

AN ORDINANCE**AN ORDINANCE TO AMEND SECTION 15-102 OF GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS (APRIL 2018 (With Amendments through January 2, 2024)) CONCERNING ADDITIONAL CITIZEN INPUT AND ELIMINATING STAFF RECOMMENDATIONS ON APPROVALS.****BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:**

The Greenville County Development Regulations, as amended, are hereby amended as follows (~~added language in red type and removed language is stricken~~):

§ 1.6.3 Variances.

Whenever, in the opinion of the Planning Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties, hardships, or injustices, the Planning Commission may modify such requirements so that the applicant is allowed to develop his property in a reasonable manner. The public interests of the county and its citizens are to be protected ~~and the primary consideration of the Planning Commission~~ and the general intent and spirit of these regulations will be preserved. Community Planning, Development and Public Works Department staff will solicit comments from the ~~citizens and the~~ Subdivision Advisory Committee regarding the variance request. ~~The Planning Commission shall allow for, and provide for, citizens to comment, present data, present demonstratives, and present each and every reasonable element for their opposition to the variance. In no way shall citizens have less than forty-five minutes of Planning Commission meeting time to oppose any variance request. Further, at the application for a variance, the affected Council member of the subject property's council district shall be given immediate notice of the variance application through the council member's official county email address.~~

3.3.2 Pre-Submittal Meeting.

~~Pre-Submittal Meetings are highly recommended, but not required unless an incomplete, inaccurate, or erroneous process submittal is not accepted.~~ ~~Pre-Submittal Meetings are required. Further, the applicant must organize and conduct a meeting with the community of citizens affected by the submittal as a prerequisite for submittal. This requirement shall be satisfied by contacting the affected Council member of that District by his or her official county email and allowing that Councilmember a reasonable opportunity to notify the affected local community within his or her District. If the Council member does not respond to the request within three (3) business days, the requirement shall be considered satisfied.~~ This is to identify the proper process and ensure that the applicant can meet approval criteria, therefore streamlining reviews. Pre-Submittal Meetings for subdivisions are scheduled with Subdivision Administration in accordance with the Subdivision Activity Calendar.

3.3.3 Submittal Requirements

Application for preliminary approval of a subdivision plan shall be submitted to the Community Planning, Development and Public Works Department according to the Subdivision Activity Calendar available at the Department office or on the County website. A copy of the preliminary plan of the subdivision shall be such as to meet the minimum requirements contained herein. Upon confirmation that an application is complete and using the proper process, the applicant will be provided with signs to be posted in prominent places on or adjacent to the subject property as directed by staff. At the time the developer posts the required subdivision notice signs, the location of the centerlines of any proposed new roads which intersect the existing road will be staked and flagged. Land Development Regulations Greenville County, South Carolina Article 3 Signs should remain posted until the Planning Commission meeting and removed by the applicant within 48 hours of Planning Commission action.

After acceptance and posting, the preliminary plan is submitted to the Subdivision Advisory Committee (SAC) for their **hearing from the public**, review and recommendations. The Authorized Representative will ensure that all comments made at the Subdivision Advisory Committee, **including a full summary of objections raised by the public at the SAC** meeting are fully addressed on the plan during an identified revision period. It is this revised plan that is submitted for the Planning Commission's review and approval, hold, or denial. **Greenville County Planning Staff's role in the subdivision process is as a critical technical consultant, finder of fact, and application processor. However, the Greenville County Planning Staff shall make no recommendation as to the approval or disapproval of any application by the SAC, Planning Commission, or the County Council.**

3.3.5 Plan Review

The SAC is made up of representatives of the following organizations as well as others which the Department may request, **any interested person shall be considered a member of the SAC and be afforded equal time as the following to present concerns verbally and demonstrably at the actual meeting:**

- A. Emergency Management Service Representative
- B. Governing Fire District
- C. Greenville County Engineering and Maintenance Division
- D. Greenville County Floodplain Management Division
- E. Greenville County Land Development Division
- F. Greenville County School District
- G. Greenville Water and/or Appropriate Water System
- H. MetroConnects: Sustainable Wastewater Solutions and/or Appropriate Sewer Subdistrict
- I. REWA – Renewable Water Resources
- J. SCDHEC – Department of Health and Environmental Control

- K. Environmental Quality Control and Health Department
- L. SCDOT – South Carolina Department of Transportation

The SAC will meet at least 3 days prior to the Planning Commission meeting. The Authorized Representative is required to attend the SAC meeting and the Planning Commission meeting as noted on the application for preliminary approval. Any interested citizens may attend **and participate in**, this meeting for information about the subdivision **and be afforded reasonable and equal time to present concerns verbally and demonstrably at the actual meeting**. Upon review of the subdivision by the SAC, a recommendation is made to the Planning Commission. Based on the recommendation of the SAC, and the Community Planning, Development and Public Works Department staff, the Planning Commission may approve, deny, amend or hold the proposed subdivision plan. Such action on the application must occur within 60 days of the date of submittal. An application may be held beyond 60 days by mutual agreement between the applicant and Planning Commission/Staff.

Section 2. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2024.

ATTEST:

Regina McCaskill
Clerk to Council

Dan Tripp, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator