



**Planning Staff Report to
Greenville Planning Commission
March 11, 2022**
for the March 17, 2022 Public Hearing

Docket Number: Z-3-2022
Applicant: City of Greenville
Proposal: TEXT AMENDMENT to MODIFY Section 19-4.5.3(F)

Staff Recommendation: Recommend Approval to City Council

Applicable Sections of the City of Greenville Code of Ordinances:

Sec. 19-4.5.3(F) *Use of motor vehicle, trailer, or shipping container for sales, service, storage, or other business.*

Background

Planning and Development staff submits this application request to amend existing provisions within the Land Management Ordinance regulations for temporary uses and structures. Specifically, the text amendment will allow for the temporary use of food trucks in residential amenity areas. The proposed amendment will modify the existing regulations listed in Section 19-4.5.3(F).

Staff Analysis:

The proposed amendment will allow for the temporary use of food trucks at properties of two (2) acres or greater that have a residential amenity area as the principal use. The proposed amendment is intended to allow for a desirable, temporary use in zoning districts that would otherwise be prohibited. The restriction to amenity areas articulated in this modification ensures minimal to no adverse impact caused by the temporary use. The changes will maintain existing city regulations for food truck licensure and operations from other codes in the ordinance.

Specifically, staff believes that the allowance for this desired use in residential amenity areas will not be in opposition to the intent for residential development articulated in the GVL 2040 Comprehensive Plan. Since the modification is for temporary uses, there should be no longstanding impact on development patterns or specific projects in the near future. Furthermore, staff believes that the text amendment will promote the general welfare of the residents, which is consistent with the purpose and intent of the Land Management Ordinance. Applicants will need to obtain a temporary use permit, and food trucks locating in these areas must have the requisite licenses to operate in the City of Greenville.

STAFF RECOMMENDATION:

APPROVE

City Engineer Comments

Recommend: Approve

Comments:

Approved.

Civil Engineer Comments

Recommend: Approve

Comments:

Approved with no comments.

Environmental Engineer Comments

Recommend: Approve

Comments:

Approved with no comments

Parks & Recreation Comments

Recommend: Approve

Comments:

Reviewed, no comment.

Traffic Engineer Comments

Recommend: Approve

Comments:

No comments.

Tree and Landscape Comments

Recommend: Approve

Application # _____	Fees Paid _____
Date Received: _____	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



APPLICATION FOR ORDINANCE TEXT AMENDMENT CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT INFORMATION

City of Greenville	(864) 467-4510
NAME	FAX
206 S Main Street	planning@greenvillesc.gov
ADDRESS	EMAIL
Greenville, SC 29601	SIGNED (City Manager)
(864) 467-4476	02/25/2022
PHONE	DATE

REQUEST

PERTINENT CODE SECTION(S):

Amendment to Article 19-4.5.3(F) of the Land Management Ordinance

NARRATIVE DESCRIPTION/PROPOSED REVISION(S):

This text amendment will amend an existing provision in the Land Management Ordinance for temporary uses and structures. Specifically, this would amend Section 19-4.5.2(F), "Use of motor vehicle, trailer, or shipping container for business", to add provisions that would allow for food trucks to operate as a temporary use in residential amenity areas greater than 2.0 acres.

INSTRUCTIONS

1. THE APPLICATION AND FEE, **MADE PAYABLE TO THE CITY OF GREENVILLE**, MUST BE RECEIVED BY THE PLANNING AND DEVELOPMENT OFFICE NO LATER THAN 5:00 PM OF THE DATE REFLECTED ON THE ATTACHED SCHEDULE.
2. THE APPLICANT MUST RESPOND TO THE "STANDARDS" QUESTIONS ON PAGE 2 OF THIS APPLICATION (YOU MUST ANSWER "WHY" YOU BELIEVE THE APPLICATION MEETS THE TESTS FOR GRANTING A TEXT AMENDMENT). SEE ALSO **SECTION 19-2.3.2, AMENDMENTS TO TEXT AND ZONING DISTRICT MAP**, FOR ADDITIONAL INFORMATION. YOU MAY ATTACH A SEPARATE SHEET ADDRESSING THESE QUESTIONS.
3. YOU MUST ATTACH THE REQUIRED APPLICATION FEE: \$ 100.00.
4. THE ADMINISTRATOR WILL REVIEW THE APPLICATION FOR "SUFFICIENCY" PURSUANT TO **SECTION 19-2.2.6, DETERMINATION OF SUFFICIENCY**, PRIOR TO PLACING THE APPLICATION ON THE PLANNING COMMISSION AGENDA. IF THE APPLICATION IS DETERMINED TO BE "INSUFFICIENT", THE ADMINISTRATOR WILL CONTACT THE APPLICANT TO REQUEST THAT THE APPLICANT RESOLVE THE DEFICIENCIES. **YOU ARE ENCOURAGED TO SCHEDULE AN APPLICATION CONFERENCE WITH A PLANNER, WHO WILL REVIEW YOUR APPLICATION FOR "SUFFICIENCY" AT THE TIME IT IS SUBMITTED. CALL (864) 467-4476 TO SCHEDULE AN APPOINTMENT.**

APPLICANT RESPONSE TO SECTION 19-2.3.2(E)(1), AMENDMENTS TO TEXT (YOU MAY ATTACH A SEPARATE SHEET)

1. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

The GVL2040 Comprehensive Plan emphasizes the importance of ensuring the preservation of neighborhood character and quality life. The benefits of this proposed text amendment will improve the quality of life through newfound accessibility of food trucks in appropriate residential spaces larger than 2.0 acres. Restricting this use to amenity areas will ensure minimal adverse impact, while providing a convenient service that will limit neighborhood traffic during events at the amenity area. The adoption of this proposed amendment would be consistent with the intent for residential areas in the GVL2040 Comprehensive Plan.

