

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



APPLICATION FOR ORDINANCE TEXT AMENDMENT CITY OF GREENVILLE, SOUTH CAROLINA

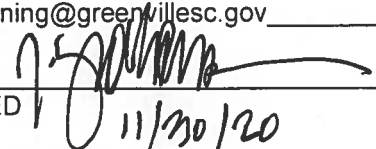
APPLICANT INFORMATION

City of Greenville
NAME

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ADDRESS

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SIGNED 
DATE 11/30/20

REQUEST

Land Management Ordinance Sections 19-6.9 and 19-6.9.5
PERTINENT CODE SECTION(S)

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

Text amendment to Land Management Ordinance Section 19-6.9 and Section 19-6.9.5 "To ensure that the size and configuration of newly created subdivision lots are compatible with the predominant characteristics of the neighborhood to the greatest extent possible." A copy of the proposed text amendment is provided with this application.

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 proposed text amendment is consistent with all identified principles in the current Comprehensive Plan, and specifically promotes the following principles:

- Emphasize unique characteristics
- Enhance and protect residential areas
- Increase Population of City while respecting heritage and culture
- Maintain quality of redeveloped areas

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

The proposed text amendment is consistent with the provisions of the Land Management Ordinance, specifically the Ordinance purposes below:

- 19-1.3.2.Prevent overcrowding, congestion. Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets.
- 19-1.3.4.Promote diverse quality housing, protect neighborhoods. Promote quality housing, preserve, neighborhoods, and encourage a diversity of housing options.
- 19-1.3.9.Quality new development to blend with existing. Encourage quality development to blend with existing development.
- 19-1.3.11.Create harmonious community. Facilitate the creation of a convenient, attractive, and harmonious community.

The proposed text amendment is not in conflict with requirements in other City ordinances and regulations.

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

The conditions that have changed from the time that the original text was adopted is that land within established single family residential areas has become more valuable and an increasing number of applications are being filed to divide the existing lots within these areas. This has led the division of lots to sizes that threaten the underlying character of these neighborhoods and lot patterns.

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

The proposed text amendments provides additional protections to existing neighborhoods to ensure that subdivision of lots results in lot sizes and shapes that are consistent with the predominant lot pattern, and promotes and enhances the existing neighborhood character.

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 proposed text amendment is consistent with the purpose and intent of the zoning districts of the ordinance affected by the amendments. Specifically, the proposed text amendment promotes the following purposes from Section 19-3.2.1:

- (B) To ensure adequate light, air, privacy, and open space for each dwelling, and to protect residents from the harmful effects of noise, traffic congestion, and other significant adverse environmental effects;
- (D) To provide land to accommodate planned population densities.

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

The proposed text amendment promotes a logical and orderly development pattern by requiring new lots within established single-family residential areas to conform to the predominant lot size and shape. This ensures a consistent lot pattern within existing neighborhoods.

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 amendment will promote lot sizes and configurations that are consistent with established single-family residential areas, ensuring a development pattern that will impact the natural environment similar to neighborhoods' original designs, maintain open space, and minimize the need for new infrastructure and improvements (that could result in greater disturbance of the natural environment in the area.

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 text amendment will result in development that is consistent with the existing pattern for established single-family residential areas. Maintaining a density similar to that within an existing neighborhood should minimize the need for new infrastructure and improvements, as the infrastructure typically would have been installed anticipating that development density. Further, focusing population growth in the manner outlined in the proposed text amendment creates a predictable impact on needs for schools, parks, and emergency services and reduces future stress on these facilities.

Sec. 19-6.9. - Single-family residential infill standards

19-6.9.1. *General purpose and intent.* This section is intended to achieve neighborhood compatibility, maintain the harmony and character of established single-family residential areas, and guide residential infill development to occur in an orderly and desirable manner. It is also intended:

- (A) To minimize the impact of garages/carports and driveways on the character of established single-family residential areas, by addressing the location of garages/carports and driveways and the orientation of garage openings relative to the street.
- (B) To minimize the visual impact of a stormwater detention/retention facility within established single-family residential neighborhoods in order to maintain the predominant characteristics of the neighborhood to the greatest extent possible.
- (C) To limit stormwater runoff impact on adjoining properties created by new construction and additions.
- (D) To preserve and protect existing tree canopy to the extent practicable and to ensure future tree canopy consistent with established single-family residential areas.
- (E) To ensure that the size and configuration of newly created subdivision lots are compatible with the predominant characteristics of the neighborhood to the greatest extent possible.

19-6.9.2. *Applicability.* The provisions of this section shall apply to the following developments located in established single-family residential areas, except those zoned S-1:

- (A) New lots created by summary plat or major subdivision (subsection 19-2.3.13).
- (B) Construction of a new single-family detached dwelling, duplex dwelling, or garage/carport.
- (C) Addition of an attached garage/carport.
- (D) Installation and/or expansion of a driveway.
- (E) Renovations/additions to a dwelling whose construction value exceeds 50 percent of the fair market value of the property as reflected on the Greenville County Tax Assessor's role. Renovations/additions phased over a five-year period shall be combined to determine applicability of the percent threshold criteria. Renovations/additions which do not alter the site are exempt, but are calculated in the five-year phased period above.
- (F) Additions that increase the principle building footprint square footage by more than 40 percent. Additions phased over a five-year period shall be combined to determine the applicability of the percent threshold criteria.

19-6.9.3. *Definitions.* For the purposes of this section, the following definitions apply:

Block means the lots and or residential buildings fronting both sides of a section of street located between intersecting streets.

Established single-family residential area means an area developed with single-family residential dwellings having one or more of the following characteristics:

- (A) Was platted or developed more than 25 years ago;
- (B) Is in a subdivision that is more than 80 percent built out and that was platted more than 15 years ago;
- (C) Is bounded on two or more sides by existing residential development; or
- (D) Is within an unplatted area that contains lots of two and one-half acres or less where 80 percent or more of the lots or tracts have been developed for at least 15 years.

19-6.9.4. *Garages, carports, and driveways.*

- (A) In established single-family residential areas, garages, carports, and driveways shall be constructed in a way to be consistent with the predominant development pattern and rhythm of the block.
- (B) Attached garages/carports shall not open onto a front yard, unless:
 - (1) Sixty percent of existing dwellings in the block have attached garages/carports which open onto a front yard; or
 - (2) The garage is integrated into the design of the house and is set back at least ten feet from the front of the house, including up to five feet of a porch that spans at least 50 percent of the front façade of the house. Garage width shall not exceed 50 percent of the width of the front façade of the house. (See Figure 19-6.9.2)
- (C) Attached garages/carports may open onto the special yard of a corner lot. The front door of the house shall not face the special yard.
- (D) Detached garages/carports shall comply with the provisions of section 19-4.4, accessory uses and structures.
- (E) If a garage/carport is not provided, driveways/parking shall be located to the side and/or rear of the dwelling, and shall not exceed ten feet wide, except in the rear yard. (See Figure 19-6.9.2)
- (F) If a garage/carport is provided, driveways/parking shall not be allowed in the front yards, except for access to front-loaded garages that are permitted. A garage is allowed access via an apron the width of the garage opening and 20 feet deep tapering to a ten-foot wide driveway. The administrator may allow wider driveways and/or parking pads in the front yard based on consistency with existing character of the block and in compliance with the stated purpose and intent of this section. (See Figure 19-6.9.2)
- (G) Parking in a front yard may be allowed by conditional use when conditions exist that do not allow access to the side or rear yard (i.e. topography, limited space between an existing house and lot line (an area less than ten feet wide)). Backup space in a front yard may be allowed by conditional use when access to an adjacent street may be difficult due to traffic patterns on the street. The administrator shall determine that the design and landscaping of the parking and or backup space ensures adequate stormwater mitigation and protection of the character of the block.

19-6.9.5 *Infill Lot Size and Configuration*

In addition to meeting the dimensional requirements set forth in Sections 19-5.1 through 19-5.2.4, new subdivision lots subject to this Section 19-6.9 shall at a minimum be of a size and shape such that they are substantially similar to existing lots within the immediate Block in which the subdivided property is situated and if there is no such immediate Block, the Block in closest proximity. For purposes of this section, substantially similar in terms of lot size means a total lot area that deviates no more than 25% from the average lot size of the existing comparable lots.

