

GREENVILLE COUNTY, SOUTH CAROLINA

# UNIFIED DEVELOPMENT ORDINANCE



PUBLIC HEARING DRAFT | SEPTEMBER 22, 2024  
(with footnotes and tracked changes)

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## ARTICLE 1: INTRODUCTION

### 1.1 TITLE

This Appendix A to the Greenville County, South Carolina Code of Ordinances is known and may be cited as the Unified Development Ordinance of Greenville County, South Carolina. It may be abbreviated and cited as the “Greenville County Unified Development Ordinance,” the “Unified Development Ordinance,” or the “UDO.”

### 1.2 PURPOSE<sup>1</sup>

- A. The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly, and progressive development of land within the municipalities and counties of the State of South Carolina.
- B. In furtherance of this general intent, the purposes of this Unified Development Ordinance are to:
  - 1. Implement the Comprehensive Plan;
  - 2. Encourage the development of an economically sound and stable county;
  - 3. Promote health and the general welfare;
  - 4. Provide adequate light and air;
  - 5. Prevent the overcrowding of land, avoid undue concentration of population, and lessen congestion in the streets;
  - 6. Secure safety from fire, floods, and other dangers;
  - 7. Ensure, in general, the wise and timely development of new areas and redevelopment of previously developed areas in harmony with the Comprehensive Plan;
  - 8. Facilitate the adequate and timely provision of required streets, water, sewerage, utilities, schools, parks, and other facilities and services to new land developments;
  - 9. Ensure the adequate provision of safe and convenient multimodal traffic access and circulation in and through new land developments;

<sup>1</sup> This Section carries forward and consolidates the purposes of the Zoning Ordinance (Section 1:1) and Land Development Regulations (Sections 1.1 and 1.2) in B.1. through B.13. and adds new purposes in B.14. through B.20.

10. Coordinate streets within new subdivisions with other existing or planned streets;
11. Ensure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes;
12. Establish zoning districts with regulations that protect their character and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Greenville County;
13. Protect the floodplain and floodways;
14. Protect scenic and ecologically sensitive areas;
15. Preserve agricultural land and working farms;
16. Protect historical and cultural resources;
17. Protect neighborhoods from incompatible development;
18. Accommodate a variety of housing types that are affordable for the County's entire spectrum of households;
19. Encourage infill development and the adaptive reuse of existing buildings; and
20. Establish procedures for processing development applications that encourage appropriate and streamlined land use decisions.

### 1.3 AUTHORITY<sup>2</sup>

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This Unified Development Ordinance is adopted pursuant to the authority conferred upon Greenville County by the Code of Laws of South Carolina (1979), as amended, and specifically by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. Code Title 6, [Chapter 29](#), as amended).

### 1.4 APPLICABILITY

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- A. In general, the regulations in this Ordinance apply to all land and improvements thereon in the unincorporated areas of Greenville County, South Carolina. However, certain regulations are not applicable in unzoned areas of Greenville County. Table 1.4-1: *Applicability of UDO Articles*

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<sup>2</sup> This Section carries forward and consolidates Zoning Ordinance (ZO) Section 1:2, Land Development Regulations (LDR) Section 1.1, and Transportation Corridor Preservation Ordinance Section 2.

to Zoned and Unzoned Areas indicates which article apply in zoned areas, unzoned areas, or both.

- B. Where Table 1.4-1 indicates an article applies in zoned areas but does not apply in unzoned areas, the regulations set forth in that particular article apply only within the area designated on the Official Zoning Map.<sup>3</sup>
- C. All other regulations in this Ordinance apply throughout unincorporated Greenville County, unless the Ordinance expressly states otherwise.<sup>4</sup>
- D. This Ordinance applies to any land, buildings, structures, or uses of the County or its agencies or instrumentalities.
- E. Governmental entities are subject to this Ordinance as provided in S.C. Code [§ 6-29-770](#).

**Table 1.4-1: Applicability of UDO Articles to Zoned and Unzoned Areas**

UDO Article	Applies in Zoned Area	Applies in Unzoned Area
Article 1: Introduction	✓	✓
Article 2: Zoning Districts	✓	X
Article 3: Scuffletown Rural Conservation Area (SRCA)	✓	✓
Article 4: Use Regulations for Zoned Areas	✓	X
Article 5: Use Regulations for Zoned & Unzoned Areas	✓	✓
Article 6: Parking & Loading	✓	X <sup>1</sup>
Article 7: Buffers & Screening	✓	✓
Article 8: Tree Preservation	✓	✓
Article 9: Outdoor Lighting	✓	✓
Article 10: Building Design	✓	✓
Article 11: Subdivisions & Group Developments	✓	✓
Article 12: Access & Connectivity	✓	✓

<sup>3</sup> Carries forward ZO Section 1:3.

<sup>4</sup> Carries forward LDR Section 1:3, but removes reference to the “subdivision jurisdiction area.” The current LDRs include a map of the subdivision jurisdiction area (Appendix A), which depicts the entire unincorporated County. Therefore, the County’s current LDRs apply throughout all unincorporated portions of Greenville County. The proposed UDO continues to apply land development regulations, but not zoning district regulations, throughout the County.

**Table 1.4-1: Applicability of UDO Articles to Zoned and Unzoned Areas**

UDO Article	Applies in Zoned Area	Applies in Unzoned Area
Article 13: <i>Transportation Corridor Preservation</i>	✓	✓
Article 14: <i>Stormwater Management</i>	✓	✓
Article 15: <i>Utilities</i>	✓	✓
Article 16: <i>UDO Procedures</i>	✓	✓
Article 17: <i>Reviewing &amp; Decision-Making Bodies</i>	✓	✓
Article 18: <i>Nonconformities &amp; Vested Rights</i>	✓	✓
Article 19: <i>Violations &amp; Enforcement</i>	✓	✓
Article 20: <i>Rules of Interpretation &amp; Measurement</i>	✓	✓
Article 21: <i>Definitions &amp; Acronyms</i>	✓	✓
Article 22: <i>Submittal Requirements</i>	✓	✓

**Key:** ✓ = UDO article applies | X = UDO article does not apply

<sup>1</sup> Article 6: *Parking & Loading* does not apply to unzoned areas of the County, except where specified in § 5.2: *Campgrounds*, § 5.4: *Manufactured Home Parks*, and § 5.6: *Recreational Vehicle (RV) Parks*.

**1.5 RELATIONSHIP TO COMPREHENSIVE PLAN**

- A. Pursuant to S.C. Code § 6-29-720, this Ordinance is intended to implement the goals, objectives, and policies of the Comprehensive Plan, as adopted or as it may be amended from time to time. Greenville County finds this Ordinance to be consistent and in accordance with the Comprehensive Plan.
- B. Any amendments to this Ordinance, including any rezoning or initial zoning approved pursuant to Article 16: *UDO Procedures*, shall be made in accordance with the adopted Comprehensive Plan in effect at the time of such request for amendment.<sup>5</sup> An amendment to the text of this Ordinance is consistent with and in accordance with the Comprehensive Plan if it complies with the goals and policies stated in the Comprehensive Plan, as it may be amended from time to time.

<sup>5</sup> SC Code Ann. [Section 6-29-720\(B\)](#) requires zoning “regulations [to] be made in accordance with the comprehensive plan for the jurisdiction.”

## 1.6 RELATIONSHIP TO OTHER REGULATIONS

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- A. This Ordinance works in conjunction with the following chapters of the Greenville County Code, as well as administrative policy documents, to regulate the development, redevelopment, and use of land and structures in Greenville County:
1. Chapter 2.5: Adult-Oriented Businesses;
  2. Chapter 3: Amusements;
  3. Chapter 8: Flood Control, Drainage, Stormwater Management;
  - ~~3-4.~~ Chapter 9, Article IV: Junkyards;
  - ~~4-5.~~ Chapter 17: Planning and Development;
  - ~~5-6.~~ Chapter 18: Roads, Highways, and Rights-of-Way; and
  - ~~6-7.~~ Chapter 19: Signs.
- B. The use and development of land and structures is subject to all applicable requirements of this Ordinance<sup>6</sup> and all other applicable requirements of the Greenville County Code and state and federal law.
- C. In their interpretation and application, the provisions of this Ordinance are considered the minimum requirements adopted for the promotion of public health, safety, comfort, convenience, and general welfare. Meeting minimum requirements of this Ordinance may not be sufficient to meet minimum requirements of other chapters of the County Code or state or federal law.
- D. When applicable regulations conflict with one another, the provisions of § 20.3: *Conflicting Rules* apply.

## 1.7 UDO ADMINISTRATIVE MANUAL

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- A. The Planning Director shall develop and maintain the UDO Administrative Manual that will be used to assist in the design and evaluation of development activities in Greenville County.
- B. The Development Manual will include additional guidance on matters addressed by this Unified Development Ordinance, including suggested plants for meeting landscaping and tree planting

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<sup>6</sup> Generally carries forward the first sentence in ZO Section 9.1.

requirements, the design of streets and other technical engineering details, and potential traffic calming measures.

- C. Although one of the purposes of the UDO Administrative Manual is to establish uniform design practices, it neither replaces the need for engineering and planning judgment nor precludes the use of information not presented.
- D. The UDO Administrative Manual is available to the public on the County's website.

## 1.8 RELATIONSHIP OF BUILDINGS TO LOTS<sup>7</sup>

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There shall be not more than one principal building and its accessory buildings on one lot except as allowed in:

- A. Campgrounds (see § 5.2);
- B. Manufactured home parks (see § 5.4);
- C. Recreational vehicle parks (see § 5.6); ~~and~~
- ~~D.~~ Group developments (see § 11.5); and
- ~~D.E.~~ Unzoned lots, which may contain up to a total of three dwelling units.

## 1.9 PROJECTIONS INTO PUBLIC STREETS & STREET RIGHTS-OF-WAY<sup>8</sup>

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- A. No commercial signs or other structures shall project beyond any right-of-way line of any street except in the case of a properly executed air rights agreement that meets the provisions of all applicable legislation regarding the use of air rights.
- B. No shrubbery shall project into any public street right-of-way.

## 1.10 EMINENT DOMAIN LIMITATION<sup>9</sup>

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- A. The County shall not employ the power of eminent domain so as to deprive owners of real property unless the property is to be condemned for public use. For purposes of this Section,

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<sup>7</sup> Carries forward ZO Section 12:5.

<sup>8</sup> Carries forward ZO Section 12:6.

<sup>9</sup> Carries forward ZO Sections 1:6 *Eminent Domain Limitation* and 1:7 *Transfers*.

the term Public Use means right of use by the public, and requires possession, occupation, and enjoyment of the condemned property by the public at large or by public agencies.

- B. The County shall not transfer or lease condemned property to a private person or entity except as permitted by the South Carolina Constitution.

### 1.11 SEVERABILITY<sup>10</sup>

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If any article, section, paragraph, subdivision, or provision of this UDO is judged unconstitutional or invalid, such judgment applies only to that particular article, section, paragraph, subdivision, or provision and the remaining provisions of this UDO shall remain valid and effective.

### 1.12 REPEAL OF EXISTING ORDINANCES

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This Chapter repeals the Greenville County ordinances, and all amendments to these ordinances, specified below, in effect prior to the effective date specified in § 1.13: *Effective Date*.

- A. Greenville County Code Appendix A: *Zoning Ordinance*;
- B. Greenville County Code Appendix C: *Land Development Regulations*;
- C. Greenville County Code Appendix E: *Stormwater Banking Program Manual*;
- D. Greenville County Code Chapter 17, Article IV: *Tree Standards and Practices*;
- E. Transportation Corridor Preservation Ordinance (Ord. #4326); and
- F. Transfer of Development Rights for ESD-PM District Ordinance (Ord. #1064).

### 1.13 EFFECTIVE DATE<sup>11</sup>

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This Unified Development Ordinance of Greenville County, South Carolina, takes effect on the \_\_\_ day of \_\_\_\_\_, 2024.

<sup>10</sup> Carries forward and consolidates ZO Section 1:9 *Severability*, LDR Section 1.4 *Severability*, and Transportation Corridor Preservation Section 14 *Separability and Validity*.

<sup>11</sup> The current Land Development Regulations and Transportation Corridor Preservation Ordinance provide that each take effect on the date of adoption. The current Zoning Ordinance provides that it “shall take effect one (1) day after the next regularly scheduled Council meeting following final approval of this Ordinance.” Proposed here is to simply specify a date upon which the UDO takes effect.

## ARTICLE 2: ZONING DISTRICTS

### 2.1 GENERAL PROVISIONS

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#### 2.1.1 INTRODUCTION

- A. **Purpose Statements.** This Article describes the purpose of each base, review, overlay, and legacy zoning district in Greenville County. The purpose statements provide a foundation for the standards applicable to the various zoning districts and assist in interpretation of the district standards. The purpose statements are not regulations, but rather a summary of the district character and regulatory intent.
- B. **Allowed Uses.**
1. *Generally.* The particular uses allowed in each zoning district are set forth in § 4.2: *Use Table*.
  2. *Allowed Uses in Review Districts.*
    - (a) Allowed uses in review districts, other than the FRD and PD districts, are specified in the use table. The rezoning ordinance that establishes the review district shall specify which of the uses listed in the use table are allowed in the particular review district.
    - (b) The rezoning ordinance may specify that all uses indicated in the use table for the review district are allowed or may specify a subset of those uses that are allowed.
    - (c) A review district rezoning ordinance may allow a use that is not specified in the use table as an allowable use for the district.
    - (d) Allowed uses in an FRD or PD district are specified in the rezoning ordinance that establishes the FRD or PD and any amendments thereto.
- C. **Dimensional Standards.**
1. Dimensional standards for the base districts, including setbacks and height limits, are specified in the UDO subsection for each district [e.g., § 2.3.7: *Office District (O-D)*]. Dimensional standards for the review districts are specified within the UDO subsection for each district and/or in the rezoning ordinance associated with a particular site.
  2. As specified in § 20.7: *How to Measure Height*, all buildings may exceed the height limitations of the district if the minimum depth of rear yards and the minimum width of



side yards required in the district regulations are increased 1 foot for each 3 feet by which the height of such building exceeds the prescribed height limit.<sup>12</sup>

- D. **Additional District Regulations.** Additional supplemental regulations for each district are also included, where applicable.
- E. **Roads.**<sup>13</sup>
1. Where applicable, roads in all zoning districts shall comply with the design standards and procedures in Article 12: *Access & Connectivity*.
  2. For roads that are not subject to the provisions of Article 12: *Access & Connectivity*, the mountainous rural road design standards shall apply.

### 2.1.2 DISTRICTS ESTABLISHED

- A. The Greenville County zoning jurisdiction area is hereby divided into the following districts: specified in Table 2.1.2-1: *Zoning Districts*.
- B. The UDO consolidates several of the Mixed Residential (RM) Districts from the County's previous Zoning Ordinance, as shown in Table 2.1.2-1: *Mixed Residential Districts Consolidation*. This means that any lot that was zoned R-M6, for example, under the previous Zoning Ordinance is zoned R-M8 as of the UDO effective date.
- C. Unmapped (unused) R-M Districts (R-M3, R-M9, R-M11, R-M12, R-M13, R-M17, R-M18, and R-M19) from the previous Zoning Ordinance are eliminated from the UDO and no longer available for use.

<sup>12</sup> Carried forward from ZO 7:3.7 *Height*.

<sup>13</sup> Carries forward ZO Section 8:5.6 (ESD-PM), expands to all zoning districts, and updates references to the Land Development Regulations.

Table 2.1.2-1: Zoning Districts		
District Category	Description	Districts
<b>Base</b>	Base districts establish uniform use, dimensional, and development standards for each class or kind of building, structure, or use in a district.	AG, Agricultural Preservation ESD-PM, Environmentally Sensitive District—Paris Mountain R-R3, Rural Residential R-R1, Rural Residential R-S, Suburban Residential R-20A, Residential R-20, Residential R-15, Residential R-12, Residential R-10, Residential R-7.5, Residential R-6, Residential R-M8, Mixed Residential R-M10, Mixed Residential R-M16, Mixed Residential R-M20, Mixed Residential R-MA, Multiplex Residential R-MHP, Residential Manufactured Home Park O-D, Office District RU-V, Rural Village C-N, Commercial-Neighborhood C-1, Commercial RU-C, Rural Corridor C-2, Commercial C-3, Commercial S-1, Services I-1, Industrial
<b>Review</b>	Review districts are similar to base districts, except development in review districts is subject to a site plan and development standards approved as part of a rezoning application.	BTD, Business & Technology FRD, Flexible Review I-2, Industrial Park PD, Planned Development
<b>Overlay</b>	Overlay districts establish additional standards that supplement the underlying (base or review) districts. Overlay districts may enhance or relax standards of the underlying district.	AP-O, Airport Protection Overlay HP-O, Historic Preservation Overlay MV-O, Mill Village Overlay PCC-O, Pelham Road Commercial Corridor Overlay TMS-O, Taylors Main Street Overlay
<b>Legacy<sup>14</sup></b>	Obsolete base or review districts that cannot be expanded or added to the zoning map.	POD, Planned Office R-D, Residential Duplex

Table 2.1.2-1: Mixed Residential Districts Consolidation	
Former District	New District

<sup>14</sup> In the current Zoning Ordinance, these are called “obsolete” districts.

R-M2, R-M4, R-M5, R-M6, R-M7, R-M8  
R-M14, R-M15, R-M16

R-M8  
R-M16

**2.1.3 BASE DISTRICT HIERARCHY<sup>15</sup>**

- A. Under the hierarchy established by this Ordinance, the ESD-PM district is the most restrictive base zoning district, while the ~~AG-I-1~~ district is the least restrictive base zoning district. Table 2.1.3-1: *Base District Hierarchy* presents the base districts in order, from most restrictive to least restrictive.
- B. Review and overlay districts are not included in the zoning district hierarchy.
- C. This hierarchy is used in the rezoning process to determine whether a subsequent request following a denied rezoning request is subject to a one-year waiting period. [See § 16.2.4: *Zoning Map Amendment (Rezoning)*]

Table 2.1.3-1: Base District Hierarchy	
Zoning District	Hierarchy
ESD-PM	
R-R3	
R-R1	
R-S	
R-20A	
R-20 through R-6	
R-M8	
R-M10	
R-M16	
R-M20	
R-MA	
R-MHP	
O-D	
RU-V	
C-N	
C-1	
RU-C	
C-2	
C-3	
S-1	
<del>I-1AG</del>	

<sup>15</sup> Carries forward Section 5:1.1. Clarifies the hierarchy only applies to base districts. Incorporates new districts.

AGI-1

Least restrictive

## 2.2 ZONING MAP<sup>16</sup>

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- A. The location and boundaries of the zoning districts established in this Ordinance are shown and maintained as part of Greenville County's Geographic Information System (GIS) under the direction of the Planning Division and the Information Systems (IS) Division.
  - B. The Zoning GIS layer constitutes Greenville County's Official Zoning Map and is part of this Ordinance. All notations, references, and other information shown have the same force and effect as if fully set forth or described in this Ordinance.
  - C. The Zoning Map may be viewed online at: <https://www.gcgis.org>.
  - D. When County Council authorizes amendments to the Official Zoning Map, the Zoning Administrator is authorized to work with the GIS Department to revise the Official Zoning Map.
  - E. All amendments to the Official Zoning Map shall be:
    - 1. Made promptly after County Council approves the amendment; and
    - 2. Identified by updating the original digital data with each change.
- 2.F. Zoning staff maintains a rezoning history database that includes together with the date of the each rezoning change.

## 2.3 BASE DISTRICTS

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### ~~2.3.1 AGRICULTURAL PRESERVATION DISTRICT (AG)<sup>17</sup>~~

- ~~A. **Purpose.** The purpose of this district is to preserve prime farmland for agricultural and forestry uses and limit non-agricultural development in productive and prime agricultural areas to densities and development patterns that are consistent with the continuation of economically viable agriculture.~~

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<sup>16</sup> Generally carries forward ZO Section 1:4 and revises to reflect the County's current practice of maintaining a digital Official Zoning Map.

~~<sup>17</sup> This new zoning district helps implement several strategies found in the *Plan Greenville County* section on Agriculture and Food Security ("Bloom," p. 128). County Council adopted the AG District in November 2021.~~

- B. ~~**Location.** The Agricultural District is generally appropriate in areas designated as Rural, Rural Living, Rural Corridor, Rural Village, and Suburban Edge on the Comprehensive Plan Future Land Use Map.~~
- C. ~~**Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.~~
- D. ~~**Dimensional Standards.** Table 2.3.1-1: *AG Dimensional Standards* establishes dimensional standards for the Agricultural Preservation District.~~

<b>Table 1: AG Dimensional Standards</b>	
<b>Lot Area (min)</b>	5 ac
<b>Lot Width (min)</b>	100 ft
<b>Front Setback (min)</b>	75 ft
<b>Side Setback, Interior (min)</b>	25 ft
<b>Side Setback, Corner Lot (min)</b>	Same as Front Setback
<b>Rear Setback (min)</b>	25 ft
<b>Height (max)</b>	
<i>Agricultural Uses &amp; Structures</i>	None
<i>Residential Uses &amp; Structures</i>	45 ft

Key: min = minimum required | max = maximum allowed | ac = acre | ft = feet

**2.3.22.3.1 ENVIRONMENTALLY SENSITIVE DISTRICT—PARIS MOUNTAIN (ESD-PM)**

- A. **Purpose.** The purpose of this district is to establish a land use pattern to protect the environmentally sensitive nature of Paris Mountain by encouraging the proper and safe placement of structures in conformance with the natural landform, landscape, and existing plant life.<sup>18</sup>
- B. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- C. **Dimensional Standards.**<sup>19</sup> Table 2.3.1-1: *ESD-PM Dimensional Standards* establishes dimensional standards for the ESD-PM District.

<b>Table 2.3.1-1: ESD-PM Dimensional Standards</b>	
<b>Lot Area (min)</b>	<del>5</del> <u>1.1</u> ac
<b>Lot Width (min)</b>	None <sup>1</sup>
<b>Front Setback (min)</b>	30 ft

<sup>18</sup> Carries forward ZO Section 8:5.1.

<sup>19</sup> Table 2.3.1-1: *ESD-PM Dimensional Standards* carries forward the current dimensional standards for ESD-PM (ZO Sections 8:5.3 and 7:3.1).

Table 2.3.1-1: ESD-PM Dimensional Standards	
<b>Side Setback, Interior (min)</b>	15 ft <sup>‡</sup>
<b>Side Setback, Corner Lot (min)</b>	Same as Front Setback
<b>Rear Setback (min)</b>	15 ft <sup>‡</sup>
<b>Height (max)</b>	35 ft
<b>Key:</b> min = minimum required   max = maximum allowed   ac = acres   ft = feet	
<sup>1</sup> <u>SCDOT may require a minimum lot width on State-owned roads.</u>	
<sup>‡</sup> <u>From other structures</u>	

**D. Density.<sup>20</sup>**

1. The base density allocation of the land shall be 1.10 dwelling units per acre; however, additional development rights may be gained and distributed through the utilization of transfer development rights (see 2.7: *Transfer of Development Rights*) not to exceed an overall density allocation of 1.75 dwelling units per acre.
2. A round-off system will be used to calculate the number of transferable development rights eligible for a particular piece of property. The transferable development rights will be calculated and carried two decimal points and then rounded off accordingly (i.e., any fractional unit greater than or equal to .50 will be rounded up to the next whole number). Fractional units of development rights may be transferred.

**E. Administrative Application and Review Procedures.<sup>21</sup>**

1. Prior to the issuance of a building permit, a site plan shall be submitted to the Office of the Zoning Administrator. The Zoning Administrator must determine the consistency of the proposed plan with the intent of the Ordinance and the specific technical regulations of the ESD-PM.
2. Where applicable, the plans should include the following data:
  - (a) Legal description of proposed development boundaries;
  - (b) Total number of lots in the development area;
  - (c) A topographic survey of the site while still in its natural state at a maximum of 10-foot contour intervals prepared by a licensed surveyor;
  - (d) Plan indicating areas to be graded on-site;

<sup>20</sup> Carries forward ZO Section 8:5.5. The TDR Program is currently under review by County staff and may be revised in the future.

<sup>21</sup> Carries forward ZO Section 8:5.7.

- (e) The location and size of all roads;
- (f) The location and size of all dwelling units;
- (g) A copy of covenants, grants, easements, or other restrictions proposed to be imposed upon the use of land, buildings, and structures including proposed easements on grants for public utilities if any;
- (h) If a homeowners' association or any other group maintenance or group ownership features are to be included, a detailed description of the proposed procedures and operation thereof;
- (i) Plan showing complete drainage of the entire site; and
- (j) Other such information or descriptions as may be deemed reasonably appropriate by the Zoning Administrator.

~~F. **Special Provisions.** At any time that a property owner can demonstrate that the property can be developed by providing vehicular access from another source and not utilizing Altamont Road, the property will be removed from the ESD-PM classification and will revert back to the original zoning. The development must maintain the required setbacks from Altamont Road as buffer zones, and along the frontage of Altamont Road there shall be no points of ingress or egress.<sup>22</sup>~~

**G-F. Transfer of Development Rights.** TDR allows the transfer of development potential, or more specifically, development rights, to parcels of land that may or may not be contiguous or under the same ownership, subject to the provisions of 2.7: *Transfer of Development Rights*.<sup>23</sup>

### **2.3.32.3.2 RURAL RESIDENTIAL DISTRICTS (R-R3 & R-R1)<sup>24</sup>**

A. **Purpose.**<sup>25</sup> The Rural Residential Districts:

1. Provide a low density housing option in areas that are rural in character;

<sup>22</sup> Carries forward ZO Section 8:5.8.

<sup>23</sup> Carries forward ZO Section 8:5.9. The TDR Program is currently under review by County staff and may be revised in the future.

<sup>24</sup> This Article proposes to eliminate the Stormwater Banking Program, which has not been utilized to date and is complex to administer. As an alternative, Article 14: *Stormwater Management* proposes standards for the use of Low Impact Development (LID) features in new development.

<sup>25</sup> The current purpose statements for the R-R3 and R-R1 Districts are identical (ZO Sections 5:2 and 5:3). This Paragraph carries forward and augments the purpose statement.

- 2. Offer opportunities for low intensity development that is well integrated with the natural landscape and agricultural uses;<sup>26</sup>
  - 3. Are intended to preserve trees and protect natural amenities within rural portions of the County; and
  - 4. Are not necessarily served by public water or sewer.
- B. **Location.** The Rural Residential Districts are generally appropriate in areas designated as Rural or Rural Living on the Comprehensive Plan Future Land Use Map.
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- D. **Dimensional Standards.**<sup>27</sup> Table 1.1.1-1: *R-R3 & R-R1 Dimensional Standards* establishes dimensional standards for each of the Rural Residential Districts based on the type of land use (residential or non-residential).

Table 2.3.2-1: R-R3 & R-R1 Dimensional Standards			
	Residential Uses & Structures		Non-Residential Uses & Structures
	R-R3	R-R1	R-R3 & R-R1
<b>Lot Area (min)</b>	130,680 sf	43,560 sf	n/a
<b>Lot Width (min)<sup>1</sup></b>	100 ft	75 ft	200 ft
<b>Front Setback (min)</b>			
<i>Residential Street</i>	30 ft	30 ft	30 ft
<i>Collector Street</i>	40 ft	40 ft	40 ft
<i>Arterial Street</i>	50 ft	50 ft	50 ft
<b>Side Setback, Interior (min)</b>	5 ft	5 ft	25 ft
<b>Side Setback, Corner Lot (min)</b>			
<i>Residential Street</i>	30 ft	30 ft	30 ft
<i>Collector Street</i>	40 ft	40 ft	40 ft
<i>Arterial Street</i>	50 ft	50 ft	50 ft
<b>Rear Setback (min)</b>	5 ft	5 ft	20 ft
<b>Height (max)</b>	45 ft	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | du/ac = dwelling unit(s) per acre | ft = feet | n/a = not applicable

<sup>1</sup> [SCDOT may require a different minimum lot width on State-owned roads.](#)

<sup>26</sup> Revised to align with a portion of the description of the Rural Living Place Type in *Plan Greenville County*.

<sup>27</sup> Table 1.1.1-1: *R-R3 & R-R1 Dimensional Standards* carries forward the current dimensional standards for R-R3 and R-R1 (ZO Sections 7:1.5, 7:2.6, 7:3.1, 7:3.2, and 7:3.4).



**2.3.42.3.3 SUBURBAN RESIDENTIAL DISTRICT (R-S)<sup>28</sup>**

**A. Purpose.<sup>29</sup>** The Suburban Residential District:

1. Is comprised of low density residential areas that offer opportunities for low intensity development that is well-integrated with the natural landscape and agricultural uses. Residential development may occur as individual detached structures on large lots or clusters of homes designed to preserve large amounts of open space, which should be interconnected as part of the County’s larger open space system; and
2. Often serves as a transitional area between rural areas and more intensely developed suburban areas.

**B. Location.** The Suburban Residential District:

1. Is generally appropriate in areas designated as Suburban Edge or Suburban Neighborhood on the Comprehensive Plan Future Land Use Map; and
2. May be appropriate in areas designated as Rural Corridor on the Comprehensive Plan Future Land Use Map.

**C. Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.

**D. Dimensional Standards.<sup>30</sup>** Table 2.3.3-1: *R-S Dimensional Standards* establishes dimensional standards for the Suburban Residential District based on the type of land use (residential or non-residential).

Table 2.3.3-1: R-S Dimensional Standards		
	Residential Uses & Structures	Non-Residential Uses & Structures
<b>Lot Area (min)</b>	25,000 sf	25,000 sf
<b>Lot Width (min)<sup>1</sup></b>	30 ft	200 ft

<sup>28</sup> This Article proposes to eliminate the Stormwater Banking Program, which has not been utilized to date and is complex to administer. As an alternative, Article 14: *Stormwater Management* proposes standards for the use of Low Impact Development (LID) features in new development.

<sup>29</sup> Revises the current purpose statement for the R-S District (ZO Section 5:4) to include the Comprehensive Plan description of the Suburban Edge place type.

<sup>30</sup> Table 2.3.3-1: *R-S Dimensional Standards* carries forward the current dimensional standards for R-S (ZO Sections 7:1.5, 7:2.6, 7:3.1, 7:3.2, and 7:3.4). ZO Section 7:1.5 requires non-residential uses and structures in single-family residential districts to be located lots with at least 30,000 sf. However, the minimum lot size in R-S for residential uses without public water and sewer is 37,500 sf, so Table 2.3.3-1 proposes to increase the minimum lot area for non-residential uses and structures to match that for residential.

Table 2.3.3-1: R-S Dimensional Standards		
	Residential Uses & Structures	Non-Residential Uses & Structures
<b>Front Setback (min)</b>		
<i>Residential Street</i>	30 ft	30 ft
<i>Collector Street</i>	40 ft	40 ft
<i>Arterial Street</i>	50 ft	50 ft
<b>Side Setback, Interior (min)</b>	5 ft	25 ft
<b>Side Setback, Corner Lot (min)</b>		
<i>Residential Street</i>	20 ft	20 ft
<i>Collector Street</i>	30 ft	30 ft
<i>Arterial Street</i>	40 ft	40 ft
<b>Rear Setback (min)</b>	5 ft	20 ft
<b>Height (max)</b>	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | du/ac = dwelling unit(s) per acre | ft = feet | n/a = not applicable

<sup>1</sup> SCDOT may require a different minimum lot width on State-owned roads.

**2.3.52.3.4 RESIDENTIAL DISTRICTS (R-20A, R-20, R-15, R-12, R-10, R-7.5, & R-6)<sup>31</sup>**

**A. Purpose.<sup>32</sup>**

1. The Residential Districts are established as areas in which the principal use of land is for detached house dwellings and for related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area.
2. The regulations for these districts are intended to discourage any use that, because of its characteristics, would interfere with the development of or be detrimental to the quiet residential nature of the area included in the districts.

**B. Location.**

<sup>31</sup> This Article proposes to eliminate the Stormwater Banking Program, which has not been utilized to date and is complex to administer. As an alternative, Article 14: *Stormwater Management* proposes standards for the use of Low Impact Development (LID) features in new development.

<sup>32</sup> Carries forward the current purpose statement for the Single-Family Residential Districts (ZO Section 5:5), and clarifies the districts are primarily intended for detached house dwellings. The Mixed Residential Districts (see Subsection 2.3.4E) accommodate townhouses, duplexes, and multiplexes.

1. The Residential Districts are generally appropriate in areas designated as Suburban Neighborhood and Traditional Neighborhood on the Comprehensive Plan Future Land Use Map.
  2. The Residential Districts with larger minimum lot sizes also may be appropriate in areas designated as Suburban Edge.
  3. The Residential Districts with smaller minimum lot sizes also may be appropriate in areas designated as Core Neighborhood.
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- D. **Dimensional Standards.**<sup>33</sup> Table 2.3.4-1: *R-20A, R-20, R-15, R-12, R-10, R-7.5, & R-6 Dimensional Standards* establishes dimensional standards for the Residential Districts based on the type of land use (residential or non-residential).

Table 2.3.4-1: R-20A, R-20, R-15, R-12, R-10, R-7.5 & R-6 Dimensional Standards			
		Residential Uses & Structures <sup>1</sup>	Non-Residential Uses & Structures
<b>Lot Area (min)</b>	<i>R-20 &amp; R-20A</i>	20,000 sf	30,000 sf
	<i>R-15</i>	15,000 sf	30,000 sf
	<i>R-12</i>	12,000 sf	30,000 sf
	<i>R-10</i>	10,000 sf	30,000 sf
	<i>R-7.5</i>	7,500 sf	30,000 sf
	<i>R-6</i>	6,000 sf	30,000 sf
<b>Lot Width (min)<sup>2</sup></b>	<i>R-20 &amp; R-20A (County Streets)</i>	20 ft	200 ft
	<del><i>R-20 &amp; R-20A (SCDOT Streets)</i></del>	<del>50 ft</del>	<del>200 ft</del>
	<i>All Other Districts (County Streets)</i>	20 ft	100 ft
	<del><i>All Other Districts (SCDOT Streets)</i></del>	<del>50 ft</del>	<del>100 ft</del>
<b>Front Setback (min)</b>	<i>Residential Street</i>	20 ft	20 ft
	<i>Collector Street</i>	30 ft	30 ft
	<i>Arterial Street</i>	50 ft	50 ft
<b>Side Setback, Interior (min)</b>		5 ft <sup>23</sup>	25 ft
<b>Side Setback,</b>	<i>Residential Street</i>	20 ft	20 ft
	<i>Collector Street</i>	30 ft	30 ft

<sup>33</sup> Table 2.3.4-1: *R-20, R-20A, R-15, R-12, R-10, R-7.5, & R-6 Dimensional Standards* carries forward the current dimensional standards for these districts (ZO Sections 7:1.5, 7:2.6, 7:3.1, 7:3.2, and 7:3.4).

**Table 2.3.4-1: R-20A, R-20, R-15, R-12, R-10, R-7.5 & R-6 Dimensional Standards**

		Residential Uses & Structures <sup>1</sup>	Non-Residential Uses & Structures
<b>Corner Lot (min)</b>	<i>Arterial Street</i>	40 ft	40 ft
	<b>Rear Setback (min)</b>	5 ft <sup>1</sup>	20 ft
	<b>Height (max)</b>	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | du/ac = dwelling unit(s) per acre | ft = feet | n/a = not applicable

<sup>1</sup> § 4.3.42: *Townhouses & Duplexes* specifies dimensional standards for townhouses and duplexes.

<sup>2</sup> SCDOT may require a different minimum lot width on State-owned roads.

<sup>3,2</sup> For zero lot line dwellings, the rear and one side setback may be reduced to zero feet, subject to the requirements of the adopted Building Code.

**E. Affordable Housing Incentives.**

1. *Purpose.* The purposes of these incentives are to:
  - (a) Promote a diversity of housing stock; and
  - (b) Encourage the provision of housing that is affordable to all economic levels of residents and meets the needs of the County’s diversifying population.
  
2. *Applicability.* The incentive specified in ~~Paragraph §~~ 2.3.4E.4 below is available for any open space residential subdivision (see § 11.9: *Open Space Residential Subdivisions*) in ~~the a~~ Residential Districts that provides at least 20% of the total number of dwelling units in the development as affordable dwelling units as defined in ~~Paragraph §~~ 2.3.4E.3 below.
  
3. *Affordable Dwelling Units Defined.*
  - (a) Affordable dwelling units are owner-occupied units where the monthly mortgage payment (including principal, interest, property taxes, homeowner’s insurance, private mortgage insurance, and property owners’ association fees) does not exceed 30% of the owner household’s gross monthly income.<sup>34</sup>
  - (b) Affordable dwelling units are occupied by households earning between ~~8060%~~ and ~~120100%~~ of the Median Family Income (MFI) for the Greenville-Mauldin-Easley, SC HUD Metro FMR Area, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size.

<sup>34</sup> Thirty percent is a typical “rule of thumb” for determining whether housing is affordable to a particular household.

4. *Density Bonus Incentive.* The maximum density specified in § 11.9: *Open Space Residential Subdivisions* may be increased by up to 20%. Each additional dwelling unit afforded by this density bonus must be located on its own fee simple lot.
5. *Term of Affordability.*
  - (a) Affordable dwelling units shall be limited by deed restriction to remain affordable, as defined ~~in Paragraph §~~ 2.3.4E.3 above, for a period of at least ~~30-5~~ years after issuance of the certificate of occupancy.
  - (b) Prior to the ~~issuance approval~~ of a ~~building permit~~~~final plat~~Final Plat for any portion of the development, the owner shall submit a copy of the executed deed restrictions to the ~~Zoning Subdivision~~ Administrator.
6. *Initial Eligibility Determination.*<sup>35</sup>
  - (a) Prospective buyers of new affordable units shall be screened and determined eligible by the developer, or their designee, prior to occupancy.
  - (b) Prior to ~~closing on a new affordable homeownership unit~~~~the release of the~~ required financial security (see § 22.6: *Financial Security for Affordable Housing*), the developer or their designee shall submit to the ~~Zoning Subdivision~~ Administrator:
    - (1) The executed sales contract between buyer and seller;
    - (2) An affidavit verifying the number of persons who will live in the house; and
    - (3) Income verification for all persons 18 years of age or older, which must include the past year tax returns and two most recent bank statements.
  - ~~(3)(c)~~ If the developer is exempt from the requirement to post a financial security, they must submit the information specified in § 2.3.4E.6(b) above prior to close-out of the subdivision.
7. *Resale of Homeownership Units.*<sup>36</sup>

<sup>35</sup> The County could also consider partnering with a local non-profit to make this initial eligibility determination. This may be helpful for developers, particularly those with limited experience constructing deed restricted affordable units.

<sup>36</sup> The County could consider partnering with a local non-profit organization to conduct this long-term monitoring. In this case, the deed restrictions would require notice to the non-profit rather than the Zoning Administrator. The County could also consider implementing a fee to cover costs associated with monitoring.

(a) For the ~~first five years~~duration of the deed restriction, resale of affordable homeownership units must be limited:

~~(a)(1)~~ (b)(1) By deed restriction to the original sales price, adjusted for inflation. The increase permitted for inflation is based upon the increase in the Consumer Price Index (CPI); ~~and-~~

~~(b)(2)~~ (b)(2) For the duration of the deed restriction, resale of affordable homeownership units must be limited to an eligible purchaser ~~eligible~~, as defined in Paragraph § 2.3.4E.3 above.

~~(c)~~(b) The deed restriction must require notice to the Zoning Subdivision Administrator prior to any conveyance of the affordable homeownership unit and verification that the prospective purchaser is qualified pursuant to the requirements of Paragraph § 2.3.4E.3 above.

### ~~2.3.6~~2.3.5 MIXED RESIDENTIAL DISTRICTS (R-M8, R-M10, R-M16, R-M20, & R-MA)<sup>37</sup>

A. **Purpose.** The Mixed Residential Districts are established to provide for varying population densities. The principal use of land is for residential uses, including detached house, duplex, townhouse, triplex, quadplex, and multiplex dwellings, and recreational, religious, and educational facilities normally associated with residential development.<sup>38</sup>

B. **Location.**

1. The R-M8, R-M10, R-M16, and R-M20 Districts:

(a) Are generally appropriate in areas designated as Suburban Mixed Use, Traditional Neighborhood, Mixed Use Corridor, Core Neighborhood, and Mixed Use Neighborhood on the Comprehensive Plan Future Land Use Map.

(b) May be appropriate in areas designated as Suburban Neighborhood, Transitional Corridor, and Transit Corridor on the Comprehensive Plan Future Land Use Map.

2. The R-MA District:

<sup>37</sup> This Subsection renames the R-M districts as “Mixed Residential,” rather than “Multi-Family Residential,” to better reflect the intended uses and character of the districts. This Subsection consolidates the current 20 R-M districts into five districts. ~~Eight-Nine~~ of the R-M districts are unused (i.e., nothing is zoned in those districts). R-M10, R-M20, and R-MA are the most used R-M districts, so those are carried forward, along with R-M8 and R-M16 to provide for a range of densities. This Subsection introduces dimensional standards by dwelling type to help implement the recommendations of the *Missing Middle Housing Deep Dive* for Greenville County and the City of Greenville. These standards could be revised to include maximum building width and maximum height in stories, which both control building bulk and scale.

<sup>38</sup> Carries forward the current purpose statement for the Multi-Family Residential Districts (ZO Section 5:6).

- (a) Is generally appropriate in areas designated as Suburban Commercial Center, Suburban Mixed Use, and Mixed Use Corridor on the Comprehensive Plan Future Land Use Map.
- (b) May be appropriate in areas designated as Mixed Use Neighborhood and Transit Corridor on the Comprehensive Plan Future Land Use Map.

C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.

D. **Dimensional Standards.**<sup>39</sup> Tables 2.3.5-1 and 2.3.5-2: *R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards* establish dimensional standards for the Mixed Residential Districts based on the type of land use (residential dwelling type, mixed use building, or non-residential uses and structures).

**Table 2.3.5-1: R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards by Dwelling Type**

		Dwelling Type				
		Detached House	Townhouse	Duplex	Triplex	Quadplex
<b>Lot Area (min)</b>		5,000 sf	<del>1,500</del> 1,950 sf	5,000 sf	6,000 sf	7,500 sf
<b>Lot Width (min)<sup>1</sup></b>		20 ft	20 ft	20 ft	20 ft	20 ft
<i>County Streets</i>						
<i>SCDOT Streets</i>		50 ft	50 ft	50 ft	50 ft	50 ft
<b>Front Setback (min)</b>	<i>Residential Streets</i>	20 ft	20 ft	20 ft	20 ft	20 ft
	<i>Collector Streets</i>	30 ft	30 ft	30 ft	30 ft	30 ft
	<i>Arterial Streets</i>	50 ft	50 ft	50 ft	50 ft	50 ft
<b>Side Setback, Interior (min)</b>		5 ft <sup>42</sup>	0 ft / 10 ft <sup>23</sup>	5 ft	5 ft	5 ft
<b>Side Setback, Corner Lot (min)</b>		Same as Front Setback	Same as Front Setback	Same as Front Setback	Same as Front Setback	Same as Front Setback
<b>Rear Setback (min)</b>		5 ft <sup>42</sup>	25 ft	25 ft	25 ft	25 ft
<b>Height (max)</b>		45 ft	45 ft	45 ft	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ac = acre | ft = feet | n/a = not applicable

<sup>1</sup> SCDOT may require a different minimum lot width on State-owned roads.

<sup>24</sup> For zero lot line dwellings, the rear and one side setback may be reduced to zero feet, subject to the requirements of the adopted Building Code.

<sup>23</sup> The minimum setback between individual townhouse dwelling units is 0 ft. The minimum setback between an end townhouse unit and its side lot line is 10 ft.

<sup>39</sup> Tables 2.3.4E-1 and 2.3.4E-2: *R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards* generally carry forward the current dimensional standards for these districts (ZO Sections 7:2.6, 7:3.1, 7:3.2, and 7:3.9).

**Table 2.3.5-2: R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards by Building or Development Type**

		Building or Development Type			Non-Residential Uses & Structures
		Multiplex	Apartment Complex and Other Types of Group Development	Mixed Use Building	
<b>Lot Area (min)</b>		1 ac	2 ac	7,500 sf	7,500 sf
<b>Lot Width (min)</b>	<i>County Streets</i>	20 ft	20 ft	100 ft	100 ft
	<i>SCDOT Streets</i>	50 ft	50 ft	100 ft	100 ft
<b>Density (max)</b>	<i>R-M8</i>	8 du/ac	8 du/ac	8 du/ac	n/a
	<i>R-M10</i>	10 du/ac	10 du/ac	10 du/ac	n/a
	<i>R-M16</i>	16 du/ac	16 du/ac	16 du/ac	n/a
	<i>R-M20</i>	20 du/ac	20 du/ac	20 du/ac	n/a
	<i>R-MA</i>	20 du/ac	20 du/ac	20 du/ac	n/a
<b>Front Setback (min)</b>	<i>Residential Streets</i>	20 ft	20 ft	20 ft	20 ft
	<i>Collector Streets</i>	30 ft	30 ft	30 ft	30 ft
	<i>Arterial Streets</i>	50 ft	50 ft	50 ft	50 ft
<b>Side Setback, Interior (min)</b>		25 ft	25 ft	25 ft	<del>15</del> -25 ft
<b>Side Setback, Corner Lot (min)</b>		Same as Front Setback	Same as Front Setback	Same as Front Setback	Same as Front Setback
<b>Rear Setback (min)</b>		25 ft	25 ft	25 ft	25 ft
<b>Height (max)</b>		45 ft	45 ft	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ac = acre | du/ac = dwelling units per acre | ft = feet | n/a = not applicable

**E. Affordable Housing Incentives.**

1. *Purpose.* The purposes of these incentives are to:
  - (a) Promote a diversity of housing stock; and
  - (b) Encourage the provision of housing that is affordable to all economic levels of residents and meets the needs of the County’s diversifying population.
  
2. *Applicability.* The incentives specified in ~~Paragraph §~~ 2.3.5E.4 below are available for any open space residential subdivision (see § 11.9: Open Space Residential Subdivisions) development in the a Mixed Residential Districts that provides at least 20% of the total number of dwelling units in the development as affordable dwelling units as defined in ~~Paragraph §~~ 2.3.5E.3 below.
  
3. *Affordable Dwelling Units Defined.*



- (a) *Monthly Mortgage Limit.* Affordable dwelling units are owner-occupied units where the monthly mortgage payment (including principal, interest, property taxes, homeowners' insurance, private mortgage insurance, and property owners' association fees) does not exceed 30% of the owner household's gross monthly income.<sup>40</sup>
- (b) *Income Limits.* Affordable homeownership dwelling units are occupied by households earning between ~~80~~60% and ~~120~~100% of the MFI for the Greenville-Mauldin-Easley, SC HUD Metro FMR Area, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size.

#### 4. *Incentives.*

- (a) The following incentives are available for developments that provide at least 20% of the total dwelling units in the development as affordable units as defined in ~~Paragraph §~~ 2.3.5E.3 above:

~~(1) — Density Bonus for Multiplexes, Apartment Complexes, Group Developments, and Mixed Use Buildings. The maximum density specified in Table 2.3.5E-2: R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards for multiplexes, apartment complexes, group developments, and mixed use buildings may be increased by up to 20%.~~

~~(2)(1) Density Bonus for All Other Dwelling Types. To qualify for the density bonus incentive, other dwelling types must be constructed as part of an open space subdivision. In such cases,~~ The maximum density specified in § 11.9: *Open Space Residential Subdivisions*, may be increased by up to 20%. Each additional dwelling unit afforded by this density bonus must be located on its own fee simple lot.

~~(3)(2) Building Height Increase.~~ The maximum height for any building containing affordable dwelling units is 55 feet.

- (b) In addition to the incentives specified in ~~Paragraph §~~ 2.3.5E.4(a) above, the following incentives are available for developments that sell at least half of the affordable dwelling units to households earning between ~~80~~60% and ~~100~~80% MFI:

<sup>40</sup> Thirty percent is a typical "rule of thumb" for determining whether housing is affordable to a particular household.

- (1) *Setback Reduction.* The minimum setbacks specified in Tables 2.3.4E-1 and 2.3.4E-2: *R-M8, R-M10, R-M16, R-M20, & R-MA Dimensional Standards* may be reduced by up to 20%.
- (2) *Parking Reduction.* The minimum number of parking spaces required by Article 6: *Parking & Loading* may be reduced to zero for dwelling units deed restricted as affordable housing pursuant to this ~~Paragraph §~~ 2.3.5E.

5. *Term of Affordability.*

- (a) Affordable dwelling units shall be limited by deed restriction to remain affordable, as defined in ~~Paragraph §~~ 2.3.5E.3, for a period of at least ~~30~~5 years after issuance of the certificate of occupancy.
- (b) Prior to the ~~issuance-approval~~ of a ~~building-permit~~Final Plat for any portion of the development, the owner shall submit a copy of the executed deed restrictions to the ~~Zoning-Subdivision~~ Administrator.

6. *Initial Eligibility Determination.*<sup>41</sup>

- (a) Prospective buyers of new affordable units shall be screened and determined eligible by the developer, or their designee, prior to occupancy.
  - (b) Prior to ~~closing on a new affordable homeownership unit~~ the release of the required financial security (see § 22.6: Financial Security for Affordable Housing), the developer or their designee shall submit to the ~~Zoning-Subdivision~~ Administrator:
    - (1) The executed sales contract between buyer and seller;
    - (2) An affidavit verifying the number of persons who will live in the house; and
    - (3) Income verification for all persons 18 years of age or older, which must include the past year tax returns and two most recent bank statements.
- ~~(3)(c)~~ If the developer is exempt from the requirement to post a financial security, they must submit the information specified in § 2.3.5E.6(b) above prior to close-out of the subdivision.

<sup>41</sup> The County could also consider partnering with a local non-profit to make this initial eligibility determination. This may be helpful for developers, particularly those with limited experience constructing deed restricted affordable units.

7. *Resale of Homeownership Units*<sup>42</sup>

~~(a)~~ For the ~~first five years~~duration of the deed restriction, resale of affordable homeownership units ~~shall~~must be limited:

~~(a)(1)~~ By deed restriction to the original sales price, adjusted for inflation. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI); ~~and~~.

~~(b)(2)~~ ~~For the duration of the deed restriction, resale of affordable homeownership units shall be limited to~~ an eligible purchaser, as defined ~~Paragraph §~~ 2.3.5E.3 above.

~~(e)(b)~~ The deed restrictions shall require notice to the ~~Zoning~~Subdivision Administrator prior to any conveyance of the affordable homeownership unit and verification that the purchaser is qualified pursuant to the requirements of ~~Paragraph §~~ 2.3.5E.3 above.

~~2.3.72.3.6~~ **RESIDENTIAL MANUFACTURED HOME PARK DISTRICT (R-MHP)**<sup>43</sup>

A. **Purpose.**

1. Manufactured home parks increase the diversity of the County's housing stock and provide additional options for moderately priced housing.
2. The Residential Manufactured Home Park District is established to provide for the orderly and safe development of manufactured home parks. The requirements of this district help ensure that manufactured home parks may coexist with existing and future residential development.

B. **Location.** The R-MHP District may be appropriate in areas designated as Traditional Neighborhood, Transitional Corridor, and Mixed Use Corridor on the Comprehensive Plan Future Land Use Map.

<sup>42</sup> The County could consider partnering with a local non-profit organization to conduct this long-term monitoring. In this case, the deed restrictions would require notice to the non-profit rather than the Zoning Administrator. The County could also consider implementing a fee to cover costs associated with monitoring.

<sup>43</sup> This Subsection carries forward the current R-MHP District dimensional standards (ZO Section 5:9). Manufactured home park site plan and design standards are proposed to be consolidated with similar LDR provisions in UDO Article 4: *Use Regulations for Zoned and Unzoned Areas*.

- C. **Rezoning Criteria.**<sup>44</sup> In addition to the criteria specified in § 16.2.4: *Zoning Map Amendment (Rezoning)*, the following criteria should be considered in zoning property R-MHP:
  1. The proposed site ensures adequate access to public street systems and does not cause undue congestion or place excessive traffic on local streets;
  2. The proposed development should be located where public facilities and services are either existing or planned; and
  3. Approval of the zoning application should not result in an over-concentration of housing types that would alter the basic character of the area.
- D. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- E. **Dimensional Standards.**<sup>45</sup> Table 2.3.6-1: *R-MHP Dimensional Standards* establishes dimensional standards for the Residential Manufactured Home Park District. The setback requirements apply to the exterior boundary of the manufactured home park.

Table 2.3.6-1: R-MHP Dimensional Standards	
<b>Manufactured Home Park Area (min)</b>	2 ac
<b>Manufactured Home Site Area (min)</b>	4,500 sf
<b>Lot Width (min)</b>	n/a
<b>Front Setback (min)</b>	35 ft
<b>Side Setback, Interior (min)</b>	15 ft
<b>Side Setback, Corner Lot (min)</b>	35 ft
<b>Rear Setback (min)</b>	15 ft
<b>Height (max)</b>	45 ft

**Key:** min = minimum required | max = maximum allowed | ac = acre | sf = square feet | du/ac = dwelling unit(s) per acre | ft = feet | n/a = not applicable

- F. **Manufactured Home and Manufactured Home Park Development and Design Standards.** All manufactured home parks and individual manufactured homes within a park shall comply with the applicable standards in Article 5: *Use Regulations for Zoned & Unzoned Areas*.

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<sup>44</sup> Paragraph B carries these criteria forward from ZO Section 5:9, except that the last item (“The proposed development should be compatible with adjoining and nearby properties”) is not carried forward. All rezoning requests should be considered in relationship to existing land uses and potential future land uses as contemplated by the Comprehensive Plan.

<sup>45</sup> Table 2.3.6-1: *R-MHP Dimensional Standards* carries forward the current dimensional standards for this district (ZO Sections 5:9.7, 7:2.6, and 7:3.1).

**2.3.82.3.7 OFFICE DISTRICT (O-D)**

- A. **Purpose.**<sup>46</sup> The Office District is:
  1. Established to provide for the development of office and institutional uses and ancillary service and retail uses that support offices and institutional uses;
  2. Intended to be a low to moderate intensity district that may be appropriate as a transitional district between industrial and commercial areas or between commercial and residential areas.
  
- B. **Location.** The Office District:
  1. Is generally appropriate in areas designated as Employment Centers, Suburban Commercial Center, Suburban Mixed Use, Transitional Corridor, Transit Corridor, and Urban Core on the Comprehensive Plan Future Land Use Map;
  2. May be appropriate in areas designated as Neighborhood Business, Mixed Use Corridor, Mixed Use Neighborhood, and other areas where office, educational, healthcare, and other institutional land uses are appropriate; and
  
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
  
- D. **Dimensional Standards.**<sup>47</sup> Table 2.3.7-1: *O-D Dimensional Standards* establishes dimensional standards for the Office District.

Table 2.3.7-1: O-D Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	25 ft
<b>Side Setback (min)</b> <sup>2</sup>	5 ft / 25 ft <sup>23</sup>
<b>Rear Setback (min)</b>	5 ft / 25 ft <sup>23</sup>
<b>Height (max)</b> <sup>34</sup>	45 ft
<b>Key:</b> min = minimum required   max = maximum allowed   ft = feet	
<sup>1</sup> <u>SCDOT may require a minimum lot width on State-owned roads.</u>	

<sup>46</sup> Carries forward the current purpose statement for OD (ZO Section 5:10).

<sup>47</sup> Table 2.3.8-1: *OD Dimensional Standards* generally carries forward the current dimensional standards for OD (ZO Sections 7:3.1, 7:3.7, and 7:3.8), and adds an allowance for common wall construction. Current ZO Section 7:3.8 allows a side setback reduction (to 5 feet) “where land uses within the NC, POD, and OD districts are the same as uses permitted on adjoining properties.” Table 2.3.8-1 clarifies this standard by linking the setback reduction to specific zoning districts.

### Table 2.3.7-1: O-D Dimensional Standards

<sup>2+</sup> Common wall construction to adjacent properties spanning ~~property-lot~~ lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>3+</sup> The lesser setback applies when the lot line is adjacent to a lot in POD, O-D, or C-N. The greater setback applies when the lot line is not adjacent to a lot in POD, O-D, or C-N.

<sup>4+</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear~~ yard-setback and the minimum ~~width of both-side yards-setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

## 2.3.92.3.8 RURAL VILLAGE DISTRICT (RU-V)<sup>48</sup>

### A. Purpose.

1. As business districts for rural communities, Rural Village Districts are intended to contain a mix of commercial uses (mostly retail and neighborhood support) and, in some locations, residential uses.
2. They are typically in older areas, with development that is automobile-oriented, yet walkable.
3. These character areas are the center of rural life and centers for commercial and civic activities.<sup>49</sup>

B. **Location.** The Rural Village District is generally appropriate in areas designated as Rural Village and Rural Corridor on the Comprehensive Plan Future Land Use Map.

C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.

<sup>48</sup> This new district implements the Rural Village Place Type identified in the Comprehensive Plan. A maximum building size is proposed for compatibility with nearby agricultural and rural residential areas. This size limit is based on the typical size of a Tractor Supply store (15,500 sf) as well as the average building sizes for national retail drugstores and specialty grocers. The average building size for national retail drugstores, such as CVS and Walgreens, and specialty grocers, such as Trader Joe's and Aldi's, is less than 20,000 square feet—with many stores in the 12,000 to 15,000 square foot range.

<sup>49</sup> From *Plan Greenville County* (Character Areas, Rural Village Place Type Characteristics, p. 75).

D. **Dimensional Standards.** Table 2.3.8-1: *RU-V Dimensional Standards* establishes dimensional standards for the Rural Village District.

