

**CITY OF LANDRUM
ORDINANCE 2022-05**

**An Ordinance Amending the City of Landrum Land Use and Zoning
Code CHAPTER 5-2-31 FLEXIBLE REVIEW DISTRICT (FRD)**

WHEREAS, on December 17, 2020, and March 29, 2022, the Landrum Planning and Zoning Commission recommended modifications to provide the City of Landrum increased design and density flexibility than provided in the existing Land Use Code for future development, and

WHEREAS, there are several large vacant parcels in the City of Landrum or that may be annexed into the City of Landrum in the future in which residential uses are expected to be developed, and

WHEREAS, the Appalachian Council of Governments recommended that the City of Landrum establish the ability to enable design and density flexibility with such future developments.

THEREFORE, BE IT ORDAINED BY the governing body of the City of Landrum, South Carolina in council duly assembled and by the authority of the same, that the following sections be added to the City of Landrum Land Use Code:

5-2-31.1 INTENT.

The intent of the Flexible Review District (FRD) is to provide design and use flexibility to allow development and redevelopment of properties that is compatible with the existing character of the area as set forth by the City's comprehensive plan. Specifically, the FRD enables the tools required to encourage exceptional planning and design in order to preserve the character of existing buildings, open spaces, streetscapes, and use clusters of unique areas of the city; and protect critical environmental resources through a greater efficiency in the layout of roads, utilities and other infrastructure. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development density and characteristics will be applicable in other locations.

5-2-31.2 GENERAL REQUIREMENTS.

The provisions of the zoning ordinance regulating minimum lot area, parking, landscaping, and lighting shall serve as a general guide. However, variations to these standards included in the approved statement of intent or final development plan shall supersede the other provisions of this ordinance.

5-2-31.3 MINIMUM SITE SIZE.

The minimum site size for the Flexible Review District is 5 (five) acres, or 217,800 square feet.

5-2-31.4 MINIMUM LOT WIDTH, MINIMUM YARD REQUIREMENTS, MAXIMUM LOT COVERAGE, MAXIMUM HEIGHT OF STRUCTURES.

No structure shall be erected within twenty-five feet from any external lot line of any FRD with the following exceptions:

- A. Where land uses within the FRD are the same as uses permitted in the adjoining properties outside the FRD, a lesser or larger setback that is consistent with the uses or zoning on the adjoining properties may be permitted.

Minimum and maximum lot width, minimum and maximum yard sizes, maximum lot coverage and maximum height are otherwise regulated within the FRD, provided, however, that the planning commission and city council shall ascertain that the characteristics of building location(s) and setbacks shall be appropriate as related to structures within the district and adjoining properties, where applicable.

5-2-31.5 DEVELOPMENT STANDARDS.

The standards set forth in Sections 5-2-26, 5-2-27, 5-2-28 and 5-2-30 Development Standards of the Landrum Zoning Ordinance may serve as a guide for the FRD. However, variations are permitted. Applicants shall discuss variations with the Zoning Administrator prior to submitting their rezoning application.

A. Permitted Uses.

A listing of permitted uses within the FRD shall be adopted as part of the regulations applying to that district as defined in the City of Landrum Zoning Code. FRD's are allowed to consist of one single-use or of multiple uses.

The following commercial uses shall be permitted in the FRD consistent with the C-1 Zoning District:

- a. General retail stores including convenience stores.
- b. Personal service businesses such as laundries and dry cleaners, alterations, barber and beauty shops, shoe repair shops, secretarial services, interior decorators, photographers, and similar kinds of activities.
- c. General offices and government offices and buildings.
- d. Restaurants and drinking establishments including bakeries.
- e. Kindergarten, preschool, and day care centers.
- f. Cultural and community centers, including museums, art galleries, facilities of civic, fraternal, or charitable organizations, libraries, theaters, neighborhood recreation centers, and similar facilities.
- g. Public and private recreation establishments, including parks, movie theaters, pool and video game rooms, dancing, and staged entertainment, bowling and skating rinks, tennis, and basketball courts.
- h. Hotels, motels, and tourist homes.
- i. Parking lots and garages.
- j. Churches and other religious facilities.
- k. Noncommercial horticulture.
- l. Banks and other financial institutions.
- m. Grocery stores.

