

# Changes to land-use laws appear likely

## Measure would block some new businesses temporarily

By JASON SPENCER  
jason.spencer@shj.com

An effort to fast-track changes to the county's land-use regulations Thursday was stymied by one vote, but Spartanburg County Council is poised to pass a temporary measure today that would halt commercial and industrial development near most residential areas.

Overall, Thursday seemed to represent a changing mindset on council, spurred in part by a controversial Dollar General store that's being built on Country Club Road. The goal of temporarily blocking new business construction is to put design standards in place, update the regulations dealing with buffers between neighboring pieces of property, and perhaps tweak other parts of the county's broad land-use ordinance.



Horton

"I have struggled with this. I don't think anyone wants to stop any kind of development. And it's not a knee-jerk reaction. I think all of you know that I have pushed you to move forward with this particular issue," Council Chairman Jeff Horton said.

"I see it as a way to finally get this council united and finally getting this staff moving in the right direction."

Councilman David Britt said it would be necessary to pull together members from the county's Planning Commission, the local Home Builders Association and the non-profit group Upstate Forever to hammer out design standards everyone can agree on. He and Horton said it shouldn't take long, since many other counties in South Carolina have such standards in place and can be used as models.

Horton made the point that most controversial construction projects in the past few years would not have been solved by zoning. In nearly every instance, the site of those projects would have been zoned commercial if this county had zoning.

Rather, Horton said, it's important to make sure new developments look like, or fit in, with the residential areas they plan to become neighbors of. The worst that could happen, he said, is for an eyesore to move in next door to a nice area, causing a gradual exodus of homeowners, leaving a neighborhood full of rental properties.

Horton said standards need to be developed with the "density and intensity" of the surrounding area in mind.

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A special meeting at 10 a.m. Thursday was originally called to discuss putting a moratorium on commercial development that is adjacent to a residence or residential subdivision.

Council members

received legal advice that such a moratorium likely wouldn't be allowed under state law, so instead the body turned its attention to an amendment that would require new commercial or industrial businesses to be at least 200 feet from a single residence or at least 500 feet from most other residential areas.

Such a move would stop essentially all new development except that on large pieces of property in the most rural parts of the county. It would not have any impact on projects already in the works.

In essence, the amendment would go into effect immediately. Elected officials said they hoped it would last no more than 30 days, and perhaps as little as two weeks.

But because the matter wasn't specifically on the council's agenda, unanimous consent was required to add it.

County Council voted 6-1 to add the item to its agenda, with Councilman Dale Culbreth voting against. Another meeting was then called for 2 p.m. today, at which point a simple majority of elected officials — in this case, four — would be needed to put the temporary measure in place.

Culbreth said he wouldn't necessarily be against the matter, but he needed to learn more before making a

decision. He said he'd been contacted by six developers Thursday morning.

"These are people who are my constituents, who want to know how this is going to affect them, and I can't tell them," Culbreth said. "I don't like being forced into making a decision that I really am not knowledgeable on."

Immediately after the meeting, Culbreth rounded up several developers in the audience to meet with county staff.

Their goal was to see how various development projects would be affected by the council's action, Assistant County Administrator Chris Story said. He added that if the new measure passes, it would only affect projects that have not had complete plans submitted to county offices.

"From a policy standpoint, we would not recommend these provisions be left in place very long, or on a permanent basis," Story told the council. "This is a stop-gap, short-term measure only."

Britt pointed out the county has done something similar to this twice before — once to block an influx of adult-oriented businesses, and more recently to stop the haphazard placement of billboards.

Britt acted as the primary negotiator with Dollar General's corporate office

regarding the new store on Country Club Road. While some residents didn't want the business going in at all, Britt and others saw making it look nice as the best compromise that could be reached.

In the end, the company agreed to upgrade its lighting and landscaping, use a brick façade rather than have plain metal walls and use a smaller sign on the ground rather than one that would tower over nearby homes.

"The first question they asked me was, 'Do you not have design standards in place?' And they were shocked that we did not," Britt said.

There was a bit of back-and-forth between Britt and Culbreth, ending with the two talking over each other in a stalemate — and then the call for today's special meeting.

"There's no better time to do this than right now. Building is at an all-time low. The planning commission has only met twice in six months," Britt said. "... If we wait one more day, then it's our fault for letting that happen."

Horton and Councilman Tom Foster talked about the need for people to have an outlet to voice their concerns about a project before dirt starts moving.

Councilman Michael Brown said this would allow the county to address blight and abandoned buildings. Councilwoman Jane Hall said it would move the body from being reactive to proactive.

Councilman O'Neal Mintz, who normally sides with Culbreth, said he was more concerned about leaving a nice place to live to his grandchildren than potentially delaying a few relatively small development projects. Mintz also said he wanted something done about abandoned big-box stores, and that he didn't feel the county needed to spend money on an out-of-town consultant to work through its land-use issues.

After hearing everyone's concerns, Story admitted that a temporary halt on new projects might last longer than two weeks.

"The business community needs clarity, certainty and logic in regard to our regulations," he said. "It's just not logical to have the same standards for a project on a major highway as one in a residential area. It just doesn't make any sense."

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