Table 2.3.8-1: RU-V Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Density (max)</b>	6 du/ac
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	25 ft <sup>2</sup>
<b>Side Setback, Corner Lot (min)</b>	Same as Front Setback
<b>Side Setback, Interior (min)<sup>3,4</sup></b>	5 ft / 25 ft <sup>3,4</sup>
<b>Rear Setback (min)</b>	5 ft / 25 ft <sup>3,4</sup>
<b>Height (max)</b>	45 ft
<b>GFA (max)</b>	15,000 sf

**Key:** min = minimum required | max = maximum allowed | du/ac = dwelling units per acre | ft = feet | sf = square feet | GFA = gross floor area

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>3</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements.

<sup>2</sup> The front setback may be reduced in accordance with Table 10.6-1: *RU-V Transparency Zone Requirements for Reduced Front Setbacks.*

<sup>3,4</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>4,2</sup> The lesser setback applies when the lot line is adjacent to a lot in RU-V or RU-C. The greater setback applies when the lot line is not adjacent to a lot in RU-V or RU-C.

### ~~2.3.102.3.9~~ **2.3.9 NEIGHBORHOOD COMMERCIAL DISTRICT (C-N)**

A. **Purpose.**<sup>50</sup>

1. The C-N district is intended to provide for convenient shopping areas and professional offices that meet the daily needs of the surrounding neighborhood.
2. The requirements of this district are designed to ensure that development is aesthetically compatible with neighboring residential properties and will not create a nuisance due to noise, traffic generation, lighting, or appearance.

B. **Location.** The C-N District is:

1. Typically located at the intersection of two collector streets or a collector street and arterial street in close proximity to developed residential neighborhoods.

<sup>50</sup> Carries forward the current purpose statement for NC (ZO Section 8:3.1).

- 2. Generally appropriate in areas designated as Suburban Commercial Center, Suburban Mixed Use, Neighborhood Business, Core Neighborhood, and Mixed Use Neighborhood on the Comprehensive Plan Future Land Use Map.
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- D. **Dimensional Standards.**<sup>51</sup> Table 2.3.9-1: *C-N Dimensional Standards* establishes dimensional standards for the Neighborhood Commercial District.
- E. **C-N Districts Established Prior to Effective Date.**
  - 1. Prior to the effective date of the UDO, the Neighborhood Commercial District was a review (rather than base) zoning district and was abbreviated as "NC."
  - 2. All C-N Districts established prior to the effective date of the UDO are subject to the statement of intent approved in conjunction with the rezoning, as well as all approved site plans.
  - 3. Where not modified by prior approvals, the standards applicable to the C-N base zoning district apply.

Table 2.3.9-1: C-N Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Density (max)</b>	10 du/ac
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	15 ft <sup>42</sup>
<b>Side Setback, Interior (min)<sup>23</sup></b>	0 ft / 25 ft <sup>34</sup>
<b>Side Setback, Corner Lot (min)</b>	15 ft
<b>Rear Setback (min)</b>	5 ft / 25 ft <sup>34</sup>
<b>Height (max)<sup>45</sup></b>	45 ft
<b>GFA, Single Tenant Building (max)</b>	15,000 sf
<b>GFA, Multi-Tenant Building (max)</b>	10,000 sf per tenant space 30,000 sf per building

**Key:** min = minimum required | max = maximum allowed | du/ac = dwelling units per acre | ft = feet | sf = square feet | GFA = gross floor area

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>51</sup> Table 2.3.9-1: *C-N Dimensional Standards* generally carries forward the current dimensional standards for NC (ZO Sections 7:3.1, 7:3.6, 7:3.7, and 7:3.8), and adds an allowance for common wall construction. Current ZO Section 7:3.8 allows a side setback reduction (to 5 feet) “where land uses within the NC, POD, and OD districts are the same as uses permitted on adjoining properties.” Table 2.3.9-1 clarifies this standard by linking the setback reduction to specific zoning districts. Table 2.3.9-1 carries forward the current building size limits (ZO Section 8:3.6) and maximum density for mixed use buildings (ZO Section 8:3.7).



**Table 2.3.9-1: C-N Dimensional Standards**

<sup>24</sup>The minimum front setback may be reduced according to the Transparency Standards established in [Table 10.7-1: C-N Transparency Zone Requirements for Reduced Front Setbacks](#) [Article 9, Table 9.7-1: C-N Transparency Zone Requirements for Reduced Front Setbacks](#).

<sup>32</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>42</sup> The lesser setback applies when the lot line is adjacent to a lot in POD, OD, C-N, C-1, C-2, or C-3. The greater setback applies when the lot line is not adjacent to a lot in POD, OD, C-N, C-1, C-2, or C-3.

<sup>54</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear yard setback~~ and the minimum ~~width of both side yards setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

### **2.3.112.3.10 COMMERCIAL DISTRICTS (C-1, C-2, & C-3)**

#### **A. Purposes.**

1. The C-1 District is established to provide commercial establishments for the convenience of local residents traveling by foot, bicycle, transit, and motor vehicle.<sup>52</sup>
2. The C-2 District is established to provide for the development on major thoroughfares or in commercial hubs of commercial land uses that are oriented to customers traveling by foot, bicycle, transit, and motor vehicle. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.<sup>53</sup>
3. The C-3 District is established to provide for the development of commercial and light service land uses that are oriented to customers traveling by automobile. The land uses in this district are intended to be located in non-residentially zoned areas and along major thoroughfares. Establishments in this district provide goods and services for the traveling public.<sup>54</sup>

**B. Location.** The Commercial Districts are generally appropriate in areas designated as Suburban Commercial Center, Suburban Mixed Use, Transitional Corridor, Mixed Use Corridor, Mixed Use Neighborhood, Transit Corridor, or Urban Core on the Comprehensive Plan Future Land Use Map.

**C. Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.

<sup>52</sup> Carries forward the purpose statement in ZO Section 5:11 with additional text suggested by a community member.

<sup>53</sup> Carries forward the purpose statement in ZO Section 5:12 with additional text suggested by a community member.

<sup>54</sup> Carries forward the purpose statement in ZO Section 5:13.

D. **Dimensional Standards.**<sup>55</sup> Table 2.3.10-1: *C-1, C-2, & C-3 Dimensional Standards* establishes dimensional standards for each of the Commercial Districts.

Table 2.3.10-1: C-1, C-2, & C-3 Dimensional Standards		
	<b>Lot Area (min)</b>	No minimum
<b>Density (max)<sup>1</sup></b>	C-1	16 du/ac
	C-2 & C-3	20 du/ac
	<b>Lot Width (min)</b>	No minimum <sup>2</sup>
	<b>Front Setback (min)</b>	25 ft
	<b>Side Setback, Interior (min)<sup>3</sup></b>	5 ft / 15 ft <sup>3,4</sup>
	<b>Side Setback, Corner Lot (min)</b>	15 ft
	<b>Rear Setback (min)</b>	20 ft
<b>Height (max)<sup>4</sup></b>	<i>Non-Residential Buildings</i>	45 ft
	<i>Mixed Use Buildings</i>	50 ft (C-1) 55 ft (C-2 & C-3)
<b>GFA (max)</b>	C-1	75,000 sf
	C-2 & C-3	No max

**Key:** min = minimum required | max = maximum allowed | du/ac = dwelling unit(s) per acre | ft = feet | sf = square feet | GFA = gross floor area

<sup>1</sup> Density applies to residential uses, which may be located only in mixed use buildings.

<sup>2</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>3</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>4</sup> The lesser setback applies when the lot line is adjacent to a lot in a non-residential zoning district. The greater setback applies when the lot line is adjacent to a lot in a residential zoning district.

<sup>5</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear yard setback~~ and the minimum ~~width of both side yards setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

<sup>55</sup> This table carries forward the current dimensional standards for C-1, C-2, and C-3 (ZO Sections 7:3.1, 7:3.6, and 7:3.7); and the maximum density currently allowed for mixed use structures and developments in commercial districts [ZO Section 6:2(28)3.A.]. To encourage mixed use development, the table proposes to increase density in each district and allow additional height for mixed use buildings. This table clarifies side setback provisions in the current Zoning Ordinance for C-1, C-2, and C-3: Table 7.3 does not require a side setback but cross-references Section 7:3.6, which states that if a side yard is provided it must be at least five feet. Proposed is to require a minimum 5-foot setback, unless common wall construction is utilized (see table footnote 1). This allowance for common wall construction is new.

**~~2.3.12~~ 2.3.11 RURAL CORRIDOR DISTRICT (RU-C)<sup>56</sup>**

- A. **Purpose.** The Rural Corridor District accommodates a mix of agricultural, service, and industrial uses that are compatible with rural character and do not require urban services, such as water and sewer.
- B. **Location.**<sup>57</sup> The Rural Corridor District:
  1. Is typically located along arterial highways and may connect to denser suburban or urban areas;
  2. Is generally appropriate in areas designated as Rural Village and Rural Corridor on the Comprehensive Plan Future Land Use Map; and
  3. May be appropriate in areas designated as Employment Center on the Comprehensive Plan Future Land Use Map.
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- D. **Dimensional Standards.** Table 2.3.11-1: *RU-C Dimensional Standards* establishes dimensional standards for the Rural Corridor District.

Table 2.3.11-1: RU-C Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	50 ft
<b>Side Setback, Corner Lot (min)</b>	30 ft
<b>Side Setback, Interior (min)</b>	15 ft / 30 ft <sup>2</sup>
<b>Rear Setback (min)</b>	15 ft / 30 ft <sup>2</sup>
<b>Height (max)</b>	45 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>2</sup> The lesser setback applies when the lot line is adjacent to a lot in RU-V or RU-C. The greater setback applies when the lot line is not adjacent to a lot in RU-V or RU-C.

<sup>56</sup> This new district implements the Rural Corridor Place Type identified in the Comprehensive Plan. It allows uses and provides development standards that are appropriate in more rural areas of the County.

<sup>57</sup> Paragraphs A and B use language from the Rural Corridor Place Type Characteristics (*Plan Greenville County*, Character Areas, p. 75).

**2.3.12 SERVICES DISTRICT (S-1)**

- A. **Purpose.**<sup>58</sup> The S-1 District is established to provide a transition between commercial and industrial districts by allowing:
  - 1. Commercial uses that are service-related;
  - 2. Service-related commercial uses that sell merchandise related directly to the service performed;
  - 3. Commercial uses that sell merchandise requiring storage in warehouses or outdoor areas; and
  - 4. Light industries that, in their normal operations, would have a minimal effect on adjoining properties.
  
- B. **Location.** The S-1 District:
  - 1. Is generally appropriate in areas designated as **Mixed** Employment Centers on the Comprehensive Plan Future Land Use Map; and
  - 2. May be appropriate in areas designated as Suburban Commercial Center, Suburban Mixed Use, Transitional Corridor, Mixed Use Corridor, Mixed Use Neighborhood, Transit Corridor, or Urban Core on the Comprehensive Plan Future Land Use Map.
  
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
  
- D. **Dimensional Standards.**<sup>59</sup> Table 2.3.12-1: *S-1 Dimensional Standards* establishes dimensional standards for the Services District.
  
- E. **Performance Standards.** All of the uses allowed in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, dust, or noise will be admitted beyond the property line of the lot on which the use is located.<sup>60</sup>

<b>Table 2.3.12-1: S-1 Dimensional Standards</b>	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	45 ft

<sup>58</sup> Carries forward the current purpose statement for S-1 (ZO Section 5:14), except for the last sentence which is now in Paragraph D: *Performance Standards*, below.

<sup>59</sup> This table carries forward the current dimensional standards for S-1 (ZO Sections 7:3.1 and 7:3.7) and adds an allowance for common wall construction.

<sup>60</sup> Carries forward the last sentence of the current purpose statement for S-1 (ZO Section 5:14).

**Table 2.3.12-3-10-1: S-1 Dimensional Standards**

<b>Side Setback (min)<sup>12</sup></b>	25 ft
<b>Rear Setback (min)</b>	20 ft
<b>Height (max)<sup>23</sup></b>	45 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet | n/a = not applicable

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>24</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>32</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear yard setback~~ and the minimum ~~width of both side yards setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

**2.3.13 AGRICULTURAL PRESERVATION DISTRICT (AG)<sup>61</sup>**

- A. **Purpose.** The purpose of this district is to preserve prime farmland for agricultural and forestry uses and limit non-agricultural development in productive and prime agricultural areas to densities and development patterns that are consistent with the continuation of economically viable agriculture.
- B. **Location.** The Agricultural District is generally appropriate in areas designated as Rural, Rural Living, Rural Corridor, Rural Village, and Suburban Edge on the Comprehensive Plan Future Land Use Map.
- C. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- D. **Dimensional Standards.** Table 1.1.1-1: *AG Dimensional Standards* establishes dimensional standards for the Agricultural Preservation District.

**Table 1.1.1-1: AG Dimensional Standards**

<b><u>Lot Area (min)</u></b>	<u>5 ac</u>
<b><u>Lot Width (min)</u></b>	<u>100 ft<sup>1</sup></u>
<b><u>Front Setback (min)</u></b>	<u>75 ft</u>
<b><u>Side Setback, Interior (min)</u></b>	<u>25 ft</u>

<sup>61</sup> This new zoning district helps implement several strategies found in the *Plan Greenville County* section on Agriculture and Food Security (“Bloom,” p. 128). County Council adopted the AG District in November 2021.

<b>Table 1.1.1-1: AG Dimensional Standards</b>	
<b>Side Setback, Corner Lot (min)</b>	<u>Same as Front Setback</u>
<b>Rear Setback (min)</b>	<u>25 ft</u>
<b>Height (max)</b>	
<i>Agricultural Uses &amp; Structures</i>	<u>None</u>
<i>Residential Uses &amp; Structures</i>	<u>45 ft</u>
<b>Key:</b> min = minimum required   max = maximum allowed   ac = acre   ft = feet	
<sup>1</sup> SCDOT may require a different minimum lot width on State-owned roads.	

### 2.3.14 INDUSTRIAL DISTRICT (I-1)

**A. Purpose.**

1. The I-1 District is established as a district for manufacturing plants, assembly plants, and warehouses.
2. The regulations are intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, or other objectionable effects, and to protect streams, rivers, and the air from pollution.<sup>62</sup>

**B. Location.** The I-1 District is generally appropriate in areas designated as Mixed Employment Center or Industrial on the Comprehensive Plan Future Land Use Map.

**C. Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.

**D. Dimensional Standards.**<sup>63</sup> Table 2.3.13-1: *I-1 Dimensional Standards* establishes dimensional standards for the Industrial District.

**E. Environmental Reviews.**<sup>64</sup>

1. The South Carolina Department of Environmental Services (SCDES) regulates pollution which may impact citizens in proximity to industrial uses. These types of pollution include, but are not limited to:
  - (a) Air pollution;

<sup>62</sup> Carries forward the current purpose statement for I-1 (ZO Section 5:15).

<sup>63</sup> This table carries forward the current dimensional standards for I-1 (ZO Sections 7:3.1 and 7:3.10) and adds an allowance for common wall construction.

<sup>64</sup> Carries forward ZO Section 5:15.5 and modifies it to cross-reference the SCDES website. The website includes an interactive feature to help applicants determine which permits are needed.

- (b) Solid waste;
  - (c) Hazardous waste; and
  - (d) Underground storage tanks.
2. The applicant should consult the SCDES [“Permit Central” website](#) to ensure they obtain the correct permits prior to construction.

Table 2.3.13-1: I-1 Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front Setback (min)</b>	50 ft
<b>Side and Rear Setback, Adjacent to Right-of-Way (min)</b>	50 ft
<b>Side and Rear Setback, Interior (min)</b>	25 ft <sup>2,3</sup>
<b>Height (max)<sup>3,4</sup></b>	90 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet | n/a = not applicable

<sup>1</sup> [SCDOT may require a minimum lot width on State-owned roads.](#)

<sup>2,4</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. [In such case, a side setback is not required along the common wall.](#)

<sup>3,2</sup> A building may be located closer than 25 feet to a side or rear lot line if the property is adjacent to a railroad right-of-way and written approval from the railroad authorities has been obtained to utilize the railroad spur for loading and unloading.

<sup>4,3</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear yard setback~~ and the minimum ~~width of both side yards setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

## 2.4 REVIEW DISTRICTS

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### 2.4.1 GENERAL PROVISIONS<sup>65</sup>

#### A. Applicability.

1. The standards in this Subsection apply to all review districts unless otherwise indicated. The following subsections include provisions unique to each review district.
2. Where a specific standard is not given for a particular development standard in this Section, or where such standard is not established as part of the rezoning approval, the generally applicable standards of this Ordinance apply.<sup>66</sup>

#### B. Dimensional Standards.

1. Maximum height and setbacks from external district boundaries shall be in accordance with the requirements in this Section for the particular review district, if specified.
2. The site plan and rezoning application shall establish the dimensional standards for each lot and building site within the district. The developer shall propose standards for:
  - (a) Density, if the district includes residential uses;
  - (b) Lot area;
  - (c) Setbacks; and
  - (d) Lot coverage.

#### C. Lighting Standards.<sup>67</sup>

1. For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet the IESNA “full-cutoff” classification (no light output above 90 degrees at any lateral angle around the fixture).

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<sup>65</sup> This Subsection carries forward ZO Section 12:1 *Development Standards for PD, NC, POD, and FRD Districts*, except Subsection 12:1.3 *Screening and Buffering Requirements* since that subsection simply cross-references other standards. Paragraph A.2., above, specifies that the general UDO standards apply where not modified by this Section or the district rezoning approval.

<sup>66</sup> This Paragraph carries forward (with revised text) ZO Subsections 8:1.3 *General Requirements* (PD) and 8:8.3 *General Requirements* (FRD), which states “[t]he provisions of the zoning ordinance regulating minimum lot area, parking, landscaping, and lighting *shall apply* [PD]/*serve as a general guide* [FRD]. However, variations to these standards included in the approved Statement of Intent or Final Development Plan shall supersede the other provisions of this Ordinance.”

<sup>67</sup> Carries forward ZO Subsection 12:1.1 *Lighting Standards*.



2. Fixtures ~~shall not~~must be mounted ~~in excess of 20-16~~ feet or less above finished grade.
3. All other outdoor lighting such as floodlights and spotlights shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway.
4. Flashing lights are prohibited.

D. **Pedestrian Access.**<sup>68</sup>

1. Pedestrian sidewalks and/or pathways must be provided on the site and shall provide safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept.
2. Pedestrian pathway connections to parking areas, buildings, other amenities, residential areas, commercial areas, and between on-site and perimeter pedestrian systems shall be planned and installed wherever feasible. All pathways and sidewalks shall be a minimum of five feet in width.
3. Sidewalks are required along all roadways and where determined necessary by Planning staff.

E. **Vehicular Access.**<sup>69</sup> Vehicular access shall be provided internally between all uses, drives, and parking areas and where determined necessary by Planning staff.

F. **Street Furniture.**<sup>70</sup> All street furniture (i.e., lights, signs, pedestrian benches, bus shelters, etc.) shall have a uniform design.

G. **Riparian Buffers.** A review district shall not vary any standards associated with the riparian buffers required by Article 7: *Buffers & Screening*.

H. **Infrastructure.** A review district shall not vary any standards associated with development infrastructure, including streets, stormwater management, and utilities.

~~I. **Letter of Compliance.**<sup>71</sup> A letter of compliance from the Property Owners Association (POA) shall be provided at the time of building plan submittal.~~

<sup>68</sup> Carries forward ZO Subsection 12:1.4: *Pedestrian Access*.

<sup>69</sup> Carries forward ZO Subsection 12:1.5: *Vehicular Access*.

<sup>70</sup> This Paragraph carries forward standards in ZO Section 8:10.11 Architectural Form (BTD District) and ZO 8:4.12 Architectural Form (I-2 District).

~~<sup>71</sup> This Paragraph carries forward a requirement in ZO Section 8:10.11 Architectural Form (BTD District).~~

### 1. **Procedures for Review Districts.**<sup>72</sup>

1. *Establishment of Review Districts.* A review district is established through the rezoning process, in accordance with the procedures and approval criteria in § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.<sup>73</sup>
2. *Changes to Review Districts.* Major and minor changes to review districts may be made in accordance with the procedures and approval criteria in § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.
3. *Site Plan Review.* Development in review districts requires approval of a site plan in accordance with § 16.2.6: *Final Development Plan for Review Districts*.
4. *Submittal Requirements.* Application submittal requirements for review districts are specified in Article 22: *Submittal Requirements*.
5. *Development Agreements.* The applicant for a review district rezoning and the County Council may enter a development agreement, pursuant to S.C. Code Title 6, [Chapter 31](#), or other documented condition of approval, to address mitigation of the proposed district's impacts on public facilities, on-site design and construction features, phasing of the district, or other relevant areas agreed to by the parties.

### **2.4.2 BUSINESS & TECHNOLOGY DISTRICT (BTD)**<sup>74</sup>

- A. **Purpose.** This district is established to provide a high level of design quality, site amenities, and open space for corporate headquarters, clean manufacturing, and similar business and professional office uses with compatible operations within an appealing business park atmosphere.
- B. **Minimum District Size.** The minimum size of any BTD is 20 acres.
- C. **Permitted, Conditional, and Special Exception Uses.**<sup>75</sup> See Article 4: *Use Regulations for Zoned Areas*.

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<sup>72</sup> This Paragraph is new.

<sup>73</sup> Article 16: *UDO Procedures* includes a specific procedure for rezoning to a review district. Article 16 generally carries forward the current procedure, which includes requirements for a preliminary development plan, natural resources inventory, statement of intent, and final development plan. Article 16 also carries forward the process for minor and major changes to review districts.

<sup>74</sup> This Subsection carries forward ZO Section 8.10, except ZO Subsections 8:10.5: *Off-Street Parking/Loading*, which is simply a cross-reference to the parking regulations; and 8:10.13: *Traffic Impact Analysis*, which will be relocated to UDO Article 23: *Submittal Requirements*.

<sup>75</sup> This paragraph replaces the use lists in ZO Sections 8:10.2 and 8:10.3.

**D. Outdoor Storage.**

1. No outdoor storage of material is allowed within a BTD, except as provided in § 2.4.2D.2 below.
2. Products that are the end result of manufacturing processes occurring on-site may be stored in an area that is either screened from all adjacent properties and street rights-of-way or buffered by a forested area at least 50 feet in total depth.

**E. Dimensional Standards.**<sup>76</sup> Table 2.4.2-1: *BTB Dimensional Standards* establishes dimensional standards for the BTB.

Table 2.4.21: BTB Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front, Side, and Rear Setback, Adjacent to Street Right-of-Way (min)</b>	100 ft
<b>Side Setback, Interior (min)<sup>42</sup></b>	50 ft
<b>Rear Setback, Interior (min)</b>	50 ft
<b>Setback from Any Lot Line Adjacent to a Residential Zoning District<sup>23</sup></b>	150 ft
<b>Height (max)<sup>34</sup></b>	90 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>24</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>32</sup> This setback applies to principal and accessory structures.

<sup>43</sup> Maximum height applies to all buildings and appurtenances including, but not limited to, water towers, standpipes, penthouses, elevators or elevator equipment, stairways, ventilation fans, skylight, tanks, cooling or other towers, wireless radio or television masts, or flagpoles.

**F. Buffers and Screening.**<sup>77</sup>

1. Landscape plantings consisting of canopy trees, understory trees, and shrubs shall be layered to provide a visually appealing and varied streetscape. Canopy trees shall be located at all street frontages. The Preliminary Development Plan must establish the streetscape planting plan.

<sup>76</sup> Table 2.4.21: *BTB Dimensional Standards* consolidates ZO Subsections 8:10.4: Setback/Height and 8:10.7: Minimum Lot Area and adds an allowance for common wall construction.

<sup>77</sup> This Paragraph carries forward ZO Section 8:10.9: *Landscaping, Buffers and Screening*.

2. The landscape shall be designed to provide a varied plant palette while establishing a street landscape theme for the park.
3. A landscaped buffer with a minimum width of 100 feet shall be provided along boundaries of a BTM that abut residential zoning districts or lots with residential land uses.
  - (a) The buffer may be either natural or structured and must incorporate the number and type of plantings required for a Class C buffer (see § 7.2: Interior & Roadside Buffers).
  - (b) The buffer width is measured from the property line nearest the residential land use and/or zoning district properties.
4. Service, loading, ~~and~~ trash/recycling collection areas, and HVAC/mechanical units shall be screened from public view with solid evergreen plant material or architectural treatment similar to the design of the adjacent building.

G. **Site Design.** All development in a BTM shall be arranged in a cohesive “business park” format. Individual structures within the business park shall be sited in distinct building groups that are similar in scale, bulk, and orientation.

H. **Architectural Form.**

1. The park shall be designed to provide compatible architectural features, materials, and colors throughout. Building materials must be appropriate for the scale of the building, compatible with its location, and expressive of the character and image of the development. Architectural features typically include changes in façade depth, materials, and colors.
2. Buildings should be located and oriented to provide a clearly distinguishable front façade that provides a functional relationship with its site, adjacent sites, and nearby thoroughfares.
3. All street furniture (e.g., lights, signs, pedestrian benches, and bus shelters) shall have a uniform design.
- ~~4. A letter of compliance from the Property Owners Association (POA) shall be provided at the time of building or grading permit submittal.~~

- I. **Signs.** For purposes of determining the applicable sign regulations, the BTB is considered a “business park” subject to the applicable regulations in [Chapter 19: Signs](#) and the following design standards:<sup>78</sup>
1. *Business Park Entry Sign.* Business park entry signs must:
    - (a) Be freestanding and have a monument base of masonry construction;
    - (b) Consist of durable materials with neutral colors to complement the park design;
    - (c) Not contain high contrast colors; and
    - (d) Be consistent throughout the park in design, size, and location.
  2. *Freestanding Tenant Signs.* Freestanding tenant signs:
    - (a) Must be pole-mounted pylon signs with aluminum base;
    - (b) Have an aluminum sign face with routed out copy and push through acrylic;
    - (c) Must have neutral colors to complement the site design and shall not contain high contrast colors;
    - (d) Must have 6-inch flat cut out address numerals on both sides of the base;
    - (e) Must be internally illuminated or non-illuminated only; and
    - (f) Shall not have exposed conduit, boxes, etc.
  3. *Building-Mounted Tenant Signs.* Building-mounted tenant signs:
    - (a) Must be durable dimensional letters with a minimum 1.5-inch return;
    - (b) Must be non-illuminated and mounted flush to the wall or halo illuminated with LEDs;
    - (c) Shall not have exposed conduit, boxes, etc.; and
    - (d) Must be sized to scale appropriately with the location and background area.
- J. **Noise, Odor, Vibrations, and Emissions.**

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<sup>78</sup> A 2023 text amendment added these sign design standards. The UDO does not carry forward the standards pertaining to “directional signs” since they are not content neutral. Case law requires content neutrality in sign regulation. The UDO also changes the term “business park identification sign” to “business park entry sign.”

1. All noises, odors, vibrations, emissions of smoke, dust, or gases, if they occur, shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial areas or other uses in the park.
  2. Any time prior to or after a building or site is occupied, control measures may be required in accordance with the regulations of the appropriate governmental agencies that monitor public health and welfare.
- K. **Off-Street Parking.** Off-street parking shall be provided in accordance with Article 4: *Parking & Loading*.
- L. **Traffic Impact Study (TIS).** In accordance with Article 23: *Submittal Requirements*, a TIS shall be submitted with the applications to rezone to the BTB District. Any change or expansion at an existing site that results in an expected increase of 25% or more peak hour trips may also require a TIS.

### 2.4.3 FLEXIBLE REVIEW DISTRICT (FRD)<sup>79</sup>

- A. **Purpose.**
1. The intent of the Flexible Review District is to provide a way for innovative design to be accomplished and to permit development that cannot be achieved through conventional zoning districts due to the parameters required therein.
  2. 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 will be applicable in other locations.
- B. **Minimum District Size.** There is no minimum size for an FRD.
- C. **Permitted, Conditional, and Special Exception Uses.**<sup>80</sup> Any use, proposed by a developer and considered by the County Council to be compatible with existing and planned land uses within and beyond the district, may be allowed in an FRD upon approval by the County Council. Thereafter, the uses permitted in the district will be restricted to those listed, approved, and adopted, and any future addition to these uses shall constitute a major change.
- D. **Dimensional Standards.**

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<sup>79</sup> This Subsection carries forward ZO Subsections 8:8.1, 8:8.2, 8:8.4, and 8:8.5. The other subsections in ZO Section 8:8 are carried forward in UDO Article 15: *Zoning Procedures*. ZO Subsection 8:8.3 is carried forward in UDO Subsection 2.4.1: *General Provisions* (Review Districts). ZO Subsection 8:8.5 is carried forward in UDO Subsection 2.4.1: *General Provisions* (Review Districts) and UDO Article 15: *Zoning Procedures*.

<sup>80</sup> This Paragraph is new and serves to clarify allowed uses in an FRD.

1. Except as specified in Table 2.4.3-1: *Minimum Setbacks from FRD Boundary*, minimum lot width, minimum setbacks, maximum lot coverage, and maximum height are not otherwise regulated within the FRD provided, however, that the Planning Commission and County Council shall ascertain that the characteristics of building locations are appropriate as related to structures within the FRD and otherwise fulfill the intent of this Ordinance.
2. Where land uses within the FRD are the same as uses permitted in the adjoining properties outside the FRD, a lesser setback that is consistent with the uses or zoning on the adjoining properties may be considered by County Council during the rezoning process.

<b>Table 2.4.3-1: Minimum Setbacks from FRD Boundary</b>	
<b>FRD Site Area</b>	<b>Setback from FRD Boundary (min)<sup>‡</sup></b>
More than 5 ac	25 ft
2 ac to 5 ac	12.5 ft
Less Than 2 ac	5 ft

**Key:** min = minimum required | ac = acres | ft = feet

<sup>‡</sup>This setback applies to all structures and swimming pools.

<b>Table 2.4.3-1: Minimum Setbacks from FRD Boundary</b>			
<b>Setback from FRD Boundary (min)<sup>1</sup></b>	<b>FRD Site Area</b>		
	<b>Less Than 2 ac</b>	<b>2 ac to 5 ac</b>	<b>More than 5 ac</b>
<b>Boundary Adjacent to Existing Street</b>	25 ft	25 ft	25 ft
<b>All Other Boundaries</b>	5 ft	12.5 ft	25 ft

**Key:** min = minimum required | ac = acres | ft = feet

<sup>1</sup> This setback applies to all structures and swimming pools.

- E. **Open Space.** An FRD should include open space and amenities (as defined in § 11.4.4: *Amount & Types of Open Space Required*) appropriate for the location and type of development proposed.

### 2.4.4 INDUSTRIAL PARK DISTRICT (I-2)<sup>81</sup>

A. **Purpose.**

1. This district is established to provide a high level of design quality, site amenities, and open space for light industry, warehouse distribution, research and development

<sup>81</sup> This Subsection generally carries forward ZO Section 8:4, except Subsections 8:4.15: *Covenants*, and 8:4.16 *Traffic Impact Analysis*, which will be relocated to UDO Article 23: *Submittal Requirements*.

operations, and similar industrial uses with compatible operations within a park atmosphere.

2. All of the uses shall be of a type or intensity that do not produce odors, smoke, fumes, noise, glare, heat or vibrations which are incompatible with other uses in the park or its surrounding land uses outside the industrial park.
3. The physical and operational requirements of the use, including type of structure used and volume of heavy truck traffic generated, shall not have an adverse impact upon surrounding land uses.
4. Regulations are directed toward protecting neighboring land uses from any of the potential nuisances associated with industrial uses.

B. **Minimum District Size.** The minimum size of any I-2 District is 20 acres.

C. **Permitted, Conditional, and Special Exception Uses.**<sup>82</sup> See Article 4: *Use Regulations for Zoned Areas*.

D. **Outdoor Storage.** No outdoor storage of material is allowed within an I-2 District.

E. **Dimensional Standards.**<sup>83</sup> Table 2.4.4-1: *I-2 Dimensional Standards* establishes dimensional standards for the Industrial Park District.

Table 2.4.4-1: I-2 Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Front, Side, and Rear Setback, Adjacent to Street Right-of-Way (min)</b>	100 ft
<b>Side Setback, Interior (min)<sup>1,2</sup></b>	50 ft
<b>Rear Setback, Interior (min)</b>	50 ft
<b>Setback from Any Lot Line Adjacent to a Residential Zoning District<sup>2,3</sup></b>	150 ft
<b>Height (max)<sup>3,4</sup></b>	90 ft
<b><del>Lot</del>-Building Coverage (max)</b>	50%

**Key:** min = minimum required | max = maximum allowed | ft = feet

<sup>1</sup> SCDOT may require a minimum lot width on State-owned roads.

<sup>2,4</sup> Common wall construction to adjacent properties spanning property lines may be utilized in accordance with applicable Building and Fire Code requirements. In such case, a side setback is not required along the common wall.

<sup>82</sup> This Paragraph consolidates ZO Subsections 8:4.2 and 8:4.5.

<sup>83</sup> This table carries forward the current dimensional standards for I-2 (ZO Subsections 7:3.1, 7:3.7, 8:4.3, 8:4.8, and 8:4.10), and adds an allowance for common wall construction.



### Table 2.4.4-1: I-2 Dimensional Standards

<sup>3a</sup> This setback applies to principal and accessory structures.

<sup>4a</sup> Any structure may exceed the specified height limit if the minimum ~~depth of the rear yard setback~~ and the minimum ~~width of both side yards setbacks~~ are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

#### F. Buffers and Screening.<sup>84</sup>

1. A landscaped buffer area with a minimum width of 100 feet shall be provided along boundaries of the I-2 District that abut residential zoning districts or lots with residential land uses.
2. Opaque walls and/or fences and landscaping are required around outdoor waste containers, loading areas, and parking areas for commercial vehicles. The screening must be at least 6 feet in height or one foot taller than the item or area being screened, whichever is greater.

#### G. Architectural Form.

1. The architectural design of buildings and structures and their materials and colors shall be visually harmonious with the overall appearance of the park.
2. All street furniture (e.g., lights, signs, pedestrian benches, and bus shelters) shall have a uniform design.

H. **Signs.**<sup>85</sup> For purposes of determining the applicable sign regulations, the I-2 District is considered a “business park” and subject to the applicable regulations in Chapter 19: Signs.

#### I. Noise, Odor, Vibrations, and Emissions.

1. All noises; odors; vibrations; and emissions of smoke, dust, or gases shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial areas or other uses in the park.
2. Any time prior to or after a building or site is occupied; control measures may be required in accordance with the regulations of the appropriate governmental agencies that monitor public health and welfare.

<sup>84</sup> This Paragraph consolidates portions of ZO Subsections 8:4.10 *Setbacks and Buffers* and 8:4.14: *Screening of Loading Areas*. It expands the buffer applicability to include development that abuts lots with residential uses, rather than just lots in residential zoning districts. This change is consistent with requirements for the BTD.

<sup>85</sup> Proposed here is to remove the current requirements in ZO Subsection 8:4.9: *Signs* and allow the requirements of the County’s sign ordinance (County Code Chapter 19) to control. This is generally the same manner in which signs in the BTD are currently regulated.

## J. Environmental Reviews.<sup>86</sup>

1. The South Carolina Department of Environmental Services (SCDES) regulates pollution which may impact citizens in proximity to industrial business parks. These types of pollution include, but are not limited to:
  - (a) Air Pollution;
  - (b) Solid Waste;
  - (c) Hazardous Waste; and
  - (d) Underground Storage Tanks.
2. The applicant should consult the SCDES [“Permit Central” website](#) to ensure they obtain the correct permits prior to construction.

## 2.4.5 PLANNED DEVELOPMENT DISTRICT (PD)<sup>87</sup>

### A. Purpose.<sup>88</sup>

1. The PD District is established to encourage innovative and creative design of mixed use developments,<sup>89</sup> to permit a greater amount of flexibility by removing some of the restrictions of conventional zoning.
2. One of the goals of the Planned Development District is to promote efficient use of land and protect the natural features and scenic beauty of the land.

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<sup>86</sup> Carries forward ZO Section 8:4.17 and modifies it to cross-reference the SCDES website. The website includes an interactive feature to help applicants determine which permits are needed.

<sup>87</sup> This Subsection carries forward ZO Subsections 8:1.1, 8:1.2, and 8:1.4 (PD, *Planned Development District*). ZO Subsection 8:1.3 *General Requirements*, is carried forward in the review districts general provisions (see Subsection 2.4.1: *General Provisions*). ZO Subsections 8:1.6 *PD Application Process and Preliminary Development Plans*, 8:1.7 *Final Development Plan*, 8:1.8 *Subdivision Plats*, and 8:1.9 *Changes to Planned Development Districts* are carried forward in UDO Article 16: *UDO Procedures*. Article 16 includes a specific procedure for rezoning to a review district, including PD. Article 16 generally carries forward the current procedure, which includes requirements for a preliminary development plan, natural resources inventory, statement of intent, and final development plan. Article 16 also carries forward the process for minor and major changes to review districts, including PD.

<sup>88</sup> Carries forward ZO Section 8:1.1 with minor revision as noted.

<sup>89</sup> Revised from “residential and/or commercial developments” to “mixed use developments” for consistency with SC Code § 6-29-720.

3. Ideally, the development should be large scale and incorporate a variety of land uses or land use types. The district is also intended to encourage developments that provide a full range of residential types.
  4. The PD district provides a mechanism for County Council and the applicant to agree on the scope of the proposed development. 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 will be applicable in other locations.
- B. **Minimum District Size.** The minimum size for any PD is 5 acres.<sup>90</sup>
- C. **Permitted, Conditional, and Special Exception Uses.**<sup>91</sup>
1. *Allowed Uses.* Any use, proposed by a developer and considered by the County Council to be compatible with existing and planned land uses within and beyond the district, may be allowed in a PD upon approval by the County Council. Thereafter, the uses permitted in the district will be restricted to those listed, approved, and adopted, and any future addition to these uses shall constitute a major or minor change based on the determination of Zoning Administration in accordance with the procedure specified in § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.
  2. *Use Allocation Standards.* Each PD shall include a compatible mixture of residential and non-residential land uses, as well as a mixture of dwelling types and densities, subject to the following standards:
    - (a) *Mixture of Residential Dwelling Types.* Planned Development Districts shall include a mixture of at least two different dwelling types, such as detached houses and townhouses, townhouses and multiplexes, or some other combination of residential dwelling types.
    - (b) *Mixture of Residential and Non-Residential Uses.* Planned Development Districts shall consist of both residential and non-residential components. Neither residential nor non-residential components of the proposed development may exceed an allocation of more than 80% of the gross land area of the district.
    - (c) *Calculation of Maximum Allocation.* The maximum allocation of land area dedicated to the uses specified in this paragraph shall be exclusive of land area that is dedicated to street right-of-way, required open space, floodplains, wetlands, natural water bodies, steep slopes (20% or greater), and cemeteries.

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<sup>90</sup> Carries forward ZO Section 8:1.2.

<sup>91</sup> This Paragraph is new and serves to clarify allowed uses in a PD. It adds use allocation standards to ensure PDs comply with the definition of “planned development district” in SC Code § 6-29-720(C)(4).

**D. Dimensional Standards.**

1. No structure or swimming pool shall be erected within 25 feet from any external lot line of any PD; however, where land uses within a PD are the same as uses permitted in the adjoining properties outside the PD, a lesser setback that is consistent with the zoning on the adjoining properties may be permitted.
2. Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within PD districts provided, however, that the Planning Commission and County Council shall ascertain that the characteristics of building location shall be appropriate as related to structures within the PD district and otherwise fulfill the intent of this Ordinance.

- E. Open Space.** A PD District should include open space and amenities appropriate for the location and type of development proposed.

## 2.5 OVERLAY DISTRICTS

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### 2.5.1 GENERAL PROVISIONS

- A. Overlay districts establish additional standards that supplement the base or review districts.
- B. Overlay districts may enhance or relax standards of the underlying base or review district.
- C. Where not modified by overlay district standards, all requirements applicable to the underlying base or review district apply.

### 2.5.2 AIRPORT PROTECTION OVERLAY (AP-O)<sup>92</sup>

- A. **Authority.**<sup>93</sup> The basis for preparing these supplementary regulations is contained in the Code of Federal Regulations (CFR), Title 14, Part 77: Safe, Efficient Use and Preservation of the Navigable Airspace.<sup>94</sup>

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<sup>92</sup> This Subsection carries forward the current AP, Airport Protective District (ZO Section 8:6), except for ZO Section 8:6.12: Enforcement, which is redundant to the provisions in UDO Article 19: *Violations & Enforcement*.

<sup>93</sup> Carries forward the first sentence of ZO Section 8:6.1, but deletes the first two sentences as they are redundant to Subsection 2.5.1: *General Provisions*.

<sup>94</sup> The current cross reference is outdated and is updated here.

**B. Purpose.**

1. It is the intent of this Subsection to:
  - (a) Restrain influences that are adverse to the proper and safe conduct of aircraft operations in the vicinity of airports;
  - (b) Prevent creation of conditions hazardous to aircraft operations; and
  - (c) Encourage development that is compatible with airport use characteristics within the intent and purpose of zoning.
2. To this end, the AP-O designation, when appended to a basic district classification, is intended to coordinate the purposes and intent of this Subsection with other regulations duly established by Greenville County whose primary intent is to further the purposes set out above.

**C. Action Upon Applications Within Areas Designated "AP-O."** The Zoning Administrator shall take no action upon issuance of a zoning permit or presentation of an application to the Board of Zoning Appeals or other similar administrative procedures until it has been duly certified to them by proper authorities that the proposal upon which they are requested to act complies with regulations of the AP-O.

**D. Definitions.** The following definitions apply for purposes of this Subsection and supplement the definitions in Article 21: *Definitions & Acronyms*.

1. *Airports:* Greenville-Spartanburg International Airport, Greenville Downtown Airport, and Donaldson Center
2. *Airport Elevation:* The highest point of an airport's usable landing area measured in feet above mean sea level (MSL)
3. *Approach Surface:* A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in § 2.5.2F: *Airport Zone Height Limitations*. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.
4. *Approach, Transitional, Horizontal, And Conical Zones:* These zones are set forth in § 2.5.2E: *Airport Zones*.
5. *Conical Surface:* A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
6. *Hazard To Air Navigation:* An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

7. *Height:* For the purpose of determining the height limits in all zones set forth in this Subsection, the datum shall be mean sea level (MSL) elevation unless otherwise specified.
8. *Heliport Primary Surface:* The area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
9. *Horizontal Surface:* A horizontal plane 150 feet above the established airport elevation, the perimeter which in plan coincides with the perimeter of the horizontal zone.
10. *Larger Than Utility Runway:* A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
11. *Nonconforming Use:* Any pre-existing structure, object of natural growth, or use of land that is inconsistent with the provisions of this Subsection or an amendment thereto.
12. *Obstruction:* Any structure or other object, including a mobile object, that exceeds a limiting height set forth in § 2.5.2F: *Airport Zone Height Limitations*.
13. *Precision Instrument Runway:* A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Differential Global Positioning System (DGPS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or another planning document.
14. *Primary Surface:* A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, or planned hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in § 2.5.2E: *Airport Zones*. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
15. *Structure:* An object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, earth formation, and overhead transmission lines.
16. *Transitional Surfaces:* These surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerlines.

17. *Tree*: Any object of natural growth.
18. *Utility Runway*: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
19. *Visual Runway*: A runway intended solely for the operation of aircraft using visual approach procedures.

**E. Airport Zones.**

1. In order to carry out the provisions of this Subsection, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Greenville-Spartanburg International Airport, Greenville Downtown Airport, and Donaldson Center. ~~Such zones are shown on the official Greenville County Zoning Map that is on display in the Greenville County Planning Commission office.~~ An area located in more than one of the following zones is considered to be only in the one with the more restrictive height limitations. The various zones are hereby established and defined as follows:
  - (a) *Utility Runway Visual Approach Zone*. The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide for utility runways with only visual approaches and 500 feet wide for utility runways with a non-precision approach on the opposite end. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
  - (b) *Runway Larger Than Utility Visual Approach Zone*. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide for such runways with a visual approach or non-precision approach on the opposite end and 1,000 feet wide for those with a precision approach on the opposite runway end. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
  - (c) *Precision Instrument Approach Zone*. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
  - (d) *Transitional Zones*. The transitional zones are the areas beneath the transitional surfaces.

- (e) *Helicopter Transitional Zones.* These zones extend outward from the sides of the primary surface and the helicopter approach zones a horizontal distance of 250 feet from the primary surface centerline and the helicopter approach zone centerline.
- (f) *Horizontal Zones.* The horizontal zone is established by swinging arcs of a given radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The radii of these arcs are as follows: 5,000 feet for all runways designated utility or visual, and 10,000 feet for all other runways. The radii of the arcs for each end of the runway shall be the same and consist of the longest radius determined for either runway end. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000 foot arc shall be disregarded. The horizontal zone does not include the approach and transitional zones.
- (g) *Conical Zone.* The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

**F. Airport Zone Height Limitations.**

1. Except as otherwise provided in this Ordinance, and with the exception of structures erected for aeronautical purposes, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this Subsection to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:
  - (a) *Utility Runway Visual Approach Zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
  - (b) *Runway Larger Than Utility Visual Approach Zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
  - (c) *Precision Instrument Runway Approach Zone.* Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.



- (d) *Heliport Approach Zone.* Slopes eight feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- (e) *Transitional Zones.* Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and approach surface, and extending to a height of 150 feet above the airport elevation, which is 963.8 feet MSL for GSP International Airport; 1,048 feet MSL for Greenville Downtown Airport; and 956.2 feet MSL for Donaldson Center. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
- (f) *Heliport Transitional Zones.* Slope two feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.
- (g) *Horizontal Zone.* Established at 150 feet above the airport elevation or at a height of 1,113.8 feet MSL for GSP International Airport; 1,198 feet MSL for Greenville Downtown Airport; and 1,106.2 feet MSL for Donaldson Center.
- (h) *Conical Zone.* Slopes 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- (i) *Excepted Height Limitations.* Nothing in this Subsection shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface.

- G. **Use Restrictions.** Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any zone established by this Subsection in such a manner as to:
1. Create electrical interference with navigational signals or radio communication between the airport and aircraft;
  2. Make it difficult for pilots to distinguish between airport lights and others;

3. Result in glare in the eyes of pilots using the airport;
4. Impair visibility in the vicinity of the airport;
5. Create bird strike hazards; or
6. Otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

**H. Nonconforming Uses.**

1. *Regulations Not Retroactive.* The regulations prescribed by this Subsection shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance and is diligently prosecuted.
2. *Marking and Lighting.* Notwithstanding the preceding provision of this Subsection, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Greenville-Spartanburg Airport Commission, Greenville Downtown Airport Commission, or the Donaldson Center Airport Commission to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the respective Airport Commission.

**I. Permits.**

1. *Future Uses.* Except as specifically provided in (a), (b), and (c) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use or structure would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Subsection shall be granted unless a variance has been approved.
  - (a) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for such zones.

- (b) In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when such structure would extend above the height limit prescribed for such approach zones.
  - (c) In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when such structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.
  - (d) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure in excess of any of the height limits established by this Ordinance except as set forth in § 2.5.2F: *Airport Zone Height Limitations*.
2. *Existing Uses.* No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this Subsection or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
3. *Nonconforming Uses Abandoned or Destroyed.* Whenever the Zoning Administrator determines that a nonconforming structure has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. *Variances.*
- (a) Any person desiring to erect or increase the height of any structure or use property, not in accordance with the regulations prescribed in this Subsection, may apply to the Board of Zoning Appeals for a variance from such regulations.
  - (b) The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Subsection.

- (c) Additionally, no application for a variance to the requirements of this Subsection may be considered by the Board of Zoning Appeals unless a copy of this application has been furnished to the relative Airport Commission for advice as to the aeronautical effects of the variance. If the Airport Commission does not respond to the application within 15 days after receipt, the Board of Zoning Appeals may act on its own to grant or deny said application.
5. *Obstruction Marking and Lighting.* All objects penetrating the plane 50 feet beneath the following imaginary surface shall be lighted:
- (a) An approach surface having a 50:1 slope originating 200 feet beyond the end of an existing or proposed runway, which has a width of 1,000 feet, expanding uniformly for 10,000 feet to a width of 4,000 feet, thence becoming a 40:1 slope expanding uniformly for a distance of 40,000 feet to a width of 16,000 feet, or for such a distance that the imaginary surface is more than 200 feet above all terrain.
  - (b) Otherwise, all objects must be marked and lighted in accordance with [Federal Aviation Administration Advisory Circular 70/7460-1M](#), as amended from time-to-time.
  - (c) Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Subsection and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to install, operate, maintain, at the owner=s expense, such markings and lights as may be necessary. If deemed proper by the Board of Zoning Appeals this condition may be modified to require the owner to permit the Airport Commission, at its own expense, to install, operate, and maintain the necessary markings and lights.
6. *Notification.* All such persons proposing the construction of objects, whether of a temporary or permanent nature within 20,000 feet of a public use airport and the height of which penetrates a slope of 100:1 from the nearest point of the nearest runway, shall submit a copy of [FAA Form 7460-1: Notice of Proposed Construction or Alteration](#) to the affected airport for review. Said airport shall have 10 business days to make any comments.
- J. **Airport Zones Relating to Noise Restrictions.**
- 1. As noted in § 2.5.2B: *Purpose.*, above, one of the intentions of the AP-O regulations is to encourage development that is compatible with airport use characteristics. Noise resulting from aircraft operations is the airport use characteristic that most affects surrounding development.

2. Relating the zoning format to noise criteria is difficult because two land uses which might otherwise be compatible in a specific zoning category may each be affected differently by airport noise. For example, general commercial zoning may be compatible with airport noise. However, theaters (a commercial use) would need special protection at least to the extent that they were notified of potential incompatible noise characteristics on a proposed site prior to their construction.
3. Supplementary regulations contained in this Subsection facilitate notification of potential incompatible uses (as a result of aircraft noise) without undue restriction of the establishment of retail uses lists the criteria for evaluating and regulating development around the airport. Sensitive areas surrounding Greenville Downtown Airport and Donaldson Center are divided into Zones I through III. Zone I is the most restrictive. The [Airport Environs Map](#) delineates the location and area of each of the zones around the airport.
4. Greenville-Spartanburg International Airport is surrounded by an Airport Environs Area, which prohibits certain future land uses. This area is delineated on the Official Zoning Map of Greenville County. The land uses allowed within the Environs Area are stated in the [Greenville-Spartanburg Airport Environs Area Zoning Ordinance](#), which is on file with the Airport Environs Planning Commission and the Greenville-Spartanburg Airport Commission.

**K. Airport Zoning Related to Sanitary Landfill Location.**

1. Various studies and observations have resulted in the conclusion that sanitary landfills attract birds, and that birds in the vicinity of airports create potential hazards to aircraft operations (see [FAA Advisory Circular 150/5200-33C](#))<sup>95</sup>. Aircraft accidents have resulted when aircraft collided with low-flying birds, particularly during takeoff and landing.
2. In order to prevent such an occurrence in Greenville, the following regulations shall apply with regard to location of landfills:
  - (a) No landfill shall be located within 10,000 feet from a runway of any airport.
  - (b) Landfills located further than 10,000 feet, but within five miles of a runway of any airport will be reviewed on a case-by-case basis by the respective Airport Commission staff, who may in turn contact the Bird Hazard Group and the Federal Aviation Administration. If in the opinion of the Airport Commission staff, the landfill poses a threat to safe aircraft operations, then the landfill shall be considered an incompatible land use.

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<sup>95</sup> The cross-reference in the current code is “FAA order SO 5200.5,” but it appears the correct cross-reference is to FAA Advisory Circular 150/5200-33C: *Hazardous Wildlife Attractants on or near Airports*.

### 2.5.3 MILL VILLAGE OVERLAY (MV-O)<sup>96</sup>

A. **Purpose.** The Mill Village Overlay District:

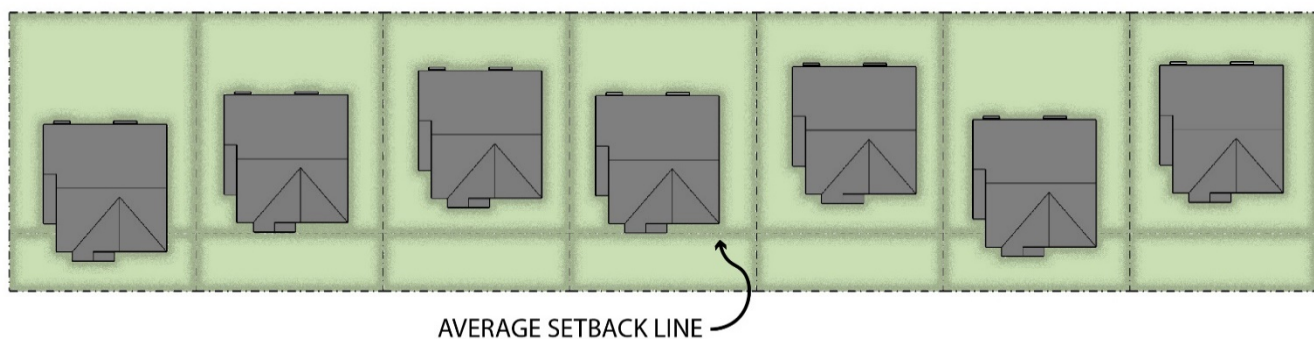
1. Is established to preserve the character of Greenville County’s historic textile mill villages. The mill villages predominantly feature detached house dwellings and the recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area, as well as conveniently located commercial uses that provide employment and access to goods and services;
2. Is intended to implement the traditional character areas proposed by the comprehensive plan;
3. Is intended to promote development density that is higher than in suburban neighborhoods, as less space is dedicated to vehicular circulation and storage. Homes may be similar in size to those in suburban communities but have smaller private yards and greater reliance on shared public spaces for outdoor living;
4. Is intended to promote walking and bicycling by connecting residential areas with and to each other and to destinations, such as schools, parks, shopping, and libraries;
5. Is intended to promote revitalization through the infill of vacant parcels that is consistent with the scale and use of buildings in the immediate area;
6. Is intended to promote revitalization through the adaptive reuse of existing structures that contribute to the character of the community but may not be appropriately treated under the established regulations for the base zoning districts;
7. Is intended to preserve the walkable, mixed-use pedestrian environment that the vertical integration of uses within close proximity and small block structure creates;
8. Is intended to preserve the character of areas that consist predominantly of detached house dwellings;
9. Is generally appropriate in areas designated as Traditional Neighborhood, Neighborhood Business, and Mixed Use Corridor on the Comprehensive Plan Future Land Use Map; and
10. May be appropriate in areas designated as Transitional Corridor on the Comprehensive Plan Future Land Use Map.

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<sup>96</sup> This new overlay district is intended to promote the revitalization of historic mill villages. *Plan Greenville County* notes “[m]ill villages are essential to the heritage of the county. There is a need to continue to preserve and enhance them as part of the county’s identity” (p. 52).

- B. **Applicability.** This Subsection applies to all lots within the MV-O boundaries, except lots with a base zoning of I-1 or I-2.
- C. **Permitted, Conditional, and Special Exception Uses.** The uses for the Mill Village Overlay District will conform with the underlying base or review zoning district as provided in Article 4: *Use Regulations for Zoned Areas*, except that corner stores are a conditional use in the MV-O in any underlying base district.
- D. **Dimensional Standards.**
1. *Generally.* Table 2.5.3-1: *MV-O Dimensional Standards* establishes dimensional standards for the Mill Village Overlay District based on the type of land use (residential dwelling type, mixed use building, or non-residential use or structure).
  2. *Established Front Setbacks.* Except as specified in § 2.5.3E: *Non-Residential Setbacks and Façades*, below, new principal buildings on existing lots must be built so that the front façade is in keeping with the established setback for the street.
    - (a) Established setback means the average setback of one of the buildings on a lot adjacent to the new building, or as established by three or more buildings within the MV-O and within 300 feet on each side of the lot along the same side of the street, as illustrated in Figure 2.5.3-1: *Established Building Setback*.
    - (b) If an established setback cannot be calculated because there are not a sufficient number of existing buildings, then the front setback will be the standard front setback for the base zoning district.

**Figure 2.5.3-1: Established Building Setback**



3. *Setbacks for Buildings on Subdivided Lots.* The setback for new buildings that are proposed on lots that have been subdivided since the adoption date of this Ordinance must comply with the standards for the underlying base or review zoning district, as applicable.



Table 2.5.3-1: MV-O Dimensional Standards					
	Dwelling Type				Mixed Use Buildings and Non-Residential Uses & Structures
	Detached House	Townhouse	Duplex, Triplex, Quadplex	Multiplex	
Front Setback (min)	Based on Established Setback (See § 2.5.3D2 or § 2.5.3E, as applicable)				
Side Setback, Interior Lot (min)	5 ft	0 ft / 10 ft <sup>1</sup>	5 ft	20 ft	See § 2.5.3E
Side Setback, Corner Lot (min)	20 ft	20 ft	20 ft	20 ft	20 ft
Lot Coverage (max)	40%	75%	40%	75%	75%
Height (max)	35 ft	35 ft	35 ft	45 ft	45 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet

<sup>1</sup> The minimum setback between individual townhouse dwelling units is 0 ft. The minimum setback between an end townhouse unit and its side lot line is 10 ft.

- E. **Non-Residential Setbacks and Façades.**<sup>97</sup> In order to promote a building style consistent with historic neighborhood commercial areas, to protect the viability of existing historic structures that embody this character, and to promote pedestrian interest and access, non-residential setbacks may be adjusted in conjunction with façade design enhancements.
  - 1. *Transparency Zones and Pedestrian-Oriented Entry Requirements.* For non-residential uses on properties zoned C-N, C-1, C-2, C-3, and OD, the minimum front setback may be reduced to less than 25 feet, if public-facing façades include a transparency zone and pedestrian-oriented primary entry per Table 2.5.3-2: *Transparency Zone & Pedestrian-Oriented Entry Requirements*.
    - (a) Figure 2.5.3-12: *Transparency Zone Examples* illustrates examples of these requirements.
    - (b) As specified in Table 2.5.3-2: *Transparency Zone & Pedestrian-Oriented Entry Requirements*, all non-residential uses with a setback less than 25 feet shall include pedestrian facilities (walkway, at a minimum) that connect the front-facing entry to an existing or planned sidewalk. Where a sidewalk does not exist, pedestrian facilities shall extend to the right-of-way boundary.

