

Application # _____	Fees Paid _____
Date Received: _____	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



**APPLICATION FOR ORDINANCE TEXT
AMENDMENT
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT INFORMATION

City of Greenville NAME	(864) 467-4510 FAX
206 S Main Street ADDRESS	planning@greenvillesc.gov EMAIL
Greenville, SC 29601	<i>[Signature]</i> SIGNED (City Manager)
(864) 467-4476 PHONE	5/5/2021 DATE

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Section(s) 19-4.3; 19-5.1-1; 19-5.2; 19-6.5; and 19-6.8 of the Land Management Ordinance

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

These text amendments propose to introduce design options to exceed maximum building height standards and introduce a maximum building height for non-residential, multi-family and single-family attached structures adjacent to existing single-family uses. Specifically, the proposed amendments cap proposed non-residential, multi-family or single-family attached structures located within 25 feet and 45 feet of a residential property line to a height of 40 feet. The text amendments further introduce a step-back provision for portions of buildings exceeding minimum setback requirements. Additional cross-references have been added to ensure the consistent application and enforcement of standards.

INSTRUCTIONS

1. THE APPLICATION AND FEE, MADE PAYABLE TO THE CITY OF GREENVILLE, MUST BE RECEIVED BY THE PLANNING AND DEVELOPMENT OFFICE NO LATER THAN 5:00 PM OF THE DATE REFLECTED ON THE ATTACHED SCHEDULE.
2. THE APPLICANT MUST RESPOND TO THE "STANDARDS" QUESTIONS ON PAGE 2 OF THIS APPLICATION (YOU MUST ANSWER "WHY" YOU BELIEVE THE APPLICATION MEETS THE TESTS FOR GRANTING A TEXT AMENDMENT). SEE ALSO SECTION 19-2.3.2, AMENDMENTS TO TEXT AND ZONING DISTRICT MAP, FOR ADDITIONAL INFORMATION. YOU MAY ATTACH A SEPARATE SHEET ADDRESSING THESE QUESTIONS.
3. YOU MUST ATTACH THE REQUIRED APPLICATION FEE: \$ 100.00.
4. THE ADMINISTRATOR WILL REVIEW THE APPLICATION FOR "SUFFICIENCY" PURSUANT TO SECTION 19-2.2.6, DETERMINATION OF SUFFICIENCY, PRIOR TO PLACING THE APPLICATION ON THE PLANNING COMMISSION AGENDA. IF THE APPLICATION IS DETERMINED TO BE "INSUFFICIENT", THE ADMINISTRATOR WILL CONTACT THE APPLICANT TO REQUEST THAT THE APPLICANT RESOLVE THE DEFICIENCIES. YOU ARE ENCOURAGED TO SCHEDULE AN APPLICATION CONFERENCE WITH A PLANNER, WHO WILL REVIEW YOUR APPLICATION FOR "SUFFICIENCY" AT THE TIME IT IS SUBMITTED. CALL (864) 467-4476 TO SCHEDULE AN APPOINTMENT.

APPLICANT RESPONSE TO SECTION 19-2.3.2(E)(1), AMENDMENTS TO TEXT
(YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

The GVL2040 Comprehensive Plan describes "quality of life" as the key to community and economic vitality and that efforts to positively impact this precondition are the plan's highest priority. The adoption of this proposed amendment would enhance the quality of life of city residents living near non-residential and multi-family uses by reducing the impact of excessive building height, thus protecting light, air and open space.

2. DESCRIBE THE WAYS IN WHICH THE PROPOSAL IS CONSISTENT WITH THE PROVISIONS OF THE ORDINANCE AND RELATED CITY REGULATIONS.

The amendment proposes modification to existing provisions and proposes new text related to non-residential and multi-family building height. These changes continue to maintain the premises of the overall Land Management Ordinance purpose by ensuring neighborhood protection and creating a more harmonious community.

3. DESCRIBE THE CONDITIONS THAT HAVE CHANGED FROM THE CONDITIONS PREVAILING AT THE TIME THAT THE ORIGINAL TEXT WAS ADOPTED.

Greenville has experienced considerable growth in both commercial and residential development throughout the city over the past decade. When new development occurs near differing land uses, land use compatibility issues follow. The impact of excessive non-residential and multi-family/townhome building height has been a prevalent issue raised by city residents. This proposal seeks to alleviate that concern.

4. DESCRIBE THE WAYS IN WHICH THE PROPOSAL ADDRESSES A DEMONSTRATED COMMUNITY NEED.

The proposal addresses a demonstrated community need by attempting to reduce the height of non-residential structures and multi-family/townhomes adjacent to single-family residences. The city continues to see considerable growth in both residential and commercial development and redevelopment and believes this proposal will promote greater land use compatibility when these uses abut each other.

