



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

Agenda Item No.

11d

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

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

AGENDA DATE REQUESTED: June 28, 2021

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE TO AMEND SECTION 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY OUTDOOR DINING ORIENTATION AND OTHER OUTDOOR ACTIVITY STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-11-2021)

SUMMARY BACKGROUND:

Staff submits these text amendments to amend Section 19-6.5.7, Nonresidential Design Standards, to limit orientation of outdoor dining and other outdoor activities as they relate to adjacent residential uses, and also incorporate excessive lighting language.

These amendments are intended to enhance the quality of life of city residents living near nonresidential uses by requiring outdoor dining and activities to be positioned in such a manner that the building shield the dining or activity from any single-family residential use.

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 6-0.

Planning Staff Recommendation: Approve

Planning Commission Recommendation: Approval by a vote of 6-0

IMPACT IF DENIED:

The text amendments will not be approved, and the outdoor dining and other outdoor activity standards will remain regulated by the existing standards of the Land Management Ordinance.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES

DocuSigned by:
Department Director Jonathan B. Graham
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OMB Director _____

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City Attorney Michael Pitts
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City Manager John McDonough

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A N O R D I N A N C E

TO AMEND SECTION 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY OUTDOOR DINING ORIENTATION AND OTHER OUTDOOR ACTIVITY STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-11-2021)

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 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 19-6.5.7 (J), Outdoor Dining, 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 unanimously 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 19-6.5.7(J), Outdoor Dining, of the City Code is 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

Section 19-6.5.7 Nonresidential Design Standards

(J) Outdoor dining and activities.

- (1) Outdoor dining or other outdoor activities that generate noise, as defined by noise standards, Chapter 16, Article II, Division 3 like amplified music, or excessive lighting, as defined by lighting standards, Section 19-6.4, shall not be located on a any building side away from residential districts that abuts a single-family detached use. Any such outdoor dining or activity areas shall be positioned in such a manner that the building shall shield the dining or other outdoor activity from such residential use.