<sup>97</sup> These standards from the Taylors Main Street Overlay are proposed to apply in the MV-O as well. This Paragraph carries forward ZO Subsection 8:11.4: *Non-Residential Setbacks and Façades* except Paragraph 4 (related to buffers for review districts) and Paragraph 6 which is redundant to UDO Subsection 1.6: *Relationship to Other Regulations*. These standards are proposed to also apply in the RU-V, C-N, and MV-O Districts.

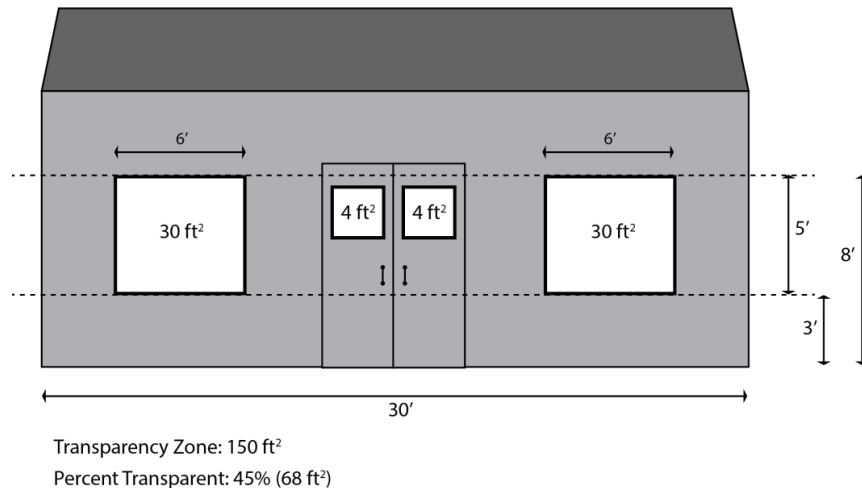
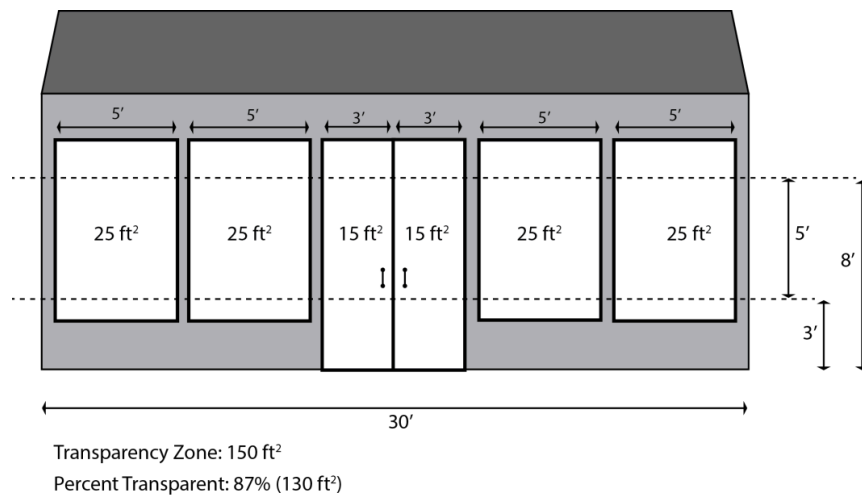


**Table 2.5.3-2: MV-O Transparency Zone & Pedestrian-Oriented Entry Requirements**

Front Setback	Transparency Zone Requirements (min)
0 ft to 9.99 ft	At least 70% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required. SCDOT approval is required for setbacks less than 10 feet.
10 to 24.99 ft	At least 40% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required.
25 ft and greater	No transparency required. No additional entry requirements.

**Key:** min = minimum required | ft = feet

**Figure 2.5.3-12: MV-O Transparency Zone Examples**



2. *Side Setbacks.* For non-residential uses on lots zoned C-N, C-1, C-2, C-3, and OD, minimum side setbacks shall not apply, except where lots abut residential uses or districts. In these cases, the side setbacks specified by the underlying base or review district apply.
3. *Front-Facing Façades.*
  - (a) For front-facing façades of non-residential structures containing multiple contiguous units with discrete entries, no more than three contiguous units may utilize identical architectural elements.
  - (b) Acceptable variations in architectural elements may include design of entryway, location of window(s) and door(s), shape/slope of roofline, and architectural siding.
  - (c) Additional variations are encouraged, such as signage, lighting, canopies/awnings, and landscaping.

F. **Design Standards for Residential Buildings.** Residential buildings in the Mill Village Overlay District shall reflect the traditional neighborhood character of the surrounding area. In particular, new residential buildings must feature the following design characteristics:

1. *Front Windows.* Windows must cover at least 15% of the surface area of the façade on the principal street frontage.
2. *Garages.* Garages shall either be detached or shall face the side or rear lot line.
  - (a) A detached garage must be located in the side yard or rear yard. The front of a detached garage must be set back at least 20 feet from the front façade of the building.
  - (b) An attached garage wall may not be closer to the principal street than the front of the principal façade.
3. *Manufactured Homes.* Manufactured homes shall comply with the use conditions specified in § 5.3: *Manufactured Homes*, except that they may be oriented with the short axis of the home parallel to the street if:
  - (a) The manufactured home is being installed in a new or existing subdivision where other manufactured homes with a perpendicular placement are or will be located;
  - (b) The front entry includes a covered porch; and
  - (c) The pitch of the roof has a minimum vertical rise of 2.5 feet for every 12 feet of horizontal run roof pitch.

- G. **Design Standards for Mixed Use and Multiplex Uses.** The following connectivity, use, and site design standards apply to all proposed mixed use and multiplex buildings and apartment complexes in the Mill Village Overlay District with a cumulative floor area larger than 10,000 square feet. Mixed use buildings, multiplex buildings, and apartment complexes are only allowed in the MV-O if allowed by the base zoning district.
1. *Mixed-Use Development for Adaptive Reuse.* The redevelopment of any existing building that will include multiplex residential use must allocate 10% of the floor area to office, retail, and other commercial use, and these uses must be located in areas that are open to the general public.
  2. *Access and Circulation.* A proposed development shall provide multiple direct connections in its pedestrian and vehicular circulation system to public streets and sidewalks and to and between local destinations, such as parks, schools, and shopping.
  3. *Public Access.* A proposed development that includes office, retail, or mixed-use shall provide unrestricted public access from a public street or sidewalk to the principal entrance of the building during the hours of operation. Gated entrances from a public street into the development are prohibited. However, a development may provide fenced and gated parking areas for tenants and residents.
- H. **Adaptive Reuse of Existing Buildings.**
1. *Purpose.* The incentives in this § 2.5.3H are intended to encourage reinvestment in established neighborhoods, promote neighborhood preservation, and revitalize historic mill villages.
  2. *Applicability.* The incentives specified in this § 2.5.3H are available for the adaptive reuse of an existing building located in the MV-O, if the building:
    - (a) Has been vacant for at least 2 years; or
    - (b) Was constructed at least 50 years before the effective date of this UDO; or
    - (c) Is vacant, uninhabitable, and hazardous to persons and property because of its physical condition; or
    - (d) Has been declared a public nuisance by the County Council.
  3. *Standards.* In order to qualify for the regulatory incentives established in § 2.5.3H4, below, an adaptive reuse must comply with all of the following:
    - (a) The rehabilitation retains the existing bulk, height, and lot configurations of the existing structure and lot;

- (b) The street facing façade(s) maintains at least the existing percentage of windows and entryways after the building is rehabilitated; and
  - (c) The rehabilitation fully complies with current Fire and Building Code requirements.
4. *Incentives.*<sup>98</sup> An adaptive reuse qualifies for the following incentives:
- (a) An existing building that does not meet the setback requirements specified in Table 2.5.3-1: *MV-O Dimensional Standards* may maintain its existing setbacks. Any new additions to the building shall not encroach further into a setback than the existing building.
  - (b) A building ~~the~~that encroaches over one or more property lines may remain if an appropriate legal instrument that allows the building to remain in its current location is executed by all property owners and recorded with the Greenville County Register of Deeds.

#### I. **Affordable Housing Incentives.**

1. *Purpose.* The purposes of these incentives are to:
  - (a) Promote a diversity of housing stock; and
  - (b) Encourage the provision of housing that is affordable to all economic levels of residents and meets the needs of the County's diversifying population.
2. *Applicability.* The incentives specified in ~~Paragraph §~~ 2.5.31.4 below are available for any ~~development~~open space residential subdivision (see § 11.9: Open Space Residential Subdivisions) in the MV-O that provides at least 20% of the total number of dwelling units in the development as affordable dwelling units as defined in ~~Paragraph §~~ 2.5.31.3 below.
3. *Affordable Dwelling Units Defined.*
  - (a) *Monthly Mortgage Limit.* Affordable dwelling units are owner-occupied units where the monthly mortgage payment (including principal, interest, property taxes, homeowners' insurance, private mortgage insurance, and property owners' association fees) does not exceed 30% of the owner household's gross monthly income.<sup>99</sup>

<sup>98</sup> The County could also consider reduced minimum parking requirements or other incentives for adaptive reuse projects.

<sup>99</sup> Thirty percent is a typical "rule of thumb" for determining whether housing is affordable to a particular household.

- (b) *Income Limits.* Affordable homeownership dwelling units are occupied by households earning between ~~80~~60% and ~~120~~100% of the MFI for the Greenville-Mauldin-Easley, SC HUD Metro FMR Area, as published annually by the U.S. Department of Housing and Urban Development and adjusted for household size.
4. *Incentives.* The following incentives are available for developments that provide at least 20% of the total dwelling units in the development as affordable units as defined in ~~Paragraph §~~ 2.5.31.3 above:
- (a) *Building Height Increase.* The maximum height for any building containing affordable dwelling units is 55 feet.
- ~~(b) — Density Bonus.~~
- ~~(1) — The maximum density specified for the proposed dwelling type in the applicable base district (see 2.3: Base Districts) may be increased by up to 20%.~~
- ~~(c)(b) If the base district does not specify maximum density for the proposed dwelling type, then the dwellings must be constructed as part of an open space subdivision. In such cases,~~ The maximum density specified in § 11.9: *Open Space Residential Subdivisions* may be increased by up to 20%. Each additional dwelling unit afforded by this density bonus must be located on its own fee simple lot.
5. *Term of Affordability.*
- (a) Affordable dwelling units shall be limited by deed restriction to remain affordable, as defined ~~Paragraph §~~ 2.5.31.3 above, for a period of at least ~~30~~5 years after issuance of the certificate of occupancy.
- (b) Prior to the ~~issuance approval~~ of a ~~building permit~~Final Plat for any portion of the development, the owner shall submit a copy of the executed deed restrictions to the Zoning Subdivision Administrator.
6. *Initial Eligibility Determination.*<sup>100</sup>
- (a) Prospective buyers of new affordable units shall be screened and determined eligible by the developer, or their designee, prior to occupancy.
- (b) Prior to ~~closing on a new affordable homeownership unit~~ the release of the required financial security (see § 22.6: *Financial Security for Affordable Housing*),

<sup>100</sup> The County could also consider partnering with a local non-profit to make this initial eligibility determination. This may be helpful for developers, particularly those with limited experience constructing deed restricted affordable units.

the developer or their designee shall submit to the Zoning Subdivision Administrator:

- (1) The executed sales contract between buyer and seller;
- (2) An affidavit verifying the number of persons who will live in the house; and
- (3) Income verification for all persons 18 years of age or older, which must include the past year tax returns and two most recent bank statements.

~~(3)(c)~~ If the developer is exempt from the requirement to post a financial security, they must submit the information specified in § 2.5.31.6(b) above prior to close-out of the subdivision.

#### 7. *Resale of Homeownership Units*<sup>101</sup>

(a) For the first five years duration of the deed restriction, resale of affordable homeownership units shall be limited:

~~(a)(1)~~ (1) By deed restriction to the original sales price, adjusted for inflation. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI); and-

~~(1)(2)~~ (2) ~~For the duration of the deed restriction, resale of affordable homeownership units shall be limited~~ To an eligible purchaser, as defined ~~Paragraph §~~ Paragraph § 2.5.31.3 above.

(b) The deed restrictions shall require notice to the Zoning Subdivision Administrator prior to any conveyance of the affordable homeownership unit and verification that the purchaser is qualified pursuant to the requirements of ~~Paragraph §~~ Paragraph § 2.5.31.3 above.

### 2.5.4 PELHAM ROAD COMMERCIAL CORRIDOR OVERLAY DISTRICT (PCC-O)<sup>102</sup>

#### A. Intent and Purpose.

<sup>101</sup> The County could consider partnering with a local non-profit organization to conduct this long-term monitoring. In this case, the deed restrictions would require notice to the non-profit rather than the Zoning Administrator. The County could also consider implementing a fee to cover costs associated with monitoring.

<sup>102</sup> Incorporates the Pelham Road Commercial Corridor Overlay District adopted by County Council in 2023, with minor edits for clarity and for consistency with the UDO.

1. The Pelham Road Commercial Corridor Overlay District is intended to encourage development and corridor design that is compatible with mixed-use commercial thoroughfares and mixed-use employment centers located along Pelham Road from Blacks Drive to SC Hwy 14.
2. Considerations include site design of commercial properties, walkability, vehicular connectivity, beautification, and signage.
3. The district also aims to protect investments in commercial and residential properties by ensuring new development is consistent with the visions outlined in the Plan Greenville County Comprehensive Plan.

**B. Official PCC Boundary.**

1. The PCC boundary and zones are shown on the Official Zoning Map of Greenville County.
2. The PCC boundary incorporates the use of subareas and respective development standards applicable only within that subarea. Each area outlined has unique characteristics, issues, and opportunities which required the creation of a special emphasis zone.

**C. Subarea A.** The following sections are applicable to any property structure falling within Subarea A entirely or partially.

1. *Setbacks.* Setbacks apply to all structures.
  - (a) The front setback shall be at least 15 feet from the property line.
  - (b) All other setback and height requirements are the same as those for the base zoning district.
2. *Screening and Buffers.*
  - (a) *Purpose.* The intent for screening and buffering requirements along the corridor is to promote economic vitality, screen vehicular drives and parking areas, and promote safety, health, and general welfare for Greenville County residents.
  - (b) *Roadside Buffers.*
    - (1) A minimum 15-foot landscaped roadside buffer is required.
    - (2) **Shade** trees shall be spaced so that there is an average of one tree per 40 linear feet of road frontage, with no gap in spacing larger than 60 feet.

- (3) Evergreen shrubs planted so as to create a minimum 30-inch tall continuous screen within 3 years of installation. Shrubs shall have a minimum install height of 12 inches and be maintained at no greater than 36 inches when mature.
- (4) Within the buffer yard, fences, walls, earthen berms, or any combination thereof may be used to meet the requirements of this Section so long as they are a minimum of 30 inches in height and provide a continuous opaque visual screen. Berms shall have a side slope no greater than 2:1.
- (5) Where existing overhead power utility lines preclude sufficient space for a shade tree to grow, then 2 small trees shall be substituted for each required shade tree.
- (6) Refer to the UDO Administrative Manual, Section 1: *Suggested Plant List* for suitable species.

(c) *Screening.*

- (1) Fencing is prohibited within Subarea A, except conditional uses that require screening per § 4.3: *Conditional & Special Exception Principal Uses*.
- (2) Screening is required where any non-residential use is adjacent to a residential use and/or district.
- (3) See § 7.2: *Interior & Roadside Buffers* for additional screening requirements.

3. *Off-Street Parking and Loading.*

- (a) For new developments, reasonable effort should be made to provide parking behind primary structures. Parking shall meet, but not exceed 120% of the minimum parking requirements specified in § 6.2: *Parking Ratios*. If minimum requirements cannot be satisfied behind the primary structure, the Zoning Administrator may authorize a reduction in the total number of parking spaces required on the site in accordance with § 6.2.5: *Adjustments to Minimum Parking*.
- (b) Shared use of required parking may occur in part or entirely, subject to review of the building and zoning permit application. The following documentation must be submitted with the application and anytime an owner or tenant sharing the parking changes:
  - (1) The names and addresses of the uses and of the owners or tenants that are sharing the parking;



- (2) The location and number of parking spaces that are being shared;
  - (3) A legal instrument, such as an easement or deed restriction, that guarantees access to the parking for both uses.
  - (c) Remote parking may be provided on any land subject to § 6.1.3D: *Remote Parking Spaces*.
  - (d) The provisions of § 6.2: *Parking Ratios* provides the minimum parking requirements, and § 6.6: *Off-Street Loading* provide loading requirements.
4. *Signs*. All signs within the PCC shall follow the requirements in the Greenville County Sign Ordinance, [Chapter 19](#) of the Greenville County Code of Ordinances, with the following exceptions.
- (a) Window signs shall be located on the ground floor only.
  - (b) Wall signs:
    - (1) On a one story building must not be located above the roof line or parapet;
    - (2) Located above the ground floor are generally prohibited. Wall signs on multi-story buildings should be limited to an area on or adjacent to the ground floor leading to the upper floor.
    - (3) Signs located within 30 feet of a single-family residential use and/or district shall not be internally lit.
  - (c) Wall Signs are limited to one per tenant wall in multi-tenant buildings.
  - (d) Awning Signs.
    - (1) Awning signs are limited to one per tenant; for buildings with multiple tenants, awning signs should be separate to identify each tenant space.
    - (2) Text and graphics should be limited to 30% of the awning area.
    - (3) Awning signs should be complimentary to the architecture of the building.
  - (e) Projecting Signs are limited to one per tenant.
  - (f) Freestanding Signs.

- (1) A group development may have up to two freestanding signs per street front. An individual development may have up to one freestanding sign per street.
- (2) Freestanding signs shall not exceed 8 feet in height.
- (3) Freestanding signs for group developments shall not exceed 20 feet in height.

5. *Lighting.*

- (a) For lighting of horizontal tasks such as roadways, sidewalks, entrances, and parking areas, fixtures shall meet the IESNA "full-cutoff" classification. Fixtures ~~shall~~ must not be mounted ~~in excess of~~ 16 feet or less above finished grade.
- (b) All other outdoor lighting, such as floodlights and spotlights, shall be aimed, located, and designed so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward onto neighboring properties or roadways.
- (c) Flashing lights are prohibited.

6. *Connectivity.*

- (a) *Vehicular Connectivity.* The intent of vehicular connectivity is to provide internal connections between all uses and parking areas, as well as encourage shared access points, shared parking, and reduce traffic congestions along the PCC District.
  - (1) Two ingress/egress points must be provided through the use of vehicular cross access, shared drives, or encroachment subject to the review of Greenville County and/or South Carolina Department of Transportation.
  - (2) A reduction in required ingress/egress points may be permitted upon proof of exhaustion of viable options, subject to review at the discretion of the Zoning Administrator.
  - (3) Reasonable effort should be made to provide one ingress/egress point along a public road other than Pelham Road, subject to SCDOT and County review, or neighboring property.
- (b) *Pedestrian Connectivity.* The intent of pedestrian connectivity is to provide safe connections between parking areas and uses, as well as encourage shared parking and mixed-use developments all while contributing overall to the connectivity network.

- (1) External sidewalks and pathways must be provided at least 8 feet in width.
- (2) Internal sidewalks and pathways must be provided at least 5 feet in width.
- (3) Pedestrian connectivity must be clearly delineated between public sidewalks and building entrances.
- (4) Pedestrian connections must be provided between adjacent developments or land uses.
- (5) Pedestrian connectivity requirements may be waived at the discretion of the Zoning Administrator where infeasible.

7. *Transparency.*

- (a) Transparency refers to the use of clear, non-mirrored glass windows, doors, and other architectural elements that are fundamentally see-through. Frosted, heavily tinted, and other semi-opaque glass materials do not satisfy transparency zone requirements.
- (b) ~~Within the Corridor Aesthetic Zone,~~ At least 70% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry is required.

D. **Subarea B: Commercial Zone.**

1. *Setbacks & Height.* Setbacks apply to all structures. All setback and height requirements are the same as those for the base zoning district.
2. *Screening and Buffers.*
  - (a) *Purpose.* The intent for screening and buffering requirements along the corridor is to:
    - (1) Promote economic vitality;
    - (2) Screen vehicular drives and parking areas; and
    - (3) Promote safety, health, and general welfare for Greenville County residents.
  - (b) *Roadside Buffers.* See § 7.2.3: Roadside Buffers.
  - (c) *Screening.*

- (1) Fencing is allowed within setbacks and buffer yards if they do not obstruct visibility. Use of chain-link fences, or similar, non-decorative fences is prohibited within the front yard.
- (2) Screening is required where any non-residential use is adjacent to a residential use and/or district. See § 7.2.2: *Interior Buffers*.

3. *Off-Street Parking and Loading.*

- (a) To encourage cross-parcel connectivity, increased pedestrian use, and shared parking, parking shall meet but not exceed 120% of the minimum parking requirements specified in § 6.2.2: *Minimum Parking*.
- (b) Shared use of required parking may occur in part or entirely subject to review of the building and zoning permit application. The following documentation must be submitted with the application and anytime an owner or tenant sharing the parking changes:
  - (1) The names and addresses of the uses and of the owners or tenants that are sharing the parking;
  - (2) The location and number of parking spaces that are being shared; and
  - (3) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
- (c) Remote parking may be provided on any land subject to § 6.1.3D: *Remote Parking Spaces*.
- (d) Section 6.2: *Parking Ratios* specifies the minimum parking required, and § 6.6: *Off-Street Loading* provides loading requirements.

4. *Orientation.*

- (a) Buildings shall be configured in a manner that enhances pedestrian activity, regardless of the location of the main entrance or building setbacks, through any of the following features:
  - (1) Orientation of the building towards adjacent streets, sidewalks, or open spaces;
  - (2) The inclusion of storefront windows and awnings;
  - (3) Pedestrian-oriented entrances; or
  - (4) Similar features that foster an active public realm.

- (b) Non-residential and mixed-use developments should be configured in a manner that creates and enhances access to existing and planned transit features or bicycle/pedestrian trails.
  - (c) Multiple building developments shall be oriented in at least one of the following formats:
    - (1) Buildings facing each other across a relatively narrow vehicular access area with pedestrian amenities in a "main street" character;
    - (2) Buildings framing and enclosing at least three sides of parking areas, public spaces, or other site amenities; or
    - (3) Buildings framing and enclosing outdoor dining or gathering spaces for pedestrians between buildings.
5. *Outparcels.*
- (a) Outparcels and their buildings shall be situated in order to define street edges, entry points, and spaces for gathering or seating between buildings.
  - (b) Spaces between buildings on outparcels shall be configured with small scale pedestrian amenities such as plazas, seating areas, pedestrian connections, and gathering spaces.
6. *Signs.* All signs within the PCC shall follow the requirements in the Greenville County Sign Ordinance, [Chapter 19](#) of the Greenville County Code of Ordinances, with the following exceptions.
- (a) Freestanding signs shall not exceed 8 feet in height.
  - (b) Group signs shall not exceed 20 feet in height.
7. *Lighting.*
- (a) For lighting of horizontal tasks such as roadways, sidewalks, entrances, and parking areas, fixtures shall meet the IESNA "full-cutoff:" classification. Fixtures ~~shall must not~~ be mounted ~~in excess of~~ 20 feet or less above finished grade.
  - (b) All other outdoor lighting, such as floodlights and spotlights, shall be aimed, located, and designed so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward onto neighboring property or roadways.
  - (c) Flashing lights are prohibited.

8. *Connectivity.*

(a) *Vehicular Connectivity.*

- (1) The intent of vehicular connectivity is to provide internal connections between all uses and parking areas, as well as encourage shared access points and shared parking along major thoroughfares such as the PCC District.
- (2) Two ingress/egress points must be provided through the use of vehicular cross access, shared drives, or encroachment subject to the review of Greenville County and/or South Carolina Department of Transportation.
- (3) A reduction in required ingress/egress points may be permitted upon proof of exhaustion of viable options, subject to review at the discretion of the Zoning Administrator, or their designee.

(b) *Pedestrian Connectivity.*

- (1) The intent of pedestrian connectivity is to provide safe connections between parking areas and uses, as well as encourage shared parking and mixed-use developments all while contributing overall to the connectivity network.
- (2) External and internal sidewalks and pathways must be provided at least 5 feet in width.
- (3) Pedestrian connectivity must be clearly delineated between public sidewalks and building entrances.
- (4) Internal pedestrian connections must be provided between adjacent non-residential developments or land uses.
- (5) Pedestrian connectivity requirements may be waived at the discretion of the Zoning Administrator where infeasible.

E. **Subarea C: Industrial Zone.**

1. *Setbacks & Height.* Setbacks apply to all structures. All setback and height requirements are the same as those for the base zoning district.
2. *Screening and Buffers.*
  - (a) *Purpose.* The intent for screening and buffering requirements along the corridor is to:

- (1) Promote economic vitality;
    - (2) Screen vehicular drives and parking areas; and
    - (3) Promote safety, health, and general welfare for Greenville County residents.
  - (b) *Roadside Buffers.* See § 7.2.3: Roadside Buffers.
  - (c) *Screening.* Screening is required where any non-residential use is adjacent to a residential use and/or district. See § 7.2.2: Interior Buffers.
3. *Off-Street Parking and Loading.*
- (a) To encourage cross-parcel connectivity, increased pedestrian use, and shared parking, parking shall meet but not exceed 120% of the minimum parking requirements specified in § 6.2.2: *Minimum Parking*.
  - (b) Shared use of required parking may occur in part or entirely subject to review of the building and zoning permit application. The following documentation must be submitted with the application and anytime an owner or tenant sharing the parking changes:
    - (1) The names and addresses of the uses and of the owners or tenants that are sharing the parking;
    - (2) The location and number of parking spaces that are being shared; and
    - (3) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
  - (c) Remote Parking may be provided on any land subject to § 6.1.3D: *Remote Parking Spaces*.
  - (d) Section 6.2: *Parking Ratios* specifies the minimum parking required, and § 6.6: *Off-Street Loading* specifies loading requirements.
4. *Signs.* All signs within the PCC shall follow the requirements in the Greenville County Sign Ordinance, Chapter 19 of the Greenville County Code of Ordinances.
5. *Lighting.*
- (a) For lighting of horizontal tasks such as roadways, sidewalks, entrances, and parking areas, fixtures shall meet the IESNA “full-cutoff.” classification. Fixtures shall must not be mounted in excess of 24 feet or less above finished grade.

- (b) All other outdoor lighting, such as floodlights and spotlights, shall be aimed, located, and designed so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward onto neighboring property or roadways.
  - (c) Flashing lights are prohibited.
- 6. *Connectivity.*
  - (a) *Vehicular Connectivity.*
    - (1) The intent of vehicular connectivity is to provide internal connections between all uses and parking areas, as well as encourage shared access points and shared parking along major thoroughfares such as the PCC District.
    - (2) Two ingress/egress points must be provided through the use of vehicular cross access, shared drives, or encroachment subject to the review of Greenville County and/or South Carolina Department of Transportation.
    - (3) A reduction in required ingress/egress points may be permitted upon proof of exhaustion of viable options, subject to review at the discretion of the Zoning Administrator, or their designee.
  - (b) *Pedestrian Connectivity.*
    - (1) The intent of pedestrian connectivity is to provide safe connections between parking areas and uses, as well as encourage shared parking and mixed-use developments all while contributing overall to the connectivity network.
    - (2) External and internal sidewalks and pathways must be provided at least 5 feet in width.
    - (3) Pedestrian connectivity must be clearly delineated between public sidewalks and building entrances.
    - (4) Pedestrian connections must be provided between adjacent developments or land uses.
    - (5) Pedestrian connectivity requirements may be waived at the discretion of the Zoning Administrator where infeasible.



- F. **Variiances.** If the strict application of the provisions of this ordinance would result in unnecessary hardship, a request for a variance may be submitted to the Board of Zoning Appeals in accordance with § 16.2.9: *Variiances (Zoning)*.
- G. **Nonconformities.**
1. All changes to existing conditions of the lands or structures within the Pelham Commercial Corridor Overlay District after Spring 2023 are subject to the provisions of this District and the Greenville County UDO.
  2. All new development and changes to existing developments with the exception of detached house dwellings and duplex dwellings are subject to the provisions of this district and shall be reviewed by the staff of the Zoning Administrator.
  3. Please refer to Article 18: *Nonconformities & Vested Rights* for information regarding nonconformities.

### 2.5.5 TAYLORS MAIN STREET OVERLAY DISTRICT (TMS-O)<sup>103</sup>

- A. **Purpose.**<sup>104</sup>
1. The Taylors Main Street Overlay District aims to encourage development that is compatible with the traditional small town center, with a focus on commercial areas and immediately adjacent neighborhoods in the Taylors Main Street corridor.
  2. Considerations include site design of commercial properties, walkability, community vibrancy, and preservation of character consistent with neighborhoods that have historic ties to the textile industry and associated “mill village” development.
  3. The district also aims to protect investments in commercial and residential properties by ensuring new development is consistent with the community’s vision as expressed in the *Taylors Community Plan*.
- B. **Applicability.**<sup>105</sup> This Subsection applies to all lots within the TMS-O boundaries.

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<sup>103</sup> This Subsection generally carries forward, with minor revisions, ZO Section 8:11: *Taylors Main Street Development District (MSDD)*. Renames as Taylors Main Street Overlay District (TMS-O) for consistency with other overlay districts.

<sup>104</sup> Carries forward ZO Section 8:11.1: *Intent and Purpose*. Adds reference to the *Taylors Community Plan*.

<sup>105</sup> This Paragraph completely revises ZO Subsection 8:11.2, which contains provisions that are redundant to UDO Subsection 2.5.1: *General Provisions (Overlay Districts)*, UDO Subsection 1.6: *Relationship to Other Regulations*, UDO Subsection 21.2: *Conflicting Regulations*, UDO Article 15: *Zoning Procedures*, and UDO Article 19: *Violations & Enforcement*.

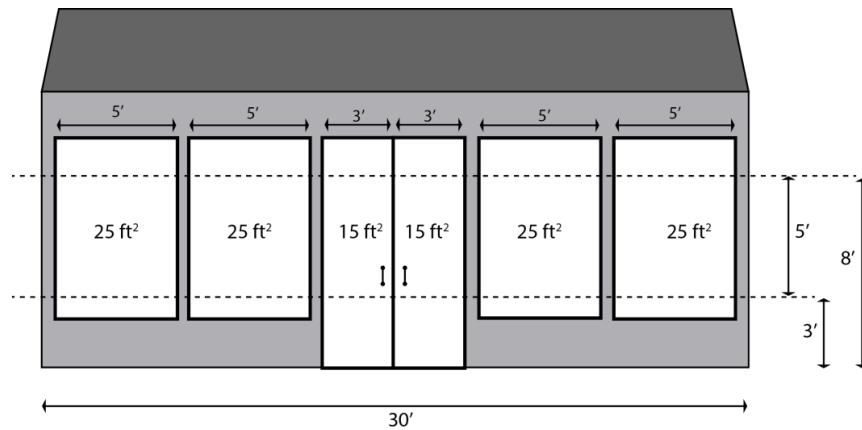
- C. **Official TMS-O Boundary.** The official TMS-O boundary is delineated on the Official Zoning Map.
- D. **Non-Residential Setbacks and Façades.**<sup>106</sup> In order to better define Main Street and promote a building style consistent with historic neighborhood commercial areas, to protect the viability of existing historic structures that embody this character, and to promote pedestrian interest and access, non-residential setbacks may be adjusted in conjunction with façade design enhancements.
  - 1. *Transparency Zones and Pedestrian-Oriented Entry Requirements.* For non-residential uses on properties zoned C-N, C-1, C-2, C-3, and OD, the minimum front setback may be reduced to less than 25 feet, if public-facing façades include a transparency zone and pedestrian-oriented primary entry per Table 2.5.5-1: *Transparency Zone & Pedestrian-Oriented Entry Requirements*.
    - (a) Figure 2.5.5-1: *Transparency Zone Examples* illustrates examples of these requirements.
    - (b) As specified in Table 2.5.5-1: *Transparency Zone & Pedestrian-Oriented Entry Requirements*, all non-residential uses with a setback less than 25 feet shall include pedestrian facilities (walkway, at a minimum) that connect the front-facing entry to an existing or planned sidewalk. Where a sidewalk does not exist, pedestrian facilities shall extend to the right-of-way boundary.

<b>Table 2.5.5-1: TMS-O Transparency Zone &amp; Pedestrian-Oriented Entry Requirements</b>	
<b>Front Setback</b>	<b>Transparency Zone Requirements (min)</b>
0 ft to 9.99 ft	At least 70% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required. SCDOT approval is required for setbacks less than 10 feet.
10 to 24.99 ft	At least 40% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required.
25 ft and greater	No transparency required. No additional entry requirements.

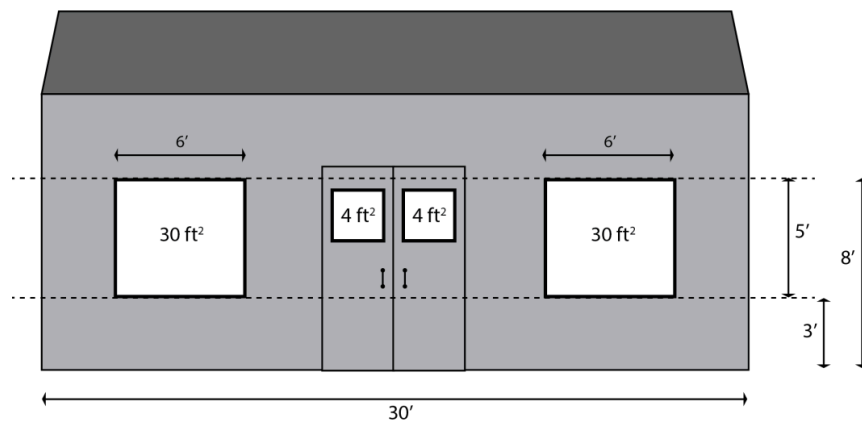
**Key:** min = minimum required | ft = feet

<sup>106</sup> Carries forward ZO Subsection 8:11.4: *Non-Residential Setbacks and Façades*, except Paragraph 6 which is redundant to UDO Subsection 1.6: *Relationship to Other Regulations*. Expands applicability to include the Neighborhood Commercial (base) District. These standards are proposed to also apply in the RU-V, C-N, and MV-O Districts.

**Figure 2.5.5-1: TMS-O Transparency Zone Examples**



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 87% (130 ft<sup>2</sup>)



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 45% (68 ft<sup>2</sup>)

2. **Side Setbacks.** For non-residential uses on lots zoned C-N, C-1, C-2, C-3, and OD, minimum side setbacks shall not apply, except where lots abut residential uses or districts. In these cases, the side setbacks specified by the underlying base or review district apply.
3. **Perimeter-Interior and Roadside Buffers in Review Districts.**
  - (a) When the underlying zoning district is a review district (see 2.4: Review Districts), a 25-foot buffer is not required on development boundaries directly adjacent to a public road right-of-way, if this relief is used to support the development of commercial structures that meet public-facing façade requirements for reduced setbacks specified in Table 2.5.5-1: Transparency Zone & Pedestrian-Oriented Entry Requirements.

- (b) Twenty-five foot buffer requirements shall remain for all review district boundaries that are not adjacent to a public road right-of-way.
- (c) Additional buffer and/or screening may be required for parking facilities per § 6.4: *Interior Parking Lot Landscaping*.

4. *Front-Facing Façades.*

- (a) For front-facing façades of non-residential structures containing multiple contiguous units with discrete entries, no more than three contiguous units may utilize identical architectural elements. Acceptable variations in architectural elements may include:
  - (1) Design of entryway;
  - (2) Location of window(s) and door(s);
  - (3) Shape/slope of roofline; and
  - (4) Architectural siding.
- (b) Additional variations in contiguous units with distinct entries are encouraged, such as signage, lighting, canopies/awnings, and landscaping.
- (a) For front-facing facades with non-residential uses, a minimum of 30% transparency on the ground floor is required. Transparency refers to the use of clear, non-mirrored glass windows, doors, and other architectural elements that are fundamentally see-through. Frosted, heavily tinted, and other semi-opaque glass materials shall not satisfy transparency zone requirements.

E. **Parking Facilities for All Properties, Except Detached House and Townhouse Dwellings.**

1. In order to better define the character of Main Street and to support improved pedestrian safety and experience, the TMS-O aims to reduce the visible impact of parking facilities from any public right-of-way.
2. The requirements in this § 2.5.5E apply to all uses except detached house and townhouse dwellings.
3. As specified in Table 2.5.5-2: *Maximum Number of Front Yard Parking Spaces*, a limited number of parking spaces are permitted in the front yard, based on the lot's width measured at the front lot line. For the purposes of this Subsection, the front yard is defined as the open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest projection of the principal structure.

**Table 2.5.5-2: Maximum Number of Front Yard Parking Spaces<sup>1</sup>**

Lot Width at Front Lot Line	Front Yard Parking Spaces (max)
Less Than 40 ft	0
40 ft to 89.99 ft	3
90 ft to 180 ft	5
More Than 180 ft	10

**Key:** max = maximum allowed | ft = feet

<sup>1</sup> For any use other than detached house and townhouse dwellings.

4. Alternatives to on-site parking are encouraged in order to meet minimum parking requirements. Alternatives may include off-site parking, shared parking agreements, and officially designated on-street parking spaces.
  5. All parking areas shall be designed to connect with parking areas on adjacent properties when possible, or designed to allow for logical future connectivity if no adjacent parking area exists. Lands reserved for future connectivity may be used for parking until connection with adjacent properties is realized.
  6. One deciduous canopy tree shall be included for every 10 parking spaces. For parking areas requiring more than one tree, trees shall be configured such that parking surface is shaded to the greatest extent possible.
  7. Required handicapped parking spaces shall be allowed in the front setback area and shall not be included when calculating the total number of parking spaces.
- F. **Commercial Signs.** For the purposes of commercial signage, the TMS-O shall follow guidelines for a “Special Use Area” per Chapter 19 of the Greenville County Sign Ordinance, with the following exceptions:
1. Sign shall not be internally lit, with the exception of digital message center signs. Acceptable lighting includes static spotlights (either from ground level or from above) and backlights (halo effect), assuming County light emissions standards are met (see Article 9: *Outdoor Lighting*).
  2. Freestanding signs shall be eight feet or less in height.
  3. A sign may be up to 40 square feet in area.
- G. **Residential and Office Uses on Commercial Properties.** Where a commercial use is present on the ground floor of a multi-story commercial structure, residential and office uses are permitted on upper stories of the same structure with the following conditions:
1. Front setback is 10 feet or less;

2. The structure meets the requirements in Table 2.5.5-1: *Transparency Zone & Pedestrian-Oriented Entry Requirements*; and
  3. Parking facilities meet minimum requirements for all uses or demonstrate alternative parking arrangements in accordance with § 2.5.5E: *Parking Facilities for All Properties, Except Detached House and Townhouse Dwellings*.
- H. **New Streets and Sidewalks.** Any new street shall be part of the public realm and, in addition to providing access to new lots, shall play a role in community mobility by ensuring connectivity of transportation networks.
1. All new streets and rights-of-way shall be public, designed and constructed to meet all standards for public roads per Greenville County and/or South Carolina Department of Transportation regulations.
  2. All new street(s) shall be designed to include connectivity with existing or planned streets at both termini, with no dead-ends or cul-de-sacs.
  3. All new streets shall include two sidewalks (one on each side of the street) designed to connect to an existing and/or planned pedestrian network. If required new sidewalk(s) are unable to connect to an existing pedestrian network, new sidewalk(s) shall be designed to accommodate future connectivity.
- I. **Infill Residential Development.**
1. Standards for new infill residential development are designed to allow for site-specific design that is harmonious with existing neighborhood patterns.
  2. The front setback of any new detached house dwelling may be reduced to match the setback of an existing detached house dwelling on an abutting lot that fronts the same public right-of-way, if:
    - (a) On-site parking facilities are not located between the primary structure and the fronting right-of-way; and
    - (b) Attached garage is not oriented such that the garage door is an element of the structure's front-facing façade.
- J. **Review Districts.** All development within review districts (see § 2.4: *Review Districts*), regardless of scope or acreage, shall refer to this Subsection for general development principles and guidelines.

## 2.6 LEGACY DISTRICTS

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### 2.6.1 GENERAL PROVISIONS

- A. No land shall be rezoned to a legacy zoning district. The County anticipates that all lots eventually will be rezoned out of legacy districts. A rezoning may only be initiated in accordance with the procedure specified in § 16.2.4: *Zoning Map Amendment (Rezoning)*. Landowners are encouraged to rezone land from a legacy zoning district classification.
- B. The boundaries of existing legacy zoning districts shall not be expanded.
- C. County Council may modify the allowed uses and development standards within legacy zoning districts through amendments to the Zoning Code text. [See § 16.5.2: *UDO Text Amendment*]
- D. Development in a legacy zoning district is subject to all requirements of that district and all other applicable regulations of the County Code, including this Ordinance.

### 2.6.2 PLANNED OFFICE DISTRICT (POD)<sup>107</sup>

- A. **Purpose.** This district was established to accommodate office development that is found to be compatible with surrounding physical development. Allowed uses do not include any use engaged in retail sales or the stocking and storage of merchandise.
- B. **Applicability.**
  - 1. The provisions in this Subsection apply to all Planned Office Districts in existence on the effective date of this Ordinance.
  - 2. Subsection 2.6.1: *General Provisions (Legacy Districts)* prohibits the establishment of new Planned Office Districts and the expansion of existing PODs.

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<sup>107</sup> This Subsection generally carries forward ZO Section 8:2 Planned Office District, except ZO Subsections 8:2.4 *Off-Street Parking/Loading*, 8:2.6 *Screening and Buffering*, and 8:2.8 *Parking Lot Landscaping*, which all are simply cross references to related sections of the ZO. These parking, buffering, and landscaping requirements will continue to apply (unless modified by the POD rezoning ordinance for a particular site). ZO Subsection 8:2.9 *Application for Rezoning* is not carried forward since new Planned Office Districts cannot be established and existing PODs cannot be expanded (see UDO Subsection 2.4.1: *General Provisions*). ZO Subsection 8:2.10 *Changes to Planned Office Districts* is carried forward in Section 15.9: *Zoning Map Amendment (Rezoning)—Review Districts*. ZO Subsection 8:2.11 *Site Plan Review* is carried forward in UDO Subsection 2.4.1: *General Provisions*.

- C. **General Standards.**<sup>108</sup> All development in a POD shall meet the requirements in this [§ 2.6: Legacy Districts](#) and in [§ 2.4.1: General Provisions](#) (Review Districts).
- D. **Permitted, Conditional, and Special Exception Uses.** See Article 4: *Use Regulations for Zoned Areas*.
- E. **Dimensional Standards.**<sup>109</sup>
  1. *Dimensional Standards for Non-Residential and Mixed Use Buildings.* Table 2.6.2-1: *POD Dimensional Standards* establishes dimensional standards for non-residential and mixed use buildings in the Planned Office District.
  2. *Dimensional Standards for Residential Dwellings.* Residential dwellings that are not located in a mixed use building are subject to the dimensional standards specified in Table 2.3.4E-1: *R-M8, R-M10, R-M16, R-M20, and R-MA Dimensional Standards* by Dwelling Type for the R-M10 District.

Table 2.6.2-1: POD Dimensional Standards	
<b>Lot Area (min)</b>	No minimum
<b>Lot Width (min)</b>	No minimum <sup>1</sup>
<b>Density (max)<sup>2</sup></b>	10 du/ac
<b>Front Setback (min)</b>	15 ft
<b>Side Setback, Interior (min)</b>	5 ft / 25 ft <sup>3</sup>
<b>Side Setback, Corner Lot (min)</b>	15 ft
<b>Rear Setback (min)</b>	5 ft / 25 ft <sup>3</sup>
<b>Height (max)<sup>4</sup></b>	45 ft

**Key:** min = minimum required | max = maximum allowed | du/ac = dwelling units per acre | ft = feet

<sup>1</sup> [SCDOT may require a minimum lot width on State-owned roads.](#)

<sup>2</sup> Maximum residential density is based on the total project area.

<sup>3</sup> The lesser setback applies when the lot line is adjacent to a lot in POD, OD, or C-N. The greater setback applies when the lot line is not adjacent to a lot in POD, OD, or C-N.

<sup>4</sup> Any structure may exceed the specified height limit if the minimum depth of the rear yard and the minimum width of both side yards are increased by at least 1 foot for each 3 feet by which the structure exceeds the specified height limit.

<sup>108</sup> This Paragraph carries forward ZO Subsection 8:2.5 *Development Standards* (POD), which cross references ZO Section 12:1 *Development Standards for PD, NC and POD*. ZO Section 12:1 is carried forward in UDO Subsection 2.4.1: *General Provisions*.

<sup>109</sup> This Paragraph carries forward the current POD dimensional standards in ZO Subsections 7:3.8 *Reduction in Setback in NC, POD, and OD Districts*; 8:2.3 *Setback/Height*; and 8:2.7 *Residential Uses*.



### 2.6.3 RESIDENTIAL DUPLEX (R-D)

**A. Purpose.**

1. This district was established to provide for detached house and duplex dwellings, and the recreational, religious, and educational facilities that are normally found in residential areas.
2. The district was primarily intended for areas that represent a transition between low-density, detached house development and high-density, multiplex development and for sites that are located in predominantly low-density areas but contain a mix of uses such as manufactured, modular, and multiplex residential units.

**B. Applicability.**

1. The provisions in this Subsection apply to all R-D Districts in existence on the effective date of this Ordinance.
2. Subsection 2.6.1: *General Provisions* (Legacy Districts) prohibits the establishment of new R-D Districts and the expansion of existing R-D Districts.

**C. Allowed Uses.**

1. The regulations specified in Article 4: *Use Regulations for Zoned Areas*, except for § 4.2: *Use Table*, apply in R-D.
2. Table 2.6.32-6-2-1: *Allowed Uses in the R-D District* specifies the permitted, conditional, and ~~special exception use~~ [Special Exception Uses](#) allowed in the district.<sup>110</sup>
3. Where Table 2.6.32-6-2-1 indicates an allowed use is subject to use-specific regulations, those regulations are specified in Article 4: *Use Regulations for Zoned Areas*.

**Table 2.6.32-6-2-1: Allowed Uses in the R-D District**

Use	Use Conditions (Sec.)	Permitted, Conditional, or Special Exception Use
Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages		SE
Childcare center		SE
Cluster housing, attached		P

<sup>110</sup> The use table in the current Zoning Ordinance excludes the R-D District. Allowed uses are specified in ZO Appendix I: *Obsolete Districts*. Since the list of uses is different than those in the use table, proposed is to carry forward the R-D uses in this Subsection.

**Table 2.6.3-6-2-1: Allowed Uses in the R-D District**

Use	Use Conditions (Sec.)	Permitted, Conditional, or Special Exception Use
Cluster housing, detached		P
Communication tower	§ 5.7	SE
Community recreational area		P
Dwelling, detached house		P
Dwelling, townhouse		P
Manufactured multi-section home		P
Dwelling, Duplex		P
Dwelling, Duplex (2 or more duplexes)	§ 4.3.42	C
Family care home		SE
Fire station		SE
Golf course, including a clubhouse and other improvements		SE
Home occupation	§ 4.4.15	C
Police station		SE
Portable or temporary classroom		P
Private recreation area		SE
Public park and/or playground		SE
Public and semi-public uses that are considered to be compatible with the aforementioned uses, unless otherwise listed		SE
Recycling drop box	§ 4.4.19	SE
Religious institution		SE
School, public, parochial, and private		SE
Sign - identification (Subject to the requirements of the Sign Ordinance)		P
Sign - occupancy (Subject to the requirements of the Sign Ordinance)		P
Sign - temporary (Pertaining to the lease or sale of a building or premises)		P
Temporary accessory residential dwelling	§ 4.5.11	SE
Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction	§ 4.5	C

**Table 2.6.32-6-2-1: Allowed Uses in the R-D District**

Use	Use Conditions (Sec.)	Permitted, Conditional, or Special Exception Use
Temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed	§ 4.5	C
Transportation and utility easement and rights-of-way		SE
Uses and structures customarily accessory to the principal uses		P

**Key:** P = permitted use | C = conditional use | SE = special exception use

D. **Dimensional Standards.**<sup>111</sup> Table 2.6.32-6-2-2: *R-D District Dimensional Standards* specifies minimum lot dimensions and structure height and setbacks in R-D.

E. **Accessory Buildings.**

1. Accessory buildings may be located in the rear yard if:
  - (a) They are set back at least 5 feet from any lot line; and
  - (b) Occupy not more than 20% of the rear yard.
2. The rear setback may be reduced to zero feet for the express purpose of locating a boathouse along the shore of a lake or navigable body of water.

F. **Off-Street Parking.** Off-street parking shall be provided in accordance with the provisions set forth in Article 6: *Parking & Loading*.

**Table 2.6.32-6-2-1: R-D Dimensional Standards**

	Dwelling Type			Non-Residential Uses & Structures
	Detached House	Zero Lot Line and Garden/Patio Homes	Duplex Dwelling	
<b>Lot Size (min)</b>	7,500 sf	6,000 sf	12,000 sf <sup>1</sup>	7,500 sf

<sup>111</sup> Table 2.6.32-6-2-2: *R-D District Dimensional Standards* carries forward the R-D dimensional standards and specifies the lot area and front setback requirements for non-residential uses and structures.

<b>Lot Width (min)<sup>2</sup></b>	30 ft	30 ft	30 ft	30 ft
<b>Front Setback (min)</b>				
<i>Residential Street</i>	20 ft	20 ft	30 ft	30 ft
<i>Collector Street</i>	30 ft	30 ft	40 ft	40 ft
<i>Arterial Street</i>	50 ft	50 ft	50 ft	50 ft
<b>Side Setback, Interior (min)</b>	8 ft or 10% of lot width, whichever is greater	8 ft or 10% of lot width, whichever is greater	8 ft or 10% of lot width, whichever is greater	15 ft
<b>Side Setback, Corner Lot (min)</b>				
<i>Residential Street</i>	20 ft	20 ft	20 ft	20 ft
<i>Collector Street</i>	30 ft	30 ft	30 ft	30 ft
<i>Arterial Street</i>	40 ft	40 ft	40 ft	40 ft
<b>Rear Setback (min)</b>	5 ft	5 ft	5 ft	5 ft
<b>Height (max)</b>	35 ft	35 ft	35 ft	35 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet | sf = square feet

<sup>1</sup> Minimum area for individual lots are not otherwise regulated.

<sup>2</sup> SCDOT may require a different minimum lot width on State-owned roads.

## 2.7 TRANSFER OF DEVELOPMENT RIGHTS<sup>112</sup>

### 2.7.1 POLICY & INTENT

The transfer of development rights (TDR) system herein established is designed, among other purposes, to:

1. Secure a fair balance between the public interest through such things as the most economic and efficient possible use of county services, and available utilities and the interests of individual landowners;

<sup>112</sup> This Subsection relocates the County’s Transfer of Development Rights (TDR) Ordinance from Chapter 17, [Article III](#), to the UDO. The TDR Ordinance was originally adopted in 1983. Section 17-35 *Penalty* is not carried forward since it is redundant to the proposed UDO Article 19: *Violations & Enforcement*. The TDR Program provisions are under review by County staff and may be revised in the future.

2. Secure an economically, socially, and environmentally sound balance between developed and open land;
3. Preserve the natural and scenic qualities of open land;
4. Provide for a creative and staged development of land and an orderly transition of land from vacant to occupied uses; and
5. To foster development in areas best suited to specific uses while providing economic return to owners of property restricted from further development.

### 2.7.2 APPLICABILITY

The TDR system applies in the Environmentally Sensitive District—Paris Mountain (ESD-PM).<sup>113</sup>

### 2.7.3 PRINCIPLES GOVERNING TRANSFERABLE DEVELOPMENT RIGHTS

- A. Transfer of development rights provides for greater development potential through increased density to parcels of land which may or may not be contiguous or under the same ownership.
- B. Once a parcel of land has transferred its development right, it is permanently reserved from specified development uses; except in the case of where a single parcel has been developed to less than its maximum yield, then such land may receive development rights transferred to it from other eligible property in the particular zoning classification.
- C. Transferable development rights shall be acquired only by property owners within a zoning classification which contains such rights and in no event shall a property owner own more transferable development rights than the maximum yield allocated to property owned.
- D. No development rights may be transferred from one zoning classification to another.
- E. For each zoning classification containing transfer development rights, the Planning Commission shall recommend, and Greenville County Council shall adopt, the manner in which development rights are allocated to individual owners.
- F. Development of land in zoning classification which contain transfer of development rights is limited to those uses as specified in the particular zoning classification.

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<sup>113</sup> As currently written, the TDR program is not solely limited to the ESD-PM District. However, ESD-PM is the only zoning district that currently allows TDR. There is value to maintaining the TDR program, and potentially expanding its applicability to other zoning districts. For this reason, the TDR provisions are proposed in their own section, which allows them to apply to other districts in the future.

- G. Transferable development rights belong to the owner of the fee.
- H. If no mention is made of reserving to the grantor transferable development rights a general warranty deed conveying a fee, such rights shall pass to the purchaser of the fee.
- I. A round-off system will be used to calculate the number of transferable development rights eligible for a particular piece of property. The transferable development rights will be calculated and carried two decimal points and then rounded off accordingly (i.e., any fractional unit greater than or equal to .50 will be rounded up to the next whole number). Fractional units of development rights may be transferred.
- J. In no event shall an owner transfer more development rights than that required for a building(s) actually constructed, and no building permit may be issued for a piece of property which has less than one whole transfer development right.

#### **2.7.4 PROCEDURE**

- A. Development rights may be transferred to land within specific zoning classifications pursuant to the procedure specified in this Subsection.
- B. The Greenville County Planning Commission is responsible for the initial calculation of transferable development rights. This calculation is subject to correction upon submission of a more recent property survey that invalidates the previously recorded plat.
- C. Such allocation to property owners shall be recorded by plat in the Register of Deeds Office.
- D. The transfer of development rights must be documented through deeds that particularly describe the property from which and to which said rights are transferred.
- E. Certification of the number of development rights eligible for transfer from a particular piece of property must be obtained from the Zoning Administrator<sup>114</sup> before transfer can be effected. No transfer shall be recorded in the R.M.C. Office for Greenville County without certification attached to the deed.
- F. Notification of development right transfer shall be given by the R.M.C. Office to the Zoning Administrator and the Building Safety Department within three days of said transfer.
- G. Whenever a building permit is obtained by a property owner for use within a zoning classification that contains transferable development rights, the Greenville County Building

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<sup>114</sup> This responsibility currently rests with the County Auditor. This Subsection proposes to reassign this responsibility to the Zoning Administrator.

Safety Department shall notify the Zoning Administrator within three days. The Zoning Administrator will then adjust transferable development rights records accordingly.

- H. Upon the transfer of the development rights from a particular piece of property, said rights are forfeited indefinitely for such property.

### **2.7.5 EFFECT OF REZONING ON ALLOWABLE DENSITY**

- A. In the event that property for which a development right has been conveyed pursuant to this ordinance, or for which additional development right(s) have been acquired, shall have its allowable density of development altered by amendment to the underlying zoning classification, the rules specified in this Subsection apply.
- B. If such amendment increases the allowable density of land, the owner shall be entitled to the full number of units allowed by the amendment plus the number of development rights previously obtained by conveyance.
- C. If such amendment decreases the allowable density of land, the owner may develop at the density formerly allowed if the affected land has previously obtained additional development rights prior to the effective date of the amendment.

## ARTICLE 3: SCUFFLETOWN RURAL CONSERVATION AREA

### 3.1 PURPOSE

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The Scuffletown Rural Conservation Area is established to:

- A. Provide for residential development that supports the development goals of the Scuffletown Area Plan;
- B. Preserve open space and natural resources, including those areas containing unique and sensitive features such as steep slopes, streams, wetlands, and floodplains;
- C. Preserve the predominantly rural character of the area by maintaining and protecting the rural landscape, including large estate lots, farmland, natural rolling topography, significant tree coverage, and scenic views by minimizing views of new development from existing roads;
- D. To preserve and maintain historic and archaeological sites and structures that serve as significant reminders of the County's cultural and architectural history;
- E. To provide for active and passive recreational needs of County residents;
- F. To provide greater efficiency in the location of services and infrastructure by reducing road length, utility runs, and the amount of paving for development; and provide connectivity of subdivisions to existing and proposed street network;
- G. To create an interconnected network of open space that supports wildlife habitat and corridors; and
- H. To minimize the impacts of development on flooding and water quality.

