



GREENVILLE COUNTY COUNCIL

Committee of the Whole

Minutes

April 6, 2021

4:07 p.m.

County Square – Conference Room D

Council Members

Mr. Willis Meadows, *Chairman, District 19*

Mr. Dan Tripp, *Vice Chairman, District 28*

Mrs. Xanthene Norris, *Chairman Pro Tem, District 23*

Mr. Joe Dill, *District 17*

Mr. Mike Barnes, *District 18*

Mr. Stephen Shaw, *District 20*

Mr. Chris Harrison, *District 21*

Mr. Stan Tzouvelekas, *District 22*

Mrs. Liz Seman, *District 24*

Mr. Ennis Fant, Sr., *District 25*

Mr. Lynn Ballard, *District 26*

Mr. Butch Kirven, *District 27*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online and on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

None

Staff Present

Joe Kernell, *County Administrator*

Mark Tollison, *County Attorney*

Kim Wunder, *Assistant County Attorney*

John Hansley, *Deputy County Administrator*

Regina McCaskill, *Clerk to Council*

Jessica Stone, *Deputy Clerk to Council*

Paula Gucker, *Assistant County Administrator, Public Works*

Tee Coker, *Planning Director*

Tyler Stone, *Planning Department*

Call to Order

Chairman Willis Meadows

Invocation

Councilor Chris Harrison

Item (3) Approval of Minutes

Action: Councilor Seman moved to approve the minutes of the March 16, 2021, Committee of the Whole meeting.

Motion carried unanimously.

Item (4) Unified Development Ordinance (UDO) Presentation

Presented by: Tyson Smith, *White and Smith, LLC*
Kelly Cousino, *White and Smith, LLC*
Sean Scoopmire, *White and Smith, LLC*
Chris Hermann, *MKSK*
Juliana Silveira, *MKSK*
Kelly McCormick, *Kendig Keast Collaborative*
Ashley Smith, *Kendig Keast Collaborative*
Tim Green, *Clemson University*

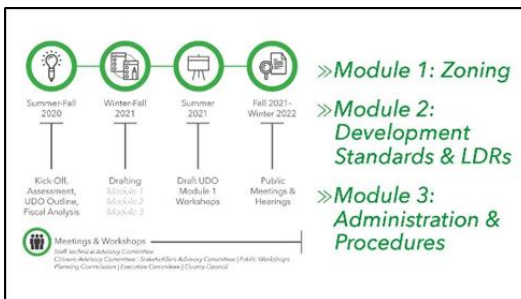
Presenter:
Tyson Smith



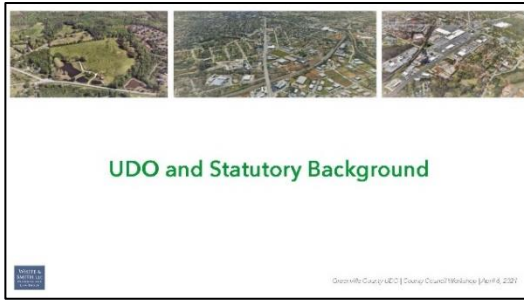
Mr. Smith stated the last update to the UDO (Unified Development Ordinance) was presented in November of 2020. He stated it was important to touch base with Council at this point, prior to embarking on Module I in the development of the UDO.



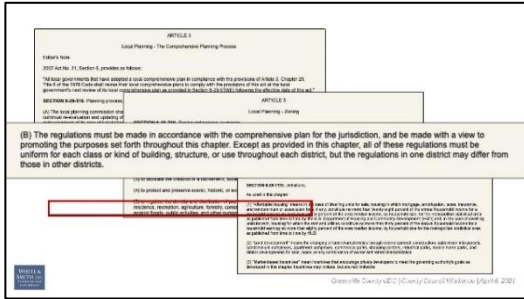
The grayed out items had been completed as discussed in November. Following the meeting, the UDO Outline and Fiscal Analysis was completed. Since that time, work continued on Module I which included Zoning, Land Use Regulations, Land Use Table and Rezone and “Initial Zoning” Procedures. The tasks in Module I were “big items” in Greenville County, with its complex land use landscape and its complex regulatory environment.



The project was on schedule to be completed by the end of 2021. It was hoped to have Module I completed by June. Public Hearings and Final Hearings were on schedule for the Winter of 2021 – 2022.



Mr. Smith stated there were three main parts to the South Carolina statutes that address land use; planning, local planning, zoning and Land Development Regulations. The planning portion of the statute was fairly straightforward; the County completed that part with MKSK in the latter part of 2019. As the process moved into implementation, it was important to determine which rules applied and how it would be structured. In South Carolina, the Planning Act split zoning into Land Development Regulations. Mr. Smith stated the statute was a “bit outdated.” There was some confusion throughout the state regarding what was considered zoning and what was considered land use regulation.

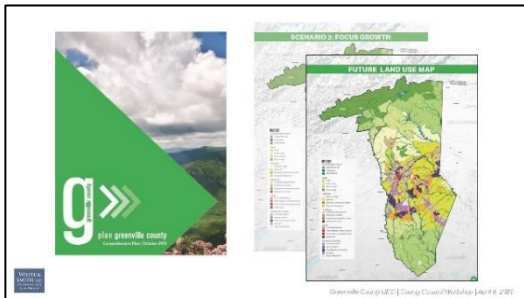


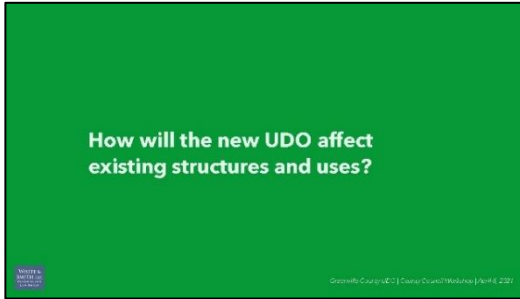
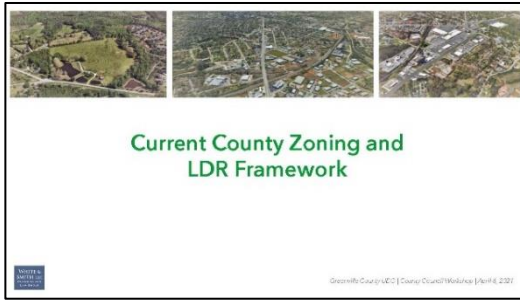
It appeared the Legislature intended for Land Development Regulations to include, in large part, subdivisions; however, it did cover a number of other areas that fell into the category, or overlapped, the area of zoning. Mr. Smith stated this had been a conundrum in Greenville County, as well as throughout the rest of the State.

