

PLANNING & ZONING

A Story of Bad Neighbors, Incompatibility, Separation, and Reunion

Presentation by City of Greenville Planning Staff

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city of
greenville

Upstate Forever Citizen's Planning Academy

City of Greenville Planning & Development Division

- Staff support for Design Review Board, Board of Zoning Appeals, and Planning Commission
- Comprehensive plan
- Review of development projects and proposals
- Building permit review
- Zoning administration and enforcement
- Subdivision review
- Addressing
- Sign permits
- And much more!

PLANNING & ZONING

MISSION STATEMENT

Our mission is to work towards improving the quality of life for the citizens of Greenville. Staff members work with various [boards and commissions](#) including the Planning Commission, the Design Review Board and the Board of Zoning Appeals.



ZONING APPLICATIONS

Residential, subdivision, business, encroachment and zoning permits are online.



SIGNS

Sign regulations ensure public safety, protect property values and maintain visual standards.



COMPREHENSIVE PLAN

You are invited to participate as we create a vision for Greenville in the next 20 years.



UPCOMING PROJECTS

All upcoming planning and zoning applications are available for public review.



CONDITIONAL USE PERMITS

Businesses open after midnight need to apply for review and recommendation.



LANDSCAPING & TREES

Learn about city ordinances about trees on public and private property in the city limits.

Presentation Overview

Part 1 – Today's Session

- Planning & Zoning: A History
- Zoning 101: The Basics
- Q&A

Part 2 – Next Wednesday, June 3rd

- Zoning Today: Trends and Alternatives
- Zoning Practice: Group Exercise



ZONING PERMIT APPLICATIONS

Planning and zoning permit applications are not accepted after 4 p.m. daily and not after 2 p.m. on the day of deadline.

RESIDENTIAL DEVELOPMENT PERMITS

SUBDIVISION PERMITS

BUSINESS-RELATED PERMITS

ENCROACHMENT PERMITS

ZONING-RELATED PERMITS

- [Address Change Form](#): Required when requesting a change in current address of a property.
- [Rezone - Basic](#): Required to change the zoning designation of a property, except Planned Development District
- [Rezone - Planned Development \(PD\) Application](#): Required to change the zoning designation of a property to Planned Development District, or to modify an existing Planned Development District
- [Rezone - Flexible Review District \(FRD\) Application](#): Required to change the zoning designation of a property to Flexible Review District, or to modify an existing Flexible Review District
- [Final Development Plan \(PDF\)](#): Required to approval construction plans for all or a portion of a Planned Development District
- [Appeal of Administrator's Decision \(PDF\)](#): Required if it is alleged that a staff member misinterpreted or misapplied a provision of the Land Management Ordinance
- [Waiver of Time Limit \(PDF\)](#): Required for a denied application to be reconsidered earlier than prescribed in the Land Management Ordinance
- [Text Amendment \(PDF\)](#): Required to modify any provision of the Land Management Ordinance
- [Traffic Impact Analysis Warrant Form \(e-form\)](#): Complete this form to determine if a Traffic Impact Analysis is required for a project.
- [Street Name Change \(PDF\)](#): Required to establish or modify the name of a street
- [Storm Water Variance \(PDF\)](#): Required when requesting relief from the standards prescribed by the storm water provisions of the Land Management Ordinance


DOWNTOWN CHATTANOOGA FORM-BASED CODE



Presentation Overview



zoning noun

zon·ing | \ 'zō-niŋ  \

Definition of zoning

: the act or process of partitioning a city, town, or borough into zones reserved for different purposes (such as residence or business)

also : the set of ordinances by which such zones are established and regulated

// voted to change the town's *zoning*

// *zoning* laws



PLANNING & ZONING

A History

Why Zoning? Historical Forces



Industrialization



Urbanization



Population Increase



Public Health



Urban Planning

Planning & Development



Automobile

Aldred's Case (1611)

- Historical nuisance case
- “No right to maintain a structure upon his own land, which, by reason of disgusting smells, loud or unusual noises, thick smoke, noxious vapors, the jarring of machinery, or the unwarrantable collection of flies, renders the occupancy of adjoining property dangerous, intolerable, or even uncomfortable to its tenants...”