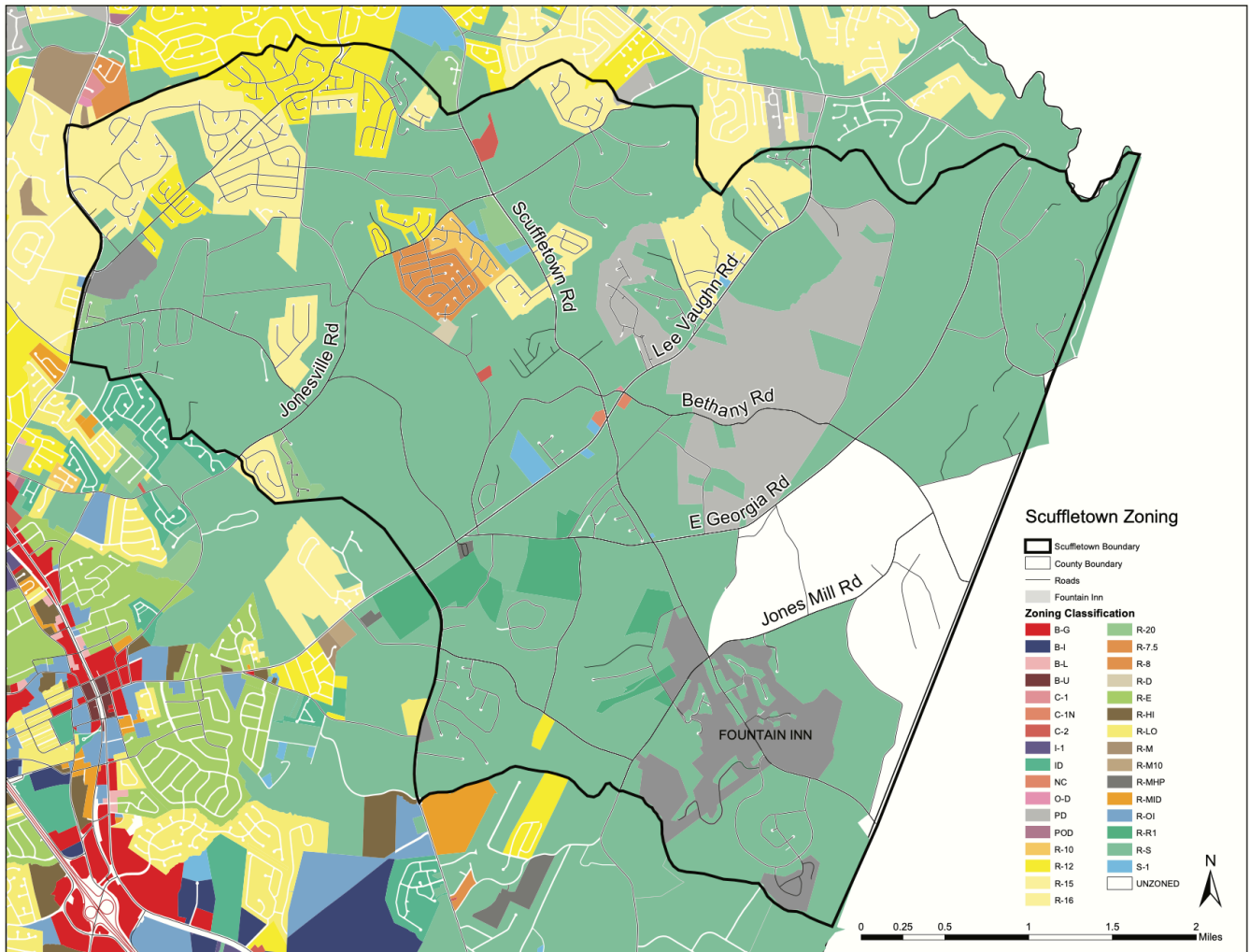
### 3.2 APPLICABILITY

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- A. The SRCA generally includes the area identified in the Scuffletown Area Plan, which is shown in Figure 3.2-1.
- B. The SRCA boundaries are more accurately depicted on the Greenville County GIS Map.



**Figure 3.2-1: Scuffletown Area Plan Map**



### 3.3 SINGLE PARCEL DIVISIONS

- A. Notwithstanding any other provision of County ordinance or regulation, a single parcel located in the Scuffletown Rural Conservation Area that is greater than one acre in size but less than 8 acres in size may be subdivided into two parcels one time, following enactment of this provision (on March 8, 2023), if the resulting two parcels comply with the underlying zoning in the district.
- B. A parcel created by a subdivision authorized by this Section is not eligible for further subdivision, unless such subdivision is made in compliance with the other provisions of this UDO.

### 3.4 NEW MAJOR RESIDENTIAL SUBDIVISIONS

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#### A. **Generally.**

1. Conservation subdivision design is required for all new major residential subdivisions within the SRCA that are proposed to have sewer service. Existing Planned Development Districts within the SRCA approved at the date of adoption are exempt from this requirement.
2. In areas proposed to have sewer service, a developer may develop a tract in a conventional manner, without open space, rather than utilizing conservation subdivision design, if the developer:
  - (a) Demonstrates compliance with the standards and criteria contained in this Article and in § 11.11: *SRCA Rural Estate Lot Subdivisions*; and
  - (b) Establishes that a rural estate lot subdivision, setting aside little or no open space for permanent protection, would preserve environmental resources, natural and scenic features, and historic resources to a degree equal to or greater than development conservation subdivision design.
3. Conservation subdivisions are prohibited in areas without sewer service. In these areas, only rural estate lot subdivisions are allowed.

B. **Conservation Subdivision Design Standards.** Section 11.10: *SRCA Conservation Subdivisions* specifies conservation subdivision design requirements for major residential subdivisions in the SRCA.

C. **Rural Estate Lot Subdivisions.** Section 11.11: *SRCA Rural Estate Lot Subdivisions* specifies estate lot design requirements for major residential subdivisions in the SRCA.

### 3.5 RIPARIAN BUFFERS

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Riparian buffers are required in accordance with § 7.3: *Riparian Buffers*.

### 3.6 RURAL SCENIC ROAD BUFFER

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#### A. **Applicability.**

1. Major Subdivisions within the Scuffletown Rural Conservation District that adjoin a designated rural scenic road shall provide a road buffer.
2. The following roads are designated as Rural Scenic Roads and are subject to the provisions of this Section:

- (a) Jonesville Road;
- (b) Scuffletown Road;
- (c) Lee Vaughn Road;
- (d) East Georgia Road;
- (e) Bethany Road;
- (f) Jones Mill Road;
- (g) Hunter Road; and
- (h) League Road.

**B. Buffer Requirements.**

1. *Width & Location.* A buffer with a minimum width of 150 feet shall be provided between any lot of a Major Subdivision and the right-of-way of any designated Rural Scenic Road. Within this buffer area there should be minimal disturbance of existing trees.
2. *Buffer May Count Towards Required Open Space.* The required buffer shall be designated as open space or common area and may count towards open space required by § 11.4: *Open Space*.
3. *Screening.*
  - (a) In areas where existing landscape does not create the desired visual screen between the road and development, a landscape screen, at least 6 feet in height shall be provided.
  - (b) Screening plant material shall not be placed within 25 feet of the road right-of-way and shall be arranged in an informal manner.
  - (c) Berms, privacy fences, and walls shall not be used to meet the screening requirement and are prohibited within the required buffer area.
4. *Buffer Management.*
  - (a) Horticultural practices, including thinning and planting, may be used to maintain health of individual trees. Hazard trees and invasive species in the buffer may be removed.
  - (b) Forest management and timber cutting techniques approved by Greenville County and the State of South Carolina may be undertaken within the buffer if

necessary to preserve health of the forest from extensive pest or disease infestation or threat from fire.

- (c) Permitted activities and development within the road frontage buffer are as follows:
- (1) Street or driveway access;
  - (2) Walkways, paths, trails, and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties;
  - (3) Entrance features and signage to the extent permitted; and
  - (4) Clearing for sight distances as required for reasonable traffic safety.

## ARTICLE 4: USE REGULATIONS FOR ZONED AREAS

### 4.1 GENERAL PROVISIONS

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#### 4.1.1 PURPOSE

- A. **In General.** The purpose of this Article is to promote the public health, safety, morals, and general welfare, and to protect and preserve places and areas of historical, cultural, and architectural importance and significance. These regulations are adopted in accordance with the Comprehensive Plan and are designed to:
1. Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations;
  2. Ensure that new development is compatible with surrounding development in use, character, and size;
  3. Provide for land uses that serve important public needs, such as affordable housing and employment generators;
  4. Promote mixed-use districts and neighborhoods;
  5. Promote infill housing and retail and residential development;
  6. Integrate civic uses into neighborhoods;
  7. Integrate small-scale commercial uses into neighborhoods where appropriate;
  8. Protect natural resources; and
  9. Encourage retail development in urban, neighborhood, and regional centers in appropriate locations.
- B. **Regulation of Land Use.** In accordance with the purposes described in § 4.1.1A, this Article:
1. Establishes the land uses allowed in each zoning district;
  2. Establishes supplemental regulations for conditional and certain special exception uses, which have unique operational characteristics or impacts; and
  3. Establishes regulations for accessory and temporary uses.

### 4.1.2 APPLICABILITY

This Article regulates the use of land throughout the zoned areas of unincorporated Greenville County.

- A. Section 4.2: *Use Table* applies to all uses in all zoning districts.
- B. Section 4.3: *Conditional & Special Exception Principal Uses* applies to all conditional uses and certain special exception uses (as specified in § 4.2: *Use Table*). These standards supplement the other requirements of this Ordinance.
- C. Section 4.4: *Accessory Uses & Structures* applies to all accessory uses, buildings, and structures.
- D. Section 4.5: *Temporary Uses* applies to all temporary uses of land.

### 4.1.3 ~~CERTIFICATE OF USE~~ ZONING COMPLIANCE REQUIRED

- A. It shall be unlawful to use, occupy, or permit the use of any building or premises or part hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure or effect a change of tenancy/ownership until the Zoning Administrator has issued certificate of use Zoning Compliance stating that the proposed use of the building or land complies with the provisions of this Ordinance.<sup>115</sup>
- B. All special exception uses also require a certificate of use Zoning Compliance, following approval by the Board of Zoning Appeals and prior to the establishment of the use.

### 4.1.4 OTHER APPLICABLE REGULATIONS & PERMITTING REQUIREMENTS

- A. **Other Regulations Apply.** All land uses are also subject to all other applicable provisions of the Greenville County Code and this UDO, including:
  1. The zoning district dimensional standards (see Article 2: *Zoning Districts*);
  2. Article 6: *Parking & Loading*;
  3. Article 7: *Buffers & Screening*;
  4. Article 8: *Tree Preservation*;
  5. Article 9: *Outdoor Lighting*; and

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<sup>115</sup> Carries forward current text in Section 3:7.1.

- 6. Article 10: *Building Design*.
- B. **Proof of Permits to be Provided with Application.** The applicant for any permit under this Article shall submit one complete digital (PDF) copy of all final approvals to operate from any other required local, state, and/or federal permitting agencies. All approvals must be demonstrated to be up-to-date and in effect.
- C. **Permit Not Issued at Time of Application.** In cases where final permitting agency approval is not issued without evidence of all necessary local zoning approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to all permitting agencies. Once final approval is received, the applicant shall provide one complete digital (PDF) copy of the permit to the Zoning Administrator prior to the start of operations.

## 4.2 USE TABLE

### 4.2.1 INTRODUCTION

- A. Section 4.2: *Use Table* establishes the categories of uses specified in Table 4.2.1-1: *Categories of Uses* for all of the base and review zoning districts, except for the Planned Development District (PD) and Flexible Review District (FRD).
- B. Allowed uses in FRD and PD districts are specified in the rezoning ordinance that established the FRD or PD and any amendments thereto. Allowed uses in other review districts are specified in the use table but may be modified by the rezoning ordinance that establishes the district and any amendments thereto (see Article 2: *Zoning Districts*).
- C. Any principal use allowed in a district is also allowed as an accessory use. Any use-specific standards in § 4.3: *Conditional & Special Exception Principal Uses* apply to the use whether it is established as the principal use or as an accessory use. Section 4.4: *Accessory Uses & Structures* also applies to all accessory uses.
- D. The column “Use Conditions (Section)” in § 4.2.3: *Use Table* indicates whether use conditions apply to a particular conditional or special exception use. See § 4.3: *Conditional & Special Exception Principal Uses* or § 4.4: *Accessory Uses & Structures* for applicable conditions.

**Table 4.2.1-1: Categories of Uses**

Notation	Category	Description
P	Permitted Use	The use is allowed in the respective zoning district, subject to compliance with all other applicable regulations of this Ordinance.

Table 4.2.1-1: Categories of Uses		
Notation	Category	Description
C	Conditional Use	The use is allowed only if it complies with the conditions specified in § 4.3: <i>Conditional &amp; Special Exception Principal Uses</i> and all other applicable regulations of this Ordinance.
SE	Special Exception Use	The use is allowed, if it is reviewed and approved by the Board of Zoning Appeals in accordance with the Special Exception procedure specified in § 16.2.8: <i>Special Exception Uses</i> , complies with any conditions specified in § 4.3: <i>Conditional &amp; Special Exception Principal Uses</i> , and complies with all other applicable regulations of this Ordinance.
[blank cell]	Prohibited Use	A use identified by a blank cell is not allowed the respective zoning district, unless otherwise expressly allowed by other regulations of this Ordinance.

**4.2.2 CLASSIFICATION OF NEW & UNLISTED USES<sup>116</sup>**

- A. The Zoning Administrator may determine that an unlisted use is allowed as a permitted use, conditional use, or special exception use if sufficiently similar in nature and impact to a permitted, conditional, or special exception use listed in § 4.2: *Use Table*. In making this determination, the Zoning Administrator may refer to any of the following factors as guidance:
  1. Whether the use has similar visual, traffic, environmental, and similar impacts as an expressly listed use. The Zoning Administrator may refer to empirical studies or generally accepted planning or engineering sources in making this determination.
  2. Whether the use is within the same industry classification as another allowed use. In making this determination, the Zoning Administrator may refer to the most recent edition of the North American Industry Classification Manual (“NAICS”) (Executive Office of the President, Office of Management and Budget). If the use is not defined in the NAICS, the Planning Director may refer to the American Planning Association Land-Based Classification Standards.
  3. Whether the use is consistent with the purpose statement of the zoning district in which it would be allowed.

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<sup>116</sup> This Subsection carries forward the authority of the Zoning Administrator to make a “similar use interpretation” (Zoning Ordinance Subsection 6:1.5: *New or Unlisted Uses*) and provides additional guidance for staff and applicants.



- B. The burden is on the applicant to establish that the unlisted proposed use is similar to the expressly listed use. The applicant shall submit verification that shows the proposed use is similar to another permitted, conditional, or special exception use and could be allowed.
- C. The Zoning Administrator shall determine whether a proposed use is similar to another permitted, conditional, or special exception use in the zoning district and could be allowed, or is not similar and therefore prohibited. If the Zoning Administrator determines that:
1. The proposed use is sufficiently similar in nature and impact to a permitted use, then the applicant may proceed with any application necessary to establish the use.
  2. The proposed use is sufficiently similar in nature and impact to a conditional use, then the applicant may proceed with any application necessary to establish the use subject to the conditions specified in § 4.3: *Conditional & Special Exception Principal Uses*.
  3. The proposed use is sufficiently similar in nature and impact to a special exception use, then the applicant may submit a special exception application. [See § 16.2.8: *Special Exception Uses*]
  4. The proposed use is not sufficiently similar in nature and impact to a permitted use, conditional use, or special exception use, then the Zoning Administrator shall deny the proposed use and notify the applicant in writing.
- D. The applicant may appeal this determination to the Board of Zoning Appeals. [See § 16.2.10: *Appeals (Zoning)*]
- E. The Zoning Administrator may provide a recommendation to the Planning Commission or County Council to initiate a text amendment to add provisions for the unlisted use. [See § 16.5.2: *UDO Text Amendment*]
- F. The Zoning Administrator shall maintain a record of all determinations made concerning unlisted uses. On at least an annual basis,<sup>117</sup> Greenville County ~~shall~~may update Article 4: *Use Regulations* to reflect the Zoning Administrator’s determinations. ~~{See § 1.1.1: }~~
- G. **Preemption.** Uses regulated by the State of South Carolina and exempt from local control are permitted subject to state regulations.

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<sup>117</sup> An annual UDO update is recommended to codify the Zoning Administrator’s determinations concerning unlisted uses, as well as other UDO determinations made by the Zoning Administrator and the Board of Zoning Appeals.

4.2.3 USE TABLE<sup>118</sup>

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
<b>ACCESSORY USES</b>																							
Accessory Dwellings	4.4.6		C	C	C	C	C	C											C				
Agritourism	4.4.7		SE	SE	SE							SE					SE	SE	C				
<del>Backyard Chickens</del>	<del>4.4.8</del>	<del>P</del>				€		€	€	-	-	€	-	-	-	-	-	-		-	-	-	-
Boathouses	4.4.8		C	C	C	C	C	C	C	C													
Caretaker/Watchman's Quarters <sup>119</sup>	4.4.9										C	C	C	C	C	C	C	C		C			C
<del>Backyard Chickens in Residential Districts</del>	<del>1.1.1</del>	<del>P</del>	<del>[1]</del>	<del>[1]</del>	<del>[1]</del>	<del>C</del>		<del>C</del>	<del>C</del>	-	-	<del>C</del>	-	-	-	-	-	-		-	-	-	-
Columbaria	4.4.10	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			C
Day Care Center in a Religious Facility	4.4.12	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	P			P
Farm Labor Dwellings <sup>120</sup>	4.4.13		C	C	C							C					C		C				
Farmstands (permanent)	4.4.14		C	C	C							C					C		C				

<sup>118</sup> This Subsection carries forward, consolidates, and adjusts the list of uses allowed in each base zoning district and in the BT and I-2 districts. **Bold, blue text** indicates new districts, new uses, new uses allowed in a district, or changes to use classification (e.g., from conditional to special exception). This is provided for reference purposes; the final version of the UDO will not include any blue text.

<sup>119</sup> Renamed from "Dwelling - accessory" to reflect current conditional use in commercial districts. New row added for accessory dwellings in residential districts.

<sup>120</sup> This new use was established in conjunction with the AG District in November 2021. It helps implement Plan Greenville County Strategy C-1.15.

Table 4.2.3-1: Use Table																							
USE	Use Conditions <i>(Section)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Home Occupations <sup>121</sup>	4.4.14	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C		C				
Major Accessory Uses, unless otherwise listed		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Minor Accessory Uses, unless otherwise listed		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor Retail Displays	4.4.16													C	C	C	C						
Outdoor Storage	4.4.17																C	P	P	C	C		
Recreation Area (Private) <sup>122</sup>	4.4.18	C	C	C	C	C	C	C	C	C		C							C				C
Recycling Drop Boxes	4.4.19		C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P		P	P	P	P
Workshops for Repair and Maintenance of Agricultural Equipment			P	P	P		P												P				
ACCOMMODATIONS & LODGING																							
Bed and Breakfast Establishments	4.3.6		C	C	C	C	C	C	C			P	P	P	P	P			C				
Campgrounds	4.3.7																SE		SE				
Hotels, Motels															P	P		P					
Hotels, Motels (50 rooms or fewer)												P		P	P	P	P	P				P	
RV Parks	4.3.30																SE		SE				

<sup>121</sup> Expands allowance for home occupations to all districts that allow residential dwellings. Includes "Day Care in Home," a previously listed use in the use table.

<sup>122</sup> Renamed from "Recreation Area (Private), game courts and swimming pools on single family lots." Removed from commercial districts, which are proposed to no longer allow detached house, townhouse, duplex, triplex, or quadplex dwellings.

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
<b>AGRICULTURE &amp; HORTICULTURE</b>																							
Agricultural/ Horticultural Production, Indoor			P	P	P		P										P	P	P				
Agricultural/ Horticultural Production, Outdoor			P	P	P		P										P	P	P	P			
Agricultural Processing, Storage, and Support Services (more than 20,000 sf) <sup>123</sup>																	P	P	P	P			
Agricultural Processing, Storage, and Support Services (20,000 sf or less) <sup>9</sup>																	P	P	P	P			
Animal Production Facilities <sup>124</sup>																			P	P			
<b>Community Gardens, Non-Commercial</b>	<b>4.3.12</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>EP</b>	<b>E</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>		<b>E</b>	<b>P</b>				
Equestrian Centers <sup>125</sup>			SE	SE	SE		SE					P					P		P				

<sup>123</sup> New use category to correspond with American Planning Association’s Land Based Classifications Standards (LBCS) F9200.

<sup>124</sup> New use category to correspond with LBCS F9300 (excluding slaughter).

<sup>125</sup> Renamed from “Riding Academies” and significantly expanded definition. Changed from permitted use to special exception use in R-S and R-20A due to expanded definition.

Table 4.2.3-1: Use Table																								
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)	
Equine Stables <sup>126</sup>	4.3.15	C	P	P	P	C <sup>12</sup>	C					P					P		P					
Farm Animals, Livestock, Barns, and Stables (unless otherwise listed)	4.3.16		P	P	P		C					P					P		P					
Forestry and Logging Activities			P														P		P					
Forestry Products Processing (Sawmills)																	P			P				
Landscape Businesses															P	P	P	P						
Retail Sales of Agricultural Products <sup>127</sup>												P		P	P	P	P	P	P	P				
Sales/Service of Agricultural Equipment																	P	P	P					
<b>ANIMAL-RELATED USES (NON-FARM)</b>																								
Animal Shelters															P	P	P	P						
Kennels (outside runs)																	P	P						
Pet Day Care Facilities															P	P	P	P						
Pet Grooming, Training, Boarding (Indoor) <sup>128</sup>												P	P	P	P	P	P	P						
Veterinary Hospitals			SE	SE	SE												P	P	P					

<sup>126</sup> Renamed from “Horses in Residential Zones” and added as a permitted use in Rural Village and Rural Commercial. Note the current use table does not list “Horses in Residential Zones” as an allowed use in ESD-PM, but Use Condition (14) expressly allows horses in the district. Expanded use definition (for “equine stables”) to allow boarding.

<sup>127</sup> Renamed from "Feed and Seed Sales."

<sup>128</sup> Corresponds with LBCS F2720.

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Veterinary Offices and Clinics			SE	SE	SE						P <sub>129</sub>	P	P	P	P	P	P	P	P				SE
<b>ARTS, ENTERTAINMENT, &amp; RECREATION</b>																							
Adult Entertainment Establishments (Sexually Oriented Businesses)	4.3.3																	C					
Amusement Parks, Theme Parks																		SE <sub>130</sub>					
Arenas, Stadiums, Exhibition Halls																SE		SE		SE			
Art Galleries						SE		SE	SE		P	P	P	P	P	P	P	P	P	P			
Artisan Workshops or Studios											P	P	P	P	P	P	P	P	P	P	P	P	P
Athletic Facilities																SE		SE	SE	SE			
Auditoriums, Concert Halls															SE	SE		SE					
Fairgrounds <sup>131</sup>																SE	SE	SE					
Fishing Lakes and Ponds		SE	SE	SE													SE		P				
Fitness Centers (Private) <sup>132</sup>												P	P	P	P	P	P	P		P			
Golf Courses			SE	SE	SE	SE	SE								P	P		P		P			

<sup>129</sup> Changed to permitted in O-D (was SE).

<sup>130</sup> Changed from permitted to special exception use in S-1.

<sup>131</sup> Renamed from "Fairgrounds - public." Removed from C-2 (was an SE use).

<sup>132</sup> Renamed from "Private Fitness Centers."

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Go-Kart Facilities, Outdoor <sup>133</sup>	4.3.19																C	C		C			
Marinas																		P					
Motor Sports Facilities, Racetracks	4.3.24																			C <sub>134</sub>			
Museums, Cultural Facilities			SE	SE	SE	SE	SE					P			P	P	P	P					
Recreation & Amusements, Indoor (Commercial) <sup>135</sup>												P	P	P	P	P	P	P		P			
Recreation & Amusements, Outdoor (Commercial) <sup>21</sup>												P			P	P	P	P		P			
Recreation & Amusements, Indoor or Outdoor (Private/Public/Non-Profit) <sup>136</sup>			SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P		P			

<sup>133</sup> New use to reflect County's existing go-kart regulations in County Code Chapter 3, Article III. Indoor go-kart facilities would be considered "Recreation & Amusements, Indoor."

<sup>134</sup> Changed from permitted to conditional use to reflect Motor Sports Ordinance #3851.

<sup>135</sup> Consolidates "Amusements, Commercial" with "Recreation, Commercial" and separates into indoor and outdoor uses. Renamed from "Recreation, Indoor (Commercial) (Indoor or Outdoor) including skating, swimming, game courts, health facilities, driving ranges."

<sup>136</sup> Renamed from "Recreation, Indoor or Outdoor (Private/Public/Non-Profit) (Indoor or Outdoor) including skating, swimming, game courts, health facilities, driving ranges."

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Recreation Areas, Neighborhood <sup>137</sup>	4.3.26	C	C	C	C	C	C	C	C	C		C											
Shooting Ranges, Outdoor <sup>138</sup>	4.3.37		SE	SE	SE												C	C		C			
Shooting Ranges, Indoor	4.3.37											C			C	C	C	C					
Special Event Facilities	4.3.39	SE	C	C	C						C	C	C	C	P	P	P	P	C				C
Theaters, Drive-In	4.3.41															SE	SE	SE					
Theater/Motion Pictures (Indoor) <sup>139</sup>															P	P							
Theater/Motion Pictures (Indoor), with 1 or 2 screens <sup>25</sup>												P	P	P	P	P							
Theaters (Outdoor), Amphitheaters	4.3.41															SE	SE	SE					
<b>BUSINESS, PROFESSIONAL, SCIENTIFIC, &amp; TECHNICAL</b>																							
Assembly Operations																				P	P	P	
Banks, Financial Institutions <sup>140</sup>											P	P	P	P	P	P	P	P				P	P
Business & Facilities Support Services <sup>141</sup>											P		P	P	P	P	P	P		P	P	P	P

<sup>137</sup> Renamed from “Recreation (community area)” to distinguish from Recreation & Amusements (above). Removed from non-residential districts (which are proposed to no longer allow residential uses except in mixed use buildings).

<sup>138</sup> Changed from SE to conditional use in S-1 and I-1.

<sup>139</sup> Rather than the only condition in C-1 being number of screens, proposed are two separate (permitted) uses--theaters and theaters with 1 or 2 screens.

<sup>140</sup> Renamed from "Bank, Savings and Loan Association, or similar financial institution."

<sup>141</sup> New use category that corresponds with LBCS F2422 and LBCS F2424. Replaces “office support services.”



Table 4.2.3-1: Use Table																							
USE	Use Conditions <i>(Conditional)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Business Incubator Centers											P			P	P	P	P	P		P	P	P	P
Clean Manufacturing																				P	P	P	
<b>Communications &amp; Information</b> <sup>142</sup>											P			P	P	P	P	P				P	P
Corporate Headquarters																				P	P	P	
Data Centers																	P	P		P	P	P	
<b>Professional Offices</b> <sup>143</sup>											P	P	P	P	P	P	P	P		P	P	P	P
Research & Development	4.3.33										C						P			P	P	P	
EDUCATIONAL																							
Day Care Centers, Preschools	4.3.14	SE	SE	SE	SE	SE	SE	SE	SE		P	P	P	P	P	P	P	P					P
Schools - Colleges, Universities <sup>144</sup>	4.3.34		SE	SE	SE	SE	SE	SE	SE	SE	C	SE	C	C	C	C	C	C					C
Schools - Commercial <sup>145</sup>												P		P	P	P	P	P					
Schools - Primary, Secondary		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE					SE
GOVERNMENT & CIVIC																							

<sup>142</sup> New use category to correspond with LBCS F4200 and NAICS Sector 51. These are establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries. Consolidates previous uses "Broadcasting Studio, Radio or TV" and "Recording Studio."

<sup>143</sup> Renamed from Office - Business.

<sup>144</sup> Removed from Residential Districts (was a conditional use).

<sup>145</sup> Added as a permitted use in O-D. Includes previous use "Music Teachers/ Schools."

Table 4.2.3-1: Use Table																								
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)	
Cemeteries <sup>146</sup>	4.3.9		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			SE	
Community Centers <sup>147</sup>	4.3.11	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P						P	
Emergency Service, Fire, Police, & EMS Facilities			SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P		P	P	SE		
Funeral Homes	4.3.15		SE	SE	SE	SE	SE	SE	SE			SE		C	P	P	P	P						
Governmental Facilities and Operations		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	
Libraries			SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P						
Post Offices <sup>148</sup>											P	P	P	P	P	P	P	P					P	
Religious Facilities <sup>149</sup>	4.3.32	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	P	P	P	P	P			P	
Religious Facilities, Large <sup>150</sup>	4.3.32													P	P	P	P	P	SE	P				
<b>HEALTHCARE</b>																								
Hospitals											P				SE	P	P	SE					P	
Medical Offices & Clinics <sup>151</sup>											P	P	P	P	P	P	P	P					P	
Nursing Care Facilities											P			P	P	P	P	P					P	
Nursing Care in Home			SE	SE	SE	SE	SE	SE	SE	SE		SE												

<sup>146</sup> Definition of cemetery includes columbaria and mausoleums. Removed as an allowed use in I-2 (was SE).

<sup>147</sup> County Council added this use to the use table on September 20, 2022, in conjunction with other text amendments related to community centers.

<sup>148</sup> Changed from conditional use to permitted use. The only condition was for stacking lanes to be contained on-site. This will be addressed through vehicle queuing regulations that apply to all land uses that require vehicle stacking area (UDO Article 5: *Parking & Loading*).

<sup>149</sup> Renamed from "church."

<sup>150</sup> Renamed from "mega-church."

<sup>151</sup> Consolidated "Office - Medical" with "Medical Clinic." Removed as permitted use in I-1 and I-2.

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
<b>HEAVY COMMERCIAL &amp; INDUSTRIAL</b>																							
Crematoria																				P	P		
Gas Sales, Bulk <sup>152</sup>																		P		P			
Industrial Service, <b>unless otherwise listed</b> <sup>153</sup>																	P	P		P	P	P	
Industrial Light, <b>unless otherwise listed</b>																				P	P	P	
Industrial Heavy, <b>unless otherwise listed</b>																				P			
Lumber Yards																	P	P					
Sign <b>Fabrication, Painting</b>															P	P	P	P					
<b>Specialty Trade Contractors, General Contractors, Homebuilders</b> <sup>154</sup>																P	P	P		P			
Welding Shops																	P	P		P			
<b>MIXED USE</b>																							
<b>Mixed Use Buildings</b> <sup>155</sup>	<b>4.3.23</b>								C			C	C	C	C	C							

<sup>152</sup> Renamed from "Gas Sales - commercial and industrial."

<sup>153</sup> Modified definition of "Industrial, Service" to include linen/laundry and dry cleaning facilities and tire recapping and retreading plants.

<sup>154</sup> New use category to correspond with LBCS F7100 ("Building, developing, and general contracting") and LBCS F7300 ("Special trade contractor"). Consolidates previous uses "Cabinets/Carpentry/Carpenter Shop," "Plumbing Business," "Pest or Insect Control Business," and "Locksmith."

<sup>155</sup> Proposed definition: "A building that contains at least one dwelling unit and one or more non-residential uses allowed in the zoning district in which the mixed use building is located."

Table 4.2.3-1: Use Table																							
USE	Use Conditions <i>(Section)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Mixed Use Developments	4.3.23								C			C	C	C	C	C							
<b>NATURAL RESOURCE EXTRACTION</b>																							
Quarries																		SE			P		
Quarries, Limited to Sand and Gravel Pits																		P	P		P		
<b>RESIDENTIAL<sup>156</sup></b>																							
Detached House Dwelling <sup>157</sup>		P	P	P	P	P	P	P	P			P							P				P
Duplex Dwelling <sup>158</sup>	4.3.42					C	C	P	P			P											P
Group Homes <sup>159</sup>	4.3.20	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE							SE				
Group Living, including Dormitory, Fraternity or Sorority House <sup>160</sup>								P	P														

<sup>156</sup> Removed "Zero Lot Line Dwellings" from use table. Instead "Zero Lot Line Developments" is included as a development type in Article 11: *Subdivisions & Group Developments* as an allowed subdivision design technique for major subdivisions in the Single-Family Residential and Mixed Residential Districts. Zero Lot Line Dwellings/ Developments are proposed to be removed from C-N and POD, since these are commercial districts; and from R-R3, R-R1, R-S, and ESD-PM, as this dwelling type generally is not consistent with the purpose and character of those more rural districts.

<sup>157</sup> Removed from C-1, C-2, and C-3 (was a conditional use).

<sup>158</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from C-N (was a permitted use).

<sup>159</sup> Consolidated "Group Care Home" and "Group Home" since they had similar definitions in the current code. "Group Home" was a conditional use in all the residential districts (including ESD-PM). "Group Care Home" was a special exception use in the Mixed Residential and Multi-Family Districts. Unclear why this use required a SE, but the more intensive "Care Center" use (which can have non-resident employees and 6+ residents) was conditional.

<sup>160</sup> Renamed from "Group Homes" to avoid confusion with "Group Care Homes." Consolidated with "Fraternity & Sorority Houses."

Table 4.2.3-1: Use Table																								
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)	
Manufactured Home, Multi-Section <sup>161</sup>	4.3.21		C	C	C	C	C	C	C	C									C					
Manufactured Home, Single-Section <sup>162</sup>	4.3.21		C	C	C				C	C									C					
Manufactured Home Park	4.3.22									C														
Manufactured Home Park Office	4.3.22									C														
Multiplex Dwelling <sup>163</sup>								P	P														P	
Quadplex Dwelling								P	P															
Townhouse Dwelling <sup>164</sup>	4.3.42					C	C	P	P														P	
Triplex Dwelling								P	P															
RETAIL, SERVICE, FOOD & BEVERAGE																								
ABC (Liquor Sales)															P									
Auction Houses, Auction Lots <sup>165</sup>															P	P	P	P						
Automatic Teller Machine (ATM)											P	P	P	P	P	P	P	P		P	P		P	

<sup>161</sup> Renamed from "Dwelling - manufactured multi-section home."

<sup>162</sup> Renamed from "Dwelling - manufactured single-section home."

<sup>163</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from C-N (was a permitted use). See new use "Mixed Use Building" (above).

<sup>164</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from C-N (was a permitted use). Article 11: *Subdivisions & Group Developments* includes standards for townhouse subdivisions.

<sup>165</sup> Renamed from "Auction House/Auction Lots - cars equipment."

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Bakeries <sup>166</sup>												P	P	P	P	P		P					
Barber Shops, Hair Salons												P	P	P	P	P	P	P					
Bookstores, Newsstands <sup>52</sup>												P	P	P	P	P							
Brewpubs												P	P	P	P	P	P	P					
Butcher Shops <sup>52</sup>												P	P	P	P	P		P					
Care Centers	4.3.8										P	P	P	P	P	P	P	P					P
Catering Establishments															P	P		P					
Corner Stores <sup>167</sup>	4.3.13							C	C														
Craft Breweries, Micro-Distilleries, Wineries <sup>168</sup>														P	P	P	P	P		P	P		
Electronics and Home Appliance Repair															P	P		P					
Equipment Sales and Rental															P	P		P		P			

<sup>166</sup> Bakeries, bookstores/newsstands, butcher shops, grocery stores, pet supply stores, and pharmacies are proposed to be added to the use table as separate lines. These new uses could instead be categorized as simply “retail.” The C-N District limits GFA, which will control uses to some extent. However, listing these uses individually provides more control in the C-N District, which is intended to be located near residential districts. Neighborhood residents may desire tighter controls on the type of retail uses allowed. If that is not a concern, these should be consolidated under retail/mercantile.

<sup>167</sup> The corner store use is intended to introduce small (less than 2K sf) retail and service uses into higher density residential districts. The definition limits the type of businesses that could be established as a corner store. This also could be handled by allowing retail and personal service uses as conditional uses in the same districts, with the same conditions proposed in Article 3. However, including a separate line for this use helps clarify the intent and scale of the use. The proposed definition limits corner store businesses to newsstands, bookstores, barbershops, beauty salons, bakeries, ice cream and yogurt shops, coffee shops, delis, food and convenience markets, and art galleries. Proposed conditions limit location and size (2,000 sf max) and prohibit drive-throughs.

<sup>168</sup> New uses. Larger facilities are considered "industrial/service." Also added a line for "brewpubs."

Table 4.2.3-1: Use Table																							
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Flea Markets															P	P	P						
Florists, Flower & Gift Shops											P	P	P	P	P	P							P
Household Upholstery Shops <sup>169</sup>															P	P		P					
Grocery Stores <sup>52</sup>												P	P	P	P	P							
Gunsmiths <sup>170</sup>												P		P	P	P	P	P					
Laundromats, Self-Service												P	P	P	P	P	P	P					
Manufactured Home Sales															P	P	P	P					
Monuments & Tombstones Sales															P	P		P					
Nail Salons	4.3.25											P	P	P	P	P	P	P	C				
Nightclubs, Taverns															P	P							
Non-Depository Financial Services	4.3.27															C		C					
Pawn Shops															P	P							
Personal Services, unless otherwise listed <sup>171</sup>												P	P	P	P	P		P					
Pet Supply Stores <sup>52</sup>												P	P	P	P	P	P						

<sup>169</sup> The use table currently lists "Trim/Upholstery" as a use; however, it is not defined. It is unclear whether the use is intended to apply to vehicles or furniture or both. Added this use and a vehicle-related use to clarify.

<sup>170</sup> Removed as a permitted use in C-N.

<sup>171</sup> New use category to correspond with LBCS F2600. Includes establishments that provide a wide range of services, such as hair care, nail care, dry cleaning, etc. Consolidates previous uses "Clothing Alteration" and "Dry cleaning/laundry (on premises if clothing is brought in by customers)."

**Table 4.2.3-1: Use Table**

USE	Use Conditions <i>(Section)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Pharmacies <sup>52</sup>												P	P	P	P	P	P						
Photography Studios											P	P	P	P	P	P		P					P
Restaurants, <u>with drive-thrus</u>												P	<del>P</del>	P	P	P	P	P					
<u>Restaurants, without drive-thrus</u>												<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>					
Retail/Mercantile, unless otherwise listed (single or multi-tenant, less than 40,000 sf) <sup>172</sup>												P	P	P	P	P							
Retail/Mercantile (40,000 sf or greater) <sup>173</sup>															P	P							
Tattoo and Body Piercing Establishments	4.3.40																	C					
Vape Shops, Tobacco Shops	4.3.43													€	<del>C</del>	<del>C</del>							
<b>TEMPORARY USES</b>																							
All Temporary Uses	See § 4.5: <i>Temporary Uses</i>																						
<b>TRANSPORTATION, WAREHOUSING, &amp; STORAGE</b>																							

<sup>172</sup> Changed to permitted in C-1. The condition in C-N (NC) and C-1 was only for "Automobile Wash (Automated) in Conjunction with a Convenience Food Store with Gasoline Sales." Added use regulations applicable to all car washes in these districts. Removed as a permitted use in C-N and replaced with specific individual uses in that district.

<sup>173</sup> Renamed from "big box retail." Changed to permitted in C-2 and C-3 (was conditional). The current use conditions are carried forward in Article 10: *Building Design*.



Table 4.2.3-1: Use Table																							
USE	Use Conditions <i>(Section)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Automobile Wrecking Facilities, Junkyards, Salvage Yards, and Scrap Processors <sup>174</sup>	4.3.5																			SE			
Outdoor Storage, unless otherwise listed	4.3.28																C	C	C	C			
Passenger Transportation Stations or Terminals <sup>175</sup>																		P		P			
Runways																			SE				
Self-Storage Facilities <sup>176</sup>	4.3.35														C	C	P	P		P			
Truck Terminals																		P		P			
Vehicle Storage Facilities, including Automobile, Boat, Motorcycle, and RV Storage	4.3.44														C	C	C	C		P			
Wholesaling, Warehousing, Flex Space, and Distribution																	P	P		P	P	P	
<b>UTILITIES</b>																							
Communication Towers <sup>177</sup>	4.3.10		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	C	C	C	C	SE	C	SE	SE	SE

<sup>174</sup> Consolidates the uses regulated by current Zoning Ordinance Section 11:10.

<sup>175</sup> Includes bus, rail, air, and boat.

<sup>176</sup> Renamed from "Mini-Warehouses."

<sup>177</sup> Changed from permitted use to conditional use in C-2, C-3, S-1, and I-1.

Table 4.2.3-1: Use Table																								
USE	Use Conditions (Section)	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)	
Merchant Power Plants																		P		P				
Public Utility Stations, Buildings, and Uses <sup>178</sup>	4.3.29	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Sewage Pump Stations	4.3.36	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Sewage Treatment Facilities																		SE		SE				
Small Wireless Facilities	4.3.38	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
VEHICLE-RELATED																								
Automobile Service Facilities															P	P	P	P						
Automobile Washes (All types)	4.3.4											C		C	P	P	P	P						
Gas Stations <sup>179</sup>	4.3.18											C			C	C	C	C						
Parking Facilities (indoor/outdoor)														P	P	P		P						
Personal Motorized Vehicle Sales, Service, & Rental	4.3.45																C	C	C					
Vehicle Repair Facilities <sup>180</sup>	4.3.44																C	C		C				

<sup>178</sup> Public Utility Station does not include storage or treatment of sewage, solid waste, or hazardous waste.

<sup>179</sup> New use to clarify where gas stations are allowed.

<sup>180</sup> Renamed from "Automobile Repair Facility" so it's clear it applies to all motor vehicles (in keeping with the current definition), except "Personal motorized vehicle sales, service, and rental" (which is a separate line above).

Table 4.2.3-1: Use Table																							
USE	Use Conditions <i>(Section)</i>	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	AG	I-1	I-2	BTD	POD (LEGACY)
Vehicle Sales & Rental, including Automobiles, Boats, and RVs <sup>181</sup>	4.3.45														C	C	C	C					
Vehicle Trim/Upholstery Shops															P	P	P	P					
<b>WASTE MANAGEMENT</b>																							
Commercial Incinerators <sup>182</sup>																					SE		
Composting Facilities																		P	P	P			
Landfills - Class 1 <sup>183</sup>			SE	SE	SE												P	P	SE	P			
Landfills - Class 2 <sup>56</sup>																		P		P			
Landfills - Class 3 <sup>184</sup>																		P		P			
Recycling Collection and Processing Centers																				SE			
Recycling Convenience Centers															P	P	P	P		P			
Recycling Drop-Off Trailers	4.3.3 1										CP		CP	C	CP	CP		CP		CP			CP

<sup>1</sup>The principal use "Farm Animals, Livestock, Barns, and Stables" allows chickens in R-R3, R-R1, and R-S.

<sup>2</sup>Horses are allowed in the R-20 and R-15 Districts, but are ~~not allowed~~ prohibited in the R-12, R-10, R-7.5, or R-6 Districts.

<sup>181</sup> Renamed from "Automobile Sales and Rental." Expanded use to include boats and RVs so that the use conditions apply to all.

<sup>182</sup> New use for use table. This use is expressly prohibited in BTD District but was not listed in the use table.

<sup>183</sup> Added to align with SCDES regulations.

<sup>184</sup> Renamed from "Landfills - Sanitary" to align with SCDES regulations. Removed as a permitted use in Rural Residential Districts and instead allowed Class 1 landfills as an SE use in those districts.



## 4.3 CONDITIONAL & SPECIAL EXCEPTION **PRINCIPAL USES**<sup>185</sup>

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### 4.3.1 PURPOSE

- A. This Article provides supplemental regulations for certain uses, structures, and facilities. These regulations are in addition to the other applicable standards of this UDO.
- B. The purpose of this Article is to:
  - 1. Provide supplemental standards for individual uses to protect surrounding property values and uses;
  - 2. Protect the public health, safety, and general welfare; and
  - 3. Implement the Comprehensive Plan.

### 4.3.2 APPLICABILITY

This Section applies to uses that the Use Table in § 4.2 designates as conditional and special exception uses and indicates that “Use Conditions” apply.

### 4.3.3 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments (sexually oriented businesses) may only be allowed subject to the district requirements and the current provisions of the Greenville County Adult Oriented Business Ordinance No. 2673, which is codified as Greenville County Code of Ordinances, Chapter 2.5, [Article Three: Adult-Oriented Entertainment Establishments](#).

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<sup>185</sup> This Section carries forward most of the current conditional and special exception use regulations in ZO Section 6:2 *Use Conditions* and Article 11: *Provisions for Uses by Special Exception*. This Section does not carry forward the use regulations for post offices (ZO Section 6:2(16)) since UDO Section 4.8: *Vehicle Queuing* applies to all land uses that require vehicle stacking space. Minimum separation distances between certain land uses and zoning districts are required for some uses, such as non-depository financial services. UDO Article 20: *Rules of Interpretation & Measurement* specifies how to measure these distances.

#### 4.3.4 AUTOMOBILE WASHES<sup>186</sup>

- A. **Applicability.** This Subsection applies to any automobile wash that is a principal or accessory use.
- B. **Separation Requirements.**
1. An automobile wash facility is not permitted within 50 feet of any residentially zoned property.
  2. Entrances and exits to the automobile wash facility shall not face any residentially zoned property.
- C. **Water Management.** All exits from those automobile wash facilities not equipped with automated dryers or blowers to remove excess water from vehicles shall not be permitted within 50 feet of any street right-of-way, if the exit lane is not curbed and sloped to return the excess water into the automobile wash facility.

#### 4.3.5 AUTOMOBILE WRECKING FACILITIES, JUNKYARDS, SALVAGE YARDS, & SCRAP PROCESSORS<sup>187</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Preserve the character of residential areas by minimizing the effects of dust, noise, smoke, vibrations, and odors on area residents;
  2. Provide appropriate locations and use standards for auto wrecking facilities, junkyards, salvage yards, and scrap processors;
  3. Promote the public health, safety, and general welfare; and
  4. Implement the Comprehensive Plan.
- B. **In General.** Auto wrecking facilities, junkyards, salvage yards, and scrap processors may only be permitted subject to the district requirements and the current provisions of the County's Junkyard Ordinance, Ordinance No. 1777, which is codified as Greenville County Code of Ordinances, Chapter 9, [Article IV: Junkyards](#).

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<sup>186</sup> This Subsection carries forward the conditional use regulations for automated automobile washes contained in §6:2(3). Proposed is to expand the applicability of these conditions to all car washes in C-1, whether established as a principal or accessory use.

<sup>187</sup> This Section carries forward the regulations of § 11:10 with a clarification of buffers and screening must comply with the requirements for industrial uses stated Section 5.3: *Perimeter and Right-of-Way Buffers*.

- C. **Minimum Lot Size.** Auto wrecking facilities, junkyards, salvage yards and scrap processors shall be located on a site of at least 2 acres.
- D. **Separation Requirements.** The property line of an auto wrecking facility, junkyard, salvage yard, or scrap processor nearest any residential property existing at the time business operations are started must be at least 500 feet from the property line of the nearest residential property.
- E. **Buffers.** The site must provide screening and landscaping that comply with the requirements for industrial uses stated in § 7.2: *Interior & Roadside Buffers*.
- F. **Noise.**
  - 1. The facility may not originate any noise or sound in such a manner to create a maximum event measured on the 'A' weighting scale that exceeds the limits as set forth below:
    - (a) Monday through Friday 7:00am to 7:00 pm may not exceed 70 Db(A); and
    - (b) Monday through Friday 7:00pm to 7:00 am, all day Saturday and Sunday, and all legally designated holidays may not exceed 55 Db(A).
  - 2. All sound level readings must be measured at the point on the boundary planes of the property line of the affected residential property.

#### 4.3.6 BED & BREAKFAST ESTABLISHMENTS<sup>188</sup>

- A. **Owner-Occupancy Required.** The owner or operator of the bed and breakfast establishment must reside within the same structure as the bed and breakfast establishment.
- B. **Structures to Maintain Residential Appearance.** The appearance of the home shall remain as a residence, not as a commercial lodging establishment.
- C. **Guest Rooms.**
  - 1. Accommodations are limited to a maximum of four guest rooms.
  - 2. Cooking facilities are not permitted in any of the bed and breakfast guest rooms.

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<sup>188</sup> This Subsection carries forward the conditional use regulations for bed and breakfast establishments contained in §6:2(4) with two changes: it clarifies that there is an owner occupancy requirement and eliminates specific sign regulations. All establishments must comply with the sign code. In addition, this subsection eliminates the requirement to obtain a variance for changes to an existing structure, as this does not appear to be a valid use of the variance procedure under SC Code 6-29-800(A)(2).

**D. Guest Register Required.**

1. Operators of all bed and breakfast establishment must maintain a guest register that contains the following guest information:
  - (a) Names;
  - (b) Vehicle license plate numbers;
  - (c) Home addresses; and
  - (d) Work and home telephone numbers.
2. The guest register shall be available for inspection by law enforcement personnel.

**E. Off-Street Parking.** All parking for bed and breakfast establishments must be located in the rear or on the side of the primary building on the lot.<sup>189</sup>

**F. Special Events and Gatherings Prohibited in Residential Zoning Districts.** Luncheons, banquets, charitable fund raisers, commercially advertised activities or other gatherings for direct or indirect compensation are prohibited at a bed and breakfast establishment located in a residential zoning district.

**G. Access to Private Community Amenities.** Approval of a bed and breakfast establishment by Greenville County does not grant the guest(s) the right to use or access private community amenities, including tennis courts, golf courses, pools, and lakes. Use and access of private community amenities is provided to guests at the discretion of the bed and breakfast establishment owner and in accordance with any private covenants that regulate access and use of such common neighborhood facilities.

**H. Other Applicable Regulatory Requirements.** All bed and breakfast establishments must comply with all applicable local and state regulatory requirements before beginning operations and continuously while operating.

**4.3.7 CAMPGROUNDS**

See Article 5: *Use Regulations for Zoned & Unzoned Areas.*

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<sup>189</sup> The required parking ratio of one space per guest room is relocated to UDO Section 6.2: *Parking Ratios.*



#### 4.3.8 CARE CENTERS<sup>190</sup>

- A. **Minimum Lot Area.** The minimum lot area for a care center is 30,000 square feet.
- B. **Setback Requirements.** No structure shall be located closer than 25 feet to an exterior property line.
- C. **Residential Appearance.** All buildings shall have a residential appearance.
- D. **Density.**
  - 1. The density for a care center may be greater than the density for the zoning district. The maximum allowable number of dwelling units shall be the zoning district's maximum allowable density multiplied by a factor of 1.5.
  - 2. For properties fronting on and accessing arterial roads, the maximum allowable number of dwelling units shall be the zoning district's maximum allowable density multiplied by a factor of 1.8.
  - 3. The total number of nursing beds and dwelling units combined shall not exceed the increased density allowed for a care center under this Subsection.
- E. **Buffers and Landscaping.**
  - 1. Care centers must provide a 15-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts.
  - 2. Screening shall be provided as required by § 7.2: *Interior & Roadside Buffers*.

#### 4.3.9 CEMETERIES<sup>191</sup>

- A. **Applicability.** The standards in this Subsection apply to all cemeteries, except private (family) cemeteries.<sup>192</sup>
- B. **Minimum Area.** The minimum area for a cemetery is 30 acres.

<sup>190</sup> This subsection carries forward the conditional use regulations for care centers contained in §6:2(6).

<sup>191</sup> This Subsection carries forward the current use regulations for cemeteries in ZO Section 11:2, except 11:2.7 *Preexisting Cemeteries* which applied only to existing cemeteries and cemeteries in the approval process when the previous Zoning Ordinance was adopted; and 11:2.3 *Screening and Buffering* which simply cross-references the buffer regulations.

<sup>192</sup> This Paragraph clarifies that the regulations do not apply to family cemeteries. While there are state laws regarding abandoned cemeteries and access to cemeteries on private property, South Carolina statutes do not prohibit family cemeteries. The County could consider adding use regulations that apply to family cemeteries, such as minimum area or setbacks.

- C. **Location.** A cemetery shall not be located in a special flood hazard area.
- D. **Access.** All cemetery access shall be provided from an arterial or collector street.
- E. **Minimum Setbacks.**
  - 1. Where a cemetery adjoins non-residentially zoned property, no setback is required. However, if a setback is provided, it shall be at least five feet in width.
  - 2. Where a cemetery adjoins residentially zoned property:
    - (a) All buildings, structures, burial plots, and storage areas shall be located at least 35 feet from all property lines; and
    - (b) Mausolea, columbaria, and chapels shall be located at least 50 feet from all property lines.
- F. **Off-Street Queuing Space Required.** Adequate off-street queuing space shall be provided for funeral processions so that no vehicle stands or waits in a road right-of-way.
- G. **Additional Requirements.**
  - 1. Mausolea may be located only within the boundaries of approved cemeteries.
  - 2. A stormwater plan must be submitted and approved by the Greenville County Land Development Division before cemetery approval may be granted.

#### 4.3.10 COMMUNICATION TOWERS<sup>193</sup>

- A. **Purpose.** The purpose and intent of this Subsection is to:

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<sup>193</sup> This Subsection significantly revises the process for approval of communication towers and antennas in § 11:4. FCC Regulations require a local body to approve proposed changes that do not “substantially change” an existing communications tower. The FCC has interpreted “substantial” change to be specific changes in dimensions that require local approval, and this distinction is implemented by the new major/minor modification framework. The factors for “substantial” increase are listed in Subsection C.3. FCC regulations also require a local body to comply with specific deadlines to review applications depending on the extent of the increase. While this Section only applies in the zoned areas of the County, the FCC regulations will require that Building Permitting comply with the 90-day time limit to respond to applications to co-locate new equipment on an existing tower and the 150-day limit for the installation of a new tower. These and other FCC procedural requirements are included in Article 16: *UDO Procedures*. In addition, the proposed Subsection significantly revises the screening and landscaping requirements to resolve stakeholder feedback that communications towers are incompatible with other uses. Finally, the revisions and definitions create a threshold minimum for regulation of this use to distinguish it from small wireless facilities and accommodate reception of space-based signals.

1. Promote the health, safety, and general welfare of the public by regulating the siting of wireless communications facilities;
2. Minimize the impacts of communication towers on surrounding areas by establishing standards for location, structural integrity, and compatibility;
3. Encourage the location and collocation of wireless communication equipment on existing structures, thereby minimizing visual, aesthetic, and public safety impacts and effects upon the natural environment and wildlife, and reducing the need for additional communications towers;
4. Accommodate the growing need and demand for wireless communication services;
5. Encourage coordination between providers of communication services in Greenville County;
6. Protect the character, scale, stability, and aesthetic quality of the residential districts of Greenville County by imposing certain reasonable restrictions on the placement of communication towers;
7. Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as to not unreasonably discriminate between providers of functionally equivalent personal wireless service or to prohibit or have the effect of prohibiting personal wireless service in Greenville County;
8. Establish predictable and balanced regulations governing the construction and location of wireless communications facilities within the confines of permissible local regulation;
9. Establish review procedures to ensure that applications for wireless communications facilities are reviewed and acted upon within a reasonable period of time;
10. Provide for the removal of unused communications towers; and
11. Provide for the replacement or removal of nonconforming communications towers and other antenna supporting structures.

**B. Applicability.**

1. *In General.* This Subsection applies to all communication towers that are specified as conditional or special exception uses in § 4.2: *Use Table* and to all communication antennas affixed to communication towers.
2. *Other Applicable Standards.* The general requirements for all structures are applicable to communication towers, antennas, and related support facilities. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the specific requirements of this Subsection. Regulations covering visibility, fencing,

screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except those specifically superseded by this communication tower Subsection apply to the use.

3. *Exempt Communications Towers and Antennas.* This Subsection does not apply to any tower or antenna:
  - (a) Used for private home satellite dishes and television reception; or
  - (b) That is used solely by an FCC-licensed amateur radio operator.
4. *Exempt Communications Antennas.* This Subsection does not apply to:
  - (a) Ground-based receiving antennas up to five meters in diameter, including antennas less than one meter in diameter used for space-based services for residences; or
  - (b) Ground-based antennas less than two meters in diameter used in non-residential areas for space-based services.

**C. Major and Minor Modifications.**

1. *Major Modifications.* Major modifications are changes to existing communications towers or communications antennas that result in a substantial increase to the existing structure. As described in this Subsection, major modifications and new communications towers require a special exception permit approved by the Board of Zoning Appeal.
2. *Minor Modifications.* Minor modifications are modifications to existing communications tower, existing communications antennas, or the collocation of new communications antennas that result in a material change to the facility or support structure but are of a level, quality, or intensity that is less than a substantial increase. As described in this Subsection, a [certificate of use Zoning Compliance](#) for a minor modification may be approved by the Zoning Administrator.
3. *Substantial Increases.* For the purposes of this Subsection, a substantial increase to an existing structure occurs when:
  - (a) The mounting of the proposed communications antenna on an existing communications tower would increase the height of the existing structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas;

- (b) The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter;
- (c) The mounting of the proposed antenna would involve adding an appurtenance to the body of the existing tower that would protrude from the edge of the existing tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- (d) The mounting of the proposed antenna would involve excavation outside the current communications tower site, defined as the current boundaries of the leased or owned property surrounding the existing tower and any access or utility easements currently related to the site.

**D. Minor Modifications to Existing Towers.**

1. *Permit Required for Changes to Communications Towers and Antennas.* All communication providers must obtain a ~~certificate of use~~[Zoning Compliance](#) (see § 16.2.1: [Zoning Compliance](#)) prior to locating a new antenna on an approved tower or modifying an existing tower.
2. *Changes Requiring Approval.* Minor modifications, including new collocations, shall be permitted in any zoning district after administrative review and administrative approval in accordance with the standards set forth in this Subsection.
3. *Standard for Approval of Minor Modifications.* An application meeting the standards for a minor modification shall be approved by the Zoning Administrator. An application that is determined not to meet the standards for a minor modification shall be reviewed as a major modification.
4. *Design Standards.* The following standards apply to the review of applications for minor modifications to existing towers:
  - (a) The additional loading on the tower caused by the proposed changes shall not exceed the tower's design as previously submitted; and
  - (b) Changes shall be made to the tower's design and construction to safely accommodate the additional antenna(s).

**E. New Communications Towers and Major Modifications to Existing Towers.** In zoning districts where communications towers are a special exception use, a ~~certificate of use~~[Zoning Compliance](#) for a new communications tower may be issued by the Zoning Administrator only after approval by the Zoning Board of Appeals of a special exception permit application based

on information required by this Subsection, information and evidence provided during the public review and public hearing, and compliance with all requirements and standards established by this Section and Article 16: *UDO Procedures*.