Article V. stipulated that regulations must be made in accordance with the Comprehensive Plan, which was referred to as the Consistency Doctrine. There must be consistency between zoning and planning. While the State was not necessarily a rigorous nexus, there had to be a lack of inconsistencies.

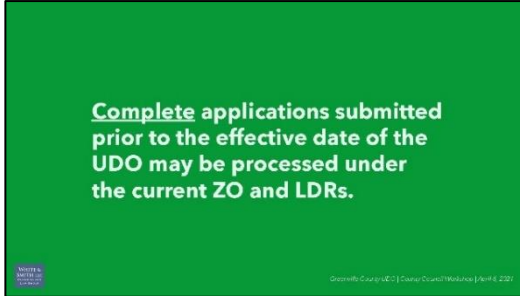


After considering three different scenarios for growth, Greenville County chose “Focused Growth” which became the County’s Comprehensive Plan Future Land Use Map (FLUM). The areas on the map (left) were not specific property lines; they were place types, character areas and general identification of how the County anticipated development. The map would be used in the development of zoning in the UDO.

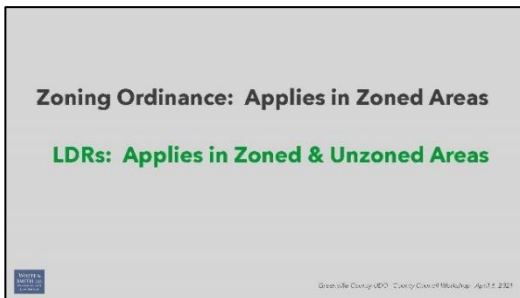




If a lot, structure or use was made non-conforming by a revision to the code, including the UDO, it could still be used, unless or until, the owner decided to make a change. If a non-conforming use ceased for six (6) months, the re-established use on the property had to conform with the new code. For example, if a property was currently used as retail and the code changed or the UDO no longer allowed retail, the retail use could continue as long as it was in place. However, if the property was abandoned for six (6) months, the new use would have to comply with the new code.



Mr. Smith stated any applications prior to the effective date of the UDO may be processed under the current Zoning Ordinance and Land Development Regulations, to the extent there was any conflict. There would be no amortization requirement or anything else that would make it necessary to proactively get rid of a structure or a use, unless the owner decided to abandon the property.



There was quite a bit of confusion in determining what was included in a Zoning Ordinance and what was included in Land Development Regulations. No major changes to the County’s zoning map were anticipated during the UDO process; focus would be on the text of the Zoning Ordinance and the Land Development Regulations. The overarching goal of the UDO project was to merge the two aspect of regulation and clean up the code in general.

Zoning Ordinance

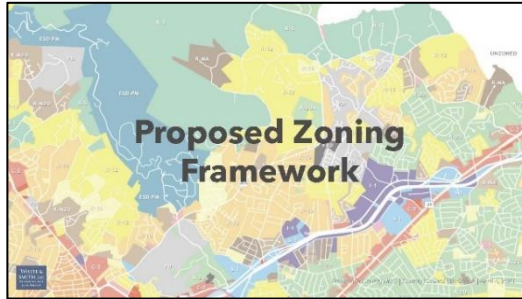
- Land Use & Density
- Site Development Standards
- Related Procedures & Approval Standards

LDRs

- Subdivision of Land
- Street Classifications & Stds.
- Water, Sewer, Stormwater
- Standards for:
 - Industrial & Commercial
 - Multi-Family & Group Development
 - Mixed Use
 - Manufactured Homes & RV Parks
 - Review Districts
- Density and Lot Size in special cases

Greenville County UDO - County Council Meeting - April 5, 2021

The County’s current Zoning Ordinance and Land Use Regulations were outlined as shown.



Unified Development Ordinance

- Land Use & Density
- Subdivision of Land
- Site Development Standards
- Street Classifications & Stds.
- Water, Sewer, Stormwater
- Standards for:
 - Industrial & Commercial
 - Multi-Family & Group Development
 - Mixed Use
 - Manufactured Homes & RV Parks
 - Review Districts
- Related Procedures & Approval Standards

Purpose: To combine the Zoning Ordinance with the LDRs, to make it easier for property owners to know what applies to their property.

Density and lot size rules for currently Unzoned Properties will not change during UDO process.

Greenville County UDO - County Council Meeting - April 5, 2021

The purpose of the UDO was to merge the Zoning Ordinance with the Land Development Regulations into a single document. The objective of the process was to make it easier for property owners to know what applied to their property. They would be able to look at one document and know what they could and could not do on their property. If a property wanted to do something they were not currently allowed to do, the UDO would specify what process was needed, such as a variance, rezoning, map amendment, text amendment, etc. Citizens would no longer be confused about the process. Both the Zoning Ordinance and the Land Development Regulations had not been revised in a wholesale way in quite some time. Part of the objective was to clean up the documents, remove any inconsistencies, clarify unclear items and implement the Comprehensive Plan, to the extent possible.

No density or lot size rules were anticipated to change for current unzoned properties during the UDO process. Mr. Smith stated there was quite a bit of discussion in the community about the Land Development Regulations, unzoned vs. zoned, Article 3.1, etc. None of those issues would be changed in the UDO process.

Staff to bring proposed rezonings, if any, to Council following UDO adoption.

Unzoned areas are not proposed for zoning as part of the UDO.

But, what about the Mill Villages?

Greenville County UDO - County Council Meeting - April 5, 2021

Staff would submit suggestions for remapping to Council, after adoption of the UDO and the applicable rules were fixed. Most communities found it to be too difficult to take on a code rewrite and create wholesale changes to a zoning map at the same time. It appeared County staff was more comfortable with rezoning requests in an unzoned area that were initiated by a property owner. There would be cases where a county or a city should be proactive in that regard.

