



**Planning Staff Report to
Greenville Planning Commission
July 12, 2019
for the July 18, 2019 Public Hearing**

Docket Number: Z-13-2019
Applicant: City of Greenville
Proposal: **TEXT AMENDMENT MODIFYING SECTION 19-4.3.1(A)(4), USE-SPECIFIC STANDARDS FOR COTTAGE SUBDIVISIONS**
Staff Recommendation: **APPROVE**

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 2-372 Function, Powers, and Duties of the Planning Commission
Sec 19-1.3 Purpose and Intent
Sec. 19-2.1.2(A)(2)(a) Text Amendments
Sec. 19-2.3.2(E)(1) Text Amendments
Sec. 19-4.3 Use-Specific Standards

Background

The development standards for cottage subdivisions are contained in Section 19-4.3.1(A)(4) of the Land Management Ordinance. Up to 60 percent of the units in a cottage subdivision shall be oriented to front common open space. Other units may front internal or perimeter streets. Regardless of the orientation, under the current requirements all lots must have actual access to a paved road improved to a minimum standard approved by the City. Additional cottage subdivision requirements, which deviate in certain ways from the standards for a conventional subdivision, are listed in Section 19-4.3.1(A)(4).

To staff's knowledge, only one cottage subdivision (Ridgeway Cottages, SD 16-730) has ever been approved under the current ordinance. A modified cottage subdivision was included as part of the Renaissance Place Planned Development (Z-21-2018). Staff has also worked with several other applicants on cottage subdivision proposals, but these have not made it before the Planning Commission because they have not met the design requirements, or for other various reasons.

After meeting with developers about development constraints under the current cottage subdivision standards, staff has prepared the proposed amendment to Section 19-4.3.1(A)(4). These text changes will allow for the legal development of cottage subdivisions not permitted prior to the amendment.

Proposed Text Amendment

The full text amendment is presented in context with the submitted application. To summarize, the amendment will allow up to 40 percent of the lots in a cottage subdivision to front on a permanent unpaved access easement that meets the minimum dimensional requirements for a full public or private street. There would be no vehicular access to these lots. Instead, residents would park in an approved parking lot and walk to their residences. In the event the owners or neighborhood association decide to extend the road in the future, the process will be as simple as improving the easement and paving the street.

The unimproved easement areas shall not count towards the required common open space, which is a central feature of cottage subdivisions in the current ordinance. Applicants would need to demonstrate that proposed access easements otherwise meet the dimensional standards for an approved public or private street, and further demonstrate that the project complies with the open space requirements.

Staff Analysis

Staff offers the following responses to the standards in Section 19-2.3.2(E)(1), *Text Amendments*:

- (a) Consistent with comprehensive plan. Whether, and the extent to which, the proposed amendment is consistent with the comprehensive plan.

Staff response: It is anticipated that the amendment will allow for additional development under the new standards in zoning districts that allow cottage subdivisions. The amendment introduces an affordability component by reducing the amount of infrastructure required to provide access for lots in cottage subdivisions. In addition, reducing the impervious surface reduces stormwater runoff and offers other environmental benefits.

- (b) Consistent with chapter. Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

Staff response: Section 19-4.3.1(A)(4) was written specifically to allow for cottage subdivisions, which have specific standards for lot orientation, parking, open space, streets, unit design, and other elements that, in many cases, differ from the design requirements for conventional subdivisions. The amendment provides for an additional design option available only to cottage subdivisions. The amendment is therefore in keeping with the structure and intent of Section 19-4.3.1(A)(4), and does not affect other developments in the City of Greenville. Moreover, cottage subdivisions must still comply with all fire safety and access requirements, environmental engineering standards, and other applicable sections of the Land Management Ordinance.

- (c) Changed conditions. Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

Staff response: Developers and staff have identified this amendment as a way to provide more affordable housing in the city and as a way to design projects to meet the increasing challenges of infill development.

- (d) Community need. Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

Staff response: Cottage subdivisions were originally conceived as an affordable housing solution for the City of Greenville. The amendment will increase the affordability component by requiring lower up-front infrastructure costs.