- F. **Locations for Use.**<sup>194</sup> Communication towers may be located in the following zoned areas of Greenville County:
1. Communication towers are permitted as a principal or accessory use in the S-1, I-1, C-2, and C-3 Zoning Districts.
  2. Communication towers are permitted as an accessory use in non-residential zoning districts where another use is already established as the principal use of the property, provided the principal use complies with this ordinance.
  3. Communication towers are a special exception use in all other districts, subject to the following standards:
    - (a) In residential districts, communication towers must be an accessory use on parcels where a use other than detached house, townhouse, or duplex use, such as a school, church, apartment complex, or public utility site, is established as the principal use of the property, provided the principal use of the property complies with this Ordinance. On such residentially zoned sites, the minimum setback of the zoning district in which it is located shall be increased by one foot for each one foot of tower height in excess of 40 feet. The maximum required separation shall be 200 feet.
    - (b) In the C-1 and O-D Zoning Districts, communication towers are permitted as a use permitted by special exception reviewed by the Board of Zoning Appeals.
    - (c) In the review zoning districts, communication towers are allowed as a special exception use reviewed by the Greenville County Board of Zoning Appeals.<sup>195</sup>
  4. In any zoning district, communication antennas are a permitted use when attached to existing electrical high-tension towers (transmission towers), so long as:
    - (a) The increase in height to the existing transmission tower does not exceed 25 feet;

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<sup>194</sup> This Section carries forward current district location/siting regulations. FCC Regulations prevent location limitations that effectively prohibit provision of telecom services. Location restrictions may not be effective depending on the actual mapping of districts, availability of sites, and topography.

<sup>195</sup> The current Zoning Code provides for review by the Planning Commission. This draft changes the review body to the Board of Zoning Appeals because the S.C. Planning Enabling Act authorizes that board to hear special exception use requests.

- (b) The total number of antennas added to an existing transmission tower does not exceed 12; and
- (c) The applicant provides a structural analysis of the existing transmission tower that shows the additional loads from the proposed antennas are within the design tolerances for the tower.

G. **Criteria for Communications Tower Use.** The following criteria shall apply to the review of all new communication tower uses in all districts in which communication towers are a conditional or special exception use:

1. Each parcel on which a communication tower is located must have access to a public road 20 feet in width;
2. The applicant must demonstrate compliance with radio frequency emissions standards adopted by the Federal Communications Commission;<sup>196</sup>
3. Communication towers and their foundations shall meet the requirements of the current Building Code for wind and seismic loads;
4. For a freestanding communication tower, the applicant must show that that alternative towers, buildings, or other structures do not exist within the applicant's tower site search area that are structurally capable of supporting the intended antenna, meet the applicant's necessary height criteria, or provide a location free of interference from other towers;
5. The proposed structure will not endanger the health and safety of residents, employees, or travelers, including, but not limited to, the likelihood of the failure of such structure;
6. The proposed structure will not impair the use of or prove detrimental to neighboring properties;
7. The proposed structure is necessary to provide a service that is beneficial to the surrounding community; and
8. The proposed tower is located in an area where it does not substantially detract from aesthetics and neighborhood character.

H. **Height and Appearance Standards.**

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<sup>196</sup> This Section replaces the requirement in § 11:4 that the applicant must show compliance with the lowest adopted standard for radiation by the government and private regulatory bodies. The FCC's regulations preempt local standards on radiation from towers and antennas, but localities can ensure compliance with the FCC's standards.

1. *Freestanding Towers.* Freestanding communication towers must not exceed a height of 300 feet.
2. *Communication Towers on Buildings.* Communications towers on buildings must not exceed a height that is:
  - (a) 20 feet above the roofline of buildings 50 feet or less in height; and
  - (b) 40 feet above the roofline of buildings 50 feet in height or greater.
3. *Increased Height for Minor Modifications.* The height requirement of this Subsection applies to all towers and antennas except for increases in height to existing towers that qualify as minor modifications.
4. *FAA Compliance Required.* Communication towers must comply with Federal Aviation Regulations (FAA) for height limitations for existing or proposed runways at any publicly owned airport.
5. *Color.* Unless otherwise required by the Federal Communications Commission (FCC) or the FAA, communication towers shall be light gray in color.

I. **Setbacks.**

1. Communication towers in the S-1, I-1, C-2, and C-3 Zoning Districts are subject to the applicable setback requirements of the district in which they are located.
2. Communication towers as an accessory use in non-residential zoning districts must comply with the applicable setback requirements of the district in which they are located.
3. Communications towers in residential districts are subject to the minimum setback of the zoning district in which it is located with an additional one foot in setback added for each one foot of tower height over 40 feet. The maximum required separation shall be 200 feet.

J. **Separation Requirements.** Communication towers in a residential district shall not be located within 1,000 feet of an existing communication tower unless the towers are located on the same property.

K. **Fencing and Screening.**<sup>197</sup>

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<sup>197</sup> This Subsection carries forward the previous fencing requirement from § 11:4 but incorporates the new screening standards to be developed in the UDO. Stakeholders identified that the current screening requirements create some incompatibilities.



1. *Fencing.* Eight-foot high fencing shall be installed around the communication tower and any associated structures.
  2. *Screening.* Screening with landscape material around the exterior fence must comply with the industrial district buffer requirements in § 7.2: *Interior & Roadside Buffers.*
- L. **Illumination.** Communication towers shall only be illuminated if required by FCC or FAA regulations.
- M. **Identification of Owner.** One sign no more than two square feet in area must be placed in a visible location on the required fencing identifying the owner's name, street address, an all-hours emergency telephone number, and the owner's identification number for the tower. The sign may also identify other users of the tower.
- N. **Removal of Towers Not in Use.** A communication tower must be removed within 120 days of the date such tower ceases to be used for communication purposes.

#### 4.3.11 COMMUNITY CENTERS<sup>198</sup>

- A. **Adaptive Reuse of Existing Buildings.**
1. A community center may locate in an existing building, including a nonconforming building, if the building meets all applicable Building Code requirements.
  2. Other improvements, such as the addition of landscaping and screening, are not required in order to establish a community center in an existing building. However, sufficient parking must be provided pursuant to § 4.3.11B, below.
- B. **Parking.**
1. All parking shall be accommodated in off-street parking spaces. Parking on-street or in grassed areas is prohibited except during major special events.
  2. Due to the variety of activities that occur at a community center, parking needs may vary significantly from site to site. If the minimum parking ratio specified for community centers in § 6.2.2: *Minimum Parking* is not appropriate for a particular site, the applicant may submit a parking analysis that:
    - (a) Documents the total number of existing off-street parking spaces and the total number of new spaces, as applicable;

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<sup>198</sup> This Subsection carries forward the use conditions for community centers adopted by County Council on September 20, 2022.

- (b) Identifies the types of activities proposed to occur, along with the anticipated hours of operation and number of attendees for each activity; and
- (c) Demonstrates the existing and/or proposed parking sufficiently meets the anticipated parking demands of the various activities and does not produce conflicts (e.g., between parking spaces and day care drop-off lanes).

#### 4.3.12 COMMUNITY GARDEN, ~~NON-COMMERCIAL~~

A community garden shall only be located in a mixed use development.

- ~~A. **In General.** Community gardens may only be used for the cultivation of fruits, flowers, vegetables, ornamental plants, honey, and eggs.~~
- ~~B. **Livestock Prohibited.** Community gardens shall not be used to raise or keep livestock or domesticated animals except for honeybees and chickens. Community gardens may only be used for the cultivation of fruits, flowers, vegetables, ornamental plants, honey, and eggs.~~
- ~~C. **Conditions of Use for Chickens.** When a community garden includes the keeping of chickens, the following conditions apply:
 
  - ~~1. No more than 8 chickens are allowed;~~
  - ~~2. Roosters are prohibited;~~
  - ~~3. Chickens must be confined to the property and must not be allowed to roam off the property;~~
  - ~~4. Chickens must be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors;~~
  - ~~5. Pens, coops, and enclosures are accessory structures and must meet all applicable provisions of this UDO relating to accessory structures, including setback and location requirements.~~~~
- ~~D. **Allowed Structures.** A community garden may have structures such as sheds, greenhouses, and chicken coops.~~
- ~~E. **Commercial Use Prohibited.** Commercial sale of produce from a community garden is prohibited.~~

### 4.3.13 CORNER STORES<sup>199</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Maintain the character of residential districts; and
  2. Promote mixed use neighborhoods in appropriate locations; and
  3. Encourage entrepreneurship and remove barriers to the establishment of small businesses; and
  4. Reduce vehicle trips and encourage walkable neighborhoods by making it convenient for neighbors to walk down the street to make quick, incidental purchases; and
  5. Help build a sense of community amongst neighborhood residents.
- B. **Maximum Number Per Intersection.** A maximum of two corner stores may be located at a single intersection.
- C. **Maximum Gross Leasable Area.** The maximum gross leasable area of a corner store is 2,000 square feet.
- D. **Drive-Throughs Prohibited.** A corner store shall not contain drive-through facilities.

### 4.3.14 DAY CARE CENTERS, PRESCHOOLS<sup>200</sup>

- A. **In General.** Day care centers (child and adult) are subject to the general zoning district requirements, the South Carolina Department of Social Services Rules and Regulations relating to licensing of care facilities and care centers, and the requirements in this Subsection.
- B. **Fencing.** The outdoor exercise area must be enclosed by a fence that is at least 6 feet high.
- C. **Indoor Area.** The building must provide at least of 35 square feet of floor area for each person based on the maximum enrollment.
- D. **Impact of Facility.** The applicant must provide information about the impacts of traffic, noise, delivery vehicles, and site access on surrounding residential areas.

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<sup>199</sup> This new use is intended to promote mixed-use neighborhoods by allowing “corner stores” in higher density residential districts. The proposed definition of “corner store” is: *A small retail or service business located on a corner lot at the street level. Corner store businesses are limited to newsstands, bookstores, barbershops, beauty salons, bakeries, ice cream and yogurt shops, coffee shops, delis, food and convenience markets, and art galleries.*

<sup>200</sup> This Subsection carries forward the special exception regulations for day care centers contained in §11:5.

### 4.3.15 EQUINE STABLES<sup>201</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Support limited equine uses in residential areas to allow residents to engage in recreation and leisure;
2. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
3. Promote the public health, safety, and general welfare; and
4. Implement the Comprehensive Plan.

B. **Applicability.**

1. *Scope.* This Subsection does not limit the right to raise and keep equines in districts where the use is allowed under other applicable regulations.
2. *Allowed Districts.* This Subsection allows the conditional use of raising and keeping equines subject to the conditions of this Subsection in the R-20, R-15, R-20A, and ESD-PM Districts.

C. **Lot Size Requirements.**

1. Equines may not be kept or raised on any lot smaller than 1.5 acres.
2. Only one equine is allowed for each ½-acre of lot area, except in the R-S District.

D. **Conditions of Use.**

1. *Structures.* The landowner must provide an enclosed area or shelter for all equines to be kept and fed.
2. *Setbacks.*

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<sup>201</sup> This Subsection carries forward the current regulations on horses in residential districts in § 6:2(14) and renames the use as “equine stables.” The proposed definition of *equine stables* is “a facility where equines are kept or raised, which may include areas for boarding, training, and riding.” The definition of equine is “Connected or related to horses, donkeys, mules, or other members of the taxonomic family Equidae.” This proposed revision and the definitions address several stakeholder comments suggesting the UDO expressly allow boarding of horses and that the UDO rename “horses” as “equines” in order to accommodate donkeys and mules as well.

- (a) In the R-20A District, structures for keeping and feeding equines may not be located within 100 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width.
- (b) In all other districts, structures for keeping and feeding equines may not be located within 50 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 50 feet in width.

#### 4.3.16 FARM ANIMALS, LIVESTOCK, BARNs, & STABLES<sup>202</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Support agricultural uses in the R-20A District to promote economically self-supporting farms;
2. Preserve the character of rural areas, including agricultural uses and scenic views;
3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
4. Promote the public health, safety, and general welfare; and
5. Implement the Comprehensive Plan.

B. **Applicability.**

1. *Scope.* This Subsection does not limit the right to raise and keep farm animals in districts where the use is allowed under other applicable regulations and in unzoned areas. This Subsection does not apply to chickens kept in accordance with § 4.4.10: *Chickens in Residential Districts*.
2. *Allowed Districts.* This Subsection allows the raising and keeping of farm animals as a conditional use subject to the conditions of this Subsection in the R-20A District.

C. **Conditions of Use.**

1. *Structures.* The landowner must provide enclosed area or shelter for all farm animals.
2. *Setbacks.*

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<sup>202</sup> This Subsection carries forward the current regulations on the conditional use of livestock farming in the R-20A District [§ 6:2(25)].

- (a) Structures for keeping and feeding farm animals may not be located within 100 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width.
- (b) Farm animal production uses also are subject to all setbacks required by SCDES, if applicable.

#### 4.3.17 FUNERAL HOMES<sup>203</sup>

- A. **Minimum Lot Area.** The minimum lot area for a funeral home is 2 acres.
- B. **Location.** A funeral home shall be located on a collector or arterial street.
- C. **Off-Street Queuing Space Required.** Aisles and other space within the off-street parking area shall be adequate to allow funeral processions to be formed entirely on site without hindering traffic on public streets.
- D. **Screening and Buffering.** Screening and buffering shall comply with § 7.2: *Interior & Roadside Buffers*, except that the minimum buffer width is 12.5 feet.

#### 4.3.18 GAS STATIONS<sup>204</sup>

- A. **Setbacks for Pump Islands and Canopies.** Commercial gasoline pump islands and canopies shall be set back from all property lines adjacent to street rights-of-way at least 15 feet.
- B. **Accessory Automobile Washes.**
  - 1. Automobile washes are allowed as an accessory use to a gas station if the zoning district allows automobile washes (see § 4.2: *Use Table*).
  - 2. Automobile washes established as an accessory use to a gas station shall meet the conditions specified in § 4.3.4: *Automobile Washes*.

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<sup>203</sup> This Subsection generally carries forward and combines the conditional and special exception use regulations for funeral homes in ZO Sections 6:2(27) and 11:2, except: (1) the requirement in 6:2(27)A. and 11:2.9 *Location* that a funeral home is located on the same site as a cemetery or on a lot within 1,000 feet of a cemetery; (2) 6:2(27)3. and 11:2.10 B. and C. which are simply cross-references to off-street parking and parking lot landscaping requirements; (3) 6:2(27)4. and 11:2.11 *Height and Setbacks* which simply cross-references the non-residential setback requirements; (4) 6:2(27)7. and 11:2.14 *Signage* since signs are separately regulated by the Sign Ordinance; and (5) 6:2(27)6. and 11:2.13 *Lighting* which is a cross-reference to lighting standards and is not necessary since UDO Article 9: *Outdoor Lighting* applies to all non-residential uses in the zoned and unzoned areas.

<sup>204</sup> This Subsection carries forward the gas canopy setbacks specified in ZO Sec. 7:3.6 and clarifies the applicable use regulations for other uses that commonly occur with a gas station.

#### 4.3.19 GO-KART FACILITIES, OUTDOOR<sup>205</sup>

Go-kart facilities may only be allowed subject to the district requirements and the current provisions of the Greenville County Go-Karts Ordinance No. 5236, which is codified as Greenville County Code of Ordinances, Chapter 3, Article III: Outdoor Go-Kart Tracks.

#### 4.3.20 GROUP HOMES<sup>206</sup>

- A. **Setbacks.** Group homes must comply with the zoning district setback requirements for detached house dwellings.
- B. **Separation Requirements.** A group home that is not licensed by the South Carolina Department of Social Services must be at least 1,320 feet from any existing group home.
- C. **Exterior Appearance.** A group home shall be similar in exterior appearance to a detached house dwelling.

#### 4.3.21 MANUFACTURED HOMES

See Article 5: *Use Regulations for Zoned & Unzoned Areas*.

#### 4.3.22 MANUFACTURED HOME PARKS

See Article 5: *Use Regulations for Zoned & Unzoned Areas*.

#### 4.3.23 MIXED USE BUILDINGS & MIXED USE DEVELOPMENTS<sup>207</sup>

- A. **Use Allocation.**
  - 1. In a mixed use building, non-residential uses must comprise at least 20% of the building's gross floor area.

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<sup>205</sup> This new use incorporates the regulations for outdoor go-kart facilities adopted in November 2020.

<sup>206</sup> This subsection carries forward and combines the conditional and special exception use regulations for group care homes contained in §6:2(12) and §11:6 but removes limitations on signage and language relating to the concentration of group care homes in a particular area. Signs are separately regulated by the Sign Ordinance, and the separation requirements provide an objective location standard.

<sup>207</sup> This Subsection carries forward the use conditions for mixed use structures and developments in ZO Section 6:2(28). Density is specified in Article 2: *Zoning Districts*.

2. In a mixed use development, non-residential uses must comprise at least 20% of the land area in the development. This minimum allocation excludes land dedicated to or comprised of:
  - (a) Rights-of-way;
  - (b) Open space;
  - (c) Natural water bodies;
  - (d) Wetlands;
  - (e) Floodplains;
  - (f) Steep slopes (20% or greater);
  - (g) Cemeteries; and
  - (h) Historical, cultural, and archaeological sites.

**B. Mixed Use Buildings in the R-MA District.**

1. *Permitted Non-Residential Uses.* In addition to those non-residential uses allowed by § 4.2: *Use Table*, the following non-residential uses are permitted in mixed use buildings located in the R-MA District:
  - (a) Art galleries;
  - (b) Artisan workshops and art studios;
  - (c) Fitness centers (private);
  - (d) Museums and cultural facilities;
  - (e) Theater/motion pictures (indoor), with 1 or 2 screens;
  - (f) Banks and financial institutions;
  - (g) Business incubator centers;
  - (h) Professional offices;
  - (i) Medical offices and clinics;
  - (j) Bakeries;
  - (k) Barber shops and beauty shops;



- (l) Bookstores and newsstands;
- (m) Butcher shops;
- (n) Electronics and home appliance repair;
- (o) Florists, flower shops, and gift shops;
- (p) Grocery stores;
- (q) Laundromats, self-service;
- (r) Personal services;
- (s) Pet supply stores;
- (t) Pharmacies;
- (u) Photography studios;
- (v) Restaurants; and
- (w) Retail/mercantile.

2. *Maximum Gross Floor Area Per Tenant Space.* Each non-residential tenant space may contain a maximum gross floor area of 10,000 square feet.

**C. Architectural Requirements.**

1. Mixed use buildings and commercial buildings in mixed use developments must meet the design standards in § 10.8: *Mixed Use & Commercial Building Standards*.
2. When part of a mixed use development:
  - (a) Multiplex buildings and buildings located in an apartment complex must meet the design standards in § 10.5.2: *Multiplex & Apartment Complex Building Standards*; and
  - (b) Townhouse, duplex, triplex, and quadplex buildings must meet the design standards in § 10.4.2: *Townhouse, Duplex, Triplex, & Quadplex Building Standards*.

- D. Setbacks.** When there are two or more mixed use buildings on a lot, the setbacks of the zoning district apply on the exterior of the project with no internal setbacks enforced between uses.

**E. Connectivity.**

1. *Vehicular.*

- (a) Vehicular access shall be provided internally between all uses, drives, and parking areas.
- (b) If developed adjacent to a multiplex, office, commercial use, or similar use as deemed by County Staff, an attempt to provide vehicular access to such uses shall be made.

2. *Pedestrian.*

- (a) Pedestrian access shall be provided internally between all uses, drives, and parking areas.
- (b) Pedestrian access shall be provided between parking areas, buildings, open space areas, recreation areas, and other amenity areas where provided.
- (c) All developments must provide sidewalks to connect to an external sidewalk. If an external sidewalk is not available, the development is required to install sidewalks along all roadways.
- (d) All pedestrian pathways and sidewalks shall be at least 5 feet in width.

F. **Parking.**

- 1. Parking areas shall be located on the interior of the development, with no parking allowed between buildings and adjacent roadways. Sites shall be designed to accomplish this requirement.
- 2. Parking areas must be distinguished from pedestrian walkways through curbing or wheel-stops.

G. **Landscaping.**

- 1. All developments shall meet the standards for parking lot landscaping in § 6.4: *Interior Parking Lot Landscaping*.
- 2. Landscaping or grassed areas are required between impervious surfaces, such as parking areas and sidewalks, and building frontages.

H. **Screening and Buffering.**

- 1. All dumpsters, service areas, and mechanical equipment shall be screened from public view as specified in § 7.5: *Screening for Commercial Uses*.
- 2. The site must provide buffers on the perimeter that comply with the standards of § 7.2: *Interior & Roadside Buffers*. Internal adjoining uses do not require buffers.

#### 4.3.24 MOTOR SPORTS FACILITIES, RACETRACKS

Motor sports facilities and racetracks may only be allowed subject to the district requirements and the current provisions of the Greenville County Motor Sports Facilities Ordinance No. 3851, which is codified as Greenville County Code of Ordinances, Chapter 3, [Article II: Motor Sports Facilities](#).

#### 4.3.25 NAIL SALONS

Nail salons must:

- A. Meet Building Code requirements for ventilation; and
- B. Receive a mechanical permit.

#### 4.3.26 NEIGHBORHOOD RECREATION AREAS<sup>208</sup>

- A. Private neighborhood recreation areas, including country clubs, are allowed subject to the district requirements and the conditions in this Subsection.
- B. Neighborhood recreation areas must be located on the preliminary and final subdivision plat or approved site plan.
- C. The minimum lot area for a neighborhood recreation area is equal to the district's minimum lot size.
- D. The provision of food and entertainment for members and guests is allowed if it does not cause a nuisance in the residential district. No commercial activity is allowed.
- E. Off-street parking shall be provided in accordance with the provisions set forth in Article 6: *Parking & Loading*.
- F. Screening shall be provided in accordance with the provisions set forth in § 7.2: *Interior & Roadside Buffers*.

#### 4.3.27 NON-DEPOSITORY FINANCIAL SERVICES<sup>209</sup>

- A. **Purpose.**

<sup>208</sup> This Subsection carries forward the use regulations for Community Recreation Areas in ZO Section 6:2(17).

<sup>209</sup> This Subsection proposes new use regulations for non-depository financial service uses (e.g., payday lenders, check cashing services). The *Zoning Code & Land Development Regulations Assessment* recommends the UDO specifically address this use (see pp. 19-20).

1. Non-depository financial service uses potentially degrade surrounding neighborhoods by drawing disposable income and savings from residents, which has a detrimental impact on their property values, crime rates, home maintenance, and appearance.
2. The clustering of non-depository financial service uses in certain areas of Greenville County can have a detrimental impact on the surrounding commercial and residential areas.
3. The purpose of this Subsection, therefore, is to impose separation and location requirements for these businesses in order to:
  - (a) Protect and promote the public health, safety, and general welfare;
  - (b) Protect the character of established residential neighborhoods; and
  - (c) Maintain economically vibrant and visually attractive business and commercial areas.

**B. Separation Requirements.** A non-depository financial service use shall be located:

1. At least 3,000 feet<sup>210</sup> from any other non-depository financial service use; and
2. At least 660 feet<sup>211</sup> from:
  - (a) Any lots located in AG, ESD-PM, or any residential zoning district; and
  - (b) Any lots containing dwelling units, schools, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Greenville County.

**C. Location.** All non-depository financial service uses shall be located within either a multi-tenant commercial building or entirely within a grocery store or other non-residential building that has a minimum area of 30,000 square feet.<sup>212</sup>

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<sup>210</sup> Separation distances vary by community. Rock Hill requires 1,000 feet between non-depository financial service uses. Greenville, Mauldin, Columbia, Charleston County, Walterboro, and Camden require at least 3,000 feet between these uses. Chesterfield County, Virginia requires at least 5,280 ft (one mile) between these uses.

<sup>211</sup> Some communities in South Carolina require separation of this use from residential and public/civic uses. Proposed here is to require a minimum separation of 660 feet (1/8 of a mile).

<sup>212</sup> This appears to be a common requirement in South Carolina communities. Most jurisdictions, including Greenville and Mauldin, require a non-depository financial service use to be located in a multi-tenant building comprising at least 30,000 square feet, or within a grocery store or other retail store comprising at least 30,000 sf. Columbia requires this use to be located in a building that is at least 12,000 sf in area.

### 4.3.28 OUTDOOR STORAGE

All outdoor storage areas must be screened by an opaque fence or wall at least 8 feet in height or by a Type C buffer (see § 7.2: *Interior & Roadside Buffers*).

### 4.3.29 PUBLIC UTILITY STATIONS, BUILDINGS, & USES<sup>213</sup>

- A. **Where Allowed.** Public utility stations, buildings, and uses (e.g., sewage lift stations, pump stations, electrical substations, and telephone equipment) that are not detrimental to other uses allowed in the district may be allowed as a special exception use in any district.
- B. **Screening Required.** Public utility stations, buildings, and uses shall be enclosed within a building or by a fence, wall, or evergreen plant materials providing protection and screening against light, noise, fumes, or unsightliness.
- C. **Landscaping Required.** Open areas on the premises shall be landscaped.

### 4.3.30 RECREATIONAL VEHICLE PARKS

See Article 5: *Use Regulations for Zoned & Unzoned Areas*.

### 4.3.31 RECYCLING DROP-OFF TRAILERS

- A. **Maximum Number Allowed.** A maximum of 2 recycling drop-off trailers are allowed on a lot.
- B. **Setbacks.** A recycling drop-off trailer must be located at least 20 feet from the edge of a public or private right-of-way.
- C. **Vehicular Access.** Recycling drop-off trailers must have safe ingress and egress. Vehicles must be able to enter and exit the site without using a right-of-way for maneuvering area.

### 4.3.32 RELIGIOUS FACILITIES<sup>214</sup>

- A. **Lot Area.** The minimum lot area for a religious facility is 40,000 square feet.

<sup>213</sup> This Subsection carries forward the special exception use conditions in ZO Section 11:7 *Public Utility Buildings and Uses*. It proposes to replace the requirement for “a suitable fence” with a requirement for a “fence, wall, or evergreen plant materials,” which is consistent with screening requirements for other uses.

<sup>214</sup> This Subsection carries forward the current use regulations for churches in ZO Section 11:3, except 11:3.3 and 11:3.5, which are cross-references to the generally applicable off-street parking and buffer/screening standards; and 11:3.4, which is instead carried forward in UDO Article 9: *Outdoor Lighting*.

- B. **Setbacks.** All buildings shall be located at least 50 feet from the front, side, and rear property lines.
- C. **Religious Activities in Residences.** This UDO does not prohibit religious activities in a residence. “Religious activities” specifically excludes regularly scheduled worship services.

#### 4.3.33 RESEARCH & DEVELOPMENT

- A. **Maximum Size.** In the O-D District, the gross floor area of a research and development facility shall not exceed 40,000 square feet.
- B. **Hazardous Materials Prohibited.** In the O-D District, activities in a research and development facility shall not involve the use, storage, production, or processing of dangerous materials or substances that present immediate or long-term physical or chemical hazards, such as fire, explosion, corrosion, or toxicity, and that are used or stored in sufficient quantities such that accidental release or explosion may affect life, health, property, or the environment beyond the immediate perimeter of the facility.<sup>215</sup>

#### 4.3.34 SCHOOLS – COLLEGES & UNIVERSITIES<sup>216</sup>

- A. **Establishment & Expansion of Use.** Establishment and expansion of uses associated with a college, university, seminary, or other institution of higher learning (e.g., administrative facilities, athletic facilities, and conference centers) are allowed subject to the district requirements and conditions in this Subsection.
- B. **Dormitories.**<sup>217</sup> Dormitories are allowed under the provisions of this Subsection only when located on the campus of an institution of higher learning. As the principal use on a lot, dormitories are only allowed where “group living” is specified as an allowed use in § 4.2: *Use Table*.
- C. **Dimensional Standards.**
  1. *Setbacks, Lot Width, & Lot Coverage.*

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<sup>215</sup> This definition is derived from the Lancaster County, SC Unified Development Ordinance, Section 10.3: *Use Type Definitions*.

<sup>216</sup> This Subsection generally carries forward the use regulation for colleges and universities in ZO Section 6:2(21) and expands applicability to all colleges and universities rather than just those that are associated with “non-state supported” institutions of higher learning.

<sup>217</sup> The current use conditions in ZO Section 6:2(21) expressly list “dormitories” as an allowed use. Proposed here is to only allow dormitories when part of a larger campus. Dormitories as the principal use of a lot are proposed to be allowed where the use table allows “Group Living, including Dormitories, Fraternity & Sorority Houses.”

- (a) No structure shall be erected within 25 feet from any external lot line.
  - (b) Minimum lot width, minimum yard sizes, and maximum lot coverage are not otherwise regulated.
2. *Height.* All buildings may exceed the height limitations of the zoning district if the minimum depth of rear yards and the minimum width of side yards required in the district regulations are increased one foot for each three feet by which the height of such building exceeds the prescribed height limit.

#### 4.3.35 SELF-STORAGE FACILITIES<sup>218</sup>

- A. Where sites abut residentially zoned properties, buildings adjacent to the perimeter must face inward with their doors oriented to the interior of the site.
- B. The facility shall not be utilized for the manufacture or sale of any commercial commodity or the provision of any service, such as the commercial repair of automobiles, boats, motors, or other items.
- C. The facility shall not be utilized for the storage of flammable chemical substances.
- D. Any outdoor vehicle storage associated with the facility shall meet the requirements in § 4.3.44: *Vehicle Repair & Storage*.

#### 4.3.36 SEWAGE PUMP STATIONS<sup>219</sup>

- A. Sewage pump stations must be screened by one of the following methods:
  - 1. Locating the pump station within a building; or
  - 2. Installing a wooden fence or masonry wall that is at least 6 feet tall around the perimeter of the pump station that provides protection and screening against light, noise, fumes, and unsightliness.
- B. In either case, a row of small evergreen trees must be planted around the building, fence, or wall at a rate of one evergreen tree per 7 linear feet. [See UDO Administrative Manual, Section 1: *Suggested Plant List*]

<sup>218</sup> This Subsection carries forward the use conditions for “mini-warehouses” (renamed as self-storage facilities) from ZO Section 6:2(15), except Paragraph D which is a cross-reference to the standard buffer/screening requirements. Adds a requirement that outdoor vehicle storage meets the use regulations for vehicle storage.

<sup>219</sup> Carries forward ZO Section 11:7 Public Utility Buildings and Uses and augments the screening standards.

C. Open area on the premises shall be landscaped.

B-D. When the lot abuts a residential use or zoning district, a Type B interior buffer must be provided in accordance with § 7.2: Interior & Roadside Buffers.

#### 4.3.37 SHOOTING RANGES (INDOOR & OUTDOOR)<sup>220</sup>

A. **Purpose.** This Subsection is adopted for the following purposes:

1. To promote public safety by preventing unintended on-site and off-site injuries arising from the use of shooting ranges;
2. To ensure that the appearance of and noise created by the facilities are compatible with surrounding land uses;
3. To protect and preserve residents' right to keep and bear arms under the Second Amendment to the United States Constitution;
4. To preserve the character of neighborhoods where facilities are located; and
5. To otherwise promote the public health, safety, and general welfare.

B. **Operations Regulations for All Shooting Ranges.**

1. *On-Site Management.* An on-site manager shall be present and available during all hours of operation. Updated contact information for the on-site manager shall be provided to the Zoning Administrator anytime the on-site manager's contact information changes.
2. *Noise.* At all times, the facility shall comply with Chapter 15, Article IV: Noise of the County Code of Ordinances.

C. **Development Standards for Outdoor Shooting Ranges.**

1. *Minimum Lot Size.* All outdoor shooting ranges must be located on a parcel of at least 5 acres in size.
2. *Setbacks.* All elements of the outdoor shooting range facility must be located at least 300 feet from all property lines of the lot on which it is located, except that access roads and utilities may be located in the 300-foot setback area.

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<sup>220</sup> This Subsection combines use regulations for indoor shooting ranges, currently controlled by 6:2(22), and outdoor shooting ranges, which do not currently have use conditions. The Subsection increases the standards for design and operations of facilities. The current code only requires that noise is not audible outside indoor shooting ranges.



3. *Buffers.* The site must provide screening and landscaping that comply with the requirements for industrial uses stated in § 7.2: *Interior & Roadside Buffers*.
4. *Separation Requirements.* The exterior boundary of the shooting area at an outdoor shooting range shall be located at least 1,000 feet from:
  - (a) Any lots located in the R-20 to R-6, R-20A, R-M8, R-M10, R-M16, R-M20, R-MA, and R-MHP Zoning Districts; and
  - (b) Any lots containing dwelling units, schools, day care centers religious facilities, public parks, and designated historic districts and landmarks, whether or not the lots are located in the incorporated or unincorporated area of Greenville County.
5. *Shot Containment.* All outdoor shooting ranges shall be designed to contain all of the bullets, shot, arrows, projectiles, and any other debris on the range facility.

#### 4.3.38 SMALL WIRELESS FACILITIES

See Article 5: *Use Regulations for Zoned & Unzoned Areas*.

#### 4.3.39 SPECIAL EVENT FACILITIES<sup>221</sup>

##### A. All Special Event Facilities.

1. Special event facilities must be located on a lot that is at least 2 acres in size.
2. Special event facilities must include improvements to accommodate special events, including access and circulation improvements, parking areas, water supplies & sewer systems, gathering areas, and other physical improvements necessary to accommodate special events.
3. All structures must comply with all applicable health, fire, building, and life safety requirements.<sup>222</sup>

##### B. Special Event Facilities in Residential Districts.

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<sup>221</sup> This Subsection carries forward the use conditions for special event facilities in Section 6:2(30), except Paragraph A.a (scaled site plan) which is redundant to the *Certificate of Use Zoning Compliance* requirements in UDO Subsections 34.1.3: *Certificate of Use Zoning Compliance Required* and UDO Section 15.316.2.1: *Certificate of Use Zoning Compliance*. This Subsection also eliminates specific sign regulations; all establishments must comply with the sign code.

<sup>222</sup> This condition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

1. *Accessory Use Only.* Special event facilities may only be allowed in the RR-3, RR-1, and R-S districts as an accessory use to a lawful principal use.
2. *Off-Street Parking.* Off-street parking shall be contained on-site.

C. **Special Event Facilities in the AG District.**<sup>223</sup>

1. All parking shall comply with Article 6: *Parking & Loading.*
2. All signage must comply with all requirements as stated in the Greenville County Sign Ordinance.
3. If the property is adjacent to a parcel containing a detached house dwelling, then all activity must be set back at least 150 feet to the property line containing the detached house dwelling.

#### 4.3.40 TATTOO & BODY PIERCING ESTABLISHMENTS<sup>224</sup>

A tattoo or body piercing establishment must be located:

- A. At least 300 feet from any other tattoo or body piercing establishment; and
- B. At least 500 feet from:
  1. Any lot zoned ESD-PM, R-R3, R-R1, R-S, R-20, R-15, R-12, R-10, R-7.5, R-6, R-20A, R-M8, R-M10, R-M16, R-M, 20, R-MA, or R-MHP; and
  2. Any of the following land uses, regardless of whether the use is located in the incorporated or unincorporated area of Greenville County:
    - (a) Any lot containing a dwelling unit;
    - ~~(a)(b)~~ Any lot containing a religious facility;
    - ~~(b)(c)~~ Any lot containing a day care center, preschool, or school; and
    - ~~(c)(d)~~ Any lot containing a park or playground.

<sup>223</sup> These conditions were added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>224</sup> This Subsection implements regulations for tattoo and body piercing establishments. The regulations provide for separation between establishments and separation from protected uses. The new definition of body piercing does not include piercing of the earlobes with a mechanical device, so this regulation should not apply to jewelry retailers that offer only ear-piercing service.

#### 4.3.41 THEATERS (DRIVE-IN), THEATERS (OUTDOOR), & AMPHITHEATERS<sup>225</sup>

- A. **Minimum Separation Between Uses and Districts.** All screens and stages associated with a new drive-in theater, outdoor theater, or amphitheater shall be located at least 500 feet from:
1. Any lots located in AG, ESD-PM, or any residential zoning district; and
  2. Any lots containing dwelling units, whether or not such lots are located in the incorporated or unincorporated area of Greenville County.
- B. **Orientation of Screen or Stage.** All screens and stages associated with a drive-in theater, outdoor theater, or amphitheater shall be sited and oriented so as to limit visibility from adjacent lots and rights-of-way.
- C. **Maximum Capacity.**<sup>226</sup> A drive-in theater shall have a maximum capacity of 350 automobiles.
- D. **Vehicular Access and Circulation.**
1. *Vehicular Access.* The site shall have access from an arterial street.
  2. *Separate Entrances and Exits Required.*
    - (a) Separate vehicular entrances and exits shall be provided.
    - (b) Entrances and exits shall meet the curb cut separation and other requirements specified in Article 12: *Access & Connectivity*.
  3. *Circulation Plan.* The applicant for a drive-in theater, outdoor theater, or amphitheater use shall submit a vehicular circulation plan that demonstrates:<sup>227</sup>
    - (a) Adequate space for vehicle queuing must be provided on-site at each vehicular entrance to reduce congestion on adjacent roads;

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<sup>225</sup> These are new uses.

<sup>226</sup> Drive-in theaters range in capacity from 150 to 1,500 or more cars, with the largest drive-ins accommodating 3,000 cars. "In 2014, the average drive-in theatre had 1.7 screens and capacity for 500 vehicles. Most drive-ins had just one or two screens: 61% of drive-ins had just one screen, with an average capacity per screen of 383 vehicles. 22% of drive-ins had two screens with an average capacity per screen of 278 vehicles" [Fox, Mark. (2015). [The Economics of Drive-in Theatres: From Mainstream Entertainment to Nostalgia on the Margins](#). Economics, Management and Financial Markets. 10. 43-56.]. For reference purposes, Greenville County requires three parking spaces per 1,000 sf of leasable floor area for retail uses; a 350-car capacity drive-in theater is approximately equivalent to a parking lot for a 116,650 sf retail development.

<sup>227</sup> These uses require Special Exception approval, so the Board of Zoning Appeals will determine whether the circulation plan is sufficient.

- (b) An adequate number of vehicular entrances and exits are provided based on the maximum capacity of the theater; and
- (c) The site design provides sufficient drive aisle width, turning radii, and vertical clearance for access by fire and emergency apparatus.

**E. Parking Areas.**

- 1. Accessible parking spaces and drive aisles shall be paved, but all other parking spaces may be surfaced with pervious materials including grass. All parking spaces shall be delineated with wheel stops or other markings.
- 2. Drive-in theaters are not subject to the parking lot landscaping requirements in Article 6: *Parking & Loading*.
- 3. All other applicable provisions of Article 6: *Parking & Loading* apply to the use.

**F. Screening.**<sup>228</sup>

- 1. All drive-in theater, outdoor theater, and amphitheater uses shall be screened by a wall, fence, berm, evergreen screening plant material, or a combination of these elements with a minimum height of 6 feet above grade.
- 2. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
- 3. Berms shall have a side slope no greater than 3:1.

**4.3.42 TOWNHOUSES & DUPLEXES**<sup>229</sup>

- A. Townhouse dwellings and duplex dwellings are allowed subject to the district requirements and the conditions specified in this Subsection.
- B. In R-20, R-20A, R-15, and R-12, the units must be located within a subdivision submitted and reviewed under § 11.9: *Open Space Residential Subdivisions*.
- C. In R-10, R-7.5, and R-6, the units are subject to the following:<sup>230</sup>

<sup>228</sup> These are the same screening requirements that currently apply to big box retail uses (ZO Section 6:2(26)H.).

<sup>229</sup> This Subsection carries forward the use conditions for Single-Family Attached Dwellings and Two-Family Dwellings from ZO Sec. 6:2(10).

<sup>230</sup> This Paragraph removes the requirements pertaining to minimum front setbacks and minimum lot widths, since they are the same as those required by the base districts (see Article 2, Subsection 2.3.5: *Single-Family Residential Districts*).

1. A townhouse lot must meet the minimum lot area specified in § 11.13: Townhouse Subdivisions. A duplex lot must meet the minimum lot area specified for the zoning district.
- 1.2. For townhouses, side setbacks for interior units may be reduced to 0 feet. The minimum setback between an end townhouse unit and its side lot line is the same as the district minimum.
- 2.3. If a duplex is located on two separate lots, the side setback at the common wall may be reduced to 0 feet.
4. No more than 6 townhouse units shall be joined together with the same or staggered minimum required front setback. This requirement is not eligible for a variance.
- 3.5. If a development is proposed with staggered front setback lines, the unit that is established closest to the front property line must maintain the minimum front setback required for the zoning district. No building shall encroach beyond the established minimum required front setback nor shall any building encroach more than 25% in depth of the adjoining building.
- 4.6. Five-foot sidewalks are required in these developments. Sidewalks at least 5 feet in width are required in these developments, except when the townhouse dwelling or duplex dwelling is located on a lot in an existing neighborhood that does not have sidewalks.

#### 4.3.43 VAPE SHOPS & TOBACCO SHOPS

##### A. Purpose.

1. According to the Centers for Disease Control & Prevention and the American Lung Association, while adult smoking rates have significantly declined over the past 50 years, smoking remains the leading cause of preventable disease, disability, and death in the United States.<sup>231</sup>
2. Data shows disparities in tobacco use, with higher smoking rates among low income people; Black, Indigenous, and people of color; people living with disabilities or mental

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<sup>231</sup> Centers for Disease Control & Prevention, "Current Cigarette Smoking Among Adults in the United States," [https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/adult\\_data/cig\\_smoking/index.htm](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/adult_data/cig_smoking/index.htm); American Lung Association, "Trends in Cigarette Smoking Rates," <https://www.lung.org/research/trends-in-lung-disease/tobacco-trends-brief/data-tables/ad-cig-smoke-rate-sex-race-age>.

health disorders; people with less education; rural populations; and populations in the Southern and Midwestern United States.<sup>232</sup>

3. Research demonstrates that the presence of tobacco retailers in proximity to schools leads to increased smoking among youth.<sup>233</sup>
4. Research demonstrates that limiting the proximity of tobacco retailers to schools has the potential to reduce existing socioeconomic and racial/ethnic disparities in tobacco retailer density.<sup>234</sup>
5. Studies show that adults are more likely to abstain from smoking after quitting when tobacco retailers are not located in close proximity to residential areas.<sup>235</sup>
6. The purpose of this Subsection, therefore, is to impose separation and location requirements for vape shops and tobacco shops in order to protect and promote the public health, safety, and general welfare and reduce health disparities related to tobacco use.

**B. Minimum Separation Between Uses and Districts.** A new vape shop or tobacco shop must be located at least 1,320 feet<sup>236</sup> from:

1. Any lot zoned ESD-PM, R-R3, R-R1, R-S, R-20, R-15, R-12, R-10, R-7.5, R-6, R-20A, R-M8, R-M10, R-M16, R-M, 20, R-MA, or R-MHP; and
2. Any of the following land uses, regardless of whether the use is located in the incorporated or unincorporated area of Greenville County:
  - (a) An existing vape shop or tobacco shop;
  - (b) Any lot containing a dwelling unit;

<sup>232</sup> Centers for Disease Control & Prevention, “Health Equity in Tobacco Prevention and Control,” <https://www.cdc.gov/tobacco/stateandcommunity/guides/pdfs/bp-health-equity.pdf>.

<sup>233</sup> ChangeLab Solutions, “Tobacco Retailer Density: Place-Based Strategies to Advance Health and Equity,” [https://changelabsolutions.org/sites/default/files/CLS-BG214-Tobacco\\_Retail\\_Density-Factsheet\\_FINAL\\_20190131.pdf](https://changelabsolutions.org/sites/default/files/CLS-BG214-Tobacco_Retail_Density-Factsheet_FINAL_20190131.pdf).

<sup>234</sup> Ribisl, Kurt M., Douglas A. Luke, Doneisha L. Bohannon, Amy. A Sorg, and Sarah Moreland-Russell. Reducing Disparities in Tobacco Retailer Density by Banning Tobacco Product Sales Near Schools. *Nicotine & Tobacco Research*, Volume 19, Issue 2, 1 February 2017, Pages 239–244. Available: <https://doi.org/10.1093/ntr/ntw185>.

<sup>235</sup> Reitzel LR, Cromley EK, Li Y, et al. The effect of tobacco outlet density and proximity on smoking cessation. *Am J Public Health*. 2011; 101(2): 315-20. Available: <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2010.191676>.

<sup>236</sup> 1,320 feet equals one-quarter mile, which is an approximately 5 to 7 minute walk. Communities that limit tobacco retailer density use of range of separation distances (200 ft to 1,500 ft or more), with the most common distance appearing to be 1,000 feet. Research links tobacco retailer density to smoking rates in a community but few, if any, studies compare the relationship between different separation distances (e.g., ¼-mile and 1 mile) and smoking rates or health disparities.

- (c) Any lot containing a day care center, preschool, or school;
- (d) Any lot containing a park or playground; and
- (e) Any lot containing a hospital or nursing care facility.

#### 4.3.44 VEHICLE REPAIR & STORAGE<sup>237</sup>

- A. **Applicability.** This Subsection applies to establishments that operate the following vehicle repair and storage uses:
1. Vehicle repair facility;
  2. Automobile service facility; and
  3. Vehicle storage facilities, including automobile, boat, motorcycle, and RV storage and repair.
- B. **Vehicle Storage Areas.** A vehicle storage area is the portion of the property intended for the parking of vehicles being repaired or being serviced in connection with the repair or service facility. Vehicles may be arranged in this area in any manner that allows adequate emergency access as outlined in applicable codes.
1. *Temporary Storage of Vehicles.* A vehicle undergoing repairs or service must not be stored by the repair or service facility for more than 30 days.
  2. *Setbacks.* If a vehicle sales and rental use includes vehicle storage areas, the vehicle storage areas must be set back at least:
    - (a) 100 feet from any road right-of-way; and
    - (b) 15 feet from a property line abutting a residential use or residential district.
  3. *Screening.*
    - (a) Vehicle storage areas must be screened by an opaque wall, fence, or evergreen plant material or a combination thereof measuring at least 8 feet in height.

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<sup>237</sup> This section significantly expands the use regulations for the storage of vehicles while they are being repaired and serviced. The current version is § 6:2(2). This version applies the setback and screening requirements for storage of vehicles from the Auto Sales and Rental use regulations (§ 6:2(31)) to repair and service facilities.

- (b) If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 8 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
4. *Storage of Wrecked, Damaged, Dismantled, or Inoperable Vehicles.*
- (a) Wrecked, damaged, or dismantled vehicles must not be stored on lots in the C-2 and C-3 Commercial Districts. Inoperable vehicles that are being repaired or serviced in connection with the repair or service facility may be stored in the storage area while they are being serviced and must be parked overnight inside a building or in the storage area during this time.
  - (b) Wrecked, damaged, dismantled, or inoperable vehicles may be stored on lots in the S-1 Service District if the vehicles are being repaired by or in connection with the repair and service facility.
  - (c) Storage of wrecked, disassembled, damaged, and inoperable vehicles for more than 30 days is subject to the requirements of County Junk Yard Ordinance #1777.

#### 4.3.45 VEHICLE SALES & RENTAL<sup>238</sup>

- A. **Applicability.** This subsection applies to establishments that operate the following vehicle sales and rental uses:
1. Vehicle sales and rental, including automobiles, boats, and recreational vehicles; and
  2. Personal motorized vehicle sales, service, and rental.
- B. **Minimum Lot Size.**
1. The minimum lot size for vehicle sales and rental is 1 acre. This requirement only applies to new developments and does not apply to existing nonconforming uses located on lots less than 1 acre in size.
  2. If the lot includes multiple uses or tenants that require separate zoning permits, only the area designated for vehicle sales and rental use shall be calculated to meet the minimum parcel size requirement.

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<sup>238</sup> This Subsection carries forward the conditional use regulations for automobile and personal motorized vehicle sales and rental contained in §6:2(31) and expands the scope to include boat and recreational vehicle sales and rental. It incorporates a text amendment adopted by County Council in 2023 related to minimum lot area.



- C. **Design of Sales and Rental Area.** The sales and rental area is the outside area intended for display or placement of vehicles for sale or rent. The sales and rental area must be clearly demarked from storage and parking areas. The sales and rental area must be paved, and the surface must be striped to identify drive aisles and spaces for individual vehicles for sale or rental.
1. *Dimensions of Parking Spaces for Vehicle Sales and Rental Areas.*
    - (a) Parking spaces in the vehicle sales and rental area must measure no less than 9 feet wide by 20 feet deep unless approved by the Zoning Administrator pursuant to this section.
    - (b) The Zoning Administrator may allow for a reduction in size of sales and rental spaces for vehicles that are customarily smaller than automobiles, such as motorcycles or golf carts.
  2. *Drive Aisles.* Drive aisles must be at least 20 feet wide.
  3. *Fencing.* Chain link fencing is not permitted around the sales and rental area.
- D. **Vehicle Storage Areas.** A vehicle storage area is the portion of the property intended for the parking of vehicles being prepared for sale or rental or being serviced in connection with the sales and rental business. Vehicles may be arranged in this area in any manner that allows adequate emergency access as outlined in applicable codes.
1. *Setbacks.* If a vehicle sales and rental use includes vehicle storage areas, the vehicle storage areas must be set back at least:
    - (a) 100 feet from any road right-of-way; and
    - (b) 15 feet from a property line abutting a residential use and/or district.
  2. *Screening.*
    - (a) Vehicle storage areas must be screened by an opaque wall, fence or evergreen plant material or a combination thereof measuring at least 8 feet in height.
    - (b) If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 8 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
  3. *Storage of Wrecked, Damaged, Dismantled, or Inoperable Vehicles.*
    - (a) Wrecked, damaged, or dismantled vehicles must not be stored on lots in the C-2 and C-3 Commercial Districts. Inoperable vehicles that are being serviced in connection with the sales and rental business may be stored in the storage area

while they are being serviced and must be parked overnight inside a building or in the storage area during this time.

- (b) Wrecked, damaged, dismantled, or inoperable vehicles may be stored on lots in the S-1 Service District if the vehicles are being repaired by or in connection with the sales and rental business. The storage of a vehicle undergoing repairs must not exceed 30 days.

E. **Parking.** Vehicle sales and rental uses must comply with the minimum parking requirements outlined in Article 4: *Parking and Loading* but must provide at least three parking spaces. Shared or remote parking is not permitted for this use.

F. **Landscaping.**

1. *Roadside Buffer.* Vehicle sales and rental uses must provide a buffer based on the following standards.
  - (a) The minimum roadside buffer width shall be eight feet from the edge of pavement or curb. The roadside buffer shall be planted with grass or other living landscape material.
  - (b) Within the roadside buffer, an average of one shade tree for every 60 feet of linear road frontage shall be planted, spaced so that there is a minimum of one tree for every 200 linear feet of road frontage.
  - (c) Shade trees shall have a minimum planting size of 2 inches measured 18 inches above grade.
  - (d) Where existing overhead power utility lines preclude sufficient space for a shade tree to grow then two small trees may be substituted for each required shade tree.
  - (e) Small trees and multi-stem trees shall be at least 6 feet tall at the time of planting.
  - (f) The species of trees used to meet the requirements of this Subpart should comply with the plant list in the UDO Administrative Manual.
  - (g) No vehicles or fencing, or signage are permitted within the roadside buffer.
2. *Interior Plantings.* Interior plantings outlined in § 6.4: *Interior Parking Lot Landscaping* are not required for the sales and rental area or vehicle storage area on a vehicle sales and rental lot.
3. *Screening and Buffering.* All other screening and buffering shall be provided in accordance with the provisions set forth in § 7.2: *Interior & Roadside Buffers*.

## 4.4 ACCESSORY USES & STRUCTURES

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### 4.4.1 APPLICABILITY

- A. This Section applies to any subordinate use of a building or other structure or a use of land that is:
1. Conducted on the same lot as the principal use to which it is related; and
  2. Clearly incidental to, and customarily found in connection with, the principal use or structure.
- B. Where § 4.2: *Use Table* allows a principal use or structure, the principal use or structure also includes accessory uses and structures, subject to the regulations in this Section.

### 4.4.2 ESTABLISHMENT

- A. **Permitted Accessory Uses and Structures.**
1. Accessory uses and structures that are subordinate and incidental to and customarily associated with the principal use or structure and that are located on the same lot with the principal use are generally allowed, subject to the regulations in this Section.
  2. Any principal use allowed in a district is also allowed as an accessory use, subject to § 4.4.2.B., below.
- B. **Use Conditions Apply.**
1. Accessory uses and structures shall comply with any applicable use conditions specified in this Section.
  2. An accessory use that may alternatively be established as a principal use shall comply with this Section and with any standards in § 4.3: *Conditional & Special Exception Principal Uses* that apply to such principal use in the zoning district in which the accessory use is located.
- C. **Use Must be Accessory.** Accessory uses and structures shall not be constructed or established without an associated principal structure or use. An accessory structure may be constructed at the same time as the principal structure. However, a certificate of occupancy for the accessory structure shall not be issued prior to the certificate of occupancy for the associated principal structure.

### 4.4.3 LOCATION

- A. **Accessory Use or Structure Must be Located on Same Lot as Principal Use.** An accessory use or structure may only be located on the same lot as the principal structure or use that it serves. An accessory use or structure may not be established on a vacant lot.
- B. **Accessory Uses and Structures on Rural Lots.**<sup>239</sup>
1. In the R-R1, Rural Residential District, R-R3, Rural Residential District, and AG, Agricultural Preservation District, accessory buildings, barns, and stables may be located in the front yard if the zoning district setbacks are met.
  2. In the R-S, Residential Suburban District, accessory buildings, barns, and stables may be located in the front yard when the area of the lot is at least one acre and the zoning district setbacks are met.
  3. In the R-R1, R-R3, AG, and R-S districts, accessory structures located in front yards shall:
    - (a) Be set back at least 30 feet from any right-of-way line; and
    - (b) Not occupy more than 20% of the front yard.

### 4.4.4 MAJOR & MINOR ACCESSORY USES & STRUCTURES DEFINED<sup>240</sup>

- A. **Generally.** For the purposes of this Section, accessory uses and structures are categorized as major or minor depending on their characteristics.
- B. **Major Accessory Uses & Structures.**
1. Major accessory uses and structures are substantial, are generally obvious from outside the parcel, and vary by district and associated principal land use. Major accessory structures require issuance of a building permit prior to construction or placement.
  2. Examples of major residential accessory uses and structures include detached garages and carports, storage sheds, workshops, utility buildings, gazebos, pergolas, barns and

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<sup>239</sup> These provisions were added via a text amendment approved by County Council in 2024.

<sup>240</sup> This Subsection proposes two tiers of accessory uses and structures—major and minor. Major accessory uses and structures are subject to district setback requirements and require a building permit, while minor accessory uses and structures are not subject to setbacks, nor do they require a building permit. This is proposed in order to simplify the definition of “structure,” which currently expressly excludes a number of structures solely to exempt such structures from setback requirements.

stables, recreation areas (private), swimming pools (in-ground and above-ground) outdoor kitchens, and outdoor fireplaces.

3. Examples of major commercial and industrial accessory uses and structures include detached garages, storage buildings, utility buildings, garbage dumpster surrounds and pads, loading docks, and storage tanks.

**C. Minor Accessory Uses & Structures.**

1. Minor accessory uses and structures are not unique to a particular land use. Minor accessory structures do not require issuance of a building permit prior to construction or placement.
2. Examples include landscape features such as ornamental pools, planting boxes, sculptures, bird baths, and open terraces; walkways; driveways; walls and fences; shelters for pets; playhouses; open stairs; flagpoles; light fixtures; underground fallout shelters; air conditioning compressors; pump houses and wells; mailboxes; gatehouses; burial vaults; utility lines; and transit shelters.<sup>241</sup>

**4.4.5 DIMENSIONAL STANDARDS**

Accessory structures are subject to the dimensional standards specified in Table 4.4.5-1: *Setbacks and Height for Accessory Uses & Structures*.

Table 4.4.5-1: Setbacks and Height for Accessory Uses & Structures					
Accessory Use or Structure	Setbacks (min)				Height (max)
	Front	Side (Internal)	Side (Corner Lot)	Rear	
Major Accessory Uses and Structures, unless otherwise listed	Same as zoning district (see Article 2: <i>Zoning Districts</i> )				
Minor Accessory Uses and Structures, unless otherwise listed	0 ft	0 ft	0 ft	0 ft	Same as zoning district (see Article 2: <i>Zoning Districts</i> )
Boathouses	See § 4.4.8				
Columbaria	See § 4.4.10				

<sup>241</sup> These examples of minor accessory uses and structures are the exceptions listed in the current Zoning Ordinance definition of “structure.” However, the list here in 3.4.3.C.2 excludes recreational equipment, game courts, and swimming pools, which are regulated in Subsection 3.4.17: *Recreation Areas (Private)*. This list also excludes outdoor fireplaces, which are considered a major accessory structure pursuant to staff input.

Table 4.4.5-1: Setbacks and Height for Accessory Uses & Structures					
Accessory Use or Structure	Setbacks (min)				Height (max)
	Front	Side (Internal)	Side (Corner Lot)	Rear	
<b>Farmstands (Permanent)</b>	See § 4.4.14				Same as zoning district (see Article 2: <i>Zoning Districts</i> )
<b>Recreation Areas (Private)</b>	See § 4.4.18				Same as zoning district (see Article 2: <i>Zoning Districts</i> )
<b>Recycling Drop Boxes</b>	See § 4.4.19				Same as zoning district (see Article 2: <i>Zoning Districts</i> )

**Key:** min = minimum required | max = maximum allowed | ft = feet

### 4.4.6 ACCESSORY DWELLINGS<sup>242</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Provide supplemental standards for accessory dwellings in order to promote the development of a diverse and affordable housing stock;
2. Promote the public health, safety, and general welfare; and
3. Implement the Comprehensive Plan.

B. **Applicability.**

1. Accessory dwellings are allowed as:
  - (a) A conditional accessory use to a detached house dwelling in the districts specified in § 4.2.3: *Use Table*; and
  - (b) A special exception accessory use to a school or park in any district.

