.0	7.8		31.0	17.0	11.0		2.0	17.0	4.5		2.0	7.8	2.0	
October	22.0	79.0	7.8		49.0	23.0	4.5		33.0	7.8	2.0		23.0	7.8	4.5		6.8	7.8	1.8		2.0	2.0	2.0	
September	17.0	49.0	79.0		7.8	23.0	33.0		11.0	13.0	6.8		4.5	17.0	17.0		2.0	17.0	4.5		1.8	17.0	1.8	
August	79.0	70.0	70.0		70.0	23.0	49.0		21.0	13.0	33.0		33.0	4.5	22.0		33.0	7.8	7.8		33.0	17.0	17.0	
July	350.0	23.0	4.5		110.0	33.0	13.0		130.0	11.0	7.8		49.0	7.8	17.0		49.0	13.0	22.0		22.0	4.5	13.0	
June	23.0	11.0	33.0		49.0	23.0	49.0		13.0	23.0	49.0		17.0	7.8	46.0		7.8	4.5	13.0		4.5	1.8	4.5	
May	17.0	17.0	7.8		23.0	33.0	9.2		7.8	17.0	7.8		2.0	13.0	2.0		23.0	23.0	6.8		4.5	13.0	4.5	
April	7.8	33.0	23.0	33.0	23.0	13.0	13.0	33.0	4.5	17.0	7.8	13.0	7.8	17.0	6.8	6.8	13.0	49.0	23.0	13.0	4.5	17.0	6.8	13.0
March	350.0	22.0	23.0	170.0	11.0	21.0	23.0	49.0	33.0	4.5	6.8	130.0	13.0	11.0	13.0	49.0	13.0	7.8	7.8	70.0	33.0	9.3	4.5	33.0
February	13.0	17.0	64.0	17.0	7.8	7.8	33.0	7.8	13.0	17.0	23.0	21.0	9.3	17.0	31.0	4.5	4.5	2.0	6.8	4.5	1.8	7.8	13.0	6.8
January	95.0	13.0	23.0	95.0	79.0	2.0	23.0	33.0	31.0	4.5	13.0	33.0	49.0	2.0	33.0	17.0	27.0	1.8	7.8	17.0	33.0	4.5	23.0	17.0
Additional Samples																								
Additional Samples																								
Average Annual GeoMean	56.5	30.8	26.4	54.9	39.8	17.5	19.0	25.4	23.3	13.1	13.0	32.9	18.8	10.7	14.5	12.6	13.5	9.8	8.0	16.2	7.7	7.9	7.5	14.9
** Truncated GeoMetric Mean	44.0	42.0	35.0	29.0	36.0	29.0	23.0	17.0	20.0	20.0	16.0	13.0	16.0	15.0	14.0	12.0	10.0	10.0	10.0	8.0	7.0	8.0	7.0	7.0
** Truncated 90th Percentile	203.0	176.0	168.0	92.0	133.0	115.0	89.0	48.0	83.0	71.0	63.0	42.0	57.0	56.0	52.0	35.0	37.0	44.0	38.0	25.0	29.0	30.0	32.0	27.0

NS = No Sample

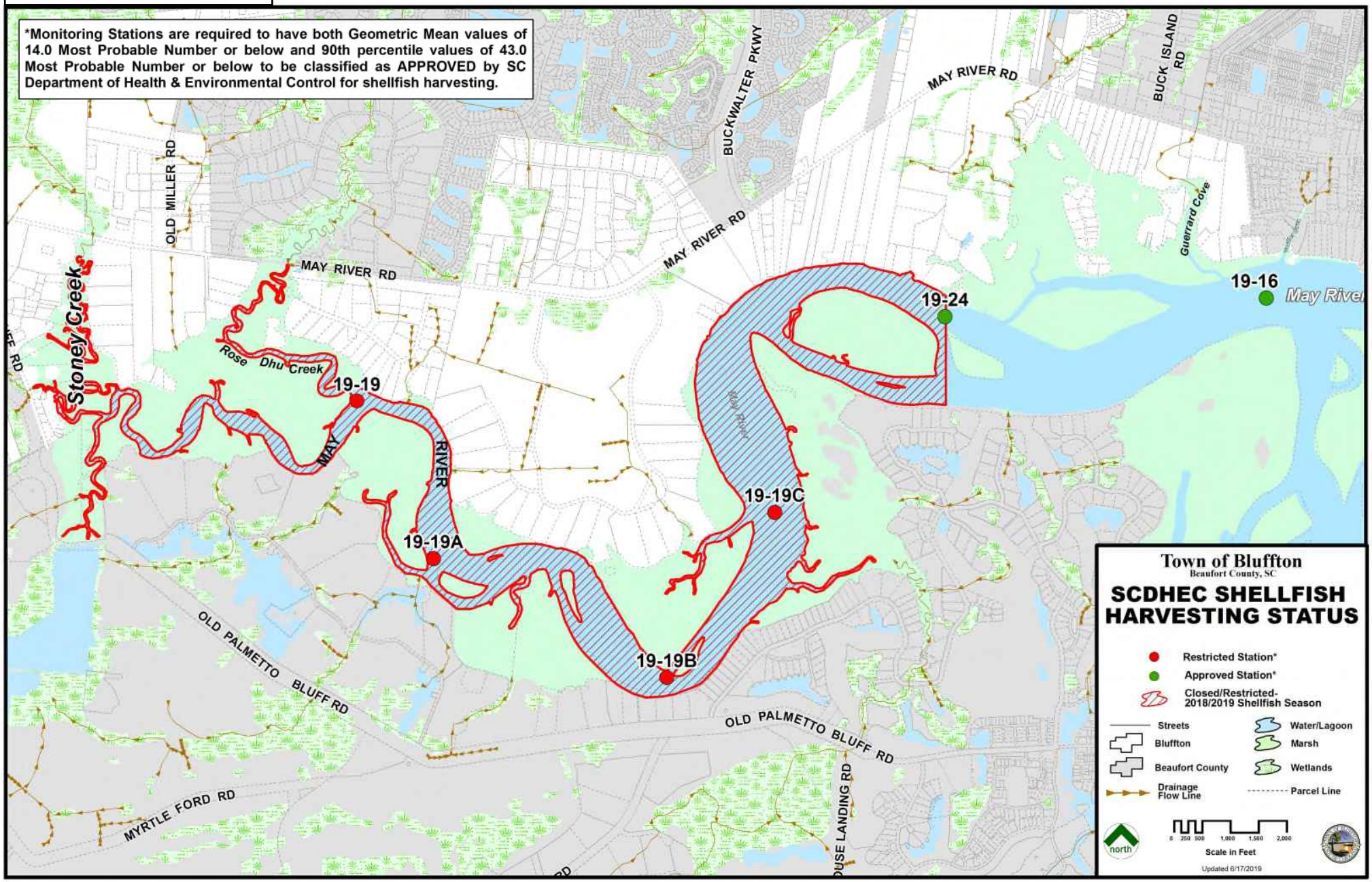
AS = Additional Samples

** Town staff calculations utilizing DHEC statistics



ATTACHMENT 1a

May River Headwaters



ACTIVITY - FINANCIAL	STATUS
Funding Opportunities	2/27/20 May River Watershed Action Plan Advisory Committee recommended a Stormwater Utility Fee increase to $150 for Council's consideration for Tax Year 2020. ***Staff received an invitation to submit a full proposal, due 6/17/20, for May River 319 Grant Phase 5 - Bridge Street Retrofit for stormwater treatment.***
ACTIVITY - POLICIES	**STATUS**
Sewer Connection & Extension Policy	*Completed 2017.*
Septic to Sewer Conversion Program	*Completed 2018.*
Sewer Connection Ordinance and Ordinance Amendment	*Completed 2015 and 2018, respectively.*
Southern Lowcountry Regional Stormwater Ordinance and Design Manual	***Current project updates are included in Engineering Consent Agenda under "Southern Lowcountry Regional Board (SoLoCo)."***
ACTIVITY - PROJECTS	**STATUS**
Sanitary Sewer Extension	**Completed Buck Island/Simmonsville Road (BIS) Phases I, II, III, IV; Toy Fields; and Jason/Able.** Six project phases of Historic District sewer extension are proposed in the 5-year Capital Improvement Program. ***Current project updates are included in Engineering Consent Agenda under "Sewer & Water."***
May River 319 Grant Phase 1 - New Riverside Pond (Grant award of $483,500 in 2009)	*Completed 2013.*
May River 319 Grant Phase 2 - Pine Ridge (Grant award of $290,000 in 2011)	*Completed 2016.*
May River 319 Grant Phase 3 - Town Hall Parking Retrofit (Grant award of $231,350 in 2016)	*Completed 2019*.
May River 319 Grant Phase 4 - Sanitary Sewer Connections (Grant award of $365,558.36 in 2019)	Grant to construct 49 sewer lateral connections in Poseys Court, Little Aaron and Historic District Phases 1 and 2. ***Current project updates are included in Engineering Consent Agenda under "Sewer & Water."***
Stoney Creek Wetlands Restoration: Preliminary Design Phase	Project on hold following Council direction on 5/31/17.
May River Watershed Water Quality Model	Contract awarded to McCormick Taylor with final deliverables anticipated 8/20.
ACTIVITY - PROGRAMS	**STATUS**
Public Outreach/Participation/Involvement (MS4 Minimum Control Measures #1 & 2)	Outreach and involvement efforts continue through county-wide partnership with Carolina Clear as Lowcountry Stormwater Partners - Neighbors for Clean Water, through local cleanups, civic group presentations, and the May River Watershed Action Plan Advisory Committee. ***Current updates are included in Engineering Consent Agenda and Attachment 3.***
Infrastructure Mapping/GIS (MS4 Minimum Control Measure #3)	Data points continue to be collected with new development to meet MS4 requirements & populate water quality model. ***Current updates are included in Engineering Consent Agenda Attachment 4a.***

ACTIVITY - PROGRAMS continued	STATUS continued
Water Quality Monitoring Program (MS4 Minimum Control Measure #3)	1. SCDHEC Shellfish monitoring results and map 2. *E. coli* bacteria "hot spot" concentrations 3. Microbial Source Tracking of bacteria 4. Illicit Discharge investigation and monitoring 5. BMP efficacy monitoring 6. MS4 monitoring ***Current updates are included in Engineering Consent Agenda Attachments 1, 1a, 4b - 4d.***
Illicit Discharge Detection & Elimination (IDDE) Program (MS4 Minimum Control Measure #3)	Response to reported and observed non-stormwater discharges to the stormwater drainage system. ***Current updates are included in Engineering Consent Agenda Attachment 4e.***
Construction Site Stormwater Runoff Control Program (MS4 Minimum Control Measure #4)	Sediment and erosion control inspections with escalating enforcement response. ***Current updates are included in Engineering Consent Agenda Attachment 5.***
Stormwater Plan Review & Related Activity Program (MS4 Minimum Control Measure #5)	SCDHEC delegated plan review-related activities. ***Current updates are included in Engineering Consent Agenda Attachment 6.***
Ditch Inspection/Maintenance Program (MS4 Minimum Control Measure #6)	Continued coordination with SCDOT, Beaufort County and Town Public Works to inspect and maintain ditches within the Town's jurisdiction. ***Current updates are included in Engineering Consent Agenda Attachment 7.***
Neighborhood Assistance Program - Septic System Maintenance Program	On-going assistance offered to Town residents regardless of financial status through Neighborhood Assistance Program (NAP). ***Current updates are provided in Growth Management Consent Agenda.***

ATTACHMENT 3

TOWN OF BLUFFTON
MAY RIVER WATERSHED ACTION PLAN ADVISORY COMMITTEE MEETING

Theodore D. Washington Municipal Building
Henry "Emmett" McCracken Jr. Council Chambers
20 Bridge Street, Bluffton, SC 29910
Thursday, May 28, 2020 | 9 AM

CANCELED

I. CALL TO ORDER

II. NOTICE REGARDING POSTING OF MEETING PER SOUTH CAROLINA FREEDOM OF INFORMATION (FOIA) REQUIREMENTS

III. ROLL CALL AND CONFIRMATION OF QUORUM

IV. ADOPTION OF AGENDA

V. ADOPTION OF MINUTES –February 27, 2020

VI. PUBLIC COMMENTS

Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Committee, Town Staff, and other members of the meeting. For the record, state your name and address prior to speaking.

VII. PRESENTATIONS, CELEBRATIONS AND RECOGNITIONS:

1. Regional Stormwater Ordinance and Manual – Bryan McIlwee, Director of Engineering, Town of Bluffton

VIII. NEW BUSINESS

1. May River Watershed Story Map

IX. OLD BUSINESS

1. Water Quality Monitoring Program (standing item)
   A. Weekly Sampling Update
   B. Microbial Source Tracking (MST) Update
   C. SCDHEC Shellfish Data Update

X. DISCUSSION

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at public comment session and a form must be filled out and given to Town Staff. Public comment must not exceed three (3) minutes.

XI. ADJOURNMENT

NEXT MEETING DATE: Thursday, June 25, 2020

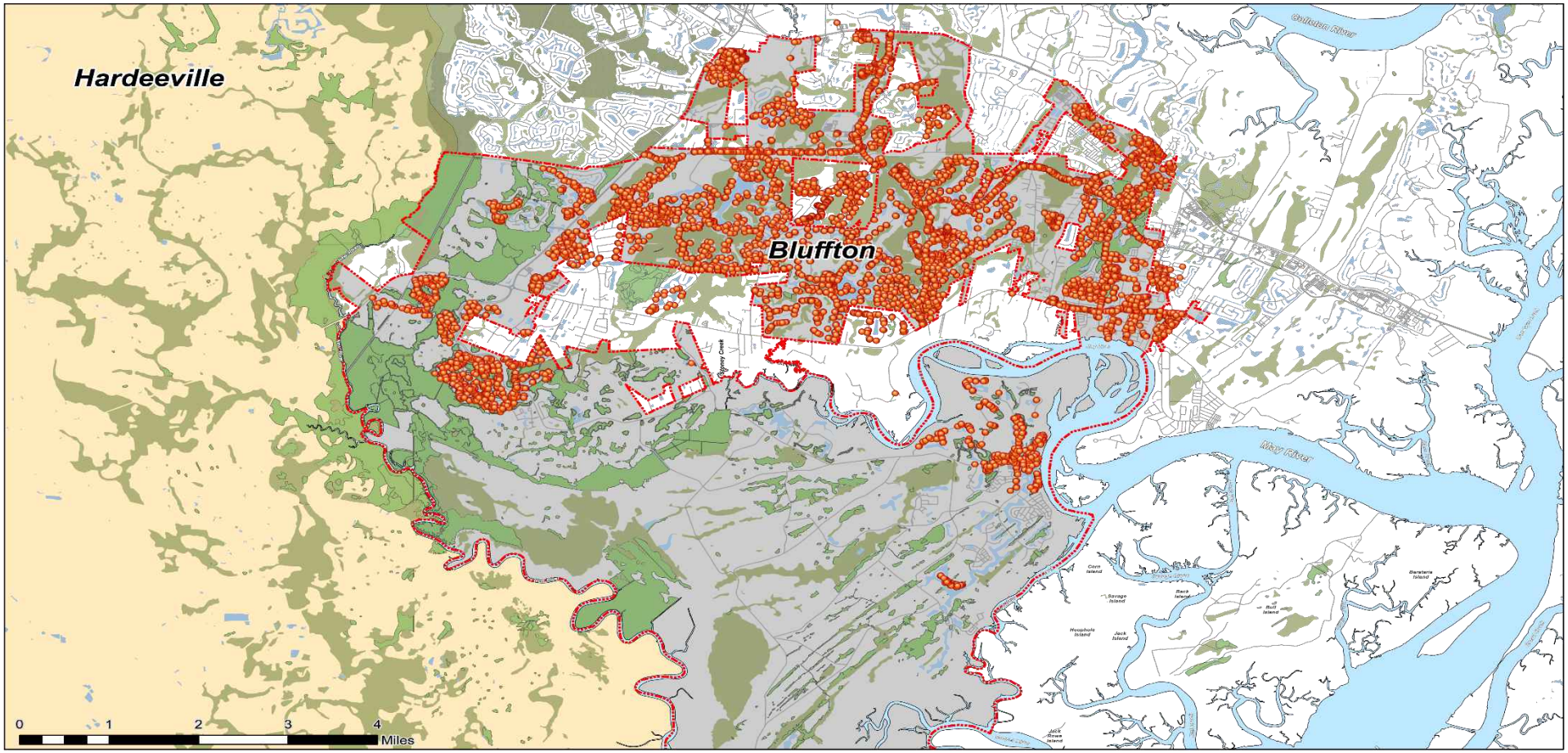
"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at public comment session and a form must be filled out and given to Town Staff. Public comment must not exceed three (3) minutes.

ATTACHMENT 4a

MS4 Minimum Control Measure #3 – IDDE (Illicit Discharge Detection & Elimination): Stormwater Infrastructure Inventory



SW STRUCTURE
SW PIPE
TOWN OF BLUFFTON
BEAUFORT COUNTY
JASPER COUNTY
WETLAND
WATER
ROADS

Town of Bluffton
Beaufort County, SC

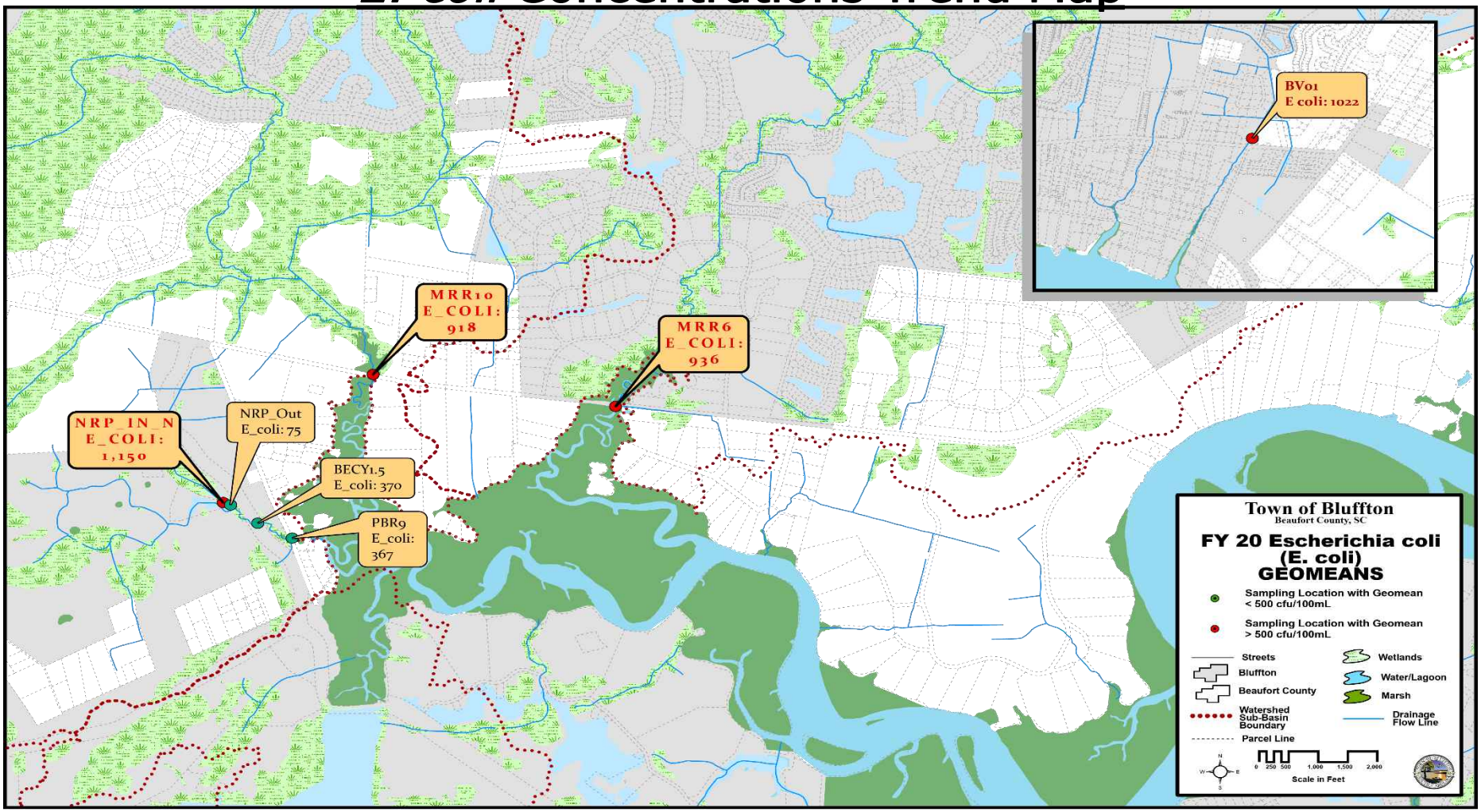
STORMWATER INFRASTRUCTURE

Updated Date: 5/14/2020

Stormwater Infrastructure Inventory Collection Status	
FY 2020 YTD Collection Totals	4,453
FY 2019 Collection Totals	2,925
FY 2018 Collection Totals	3,777

ATTACHMENT 4b

MS4 Minimum Control Measure #3 – IDDE: *E. coli* Concentrations Trend Map



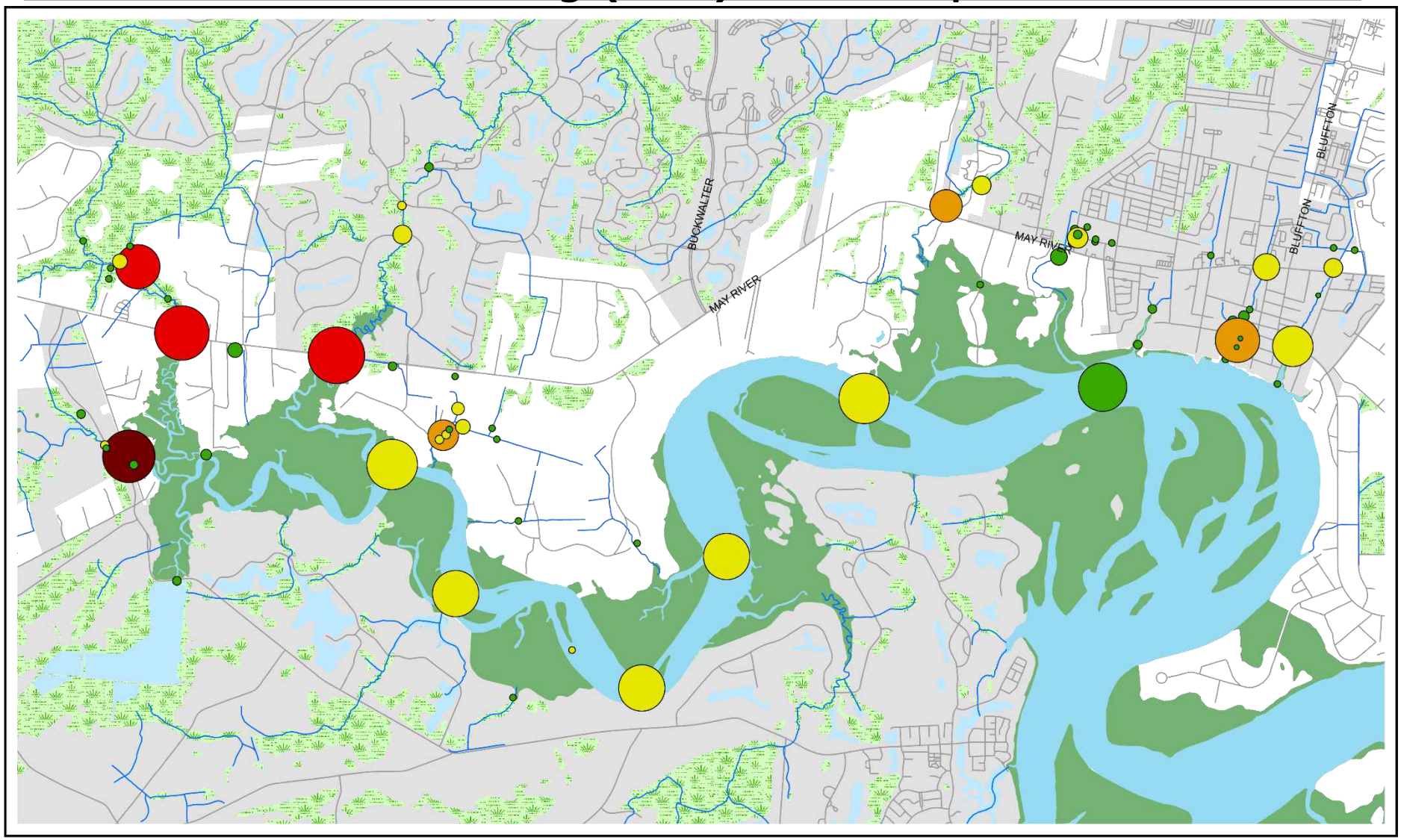
E coliform geomeans updated as of: 5/19/2020

	USCB Water Quality Samples	Microbial Source Tracking Samples	MS4 Quarterly Samples Collected
FY 2020 YTD Totals	184	115	123
FY 2019 Totals	280	193	264
FY 2018 Totals	216	217	224
FY 2017 Totals	307	179	224

- MST program began November 2016; MS4 Quarterly Sampling initiated 2/2017
- Totals include only samples submitted for laboratory analysis, and not *in situ* parameters.

ATTACHMENT 4c

MS4 Minimum Control Measure #3 – IDDE: Microbial Source Tracking (MST) Trend Map – Human Source



Town Jurisdiction

Beaufort County

Drainage Flow Lines

Positive Hits

0 1-3 3-6 6-9 >10

Times Sampled

1 - 3 4 - 6 7 - 10 >10

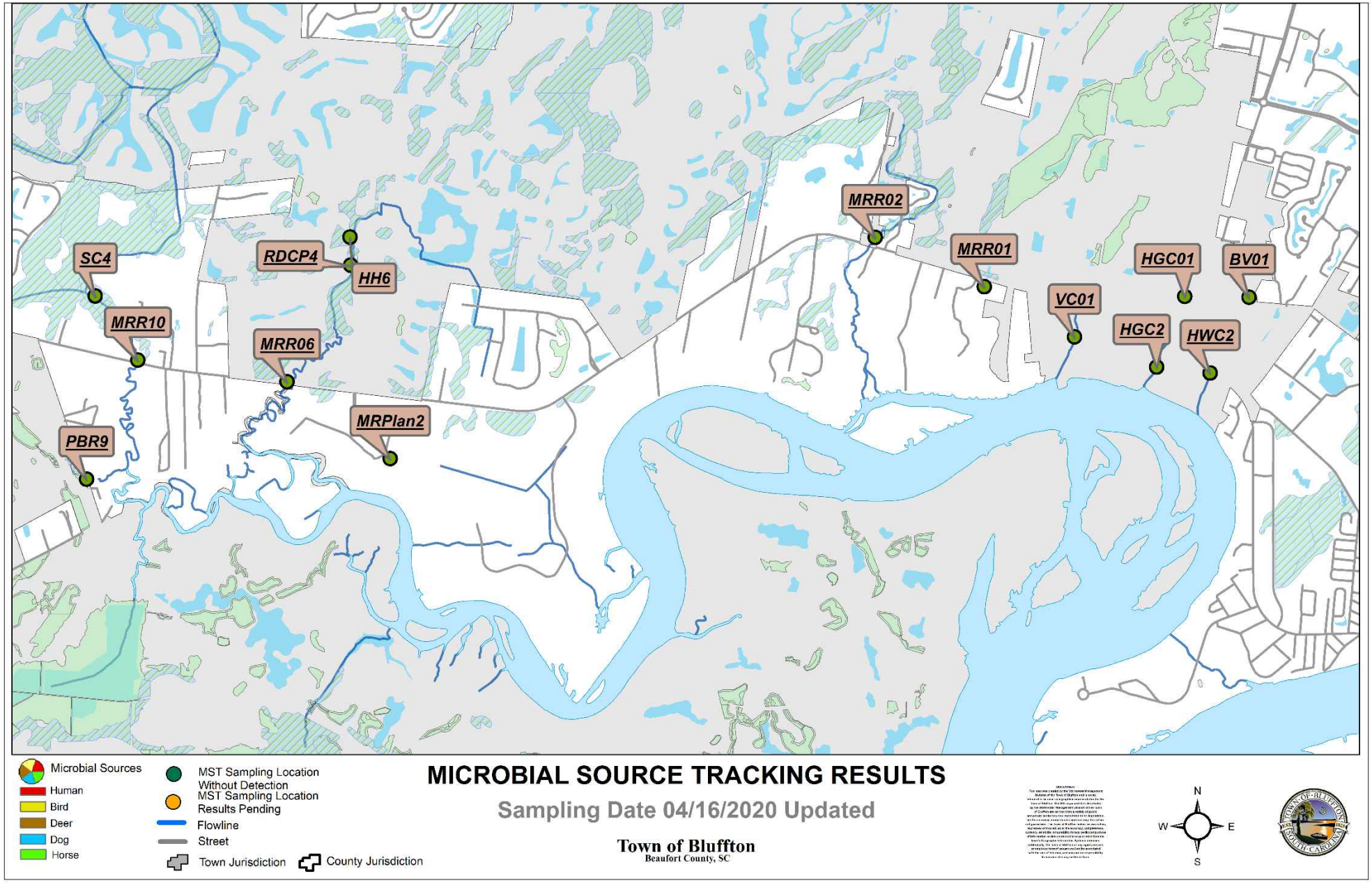
Size of dot correlates to # of times the site has been sampled.

