

**MINUTES
TOWN OF FORT MILL
UDO ADVISORY COMMITTEE MEETING
June 6, 2016
The Spratt Building, 215 Main Street
6:00 PM**

Present: James Traynor, Ben Hudgins, Chris Wolfe, Jay McMullen, Tom Petty, Tom Adams, Hynek Lettang, Louis Roman, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: Jim Thomas

Guests: Paul Mitchell (Engineering Director)

Chairman Traynor called the meeting to order at 6:00 pm.

Mr. McMullen made a motion to approve the minutes from the May 3, 2016, meeting. Mr. Hudgins seconded the motion. The motion was approved by a vote of 7-0

ITEMS FOR INFORMATION / DISCUSSION

1. **Discussion of Draft Town of Fort Mill Unified Development Ordinance (3rd Draft):** Planning Director Cronin provided a brief overview of the changes from the second draft of the UDO. Members of the committee and town staff then discussed the draft document, and made the following recommendations:

- **Stormwater (Article XV)**
 - Planning Director Cronin and Engineering Director Mitchell discussed challenges presented by the Stormwater article (Article XV). Planning Director Cronin stated that there are some items within this article which should not be included in the UDO, particularly regarding the town's stormwater utility. Engineering Director Mitchell stated that SCDHEC expects local governments to adopt an ordinance using a state-issued template, and as a result, the Stormwater article should not be broken up into different sections in the code. As a result, staff recommended that the language contained in Article XV should be removed, and replaced with a reference to the existing stormwater section in Chapter 16 (Environment), Article III (Stormwater Management and Sediment Control) of the Code of Ordinances.
 - **AMENDMENT:** The committee recommended amending Article XV of the UDO to remove the existing stormwater language, and to instead provide a reference to the stormwater requirements outlined in Chapter 16 (Environment), Article III

(Stormwater Management and Sediment Control) of the Code of Ordinances.

- **Downtown Core (DC) District (Article IV)**
 - Mr. Roman stated that he and other downtown merchants were pleased to see language added in the second draft regarding minimum hours of operation and prohibiting buildings used for storage purposes. He added that he would like to see additional language restricting offices from street level store fronts, and restricting a concentration of similar uses (particularly office-related uses) in the DC district.
 - **POLICY DECISION:** There was not a consensus as to whether to restrict offices from street level store fronts in the DC district. The committee recommended that this should be a policy decision of Town Council. If council elects to make this change, then the UDO may be amended accordingly.
 - **POLICY DECISION:** There was not a consensus as to whether to restrict the concentration of similar uses (particularly office-related uses) in the DC district. The committee recommended that this should be a policy decision of Town Council. If council elects to make this change, then the UDO may be amended accordingly.
 - Planning Director Cronin noted that a footnote was added to the DC district requiring that all personal service and commercial businesses located at street level should be open to the public at least 32 hours per week. It was staff's recommendation that all commercial uses located at street level in the DC district should be open to the public at least 32 hours per week, with business hours clearly posted at each entrance.
 - **AMENDMENT:** The committee recommended amending the footnote in Table 4-2 to require that all commercial uses in the DC district which are located at street level after the effective date of the new UDO should be open to the public at least 32 hours per week, with business hours clearly posted at each entrance.
 - Planning Director Cronin recommended that the permitted uses in Table 4-2 should be amended to allow co-working facilities in the LC, DC and GC districts.
 - **AMENDMENT:** The committee recommended amending Table 4-2 to allow co-working facilities in the LC, DC and GC districts.

- **Building Design & Materials (Article XIII)**
 - Mr. Petty recommended amending Table 13-3a to remove vinyl siding from the list of permitted elevation materials on the front façade of commercial, office and institutional buildings.
 - **AMENDMENT: The committee recommended amending Table 13-3a to remove vinyl siding from the list of permitted elevation materials on the front façade of commercial, office and institutional buildings.**

- **Landscaping, Buffering and Tree Preservation (Article XI)**
 - Mr. McMullen noted that Article XI included language regarding perimeter buffers, streetscape and parking lot landscaping, but not landscaping around building foundations. He recommended adding a section for building landscaping.
 - **AMENDMENT: The committee recommended adding a section or subsection within Article XI to require minimum landscaping requirements around buildings and foundations.**

