

Upstate Update

NUMBER 50
JANUARY
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*Upstate Forever's Monthly Bulletin on
Important Issues and Events in the Upstate*

IMPORTANT NOTICE!!!

In order to reduce expenses and save paper, this is the last Upstate Update that will be mailed to all our members. We will continue to send it electronically. ***Please see the instructions at the bottom of the last page of this newsletter.*** For those members who do not have an e-mail address and wish to receive our Upstate Updates by regular mail, please call us at 864-250-0500. Depending on the number of requests, we will do our best to send it to you.

TOP TEN ACHIEVEMENTS IN 2003

Here's our annual Top Ten List of the most notable achievements on land use, conservation and sustainable development issues in the Upstate during last year (not necessarily in order of importance).

1. New Governor Makes Quality of Life a Top Priority.

In January, we joined thousands of South Carolinians in listening to our new Governor's first "State of the State." At the beginning he gave us a preview of what he would be talking about: the budget crisis and restructuring state government were expected, but the last topic—quality of life—was an unexpected surprise.

He spent no more than five minutes on the topic but his message was powerful and exciting. Governor Sanford reminded all of us of what a wonderful state we live in—few places in the world rival South Carolina's natural beauty. Keeping it that way is important not only for ecological reasons but also because it contributes mightily to tourism, now our state's number one industry.

The Governor expressed his strong support for the South Carolina Conservation Bank Act, which passed the General Assembly in 2002 and is scheduled to be funded this July. We think the Governor's intent was to put a quick end to the talk about delaying funding or even repealing the law. The implicit message was: "Don't you dare."

The Governor next turned his attention to the absurd state regulation that requires all new schools to be built on large tracts of land. The rule undermines efforts to establish neighborhood schools and also causes sprawl. Yes, he used the "S-word"—the first Governor in the history of South Carolina to use that word in the State of the State! We have come a long way.

Promoting sensible growth and protecting special places in the Upstate

And there was more to come. Before his speech, Governor Sanford appointed a “Quality of Life” Task Force to consider these important issues and make recommendations on what needs to be done. It is a broad-based group of people from around the state, with almost every viewpoint represented. The task force delivered its report to the Governor in February. It provides an inspiring blueprint of how our state can accommodate the dramatic growth that is taking place (every day South Carolina’s population increases by 140 people, and every day 200 acres are developed), while protecting and improving the environment and quality of life for everyone.

Here are some of the recommendations:

- Increase funding for the Conservation Bank Act
- Raise the per acre cap and maximum annual credit in the Conservation Incentives Act
- Support farmland protection initiatives
- Include the value of conserving South Carolina’s natural resources in educational curriculum
- Eliminate the minimum acreage requirement for new schools
- Favor the restoration and construction of community-based small schools over the construction of new mega schools
- Require that major projects be consistent with local land use plans
- Designate “priority investment areas” for future growth
- “Public agencies should plan where they build and only build where they plan”
- Give precedence to maintaining existing highways over building new ones
- Integrate transportation planning with land use planning so public transit can make a comprehensive contribution to economic development and mobility
- Remove legal impediments to traditional neighborhood designs and provide incentives for such developments
- Provide incentives for infill development and redevelopment of brownfield sites
- Provide property owners and local governments the ability to resolve land use disputes through mediation and expedited judicial review
- Adopt additional measures to protect isolated freshwater wetlands based on function and size
- Reform the state’s annexation and condemnation laws

- Exercise more control over the flow of the state's waters to assure the protection of South Carolina citizens and industry.

WOW!!! What a terrific action plan for South Carolina! In fact, two of the recommendations have already become a reality: see items 2 and 3 below. We hope that Governor Sanford continues to embrace the report from his Task Force and to provide the leadership needed to implement the other recommendations. (For those who would like to read the entire report, we have posted it on our website at the following address: http://www.upstateforever.org/QOL_TaskForceReport.pdf).