B. District Regulations.

1. Site Development Standards.

The provisions of the zoning ordinance regulating uses, dimensional standards, and development and design standards shall serve as a general guide. However, variations to these standards included in the approved Statement of Intent or Site Development Plan shall supersede the other provisions of this Ordinance. The following site development characteristics shall be determined and set in the approved plans for FRDs:

- a) Size(s) and location(s) of yard(s) and setback(s).
- b) Minimum and/or maximum density of structure(s), including total residential bedrooms permitted for multi-household dwellings.
- c) Maximum residential occupancy for multi-household residential dwelling units.
- d) Minimum and/or maximum structure height(s) not to exceed 35 feet in height.
- e) Useable open space shall be provided with all FRDs, and useable open space should be in proportion with the size of the development and promote healthy lifestyle choices.
- f) Off-street parking and loading needs and dimensions.
- g) Any applicable queuing or stacking needs for internal traffic management.
- h) Location, size, and/or amount of buffer yard(s), screening, and landscaping.
- i) Layout of lots, streets, and any other infrastructure serving the FRD if applicable.
- j) Location and size of any signage.
- k) Location of and specifications for site access and internal traffic circulation; and
- l) Any other site-specific prescription(s) deemed necessary for the development of the site as proposed.

2. Any site development characteristics not prescribed in the approved plans for a FRD shall be subject to the minimum standards established within the Landrum Zoning Ordinance.

5-2-31.6 APPLICATION PROCESS AND PRELIMINARY DEVELOPMENT PLANS.

- A. Prior to submitting a preliminary FRD development plan application, the applicant is required to meet with the Zoning Administrator for a pre-application conference to avoid undue delay in the review process after the application is submitted to include:
 - a) Location and number of acres of various areas by type of use (single family, detached, multi-family, recreation, office, commercial, etc.).
 - b) Number of residential units and density of various residential types, various setbacks, such number to represent the maximum number of units.
 - c) Approximate square footage of nonresidential use and proposed type of commercial uses.

- B. Applications for a FRD shall be by amendment to the official zoning map shall include the following:
 - 1. **Preliminary Development Plan** - The applicant shall submit one printed site plan and one electronic site plan which shall include the following.
 - d) A boundary survey with vicinity map, scale, and north arrow. Total number of acres of overall site.
 - e) Location and number of acres of various areas by type of use (single family, detached, multi-family, recreation, office, commercial, etc.).
 - f) Number of residential units and density of various residential types, various setbacks, such number to represent the maximum number of units.
 - g) Approximate square footage of nonresidential use and proposed type of commercial uses.
 - h) Primary traffic circulation pattern, including major points of ingress and egress.
 - i) Number and location of parking spaces per use.
 - j) An indication that an acceptable drainage system can be designed for the proposed project.
 - k) Any such information or descriptions as may be deemed reasonably appropriate for review.

2. **Natural Resources Inventory** - The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant historical, cultural, and natural features on sites proposed for development. The applicant is encouraged to work with the natural topography where possible and discouraged from clear cutting in area(s) of significant quality natural resources and old growth canopy trees. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:
 - a) Land cover type (i.e., wooded, pasture, wetland etc.) indicating the wood line or boundary line between wooded and non-wooded areas of the site.
 - b) Stream and floodplain information.
3. **Statement of Intent** - The applicant shall submit a report setting forth the characteristics of the proposed FRD including the following:
 - a) A description of the procedures of any proposed homeowner's association or other group maintenance agreement.
 - b) A statement setting forth the proposed development schedule.
 - c) A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.
 - d) A statement of impact on public facilities including water, sewer collection and treatment, police, and fire protection, etc. and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.
 - e) A statement describing and/or renderings or photographs of the architectural style, appearance, and orientation of proposed residential units and/or commercial buildings.
 - f) A statement, where necessary, describing the landscaping and screening of proposed project.
 - g) A statement describing the maintenance and screening of any proposed pond, or storm water management or related facility contained in the development.
 - h) A statement describing pedestrian access and circulation throughout the project.
 - i) Any such information or descriptions as may be deemed reasonably appropriate for review.
4. Public hearings shall be held in accordance with the procedures set forth in the Landrum Zoning Code.
5. The Planning Commission shall make a recommendation upon the proposed Planned Development which shall be advisory to City Council.
6. The City Council may, after fulfilling all applicable requirements of this section, act to either approve, approve with modification or disapprove the application for a FRD.
7. Prescriptive District Regulations.
The applicant shall submit a list of the specific regulations that will govern the district's development, such as Homeowners Associations, etc. The district regulations should address all site development standards and will be included as part of the FRD ordinance.
8. The proposed phases and/or timetable for building and completing the development.