 - Mr. McMullen stated that the buffer illustrations under Table 11-2a give the impression that all buffer plantings should be concentrated along the property line. He recommended that the illustration should be amended so as to show buffer plantings (drawn to scale) distributed throughout the buffer area, and not concentrated along the property line.
 - **AMENDMENT: The committee recommended amending the buffer illustrations under Table 11-2a to show buffer plantings (drawn to scale) distributed throughout the buffer area, and not concentrated along the property line.**

- **Residential Floor Area Minimums in RT-8 and RM-15 Districts (Article III)**
 - Chairman Traynor questioned why the town would want to require floor area minimums for multi-family and townhome dwellings, as shown in Table 3-3. Mr. Petty added that these requirements are not necessarily tied to market trends, and requiring minimum sizes for multi-family units will drive up the cost of housing. Planning Director Cronin stated that the town does not have the staff resources in place to review items such as internal unit sizes and bedroom sizes, and recommended removing these minimums entirely. In addition, no such requirements were specified for multi-family and townhome units in the NMU, CMU and TOMU districts.

with this recommendation. Mr. Wolfe specified that this buffer should apply only to new subdivisions, and not to existing lots of record.

- **AMENDMENT:** The committee recommended that Table 11-2 should be amended to require a minimum 20' buffer (Buffer C) in the R-25, R-15 and R-7 district when abutting neighboring property which is also zoned R-25, R-15 and R-7. This requirement would only apply to new subdivision projects, and not existing lots of record.
- Planning Director Cronin stated that the buffer requirements shown in Table 11-2 did not include a provision for instances when new development is adjacent to properties that are outside the town limits. He recommended adding the following note: in instances where a new project abuts property that is not located in the town limits, the Planning Director may evaluate the neighboring county zoning designation, and apply a buffer pursuant to Table 11-2 using the town zoning district that most closely reflects the neighboring county zoning designation. If an adequate comparison cannot be made, then a minimum buffer of 20' (Buffer C) should apply.
 - **AMENDMENT:** The committee recommended including language that in instances where a new project abuts property that is not located in the town limits, the Planning Director may evaluate the neighboring county zoning designation, and apply a buffer pursuant to Table 11-2 using the town zoning district that most closely reflects the neighboring county zoning designation. If an adequate comparison cannot be made, then a minimum buffer of 20' (Buffer C) shall apply.
- Mr. Roman recommended that additional buffer requirements should apply when a new project abuts an historic property. Planning Director Cronin questioned how that would work in the downtown district, adding that it would be difficult to incorporate buffers in an urban environment. Mr. Roman clarified that the buffer should apply only in instances where there is existing greenspace between new development and an historic property.
 - **AMENDMENT:** The committee recommended including language in Section 11-2 that in instances where a new project abuts property that has been designated as “historic” (using the same definition used in the recently revised “Special Tax Assessment for Rehabilitated Historic Properties”) then a minimum buffer of 30' (Buffer B) or 50' (Buffer A) should be applied along any shared property lines.
- **Industrial Zoning Districts (Article V)**

- Planning Director Cronin stated that he had already received two calls questioning where towing, wrecker and vehicle storage uses would be permitted under the new UDO. These uses were not included in the use tables for any zoning district in the draft UDO. Staff recommended that these uses should be expressly permitted as a conditional use in the LI district, using similar conditions as applied to other “Motor Vehicle Service” uses.

- **AMENDMENT:** The committee recommended amending Table 5-2 to include vehicle towing, wrecker and storage uses as a conditional use in the LI district. Article VIII (Conditional Uses) should also be amended to specify the conditions associated with such uses.

- **Minimum Open Space in Residential Zoning Districts (Article III)**

- Planning Director Cronin stated that the draft UDO only includes minimum open space requirements in the NMU, CMU and TOMU districts. To promote neighborhood recreational uses and reduce overall densities, he recommended that minimum open space requirements should also apply in the R-25, R-15, R-7, RT-8 and RM-15 districts. The committee was in agreement with this recommendation. Mr. Hudgins added that at least 50% of the required open space should be “usable open space.”

- **AMENDMENT:** The committee recommended amending Table 3-3 to include the following open space requirements: R-25, R-15 and R-7 (20%); RT-8 (25%) and RM-15 (30%). At least 50% of the required open space shall be “usable open space.” The definition of “usable” may be substantially similar to that used Table 6-3 for Mixed Use zoned projects.
- **POLICY DECISION:** There was not a consensus as to whether perimeter and streetscape buffers should count toward the minimum open space requirements. The committee recommended that this should be a policy decision of Town Council. If council elects to make this change, then the UDO may be amended accordingly.

