



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

11i

**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 SECTIONS 19-5.2, DEFINITIONS/MEASUREMENTS; 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS; 19-6.8.9, DESIGN STANDARDS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT AND TABLES 19-4.3-1 AND 19-5.1-1 OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY MAXIMUM BUILDING HEIGHT STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-16-2021)

**SUMMARY BACKGROUND:**

Staff submits these text amendments to amend Sections 19-5.2, Definitions/measurements, 19-6.5.7, Nonresidential design standards, 19-6.8.9, Design standards for multifamily residential development, and Tables 19-4.3-1 and 19.5.1-1 to introduce a maximum building height standard for non-residential, multifamily and single-family attached building facades that face towards single-family/duplex uses.

These amendments are intended to enhance the quality of life of City residents living near nonresidential and multifamily uses by reducing the impact of excessive building height, thus protecting light, air, and open space.

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, multifamily, and single-family attached standards for building height 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** \_\_\_\_\_

DocuSigned by:  
**City Attorney** Michael Pitts  
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DocuSigned by:  
**City Manager** John McDonough  
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## A N O R D I N A N C E

TO AMEND SECTIONS 19-5.2, DEFINITIONS/MEASUREMENTS; 19-6.5.7, NONRESIDENTIAL DESIGN STANDARDS; 19-6.8.9, DESIGN STANDARDS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT, AND TABLES 19-4.3-1 AND 19-5.1-1 OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO MODIFY MAXIMUM BUILDING HEIGHT STANDARDS FOR NONRESIDENTIAL USES AND MULTIFAMILY USES ADJACENT TO DETACHED SINGLE-FAMILY RESIDENTIAL USES (Z-16-2021)

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 19-5.2, Definitions/measurements, 19-6.5.7, Nonresidential design standards, 19-6.8.9, Design standards for multifamily residential development, and Tables 19-4.3-1 and 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 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 19-5.2, Definitions/measurements, 19-6.5.7, Nonresidential design standards, 19-6.8.9, Design standards for multifamily residential development, and Tables 19-4.3-1 and 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

**ARTICLE 19-4. USE REGULATIONS**

[...]

**§ 19-4.3 – Use-specific standards**(A) *Household living*

[...]

(2) *High-rise multiple-family dwelling.*

[...]

<b>TABLE 19-4.3-1: DIMENSIONAL STANDARDS FOR HIGH-RISE MULTIPLE-FAMILY DWELLINGS</b>	
Minimum Lot Area	1 acre
Required Front Setback	15 feet
Required Side Setback	15 feet
Required Rear Setback	20 feet
Maximum Height	100 feet <sup>1</sup>
<b>NOTES:</b>	
<sup>1</sup> Building height is subject to Section 19-5.2.9, <i>building height</i> .	

**ARTICLE 19-5. DIMENSIONAL STANDARDS AND MEASUREMENTS**

<b>Table 19-5.1-1: Table of Dimensional Standards</b>							
District or Use	Lots			Setbacks Minimum (feet)			Height Maximum (feet) <sup>8</sup>
	Max. Density and Min. Lot Area (sq. ft.)	Min. Width (feet)	Max. Coverage (percent) <sup>11</sup>	Front <sup>1</sup>	Side	Rear	
<b>RESIDENTIAL DISTRICTS</b>							
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; 15 for other uses	40	20	5 for single-family detached and duplex; 15 for other uses	15	40 <sup>2, 12</sup>
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 <sup>3</sup>	25	25	25	None <sup>2, 4</sup>
Nonresidential uses in all residential districts	None	None	40	25	15	15	40 <sup>2, 12</sup>

