

**AN ORDINANCE OF THE CITY OF EASLEY, SOUTH CAROLINA, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE (UDO), CHAPTER 5, ARTICLE 5.5, SECTION 5.5.1, TO CLARIFY THAT THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT MAY INCLUDE COMMERCIAL USES, RESIDENTIAL USES, OR A COMBINATION THEREOF**

**WHEREAS**, the Unified Development Ordinance establishes the Planned Unit Development (PUD) District to encourage flexible, unified, and innovative development; and,

**WHEREAS**, the current intent language of the PUD District has been interpreted to require a combination of commercial and residential uses within all PUD developments; and,

**WHEREAS**, the Mayor and City Council find that such interpretation may unnecessarily limit otherwise appropriate planned developments that include a single use category developed in a unified and coordinated manner; and,

**WHEREAS**, the Mayor and City Council desire to clarify that the PUD District may accommodate commercial uses, residential uses, or a combination thereof, while continuing to encourage mixed-use development where appropriate; and,

**WHEREAS**, the Mayor and City Council find that this amendment will promote flexibility, creativity, and efficient land use consistent with the intent of planned unit development and the City's comprehensive planning goals.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Easley, South Carolina, as follows:

**Section 1. Amendment.**

**Amend Chapter 5, Article 5.5, Section 5.5.1 – Conventional Districts.**

Section 5.5.1 of the Unified Development Ordinance, Planned Unit Development (PUD) District, appearing on Page 60, is hereby amended to read as follows, with deletions shown as strikethrough and additions shown as underline:

**Planned Unit Development District:**

The Intent of the Planned Unit Development District is to encourage flexibility in the development of land to promote its most appropriate use; and to do so in a manner that will enhance the public health, safety, morals, and general welfare. ~~The PUD development is for the combination of commercial and residential uses.~~ Development within the PUD District may

include commercial uses, residential uses, or a combination thereof, as determined appropriate to the site and surrounding context.

Within the PUD zones, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, to promote economical and efficient land use, provide an improved level of amenities, ~~foster development of cohesive mixed uses,~~ encourage creative design, and promote a better environment.

In view of the substantial public advantage of planned unit development, it is the intent of these regulations to ~~promote and encourage mixed use development through the PUD requirements~~ allow flexibility in use, design, and layout, including mixed-use development where appropriate, where appropriate in location, character, and timing.

## **Section 2. Codification and Effective Date.**

The amendment contained herein shall be codified within the Unified Development Ordinance of the City of Easley and shall be effective upon second and final reading of this Ordinance.

## **Section 3. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

First Reading:

Second Reading:

**CITY OF EASLEY, SOUTH CAROLINA**

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Lisa Talbert, Mayor

ATTEST:

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Jennifer Bradley, Municipal Clerk

Approved as to Form:

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Daniel Hughes, City Attorney