2. Minimum Acreage Requirements for New Schools Abolished.

For many years, school districts in South Carolina struggled with the minimum acreage standards established by the state Department of Education for new schools. The standards required excessive amounts of land that were difficult, if not impossible, for school districts to acquire in existing neighborhoods. For example, a new 1,500 student high school was required to have a minimum of 45 acres - nearly impossible to find, or afford, in developed areas. Consequently, school districts were often forced to construct new facilities in rural or industrial areas where plentiful and cheaper land could be found but which had no connection to the communities served by the schools. Almost without exception, the new school would then jumpstart development of new subdivisions, strip centers, and other projects that require new infrastructure like roads, water, and sewer - thus the term "school sprawl."

In June, after much debate and a lot of effort by *Upstate Forever* and other organizations and individuals, the state legislature abolished the minimum acreage standards. This action will now enable local districts to search for smaller, more suitable sites on which to build neighborhood-oriented schools and to reduce school sprawl into rural areas.

Unfortunately, the portion of the bill that set caps on school population size, which would encourage the construction of smaller, more neighborhood-oriented schools, did not pass. *Upstate Forever* will continue to advocate for such a law.

3. South Carolina Land Use Dispute Resolution Act.

Both the United States Constitution and the South Carolina Constitution provide that the government cannot take private property without just compensation. There is a considerable body of federal and state case law interpreting the meaning of this provision. For several years, the South Carolina General Assembly has considered so-called "private property rights legislation" that, if enacted, would change the constitutional definition of a "taking" in the state. The legislation has been highly controversial, attracting strong support from private property rights organizations and strong opposition from state agencies, local governments, and conservation groups.

As the 2002 session of the General Assembly began, it appeared that yet another battle over the “private property rights” legislation would take place, but this time the property rights advocates disarmed and accepted a compromise that has been incorporated in a new law called the South Carolina Land Use Dispute Resolution Act (LUDRA). The most notable fact about LUDRA is that it does not change the definition of a “taking,” deferring that question to the judicial branch. Rather, the focus is on improving and expediting the process for adjudicating takings claims by landowners.

LURDA amends South Carolina’s basic planning statute by allowing a property owner whose land is the subject of a decision by the board of zoning appeals, board of architectural review or planning commission to file a notice of appeal with the circuit court, accompanied by “a request for pre-litigation mediation.” The request must be granted, and the government entity must be represented at the mediation. A non-owner may be granted leave to intervene in the mediation if the person has a “substantial interest” in the decision of the local entity.

Mediation is an informal process in which a third-party mediator facilitates face-to-face settlement discussions between the parties. The mediator has no authority but seeks to guide the parties toward a resolution of the dispute on their own terms. Mediation has proved to be a highly effective and relatively inexpensive way of resolving disputes.

4. Upstate Downtowns Continue to Make Remarkable Progress.

A strong, thriving downtown is one of the most important components of smart growth because it attracts development to urban areas and reduces sprawl into the countryside. However, in cities where population and community vitality has historically declined in favor of booming growth in the suburbs, successful revitalization doesn’t just happen. It takes foresight, planning, and hard work. We have seen all three in a number of Upstate cities in 2003 - here are some of the highlights:

Easley. The City of Easley was one of South Carolina’s top 15 fastest growing from 2000 to 2002, ranking eleventh among cities with populations over 10,000. Excited about growth but determined to retain Easley’s small town character, city leaders are working to restore a “downtown feel” to the Main Street area with landscaping and by bringing new stores and businesses that will attract both residents and visitors. The downtown area became a tax increment finance (TIF) district about a year ago, which is expected to generate millions for downtown improvements during the next 15 years. A new law enforcement center has already been built and City Hall completely renovated just off Main Street. Plans have been prepared to renovate the old Easley High School into 8 to 10 condominiums or apartments along with retail and office space and underground parking. A number of downtown buildings have been renovated with apartments above storefronts that are already occupied, and more are planned in the near future. These, along with the new apartments on North Main Street, will bring a

residential component and new life to the downtown district that has already had 16 new store openings since the TIF was established.