- (e) Compatible with surrounding uses. Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

Staff response: Cottage subdivisions have setback and design requirements that limit their impact on surrounding properties.

- (f) Development patterns. Whether, and the extent to which, the proposed amendment will result in a logical and orderly development pattern.

Staff response: The amendment will allow up to 40 percent of units in cottage subdivisions to front on an unimproved access easement. Unit orientation and design must still be respective of this

right-of-way as though it were a public or private street. The location of these lots and cottage houses must still meet all fire access requirements.

- (g) Effect on natural environment. Whether, and the extent to 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.

Staff response: The amendment reduces the amount of impervious surface coverage in cottage subdivisions, which will result in decreased stormwater runoff and urban heat island effect. In the event the easement is improved and the road installed in the future, adequate storm drain systems will be required. Stormwater facilities (such as detention ponds) must be designed from the outset to fully accommodate all runoff in the event of full future buildout of the road and infrastructure system.

- (h) Public facilities and services. Whether, and the extent to 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 medical facilities).

Staff response: Under the proposed amendment, all unimproved easements must be of sufficient width and properly situated to allow for a full public or private road to be constructed at any time in the future. Otherwise, cottage subdivisions must meet all utility and service requirements for any residential development in the City of Greenville.

Application # <u>Z-13-2019</u>	Fees Paid <u>N/A</u>
Date Received: <u>6/25/19</u>	Accepted by <u>MDF</u>
Date deemed complete _____	App Deny Conditions _____

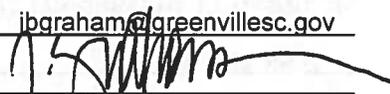


**APPLICATION FOR ORDINANCE TEXT
AMENDMENT
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT INFORMATION

City of Greenville

NAME Jonathan Graham
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Greenville, SC 29602
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FAX N/A
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 SIGNED 
 DATE 6/21/19

REQUEST

19-4.3.1(A)(4)(a) and 19-4.3.1(A)(4)(b)6
 PERTINENT CODE SECTION(S)

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

Modification to allow real property to be subdivided off of an unimproved access easement to facilitate greenspace in cottage subdivision proposals.

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

1. Describe the ways in which the proposed amendment is consistent with the Comprehensive Plan.
 - a. While the formal Comprehensive Plan does not directly address private green space, under the section labeled as Healthy Living and Pedestrian Friendly Environment, Objective number one does address parks and greenspace. While arguably an objective to foster public community greenspace, not private greenspace, nonetheless, this objective speaks to the importance of greenspace to the community. Elsewhere in attached documentation of the consultant's efforts, the process documents and the Appendix documents also provide insight. In the process documents on 'Phase III: Dream', p. 6, preservation of green space was of significant interest to the participants. In the Appendix, in Focus Group Meeting Minutes from 9/11/07 – 9/25/07, included under the Resident Survey portion, the following responses were given to the following questions: 1. "What are the most appealing aspects of the City of Greenville?" Answer - Participants were pleased with...a strong emphasis on parks and greenspace. "What is the range of different services that are important to get without a car?" Answer – Green spaces. "What are your thoughts about Affordable Housing in the City? Do we have enough?" Answer – Zoning is cookie cutter...smaller lots with greenspace. "Are there measures that the City should take to help guide development?" Answer – Participants responded that they would like the Planning Department to preserve greenspaces.
2. Describe the ways in which the proposal is consistent with the provision of the ordinance and related city regulations.
 - a. The ordinance requires access to each property subdivided for purposes of access including but not limited to: emergency services such as fire, police, EMS, and other city services. Limitation of no more than 40% of the proposed lots are proposed with direct access to an unimproved access easement that is a direct extension of the provide paved right of way.
3. Describe the conditions that have changed from the conditions prevailing at the time that the original text was adopted.
 - a. The applicant is unaware of any conditions that have changed.
4. Describe the ways in which the proposal addressed a demonstrated community need.
 - a. The proposal allows legal development of Cottage Subdivision not available prior to the amendment.
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.
 - a. It will offer a new development product to the community.
6. Describe the ways in which the proposal promotes a logical and orderly development pattern.
 - a. It will offer a new development product to the community.
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.
 - a. The proposals offers and encourages increased required greenspace per proposed unit of housing.
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).
 - a. N/A

Modification to Use Specific Standards, Residential Uses, Cottage Subdivision – Section 19-4.3.1(A)(4)

(4) *Cottage subdivision.*

- (a) *Procedure for review.* Cottage subdivisions shall be reviewed in accordance with the standards and requirements for a major subdivision in section 19-2.3.13(A)(5).