Updated Date: 5/19/2020

N W E S

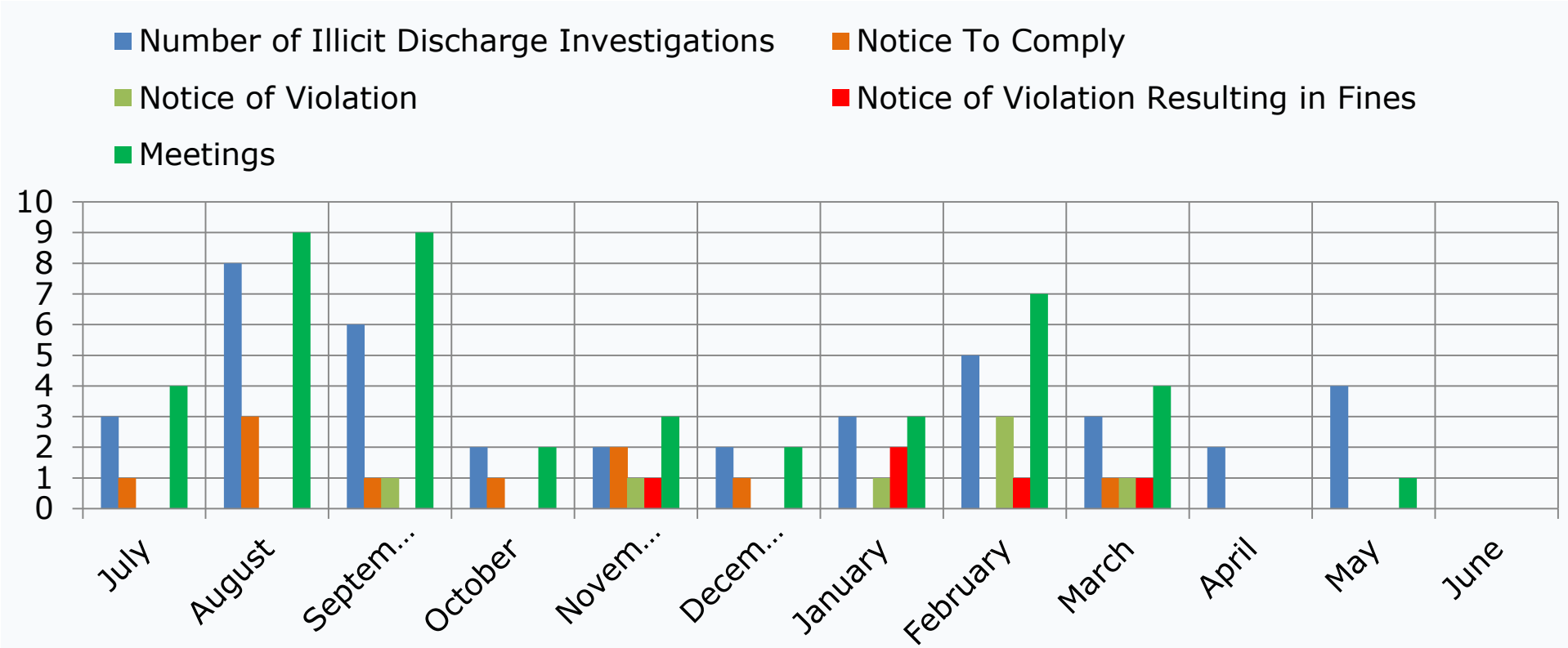
ATTACHMENT 4d

MS4 Minimum Control Measure #3 – IDDE: Microbial Source Tracking (MST) Map – All Sources



ATTACHMENT 4e

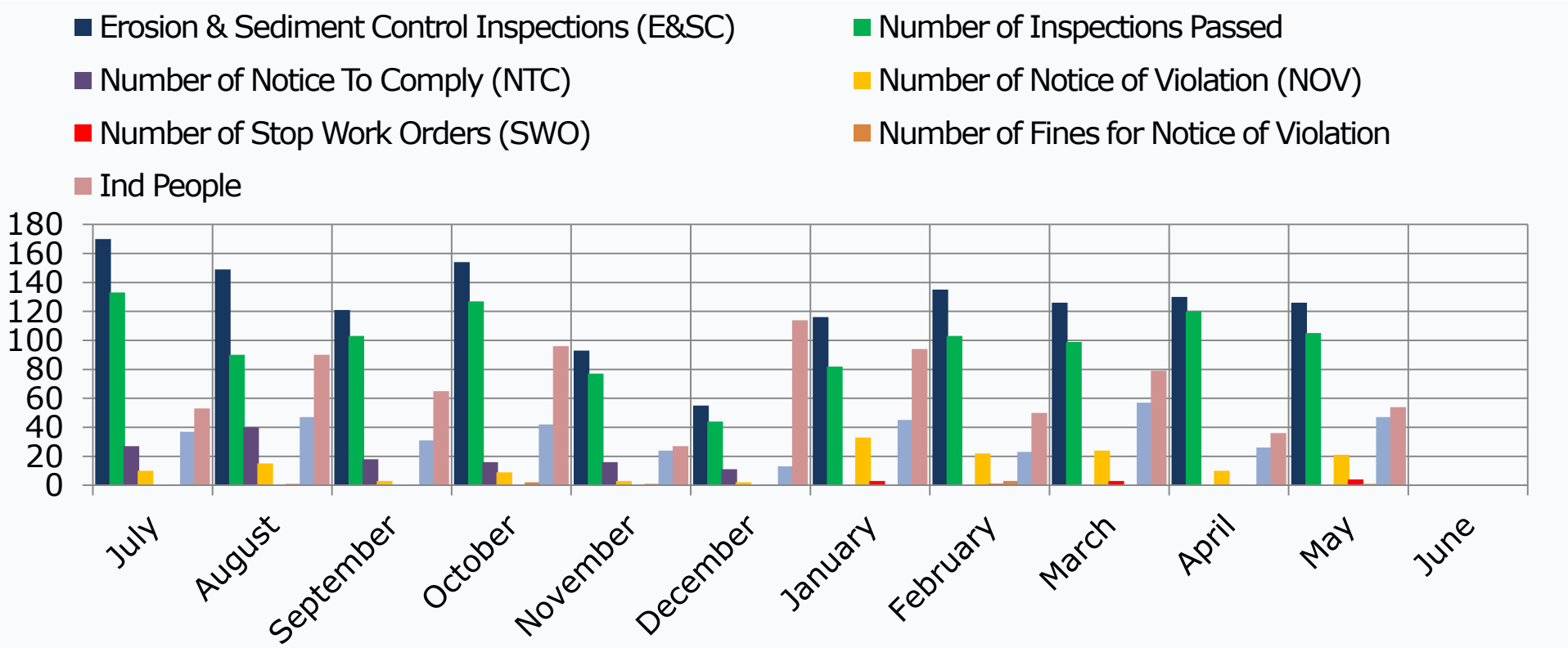
MS4 Minimum Control Measure #3 – IDDE: Illicit Discharge Investigations



	Number of Illicit Discharge Investigations	Number of Notices To Comply Issued	Number of Notices of Violation Issued	Number of NOV Enforcement Actions	Number of Meetings
FY 2020 YTD Totals	40	10	7	5	44
FY 2019 Totals	38	20	3	1	61
FY 2018 Totals	48	20	4	2	60

ATTACHMENT 5

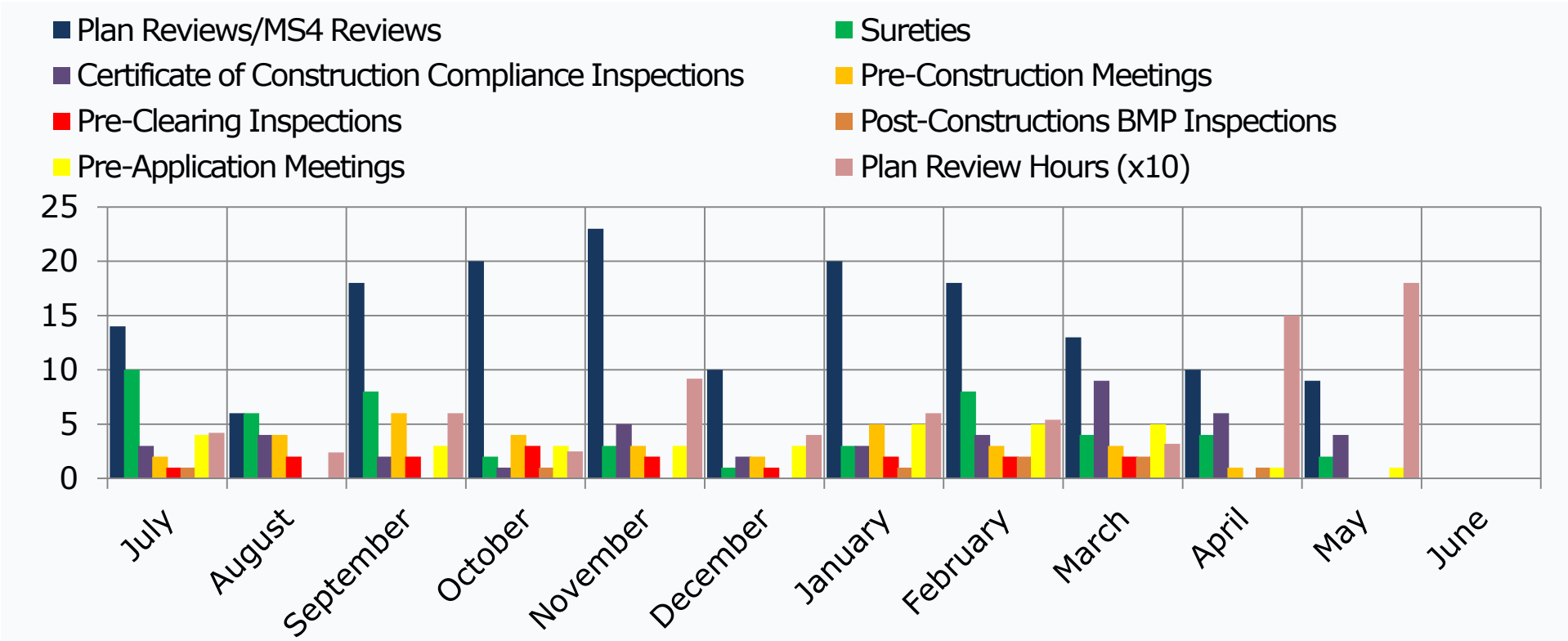
MS4 Minimum Control Measure #4 - Construction Site Stormwater Runoff Control



	Number of Sediment & Erosion Control Inspections	Number of Inspections Passed	Number of NTC Issued	Number of NOVs Issued	Number of SWO Issued	Number of NOV Enforcement Actions	Number of E&SC Meetings
FY 2020 YTD Totals	1,375	1,083	128	152	11	8	392
FY 2019 Totals	1,688	1,384	254	72	N/A	7	403
FY 2018 Totals	1,504	1,159	300	83	N/A	10	499

ATTACHMENT 6

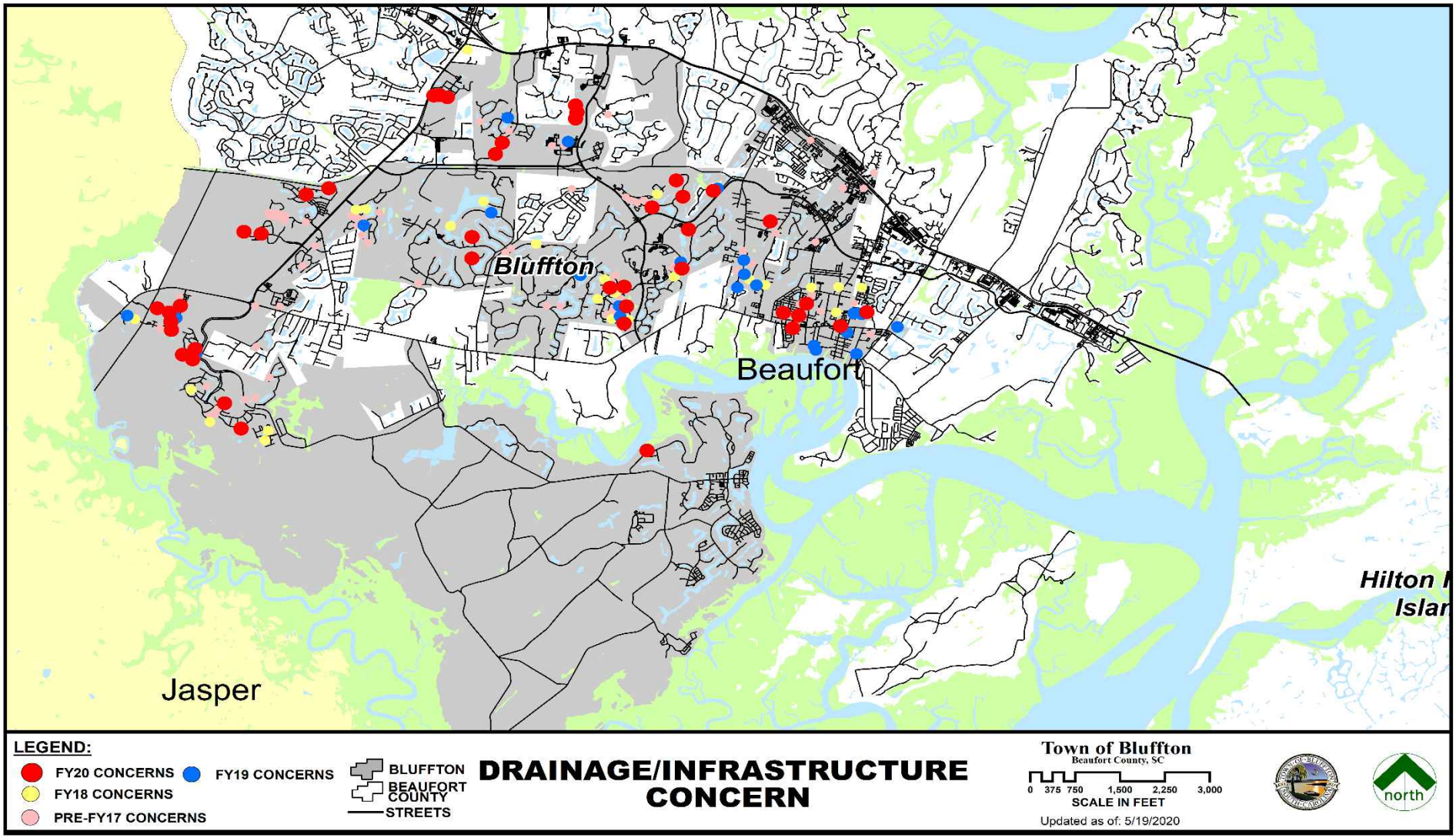
MS4 Minimum Control Measure #5
Stormwater Plan Review & Related Activity



	Plan Reviews MS4 Reviews	Sureties	Certificate of Construction Compliance Inspections	Pre-Construction Meetings	Pre-Clearing Inspections	Post Construction BMP Inspections	Pre-Application Meetings	Total Plan Review Hours
FY 2020 YTD Totals	161	51	43	33	17	8	33	759
FY 2019 Totals	208	52	53	47	37	27	63	1,040 Hrs.
FY 2018 Totals	242	59	50	32	32	88	88	1,210 Hrs.

ATTACHMENT 7

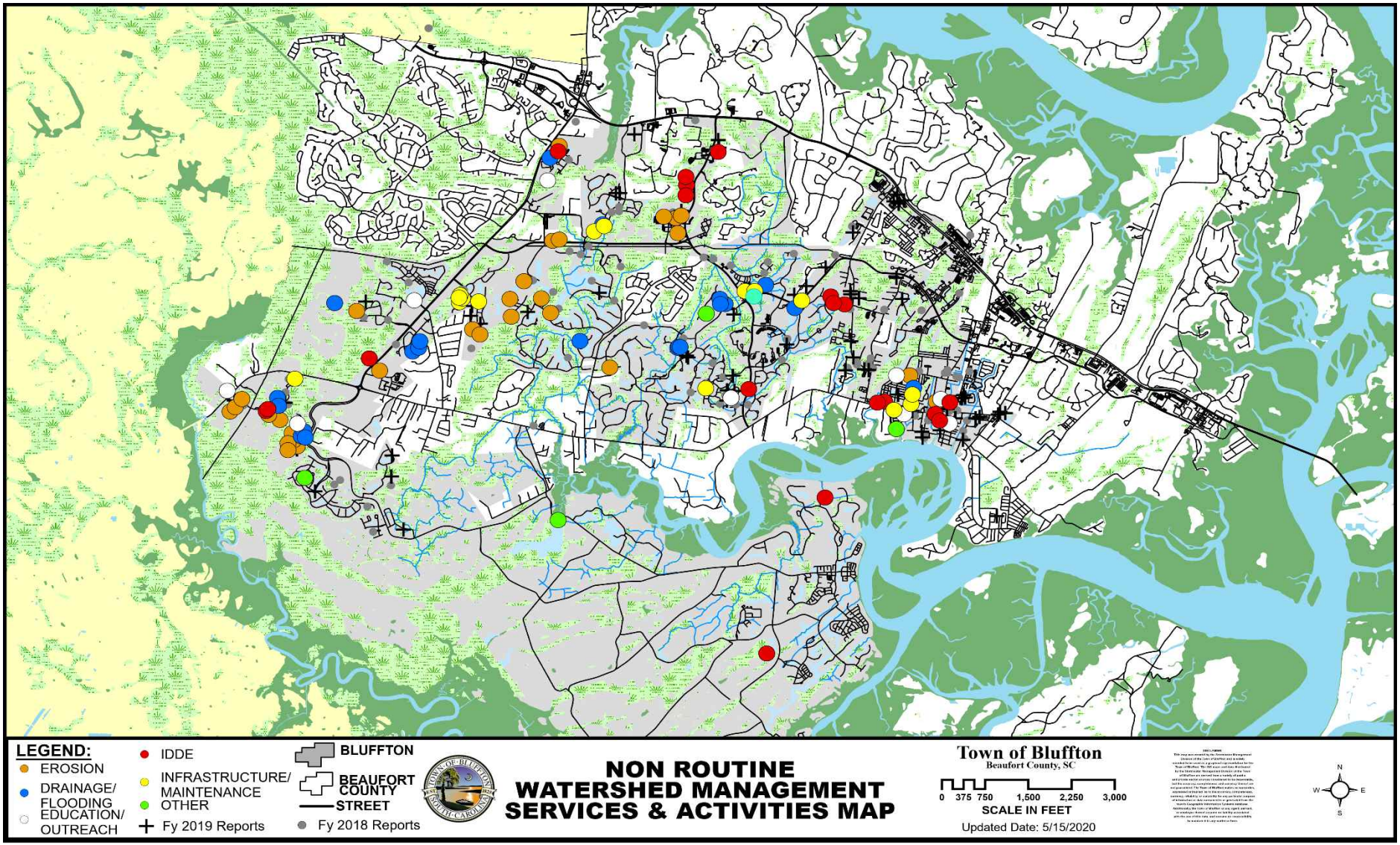
Citizen Drainage, Maintenance and Inspections Concerns Map



	Number of Drainage Concerns Investigated	Number of Meetings
FY 2020 YTD Totals	61	69
FY 2019 Totals	54	59
FY 2018 Totals	48	75

ATTACHMENT 8

Citizen Request for Watershed Mngt. Services & Activities Map



	Number of Citizen Requests Investigated	Number of Meetings
FY 2020 YTD Totals	94	97
FY 2019 Totals	75	79
FY 2018 Totals	53	82

PUBLIC WORKS ACTIVITIES REPORT

Week	# of Activities	Labor Cost	Equipment Cost	Other Cost	Total
FY20WK1	65	$1,311.00	$209.00	$0.00	**$1,520.00**
FY20WK2	89	$2,547.00	$878.00	$0.00	**$3,425.00**
FY20WK3	81	$3,321.00	$975.00	$559.00	**$4,856.00**
FY20WK4	40	$2,396.00	$803.00	$0.00	**$3,199.00**
FY20WK5	63	$2,051.00	$388.00	$0.00	**$2,439.00**
FY20WK6	75	$2,566.00	$622.00	$0.00	**$3,187.00**
FY20WK7	81	$2,939.00	$1,172.00	$0.00	**$4,112.00**
FY20WK8	71	$3,059.00	$3,013.00	$0.00	**$6,072.00**
FY20WK9	56	$1,643.00	$2,099.00	$243.00	**$3,985.00**
FY20WK10	8	$810.00	$483.00	$0.00	**$1,293.00**
FY20WK11	83	$3,456.00	$2,856.00	$73.00	**$6,385.00**
FY20WK12	66	$3,824.00	$4,161.00	$0.00	**$7,985.00**
FY20WK13	41	$1,758.00	$2,001.00	$0.00	**$3,760.00**
FY20WK14	50	$3,555.00	$3,619.00	$1,677.00	**$8,851.00**
FY20WK15	59	$3,461.00	$3,222.00	$2,034.00	**$8,717.00**
FY20WK16	48	$3,200.00	$1,682.00	$207.00	**$5,090.00**
FY20WK17	51	$3,479.00	$2,386.00	$0.00	**$5,865.00**
FY20WK18	68	$4,041.00	$3,823.00	$0.00	**$7,863.00**
FY20WK19	53	$3,002.00	$1,903.00	$0.00	**$4,904.00**
FY20WK20	41	$2,392.00	$1,519.00	$0.00	**$3,911.00**
FY20WK21	77	$3,811.00	$3,216.00	$84.00	**$7,112.00**
FY20WK22	50	$2,058.00	$1,226.00	$49.00	**$3,333.00**
FY20WK23	59	$2,791.00	$1,746.00	$0.00	**$4,538.00**
FY20WK24	82	$3,176.00	$3,354.00	$83.00	**$6,613.00**
FY20WK25	92	$3,539.00	$3,140.00	$30.00	**$6,709.00**
FY20WK26	47	$1,457.00	$766.00	$0.00	**$2,223.00**
FY20WK27	54	$2,350.00	$1,281.00	$181.00	**$3,813.00**
FY20WK28	80	$4,488.00	$3,468.00	$347.00	**$8,303.00**
FY20WK29	87	$3,466.00	$2,985.00	$114.00	**$6,566.00**
FY20WK30	68	$3,077.00	$3,470.00	$180.00	**$6,728.00**
FY20WK31	66	$3,883.00	$2,581.00	$0.00	**$6,464.00**
FY20WK32	53	$4,675.00	$3,580.00	$671.00	**$8,927.00**
FY20WK33	66	$3,666.00	$2,802.00	$107.00	**$6,575.00**
FY20WK34	77	$3,440.00	$2,978.00	$0.00	**$6,419.00**
FY20WK35	79	$3,426.00	$4,112.00	$0.00	**$10,148.00**
FY20WK36	87	$3,222.00	$1,966.00	$0.00	**$5,429.00**
FY20WK37	106	$4,471.00	$2,567.00	$0.00	**$7,338.00**
FY20WK38	16	$1,538.00	$891.00	$0.00	**$2,430.00**
FY20WK39	42	$2,727.00	$1,239.00	$0.00	**$4,018.00**
FY20WK40	39	$2,918.00	$2,513.00	$0.00	**$5,514.00**
FY20WK41	43	$4,562.00	$3,913.00	$0.00	**$8,475.00**
FY20WK42	66	$4,981.00	$3,187.00	$0.00	**$8,250.00**
FY20WK43	50	$4,797.00	$3,458.00	$0.00	**$8,255.00**
FY20WK44	58	$6,642.00	$3,841.00	$0.00	**$10,651.00**
FY20WK45	44	$5,106.00	$1,947.00	$0.00	**$7,356.00**
FY20WK46	80	$5,742.00	$3,464.00	$0.00	**$9,287.00**
FY20WK47					
FY20WK48					
FY20WK49					
FY20WK50					
FY20WK51					
FY20WK52					
Total	**2857**	**$150,820.00**	**$107,505.00**	**$6,639.00**	**$268,893.00**

<u>Director's Report - DRCI</u>
May 2020

The Hub Opening Update

- Furniture delivered
- Open date per Town's approval
- Safety and health precautions being established per Town taskforce's established Post-COVID Routine

Finance

- FY 2021 V4 budget submitted
    - DRCI Board approved
    - Awaiting TC approval

Business Resiliency Program

- Communicated free membership and HUB usage
- Series to promote free member webinars
- Created web form for business support inquiries

Business Innovation Programs

- Enhancing PRE-START Program 2.0
- Rebranded/enhanced Business Innovation Program as STARTUP Program
- GROWTH Program for mature/existing businesses
    - Working with first prospect; anticipate June start
- Pipeline Development:
    - Potential Innovator, "Butterfly Back Pak", pitch committee schedule for May 21, 2020
    - Developed pipeline analysis conversion ratios

Mentor Program

- Conducted first Mentor Zoom event
    - Signed up 6 new mentors
    - Total of 36 mentors
- Instituted monthly "Mentor Memo" communication

Membership

- Per Resiliency Plan, free membership and rental offered from May 2020 to December 2020
- 34 new free memberships
    - 14 new free Business Members in May
    - 20 new free Individual Members in May
- 4 free renewals

Operations

- New DRCI/TOB Website to launch in early June
- Continuing communication to extend DRCI geography to include Town of Hardeeville
- Awaiting grant proposal to Federal Build to Scale Program response

Marketing

- Developing marketing strategy in collaboration with our new vendor, Smart Marketing
- Clemson's Feeding Innovation Program update:
    - Pitch Night for participants held May 20, 2020

GROWTH MANAGEMENT UPDATE

June 9, 2020

1. Town Council Appointed Boards/Commissions/Committees/Citizen Group Meetings:

    a. Planning Commission: May 27, 2020 meeting agenda attached. Next meeting scheduled for Wednesday, June 24, 2020.

    b. Historic Preservation Commission: May 6, 2020 meeting agenda attached. Next meeting scheduled for Wednesday, June 3, 2020.

    c. Board of Zoning Appeals: May 19, 2020 meeting agenda attached. Next meeting scheduled for Tuesday, June 2, 2020.

    d. Development Review Committee: May 4, 20 and 27, 2020 meeting agenda attached May 13, 2020 cancellation notices attached. Next meeting scheduled for Wednesday, June 3, 2020.

    e. Historic Preservation Review Committee: May 4 and 18, 2020 meeting agenda attached May 11 and 25, 2020 cancellation notices attached. Next meeting scheduled for Monday, June 1, 2020.

    f. Construction Board of Adjustment and Appeals: Tuesday, May 26, 2020 cancellation notice attached. Next meeting scheduled for Tuesday, June 23, 2020.

    g. Affordable Housing Committee: Community Development / Affordable Housing Committee Work Program: May 19, 2020 meeting agenda attached. Next meeting scheduled for Thursday, June 4, 2020.

2. Community Development / Affordable Housing Committee Work Program:

    a. Neighborhood Assistance Program. The total available budget for this FY20 Town Council funded program is $122,576.00 Town Staff is continuing to process applications for assistance. As of May 27, 2020, $57,164.00 (includes households in progress) has been spent to assist Town of Bluffton residents through the Neighborhood Assistance Program. These include ceiling, door, roof, and floor repairs.

<u>ATTACHMENTS:</u>

1. Planning Commission meeting agenda for Wednesday, May 27, 2020.
2. Historic Preservation Commission meeting agenda for Wednesday, May 6, 2020.
3. Board of Zoning Appeals meeting agenda for Tuesday, May 19, 2020.

4. Development Review Committee meeting agendas, for Wednesday, May 4, 20 and 27, cancellation notices for May 13, 2020
5. Historic Preservation Review Committee meeting agendas for Monday, May 4 and 18, 2020 and cancellation notices for May 11 and 25, 2020
6. Construction Board of Adjustments and Appeals cancellation notice for Tuesday, May 26, 2020.
7. Affordable Housing Committee cancellation notice for Tuesday, May 19, 2020.
8. Building Permits and Planning Applications:

    a. Building Permits Issued 2010-2020 (to May 27, 2020).
    b. Building Permits Issued Per Month 2010-2020 (to May 27, 2020).
    c. Value of Construction 2010-2020 (to May 27, 2020).
    d. New Single Family/Multi-Family Residential Building Permits Issued Per Month 2010-2020 (to May 27, 2020).
    e. New Single Family/Multi-Family Residential Building Permits Issued by Neighborhood 2010-2020 (to May 27, 2020).
    f. New Single Family/Multi-Family Certificates of Occupancy Issued by Neighborhood 2010-2020 (to May 27, 2020).
    g. New Commercial Construction/Additions Heated Square Footage 2010-2020 (to May 27, 2020).
    h. Planning and Community Development Applications Approved 2010-2020 (to May 27, 2020).

9. Planning Active Application Report

TOWN OF BLUFFTON
PLANNING COMMISSION MEETING AGENDA
ELECTRONIC MEETING
Wednesday, May 27, 2020, 6:00 PM

This meeting can be viewed on the Town of Bluffton's Facebook page (https://www.facebook.com/TownBlufftonSC/)

I. CALL TO ORDER

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT
The Planning Commission will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Commission Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or an additional meeting date as determined by the Commission Members.