Greenville. Already a national award winner, the City of Greenville just keeps getting better. Four major projects within a block of Main Street will add hundreds of new residential units, numerous new stores, businesses and restaurants, and a world class park. The Bookends, an exciting 8-story multi-use project that has been registered as a LEED (Leadership in Energy and Environmental Design) project and will meet rigorous "green building" criteria set by the U.S. Green Building Council, will feature a variety of residential units located above street-level commercial and retail space. Just around the corner is Wachovia Place, a spectacular renovation of an existing office building that includes a public galleria and courtyard, apartments, and new office and retail space. Another major project is Poinsett Corners, a four-story complex near the Peace Center that includes office space along with 84 luxury condominiums and a parking garage. Then there's Reedy River Falls Park where a state-of-the-art pedestrian bridge and public garden, to be completed this year, will celebrate Greenville's birthplace and one of the country's few urban waterfalls and bring new life to the West End.

Not far from downtown is an exciting renovation of the old Mills Mill that features 104 new loft style condominiums that will be a much-needed boost to a major entrance to Greenville. Construction has already begun on a new shopping center nearby that will use circa-1900 brick from a demolished mill to complement the historic character of Mills Mill. Other major downtown projects are in the planning stages and promise to bring even more residential, shopping, and entertainment opportunities to the downtown area.

Greer. In last year's Top Ten (see *Upstate Update 40*), we reported the completion of an extensive landscaping project that included new streetscaping, lighting, and a park, all of which is the result of a plan by city leaders to make Greer a top destination. Well, it's working. If you haven't visited Greer's downtown lately, you have missed one of the most charming city centers in the Upstate. Between 2001 and 2002, Greer was South Carolina's fifth fastest-growing city among cities with a population of 10,000 or more. While the rest of the Greer area has experienced booming, but typical, suburban-type growth, with the development or announcement of numerous strip commercial centers, big box stores and subdivisions, the downtown region is being reborn as a quaint, pedestrian-friendly village. Renamed "Greer Station," historic downtown Greer gained 12 new businesses while six new buildings have been, or are in the process of being, renovated.

Greer's success so far is largely due to the efforts of a group of community leaders and organizations who formed Partnership for Tomorrow in 1998 and have charted a new plan for the next five years. In addition to raising \$175,000 for continued revitalization in the center city, the group plans to lead efforts to create a new visitors center and relocate downtown rail lines.

Simpsonville. The City of Simpsonville ranked 15th in South Carolina for population growth between 2000 and 2002, and continues to attract new residents and retail tenants as the city continues its efforts to revitalize the downtown area. Recent improvements in landscaping and new sidewalks have made the city more pedestrian friendly, and more is planned for adjacent streets and intersections. One of the city's brightest gems is the historic Burdette Building located in the center of downtown. The building narrowly escaped being torn down and replaced by a new chain drugstore, but long time Simpsonville residents and *Upstate Forever* members Diane and Butch Kirven and others, assisted by *Upstate Forever*, stepped in and led efforts to save the building. Shortly after an application was filed to place the building on the National Register of Historic Places, plans for the drugstore were withdrawn. In July, the National Parks Service announced that the application had been approved and the Burdette Building added to the Register. It currently houses an office and an antique mall, and future plans include the addition of a coffee shop and a skin therapy salon. Other exciting plans for the city include the construction of Heritage Park, a 90-acre complex that will include active and passive recreation areas, and the restoration of the historic Simpsonville Cotton Mill into a mixed-use facility that incorporates both residential and commercial space. Design for the mill will include a number of "green" architectural and construction features, and application has also been made to place it on the National Register of Historic Places.

Spartanburg. The long awaited Marriott Spartanburg Renaissance Park, the centerpiece of the city's 65-acre Renaissance Park, opened just before Christmas. Already booked for numerous community events, the Marriott will provide Spartanburg with a top-notch venue for conventions and conferences, bringing more people to what is becoming a major South Carolina destination city. The Renaissance Park project began as a concept in the late 1990s as a way to bring new life and vitality to Spartanburg's downtown. Since then, Advance America and Extended Stay America have opened headquarters downtown, a new condominium project has begun, and the new QS1 headquarters, Spartanburg's first building to seek LEED certification with the U.S. Green Building Council, is nearing completion and scheduled to open this year.

