

**City Council of the City of Greenville  
Work Session**

**Monday, May 22, 2023  
3:00 p.m.**

**Meeting Location:  
Greenville City Hall, 206 S. Main Street**

**MINUTES**

CITY COUNCIL: Mayor Knox White and Councilmembers John M. DeWorken, Lillian B. Flemming, Kenneth C. Gibson, Wil Brasington, Russell H. Stall, and Dorothy H. Dowe

CITY STAFF: City Manager John F. McDonough; City Attorney Leigh B. Paoletti; City Clerk Camilla G. Pitman

Mayor Pro Tem Flemming called the meeting to order for the purpose of discussing the following matters.

**Development Code Review Update**

Assistant City Manager Shannon Lavrin provided a presentation on the proposed Development Code and stated the proposed Code will be presented during the Formal Meeting this afternoon as a Public Hearing and as an Ordinance for first reading. Ms. Lavrin provided a summary of information which included a look at the last few years before the Code process started, a look at the proposed Code and zoning map, and a look at the public process and community feedback. Ms. Lavrin also provided information on how the Code protects existing neighborhoods and commented on the importance in accelerating approval of the Code. Ms. Lavrin stated the City is committed to continuing to work with the community to refine and improve the Code and to insuring it remains updated and responsive to the Greenville community.

Ms. Lavrin referred to the first foundation of the proposed Code being the 2016 Affordable Housing Study and shared information and statistics from the project. Mayor White stated if you go back before 2000 and even back to the 1980's, you see a decrease in affordable housing because of the condition of the housing stock. Councilmember Flemming stated the City has been working for a long time on housing and referred to an influx of people into the City in the 1990's.

Ms. Lavrin referred to the second foundation of the proposed Code being the GVL2040 Comprehensive Plan which was passed in 2021. Ms. Lavrin commented on the project receiving the 2023 Outstanding Planning Project Award from the South Carolina Chapter of the American Planning Association. Ms. Lavrin advised that the proposed Code allows for GVL2040 to be implemented. Councilmember Dowe stated that GVL2040 did not mandate the City to write a whole new Code, however, it was obvious that an update was needed. Councilmember Dowe also stated that each of the items on the prioritized "must do" check list in GVL2040 will have been completed if the Code is adopted. Councilmember Dowe stated the proposed Code provides clarity, consistency, predictability and the like for all stakeholders.

Ms. Lavrin referred to the third foundation of the proposed Code which has been the implementation of minor updates and short term solutions over the past few years in attempt to solve issues with the current Land Management Ordinance Code. Ms. Lavrin provided a list of those efforts since the last major update of the Code in 2007.

Finally, Ms. Lavrin referred to the last foundation of the proposed Code involving previous planning efforts, including master plans, which may or may not have been updated or codified.

Ms. Lavrin stated the proposed Code includes years of experience by professional staff, neighborhood representatives, design professionals and community leaders. Ms. Lavrin provided a public review timeline showing public meetings and events that were conducted beginning in January 2023 to date. Ms. Lavrin stated that the Planning Commission voted unanimously to recommend approval of the proposed Code and zoning map.

Councilmember Gibson asked when the consultants were hired and if it was public knowledge. Ms. Lavrin responded the consultants were hired in July 2021 and the matter was presented and approved as an agenda item by Council and was included in the budget. Councilmember Dowe asked about notice given to the neighborhoods. Ms. Lavrin responded that notices were sent out to neighborhoods every Friday and that information was provided to every neighborhood association repeatedly providing opportunities for participation.

Ms. Lavrin provided examples of public outreach and engagement with the public, and she stated that since January 2023, over 1,500 people have attended meetings and public input events involving the proposed Code. Ms. Lavrin advised that social media notices about the Code began in January 2022. Councilmember Dowe asked about television advertisement being used. Ms. Lavrin responded that posters were placed in the bus shelters and on Public Work trucks.

Ms. Lavrin provided information on the major elements of the proposed Code including the following:

- Accessible Document Format
- Form-Based Code Standards
- New Zoning Districts
- Development Bonus:
  - Affordable Housing
  - Open Space
  - Height development bonus available in RC, MX, MXS, and IX districts
  - Process Changes
- Changes to Review Boards
- Accessory Dwelling Units (ADU)
- Short-Term Rentals
- Drive-Thrus and Auto Oriented Uses
- Campus Districts

Councilmember DeWorken stated it is important for everyone to be reminded that this is a living and breathing document that is subject to change. Ms. Lavrin responded that staff has been thinking the same way and recommends six month reviews for accountability. Councilmember Stall asked if the mitigation fee will go into a separate account, and Ms. Lavrin responded the recommendation is to allow the open space and affordable fees to be placed in a separate account. Ms. Lavrin stated she believes the objectives is to utilize those funds for future land banking. Councilmember Brasington asked if there is a way to forecast what will be spent from both fees. Ms. Lavrin responded no; however, she suggested having an idea within the first six months of the Code's is adopted.

