

	<h2 style="color: green; margin: 0;">REQUEST FOR COUNCIL ACTION</h2> <h3 style="color: green; margin: 0;">City of Greenville, South Carolina</h3> <p style="color: green; margin: 5px 0 0 20px;">TO: Honorable Mayor and Members of City Council</p> <p style="color: green; margin: 0 0 0 20px;">FROM: John F. McDonough, City Manager</p>	<p style="color: green; font-weight: bold; margin: 0;">Agenda Item No.</p> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 5px auto; text-align: center; line-height: 30px; color: green;">15j</div>
---	---	--

Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: June 14, 2021

ORDINANCE/RESOLUTION CAPTION:
 ORDINANCE TO AMEND SECTION 19-1.11, DEFINITIONS, AND TABLE 19-5.1-1 OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY DIMENSIONAL STANDARDS AS RELATED TO IMPERVIOUS LOT COVERAGE STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-17-2021)

SUMMARY BACKGROUND:

Staff submits these text amendments to amend Section 19-1.11, Definitions, and Table 19-5.1-1, so that all nonresidential zoning districts, except for C-4, will limit impervious surfaces to 75% percent for projects adjacent to a single-family residential use, regardless of whether there is an intervening road, alley, easement, right-of-way, common area, detention pond, or utility line, based on contiguous property language identified in Title 5, SC Municipal Corporations, State Enabling Legislation and other nearby jurisdictional language.

These amendments are intended to enhance the quality of life of city residents living near nonresidential uses by reducing impervious surfacing and stormwater runoff adjacent to single-family residential uses.

The City Planning Commission, pursuant to public notice, held a public hearing on June 9, 2021, to consider the proposed text amendments. The application was recommended for approval by a vote of 4-2.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 4-2

IMPACT IF DENIED:

The text amendments will not be approved, and the maximum impervious coverage standards for all nonresidential zoning districts will remain regulated by the existing standards of the Land Management Ordinance.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES	
<p>DocuSigned by:</p> <p>Department Director <u>Jonathan B. Graham</u></p> <p style="font-size: small; color: blue;">219319F5AC3C445...</p>	<p>DocuSigned by:</p> <p>City Attorney <u>Michael Pitts</u></p> <p style="font-size: small; color: blue;">5E0F2A267E2D413...</p> <p>DocuSigned by:</p> <p>City Manager <u>John McDonough</u></p> <p style="font-size: small; color: blue;">FDC2AC15040F440...</p>
<p>OMB Director _____</p>	

A N O R D I N A N C E

TO AMEND SECTION 19-1.11, DEFINITIONS, AND TABLE 19-5.1-1 OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY DIMENSIONAL STANDARDS AS RELATED TO IMPERVIOUS LOT COVERAGE STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-17-2021)

WHEREAS, Chapter 19 of the Code of Ordinances of the City of Greenville, commonly referred to as the Land Management Ordinance (the “LMO”), contains regulations for the establishment of commercial uses, service and industrial uses, and multiple-family dwelling uses; and

WHEREAS, the city of Greenville (the “City”) provides municipal planning and land use services including, but not limited to, land development regulation, zoning, land use planning, permitting, and licensing of businesses and properties, which are vital to the public health, safety, welfare, and quality of life in the City; and

WHEREAS, the City recently adopted its decennial comprehensive plan, entitled GVL2040 (the “GVL2040”); and

WHEREAS, GVL2040 envisions Greenville’s future growth will be directed into higher density nodes or centers located throughout the City and connected by major corridors; and

WHEREAS, City Council desires to protect the character of existing single-family neighborhoods and quality of life for neighborhood residents; and

WHEREAS, GVL2040 recognizes the LMO to required substantial revision in response to the rapid growth the City has experienced since the LMO was last revised almost 14 years ago; and

WHEREAS, GVL2040 calls for an immediate update to the City’s land management regulations and states this as the most critical step to take on the path toward implementation of the node and corridor growth framework; and

WHEREAS, the City has been faced with pressures created by multifamily and commercial development along the City’s major corridors that abut neighborhoods, as well as development of properties within existing neighborhoods; and

WHEREAS, the current LMO does not adequately protect neighborhoods from the impacts associated with concentrated development, including issues related to construction impact, noise, lighting, traffic, design, neighborhood character, height, massing, and form; and

WHEREAS, the City desires to modify Section 19-1.11 and Table 19-5.1-1 of the Code of Ordinances of the City of Greenville (the “City Code”), as shown in the attached Exhibit A; and

WHEREAS, the City Planning Commission, pursuant to public notice, held a public hearing on June 9, 2021, to consider the proposed text amendments, and

WHEREAS, the Planning Commission voted 4-2 to recommend approval of the proposed text amendments as proposed; and

WHEREAS, City Council finds the text amendments to be compatible with the City's Comprehensive Development Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-1.11 and Table 19-5.1-1, of the City Code are hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference. This Ordinance shall be effective upon second and final reading.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT A

Sec. 19-1.11. *Definitions*

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abut, abuts, or abutting means, in general, to share a common boundary, or to be contiguous, with an adjoining parcel of land, regardless of whether there is an intervening road, alley, easement, right-of-way, common area, detention pond, or utility line. However, when used in the context of development standards adjacent to a single-family detached use, *abut, abuts, or abutting* means to share a common boundary, or to be contiguous, with an adjoining parcel of land, excluding any intervening road, alley, easement, right-of-way, common area, detention pond, or utility line.

[...]

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	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	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	40 ^{2, 12}
C-1	See ¹⁰ below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-2	See ^{10, 14} below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	15	40 ^{2, 12}
C-3	See ^{10, 14} below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	10	40 ^{2, 12}
C-4	None	None	100	0	0	0	None ^{7, 12}
RDV	See ¹⁰ below	None	100 ¹⁵	10 (20 Max)	3 ⁵ or 10 ⁶	3 ⁵ or 10 ⁶	40 ^{2, 12}
S-1	See ¹⁰ below	None	100 ¹⁵	10	3 ⁵ or 10 ⁶	10	40 ²
I-1	None	None	100 ¹⁵	25	3 ⁵ or 25 ⁶	10	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 When a nonresidential commercial or multi-family use abuts a property improved with a single-family detached use, the maximum impervious coverage shall be 75 percent and a minimum pervious coverage of 25 percent.

(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)