5-2-31.7 FINAL DEVELOPMENT PLAN.

No building permit or certificate of occupancy shall be authorized until the Planning Commission, acting upon the recommendation of the Zoning Administrator has approved a Final Development Plan (FDP) meeting the requirements of this section. One reproducible copy of the FDP setting forth specific design characteristics of the development in accordance with the approved preliminary development plan shall be submitted to the Planning Commission and shall include but not be limited to the following information:

- A. Vicinity map, title block, scale, north arrow, and property line survey.
- B. Location and proposed use of all buildings or structures within the planned development and gross square footage.
- C. Names of boundary streets.
- D. Number of residential dwelling units by type and estimated square footage in each unit type.
- E. Location of any utility easements.
- F. Total floor area for all nonresidential uses by type.
- G. Open space areas, specifying the proposed treatment or improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
- H. Establishment of a property owners association to maintain the common areas.
- I. All off-street parking and loading areas, structures, the total number of spaces.
- J. Curbs, gutters, sidewalks (no less than five feet in width) and storm drainage and retention basin plans.
- K. The number of acres devoted to each land use.
- L. Sketches and/or elevations of typical buildings/structures and their design standards.
- M. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.
- N. The site's street lighting plan, including the location, height, and style of all exterior fixtures.
- O. The site's landscape, screening/buffer plan.
- P. The site's signage plan, if any, which includes all exterior signage of the development.
- Q. Yard dimensions from the development boundaries and adjacent streets.
- R. A letter from a licensed Civil Engineer stating that a detailed drainage plan has been submitted and approved.
- S. An independent prepared traffic impact study.
- T. Other such information or descriptions as may be deemed reasonably appropriate for Planning Commission review.

5-2-31.8 PLANNING COMMISSION ACTION.

The Planning Commission, acting upon the recommendation of the Zoning Administrator may approve or disapprove the final development plan submitted by the applicant. In reviewing the final development plan, the Planning Commission may require any such design modifications as necessary to assure compliance with the approved preliminary development plan. In the event that the Planning Commission finds that the final development plan is not in accordance with the approved preliminary development plan, it shall disapprove the final plan. Following a decision

by the Planning Commission, the final development plan will be submitted to the City Council for final action.

5-2-31.9 CHANGES TO FLEXIBLE REVIEW DISTRICTS.

Changes to a proposed Flexible Review District or to an approved Flexible Review District may be permitted in accordance with one of the following procedures as determined by the Zoning Administrator:

- A. **Minor Changes** - Changes to a planned development district which are:
 - a. Design nature, and which do not alter the original concept or use characteristics of the planned development district may be approved by the Architectural Design Review Board in accordance with the procedures established by Landrum Zoning Ordinance;
 - b. Yard dimensions that do not reduce the setbacks or increase the unit or building size by less than 10%;
 - c. Changes to the landscape plan or buffer areas that do not alter the amount of public area to be landscaped;
- B. **Major Changes**- Changes to a planned development district which would alter the basic concept and general characteristics of the planned development must be approved by City Council in accordance with the procedures established by the Landrum Zoning Ordinance. Examples of major changes include, but are not limited to the following: boundary changes, changes in the maximum number of structures or residential units, increased density, substantial changes to residential housing type, use changes, etc.

Effective Date & Severability:

This Ordinance shall become effective immediately upon second reading after passage. If any section or part of this ordinance shall be found by a court of competent jurisdiction to be unconstitutional or otherwise invalid such finding shall not affect any other section or part and all sections and parts, are hereby declared to be severable.

First Reading: February 8, 2022

Second and Final Reading: April 12, 2022

ATTEST: Peta H. Bruce

CLERK

CITY ATTORNEY – *approved as to form*

Robert S. Sapp
MAYOR

Bill H. Juman III
COUNCIL MEMBER

[Signature]
COUNCIL MEMBER

Joyce Whitehead
COUNCIL MEMBER

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COUNCIL MEMBER

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AN ORDINANCE AMENDING
THE CITY OF LANDRUM LAND USE
AND ZONING CODE CHAPTER 5-2-31
FLEXIBLE REVIEW DISTRICT (FRD)