	<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="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;">15a</div>
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Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: August 9, 2021

ORDINANCE/RESOLUTION CAPTION:
 ORDINANCE TO AMEND SECTIONS 19-1.11, DEFINITIONS, AND 19-6.1, OFF-STREET PARKING AND LOADING, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO DEFINE THE TERM 'ADAPTIVE REUSE', CREATE ELIGIBILITY CRITERIA FOR ADAPTIVE REUSE PROJECTS, AND REDUCE MINIMUM PARKING REQUIREMENTS FOR ELIGIBLE ADAPTIVE REUSE PROJECTS (Z-28-2021)

SUMMARY BACKGROUND:

Staff submits these text amendments to amend Section 19-1.11, Definitions, and Section 19-6.1, Off-street parking and loading, to create eligibility criteria for adaptive reuse projects and reduce minimum parking requirements for eligible projects. Specifically, to allow the reduction of minimum parking requirements by twenty-five percent for eligible adaptive reuse projects.

These changes are needed to maintain the premises of the Land Management Ordinance's purpose which, among other things, is to ensure compatibility between neighborhoods and surrounding uses as well as to create a more harmonious community.

These amendments are intended to enhance the quality of life through the encouragement of redevelopment, renovation, and reuse of existing buildings in order to preserve neighborhood character, promote smaller-scale economic development, and the activation of neighborhood nodes and corridors.

The City Planning Commission, pursuant to public notice, held a public hearing on July 15, 2021, to consider the proposed text amendments. The application was recommended for approval by a vote of 6-0.

Planning Staff Recommendation: Approve

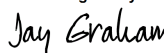
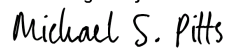
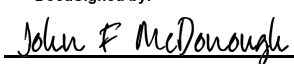
Planning Commission Recommendation: Approval by a vote of 6-0.

IMPACT IF DENIED:

The text amendments will not be approved, and existing non-residential buildings and properties will remain regulated by the existing standards of the Land Management Ordinance.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES			
<p>Department Director</p> <div style="border: 1px solid black; border-radius: 10px; padding: 5px; margin: 5px 0;"> <small>DocuSigned by:</small>  <small>219319F5AC3C445...</small> </div>	<p>City Attorney</p> <div style="border: 1px solid black; border-radius: 10px; padding: 5px; margin: 5px 0;"> <small>DocuSigned by:</small>  <small>5E0F2A267E2D413...</small> </div>	<p>City Manager</p> <div style="border: 1px solid black; border-radius: 10px; padding: 5px; margin: 5px 0;"> <small>DocuSigned by:</small>  <small>EDC2AC15040E440</small> </div>	<p>OMB Director</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>

A N O R D I N A N C E

TO AMEND SECTION 19-1.11, DEFINITIONS, AND SECTION 19-6.1, OFF-STREET PARKING AND LOADING, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO DEFINE THE TERM “ADAPTIVE REUSE,” CREATE ELIGIBILITY CRITERIA FOR ADAPTIVE REUSE PROJECTS, AND REDUCE MINIMUM PARKING REQUIREMENTS FOR ELIGIBLE ADAPTIVE REUSE PROJECTS (Z-28-2021)

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 19-1.11, Definitions, and 19-6.1, Off-street parking and loading, 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 July 15, 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 19-1.11, Definitions, and Section 19-6.1, Off-street parking and loading, 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.

[...]

Accessory use means a use of land or building (or a portion thereof) that is subordinate to, and customarily associated with, the principal use.

Adaptive reuse means the process to reconfigure or remodel an existing building and accommodate a new use or a new purpose other than original.

Addition means a new structure on a site with an existing structure, or a new component to an existing structure, which causes an extension or increase in floor area or height of a building or structure.

[...]

Sec. 19-6.1. Off-street parking and loading.

19-6.1.1. *Intent.* The intent of this section is to allow flexible methods of ~~providing to provide~~ provide an adequate number of parking and loading spaces, ~~while creating to create or improving~~ improve a pedestrian-oriented community, and ~~reducing~~ reduce excessive paved surfaces which may otherwise lead to unnecessary heat buildup and stormwater runoff.

19-6.1.2. *Applicability.*

- (A) *General.* The off-street parking, bicycle parking, and loading standards of this section shall apply to any new building constructed and to any new use established.
- (B) *Exemptions:* ~~The off-street parking and loading standards of this section shall not apply~~
- (1) The off-street parking and loading standards shall not apply in the C-4 district. However, prior to issuance of any building permit or certificate of occupancy, whichever is issued first, the owner of any new building constructed or any new use established in the C-4 district shall submit to the administrator an estimate of the parking requirements that the building or use is expected to generate, based on the ratios established in this section, and an indication of where or how that parking will be provided.
 - (2) The off-street parking and loading standards of this section shall not apply to historic properties or properties located in a preservation overlay district.
 - (3) The off-street parking, bicycle parking, and loading standards of subsections 19-6.1.2 and 19-6.1.3 shall not apply to parking areas which constitute the principal use of a site (commercial parking lots and parking structures).
 - (4) The maximum off-street parking standards of subsections 19-6.1.2 and 19-6.1.3 shall not apply to developments which incorporate a parking structure.
- (C) *Expansions and alterations.* The off-street parking, bicycle parking, and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking, bicycle parking, and loading spaces shall be required to serve on the enlarged or expanded area, provided that in all cases the number of off-street parking, bicycle parking, and loading spaces provided for the entire use (pre-existing plus expansion) must equal at least 75 percent of the minimum ratio established in this section.