Construction began on the fabulous new Spartanburg Center for Art, Science, and History and is expected to be completed in 2005. The Center will feature exhibits and instruction in the visual and performing arts, science, and history, and will provide office space for a number of community organizations. These exciting new developments, along with ongoing efforts to make downtown Spartanburg a more pedestrian-friendly environment with landscaping, sidewalks, and trails, are breathing new life into the downtown area of this wonderful city.

Travelers Rest. Right in the heart of one of Greenville County's fastest-developing areas, Travelers Rest is experiencing some serious growing pains. Long a sleepy little town that was "on the way" from Greenville to the mountains, the city is now faced with challenges that it must meet and conquer if it is to retain its small town feel.

The City Council approved a rezoning that will allow construction of the city's first Big Box store, a move that was fervently opposed by a number of residents from the surrounding area. Plans for the new store include better design features, heavier landscaping, and deeper buffers than the typical prototype would have provided. The challenge for the city now is to adopt rigorous standards that will apply to any new large retail stores hoping to locate in Travelers Rest in the future. To their credit, city leaders are seriously considering such a measure and, at the same time, the development of a plan to revitalize and enhance the downtown area and transform it into a quaint, pedestrian-friendly destination for shoppers and visitors alike. With the area's growing population and the city's proximity to the Blue Ridge Mountains and upscale residential developments, Travelers Rest is well-positioned to become a destination town similar to Hendersonville, Cashiers and Saluda. The opportunity is there and city leaders hopefully will take advantage of it.

5. Saluda-Reedy Watershed Project Is Approved!

In March, two grants totaling \$1.5 million launched a comprehensive project focused on the Saluda-Reedy watershed. The V. Kann Rasmussen Foundation pledged \$1 million over two years, and Fuji Photo Film, Inc. committed \$500,000 over five years. *Upstate Forever* serves as the coordinator of the project.

The Saluda River and Reedy River flow through one of the most rapidly growing and developing regions in the country. Within the 1,165 square mile watershed above Lake Greenwood, the population is increasing at the rate of approximately 32 people per day, while open land is being converted to development at the rate of about 23 acres per day. The Saluda-Reedy Watershed Consortium was formed to provide assistance, support and science-based information to state and local agencies and the public in addressing the immense challenges that confront the watershed.

There is no doubt that the Saluda-Reedy watershed will continue to experience dramatic growth and change. Nor is there any doubt about the urgent need to plan for this growth to ensure that our water resources are protected to meet all of the demands of this increasing population—for drinking water, tourism, recreation, economic development and waste treatment. For example, wastewater discharges into the Reedy River are projected to increase from the present amount of 34 million gallons per day to 51 million gallons per day by 2015; discharges into the Saluda River are projected to increase from 13 to 31 million gallons per day. For both rivers, that is almost a two-fold increase in less than 15 years. Moreover, stormwater water runoff and sedimentation associated with rapid development in the watershed are having a serious adverse impact on water quality.

The Consortium has designed an integrated and comprehensive program of actions, demonstrations and studies with the ultimate goal of improving water quality throughout the Saluda-Reedy Watershed. With the funds provided by V. Kann Rasmussen and Fuji, the Consortium is focusing now on the following tasks:

Land Cover: To determine the current uses of land in the watershed.

Growth Model: To predict the extent of future development in the watershed if current development patterns continue unchanged.

Economic Evaluation: To evaluate the economic impact of water use and wastewater discharges.

Water Quality: To evaluate existing, and collect new, data in an effort to understand the causes and effects of water quality problems in the watershed.

Education: To improve understanding and appreciation of watershed issues and problems by local officials and the public.

The principal members of the Consortium are:

- **Upstate Forever**
- Pinnacle Consulting Group, Inc.
- Clemson University: Jim Self Center on the Future
- South Carolina Water Resources Center
- Clemson Institute of Environmental Toxicology
- South Carolina Department of Natural Resources

Other members include Friends of the Reedy River, Furman University, and Lander University.

Over the course of this year, the Consortium will be releasing a number of reports on water quality and land use. Stay tuned!