1. *Exception:* Cottage subdivisions may have no more than 40 percent of the proposed lots front on a permanent unpaved, approved access easement, equal in width and an extension of the required private street easement or in direct connection to a public street, that may be necessary to comply with Section 19-4.3.1(4)(b)5. All other units must comply with Section 19-6.7.2. and the requirements for Cottage Subdivision.

(b) *Site configuration.*

1. *Development size.* Cottage subdivisions shall be located on a site of at least 21,780 square feet in size.
2. *Allowable uses.* Allowable uses shall be limited to single-family detached dwellings and commonly associated accessory uses. Accessory uses may include common open space, a common building for the purposes of storage or recreation for residents of the cottage subdivision, and outdoor recreational features.
3. *Number of dwellings.* A cottage subdivision shall include at least four dwellings. In no instance shall the gross density of the development exceed the density of the underlying zoning district.
4. *Common open space.*
 - a. The cottage subdivision shall include common open space that comprises at least 30 percent of the total site. The common open space shall include a central green or lawn area fronting some or all of the dwellings, one or more shared surface off-street parking area(s) located away from the dwellings and common area, and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the subdivision from adjacent development (see Figure 19-4.3.1-1).
 - b. The central green or lawn area shall include at least 375 square feet of area for each dwelling in the subdivision.

(1) Permanent, unpaved, approved access easements shall not qualify as common open space central green or lawn area needed to meet this requirement.

- c. A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building be larger than 1,500 square feet or serve as a permanent dwelling unit.
- d. Open space areas shall include improved pedestrian walkways that provide pedestrian access to each dwelling, shared parking areas, any common buildings, and the public sidewalk network.
- e. Ownership of the open space shall remain either with the developer or be conveyed to a homeowners' association or comparable legal entity under the laws of South Carolina.
- f. Maintenance of the land as permanent open space shall be ensured via the recordation of covenants or similar documents with the county registrar of

deeds and noted (or referenced) on the site plan or final plat. This documentation shall also prescribe the nature and extent of continuing maintenance to the open space designed to preclude the creation of any nuisances.

5. *Dwellings fronting open space.* Up to 60 percent of the dwellings in a cottage subdivision shall front common open space.
6. *Dwellings fronting internal streets and permanent, unpaved access easement.* Dwellings in a cottage subdivision that front an internal street or unpaved access easement shall:
 - a. Be oriented so that the front door of the dwelling faces the internal street or access easement;
 - b. Include a front porch of at least ten feet in width and six feet in depth between the front facade of the dwelling and the street or access easement;
 - c. Ensure that a street facing garage, if provided, is located at least 10 feet behind the front facade plane of the dwelling, including porches, and complies with the standards for street facing garage doors in subsection (b)(8) of this section.

Figure 19-4.3.1-1: Example layout of a cottage subdivision



7. *Dwellings fronting perimeter streets.* Dwellings in a cottage subdivision that front a public street outside the development shall comply with the following standards:
 - a. Lots shall maintain a minimum area of at least 75 percent of the minimum lot area for the underlying zoning district;
 - b. Dwellings shall be oriented so that the front door of the dwelling faces the public street; and
 - c. A street facing garage, if provided, shall be located at least ten feet behind the front facade plane of the dwelling, including porches, and comply with the standards for street facing garage doors in subsection (b)(8) of this section.

