

**MINUTES
TOWN OF FORT MILL
TOWN COUNCIL MEETING
March 30, 2015
6:30 PM**

Council Present: Mayor Funderburk, Councilmembers Savage, McCarley, & Shirey

Council Absent: Councilmembers Adams, Helms and Huntley

Staff Present: Joe Cronin (Planning Director) and Chris Pettit (Assistant Planner)

Others Present: Paul LeBlanc (LSL Planning), Amanda Phipps (Fort Mill Times), and Allison Rauch (CN2)

Mayor Funderburk called the meeting to order at 6:35 PM and welcomed everyone in attendance.

UDO PROJECT OVERVIEW

1. **Opening Comments & Introduction of Project Team:** Planning Director Cronin presented a Powerpoint presentation that outlined the history of zoning in Fort Mill. Planning Director Cronin stated that the town's zoning ordinance was first adopted in 1969, with major revisions in 1983 and 1991. Planning Director Cronin added that a lot has happened since the last update nearly 25 years ago, include new state enabling legislation, two comprehensive plan updates, changes in case law and judicial precedent, changing economy and market demands, rapid growth and the associated demands placed on existing public infrastructure. Planning Director Cronin also added that the purpose of the Unified Development Ordinance (UDO) is to place all ordinances relating to the use and development of land in the town into a single, easy to use document. Planning Director Cronin then introduced the project consultant, Paul LeBlanc of LSL Planning.

2. **Project Scope, Approach and Timeline:** Paul LeBlanc of LSL Planning introduced himself, his firm, and members of the project team. Mr. LeBlanc provided a Powerpoint presentation that outlined the difference between a comprehensive plan (community vision) and a UDO (implementation mechanism), the purpose of a UDO, the project scope and approach, and timeline for completion of the draft UDO document (12 months). Mr. LeBlanc outlined some additional goals of the UDO, including usability, flexibility, predictability, and meeting the needs and desires of the governing body, the development community, and existing residents and business owners.

ITEMS FOR INFORMATION / DISCUSSION

1. **Progress to Date:** Mr. LeBlanc updated council members on the work that has been undertaken since the project kicked off in January. Mr. LeBlanc provided an overview of LSL's technical audit of the town's existing ordinances, and summarized the comments received so far through meetings with town staff, focus groups, and the UDO Advisory Committee.
2. **Council Discussion:** Mr. LeBlanc posed a series of questions to council members, and a discussion took place on each topic.

- What are the project expectations, goals and priorities?

Councilwoman Savage said that her main goal would be consistency, and that the public should get the same answer every time. Mayor Funderburk stated that the code needs to be more user friendly and less technical. Councilwoman McCarley said that the code needs to address organizational efficiencies for staff, town council, and the public. Councilman Shirey stated that the new code needs to be flexible, and should define similarities and overarching goals, but without a one size fits all approach to land regulation. Planning Director Cronin stated that the town's zoning and development ordinances have never been updated to reflect the comprehensive plans that were adopted in 1998 and 2008. With the most recent update being adopted in 2013, it is staff's goal to use the new UDO to implement the vision and goals established by council and outlined within the comprehensive plan.

- What are the top development issues?

Councilwoman Savage outlined a number of priorities, to which all members concurred. These included addressing traffic and transportation issues, evaluating density and intensity of uses, and protection of trees and open spaces. Councilman Shirey added that the code should seek to preserve the things that make Fort Mill a special and unique place in which to live and work.

- What works well and what needs to be changed?

Mayor Funderburk said that nothing in the existing code is inviolate, and that council should be open to any changes that would be for the betterment of the town. Councilwoman Savage stated that she was not married to anything in the existing code, and if something can be improved, council should be open to it. She reiterated that the new code needs to be consistent, and everyone (staff, council, and the public) should speak the same language.

3. **Discussion of Transfer of Development Rights (TDR) Program:** Planning Director Cronin gave a brief presentation regarding a concept called "Transfer of

Development Rights (TDR).” Planning Director Cronin stated that a TDR program was one of the strategies referenced in the town’s comprehensive plan as a way of protecting natural areas and preserving open space. Though very few cities in South Carolina have a TDR program, they have been successful in other fast-growing parts of the country. Planning Director Cronin stated a TDR program works by allowing a landowner in a designated “sending area” to place their property under a permanent conservation easement, thus protecting the property from ever being developed. Based on the property’s zoning designation at the time, the owner could then sell and transfer his or her development rights to another property owner or developer within a designated “receiving area.” The buyer of the development rights would then be authorized to build at higher densities, as allowed by the UDO. Rather than typical rezonings, where additional density is given away by the town at no cost to the applicant, a TDR program creates a market for density and may encourage the preservation of open space, reduce suburban sprawl, reduce or eliminate net increases in overall density throughout the town, and allows property owners to generate income from their land without having to sell it for development. After a brief discussion, council determined that this topic may warrant further discussion and evaluation in the future.

4. **Discussion of Plans for Public Input & Participation:** Planning Director Cronin stated that the original scope for the UDO update included opportunities for public comment toward the end of the process, once the draft UDO ordinance was substantially completed, but before it went to council for approval. Staff believes that an opportunity for public feedback should be provided at both the beginning and the end of the process. To achieve this objective, staff recommended developing a land use and development survey. This survey would be available on a web-based platform and would allow residents, business and property owners to easily participate at their own convenience. Paper copies of the survey would be available at town hall for any resident without access to the internet. Planning Director Cronin stated that he had already spoken with Town Manager Pieper and Event & Media Coordinator Starnes about a promotional strategy to encourage public participation. Mayor Funderburk stated that this is an important step in the process, and the town should pursue opportunities for meaningful public input. The consensus of council was to move forward with the survey. A set of draft questions will be presented to the Advisory Committee, consultant and Town Council for review before going live.

ADJOURN

There being no further business, the meeting was adjourned at 8:42 PM.

Respectfully submitted,

Joe Cronin
Planning Director