



GREENVILLE COUNTY COUNCIL

Minutes
Committee of the Whole Meeting
February 18, 2025
5:01 p.m.

Committee Meeting Room
301 University Ridge
Greenville, South Carolina

Council Members

Benton Blount, *Chairman, District 19*
Rick Bradley, *Vice-Chairman, District 26*
Liz Seman, *Chairwoman Pro Tem, District 24*
Joey Russo, *District 17*
Kelly Long, *District 18*
Stephen Shaw, *District 20*
Curt McGahhey, *District 21*
Frank Farmer, *District 22*
Alan Mitchell, *District 23*
Ennis Fant, Sr., *District 25*
Garey Collins, *District 27*
Dan Tripp, *District 28*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online, at 301 University Ridge, Greenville, and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

Steve Shaw, *District 20*

Council Members Participating Remotely

Alan Mitchell, *District 23*
Dan Tripp, *District 28*

Staff Present

Joe Kernell, *County Administrator*
Chris Antley, *County Attorney*
Andrew Price, *Assistant County Attorney*
Campbell Plumblee, *Assistant County Attorney*
Regina McCaskill, *Clerk to Council*
Jessica Stone, *Deputy Clerk to Council*
Pam Gilliam, *Administrative Assistant*

Ted Lambrecht, *Deputy County Administrator*
Tee Coker, *Assistant County Administrator*
Nicole Wood, *Assistant County Administrator*
Hesha Gamble, *Assistant County Administrator*
Rashida Jeffers-Campbell, *Planning Director*
Terrence Galloway, *Information Systems*
Phillip Simmons, *Information Systems*

Others Present

Beverly James, *Executive Director, Greenville County Library System*

Call to Order

Chairman Benton Blount

Invocation

Councilor Kelly Long

Item (3) **Approval of Minutes**

- a. February 4, 2025 – Regular Committee Meeting**
- b. February 11, 2025 – Special Called Committee Meeting**

Action: Chairman Pro Tem Seman moved to approve the minutes of the February 4, 2025 – Regular Committee Meeting and the February 11, 2025 – Special Called Committee Meeting.

Motion carried.

Item (4) **Greenville County First Steps Board of Directors / Appointment**

Action: Chairman Pro Tem Seman moved to approve the appointment of Jennifer Pinkerman to the First Steps Board of Directors as recommended by Ms. Beverly James, Executive Director of the Greenville County Library System.

Councilor Long stated it would be helpful to have more information about the candidates as they came forward for appointment to the committees.

Beverly James stated the previous County Council approved the appointment of a board member last year, that person had taken another position and had to resign the post. The Library was now recommending Ms. Jennifer Pinkerman to fill the vacated position on the First Steps Board of Directors.

Chairman Pro Tem Seman stated the appointment was made based on the recommendation of the Library Director. It was not one of the County's traditional board appointments.

Ms. James stated that was correct. In a recent legislation change, the law required for a candidate to be nominated by the library staff. She stated Ms. Pinkerman was the Children's Area Supervisor at the main library.

Motion as presented carried.

Item (5) **Discussion – Unified Development Ordinance (UDO)**

Chairman Blount stated the item was on the agenda for Council to discuss the next steps to be taken regarding the UDO. He stated no motions would be taken that evening.

Chairman Pro Tem Seman stated at the appropriate time, she would like for Council to consider adding language requiring an annual review of the UDO and feedback from staff concerning the effectiveness of the ordinance.

Councilor Collins stated in his research he ran across, for comparison, notes from the Summerville Town Council regarding similar legislation they were considering. With the Chairman's permission, he read the following: Members of the Summerville Town Council were voicing concerns over how much they had paid a consultant for over four years of work on a new development ordinance. The work was so poorly done it basically had to be redone from scratch.