8. *Street-facing garage doors.*

- a. A street-facing garage door shall include at least two of the following features (see Figure 19-4.3.1-2):
 - i. A garage door configured to appear as carriage house doors that open to the sides;
 - ii. Arbor or trellis with a minimum depth of three feet over the garage door;
 - iii. A roof overhang of at least two feet over garage door with columns, corbels, or another support structure;
 - iv. An arch or arches over the garage door;
 - v. Window dormers or a shed dormer;
 - vi. An entry door with a minimum width of 30 inches;
 - vii. A garage door and door trim of natural wood or material configured to appear as unpainted wood;
 - viii. Windows within or above the garage door;
 - ix. Eaves with exposed rafters, dentil moulding, or other detail appropriate to the architectural style of the structure; or
 - x. Other feature as approved by the administrator.
- b. These standards shall not apply to garage doors facing internal streets within a cottage subdivision.

Figure 19-4.3.1-2: Examples of street-facing garage doors



9. *Surface parking.*

- a. Each cottage subdivision shall incorporate at least one shared surface parking area that accommodates resident or guest parking. Surface parking areas shall include a total of at least one parking space for each dwelling unit plus one designated guest parking space for every four dwelling units. Provision of resident parking spaces within a shared surface parking area is not

required in cases where resident parking is provided via individual driveways, garages, or by parking spaces along internal streets.

- b. In no instance shall a surface parking area be more than 300 linear feet from the dwelling it serves.
 - c. Each surface parking lot or internal street shall be visible from at least one dwelling unit window in the development.
10. *Detached common garages.* Detached garages serving more than one dwelling shall not exceed five car bays or include individual garage doors wider than 12 feet each.
 11. *Storage space.* Each individual dwelling shall have at least 40 square feet of covered storage space outside the heated floor area of the dwelling. Storage space may be located on an individual lot, adjacent to a common building, or within a common building.
 12. *Perimeter buffer.* A cottage subdivision may be required to incorporate a perimeter buffer along all lot lines shared with existing single-family detached dwellings, as determined by the administrator.
 13. *Internal streets.* Vehicular entryways into cottage subdivisions and internal streets serving the development shall be configured as private drives with a maximum pavement width of 22 feet.
- (c) *Individual lot configuration.*
1. *Dimensional requirements.* The following table sets out the dimensional requirements for individual lots.

Table 19-4.3.1-2: Cottage Subdivision Dimensional Standards

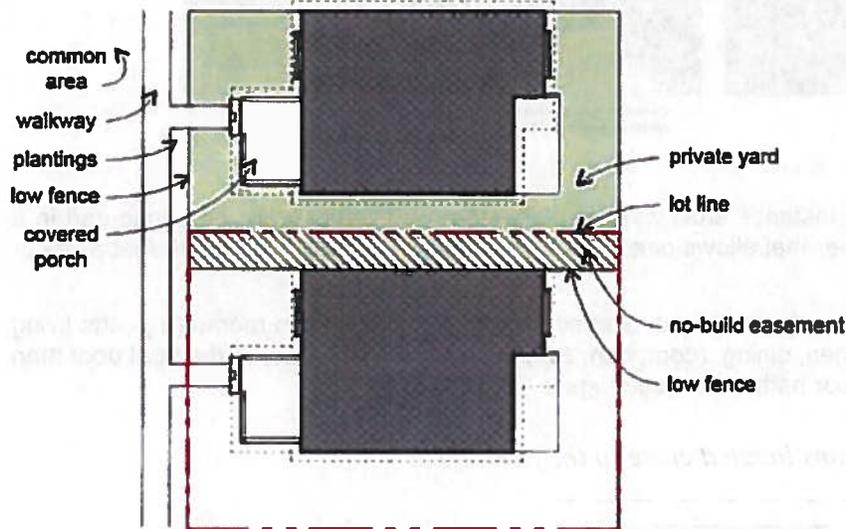
Feature	Requirement
Minimum lot size (sq ft)	None
Maximum lot coverage (%)	100 ^[1]
Minimum lot width (ft)	20
Minimum front setback (ft)	10 from open space; zoning district requirement from street ^[2]
Minimum side setback (ft)	0 one side; 15 other side ^[2]
Minimum rear setback (ft)	None ^[3]

NOTES:

- ^[1] Total impervious coverage for the entire subdivision shall not exceed 60 percent.
- ^[2] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with table 19-5.2.7, but no other structures shall be permitted to encroach into a required setback.
- ^[3] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.