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<sup>242</sup> This Section significantly expands the use of accessory dwelling units (ADUs) to implement Plan Greenville County, Objective G-2, Strategy 5, and to codify the County’s current practice of allowing single-family homes to have attached “mother-in-law suites.” Under the previous regulation, accessory dwelling units were allowed in commercial districts and as caretaker residences for schools and parks. The proposed regulations allow attached ADUs by right in all residential districts and set dimensional standards to ensure that ADUs are appropriately sized and set back from property lines. This Subsection carries forward the recently adopted use conditions for ADUs located in the AG District (Sec. 6:2(9)2.).

2. This Subsection does not apply to caretaker/watchman's quarters, which are subject to the regulations in § 4.4.9: *Caretaker/Watchman's Quarters*.

**C. Accessory Dwellings for Detached Houses.**

1. *Prohibited Dwelling Types.*

- (a) A mobile home, recreational vehicle, tiny house on wheels, travel trailer, or camper shall not be used as an accessory dwelling, except as allowed by § 4.5.11: Temporary Accessory Dwellings.
- (b) In the AG District, a manufactured home may be used as an accessory dwelling if it meets all requirements in this Subsection and the requirements for manufactured homes in Article 5: *Use Regulations for Zoned & Unzoned Areas*. A manufactured home shall not be used as an accessory dwelling in any other district, except as a temporary accessory dwelling in accordance with § 4.5.11: *Temporary Accessory Dwellings*.

2. *Limit on Number of Accessory Dwelling Units.* Only one accessory dwelling unit may be constructed or established per lot.

- ~~3. Configuration.~~

~~(a)3. ADUs in ESD-PM, R-R3, R-R1, and R-S. On lots located in the ESD-PM, R-R3, R-R1, and R-S Districts, an An~~ accessory dwelling unit may be located:

~~(1)(a)~~ Within or attached to the principal dwelling unit; or

~~(2)(b)~~ In a separate building detached from the principal dwelling unit, including within the same structure as the garage, if the accessory dwelling unit is situated beside or behind the principal dwelling and meets the setbacks required for the principal dwelling.

~~(b) ADUs in All Other Districts. On lots in all other zoning districts, an accessory dwelling unit shall be located within or attached to the principal dwelling unit.~~

4. *Dimensional Standards.*

- (a) *Setbacks.* An accessory dwelling unit must comply with all applicable setbacks for the district in which it is located.
- (b) *Maximum Size.* The gross floor area of an accessory dwelling unit, whether attached or detached, must not exceed 800 square feet.

5. *Required Features.*

- (a) *Living Facilities.* An accessory dwelling unit must contain a kitchen and at least one bedroom and at least one full bathroom.
- (b) *Materials and Design.* An accessory dwelling unit must have the same or similar roof pitch, roofing material, siding material, and exterior color palette as the principal dwelling unit.

**D. Accessory Dwellings for Schools and Parks.**

**1. Special Exception Use Standards.**

- (a) An accessory dwelling unit may be allowed on lot whose principal use is a public or private school or a park with a special exception permit from the Board of Zoning Appeals (BZA).
- (b) The BZA may grant the exception to continue indefinitely, until a certain time, or subject to periodic review by the BZA.
- (c) The BZA may impose any other requirements which it deems necessary and appropriate in order to ensure that the accessory dwelling unit will have a minimum impact on adjoining uses and the character of the neighborhood.
- (d) In determining whether to grant or deny a special exception, the BZA may consider the following factors:
  - (1) The availability of professional law enforcement service;
  - (2) History of criminal incidents in the vicinity;
  - (3) Experience of crime or damage at the school in question;
  - (4) The adequacy of alternate means of securing the premises;
  - (5) The location and placement of the accessory dwelling unit on the site;
  - (6) The design quality of the accessory dwelling unit; and
  - (7) Other aspects of the proposed accessory dwelling unit, site, or use.

**2. Limit on Number of Accessory Dwelling Units.** Only one accessory dwelling unit may be allowed on a lot whose principal use is a public or private school or a park.

**3. Location Standards.** The following location standards apply to an accessory dwelling unit on a lot used as a school or park:

- (a) An accessory dwelling unit must not be located in the front yard of a school; and



- (b) An accessory dwelling unit must comply with all applicable district setbacks.
4. *Prohibited Dwelling Types.* A manufactured home, mobile home, recreational vehicle, tiny house on wheels, travel trailer, or camper shall not be used as an accessory dwelling unit.

#### 4.4.7 AGRITOURISM<sup>243</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Support agricultural uses to promote economically self-supporting farms;
  2. Preserve the character of rural areas, including agricultural uses and scenic views;
  3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
  4. Support local and regional tourism by encouraging the development of opportunities for visitors and residents to experience heritage and cultural tourism; and
  5. Encourage entrepreneurship and remove barriers to the establishment of small businesses;
  6. Promote the public health, safety, and general welfare; and
  7. Implement the Comprehensive Plan.
- B. **Applicability.** Agritourism is allowed as a conditional accessory use to farming activities in the districts specified in § 4.2.3: *Use Table*. All agritourism uses must comply with the conditions of this Subsection and UDO standards applicable to principal uses (e.g., parking, loading, and outdoor lighting).
- C. **Establishment and Use.**
1. *In General.* Agritourism use is an activity carried out on a working farm or ranch that allows the public to participate in rural activities for recreational, entertainment, or educational purposes. Agritourism uses must be incidental to and directly supportive of the agricultural use of the property and shall not have significant impacts on the agricultural viability or rural character of neighboring properties.<sup>244</sup>

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<sup>243</sup> This Subsection carries forward and expands the conditions for agritourism that were added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>244</sup> From Lancaster County, Pennsylvania.

2. *Participation in State Agritourism Program Required.* Agritourism uses may only be maintained by members of the South Carolina Agritourism Association, a program managed by the South Carolina Department of Agriculture.

D. **Maximum Number of Participants.** Agritourism uses must be designed to accommodate 500 or fewer customers or participants.<sup>245</sup>

E. **Hours of Operation.**

1. Staff may begin work no earlier than 5:00 a.m. and work no later than 11:00 p.m.

2. Open hours to the general public may be between 7:00 a.m. and 10:00 p.m.

F. **Screening Adjacent to R-R1 and R-S.** When an agritourism use is located within 300 feet of a parcel zoned R-R1 or R-S, a Type C buffer shall be provided along the common property line in accordance with Article 7: *Buffers & Screening*.

G. **Parking.** Off-street parking must be provided in accordance with Article 6: *Parking & Loading* except that parking may be constructed of pervious materials. However, accessible parking spaces must be constructed in accordance with ADA Standards for Accessible Design.

H. **Safety.** All structures associated with an agritourism use shall comply with all applicable health, fire, building, and life-safety requirements.

I. **Operational Plan Required.** In conjunction with the conditional use application, the applicant must submit an operational plan that includes, at a minimum, the following information:

1. Type of agritourism activity(ies) offered;
2. Anticipated dates and hours of operation; and
3. Anticipated number of participants.

~~4.4.81.1.1 BACKYARD CHICKENS<sup>246</sup>~~

~~A. **Purpose.** The purpose of this Subsection is to:~~

- ~~1. Support limited agricultural uses in residential areas to allow residents to access safe, convenient, and economical food resources;~~

<sup>245</sup> Any activities that attract more than 500 participants would require approval of a special event temporary use (see Section 3.5.9: *Special Events*).

<sup>246</sup> ~~This Subsection carries forward the current regulations on domestic chickens in § 6:2(29).~~

~~2.1. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;~~

~~3.1. Promote the public health, safety, and general welfare; and~~

~~4.1. Implement the Comprehensive Plan.~~

~~B.A. **Applicability:**~~

~~1. **Scope.** This Subsection does not limit the right to raise and keep farm animals and livestock in districts where the use is allowed under other applicable regulations.~~

~~2.1. **Allowed Districts.** This Subsection allows the conditional accessory use of raising and keeping domesticated chickens, subject to the conditions of this Subsection, as follows:~~

~~(a) In the districts specified in § 4.2.3: Use Table, except that in the RU-V, Rural Village District, they are only allowed on lots that contain a residential use; and~~

~~(b)(a) On lots with detached house, townhouse, duplex, or multiplex residential uses that are located in non-residential zoning districts.~~

~~C.A. **Conditions of Use.** The following conditions apply to the keeping and raising chickens as a residential accessory use:~~

~~1. No more than 8 chickens are permitted on a single property;~~

~~2.1. Roosters are prohibited;~~

~~3.1. Chickens must be confined to the backyard of the property and must not be allowed to roam off the owner's property;~~

~~4.1. Chickens must be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors;~~

~~5.1. If a property owner keeps chickens without a pen, coop, or enclosure, the area where the chickens are kept must be fenced;~~

~~6.1. Pens, coops, and enclosures are accessory structures and must meet all applicable provisions of this UDO relating to accessory structures, including setback and location requirements.~~

~~D.A. **Effect on Private Property Controls.** This Ordinance does not override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.~~

#### 4.4.94.4.8 BOATHOUSES<sup>247</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Preserve the character of waterfront areas by minimizing the effects of visual clutter along the waterfront; and
  2. Promote the public health, safety, and general welfare.
- B. **Applicability.** Boathouses are allowed as an accessory use to a principal residential use in the districts specified in § 4.2.3: *Use Table*.
- C. **Boathouses Not to Be Used as Dwellings.** Boathouses shall not be used as a temporary or permanent residences.
- D. **Maximum Height.** A boathouse shall not exceed one story or 16 feet in height.
- E. **Setbacks.** The zoning district rear setback may be reduced to zero feet for the express purpose of locating a boathouse along the shore of a lake or navigable body of water.

#### 4.4.104.4.9 CARETAKER/WATCHMAN'S QUARTERS<sup>248</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Provide supplemental standards for caretaker/watchman's quarters in order to preserve the commercial character of non-residential districts; and
  2. Promote the public health, safety, and general welfare.
- B. **Applicability.** Caretaker/watchman's quarters are allowed as an accessory use in the districts specified in § 4.2.3: *Use Table*.
- C. **Conditions on Caretaker/Watchman's Quarters Use.** The caretaker/watchman's quarters shall not interfere with the operation of the principal use, nor shall the operation being carried on by the principal use create conditions which are adverse or hazardous to the person or persons occupying the caretaker/watchman's quarters.

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<sup>247</sup> This Subsection carries forward the current regulations for boathouses in § 6:2(5) and § 7:3.5.

<sup>248</sup> This Subsection carries forward the current regulations for accessory dwelling units in § 6:2(9) and applies them to a new use, "caretaker/watchman's quarters." This is intended to distinguish this use from Accessory Dwelling Units, which are proposed to be allowed as an accessory use to detached houses.

- D. **Limit on Number of Caretaker/Watchman's Quarters.** Only one caretaker/watchman's quarters may be constructed or established per lot.
- E. **Configuration.** In the OD, C-1, C-2, and C-3 districts, the caretaker/watchman's quarters shall be located entirely within the structure containing the principal use.

#### **4.4.10 CHICKENS ~~BACKYARD CHICKENS~~ IN RESIDENTIAL DISTRICTS<sup>249</sup>**

**A. Purpose.** The purpose of this Subsection is to:

1. Support limited agricultural uses in residential areas to allow residents to access safe, convenient, and economical food resources;
2. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
3. Promote the public health, safety, and general welfare; and
4. Implement the Comprehensive Plan.

**B. Applicability.**

1. Scope. This Subsection does not limit the right to raise and keep farm animals and livestock in districts where the use is allowed under other applicable regulations.
2. Allowed Districts. This Subsection allows the conditional accessory use of raising and keeping domesticated chickens, subject to the conditions of this Subsection, as follows:
  - (a) In the districts specified in § 4.2.3: Use Table, except that in the RU-V, Rural Village District, they are only allowed on lots that contain a residential use; and
  - (b) On lots with detached house, townhouse, duplex, or multiplex residential uses that are located in non-residential zoning districts.

**C. Conditions of Use.** The following conditions apply to the keeping and raising chickens as a residential accessory use:

1. No more than 8 chickens are permitted on a single property;
2. Roosters are prohibited;

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<sup>249</sup> This Subsection carries forward the current regulations on domestic chickens in § 6:2(29).

3. Chickens must be confined to the backyard of the property and must not be allowed to roam off the owner's property;
  4. Chickens must be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors;
  5. If a property owner keeps chickens without a pen, coop, or enclosure, the area where the chickens are kept must be fenced;
  6. Pens, coops, and enclosures are accessory structures and must meet all applicable provisions of this UDO relating to accessory structures, including setback and location requirements.
- D. Effect on Private Property Controls. This Ordinance does not override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.

#### 4.4.11 COLUMBARIA<sup>250</sup>

- A. **Applicability.** Columbaria are allowed as an accessory use to a cemetery or religious institution in the districts specified in § 4.2.3: *Use Table*.
- B. **Height.** Columbaria are limited to a maximum height of 8 feet.
- C. **Appearance.** Columbaria shall be constructed of brick or stone, or similar durable material.
- D. **Setbacks.** Columbaria shall be located at least:
  1. 50 feet from property lines of adjacent residentially zoned property; and
  2. 25 feet from all road rights-of-way.

#### 4.4.12 DAY CARE CENTER IN A RELIGIOUS FACILITY<sup>251</sup>

- A. **Applicability.** A day care center is allowed as an accessory use to a religious facility in the districts specified in § 4.2.3: *Use Table*
- B. **Floor Area.** The day care center must not occupy more than 25% of the floor area of the religious facility, not including the sanctuary. The applicant must submit a floor plan with the

<sup>250</sup> This Subsection carries forward the current regulations for columbaria in ZO Section 6:2(8).

<sup>251</sup> This Subsection carries forward the conditional use regulations for day care centers in a church contained in §6:2(7) but removes limitations on signage. Signs are separately regulated by the Sign Ordinance.

application that designates the day care center operation area and the religious facility operation area.

- C. **Vehicular Access.** The site should be designed so that traffic from the day care center does not have an adverse impact on existing streets and residential areas.
- D. **Building Design.** The day care center should be constructed of materials and in a style that is similar to the religious facility.
- E. **Landscaping and Buffering.** Landscaping and screening of outdoor day care recreation areas must comply with the standards of § 7.2: *Interior & Roadside Buffers*.

#### 4.4.13 FARM LABOR DWELLINGS<sup>252</sup>

- A. **Applicability.** Farm labor dwellings are allowed as an accessory use in the districts specified in § 4.2.3: *Use Table*.
- B. **Occupancy.** All dwellings must be used by individuals that support the daily operation of the principal agricultural use.
- C. **Maximum Number of Dwelling Units Per Parcel.** May consist of one dwelling unit per 5 acres not to exceed 10 total units.
- D. **Manufactured Homes Allowed.** A maximum of one farm labor dwelling per parcel may consist of a manufactured home.
- E. **Recreational Vehicles Prohibited.** A recreational vehicle shall not be used as a farm labor dwelling.
- F. **Sewage System Required.** Farm labor dwellings shall be connected to a public sewer system or shall adhere to all applicable SCDES requirements for septic tanks.

#### 4.4.14 FARMSTANDS (PERMANENT)

- A. **Applicability.** Farmstands are allowed as an accessory use in the districts specified in § 4.2.3: *Use Table*.
- B. **Vehicular Access.** Permanent farmstands shall provide safe ingress and egress. Vehicles must be able to enter and exit the site without using a right-of-way for maneuvering area.

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<sup>252</sup> This Subsection carries forward the use conditions for farm labor dwellings adopted in conjunction with the AG District (November 2021).

- C. **Setbacks.** Permanent farmstands shall be located at least 5 feet from the edge of the right-of-way.

#### 4.4.15 HOME OCCUPATIONS<sup>253</sup>

- A. **Purpose.** The purpose of this Subsection is to:

1. Allow residents of the County to use their residences as places to enhance or fulfill personal economic goals, under certain specified standards, conditions, and criteria;
2. Ensure that home occupations are compatible with, and do not have a deleterious effect on, adjacent and nearby residential properties and uses;
3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
4. Ensure that public and private services, such as streets, sewers, or water or utility systems, are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;
5. Enable the fair and consistent enforcement of these home occupation regulations;
6. Promote the public health, safety, and general welfare; and
7. Implement the Comprehensive Plan.

- B. **Applicability.**

1. This Subsection applies to any occupation, profession, or business activity that is customarily conducted, incidental, and subordinate to the use of a dwelling unit for dwelling purposes. A home occupation is carried on by a resident of the dwelling unit and does not change the residential character of the dwelling unit.
2. A home occupation is allowed as a conditional accessory use to a dwelling unit in the zoning districts specified in § 4.2.3: *Use Table* if it meets the requirements of this Subsection.

- C. **Certificate of Use Zoning Compliance Required.**

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<sup>253</sup> This Subsection significantly revises the regulation of home occupations in § 6:2(13), which was raised in the RFP and by stakeholders. The revision attempts to maintain the current standards but creates a new list of home occupations that are allowed without a permit. In addition, the Subsection proposes a distinction between small and large lot home occupations that would allow more intensive home occupations in rural areas. Please refer to the comments and footnote on this proposed Subsection, below.



1. ~~Certificate Zoning Compliance Approval~~ Required Prior to Use. Except as otherwise provided by this Subsection, home occupations use may not be initiated, established, or maintained without a valid Certificate of Use Zoning Compliance (see § 16.2.1: Zoning Compliance).
2. Validity. After a Certificate of Use Zoning Compliance for a home occupation has been issued, it must be renewed whenever there is a change in:
  - (a) The type of use; or
  - (b) The intensity of the approved use; or
  - ~~2-(c)~~ Ownership.

D. ~~Exempt Home Occupations That Do Not Require Zoning Compliance.~~<sup>254</sup> A home occupation that is not required to obtain a Business Registration does not require Zoning Compliance approval, but The activities listed in Paragraphs (1) through (6), below, are subject to all applicable home occupation regulations and standards of this Subsection. ~~, but are not required to obtain a home occupation permit, if all persons engaged in the home occupation reside on the premises and there are no retail sales on the premises except through internet retail sales:~~

1. ~~Internet retail sales, such as the sale or resale of clothing and goods through online marketplaces;~~
2. ~~Composers; musicians; artists; and crafters that create handmade crafts, such as jewelry and pottery (without the use of a kiln), excluding woodworking or other fabrication requiring specialized machinery;~~
3. ~~Home offices with no client visits to the home permitted;~~
4. ~~Notary publics;~~
5. ~~Telephone answering and message services; and~~
6. ~~Home based food production operations, as defined by S.C. Code § 44-1-143.~~

E. **Classification of Home Occupations by Lot Area.**<sup>255</sup>

<sup>254</sup> ~~This Subsection allows the least intensive uses without a permit in order to match resident’s expectations, improve compliance, and alleviate permitting administration for staff. The scope of this list can be modified as needed.~~

<sup>255</sup> This Subsection proposes a distinction between large-lot and small-lot home occupations. The distinction allows more intensive uses on larger lots. This type of distinction allows for more home-based businesses in rural areas, including contractors, landscapers, etc. The criteria for each classification of home occupation can be modified based on feedback.

1. *Classification of Home Occupations.* For the purposes of this Subsection, a home occupation use is classified as either a large lot home occupation or a small lot home occupation.
  - (a) A large lot home occupation is allowed on a lot that is at least 2 acres in size. Large lot home occupation uses may be more intensive than small lot home occupations.
  - (b) A small lot home occupation is allowed on a lot that is less than 2 acres in size. Stricter performance standards apply for small lot home occupation uses.
  - (c) Table 4.4.10-1: *Home Occupation Uses* identifies uses allowed as home occupations uses on large and small lots and those that are expressly prohibited as home occupations.
2. *Unlisted Uses.* New and unlisted uses may only be approved by a special exception permit from the Board of Zoning Appeals based on the performance standards for home occupations in Table 4.4.10-2.

Table 4.4.10-1: Home Occupation Uses		
Use or Activity	Large Lot Home Occupation	Small Lot Home Occupation
Academic tutors	✓	✓
Automotive repair	X	X
Barber shops and hair salons	✓	✓
<u>Composers; musicians; artists; and crafters that create handmade crafts, such as jewelry and pottery (without the use of a kiln), excluding woodworking or other fabrication requiring specialized machinery</u>	✓	✓
Day care (with a maximum of six people)	✓	✓
<u>Home-based food production operations, as defined by S.C. Code § 44-1-143</u>	✓	✓
Hotels or motels	X	X
<u>Internet retail sales, such as the sale or resale of clothing and goods through online marketplaces</u>	✓	✓
Locksmiths	✓	✓
Massage services provided by a licensed massage therapist	✓	✓
Music, art, craft, or similar instruction	✓	✓
Nail salons	X	X
<u>Notary publics</u>	✓	✓
<u>Professional offices, such as accountants and bookkeepers, attorneys, insurance agents, information technology professionals, and secretarial and administrative services, unless exempted by 4.4.15D above</u>	✓	✓
On-site retail sales, except for the sale of products directly related to a service performed on-site, such as hair products	X	X
Outdoor recreation	X	X
<u>Professional offices, such as accountants and bookkeepers, attorneys, insurance agents, information technology professionals, and secretarial and administrative services, unless exempted by 4.4.15D above</u>	✓	✓
Public or private clubs	X	X

Table 4.4.10-1: Home Occupation Uses		
Use or Activity	Large Lot Home Occupation	Small Lot Home Occupation
Repair and maintenance of equipment, such as home appliances and small engines, or furniture within an enclosed structure	✓	X
Repair and maintenance of small consumer goods, such as shoes, watches, jewelry, computers, and musical instruments	✓	✓
Restaurants or commercial food preparation, except home-based food production operations, <del>as defined by S.C. Code § 44-1-143, which are considered Exempt Home Occupations (see 4.4.15D above)</del>	X	X
Tailoring services	✓	✓
Tattoo and body piercing establishments	X	X
<u>Telephone answering and message services</u>	<u>✓</u>	<u>✓</u>
Woodworking	✓	X

Key: ✓ = the use is allowed | X = the use is prohibited

3. *Performance Standards.* Home occupations shall comply with the performance standards set forth in Table 4.4.10-2: *Home Occupation Performance Standards.*

Table 4.4.10-2: Home Occupation Performance Standards		
Performance Standard	Large Lot Home Occupation	Small Lot Home Occupation
The use is clearly incidental and secondary to residential occupancy and there is no alteration of the residential character of the premises.	✓	✓
The use is conducted entirely within the principal dwelling.	X	✓
If conducted within the principal dwelling, not more than 25% of the gross floor area of the principal dwelling is used for the conduct of the home occupation.	✓	✓
If conducted within an accessory building, the area used for the conduct of the home occupation does not exceed 2,500 square feet or the gross floor area of the principal dwelling, whichever is less.	✓	X
Any outdoor storage meets the requirements in § 4.4.13.E.4., below.	✓	X

**Table 4.4.10-2: Home Occupation Performance Standards**

Performance Standard	Large Lot Home Occupation	Small Lot Home Occupation
Storage of goods and materials occurs inside and does not include flammable, combustible, or explosive materials.	✗	✓
Displays of merchandise are not visible from the street.	✓	✓
The use involves up to 2 non-resident employees working on-site.	✓	✗
The use involves up to one non-resident employee working on-site.	✗	✓
The home occupation receives not more than 4 client visits per day (limit one visit per day per each client).	✗	✓
The home occupation receives not more than 6 client visits per day (limit one visit per day per each client), except as specified below.	✓	✗
A music, art, craft, or similar instruction use receives not more than 12 client visits per day (limit one visit per day per each client).	✓	✗
Client visits occur between 8:00 a.m. and 8:00 p.m.	✓	✓
Parking areas are located at least 10 feet from the road right-of-way.	✓	✗
Parking is provided only in the driveway.	✗	✓
Mechanized equipment is used only in a completely enclosed building.	✗	✓
Any equipment or process does not create audible or visual interference in any radio or television receivers on any adjacent lots.	✓	✓
Dust, odors, noise, vibration, or electrical interference or fluctuation are not perceptible beyond the property line.	✓	✓
Deliveries and pickups are made by carriers that typically serve residential areas and do not block traffic circulation.	✓	✓
Public facilities and utilities are adequate to safely accommodate equipment used for home occupation.	✓	✓

**Key:** ✓ = the performance standard applies | ✗-[blank cell] = the performance standard does not apply

4. *Outdoor Storage Performance Standards for Large Lot Home Occupations.* Outdoor storage shall comply with the following standards:
  - (a) Storage is limited to materials related to the business and does not involve any hazardous materials; and

- (b) Materials shall not be stacked to a height exceeding 4 feet and shall not be visible from the public right-of-way or an adjacent lot or parcel zoned or occupied for residential use. Any screening required to comply with this Paragraph shall use wood or masonry fencing or a vegetative hedge.

#### 4.4.16 OUTDOOR RETAIL DISPLAYS<sup>256</sup>

**A. Purpose.** The purpose of this Subsection is to:

1. Identify locations and conditions for merchants to display products offered for sale outdoors for customer access;
2. Preserve the aesthetics and scenic views from the public right-of-way;
3. Improve traffic safety by reducing visual clutter and the risk of driver distraction in the public right-of-way;
4. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
5. Promote the public health, safety, and general welfare; and
6. Implement the Comprehensive Plan.

**B. Applicability.**

1. This Subsection applies to the use of accessory outdoor retail displays, which is a conditional use in the districts specified in § 4.2.3: *Use Table*.
2. This Subsection does not apply to outdoor storage uses, which are subject to the use regulations in § 4.4.17: *Outdoor Storage*.

**C. Conditions of Outdoor Retail Display Use.**

1. *Site Plan Review.* The outdoor retail display area shall be designated as such on the site plan. No outdoor retail display is allowed in other areas.
2. *Location.* Outdoor retail displays shall:
  - (a) Be located to the side or rear of the principal building or within 25 feet in front of the building façade; and

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<sup>256</sup> This new section regulates outdoor retail displays based on feedback from the stakeholders.

(b) Not be located within an ADA accessible route, landscaped area, right-of-way, or required parking space.

3. *Screening.* When located to the side or rear of a building, an outdoor retail display area must be screened from adjacent street rights-of-way in accordance with the requirements in § 7.2: *Interior & Roadside Buffers*.

#### 4.4.17 OUTDOOR STORAGE<sup>257</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Identify locations and conditions for contractors, manufacturers, and other businesses to store goods, including inventory and raw materials, outdoors;
2. Preserve the aesthetics of and scenic views from the public right-of-way;
3. Improve traffic safety by reducing visual clutter and the risk of driver distraction in the public right-of-way;
4. Preserve the character of residential areas by minimizing the effects of visual clutter, dust, noise, and odors on adjacent residents;
5. Promote the public health, safety, and general welfare; and
6. Implement the Comprehensive Plan.

B. **Applicability.**

1. This Subsection applies to accessory outdoor storage, which is a conditional accessory use in the districts specified in § 4.2.3: *Use Table*.
2. This Subsection does not apply to accessory outdoor storage in the S-1 District, which is permitted without conditions; outdoor retail displays (see § 4.4.16: *Outdoor Retail Displays*); vehicle repair and storage (see § 4.3.44: *Vehicle Repair & Storage*); vehicle sales and rental (see § 4.3.45: *Vehicle Sales & Rental*); and junkyards, which are separately regulated in Chapter 9, Article IV: *Junkyards* of the County Code of Ordinances.

C. **Conditions of Outdoor Storage Use.**

1. *In General.* Establishments engaged in manufacturing, industrial, fabrication, construction, and other commercial uses that require large volumes of inputs and

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<sup>257</sup> This new section regulates outdoor storage based on feedback from the stakeholders.

materials or specialized equipment may establish permanent outdoor storage areas for materials and equipment, subject to the regulations of this Subsection.

2. *Storage as Accessory Use Only.* Outdoor storage may only occur as an accessory use to a principal use permitted in the district, and no lot may be used for outdoor storage as a principal use.
3. *Not Applicable to Junkyards.* The regulations of this Subsection apply only to goods and materials to be used in a construction, manufacturing, or other commercial operation and operable vehicles and equipment. The outdoor storage areas authorized in this Subsection must not be used for the storage of junked, salvaged, or inoperable vehicles, trucks, trailers, equipment, parts, and materials, which are subject to the regulations in [Chapter 9, Article IV: Junkyards](#) of the County Code of Ordinances.

D. **Screening Standards.** All outdoor storage areas authorized by this Subsection must be screened in accordance with the requirements in § 7.5: *Screening for Commercial Uses*.

#### 4.4.18 RECREATION AREAS (PRIVATE)

A. **Purpose.** The purpose of this Subsection is to:

1. Facilitate the development of private recreation areas in residential areas to allow residents to engage in active recreation and leisure;
2. Preserve the character of residential areas by minimizing the effects of artificial lighting noise on adjacent residents;
3. Promote the public health, safety, and general welfare; and
4. Implement the Comprehensive Plan.

B. **Applicability.** This Subsection allows the conditional accessory residential use of private recreation areas on ~~single family residential~~ lots containing detached house, duplex, triplex, quadplex, multiplex, or townhouse dwellings in all residential districts specified in Table 4.2.3-1: *Use Table*, subject to the district requirements and the conditions of this Subsection.

C. **Conditions for Game Courts.**<sup>258</sup>

1. Game courts must be located in the rear yard (see § 4.4.18.E., below).

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<sup>258</sup> The current Zoning Ordinance does not define “game courts.” The proposed definition is “an area of ground defined by surfacing, fencing, or other techniques and used for the purpose of playing tennis, basketball, handball, and similar recreational activities. A driveway or patio associated with a residential use is not considered a game court.”



2. Game courts must be set back at least 5 feet from any lot line.
3. The side setbacks for corner lots as provided for [in](#) each district in Article 2: *Zoning Districts* apply to the location of game courts on corner lots.
4. Game courts must not occupy more than 65% of area of the rear yard.
5. Lighting for game courts must have proper shielding from glare for adjacent residential lots.

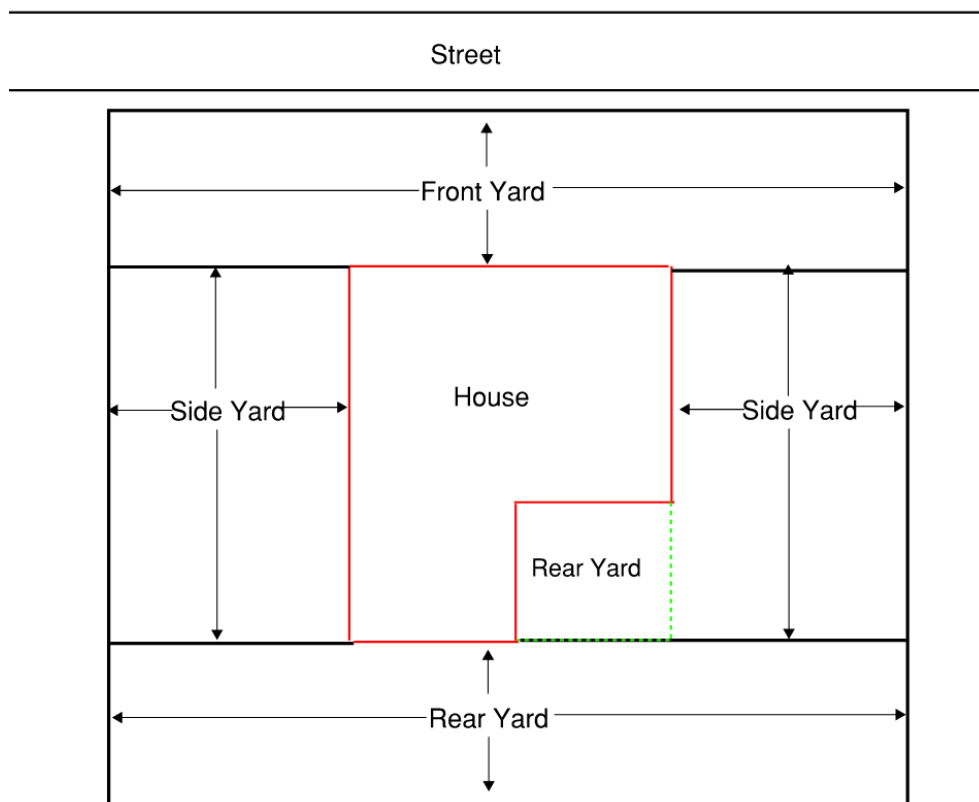
**D. Conditions for Swimming Pools.**

1. Swimming pools must be located in the rear yard (see § 4.4.18.E., below).
  - (a) The Zoning Administrator may allow a swimming pool to encroach into the side yard if the rear yard contains a demonstrable unbuildable area. For the purposes of this Section, unbuildable areas are defined as areas of the rear yard that meet any of the following:
    - (1) Have a topographic slope greater than 11%;
    - (2) Contain drainage, utility, and/or access easements;
    - (3) Within right-of-way;
    - (4) Contain septic systems tank(s) and/or drain fields; or
    - (5) Are within property line setbacks.
  - (b) When requesting permission to place a pool in the side yard, the applicant must supply the Zoning Administrator with accurate information detailing the conditions on site. The Zoning Administrator may request additional information as is reasonably appropriate to consider with the request. Such information may include a site survey, site plan, photographs, or other items as may be relevant to the request.
2. Swimming pools shall not occupy more than 50% of rear yards. The portion of a swimming pool that encroaches into a side yard due to the conditions listed in the previous paragraph shall not occupy more than 50% of the side yard. The area of the swimming pool shall be based on the total exposed water surface area of the pool and any other associated or integrated hot tubs, wading pools, etc.
3. Swimming pools shall be set back a minimum of 5 feet from all side and rear property lines. For properties located on corner lots, side setbacks along street rights-of-way shall conform to front setback requirements for dwellings in the respective zoning district.

4. Any portion of a swimming pool and associated decking, structures, etc. that extends into a side yard shall be screened from the front and side street frontage and also from immediately adjacent property that has a different zoning district or use.
  - (a) Screening shall consist of a 6-foot wall, fence, berm, evergreen screening plant material, or a combination of wall, fence, berm, or evergreen screening plant material with a combined minimum height of 6 feet above grade.
  - (b) If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height, with individual plantings spaced not more than 5 feet apart.
  - (c) Berms shall have a side slope no greater than a ratio of 3:1.
5. Lighting for swimming pools shall not create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property, or onto a public roadway. Flashing lights are prohibited.

E. **Rear Yard Defined.** For the purposes of this Subsection, areas of a lot located immediately behind a portion of the principal dwelling are considered part of the rear yard. See Figure 4.4.18-1: *Rear Yard Defined for Purposes of Locating a Recreation Area (Private)*.

**Figure 4.4.18-1: Rear Yard Defined for Purposes of Locating a Recreation Area (Private)**



**4.4.19 RECYCLING DROP BOXES<sup>259</sup>**

- A. **Purpose.** The purpose of this Subsection is to:
1. Identify locations and conditions for placement of recycling drop boxes;
  2. Promote and facility recycling to reduce the environmental impacts of resource extraction and solid waste disposal;
  3. Preserve the character of residential areas by minimizing the effects of visual clutter, dust, noise, and odors on adjacent residents;

<sup>259</sup> This Subsection carries forward the current regulations on the accessory use of recycling drop boxes in § 6:2(19).

4. Promote the public health, safety, and general welfare; and
  5. Implement the Comprehensive Plan.
- B. **Applicability.** This Subsection applies to recycling drop boxes, which are allowed in the districts specified in § 4.2.3: *Use Table*, subject to the conditions of this Subsection.
- C. **Recycling Drop Boxes in Non-Residential Districts.** Recycling drop boxes may be located on any lot as an accessory use in all non-residential districts.
- D. **Recycling Drop Boxes in Residential Districts.** Recycling drop boxes in residential districts are a conditional use, subject to the district requirements and subject to the following conditions:
1. Recycling drop boxes may be located on a site with a permitted non-residential use, such as a church, school, parks, or fire station. The location of a drop box on the site is subject to review by the Zoning Administrator to minimize impact on the adjoining properties.
  2. If provided, recycling drop boxes must be:
    - (a) Located within commonly maintained amenity areas in residential developments;
    - (b) No more than 8 feet wide, 8 feet tall, and 8 feet deep; and
    - (c) Screened by:
      - (1) A fence or wall that is at least as tall as the drop box; or
      - (2) A continuous row of small evergreen trees.

## 4.5 TEMPORARY USES

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### 4.5.1 PURPOSE

Temporary uses and structures are allowed in accordance with the provisions of this Section, which is intended to minimize or mitigate potential negative impacts of temporary uses and structures on the surrounding area and to provide safe and convenient access to permitted temporary uses and structures.

### 4.5.2 APPLICABILITY

- A. This Section applies to temporary commercial uses of land that are listed in Table 4.5.4-1: *Temporary Uses*.

- B. This Section does not apply to lawful picketing and demonstrations; or to weddings, receptions, parties, and similar private, non-commercial events held on private property.

### 4.5.3 ~~CERTIFICATE OF USE~~ZONING COMPLIANCE REQUIRED<sup>260</sup>

A. ~~Certificate of Use~~Zoning Compliance.

1. An applicant must obtain a ~~Certificate of Use~~Zoning Compliance before establishing a temporary use identified in Table 4.5.4-1: *Temporary Uses*, if the table indicates that a ~~Certificate of Use~~Zoning Compliance is required.
2. The ~~Certificate of Use~~Zoning Compliance may require conditions and safeguards to protect the participants and the general public.
3. Temporary uses that do not require a ~~Certificate of Use~~Zoning Compliance must comply with all applicable provisions of this Section.

B. **Application Requirements.** Applications for a ~~Certificate of Use~~Zoning Compliance must be accompanied by a site plan depicting, at a minimum, the following items as applicable:

1. Location of the temporary use and associated temporary structures;
2. Location of permanent structures;
3. Location and number of parking spaces;
4. Location of vehicular access(es) to the site;
5. Type, size, and location of all temporary signs associated with the temporary use;
6. Location and description of all temporary lighting;
7. Location of restroom facilities; and
8. Method of solid waste disposal.

- C. For temporary uses, other than special events, that require a Use where the applicant anticipates minimal or no resulting impact on surrounding properties, the Zoning Administrator may, following a pre-application meeting with the applicant, waive any or all of the site plan submittal requirements.

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<sup>260</sup> This Section expands and clarifies the provisions for temporary uses.

#### 4.5.4 TEMPORARY USE TABLE<sup>261</sup>

- A. **Generally.** Temporary uses are allowed for the length of time and in the locations specified in Table 4.5.4-1: *Temporary Uses*, if the use complies with all applicable supplemental regulations and other provisions of this Article.
- B. **Unlisted Temporary Uses.**
1. The Zoning Administrator shall determine whether a proposed temporary use or structure not otherwise listed in the table in this Section is compatible with the particular zoning district in which it is proposed, based on the following criteria:
    - (a) Whether the temporary use meets the purpose and intent of the zoning district in which it is proposed to be located;
    - (b) Whether the temporary use is allowed as a principal use in the zoning district in which it is proposed to be located;
    - (c) Whether the temporary use is compatible with other uses allowed in the zoning district in which it is proposed to be located;
    - (d) Whether similar temporary uses are permitted in the same zoning district; and
    - (e) Whether similar temporary uses have supplemental regulations that should be applied to the proposed use.
  2. The Zoning Administrator's written determination shall be maintained in the files of the Planning Department and a copy provided to the applicant.

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<sup>261</sup> This Section adds a Table of Temporary Uses to the temporary use regulations to assist the reader without having to refer to the general use table. The current code specifies temporary uses in the general use table.

**Table 4.5.4-1: Temporary Uses**

Temporary Use	Use Conditions	Certificate of Use Zoning Compliance Required?	Maximum Duration of Use (per site)	Permitted Location(s)
Construction-related activities, offices, and storage	None	Yes	No maximum if the associated construction is active.  Must be removed within 30 days of issuance of a final certificate of occupancy.	All districts if the use/structure is located on or adjacent to the associated construction site.  C-1, C-2, C-3, RU-C, S-1, I-1, and I-2 if the use is not located on or adjacent to the same site as the associated construction.
Commercial filming and film production activities (outdoor)	None	No	No maximum	All districts
Laydown & Storage Yards	§ 4.5.7	Yes, if the use is not located on or adjacent to the same site as the associated construction.	No maximum if the associated construction is active.  Must be removed within 30 days of issuance of a final certificate of occupancy or completion of the utility or road project.	All districts if the use is located on or adjacent to the associated construction site.  <del>C-1, C-2, C-3,</del> RU-C, S-1, <del>AG,</del> and I-1, <del>and I-2</del> if the use is not located on or adjacent to the same site as the associated construction.
Mobile Vending	None	No	No maximum, but mobile vending units shall not remain on-site overnight	RU-V, C-N, C-1, C-2, C-3, RU-C, S-1
Portable Classrooms	None	Yes	No maximum	All districts that allow schools

**Table 4.5.4-1: Temporary Uses**

Temporary Use	Use Conditions	<del>Certificate of Use</del> <u>Zoning Compliance</u> Required?	Maximum Duration of Use (per site)	Permitted Location(s)
Portable Storage Units	§ 4.5.8	No	Up to 30 days in any 6-month period in all residential districts  60-day limit in all non-residential districts	All districts
Recycling Drop-Off Trailers	None	No	60 cumulative days per calendar year	O-D, POD, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, I-1
Seasonal Farmstands	§ 4.5.9	Yes	215 cumulative days per calendar year <sup>262</sup>	R-R3, R-R1, R-S, O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, <u>AG</u> , I-1, I-2, <del>BTD, POD, AG</del>
Seasonal Outdoor Sales, Including Trees or Pumpkins	None	Yes	150 cumulative days per calendar year	R-R3, R-R1, R-S, O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, <u>AG</u> , I-1, I-2, <del>BTD, POD, AG</del>
Special Events	§ 4.5.10	Yes	7 consecutive days; up to 2 events per calendar year	All districts
			14 consecutive days; up to 4 events per calendar year	O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, I-1, I-2, <del>BTD, POD</del>
Subdivision Sales Centers	None	Yes	Must be removed within 30 days of issuance of the final certificate of occupancy	R-R3, R-R1, R-S, R-20A, R-20 - R-6, R-M8, R-M10, R-M16, R-M20, R-MA, R-MHP
Temporary Accessory Dwellings	§ 4.5.11	Yes, in addition to Special Exception approval by BZA	1 year	R-R3, R-R1, R-S, R-20A, R-20 - R-6, <u>R-M8, R-M10, R-M16, R-M20, R-MA</u>

<sup>262</sup> The typical growing season in Greenville County is approximately 215 days per year.



Table 4.5.4-1: Temporary Uses				
Temporary Use	Use Conditions	<del>Certificate of Use</del> <u>Zoning Compliance</u> Required?	Maximum Duration of Use (per site)	Permitted Location(s)
Temporary Fireworks Stands	§ 4.5.12	Yes	180 cumulative days per calendar year	C-1, C-2, C-3, S-1
Temporary Retail Sales (unless otherwise listed)	None	Yes	180 cumulative days per calendar year	C-1, C-2, C-3, RU-C, S-1
<u>Temporary Tents</u>	<u>§ 4.5.13</u>	<u>Yes</u>	<u>30 cumulative days per calendar year</u>	<u>O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, AG, I-1, I-2, BT, D, POD</u>

**4.5.5 DEVELOPMENT STANDARDS**

**A. Parking.**

- For all temporary uses that require a Certificate of Occupancy pursuant to Table 4.5.4-1: *Temporary Uses*, parking shall be provided in the amounts specified in Article 6: *Parking & Loading* unless otherwise specified in this Section.
- Based on the operational characteristics of the proposed temporary use, the Zoning Administrator may make a written determination requiring additional or fewer parking spaces as needed to adequately serve the use. The determination must include the basis for the Zoning Administrator’s determination and must be maintained on file and provided to the applicant.
- Parking may be located on the same site as the temporary use or may be located off-site, provided the off-site parking area provides safe, accessible pedestrian access to the site on which the temporary use is located, and the property owner provides written permission.

**B. Lighting.** Lighting associated with a temporary use or structure shall be shielded or directed away from adjoining properties and streets in order to minimize light trespass and glare.

**C. Temporary Structures.** Temporary structures shall:

- Meet all applicable principal structure setback requirements for the district in which the temporary use is located;
- Not be located within a required buffer yard; and
- Meet all applicable Building and Fire Code requirements.

#### 4.5.6 PROPERTY OWNER CONSENT REQUIRED

- A. The applicant proposing a temporary use must obtain permission from the property owner to operate at the proposed location.
- B. For temporary uses that require a Certificate of Occupancy, the applicant shall provide with the application written permission from the property owner to operate at the proposed location.

#### 4.5.7 LAYDOWN & STORAGE YARDS<sup>263</sup>

- A. **In General.** A laydown or storage yard must be associated with one or more specific projects with an approved land disturbance, building, or demolition permit or an approved utility or road construction project.
- B. **Access.**
  - 1. A laydown yard must allow direct vehicular access to a public street, highway, road, or other public way or private road as provided by § 12.2: *Driveways*.
  - 2. Proposed curb cuts require approval of an encroachment permit by the Greenville County Public Works Department or SCDOT, as applicable.
- C. **Emergency Access.** A laydown yard must meet design and construction standards for fire and emergency apparatus access.

#### 4.5.8 PORTABLE STORAGE UNITS<sup>264</sup>

- A. **Portable Storage Units in Residential Districts.** In residential districts, portable storage units must not:
  - 1. Be located on a lot longer than 30 days during any 6-month period;
  - 2. Be located in the public right-of-way or any easement; and

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<sup>263</sup> This Section significantly expands and clarifies the requirements for “waste lots during the development of lots, and similar uses” contained in § 9:3.9. It also builds on the definition of “temporary building” in ZO Article 4 that allows construction offices, storage buildings, and subdivisions sales offices. The proposed definition of “laydown and storage yard” is: Land used temporarily for the storage of equipment, vehicles, machinery, and building materials that is intended to be used in an associated active construction site.

<sup>264</sup> This Section carries forward the regulations of portable storage units in residential districts provided by § 6:2(23) and expands the storage unit regulations to non-residential districts with a 60-day time limit and requirement that the use comply with district setbacks. The proposed revised definition of “portable storage unit” is: Any container designed for the temporary storage of personal or business property and that is delivered and removed by truck.

3. Obstruct the vision of vehicular or pedestrian traffic.
- B. **Portable Storage Units in Non-Residential Districts.** In non-residential districts, portable storage units must not:
1. Be located on a lot longer than 60 days;
  2. Be located in any applicable setback;
  3. Be located in the public right of way or any easement; and
  4. Obstruct the vision of vehicular or pedestrian traffic.

#### 4.5.9 SEASONAL FARMSTANDS

- A. **Vehicular Access.** Seasonal farmstands shall provide safe ingress and egress. Vehicles must be able to enter and exit the site without using a right-of-way for maneuvering area.
- B. **Setbacks.** Seasonal farmstands shall be located at least 5 feet from the edge of the right-of-way.

#### 4.5.10 SPECIAL EVENTS<sup>265</sup>

- A. **Applicability.**
1. This Subsection applies to all special events located on private or public property, except those conducted on the premises of a special event facility as defined in Article 21: *Definitions & Acronyms* and those conducted as an ancillary use to a religious facility (e.g., weddings, funerals).
  2. Special events that are accessory to a residential use and are not subject to a use agreement are not defined as a special event and are not regulated under this Ordinance.
- B. **Event Plan Required.** An event plan must be submitted in conjunction with the temporary Certificate of Occupancy application. The event plan must include the following items as applicable:
1. Description of the proposed event and associated activities;

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<sup>265</sup> This Section significantly expands and clarifies the requirements for “carnivals...and similar uses” contained in § 9:3.9.

2. Anticipated number of attendees/participants;
3. Emergency access and public safety plan; and
4. Letter(s) of coordination from other departments or agencies, as applicable, including the Sheriff's Office, Department of Fire Safety, SCDES, private sanitation or solid waste collection company, and additional coordination letters as requested by the Zoning Administrator.

**C. Special Events on Public Property.**

1. A venue agreement must be executed prior to approval of a Certificate of Occupancy application for a special event located on public property or in a public right-of-way.
2. The maximum duration of use specified in Table 4.5.4-1: *Temporary Uses* applies per applicant, rather than per site.
3. This Subsection does not apply to County-sponsored events held on County-owned property.

**4.5.11 TEMPORARY ACCESSORY DWELLINGS<sup>266</sup>**

- A. **Applicability.** Temporary accessory dwellings are allowed as a special exception accessory use to a detached house dwelling or manufactured home in the R-R3, R-R1, R-S, R-20A, R-20, R-15, R-12, R-10, R-7.5, and R-6 Districts (see § 16.2.8: *Special Exception Uses*).
- B. **Dwelling Types Allowed.** Table 4.5.11-1 specifies the types of temporary accessory dwellings allowed by zoning district.

Table: 4.5.11-1: Types of Temporary Accessory Dwellings Allowed		
Zoning District	Recreational Vehicle	Manufactured Home
<del>R-R3</del> , R-R1, R-S	✓	✓
<del>R-R3</del> , R-20A, R-20, R-15, R-12, R-10, R-7.5, R-6, <del>R-M8</del> , R-M10, R-M16, R-M20, R-MA	X	✓

Key: ✓ = the dwelling type is allowed | X = the dwelling type is prohibited

**C. Standards.**

<sup>266</sup> This Section carries forward the use regulations for a manufactured home as a temporary accessory dwelling unit from § 11:9.

1. The use must be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. An attending physician must certify the physical or mental condition of the person in question.
2. The use is intended only to meet a temporary need or hardship.
3. If the principal residential use is nonconforming, the provisions of Article 18: *Nonconformities & Vested Rights*, must be satisfied.
4. The temporary accessory residential use must meet all of the requirements contained in this UDO for accessory uses.
5. The temporary accessory residential use must meet all of the requirements for uses permitted by special exception as set forth in § 4.3: *Conditional & Special Exception Principal Uses*.
6. Minimum lot area and lot width requirements are not required for the temporary accessory residential use.
7. The temporary accessory residential use must conform to the front, side, and rear yard requirements established for the district in which the use is located.
8. Off-street parking for the principal residential dwelling must be provided in accordance with the provisions set forth in Article 6: *Parking & Loading*.
9. A manufactured home or recreational vehicle used as a temporary accessory residential use may not be physically attached to or be a part of the principal structure located on the lot.
10. A temporary accessory residential use requires compliance with all applicable regulations of the Greenville County Building Safety Department. In additions, the applicant must demonstrate to the Board of Zoning Appeals that facilities and services exist for the adequate provision of water, sewer, access, electrical service, and fire protection.
11. The principal for whom the accessory use is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.

**D. Procedure.**

1. The Board of Zoning Appeals may authorize the issuance of a special exception use permit for the use of a temporary accessory dwelling for a period not to exceed one year. At the end of the year and after each subsequent year, the Zoning Administrator may authorize an extension of the permit as initially granted by the Board for a period not to exceed one year, based on a complete review of the request. The Zoning Administrator shall conduct the review procedure annually to ensure compliance with

the ruling by the Board including the requirements outlined in this Section. The Zoning Administrator must notify the applicant of the annual review and present a status report to the Board after each review.

2. The Board of Zoning Appeals may terminate the authorization at any time at the request of the initiating applicant or on a finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services must be removed from the premises within 30 days after notice of termination.
3. In authorizing the temporary accessory residential use, the Board of Zoning Appeals may impose any reasonable and additional stipulations, conditions, or safeguards that in the Board's judgment will better fulfill the intent of this UDO.
4. To ensure notification of the permit application to surrounding property owners, the applicant must provide to the Board of Zoning Appeals signatures of the following:
  - (a) All property owners who own property abutting the subject property; and
  - (b) All property owners of property located directly across a street from the subject property.

#### 4.5.12 TEMPORARY FIREWORKS STANDS<sup>267</sup>

- A. **In General.** Temporary fireworks stands may operate in a temporary structure, building, or kiosk, excluding a manufactured home.
- B. **Design Standards.** A temporary fireworks stand must be sited so that it is immobile and cannot be shifted or blown over by wind. Tie down devices must be affixed to secure the stand. All wheels must be removed from the stand.
- C. **License Required.** Sales of fireworks in a temporary fireworks stand must only be made by a licensee of the [South Carolina Board of Pyrotechnic Safety](#) and must comply with all State pyrotechnic regulations.

#### 4.5.13 TEMPORARY TENTS

- A. **Allowed Uses.** A temporary tent may be used for any land use allowed in the zoning district.
- B. **Setbacks.** A temporary tent must meet all setbacks required for the zoning district.

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<sup>267</sup> This Section builds on the definition of “Fireworks Stand, Temporary” in ZO Article 4 that allows fireworks stands with certain safety precautions.

C. **Building Permit Required.** Temporary tents are subject to the Building Code and Fire Code, and require issuance of a building permit.

## ARTICLE 5: USE REGULATIONS FOR ZONED & UNZONED AREAS

### 5.1 GENERAL PROVISIONS

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#### 5.1.1 PURPOSE

The purpose of this Article is to promote the public health, safety, morals, and general welfare by establishing regulations for certain uses with unique operational characteristics or impacts.

#### 5.1.2 APPLICABILITY

This Article applies to all campgrounds, manufactured homes, manufactured home parks, recreational vehicles, and recreational vehicle parks located in the zoned and unzoned areas of Greenville County.

#### 5.1.3 OTHER APPLICABLE REGULATIONS & PERMITTING REQUIREMENTS

- A. **Other Regulations Apply.** All uses regulated by this Article are also subject to all other applicable provisions of this Ordinance and the Greenville County Code.
- B. **Proof of Permits to be Provided with Application.** The applicant for any permit under this Article shall submit one complete digital (PDF) copy of all final approvals to operate from any other required local, state, and/or federal permitting agencies, if applicable. All approvals must be demonstrated to be up-to-date and in effect.
- C. **Permit Not Issued at Time of Application.** In cases where final permitting agency approval is not issued without evidence of all necessary local approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to all permitting agencies. Once final approval is received, the applicant shall provide one complete digital (PDF) copy of the permit to the County prior to occupancy.



## 5.2 CAMPGROUNDS<sup>268</sup>

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### 5.2.1 PURPOSE

The campground development standards are established to encourage high quality campgrounds within Greenville County that are safe for occupants and sensitive to the environment.

### 5.2.2 APPLICABILITY

- A. This Section applies to any lot that contains a campground as defined in Article 21: *Definitions & Acronyms*.<sup>269</sup>
- B. This Section does not apply to the non-commercial use of private property for camping activities by the property owner or one or more people authorized by the property owner.

### 5.2.3 SITE PLAN APPROVAL REQUIRED

Prior to construction of a new campground or enlargement of an existing campground, a development plan must be submitted and approved by the Subdivision Administrator in accordance with the schedule for Major Subdivision Preliminary ~~Subdivision~~ Plans and shall be reviewed by the Technical Advisory Committee.<sup>270</sup>

### 5.2.4 SITE PLAN REQUIREMENTS

- A. A campground site plan shall be designed by a registered engineer, surveyor, or landscape architect licensed in the state of South Carolina.
- B. The site plan shall be prepared at a scale of not less than 100 feet to 1 inch and shall contain the following information:
  - 1. The location of the proposed campground;

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<sup>268</sup> These regulations are new. They are based on the County's current regulations for RV Parks (LDR Article 15), which are carried forward in Section 5.6 of this Article.

<sup>269</sup> The proposed definition of campground is "a site with temporary or permanent campsites, shelters, cabins, or other structures designed or intended for overnight occupancy that is operated for recreation, religious, education, or vacation purposes. A campground includes residential camps ("summer camps") and primitive campgrounds. A campground does include the non-commercial use of private property for camping activities by the property owner or one or more people authorized by the property owner."

<sup>270</sup> This Paragraph is borrowed from the current RV Park regulations.

2. The location and dimensions of streets, rights-of-way, drives, and parking spaces;
3. The location and size of campsites;
4. The location and size of service buildings and recreation areas;
5. The location and type of screening, fences, or hedges;
6. The location of all stormwater management facilities;
7. The names and addresses of the developer(s);
8. Existing and finished contours at intervals not more than 2 feet;
9. The location of fire hydrants, if applicable;
10. Storage areas;
11. Dumpsters, if applicable;
12. Delineation of 1% area of Special Flood Hazard; and
13. Utilities (sewer, water, electric, etc.) and a note on how they are procured/offered to visitors.

### 5.2.5 DESIGN STANDARDS

- A. **Setbacks.** Campground facilities shall maintain a minimum setback of 100 feet from all property lines.
- B. **~~Perimeter~~Interior and ~~Right-of-Way~~Roadside Buffers.** Campgrounds are considered an accommodations and lodging land use and are subject to the buffers for Land Use Group 3 required by § 7.2: *Interior & Roadside Buffers*.
- C. **Campsite Density.** To ensure an appropriate amount of space between campsites, there shall be a maximum of 15 campsites per acre.
- D. **Campsite Size, Design, and Layout.**
  1. The appropriate size, design, and layout of campsites depends on the type of campsites (e.g., vehicle and tent campsites, walk-in or bike-in campsites, group campsites). However, each campsite shall be at least 1,500 square feet in area.

2. Campsites should be designed in accordance with the [National Park Service Campground Development Guidelines](#), Chapter 3, *Campsite Layouts and Campsite Types*.<sup>271</sup>

**E. Cooking Facilities.**

1. Other than in the operator's or manager's residence, shelters designed or intended for overnight occupancy shall not be equipped with any interior cooking facilities.
2. Common cooking and dining facilities may be provided in an accessory building or structure that is not attached to any structure intended for overnight occupancy.

**F. Water and Sewer.** Each campground shall provide an accessible, adequate, safe, and potable supply of water and an adequate and safe sewer system, approved by the water and sewer providers and SCDES.