Mr. Smith stated that unzoned areas were not proposed for any zoning as part of the UDO process. However, if a property owner wanted to request zoning for their unzoned property, the current process would proceed as normal. There were number of areas in the UDO that would touch on zoning; one of those areas was the Mill Villages. They were part of the Comprehensive Plan; staff felt that the current codes were simply not adequate to allow redevelopment in those areas.

County staff felt it was important to discuss the mill villages as part of the presentation. It was suggested to bring forth not only standards related to the mill villages but to highlight areas that could possibly be subject to an overlay or the remapping process.

Vice-Chairman Tripp stated he understood combining the Land Development Regulations and Zoning; it made sense from a planning perspective. He inquired how the Comprehensive Plan Map fit into the process; it was his understanding that it would become part of the UDO. Mr. Tripp stated the Comprehensive Plan was what was wanted; however, it was not restrictive in nature. He asked if the UDO utilized the Comprehensive Plan Map, would it become part of the ordinance that would take a vote of County to possible change. Mr. Tripp inquired about the statutory foundation or basis of the UDO; was it required by State statute or was Greenville County undertaking the process in order to have a more uniform planning process.

Mr. Smith stated the Comprehensive Plan was a document to guide implementation and zoning ordinances; however, it was not “written in stone.” In some states, the Comprehensive Plan was more firm. The Future Land Use Map would not become the zoning map; it would guide recommendations. An example would be a section of the Future Land Use Map that was green and in a rural area; underlying that section would be a series of zoning categories, which would reflect the history of Greenville County. Mr. Smith stated the Zoning Map would not be “all green”; however, they would look at the applicable standards and what the Future Land Use Map said about those districts moving forward. To the extent those standards could be implemented into the current zoning regulations without being too disruptive, the move would be to implement the Comprehensive Plan without throwing out zoning and “plopping” in the Future Land Use Map.

The UDO should be thought of as simply structural; it was not required by State statute but was the direction many jurisdictions in South Carolina were heading, due to the confusion in keeping the Zoning Ordinance and the Land Development Regulations separate. The UDO had nothing to do with the content.

Vice-Chairman Tripp stated Council would be voting on the *Five Forks Area Plan*; he was unsure how it interfaced with the Comprehensive Plan. Mr. Tripp stated it appeared to be more restrictive than the Comprehensive Plan. He inquired as to how the UDO would impact area plans.

Mr. Smith stated the area plans would be studied the same way as the Comprehensive Plan, which would guide them in the development of the revised code.

Vice-Chairman Tripp inquired if the UDO would be implemented through an ordinance, with a majority vote of Council, and if any changes would be processed in the same manner.

Paula Gucker confirmed the process of implementation and revision of the UDO would be by ordinance.

Chairman Meadows asked if the goal was to implement the Comprehensive Plan.

Mr. Smith stated once the Comprehensive Plan was adopted, any change to the Zoning Ordinance must be in accordance with the plan. There was very little case law regarding when a change was not in accordance with the Comprehensive Plan. The purpose of the proposed rewrite was a “clean up process” to clarify and streamline regulations. It was not an uncommon process in many communities, although it may have different titles. In York County, it was called the *Recode Project*. Implementation of the Comprehensive Plan would be part of the process, in order to inform proposals to Council for approval.

Councilor Dill requested clarification regarding non-conforming properties. It was his understanding it would only be a problem if the owner changed the use of a property. Mr. Dill stated that was not current Greenville County law regarding non-conforming properties.

Mr. Smith stated if a retail shop was located on a property with a storage building located behind the shop. The storage building was lawful and conformed to the zoning code until Council voted to make the setback larger. At that time, the storage building was no longer conforming. Mr. Smith stated the building could remain on the property; changes could be made to the building as long as a change did not encroach on the setback. However, if the owner were to demolish the building, it could only be rebuilt as a conforming structure. Mr. Smith stated uses were different. If the new zoning code made the current land use illegal, the owner could continue the same use unless the use was discontinued for a period of six (6) months. There was the abandonment period associated with uses as opposed to no abandonment period for structures.

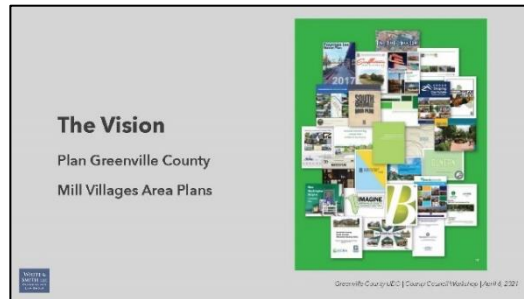
Councilor Kirven stated when discussions regarding the UDO first began, one of the goals was efficiency; it would take less time to process applications through building permits or subdivisions approvals. Mr. Kirven asked if efficiency, consistency and predictability were realistic goals of the UDO.

Mr. Smith stated those items were certainly realistic goals for the UDO. Changes to the rezoning process would be discussed later in the presentation that would effectuate the proposed goals. One concern were areas where variances were consistently being sought for the same reason, such as a neighborhood where rear yard setbacks were needed for all or most of the properties. As a matter of policy, staff may simply grant a variance for all the properties, rather than having individual property owners apply for single variances.

Presenter:
Kelly Cousino



Kelly Cousino stated the Comprehensive Plan recognized the mill villages as cultural resources; it identified the need for the County to continue to preserve and enhance them as part of its identity. Staff and other stakeholders had indicated that development in the mill villages could be challenging as the current zoning code had standards that were geared toward more suburban style and large lot development. For example, the minimum front setback for many of the residential districts was 20 feet; homes in the mill villages were often built closer to the front lot line. The UDO was a great opportunity to consider how the Zoning Ordinance and the Land Development Regulations could better reflect existing development in the mill villages so that new development and redevelopment better reflected the character of the communities.



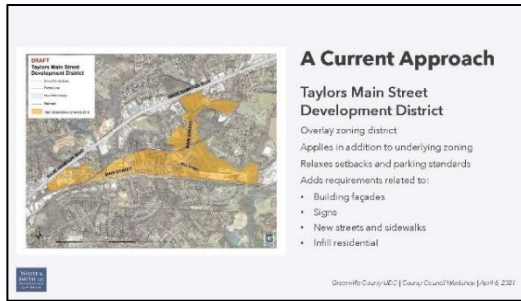
Ms. Cousino stated when considering ways to implement different standards in the mill villages, a number of different things were taken into account, starting with the policy guidance that was set forth in the Comprehensive Plan and the adopted Area Plans for the mill villages.