The town paid a consultant group more than \$224,000 for a 300-page document that was worthless. One of the Summerville Councilwomen said, when it came to them, after they had spent so much time on it, their choices were to either reject it or try to fix it themselves. That sounded familiar. When the UDO came to Council last year, they were told they had to pass it to see what was in it. This type of legislation was the development standard for years to come. Whether it was reviewed annually or not, it needed to be established fundamentally before the body would even know what they wanted to review. Summerville's comments were the same as Greenville's. We have to pass it, then we can amend it. Mr. Collins objected stating, no, you fix it, then you ratify it, and then implement it. He stated the contract did not outline what was supposed to happen and it took longer to complete the work than the UDO should have taken. The town's Planning Department had a draft and it worked through the document chapter by chapter for months after sending it to the Council for a first reading. The Council had 30 workshops, each lasting three hours. That was 90 hours of Council and staff's time and money in addition to the amount they paid to the consultant group. Was there to be a time frame to recoup the money from a consultant group to amend the document. Another Councilwoman stated when the Council received the UDO from the consultant, it was riddled with misspellings, grammar errors and improper capitalization all the way through. The document's biggest issue was that it did not accurately reflect the town of Summerville. He stated this Councilwoman went on to say, an even more concerning issue was there were parts of the document that appeared to be lifted from other jurisdictions.... cut and paste. The things that were of concern were not included in the document that was presented to Council. After all the time spent on creating the document, the mayor said there were some positive aspects of it, but it was less than favorable. The UDO in Greenville County had some positive aspects of it, but it was much less than favorable for the money, the time and the effort expended on a document that would have to be taken back to the whiteboard. He felt the document needed to be more citizen friendly, not industry friendly. It needed to be in direct correlation with the Comprehensive Plan. The time and resources that would be spent on fixing a document the County had paid to have completed made no sense to him. He asked if they could get specific citations in writing of the conflicting language between the Zoning Ordinance and the LDR. He stated 3.1 was removed after numerous lawsuits that showed the vagueness in the description. Mr. Collins stated instead of amending a three-paragraph document, it was decided to add a 601-page document to fix the problem, which made no sense. He then asked several questions, what was the reason for the removal of LDR 22 (rural subdivisions) from the UDO? How many companies returned a bid for the project? Who vetted the companies? Who selected the particular company to do the work? What specific UDO work had the selected company been involved in with completion? What were the prescribed directives before work on the UDO began? Did the County use the current Comprehensive Plan as a guide for creating the UDO? How much had been invested in the UDO to-date? Was there a defined time frame and any penalties associated for missing either or both benchmarks? Why was there a 3-year delay related to the UDO? Had anyone on staff ever worked for the selected company or subsidiaries? If so, who, when and what did they do?

(Councilor Shaw arrived at 5:12 p.m.)

Chairman Blount stated one of the things they needed to look at was making any corrections, such as footnotes or other simple things that would be an easy fix.

Councilor Farmer asked the County Attorney if there were any conflicting language issues with the UDO that would open the County up to lawsuits.

Attorney Chris Antley stated part of what the County was trying to achieve was to correct conflicting information with regard to mandates from the Zoning Ordinance and the LDR which had caused the County a whole spate of litigation over particular subdivisions. Part of the process was to make the two documents “talk together.” He stated he was unaware of anything specific in the document, but that did not mean that something did not exist that could present itself at a later date; there was no such thing as perfect legislation.

Councilor Farmer stated his question was due to comments from the Planning Commission Chairman regarding cluster developments, which created a lot of issues. He stated, according to him, if Council hammered out those matters, it would solve 80% of the problems with the UDO. He then asked Councilor Fant for his input.

Councilor Fant stated the Planning Commission did not have jurisdiction over the matter. He stated some members of the Planning Commission liked it, some didn’t and some were in the middle. They made their concerns known during the public sessions and all their thoughts and concerns were considered when Council went through the process.

Chairman Blount stated there were several workshops held during the first cycle. He stated another workshop would be a great place for them to bring in the Planning Commission members, the members of the Board of Zoning Appeals, and others who would be indirectly affected by the ordinance, as well as the non-profit partners who helped work on it. He felt that would be the best way to discuss the issues and concerns everyone had with the current document.

Vice Chairman Bradley inquired about how they would address amendments to the issues they had with the UDO.

Chairman Blount encouraged Council to reach out to staff about their concerns. He stated their individual issues might be something staff could address before Council held a workshop.

Vice Chairman Bradley stated he knew of several citizens, from multiple districts, who had come together and their plan was to read the entirety of the UDO and supply Council with the issues and corrections that needed to be made to the document. He stated he had people strong in residential zoning and administration, but he did not have anyone on the commercial or industrial side of zoning. He asked if anyone knew of someone with expertise in those two areas, perhaps they could sit down with the others and supply him with some amendments Council could look into.

Councilor McGahhey stated the effort needed to be collective and not just from one district. He suggested having site visits for those individuals who could not make 5:00 meetings in order to collect their input.

Chairman Blount stated it was a large document and it took many different methods to get it to that point. In order to make amendments, they would have to take multiple avenues to accomplish that. He stated it wasn’t just about making amendments, it was about working

with staff, working with the people that put the document together and working with the public; it was going to take many different approaches.

Councilor McGahhey asked what caused the County to see the need to create such a large, incomplete document when the LDR was working fine, short of a few issues that caused litigation. He felt the LDR should have been amended to address those concerns as opposed to recreating a whole new document.

