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# Council amends land-use rules

## Residents opposed to Dollar General plans forced action

By [Trevor Anderson](#)  
[trevor.anderson@shj.com](mailto:trevor.anderson@shj.com)

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Spartanburg County Council voted unanimously on Friday to amend the county's land-use regulations the day after a temporary measure to halt commercial and industrial development that abuts residential areas was stymied by one vote.

The amendment, which will remain in effect until the council takes action that cancels or replaces it, imposes setbacks on any such projects that are filed with the county planning department after Friday. County officials hope it will not be in place more than 30 days.

It establishes a 200-foot minimum setback from the property line of a single home, a 500-foot setback from the nearest property line of 25 residences or more and a 500-foot setback from any building used for public or nonprofit purposes, such as churches or places of worship, public or private schools, recreational facilities, community centers, parks and hospitals.

No setbacks of this nature existed prior to the amendment.

"We're not trying to dictate what goes on a piece of property," Councilman David Britt said. "We're saying that it's going to fit in or it's not going in. It's that home that's going to be there for the next 30 years--that's the investment--we're trying to protect."

Public backlash that erupted earlier this month after commercial developer Tab Patton of Woodruff announced plans to put a Dollar General at the corner of Country Club and Andrews roads, resulted in the council mulling over its options.

Britt said the incident was the "straw that broke the camel's back" and suggested implementing a moratorium on all commercial development near residences until the county could update its Unified Land Management Ordinance.

He said the county could not legally pass a moratorium, and the amendment is

intended to "balance property rights with the protection of neighborhoods."

No developments that would be affected by the amendment had been filed with the planning department after Friday's vote.

The amendment defines commercial projects as structures that will be used for the buying and selling of commodities and services. It defines industrial projects as structures that will be used to manufacture, fabricate, process, reduce or destroy any substance or commodity, and includes storage, truck yards, warehouses and other similar types of buildings.

During the next 30 days, council and county administration will meet the state Association of Councils and Council of Governments to look at benchmarks in other communities that have updated their design standards.

They also will establish a design board that will work with the planning department in the future to help enforce the new design standards. The board will be comprised of local developers, architects and private residents, Britt said.

He said he was confident that council could meet its one-month deadline.

"We haven't defined anything yet, and we're trying to get input from other counties and developers related to these issues," said Chris Story, assistant county administrator. "We're going to do everything we can do to meet that deadline."

Story said design consultants with Duncan Associates and Land Design who presided over the county's public forums on updating its land-use ordinance will help with the new plans.

He said other groups, including Upstate Forever and the Home Builders Association of Greater Spartanburg, also will be called upon to give input.

Councilman Dale Culbreth, who cast the lone opposing vote, said he did so because he did not have a sufficient opportunity to research the issue. "I vote on nothing that I don't have a chance to research or study," he said. "We had a meeting after (Thursday's meeting) with several commercial developers where we had a chance to look at this. We agreed that we needed to do something right now and make some progressive moves to protect our neighborhoods."

Culbreth reiterated that council will work "expeditiously" to put the matter to bed and not interrupt projects that could bring jobs to the county.

"It seems like we get the lower end of everything (when you look at other communities)," he said. "I don't see why we can't ask for some of these things to be a little nicer. We don't want to be too drastic, but there's no reason we can't do it."

Ben Hines, president of Spencer/Hines Properties in Spartanburg, voiced his concerns during Thursday's meeting.

He said he believed the amendment was council's way of circumventing the law that wouldn't allow it to pass a moratorium. But he felt the council was trying to put its best foot forward to create design standards to enhance commercial development.

"I think their desire to implement design standards is not erroneous, and they're going to make a good effort to create a harmonious community," Hines said. "All in all, I'm cautiously optimistic that this will create a win-win situation."