TRN TRADITIONAL NEIGHBORHOOD	NBD NEIGHBORHOOD BUSINESS
<p>Place Type Characteristics</p> <p>Traditionally, neighborhoods are characterized primarily by early and mid-century single-family homes with open lots. Including more recent developments and other neighborhoods. These neighborhoods are characterized by a mix of lot sizes and building styles. They are typically located in the central and inner-ring areas of the county. They are typically characterized by a mix of lot sizes and building styles. They are typically located in the central and inner-ring areas of the county.</p>	<p>Place Type Characteristics</p> <p>Neighborhoods are designed to support a mix of uses and are typically located in the central and inner-ring areas of the county. They are typically characterized by a mix of lot sizes and building styles. They are typically located in the central and inner-ring areas of the county.</p>
<p>Primary Uses Single-family detached and attached housing</p>	<p>Primary Uses Commercial, mixed-use</p>
<p>Secondary Uses Small-scale detached buildings, civic and institutional facilities, etc. (e.g., community center, neighborhood center, etc.)</p>	<p>Secondary Uses Small-scale detached buildings, civic and institutional facilities, etc. (e.g., community center, neighborhood center, etc.)</p>
<p>Open Space 1 to 20, depending on lot</p>	<p>Open Space 1 to 20, depending on lot</p>
<p>Transportation Accessible to transit, pedestrian, and bicycle facilities; neighborhood center and transit stop</p>	<p>Transportation Walk, light of way to transit, pedestrian, and bicycle facilities; neighborhood center and transit stop</p>
<p>Parking On-street, on-lot, garage off-street, on-lot, and shared off-street</p>	<p>Parking On-street, on-lot, garage off-street, on-lot, and shared off-street</p>
<p>Open Space Neighborhood park</p>	<p>Open Space Neighborhood park</p>

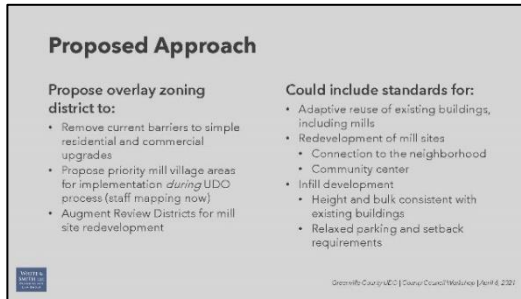
The Comprehensive Plan Land Use Map designated most of the mill villages as a combination of Traditional Neighborhood and Neighborhood Business place types. Once a zoning approach for the mill villages was settled, that part of the Comprehensive Plan would be used to guide the development of specific standards for those areas.

- What we heard from stakeholder focus groups:**
- Encourage **adaptive reuse** of existing buildings
 - **Minimize setbacks** in urban and traditional neighborhoods
 - Adjust setback and other standards to **allow for manufactured housing** as an affordable housing option
 - Consider existing design and setback standards
 - **House orientation is important**
 - **Sidewalks** are appropriate in the more urban mill villages, but maybe not in the more rural mill villages
 - **BUT** narrow right-of-way of varying widths, mostly owned by SCDOT, present a challenge for the installation of a consistent, connected sidewalk system

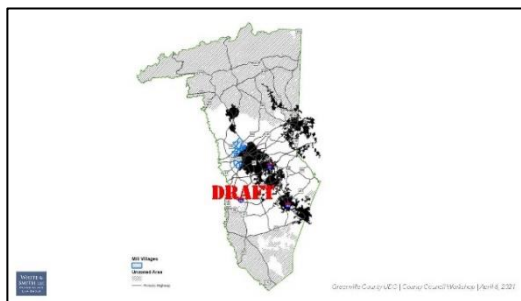
A number of issues were identified during the stakeholder focus groups such as reuse of existing buildings, challenges with setbacks, placement of manufactured housing, building orientation and sidewalks. As regulations and/or recommendations were being crafted, those issues would be addressed.



The County’s current approach to similar situations, such as the Taylors Main Street Development District, would also be considered in setting standards for the other mill villages.



An overlay zoning district would be proposed to remove barriers to simple residential and commercial upgrades to avoid the need for review districts. There may be a proposal to prioritize some mill village areas during the UDO process. They may also propose augmentation of the review districts for redevelopment of the mill sites; addressing them as individual review districts probably made sense. Mill specific standards could be put in place, as well.



Councilor Dill asked if the UDO would affect the covenants of a mill village; many of the covenants in place were drawn up years ago.

Ms. Cousino stated zoning would not affect private covenants; they would continue to apply to the properties. She added it would be beneficial to review them. The covenants would not take precedence over zoning; the two would apply equally.

Councilor Harrison stated some of the mill villages overlapped in the City of Greenville. He assumed they would be reviewed to ensure there were no conflicts with the city’s plans and ordinances. Mr. Harrison asked if areas such as Poinsett Highway, that were not technically inside a mill village, would be considered.

Ms. Gucker stated the issue of the Poinsett District actually initiated the discussion that led to the overall discussion of all of the mill villages.



Updated Land Use Table
Organize uses into broad categories

Use	U-1	U-2	U-3	U-4	U-5	U-6	U-7	U-8	U-9	U-10	U-11	U-12	U-13	U-14	U-15	U-16	U-17	U-18	U-19	U-20	
Administrative																					
Business/Professional																					
Community																					
Education																					
Employment																					
Healthcare																					
Manufacturing																					
Office																					
Public																					
Residential																					
Retail																					
Special Use																					
Transportation																					
Utilities																					
Warehousing																					

Ms. Cousino stated the current land use table was featured to the left with land uses alphabetized. Some uses had a tendency to fall together on the table such as Automotive uses; however, Church and Mega-church were not together on the table. It made sense to be able to look at all the related uses together.