- **Dimensional Requirements in Residential Zoning Districts (Article III)**

- Planning Director Cronin recommended the following revisions to the minimum and average lot widths in the R-25, R-15 and R-7 districts, as shown in Table 3-3:

		R-25	R-15	R-7
Lot Width	Min. Feet	100	80	40 <u>50</u>
	Avg. Feet	125 <u>120</u>	100 <u>90</u>	50 <u>60</u>

- **AMENDMENT:** The committee recommended amending Table 3-3 to incorporate the revisions recommended by staff.

- Planning Director Cronin added that the maximum density calculations in the R-25, R-15 and R-7 districts did not include a provision for minimum open space requirements, which the committee has now recommended. To incorporate the recommended open space requirements in R-25, R-15 and R-7 districts, staff also recommended the following amendments to the maximum permitted densities in Table 3-3:

	R-25	R-15	R-7
Max. Density (Units/Gross Acre)	1.7 <u>1.4</u>	2.9 <u>2.3</u>	5.0 <u>4.0</u>

- **AMENDMENT:** The committee recommended amending Table 3-3 to incorporate the revisions recommended by staff.

- **Mixed Use Districts (Article VI)**

- Mr. Wolfe requested clarification on the minimum area required for retail, office and service uses within the NMU, CMU and TOMU districts. The current draft of the UDO requires no minimum percentage for NMU, and 10% for CMU and TOMU. He recommended that all mixed use districts should have some minimum amount of non-residential development. He also stated that 10% did not seem to be sufficient for CMU and TOMU. Planning Director Cronin responded that the mixed use district included maximum floor area ratios (FAR), but not minimums. He stated that Mr. Wolfe’s concern could probably be achieved by including a minimum amount of land area for each district, but also by including a minimum floor area ratio for mixed use districts.

- **AMENDMENT:** The committee recommended amending Table 6-3 to include a minimum land area (%) for NMU, CMU and TOMU, as well as including a minimum floor area ratio within each district. The land area and floor area ratios could then be used in combination to determine the minimum and maximum amount of non-residential development for all proposed mixed use projects.

- Chairman Traynor questioned whether structured parking decks would be included in the maximum floor area ratio (FAR) calculations in the mixed use districts. It was the consensus of the committee that structured parking should not be included in the FAR.

- **AMENDMENT:** The committee recommended amending footnote number 3 under Table 6-3 to explicitly state that

structured parking decks would not be included in the calculation for maximum FAR.

- **General Comments**

- Planning Director Cronin stated that there will need to be additional discussions with the Anne Springs Close Greenway and the consultant to determine the best way to address the Greenway's needs in the UDO. This may include additional amendments to the appropriate mixed use district(s), of the possible creation of a new Recreation & Open Space district with a more customized list of permitted uses.

- **POLICY DECISION: The committee recommended that staff and the consultant continue having conversation with Greenway staff and identify the best way to address the Greenway's needs. The committee recommended that this should be a policy decision of Town Council. If council elects to make this change, then the UDO may be amended accordingly.**

- Planning Director Cronin stated that there will need to be additional discussions with the consultant and local providers in regards to the construction and replacement of cellular towers.

- **POLICY DECISION: The committee recommended that staff and the consultant continue having conversation with local providers to determine the best way to address the best way to meet the growing need for cellular and data service. The committee recommended that this should be a policy decision of Town Council. If council elects to make this change, then the UDO may be amended accordingly.**

2. **Endorsement of Draft Town of Fort Mill Unified Development Ordinance:** Mr. McMullen made a motion to formally endorse the draft UDO, with the amendments referenced above. Mr. Roman seconded the motion. Mr. Wolfe offered an amendment that the draft UDO may also be amended to correct any typos, references and changes which are required to ensure accuracy and consistency throughout the document. Mr. McMullen and Mr. Roman accepted Mr. Wolfe's recommendation as a friendly amendment. The committee approved the motion, as amended, by a vote of 8-0.

Planning Director Cronin stated that staff and the consultant will get together to make the recommended changes before the final draft is presented to Town Council for review and adoption.

Planning Director Cronin also thanked committee members for their time and effort in developing and reviewing the draft UDO.

There being no further business, the meeting was adjourned at 8:01 pm.

Respectfully submitted,

Joe Cronin
Planning Director