Councilor Fant stated the County had a plethora of documents that did not speak to each other. The County had the LDR, the Comprehensive Plan, the Zoning Ordinance, and Area Development Plans. Sometimes when staff tried to decide if something should be approved or not, the LDR would be in conflict with an area plan; or the LDR would say one thing and the Zoning Ordinance would say something completely different. The documents did not speak to each other and it was causing a problem. He stated it also created the issue of "cherry picking." The Planning Commission would say, "Well, it violates the LDR, but it is part of the future land use plan", so at the end of the day, it ended up being denials. The citizens would get mad because they would not have gone through the expense if they had any idea of what was going to happen. The whole point of the UDO was to take seven documents and put them all into one document in order to take the confusion and the ambiguity out of rezoning requests. Citizens would have a better idea of what would happen, and they would not have the Planning Commission arbitrarily trying to pick what should be approved and what should not be approved. Sometimes they would use the LDR, and other times they would use the future land use map. The UDO was an effort to get rid of the "whatever" and give clarity and definitiveness to the public. He agreed with Councilor Seman, put the document to use and come back in a year to review it. If some of the things were not working, fix them. He felt that after four years of work they should at least give the document a try.

Chairman Pro Tem Seman stated it might be helpful for the body to hear from the County Administrator and his team to remind Council how they got to that point. Staff kept records on how many public hearings were held, how many workshops were conducted, where they were held, and how many people attended. She stated the document was put together in good faith and with lots of opposing opinions. That did not mean Council should not make amendments, that was their job, but to understand the document was put together in an effort to bring the County up to date. She felt it would be helpful to receive some clarification on the background of the process.

Chairman Blount stated Council needed to be respectful of staff's time. If a member had a potential concern or amendment, he asked them to run those by staff so they could discern if an amendment might cause problems in other sections of the UDO. He felt that would allow them to give Council some clarity on what the result of an amendment might mean to the rest of the document.

Councilor McGahhey suggested Council come up with a plan of action with dates that were actionable and that would hold them accountable. He stated this was not something they could send back to the Planning Commission, it was their responsibility. He was going to rely a lot on staff and the administrators to get through the process. He wanted to develop a date in the near future, three, four or five weeks out, for them to have their items to staff for review. Staff could review those items and then get with the Council to go over the

changes. He stated since it was such a large document, they could break it up into three or four sections that were digestible.

Councilor Mitchell stated presentations were made by staff when they first began the UDO process. He felt that would be a good place to start because of the significant overviews that were shared about the UDO during those sessions. Until Council had something specific to act on, he didn't think they needed to be setting dates, except to have some kind of presentation.

Chairman Blount asked if there were recordings of the previous workshops. Ms. McCaskill confirmed there were recordings. He suggested Council consider meeting on the UDO amendments at the last Committee of the Whole meeting in April. He asked if staff would have adequate time to prepare.

Councilor McGahhey stated he was conciliatory to a meeting in two months to consider amendments, but he wanted to set a hard deadline to have the UDO completed. He suggested three months after the meeting in April.

Councilor Shaw suggested tabling the UDO and simply dealing with the issues that came up incrementally, as they had done in the past.

Councilor Fant stated he felt it would be appropriate for Tee Coker and his staff to do a presentation to catch everybody up on the UDO. After the presentation, any member who had a concern would give those concerns to staff to review. Afterward the Council member could meet with staff and they could explain to them whether or not it was a good idea and why. If the Council member still felt it was in the best interest of the citizens to make the amendment, then they would have a meeting for that to take place. All members of Council would be able to vote on the amendment and everyone would have had all the input they needed to get to a final document.

Councilor Mitchell stated he would want to know, beforehand, what the amendments would be so that he would be able to do his own research and have the benefit of staff input.

Councilor Shaw asked when would he be able to make his motion to table the UDO.

Chairman Blount stated his opportunity would come at the April meeting when the ordinance was on the agenda for discussion and motions. However, if he should decide he wanted to place it on an earlier Committee of the Whole agenda, he could simply request the item be included.

Chairman Blount asked staff to set up a UDO workshop for April 15.

Councilor McGahhey asked when Council needed to have their amendments to staff.

Administrator Joe Kernell suggested Council have their amendments to staff by April 1st to allow time for research and review.

Item (6)

Adjournment

Action: There being no further business, Councilor Farmer moved to adjourn the meeting.

Motion carried and the meeting was adjourned at 5:47 p.m.

Respectfully submitted:

Regina McCaskill
Clerk to Council