Updated Land Use Table
Organize uses into broad categories

Use	U-1	U-2	U-3	U-4	U-5	U-6	U-7	U-8	U-9	U-10	U-11	U-12	U-13	U-14	U-15	U-16	U-17	U-18	U-19	U-20	
Business/Professional, Scientific, & Technical																					
Communications & Information																					
Corporate Headquarters																					
Data Centers																					
Laboratories, Scientific and Technical																					
Office Business																					
Printing/Manufacturing																					
Research & Development																					

The table to the left was a proposal to group related uses together into broader categories as well as adding new uses such as Communications and Information, which allow the collapse of several uses into a larger category.

Updated Land Use Table
Add new uses, assign to districts, and add conditions where appropriate

- Short-term rentals
- Agricultural processing, storage, and support services
- Missing Middle Housing types
- Non-depository financial institutions
- Communications and information
- Small wireless facilities

Ms. Cousino stated they planned to add new uses, assign them to districts and add conditions where appropriate.

Vice-Chairman Tripp asked if conditions were being added to land use or was it just a compilation of what was already in the Ordinance Code.

Ms. Cousino stated any conditions that currently applied to particular uses would be carried forward to see if they were still relevant. There may not be conditions for all the new uses identified; however, there may some uses that require conditions. The use could be conditional that only required staff approval or it could be a special exception that would be addressed by the Board of Zoning Appeals. Council’s feedback on any new or revised conditions would be addressed.

Councilor Harrison stated he was very excited about the new proposed land use table. He asked if they were just looking at collapsing uses or would they propose expanding uses as well. He cited gyms as an example with mega-gyms and personal training gyms; they were currently classified as one use.

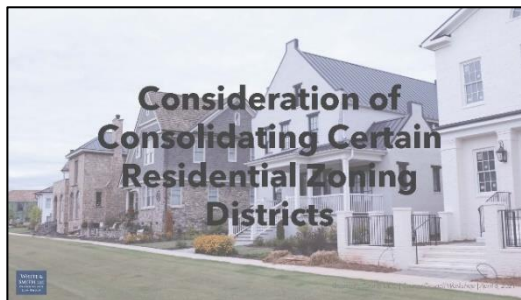
Ms. Cousino stated they normally combined uses such as gyms. Certain uses may have significant impacts. For example, retail use such as a “big box” may continue to have certain conditions. There would still be lines for individual uses that may have conditions or make sense in certain districts. Proposed changes to zoning districts would be discussed later in the presentation. Certain uses may necessitate the need for smaller lines in the table to address specific uses such as delis or bookstores, in certain neighborhoods where there was no desire to open the area for general retail.

Updated Land Use Table

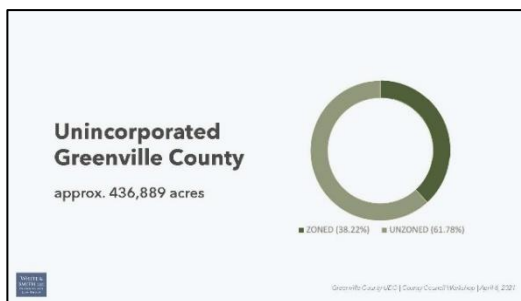
Review and confirm level of approval for allowed uses

Greenville County (2021) County Council Work/Agenda April 6, 2021

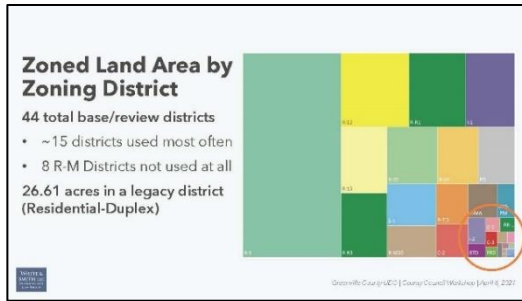
The level of approval for allowed uses would also be addressed on the updated land use table. It was important to determine if the approval process made sense for the use or if certain conditions needed to be implemented to make the use more appropriate without having to go through the special exception process.



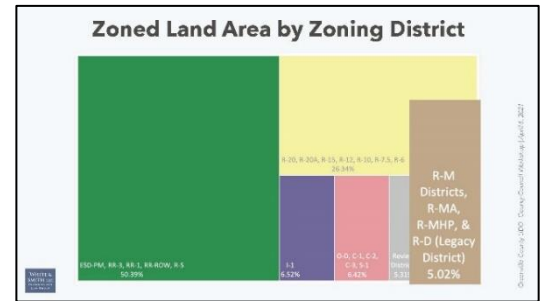
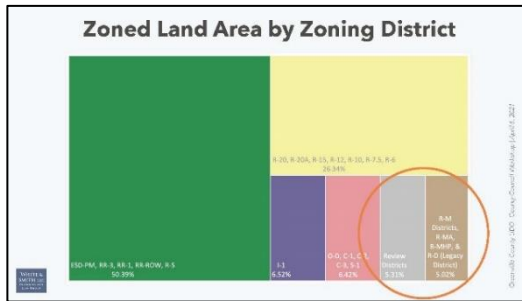
Ms. Cousino stated during the Stakeholder’s Focus Groups it was stated the County had a large number of residential zoning districts, which was true. There was a need to see if some of those districts could be eliminated or consolidated.



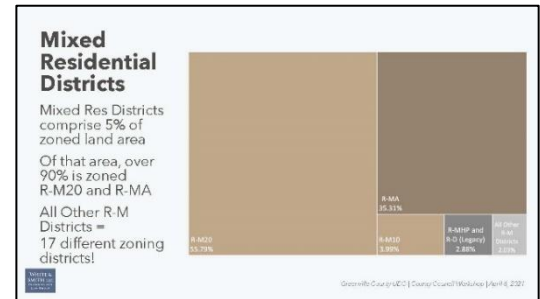
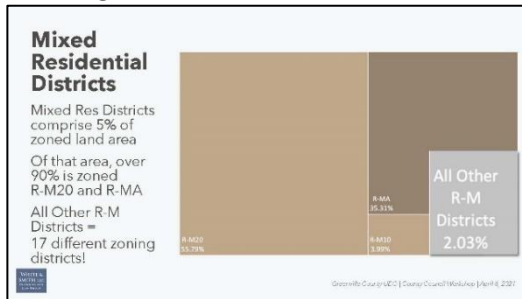
Ms. Cousino stated just under 40% of the unincorporated area of the County was zoned while approximately 60% was unzoned. The following charts were an analysis of the zoned areas.