IV. NOTICE REGARDING PUBLIC COMMENTS*

V. ADOPTION OF THE AGENDA

VI. ADOPTION OF MINUTES – April 22, 2020

VII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA*

VIII. OLD BUSINESS

IX. NEW BUSINESS

1. FOR ACTION

A. Stop N Stor (Preliminary Development Plan): A request by Thomas and Hutton, on behalf of Mick Jordan, for approval of a Preliminary Development Plan. The project consists of the construction of a 7,500 square foot storage building with associated infrastructure. The property is zoned Schultz PUD and consists of approximately .50 acres identified by tax map number R610 031 000 0983 0000 located northwest of the intersection of Bluffton Parkway and Red Cedar Street. (DP-07-19-013387) (Staff – Will Howard)

B. 119 Persimmon Street (Preliminary Development Plan): A request by Johnson Way Development, LLC, on behalf of the owner William H. Dascombe for approval of a Preliminary Development Plan. The project consists of the construction of a 5,898 SF commercial building with associated parking and infrastructure for use as an online auto brokerage. The property is zoned Schultz PUD and consists of approximately .81 acres identified by Tax Map Number R610 031 000 1440 0000 located at 119 Persimmon Street. (DP-02-20-01400) (Staff - Will Howard)

C. Island Plasters (Preliminary Development Plan): A request by Johnny Istrate of Island Plasters, LLC for approval of a Preliminary Development Plan. The project consists of the construction of a 20,000 SF commercial building with associated parking and infrastructure. The Property is zoned Schultz PUD and consists of approximately 1.96 aces identified by tax map Number R610 031 000 0960 0000 located at 4361 Bluffton Parkway. (DP-03-20-014138) (Staff-Will Howard)

D. Belfair PUD Text Amendment: A request by Walter Nestor, III of Burr & Forman LLP on behalf of the owner BRE Mariner Belfair Town Village LLC, for approval of a text amendment to the Belfair Planned Unit Development (PUD). The requested amendment proposes to add the use "Animal Hospital or Clinic" to the list of approved uses within the Neighborhood Commercial (NC) portion of the Belfair PUD Concept Plan.

E. Unified Development Ordinance Edits: Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 6 – Sustainable Development Incentives, Workforce/Affordable Housing – Kevin Icard, Planning and Community Development Manager

F. Unified Development Ordinance Edits: Amendments to the Town of Bluffton Code or Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 - Zoning Districts, Including Uses by District (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) – Kevin Icard, Planning and Community Development Manager

G. Unified Development Ordinance Edits: Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 5 – Design Standards, General Standards Related to Historic District Architectural Design – Kevin Icard, Planning and Community Development Manager

X. DISCUSSION

XI. ADJOURNMENT

*Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Planning Commission Board.

NEXT MEETING DATE: Wednesday, June 24, 2020

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Commission. Public comment must not exceed three (3) minutes.

Attachment 2

TOWN OF BLUFFTON
HISTORIC PRESERVATION COMMISSION

ELECTRONIC MEETING

Wednesday, May 6, 2020 6:00p.m.

This meeting can be viewed on the Town of Bluffton's Facebook page
https://www.facebook.com/TownBlufftonSC/

I. CALL TO ORDER

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT
The Historic Preservation Commission will not hear new items after 9:30 p.m. unless authorized by a majority vote of the Commission Members present. Items which have not been heard before 9:30 p.m. may be continued to the next regular meeting or a special meeting date as determined by the Commission Members.

IV. NOTICE REGARDING PUBLIC COMMENTS*
Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to Commission, Staff, or other members of the Meeting. State your name and address when speaking for the record. COMMENTS ARE LIMITED TO THREE (3) MINUTES.

V. ADOPTION OF AGENDA

VI. ADOPTION OF MINUTES – March 4, 2020

VII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA*

VIII. OLD BUSINESS

IX. NEW BUSINESS

A. Election of Historic Preservation Review Committee member

X. DISCUSSION

A. Discussion on Amendments to the Town of Bluffton Code of Ordnances, Chapter 23 – Unified Development Ordinance, Article 5

– Design Standards, General Standards Related to Historic District Architectural Design

B. Discussion of Historic District Financial Incentives to Promote and Support the Preservation of Historic Structures

XI. ADJOURNMENT

NEXT MEETING DATE– Wednesday, June 3, 2020

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Historic Preservation Committee.

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

EXECUTIVE SESSION - The public body may vote to go into executive session for any item identified for action on the agenda.

Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

Attachment 3

TOWN OF BLUFFTON
BOARD OF ZONING APPEALS MEETING AGENDA
ELECTRONIC MEETING
Tuesday, May 19, 2020, 6:00 PM

This meeting can be viewed on the Town of Bluffton's Facebook page (https://www.facebook.com/TownBlufftonSC/)

I. CALL TO ORDER

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT
The Board of Zoning Appeals will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Board Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or an additional meeting date as determined by the Board Members.

IV. NOTICE REGARDING PUBLIC COMMENTS*
Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Board, Town Staff, and other members of the meeting. State your name and address when speaking for the record. COMMENTS ARE LIMITED TO THREE (3) MINUTES.

V. ADOPTION OF THE AGENDA

VI. ADOPTION OF MINUTES – September 17, 2019

VII. PUBLIC COMMENTS*

VIII. OLD BUSINESS

IX. NEW BUSINESS

1. FOR ACTION

A. Administrative Appeal: The Applicant, Sarah Kepple with Pearce Scott Architects, is requesting an Administrative Appeal of the Town of Bluffton Director of Growth Management's interpretation of the Buckwalter Planned Unit Development (PUD) zoning document Beaufort County Zoning and Development Standards Ordinance 90/3 – Section 4.11.3.E, Conditional Uses, requiring a minimum distance of 200' feet between a veterinary clinic or kennel and any residential zoning perimeter or residential dwelling.

The property is identified by Beaufort County Tax Map Number R610 022 000 1072 0000 and is located east of the intersection of Pinellas Drive and Buckwalter Parkway. The property is zoned Buckwalter PUD. (ZONE-03-20-14108) (Staff – Heather Colin)

X. DISCUSSION

XI. ADJOURNMENT

*Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Board of Zoning Appeals Committee.

NEXT MEETING DATE: Tuesday, June 2, 2020

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Commission. Public comment must not exceed three (3) minutes.

Attachment 4

TOWN OF BLUFFTON
DEVELOPMENT REVIEW COMMITTEE MEETING AGENDA

ELECTRONIC MEETING

Wednesday, May 6, 2020 1:00 p.m.

This meeting can be viewed on the Town of Bluffton's Facebook page stating at 1:00 p.m.
https://www.facebook.com/TownBlufftonSC/

All Applications can be viewed on the Town of Bluffton's Permit Finder page
https://www.townofbluffton.us/permit/

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS

IV. OLD BUSINESS

V. NEW BUSINESS

1. Bluffton Township Fire District - Station 31 (Public Project): A request by the Bluffton Township Fire District for approval of a Public Project. The project consists of the construction of a new Fire and EMS station. The property is zoned New Riverside PUD and consists of approximately 3.0 acres identified by tax map number R610 036 000 1319 0000 located at 204 New Riverside Road. (DP-10-19-013605) (Staff - Will Howard) 5 minutes

2. 119 Persimmon St (Preliminary Development Plan): A request by Johnson Way Development, LLC, on behalf of the owner William H. Dascombe for approval of a Preliminary Development Plan. The project consists of the construction of a 5,898 SF commercial building with associated parking and infrastructure for use as an online auto brokerage. The property is zoned Schultz PUD and consists of approximately .81 acres identified by Tax Map Number R610 031 000 1440 0000 located at 119 Persimmon Street. (DP-02-20-01400) (Staff - Will Howard) 5 minutes

3. Washington Square Speyside (Subdivision): A request by Fred Calugiuri Jr., on behalf of Speyside Partners, LLC, for review of a Subdivision Plan for the

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division of 34.797 acres into eight (8) commercial/residential lots, four (4) open space parcels, one (1) right-of-way parcel, and one (1) BJWSA Pump Station parcel. The property is zoned Buckwalter PUD and identified by tax map number R614 022 000 0894 0000. (SUB-04-20-014159) (Staff – Alan Seifert) 5 minutes

4. Island Plasters (Preliminary Development Plan): A request by Johnny Istrate of Island Plasters, LLC for approval of a Preliminary Development Plan. The project consists of the construction of a 20,000 SF commercial building with associated parking and infrastructure. The Property is zoned Schultz PUD and consists of approximately 1.96 aces identified by tax map Number R610 031 000 0960 0000 located at 4361 Bluffton Parkway. (DP-03-20-014138) (Staff-Will Howard) 8-10 minutes

5. Four Seasons at Carolina Oaks Phase 1A (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Jeff Wiggins of K. Hovnanian Homes, owner, for review of a Subdivision Plan for the division of 28.956 acres into 35 single-family lots. The property is zoned Jones Estate PUD and identified by tax map number R614 028 000 3372 0000. (SUB-03-20-014134) (Staff – Alan Seifert) 5 minutes

6. The Heritage at New Riverside - Phase 4 (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of LSSD New Riverside, LLC, owner, for review of a Subdivision Plan for the division of 21.8 acres into 39 single-family lots. The property is zoned New Riverside PUD and identified by tax map number R614 036 000 1007 0000. (SUB-03-20-014119) (Staff – Alan Seifert) 5 minutes

7. New Riverside Road – Eastern Buffer Parcel (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Dallas Wood of New Riverside Association, Inc., owner, for review of a Subdivision Plan for the division of one (1) parcel totaling 1.43 acres out of the right-of-way of New Riverside Road. The Property is zoned New Riverside PUD and located on the New Riverside Road frontage of property owned by the Town of Bluffton and MFH Land, LLC. The property is identified by tax map number R610 044 000 0016 0000 (SUB-04-20-014146) (Staff – Alan Seifert) 5 minutes

8. New Riverside Road – Western Buffer Parcel (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Dallas Wood of New Riverside Association, Inc., owner, for review of a Subdivision Plan for the division of one (1) parcel totaling 1.44 acres out of the right-of-way of New Riverside Road. The property is zoned New Riverside PUD and located on the New Riverside Road frontage of property owned by the Town of Bluffton and Bluffton Township

Fire District. The property is identified by tax map number R610 044 000 0016 0000 (SUB-04-20-014145) (Staff – Alan Seifert) 5 minutes

9. Reconfiguration Plat of Parcels 4B-2 and 4B-3 (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of MFH Land, LLC, owner, for review of a Subdivision Plan for the reconfiguration and division of two (2) parcels, totaling 34.078 acres, into three (3) parcels to include two (2) Town of Bluffton owned parcels for a park, and one (1) parcel for the proposed mixed-use develop known as New Riverside Village. The property is zoned New Riverside PUD and identified by tax map numbers R610 036 000 1258 0000 and R610 036 000 3214 0000. (SUB-04-20-014147) (Staff – Alan Seifert) 5 minutes

10. The Heritage at New Riverside Phase 6 (Preliminary Development Plan): A request by Mike Hughes of Thomas & Hutton on behalf of LSSD New Riverside, LLC, owner, for approval of a Preliminary Development Plan. The project consists of the construction of 60 residential lots and associated infrastructure. The property is zoned New Riverside PUD and consists of approximately 27.2 acres identified by tax map numbers R614 035 000 1362 0000 and R614 035 000 1210 0000 located within the Heritage at New Riverside development. (DP-03-20-014061) (Staff - Will Howard) 5 minutes

11. Palmetto Bluff- Block L5 (Final Development Plan): A request by Mike Hughes of Thomas & Hutton on behalf of Dallas Wood, May River Forest, LLC for approval of a Final Development Plan. The project consists of the construction of 71 residential lots and associated infrastructure. The property is zoned Palmetto Bluff PUD and consists of approximately 56.3 acres identified by tax map numbers R614 052 000 0059 0000 located within the Palmetto Bluff development. (DP-03-20-013727) (Staff-Will Howard) 5 minutes

12. Four Seasons at Carolina Oaks Phase 1A: (Development Plan Amendment): A request by Mike Hughes of Thomas & Hutton on behalf of Jeff Wiggins of K. Hovnanian Homes, owner, for approval of a Development Plan Amendment. The Amendment will introduce a phasing plan to facilitate closeout of the 102 single family homes approved for Phase 1. The property is zoned Jones Estate PUD and identified by tax map number R614 028 000 3372 0000 located northwest of the intersection of SC HWY 170 and SC HWY 46. (DP 07-18 12213) (Staff-Will Howard)

VI. DISCUSSION

VII. ADJOURNMENT

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Committee. Public comment must not exceed three (3) minutes.

NEXT MEETING DATE: Wednesday, May 13, 2020

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Development Review Committee.

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Committee. Public comment must not exceed three (3) minutes.

Attachment 4

PUBLIC NOTICE

The Development Review Committee (DRC)
Meeting scheduled for

Wednesday, May 13, 2020,
at 1:00 P.M.

Has been CANCELED
due to lack of agenda items

The next meeting is scheduled for
Wednesday, May 20, 2020

If you have questions, please contact
Growth Management at: 843-706-4500

Attachment 4

TOWN OF BLUFFTON
DEVELOPMENT REVIEW COMMITTEE MEETING AGENDA

ELECTRONIC MEETING

Wednesday, May 20, 2020 1:00 p.m.

This meeting can be viewed on the Town of Bluffton's Facebook page stating at 1:00 p.m.
https://www.facebook.com/TownBlufftonSC/

All Applications can be viewed on the Town of Bluffton's Permit Finder page
https://www.townofbluffton.us/permit/

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS

IV. OLD BUSINESS

V. NEW BUSINESS

1. 132 Simmonsville Road. (Subdivision): A request by Elizabeth Fraser for approval of a Subdivision Plan for the division of 1.034 acres into two (2) lots. The property is zoned Residential General and identified by tax map number R610 031 000 021A 0000 located at 132 Simmonsville Road. (SUB-04-20-014183) (Staff – Alan Seifert)

2. 75 Bridge Street (Certificate of Appropriateness - Demolition): A request by Jamie Guscio to allow the demolition of the existing Contributing Structure known as the Guscio Cottage, a 1-story wood frame, single-family structure of approximately 900 SF. The property is zoned Neighborhood Conservation-HD and consists of approximately .291 acres identified by tax map number R610 039 00A 161D 0000 located at 75 Bridge Street. (COFA 04-14-13053) (Staff-Charlotte Moore)

VI. DISCUSSION

VII. ADJOURNMENT

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Committee. Public comment must not exceed three (3) minutes.

NEXT MEETING DATE: Wednesday, May 27, 2020

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Development Review Committee.

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Committee. Public comment must not exceed three (3) minutes.

Attachment 5

TOWN OF BLUFFTON
HISTORIC PRESERVATION REVIEW COMMITTEE MEETING AGENDA

ELECTRONIC MEETING

Monday, May 4, 2020 4:00 p.m.

This meeting can be viewed on the Town of Bluffton's Facebook page starting at 4:00 p.m.
https://www.facebook.com/TownBlufftonSC/

The applications can be viewed on the Town of Bluffton's page
https://www.townofbluffton.us/permit/

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS

IV. OLD BUSINESS

V. NEW BUSINESS

1. 32 Tabby Shell Road: A request by Southern Coastal Homes, on behalf of the owner, Scott Ready, for review of a Certificate of Appropriateness to allow the construction of a new 1 ½-story single-family residential structure of approximately 1,813 SF located at 32 Tabby Shell Road (Lot 17) in the Tabby Roads Development and is zoned Neighborhood General – HD. (COFA-03-20-014097) (Staff -Katie Peterson)

2. 51 Colcock Street Unit B: A request by Ansley Manuel, on behalf of Matthew Cunningham, for review of a Certificate of Appropriateness - HD to allow the construction of a new 2-story single-family residential structure of approximately 3,260 SF and the renovation and addition to the existing 1,152 SF Carriage House, located at 51 Colcock Street Unit B in the Old Town Bluffton Historic District, and zoned as Riverfront Edge-HD. (COFA-03-20-014120) (Staff -Katie Peterson)

3. 5738 Guilford Place: A request by Court Atkins Architects, Inc., on behalf of the owner, Michael Bradley Holdings, LLC, for review of a Certificate of Appropriateness to allow the construction of a new 2-story commercial structure of approximately 3,200 SF and a new Carriage House Structure of approximately 1,200 SF located at 5738 Guilford Place (Lot 2) in the Stock Farm Development and is zoned Neighborhood General – HD. (COFA-03-20-014106) (Staff -Katie Peterson)

4. 71 Calhoun Street, Building 1: A request by Court Atkins, Inc., on behalf of Cunningham, LLC, for review of a Certificate of Appropriateness-HD to allow the construction of a new two and a half-story mixed-use structure of approximately

8,000 SF, identified as Building 1 and located at 71 Calhoun Street in the Old Town Bluffton Historic District, and zoned Neighborhood Center-HD. (COFA-10-19-013647)(Staff – Katie Peterson)

5. 71 Calhoun Street, Building 2: A request by Court Atkins, Inc., on behalf of Cunningham, LLC, for review of a Certificate of Appropriateness to allow the construction of a new two and a half-story mixed-use structure of approximately 8,000 SF, identified as Building 2 and located at 71 Calhoun Street in the Old Town Bluffton Historic District, and zoned Neighborhood Center-HD. (COFA-12-19-013784)(Staff – Katie Peterson)

6. 71 Calhoun Street, Building 3: A request by Court Atkins, Inc., on behalf of Cunningham, LLC, for review of a Certificate of Appropriateness to allow the construction of a new two and a half-story mixed-use structure of approximately 8,000 SF, identified as Building 3 and located at 71 Calhoun Street in the Old Town Bluffton Historic District, and zoned Neighborhood Center-HD. (COFA-12-19-013785)(Staff – Katie Peterson)

VI. DISCUSSION

VII. ADJOURNMENT

NEXT MEETING DATE: Monday, May 11, 2020

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Historic Preservation Review Committee.

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

Attachment 5

PUBLIC NOTICE

THE HISTORIC PRESERVATION REVIEW COMMITTEE (HPRC)

Meeting scheduled for

Monday, May 11, 2020 at 4:00 P.M.

has been CANCELED
due to lack of agenda items

The next meeting is scheduled for
Monday, May 18, 2020

If you have questions, please contact
Growth Management at: 843-706-4522

Attachment 5

TOWN OF BLUFFTON
HISTORIC PRESERVATION REVIEW COMMITTEE MEETING AGENDA

ELECTRONIC MEETING

Monday, May 18, 2020 4:00 p.m.

This meeting can be viewed on the Town of Bluffton's Facebook page starting at 4:00 p.m.
https://www.facebook.com/TownBlufftonSC/

The applications can be viewed on the Town of Bluffton's page
https://www.townofbluffton.us/permit/

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC COMMENTS

IV. OLD BUSINESS

V. NEW BUSINESS

1. Certificate of Appropriateness (Demolition): A request by Jamie H. Guscio, on behalf of Jamie H. and Lori A. Guscio, for approval of a Certificate of Appropriateness to allow the demolition of an existing one-story single-family Contributing Structure of approximately 900 SF at 75 Bridge Street in the Old Town Bluffton Historic District, zoned Neighborhood Conservation–HD. (COFA-04-19-013053)(Staff – Charlotte Moore)

VI. DISCUSSION

VII. ADJOURNMENT

[redacted]

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Historic Preservation Review Committee.

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

Attachment 5

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

Attachment 5

PUBLIC NOTICE

THE HISTORIC PRESERVATION REVIEW COMMITTEE (HPRC)

Meeting scheduled for

Monday, May 25, 2020 at 4:00 P.M.

has been CANCELED
due to lack of agenda items

The next meeting is scheduled for
Monday, June 1, 2020

If you have questions, please contact
Growth Management at: 843-706-4522

Attachment 6

PUBLIC NOTICE

The Construction Board of Adjustments and Appeals (CBAA)

Meeting scheduled for

Tuesday, May 26, at 6:00 P.M.

has been CANCELED due to COVID19

The next meeting is scheduled for Tuesday, June 30, 2020

If you have questions, please contact Growth Management at: 843-706-4522

Attachment 7

TOWN OF BLUFFTON
AFFORDABLE HOUSING COMMITTEE MEETING AGENDA
ELECTRONIC MEETING

Tuesday, May 19, 2020 11:00 a.m.

This meeting can be viewed on the Town of Bluffton's Facebook page starting at 11:00 a.m.
https://www.facebook.com/TownBlufftonSC/

I. CALL TO ORDER

II. ROLL CALL

III. ADOPTION OF AGENDA

IV. ADOPTION OF MINUTES – March 5, 2020

V. PUBLIC COMMENTS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Neighborhood Assistance Program Budget Update

VIII. EXECUTIVE SESSION AGENDA

1. Contractual Matters Pertaining to the Town's Request for Proposal 2020-24 to Develop Affordable/Workforce Housing on the following Town owned properties; Willow Run (Buckwalter Planned Unit Development), 115 Bluffton Road, 184 Bluffton Road, 1095 May River Road (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])

IX. PUBLIC COMMENTS

X. DISCUSSION

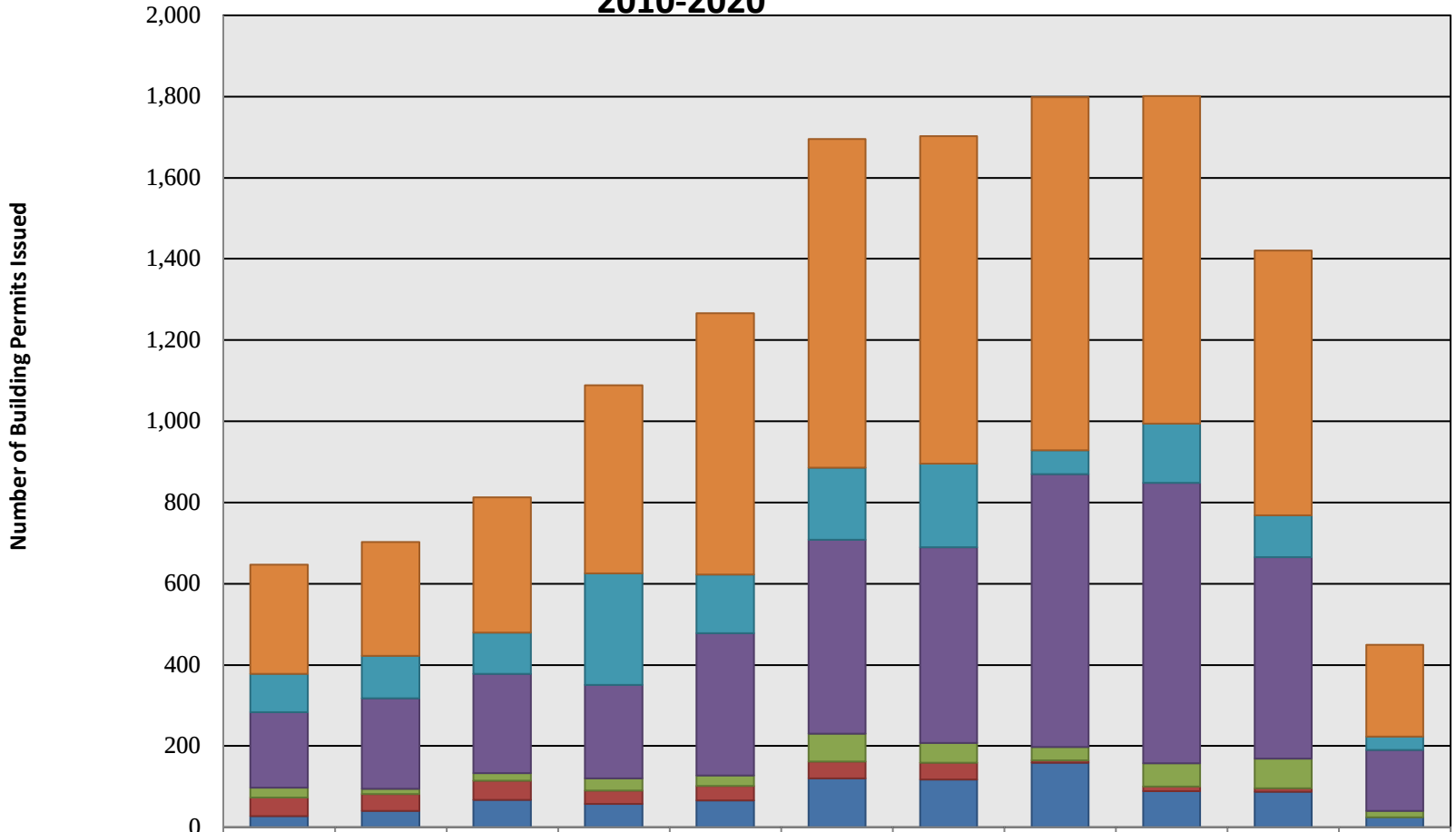
XI. ADJOURNMENT

NEXT MEETING DATE: Thursday, June 4, 2020

* Public Comments may be submitted electronically via the Town's website at (https://bit.ly/TOBPublicComment) or by emailing your comments to the Growth Management Coordinator at vsmalls@townofbluffton.com. Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to the Affordable Housing Committee.

Town of Bluffton
Building Permits Issued
2010-2020

Attachment 8a

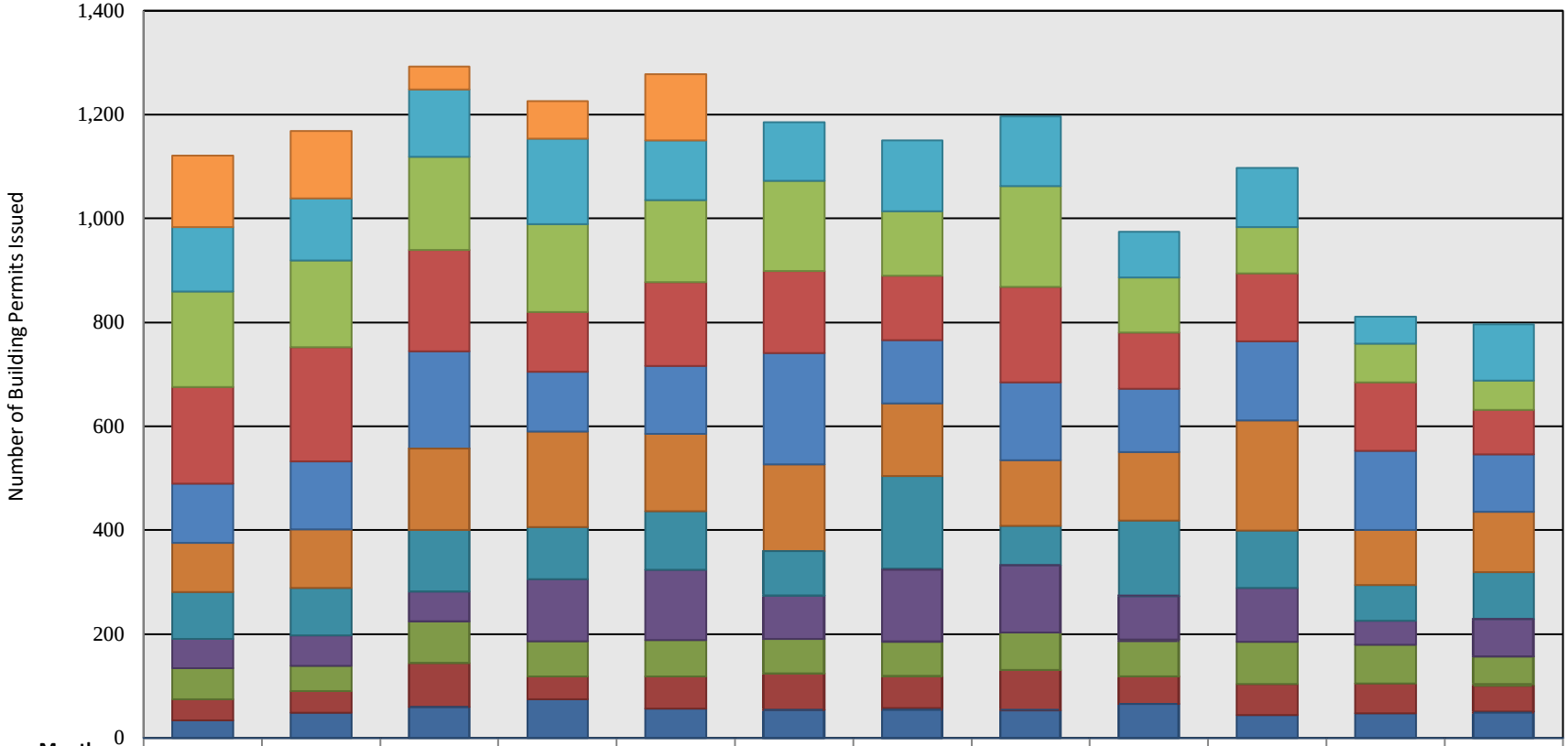


Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 To Date
New Single Family/ Multi-Family Residential	269	281	332	464	644	810	808	870	807	651	225
Residential Addition	94	104	102	275	144	176	205	59	145	104	33
Other Residential	186	224	245	229	351	478	482	672	691	496	151
New Commercial Construction/ Tenant Upfit	25	12	18	31	25	69	49	34	58	73	15
Commercial Addition	45	42	48	32	36	41	41	5	11	9	0
Other Commercial	28	40	67	58	66	121	118	159	89	87	25

Notes: 1. "Other" Building Permits include permits for demolition, electrical, plumbing, gas, irrigation, HVAC replacement, pool/spa, roof repair, tent, construction trailer, fire sprinkler system, fire alarm system, and manufactured home replacement.
2. Building Permits Issued excludes those Building Permits which were voided or withdrawn.
3. The monthly average of building permits issued in 2018 (year to 12/01/2018) is 150 per month which is a 1.5% increase of building permits issued on a monthly basis from 2017.