**G. Parking and Vehicular Access.**

1. Campgrounds are exempt from § 6.4: *Interior Parking Lot Landscaping*, but are subject to other applicable provisions of Article 6: *Parking & Loading* except as provided in § 5.2.5.G.2, below.
2. Required parking areas may be constructed using pervious concrete, grass over supporting plastic/concrete grids, or any other pervious surface approved by the Land Development Division to help reduce the amount of impervious surface on the site. The alternative parking surface must be installed according to the manufacturer's installation instructions.
3. To provide for the safety of campground users, the County requires adequate access for fire, emergency medical, and law enforcement vehicles. Access drives within a campground shall be constructed with:<sup>272</sup>
  - (a) An all-weather surface consisting of a minimum of 4-inch compacted stone base;
  - (b) A minimum improved surface width of 20 feet ~~for two-way access drives and a minimum improved surface width of 12 feet for one-way access drives;~~

<sup>271</sup> Typically, development codes should avoid use of the terms "should" or "encourage," and instead use the terms "shall" or "may." Applicants are not required to comply with any standards that follow the terms "should" or "encourage," so such standards might be considered superfluous. The intent here is simply to provide guidance for applicants, not to require County staff to review campground site plans against National Park Service (NPS) guidelines. An alternative is to remove this paragraph B.2. and provide a link to the NPS guidelines on an application form or other materials.

<sup>272</sup> This paragraph applies some of the requirements from Subsection 12.2.2: *Unpaved Shared Private Driveways* (which carries forward the provisions in LDR Section 5.4: *Unpaved Private Drives*).

- (c) A minimum vertical clearance of 13 feet, 6 inches along the entire drive length;
  - (d) A turn-around opportunity at the terminus of all access drives, to be approved by the Fire Marshal or the Chief of the respective Fire Protection District;
  - (e) Adequate stormwater drainage; and
  - (f) Vertical and horizontal curves and grades that meet the minimum requirements established in § 12.7.3: *Design Standards for Public Streets*.
- H. **Outdoor Lighting.** Campgrounds are subject to Article 9: *Outdoor Lighting*.
- I. **Campsite Numbering Required.** Each campsite shall be clearly marked and identified by a numbering system approved by the Greenville County Office of E911.

### 5.2.6 USE OF CAMPGROUNDS

- A. **Allowed Uses.** Uses allowed within a campground are limited to the following:
1. Campsites, including recreational vehicle sites if allowed by the zoning district (in zoned areas);
  2. Recreation facilities, such as walking trails, stables, and game courts;
  3. Common buildings and facilities, such as bathhouses, laundry facilities, and dining facilities;
  4. Storage buildings and facilities;
  5. Management offices; and
  6. One dwelling unit for the operator or manager of the campground.
- B. **Recreational Vehicles.** If a campground is designed to accommodate two or more recreational vehicles, the campground must meet the requirements in § 5.6: *Recreational Vehicle (RV) Parks* in addition to the requirements in this Section.

## 5.3 MANUFACTURED HOMES<sup>273</sup>

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### 5.3.1 APPLICABILITY

This Section applies to all single-section and multi-section manufactured homes located in Greenville County on a single lot, in a subdivision, and in a manufactured home park.

### 5.3.2 CERTIFICATION REQUIRED<sup>274</sup>

- A. All manufactured homes must bear a label certifying or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act.
- B. All site-built components not addressed in this Section are required to meet the most recent edition of the adopted residential building code and applicable appendices adopted by Greenville County.
- C. All electrical systems and plumbing systems not installed at the factory must meet the requirements of the Building Code.

### 5.3.3 DESIGN STANDARDS

- A. **Dimensions for Multi-Section Manufactured Homes Located in Zoned Areas.** Multi-section manufactured homes located in a zoned area of Greenville County must have:
  - 1. A length not to exceed four times its width, measured at the narrowest point, excluding alcoves; and
  - 2. A minimum floor area of 900 square feet.

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<sup>273</sup> This Subsection carries forward and consolidates requirements for individual manufactured homes in Zoning Ordinance (ZO) Section 6:2(11) and the Land Development Regulations (LDRs) Section 14.1, except ZO Section 6:2(11)M. and LDR Section 14.1.6.F.1. through F.6. These requirements pertain to steps and landings, and all appear to be current or previous Building Code requirements. Removal of these requirements from the UDO are proposed to eliminate conflicts with the applicable Building Code. Many of the regulations for manufactured homes in the ZO and LDRs are the same. This Section attempts to resolve the few areas of inconsistency, all of which are noted in footnotes throughout this Section.

<sup>274</sup> Carries forward and consolidates requirements for certification of manufactured homes (ZO Section 6:2(11) and Land Development Regulations Section 14.1.2).

**B. Orientation.<sup>275</sup>**

1. All manufactured homes shall be located so that the main entry door faces the street on which the manufactured home is located.
2. A manufactured home shall be oriented on the lot so that its long axis is parallel with the street. However, a perpendicular or diagonal placement is allowed if at least one of the following conditions is met:
  - (a) The manufactured home is being installed in a new or existing subdivision where other manufactured homes with a perpendicular or diagonal placement are or will be located;
  - (b) The narrow dimension of the manufactured home is at least 50% of the home's long dimension; or
  - (c) The manufactured home has been specifically designed and built by the manufacturer with the door on the narrow end.

**C. Driveway.** An all-weather surface driveway from the adjacent public road or, if the manufactured home is located in a manufactured home park, from the adjacent interior street to the manufactured home is required.

**D. Walkway.** An all-weather walkway shall be installed from the street, driveway, or sidewalk to the front porch or front door.

**E. Patio or Deck Required.<sup>276</sup>**

1. Each manufactured home site shall include a permanent concrete or masonry patio or treated wood deck located adjacent to or attached to the manufactured home pad.
2. The patio or deck shall be at least:
  - (a) 16 square feet in area;<sup>277</sup> and

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<sup>275</sup> This paragraph consolidates the orientation requirements from the Zoning Ordinance (ZO) and LDRs. The current provisions are revised to remove the allowance for perpendicular or diagonal placement if “the orientation is consistent and compatible with the adjoining residential developments” (ZO) and “consistent with other residential properties on the same street within 500 feet” (LDRs). These conditions are vague and too subjective. Paragraph 2(b) is revised to eliminate unclear language (current ZO text: “there is a building addition or substantial landscaping so the narrow dimension of the manufactured home, as so modified and facing the street, is no less than 50% of the home’s long dimension”). Paragraph 2(c) is carried forward from the LDRs but does not currently appear in the ZO.

<sup>276</sup> Carries forward ZO Section 5:9.7-8. This requirement does not appear in LDR Article 14: *Manufactured Housing*. The proposed text expands the patio/deck requirement to all manufactured home sites in Greenville County.

<sup>277</sup> County Council adopted a text amendment in 2023 that reduced the minimum square footage from 162 sf to 16 sf.

(b) Located at least 5 feet from the manufactured home site boundary.<sup>278</sup>

3. Each patio or deck shall have sufficient gradient to direct drainage away from the manufactured home pad.

F. **Roofing.**

1. *Single-Section Manufactured Homes.* The roof ~~may~~must be ~~metal or~~ shingle.

2. *Multi-Section Manufactured Homes.*

(a) The pitch of the roof must have a minimum vertical rise of 2.5 feet for every 12 feet of horizontal run; and

(b) The roof must be finished with a type of shingle that is commonly used in conventional residential site-built dwellings.

G. **Siding.**<sup>279</sup> The exterior siding shall consist of wood, hardboard, stucco, vinyl, aluminum lap siding, or metal. Manufactured homes located within a subdivision shall have exterior siding comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built construction.

#### 5.3.4 INSTALLATION<sup>280</sup>

A. ~~Generally.~~ All manufactured homes shall be installed in accordance with the South Carolina Code of State Regulations Chapter 79, § 79-42: Manufactured Home Installation Requirements. ~~the manufacturer's instructions. If the manufacturer's instructions are not available, the specifications in this Section shall be used.~~

A.

<sup>278</sup> Current text requires the patio/deck to be at least five feet from "the property line." However, it is unclear whether this is the boundary of the manufactured home site or the exterior property line of the manufactured home park. R-MHP requires minimum setbacks from the exterior property line of the manufactured home park of 15 to 35 feet (see Table 2.3.7-1: *R-MHP Dimensional Standards*), so it appears the intent is for the patio/deck setback to apply to the boundary of the manufactured home site. The text is revised to clarify.

<sup>279</sup> This paragraph carries forward the materials requirement for siding from the LDRs. The Zoning Ordinance specifies the same materials for single-section manufactured homes and requires multi-section homes to have any type of the specified siding, except metal, that is comparable to that used in site-built construction. The LDRs apply this requirement to any manufactured home located in a subdivision, rather than multi-section homes in general.

<sup>280</sup> This Subsection ~~carries forward and consolidates~~replaces most ZO and LDR requirements for installation with a cross-reference to State Code. It maintains the current provisions for skirting (curtain walls), since it is not required by the Code of State Regulations, and for steps/landings.

**B. ~~Footings.~~**

- ~~1. The footings (base) of all piers shall be comprised of a solid masonry block at least 3,000 psi strength.~~
- ~~2. Piers less than 80 inches in height shall use blocks that are 16 inches by 16 inches by 4 inches in size.~~
- ~~3. Piers more than 80 inches in height shall use blocks that are 24 inches by 24 inches by 6 inches in size.~~

**C. ~~Piers.~~**

- ~~1. *Piers Less Than 36 Inches in Height.*~~
  - ~~(a) Piers less than 36 inches in height shall be constructed of 8 inches by 16 inches concrete block with open cells vertical.~~
  - ~~(b) The piers shall be covered with a 4-inch masonry cap, or a pressure treated wood cap that is 2 inches by 8 inches by 16 inches in size.~~
- ~~2. *Corner Piers and Piers Between 36 Inches and 80 Inches in Height.* All corner piers and all piers between 36 inches and 80 inches in height shall be double blocked (8 inches by 16 inches blocked inter-locked) and covered with a 4-inch masonry cap or a pressure treated wood cap that is 4 inches by 16 inches by 16 inches in size.~~
- ~~3. *Piers More Than 80 Inches in Height.* Piers that are more than 80 inches in height require engineering.~~

**B. Skirting.<sup>281</sup>**

- ~~D.1. *Skirting Required.* Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under all manufactured homes and any additions, to ground level.~~
1. *Materials.*

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<sup>281</sup> This Paragraph carries forward the more expansive skirting requirements from LDR Section 14.1.6.C. ZO Section 5:9.7-14 requires "foundation curtain walls" with very limited standards. The ZO allows residents up to 6 months to comply with this requirement; however, by carrying forward the LDR requirements instead, skirting must be installed prior to issuance of a certificate of occupancy for the manufactured home.



- (a) The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation.
- (b) Porches and decks may be enclosed with wood lattice or similar materials.
- (c) Material used for skirting should be erected so as not to create a fire hazard and maintained in a good state of repair.

~~(e)2. Other Installation Requirements. Skirting must meet the standards specified in the South Carolina Code of State Regulations Chapter 79, § 79-42: Manufactured Home Installation Requirements.~~

~~2. Ventilation.~~

- ~~(a) The under-floor space between the bottom of the floor joists and the earth under any building (except space occupied by a basement or cellar) shall be provided with ventilation openings through foundation walls or exterior walls.~~
- ~~(b) The minimum net area of ventilation openings shall not be less than 1 square foot for each 150 square feet (0.67 m<sup>2</sup> for each 100 m<sup>2</sup>) of under floor space area. One such ventilating opening shall be within 3 feet (914 mm) of each corner of said building.~~

~~3. Access.<sup>282</sup>~~

- ~~(a) An access opening 18 inches by 24 inches (457 mm by 610 mm) shall be provided to the under-floor space.~~
- ~~(b) When mechanical equipment is located under floors, access shall be provided in accordance with the Building Code.~~

~~E. Anchoring. Each manufactured home shall be anchored according to the HUD regulations of the National Manufactured Housing Construction and Safety Standards Act or the Manufacturer's Installation Manual. If the manufacturer's instructions are not available, the requirements in the Model Manufactured Home Installation Standards apply.~~

<sup>282</sup> This paragraph carries forward LDR Section 14.1.6.C.2. The minimum dimensions of the access opening are the same in the ZO and LDRs. The ZO does not cross-reference the Building Code, but instead includes the following: "Clearances shall be maintained to permit cleaning of heating and cooling surfaces; replacement of filters, blowers, motors, controls, and vent connections; lubrication of moving parts; and adjustments" (Sec. 6:2(11)I.B.). This ZO text is not carried forward but is replaced by the LDRs cross-reference to the Building Code.

~~F. **Removal of Transport Equipment.** The tongue, axles, transporting lights, and towing apparatus shall be removed from the manufactured home after placement of manufactured homes on the lot and prior to occupancy.~~

G.C. **Steps/Landings.** Permanent landing and steps with handrails are required to each outside doorway in accordance with the Building Code. The structure must include steps that lead to the ground level.

### 5.3.5 INSPECTIONS

- A. Each manufactured home approved for placement on a parcel shall be subject to the following inspections prior to occupancy:
1. A site inspection prior to the manufactured home being moved to the site to ensure all applicable UDO requirements are met;
  2. A final inspection prior to occupancy of the manufactured home to ensure:
    - (a) All requirements within this § 5.3 and other applicable UDO sections are met;
    - (b) The foundation is installed in compliance with the manufacturer’s instructions or with the State Code ([S.C. Code § 40-29-350](#) and [S.C. Reg. 79-42](#)) if the manufacturer’s instructions are not available; and
    - (c) Grass and erosion control measures are installed on each lot.<sup>283</sup>
- B. Manufactured homes shall not be occupied until a Certificate of Final Inspection has been issued.
- C. The Code Compliance Division may allow occupancy and grant a 30-day extension to complete the foundation curtain wall if it is masonry.

### 5.3.6 REAL PROPERTY

When the owner of a manufactured home is also the named owner of the real property upon which the home is situated, the homeowner may<sup>284</sup> register the home on the tax rolls as part of the real

<sup>283</sup> Paragraphs 2(b) and 2(c) are carried forward from ZO Section 6:2(11)O, but do not appear in the LDRs.

<sup>284</sup> The ZO uses the word “may,” while the LDRs use the word “shall.” The [Mobile Home FAQ](#) on the Greenville County Real Property Services website indicates manufactured home owners may, but are not required to, combine the home and land under one tax bill.

property. For homes meeting this requirement, a unified, single tax bill for home and land must be generated, and the home shall be taxed accordingly.

## 5.4 MANUFACTURED HOME PARKS<sup>285</sup>

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### 5.4.1 PURPOSE

The manufactured home park site development standards are established to encourage high quality manufactured home parks within Greenville County.

### 5.4.2 APPLICABILITY

- A. This Section applies to all new manufactured home parks.
- B. For adjacent lots owned by the same person, expansion of manufactured homes beyond 2 on each lot and 6 total between the lots may require review as a manufactured home park in accordance with this Section.

### 5.4.25.4.3 SITE PLAN APPROVAL REQUIRED

- A. Prior to construction of a new manufactured home park or enlargement of an existing manufactured home park, a development site plan must be submitted and approved by the Subdivision Administrator in accordance with the submittal schedule and fees for Major Subdivision Preliminary ~~Subdivision~~ Plans. The site plan shall be reviewed by the Technical Advisory Committee.
- B. Stormwater Management and Sedimentation and Erosion Control Plans shall be submitted to the Land Development Division for approval.<sup>286</sup>
- C. The Greenville County Floodplain Administrator shall review proposed manufactured home park plans for compliance with the Flood Damage Protection Ordinance.<sup>287</sup>
- D. Any manufactured home, service building, or recreation area located in any manufactured home park shall be placed in accordance with an approved development site plan.<sup>288</sup>

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<sup>285</sup> This Section carries forward and consolidates ZO Sections 5:9.6, 5:9.7, and 5:9.8 (pertaining to manufactured home parks in the R-MHP District) and LDR Section 14.2: *Park Site Development* with minor revisions for consistency and clarity.

<sup>286</sup> Carries forward LDR Section 14.2.8: *Drainage Plan*.

<sup>287</sup> Carries forward LDR Section 14.2.9: *Flood Damage Protection*.

<sup>288</sup> Carries forward second sentence in ZO Section 5:9.6.F. and LDR Section 14.2.3.F., which seems out of place in its current location with site plan requirements.

#### **5.4.35.4.4 SITE PLAN REQUIREMENTS**

- A. A manufactured home park site plan shall be drawn by an engineer or surveyor licensed in the state of South Carolina.
- B. The site plan shall be drawn to a scale of not less than 100 feet to 1 inch and shall contain the following information:
  - 1. The location of the proposed manufactured home park and the type of surrounding land uses;
  - 2. The location and dimensions of interior streets, rights-of-way, driveways, and parking spaces;
  - 3. The location and size of manufactured home sites;
  - 4. The location and size of service buildings and recreation areas;
  - 5. The location and type of screening, fences, or hedges;
  - 6. The location of all stormwater management facilities;
  - 7. The name and address of the developer(s);
  - 8. Existing and finished contours at intervals not more than 2 feet;
  - 9. The location of fire hydrants, if applicable;
  - 10. Storage areas;
  - 11. Dumpster locations, if applicable; and
  - 12. Delineation of 1% area of Special Flood Hazard.

#### **5.4.45.4.5 ACCESS<sup>289</sup>**

- A. **Access to Manufactured Home Sites.**
  - 1. A manufactured home shall not have direct access to a public street or highway.
  - 2. All manufactured home sites shall have access to an interior street.

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<sup>289</sup> This Subsection carries forward and consolidates provisions related to access and roads (LDR Sections 14.2.4.C., 14.2.5, 14.2.6, and 14.2.10). It replaces the terms “road” and “street” with “interior street” for consistency and clarity.

B. **Interior Streets.** All interior streets shall have a paved travel surface and paved or unpaved shoulders<sup>290</sup> that meet the minimum dimensions specified in Table 5.4.5: *Interior Street Width Requirements*.

Table 5.4.5-1: Interior Street Width Requirements			
Type of Interior Street	Total Width (min)	Pavement Width (min)	Shoulder Width (min, each side)
Without Parallel Parking	30 ft	20 ft	5 ft
With Parallel Parking on One Side	38 ft	28 ft	5 ft

**Key:** min = minimum required | ft = feet

C. **Dead-End Interior Streets.** Closed ends of dead-end interior streets shall be provided with a paved cul-de-sac paved that has a minimum radius of 35 feet.

D. **Interior Street Lighting.**<sup>291</sup>

1. All interior streets within a manufactured home park shall be lighted at night.
- ~~2. In unzoned areas, the lighting system shall be in accordance with standards recognized by the local power utility and the National Electric Codes.~~
- ~~3.2. In zoned areas, the lighting system shall be in accordance with standards recognized by Illuminating Engineering Society of North America. Streetlighting must comply with the standards in § 11.2.5: Streetlighting.~~

E. **Interior Street Names.**<sup>292</sup> Permanent street names approved by ~~the Planning Commission and~~ the Greenville County Office of E911 shall be assigned to each interior street within the manufactured home park.

**5.4.55.4.6 DIMENSIONAL STANDARDS**

A. **Zoned Areas.** In zoned areas, a manufactured home park must meet the dimensional standards for the zoning district in which it is located.

<sup>290</sup> For interior streets, LDR Section 14.2.4.C. requires a minimum pavement width and “a 5 foot right of way on each side.” Proposed here is to clarify the meaning of “right-of-way” in this context and clarify that this area (the “shoulder”) may be paved or unpaved.

<sup>291</sup> Carries forward the street lighting requirements in LDR Section 14.2.6 and ZO Section 5:9.7-15. The County could consider utilizing the same standard for both zoned and unzoned areas.

<sup>292</sup> Consolidates ZO Section 5:9.7-18 and LDR Section 14.2.10. The S.C. Planning Act (§ 6-29-1200) requires Planning Commission approval of all new street names.

- B. **Unzoned Areas.** In unzoned areas, all structures associated with a manufactured home park shall be located at least 25 feet from any external lot line.

#### **5.4.65.4.7 DEVELOPMENT STANDARDS**

- A. **Applicability.** The standards in this Subsection apply to the manufactured home park and individual units within the park. Except for items specifically addressed in this Subsection, each manufactured home must also meet the requirements specified in § 5.3: *Manufactured Homes*.

- B. **Minimum Lot Size and Utility Requirements.**<sup>293</sup>

1. Each manufactured home site in a manufactured home park shall be provided with approved water and sewer service that is connected to the municipal water and sewerage systems or other systems meeting the approval of the Water ~~Provider, and~~ Sewer Provider,~~s~~ and SCDES.
2. Lots established by a division of land resulting in 10 or more lots that are served by septic systems in the unzoned areas of the County shall conform to a minimum lot size of 1.5 acres. Otherwise, subdivision lots subject to this Article must be a minimum of 6,000 square feet in size in areas where sewer and water provided by a municipal water or sewer utility is available or planned to serve the lot or lots. *Sunset Provision: The first sentence of § 5.4.7B.2 shall expire on January 4, 2026, unless re-adopted by Greenville County Council. If County Council fails to re-adopt this portion of the Ordinance, § 5.4.7B.2 shall be stricken from the Ordinance, and the second sentence shall read as follows: "Subdivision lots subject to this Article must be a minimum of 6,000 square feet in size in areas where sewer and water provided by a municipal water or sewer utility is available or planned to serve the lot or lots."*
3. In areas not served by a municipal sewer and/or water utility, a single lot or lots established by the subdivision of land resulting in 9 or fewer lots must be sized to conform to the setback and spacing requirements established in South Carolina law and regulations for the installation of onsite wastewater and/or onsite drinking water systems, and the minimum lot size shall be that required by state law and regulations, but not less than 6,000 square feet.
- ~~3.4.~~ The provisions in §§ 5.4.7B.2 and 5.4.7B.3 above do not apply to individual manufactured homes sites within a manufactured home park if the sites are not fee simple lots.

<sup>293</sup> Paragraph B.1. incorporates a minor revision pursuant to input from ReWa and MetroConnects. Paragraphs B.2 and B.3. incorporate a text amendment approved by County Council in 2023.

**C. Off-Street Parking.**

1. Manufactured homes are subject to the applicable off-street parking requirements in Article 6: *Parking & Loading*.
2. In addition, each service building or recreation area shall have at least one off-street vehicle parking space per park site employee.

**D. ~~Perimeter~~Interior and ~~Right-of-Way~~Roadside Buffers.** Manufactured home parks are subject to the buffers for Land Use Group 2 required by § 7.2: Interior & Roadside Buffers.<sup>294</sup>**E. Recreation Areas.**

1. The manufactured home park shall provide at least 200 square feet of usable recreation area per manufactured home site.
2. For purposes of this Section, "usable recreation area" means parks, open space, and recreation amenities such as a clubhouse, swimming pool, or similar improvement.
3. Unless the manufactured home park covenants or other legal restrictions limit park residents to adults only, the usable recreation area shall include a children's play area that is at least 400 square feet in area.

**F. Storage Areas.<sup>295</sup>**

1. A space for a storage building may be designated on each manufactured home site.
2. Storage buildings are only allowed in locations designated on the approved manufactured home park site plan.

**G. Garbage Disposal.<sup>296</sup>**


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<sup>294</sup> Proposed is to utilize the screening and buffering requirements in Article 6, rather than having a separate requirement for manufactured home parks. Pursuant to Article 6, the perimeter and right-of-way buffers for manufactured home parks must be a minimum of 8 feet (for a "structured" buffer with a wall, fence, or berm) or 12 feet (for a "natural" buffer). Both buffers require shade or evergreen coniferous trees and small or multi-stem trees. The natural buffer also requires evergreen shrubs. Article 6 requires shade trees to be at least 10 feet in height at the time of planting, small or multi-stem trees and evergreen trees to be at least 6 feet in height at the time of planting, and evergreen shrubs to be at least 1 foot at planting / 3 feet within 3 years after planting. The current LDR buffer requirement for manufactured home parks requires a wall, fence, evergreen screening plant material, or any combination thereof, with a combined minimum height of 6 feet above grade. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height within 2 years. The current ZO buffer requirement for manufactured home parks is the same, except that it requires evergreen plant material to reach 6 feet in height within 3 years.

<sup>295</sup> Carries forward LDR Section 14.2.7: *Storage Area*.

<sup>296</sup> Carries forward and consolidates ZO Section 5:9.7-10 and LDR Section 14.2.4.

1. Garbage containers with tight fitting covers are required for each manufactured home site to permit the disposal of all garbage and rubbish. Collection shall occur on a regular basis to ensure the containers do not overflow.
  2. In lieu of individual containers, one 20 cubic yard dumpster may be provided for every 20 manufactured homes if each dumpster is screened and located at least 25 feet from any residential use and/or residentially zoned property.
  3. Refuse shall not be disposed of within the park.
- H. **Operating Requirements.** The operator of each manufactured home park shall comply with all SCDES rules and regulations governing the sanitation and operation of manufactured home parks.
- I. **Initial Occupancy Requirements.**<sup>297</sup> At least 10 manufactured home sites shall be available at initial occupancy.

#### **5.4.75.4.8 NONCONFORMING MANUFACTURED HOME PARKS**

- A. **Zoned Areas.** Manufactured home parks or subdivisions that were lawfully in existence and operating on April 15, 1986, under valid permits issued by Greenville County Council but that do not conform to requirements set forth in this Section shall be considered a nonconforming use. However, nonconforming parks may be expanded if in accordance with prior approvals.
- B. **Unzoned Areas.**
1. Manufactured home parks that were lawfully in existence and operating at the time of adoption of this ordinance and that do not conform to requirements set forth in this Article are considered nonconforming.
  2. Nonconforming manufactured home parks may only be expanded in accordance with approved plans that meet the requirements of this UDO.
  3. The number of units in a nonconforming manufactured home park shall not exceed the maximum approved units for the manufactured home park.
  4. Units in a nonconforming manufactured home park may be replaced if homes encroaching into the setback are not located any closer to the property line than the prior unit. In no case shall a unit be placed closer than 5 feet from a property line.
  5. If at any time a nonconforming manufactured home park in the unzoned areas of Greenville County is reduced to 1 unit for a period exceeding 6 months, the property

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<sup>297</sup> Carries forward current ZO Section 5:9.7-13.



shall be considered conforming, and the park shall not be reestablished unless it conforms to all applicable requirements in this UDO.

## 5.5 RECREATIONAL VEHICLES (RVs)<sup>298</sup>

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- A. **Applicability.** This Section applies to recreational vehicles (RVs) located on lots outside of RV Parks.
- B. **Maximum Number of RVs on a Lot.** Not more than one RV shall be parked on a lot.
- C. **Occupancy of RVs Prohibited.** In all zoning districts, an RV shall not be occupied temporarily or permanently while it is parked or stored except in an authorized recreational vehicle park, except as allowed by § 4.5.11: *Temporary Accessory Dwellings*.<sup>299</sup>
- D. **Maintenance.** Recreational vehicles must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on wheels or a jacking system.
- E. **Land Suitability.** Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants. No portion of the site that is subject to flooding, subsidence, or erosion shall be used for any purpose that would expose persons or property to hazards.

## 5.6 RECREATIONAL VEHICLE (RV) PARKS<sup>300</sup>

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### 5.6.1 PURPOSE

The recreational vehicle (RV) park site development standards are established to encourage high quality recreational vehicle parks within Greenville County that are safe for its occupants and sensitive to the environment.

### 5.6.2 APPLICABILITY

- A. This Section applies to any lot that contains two or more recreational vehicles.

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<sup>298</sup> This Section carries forward LDR Sections 15.1: *General Standards* and 15.2: *Parking and Storage of Vehicles* (RV Parks).

<sup>299</sup> This Paragraph carries forward the second sentence in ZO Section 9:5.1: *Travel or Camping Trailers* (Parking and Storage of Vehicles).

<sup>300</sup> This Section carries forward LDR Article 15: *RV Parks* with minor revisions.

- B. This Section does not apply to accessory storage use or parking of recreational vehicles on residential lots or to facilities for the sale or repair of recreational vehicles.

### 5.6.3 LAND SUITABILITY

- A. Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants.
- B. No portion of the site that is subject to flooding, subsidence, or erosion shall be used for any purpose that would expose persons or property to hazards.

### 5.6.4 SEWER AVAILABILITY<sup>301</sup>

- A. The developer is responsible for initiating contact with the Sewer Provider(s) to present preliminary development plans during the initial stages of design (at least 90 days prior to Greenville County submittals).
- B. The Sewer Provider(s) shall provide the Developer with a written notification of sewer availability after the development plans have been communicated to the Sewer Provider(s) (if applicable), and the review of the plans is complete. The developer shall only be allowed to contact SCDES for septic tank approval information if it is determined by the Sewer Treatment Provider that connection to public sewer is not available or infeasible.

### 5.6.5 SITE PLAN APPROVAL REQUIRED

- A. Prior to construction of a new recreational vehicle park or enlargement of an existing recreational vehicle park, a development plan must be submitted and approved by the Subdivision Administrator in accordance with the schedule for Major Subdivision Preliminary ~~Subdivision~~ Plans and shall be reviewed by the Technical Advisory Committee.
- B. Any recreational vehicle, service building, or recreation area located in any recreational vehicle park shall be placed in accordance with an approved development plan.

### 5.6.6 SITE PLAN REQUIREMENTS

- A. A recreational vehicle park site plan shall be designed by a registered engineer, surveyor, or landscape architect licensed in the state of South Carolina.

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<sup>301</sup> This Section is new and is added pursuant to input from ReWa and MetroConnects.

- B. The site plan shall be prepared at a scale of not less than 100 feet to 1 inch and shall contain the following information:
1. The location of the proposed park;
  2. The location, dimensions, and surface type of streets, rights-of-way, drives, and parking spaces;
  3. The location and size of recreational vehicle sites;
  4. The location and size of service buildings and recreation areas;
  5. The location and type of screening, fences, or hedges;
  6. The location of all stormwater management facilities;
  7. The names and addresses of the developer(s);
  8. Existing and finished contours at intervals not more than 2 feet;
  9. The location of fire hydrants, if applicable;
  10. Storage areas;
  11. Dumpsters, if applicable;
  12. Delineation of 1% area of Special Flood Hazard; and
  13. Utilities (sewer, water, electric, etc.) and a note on how they are procured/offered to visitors.

### 5.6.7 DESIGN STANDARDS

- A. **Setbacks.** RV parks shall maintain a minimum setback of 100 feet from all property lines.
- B. **~~Perimeter~~Interior and ~~Right-of-Way~~Roadside Buffers.** RV parks are considered an accommodations and lodging land use and are subject to the buffers for Land Use Group 3 required by § 7.2: *Interior & Roadside Buffers*.
- C. **Minimum Space Size.** A minimum net space of 690 square feet is required for each RV space.
- D. **Minimum Separation Between Recreational Vehicles.**
1. A distance of at least 10 feet shall be maintained between recreational vehicles.

2. For the purpose of this requirement, accessory structures and accessories attached to an RV are considered a part of the recreational vehicle.

**E. Utility and Security Connection.**

1. Each RV shall be attached to the site only by quick disconnect type utilities and security devices and shall not be permanently affixed to the site.
2. An RV park shall provide connections to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water and an adequate and safe sewer system, approved by the sewer provider(s) and SCDES.

**F. Parking and Vehicular Access.**

1. RV parks are exempt from § 6.4: *Interior Parking Lot Landscaping* but are subject to other applicable provisions of Article 6: *Parking & Loading*.
2. There shall be a continuous path of travel throughout all RV parks. No access drive shall dead-end.
3. Access drives within an RV park shall be constructed with:<sup>302</sup>
  - (a) A paved surface (asphalt or concrete);
  - (b) A minimum improved surface width of 20 feet ~~for two-way access drives and a minimum improved surface width of 12 feet for one-way access drives;~~
  - (c) A minimum vertical clearance of 13 feet, 6 inches along the entire drive length;
  - (d) Adequate stormwater drainage; and
  - (e) Vertical and horizontal curves and grades that meet the minimum requirements established in § 12.7.3: *Design Standards for Public Streets*.

- G. Outdoor Lighting.** RV parks are subject to the standards in Article 9: *Outdoor Lighting*.

## 5.6.8 USE OF RECREATIONAL VEHICLE PARKS

**A. Eligible Recreational Vehicles.**

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<sup>302</sup> This paragraph applies some of the requirements from Subsection 12.2.2: *Unpaved Shared Private Driveways* (which carries forward the provisions in LDR Section 5.4: *Unpaved Private Drives*).

1. To be located in an RV park, an RV must be fully licensed and ready for highway use. An RV is ready for highway use if it is on wheels or a jacking system, has a current South Carolina vehicle registration, and a registration tag affixed to the unit.
2. An RV located in an RV park shall be used only for temporary occupancy. An RV shall not be attached to a permanent structure, nor have underpinning or other permanent features.

B. **Allowed Uses.** Uses allowed within an RV park are limited to the following:

- (a) Recreational vehicle sites;
- (b) Recreation facilities;
- (c) Common buildings and facilities, such as laundry, dining, and parking facilities;
- (d) Management offices; and
- (e) One dwelling unit for the operator or manager of the park.

### 5.6.9 OPERATING REQUIREMENTS

- A. The operator of each RV park shall comply with all SCDES rules and regulations governing the sanitation and operation of RV parks and amenities.
- B. Maintenance of the park once the permits are closed is the responsibility of the owner/manager of the park. Responsibilities include managing the set ups/installations per manufacturer's set up instructions and the limitation of occupancy of the unit per label limitations.<sup>303</sup>

## 5.7 SMALL WIRELESS FACILITIES<sup>304</sup>

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### 5.7.1 PURPOSE

This Section is adopted for the following purposes:

<sup>303</sup> From [RV Park Submittal Requirements](#) handout.

<sup>304</sup> This new Section adopts standards for small wireless facilities, which are not regulated in the current code. The Middle Class Tax Relief Act of 2012 and FCC regulations require a locality to allow right-of-way access for communications providers

- A. To promote public safety by preventing interference with the use of streets, sidewalks, traffic light poles, or other utility poles, and other public ways;
- B. To ensure that the design and appearance of the facilities are compatible with surrounding land uses;
- C. To ensure traffic safety by preventing visual and physical obstructions that are hazardous to vehicular and pedestrian traffic;
- D. To prevent interference with the operations of existing facilities located in rights-of-way or on public property;
- E. To preserve the character of neighborhoods where facilities are installed;
- F. To preserve the integrity, dignity, and aesthetic quality of the natural, cultural, and scenic resources and developed environments and promote the quality of our citizens' lives;
- G. To promote the most efficient use of existing structures for collocating small wireless facilities, and to properly site new small wireless facilities;
- H. To comply with requirements imposed by State and Federal laws and regulations in the permitting of small wireless facilities; and
- I. To otherwise promote the public health, safety, and general welfare.

### 5.7.2 APPLICABILITY

- A. **In General.** This Section applies to all small wireless facilities in the zoned and unzoned areas of the County, either installed on a new pole or collocated on an existing pole or wireless support structure, including those located on private property and in County rights-of-way. It does not apply to small wireless facilities in SCDOT rights-of-way.
- B. **Applicable Only to Small Wireless Facilities.** Nothing in this Section limits the County's powers with respect to wireless facilities that are not small wireless facilities or to communications towers or poles that are used for purposes other than installation of small wireless facilities.

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to install these facilities. In addition, the South Carolina Small Wireless Facilities Deployment Act (codified as S.C. Code Ann. §§ 5-11-800 to 5-11-900) limits localities' substantive and procedural authority to regulate these uses in the right-of-way. These regulations apply on a county-wide basis for right-of-way deployments because of the requirements of the act. Pursuant to the Act, small wireless facilities must be permitted in the right-of-way in all districts and is subject only to administrative review. The Small Wireless Facilities Deployment Act took effect in September of 2020.

### 5.7.3 PERMITTING

#### A. In the Right-of-Way.

1. *Small Wireless Permit.* Small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, are allowed in rights-of-way in all zoned and unzoned areas of the County and are subject to the supplemental regulations contained in this Section. A small wireless permit is required to collocate small wireless facilities and to install a new, modified, or replacement pole or support structure associated with a small wireless facility in the right-of-way, except for deployments in SCDOT rights-of-way.
2. *Encroachment Permit.* Before approval of the small wireless permit application for deployment in County rights-of-way, small wireless facilities ~~proposed in a right-of-way~~ must receive an encroachment permit from the County ~~or the State Department of Transportation, depending on the entity that controls the right-of-way.~~

#### B. Outside the Right-of-Way.

1. ~~*Certificate of Use Zoning Compliance.*~~ Small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, are allowed outside the right-of-way on private property in zoned areas of the County subject to the supplemental regulations contained in this Section. A small wireless permit is required to collocate small wireless facilities and to install a new, modified, or replacement pole or support structure associated with a small wireless facility on private property only in zoned areas of the county.
2. *Building Permit.* New small wireless facilities proposed outside a right-of-way must receive a building permit for locations in zoned and unzoned areas of the County.

C. **Concurrent Applications Allowed.** The applicant may apply concurrently for any permits applicable to the particular deployment, including a building permit and encroachment permit.

D. **Compliance with Other Requirements.** The general requirements for all structures are applicable to small wireless facilities. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the specific requirements of this Section, except that the applicant shall not be required to obtain or pay for a separate building permit for new installations or collocations within the right-of-way, as the small wireless permit granted under this Section constitutes the building permit for the small wireless facilities and poles. The County shall publish and keep current a list of each additional permit that is required for the collocation of a small wireless facility or the installation of a new, modified, or replacement pole.

E. **Permitting Matrix.** Table 5.7.3-1: *Permitting Matrix for Small Wireless Deployments* summarizes the permits that an applicant must obtain for a new small wireless deployment in the right-of-way and on private property in zoned and unzoned areas of the County.

Table 5.7.3-1: Permitting Matrix for Small Wireless Deployments		
	Zoned Area	Unzoned Area
<u>County Public Right-of-Way</u>	Encroachment Permit Small Wireless Permit	Encroachment Permit Small Wireless Permit
Private Property	<u>Zoning Certificate of Use</u> Building Permit	Building Permit

<sup>1</sup> County permits are not required for small wireless deployments in SCDOT managed rights-of-way.

### 5.7.4 APPLICATIONS

A. **Application Requirements.**

1. *Application Requirements.* The applicant must comply with the application requirements and provide the information required by Article 16: *UDO Procedures*.
2. *Applicable Standards.* Review of all applications for permits under this Section shall be governed by this Section and additional procedures for review of permit applications (see Article 16: *UDO Procedures*).

B. **Review of Applications for Small Wireless Permits.** The Building Official shall review the application and issue a small wireless permit if it meets the requirements of this Section and the procedural requirements of Article 16: *UDO Procedures*.

C. **Review of Applications for Certificates of Use.** The Zoning Administrator shall review the application and issue a certificate-of-use Zoning Compliance if it meets the requirements of this Section and the procedural requirements of Article 16: *UDO Procedures*.

D. **Standards for Review.**<sup>305</sup> The applicant must consider the following factors, and the County may deny an applicant’s proposed collocation of a small wireless facility or a proposed installation, modification, or replacement of a pole, decorative pole, or support structure if the proposed collocation, installation, modification, or replacement:

1. Interferes with the safe operation of traffic control or public safety equipment;

<sup>305</sup> These are the statutory bases for rejection of application under the S.C. Small Wireless Facilities Deployment Act. The County cannot deny small wireless permits for any other reason. The Act also prohibits aesthetic controls except in situations where the County requires decorative poles and in designated underground districts, design districts, or historic districts.



2. Interferes with sight lines or clear zones for transportation or pedestrians;
  3. Interferes with compliance with the Americans with Disabilities Act or similar federal or State standards regarding pedestrian access or movement;
  4. Requests that ground-mounted Small Wireless Facility equipment be located more than seven and one-half feet in radial circumference from the base of the pole, decorative pole, or support structure to which the wireless antenna is to be attached, provided that the County shall not deny the application if a greater distance from the base of the pole, decorative pole, or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;
  5. Fails to comply with the height limitations permitted by this Section or (if applicable) in the Design Manual, or with the reasonable and nondiscriminatory horizontal spacing requirements of for new poles set out in this Section;
  6. Designates the location of a new pole, decorative pole, or support structure for the purpose of collocating a small wireless facility within seven feet in any direction of an electrical conductor, unless the wireless provider obtains the written consent of the power supplier that owns or manages the electrical conductor;
  7. Fails to comply with applicable codes;
  8. Fails to comply with the requirements applicable to the aesthetic and concealment requirements contained in this Section or with the requirements applicable to review districts;
  9. Fails to comply with laws of general applicability that address pedestrian and vehicular traffic and safety requirements; or
  10. Fails to comply with laws of general applicability that address the occupancy or management of the right-of-way and that are not otherwise inconsistent with applicable law.
- E. **Site Selection in Residential Districts.** For applications to place poles within Countythe right-of-way in residential zoning districts to deploy small wireless facilities, the County may propose an alternate location in the right-of-way within 150 feet of the location set forth in the application, and the applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. If the applicant does not agree to the alternative location, the applicant shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for this determination.

### 5.7.5 STANDARDS FOR SMALL WIRELESS FACILITIES<sup>306</sup>

- A. **Cabinet Size.** Cabinets and components for small wireless facilities must meet the following standards:
1. Each wireless provider's antenna could fit within an enclosure of no more than 6 cubic feet in volume; and
  2. All other wireless equipment associated with the small wireless facility, whether ground or pole mounted, is cumulatively no more than 28 cubic feet in volume.
- B. **Maximum Height of Support Structures.** Wireless support structures that support small wireless facilities shall not exceed the greater of the following height limitations:
1. 50 feet above ground level; or
  2. No more than 10 feet in height above the tallest existing pole in place as of the effective date of this article located within 500 feet of the new pole in the right-of-way of the same road.
- C. **Maximum Height of Small Wireless Facilities.** New small wireless facilities (including any related antennas) may not extend more than 10 feet above an existing pole in place as of the effective date of this Section, or for small wireless facilities (including any related antennas) on a new pole, above the height permitted for a new pole pursuant to this Section.
- D. **Identification of Wireless Provider.** One sign no more than one square foot in area must be placed on the pole or small wireless support structure identifying the owner's name, street address, an all-hours emergency telephone number, and the owner's identification number for the pole or structure.

### 5.7.6 COLLOCATIONS ON COUNTY POLES OR STRUCTURES

- A. **Annual Rate.** The rate to collocate a small wireless facility on a County pole ~~shall be \$50 per year~~ is established by County Council. The County reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to County poles. The rates specified in this Section shall not apply to poles owned, or operated and accounted for as an asset of, a County electric utility. For further information, applicants should contact the Building Safety Department.

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<sup>306</sup> The dimensional standards are mandated by the S.C. Small Wireless Facilities Deployment Act. The County can only regulate aesthetics and vary the height requirement in situations where the County requires decorative poles and in designated underground districts, design districts, or historic districts. Currently, the County does not provide for these situations, so aesthetic regulation is likely prohibited by the Act.

**B. Make-Ready Work.**

1. *Reimbursement Required.* The applicant is responsible to reimburse the County for make-ready work or to undertake the make-ready work, as provided by this Section. The rates, fees, terms, and conditions for make-ready work to collocate on a County pole shall be nondiscriminatory, competitively neutral, commercially reasonable, and in compliance with this Section.
2. *Estimates.* The County shall provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested collocation by a wireless provider, including pole replacement if necessary, within 60 days after receipt of a complete application. Alternatively, the County may require the wireless provider to perform the make-ready work and notify the wireless provider of such within the sixty-day period. If the wireless provider or its contractor performs the make-ready work, the wireless provider shall indemnify the County for any negligence by the wireless provider or its contractor in the performance of such make-ready work and the work shall otherwise comply with applicable law.
3. *Time for Work.* Make-ready work performed by or on behalf of the County, including any pole replacement, shall be completed within 60 days of written acceptance of the good faith estimate by the applicant. The County may require replacement of the pole if it demonstrates that the collocation would make the pole structurally unsound.

**C. Decorative Poles.** An applicant may be permitted to collocate on or replace decorative poles when necessary to deploy a small wireless facility. Collocation on or replacement of decorative poles is subject to the following conditions:

1. A replacement must be with a decorative pole that reasonably conforms to the design aesthetics of the original decorative pole, provided these requirements are technically feasible.
2. For applications to collocate small wireless facilities on decorative poles or to replace decorative poles to deploy small wireless facilities, the County may propose an alternate location in the right-of-way within 150 feet of the location set forth in the application. The applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. The applicant shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

**5.7.7 MAINTENANCE, REPAIR, & OTHER CHANGES THAT DO NOT REQUIRE A PERMIT****A. Routine Maintenance and Changes.** A small wireless permit or zoning certificate shall not be required for the following:

1. Routine maintenance;
  2. The replacement of a small wireless facility with another that is substantially similar or smaller; or
  3. The removal of antennas or antenna equipment from an existing small wireless facility.
- B. **Micro Wireless Facilities.** A permit shall not be required for the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables that are suspended between existing poles or support structures that are in compliance with applicable codes by a wireless provider that is authorized to occupy the right-of-way and that is remitting a consent, franchise, or administrative fee pursuant to [S.C. Code Ann. § 58-9-2230](#).
- C. **Special Situations Requiring Permits.** Notwithstanding the foregoing, the County may require that prior to performing any activity described above, an applicant must apply for and receive a permit for work that requires excavation or closure of sidewalks or vehicular lanes within the right-of-way for such activity.
- D. **Repair of Damage.** A wireless provider shall repair all damage to the right-of-way directly caused by the activities of the wireless provider in the right-of-way and shall return the right-of-way to its functional equivalence before the damage. If the wireless provider fails to repair damage to the right-of-way in compliance with this division within 30 calendar days after written notice, the County may repair such damage and charge the applicable party the reasonable, documented cost of such repairs; provided, however, that the wireless provider may request additional time to make such repairs, and the county shall not unreasonably deny such a request.

### 5.7.8 DISCONTINUATION OF USE & REMOVAL

- A. **Notification of Discontinuation.** A wireless provider shall notify the County at least 30 days before its abandonment of a small wireless facility in the right-of-way. Following receipt of such notice, the County may direct the wireless provider to remove all or any portion of the small wireless facility if the County determines that such removal is in the best interest of the public safety and public welfare.
- B. **Removal.** If the wireless provider fails to remove the abandoned facility within 90 days after such notice, the County may undertake to do so and recover the actual and reasonable expenses of doing so from the wireless provider, its successors, or assigns.
- C. **Removal and Relocation for Road Work.** The small wireless facility must be removed or relocated at the wireless services provider's expense at the request of the County or the South Carolina Department of Transportation for the purpose of road maintenance, construction, or other work within the right-of-way adjacent to the wireless facility.



## ARTICLE 6: PARKING & LOADING

### 6.1 GENERAL PROVISIONS

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#### 6.1.1 PURPOSE

The intent of this Article is to establish minimum parking and loading standards. This Article offers flexible methods to meet demands of parking and loading. These standards seek to enhance walkability and promote the use of multimodal transportation options, mitigate excessive paved surfaces, and encourage sustainable development practices.

#### 6.1.2 APPLICABILITY

- A. **Zoned Areas.** This Article applies throughout the zoned areas of unincorporated Greenville County.
- B. **Unzoned Areas.** This Article does not apply to unzoned areas of the County, except where specified in § 5.2: *Campgrounds*, § 5.4: *Manufactured Home Parks*, and § 5.6: *Recreational Vehicle (RV) Parks*.
- C. **New Development, Expansion of Existing Structure, and Change of Use.**<sup>307</sup>
  - 1. Permanent off-street parking space in the amount specified by this Article shall be provided:
    - (a) At the time of the erection of any building;
    - (b) At the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; and
    - (c) Before conversion from one type of use occupancy to another.
  - 2. Such parking space may be provided in a parking garage or properly graded and improved surface parking lot.
  - 3. All portions of the required space that are paved shall be marked in accordance with the standards contained herein. Lines shall be visibly marked with paint.

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<sup>307</sup> Carries forward a portion of the first paragraph of ZO Section 12:2 *Off-Street Parking*.

~~3-D.~~ **Nonconforming Parking & Loading.** When existing parking or loading facilities on a site are nonconforming, they must be brought into compliance when a proposed development meets the threshold in § 18.5: *Nonconforming Site Improvements*.

### 6.1.3 LOCATION OF REQUIRED PARKING SPACES

- A. **Generally.** Required parking spaces shall be located on the same lot on which the principal use is located, except as otherwise provided in this Article and in § 11.13: *Townhouse Subdivisions*.
- B. **Garages.** Required parking spaces for manufactured homes, detached house dwellings, townhouse dwellings, and duplex dwellings may be located in a private garage that is attached to or detached from the dwelling unit if the garage serves only that dwelling unit.
- C. **Parking Area to the Rear or Side of Buildings.** Required parking spaces shall be located to the rear or side, and not between the front of the building and the street, of the principal structure in the following districts:
1. Neighborhood Commercial District (C-N); and
  2. Rural Village District (RU-V).
- D. **Remote Parking Spaces.**<sup>308</sup>
1. If the off-street parking spaces required by this Article cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the principal use.
  2. Such space shall be deemed required space associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner.
  3. It is further provided that the Zoning Administrator may require a plat, deed, or other documentation necessary to show that remote parking space is controlled by and available to the applicant prior to the granting of a Certificate of Occupancy.

### 6.1.4 PARKING & STORAGE OF COMMERCIAL VEHICLES ON RESIDENTIAL LOTS<sup>309</sup>

- A. Only vehicles classified as Class 1, 2, 3 and 5 vehicles, as defined and classified by the Federal Highway Administration, are permitted on a residentially zoned lot within the zoned areas of

<sup>308</sup> Carries forward ZO Section 12:2.3 *Remote Parking Space*.

<sup>309</sup> Carries forward ZO Section 9:5.2 *Commercial Vehicles* (Parking and Storage of Vehicles). ZO Section 9:5.1 *Travel or Camping Trailers* is carried forward in Article 4: *Use Regulations for Zoned and Unzoned Areas*.

Greenville County.<sup>310</sup> A maximum of three commercial vehicles are permitted per residentially zoned lot, and a maximum of one of the three allowed vehicles may be Class 5. Commercial vehicles used for hauling explosives, gasoline, or liquefied petroleum products are prohibited.

## 6.2 PARKING RATIOS

### 6.2.1 USES WITH UNSPECIFIED PARKING RATIOS

- A. Although this Section does not specify a minimum number of parking spaces for the uses listed in Table 6.2.1-1: *Land Uses with Unspecified Parking Ratios*, the applicant shall provide sufficient parking to accommodate the use. Sufficient parking accommodates the maximum number of employees on a site at a given time and the number and frequency of customer or client visits.
- B. The uses listed in Table 6.2.1-1: *Land Uses with Unspecified Parking Ratios* are not subject to § 6.2.3: *Maximum Parking*.

Table 6.2.1-1: Land Uses with Unspecified Parking Ratios
Land Use
Agricultural/Horticultural Production
Agricultural Processing, Storage, and Support Services
<u>Agritourism</u>
<u>Amusement Parks, Theme Parks, Fairgrounds</u>
Animal Production Facilities
Cemeteries
Equestrian Centers
Equine Stables
Farm Animals, Livestock, Barns, and Stables
<u>Fishing Lakes &amp; Ponds</u>
Forestry and Logging Activities
Landscape Businesses
Nursing Care in Home
Outdoor Storage
Parking Facilities
Quarries
Runways

<sup>310</sup> According to the [Federal Highway Administration](#), Class 1 vehicles include motorcycles; Class 2 includes passenger vehicles; Class 3 includes four-tire, single-unit vehicles; and Class 5 includes two-axle, six-tire, single unit vehicles. Class 4, prohibited from parking on residential lots, includes busses.



**Table 6.2.1-1: Land Uses with Unspecified Parking Ratios**

Land Use
Truck Terminals
Utilities, including Communication Towers; Public Utility Stations, Buildings, and Uses; Sewage Pump Stations; Sewage Treatment Facilities; and Small Wireless Facilities
Vehicle Storage Facilities, including Automobile, Boat, Motorcycle, and RV Storage
Waste Management Facilities, including Commercial Incinerators, Composting Facilities, Landfills, Recycling Collection and Processing Centers

**6.2.2 MINIMUM PARKING<sup>311</sup>**

- A. **Purpose.** The purpose of this Subsection is to provide minimum ratios for on-site parking to accommodate traffic generated by the range of uses that might locate at a site over time. Sites within proximity to transit or in areas with well-developed street connectivity and established pedestrian facilities may have less demand for parking than areas that are not near centers and are much more dependent on vehicles to move long distances.
- B. **Minimum Parking Ratios.**
  - 1. *Generally.*
    - (a) The minimum parking ratios established in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* apply to all land uses, except as provided in § 6.2.1: *Uses With Unspecified Parking Ratios*, § 6.2.2.B.2: *Campus Uses*, and § 6.2.2.B.4: *Exceptions to Minimum Parking Ratios*.
    - (b) Except for residential uses, all uses must provide parking spaces for fleet and assembly area/use parking (if applicable for the use) as specified in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* under the subheading “Generally,” in addition to the minimum parking required for the use.
    - (c) Uses that primarily involve assembly, such as special event facilities, religious institutions, arenas, stadiums, auditoriums, and concert halls, do not have separate parking ratios and are subject to the assembly area/use parking ratio

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<sup>311</sup> This Section simplifies existing Table 12.1, significantly augments the listed land uses, and updates/modernizes existing ratios as needed.

specified in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* under the subheading “Generally.”

2. Campus Uses. Uses developed in a campus-like setting, such as hospitals, universities, and religious institutions, are instead subject to the provisions in § 6.2.7: *Campus Plan*.
3. Parking Analysis. Where Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* does not specify a minimum ratio and instead indicates “per parking analysis,” the applicant must submit a parking analysis that:
  - (a) Documents the total number of existing off-street parking spaces and the total number of new spaces, as applicable;
  - (b) Identifies the types of activities proposed to occur, along with the anticipated hours of operation and number of attendees for each activity; and
  - ~~2-~~(c) Demonstrates the existing and/or proposed parking sufficiently meets the anticipated parking demands of the various activities and does not produce conflicts (e.g., between parking spaces and drop-off lanes);
- 3.4. Exceptions to Minimum Parking Ratios. The following provisions promote housing attainability, protect historical resources, and encourage sustainable development and longevity of existing building stock within Greenville County.
  - (a) *Affordable Housing Exception.* The minimum number of required parking spaces may be reduced to zero for residential units deed restricted as affordable housing pursuant to § 2.3.5E: *Affordable Housing Incentives* (Mixed Residential Districts).
  - (b) *Historical Sites Exception.* The minimum number of required parking spaces may be reduced to zero on sites listed on the National Register of Historic Places or designated as historic by the Greenville County Council in accordance with § 16.3.1: *Designation of Historic Properties*. Historical sites that are tourist generators must sufficiently accommodate visitors without causing harm to the protected site.
  - (c) *Centers.* For sites located within the RU-V and C-N Districts, the first 1,500 square feet of commercial use is exempt from the minimum parking requirements.

- C. **On-Street Parking.** Improved on-street parking along the lot frontage may apply toward the minimum parking requirements for non-residential uses, if the right-of-way meets the minimum width required by Article 12: *Access & Connectivity*.<sup>312</sup>
- D. **Calculation of Required Number of Off-Street Parking Spaces.**
  - 1. In calculating the number of parking spaces required for any building, structure, development, or change in use, the total parking requirement is the sum of the individual parking ratios specified in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* for each category of use in the building, structure, or development.
  - 2. If the final calculation of the minimum number of required parking spaces includes a fraction, the number of required parking spaces is rounded up to the nearest whole number regardless of the fraction.
  - 3. If the final calculation of the maximum number of required parking spaces includes a fraction, the number of required parking spaces is rounded down to the nearest whole number regardless of the fraction.
- E. **Uses Not Listed.** Uses not listed in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* shall be the same as for the listed use deemed most similar to the proposed use by the Zoning Administrator. The Zoning Administrator may consider documentation from the applicant of parking demand generation for the particular use.

Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use	
Land Use	Number of Parking Spaces Required (min)
<b>GENERALLY</b>	
<b>Except for residential uses, all uses must provide parking spaces for fleet and assembly area parking (if applicable for the use) as specified under this subheading, in addition to the minimum parking ratios under the subheadings that follow below.</b>	
Fleet Vehicles	1 per fleet vehicle
Assembly Areas and Uses (with fixed seating), unless otherwise listed <sup>313</sup>	1 per 4 seats <sup>1</sup>
Assembly Areas and Uses (without fixed seating), unless otherwise listed <sup>314</sup>	1 per 30 sf of net assembly area
<b>ACCESSORY USES</b>	
Accessory Dwelling Unit	1 per dwelling unit

<sup>312</sup> This provision is new. Article 12: *Access & Connectivity* requires a wider right-of-way when on-street parking is incorporated into new streets.

<sup>313</sup> Carries forward current ratio for assembly areas (with seating).

<sup>314</sup> Carries forward current ratio for assembly areas (without seats).

Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use	
Land Use	Number of Parking Spaces Required (min)
<del>Agritourism</del>	<del>1 per each 4 customers/participants the use is designed to accommodate</del>
Caretaker/Watchman’s Quarters	1 per dwelling unit
Farm Labor Dwellings	0.5 per bedroom
Farmstands (permanent)	1 per 250 sf of retail floor area but none required for stands less than 100 sf
Home Occupations	See § 4.4: <i>Accessory Uses &amp; Structures</i>
All Other Accessory Uses	None
ACCOMMODATIONS & LODGING	
Bed and Breakfast Establishments, Hotels, Motels <sup>315</sup>	1 per each room to be rented
Campgrounds and RV Parks	1 per campsite/RV site, plus 1 visitor space per 10 campsites/RV sites
AGRICULTURE & HORTICULTURE	
Community Garden, Non-Commercial	1 per 10,000 sf of outdoor lot area
Retail Sales of Agricultural Products	1 per 500 sf GFA
Sales/Service of Agricultural Equipment	1 per 500 sf GFA
ANIMAL-RELATED USES (NON-FARM)	
Animal Shelters, Kennels, Pet Day Care Facilities, and Pet Grooming, Training, Boarding (indoor) <sup>316</sup>	1 per 1,000 sf GFA
Veterinary Hospitals and Veterinary Offices and Clinics	1 per 300 sf GFA
ARTS, ENTERTAINMENT, & RECREATION	
Adult Entertainment Establishments (Sexually Oriented Businesses)	1 per 250 sf GFA for the first 2,500 sf and 1 per 500 sf thereafter
<del>Amusement Parks, Theme Parks, Fairgrounds</del>	<del>Per parking analysis</del>
Art Galleries, Artisan Workshops or Studios, Museums, Cultural Facilities	3 per 1,000 GFA; or, 1 per studio/workshop space or 1 per practitioner occupying the site on a full-time basis, plus 1 per 1,000 sf of GFA of net exhibit or gallery space;

<sup>315</sup> Carries forward current parking ratio for hotel, motel, or motor court. Proposes to delete the following text: “plus requirements for any other use associated with the establishment, such as offices, restaurants, and assembly uses,” since that text is redundant to Section 5.2.1.B.1: *Minimum Parking Ratios; Generally*.

