

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	(864) 467-4510
NAME	FAX
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ADDRESS	EMAIL
Greenville, SC 29601	SIGNED (City Manager)
(864) 467-4476	DATE
PHONE	

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Article 19-2.2.1 of the Land Management Ordinance

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

This text amendment was initially requested by City Council and has been updated since the February 2023 Planning Commission meeting to address commission concerns. The proposed amendment will add language sections of the Land Management Ordinance regarding application requirements for current board and commission members. Specifically, this would amend Section 19-2.2.1, "Authority to file applications" by adding subsection (C). Members of the Planning Commission, Design Review Board, or Board of Zoning Appeals that submit an application that will be considered by the board of which they currently sit must disclose that they have a potential conflict of interest at the time of application. The same applies for any applications submitted by a family member, colleague, or business with which they are associated. The board member must recuse themselves from deliberating or voting on the application. They must also have an agent or other representative appear and present their application to the review board, who must also disclose their relationship with the review board member.

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 comprehensive plan does not address the proposed text amendments to Chapter 19. These amendments are an attempt to address real or perceived conflict of interests for applications submitted by current board members.

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

The amendment proposes modifications to an existing provision of the Land Management Ordinance and is consistent with Section 2-266 of the Greenville Municipal Code, which addresses conflicts of interest for city councilmembers, officials, and employees.

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

Greenville has multiple boards and commissions, to which City Council appoints Greenville citizens to serve defined terms. For the city's planning boards, which include the Planning Commission, Design Review Board, and Board of Zoning Appeals, City Council has, in recent years, appointed representatives they believe possess the background and qualifications to review the various types of applications that come before these respective bodies. Examples include architects, engineers, attorneys, academics, planners, and other community representatives. From time to time, a member of a review board may submit an application to the board on which they serve, following the regular review process for such applications. These applications may be for a project affecting their own property or residence, or perhaps for a client as part of the member's professional work. The proposed amendment provides additional disclosure requirements for applications that will be considered by the review board on which a particular member sits. A member may not deliberate or vote on their application, nor appear or present their application before the board. Their agent or representative is required to disclose their relationship with the review board member as part of the public hearing.

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

The proposal addresses a demonstrated community need by ensuring transparency and disclosure for applications submitted by a review board member, their immediate family members, or business.

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.

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

The proposal will provide transparency in the development process by providing additional disclosure of potential conflicts of interest for applications submitted by currently serving review board members. This will ensure their project does not receive "special treatment" which could result in a development pattern that is not logical or orderly.

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 is not anticipated to negatively impact the natural environment and its ecology.

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.

Sec. 19-2.2. - Common procedures.

The general provisions of this section shall apply to all applications for development approval and permit requests under this chapter, unless otherwise stated.

19.2.2.1. *Authority to file applications.*

(A) *General.* Applications submitted under this chapter pursuant to subsection 19-2.2.5, application submission, shall be submitted by the landowner; a person, business, or organization having rights in contract in the land; their authorized agent; the city council; the planning commission; the design review panels; or the administrator.

(B) *Applicant not the owner.* If the applicant is not the owner of the land, the owner's name and contact information must be included in the application.

(C) *Conflict of interest.* Consistent with Section 2-266, applications submitted by a member of the Board of Zoning Appeals, Design Review Board, or the Planning Commission to the board on which they currently serve; or submitted to the board on which the member currently serves by an immediate family member, a person with whom the member is associated, or a business with which the member is associated that has an economic interest that would be affected by the member's participation and action, shall comply with the following:

- (1) At the time of application, the member shall provide a statement of potential conflict of interest form, which shall be included with the application materials and available for public inspection.
- (2) The member shall abstain from all discussion and voting on the application.
- (3) The member shall not appear or present their application before the review board. An authorized agent or business associate may present the application on behalf of the member, provided that their personal, financial, or business relationship with the board member is disclosed at the public hearing.