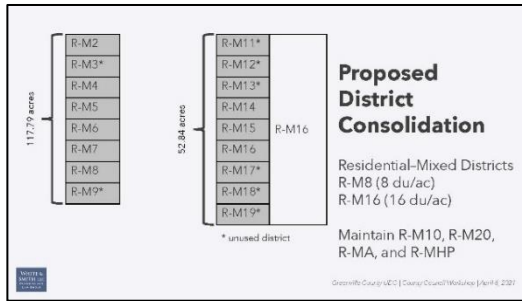
Each individual zoning district was plotted out; the chart referenced the relative percentage of each zoning district in terms of the County’s unincorporated zoned land area. Out of a total of 44 base or review districts, approximately 15 were used most often and 8 R-M districts were not used at all. A small area of 26.61 acres were located in an obsolete Residential-Duplex legacy district. The circled areas were where changes could be made to the districts.



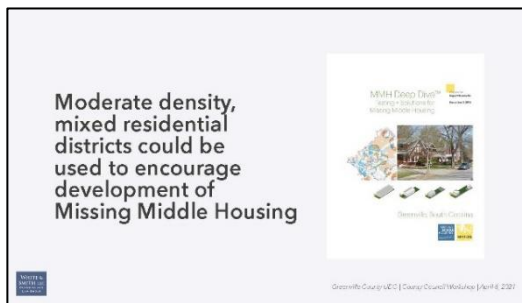
The zoning districts were grouped which revealed that about 50% of the land was in a Rural Residential zoning district. A little over 25% of the land was located in a Single Family Residential districts, a “good chunk” in I-1 and about the same amount in the other commercial districts. Ms. Cousino stated that, again, changes could be made to the areas grouped in the lower right corner.



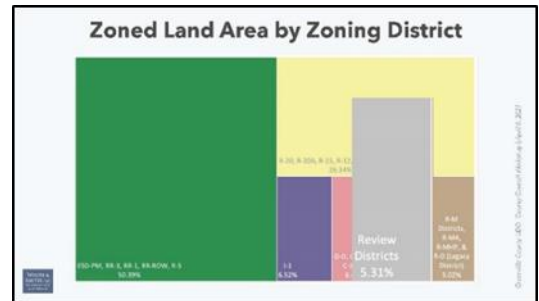
Mixed residential districts comprised 5% of the zoned land area. Of that area, over 90% was zoned R-M20 or R-MA, both of which allowed for the highest densities that could be achieved in Greenville County. The R-M10 comprised about 4% of the zoned land, which was a moderate density district; just under 3% was in the R-MHP districts and the Duplex District. The small gray box in the corner represented 2% of the zoned land and was comprised of 17 different zoning districts.



Ms. Cousino stated they planned to propose a consolidation of some of the mixed residential districts into basically two (2) districts. The low-to-moderate density districts, with up to 8 dwelling units per acre, would be consolidated into the R-MA district; the moderate-to-high density districts, with up to 16 dwelling units per acre, would be consolidated into the R-M16 district. The other R-M districts would remain; there was a substantial amount of land that was already zoned in those districts. The proposal would increase property rights to the areas with densities less than R-M8 or R-M16.



A Missing Middle Housing report was completed a couple of years ago. Moderate density, mixed residential districts could be used to encourage the development of Missing Middle Housing.



Review Districts comprised a little over 5% of the zoned area of the County; approximately 70% of that area was zoned P-D with a fair amount of I-2, BTM and FRD. The Planned Office District and the Neighborhood Commercial Review District together comprised about 1.5% of the Review District area.

Planned Office District (POD)

Consider making POD a legacy district
 Incorporate POD development standards into Office District (O-D):

- Outdoor lighting
- Signs
- Vehicular and pedestrian access

Greenville County (2021) County Council (Webinar) | April 6, 2021

Ms. Cousino stated they wanted to consider making POD a legacy district and incorporate POD development standards into an Office District (O-D), an existing base zoning district in the County. Those standards included outdoor lighting, signs as well as vehicular and pedestrian access that currently only apply in the Planned Office district.

Neighborhood Commercial (NC)

Consider making this a base district (i.e., not a review district)
 Carry forward current development standards, including:


- Location on collector or arterial street
- Building size limits
- Outdoor lighting
- Signs
- Vehicular and pedestrian access

Greenville County (2021) County Council (Webinar) | April 6, 2021

Along similar lines with Neighborhood Commercial (NC), they would propose making it a base zoning district, which would not require a site plan. Development standards such as limiting location on collector or arterial streets, building size limits, outdoor lighting, signs as well as vehicular and pedestrian access would be carried forward.

Potential New Districts

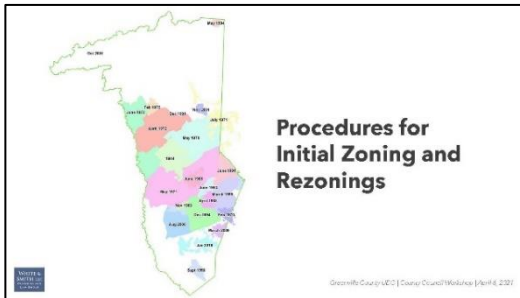
- Agricultural
- Rural Village
- Rural Corridor



Greenville County (2021) County Council (Webinar) | April 6, 2021

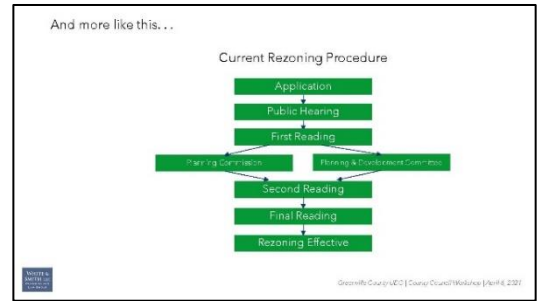
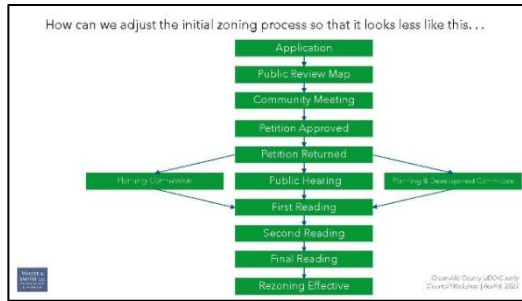
The lack of a true agricultural zoning district in Greenville County was a concern. There was quite a bit of emphasis in the Comprehensive Plan about preserving agricultural areas and working farms. Ms. Cousino stated a recommendation to consider adopting an Agricultural zoning district would be made along with Rural Village and Rural Corridor districts. Those place types were recommended in the Comprehensive Plan. Standards for those proposed districts would be drafted during the UDO process but would not be mapped.