<https://imgflip.com/memetemplate/114061905/Pig-sty>

Zoning in the United States

- Police powers of state and local governments
 - “health, safety, and public welfare”
- First zoning ordinances in U.S.
 - Los Angeles, CA (1908)
 - New York City (1916)
- Standard State Zoning Enabling Act (1924)



Legal Challenges

- **Hadacheck v. Sebastian (1915)** – upheld LA zoning laws restricting industrial uses in residential areas
- **Euclid v. Ambler Realty (1926)** – upheld constitutionality of zoning ordinances; necessary instrument for municipal planning
- **Warth v. Seldin (1975)** – court dismissed a lawsuit by housing activists alleging zoning was making housing unaffordable
- **Renton v. Playtime Theatres, Inc. (1986)** – local governments can regulate adult businesses, including time, manner, and place
- **Reed v. Town of Gilbert (2015)** – restricted the ability of local governments to regulate signs based on content

Zoning in South Carolina

- General Assembly authorized municipal planning and zoning in 1924; county zoning in 1942
- Today, all comprehensive plans, zoning regulations, and land development plans must comply with the **Local Government Comprehensive Planning Enabling Act of 1994**



Zoning in South Carolina

SECTION 6-29-710. Zoning ordinances; purposes.

(A) Zoning ordinances must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. To these ends, zoning ordinances must be made with reasonable consideration of the following purposes, where applicable:

- (1) to provide for adequate light, air, and open space;
- (2) to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- (3) to facilitate the creation of a convenient, attractive, and harmonious community;
- (4) to protect and preserve scenic, historic, or ecologically sensitive areas;

Zoning in South Carolina

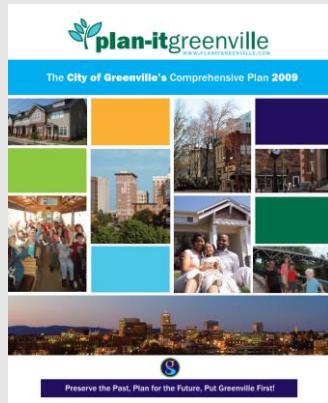
- (5) to regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- (6) to facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks, and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements. "Other public requirements" which the local governing body intends to address by a particular ordinance or action must be specified in the preamble or some other part of the ordinance or action;
- (7) to secure safety from fire, flood, and other dangers; and
- (8) to further the public welfare in any other regard specified by a local governing body.



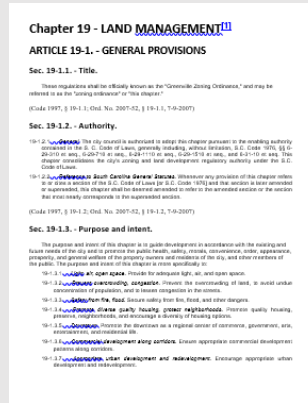
ZONING 101

The Basics

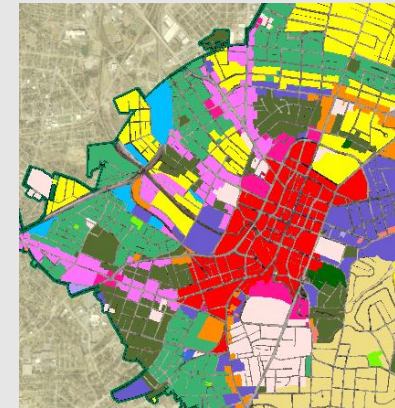
Zoning Tools



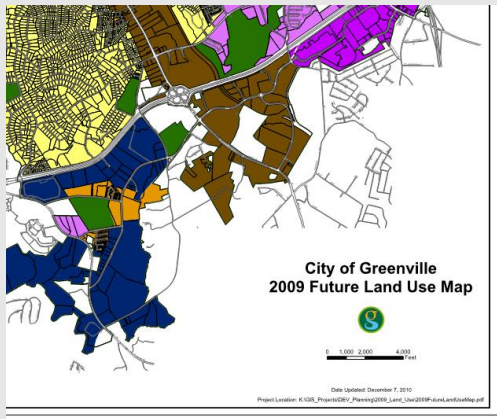
Comprehensive Plan



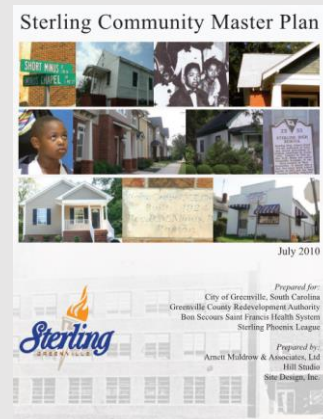
Zoning Ordinance



Zoning Map



Future Land Use Map (FLUM)