Figure 19-6.9-1: Description of Yards

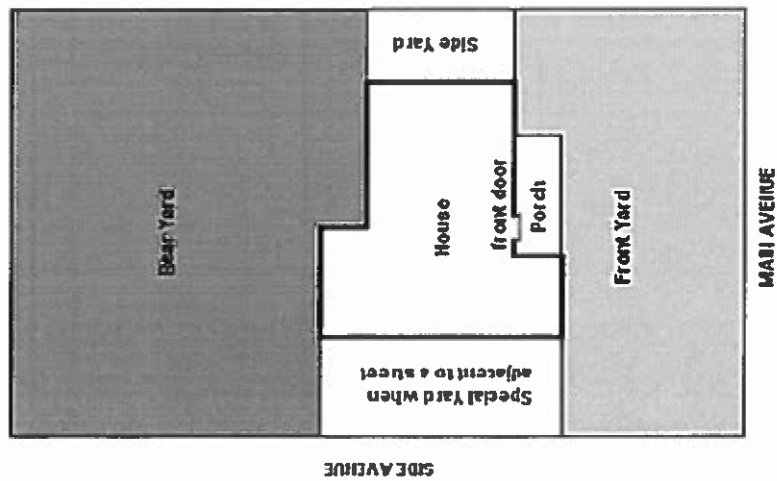
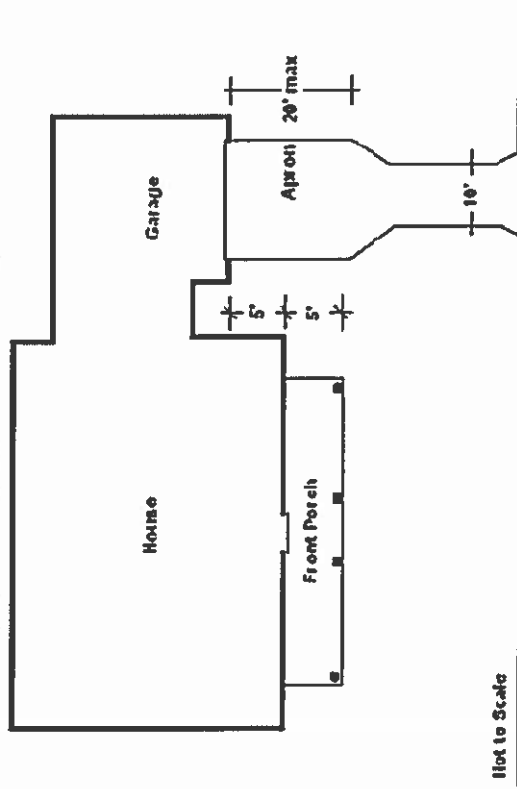


Figure 19-6.9-2: Front-loading garage setback & apron detail



19-6.9.5. Stormwater detention/retention standards.

- (A) For subdivisions of two to 15 lots where stormwater quantity requirements of article 19-7, stormwater management, apply to infill subdivisions, the following requirements shall apply:
 - (1) Where aboveground detention/retention facilities are proposed, they shall:

- (a) Be located at least 20 feet from an exterior property line;
- (b) Be sloped in a manner that is easily maintained; and
- (c) Be designed as an amenity to the development, when deemed feasible by the administrator. Amenity features may include additional landscaping, fountains, trails or other features acceptable to the administrator.

19-6.9.6. *Stormwater runoff standards.* The following performance standards shall apply to all single-family residential buildings, including single-family projects on vacant land, or land made vacant after the demolition of existing structures.

- (A) A grading plan that includes details as specified in the administrative manual shall be submitted with the application for a single-family building permit, when the property is not part of a larger common plan.
- (B) Single-family detached and duplex lots shall not exceed 60 percent total impervious coverage (i.e. parking, driveways, stairs, pools, patios, sidewalks), inclusive of the 40 percent maximum lot coverage for all roofed areas.
- (C) Setback slopes shall not exceed four foot horizontal to one vertical. Runoff collected from impervious surfaces shall be discharged at a setback distance of at least 20 feet from the property line.
- (D) If the applicant cannot meet the requirements of subsection 19-6.9.6(C), a grading plan as outlined in subsection 19-6.9.6(A) and that incorporates stormwater best management practices to convey and dissipate stormwater runoff discharges shall be submitted and approved by the administrator.

19-6.9.7. *Tree protection and replacement.* Protection of existing tree cover is intended to preserve the visual and aesthetic qualities of the city, to encourage site design techniques that preserve the natural environment and enhance the developed environment; to control erosion, slippage, and sediment runoff into streams and waterways; to increase slope stability; and to protect wildlife habitat and migration corridors. Preservation or provision of trees near structures also serves to conserve energy by reducing heating and cooling costs.

- (A) Tree surveys are not required for single-family lots or single-family subdivisions. However, the location, species, and size of trees that are proposed to be retained and/or planted to meet these requirements shall be shown on the required site plan.
- (B) Including required street trees, one canopy tree shall be planted for each 3,000 square feet of lot area or portion thereof, excluding building footprints. Such trees shall be a minimum 2.5-inch caliper and may be planted anywhere on the lot. Each existing canopy tree proposed to be retained and measuring at least six inches in diameter shall count as two new trees.
- (C) Trees that are retained to meet the requirement of (B) above shall be protected during construction consistent with the provisions of subsection 19-6.3.3.

([Ord. No. 2014-68](#), 8-11-2014; Ord. No. [2016-3](#), exh., 1-25-2016; Ord. No. [2016-35](#), 6-27-2016; Ord. No. [2017-25](#), 2-27-2017)