

Application # Z-18-2021 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> NAME	<u>(864) 467-4510</u> FAX
<u>206 S Main Street</u> ADDRESS	<u>planning@greenvillesc.gov</u> EMAIL
<u>Greenville, SC 29601</u>	 SIGNED (City Manager)
<u>(864) 467-4476</u> PHONE	SIGNED <u>5/5/2021</u> DATE

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Article(s) 19-5.1 Table of dimensional standards; Table 19-5.1-1: Table of Dimensional Standards; 19-6.5.7 Nonresidential design standards; and 19-6.8.9 Multifamily design standards.

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

This text amendment will amend existing Section 19-5.1 Table of dimensional standards; Table 19-5.1-1: Table of Dimensional Standards; 19-6.5.7 Nonresidential design standards; and 19-6.8.9 Multifamily design standards. For all non-residential zoning districts, except for C-4, and multifamily zoning districts the text amendment will provide an increased minimum rear setback for projects adjacent to a single-family residential use and require landscaping and buffering standards per Sec 19-6.2.3.

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 multifamily uses, except those located within the C-4, by the provision of an increased minimum rear setback for projects adjacent to a single-family residential use and specific standards to be met for the buffer zone.

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 all non-residential zoning districts, except for C-4, and multifamily zoning districts to provide an increased minimum rear setback for projects adjacent to a single-family residential use and meet specific standards for the buffer zone. 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 current minimum rear setback for projects adjacent to a single-family residential use and standards for a buffer zone have 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 the provision to require an increased minimum rear setback for projects adjacent to a single-family residential use and to require specific standards to be met for a buffer zone. 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 requires an increased minimum rear setback for projects adjacent to a single-family residential use and specific standards to be met for a buffer zone.

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 requiring an increased minimum rear setback for projects adjacent to a single-family residential use and requiring specific standards to be met for a buffer zone.

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 greater compatibility among uses and limit impact upon other stated factors. The proposed amendment is not anticipated to have any other effects on the natural environment.

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. 19-5.1 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 ¹⁶	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 ¹⁶	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 ¹⁶	40 ^{2, 12}
C-1	See ¹⁰ below	None	100	10	3 ⁵ or 10 ⁶	15 ¹⁶	40 ^{2, 12}
C-2	See ^{10, 14} below	None	100	10	3 ⁵ or 10 ⁶	15 ¹⁶	40 ^{2, 12}
C-3	See ^{10, 14} below	None	100	10	3 ⁵ or 10 ⁶	10 ¹⁶	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, 16}	40 ^{2, 12}
S-1	See ¹⁰ below	None	100	10	3 ⁵ or 10 ⁶	10 ¹⁶	40 ²
I-1	None	None	100	25	3 ⁵ or 25 ⁶	10 ¹⁶	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 Minimum rear setbacks shall be increased to 25 feet for multifamily or nonresidential uses that abut property improved with single-family detached uses.

(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)

Sec. 19-6.5.7 Nonresidential design standards

(O) Buffer zone adjacent to single-family uses.

- (1) Nonresidential development shall provide a buffer zone comprised of landscaping and screening elements, within the minimum setback from the lot line of any abutting property improved with a single-family detached use, as set forth in Sec. 19-6.2.3 Buffering and screening requirements.**

Sec. 19-6.8.9 Multifamily design standards

(B) Setbacks.

- (2) 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.

- (a) Multi-family development shall provide a buffer zone comprised of landscaping and screening elements, within the minimum setback from the lot line of any abutting property improved with a single-family detached use, as set forth in Sec. 19-6.2.3 Buffering and screening requirements.**

Summary of Text Amendment:

Existing Text

New Text

ADDED PROPOSED REVISIONS:

- Interim process to appropriately address and adjudicate non-conforming situations/exception to design standards/undue hardships addressed under separate amendment.
- Clarified that the requirement pertains to commercial and multi-family uses that abut a property line of a single-family detached use.