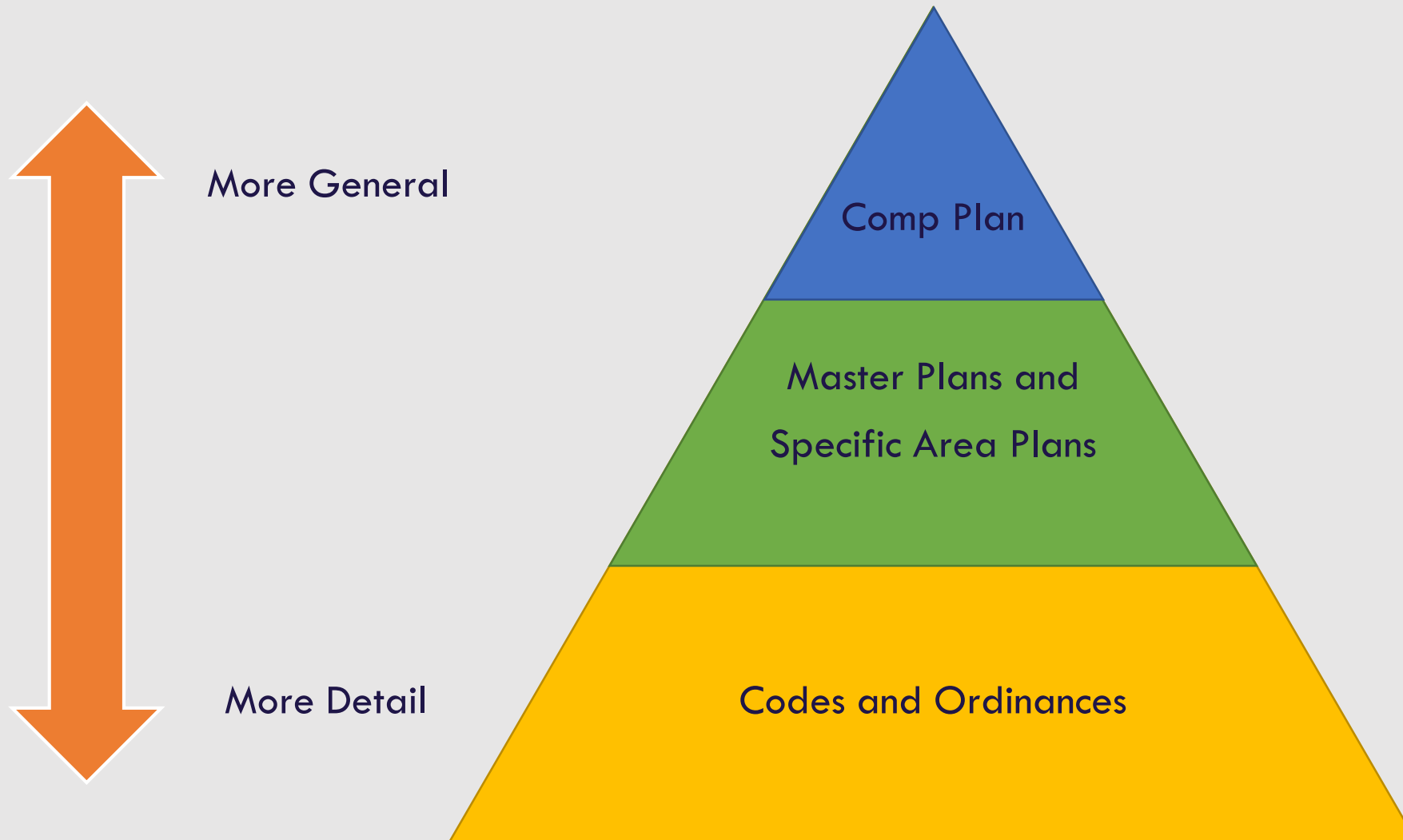


Master Plans



Strategic Plans

Planning Pyramid



Common Zoning Elements

- Establishment of zoning districts (Euclidean Zoning)
- Permitted and prohibited uses
- Dimensional standards: height, setbacks, density
- Lot layout and building orientation
- Parking requirements
- Landscaping requirements
- Architectural and design requirements
- Sign regulations
- Open space
- Use-specific standards