2. DESCRIBE THE WAYS IN WHICH THE PROPOSAL IS CONSISTENT WITH THE PROVISIONS OF THE ORDINANCE AND RELATED CITY REGULATIONS.

The amendment proposes modification to existing provisions and proposes new text related to temporary uses in residential amenity areas larger than 2.0 acres. The text amendment expands the applicability of an existing provision for temporary use of sale of food products, with approved temporary use permit. These changes maintain city regulations from other codes in the ordinance while allowing for specific temporary uses in certain residential areas. The allowed uses will be consistent with the regulations and intent articulated in Section 19-4.5.2, *General standards for all temporary uses and structures*.

3. DESCRIBE THE CONDITIONS THAT HAVE CHANGED FROM THE CONDITIONS PREVAILING AT THE TIME THAT THE ORIGINAL TEXT WAS ADOPTED.

Greenville has experienced considerable growth in both commercial and residential development throughout the city over the past decade. When new development occurs near differing land uses, land use compatibility issues follow. Community events have gathered many members of the public at locations with residential amenities larger than 2.0 acres within the city. This text amendment allows for businesses to provide a service to members of the public in an appropriate fashion, where the principal use is a large residential amenity area as well as providing local businesses economic opportunity.

4. DESCRIBE THE WAYS IN WHICH THE PROPOSAL ADDRESSES A DEMONSTRATED COMMUNITY NEED.

The proposal addresses a demonstrated community need by providing an accessible, temporary eating use at properties with large residential amenities. The city continues to see considerable growth in both residential and commercial development and redevelopment and believes this proposal will be compatible with that growth while allowing for a desirable temporary use in residential areas.

5. DESCRIBE THE WAYS IN WHICH THE PROPOSAL IS CONSISTENT WITH THE PURPOSE AND INTENT OF THE ZONING DISTRICTS IN THE ORDINANCE, WILL PROMOTE COMPATIBILITY AMONG USES, AND WILL PROMOTE EFFICIENT AND RESPONSIBLE DEVELOPMENT WITHIN THE CITY.

The proposal is consistent with the purpose and intent of the Ordinance which is to promote the general welfare of the property owners and residents of the city, and other members of the public. The proposal is particularly compatible with the Land Management Ordinance as the new temporary use will operate in conjunction with large residential amenities, which are classified as complementary uses customarily found in residential districts, as per Section. 19-3.2.2, *Establishment of zoning districts and specific purposes*. This text amendment will emphasize neighborhood compatibility and not create adverse impacts on existing surroundings, a tenet emphasized in Section 19-4.5.2.

6. DESCRIBE THE WAYS IN WHICH THE PROPOSAL PROMOTES A LOGICAL AND ORDERLY DEVELOPMENT PATTERN.

The proposed text amendment is for a temporary use and will not have any longstanding impact on development patterns or specific projects in the near future. Applicants requesting permission for temporary use included in this proposed text amendment will be required to follow the necessary procedures and permitting requirements.

7. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT WILL RESULT IN BENEFICIAL IMPACTS ON THE NATURAL ENVIRONMENT AND ITS ECOLOGY, INCLUDING BUT NOT LIMITED TO: WATER; AIR; NOISE; STORMWATER MANAGEMENT; WILDLIFE; VEGETATION; AND, WETLANDS.

The proposed text amendment will be subject to existing regulations and guidelines that are in effect to minimize or eliminate any adverse impact on existing surroundings, natural environment, and the community. In addition, the use being limited to properties where residential amenities are the principal use will meet the intent of neighborhood and community preservation.

8. DESCRIBE THE WAYS IN WHICH THE PROPOSED AMENDMENT WILL RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITIES AND SERVICES (ROADS, POTABLE WATER, SEWERAGE, SCHOOLS, PARKS, POLICE, FIRE, AND EMERGENCY FACILITIES).

The proposed text amendment is not anticipated to negatively affect the adequate provision of public facilities and services. The proposed amendment applies to temporary uses, which are subject to provisions in Section 19-4.5.2; temporary uses specific to this proposed text amendment should not require long-term access of public facilities and services and will have virtually no impact on such development.

Section 19-4.5.3. *Specific standards for certain temporary uses and structures.*

(F) *Use of motor vehicle, trailer, or shipping container for sales, service, storage, or other business.* The use of any motor vehicle, trailer, or shipping container in which, out of which, or from which any goods are sold, stored, services performed, or other businesses conducted shall be prohibited in all zoning districts. However, this subsection shall not prohibit the use of a motor vehicle, trailer, or shipping container for the following uses without benefit of a temporary use permit, **except where noted below**, pursuant to subsection 19-2.3.11:

- (1) The sale of food products at ~~a city-approved event~~;
 - a. a city-approved event; or
 - b. properties of 2.0 acres or more where the principal use is a residential amenity area, by vendors with a valid mobile food vendor decal permit, and with written consent by the applicable property owner and/or homeowners association, and approved temporary use permit.
- (2) Construction authorized by a building permit; or
- (3) The temporary loading and unloading of goods provided that no individual trailer or container is in place longer than 48 hours.