Town of Bluffton
Building Permits Issued Per Month
2010-2020

Attachment 8b

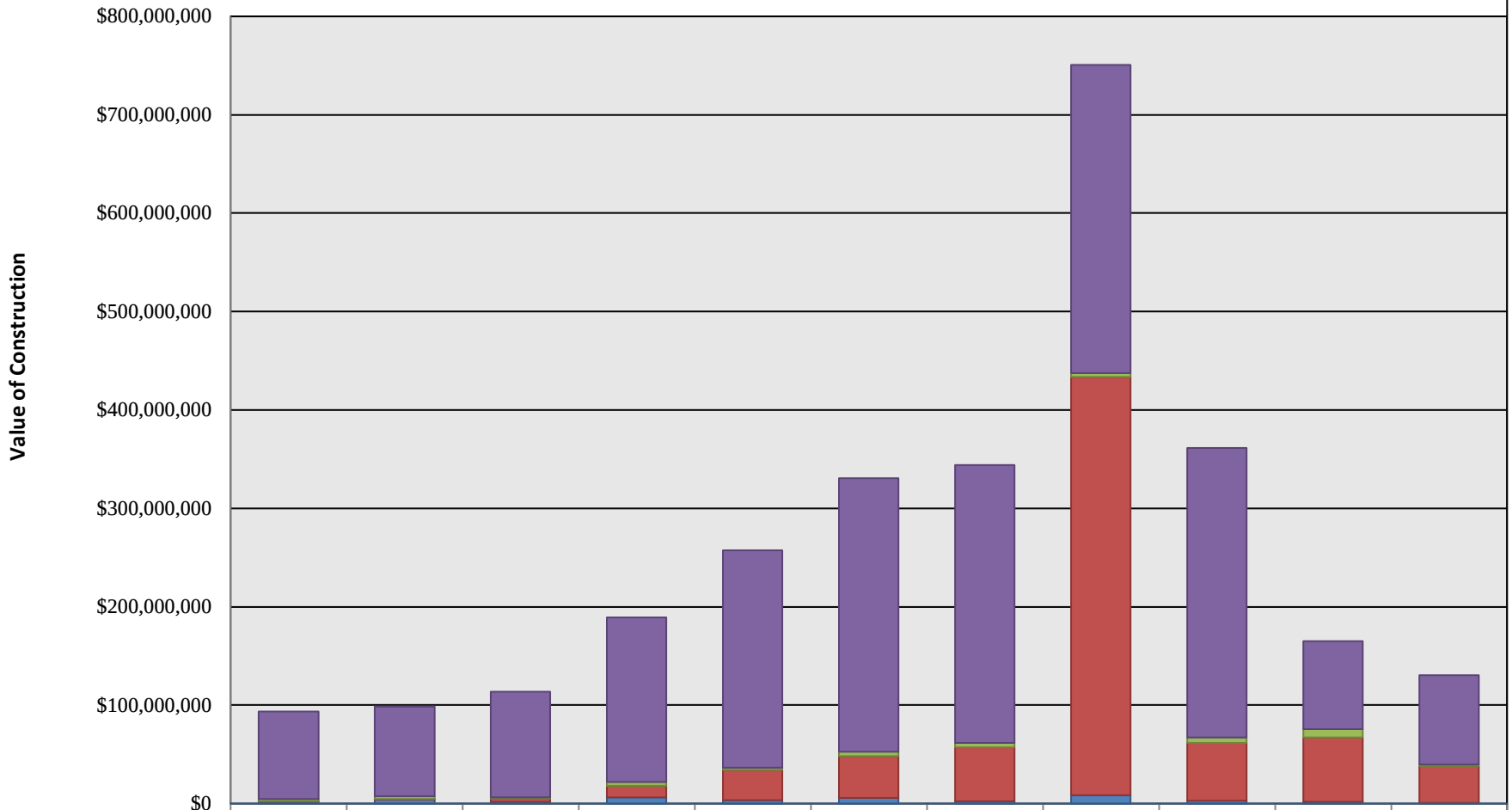


Month	January	February	March	April	May	June	July	August	September	October	November	December
2020	138	129	43	72	128							
2019	124	120	130	165	115	112	137	135	89	113	52	108
2018	183	167	179	169	158	174	124	194	105	90	74	56
2017	186	220	195	115	161	158	124	183	109	130	132	86
2016	114	130	188	115	131	214	122	150	122	153	153	111
2015	95	113	157	184	148	167	140	127	131	212	105	116
2014	90	91	118	100	113	86	178	75	146	110	69	90
2013	57	59	58	120	135	83	141	130	83	104	47	72
2012	59	49	80	67	70	67	65	72	71	81	74	57
2011	41	41	84	45	62	70	62	78	54	60	57	49
2010	34	46	66	74	57	54	58	53	65	44	46	51

Notes: 1. "Other" Building Permits include permits for demolition, electric, plumbing, gas, irrigation, HVAC replacement, pools/spas, roof repair, tent, construction trailer, fire sprinkler system, fire alarm system, and manufactured home replacement.
2. Building Permits Issued excludes the Building Permits which were voided or withdrawn.

Town of Bluffton
Value of Construction
2010-2020

Attachment 8c

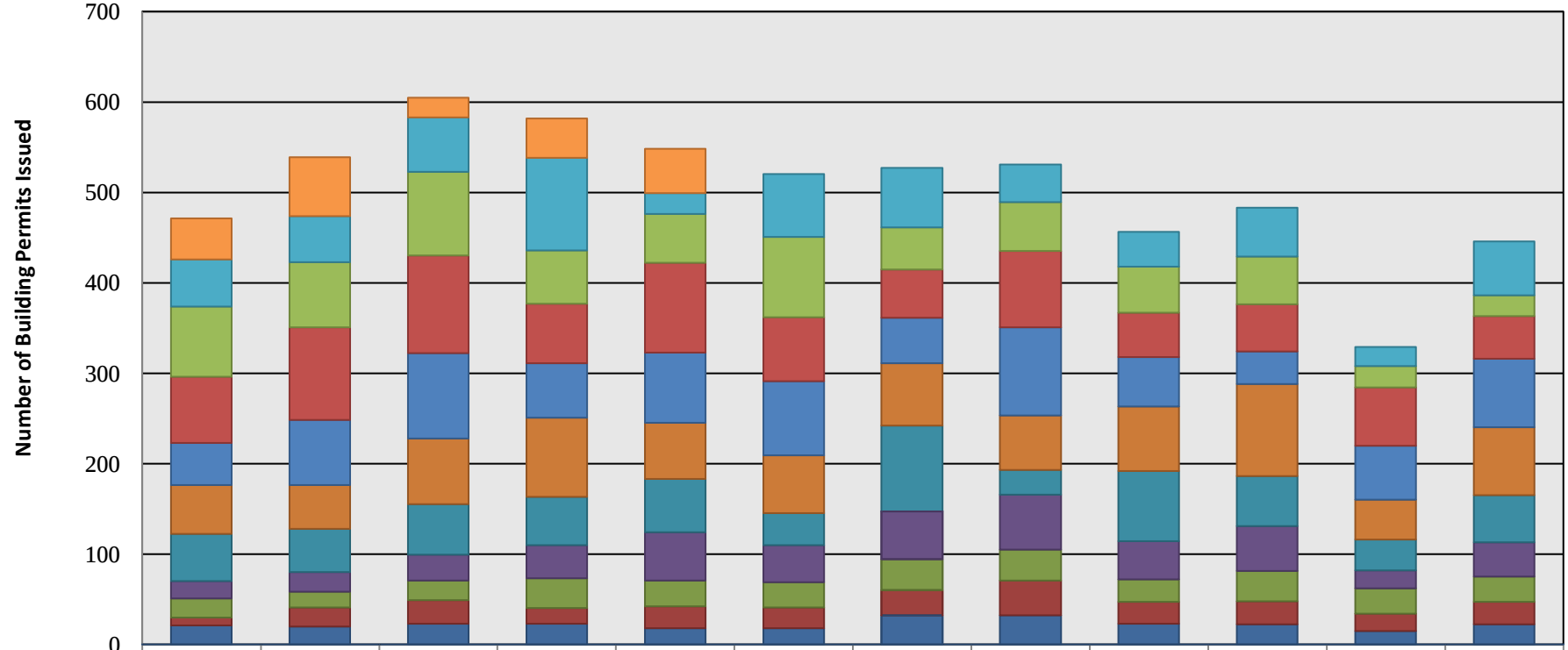


Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 To Date
New Single Family/ Multi-Family	$88,820,755	$91,316,936	$107,490,514	$167,435,317	$220,887,215	$278,078,709	$282,548,601	$313,502,148	$294,166,940	$89,627,180	90,874,736
Residential Additions/ Renovations	$2,129,051	$2,279,051	$1,115,065	$3,729,782	$2,519,255	$4,652,929	$4,241,365	$3,563,611	$5,461,103	$8,346,412	1,579,806.55
New Commercial/ Tenant Upfits	$456,337	$852,545	$3,265,626	$12,026,404	$30,496,645	$42,515,253	$54,982,666	$425,223,725	$59,076,385	$65,475,875	$37,701,252
Commercial Additions	$1,900,201	$4,043,767	$1,829,112	$6,108,604	$3,581,161	$5,640,708	$2,395,534	$8,535,713	$2,736,915	$1,864,126	446,060

Note: The Value of Construction is added to each respective property where the improvement was constructed. This increases the overall value, also refered to as market value, of the property used to which is used determine its assesed value which is subject to Town Millage. This increased value is realized in the following year's tax roll.

Attachment 8d

Town of Bluffton
New Single Family/ Multi-Family Residential Building Permits Issued Per Month
2010-2020



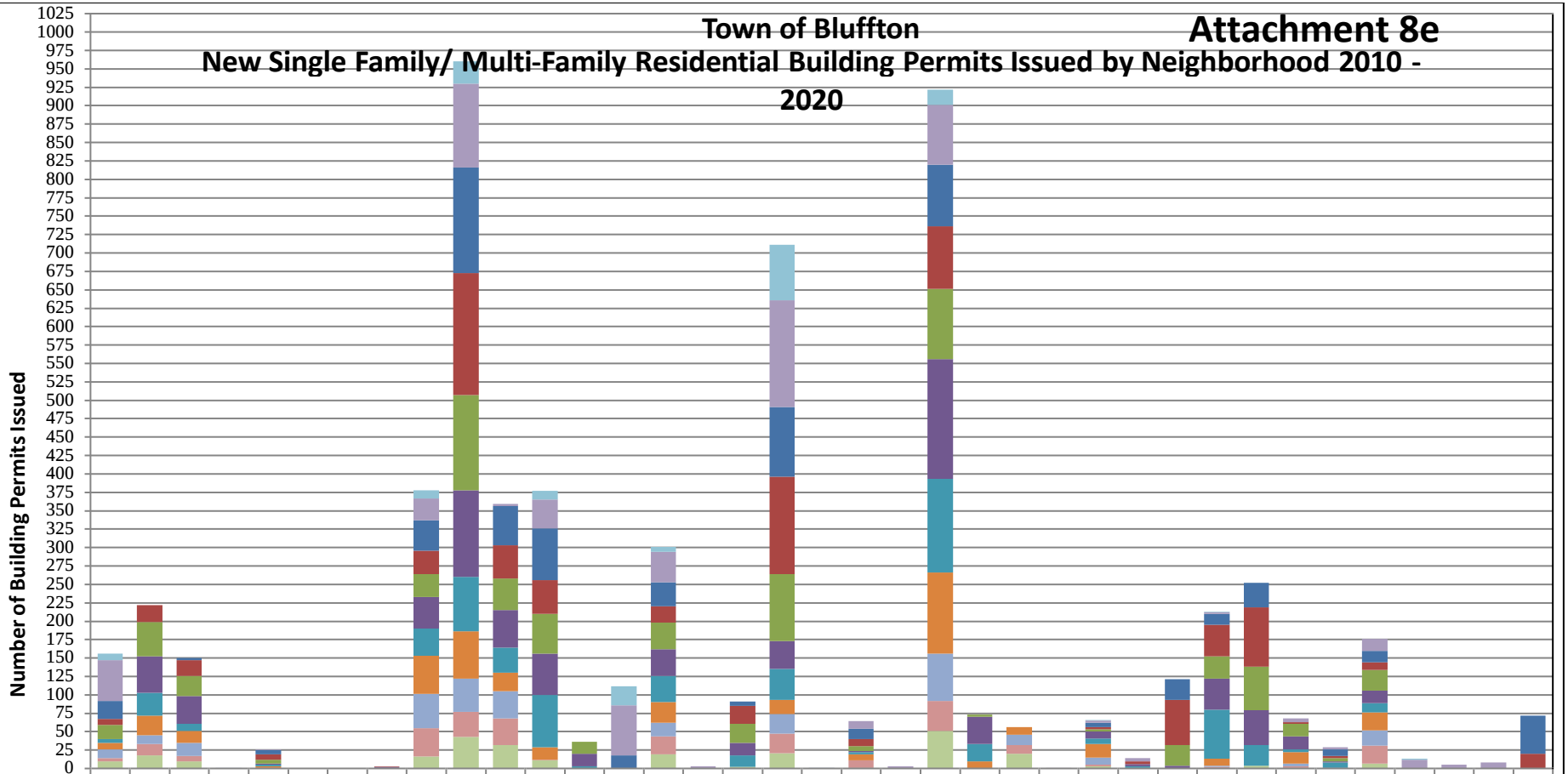
Month	January	February	March	April	May	June	July	August	September	October	November	December
2020	45	65	22	44	49							
2019	52	51	60	102	23	69	66	42	38	54	21	60
2018	78	72	93	59	54	89	46	54	51	53	24	23
2017	73	103	108	66	99	71	54	84	49	52	64	47
2016	47	72	94	60	78	82	50	98	55	36	60	76
2015	54	48	73	88	62	64	69	60	71	102	44	75
2014	52	48	56	53	59	35	95	27	78	55	34	52
2013	19	22	28	37	53	41	53	61	42	50	20	38
2012	21	17	22	33	29	28	34	34	25	33	28	28
2011	9	21	26	17	24	23	28	39	24	26	19	25
2010	21	20	23	23	18	18	32	32	23	22	15	22

Note: Building Permits issued excludes those Building Permits which were voided or withdrawn.

Town of Bluffton

Attachment 8e

New Single Family/ Multi-Family Residential Building Permits Issued by Neighborhood 2010 - 2020

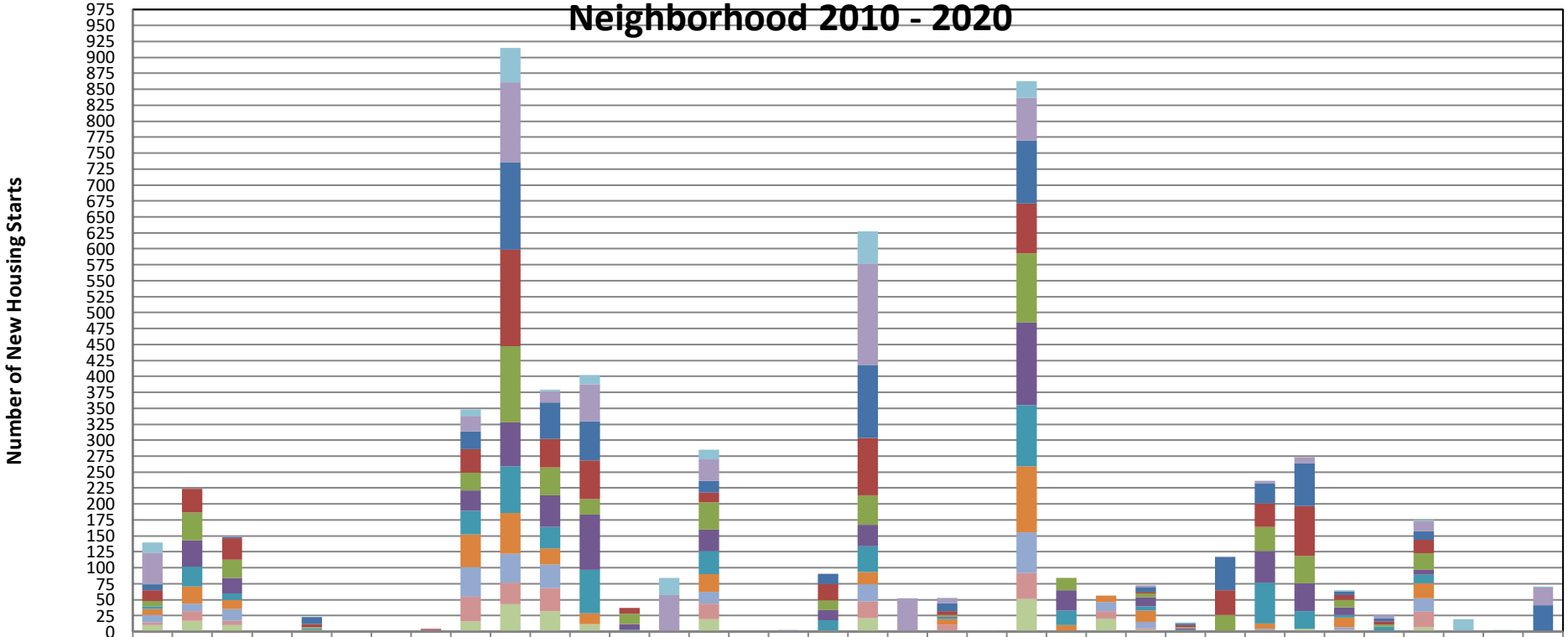


Neighborhood	Alston Park	Bayn ard Park	Blufft on Park	Bren dan Woo ds	Buck Island / Simm onsvil le	Buck walte r Place	Calho un Stree t Prom enad e	Giddy Up	Ham pton Hall	Ham pton Lake	Have n at New River side	Herit age at New River side	Kirks Bluff	Landi ngs at New River side	Lawt on Statio n	Lot 26 Able St	Midp oint	Mill Creek at Cypre ss Ridge	New River side-Other	Old Town - Other	One Ham pton Lake	Palm etto Bluff	Palm etto Point e Town es	Parks ide	Pine Ridge	Rose Dhu Creek Plant ation	Schul tz/ Goet he Road	Seagr ass Statio n	Shell Hall	Soutl ern Oaks	Stock Farm	Tabb y Road s	The Villag e at Palm etto Point e	The Walk	Ulme r Prop erty	Villag e at Verdi er Plant ation	WellS tone
2020 To Date	9	0	0	0	0	0	0	0	11	30	0	12	0	26	7	0	0	75	0	0	0	21	0	0	0	1	0	0	1	0	0	0	0	1	0	0	0
2019	55	0	0	0	1	0	0	0	30	114	3	39	0	68	41	3	0	145	0	10	3	81	0	0	1	3	4	0	2	0	5	3	16	12	5	8	0
2018	25	0	3	0	6	0	0	0	41	143	53	70	0	18	33	0	6	95	1	14	0	84	0	0	0	6	0	28	15	33	0	9	16	0	0	0	52
2017	8	23	21	0	7	0	0	1	32	166	45	46	0	0	22	0	24	132	0	10	0	85	0	0	0	3	4	61	43	81	2	3	10	0	0	0	20
2016	19	47	28	0	5	0	0	0	31	129	43	54	16	0	36	0	26	91	0	6	0	95	3	0	0	3	0	28	30	59	17	4	28	0	0	0	0
2015	0	49	37	0	2	0	0	1	43	118	51	56	17	0	36	0	17	38	0	2	0	163	37	0	0	9	3	4	42	47	18	2	17	0	0	0	0
2014	5	31	10	0	2	0	0	1	37	74	34	71	3	0	36	0	16	42	0	3	0	127	23	0	0	8	2	0	67	28	4	7	13	0	0	0	0
2013	9	27	16	0	2	0	0	0	52	64	25	17	0	0	28	0	0	19	0	8	0	110	10	10	0	18	0	0	9	0	15	1	24	0	0	0	0
2012	12	12	18	1	1	0	0	0	46	45	37	0	0	0	18	0	0	27	0	0	0	64	0	14	0	10	0	0	2	0	4	0	21	0	0	0	0
2011	4	15	7	0	0	0	0	0	39	34	36	1	0	0	25	0	0	26	0	10	0	41	0	12	0	2	1	0	2	0	2	0	24	0	0	0	0
2010	10	18	10	0	0	0	0	0	16	43	32	11	0	0	19	0	2	21	0	1	0	51	0	20	0	3	0	0	0	4	1	0	7	0	0	0	0

Town of Bluffton

Attachment 8f

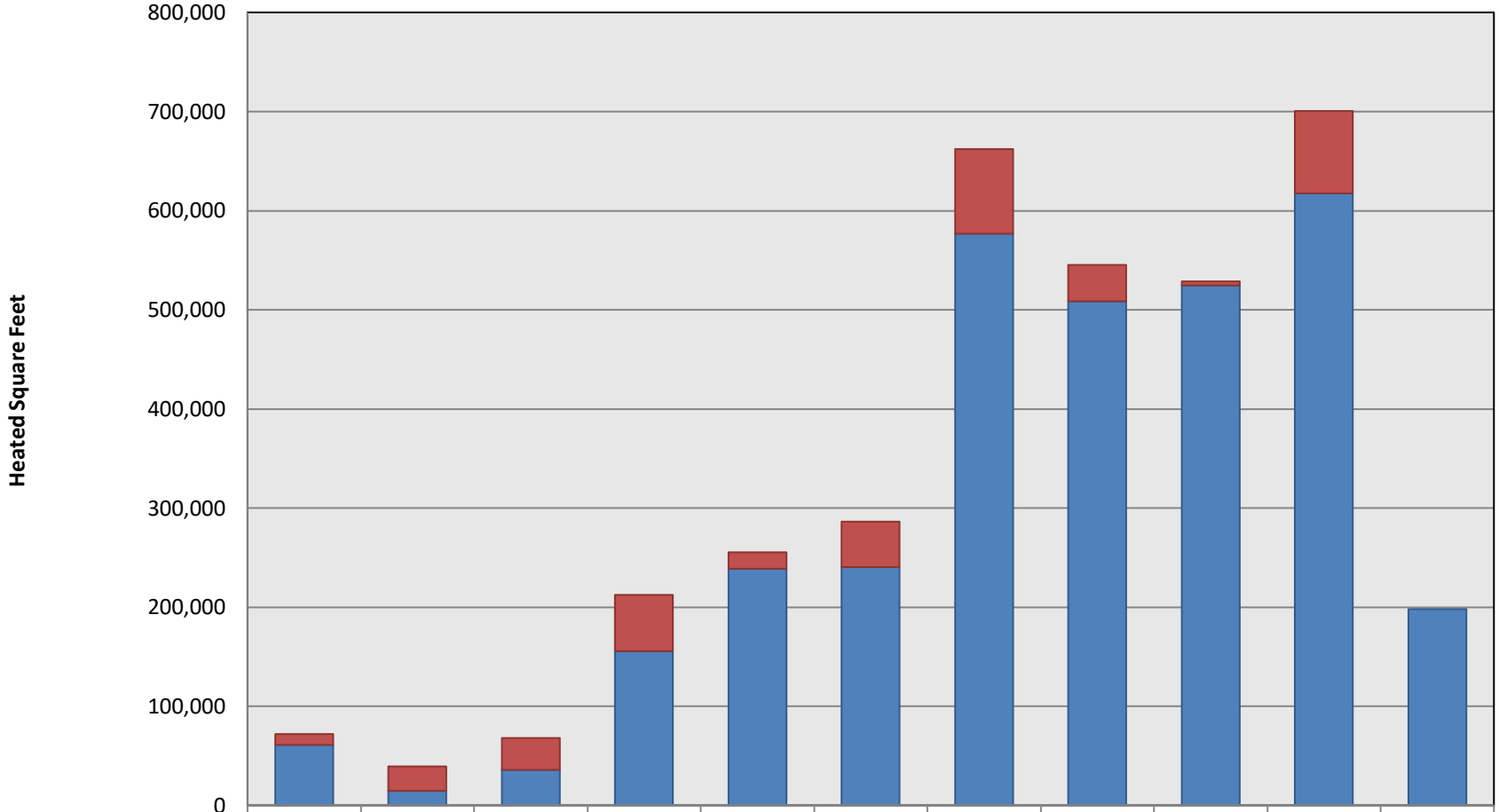
New Single Family/ Multi-Family Certificates of Occupancy Issued by Neighborhood 2010 - 2020



	Alston Park	Bayn ard Park	Bluff ton Park	Brend an Woo ds	Buck Island / Simm onsvil le	Buck walte r Place	Calho un Stree t Prom enad e	Giddy Up	Hamp ton Hall	Hamp ton Lake	Have n at New Rivers ide	Herit age at New Rivers ide	Kirks Bluff	Landi ngs at New Rivers ide	Lawt on Statio n	Lee/B urnt Churc h Rd	Lot 26 Able St	Midp oint	Mill Creek at Cypre ss Ridge	Mysti c Bluff Apart ment s	Old Town - Other	Palm etto Bluff Block	Palm etto Bluff	Palm etto Point e Town es	Parksi de	Rose Dhu Creek Plant ation	Schul tz/ Goet he Road	Seagr ass Statio n	Shell Hall	Soun ern Oaks	Stock Farm	Tabb y Road s	The Villag e at Palm etto Point e	The Walk	Ulme r Prope rty	Wells tone
2020 To Date	16	0	0	0	0	0	0	0	10	54	2	14	0	27	15	0	0	0	50	0	1	0	26	0	0	0	1	0	0	0	2	0	2	18	1	2
2019	50	0	2	0	0	0	0	0	24	125	18	58	0	57	34	1	3	1	159	52	7	2	68	0	0	2	0	1	4	9	0	6	16	1	2	28
2018	9	0	2	0	11	0	0	0	28	137	57	62	0	0	18	0	0	15	114	0	13	0	98	0	0	8	3	52	31	67	6	5	13	0	0	41
2017	17	37	33	0	5	0	0	1	37	152	45	60	9	0	15	0	0	26	90	0	6	0	78	0	0	2	3	39	37	78	7	5	21	0	0	0
2016	8	44	29	0	2	0	0	0	28	119	43	25	16	0	43	0	0	15	47	0	2	0	109	19	0	6	2	26	38	43	12	3	26	0	0	0
2015	0	41	24	0	0	0	0	2	32	69	50	86	9	0	34	0	0	16	33	0	2	0	129	32	0	14	2	0	49	44	12	0	8	0	0	0
2014	5	31	10	0	2	0	0	1	37	73	34	68	3	0	36	0	0	16	41	0	3	0	96	23	0	7	2	0	64	28	4	7	13	0	0	0
2013	9	27	15	0	2	0	0	0	51	64	25	17	0	0	28	0	0	0	19	0	8	0	103	10	10	18	0	0	9	0	15	1	24	0	0	0
2012	12	12	18	1	1	0	0	0	46	45	37	0	0	0	18	0	0	0	27	0	0	0	64	0	14	10	0	0	2	0	4	0	21	0	0	0
2011	4	15	7	0	0	0	0	0	39	34	36	1	0	0	25	0	0	0	26	0	10	0	41	0	12	2	1	0	2	0	2	0	24	0	0	0
2010	10	17	10	0	0	0	0	0	16	43	32	11	0	0	19	0	0	2	21	0	1	0	51	0	20	3	0	0	0	4	1	0	7	0	0	0

Attachment 8g

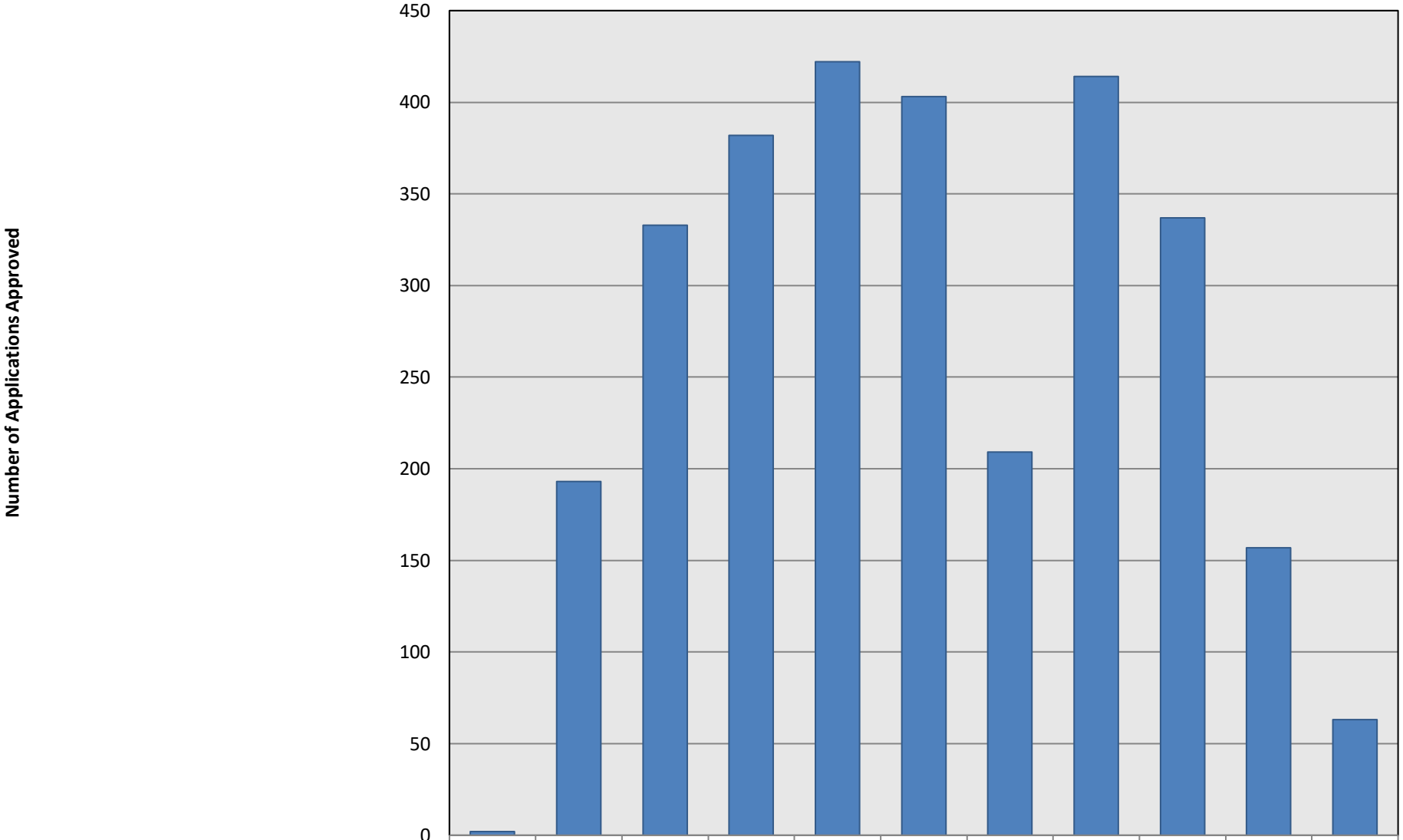
Town of Bluffton
New Commercial Construction and Additions Heated Square Footage
2010 - 2020



	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 To Date
Commercial Additions	10,897	24,817	31,638	56,667	16,842	45,965	85,842	36,980	4,123	83,424	0
New Commercial	60,885	14,434	36,020	155,641	238,576	240,430	576,583	508,508	524,471	617,352	197,995

Town of Bluffton
Planning & Community Development Applications Approved
2010 - 2020

Attachment 8h



	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020 To Date
Planning & Community Development Applications	2	193	333	382	422	403	209	414	337	157	63

Attachment 9

Growth Management Application Update Report

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Annexation Petition

100%

ANNX-07-19-013330	07/10/2019	Annexation Petition	Active	Aubrie Giroux

Applicant: Walter J Nester III **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for an Ordinance for the Annexation of the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map Nos. R600 022 000 0125 0000 & R660 022 000 1120 0000, into the Town of Bluffton Corporate Limits.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

ANNX-03-20-014067	03/02/2020	Annexation Petition	Active	Aubrie Giroux

Applicant: Enmarket **Owner:** Grande Oaks II, LLC

PLAN DESCRIPTION: A request by Walter J. Nester, III on behalf of Enmark Station, Inc. for consideration of an Ordinance to approve a 100% Annexation Petition for certain property consisting of approximately 1.076 Acres of land located at 464 Buckwalter Parkway and identified as a portion of Beaufort County Tax Map No. R600 029 000 0014 0000 into the Town of Bluffton's municipal boundary as part of the Buckwalter Planned Unit Development to supplement the development of the 9.18 acre Robertson site.