Table 19-6.1-1: Off-street Parking Requirements Schedule A

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
		Square footage refers to total gross floor area, excluding accessory warehouse and storage areas unless otherwise indicated	
RESIDENTIAL USES			
	Multiple-family dwelling	1.5 per dwelling unit	See Schedule B
	Household living uses specifically for elderly or handicapped residents	0.5 per dwelling unit	See Schedule B
	Cottage subdivision	1 plus 0.25 per dwelling unit	2 per dwelling unit, not including guest parking
	All other household living uses	2 per dwelling unit	See Schedule B
Group living	Boarding house	2 plus 1 for each bedroom rented	See Schedule B
	All other group living uses	1 per each 2 beds	1 per each bed
PUBLIC AND INSTITUTIONAL USES			
Community service	Library, museum	1 per 1,000 square feet	See Schedule B
	All other community service uses	1 per 500 square feet	1 per 250 square feet
Day care	Day care center (13+ people)	1 per 375 square feet	1 per 250 square feet
	Group day care home (7 to 12 people)	2 plus requirement for principal use	See Schedule B
	Preschool	1 per 375 square feet	1 per 250 square feet

City of Greenville Zoning Districts

Residential Districts

- **R-6, R-9** Single-Family Residential District
- **RM-1, RM-1.5, RM-2, RM-3** Single-Family and Multifamily Residential Districts

Commercial and Industrial Districts

- **OD** Office and Institutional District
- **C-1** Neighborhood Commercial District
- **C-2** Local Commercial District
- **C-3** Regional Commercial District
- **C-4** Central Business District
- **S-1** Service District
- **I-1** Industrial District
- **RDV** Redevelopment District

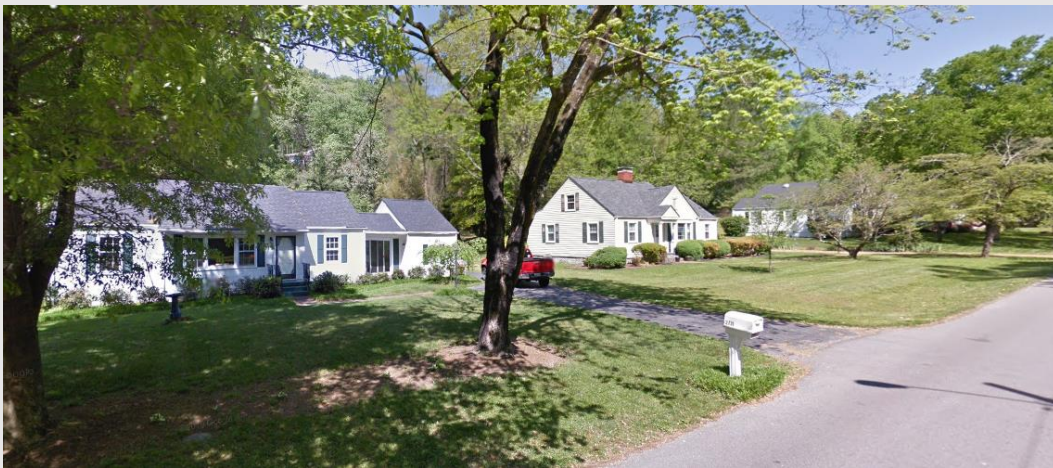
Special Districts

- **PD** Planned Development District
- **FRD** Flexible Review District
- **UP** Unity Park Neighborhood Code



How does zoning affect me and my neighborhood?

- Assigned zoning district applies specific standards from the zoning ordinance.
- Determines what can be constructed on your property.
- Determines what can be constructed on your neighbor's property.
- Helps establish and preserve neighborhood character.
- Sets minimum standards for lot size, open space, setbacks, and height.



Who decides the Zoning Ordinance?