Accessory structures			50% of principal structure	NP	5	5	20 <sup>9</sup>
<b>NONRESIDENTIAL DISTRICTS</b>							
OD	See <sup>10</sup> below	None	50	10	3 <sup>5</sup> or 10 <sup>6</sup>	15	40 <sup>2, 12</sup>
C-1	See <sup>10</sup> below	None	100	10	3 <sup>5</sup> or 10 <sup>6</sup>	15	40 <sup>2, 12</sup>
C-2	See <sup>10, 14</sup> below	None	100	10	3 <sup>5</sup> or 10 <sup>6</sup>	15	40 <sup>2, 12</sup>
C-3	See <sup>10, 14</sup> below	None	100	10	3 <sup>5</sup> or 10 <sup>6</sup>	10	40 <sup>2, 12</sup>
C-4	None	None	100	0	0	0	None <sup>7, 12</sup>
RDV	See <sup>10</sup> below	None	100	10 (20 Max)	3 <sup>5</sup> or 10 <sup>6</sup>	3 <sup>5</sup> or 10 <sup>6</sup>	40 <sup>2, 12</sup>
S-1	See <sup>10</sup> below	None	100	10	3 <sup>5</sup> or 10 <sup>6</sup>	10	40 <sup>2</sup>
I-1	None	None	100	25	3 <sup>5</sup> or 25 <sup>6</sup>	10	40 <sup>2</sup>
Accessory structures			10	NP	3 <sup>5</sup>	3 <sup>5</sup>	20 <sup>9</sup>
<p>NOTES:</p> <p><sup>1</sup> See subsection 19-5.2.4(B), setback, front.</p> <p><sup>2</sup> See subsection 19-5.2.9(C)(1), <del>general</del>, <u>building height</u>.</p> <p><sup>3</sup> See subsection 19-5.2.10, Lot coverage.</p> <p><sup>4</sup> See subsection 19-5.2.9(C)(2), high-rise apartments.</p> <p><sup>5</sup> Zero lot line or common wall construction is allowed.</p> <p><sup>6</sup> If adjacent to a residential district.</p> <p><sup>7</sup> Height may be limited by design guidelines for the central business district.</p> <p><sup>8</sup> See subsection 19-5.2.9, building height.</p> <p><sup>9</sup> See subsection 19-4.4.2(E), maximum height.</p> <p><sup>10</sup> No minimum lot area, maximum residential density is 20 units/acre.</p> <p><sup>11</sup> Total impervious area shall not exceed 60 percent for lots with single-family detached homes and duplex dwellings, per section 19-6.9.</p> <p><sup>12</sup> Single-family detached homes limited to 35 feet in height.</p> <p><sup>13</sup> Development within the Unity Park Neighborhood District shall comply with the Table of Dimensional Standards in the Unity Park Neighborhood District Code.</p> <p><sup>14</sup> 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).</p>							

## ARTICLE 19-5. DIMENSIONAL STANDARDS AND MEASUREMENTS

[...]

### § 19-5.2 – Definitions/measurements

[...]

#### § 19-5.2.9. Building height

(A) *General*. Building height is the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.

(B) *Exceptions.* Spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housings, mechanical equipment or other such structures placed above the roof level and not intended for human occupancy shall not be subject to height limitations.

(C) *Building height increases.*

(1) With the exception of single-family detached dwellings, duplexes, and their related accessory structures in established single-family residential areas, and with the further exception of buildings listed in the subsections below, buildings may exceed the maximum building height permitted in the zoning district pursuant to Table 19-5.1-1, table of dimensional standards, in the following ways:

a. Building sides facing property improved with other than single-family detached use(s).

i. Increase in building height, above the maximum permitted by the assigned zoning district, may occur through either a step-back design approach or entire building wall setback, as permitted hereunder:

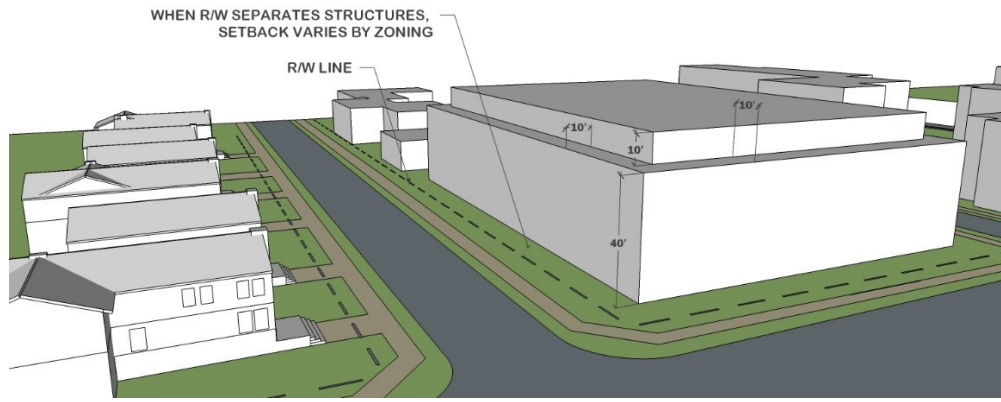
1. Building Wall Step-back:

- a. A building wall step-back may occur at least ten (10) horizontal feet measured from the building façade; and
- b. There shall be no greater than a twenty (20) foot vertical distance in between step-backs.

