

Note to readers: These discussion notes come from the March 9, 2016 meeting of the TAC. The consulting team prepared a series of conceptual slides that describe the overall philosophical approach to the proposed performance standards. A draft of the standards has not yet been prepared.

TAC Chair Election Results

- Chair: Foster Chapman
- Vice-chair: Jay Beeson

Development Standard Basics Slide

- Desire to keep tone of performance standards positive – ie “Encourage compatible uses” rather than “Avoid incompatible uses”
- Road classifications also based in where the County spends its infrastructure dollars – more infrastructure can support more development in an efficient manner
- Note that this system does not classify interstates.
- What do you mean by intensity?
 - The kinds of uses, how large they are, how much traffic they generate, and how much of an impact they have on their neighbors (noise, light, etc.)
- Some operations might be more or less intense depending on their location, size, etc.
 - Example: mining operation – could be operated in a more intense way in a high-intensity context – more noise allowed, more traffic generated.
- Could you give provisional approval to a mining operation, for example, limiting their traffic? What happens when they exceed the traffic limit?
 - Yes, you can do this, and other jurisdictions do it. Traffic is one of the most important limitations that is available to use.
- How would this be enforced?
 - It would constitute a violation of its approval, so the County would follow its typical process for land use violations.
- How do you deal with mixed-use or lifestyle center development?
 - Current thinking is to treat it as non-residential; could potentially create a third use type for mixed use.
 - Thinking about them as commerce-generating centers.
 - Also helpful to think about the traffic generation of such a use – treat it as a more intense use.

- This issue will be explored in more depth as the project gets more detailed, particularly with regards to “edge” conditions.
 - Mixed use development has fewer risks with (internal) incompatibility, because it is developed as a whole, rather than with commercial or other intense uses coming in near an existing residential use.
- Will there be provisions for a PUD or similar?
 - There can be, but the County does not currently have PUD provisions or a procedure, and development of these kinds of standards is outside the project scope. These kinds of standards could be included in the mixed-use standards.
 - This will be a positive change, because it is currently difficult to develop a PUD or mixed-use in the area.
- What happens when roadways change and grow over time? What happens to the uses on those roads? Example: an older single-family home exists on a road that has become a higher traffic connector. Would you encourage the “highest and best use” of the land – the economic development use – or compatibility with the existing use?
 - As of right now, the conceptual approach would provide protection to the existing single-family home.
 - One way to deal with this is through the process of road classification assignment. A possible rule of thumb is “go to the higher classification” when a road is in between classifications.
 - Also, with regards to older residential uses, other jurisdictions only require compatibility near it as long as the house is in continuous use.
 - The issue of change over time is coming up as a point of discussion for this group.
 - In this case, both the roadway classification and the existing use would determine the standards. In the conceptual-standards, there are compatibility protections for existing homes. This can be revisited in the future.

Proposed Basic Performance Standards Slide

- NOTE: The performance standards presented are in the conceptual stage at this point. The team’s plan is to add more concrete detail after receiving approval of the conceptual approach from the TAC and County staff and elected officials.
 - Suggestion to add signage to the list
 - Screening vs buffers: Screening refers to fences or to screening of particular portions of a site, such as refuse collection.
 - Suggest to add odor – may be a point of exploration in other communities

- Landscaping – currently is conceptually embedded within buffer standards. Could include parking, etc.
 - Suggest to include landscaping as its own item
 - Suggest driveway access – currently not included because DOT controls driveway placement in many places.
 - Driveway location relative to lot line.
 - Suggest development density – currently focus is on lot coverage and setbacks rather than density or floor area ratio. Could be discussed and added in the future if desired by the committee.
- Where is the reciprocal burden on government to match the higher standards being required?
 - Are there civic amenities that accrue to attract development to preferred places?
 - Water and sewer – County does not control financial investment in sewer (Cities and sewer districts, etc. do), however, County Council is responsible for the County sewer plan and has a water and sewer advisory committee. This committee makes recommendations as to where sewer investments should go, and can dovetail them with the area performance planning. The APP process will have information about where the committee is sending sewer investment so that those areas can be designated as able to sustain higher intensities.
 - Similar with fire services – higher intensity areas may be served by multiple districts
 - Good point that this is a concerted effort in managing resources. The County and other service providers are undertaking a coordinated effort.
- How will traffic be handled?
 - This will be a major point of discussion at future meetings, and the notion of traffic impact analysis and potential off-site mitigation is included in the conceptual standards.

Example Sketch Slides – Commercial Development

- Why is there a wider setback between two non-residential uses in a less intense area?
 - The conceptual standards are designed with the idea that the neighboring land use may change, and nonresidential must provide a buffer in case the next land use is residential.
- Note that the drawings only show buffers and setbacks, not lighting, noise etc. It is possible to structure standards so that there is a menu with options or tradeoffs. Loading areas, screening of dumpsters, light levels, etc. could also be

included on a spectrum of standards required. Spectrum-style approaches need greater consideration and discussion since the relative complexity (and thus unpredictability) of the approach increases with spectrum-style approaches where a base standard may be modified in several different ways through site configuration.

