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| Application # <u>Z-25-2021</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> |
| NAME | FAX |
| <u>206 S Main Street</u> | <u>planning@greenvillesc.gov</u> |
| ADDRESS | EMail Signed by: |
| <u>Greenville, SC 29601</u> | <u>John McDonough</u> |
| | SIGNED (City Manager) |
| <u>(864) 467-4476</u> | <u>6/1/2021</u> |
| PHONE | DATE |

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Section(s) 19-7.5 and 19-7.6.2

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

This text amendment will amend existing provisions in the Land Management Ordinance for stormwater requirements found within Sec. 19-7.5 and Sec. 19-7.6.2. Proposed amendments are related to commercial and multifamily developments that abut and drain to a single-family detached use and includes any of the following: disturbs 50 percent or more of the parcel; new construction, renovation, or reconstruction of existing structures that exceed 25 percent of the current fair market value of the property.

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 by requiring appropriate stormwater measures.

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

The amendment proposes modification stormwater measures for commercial and multifamily developments that abut and drain to a single-family detached use and includes any of the following: disturbs 50 percent or more of the parcel; new construction, renovation, or reconstruction of existing structures that exceed 25 percent of the current fair market value of the property, 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. Adjustment of specific stormwater requirements within the ordinance to reflect current characteristics of such is necessary to ensure protection of residential properties from increased stormwater of adjacent commercial and multifamily developments.

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

The proposal addresses a demonstrated community need by appropriately providing stormwater regulations to aid in negative impacts near single-family residences. 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 land use compatibility and mitigate foreseeable negative impacts of specific use types where adjacent to single-family residential.

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 more appropriately addressing stormwater impacts where adjacent to single-family residential, promoting land use compatibility.

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 anticipated to aid in better stormwater management and promote green infrastructure and low impact development design. The proposed amendment is not anticipated to have any negative affects 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. 19-7.5. Stormwater permits.

[...]

- (B) *Stormwater permit fee.* The administrator shall compile the requirements for the fees in an administrative manual. The manual shall be approved by the city manager and shall be made available to the public. A stormwater permit is required for any development which:
- (1) Disturbs 10,000 square feet or more or is part of a larger common plan;
 - (2) Is located in a regulatory floodplain;
 - (3) Modifies a riverine floodprone area where the tributary drainage area is greater than 40 acres;
 - (4) Modifies a non-riverine floodprone area where the tributary drainage area is greater than 20 acres;
 - (5) Is located in a depressional storage area with a storage volume of 0.75 acre-feet or more; or
 - (6) Impacts a wetland or riparian environment of one-tenth acre or more within an area defined as waters of the U.S. or waters of the state.
- (7) Commercial and multifamily developments that abut and drain to a single-family detached use and include any of the following:**
- (a) Disturbs 50 percent or more of the parcel, regardless of the total area of disturbance.**
 - (b) New construction, renovation, or reconstruction of existing structures that exceeds 25 percent of the current fair market value of the property. This shall be based on a market appraisal performed by a certified appraiser at the applicant's expense or shall be determined by the Greenville County Tax Office. This shall not be construed to require demolition of an existing structure in order to comply with these standards. In such cases, the administrator may grant a waiver of the requirements if presented with a certification by a registered architect or engineer that compliance is not practicable on an existing building. These standards shall not apply to routine maintenance and repair of a structure or other feature on the surrounding site.**
- (C) *Stormwater permit classification.* The stormwater permit has been developed such that the level of permitting required matches the scope of work. One of the following permits shall be required:
- (1) *Major stormwater permit.* A major stormwater permit typically requires detention, stormwater quality and quantity control, preparation of a stormwater pollution prevention plan, and may include additional requirements for activities in special management areas. A major stormwater permit is required when a development:
[...]
 - (2) *Minor stormwater permit.* A minor stormwater permit typically requires stormwater quality and may include additional requirements for activities in special management areas. A minor stormwater permit is required when a development:
 - (a) Disturbs more than one but less than two acres; or
 - (b) Has a total impervious surface area ratio of 60 percent or greater and disturbs 50 percent or more of the parcel or larger common plan over a five year period.

(c) Commercial and multifamily developments that abut and drain to a single-family detached use and include any of the requirements in Sec. 19-7.5 (B) (7).
 - (3) *Soil erosion and sediment control permit.* A soil erosion and sediment control permit is required when a development disturbs 10,000 square feet or more but does not meet any of the thresholds listed

above. A soil erosion and sediment control permit may include additional requirements for activities in special management areas.

[...]

Sec. 19-7.6.2. *Minor stormwater permit.* In addition to the above requirements, the following requirements shall apply, at a minimum, for all development requiring a minor stormwater permit:

(A) *Application requirements.*

(1) A minor stormwater permit and plans must be prepared, signed, and sealed by a professional engineer, Tier B land surveyor, or landscape architect **for projects that meet the standards of Sec. 19-7.5 (C) (2) (a) and Sec. 19-7.5 (C) (2) (b).** All licensees must be of the state.

(2) A completed minor stormwater permit application signed by the applicant.

(3) A report to include:

(a) Stormwater measures sized and located in accordance with the City of Greenville Guidelines for Green Infrastructure and Low Impact Development unless addressed in part (e) below.

~~(a) An area drainage plan locating the proposed development in the watershed.~~

(b) An exhibit for review which displays all deed or plat restrictions of record or to be recorded for the stormwater management system.

(c) Drainage map identifying contributing areas to each stormwater control measure.

(d) Fully executed maintenance agreement and plan for all post construction stormwater control measures and facilities.

(e) If the proposed stormwater measures are not in accordance with the City of Greenville Guidelines for Green Infrastructure and Low Impact Development, the report must include:

~~(e)(1)~~ (1) A general description of the proposed water quality stormwater control measures.

~~(e)(2)~~ (2) Calculations verifying that the proposed LID or water quality stormwater control measures meet the treatment requirements as specified in the article.

~~(e) Drainage map identifying contributing areas to each stormwater control measure.~~

~~(f)(3)~~ (3) Calculations verifying that the stormwater control measure has the appropriate total flow rate for which the associated pipe network has been designed. Total flow rate includes treated flow and bypass flow.

~~(g) Fully executed maintenance agreement and plan for all post construction stormwater control measures and facilities.~~

~~(h)(4)~~ (4) Supporting documentation for method used to meet 50-percent hydrocarbon removal.

(4) Minor stormwater permit plans shall show, at a minimum:

[...]

(B) *Performance standards.* Water quality treatment is typically required for minor stormwater permits.

(1) Water quality treatment is required when either:

(a) The proposed development has a total impervious surface area ratio of 60 percent or greater and disturbs 50 percent or more of the parcel or larger common plan over a five year period; or

(b) The proposed development creates a new impervious surface greater than or equal to 0.25 acres.

(2) For those developments requiring water quality treatment, the following shall be met:

[...]

(3) If the project does not meet the standards of Sec. 19-7.5 (C) (2) (a) and Sec. 19-7.5 (C) (2) (b), stormwater control measures may be sized and located in accordance with the City of Greenville Guidelines for Green Infrastructure and Low Impact Development for the contributing areas that drain to a single-family detached use .

TABLE OF CHANGES

Existing Text

New Text