2. **No-build easement.** Any lot abutting another lot used for residential purposes in a cottage subdivision shall include a no-build easement on one side that extends from the lot line to the exterior wall of the dwelling (see Figure 19-4.3.1-3). The purpose for the use easement is to ensure that the adjoining property owner can use the entire side yard as private outdoor space.

Figure 19-4.3.1-3: No-build easement in the side yard



(d) **Dwelling unit configuration.**

1. **Maximum height.** A dwelling unit shall not exceed one and one-half stories, or 24 feet.
2. **Dwelling size.** A dwelling unit shall be at least 600 gross square feet in size, but not more than 2,400 gross square feet in size, excluding garages.
3. **Front porch.** A dwelling unit shall incorporate a covered front porch of at least ten feet in width and six feet in depth.
4. **Windows.**
 - a. The front facade shall incorporate a sufficient amount of windows to facilitate observation of the common area from within the dwelling.
 - b. Windows on the side of the dwelling facing a side yard subject to a no-build easement held by an adjoining land owner shall remain opaque or be located above eye level to ensure privacy in the side yard of the abutting dwelling unit (see Figure 19-4.3.1-4).

Figure 19-4.3.1-4: Window Placement



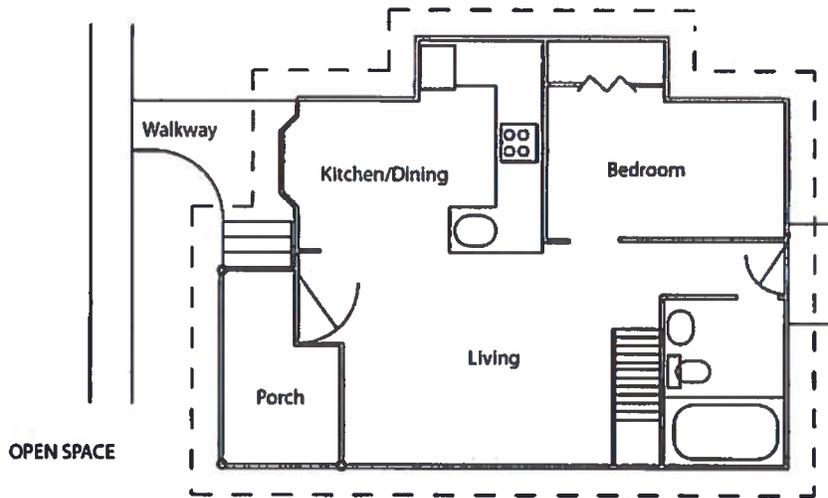
Open side of house with windows facing the private yard



Closed side of the house – skylights bring light into the interior without peering at the neighbor

- c. In no instance shall window placement on exterior walls be configured in a manner that allows direct sight into another dwelling located 30 feet away or less.
5. *Common room placement.* Ground-floor public or common rooms (e.g., the living room, kitchen, dining, room, den, etc.) shall be located closer to the front door than bedrooms or bathrooms (see Figure 19-4.3.1-5).

Figure 19-4.3.1-5: Common rooms located close to the front door



6. *Refuse collection.* Each dwelling unit shall maintain individual refuse collection containers. They shall be screened from view and located to the side or rear of the dwelling.
 7. *Fences.* Fences within front yards or side yards forward of the front facade plane shall not exceed 36 inches in height. Fences in rear yards or side yards behind the front facade plane shall not exceed 72 inches in height. In no instance shall a fence be placed within a no-build easement.
- (e) *Homeowner's association.* Each cottage subdivision should include a homeowner's or property owner's association, or comparable legal entity under the laws of South Carolina, that maintains control of common areas and takes responsibility for

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maintenance of common features in the neighborhood, in the event the developer has transferred ownership of the common areas. Homeowner's association documents shall be submitted to and reviewed by the city prior to approval of the subdivision.

Draft for Review