- By identifying A corridor vs B corridor, you are setting up your corridor to remain a B corridor. This preserves the B corridor and prevents the need for the B road to be upgraded to deal with the more intense traffic.
 - Reiteration that classification of corridors is key
 - Connectivity should be considered when classifying roads – lower-classified roads that provide connectivity between areas are more likely to become higher-classified roads, or maybe should be classified higher in the beginning.
 - Setbacks on high-intensity roads should be increased to accommodate the possibility of an “A+” road if the road is widened in the future.
 - Questions are coming in the next stages of the project that will address things like streetscaping and more details of the regulations.
- Is it possible for neighboring uses to agree to lessen or remove buffer?
 - That is on the list of questions for next time as well – how to handle deviations?
- Is frontage on the roadway required to be considered on or in the higher classification roadways? Very large job generators need access to arterials, but do not have frontage.
 - Want to protect the County’s ability to attract these large developments, avoid unintended consequences.
 - Roadways built as accesses may be classified for those industrial uses as well – Arterials or industrial-serving roads may be built as part of the development and can have standards applied.

Example Sketch Slides – Residential Development

- In places with Euclidean zoning, if a residential use is going on an A-type road, they require 300 feet on the roadway to be reserved for commercial uses. Is that something that should be considered?
 - From a market standpoint, don’t want to require commercial development, because this can create difficulties with any development coming in. If a developer wants to propose mixed use in this way (commercial near the road, higher density residential next, and lower density residential deeper back), it will be allowed and encouraged, but not required. Prefer to let the market shape whether or not commercial is required.

- There are also possible unintended consequences to having long lines of commercial – in terms of traffic. Many communities are moving away from long strips of commercial toward node-like commercial “pulses” along the roadway.
 - Note that the area performance planning is one tool among many that the County is using to move toward a desirable development pattern.
- When you pick corridors (as in the suggestion to require commercial uses), you have the government picking winners and losers. Appraisers and developers will look at the return on investment and choose the parcel that presents the best development opportunity. This approach offers a chance for the market to dictate what happens to land and values, rather than government dictating it.
- Why is there a higher buffer in the back of the single family residential on road type A than on road type B?
 - This is very much up for discussion by the TAC, but the point is to demonstrate the ability to use standards to attract development to preferred areas.

General Discussion

- Concern that there will need to be higher disincentives to locate outside the preferred area in order to influence location of higher intensity uses
- Existing residential designation – Will residential use be treated as existing residential even if it is built after the ordinance is passed?
 - Committee member understanding is that existing uses are established at the time of the ordinance passing.
 - Any use developed after the ordinance grandfather date does not get “double-buffered.”
 - Need to continue discussing this and potentially revise the draft conceptual standards.
- Will institutional buildings, like government buildings or schools, be addressed separately?
 - Yes, for the most part.
 - Schools are able to opt out of local development regulations, so controlling their location will be difficult.
 - Would depend more on coordination with the district.
 - Institutional uses will be treated.
- Need to have understanding that road classification is not static. Need to have clear plan on how to define the roads, their classifications, and the procedure for changing those classifications in the future.

- Also must address roadway segments.
 - New roads must also be classified.
- If a developer builds a subdivision and builds the roadways within it, intending to dedicate them later, then who gets to decide what the classification is?
 - One example from Lexington Co: Process involved a back-and-forth conversation between developer and county, and ultimately the county determined the classification when they received the road. (*Note: Roads need a classification even if they are not “turned over” to the county. Private roads built to county standards and Private Road Developments.*)
 - There should be some measurable metrics that can be used to determine what classifications are possible for a particular road. There is also a contextual consideration.
- Who is going to classify the roads in the County?
 - Recommendation will come from the TAC to the Advisory Committee and ultimately to the County Council to be adopted.
 - This needs to be based on some measurable metrics, for example, right-of-way width, pavement width, SCDOT designation, traffic count, or other factors in order to avoid legal challenge.
 - The process is being adapted from jurisdictions where it has been successful.
- Concern that roadway classifications and changes will become more political than planning in nature.
 - Need to define very clearly the qualities of an A, B, etc. road.
 - One of the most important things the TAC will do is classify the roads.
- There is general agreement among the Committee members on this conceptual approach.
- What are we overlooking from a policy or technical deficit that other approaches offer?
 - Land use planning – allowing roadway system to dictate what will happen in terms of land use. Municipalities use land use planning as a policy tool to dictate what uses will or will not locate in certain areas.
 - The APP approach is not devoid of planning, but is a different choice and a different tool for implementing land use planning policy.
 - Requires a clear method for classification that is evidence-based.
- Will any types of development be excluded from areas based on compatibility?
 - Yes, we anticipate dealing with compatibility in general, but it is a question whether they will be included in this ordinance.
 - There are also uses that will be outright prohibited on certain types of roads.

Spartanburg County APP

March 9, 2016 TAC Meeting – Discussion Notes

- The County's existing standards on uses such as nuclear power plants, sewage treatment plants, cell towers, sexually oriented businesses, etc. will still exist and will work together with the APP.
- Not all roads have an obvious classification. There are subtleties that must be addressed.
- Potential point of caution – in other municipalities, Euclidean zoning functions in a very predictable way. If we want this system to be predictable and efficient, need to be careful not to get too deep in the weeds so that out-of-town developers in particular are able to understand the system and work within it. Having a process that people understand is more important than having a process that answers every possible question.
- Proposal for monthly or bi-weekly meetings. Goal is to have this ordinance adopted by end of 2016.
 - Consensus on having meetings in the mornings. Wednesdays are a good day.
- How long would it take to map the classifications?
 - Plan to provide a map for the committee to react to, rather than starting from scratch.
 - Also will have draft roadway definitions for committee to review and comment on.
- Request to have materials, notes, etc. emailed to all committee members.
- Do we need to look at the ULMO and how it interacts with this ordinance?
 - Yes, that is likely.
 - Ultimately, this ordinance will need to be folded into the broader governing documents.
 - This is the beginning of doing something that will affect the whole county. Laying the foundation of the system in this area will make future work expanding across the county easier.