5. DESCRIBE THE WAYS IN WHICH THE PROPOSAL IS CONSISTENT WITH THE PURPOSE AND INTENT OF THE ZONING DISTRICTS IN THE ORDINANCE, WILL PROMOTE COMPATIBILITY AMONG USES, AND WILL PROMOTE EFFICIENT AND RESPONSIBLE DEVELOPMENT WITHIN THE CITY.

The proposal is consistent with the purpose and intent of the Ordinance which is to guide development in accordance with the existing and future needs of the city and to promote the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the property owners and residents of the city, and other members of the public. The proposal is particularly consistent with Land Management Ordinance "Purpose and Intent" Section 19-1.3.1, "Provide for adequate light, air and open space," 19-1.3.4, "Promote diverse quality housing, protect neighborhoods," and Section 19-1.3.10, "Create harmonious community", as the amendment promotes land use compatibility through ensuring compatible and consistent building heights in areas in close proximity to single-family residential uses.

6. DESCRIBE THE WAYS IN WHICH THE PROPOSAL PROMOTES A LOGICAL AND ORDERLY DEVELOPMENT PATTERN.

The proposal will ensure a logical and orderly development pattern of the city by imposing compatible building height standards in areas adjacent to single-family residential to promote land use compatibility.

7. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT WILL RESULT IN BENEFICIAL IMPACTS ON THE NATURAL ENVIRONMENT AND ITS ECOLOGY, INCLUDING BUT NOT LIMITED TO: WATER; AIR; NOISE; STORMWATER MANAGEMENT; WILDLIFE; VEGETATION; AND, WETLANDS.

The proposed text amendments are expected to reduce complaints relating to excessive building height adjacent to single-family residential areas; this, in turn, will help to protect light, air and open space.

8. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT WILL RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITIES AND SERVICES (ROADS, POTABLE WATER, SEWERAGE, SCHOOLS, PARKS, POLICE, FIRE, AND EMERGENCY FACILITIES).

The proposed amendment is not anticipated to negatively affect the adequate provision of public facilities and services and should maintain the current high level of services within the City of Greenville.

ARTICLE 19-4. USE REGULATIONS

[...]

§ 19-4.3 – Use-specific standards

(A) Household living

[...]

(2) High-rise multiple-family dwelling.

[...]

TABLE 19-4.3-1: DIMENSIONAL STANDARDS FOR HIGH-RISE MULTIPLE-FAMILY DWELLINGS	
Minimum Lot Area	1 acre
Required Front Setback	15 feet
Required Side Setback	15 feet
Required Rear Setback	20 feet
Maximum Height	100 feet ¹
NOTES:	
¹ Building height is subject to Section 19-5.2.9, building height.	

ARTICLE 19-5. DIMENSIONAL STANDARDS AND MEASUREMENTS

District or Use	Lots			Setbacks Minimum (feet)			Height Maximum (feet) ⁸
	Max. Density and Min. Lot Area (sq. ft.)	Min. Width (feet)	Max. Coverage (percent) ¹¹	Front ¹	Side	Rear	
RESIDENTIAL DISTRICTS							
R-6	6,000	40	40	20	5	15	35
R-9	9,000	60					
RM-1	10 units/acre	40 for single-family detached; None for all other	40	20	5 for single-family detached and duplex; 15 for other uses	15	40 ^{2, 12}
RM-1.5	15 units/acre						
RM-2 and RM-3	20 units/acre						
High-rise apartments in RM-3 and OD	1 acre	150	25 ³	25	25	25	None ^{2, 4}
Nonresidential uses in all residential districts	None	None	40	25	15	15	40 ^{2, 12}
Accessory structures			50% of principal structure	NP	5	5	20 ⁹
NONRESIDENTIAL DISTRICTS							
OD	See ¹⁰ below	None	50	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-1	See ¹⁰ below	None	100	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}

C-2	See ^{10, 14} below	None	100	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-3	See ^{10, 14} below	None	100	10	3 ⁵ or 10 ⁶	10	40 ^{2, 12}
C-4	None	None	100	0	0	0	None ^{7, 12}
RDV	See ¹⁰ below	None	100	10 (20 Max)	3 ⁵ or 10 ⁶	3 ⁵ or 10 ⁶	40 ^{2, 12}
S-1	See ¹⁰ below	None	100	10	3 ⁵ or 10 ⁶	10	40 ²
I-1	None	None	100	25	3 ⁵ or 25 ⁶	10	40 ²
Accessory structures			10	NP	3 ⁵	3 ⁵	20 ⁹

NOTES:

¹ See subsection 19-5.2.4(B), setback, front.

² See subsection 19-5.2.9(C)(1), ~~general~~, **building height**.

³ See subsection 19-5.2.10, Lot coverage.

⁴ See subsection 19-5.2.9(C)(2), high-rise apartments.

⁵ Zero lot line or common wall construction is allowed.

⁶ If adjacent to a residential district.

⁷ Height may be limited by design guidelines for the central business district.

⁸ See subsection 19-5.2.9, building height.

⁹ See subsection 19-4.4.2(E), maximum height.

