

AN ORDINANCE

TO AMEND ARTICLES 12, 14, 15, AND 23 OF THE GREENVILLE COUNTY LAND DEVELOPMENT REGULATIONS TO PROVIDE THAT THE PLANNING COMMISSION APPROVES GROUP DEVELOPMENT PLANS, MAJOR REVISIONS TO APPROVED GROUP DEVELOPMENTS, AND DEVELOPMENT PLANS FOR MANUFACTURED HOME PARKS AND RECREATIONAL VEHICLE PARKS; TO CONFORM THE REVIEW PROCESS FOR TINY HOUSE DEVELOPMENTS; AND TO REPEAL INCONSISTENT PROVISIONS.

BE IT ORDAINED by the County Council of Greenville County, South Carolina:

Section 1. Findings.

Greenville County Council adopted the Land Development Regulations under the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code Ann. §§ 6-29-310 through 6-29-1640. Section 6-29-1130(B) gives the Council the power to adopt and to amend the land development regulations after a public hearing.

Section 6-29-1150(A) requires the land development regulations to include a specific procedure for the submission and approval or disapproval of plans by the planning commission or designated staff. The Council therefore decides which plans the Planning Commission approves and which plans staff approves.

Under the Land Development Regulations, the Subdivision Advisory Committee and staff approve group development plans, staff determines whether a revision to an approved group development must be resubmitted, and staff approves development plans for manufactured home parks and recreational vehicle parks. The Council finds that the Planning Commission, which acts in a public meeting, should make the decision on these plans, and that staff should continue to review applications for compliance with the regulations and to make recommendations.

The Council also finds it appropriate to conform the review-process provisions of Article 23 so that they state that staff reviews and processes tiny house preliminary plans and the Planning Commission approves them.

Section 2. Amend Article 12, Section 12.2 of the Land Development Regulations as follows:

12.2 Review Process

DRAFT (McGahhey Amendments as Proposed)

When new lots are being created as part of an overall development, a Preliminary Plan shall be submitted to Subdivision Administration, following the requirements and process described in Article 3. Subdivision Administration shall be the lead agency in processing and ~~approval~~reviewing and processing the application. The Planning Commission has approval authority over both Preliminary Plans and Group Development Plans. In addition, and concurrently, a Group Development Plan shall be submitted to Planning and Zoning as described below. Both the Preliminary Plan and Group Development Plan shall be taken together to Subdivision Advisory Committee for comment; the Group Development shall be ~~approved~~reviewed by Subdivision Advisory Committee and Planning and Zoning. The Preliminary Plan shall be taken to the Planning Commission for review. Subdivision Administration shall sign off on approved Preliminary Plans once ~~Planning and Zoning has~~Planning Commission ~~has~~ notified them of ~~their~~its approval, ~~after Planning Commission consideration.~~

For projects that are an overall development where no new lots are created, only a Group Development Plan is submitted to Planning and Zoning for ~~approval~~review by the Subdivision Advisory Committee. In this case, Planning and Zoning shall be the lead agency in processing and ~~approval~~review, with approval authority resting with the Planning Commission. Should lots be created at a later date, a Preliminary Plan will be required.

Section 3. Amend Article 12, Section 12.4 of the Land Development Regulations as follows:

12.4 Revisions to Approved Plans

Revisions that alter the basic concept and general characteristics of the development as to substantially affect the project functionality as approved ~~may be required to resubmit for review as determined by~~are major changes required to be resubmitted for review by the Subdivision or Planning and Zoning Divisions and for approval by the Planning Commission. If a Group Development was accompanied by a Preliminary Plan, then Subdivision Administration will ~~determine~~review the need for revision and make a recommendation to the Planning Commission for approval; if no lots were created, then Planning and Zoning will ~~make the determination~~make a recommendation to the Planning Commission for approval.

Section 4. Amend Article 14, Section 14.2.2 of the Land Development Regulations as follows:

14.2.2 Site Plan Approval

Prior to construction of a new manufactured home park or enlargement of an existing manufactured home park at the time of adoption of this Ordinance, a development plan must be submitted and ~~approved~~reviewed and processed by the Subdivision Administrator in accordance with the submittal schedule and fees for Preliminary Subdivision Plans and shall be reviewed by the Subdivision Advisory Committee. The Planning Division must ~~approve~~review the proposed development for conformance with all applicable regulations, and staff shall present the matter with a written recommendation to the Planning Commission for approval or denial ~~prior to submitting to the Land Development Division for a land disturbance permit~~. No land disturbance permit shall issue without plan approval by the Planning Commission.

Section 5. Amend Article 15, Section 15.3.2 of the Land Development Regulations as follows:

15.3.2 Site Plan Approval

Prior to construction of a new recreational vehicle park or enlargement of an existing recreational vehicle park at the time of adoption of this Ordinance, a development plan must be submitted and ~~approved~~reviewed by the Subdivision Administrator in accordance with the schedule for Preliminary Subdivision Plans and shall be reviewed by the Subdivision Advisory Committee. The Planning Division must ~~approve~~review the proposed development for conformance with all applicable regulations, and staff shall present the matter with a written recommendation to the Planning Commission for approval or denial. ~~prior to submitting to the Land Development Division for a land disturbance permit~~ No land disturbance permit shall issue without plan approval by the Planning Commission. Any recreational vehicle, service building, or recreation area located in any recreational vehicle park shall be placed in accordance with an approved development plan.

Section 6. Amend Article 23, Section 23.2 of the Land Development Regulations as follows:

23.2 Review Process

A Preliminary Plan shall be submitted to Subdivision Administration, following the requirements and process described in Article 3. Subdivision Administration shall be the lead agency in processing and ~~approval~~review. The Preliminary Plan shall be taken to Subdivision

DRAFT (McGahhey Amendments as Proposed)

Advisory Committee for review and comments. ~~The~~After the Subdivision Advisory Committee completes its review, the Preliminary Plan shall be taken to the Planning Commission for review and approval. Subdivision Administration shall sign off on approved Preliminary Plans after consideration by the Planning Commission.

Section 7. Repeal. This Ordinance repeals any ordinance, resolution, or order with provisions that conflict with it only to the extent of the conflict.

Section 8. Severability. If a court of competent jurisdiction holds any section, subsection, sentence, clause, phrase, or portion of this Ordinance invalid or unconstitutional, that decision does not affect the validity of the remaining portions of this Ordinance or of the Land Development Regulations, which remain in full force and effect.

Section 9. Effective Date. This Ordinance shall take effect on the date of its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2026.

Benton Blount, Chairman
Greenville County Council

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator