

**TO:** Joe Cronin, Planning Director  
Town of Fort Mill, SC

**FROM:** Fredalyn M. Frasier

**DATE:** January 28, 2015

**SUBJECT:** Unified Development Ordinance (UDO) Kick-off Minutes

### **8:30 AM – Planning Staff Meeting**

Attendees: Joe Cronin, Chris Petit, Paul LeBlanc (LSL), Fredalyn Fredalyn (LSL)

Joe Cronin provided a brief overview of zoning in the Town of Fort Mill. The first code was drafted in 1969 and updated almost 25 years ago. The current document still reflects some of the 1969 code references. The last major update was in 1991. The code references older terms in the Permitted Uses section –e.g. Five & Dime stores are permitted. Joe Cronin described the challenges with the current code administration as ‘trying to apply a phonograph code to an iphone generation’. The staff stated the code must answer the public’s questions – “Can I do this and how to do this?”

The Catawba Settlement in 1993 cleared up significant title issues and paved the way for more development. The economy and market is changing and the Town has an estimated population of 14,000 - 15,000 and the UDO need to address this evolution.

#### Key issues pointed out by staff include:

- The code does not match the current market needs
- The code does not address the redevelopment of large estate lots
- The code is a difficult document to maneuver.
- There is a disconnect between the comprehensive plan and the current code.

Developers wanted more flexibility in the code so, the Town developed a new district– R5 which allows 5,000 sq. ft. lots. To date, most of the recent development has come in with the R5 designation or mixed-use. The Planning Team will review the strategies in the comprehensive plan that promote the transition toward more flexible density based zoning rather than strict lot requirements of the current districts.

Staff emphasized critical areas the new code must address:

- usability,
- consistent interpretation, and
- a defined process.

There are some documents that need to be addressed or at least referenced in the UDO. They include stormwater, subdivision, cell tower, preservation corridor, and adult business ordinances. There are other fairly new ordinances which Joe will provide to the Planning Team.

The Planning Team will examine the number and type of current districts and address questions posed such as - Is there a need for light and general industrial districts? Or will one industrial classification work?

The team will also examine:

- Office/institutional district
- Multi-family
- Mobile homes
- Housing Affordability – incentive based option
- Senior based homes – staff noted there are new Pulte/DelWeb homes, but few are affordable

### **What presently works well?**

1. Mixed-use allows maximum flexibility and works well for the Town. There are Development Agreements in place for several large tracts in the Town. Therefore, the use of incentives would need to be explored if the Town wants to incorporate new development standards that align with the Town's vision.
2. New District: Urban Development District - promotes Infill, flexible parking, green space, and reduced set-backs. Applications must go through the Appearance Review. The Town would like to expand the Urban Development District. There is an RFP out to developers to do an infill project at the bottom of Main Street near Veterans Park.

Staff noted that most of the downtown is a historic district which can be expanded and some areas removed. The concept of a priority investment district specifically for downtown was discussed. The City of Anderson, SC was one of the first to use the developer rebate/ TIFF program to incentivize downtown development. The Town of Fort Mill may consider this option.

The Planning Team was asked to take a closer look at:

- How buffers are applied in the Mixed Use classification
- Corridor District
- Commercial Design review – currently there are no design guidelines or appeals process
- General design elements – City of Rock Hill was cited as a good example

It was determined that cluster development district can be eliminated this since Mixed Use covers the use. The current P&D used is intended to function as a Planned Unit Development (PUD). The Planning Team will review P&D to determine the best way to transition to a PUD model.

### **Established Neighborhoods**

Planning Staff noted the redevelopment challenges in the older established neighborhoods like Mill Village. The current code is highly restrictive when it comes to rehabilitation, accessory uses, and fences. There is a need for more flexibility particularly with corner lots. Currently grannyflats are not allowed at all – they could be allowed in some areas.

### **Additional Notes to the Planning Team**

- Much of the remaining undeveloped land has topo issues as such, there is a need for guidelines to address the design retaining walls.
- Staff also noted the need for a process for similar uses or non-permitted uses – just because a use is not listed, it does not mean it is not permitted. The Planning Team will figure out what districts are needed, define the purpose, and outline the application/process.
- Signage – The Town considers their signage regulations a bit liberal. Needs to be more specific and restrictive per area. The Planning Team noted jurisdictions cannot limit content per US Supreme Court.