¹⁰ No minimum lot area, maximum residential density is 20 units/acre.

¹¹ Total impervious area shall not exceed 60 percent for lots with single-family detached homes and duplex dwellings, per section 19-6.9.

¹² Single-family detached homes limited to 35 feet in height.

¹³ Development within the Unity Park Neighborhood District shall comply with the Table of Dimensional Standards in the Unity Park Neighborhood District Code.

¹⁴ Hotel or motel uses that are converted unit per unit to multi-family dwelling may exceed maximum density, per subsection 19-4.3.1(A)(5).

ARTICLE 19-5. DIMENSIONAL STANDARDS AND MEASUREMENTS

[...]

§ 19-5.2 – Definitions/measurements

[...]

§ 19-5.2.9. Building height

- (A) *General.* Building height is the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.
- (B) *Exceptions.* Spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housings, mechanical equipment or other such structures placed above the roof level and not intended for human occupancy shall not be subject to height limitations.

(C) *Building height increases.*

(1) With the exception of single-family detached dwellings, duplexes, and their related accessory structures in established single-family residential areas, and with the further exception of buildings listed in the sub-sections below, buildings may exceed the maximum building height permitted in the zoning district pursuant to Table 19-5.1-1, table of dimensional standards, in the following ways:

a. *Building sides facing property improved with other than single-family use(s).*

i. Increase in building height, above the maximum permitted by the assigned zoning district, may occur through either a step-back design approach or entire building wall setback, as permitted hereunder:

1. Building Wall Step-back:

- a. A building wall step-back may occur at least ten (10) horizontal feet measured from the building façade; and
- b. There shall be no greater than a twenty (20) foot vertical distance in between step-backs.

2. Entire building wall setback:

- a. The entire building wall facing a single-family use shall be setback from the property line of any abutting property improved with a single-family use at a minimum ratio of one (1) horizontal foot for each two (2) vertical feet of additional building height above the maximum.

~~buildings may exceed the base height allowed in certain zoning districts if the minimum rear setbacks and the minimum side setbacks required for the district are increased one foot for each three two feet by which the height of the building exceeds the maximum height pursuant to Table 19-5.1-1, table of dimensional standards.~~

b. *Building sides facing abutting property improved with single-family use(s).*

i. Increase in building height, above the maximum permitted by the assigned zoning district and not to exceed fifty (50) feet in total height, may occur through either a step-back design approach or entire building wall setback, as permitted hereunder:

1. Building Wall Step-back:

a. A building wall setback may occur at least twenty (20) horizontal feet measured from the building façade; and

b. There shall be no greater than a twenty (20) foot vertical distance in between step-backs.

2. Entire building wall setback:

a. The entire building wall facing a single-family use shall be setback from the property line of any abutting property improved with a single-family use at a minimum ratio of one (1) horizontal foot for each one (1) vertical foot of additional building height above the maximum, beginning at the forty-five (45) foot setback line.

b. At a setback between 25 feet and 45 feet from the property line adjacent to a single-family use, buildings shall not exceed the maximum building height permitted in the zoning district

~~(2) (2) High-rise apartments.~~ No portion of a high-rise apartment shall project ~~through imaginary planes leaning~~ inward over the lot from the side and rear lot lines of the lot at angles representing six feet in height for each one foot of horizontal distance from such lot lines.

ARTICLE 19-6. DEVELOPMENT AND DESIGN STANDARDS

[...]

§ 19-6.5. Design standards for nonresidential development.

[...]

§ 19-6.5.7. Nonresidential design standards

[...]

(A) Orientation

[...]

~~(5) Nonresidential buildings shall not exceed 150 percent of the height of an adjacent single-family detached dwelling, or shall be stepped back from the lot line such that the lowest portion of the building is the portion closest to the single-family detached dwelling. Maximum building height is subject to Section 19-5.2.9, building height.~~

[...]

§ 19-6.8. Design standards for multifamily residential development

[...]

§ 19-6.8.9. Multifamily design standards

[...]

(B) *Setbacks **and height***

(1) Front setbacks shall be within 75 and 125 percent of the average setback of existing structures along the same block face, provided that no building shall encroach upon the minimum setback requirement (see Figure 19-6.8.2). In cases where the average front setback is not discernible (e.g. the block face is vacant or lacks more than one building), the minimum front setback shall be established by the base zoning district standards.

(2) **All multifamily residential buildings, regardless of height, shall provide a minimum 25-foot setback from the lot line of any abutting property improved with an existing single-family use or a parcel zoned R-6 or R-9.** ~~Multifamily residential buildings with three or more levels of stacked units shall be stepped back an additional ten feet from the minimum required setback for every floor above the second floor from property lines abutting a single-family detached dwellings use. Dormers and other minor roof features may project into the setback area.~~

(3) **Maximum building height is subject to Section 19-5.2.9, building height.**

Summary of Text Amendment:

Existing Text

New Text