THE COMMUNITY:

- General public
- Property owners
- Development community
- Business owners
- Taxpayers
- Community groups
- Neighborhood groups
- Professional staff
- Planning Commission
- **City Council – Final Approval**



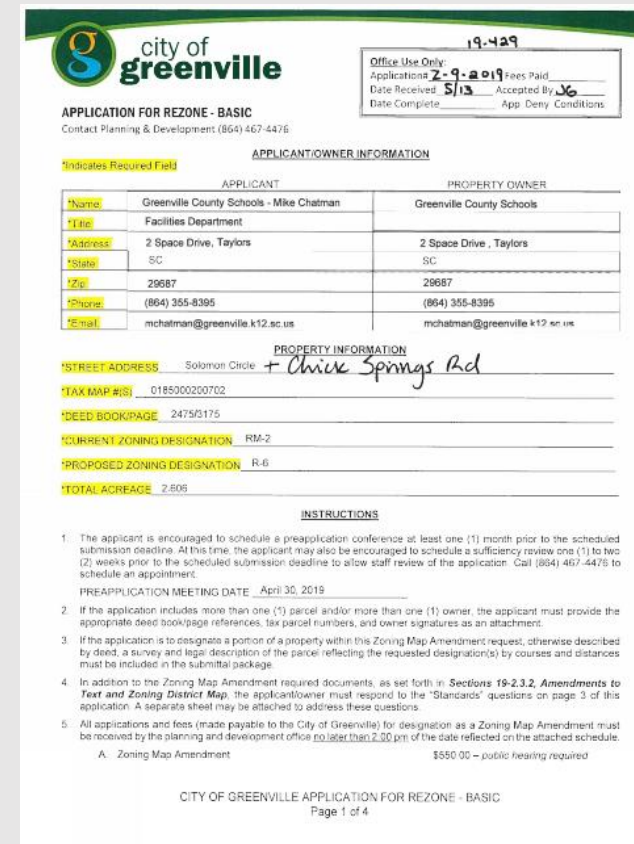
Who can modify the zoning ordinance?

Text Amendments (Sec. 19-2.3.2(C)(1)):

- City Council
- Planning Commission
- Zoning Administrator
- An owner of property in the city
- Any citizen of the city

Map Amendments (Sec. 19-2.3.2(C)(2)):

- City Council
- Planning Commission
- Zoning Administrator
- A person or entity with rights in contract in the land



19-429

Office Use Only
Applications 2-9-2019 Fees Paid
Date Received 5/13 Accepted By JG
Date Complete App. Deny Conditions

APPLICATION FOR REZONE - BASIC
Contact Planning & Development (864) 467-4476

APPLICANT/OWNER INFORMATION

(Indicates Required Field)

	APPLICANT	PROPERTY OWNER
Name	Greenville County Schools - Mike Chatman	Greenville County Schools
Title	Facilities Department	
Address	2 Space Drive, Taylors	2 Space Drive, Taylors
State	SC	SC
Zip	29687	29687
Phone	(864) 355-8395	(864) 355-8395
Email	mchatman@greenville.k12.sc.us	mchatman@greenville.k12.sc.us

PROPERTY INFORMATION

STREET ADDRESS Solomon Circle + Chick Springs Rd
TAX MAP #/S 0185900200702
DEED BOOK/PAGE 2475/3175
CURRENT ZONING DESIGNATION RM-2
PROPOSED ZONING DESIGNATION R-6
TOTAL ACREAGE 2.806

INSTRUCTIONS

1. The applicant is encouraged to schedule a preapplication conference at least one (1) month prior to the scheduled submission deadline. At this time, the applicant may also be encouraged to schedule a sufficiency review one (1) to two (2) weeks prior to the scheduled submission deadline to allow staff review of the application. Call (864) 467-4476 to schedule an appointment.
PRE-APPLICATION MEETING DATE April 30, 2019
2. If the application includes more than one (1) parcel and/or more than one (1) owner, the applicant must provide the appropriate deed book/page references, tax parcel numbers, and owner signatures as an attachment.
3. If the application is to designate a portion of a property within this Zoning Map Amendment request, otherwise described by deed, a survey and legal description of the parcel reflecting the requested designation(s) by courses and distances must be included in the submittal package.
4. In addition to the Zoning Map Amendment required documents, as set forth in Sections 19-2.3.2, Amendments to Text and Zoning District Map, the applicant/owner must respond to the "Stencards" questions on page 3 of this application. A separate sheet may be attached to address these questions.
5. All applications and fees (made payable to the City of Greenville) for designation as a Zoning Map Amendment must be received by the planning and development office no later than 2:00 pm of the date reflected on the attached schedule.
 - A. Zoning Map Amendment \$550.00 - public hearing required

CITY OF GREENVILLE APPLICATION FOR REZONE - BASIC
Page 1 of 4

Map & Text Amendment Process

Sec. 19-2.3.2(D)

1. Pre-application meeting with staff
2. Submit application
3. Public notice (15 days before public hearing)
 - Newspaper advertisement
 - Signs posted on property
 - Application materials posted online
4. Developer-led neighborhood meeting
5. Staff analysis & publication of staff reports
6. Planning Commission public hearing and recommendation
7. Final Action by City Council (2 readings)



Criteria for Zoning Amendments

Sec. 19-2.3.2(E)

1. Consistent with Comprehensive Plan?
2. How have conditions changed since original designation?
3. Is there a demonstrated community need?
4. Compatible with surrounding uses?
5. Promote logical and orderly development pattern?
6. Result in strip or ribbon development?
7. Create an isolated zoning district?
8. Effect on property values?
9. Effect on natural environment?
10. Availability of public facilities and services?



