



County Council Committee Minutes

Land Use Committee June 17, 2019

The Land Use Committee of Spartanburg County Council met on Monday, June 17, 2019, in County Council Chambers of the County Administrative Office Building. In compliance with the Freedom of Information Act, notice of this meeting was provided in advance to the local news media and other interested parties. The following were in attendance: Honorable Roger Nutt, Chairman; Honorables Manning Lynch and David Britt, Committee Members; along with Honorables Michael Brown, Whitney Farr, and Bob Walker, Council Members. Also attending were Cole Alverson, County Administrator; Jim Hipp, Deputy County Administrator; John Harris, County Attorney; and Ginny Dupont, County Attorney. Honorable Jack Mabry, Council Member, was absent.

I.

Chairman Nutt called the meeting to order.

II.

- A. Mr. Charlie Compton, Consultant, presented information in reference to an Ordinance adopting the **Spartanburg County Performance Zoning Ordinance** and associated maps and exhibits. (Presentation included in backup) Council has already adopted the updated Comprehensive Plan, an excellent document prepared by County staff. The Performance Zoning Ordinance, which expands on our existing development of compatibility standards. This document is scheduled to initially be the Zoning Ordinance for the Southwest Planning Area of the County, the first of five Planning Areas scheduled for a detailed evaluation. The rest of the County beyond the boundaries of the Southwest Planning Area will continue to be governed by the existing Unified Land Management Ordinance. However, the sign regulations contained in the new Performance Zoning Ordinance are programmed to apply to the entire County for a uniform application. The next new document contains the Subdivision Regulations intended to simplify the current procedures through more clarity and certainty about the process; and striving for more flexibility to encourage the creation of more innovative neighborhoods. The third ordinance forwarded to

Council from the County Planning Commission contains the needed amendments to the Unified Land Management Ordinance. These amendments are almost entirely the deletion of the subdivision related sections that are no longer needed there, since the new Subdivision Regulations are scheduled to be implemented County-wide. These four documents found their way to Council through very extensive work of a lot of people. The Performance Zoning Ordinance was initially drafted through many months of work by the Technical Advisory Committee followed by additional review by the full Advisory Committee. Their work was then forwarded to your Planning Commission for their review and recommendations, which was in addition to their required development of the Comprehensive Plan, Subdivision Regulations, and the amendments to our Unified Land Management Ordinance. This also involved four months of public input. Spartanburg County is the only other County Mr. Compton knows of in the United States that mailed notices to every property owner in an affected Planning Area. The timing of the delivery of all of this work was certainly not the best for Council, as new members were welcomed and organized for 2019. Taking advantage of this brief pause in the adoption process, Staff used this time impressively to look for minor edits that might clarify the relationship between sections of these two new Ordinances and the existing ULMO; and to also improve the administrative implementation and to correct any unintentional errors or oversights. For Mr. Compton, it was a very welcomed time for proofreading that remedied his blunders. As Council has now become very immersed in the adoption process, this is where we stand today. The Plan has already been adopted. The Subdivision Regulations are going through additional scrutiny by the Land Use Committee. Mr. Compton has always considered Subdivision Regulations the most important document a County ever adopts. It establishes the process and standards for what are lifelong and expensive public improvements to maintain – roads and storm drainage systems. This leaves the Unified Land Management Ordinance and the Performance Zoning Ordinance as the two documents ready for first reading consideration. The deletions to the Unified Land Management Ordinance are actually dictated by the text of the two new Ordinances. Mr. Compton very briefly outlined what is contained in the 144-page Performance Zoning Ordinance. The essence of the Ordinance exists in the first two Articles, the first 43 pages. There you will find the types of Districts, descriptions of the Principal and Accessory Activities, Road Classifications and Access Management, and most importantly – all of the Compatibility Performance Standards. Article 3 contains the all important links to the Airport Overlay Districts. Article 4 carries forward the Conditional Use restrictions developed over many years with some enhancements and updates. Article 5 contains the one important Special Exception review

of Extremely Hazardous Materials. The rest of the document addresses Landscape and Open Space, Signs which will be administered County-wide, and the two essential Articles of Nonconformity and Administration. The one major new initiative that came from the Planning Commission was the creation of Architectural Design standards for non-residential development that could be utilized, not just in the Southwest Planning Area, but possibly in other parts of the County. At this point, the draft contains a process that allows for a targeted implementation of those standards on specific portions of Arterial or Collector Roads that have been designated as Appearance Corridors as outlined in the Performance Zoning Ordinance. Such designations can be initiated by the Planning Commission, County Council, or the property owners on a corridor. However, the final decision, as with all ordinances, rests with County Council. Mr. Nutt thanked Mr. Compton for his help with this process. Motion made by Mr. Lynch to render first reading to Ordinance. Motion seconded by Mr. Britt and carried. Mr. Britt thanked Mr. Compton, Mr. Nutt and County Staff for their hard work and the time spent on these documents over the last four years. Mr. Lynch also thanked Mr. Nutt for his hard work on these documents.

- B. Mr. Charlie Compton, Consultant, presented information in reference to an Ordinance amending the **Spartanburg County Unified Land Management Ordinance**, Ordinance Number O-99-015, as amended, to make the changes necessary to accommodate a new Performance Zoning Ordinance in the Southwest Planning Area of Spartanburg County, to remove Sign Regulations and Design Standards in order to adopt Sign Regulations Countywide and Architectural Design Standards only on Designated Appearance Corridors as a part of the Performance Zoning Ordinance, to remove Subdivision Requirements in order to adopt a new and separate Subdivision Ordinance, and to make any further changes or clarifications necessary to implement new Land Use and Zoning Regulations in Spartanburg County. (Presentation included in backup) Motion made by Mr. Britt to render first reading to Ordinance. Motion seconded by Mr. Lynch and carried.
 - C. Updated Planning Department Reports on Development Activity were received.
- III. Mr. Nutt stated Subdivision Regulations have to be a stand-alone document, because they are referenced in the Area Performance Zoning Ordinance. Subdivision Regulations are going through some minor changes. A Special Meeting will probably be held in order to catch the Subdivision Regulations Ordinance up so it is in sync with the Area Performance Zoning Ordinance.

Meeting adjourned.