6. Furman University's Hipp Hall is South Carolina's First LEED-Certified Building.

In 2003, the new Herman N. Hipp Hall at Furman University became South Carolina's first building to be certified under the U. S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program. LEED buildings must meet a number of design and construction criteria related to site-planning, water and energy efficiency, indoor air quality, and the use of environmentally sensitive materials. The Council assigns qualifying buildings one of four levels: certified, silver, gold, and platinum, based on the number of "green" features they include. Hipp Hall is one of only two buildings in the entire Southeast to receive the gold rating.

Designed by the Greenville Firm Craig, Gauden & Davis, and built by Triangle Construction, the 38,000 square-foot Hipp Hall opened in the summer of 2002 and features a three-story day lit lobby and several energy-saving features, including a radiant energy barrier on the roof, carbon dioxide monitors that help regulate outside air circulation based on building occupancy, and sensors that switch off the lights when rooms are not in use. Indoor air quality is enhanced through the use of low emitting paints, carpets, wood stains, caulks, and adhesives.

While green technologies may cost more than their traditional counterparts, they more than pay for themselves through reduced energy bills. Furman's construction manager estimates that Hipp Hall will save the university \$15,000 in energy costs every year.

7. Poinsett Bridge is Preserved!

After years of efforts by local residents and elected officials, Greenville County's historic Poinsett Bridge and 120 acres around it will be permanently preserved as a state Heritage Trust site. The property will be leased by the South Carolina Department of Natural Resources to the Greenville County Recreation District, which will establish an historic park for public use and enjoyment.

Built in 1820, it is the oldest surviving bridge in South Carolina and was part of the state road that served as a link between Charleston, the Upstate, and North Carolina for more than 100 years. The bridge spans Little Gap Creek and features a 12-foot Gothic arch and stones fitted together without the use of mortar. It was named for Joel R. Poinsett, a prominent national leader and early resident of Greenville.

The bridge is a spectacular structure, but vandals, the elements, and erosion have done serious damage to it. A few years ago, it became painfully obvious that unless steps were taken to acquire, restore and secure the bridge, it would be lost. Greenville County Council appointed a citizens committee to explore ways the bridge could be preserved. *Upstate Forever* member Anne McCuen chaired the committee, and *Upstate Forever* Executive Director Brad Wyche served as a member.

For several years, the committee worked to acquire and protect the bridge. Ultimately, with support from Greenville County Council member Joe Dill, State Senator Verne Smith, and State Representative Lewis Vaughn, obstacles were overcome, funding was secured and the property was acquired. Thanks to the hard work and perseverance of these elected officials and the citizens committee, the Poinsett Bridge will be preserved and protected for future generations to appreciate and enjoy.

8. Hopeful News for Upstate Air Quality.

The Upstate's air quality is poor and getting worse. Two reports released last year named the Upstate region among the worst in the nation. First, according to the American Lung Association's 2003 Air Quality Report, three of the four worst counties in South Carolina for ozone pollution are in the Upstate. Spartanburg County had the worst, with Anderson (2), Pickens (4), Cherokee (8) and Oconee County (11) not far behind. Greenville County was unranked due to inadequate data, but there is little doubt it would have been near the top. The report was based on data from the 1999-2001 time period. For more on the report, visit this website: <http://lungaction.org/reports/stateoftheair2003.html>

The second report, "Clearing the Air" by the Surface Transportation Policy Project, ranks our region number one in the country for the highest increase in the number of "unhealthy ozone" days. According to the report, the number of days of unhealthy air in the Upstate nearly tripled from 1993 to 2002, increasing from an average of 7.2 to 19.8 days per year, or 175 per cent, for the decade. Knoxville, Tennessee was a distant second with an increase of 71.2 per cent. (To read the report in its entirety, visit <http://www.transact.org/report.asp?id=227>.)

Ozone is a harmful gas formed when nitrogen oxide and volatile organic compounds combine in the presence of sunlight. Cars, buses and trucks are major sources of ozone-producing compounds. Ozone and other air pollutants have been linked to a host of serious health problems including asthma, cancer, heart disease, strokes, high blood pressure, birth defects, and brain damage.