Presenter:
 Tyson Smith



Councilor Dill inquired about the dates indicated on the above map.

Mr. Smith the dates represented when the corresponding section was zoned.



Mr. Smith stated when a property owned wanted to zone their property located in an unzoned area, they had to go through a fairly complicated process which could take anywhere from a year to two (2) years to be completed. The team was proposing that the process look a little more like the normal rezoning process, which took about 90 days to complete.

Proposed Approach

Eliminate referendum process (never used) No decision made 04-06-21

Streamline the process for initial zonings

- The petition process requires only 60% of landowners to support the initial zoning request
- Which suggests 40% of landowners in an unzoned area could be zoned unilaterally by the County, by "petition" of their neighbors
- In practice, the County hasn't zoned without 100% landowner consent

Propose a simplified, 100% landowner driven application process

Greenville County (DEC) | County Council Workshop | April 6, 2021

There were currently two (2) processes used for rezoning in the unzoned area of the County; the referendum process and the petition process. The proposed new approach would eliminate the referendum process, which had never been used. The petition process was unique in that it required only 60% of landowners in the area to support the initial zoning request to be approved by Council. In practice, the County had not zoned without 100% landowner consent.

Councilor Ballard stated 7,700 acres located in his district were zoned a couple of years ago. While all the percentage requirements were met, not all of the affected property owners in the petition area agreed with the rezoning.

Mr. Smith stated that scenario was a good example of what was being addressed and could actually be an outlier; they had been informed that landowner consent to rezoning request that was less than 100% never happened. Council Members had to determine if they wanted to allow similar scenarios in the future or streamline the process.

Vice-Chairman Tripp asked why the proposal included elimination of the referendum process. The proposal appeared to be a staff-controlled process as opposed to a citizen-input process. The referendum and petition processes were both "people driven." Eliminating them would reduce the process to either staff approval or Council approval.

Mr. Smith stated Council would always have to vote on a zoning request; the proposal was landowner driven, not staff driven. Under the proposal, Council would have the ability to zone land that did not have 100% landowner approval.

Ms. Gucker stated staff had discussed the referendum process with several groups and none of them wanted to use it, due to length of time involved and how cumbersome the process was. All the groups were interested in the petition process, which would remain in place with the proposed changes. In the scenario presented by Mr. Ballard, the landowners that did not

want to be zoned remained unzoned. The intent of the proposal was to simply streamline the process for the landowner as well as Council in determining how to vote on a request.

Vice-Chairman Tripp inquired how the referendum was initiated.

Ms. Gucker stated she was under the impression that a referendum had to be initiated by citizens.

Mr. Tollison stated the referendum process had simply not been attractive to landowners and had never been utilized.

Mr. Smith stated Council could not simply defer to a referendum; however, a referendum could be used to help Council in its decision-making process. If Council wanted an area to be zoned, the item could be placed on the agenda and would be subject to normal zoning procedures.

Councilor Dill stated he was in favor of streamlining the process. To eliminate the referendum process could have repercussions; he would prefer it remain in place. Mr. Dill asked if there was a way to require that a request for zoning remain the same throughout the entire process. He was also concerned that only the people in an unzoned area that wanted zoning could be zoned, unless Council unilaterally decided to zone the area.

Mr. Smith stated the referendum process could remain intact for now; Council could make its final decision later. In regards to streamlining the initial process, Council would only consider proposed zoning in the unzoned area if initiated by the landowners. That requirement would not take away Council's power as a legislative body if they wanted to zone an area.

Vice-Chairman Tripp asked if "donut holes" would be created if the 40% requirement was eliminated.

Councilor Barnes asked if the 60% requirement referred to that percentage of land or landowners.

Ms. Gucker stated it referred to 60% of the landowners.

Mr. Smith stated the proposal would allow any landowner to request initial zoning on land contiguous to a zoned area, regardless of size. Currently, there was a floor of at least a square mile on property size to obtain initial zoning for non-contiguous property. He stated Council would have to decide if that requirement should remain in place or if any contiguous property size should be considered.

Ms. Gucker stated in light of the fact that the meeting had run over its allotted time, the presentation slides would be provided for Council's review and they could direct their questions to her or to her staff.

Proposed Approach

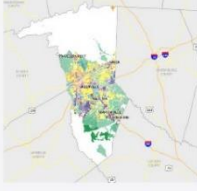
Allow any landowner to request initial zoning of lands contiguous to a zoned area, regardless of size

Allow non-contiguous landowners to request initial zoning with:

- 100% property owner consent
- Minimum area - what is the right number?
- Current minimum is 640 acres (1 sq mi)

Continue staff outreach, as appropriate to the case

- Community presentations
- Consultation on appropriate zoning districts
- Application assistance



Greenville County/UCO | County Council/Workshop | April 6, 2021

In summary, during the UDO project, we will:

- Combine Zoning Ordinance and LDR provisions into a single document
- Leave unzoned areas unzoned (except by property owner request)
- Propose areas for initial Mill Village zoning/overlay zoning
- Leave any other proposed rezoning requests to follow UDO adoption (except by property owner request)
- Propose improvements to the current Land Use Table
- Consolidate some R-M zoning districts
- Make POD and NC legacy districts
- Develop new base zoning district standards for:
 - Neighborhood Commercial
 - Agricultural
 - Rural Village
 - Rural Corridor
- Streamline, simplify "initial zoning" processes

Greenville County/UCO | County Council/Workshop | April 6, 2021



UDO Input & Comments

Tyler Stone, Long Range Planning Manager
Greenville County Planning & Zoning
astone@greenvillecounty.org
(864) 467-7279

Item (5) Board and Commission Appointments

a. Committee on Finance

i. Arena District (3 vacancies)

On behalf of the Committee, Councilor Dan Tripp presented the names of Amber Drummond (D.25), Brittany Moore (D.20), and Neil Smith (D.20) to fill three vacancies on the Arena District.