What CAN'T zoning do?

- Regulate owner vs. rental housing
- Restrict occupancy based on race or ethnicity
- Mandate affordable housing (varies by state)
- Force an owner to sell his or her land
- Discriminate between functionally equivalent businesses
- Prohibit national chain stores or restaurants
- Violate state or federal law





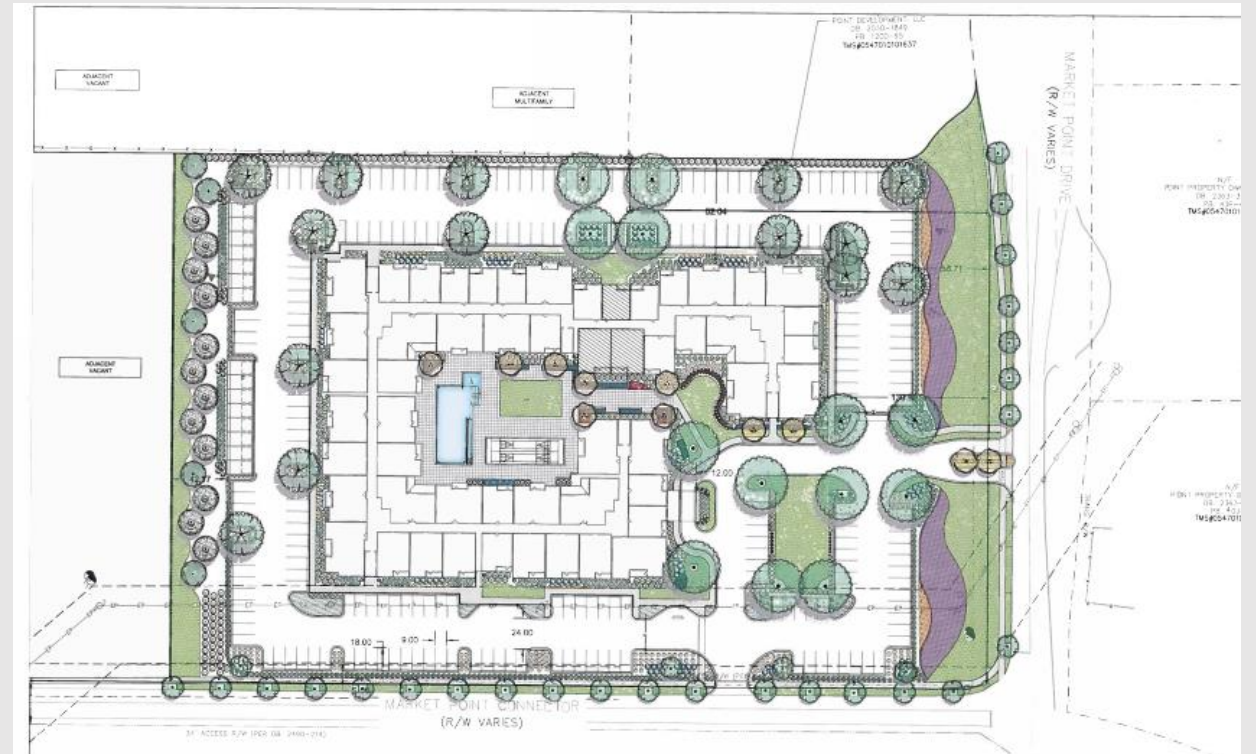
Discussion



Homework!

Zoning Exercise

- Review the proposed application that includes multifamily housing.
- Determine compliance with applicable zoning standards.
- Decide if you would **approve** or **deny** the request.
- *Items to consider:*
 - *Permitted land use*
 - *Density*
 - *Parking*
 - *Height*
 - *Setbacks*





Part 2
June 3, 2020
See you next week!