Joe Cronin presented key items he expects the UDO to address; they include:

- Tree ordinance – needs some tree save elements
- Buffers for environmental sensitive area
- Sidewalks should be required everywhere
- Landscaping & buffers
- Permitted uses
- Definitions – need clarity
- Road design standards – for alternate design and maintenance – not to be in the code but should be placed in a Town design manual. We can have some enabling language in the code. Alternate use in the mixed use districts to be reviewed
- Cul de Sac – design standards
- Flood Plain – issues – currently you can fill in a flood plain.
- Zoning and stormwater codes do not speak to another – like to see some reference LID
- Buffers along rights-of-way
- Annexation is not addressed
- Transfer of Development Rights (TDR) – worth exploring – a framework. Bluffton, SC is a good example

### **11:00 AM 2:00 PM - Tour of the Town with Planning Staff**

#### **3:00 PM - Department Head Meeting**

Attendees: Joe Cronin, Planning Director, Chris Pettit, Assistant Planner, Brown Simpson, Parks & Recreation Director, Chantay Bouler, Finance Director, Wayne Hunter, Building Official, Eric Williams, Building Inspector Jeffrey Hooper, Fire Chief, Paul Mitchell, Engineering Director, Zhengzheng Wiley, Stormwater Manager

After the tour of the Town with Staff, the Planning Team met with department heads to identify their needs and potential opportunities to coordinate the UDO with some of their current practices. Not all documents will become a part of the UDO. The Planning Team will determine which Codes will roll up into the UDO and what will remain as separate manuals and referenced in the UDO.

The group held an extensive discussion related to stormwater management and the relationship to property development. Joe Cronin shared with the group that the UDO will address the stormwater development guidelines - the current process and procedures.

The question was asked how infrastructure from completed development is transferred to the Town i.e., water/sewer/roads/stormwater - as close out of sections occur - what is required? The suggestion was made to develop a checklist that expands upon the list used by Department of Health Environmental Control (DHEC).

#### **Coordination**

The attendees agreed that the level of coordination between the departments could be improved and that the UDO presents the opportunity to develop an administrative framework. The group suggested the establishment of a Technical Review Committee for all major development that occurs within the Town.

#### **Department Items**

1. The Parks & Recreation Department recently completed a needs assessment and they will lose facility leases in 5 years. Incentives to address the greenspace and recreational needs of the Town need to be considered.
2. All fire matters should reference the latest edition of the International Fire Code. All other references should be deleted.

3. Joe noted the need for 'real world' application to the parking element and it should stay in the zoning code.
4. Town has tap and capacity fees that offset some of the development costs.  
Council asked: 'What can we put in our code that will lessen the impact of the current transportation system?'
  - Traffic impact studies
  - Additional access points when you have more than one road frontage
  - Non-motorized options: bicycle, paths
5. How to address the environmental impact of the development? The Town of Fort Mill wishes to avoid a Rock Hill situation where the City had to come up with a mitigation plan to address impacts of past development. Some best practices the Town may explore include:
  - Stormwater curbs
  - Landscaped cul de sacs
  - Flood Plain – Town has a current ordinance. Joe noted he would not mind getting rid of the Resource Overlay and just keep provisions such as buffers/landscaping.
  - Parking – shared parking, deferred parking
6. Fire
  - If the building is commercial it must follow the international fire code.
  - Fee for fire lanes are allowable under the international fire code.
  - Fire dept does not deal with private roads – so, hydrants etc. should be addressed by the Town code – private street standards.
  - Toward the end of Doby's Bridge is out of the fire station range – their rating is a 10.
  - Incentives – for LEED buildings, LID, BMPs, sprinkle single family residences, national Firewise Community program provides bonuses, redevelopment, walkability

#### **5:00 PM - Communication/PR meeting**

Kimberly Starnes, Event & Media Coordinator

Kimberly will use the following outlets to advertise the project.

- Project page on their website
- Facebook
- Fort Mill Times – website and weekly paper
- Local cable – CM2
- WRHI – local radio – Palmetto Mornings – 10 min, Straight Talk – 1 hr

Fredalyn will provide:

- Detailed meeting schedule and will work with Joe on the public engagement plan
- Monthly Updates for Joe to share with Council
- Kick-off Press release – Fredalyn to write up

#### **7:10 PM -Steering Committee Meeting**

Attendees: *to be provided by Joe*

After a brief presentation from Joe Cronin and Paul LeBlanc on the background of zoning in South Carolina and in the Town of Fort Mill, the floor was opened to the steering committee to provide their comments on what they would like to see in the Unified Development Ordinance.

**Steering Committee Comments:**

1. Readability is key
2. Developers attempt to play jurisdictions against one another
3. Agree the charts and graphs are important
4. Addressing older neighborhoods – the challenge with zoning administration
5. Density – with greenspace is what the community wants
6. Need to address traffic impacts – traffic impact studies, access management, connectivity, pedestrian and bicycle
7. We need to keep the unique character of Fort Mill – we will need identify the tangible elements – greenspace, buffer, meandering sidewalks, need front yard, streetscapes can help reinforce the character of Fort Mill.
8. Appearance review – The Town lacks architectural precedents for commercial
9. Incentives should be explored

The meeting adjourned at 9:10 PM

	<b>Follow- Up Actions</b>	<b>Individual(s)</b>	<b>Comments</b>
1	Copies of ordinances not in the current code	Planning Dept.	
2	Joe’s full list of UDO items	Joe	
3	Minutes of the kick-off	Fredalyn	submitted
4	Kick-off press release	Fredalyn	submitted
5	Meeting schedule to Joe & Kimberly	Fredalyn	
6	Department Heads’ Code items	Planning Dept.	
7	Steering Committee names and Dept. Heads	Planning Dept.	