STATUS: Staff is currently reviewing the concurrent applications for Annexation, Zoning Map Amendment, Buckwalter Development Agreement Amendment, Buckwalter Concept Plan Amendment, and Buckwalter Commons Phase 1 Master Plan Amendment and their associated materials for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: ROBERTSON SITE

Total Annexation Petition Cases: 2

Certificate of Appropriateness

Highway Corridor Overlay District

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-03-18-011754	03/02/2018		Certificate of Appropriateness	Active	Katie Peterson

Applicant: Witmer-Jones-Keefer, Ltd. **Owner:** Michael Bradley Holdings, LLC

PLAN DESCRIPTION: A request by Dan Keefer, on behalf of the property owner, Michael Bradley Holdings, LLC., for a Certificate of Appropriateness – HCO for a 5.18 acre development consisting of a brewery/restaurant building of approximately 37,000 SF, an outdoor beer garden area and the associated parking, driveways, lighting and landscaping. The property is identified by tax map numbers R610-039-000-0021-0000, R610-039-000-0756-0000, R610-039-000-0757-0000 and is located adjacent to May River Road (SC Highway 46), Buck Island Road and Jennifer Court. It falls within the Town of Bluffton Highway Corridor Overlay District, and is zoned Neighborhood Core.
STATUS: The application was reviewed at the March 28th PC meeting and approved with conditions. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.
STATUS 3-19-2020: An email was sent to the Owner and Applicant as listed on the application notifying them of the impending expiration of the application.
STATUS 3-26-2020: Applicant response with plans to provide plans for resubmittal. Active.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

COFA-05-19-013161	05/15/2019	1195 MAY RIVER RD	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Manuel Studio, LLC **Owner:** Trever Wells

PLAN DESCRIPTION: A request by Ansley Hester Manuel on behalf of Trever Wells for approval of a Certificate of Appropriateness – HCO to permit the construction of a one-story commercial structure of approximately 3,750 and the associated site improvements. The property, consisting of 0.43 acres, is identified by tax map number R10 039 000 107B 0000, located at 1195 May River Road within the Town of Bluffton Highway Corridor Overlay District, and zoned Neighborhood Core.
Status : The application was reviewed and approved with conditions at the June 26, 2019 Planning Commission meeting. Staff is awaiting the submittal of documents addressing the Planning Condition conditions, including issuance of a Final Development Plan (DP-04-17-010873). Once received, they will be reviewed to ensure the conditions are met and a Final Certificate of Appropriateness granted.
STATUS 3-19-20: An email was sent to the applicant and owner as listed on the application notifying them of the impending expiration of the application.
STATUS 3-26-20: Applicant response still active - working on sewer connectivity. See attached email.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

Historic District

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-03-20-014120	03/16/2020	51 B COLCOCK ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Manuel Studio, LLC **Owner:** Cunningham, LLC

PLAN DESCRIPTION: A request by Ansley Manuel on behalf of Matthew Cunningham, for approval of a Certificate of Appropriateness - HD to allow the construction of a new 2-story single-family residential structure of approximately 3,260 SF and the renovation and addition to the existing 1,152 SF Carraige House, located at 51 Colcock Street Unit B in the Old Town Bluffton Historic District, and zoned as Riverfront Edge-HD.
STATUS 3-23-2020: The application is currently being reviewed by Staff for conformance with the Unified Development Ordinance (UDO), Traditional Construction Patterns, and any development plans associated with the parcel and is scheduled for review by the HPRC at the April 17, 2020 meeting.
A Final Application has been submitted and will be heard by the full HPC at the June 3, 2020 HPC meeting.

PROJECT NAME: OLD TOWN

COFA-03-20-014106	03/11/2020	5738 GUILFORD PL	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Court Atkins Architects, Inc. **Owner:** Micheal Bradley Holdings LLC

PLAN DESCRIPTION: A request by Court Atkins Architects, Inc., on behalf of the owner, Michael Bradley Holdings, LLC, for review of a Certificate of Appropriateness to allow the construction of a new 2-story commercial structure of approximately 3,200 SF and a new Carriage House Structure of approximately 1,200 SF located at 5738 Guilford Place (Lot 2) in the Stock Farm Development and is zoned Neighborhood General – HD.
STATUS: The application is currently being reviewed by Staff for conformance with the Unified Development Ordinance (UDO), Traditional Construction Patterns, and any development plans associated with the parcel and is scheduled for review by the HPRC at the May 4, 2020 meeting. A Final Application has been submitted and will be heard by the full HPC at the June 3, 2020 HPC meeting.

PROJECT NAME: STOCK FARM

COFA-06-18-012081	06/06/2018	42 WHARF ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Absolute Island Management **Owner:** Two Old Dogs, LLC

PLAN DESCRIPTION: A request by Kevin Quat, for review of a Certificate of Appropriateness to allow the development of a Bungalow Court consisting of 6 residential cottages of approximately 415 SF each and a pavilion amenity of approximately 475 SF located at 42 and 44 Wharf Street in the Old Town Bluffton Historic District and zoned Neighborhood General – HD.
STATUS: The application was reviewed at the June 18th HPRC meeting and the December 5th HPC meeting and approved with conditions. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.

PROJECT NAME: OLD TOWN

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-03-20-014097	03/09/2020	32 TABBY SHELL RD	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Southern Coastal Homes **Owner:** Scott Ready

PLAN DESCRIPTION: A request by Southern Coastal Homes, on behalf of the owner, Scott Ready, for review of a Certificate of Appropriateness to allow the construction of a new 1 ½-story single-family residential structure of approximately 1,813 SF located at 32 Tabby Shell Road (Lot 17) in the Tabby Roads Development and is zoned Neighborhood General – HD.
STATUS: The application is currently being reviewed by Staff for conformance with the Unified Development Ordinance (UDO), Traditional Construction Patterns, and any development plans associated with the parcel and is scheduled for review by the HPRC at the May 4, 2020 meeting. A Final Application has been submitted and will be heard by the full HPC at the June 3, 2020 HPC meeting.

PROJECT NAME: TABBY ROADS PHASE 1

COFA-04-15-009182	04/20/2015	95 GREEN ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Storm Solutions of the Low Country, LLC **Owner:** Glenda Mikulak

PLAN DESCRIPTION: A request by Stephen Nitz of Craftsmen Homes on behalf of Glenda Mikulak for review of a Certificate of Appropriateness for the construction of a new single family residence of approximately 2,500 SF on the property identified as 95 Green Street and zoned as Neighborhood General-HD
STATUS: The project was reviewed at the May 11, 2015 HPRC meeting and comments provided to the applicant. Staff is awaiting a final application to be presented to the full HPC for final review.
STATUS 3-27-20: An email was sent to the applicant and owner as listed on the application notifying them of the impending expiration of the application
STATUS 4-27-20: The applicant has requested additional information on the missing documentation for approval. The application is to remain open at this time.

PROJECT NAME: OLD TOWN

COFA-03-20-014057	03/02/2020	13 LAWRENCE ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Mark Reichert **Owner:** Mark Reichert

PLAN DESCRIPTION: A request by Mark Reichert for review of a Certificate of Appropriateness to allow the construction of a 1,300 SF, 2-story addition to an existing 1-story residential structure of approximately 1,500 SF located at 13 Lawrence Street and is zoned Neighborhood General – HD.
STATUS: The application is currently being reviewed by Staff for conformance with the Unified Development Ordinance (UDO), Traditional Construction Patterns, and any development plans associated with the parcel and is scheduled for review by the HPRC at the May 4, 2020 meeting.

PROJECT NAME:

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-07-19-013313	07/02/2019	215 GOETHE RD	Certificate of Appropriateness	Active	Katie Peterson

Applicant: The Bluffton Breeze, LLC **Owner:** Leonex Construction Group Inc.

PLAN DESCRIPTION: A request by Randolph Stewart, on behalf of Leonex Construction Group, for review of a Certificate of Appropriateness to allow the construction of a 3-story mixed use building of approximately 2,900 SF and a Carriage House of approximately 1,060 SF located at 215 Goethe Road within the May River Road development plan in the Old Town Bluffton Historic District, and zoned Neighborhood Core-HD.
STATUS: The Application was heard at the July 15th meeting of the HPRC. A Final Application has been submitted and was approved with conditions at the November 6th meeting of the HPC. Staff is awaiting resubmittal materials addressing HPC Conditions.
STATUS 11-27-19: Preliminary Approval Letter discussed with Applicant. Awaiting resubmitted materials.

PROJECT NAME: Schultz/Goethe

COFA-11-19-013711	11/21/2019	7 BLUE CRAB ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Ernest Suozzi **Owner:** Ernest Suozzi

PLAN DESCRIPTION: A request by Ernest Suozzi, for review of a Certificate of Appropriateness to allow the construction of a 2-story single family residential structure of approximately 1920 SF and a Carriage House of approximately 986 SF located on the property at 7 Blue Crab Street in the Tabby Roads development in the Old Town Bluffton Historic District, and zoned Neighborhood General-HD.
STATUS 3-24-2020:The application was heard at the December 9th meeting of the HPRC and comments provided to the Applicant. A final application was sapproved with conditions at the February 5, 2020 HPC meeting. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.

PROJECT NAME: TABBY ROADS PHASE 1

COFA-12-19-013785	12/16/2019	71 CALHOUN ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Court Atkins Architects, Inc. **Owner:** Cunningham, LLC

PLAN DESCRIPTION: Building 3- A request by Court Atkins, Inc. on behalf of Cunningham, LLC for review of a Certificate of Appropriateness to allow the construction of a two and a half-story mixed-use building of approximately 8,000 SF located at 71 Calhoun Street and is zoned Neighborhood Center – HD.
STATUS: The application was reviewed at the January 13, 2020 HPRC meeting and comments were provided to the Applicant. A final application has been submitted and is being reviewed for conformance with the UDO and is scheduled to be heard at the May 4 digital HPRC meeting.

PROJECT NAME: OLD TOWN

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-10-19-013647	10/31/2019	71 CALHOUN ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Court Atkins Architects, Inc. **Owner:** Cunningham, LLC

PLAN DESCRIPTION: Building 1 A request by Court Atkins, Inc. on behalf of Cunningham, LLC for review of a Certificate of Appropriateness to allow the construction of a two and a half-story mixed-use building of approximately 8,000 SF located at 71 Calhoun Street and is zoned Neighborhood Center – HD.
STATUS: The application was reviewed at the November 18, 2019 HPRC meeting and comments were provided to the Applicant. The Applicant submitted a second conceptual application for review by the HPRC. It was reviewed at the January 13, 2020 HPRC meeting and comments were provided to the Applicant. A final application has been submitted and is being reviewed for conformance with the UDO and is scheduled to be heard at the May 4 digital HPRC meeting.

PROJECT NAME: OLD TOWN

COFA-11-18-012562	11/14/2018	1268 MAY RIVER RD	Certificate of Appropriateness	Active	Erin Schumacher

Applicant: Kevin Farruggo **Owner:** McClure Real Estate LLC

PLAN DESCRIPTION: A request by Grady L Woods Architects on behalf of McClure Real Estate, LLC, for review of a Certificate of Appropriateness to allow the renovation of the existing contributing structure (known as the Nathanial Brown House) into a commercial office space of approximately 1,325 SF. The renovation includes: the removal of the gabled east wing of approximately 210 SF; installation of new windows, doors, and roof materials; and an interior upfit of the structure located at 1268 May River Road in the Old Town Bluffton Historic District and zoned Neighborhood General-HD.
STATUS: The application was reviewed at the November 19th HPRC meeting and the January 9th HPC meeting and approved with conditions. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.
STATUS 3-30-20: An email was sent to the applicant and owner as listed on the application notifying them of the impending expiration of the application.
STATUS 4-27-20: The applicant has responded that they are working on submittal information. Active.

PROJECT NAME: OLD TOWN

COFA-01-20-013886	01/21/2020	36 TABBY SHELL RD	Certificate of Appropriateness	Active	Katie Peterson

Applicant: James Guscio **Owner:** Riverside Retreats, Inc

PLAN DESCRIPTION: A request by James Guscio, on behalf of Riverside Retreats, for review of a Certificate of Appropriateness to allow the construction of a new 2-story single-family building of approximately 2,243 SF located at 36 Tabby Shell Road in the Tabby Roads development in the Old Town Bluffton Historic District, and zoned Neighborhood General-HD.
STATUS 3-30-20: The application was reviewed and was heard at the February 3, 2020 HPRC meeting where comments were provided to the Applicant. A Final Application was submitted and was approved with conditions at the March 4, 2020 meeting of the HPC. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.

PROJECT NAME: TABBY ROADS PHASE 1

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-12-18-012652	12/12/2018	6 HEAD OF THE TIDE	Certificate of Appropriateness	Active	Erin Schumacher

Applicant: Manuel Studio, LLC **Owner:** Deidre Jurgensen

PLAN DESCRIPTION: A request by Ansley Manuel, on behalf of Deidre Jurgensen, for review of a Certificate of Appropriateness to allow the construction of a new Carriage House of approximately 1,424 SF located at 6 Head of the Tide in the Old Town Bluffton Historic District, and zoned Neighborhood Conservation-HD.
STATUS: The application was reviewed at the January 2nd HPRC meeting and the May 1st HPC meeting and approved with conditions. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.
STATUS 3-30-20: A permit has been pulled for 5 Head of Tide to remove the Carriage House from this site, as one of the conditions on this permit. Once the work associated with that permit has been complete, this COFA will be able to be approved. RNEW-10-19-2005

PROJECT NAME: OLD TOWN

COFA-09-19-013505	09/10/2019	16 GUERRARD AVE	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Allison Ramsey Architects, Inc. **Owner:** Brighton Builders, LLC

PLAN DESCRIPTION: A request by Jeremiah Smith, Allison Ramsey Architects, on behalf of Ben Kennedy for review of a Certificate of Appropriateness to allow the construction of a 1.5 single-family house of approximately 1,803 SF and garage of approximately 469 SF on a vacant lot located on the property at 16 Guerrard Avenue in the Old Town Bluffton Historic District, and zoned Neighborhood Core-HD.
STATUS: The Application is being reviewed and was heard at the September 23rd HPRC meeting where comments were provided to the Applicant. A Final Application was approved with conditions at the November 6th meeting of the HPC. Staff is awaiting resubmittal documents addressing HPC Conditions.
STATUS 3-30-20: An email was sent to the applicant and owner as listed on the application notifying them of the impending expiration of the application.
STATUS 4-27-20: Revised drawings have been submitted, awaiting submittal of Tree Removal Permit prior to final approval.

PROJECT NAME: OLD TOWN

COFA-07-18-012236	07/25/2018	81 CALHOUN ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Pearce Scott Architects, Inc. **Owner:** 81 Calhoun Street LLC

PLAN DESCRIPTION: A request by Pearce Scott Architects on behalf of Chris Shoemaker, for review of a Certificate of Appropriateness to allow the construction of a mixed-use accessory Carriage House of approximately 1,200 SF located at 55 Bridge Street in the Old Town Bluffton Historic District and zoned Neighborhood Conservation-HD.
STATUS: The application was reviewed at the July 30th HPRC meeting and comments were provided to the Applicant. A final applications as approved with conditions at the November 9th meeting. Staff is awaiting resubmittal documents addressing HPC Conditions. Awaiting fees to be paid

PROJECT NAME: OLD TOWN

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-06-19-013223	06/05/2019	127 BRIDGE ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: R. Stewart Design, LLC **Owner:** Spartina449

PLAN DESCRIPTION: A request by Randolph Stewart of R. Stewart Design, LLC., on behalf of Kay Stanley, for review of a Certificate of Appropriateness to allow for the renovation and construction of a new addition to the existing structure in the Old Town Bluffton Historic District located at 127 Bridge Street in the Old Town Bluffton Historic District, and zoned Riverfront Edge-HD.
The application was heard at the June 24th HPRC Meeting where comments were provided to the Applicant.
STATUS 3-24-2020: The Applicant submitted additional information and requested to be placed on the August 7th HPC Agenda as discussion only for their conceptual application. The Application was heard and comments provided. A final application was submitted and approved with conditions by the HPC at their October 2nd meeting. Staff is awaiting the submittal of revised materials addressing the HPC conditions. Awaiting window detail as final item for approval.

PROJECT NAME: OLD TOWN

COFA-12-19-013784	12/16/2019	71 CALHOUN ST	Certificate of Appropriateness	Active	Erin Schumacher

Applicant: Court Atkins Architects, Inc. **Owner:** Cunningham, LLC

PLAN DESCRIPTION: BUILDING 2: A request by Court Atkins, Inc. on behalf of Cunningham, LLC for review of a Certificate of Appropriateness to allow the construction of a two and a half-story mixed-use building of approximately 8,000 SF located at 71 Calhoun Street and is zoned Neighborhood Center – HD.
STATUS: The application was reviewed at the January 13, 2020 HPRC meeting and comments were provided to the Applicant. A final application has been submitted and is being reviewed for conformance with the UDO and is scheduled to be heard at the May 4 digital HPRC meeting.

PROJECT NAME: OLD TOWN

COFA-05-20-014242	05/21/2020	21 WHARF ST	Certificate of Appropriateness	Active	Katie Peterson

Applicant: Pearce Scott Architects **Owner:** JEFF | ASHLEY FEASTER

PLAN DESCRIPTION: A request by Pearce Scott Architects, on behalf of the owner, Ashley Feaster, for review of a Certificate of Appropriateness to allow the construction of a new 2-story Carriage House structure of approximately 1,150 SF located at 21 Wharf Street and Neighborhood General – HD.
STATUS 5-21-2020: The Application is being reviewed by Staff and the HPRC for compliance with the standards found in the Unified Development Ordinance and will be placed on the June 15th meeting of the HPRC.

PROJECT NAME: OLD TOWN

Historic District - Demolition

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Certificate of Appropriateness

COFA-04-19-013053	04/10/2019	75 BRIDGE ST	Certificate of Appropriateness	Active	Charlotte Moore

Applicant: Kingfisher Construction **Owner:** Lori Guscio

PLAN DESCRIPTION: (COFA-04-19-013053) A Certificate of Appropriateness-Demolition request to allow the demolition of the existing Contributing Structure known as the Guscio Cottage. It is a 1-story wood frame, single-family structure of approximately 900 SF, located on the property identified as 75 Bridge Street in the Old Town Bluffton Historic District, and zoned Neighborhood Conservation-HD.

PROJECT NAME:

COFA-11-18-012563	11/14/2018	1268 MAY RIVER RD	Certificate of Appropriateness	Active	Erin Schumacher

Applicant: Kevin Farruggo **Owner:** McClure Real Estate LLC

PLAN DESCRIPTION: A request by Grady L Woods Architects on behalf of McClure Real Estate, LLC, for review of a Certificate of Appropriateness - Demolition to allow the demolition of a 1-story cmu block building with an attached wooden structure with a shed roof of approximately 800 SF and a small wood shed of approximately 80 SF located at 1268 May River Road in the Old Town Bluffton Historic District, and zoned Neighborhood General-HD.
STATUS: The application was reviewed at the November 19th HPRC meeting, the December 3rd DRC meeting, and the January 9th HPC meeting and approved with conditions. Staff is awaiting updated materials. Once submitted, they will be reviewed to ensure that they meet the conditions of the approval and the Certificate of Appropriateness granted.
STATUS 4-27-20: The Applicant is preparing revised plans for resubmittal. Active.

PROJECT NAME: OLD TOWN

Total Certificate of Appropriateness Cases: 22

Comprehensive Plan Amendment

Comprehensive Plan Amendment

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Comprehensive Plan Amendment

COMP-07-19-013329	07/10/2019	Comprehensive Plan Amendment	Active	Charlotte Moore

Applicant: Walter J Nester III **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for an Ordinance to amend the Town of Bluffton Comprehensive Plan to extend the boundary shown on Map 8.1, Future Annexation Area to include the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map No. R600 022 000 0125 0000 & R660 022 000 1120 0000, as well as change the subject properties future land use designation from Civic/Institutional to an appropriate category which supports residential and commercial uses.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

Total Comprehensive Plan Amendment Cases: 1

Concept Plan Amendment

Concept Plan Amendment

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Concept Plan Amendment

CPA-02-20-014047	02/26/2020	Concept Plan Amendment	Active	Aubrie Giroux

Applicant: McNair Law Firm, P.A. **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for an Ordinance to amend the Buckwalter Concept Plan to incorporate the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map Nos. R600 022 000 0125 0000 & R660 022 000 1120 0000 as a new Land Use Tract and identify associated elements such as any increase in the overall total allowed development rights, allowed land uses, access points, density summary, acreage summary, etc. as necessary.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

CPA-03-20-014069	03/02/2020	Concept Plan Amendment	Active	Aubrie Giroux

Applicant: Enmarket **Owner:** Grande Oaks II, LLC

PLAN DESCRIPTION: A request by Walter J. Nester, III on behalf of Enmark Station, Inc. for consideration of an Ordinance to approve an amendment to the Buckwalter Concept Plan to incorporate certain property consisting of approximately 1.076 Acres of land located at 464 Buckwalter Parkway and identified as a portion of Beaufort County Tax Map No. R600 029 000 0014 0000 as part of the Buckwalter Commons Planning Tract to supplement the development of the 9.18 acre Robertson site.

STATUS: Staff is currently reviewing the concurrent applications for Annexation, Zoning Map Amendment, Buckwalter Development Agreement Amendment, Buckwalter Concept Plan Amendment, and Buckwalter Commons Phase 1 Master Plan Amendment and their associated materials for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: ROBERTSON SITE

Total Concept Plan Amendment Cases: 2

Dev Agreement Amendment

PUD

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Dev Agreement Amendment

DAA-03-20-014068	03/02/2020	Dev Agreement Amendment	Active	Aubrie Giroux

Applicant: Enmarket **Owner:** Grande Oaks II, LLC

PLAN DESCRIPTION: A request by Walter J. Nester, III on behalf of Enmark Station, Inc. for consideration of an Ordinance to approve an amendment to the Buckwalter Development Agreement to incorporate certain property consisting of approximately 1.076 Acres of land located at 464 Buckwalter Parkway and identified as a portion of Beaufort County Tax Map No. R600 029 000 0014 0000 as part of the Buckwalter Commons Planning Tract to supplement the development of the 9.18 acre Robertson site.

STATUS: Staff is currently reviewing the concurrent applications for Annexation, Zoning Map Amendment, Buckwalter Development Agreement Amendment, Buckwalter Concept Plan Amendment, and Buckwalter Commons Phase 1 Master Plan Amendment and their associated materials for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: ROBERTSON SITE

DAA-02-20-014041	02/25/2020	Dev Agreement Amendment	Active	Aubrie Giroux

Applicant: McNair Law Firm, P.A. **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for an Ordinance to amend the Buckwalter Development Agreement to incorporate the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map Nos. R600 022 000 0125 0000 & R660 022 000 1120 0000 and identify necessary terms and conditions such as designation of the property as the Saint Gregory the Great Land Use Tract, allowed land uses for the Land Use Tract, any increase in the overall total allowed development rights for Buckwalter allocated to the property, obligations, special provisions, etc. as necessary.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

Total Dev Agreement Amendment Cases: 2

Development Plan

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

Development Plan

DP-03-19-012966	03/27/2019		Development Plan	Active	William Howard

Applicant: New South Living, LLC **Owner:**

PLAN DESCRIPTION: The Applicant is proposing to construct a two lane, 200 foot extension of Able Street from its terminus with Red Cedar Street to provide access to the adjacent parcel.
STATUS: Comments on the Preliminary Development Plan were reviewed at the April 9, 2019 meeting of the DRC. Awaiting Final Development Plan.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME:

DP-10-18-012476	10/15/2018	1268 MAY RIVER RD	Development Plan	Active	William Howard

Applicant: Kevin Farruggo **Owner:** McClure Real Estate LLC

PLAN DESCRIPTION: The Applicant is proposing to subdivide and use parcel and develop as mixed use at 1268 May River Road, Tax Map Number R610 039 00A 0147 0000.
STATUS 10/31/2018: Comments on the Preliminary Development Plan were provided at the Oct. 30 meeting of the DRC. Awaiting re-submittal and a response to comments before placing the Preliminary Plan on the agenda for review by the Planning Commission.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME: OLD TOWN

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
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20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-06-19-013211	06/03/2019	56 CALHOUN ST	Development Plan	Active	William Howard

Applicant: Town of Bluffton **Owner:** Elizabeth Fund, LLC

PLAN DESCRIPTION: The Applicant is proposing to construct a mixed use building with associated infrastructure and parking.
STATUS 06/20/2019: Comments on the Preliminary Plan were provided at the June 19 meeting of the DRC. Awaiting re-submittal for presentation to the Planning Commission.

STATUS 08/28/2019: The Preliminary Plan is approved by the Planning Commission.
STATUS 10/22/2019: Comments on the Final Development Plan were reviewed at the Oct. 16 meeting of the DRC. Awaiting re-submittal to address comments.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME: OLD TOWN

DP-06-19-013224	06/05/2019		Development Plan	Active	William Howard

Applicant: Watercrest Development LLC **Owner:** Speyside

PLAN DESCRIPTION: The Applicant is proposing to construct an assisted living facility within Washington Square.

STATUS 06/20/2019: Comments on the Preliminary Plan will be provided at the June 25 meeting of the DRC.
STATUS 08/26/2019: The Preliminary Plan will be reviewed by the Planning Commission at its August 28 meeting.
08/29/2019: The Preliminary Plan was approved by the Planning Commission. Awaiting Final Development Plan.
STATUS: The Final Development Plan has been submitted. Comments were reviewed at the November 13, 2019 DRC meeting. Awaiting re-submittal.

PROJECT NAME: Buckwalter

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
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Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-11-18-012564	11/14/2018	1217 MAY RIVER RD	Development Plan	Active	William Howard

Applicant: Witmer-Jones-Keefer, Ltd. **Owner:** May River Development LLC

PLAN DESCRIPTION: The Applicant is proposing to develop 5 existing parcels into a mixed use development consisting of 5 single family residences and 5 commercial buildings to include the site infrastructure, internal street-scape, drives, parking, walks, utilities, drainage, and stormwater BMPs .
STATUS 11/27/2018:
STATUS 12/18/2018: Comments on the Preliminary Development Plan were reviewed at the Dec. 4 meeting of the DRC. Awaiting Final Development Plan.
STATUS 05/14/2019: Comments on the Final Development Plan were reviewed at the May 14 meeting of the DRC. Awaiting re-submittal.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME: OLD TOWN

DP-11-16-010264	11/10/2016		Development Plan	Active	William Howard

Applicant: Coleman Company Inc. **Owner:** WWH PALMETTO PT DEVELOPERS

PLAN DESCRIPTION: The applicant is requesting approval for a Preliminary Development Plan to construct 19 single family homes and associated infrastructure on 5.99 acres.
STATUS: Plan is scheduled for 11/29 DRC Meeting.
STATUS: The Preliminary Development Plan was heard at the December 6, 2016 DRC Meeting. A Final Development Plan was submitted, reviewed, and heard at the March 14th DRC meeting and comments provided to the Applicant.
STATUS: Awaiting resubmittal materials addressing staff comments.
STATUS: 04/03/17: APPROVED
STATUS: 7/19/17: Plan was reactivated for Certificate of Construction Compliance approval.