Action: Councilor Seman moved to close nominations and elect by acclamation Amber Drummond, Brittany Moore and Neil Smith to fill three vacancies on the Arena District Board.

Motion carried unanimously.

ii. Greenville Area Development Corporation (GADC) (3 vacancies)

On behalf of the Committee, Councilor Dan Tripp presented the names of Patrick Epps (D.21), Beverly Haines (D.27) and Joy Hemphill (D.26) to fill three vacancies on the Greenville Area Development Corporation.

Action: Councilor Seman moved to close nominations and elect by acclamation Patrick Epps, Beverly Haines and Joy Hemphill to fill three vacancies on the Greenville Area Development Corporation Board.

Motion carried unanimously.

b. **Planning and Development Committee**

i. **Historic Preservation Commission** (1 vacancy)

On behalf of the Committee, Councilor Joe Dill presented the name of Caroline Schroder (D.24) to fill one vacancy on the Historic Preservation Commission.

Action: Councilor Seman moved to close nominations and elect by acclamation Caroline Schroder to fill one vacancy on the Historic Preservation Commission.

Motion carried unanimously.

c. **Public Works and Infrastructure Committee**

i. **Greenlink Board (GTA)** (1 vacancy)

On behalf of the Committee, Councilor Liz Seman presented the name of David Mitchell (D.23) to fill one vacancy on the Greenlink Board.

Action: Councilor Seman moved to close nominations and elect by acclamation David Mitchell to fill one vacancy on the Greenlink Board.

Motion carried unanimously.

ii. **Parks, Recreation and Tourism Advisory Committee** (3 vacancies)

On behalf of the Committee, Councilor Liz Seman presented the names of Kristen Cassell (D.24), Jasper Puckett (D.27) and Judy Wilson (D.20) to fill three vacancies on the Parks, Recreation and Tourism Advisory Committee.

Action: Councilor Seman moved to close nominations and elect by acclamation Kristen Cassell, Jasper Puckett and Judy Wilson to fill three vacancies on the Parks, Recreation and Tourism Advisory Committee.

Motion carried unanimously.

Item (6) Special Tax District Appointments

a. **Boiling Springs Fire District** (2 vacancies)

Action: Councilor Harrison moved to close nominations and elect by acclamation Cedric Brown and J.R. Christy to fill two vacancies on the Boiling Springs Fire District Board.

Motion carried unanimously.

b. **Brookfield Tax District** (1 vacancy)

Action: Councilor Harrison moved to close nominations and elect by acclamation Donald Cranfill to fill one vacancy on the Brookfield Tax District Board.

Motion carried unanimously.

c. **Buxton Tax District** (1 vacancy)

Action: Councilor Meadows moved to close nominations and elect by acclamation Lauran Switzer to fill one vacancy on the Buxton Tax District Board.

Motion carried unanimously.

d. **Devenger Tax District** (3 vacancies)

Action: Councilor Harrison moved to close nominations and elect by acclamation Greg Horrocks, Bruce Latham and Jon Pasek to fill three vacancies on the Devenger Tax District Board.

Motion carried unanimously.

e. **Freetown Community Special Tax District** (2 vacancies)

Action: Councilor Norris moved to close nominations and elect by acclamation Peggy Adams-Robinson and Joyce Miles to fill two vacancies on the Free Community Special Tax District Board.

Motion carried unanimously.

Item (7) Greenville Technical College Area Commission (1 vacancy) / Interviews and Appointment

The following individuals appeared before the Committee of the Whole and gave their personal presentations:

JeVarus Howard (D.19)
Kenneth Southerlin, Sr. (D.17)

By ballot vote, Kenneth Southerlin was elected to fill one vacancy on the Greenville Technical College Area Commission

Item (8) Greenville Area Development Corporation / Creation of an Ex-Officio Seat

Chairman Meadows transferred the gavel to Vice Chairman Dan Tripp.

Action: Councilor Meadows moved to amend Section VI(b) of the Bylaws of the Greenville Area Development Corporation (GADC) in order for the Greenville County Auditor to serve as *ex officio* on the Board of Directors. Creating this permanent board membership would support the GADC's mission of promoting and overseeing economic development efforts in the County

which positively impacts employment opportunities, the County's tax base and the County's bond ratings.

Section VI(b) would be amended as follows:

Section VI(b). Number, Terms and Qualifications. The number of Directors constituting the Board of Directors shall be not less than nine (9) nor more than ~~fifteen (15)~~ sixteen (16). The Directors shall be elected from two classes: (i) Class I shall consist of not less than six (6) nor more than twelve (12) members who are citizens-at-large and who are residents of the County; and (ii) Class II shall consist of ~~three (3)~~ four (4) members, two (2) of whom are *ex officio* members who serve by virtue of the respective office of Chairman and Vice-Chairman of the Greenville County Council ("Council"), and one (1) of whom is an at-large member of Council, and one (1) of whom is an *ex officio* member who serves by virtue of the office of Greenville County Auditor.

Councilor Meadows stated Scott Case, County Auditor, currently served on the GADC Board and was responsible for overseeing financial documents related to redevelopment in Greenville County. However, Mr. Case could only be appointed to the board twice and he was currently serving his second term. If the proposed amendment was approved, the position of County Auditor would become an *ex officio* member of the board, serving by virtue of the office of Greenville County Auditor.

Councilor Kirven stated Mr. Case was Treasurer of the GADC Board, a Certified Public Accountant and the County Auditor. The Auditor had an important role to play when new industries came to Greenville County and his expertise was vital. Mr. Kirven stated he supported the proposed amendment.

Councilor Ballard asked if Mr. Case's service on the GADC Board was a conflict of interest with his position as County Auditor.

Mr. Tollison stated it was not a conflict of interest, in his opinion.

Action: Councilor Dill moved to amend Section VI(b) of the Bylaws of the Greenville Area Development Corporation (GADC) for the Greenville County Auditor to serve *ex officio* on the Board of Directors.

Motion carried unanimously.

Item (9) Adjournment

Action: Councilor Dill moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 5:42 p.m.

Regina G. McCaskill
Clerk to Council