	<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;">11e</div>
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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 SECTIONS 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS, AND 19-6.8.9, MULTIFAMILY DESIGN STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY REFUSE COLLECTION STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-12-2021) (REVISED)

SUMMARY BACKGROUND:

Staff submits these text amendments to amend Section 19-6.5.7, Nonresidential design standards, and Section 19-6.8.9, Multifamily design standards, to prohibit commercial refuse containers between buildings and adjacent residential property.

These amendments are intended to enhance the quality of life of city residents living near nonresidential uses by prohibiting commercial dumpsters between buildings and adjacent residential property.

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 nonresidential and multifamily standards for refuse containers will remain regulated by the existing standards of the Land Management Ordinance.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES

Department Director Jonathan B. Graham
DocuSigned by: 219319F5AC3C445...

OMB Director _____

City Attorney Michael Pitts
DocuSigned by: 5E0F2A267E2D413...

City Manager John McDonough
DocuSigned by: FDC2AC15040F440...

A N O R D I N A N C E

TO AMEND SECTIONS 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS, AND 19-6.8.9, MULTIFAMILY DESIGN STANDARDS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY REFUSE COLLECTION STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-12-2021)

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 Sections 19-6.5.7, Nonresidential design standards, and 19-6.8.9, Multifamily design standards, 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, Sections 19-6.5.7, Nonresidential design standards, and 19-6.8.9 Multifamily design standards, 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

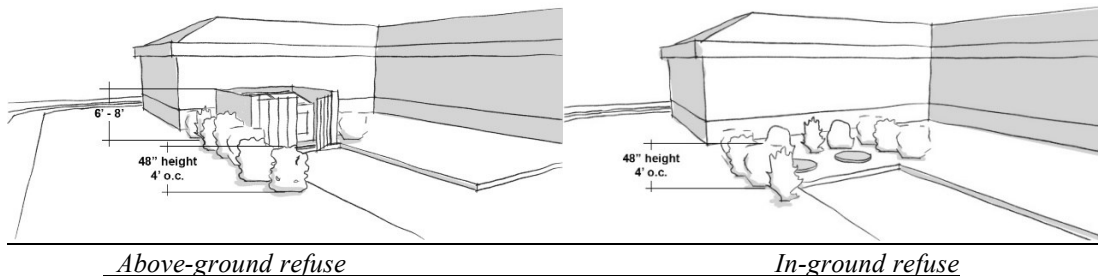
19-6.5.7 Nonresidential design standards(H) *Service areas.*

(1) Refuse collection and service areas shall be fully screened from view from public streets or off-site public open space areas. These areas shall be integrated into the principal building architecture to the maximum extent practicable (see Figure 19-6.5-9).

(2) Above-ground refuse containers ~~Dumpsters, grease traps, etc.~~ shall be located away from adjacent residential dwellings shall comply with the below standards:

a. Above-ground refuse containers shall comply with the applicable setback requirements. No above-ground refuse container shall be located less than fifteen (15) feet from the property line of any abutting property improved with a single-family detached use.

b. Above-ground refuse containers shall be fully screened from the view of adjoining property, public streets, and thoroughfares. Above-ground refuse containers shall be screened on three sides with a permanent building, decorative masonry wall, wood fencing or landscaping, not less than six (6) feet in height or at least one (1) foot above the height of the enclosed dumpster, whichever is greater. In-ground refuse containers shall be screened with evergreen plantings.



(3) Times of Service. Deliveries, waste collection, and similar commercial activity is prohibited between the hours of 10:00 p.m. and 7:00 a.m. ~~6:00 a.m.~~

[...]

19-6.5.8.9 Multifamily design standards(A) *Orientation.*

[...]

(E) *Service areas.*

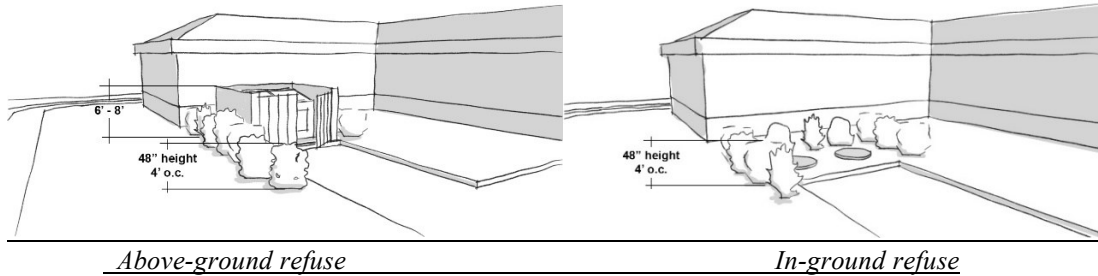
(1) Private storage space shall be provided within, or immediately adjacent to, each dwelling.

(2) Exterior mechanical equipment, vending machines, service and delivery areas, outdoor storage, ~~trash storage~~, and accessory uses and structures that may produce noise, odors, glare, vibration, etc:

- a. Shall be screened from view of public and common areas and adjacent properties (see Figure 19-6.8-5), and
- b. Shall be located away from adjacent residential dwellings or integrated into the building's architecture.

(3) Above-ground refuse containers shall comply with the below standards:

- a. Above-ground refuse containers shall comply with the applicable setback requirements. No above-ground refuse container shall be located less than fifteen (15) feet from the property line of any abutting property improved with a single-family detached use.
- b. Above-ground refuse containers shall be fully screened from the view of adjoining property, public streets, and thoroughfares. Above-ground refuse containers shall be screened on three sides with a permanent building, decorative masonry wall, wood fencing or landscaping, not less than six (6) feet in height or at least one (1) foot above the height of the enclosed dumpster, whichever is greater. In-ground refuse containers shall be screened with evergreen plantings.



(4) Times of Service. Deliveries, waste collection, and similar commercial activity is prohibited between the hours of 10:00 p.m. and ~~7:00~~ 6:00 a.m.