PROJECT NAME: VILLAGES AT PALMETTO POINTE PHASE 4B

DP-04-17-010873	04/27/2017	1195 MAY RIVER RD	Development Plan	Active	William Howard

Applicant: Manuel Studio, LLC **Owner:** Trever Wells

PLAN DESCRIPTION: The Applicant is requesting approval of a new commercial building with 4 units.
STATUS 5/18/17: Comments were reviewed at the May 16 meeting of the DRC. Awaiting submittal of Final Development Plan.
STATUS 05/10/2019: Comments on the Final Development Plan were reviewed at the May 7 meeting of the DRC. Awaiting re-submittal.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
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Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-05-19-013149	05/09/2019	335 BUCKWALTER PKWY	Development Plan	Active	William Howard

Applicant: Ryan Lyle PE **Owner:** St. Andrew by the Sea

PLAN DESCRIPTION: The Applicant is proposing to construct a 12,250 square foot building, an athletic field and the associated parking, sidewalks, BMPs, utilities and all other infrastructure for Phase 1 of this development located at 335 Buckwalter Parkway, Tax Map Number R610 030 000 0712 0000 & R610 030 000 0513 0000.
STATUS 05/28/2019: Comments on the Preliminary Plan were reviewed at the May 28 meeting of the DRC. A re-submittal of the Preliminary Plan is required for review and approval.
STATUS 10/23/2019: The Preliminary Development Plan was resubmitted and will be placed on the November 6, 2019 DRC agenda.
STATUS 11/19/2019: Comments were reviewed at the Nov. 6 DRC meeting. Awaiting re-submittal to address comments for presentation to the Planning Commission.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME: Buckwalter

DP-10-17-011380	10/05/2017		Development Plan	Active	William Howard

Applicant: Andrews Engineering Co. **Owner:** Micheal Bradley Holdings LLC

PLAN DESCRIPTION: The Applicant is requesting approval to construct a 37,000 SF building to house a brewery, retail sales area, a restaurant and bar space and associated infrastructure. Located on Jennifer Court near the intersection of Highway 46 and Buck Island Road.
STATUS 10/18/2017: The Preliminary Development Plan is under review and scheduled for the Oct. 24 meeting of the DRC.
STATUS 11/14/2017: Comments on the Preliminary Development Plan were reviewed at the Oct 24 meeting of the DRC. Awaiting submittal of the Final Development Plan.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.
STATUS 04/23/2020: The Applicant has confirmed they intend to proceed with Development Plan Approval and will be re-submitting applications accordingly.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

Growth Management Application Update Report

Attachment 9

Town of Bluffton
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Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-03-20-014138	03/24/2020	Development Plan	Active	William Howard

Applicant: Island Plasters **Owner:** Island Plasters

PLAN DESCRIPTION: The applicant is requesting approval of a development plan to allow for the construction of a 20,000 sq ft commercial building and associated parking and infrastructure at 4384 Bluffton Parkway. The property is zoned Schultz PUD and will be reviewed using the development standards set forth in the Schultz PUD and Bluffton Park Commercial Master Plan.
The Preliminary Plan has been placed on the Agenda for the May 6 meeting of the DRC.

PROJECT NAME:

DP-05-20-014246	05/21/2020	Development Plan	Active	William Howard

Applicant: Thomas and Hutton **Owner:** MFH LAND, LLC

PLAN DESCRIPTION: A request by Thomas and Hutton on behalf of MFH Land LLC & Town of Bluffton for the review of the grading, roads, utilities, parks and related infrastructure for Phase 1 of New Riverside Village.

PROJECT NAME: NEW RIVERSIDE VILLAGE

Preliminary Development Plan

DP-08-19-013461	08/19/2019	11 WHARF ST	Development Plan	Active	William Howard

Applicant: Sam Conner **Owner:** Garfield Moss

PLAN DESCRIPTION: The Applicant is requesting approval of a Development Plan for a 13-lot residential subdivision on approximately 3.94 acres at the corner of Wharf Street and Lawrence Street. The Preliminary Plan will be reviewed at the September 18 meeting of the DRC.
09/23/2019: Comments were provided at the Sept. 18 meeting of the DRC. Awaiting a re-submittal to address comments to present to the Planning COmmission for approval of the Preliminary Plan.
STATUS 10/22/2019: The Preliminary Plan will be presented to the Planning Commission for approval at the Oct. 23 meeting.
STATUS 10/25/2019: The application was approved with conditions, the applicant can now submit for MS4 Stormwater approval.
STATUS 04/23/2020: Staff is working with the Applicant to alter the design to increase the lot count. The applicant intends to alter the design and proceed with a Final Development Plan.

PROJECT NAME: OLD TOWN

Attachment 9

Growth Management Application Update Report

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-03-20-014061	03/02/2020		Development Plan	Active	William Howard

Applicant: Thomas & Hutton **Owner:** LSSD NEW RIVERSIDE LLC

PLAN DESCRIPTION: The Applicant is requesting approval to construct 60 residential homes and associated infrastructure as Phase 6 of Heritage at New Riverside. The Preliminary Plan has been placed on the agenda for the May 6 meeting of the DRC.

PROJECT NAME:

DP-03-20-014130	03/19/2020	20 100 TREADLE GIN ST	Development Plan	Active	William Howard

Applicant: Halvorsen Development **Owner:** HEPBLUFF LLC

PLAN DESCRIPTION: The applicant is requesting approval of a development plan to construct a commercial building consisting of+/- 2,561 SF of restaurant & +/- 4,514 of retail on the outparcel of the May River Crossing development. The Preliminary Plan has been placed on the agenda for the May 6 meeting of the DRC.

PROJECT NAME:

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-11-17-011473	11/15/2017	71 CALHOUN ST	Development Plan	Active	William Howard

Applicant: RSQ, LLC **Owner:** RSQ, LLC

PLAN DESCRIPTION: The Applicant is requesting approval to construct a 5-building mixed use development with associated parking and infrastructure.
STATUS JAN 17: Comments were provided at the Dec. 5 meeting of the DRC. Awaiting submittal of Final Development Plan.
STATUS 12/18/2018: Comments on the Final Development Plan were reviewed at the Dec. 11 meeting of the DRC. Revisions are required. Awaiting re-submittal.
STATUS 01/14/2018: The Applicant has re-submitted materials in response to staff comments provided at DRC. The plan is scheduled for review by the Planning Commission Jan. 23.
STATUS 01/29/2019: The Planning Commission recommended Approval of the Final Plan, with the condition that the Applicant provide revised parking calculations that do not include the on-street parking within 500 feet of the project site.

STATUS 04/01/2019: The Development Plan is APPROVED per the revised Project Narrative and parking table dated March 12, 2019 provided by the Applicant. The following Conditions are attached to Development Plan Approval:
1. Per UDO 4.4.2. E.1., Any restaurant use must have frontage on Calhoun Street and will not be allowed to front Bridge Street.
2. Any restaurant use will require all parking to be on site. No street parking or shared parking may be used for satisfaction of parking requirements for restaurant use.
3. Any increases in building square footage or changes in use from the Applicants Project Narrative Dated March 12, 2019 that result in an increase in required parking for the site, based on UDO Table 5.15.7.C.1.a Parking Spaces, will not be allowed without an Amendment to the Development Plan and/or Certificate of Appropriateness HD.
STATUS 11/13/2019: A Development Plan Amendment has been submitted for review. The Amendment proposes a re-configuration and reduction in buildings, from 5 buildings to 3 buildings.
STATUS 01/23/2020: Comments on the Final Plan Amendment were reviewed at the Dec. 18 Meeting of the DRC. Revisions are required for approval. Awaiting re-submittal.

PROJECT NAME: OLD TOWN

DP-10-19-013621	10/22/2019		Development Plan	Active	William Howard

Applicant: Thomas and Hutton **Owner:** D.R. Horton

PLAN DESCRIPTION: The applicant is requesting Preliminary Development Plan approval for Cypress Ridge, Ph. 18, consisting of 62 single family residential lots with infrastructure.
Status: The Preliminary Plan will be reviewed at the Nov. 20 meeting of the DRC.
STATUS 12/17/2019: Awaiting submittal of Final Development Plan.

PROJECT NAME: CYPRESS RIDGE PHASE 18

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-10-19-013630	10/24/2019		Development Plan	Active	William Howard

Applicant: JK Tiller Associates Inc **Owner:** Speyside

PLAN DESCRIPTION: The applicant is requesting Preliminary Development Plan approval for a mixed-use development (Washington Square) consisting of office space, 36 residential apartments, 52,000 square feet of retail, 7,000 square feet of restaurant, and 80-unit boutique hotel, an assisted living home, and greenspace.
STATUS: The Preliminary Plan will be reviewed at the November 27 DRC meeting.
STATUS 12/12/2019: Awaiting re-submittal to address comments provided on Preliminary Development Plan.
STATUS 02/20/2020: Re-submittal materials have satisfied staff comments. The Preliminary Plan is scheduled for Planning Commission review Feb. 26, 2020.
STATUS 03/02/2020: Planning Commission approved the Preliminary Development Plan. Awaiting Final Plan.

PROJECT NAME: WASHINGTON SQUARE

DP-02-20-014004	02/14/2020	119 PERSIMMON ST	Development Plan	Active	William Howard

Applicant: Johnson Way Development LLC **Owner:** William Dascombe

PLAN DESCRIPTION: The applicant is proposing to construct a commercial building and parking to alow for online auto brokerage. The Preliminary Development Plan is scheduled for the March 18 meeting of the DRC.

PROJECT NAME: BLUFFTON PARK PHASE D-1/D-3

DP-07-19-013387	07/30/2019	4407 BLUFFTON PKWY	Development Plan	Active	William Howard

Applicant: Thomas and Hutton **Owner:** STOPNSTOR

PLAN DESCRIPTION: The applicant is requesting approval of a development plan to construct an additional 7,500 SF 1 story storage building and stormwater infrastructure on approximately .5 acres.

STATUS 08/26/2019: The Preliminary Development Plan was reviewed at the August21 meeting of the DRC. Awaiting re-submittal to address comments provided to present to the Planning Commission for approval.
STATUS 10/22/2019: Comments on the re-submittal of the Preliminary Plan will be reviewed at the Oct. 30 meeting of the DRC.
STATUS 11/19/2019: Comments were provided at Oct. 30 DRC. Awaiting re-submittal to address comments to present to the Planning Commission.
STATUS 03/02/2020: THe Preliminary Plan was approved at the Feb. 26 meeting of the DRC. Awaiting Final Development Plan.

PROJECT NAME: SHULTZ TRACT

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-01-20-013911	01/23/2020	48 LAWRENCE ST	Development Plan	Active	William Howard

Applicant: Dolnik Properties **Owner:** Dolnik Properties

PLAN DESCRIPTION: The applicant is requesting approval of a development plan to allow a change of use from residential to commercial for a clothing boutique on the ground floor.
Comments on the Preliminary Development Plan will be reviewed at the Feb. 5 meeting of the DRC.
STATUS 02/20/2026: The Preliminary Plan was approved by DRC and will be presented to the Planning Commission 02/26/2020.
STATUS 03/02/02020: The Preliminary Plan was approved by the Planning Commission. Awaiting Final Development Plan.

PROJECT NAME:

DP-08-19-013460	08/19/2019		Development Plan	Active	William Howard

Applicant: O'Reilly Auto Parts **Owner:** O'Reilly Auto Parts

PLAN DESCRIPTION: The applicant is requesting approval of a development plan for the construction of a new commercial building and infrastructure for the purpose of the retail sale of automotive parts and related accessories.
The Preliminary Plan will be reviewed at the September 18 meeting of the DRC.
STATUS: 9/20/2019 Awaiting for resubmittal of plans prior to bringing it to the Planning Commission for approval.
STATUS UPDATE 03/31/2020: E-mailed the applicant to notify that their application has been inactive for more than 120 days and if the Town does not receive notification within 10 days that that they intend to pursue approval, the application will expire.

PROJECT NAME: SHULTZ TRACT

DP-01-20-013861	01/13/2020		Development Plan	Active	William Howard

Applicant: Thomas & Hutton **Owner:** K Hovananian

PLAN DESCRIPTION: The Applicant is prosing to constryct 79 single family lots with associated infrastructure as Phase 2 of Four Seasons at Carolina Oaks.

STATUS 01/22/2020: The plan review has placed on "Hold" and the applicant has been contacted for additional information related to land clearing. The plan review will be re-activated when the additional information and plan changes have been submitted.

PROJECT NAME: Four Seasons at Carolina Oaks

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-01-20-013887	01/21/2020	3702 OKATIE HWY	Development Plan	Active	William Howard

Applicant: Thomas & Hutton **Owner:** K Hovananian

PLAN DESCRIPTION: **Amendment submitted 3/06/2020
The Applicant is proposing the Amenity Center with associated parking and infrastructure for Four Seasons at Carolina Oaks.
STATUS 01/23/2020: Comments on the Preliminary Plan will be reviewed at the February 26 meeting of the DRC.
STATUS 03/02/2020: Comments were reviewed at the Feb. 26 meeting of the DRC. The Preliminary Plan will be reviewed at the MArch 25 meeting of the Planning Commission.

PROJECT NAME: Four Seasons at Carolina Oaks

DP-12-19-013786	12/16/2019		Development Plan	Active	William Howard

Applicant: JK Tiller Associates Inc **Owner:** Low Country Fresh Real Estate

PLAN DESCRIPTION: The request is being made by J.K Tiller Associates, INC. On behalf of Low Country Fresh Real Estate LLC for the preliminary review of a development plan application.
8,136 sqf Grocery Market in Washington Square
STATUS 01/23/2020: Comments on the Preliminary Plan were provided at the January 22 meeting of the DRC.
STATUS 03/02/2020: The Preliminary Plan was approved at the Feb. 26 meeting of the Planning Commission. Awaiting Final Development Plan.

PROJECT NAME:

DP-11-19-013727	11/26/2019		Development Plan	Active	William Howard

Applicant: Thomas & Hutton **Owner:** May River Forest, LLC

PLAN DESCRIPTION: **Final Development Plan 03/02/2020**
The Applicant is proposing to construct 71 single family lots and infrastructure within Block L5 of Palmetto Bluff.
STATUS 12/18/2019: Comments on the Preliminary Plan were reviewed at the Dec. 18 meeting of the DRC. Awaiting Final Development Plan.
STATUS 03/23/2020: The Final Development Plan is under review and will be placed on the agenda of the next meting of the DRC. The date of the meeting is TBD.
STatus 04/22/2020: Comments on the Final Plan will be reviewed at the May 6 meeting of the DRC.

PROJECT NAME: PALMETTO BLUFF PHASE 2

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-08-19-013428	08/12/2019	Development Plan	Active	William Howard

Applicant: Michael Hughes **Owner:** K Hovananian

PLAN DESCRIPTION: This project consists of a secondary access/ construction entrance, gravel haul road and stockpile/ laydown area for Four Seasons at Carolina Oaks. The Preliminary Plan will be reviewed at the September 11 meeting of the DRC.
STATUS: 9/16/2019 Awaiting Final Development Plan
STATUS 04/23/2020: The Applicant is working to finalize the details of the stormwater plan before submitting for review.

PROJECT NAME: Four Seasons at Carolina Oaks

Public Project

DP-06-19-013267	06/19/2019	Development Plan	Active	William Howard

Applicant: Beaufort County **Owner:** Beaufort County

PLAN DESCRIPTION: The Applicant is seeking approval of a Development Plan (Public Project) to construct a 3.5 acre pond to treat run-off from Okatie Highway.
Staff Comments were provided at the July 9 meeting of the DRC. Awaiting re-submittal/stormwater permit for Final Approval.

PROJECT NAME:

DP-12-19-013803	12/20/2019	Development Plan	Active	William Howard

Applicant: Town of Bluffton **Owner:** Town of Bluffton

PLAN DESCRIPTION: The town is seeking permits to add pathways along Goethe Rd and Shults Rd in Bluffton, SC. The proposed project will disturb approximately 3.9 acres and occur within the Goethe Rd right of way (from Hwy 46 to Hilderbrand Rd) and Shults Rd right of way (from Eighth Avenue to Hilderbrand Road). Improvements to the roadside swales and drainage infrastructure are also proposed as well as the replacement of some driveways, as necessary to accommodate the proposed walkways.
STATUS 01/23/2020: The Public Project was reviewed at the Jan. 15 meeting of the DRC revisions are required. Awaiting re-submittal.

PROJECT NAME:

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Development Plan

DP-01-19-012790	01/29/2019		Development Plan	Active	William Howard

Applicant: Town of Bluffton **Owner:** Town of Bluffton

PLAN DESCRIPTION: The Applicant is proposing side walks and related infrastructure along Buck Island Road from the intersection of Kitty Road to 289 Buck Island Road.
STATUS 02/18/2019: Comments on the Public Project were provided at the Feb. 12 meeting of the DRC. The project is Approved with Conditions pending SCDHEC NPDES approval letter.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

DP-02-19-012875	02/26/2019	52 WHARF ST	Development Plan	Active	William Howard

Applicant: Cranston Engineering Group **Owner:** Town of Bluffton

PLAN DESCRIPTION: New sanitary sewer gravity main in unserved area of Bridge Street.
STATUS 03/21/2019: The Application for Public Project has been entered and is awaiting review and approval of the Stormwater Management Plan. The project will receive review by the DRC upon Stormwater approval.
STATUS 06/20/2019: Comments were provided at the June 18 meeting of the DRC. Awaiting re-submittal for Final Approval.

PROJECT NAME: OLD TOWN

DP-06-19-013227	06/06/2019	125 PRITCHARD ST	Development Plan	Active	William Howard

Applicant: Town of Bluffton **Owner:** Town of Bluffton

PLAN DESCRIPTION: The Applicant is proposing to provide sewer mains on unserved areas of Pritchard Street.
Comments will be reviewed at the June 25 meeting of the DRC.

STATUS 07/22/2019: Comments were reviewed at the June 25 meeting of the DRC. A re-submittal of the design is required that will minimize the impact to significant oak trees in the project area.

PROJECT NAME: OLD TOWN

Total Development Plan Cases: 31

Master Plan

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Master Plan

NA

MP-02-20-014050	02/27/2020	Master Plan	Active	Aubrie Giroux

Applicant: McNair Law Firm, P.A. **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for approval of a Master Plan for the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map Nos. R600 022 000 0125 0000 & R660 022 000 1120 0000 for a mix of civic, institutional, residential, and commercial uses.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

Total Master Plan Cases: 1

Master Plan Amendment

Major

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Master Plan Amendment

MPA-09-19-013530	09/16/2019	Master Plan Amendment	Active	William Howard

Applicant: Thomas and Hutton **Owner:** D.R. Horton

PLAN DESCRIPTION: A request by D.R. Horton, Inc, to amend the Cypress Ridge Master Plan to update the transportation network by adding roads and service lanes to the commercial village area of Mill Creek. The development is zoned Jones Estate Planned Unit Development and is identified by Tax Map ID parcel R614-028-000-1138-0000, located at the intersection of Highway 170 and Mill Creek Blvd. This amendment request is associated with the previous amendment (PD-04-08-363).
STATUS: 9/27/2019 - The request is currently under staff review and is anticipated to be on the October 23, 2019 Development Review Committee meeting agenda.
STATUS 10/23/2019: Comments were provided at the Oct. 16 DRC meeting. A re-submittal to address comments provided is required before presentation to the Planning Commission. Awaiting re-submittal.
STATUS 11/19/2019: The Master Plan Amendment will be presented to the Planning Commission 11/20/2019.
STATUS 12/19/2019: The Master Plan Amendment was approved by the Planning Commission and will be presented at the Jan. 14 meeting of Town Council.
STATUS 01/15/2020: The Master Plan Amendment was presented to the Town Council on Jan. 14. The Amendment was tabled and the Applicant was asked to provide a tree and topo survey of the area where townhomes are proposed for construction

PROJECT NAME: CYPRESS RIDGE

MPA-03-20-014070	03/02/2020	Master Plan Amendment	Active	Aubrie Giroux

Applicant: Enmarket **Owner:** Grande Oaks II, LLC

PLAN DESCRIPTION: A request by Walter J. Nester, III on behalf of Enmark Station, Inc. for consideration of an amendment to the Buckwalter Commons Phase 1 Master Plan to incorporate certain property consisting of approximately 1.076 Acres of land located at 464 Buckwalter Parkway and identified as a portion of Beaufort County Tax Map No. R600 029 000 0014 0000 to supplement the development of the 9.18 acre Robertson site.

STATUS: Staff is currently reviewing the concurrent applications for Annexation, Zoning Map Amendment, Buckwalter Development Agreement Amendment, Buckwalter Concept Plan Amendment, and Buckwalter Commons Phase 1 Master Plan Amendment and their associated materials for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: ROBERTSON SITE

Total Master Plan Amendment Cases: 2

Subdivision Plan

General

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Subdivision Plan

SUB-04-20-014183	04/15/2020	132 SIMMONSVILLE RD	Subdivision Plan	Active	Alan Seifert

Applicant: Elizabeth Fraizer **Owner:** Elizabeth Fraizer

PLAN DESCRIPTION: 132 Simmonsville Road - Elizabeth Frazier (Subdivision): A request by Elizabeth Frazier, owner, for review of a Subdivision Plan for the division of 1.034 acres into 2 single-family lots. The property is identified by tax map number R610 031 000 021A 0000. The property is zoned Residential General and, therefore, should be reviewed based on the requirements set forth in the Town of Bluffton Unified Development Ordinance and Town of Bluffton Stormwater Design Manual.
STATUS [04/16/2020]: The application is currently being reviewed by Staff for conformance with the Town of Bluffton UDO and is scheduled for review by the DRC at the May 20th meeting.

PROJECT NAME:

SUB-05-20-014217	05/06/2020	22 OSCAR AND DAISY LN	Subdivision Plan	Active	Alan Seifert

Applicant: Bridgette Frazier **Owner:** Bridgette Frazier

PLAN DESCRIPTION: Subdivision on Oscar and Daisy Lane

PROJECT NAME:

SUB-04-20-014147	04/01/2020		Subdivision Plan	Active	Alan Seifert

Applicant: Thomas & Hutton **Owner:** MFH LAND, LLC

PLAN DESCRIPTION: Reconfiguration Plat of Parcels 4B-2 and 4B-3 (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of MFH Land, LLC, owner, for review of a Subdivision Plan for the reconfiguration and division of two (2) parcels, totaling 34.078 acres, into three (3) parcels to include two (2) Town of Bluffton owned parcels for a park, and one (1) parcel for the proposed mixed-use develop known as New Riverside Village. The property is identified by tax map numbers R610 036 000 1258 0000 and R610 036 000 3214 0000 and is located within the New Riverside Village Master Plan. The property is zoned New Riverside PUD and, therefore, should be reviewed based on the requirements set forth in the DSO 90/3 and its modifications and Town of Bluffton Stormwater Design Manual.
STATUS [04/27/2020]: The application is currently being reviewed by Staff for conformance with the New Riverside Development Agreement and Planned Unit Development documents and is scheduled for review by the DRC at the May 6th meeting.

PROJECT NAME:

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Subdivision Plan

SUB-04-20-014145	04/01/2020	200 NEW RIVERSIDE RD	Subdivision Plan	Active	Alan Seifert

Applicant: Thomas & Hutton **Owner:** May River Forest, LLC

PLAN DESCRIPTION: Western Buffer Parcel - New Riverside Road (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Dallas Wood of New Riverside Association, Inc., owner, for review of a Subdivision Plan for the division of one (1) parcel totaling 1.44 acres out of the right-of-way of New Riverside Road. The property is identified by tax map number R610 044 000 0016 0000 and is located on the New Riverside Road frontage of property owned by the Town of Bluffton and Bluffton Township Fire District. The property is zoned New Riverside PUD and, therefore, should be reviewed based on the requirements set forth in the DSO 90/3 and its modifications and Town of Bluffton Stormwater Design Manual.
STATUS [04/27/2020]: The application is currently being reviewed by Staff for conformance with the New Riverside Development Agreement and Planned Unit Development documents and is scheduled for review by the DRC at the May 6th meeting.

PROJECT NAME:

SUB-03-20-014119	03/16/2020		Subdivision Plan	Active	Alan Seifert

Applicant: Thomas & Hutton **Owner:** LSSD NEW RIVERSIDE LLC

PLAN DESCRIPTION: The Heritage at New Riverside - Phase 4 (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of LSSD New Riverside, LLC, owner, for review of a Subdivision Plan for the division of 21.8 acres into 39 single-family lots. The property is identified by tax map number R614 036 000 1007 0000 and is located within The Heritage at New Riverside Master Plan. The property is zoned New Riverside PUD and therefore, should be reviewed based on the requirements set forth in the DSO 90/3 and its modifications and Town of Bluffton Stormwater Design Manual.
STATUS [03/23/2020]: The application is currently being reviewed by Staff for conformance with the New Riverside Development Agreement and Planned Unit Development documents and is scheduled for review by the DRC at the May 6th meeting.

PROJECT NAME:

SUB-04-20-014146	04/01/2020		Subdivision Plan	Active	Alan Seifert

Applicant: Thomas & Hutton **Owner:** May River Forest, LLC

PLAN DESCRIPTION: Eastern Buffer Parcel - New Riverside Road (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Dallas Wood of New Riverside Association, Inc., owner, for review of a Subdivision Plan for the division of one (1) parcel totaling 1.43 acres out of the right-of-way of New Riverside Road. The property is identified by tax map number R610 044 000 0016 0000 and is located on the New Riverside Road frontage of property owned by the Town of Bluffton and MFH Land, LLC. The property is zoned New Riverside PUD and, therefore, should be reviewed based on the requirements set forth in the DSO 90/3 and its modifications and Town of Bluffton Stormwater Design Manual.
STATUS [04/27/2020]: The application is currently being reviewed by Staff for conformance with the New Riverside Development Agreement and Planned Unit Development documents and is scheduled for review by the DRC at the May 6th meeting.

PROJECT NAME:

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Subdivision Plan

SUB-03-20-014134	03/19/2020		Subdivision Plan	Active	Alan Seifert

Applicant: Thomas and Hutton **Owner:** K Hovananian

PLAN DESCRIPTION: Four Seasons - Phase 1A (Subdivision): A request by Mike Hughes of Thomas & Hutton on behalf of Jeff Wiggins of K. Hovnanian Homes, owner, for review of a Subdivision Plan for the division of 28.956 acres into 35 single-family lots. The property is identified by tax map number R614 028 000 3372 0000 and is located within the Cypress Ridge Master Plan. The property is zoned Jones Estate PUD and therefore, should be reviewed based on the requirements set forth in the DSO 90/3 and its modifications and Town of Bluffton Stormwater Design Manual.
STATUS [04/27/2020]: The application is currently being reviewed by Staff for conformance with the Jones Estate Development Agreement and Planned Unit Development documents and is scheduled for review by the DRC at the May 6th meeting.

PROJECT NAME: Four Seasons at Carolina Oaks

SUB-04-17-010766	04/03/2017		Subdivision Plan	Active	Katie Peterson

Applicant: Armando Servin **Owner:** Armando Servin

PLAN DESCRIPTION: A request by Armando Servin Rosales, for the approval of a Subdivision Plan. The proposed subdivision will divide the existing parcel into two parcels. The property is located on Buck Island Road within the Residential General Zoning District. The property is identified by tax map number R640 031 000 016A 0000. The application was heard at the April 25, 2017 DRC meeting and comments were provided to the applicant.
STATUS: Awaiting Applicant submittal of sewer connection confirmation.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

SUB-08-19-013391	08/01/2019	21 LITTLE POSSUM LN	Subdivision Plan	Active	Katie Peterson

Applicant: Progressive Tax Services **Owner:** Progressive Tax Services

PLAN DESCRIPTION: A request by James Barnwell for approval of a Subdivision Plan. The project consists of subdividing one lot into seven lots. The property is zoned Residential General and consists of approximately 1.5 acres identified by tax map numbers R610 039 000 210B 0000 and R610 039 000 210A 0000 located at 21 and 33 Little Possum Lane.
STATUS: The application was reviewed at the August 21st meeting of the DRC where comments were provided to the Applicant. Staff is awaiting revised materials addressing comments.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
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20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Subdivision Plan

SUB-02-17-010618	02/24/2017	22 PHOENIX RD	Subdivision Plan	Active	Katie Peterson

Applicant: Leona Woodard **Owner:** Terry Johnson

PLAN DESCRIPTION: The applicant is requesting approval to create a second lot from tax map number R610 031 000 0102 0000. The application was on the March 14th DRC meeting agenda, but no applicant was present. The item was tabled to the March 21st DRC meeting. The application was heard at the March 21st DRC meeting and comments provided to the Applicant.
STATUS: Awaiting applicant resubmittal addressing watershed and BJWSA comments.

PROJECT NAME: BUCK ISLAND/SIMMONSVILLE

SUB-11-18-012584	11/19/2018		Subdivision Plan	Active	Katie Peterson

Applicant: Thomas & Hutton **Owner:** HL Development

PLAN DESCRIPTION: A request by Thomas and Hutton, on behalf of HL Development, LLC, for approval of a Subdivision Plan. The project consists of 4 commercial parcels and associated infrastructure to be located on approximately 15 acres. The property is zoned Planned Unit Development, located within the Buckwalter PUD and is identified by tax map number R614 029 000 2050 0000, located west of the existing Hampton Lake community and east of Lawton Station.
STATUS: The application was reviewed by Staff and was placed on the December 12th DRC Agenda for review where comments were provided to the applicant. Awaiting updated materials addressing staff comment.

PROJECT NAME: Buckwalter

SUB-05-20-014243	05/21/2020	32W SILVER LAKE RD	Subdivision Plan	Active	Alan Seifert

Applicant: Thomas and Hutton **Owner:** DR HORTON

PLAN DESCRIPTION: A request by Thomas and Hutton on behalf of DR Horton for the subdivision of Cypress Ridge Phase 17.

PROJECT NAME: Cypress Ridge Phase 17

Historic District

Attachment 9

Growth Management Application Update Report

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Subdivision Plan

SUB-08-19-013427	08/12/2019	6 SHELL RAKE ST	Subdivision Plan	Active	Katie Peterson

Applicant: Sunshine Living Properties, LLC **Owner:**

PLAN DESCRIPTION: This application is to divide Lot 31 Shell Rake into two lots, Lot 31 A and Lot 31 B Barnacle Cut Lane and create two future building sites.

