



**Planning Staff Report to
Greenville Planning Commission
May 14, 2021
for the May 20, 2021 Public Hearing**

Docket Number: Z-17-2021
Applicant: City of Greenville
Proposal: **TEXT AMENDMENT** to **MODIFY** Article(s) 19-5.1 and Table 19-5.1-1 of the Land Management Ordinance

Staff Recommendation: **Recommend Approval with Staff Comments to City Council**

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 19-5.1 *Table of dimensional standards.*
Table 19-5.1-1: *Table of Dimensional Standards.*

Background

Planning and Development staff submits this text amendment to amend existing Section 19-5.1 *Table of dimensional standards* in the Land Management Ordinance for the Table 19-5.1-1: *Table of Dimensional Standards*. For all non-residential zoning districts, except for C-4, the text amendment will limit impervious surfaces to 75% for projects adjacent to a single-family residential use, regardless of whether there is an intervening road, alley, easement, right-of-way, common area, detention pond, or utility line, based on contiguous property language identified in Title 5, SC Municipal Corporations, State Enabling Legislation and other nearby jurisdictional language.

The proposal addresses a demonstrated community need by reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses. 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.

Proposed amendment applies to the Land Management Ordinance only, and is not applicable to other established regulations, such as Planned Developments and Unity Park Neighborhood District Character Code.

Staff Analysis:

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.

Specifically, the proposal is particularly consistent with Land Management Ordinance “Purpose and Intent” Section 19-1.3.4, “Promote diverse quality housing, protect neighborhoods” and Section 19-1.3.10, “Create harmonious community”, as the amendment promotes a reduction of impervious surfacing and stormwater runoff adjacent to single-family residential uses.

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 uses by reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses.

Staff Comments

Staff recommends, in addition to the proposed text amendment:

- To research a potential interim process, until the LMO re-write is completed, to appropriately address and adjudicate non-conforming situations/exception to design standards/undue hardships and bring forth in the next round of proposed text amendments; and
- To further clarify that the requirement pertains to commercial and multifamily uses that abut a property line of a single-family detached use.

Application # <u>Z-17-2021</u>	Fees Paid _____
Date Received: _____	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



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

APPLICANT INFORMATION

<u>City of Greenville</u>	<u>(864) 467-4510</u>
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ADDRESS	EMAIL
<u>Greenville, SC 29601</u>	<u><i>John McDye</i></u>
	SIGNED (City Manager)
<u>(864) 467-4476</u>	<u><i>5/5/2021</i></u>
PHONE	DATE

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Article(s) 19-1.11 Definitions, 19-5.1 Table of dimensional standards and Table 19-5.1-1: Table of Dimensional Standards.

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

This text amendment will amend existing Table 19-5.1 Table of dimensional standards in the Land Management Ordinance for the Table 19-5.1-1: Table of Dimensional Standards. For all non-residential zoning districts, except for C-4, the text amendment will limit impervious surfaces to 75% and a minimum pervious coverage of 25% for those projects adjacent to a single-family use.

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 uses by reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses.

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 reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses. 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. Reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses 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 reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses. 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 19-1.3.4, "Promote diverse quality housing, protect neighborhoods" and Section 19-1.3.10, "Create harmonious community", as the amendment promotes a reduction of impervious surfacing and stormwater runoff adjacent 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 reducing impervious surfacing and stormwater runoff from commercial projects adjacent to single-family residential uses.

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 amendment will help to ensure impervious surfaces on commercial property do not promote stormwater runoff onto adjacent single-family residential uses and, therefore, will reduce pollution from entering the City's waterways and reducing waterflow during storm events.

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 anticipated to positively affect the adequate provision of stormwater public facilities and services and should maintain the current high level of services within the City of Greenville.

Sec. 19-1.11. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abut, abuts, or abutting means to share a common boundary, or to be contiguous, with an adjoining parcel of land, **regardless of whether there is an intervening road, alley, easement, right-of-way, common area, detention pond, or utility line.**

[...]

Sec. 19-5.1. Table of dimensional standards

All primary structures shall be subject to the dimensional standards set forth in the following table. These standards may be further limited or modified by other applicable sections of this chapter. Rules of measurements and permitted exceptions are set forth in section 19-5.2, definitions/measurements.

Table 19-5.1-1: Table of Dimensional Standards							
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 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 ¹⁵	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-2	See ^{10, 14} below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-3	See ^{10, 14} below	None	100 ¹⁵	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 ¹⁵	10 (20 Max)	3 ⁵ or 10 ⁶	3 ⁵ or 10 ⁶	40 ^{2, 12}
S-1	See ¹⁰ below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	10	40 ²
I-1	None	None	100 ¹⁵	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.

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).

¹⁵ **When a nonresidential use abuts a property improved with a single-family use, the maximum impervious coverage shall be 75 percent and a minimum pervious coverage of 25 percent.**

(Code 1997, § 19-5.1; Ord. No. 2007-52, § 19-5.1, 7-9-2007; Ord. No. 2008-25, 3-25-2008; Ord. No. 2009-22, 3-23-2009; Ord. No. 2012-49, 6-11-2012; Ord. No. 2014-68, 8-11-2014; Ord. No. 2015-05, exh.(19-5.1-1), 1-26-2015; Ord. No. 2016-17, exh. A, 3-28-2016; Ord. No. 2017-25, 2-27-2017; Ord. No. 2020-10, 1-27-2020; Ord. No. 2020-81, Exh. A, 11-9-2020)

Summary of Text Amendment:

Existing Text

New Text