(D) *Change of use.* With the exception of projects that are eligible for adaptive reuse parking reductions pursuant to Section 19-6.1.5(F), off-street parking, bicycle parking and loading shall be provided for any change of use pursuant to the following:

- (1) If the change of use constitutes less than 50 percent of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 75 percent of the minimum ratio established by this section and provided further that compliance can be achieved in conformance with subsection 19-9.1.1(B).
- (2) If the change of use constitutes 50 percent or more of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section to the greatest extent practicable as determined by the administrator provided the off-street parking and loading requirements equal at least 100 percent of the minimum ratio established by this section and provided further that compliance can be achieved in conformance with subsection 19-9.1.1(B).

19-6.1.3. *Off-street parking requirements.*

[...]

19-6.1.5. *Computation of parking and loading requirements.*

- (A) *Fractions.* When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half shall be rounded down to the next lower whole number and any fraction of one-half or more shall be rounded up to the next higher whole number.
- (B) *Multiple uses.* Except as provided in subsection 19-6.1.8, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.
- (C) *Gross floor area.* With regard to the parking standards in this section, square footage refers to the gross floor area of a building, excluding warehouse and storage space which is accessory to the primary use. With regard to the loading standards in this section, square footage refers to the total gross floor area of a building.
- (D) *Parking for unlisted uses.* Parking requirements for uses not specifically listed in Table 19-6.1-1 shall be determined by the administrator based on the provisions of Schedule B.
- (E) *Reduction of automobile parking for bicycle parking.* The administrator may reduce the required number of off-street parking spaces by one automobile space for every six, or portion thereof, bicycle parking spaces provided.
- (F) *Reduction of automobile parking for adaptive reuse projects.*

(1) Eligibility. To qualify for a parking reduction, adaptive reuse projects shall satisfy the following criteria:

- (a) The existing building(s) shall be at least twenty-five (25) years old and constructed in accordance with building and zoning codes in effect at the time of construction; and
- (b) A minimum of 50% of the total building area shall be converted to a land use category other than the land use category for which the building was originally designed, pursuant to Table 19-4.1-2, Table of Uses.

(2) Parking Reduction.

- (a) The minimum number of parking spaces required per Table 19-6.1-1 may be reduced by 25% for eligible adaptive reuse projects. Where a mix of uses is proposed, the 25% reduction shall be applied to the minimum parking requirement for each individual land use type.
- (b) Maximum parking space allowances shall remain applicable to eligible adaptive reuse projects pursuant to Table 19-6.1-1, *Off-Street Parking Requirements*.
- (c) Shared parking arrangements are encouraged for adaptive reuse projects pursuant to Section 19-6.1.9(A). Shared parking studies for eligible adaptive reuse projects may apply the 25% reduction offered under this sub-section to determine minimum parking requirements for each individual land use type.
- (d) Expansions/additions to the floor area of a building(s) associated with an eligible adaptive reuse project shall comply with the minimum parking requirements of Table 19-6.1-1 and shall not be included within the 25% minimum parking reduction.

[...]

19-6.1.9. *Parking alternatives.* The administrator may approve alternatives to providing the number of off-street parking spaces required by subsection 19-6.1.3, in accordance with the following standards:

(A) *Shared parking.* The administrator may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards:

- (1) *Location.* If located off-site, the shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.
- (2) *Shared parking study.* A shared parking study that clearly demonstrates the feasibility of shared parking shall be submitted to the administrator. The study must be provided in a form established by the administrator. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Use of data provided in Table 19-6.1-7 may be accepted as a shared parking study.

**Table 19-6.1-7: Shared Parking Demand by Land Use and Time of Day
(Percentages are based on minimum parking requirements)**

Land use	Weekday		Weekend		Nighttime (12:00 midnight— 6:00 a.m.)
	Daytime (6:00 a.m.—5:00 p.m.)	Evening (5 p.m.—12:00 midnight)	Daytime (6:00 a.m.—5 p.m.)	Evening (5:00 p.m.—12:00 midnight)	
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Residential	30%	90%	80%	90%	100%
Restaurant	50%	100%	100%	100%	10%
Hotel/motel	75%	100%	75%	100%	75%

Entertainment	40%	100%	80%	100%	10%
Religious institution	10%	30%	100%	30%	5%

To use Table 19-6.1-7:

- 1) Determine the minimum parking requirements in accordance with Table 19-6.1-1 for each land use as if it is a separate use. Per Section 19-6.1.5(F), eligible adaptive reuse projects may apply a parking reduction for each individual land use type for the purpose of determining minimum parking requirements.
- 2) Multiply each amount by the corresponding percentages for each of the five time periods.
- 3) Calculate the total for each time period.
- 4) Select the column with the highest total and use this number as the required minimum number of parking spaces.

- (3) *Agreement for shared parking.* A shared parking plan (where the minimum required parking spaces are provided off-site) will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the administrator in a form established by the city attorney. The agreement must be recorded with the country register of deeds before issuance of a building permit for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of subsections 19-6.1.2 and 19-6.1.3.

[...]