Both lots meet UDO lot and road standards and complies with Article 3 of the UDO. The 911 address will also be changed to the addresses shown above.
Once the subdivision has been approved the applicant will provide surveyor sealed copies to be recorded.
The Application was heard by the DRC at their September 11th meeting where comments were provided to the applicant.
STATUS: Staff is awaiting the submittal of a Development Plan amendment and revised plans.

PROJECT NAME: OLD TOWN

Total Subdivision Plan Cases: 13

Zoning Action

Special Exception

ZONE-05-20-014229	05/13/2020	70 10 PENNINGTON DR	Zoning Action	Active	Kevin Icard

Applicant: Nelson Pinto **Owner:** Mathesoya Mgt Corp

PLAN DESCRIPTION: Veterinary clinic specialized in opthalmology (Outpatient only no over night care)

PROJECT NAME:

UDO Text Amendment

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Zoning Action

ZONE-03-18-011836	03/26/2018	Zoning Action	Active	Kevin Icard

Applicant: Town of Bluffton **Owner:** Town of Bluffton

PLAN DESCRIPTION: A request by the Unified Development Ordinance Administrator for consideration of revisions to the following sections of the Town of Bluffton's Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance:

1.1.8 Activities That Do Not Constitute Development; 2.2 Establishment; 3.2 General Application Approval Process; 3.9 PUD Master Plan; 3.18 Certificate of Appropriateness – Historic District (HD); 3.19 Site Feature – Historic District (HD); 3.20.2 Applicability; 3.25 Designation of Contributing Structure; 3.26 Appeals; 4.4 Conditional Use Standards; 5.3.7 Specific Landscaping Standards; 5.15 Old Town Bluffton Historic District; 7.2.2. Illegal Nonconformities; 7.9 Nonconforming Sites Resulting from Right-Of-Way Dedication or Acquisition; 9.2 Definitions; 9.3 Interpretation of Dimensional Standards; and, 9.4 Description of Uses of Land and Buildings
STATUS: 1/29/2019 The Application was heard at the January 23, 2019 Planning Commission meeting where it was recommended for approval to Town Council with conditions related specifically to Public Projects, Minor and Major PUD Master Plans, Development Plans, requiring public notice for various projects and to include language related to appeals.
STATUS: 2/18/2019 The Application will be heard at the March 12th Town Council meeting.
STATUS: 5/28/2019 A portion of the text amendments were approved by Town Council at their March 12, meeting. Additional items will be presented to Town Council at a future date.
STATUS: 4/21/2020 Various UDO text amendments are being reviewed by Planning Commission, and Town Council over the coming months.

PROJECT NAME:

ZONE-04-20-014176	04/13/2020	Zoning Action	Active	William Howard

Applicant: BRE Mariner Belfair Town Village LLC **Owner:** BRE Mariner Belfair Town Village LLC

PLAN DESCRIPTION: The applicant is requesting a text amendment to Belfair Towne Village, a portion of the Belfair PUD.

PROJECT NAME: BELFAIR TOWNE VILLAGE

Zoning Appeal

Growth Management Application Update Report

Attachment 9

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Zoning Action

ZONE-03-20-014108	03/11/2020	Zoning Action	Active	William Howard

Applicant: Sarah Kepple **Owner:** Jim Merli

PLAN DESCRIPTION: Review of the Buckwalter PUD interpretation; was it written to protect adjacent Beaufort Co. property or do adjacent wetlands and rural residential setback requirements provide enough buffer for our property use?
STATUS 4/21/2020 Due to COVID-19, this project is being held until such time that staff can hold an in-person Public Hearing.

PROJECT NAME:

Zoning Map Amendment

ZONE-07-19-013331	07/10/2019	Zoning Action	Active	William Howard

Applicant: Walter J Nester III **Owner:** Bishop of Charleston

PLAN DESCRIPTION: Request for an Ordinance to amend the Town of Bluffton Zoning Map as well as the Buckwalter Planned Unit Development text to incorporate the Saint Gregory the Great property consisting of approximately 62.80 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map Nos. R600 022 000 0125 0000 & R660 022 000 1120 0000 as a portion of the Buckwalter Planned Unit Development and add any necessary text to identify terms and conditions such as designation of the property as the Saint Gregory the Great Land Use Tract, allowed land uses for the Land Use Tract, special provisions, etc. as necessary.
STATUS: Town Council approved the "Intent to Annex", First Reading of the Annexation Ordinance at their August 12, 2019 meeting. The Applicant previously requested to place this application on hold so they can prepare updated materials to reflect the Town's desire for them to pursue incorporating the property into the Buckwalter Planned Unit Development Concept Plan Development Agreement as a new planning tract instead of General-Mixed use as requested. To bring the property into Buckwalter, amendments to the Planned Unit Development, Concept Plan, and Development Agreement are necessary which will require the submittal of additional applications and materials. Applicant submitted revised materials and the necessary additional applications on February 21, 2020. Staff is currently reviewing the materials and applications for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: SAINT GREGORY THE GREAT CATHOLIC CHURCH

Attachment 9

Growth Management Application Update Report

Town of Bluffton
Department of Growth Management
Office of Planning and Community Development
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910

Case Number	Application Date	Property Address	Plan Type	Plan Status	Plan Mgr

Active Cases

Zoning Action

ZONE-03-20-014074	03/03/2020	Zoning Action	Active	Kevin Icard

Applicant: Enmarket **Owner:** Grande Oaks II, LLC

PLAN DESCRIPTION: A request by Walter J. Nester, III on behalf of Enmark Station, Inc. for consideration of an Ordinance to amend the Town of Bluffton Zoning Map to incorporate and designate certain property consisting of approximately 1.076 Acres of land located at 464 Buckwalter Parkway and identified as a portion of Beaufort County Tax Map No. R600 029 000 0014 0000 into the Buckwalter Planned Unit Development as part of the Buckwalter Commons Land Use Tract to supplement the development of the 9.18 acre Robertson site.

STATUS: Staff is currently reviewing the concurrent applications for Annexation, Zoning Map Amendment, Buckwalter Development Agreement Amendment, Buckwalter Concept Plan Amendment, and Buckwalter Commons Phase 1 Master Plan Amendment and their associated materials for clarity, content, and completeness. Once Staff's notes and comments are addressed, the request will be placed on the next available regularly scheduled Planning Commission agenda as a workshop item.

PROJECT NAME: ROBERTSON SITE

Total Zoning Action Cases: 6

Total Active Cases: 82

Total Plan Cases: 82

TOWN MANAGER MONTHLY REPORT
May, 2020

To: Town Council

From: Marc Orlando, ICMA-CM, Town Manager

Date: June 9, 2020

Town of Bluffton
20 Bridge St.
PO Box 386
Bluffton, SC 29910
843.706.4500

Town Operations / Community Meetings

- Weekly meetings with senior staff team.
- Monthly administrative coordinating meetings with Department Heads, Deputy Town Manager, and Executive Director of the Don Ryan Center for Innovation.
- Attend Beaufort Memorial Hospital COVID-19 Update Call every Monday.
- Attend HHI-Bluffton Chamber of Commerce COVID-19 Update Call every Wednesday.
- Preparation of FY21 Consolidated Budget with Department Heads at various electronic meetings throughout May.
- Attended electronic meetings with Beaufort County Administrator and municipal Managers throughout May.
- Attended Michelin Junior Design Challenge Kickoff Contest with Hilton Head Island Concours d'Elegance and Motoring Festival on May 1st.
- Attended Town of Bluffton Small Business Resiliency Plan Stakeholder Kick Off Meeting on May 7th.

Town Council/Town Attorney Related Meetings

- Weekly Mayor / Mayor Pro Tem / Town Manager meeting.
- Various meetings with Town Attorney to coordinate Town Council Meeting agenda items.
- Various discussions with Town Council regarding COVID-19 preparations and responsiveness throughout May.
- Various discussions with Town Council regarding FY21 Consolidated Budget preparations throughout May.
- Attended Facebook Live Town Update with Mayor Sulka and Chief Chris Chapmond on May 11th and May 26th.
- Meeting with Councilman Fred Hamilton on May 12th.
- Attended electronic Town Council Meeting on May 12th.
- Attended electronic Town Council Budget Workshop on May 21st and May 26th.

TOWN COUNCIL

STAFF REPORT
Engineering Department

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of a Proposed Construction Contractual Agreement Related to the Phase 1 Historic District Sewer (Pritchard Street)
PROJECT MANAGER:	Bryan McIlwee, Director of Engineering

RECOMMENDATION:

Town Council authorize the Town Manager to approve a contract for Phase 1 Historic District Sewer (Pritchard Street), with the lowest responsive and responsible bidder. Jordan Construction has been determined to be the lowest qualified bidder with a bid of Five Hundred Thirteen Thousand, Four Hundred Thirty-one dollars and Eighty-eight cents ($513,431.88). In addition, Staff requests a 10% contingency allowance to cover any unforeseen changes that may arise during construction.

BACKGROUND/DISCUSSION:

The contract will include the construction of the first phase of sewer within the Historic District. The project consists of approximately 1,900 linear feet sanitary gravity sewer main, 750 linear feet of sewer force main, and 25 service connections. The project consists of both the paved and unpaved sections of Pritchard Street, north and south of Bridge Street.

Staff received four (4) bids for the construction from CBG, Inc., Jordan Construction, JS Construction, and Potter Construction, LLC, on the advertised due date of May 19, 2020.

This project includes funds awarded from a the SCDHEC Section 319 Nonpoint Source Program grant ($365,558.36).

NEXT STEPS:

Town Council approval and execution of this contract with Jordan Construction in the amount of $513,431.88, which authorizes them to complete the utility installation for this project.

SUMMARY:

This project originated out of the Town of Bluffton's Strategic Plan for Fiscal Year 2019-20 focus area of the May River and Surrounding Rivers and Watersheds. It is supportive of the following guiding principles as provided in the document:

> Guiding Principle #1. To support initiatives, such as the May River Watershed Action Plan, to improve water quality of the May, Okatie/Colleton and New Rivers and their watersheds.
>
> Guiding Principle #2. To seek collaboration and partnerships that protect and improve the May, Okatie/Colleton and New Rivers and their watershed.
>
> Guiding Principle #3. Establishing long term planning, prioritization and investment strategies for future infrastructure and facilities that improve the quality of life for citizens while being financially sustainable.

Due to these reasons, as well as recommendations outlined in the May River Watershed Action Plans, staff is requesting that Town Council to authorize the execution of the proposed construction contract with Jordan Construction to install utilities within the vicinity of Pritchard Street.

ATTACHMENTS:

1. Draft Contract
2. Bid Tabulation
3. Project Data Sheet
4. Map
5. Recommended Motion

AGREEMENT
BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

THIS AGREEMENT is by and between Town of Bluffton ("Owner") and _____ ("Contractor").

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: sewer main and connections on Pritchard Street in Bluffton, South Carolina.

ARTICLE 2 – THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

1. Sewer main extension
2. Water main extension
3. Water and sewer services
4. Surface rehabilitation

ARTICLE 3 – ENGINEER

3.01 The Project has been designed by Cranston Engineering (Engineer), which is to act as Owner's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Days to Achieve Substantial Completion and Final Payment*

A. The Work will be substantially completed within 150 days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions within 210 days after the date when the Contract Times commence to run.

4.03 *Liquidated Damages*

A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial loss if the Work is not completed within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner $500 for each day that expires after the time specified in Paragraph 4.02 above for Substantial Completion until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall pay Owner $500 for each day that expires after the time specified in Paragraph 4.02 above for completion and readiness for final payment until the Work is completed and ready for final payment.

ARTICLE 5 – CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to Paragraphs 5.01.A, 5.01.B, and 5.01.C below:

A. For all Work other than Unit Price Work, a lump sum of: $ not applicable

All specific cash allowances are included in the above price in accordance with Paragraph 11.02 of the General Conditions.

B. For all Unit Price Work, an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the actual quantity of that item:

UNIT PRICE WORK

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price

SEE ATTACHED BID FORM FOR
LINE ITEM PRICING

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Total of all Bid Prices (Unit Price Work) $_____

The Bid prices for Unit Price Work set forth as of the Effective Date of the Agreement are based on estimated quantities. As provided in Paragraph 11.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer as provided in Paragraph 9.07 of the General Conditions.

C. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

A. Contractor shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 *Progress Payments; Retainage*

A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the n/a day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below. All such payments will be measured by the schedule of values established as provided in Paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or Owner may withhold, including but not limited to liquidated damages, in accordance with Paragraph 14.02 of the General Conditions.

a. 90 percent of Work completed (with the balance being retainage). If the Work has been 50 percent completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, then as long as the character and progress of the Work remain satisfactory to Owner and Engineer, there will be no additional retainage; and

b. 10 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 100 percent of the Work completed, less such amounts as Engineer shall determine in accordance with Paragraph 14.02.B.5 of the General Conditions and less 200 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on

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the tentative list of items to be completed or corrected attached to the certificate of Substantial Completion.

6.03 *Final Payment*

A. Upon final completion and acceptance of the Work in accordance with Paragraph 14.07 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 14.07.

ARTICLE 7 – INTEREST

7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the rate of 0 percent per annum.

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:

A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities), if any, that have been identified in Paragraph SC-4.02 of the Supplementary Conditions as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in Paragraph SC-4.06 of the Supplementary Conditions as containing reliable "technical data."

E. Contractor has considered the information known to Contractor; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including any specific means, methods, techniques, sequences, and procedures of construction expressly required by the Contract Documents; and (3) Contractor's safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 8.01.E above, Contractor does not consider that further examinations, investigations, explorations, tests, studies, or data

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are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.

I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 *Contents*

A. The Contract Documents consist of the following:

1. This Agreement
2. Performance bond
3. Payment bond.
4. General Conditions
5. Supplementary Conditions
6. Specifications as listed in the table of contents of the Project Manual.
7. Drawings
8. Addenda (numbers 1 to 2, inclusive).
9. Exhibits to this Agreement (enumerated as follows):
   a. Contractor's Bid
   b. Documentation submitted by Contractor prior to Notice of Award
10. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
    a. Notice to Proceed
    b. Work Change Directives.
    c. Change Orders.

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B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).

C. There are no Contract Documents other than those listed above in this Article 9.

D. The Contract Documents may only be amended, modified, or supplemented as provided in Paragraph 3.04 of the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 *Assignment of Contract*

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*

A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*

A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;

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2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

10.06 *Compliance*

A. Offerors, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. Offerors will not participate directly or indirectly in the discrimination prohibited by Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21. This includes FHWA or FTA specific program requirement.

B. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

i. Title VI of the 1964 Civil Rights Act (42 U.S.C. 2§000 et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;

ii. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601) Prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;

iii. The Federal-aid Highway Act of 1973, (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);

iv. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;

v. The Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 et seq.), (prohibits discrimination on the basis of age);

vi. Airport and Airway Improvement Act of 1982, (42 U.S.C. §47123), as amended, (prohibits discrimination on race, creed, color, national origin, or sex);

vii. The Civil Rights Restoration Act of 1987, (P.L. 100-209), (Broadened, the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age

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Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

viii. Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§12131-12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;

ix. The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

x. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

xi. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs (70 Fed. Reg. at 74087 to 74100);

xii. Title IX of the Education Amendment of 1972, as amended, which prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 1681 et seq.).

C. Offerors shall at all times comply with all applicable wage and hour acts, including but not limited to the Fair Labor Standards Act (FLSA) (29 U.S.C. 201 et seq); the Davis-Bacon Act (40 U.S.C. 3141 et seq.); McNamara-O'Hara Service Contract act (41 U.S.C. 351 et seq);

D. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 et seq); Walsh-Healy Public Contracts Act (41 U.S.C. 35 et seq); Copeland Anti-Kickback Act (40 U.S.C 3145).

E. Offerors shall at all times comply with the Occupational Safety and Health Act (OSH Act)(29 U.S.C. chapter 15) and the South Carolina OSHA-approved state plan, which covers most private sector workers and all state and local government workers.

F. Offerors shall make best efforts to ensure that minority and disadvantaged businesses are offered a fair opportunity to fully participate in the overall procurement of subcontracted goods and services.

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IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement. Counterparts have been delivered to Owner and Contractor. All portions of the Contract Documents have been signed or have been identified by Owner and Contractor or on their behalf.

This Agreement will be effective on _____ (which is the Effective Date of the Agreement).

OWNER:	CONTRACTOR
Town of Bluffton	_____
By: _____	By: _____
Title: Town Manager	Title: _____
Attest: _____	Attest: _____
Title: Procurement & Grant Administrator	Title: _____
Address for giving notices:	Address for giving notices:
20 Bridge Street	_____
PO Box 386	_____
Bluffton, SC 29910	_____
	License No.: _____

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TOWN OF BLUFFTON
PRELIMINARY BID RESULTS
IFB # 2020-50
Historic District Sewer Phase I (Pritchard Street)

VENDOR NAME	BASE BID	ALTERNATE(S) OFFERED
CBG, Inc	$935,822.00	$77,500.00
Jordan Construction	$513,431.88	$25.00
JS Construction	$754,639.00	$2,500.00
Potter Construction	$1,122,555.00	$42,500.00

Capital Improvements Program Fund Project Data Sheet

Project Name	Historic District Sewer Extension Phase 1	**Project #**	00070
Project Manager	Mark Maxwell	**Start to End**	FY 2019 - FY 2020

Project Scope

Historic District Sewer Extension - Phase 1 along Pritchard Street between Tabby Shell Road and the May River, consists of planning, ghost road and easement acquisition, appraisals, legal fees, engineering design and construction of 1,900 linear feet of 8" gravity sewer and common force mains. The project will provide service to 23 parcels.

Project Photo or Map

Project Budget

	Prior Years' Expended	FY2019 Amended Budget	FY2019 Estimate	FY2020 Proposed Budget	FY2021 Forecast	FY2022 Forecast	FY2023 Forecast	FY2024 Forecast	Total Project Forecast
Planning	$ -	$ 28,500	$ 21,340	$ -	$ -	$ -	$ -	$ -	$ 21,340
Design	-	71,250	25,795	8,000	-	-	-	-	33,795
Construction	-	-	-	672,695	-	-	-	-	672,695
Other	-	12,000	12,000	-	-	-	-	-	12,000
Total	$ -	$ 111,750	$ 59,135	$ 680,695	$ -	$ -	$ -	$ -	$ 739,830

Project Funding Sources

	Prior Years' Expended	FY2019 Amended Budget	FY2019 Estimate	FY2020 Proposed Budget	FY2021 Forecast	FY2022 Forecast	FY2023 Forecast	FY2024 Forecast	Total Project Forecast
SWU Fees	$ -	$ 99,750	$ 47,135	$ 505,770	$ -	$ -	$ -	$ -	$ 552,905
TIF Debt Service	-	12,000	12,000	100,000	-	-	-	-	112,000
Alcohol Tax	-	-	-	74,925	-	-	-	-	74,925
Total	$ -	$ 111,750	$ 59,135	$ 680,695	$ -	$ -	$ -	$ -	$ 739,830

Strategic Focus Area & Guiding Principle

Infrastructure
Guiding Principle #3 Establish long term planning, prioritization and investment strategies for future infrastructure and facilities that improve the quality of life for citizens while being financially sustainable.
May River & Surrounding Rivers and Watersheds
Guiding Principle #1 Support initiatives, such as the May River Watershed Action Plan, to improve water quality of the May, Okatie/Colleton and New Rivers and their watersheds.
Guiding Principle #2 Seek collaboration and partnerships that protect and improve the May, Okatie/Colleton and New Rivers and their watershed.

Project Status

Planning and design in coordination with BJWSA to be completed in FY 2019 and construction completed in FY 2020.

Project Origination

1) FY 2019 - 2020 Strategic Plan, and 2) May River Watershed Action Plan.

Project Performance Measures

Remove residences from septic and extend public sanitary sewer.

General Fund Operations & Maintenance (O&M) Costs

	Description	FY2020 Forecast	FY2021 Forecast	FY2022 Forecast	FY2023 Forecast	FY2024 Forecast	Total Forecast
Operations		$ -	$ -	$ -	$ -	$ -	$ -
Maintenance		-	-	-	-	-	-
Total		$ -	$ -	$ -	$ -	$ -	$ -

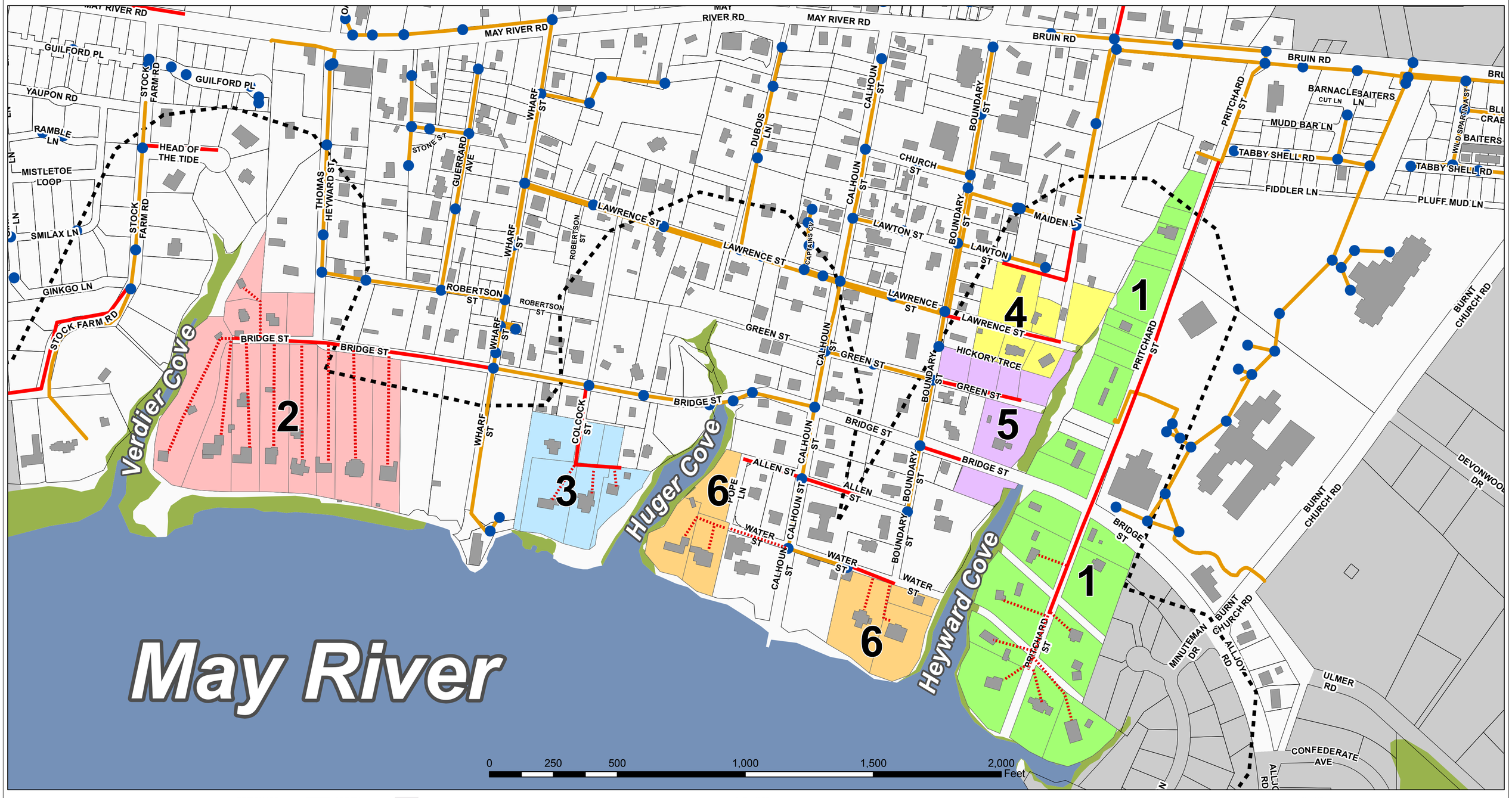
Method for Estimating Costs: Construction cost estimates are based on current unit price information for nearby sewer projects and quantities based on the completed construction documents. Town O&M costs are expected to be zero; BJWSA takes over operations & maintenance upon system acceptance.

Attachment 4
Map

Town of Bluffton

Beaufort County, SC

PROPOSED HISTORIC DISTRICT SANITARY SEWER PROJECT AREAS



PROPOSED SEWER LINE
PROPOSED GRINDER LINE
EXISTING SEWER LINE
SEWER MANHOLE
500' BUFFER FROM MAY
BUILDING FOOTPRINT
PARCEL LINE
1 PRITCHARD STREET
2 BRIDGE STREET WEST
3 COLCOCK STREET
4 GREEN STREET
5 LAWRENCE STREET
6 WATER STREET
MARSH
WATER
BLUFFTON
BEAUFORT COUNTY

DATA USED:

- 2014 BJWSA BILLING DATA
- AVAILABLE 2017 BJWSA AS BUILT DATA
- 2015 BC PARCEL DATA
- 2017 FIELD DATA COLLECTION
- AVAILABLE 2017 ToB BUILDING FOOTPRINT DATA

DISCLAIMER:
This map was created by the Engineering Department of the Town of Bluffton and is solely intended to be used as a graphical representation for the Town of Bluffton. The GIS maps and data distributed by the Engineering Department of the Town of Bluffton are derived from a variety of public and private sector sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The Town of Bluffton makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the town's Geographic Information Systems database. Additionally, the Town of Bluffton or any agent, servant, or employee thereof assume no liability associated with the use of this data, and assume no responsibility to maintain it in any matter or form.

north

Attachment 5
Recommended Motion

RECOMMENDED MOTION LANGUAGE

"I move to authorize the Town Manager to execute a contract for utility construction to complete the Phase 1 Historic District Sewer (Pritchard Street), with Jordan Construction. The contract amount includes the BASE BID of $513,431.88, and a contingency of 10% of the contract amount to address unforeseen changes that may arise during construction."

TOWN COUNCIL

STAFF REPORT
Engineering Department

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of a Resolution Amending Memorandum of Agreement 2019-04 between Beaufort County and the Town of Bluffton Regarding Financing and Analysis of Water Quality and Natural Resources in the May River
PROJECT MANAGER:	Bryan McIlwee, PE, Director of Engineering

RECOMMENDATION:

Town Council adopt a Resolution (Attachment 1) authorizing approval for the Town Manager to amend Memorandum of Agreement (MOA) 2019-04 between Beaufort County and the Town of Bluffton to extend the agreement for shared funding of the University of South Carolina's analysis of water quality and natural resources in the May River.

BACKGROUND/DISCUSSION:

Following a May River Watershed Action Plan Advisory Committee recommendation, and as part of the implementation of Strategic Plan Fiscal Year (FY) 2019-2020 priorities, Town Council authorized the Town Manager to enter into MOA 2019-04 with Beaufort County (County) to cost-share ($15,000 each) on May River research by Dr. Eric Montie, University of South Carolina Beaufort.

The MOA expired on 10/24/19 prior to FY 20 payment of $15,000 from the County to the Town. By amending this MOA to extend its terms to 9/30/20, the County can process this payment.

NEXT STEPS:

Approve a Resolution to amend MOA 2019-04 with Beaufort County to extend the terms to 9/30/20.

SUMMARY:

Authorize an amendment to extend expired MOA 2019-04 to 9/30/20 to authorize Beaufort County to process $15,000 payment to the Town in support of research completed by USCB in Fall 2019.

ATTACHMENTS:

1. Resolution Amending Memorandum of Agreement 2019-04 between Beaufort County and the Town of Bluffton Regarding Financing an Analysis of Water Quality and Natural Resources in the May River
2. Proposed Amended Memorandum of Agreement 2019-04 with Beaufort County
3. Recommended Language for a Motion

Attachment 1
Resolution Amending MOA 2019-04

RESOLUTION

A RESOLUTION AUTHORIZING AMENDING MEMORANDUM OF AGREEMENT BETWEEN BEAUFORT COUNTY AND THE TOWN OF BLUFFTON REGARDING FINANCING AN ANALYSIS OF WATER QUALITY AND NATURAL RESOURCES IN THE MAY RIVER.

WHEREAS, the University of South Carolina Beaufort (USCB) and Town of Bluffton (Town) entered into a Memorandum of Understanding (MOU) 2019-03 to conduct an historical analysis of water quality and climate change endpoints and monitoring of natural resources in the May River (Historical Analysis) at an agreed cost of Thirty Thousand Dollars ($30,000); and

WHEREAS, the Town and County recognize that it may be mutually beneficial to share in the cost of an analysis of historic water quality data points from the May River and similar other local watersheds; and

WHEREAS, the Town or the County each has the authority to contract for the private services and reports related to such an analysis or, to gain efficiencies by sharing mutually beneficial data, offer to share the cost thereof with the other party at an agreed-upon rate; and

WHEREAS, the Town requested, and the County agreed, that the County would share in payment for USCB services in the amount of Fifteen Thousand Dollars ($15,000) for two (2) years; and

WHEREAS, the Town and County entered into Memorandum of Agreement (MOA) 2019-04 for said cost-sharing on October 25, 2018 and payment of Fifteen Thousand Dollars ($15,000) was received in Fiscal Year 2019, but not in Fiscal Year 2020; and

WHEREAS, MOA 2019-04 expired on October 24, 2019 prior to final payment of Fifteen Thousand Dollars ($15,000); and

WHEREAS, both the Town and County desire to amend the terms of MOA 2019-04 to extend its terms to September 30, 2020 to process final payment.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:

1. The Town Council hereby authorizes the Town Manager to amend MOA 2019-04 with the Beaufort County to extend to September 30, 2020.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION. SIGNED, SEALED AND DELIVERED AS OF THIS _____ DAY OF _____, 2020.