2. Entire building wall setback:

- a. The entire building wall facing a single-family use shall be setback from the property line of any abutting property improved with a single-family use at a minimum ratio of one (1) horizontal foot for each two (2) vertical feet of additional building height above the maximum.

~~buildings may exceed the base height allowed in certain zoning districts if the minimum rear setbacks and the minimum side setbacks required for the district are increased one foot for each three two feet by which the height of the building exceeds the maximum height pursuant to Table 19-5.1-1, table of dimensional standards.~~



b. Commercial and multi-family building sides that face abutting property improved with single-family detached use(s).

- i. Increase in building height, above the maximum permitted by the assigned zoning district and not to exceed fifty (50) feet in total height, may occur through either a step-back design approach or entire building wall setback, as permitted hereunder:

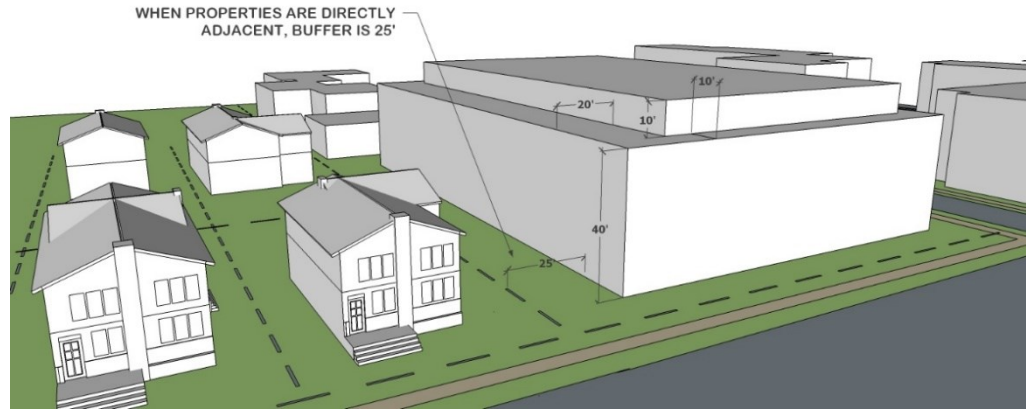
1. Building Wall Step-back:

- a. A building wall setback may occur at least twenty (20) horizontal feet measured from the building façade; and
- b. There shall be no greater than a twenty (20) foot vertical distance in between step-backs.

2. Entire building wall setback:

- a. The entire building wall facing a single-family use shall be setback from the property line of any abutting property improved with a single-family use at a minimum ratio of one (1) horizontal foot for each one (1) vertical foot of additional building height above the maximum, beginning at the forty-five (45) foot setback line.

- b. At a setback between 25 feet and 45 feet from the property line adjacent to a single-family use, buildings shall not exceed the maximum building height permitted in the zoning district



~~(2)~~ *High-rise apartments.* No portion of a high-rise apartment shall project through imaginary planes leaning inward over the lot from the side and rear lot lines of the lot at angles representing six feet in height for each one foot of horizontal distance from such lot lines.

**ARTICLE 19-6. DEVELOPMENT AND DESIGN STANDARDS**

[...]

**§ 19-6.5. Design standards for nonresidential development.**

[...]

*§ 19-6.5.7. Nonresidential design standards*

[...]

*(A) Orientation*

[...]

~~(5) Nonresidential buildings shall not exceed 150 percent of the height of an adjacent single family detached dwelling, or shall be stepped back from the lot line such that the lowest portion of the building is the portion closest to the single family detached dwelling. Maximum building height is subject to Section 19-5.2.9, building height.~~

[...]

**§ 19-6.8. Design standards for multifamily residential development**

[...]

*§ 19-6.8.9. Multifamily design standards*

[...]

*(B) Setbacks and height*



- (1) Front setbacks shall be within 75 and 125 percent of the average setback of existing structures along the same block face, provided that no building shall encroach upon the minimum setback requirement (see Figure 19-6.8.2). In cases where the average front setback is not discernible (e.g. the block face is vacant or lacks more than one building), the minimum front setback shall be established by the base zoning district standards.
- (2) All multifamily residential buildings, regardless of height, shall provide a minimum 25-foot setback from the lot line of any abutting property improved with an existing single-family detached use or a parcel zoned R-6 or R-9.~~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.~~
- (3) Maximum building height is subject to Section 19-5.2.9, building height.