Councilmember Stall requested an update on the tree ordinance in the near future.

Regarding the ADUs, Ms. Lavrin stated that staff received a lot of concerns from neighborhoods and that adjustments were made to provide a better understanding and comfort level.

Ms. Lavrin provided an overview of the new Zoning Map and referred to neighborhoods, nodes and corridors, the downtown/central business district, the expanded design review boundary and height map, and the citywide zoning breakdown. Ms. Lavrin stated the City currently has 12 zoning districts and if approved, it will have 26 zoning districts, which staff believes is a benefit. Ms. Lavrin commented on new park zoning classifications to assist in preserving the parks for perpetuity. Ms. Lavrin advised that PK zoning will apply to approximately 895 acres.

Ms. Lavrin provided modifications in response to community feedback and the process of reviewing the modifications, including map changes and the development bonus section, accessory dwelling units, drive-thrus, and fueling stations. Ms. Lavrin stated staff worked hard between the first public hearing and the second public hearing to address any concerns expressed.

Regarding churches, Councilmember Dowe noted that churches are property owners and they have the right, as with any other property owner, to request a zoning change. Councilmember Dowe asked for clarity on campus zoning involving Legacy Square. Ms. Lavrin stated that while they do not have to prepare a master plan, staff is aware that one has been prepared. Ms. Lavrin also stated that she as the Zoning Administrator has final approval. Councilmember Brasington referred to the collaborative work of the parties involved and stated he is aware of efforts to establish deed restrictions that will further govern development in that location.

Ms. Lavrin commented on the public process for the proposed Code utilizing the website and educational opportunities. Ms. Lavrin referred to conducting character areas planning studies in five distinct areas and provided an overview of the work performed as part of the Code rollout. Ms. Lavrin provided information on what the Code does to assist in protecting neighborhoods and shared comparison examples. Ms. Lavrin also provided information on how the Code affects the corridors in the City, including density.

Councilmember Gibson asked if the proposed Code has any effect following Council's first vote. Assistant City Attorney Logan Wells responded it would fall under the pending Ordinance doctrine.

Ms. Lavrin referred to concerns expressed by the Planning Commission with utilizing the current Code and encouraged Council members to view the Planning Commission meeting from last Thursday involving limited or no ability to deny certain requests under the current Code.

Councilmember Stall asked if we know the structure of the proposed Code review process Ms. Lavrin responded that staff has created a document that aligns with the Code and every issue that comes in is being applied to the specific code session. Ms. Lavrin stated that staff will bring those issues back for review in six months with a recommendation and that the item will be brought to Council for adoption.

Ms. Lavrin referred to the Planning Commission's recommendation to approve the proposed Development Code and the modifications made by the Planning Commission. Ms. Lavrin

recognized the work of the Planning Department staff. Ms. Lavrin advised that the proposed Code will not allow for PD, Planned Development.

Councilmember Brasington referred to covenants and asked if staff knows how many covenants there may be or the City knows about and if there is a way to manage them. Ms. Lavrin responded that the City does not enforce restricted covenants and if there is a covenant, then the City cannot issue a permit. City Attorney Leigh Paoletti advised that state law requires the City to inquire with applicants whether their plan violates any covenants.

Councilmember Stall asked if the City is aware of other cities that are watching Greenville to determine if they are going to rewrite their own Code. Thomas Eddington with cvb responded that he is not aware of anyone specifically, but there has been interest in following the process in Greenville.

Mayor White thanked Ms. Lavrin for the presentation and information.

**Motion - Executive Session**

During the open Work Session, Mayor White asked for a motion to go into Executive Session. Ms. Paoletti recommended going into executive session under S.C. Code §30-4-70(a)(2) to receive legal advice regarding the proposed development code and the structuring of the City's Economic Development Department.

Councilmember Gibson moved, seconded by Councilmember Dowe, to go into Executive Session. The motion carried unanimously.

(Executive Session)

There being no further discussions, Councilmember Gibson moved, seconded by Councilmember Stall, to go out of Executive Session. The motion carried unanimously. No action was taken.

With no further discussions, the meeting adjourned at 5:10 p.m.

Camilla G. Pitman, MMC, Certified PLS  
City Clerk

Meeting notice posted on May 19, 2023