_____
Lisa Sulka, Mayor, Town of Bluffton, South Carolina

ATTEST:

_____

Kimberly Chapman, Town Clerk, Town of Bluffton, South Carolina

Attachment 2
Proposed Amendment of MOA 2019-04

STATE OF SOUTH CAROLINA	**)**	**AMENDMENT OF**
	)	**MEMORANDUM OF AGREEMENT**
COUNTY OF BEAUFORT	**)**	**2019-04**

THIS AGREEMENT is made and entered into this ____ day of _____, 2020 by and between the Town of Bluffton, South Carolina (hereinafter referred to as the "Town"), and Beaufort County, South Carolina (hereinafter referred to as the "County").

WHEREAS, the Town and County recognize that it may be mutually beneficial to share in the cost of an analysis of historic water quality data points from the May River and similar other local watersheds; and

WHEREAS, the Town or the County each has the authority to contract for the private services and reports related to such an analysis or, to gain efficiencies by sharing mutually beneficial data, offer to share the cost thereof with the other party at an agreed-upon rate; and

WHEREAS, the Town entered into an agreement with University of South Carolina Beaufort for analysis of historic water quality data from the May River and similar other local watersheds at a cost of Thirty Thousand Dollars ($30,000) for Fiscal Year 2018-2019; and

WHEREAS, the Town requested, and the County agreed, that the County share in payment for these services in the amount of Fifteen Thousand Dollars ($15,000) for two (2) years; and

WHEREAS, the Town and County entered into Memorandum of Agreement (MOA) 2019-04 for said cost-sharing on October 25, 2018 and payment of Fifteen Thousand Dollars ($15,000) was received in Fiscal Year 2019, but not in Fiscal Year 2020; and

WHEREAS, MOA 2019-04 expired on October 24, 2019 prior to final payment of Fifteen Thousand Dollars ($15,000);

WHEREAS, both the Town and County desire to amend the terms of MOA 2019-04 to extend its terms to September 30, 2020 to process final payment.

NOW, THEREFORE, the County agrees to compensate the Town in the amount of Fifteen Thousand Dollars ($15,000) to pay for its share of the USCB historical analysis.

IN WITNESS WHEREOF, the Town of Bluffton, South Carolina and Beaufort County, South Carolina, by and through their duly authorized officers have set their hands and seals on this ____ day of _____, 2020.

WITNESSES: **BEAUFORT COUNTY**

_____ By:_____

_____ Its:_____

WITNESSES: **TOWN OF BLUFFTON**

_____ By:_____

_____ Its:_____

Attachment 3
Recommended Motion

RECOMMENDED MOTION LANGUAGE

"I make a motion to approve a Resolution Amending Memorandum of Agreement 2019-04 between Beaufort County and the Town of Bluffton Regarding Financing and Analysis of Water Quality and Natural Resources in the May River."

TOWN COUNCIL

STAFF REPORT
Engineering Department

MEETING DATE:	June 9, 2020
PROJECT:	Consideration of a Resolution to Authorize the Request to South Carolina Department of Transportation for Removal of a Portion of Bridge Street (S-31) from the State Highway System and the Town of Bluffton's Acceptance of Ownership and Maintenance Responsibility of Said Road
PROJECT MANAGER:	Bryan McIlwee, PE, Director of Engineering

RECOMMENDATION:

Town Council adopt the attached Resolution authorizing the request to SCDOT for removal of a portion of Bridge Street (S-31) from the State Highway System and accepting ownership and maintenance responsibilities of this portion of Bridge Street as part of the Town's road network.

BACKGROUND/DISCUSSION:

As part of the Historic District Sewer Extension Phase 2 project, Town Council directed Staff to investigate extension of sewer and drainage improvements to Bridge Street in the Old Town Historic District. The proposed sewer system would serve 12 properties and remove existing septic systems in an area near Heyward Cove and the May River. Additionally, future streetscape and traffic calming improvements could be accomplished with the acquisition of this portion of Bridge Street.

The South Carolina Department of Transportation ("SCDOT") is the record owner of Bridge Street (S-31). As the Road constitutes a portion of the State highway secondary system, SCDOT may transfer it to a municipality, county or private party upon appropriate application being made. S.C. Code Ann. § 57-5-80. To request acquisition of the Road, the Town must submit a form application to SCDOT.

This portion of Bridge Street is approximately 0.1 miles in length and extends between Wharf Street (S-122) and Thomas Heyward Street. The street provides access to residential properties on the north and south sides of the street and to residential properties to the unimproved portion of Bridge Street to the west. The Town is currently pursuing title to this unimproved portion of Bridge Street through the "Ghost Road" acquisition process.

Based upon design guidelines required by Beaufort Jasper Water and Sewer Authority (BJWSA), the Town has designed the sanitary sewer extension project along Bridge Street to extend from an existing manhole at the intersection of Bridge Street and Wharf Street to the end of the

unimproved portion of Bridge Street. Similarly to the recently acquired Pritchard Street, upon applying for an SCDOT encroachment permit, SCDOT indicated new sanitary sewer would not be allowed within the paved portion of the Bridge Street Right of Way. Rather, a horizontal separation of at least three feet from the sanitary sewer and edge of pavement would be required. This would result in a redesign of the project, easement acquisition on private property and the removal and/or damage to existing mature trees along the north side of Bridge Street.

Additionally, as was the case with May River Road streetscape phases I and II and Dr. Mellichamp Drive, a maintenance agreement between SCDOT and the Town would likely be issued conveying the maintenance responsibilities of all improvements to the Town as part of the permit requirements. The acquisition of Bridge Street would allow the Town to expedite the implementation of the proposed sanitary sewer project along with any future streetscape or traffic calming improvements.

For these reasons, Town Staff recommends Town Council approve petitioning SCDOT to remove Bridge Street from the State Highway System and authorize the Town Manager and Town Staff to take such actions as are necessary to complete the acceptance of this portion of Bridge Street as a Town owned and maintained road.

SUMMARY:

Town Council approve the execution of SCDOT Removal Form for removal of this portion of Bridge Street from the State Highway System and accepting ownership and maintenance responsibilities.

ATTACHMENTS:

1. SCDOT Engineering Directive regarding Removal of Roads or Sections of Roads from the State Highway System
2. Resolution (with attachments)
3. Recommended Motion

South Carolina Department of Transportation

Engineering Directive

Directive Number:	**ED-41**	**Effective:**	**November 17, 2015**
Subject:	**Removal of Roads or Sections of Roads from the State Highway System**		
References:	**S.C. Code of Laws, Sections 57-5-10, 57-5-80, 57-5-120, 57-5-600, and 57-9-10, *et seq.***		
Purpose:	**Provide Procedural Guidance in Performing Actions to Remove State Roads from the Highway System**		
This Directive Applies to:	**All Employees**		

At the June 21, 2007, meeting the South Carolina Department of Transportation (SCDOT) Commission recognized the need to reduce the size of the secondary road system and implemented a new policy to begin this process. State law allows the removal of roads from the state highway system under specific circumstances. Removal of a road from the state highway system must be authorized by at least one of the statutes listed below and must follow the processes set forth herein.

Authorizing Statutes:

<u>Transfer of Roads from Secondary System to another Entity or Person - S.C. Code of Laws, Section 57-5-80</u>

SCDOT may transfer from the state highway secondary system any road under its jurisdiction determined by SCDOT to be of low traffic importance to one of the parties indicated below, if mutual consent is reached between SCDOT and the transferee:

(a) a county or municipality,
(b) a school,
(c) a governmental agency,
(d) a nongovernmental entity, or
(e) a person.

In all cases, the county or municipality shall have right of first refusal to accept roads into their maintenance responsibility when roads are considered for transfer from the state highway system to a nongovernmental entity or person. If a road or a portion of a road is considered for transfer from the state highway secondary system to a nongovernmental entity or person, all persons, businesses, and entities having property interests located on that section of road must be in agreement with the transfer. Maintenance responsibility for the removed road will transfer to the transferee upon notice from SCDOT of the official action removing the road from the state highway system. Notification of the transfer must be given to the county legislative delegation.

Abandonment of Section of Relocated Highway - S.C. Code of Laws, Section 57-5-120

SCDOT may abandon any section of highway that has been relocated. At its discretion, SCDOT may choose to retain the old section when it serves as a needed connection to the new section or when it serves as a proper part of the state highway system. All other sections should be abandoned. Every section abandoned due to relocation reverts to the local government having jurisdiction (city or county) or is abandoned as a public way.

Abandonment of Right-of-Way - S.C. Code of Laws, Section 57-5-600

Right-of-way previously acquired by SCDOT may be removed from the state highway system when it is determined that the right-of-way is not required for either right-of-way or departmental purposes. Removal of right of way must be primarily for public benefit, not private benefit. SCDOT's Rights of Way Office must determine what, if any, charge shall be made for the abandonment and/or transfer.

Court Ordered Closure - S.C. Code of Laws, Section 57-9-10, *et seq*.

Any interested person, the State, or any of its political subdivisions or agencies may petition a court of competent jurisdiction to abandon or close any street, road, or highway whether opened or not. Certain notice procedures must be followed as set forth in the statute. If the court shall determine that it is in the best interest of all concerned that such street, road, or highway be abandoned or closed, the court shall then determine in whom the title shall be vested and issue an appropriate order.

Removal Procedures:

Court Ordered Closures - All petitions for court ordered closures shall follow the following procedures:

1. The Legal Office shall send a copy of the initial petition for closure to the Director of Planning, Director of Rights of Way, and the appropriate district engineering administrator.

2. Each office should then determine if the petition covers a state system road. Once determined, each office must decide if they have objections to closure and notify the Legal Office within the time frame specified. Some examples of objections include sight distance concerns due to loss of right-of-way and the closure resulting in other state maintained roads becoming disconnected from the state system. The Legal Office will then convey any concerns to the courts.

3. If the court approves the closure, the final order of closure should be forwarded to the Director of Planning.

4. If the road was a state maintained road, the Director of Planning shall notify the SCDOT Commission.

Upon approval of the closure by the Commission (if state maintained), the following actions shall be taken:

1. The Director of Planning shall make the necessary adjustments in SCDOT's official mileage records, including those records necessary for enforcement of the secondary road mileage limitation (state and non-state maintained roads).

2. The Director of Planning shall notify the district engineering administrators of all actions taken by the Commission (state maintained roads only).

3. Based on the Commission minutes or a copy of Commission action available online, the district engineering administrator shall remove all SCDOT signs designating a road or route number (S-marker) from the section of road closed.

Other Removals:

All other requests for removal of a road or a portion of a road from the state highway system shall follow the procedures outlined below:

1. The Director of Traffic Engineering, Director of Construction, Director of Maintenance, Director of Planning, Director of Preconstruction, or a district engineering administrator may make a request for removal. A request for removal may also be initiated by the local entity (county, city, or school district) having jurisdiction or by other government agencies, a nongovernmental entity, or individuals with property interest along the section of roadway. Requests for removal must be submitted using the "Request for Removal from State Highway System" electronic form (Request for Removal from Highway System) located on SCDOT's Intranet as well as in Appendix A of this directive. A PDF fillable form is also available from the Director of Planning.

2. The SCDOT office initiating the request for removal must work with the Rights of Way Office to determine if the checkbox in the "Acceptance of Maintenance Responsibility by Other Entity" should be checked Yes or No. This will primarily depend on how the road was initially built and whether the right-of-way for the section proposed to be removed could generate revenue for SCDOT.

If the person or entity requesting to assume maintenance responsibility is not a governmental agency:

1. The SCDOT department initiating the request should confirm the requestor's identity by checking their state issued driver's license or identification card. If the requestor is an entity, not an individual, confirm identity by some other form of identification.

2. The requestor should include a letter from the county or municipality stating that the county or municipality refuses to accept maintenance of the described road. If the person or entity cannot obtain such letter, the SCDOT department initiating the request should contact the county or municipality only after the person or entity has provided proof they have tried to contact the local government. A sample form letter that should be used when contacting the local government is provided in Appendix B of this directive.

3. The requestor must obtain a statement from all persons, businesses, and entities having property interests on the road that they are in agreement with the transfer and provide adequate documentation that these are the only property owners with interests in the road. A sample affidavit documenting property owners is provided in Appendix C of this directive.

4. All requests for removal forms must be forwarded to the Director of Planning for appropriate action. The Director of Planning will maintain records of each removal request with supporting documentation and record the action taken on each request. The Director of Planning shall review the request for accuracy of description, location, and mileage, and shall verify the requested removal is in compliance with one of the statutes authorizing removal listed above. The Director of Planning shall also forward the request to the appropriate district engineering administrator for completion and concurrence as necessary. If a "Request for Removal from State Highway System" form or letter accepting maintenance responsibility is not attached to the request, the Director of Planning shall request the district engineering administrator to secure a completed form or letter.

5. Upon verification of the request for accuracy, compliance, and appropriate signatures, the Director of Planning shall forward the request to the Deputy Secretary for Intermodal Planning in the form of a recommendation to the Commission. If the road to be removed intersects a state maintained road it is important to include a plan sheet showing what right-of-way needs to be retained. Each recommendation for removal shall also include the person or entity requesting the removal (i.e., SCDOT, county, city, school district, government agency, private company, or individual), a description of the portion of road to be removed, and the statutory authority for removal along with the information required below:

   a. Abandonment of Section of Relocated Highway

      i. If the section was maintained by easement only - a copy of the letter or email notifying the local government of the abandonment and a copy of any response received.

      ii. If SCDOT owns fee simple interest in the section to be abandoned – a "Request for Removal from State Highway System" form (preferred), or a statement of acceptance of maintenance responsibility by letter from the local government, or a request for quitclaim deed, or a court ordered closure action.

   b. Transfer from Secondary Road System to another Person or Entity

      i. "Request for Removal from State Highway System" form signed by the party to whom the road is requested to be transferred.

      ii. Letter of right of first refusal from the county or municipality, if appropriate.

      iii. If the requestor is a non-governmental entity or person, a statement that all persons and businesses on the road are in agreement with the transfer and adequate documentation that these are the only property owners with interests in the road. A sample affidavit documenting property owners is provided in Appendix C of this directive.

c. Abandonment of Right of Way - "Request for Removal from State Highway System" form (preferred), or a statement of acceptance of maintenance responsibility by letter from the local government or entity (county, city, school district, or government agency).

Upon approval of the removal by the Commission, the following actions shall be taken:

1. The Director of Planning shall make the necessary adjustments in SCDOT's official mileage records, including those records necessary for enforcement of the secondary road mileage limitation.

2. The Director of Planning shall notify the district engineering administrators and Chief of Staff of all actions taken by the Commission.

3. The district engineering administrator shall ensure all SCDOT signs designating a road or route number (S-marker) are removed from the section of road transferred to a local government or agency.

4. If the entire road is to be abandoned, the district engineering administrator shall ensure all SCDOT signs are removed.

5. The district engineering administrator shall notify the requestor, in writing, of the action taken by the Commission and send an electronic copy to the Director of Planning.

6. The Chief of Staff shall notify the appropriate county legislative delegations of the actions taken by the Commission.

Based on the Commission minutes or a copy of Commission action available online, the Director of Rights of Way, if appropriate, shall prepare and forward a quitclaim deed for the removed road to the party to whom the road is being transferred. The quitclaim deed shall, in addition to transferring the right of way, specifically transfer any bridge within the limits of the removed road, and transfer all future maintenance responsibility.

Submitted and Recommended by: Mark Pleasant
Director of Planning

Approved: Ron K. Patton
Deputy Secretary for Intermodal Planning

Approved: Christy A. Hall
Deputy Secretary for Engineering

Lead: Director of Planning

History: Issued on September 15, 2008
First Revision on April 13, 2015
Second Revision on November 17, 2015

APPENDIX A
FOR ENGINEERING DIRECTIVE 41

REQUEST FOR REMOVAL FROM

STATE HIGHWAY SYSTEM

(REVISED 09/2015)

DESCRIPTION OF SECTION OF ROAD TO BE REMOVED

COUNTY: Beaufort ROAD NUMBER: S-7-31 ROAD NAME: Bridge Street

LENGTH TO BE REMOVED: 0.35 MILES

BEGINNING POINT: S-7-122 ENDING POINT: Thomas Heyward Street

DESCRIPTION: (PLEASE ATTACH LOCATION MAP)

Beginning Location: S-7-122 / Wharf Street
Ending Location: Thomas Heyward Street (Town owned)

ACCEPTANCE OF MAINTENANCE RESPONSIBILITY BY OTHER ENTITY OR PERSON

IT IS REQUESTED THAT THE ABOVE DESCRIBED ROAD BE REMOVED FROM THE STATE HIGHWAY SYSTEM. OWNERSHIP AND MAINTENANCE OF THIS ROAD WILL BECOME THE RESPONSIBILITY OF THE ENTITY LISTED BELOW. **IF THIS ENTITY IS NOT A GOVERNMENTAL ENTITY, A LETTER FROM THE COUNTY OR MUNICIPALITY STATING THAT THEY REFUSE TO ACCEPT MAINTENANCE OF THE DESCRIBED ROAD SHOULD BE INCLUDED WITH THIS FORM.**

YES ☑ NO ☐ IF YES IS CHECKED AND THE ENTITY OR PERSON BELOW CEASES TO UTILIZE THIS PROPERTY FOR PUBLIC PURPOSES, THEN EITHER THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION MUST BE COMPENSATED FAIR MARKET VALUE BY THE ENTITY OR PERSON OR THE PROPERTY WILL REVERT TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, WHO WILL HAVE THE RIGHT TO RE-ENTER AND TAKE POSSESSION OF THE PROPERTY FREE OF ALL RESTRICTIONS AND RESTRAINTS.

NAME / ENTITY: Lisa Sulka / Town of Bluffton
PLEASE TYPE OR PRINT

TITLE: Mayor
PLEASE TYPE OR PRINT

SIGNED: _____ DATE: _____

NOTE TO DISTRICT ENGINEERING ADMINISTRATOR:

THIS COMPLETED FORM AND MAP SHOULD BE FORWARDED TO:

SCDOT DIRECTOR OF PLANNING
955 PARK STREET - ROOM 515, P.O. BOX 191
COLUMBIA, S.C. 29202

BASIS FOR REMOVAL

(TO BE COMPLETED BY SCDOT)

CHECK ONE OF THE (3) THREE OPTIONS BELOW AND COMPLETE:

1. ☐ ABANDONMENT OF SECTION OF RELOCATED HIGHWAY

2. ☐ DELETION AND REMOVAL OF ROADS FROM THE SECONDARY SYSTEM (SWAP MILES ONLY)

ROADS TO BE ADDED IN SWAP OF MILES:

ROADS NUMBER	ROAD MILEAGE		AVERAGE DAILY TRAFFIC (ADT)		NUMBER OF LANES		TRAFFIC IMPORTANCE
_____	(_____	X	_____	/	_____)	=	_____
_____	(_____	X	_____	/	_____)	=	_____

ROADS TO BE DELETED IN SWAP OF MILES:

ROADS NUMBER	ROAD MILEAGE		AVERAGE DAILY TRAFFIC (ADT)		NUMBER OF LANES		TRAFFIC IMPORTANCE
_____	(_____	X	_____	/	_____)	=	_____
_____	(_____	X	_____	/	_____)	=	_____

NOTE: ROADS TO BE ADDED MUST BE OF HIGHER TRAFFIC IMPORTANCE THAN ROADS TO BE DELETED AS DETERMINED BY THE CALCULATIONS ABOVE.

3. ☐ DELETION AND REMOVAL OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

Or

☐ ABANDONMENT OF RIGHT-OF-WAY - (REMOVAL OF ROADS FROM STATE HWY. SYSTEM ONLY)

DETERMINATION OF RIGHT-OF-WAY NEED (CHECK APPROPRIATE BOX(ES) BELOW)

YES	NO	
☐	☐	PROPERTY IS REQUIRED FOR SCDOT RIGHT-OF-WAY [1]
☐	☐	PROPERTY IS REQUIRED FOR DEPARTMENT PURPOSES [1]
☐	☐	ABANDONMENT IS IN THE INTEREST OF THE PUBLIC AND SCDOT
☐	☐	ABANDONMENT ADVERSELY AFFECTS THE INDIVIDUAL RIGHTS OF OTHERS

THE RIGHT OF WAY LIMITS RETAINED AT THE INTERSECTING ROADS WILL BE ESTABLISHED AS FOLLOWS:

ADDITIONAL COMMENTS: _____

[1] A COPY OF THE PLAN SHEET WITH THE NEW RIGHT OF WAY LIMITS MUST BE INCLUDED.

REQUEST SUBMITTED BY: _____ DATE: _____

CONCURRENCE BY: _____ DATE: _____

FOR PRIMARY ROUTES ONLY:

APPROVAL BY: _____ DATE: _____

DIRECTOR OF PLANNING

APPENDIX B
FOR ENGINEERING DIRECTIVE 41

August 20, 2013

Mr. John Doe
City of Greenville
PO Box 1234
Greenville, SC 29292

RE: Request of Removal of S-23-123

To Whom It May Concern:

My office has been approached by Mr. John Smith requesting the South Carolina Department of Transportation (SCDOT) transfer ownership and maintenance responsibility of S-23-123(ABC Road) from Jones Avenue to Good Street to Mr. Smith. Our review of this road indicated it is of low traffic importance, and we have agreed to this transfer.

Based on this request, I am writing to inform you that the City of Greenville has the right of first refusal of the above road according to the law (Section 57-5-80). As such, we are requesting a written response from the City within 30 days from the date of this letter if it desires to exercise the first right of refusal. If we do not receive a reply within this timeframe, we will consider this as a refusal to accept maintenance of the roadway, and SCDOT will proceed to transfer ownership and maintenance to Mr. Smith as requested.

If you have any questions, please call at XXX-XXX-XXXX or email me at XXXX@scdot.org.

Sincerely,

APPENDIX C
FOR ENGINEERING DIRECTIVE 41

State of South Carolina)
) **AFFIDAVIT**
County of _____)

Personally appeared before me the undersigned who being duly sworn, states that _____

_____ is (are) the sole owner(s) of that certain parcel
(Name of Property Owner)

known as _____
(TMS No. or Street Address)

abutting Road _____ (_____) between _____ and
(No. of Road to be Removed) (Name of Road to be Removed) (Beginning Point Road)

_____ in _____ County.
(Ending Point Road)

_____
(Owner)

_____
(Owner)

SWORN TO BEFORE ME this _____ day of

_____, 20___.

_____
NOTARY PUBLIC FOR SOUTH CAROLNA
My Commission Expires:_____

State of South Carolina)
) **AFFIDAVIT**
County of Richland)

Personally appeared before me the undersigned who being duly sworn, states that John A. Doe and Jane B. Doe is (are) the sole owner(s) of that certain parcel known as Road S-111 (222 Main Street) abutting Road S-111 between Road S-33 (Maple Drive) and Road S-44 (Elm Street) in Richland County.

_____
(Owner Signature) John A. Doe

_____
(Owner Signature) Jane B. Doe

SWORN TO BEFORE ME this _____ day of

_____, 20___.

_____
NOTARY PUBLIC FOR SOUTH CAROLNA
My Commission Expires:_____

SAMPLE

Attachment 2
Resolution

RESOLUTION

A RESOLUTION AUTHORIZING A REQUEST TO SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REMOVAL OF A PORTION OF BRIDGE STREET (S-31) FROM THE STATE HIGHWAY SYSTEM AND THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE RESPONSIBIITY OF SAID ROAD BY THE TOWN OF BLUFFTON, SOUTH CAROLINA; AND, AUTHORIZING THE EXECUTION AND RECORDATION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, South Carolina Department of Transportation, (the "***SCDOT***") is the owner of Bridge Street (S-31) located between Wharf Street (S-122) and Thomas Heyward Street (local) in the Town of Bluffton, South Carolina, as more particularly described on Exhibit "**A**" attached hereto and fully incorporated herein (the "***Road***"); and,

WHEREAS, the Road is part of the state highway secondary system; and,

WHEREAS, Section 57-5-80 of the South Carolina Code of Laws, 1976, as amended, permits SCDOT to transfer ownership of any road in the state highway secondary system determined to be of low traffic importance to a municipality if mutual consent is reached between SCDOT and the municipality; and,

WHEREAS, the Town of Bluffton (the "***Town***") is a South Carolina municipal corporation vested with the power to acquire public roads in accordance with South Carolina law; and,

WHEREAS, in conformity with the Town's Comprehensive and Strategic Plan, the Town is proposing to invest substantial financial resources to install sanitary sewer and streetscape improvements on the Road. These efforts will support initiatives to improve water quality of the May River Watershed, provide infrastructure to accommodate growth and improve the quality of life for citizens in the Pritchard Street area (the "***Project***"); and,

WHEREAS, Town Council has determined that it is in the public interest for the Town to request that SCDOT remove the Road from the state secondary highway system and for the Town to acquire the Road and the continuing maintenance obligations from SCDOT; and,

WHEREAS, Town Council desires to authorize the Town Manager to execute such documents as necessary to complete the conveyance of the Road to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:

1. The Town Council hereby authorizes the acquisition and the transfer of the Road from SCDOT to the Town, including the continuing maintenance obligations for the Road, and hereby confirms that the acquisition of the Road by the Town is in the public interest and consistent with the terms of the Town's Comprehensive Plan, as amended.

2. The Mayor, Town Manager, and Town Clerk are each hereby authorized to execute any and all documents necessary to consummate the acquisition and the conveyance of the Road to the Town, including, without limitation, the acceptance and recordation of the above-referenced application with SCDOT. The Town Manager is hereby authorized to pay such reasonable costs of the transaction as may be necessary.

3. Should any part or portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed seperable.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.

SIGNED, SEALED AND DELIVERED AS OF THIS _____ DAY OF _____, 2019.

_____
Lisa Sulka, Mayor, Town of Bluffton, South Carolina

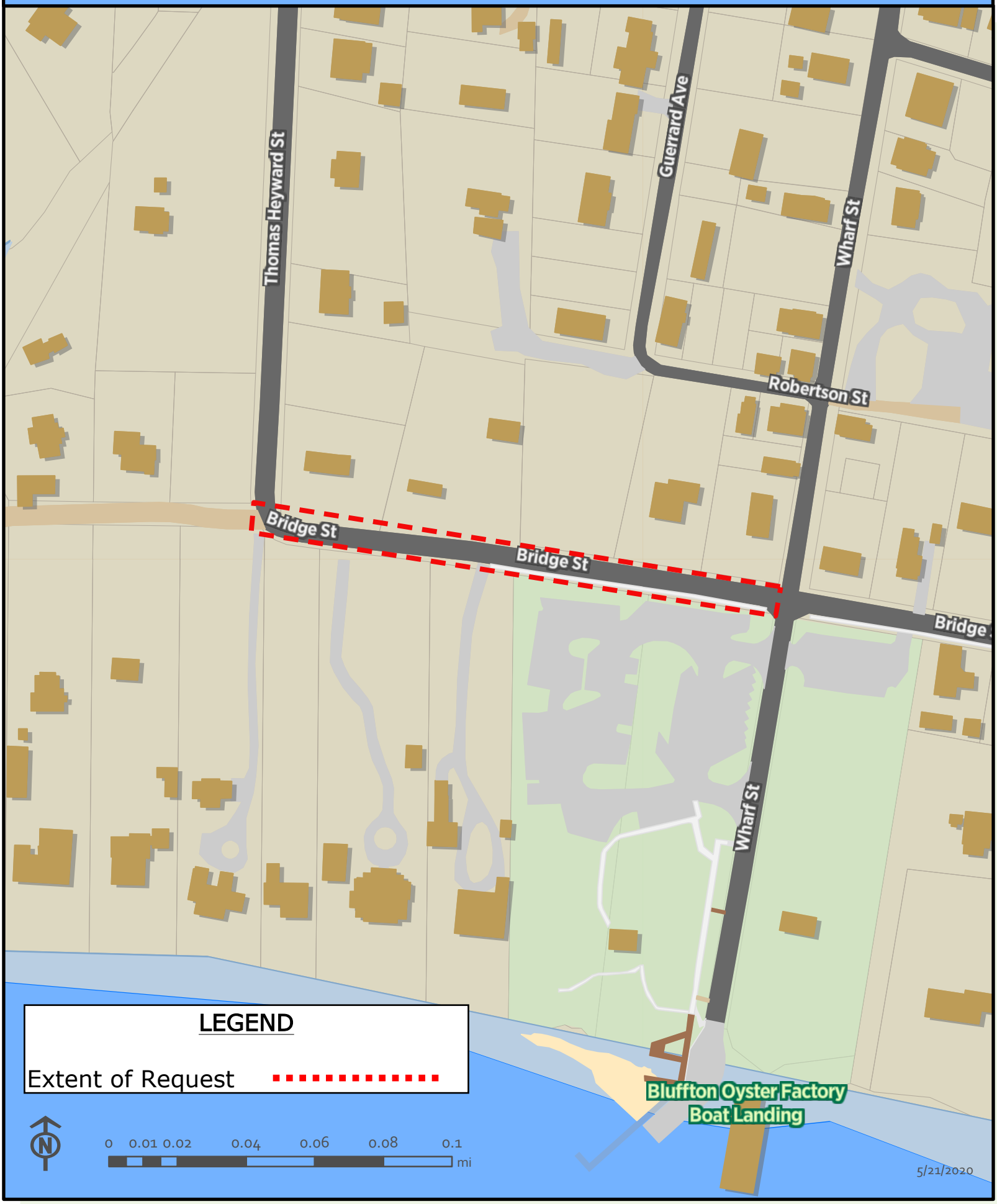
ATTEST:

_____
Kimberly Chapman, Town Clerk, Town of Bluffton, South Carolina

EXHIBIT “A”
(The Road)

Town of BLUFFTON South Carolina

Bridge Street - Location Map



Attachment 3
Recommended Motion

RECOMMENDED MOTION LANGUAGE

"I make a motion to adopt the attached Resolution authorizing the request to SCDOT for removal of a portion of Bridge Street (S-31) from the State Highway System and accepting ownership and maintenance responsibilities of this portion of Bridge Street as part of the Town's road network."