Where we live makes a tremendous amount of difference in how much air pollution we breathe. While some regions of the country have shown significant improvements in ozone pollution, others have experienced an increase in the number of unhealthy ozone days over the past decade. Nowhere is this more true than right here in our region, where we top the list with the most dramatic increase. Now is the time for Upstate leaders to get serious about "clearing the air" in our region.

Fortunately, there's some good news. Three Upstate counties are working together and developing a plan that addresses some of the most serious air quality related issues in our region. In 2002, Anderson, Greenville and Spartanburg Counties entered into an "Early Action Compact" (EAC) to address our region's air quality problems and to establish a plan to improve them. (These efforts are predominantly driven by the fear of losing federal transportation funding if our air quality does not meet the ozone standards established under the Clean Air Act.) Then, last year the group submitted an EAC Milestone Progress Report, a non-binding list of strategies proposed by a task force of citizens, policymakers, business leaders and planners from the region designed to reduce ozone levels and improve air quality in the Upstate. The South Carolina Department of Health and Environmental Control (DHEC) will review the report and submit to EPA a list of air quality control measures being considered by all South Carolina counties.

The EAC report contains a number of excellent initiatives that, if implemented, can significantly improve the quality of the air in our region. But that won't happen unless the three County Councils commit to taking measures that will lead to real and lasting changes. Stay tuned and we will keep you posted on the progress of this important issue. If you would like to read the report, it can be downloaded at the following website: http://www.greenvillecounty.org/County_Administrator/Air_Quality.asp.

9. No New Landfill in Spartanburg County!

In October, the Spartanburg County Council voted down a proposal for a new landfill in the southern part of the county, putting an end to months of heated debate among citizens and policy makers. In a 4-3 vote, Council denied a proposal by Waste Management to build a new facility designed to replace the existing Palmetto Landfill, which is nearing capacity. The proposed landfill would have handled approximately 24 million tons of waste over the next 20 years, 19 million of which would have come from outside Spartanburg County. For more information, see *Upstate Update* Number 48.

In a letter to the editor of the Spartanburg Herald-Journal published November 5, *Upstate Forever* praised Spartanburg County Council for its decision:

“Spartanburg County Council did absolutely the right thing in rejecting Waste Management’s proposal to build a new landfill in the southern part of the county.

There is already a major regional landfill operating in Union County, just across the Spartanburg County line. Why would we want to build another one just a few miles away? There’s more than enough waste disposal capacity in the Upstate. We don’t need anymore.

There are serious quality of life and economic impact issues associated with landfills, as shown by the Palmetto facility itself. The Council properly took those into account in determining the true benefits and costs of the Waste Management proposal. These impacts are why landfills are widely considered the “last resort” for handling waste.

Waste Management offered to handle all of the county’s residential waste (about 260,000 tons per year) at no charge and to pay an annual “host fee” of \$2.5 million. For the company, it was a small price to pay in order to gain access to 1.2 million tons of waste per year, much of which would have come from North Carolina.

The Upstate is truly a special region—a thriving and diverse business center surrounded by extraordinary natural beauty. We should be far past the point where waste is considered a source of revenue. Congratulations to Spartanburg County Council for recognizing that we are better than that!”

10. Upstate Forever Celebrates its Fifth Anniversary!

Well, it is our Top Ten List, so can’t we brag about ourselves a little bit?

Most nonprofit organizations do not survive their first year so we are pleased and proud that Upstate Forever is alive and well following a wonderful celebration of our fifth anniversary at the end of last year. We have come a long way since those early days with

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one employee who worked alone out of his home office and manually kept all of our financial records in one checkbook register. Now, five years later, we have over 1,600 members and a staff of seven. Wow!

Yet in a sense we are just getting started. We have many goals for the future, such as opening additional offices in the region, reaching the 5,000-member threshold, expanding our Board of Directors, establishing an endowment to take some of the pressure off fundraising, building support for a broad-based regional visioning program, etc.

But we will get there. After all, we intend to be in the Upstate...Forever.

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