<sup>316</sup> Corresponds with LBCS F2720.

Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use	
Land Use	Number of Parking Spaces Required (min)
	whichever is less
Athletic Facilities, <del>Fishing Lakes &amp; Ponds</del> , Go-Kart Facilities (Outdoor) Recreation & Amusements (Outdoor) <sup>317</sup>	Generally, 1 per each 2,000 sf of site area, unless otherwise listed below; 25 per football field or basketball court; 20 per diamond; 1 for each hole of miniature golf; and 1 per 100 sf of water surface area for pools
Golf Courses, Driving Ranges <sup>318</sup>	4 for each green, plus 1 for each driving tee on a driving range, plus requirements for any other associated use (such as retail, restaurant, or office)
Indoor Recreation Facilities, Fitness Centers <sup>319</sup>	1 per <del>200</del> <u>100</u> sf GFA
Marinas	1 for each boat slip
Motor Sports Facilities, Racetracks	See § 4.3.24: <i>Motor Sports Facilities, Racetracks</i>
Recreation Areas, Neighborhood	1 per each 2,000 sf of site amenity area; plus 1 per each 100 square feet of water surface area for swimming pools <sup>320</sup>
Shooting Ranges	2 per shooting lane
<del>Theaters, Drive-In</del>	<del>1 per each motor vehicle served</del>
BUSINESS, PROFESSIONAL, SCIENTIFIC, & TECHNICAL	
General and Professional Office (non-medical and non-government), unless otherwise listed <sup>321</sup>	3 per 1,000 sf GFA of building or tenant space
Banks, Financial Institutions	1 per 300 sf GFA; plus 2 per walk-up ATM
Business Incubator Centers	1 per 1,000 sf GFA of building or tenant space
Data Centers, Communications & Information <sup>322</sup>	1 per 500 sf GFA of building or tenant space for the first 3,000 sf and 1 per 2,500 sf GFA of building or tenant space thereafter

<sup>317</sup> Carries forward current parking ratios for commercial recreation (outdoor), miniature golf, and community recreation area (with swimming pool).

<sup>318</sup> Carries forward current parking ratio for golf courses and driving ranges. Proposes to delete the following text: “plus requirements for any other associated use,” since that text is redundant to Section 5.2.1.B.1: *Minimum Parking Ratios; Generally*.

<sup>319</sup> Carries forward current parking ratio for commercial recreation (indoor).

<sup>320</sup> Incorporates a text amendment recently adopted by County Council.

<sup>321</sup> Carries forward current parking ratio for office and professional building.

<sup>322</sup> Carries forward current parking ratio for warehousing, flex space, and data center uses.

<b>Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use</b>	
<b>Land Use</b>	<b>Number of Parking Spaces Required (min)</b>
<b>EDUCATIONAL</b>	
Day Care Centers, Adult/Child <sup>323</sup>	1 per 250 sf GFA
Schools - Colleges, Universities	1 per 1,000 sf GFA of non-residential academic space
Schools - High School <sup>324</sup>	7 per classroom
Schools - Primary, Secondary <sup>325</sup>	1 per classroom
<b>GOVERNMENT &amp; CIVIC</b>	
Community Centers <sup>326</sup>	1 space per 750 sf GFA; or Per parking analysis (see § 4.3.11: <i>Community Centers</i> )
Emergency Service, Fire, Police, & EMS Facilities	1 per 1,000 sf GFA
Governmental Facilities and Operations, Libraries, Post Offices	1 per 300 sf GFA
<b>HEALTHCARE</b>	
Care Centers, Group Homes	1 per bedroom
Hospitals and Nursing Care Facilities <sup>327</sup>	1 per residential dwelling unit; 1 per hospital bed; 1 per every 3 group care beds; 1 per every 5 nursing beds
Medical Offices & Clinics <sup>328</sup>	3 per exam room
<b>HEAVY COMMERCIAL &amp; INDUSTRIAL</b>	
Industrial (Service, Light, Heavy) <sup>329</sup>	1 per 500 sf GFA of building or tenant space for the first 3,000 sf, then 1 per 1,500 sf GFA of building or tenant space thereafter
<b>RESIDENTIAL</b>	
Residential, unless otherwise listed	1 per bedroom, dorm room, or guest room
Manufactured Homes, Detached House Dwellings, Townhouse Dwellings, & Duplex Dwellings <sup>330</sup>	2 per unit

<sup>323</sup> Carries forward current parking ratio for adult/child day care center.

<sup>324</sup> Carries forward current parking ratio for high school and expands to include public schools as well as private.

<sup>325</sup> Carries forward current parking ratio for grade, elementary, and middle schools and expands to include public schools as well as private.

<sup>326</sup> County Council adopted text amendments pertaining to community centers on September 20, 2022.

<sup>327</sup> Carries forward current parking ratios for hospital/assisted care/nursing facilities.

<sup>328</sup> Carries forward current parking ratio for office medical or dental.

<sup>329</sup> Carries forward current parking ratio for factory, industrial.

<sup>330</sup> Carries forward current parking ratio for single-family detached dwellings, townhouses, and duplexes.

Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use	
Land Use	Number of Parking Spaces Required (min)
Multiplex Dwellings, Group Residential Developments <sup>331</sup>	1 per bedroom or efficiency unit; 1.5 per 2-bedroom unit; 2 per 3 or more-bedroom unit; Visitor parking in a ratio of 10% of the total required parking for such development
Triplex Dwellings, Quadplex Dwellings <sup>332</sup>	1.5 per unit
<b>RETAIL, SERVICE, FOOD &amp; BEVERAGE</b>	
Retail, Service, and Food & Beverage Uses, unless otherwise listed <sup>333</sup>	3 per 1,000 sf GFA of building or tenant space
Bookstores	1 per 1,000 sf GFA
Restaurants <sup>334</sup>	1 per 100 sf GFA, <u>including outdoor seating areas (mobile order/curbside pickup spaces do not count towards the minimum number of required spaces)</u>
Shopping Centers	<u>5-7</u> per 1,000 sf GFA of building or tenant space
<b>TEMPORARY USES</b>	
All Temporary Uses	See § 4.5: <i>Temporary Uses</i>
<b>TRANSPORTATION, WAREHOUSING, &amp; STORAGE</b>	
Automobile Wrecking Facilities, Junkyards, Salvage Yards, and Scrap Processors	See § 4.3.5: <i>Automobile Wrecking Facilities, Junkyards, Salvage Yards, &amp; Scrap Processors</i> and Chapter 9, <u>Article IV: Junkyards</u>
Self-Storage Facilities	1 per 20 units, or 5 visitor spaces in the vicinity of leasing office for facilities providing a minimum <u>2024</u> -foot drive aisle width adjacent to all storage unit doors; <u>plus 3 spaces per 1,000 sf GFA for the leasing office</u>
Wholesaling, Warehousing, Flex Space, and Distribution Uses <sup>335</sup>	1 per 500 sf GFA of building or tenant space for the first 3,000 sf, then 1 per 2,500 sf GFA of building or tenant space thereafter
<b>VEHICLE-RELATED</b>	
Automobile Washes	15 per wash unit

<sup>331</sup> Carries forward current parking ratio for multi-family structures or group developments over four units.

<sup>332</sup> Carries forward current parking ratio for multi-family structures not over four units.

<sup>333</sup> Carries forward current parking ration for retail sales and group commercial.

<sup>334</sup> Modernizes the existing parking ratio for restaurants by basing on building square footage, rather than number of seats (which can change over time) and eliminating the additional parking requirement for “dance floors.”

<sup>335</sup> Carries forward current parking ratio for warehousing, flex space, and data center uses.

Table 6.2.2-1: Minimum Number of Parking Spaces Required by Land Use	
Land Use	Number of Parking Spaces Required (min)
(Full Service) <sup>336</sup>	
Automobile Washes (Other Than Full Service)	See § 6.5: <i>Vehicle Queuing</i>
Gas Stations	1 per 200 sf GFA of retail area, in addition to space provided for vehicles being fueled
Automobile Service Facilities; Vehicle Repair, Service, Trim, or Upholstery Facilities <sup>337</sup>	See § 6.5: <i>Vehicle Queuing</i>
Vehicle Sales & Rental, including Automobiles, Boats, and RVs	1 per 300 sf of indoor sales area, plus 1 per 5,000 sf of outdoor <u>sales</u> /display area
WASTE MANAGEMENT	
Recycling Convenience Centers, Recycling Trailers	2 per container

**Key:** min = minimum required | du = dwelling unit | sf = square feet | GFA = gross floor area

<sup>1</sup> Linear feet of bench seating per seat shall be determined by and consistent with the Building Code.

### 6.2.3 MAXIMUM PARKING<sup>338</sup>

- A. **Purpose.** This Subsection is intended to mitigate negative impacts of excessive surface parking areas and promote sustainable development practices.
- B. **Maximum Number of Spaces.** A non-residential use<sup>339</sup> shall not provide more than 150% of the minimum required number of parking spaces, unless the parking area above 150% is provided in conjunction with any one or more of the following techniques.
  - 1. Pervious concrete or grass over supporting plastic or concrete grids, bioretention areas, vegetative filter strips, or other low impact development (LID) techniques;
  - 2. Solar canopy;
  - 3. Underground parking facility; or

<sup>336</sup> Carries forward current ratio for automobile wash (full service). Section 5.5: *Vehicle Queuing* includes requirements for queuing lanes for all types of automobile washes (automatic, full-service, and self-service).

<sup>337</sup> Carries forward current ratio for automobile repair/service facility.

<sup>338</sup> Sets a “soft” maximum cap on the required number of parking spaces and encourages use of sustainable practices.

<sup>339</sup> Article 23: *Definitions & Acronyms* proposes to define “non-residential use” as “any use other than a residential use (e.g., commercial, retail, office, civic, or institutional use)” and “residential use” as “any use that includes only dwelling units and their customary accessory uses, but no other uses.”



4. Structured parking.

#### 6.2.4 INCENTIVES FOR PARKING REDUCTIONS

A. **Purpose.** The following incentives are established to:

1. Mitigate impacts related to surface parking;
2. Encourage practices that help to implement the goals and objectives of the Comprehensive Plan; and
3. Promote sustainability, affordability, multi-modality, and protection of resources.

B. **Incentives.** The incentives provided in this Section are cumulative up to a maximum 25% reduction in minimum parking requirements. The site plan or building permit application, as applicable, shall demonstrate compliance with all applicable criteria for the parking space reduction.

1. *Alternative Transportation Options.* To promote reduction in vehicle miles traveled (VMT), an applicant may reduce the minimum number of required parking spaces as specified below.
  - (a) *Carpool Sharing Spaces.* An applicant may reduce the minimum number of required parking spaces by up to 10% if the following criteria are met:
    - (1) The use is an office, industrial, or campus use with more than 20 parking spaces on site;
    - (2) ~~Car-sharing~~Carpool spaces are located closest to the building entrance, but not closer than spaces reserved for ADA-accessible spaces; and
    - (3) Signs are posted indicating spaces are reserved for ~~car-share~~carpool use during regular working hours.
  - (b) *Expanded Bicycle Facilities.* An applicant may reduce the minimum number of required parking spaces by up to 15% if the following criteria are met:
    - (1) Showers, lockers, and changing facilities are provided in a convenient location and are easily accessible to employees; and
    - (2) Bicycle racks are provided within a secure area such as a bicycle rack room or locker.
2. *Proximity to High-Frequency Transit.* As specified in § 12.6.4: *Parking Reduction*, to promote reduction in VMT, an applicant may reduce the minimum number of required parking spaces:

- (a) By up to 10% if the following criteria are met:
    - (1) The property is located within a 1,320-foot walking distance of an operating transit stop or station providing both shade and seating; and
    - (2) A direct pedestrian pathway is provided from the public sidewalk to the building's main entrance; or
  - (b) By up to 15% if the development provides a new transit stop, in coordination with GreenLink.
3. *Shuttle to Transit Facility.* As specified in § 12.6.4: *Parking Reduction*, with authorization of the Zoning Administrator, on a legal affidavit approved by the County Attorney and reauthorized on a bi-annual basis, Government & Civic and Business, Professional, Scientific, & Technical uses that provide regularly scheduled shuttle transit to and from a transit facility, such as a park and ride facility, may reduce the number of required off-street parking spaces by up to 20%.
  4. *Proximity to Trails and Greenways.* To promote reduction in VMT, an applicant may reduce the minimum number of required parking spaces by up to 10% if the following criteria are met:
    - (a) The property has frontage along a trail or greenway, as designated in the Mobility and Thoroughfare Plan or other adopted plan or capital improvement program that identifies planned trail or greenway corridors; and
    - (b) A direct pedestrian pathway or entrance is provided from the trail or greenway to the building's main entrance.
  5. *Tree Preservation.* To promote protection of natural resources, minimum parking may be reduced by one parking space for each tree 12 inches in diameter and larger that is preserved up to a maximum of 2 parking spaces or 10% of the total required, whichever is greater.

### 6.2.5 ADJUSTMENTS TO MINIMUM PARKING<sup>340</sup>

- A. **Purpose.** The minimum off-street parking ratios are intended to encourage development that is economically viable, but are not intended to be so rigid as to require significantly more parking spaces than a particular use demands. Project conditions associated with individual sites may justify the use of alternative parking plans as provided in this Subsection.

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<sup>340</sup> Allows for reductions or increases to the minimum established parking ratios.

**B. Administrative Adjustments.**<sup>341</sup>

1. In the event that the minimum parking requirements cannot be placed on the site in accordance with these regulations without the demolition of an existing structure or damage of significant trees on the site or in the public right-of-way to accommodate a parking area; or if written documentation that demonstrates fewer spaces than required are needed because of the nature of the business, hours of operation, or availability of adjacent parking, the Zoning Administrator may authorize up to a 25% reduction in the total number of parking spaces required on the site.
2. The 25% adjustment allowed by 6.2.5B.1 above may be combined with any one or more of the incentives allowed by 6.2.4: Incentives for Parking Reductions, which has the potential to provide up to a 50% reduction in the minimum number of required parking spaces.

**C. Alternative Parking Plans.**

1. Certain land uses have unique or variable parking demands that warrant flexibility in the required minimum number of parking spaces. If the administrative adjustment provided in § 6.2.5.B. does not sufficiently address the needs for a particular use, an applicant may submit to the Zoning Administrator an alternative parking plan demonstrating a need for a further parking reduction.
2. The alternative parking plan must be included with any application required to establish the use (see Article 16: UDO Procedures).
3. An applicant may submit an alternative parking plan that:
  - (a) Demonstrates the minimum parking ratio specified in Table 6.2.2-1: *Minimum Number of Parking Spaces Required by Land Use* for a use with unique or variable parking needs is not appropriate for the particular site;
  - (b) Demonstrates the administrative adjustment provided in § 6.2.5.B. does not sufficiently address the needs for the use;
  - (c) Demonstrates the incentives for parking reductions provided in § 6.2.4 do not sufficiently address the needs for the use or are not feasible for the particular use or site;

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<sup>341</sup> This Section carries forward the paragraph following Table 12.1 in the current Zoning Ordinance, which allows for limited administrative adjustments to parking ratios.

- (d) Documents the total number of existing off-street parking spaces and the total number of new spaces, as applicable;
- (e) Identifies the types of activities proposed to occur, along with the anticipated hours of operation and number of attendees for each activity; and
- (f) Demonstrates the existing and/or proposed parking sufficiently meets the anticipated parking demands of the various activities and does not produce conflicts (e.g., between parking spaces and drop-off lanes); or
- (g) Proposes an off-site parking plan to meet the needs of the proposed use, in accordance with § 6.1.3.D: *Remote Parking Spaces*.

~~(g)~~4. The Zoning Administrator shall approve the alternative parking plan if it meets the requirements in § 6.2.5C.3 above. The approved alternative parking plan establishes the total number of spaces required for the proposed use.

### 6.2.6 SHARED PARKING<sup>342</sup>

- A. Shared use of required non-residential parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times.
- B. Shared use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing with the building and zoning permit application and anytime an owner or tenant sharing the parking changes:
  1. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
  2. The location and number of parking spaces that are being shared; and
  3. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

### 6.2.7 CAMPUS PLAN

- A. Uses associated with a campus-like setting have a greater degree of variability that make it impractical to assign a single parking ratio. Campus settings such as hospitals, colleges or universities, religious institutions, airports, and passenger terminals, as well as uses associated with emergency services, such as fire, EMS, and police stations might include synergistic

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<sup>342</sup> Carries forward ZO Section 12:2.2 *Shared Parking*.

variables above and beyond the minimum baseline considerations of this Article that contribute and influence the supply and demand of parking.

- B. Factors might include Transportation Demand Management concepts, alternate forms of commuting, valet and tandem parking, or alternative methods of campus transport such as an on-site shuttle or bus. These types of campus settings shall consult with the Traffic Engineer and establish a comprehensive and campus-wide alternative parking plan for approval by the Zoning Administrator.

**6.2.8 ELECTRIC VEHICLE INFRASTRUCTURE<sup>343</sup>**

- A. **Purpose.** This Subsection is intended to support electric vehicle readiness by requiring minimum infrastructure standards for electric vehicle charging needs.

**B. Group Residential Development and Non-Residential Development.**

- 1. New parking areas for group residential development and non-residential development shall provide the electrical capacity necessary to accommodate hardwire installation of electric vehicle charging stations.
- 2. The percentage of parking dedicated to electric vehicles shall be provided in the amount according to Table 6.2.8-1: *Minimum Number of Electric Vehicle Charging Stations Required*.
- 1.3. Spaces with electric vehicle charging stations do not count towards the minimum number of parking spaces required by § 6.2.2: Minimum Parking.

Table 6.2.8-1: Minimum Number of Electric Vehicle Charging Stations Required	
Number of Parking Spaces	Number of Spaces with EV Charging Stations
0-50	None Required
Over 50 spaces	10% or 40 stations, whichever is less

- B.C. Charging Station Requirements.** Electric vehicle chargers shall not obstruct vehicular or pedestrian circulation and shall be located either within a parking lot island, mounted to a structure, or in an area protected by bollards, curbs, or other structure.

<sup>343</sup> New section added to require minimum baseline for electric vehicles.

## 6.3 OFF-STREET PARKING AREA DESIGN

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### 6.3.1 APPLICABILITY

This Section applies to all off-street parking except off-street parking for detached house dwellings, manufactured homes, townhouse dwellings on adjoining individual lots, and duplex dwellings.

### 6.3.2 PARKING LOT LAYOUT & DESIGN<sup>344</sup>

- A. **Vehicular Circulation.** All off-street parking areas shall be designed so that all traffic related activities are confined to the site and vehicles can turn around within the area and enter the street, road, or highway in such a manner as to eliminate the necessity of backing into the street, road, or highway.
- B. **Stormwater Management.** All parking spaces shall drain into low-impact development features, such as bioretention cells and stormwater courtyards, which must be constructed in accordance with Article 14: *Low Impact Development*.
- C. **Alternative Parking Space Surfacing & Marking.**<sup>345</sup> The required parking areas for commercial buildings and multiplex dwellings may be constructed using pervious concrete, grass over supporting plastic/concrete grids, or any other pervious surface approved by the Land Development Division to help reduce the amount of impervious surface on the site. The alternative parking surface should be installed according to the manufacturer's installation instructions.
- D. **ADA Accessibility.**<sup>346</sup> The minimum required number of accessible parking spaces are the same as required by the current Building Code.
- E. **Parking Space ~~Access &~~ Minimum Dimensions & Fire Access Lane.**<sup>347</sup>
  - 1. ~~Corner lots with frontage on arterial or major collector roads may only take access from the lower classified street.~~

<sup>344</sup> This Section carries forward the provisions in ZO Section 12:2.4: *Design of Parking Area*.

<sup>345</sup> This section carries forward the provisions of ZO 12:2.6 *Alternative Parking Surfaces*.

<sup>346</sup> This section carries forward the provisions of ZO 12:2.7 *Additional Requirements for the Physically Disabled and/or Handicapped* with minor revisions.

<sup>347</sup> This section carries forward the provisions of ZO Table 12.2: *Minimum Parking Requirements (Dimensions)* and ZO 12:2.5 *Off-Street Parking Space Design Standard (See Parking Standards Diagram)*.

2.1. All parking space dimensions shall be provided according to Table 6.3.2-1: *Minimum Parking Space Dimension Requirements* and Figure 6.3.2-1: *Minimum Parking Space Dimensions*.

3.2. In addition to the minimum parking space dimension requirements, at least one fire access lane must be provided and approved by the local fire district.

**Table 6.3.2-1: Minimum Parking Space Dimension Requirements**

Angle of Parking (degrees)	Width of Stall (min)	Depth of Stall (min) <sup>1</sup>	Driveway Width (min) <sup>2</sup>	Length of Curb per Car (min)
0	9 ft	23 ft	12 ft	23 ft
30	9 ft	17 ft, 4 in	11 ft	18 ft
45	9 ft	19 ft, 10 in	13 ft	12 ft, 9 in
60	9 ft	21 ft	18 ft	10 ft, 5 in
90	9ft <sup>3</sup>	20 ft	24 ft	9 ft

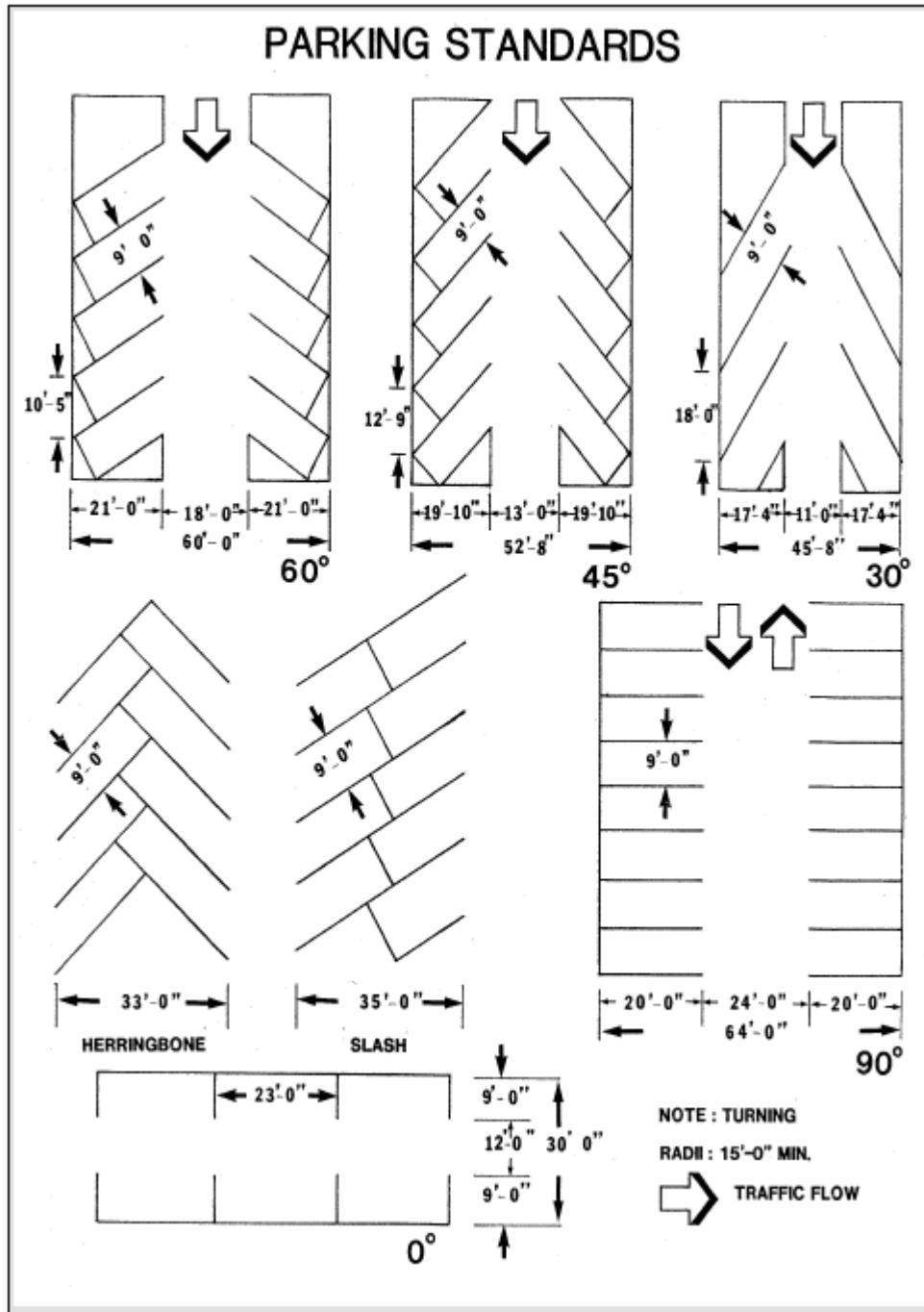
**Key:** min = minimum required | ft = feet | in = inches

<sup>1</sup>In 90-degree parking stalls, the depth of the stall may be reduced to 18 feet where a grassed or landscaped median, with a minimum 2-foot width per row of parking stalls, has been provided for automobile overhang. Wheel-stops or curbing shall be provided to protect and delineate the median from the parking stalls.

<sup>2</sup>Minimum driveway widths shall be maintained to the point of intersection with the adjoining public or private right-of-way.

<sup>3</sup>Width of parallel parking stalls may be reduced to 7 feet, or as determined by the Zoning Administrator.

Figure 6.3.2-1: Minimum Parking Space Dimensions





## 6.4 INTERIOR PARKING LOT LANDSCAPING<sup>348</sup>

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### 6.4.1 APPLICABILITY

**A. Generally.** This Section applies to:

1. All new off-street parking lots with 60 or more parking spaces; ~~except:~~ and
2. Any change to an existing parking lot that proposes to increase the total number of parking spaces to 60 or more.

**B. Exceptions.** This Section does not apply to:

- A-1. Lots used for the express purpose of fleet, showcase, rental, leasing, or maintenance vehicle storage; and
- B-2. Parking structures (multi-level).

### 6.4.2 INTERIOR PLANTINGS REQUIRED

- A. In addition to the right-of-way and ~~perimeter~~interior buffers required by § 7.2: *Interior & Roadside Buffers*, all off-street parking lots subject to this Subsection shall provide and maintain landscaped planting areas within the interior of, and adjacent to, the parking lot.
- B. Interior planting islands shall have a minimum planting area of 8 feet wide by 18 feet long. These dimensions may be varied to accommodate the design of vegetated stormwater control measures in accordance with § 14.6: *Low Impact Development Features for Water Quality*. An interior planting island that contains one or more shade trees shall provide at least 600 cubic feet of soil volume per tree.<sup>349</sup>
- C. In addition to the required trees and shrubs, planting areas shall be grassed or covered with mulch.

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<sup>348</sup> This Section carries forward and reorganizes ZO Sections 12:4.2: *Interior Plantings*, 12:4.3: *Planting Material Specifications*, 12:4.6: *Exceptions*, and 12:4.7: *Owner Responsibilities and Maintenance*. ZO Sections 12:4.1: *Roadside Buffers*, 12:4.4: *Existing Trees*, and 12:4.5: *Protection of Existing Trees* are carried forward in Article 7: *Buffers & Screening* and Article 8: *Tree Preservation*.

<sup>349</sup> Proposed here is to add a soil volume requirement. Sufficient soil volume is critical to root growth and the long-term health of the tree. The minimum proposed here (600 ft<sup>3</sup>) is generally recommended for small-sized trees. According to the U.S. EPA, it is generally accepted that a large-sized tree (16 inches diameter at breast height) needs at least 1,000 cubic feet of uncompacted soil" (*Stormwater to Street Trees: Engineering Urban Forests for Stormwater Management*).

- D. All planting areas shall be protected from vehicular intrusion by the installation of curbing, wheel stops.
- E. Each landscaped planting area shall contain trees and shrubs at the rates listed below rounded upward to the next whole number:
1. One shade tree for every 15 parking spaces;<sup>350</sup> and
  2. One shrub for every 5 parking spaces.
- F. Trees and shrubs shall meet the specifications in Article 7: *Buffers & Screening*.
- G. Interior planting areas shall be designed within or adjacent to the parking area(s) as:
1. Islands, located at the end of parking bays;
  2. Islands, located between parallel rows of parking spaces;
  3. Driveway medians, with a minimum width of 8 feet;
  4. Intermediate islands; or
  5. A combination of the above.
- H. Trees and shrubs must be planted within 20 feet of the parking area to satisfy the interior planting requirements.
- I. The design, size, and shape of the interior planting areas shall be at the discretion of the owner. However, no parking space shall be:
1. Located farther than 90 feet from the trunk of a shade tree; or
  2. Separated from a shade tree by a building or other structure.
- J. When existing trees are preserved to meet the requirements of this Section, the new planting requirements may be reduced in accordance with *Article 8: Tree Preservation*.
- K. In accordance with Article 14: *Stormwater Management*, vegetated low impact development (LID) features may count towards landscaping required by this Section.

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<sup>350</sup> Proposed here is to require *shade* trees (rather than simply “trees”) in parking lots to provide sufficient shading of paved areas.

### 6.4.3 PLANTING MATERIAL SPECIFICATIONS<sup>351</sup>

- A. A minimum of 75% of trees planted to meet the requirements of this Section shall be shade trees, unless precluded by utilities.
- B. Shade trees shall have a minimum planting size of 2 inches DBH measured 18 inches above grade.
- C. Small trees and multi-stem trees shall have a minimum planting height of 6 feet.
- D. Evergreen shrubs shall have a minimum installed height of 12 inches and a minimum height of 30 inches within three years of installation.
- E. All shrubs inside the sight triangle at points of ingress and egress shall not exceed 36 inches in height.

### 6.4.4 OWNER RESPONSIBILITIES & MAINTENANCE<sup>352</sup>

The owner and their successors or assigns are responsible for maintaining all required plant material in good health. Any planted trees used to meet the provisions of this Section that die or become unhealthy must be replaced within one year with vegetation that conforms with the initial planting standards this Section.

## 6.5 VEHICLE QUEUING<sup>353</sup>

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### 6.5.1 PURPOSE

The vehicle queuing requirements are intended to limit the impact of new drive-through uses and services on adjacent roads.

### 6.5.2 APPLICABILITY

This Section applies to:

- A. Any use or operation with associated drive-through service;

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<sup>351</sup> This section carries forward a portion of the provisions of ZO 12:4.3 Planting Material Specifications.

<sup>352</sup> This section carries forward the provisions of ZO 12:4.7 *Owner Responsibilities and Maintenance*.

<sup>353</sup> These provisions are new.

- B. Day care centers and preschools;
- A-C. Elementary and secondary schools; and
- B-D. Any parking lot with a gated entrance.

### 6.5.3 QUEUING LANE LOCATION & DESIGN

- A. **Vehicle Queuing Lanes.** All vehicle queuing lanes shall:
  1. Be located entirely on the lot containing the use or operation subject to this Section;
  2. Not encroach into any public right-of-way;
  3. Be clearly marked; and
  4. Not interfere with or degrade the function of parking spaces, drive aisles, loading areas, internal circulation, driveway access, or fire lanes.
- B. **Pedestrian Crossing Areas.** Pedestrian areas that cross a vehicle queuing lane shall be at least 4 feet in width and clearly marked with a sign and painted, stamped, or constructed with alternative materials.

### 6.5.4 QUEUING LANE DIMENSIONS

- A. **Minimum Queuing Lane Width.** Vehicle queuing lanes shall be at least 9 feet in width, excluding curbs.<sup>354</sup>
- B. **Minimum Queuing Lane Length.**
  1. The total minimum length of a queuing lane is specified by the number of vehicle spaces the lane must accommodate. Each vehicle space shall be at least 20 feet in length.<sup>355</sup>

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<sup>354</sup> This is the same width currently required for parking spaces in ZO 12:2.5 *Off-Street Parking Space Design Standard*. For reference, the Cities of Greenville and Mauldin require a minimum width of 8 feet.

<sup>355</sup> The Cities of Greenville and Mauldin require a minimum length of 20 feet.

2. All facilities subject to this Section shall provide a vehicle queuing lane or lanes that accommodate at least the minimum number of vehicle spaces specified in Table 6.5.4-1: *Minimum Number of Vehicle Queuing Spaces Required*.<sup>356</sup>

3. A queuing lane is measured as the linear distance between the queuing lane entrance and the drive-through service area/window or the gated entrance.

3.C. Elementary and Secondary Schools. Any application pertaining to the establishment or expansion of an elementary or secondary school must include documentation demonstrating the school-generated traffic can be contained on the school site without overflow into public rights-of-way on average school days.

Table 6.5.4-1: Minimum Number of Vehicle Queuing Spaces Required	
Land Use	Number of Spaces (per queuing lane)
ATM (Standalone)	3
Bank (ATM or Teller Window)	4
Car Wash (Automatic)	5
Car Wash (Full Service)	8
Car Wash (Self-Service)	2 per bay
<u>Day Care Center/Preschool</u>	<u>2 for facilities that serve up to 25 clients, plus 1 for each additional 25 clients</u>
<u>Elementary and Secondary School</u>	<u>See § 6.5.4C above</u>
Parking Lot with Gated Entrance	3
Pharmacy	6
Restaurant, with One Drive-Through Lane	8
Restaurant, with Two Drive-Through Lanes	4
Retail or Service (not otherwise listed)	3
Vehicle Repair (Quick Service, such as oil changes)	3 per bay

<sup>356</sup> The proposed minimum number of vehicle spaces per queuing lane is generally consistent with the City of Greenville’s requirements (see Zoning Ordinance [Section 19-6.1.7](#)) and the City of Mauldin’s requirements (see Zoning Ordinance [Section 6:1.1.5](#)). Greenville and Mauldin both require 3 spaces for ATMs, 4 for banks, 6 for automatic car wash stalls, 3 for self-service car wash stalls, and 4 for restaurant drive-throughs from the order box to the pickup window. Greenville also specifies a minimum of 6 spaces for restaurant drive-through order boxes. Mauldin requires 4 spaces for pharmacies and for gasoline service stations (i.e., gas pump islands). Mauldin allows the Planning Director to determine whether and how many queuing spaces are needed for other uses. Greenville also allows a staff decision, but it must be based on a traffic study.

## 6.6 OFF-STREET LOADING<sup>357</sup>

### 6.6.1 PURPOSE

The purpose of this Section is to ensure new industrial, warehouse, office, and retail buildings have sufficient off-street space for the loading and unloading of vehicles.

### 6.6.2 APPLICABILITY

This Section applies to all buildings containing:

- A. Industrial uses;
- B. Wholesaling, warehousing, flex space, and distribution uses;
- C. Office uses; and
- D. Retail uses.

### 6.6.3 MINIMUM NUMBER OF OFF-STREET LOADING ~~BERTHS-SPACES~~ REQUIRED

- A. The number of off-street loading ~~berths-spaces~~ required by this Section are considered as the absolute minimum, and the developer shall evaluate their own needs to determine if they are greater than the minimum specified by this Section.
- B. Table 6.6.3-1 specifies the minimum number of off-street loading ~~berths-spaces~~ required for industrial and wholesaling, warehousing, flex space, and distribution uses.
- C. Table 6.6.3-2 specifies the minimum number of off-street loading ~~berths-spaces~~ required for office and retail uses.

**Table 6.6.3-1: Number of ~~Berths-Loading Spaces~~ Required for Industrial and Warehousing Uses**

Gross Floor Area in Structure (sf)	Number of <del>Berths-Loading Spaces</del> (min)
0 to 25,000	1
25,001 to 40,000	2
40,001 to 100,000	3
100,001 to 160,000	4
160,001 to 240,000	5
240,001 to 320,000	6

<sup>357</sup> This Section carries forward and reorganizes ZO Section 12:3 *Off-Street Loading*.

**Table 6.6.3-1: Number of Berths-Loading Spaces Required for Industrial and Warehousing Uses**

Gross Floor Area in Structure (sf)	Number of Berths-Loading Spaces (min)
320,001 to 400,000	7
more than 400,000	7 plus 1 per each additional 90,000 sf

**Key:** sf = square feet | min = minimum required

**Table 6.6.3-2: Number of Berths-Loading Spaces Required for Office & Retail Uses**

Gross Floor Area in Structure (sf)	Number of Berths (min)
0 to 19,999	0
20,000 to 39,999	1
more than 40,000	2 plus 1 per each additional 20,000 sf

**Key:** sf = square feet | min = minimum required

**6.6.4 DESIGN OF OFF-STREET LOADING AREAS**

- A. An off-street loading berth-space shall have minimum plan dimensions of 12 feet by 60 feet and 14 feet overhead clearance with adequate means for ingress and egress.
- B. Off-street loading spaces shall be designed so that vehicles can maneuver for loading and unloading entirely within the property lines of the premises.

## ARTICLE 7: BUFFERS & SCREENING

### 7.1 GENERAL PROVISIONS

#### 7.1.1 PURPOSE<sup>358</sup>

The purpose of this Article is to establish minimum standards to achieve the following purposes, which, combined, promote the health and general welfare of the County:

- A. **Appearance and Beauty.** Enhancement of the overall appearance and natural beauty of the community;
- B. **Buffering and Screening.** Buffering of incompatible land uses and screening negative site elements;
- C. **Heat Island Effect.** Reduction of heat generated from paved surfaces;
- D. **Water Quality and Wildlife.** Protection of water quality and wildlife habitat;
- E. **Conservation.** Promotion of approaches to the design, installation, and maintenance of landscaping that encourage water and energy conservation;
- F. **Nuisances.** Mitigate air, dust, noise, heat, and chemical pollution;
- G. **Vegetation and Topsoil.** Preservation of existing vegetation and topsoil; and
- H. **Additional Benefits.** Provision of multiple additional benefits including energy conservation, increased property values, and an enhanced aesthetic quality throughout the County.

#### 7.1.2 APPLICABILITY<sup>359</sup>

~~A.~~ The provisions of this Article apply to all of the following activities in unincorporated Greenville County, except for agricultural uses and individual detached house dwellings, that meets or exceeds the following thresholds:

~~B-A.~~ **New Development.** New development on previously undeveloped land;

<sup>358</sup> This is new language that explains the purpose of the Article.

<sup>359</sup> This is new language that provides clarity for what kinds of development activities in the County trigger compliance with this Article.



**C.B. Change in Use.**

1. A change in use from a residential use to a non-residential use; or
2. A change from one non-residential use to another non-residential use, if the lot is adjacent to a residential zoning district or to a lot containing a residential use;

**D.C. Expansions.**

1. *Expansion of Multiplex Dwellings.* Expansion of a multiplex dwelling by more than 5 dwelling units;
2. *Expansion of Apartment Complex.* Expansion of an apartment complex by more than 5 dwelling units;
3. *Expansion of Gross Floor Area.* Expansion of the gross floor area of a building by more than 25%, except when the proposed expansion is adjacent to a residential use or zoning district, in which case screening must be provided in accordance with this Section regardless of the size of the expansion; or
4. *Expansion of Paved Surface.* Expansion of a paved surface by more than 25%.
5. Existing Uses. Where buffering is required due to the expansion of an existing land use, the perimeterinterior or right-of-wayroadside buffer is only required on the property lines most adjacent to the expansion.

**5-D. Nonconforming Buffers & Screening. When existing buffers or screening on a site are nonconforming, they must be brought into compliance when a proposed development meets the threshold in § 18.5: Nonconforming Site Improvements.****7.1.3 PLANT MATERIALS STANDARDS<sup>360</sup>**

- A. **Plant Variety.** All required plants shall be of the type and species appropriate for the climate of Greenville County and location being planted. All plant material shall meet the minimum standards recognized by landscape professionals. In order to reduce the threat and impact of plant disease, multiple plant types and species shall be utilized on each site.
- B. **Prohibited.** Invasive non-native species as listed by the Southeast Exotic Pest Plant Council for South Carolina are prohibited plant material.
- C. **Sizes and Varieties.**

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<sup>360</sup> This Subsection contains measurements that mostly come from the existing Zoning Ordinance.

1. *Generally.* All required plants shall meet the size and variety requirements in Table 7.1.3-1: *Minimum Plant Sizes and Heights*.
2. *Selection of Materials.*
  - (a) Biodiversity of the genus and species of trees and shrubs is required in order to prevent monocultures, which could result in large-scale losses in the event of disease or blight.
  - (b) Except for plantings in riparian buffers, within each category of required landscaping (shade or coniferous evergreen trees, small or multi-stem trees, and evergreen shrubs), not more than 60% shall be of any one genus and not more than 40% shall be of any one species. Refer to § 7.3: *Riparian Buffers*, for plant genus and species requirements in such buffers.
  - (c) Trees and shrubs planted pursuant to this Section shall be good, healthy nursery stock.

**Table 7.1.3-1: Minimum Plant Sizes and Heights**

Plant Type	Minimum Size at Planting	Minimum Height at Planting
Shade Tree	2-Inch Caliper	10 feet
Small or Multi-Stem Tree	1.5-Inch Caliper	6 feet
Evergreen Tree	Not Applicable	6 feet
Evergreen Shrub	3-Gallon Container	1 foot at planting / 3 feet within 3 years after planting

**D. Suggested Plant List.**

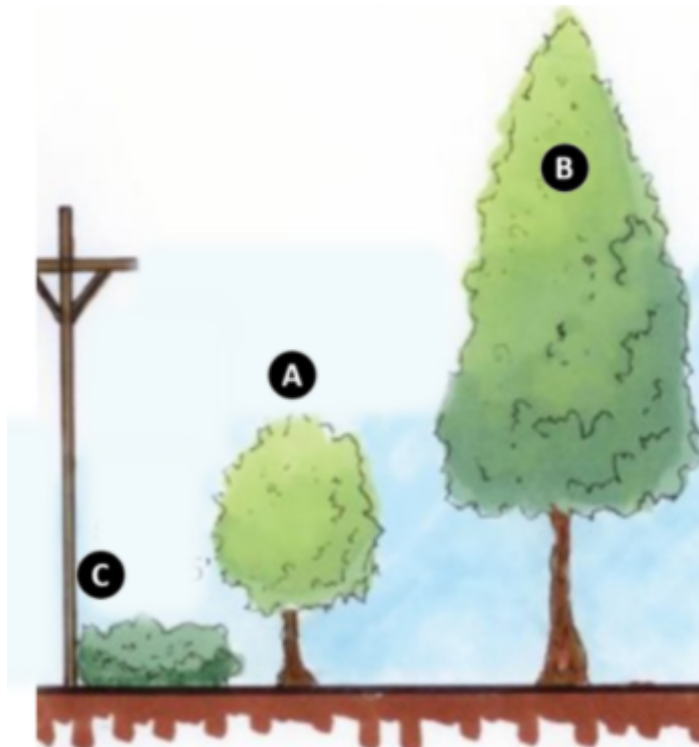
1. *Generally.* Plants listed in the UDO Administrative Manual Section 1: *Suggested Plant List* may be utilized to fulfill the requirements of this Article. Plants that are not listed in the *Suggested Plant List* are allowed in landscaped areas and may count toward compliance with this Article if the Zoning Administrator determines that:
  - (a) The plant is not a prohibited species;
  - (b) Is either native to the region or not invasive; and
  - (c) Provides habitat for native wildlife or migratory birds.
2. *Professional Expertise.* The applicant should seek professional expertise to determine the appropriate plant materials for any particular site, when considering individual site, soil, moisture, and microclimate conditions.

### 7.1.4 PLANT LOCATIONS & SUBSTITUTIONS<sup>361</sup>

All plantings must comply with the following standards.

- A. **Public Right-of-Way.** If approved by the right-of-way owner, a property owner may provide landscaping in the public right-of-way adjacent to his or her property in accordance with County Code § 18-64(b)(3) or SCDOT standards, as applicable. Such landscaping shall not count toward the requirements of this Article.
- B. **Sight Distance Triangle.** No landscaping may be planted in violation of the requirements in § 12.4: *Intersection Sight Distance.*
- C. **Easements.** Shade trees are prohibited within any public utility easement and under utility lines. Where shade trees are would normally be required in an area underneath overhead power lines, small or multi-stem trees are required in their place, as depicted in Figure 7.1.4-1: *Small or Multi-Stem Tree Substitution.*

**Figure 7.1.4-1: Small or Multi-Stem Tree Substitution**



**Key:** A = Small or Multi-Stem Tree | B = Shade Tree | C = Public Utility Easement / Utility Line

<sup>361</sup> This Subsection provides guidance for tree plantings in special circumstances and allows for substitutions of certain plant types.

D. **Plant Substitutions.** The following substitution of tree planting requirements are permitted:

1. *Shade.* One shade tree may take the place of 10 required shrubs, except in roadside buffers.
2. *Small or Multi-Stem.* One small or multi-stem tree may take the place of 5 required shrubs.
3. *Evergreen.* One evergreen tree may take the place of 1 required shade tree.
4. *Substitution.* One shade tree may take the place of 2 required small or multi-stem trees and 2 small or multi-stem trees may take the place of 1 shade tree per 100-foot buffer segment.
5. *Grasses.* Three ornamental grasses may take the place of 1 required shrub.

### 7.1.5 CREDIT FOR EXISTING PLANTS, FENCES, & WALLS

- A. **Generally.** An existing fence or wall may be counted towards the buffer requirements of this Section, ~~provided that~~if the fence or wall is structurally sound, in good repair, ~~and~~of an upright condition, and meets the standards in § 7.2.1J.
- B. **Existing Plants.** Healthy trees and shrubs on the subject property are eligible to fulfil the planting requirements for buffers if the plants comply with the standards of this Section (including being a species on the Suggested Plant List in the UDO Administrative Manual).
- C. **Existing Fences and Walls.** If a structured buffer, as established in § 7.2: *Interior & Roadside Buffers*~~Perimeter & Right-of-Way Buffers~~, is preferred or required and there is already a fence or wall on the property line, then the ~~Director~~Zoning Administrator may waive the fence or wall requirement, provided:
  1. The applicant's engineer verifies that the existing fence or wall is structurally sound, in good repair, and of an upright condition;
  2. The height and level of screening of the fence or wall meets the intent of this Article with regard to buffering; and
  - ~~3. The applicant records an agreement with the County that includes appropriate assurances that if the existing fence or wall deteriorates, or is damaged, destroyed, or removed, the applicant, or subsequent owners of the property, shall repair or replace it with a fence or wall that meets the buffer standards of this Article; and~~
  - 4.3. The applicant's Final Plat or, if no plat is required, Site Plan, includes an annotation ~~regarding the applicant's responsibilities under the agreement required by this Subsection~~that if the existing fence or wall deteriorates, or is damaged, destroyed, or

removed, the applicant, or subsequent owners of the property, shall repair or replace it with a fence or wall that meets the buffer standards of this Article.

## **7.2 ~~INTERIOR PERIMETER~~ & ~~RIGHT-OF-WAY ROADSIDE~~ BUFFERS<sup>362</sup>**

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### **7.2.1 GENERALLY<sup>363</sup>**

- A. **Types of Buffers.** The buffers required in this Section are based on the amount of screening they provide between zoning districts, depending on the types and intensities of adjoining zoning districts, or along the public right-of-way, depending on the adjacent street classification.
- B. **Description.** A buffer is a set aside area of land, 100 feet in length, located parallel to and within the outer perimeter of a property and extending to the property line, together with the plantings and vertical screening devices (berms, walls, or fences) required within the buffer. A buffer may also contain a barrier such as a wall, fence, or berm where additional screening is necessary to achieve the required level of buffering.
- C. **Fractional Buffers.** Where a buffer is required along a portion of a property line that is a fraction of 100 linear feet, then the same fraction of plantings for the buffer is required. For example, if a property line is 175 linear feet between two zoning districts and requires a Class C ~~perimeter interior~~ buffer, then the buffer along that property line shall consist of a full Class C buffer for 100 feet and a 75-foot-long Class C buffer for the remainder. The required plantings for a structured Class C buffer for this segment, based on Table 7.2.1-1: *Buffer Planting and Screening Requirements*, are multiplied by .75, resulting in 4 shade or evergreen coniferous trees, 5 small or multi-stem trees, and 23 shrubs.
- D. **Encroachments.**
1. ~~Perimeter Interior~~ or ~~ROW Roadside~~ Buffers. Permitted activities, improvements, or encroachments within a ~~perimeter interior~~ or ~~right-of-way roadside~~ buffer include:
    - (a) Monument signs, as established in Chapter 19: Signs, of the Greenville County Code, if the sign is no more than 5 feet in height;
    - (b) Utilities; and

<sup>362</sup> This Section revises and expands the requirements in ZO Section 12:9: *Screening and Buffering Requirements* and LDR Section 10.3.5: *Screening/Buffering*.

<sup>363</sup> The intent for this “Generally” Subsection is to lay out as many provisions as possible that apply to both ~~perimeter interior~~ and ~~ROW roadside~~ buffers and to let the specific subsections that follow address the remaining details.

- (c) Walkways, paths, trails, and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties.
- 2. ~~ROW-Roadside~~ *Buffers Only*. Permitted activities, improvements, or encroachments within a ~~right-of-way~~roadside buffer include:
  - (a) Driveway access;
  - (b) Entrance features and signage to the extent permitted; and
  - (c) Low impact drainage features as permitted in Article 14: *Stormwater Management*; and
  - (d) Clearing for sight distances as required for reasonable traffic safety.
- E. **Development Boundary Buffers.** Refer to Article 11: *Subdivisions & Group Developments* for buffers that apply to subdivisions and group developments.
- F. **Buffer Establishment.**
  - 1. *Classes.* There are three classes of buffers, each of which vary in width and in the numbers and types of plants required per 100 linear feet. These buffers function as ~~perimeter~~interior and ~~right-of-way~~roadside buffers according to §§ 7.2.2 and 7.2.3, below. Table 7.2.1-1: *Buffer Planting and Screening Requirements*, sets out the minimum number of plantings and required screening for each class of ~~perimeter~~interior buffer. Figure 7.2.2-1: *Example Buffer Types*, illustrates each buffer class.
  - 2. *Designation.* A required buffer shall be designated as open space or common area on the subdivision plat or site plan if no plat is required.
  - 3. *Interchangeability.* A development may include both natural and structured buffers along the same property line, if the required buffer class is maintained through the entirety of the property line.
- G. **Width.** The width of a buffer may be narrower than required by a maximum of one-half of the required width if the average width of the 100-foot buffer segment is the minimum required. For example, portions of a natural Class A buffer may be 6 feet in width if additional width is provided, wider than 12 feet, in other portions of the buffer.
- H. **Plant Arrangement.**
  - 1. *Planting Patterns.* Except as otherwise noted, required plantings may be arranged in clusters, in repeating patterns, or as needed in order to provide the most effective screening and buffering.

2. *Location on Subject Property.* Buffers shall be entirely located on the subject property ~~unless the applicant executes and records a maintenance agreement with the adjacent property owner.~~
  3. *Relationship to Screening Devices.* Where a screening device is part of a buffer, required plantings shall be located on the side of the screening device closest to the property line so that plantings are visible to the adjacent property or public right-of-way.
- I. **Buffer Maintenance.** Horticultural practices, including thinning and planting, may be used to maintain health of individual trees. Hazard trees and invasive species in the buffer may be removed.
- J. **Screening Devices.**
1. *Requirement.* Screening devices are required for structured buffers established in Table 7.2.1-1: *Buffer Planting and Screening Requirements*. Screening devices consist of wood fences or masonry walls, that meet the standards of this § 7.2.1J and § 7.6: *Fences & Walls* or berms that meet the standards specified in §§ 7.2.1J.6 and 7.2.1J.7 below.
  2. *Fence and Wall Height.* Required fences and walls shall be a minimum of 6 feet and a maximum of 9 feet in height.
  3. *Support Columns.* Masonry support columns shall be provided every 40 feet of a required fence.
  4. *Fence Material.* Required fences shall be composed of pressure-treated or naturally decay-resistant wood.
  5. *Breaks.* Breaks in a required fence or wall may be provided for pedestrian connections to adjacent developments.
  6. *Berms Measurements.*
    - (a) Berms that are part of a required ~~perimeter~~interior buffer shall have:
      - (1) A minimum height of 5 feet<sup>364</sup>;
      - (2) A minimum 2-foot wide flat area on top; and
      - (3) Slopes of not less than 3 feet horizontal for each 1 foot vertical.

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<sup>364</sup> Raised height of berm by one foot so that it comes closer to the height of a fence.

- (b) Berms that are part of a required ~~right-of-way roadside~~ buffer shall have:<sup>365</sup>
  - (1) A minimum height of 3 feet;
  - (2) A minimum 1-foot wide flat area on top; and
  - (3) Slopes of not less than 3 feet horizontal for each 1 foot vertical.

7. *Buffers with Berms.* In order to accommodate a berm, the buffer may need to be wider than required in Table 7.2.1-1: *Buffer Planting and Screening Requirements*. For example, a Type A buffer would have to be 26 feet in width in order to accommodate the berm and the flat area on top, but would only require the amount of plantings required for a Type A buffer.

K. **Exemptions.**<sup>366</sup> ~~Perimeter Interior~~ and ~~right-of-way roadside~~ buffers are not required when one of the following conditions exist, ~~except that § 7.2.1.K.1: Property Size, applies to perimeter buffers only:~~

- 1. *Elevation.* There is an elevation difference of at least 6 feet between two adjacent districts or between the subject property and the public right-of-way;
- 2. *Existing Vegetation.* The subject property ~~is separated from the adjacent property or right-of-way by~~ contains a natural area, ~~or a natural area that, if supplemented with new plantings,~~ meets or exceeds the level of screening required by the applicable buffer. The existing natural area may be supplemented with new plantings to meet the level of screening required by the applicable buffer; or
- 3. ~~Property Size.~~ ~~The subject property in a non-residential or mixed-use district is 2 acres or less in area; or~~
- 4.3. *Review Districts.* The subject property is in a review district, as established in Table 2.1.2-1: Zoning Districts, because the buffer requirements for these districts are stipulated in the statement of intent and/or concept plan for each development; however, the ~~perimeter interior~~ buffer width for an I-2 or BTM district where it abuts a residential district shall be a minimum of 100 feet.

**Table 7.2.1-1: Buffer Planting and Screening Requirements**

Buffer Class	Buffer Width		Required Plantings per 100 Linear Feet		
	Natural Buffer	Structured Buffer	Shade or Evergreen Coniferous Trees	Small or Multi-Stem Trees	Evergreen Shrubs

<sup>365</sup> Added so that berms in ~~ROW roadside~~ buffers are smaller than a perimeter buffer.

<sup>366</sup> Paragraphs 3 and 4 are is an existing exemptions that ~~have has~~ been slightly modified.



Table 7.2.1-1: Buffer Planting and Screening Requirements								
			Natural Buffer	Structured Buffer	Natural Buffer	Structured Buffer	Natural Buffer	Structured Buffer
A	12'	8'	2	2	3	2	10	--
B	25'	15'	4	3	4	3	20	--
C	50'	25'	5	4	6	4	30	--

**Key:** Structured buffers require a screening device that consists of a fence, wall, or berm that meets the standards of § 7.2.1.J: *Screening Devices*.



Figure 7.2.1-1: Example Buffer Classes

Buffer Class	Natural Buffer (100-Foot Segment)	Structured Buffer (100-Foot Segment)
A		
B		
C		

**7.2.2 INTERIOR PERIMETER BUFFERS**

- A. **Generally.** An ~~perimeter~~interior buffer is not required where identical zoning districts or groups of land uses are adjacent to one another or where zoning districts or groups of land uses are separated by public right-of-way.
- B. **~~Perimeter~~Interior Buffers in Zoned Areas.** Table 7.2.2-1: ~~Perimeter~~Interior Buffer Requirements in Zoned Areas sets out the required buffer class as determined by the intensities of adjoining districts.

**Table 7.2.2-1: ~~Perimeter~~Interior Buffer Requirements in Zoned Areas**

Subject Property District	Adjacent Property District					
	AG, ESD-PM, R-R3, R-R1	R-S, R-20, R-20A, R-15, R-12, R-10, R-7.5, R-6	R-M8, R-M10, R-M16, R-M20, R-MA, R-MHP	OD, RU-V, C-N	C-1, C-2, C-3, RU-C	S-1, I-1
AG, ESD-PM, R-R3, R-R1	--	--	--	--	--	C
R-S, R-20, R-20A, R-15, R-12, R-10, R-7.5, R-6	A	--	--	--	--	C
R-M8, R-M10, R-M16, R-M20, R-MA, R-MHP	A	A	--	--	--	C
OD, RU-V, C-N	B	B	A	--	--	--
C-1, C-2, C-3, RU-C	B	B	A	A	--	--
S-1, I-1	C	C	C	B	A	--

C. **~~Perimeter~~Interior Buffers in Unzoned Areas.** Table 7.2.2-2: ~~Perimeter~~Interior Buffer Requirements in Unzoned Areas sets out the required buffer class as determined by the intensities of adjoining land uses in unzoned areas. Land use groups, as defined in Article 21: Definitions & Acronyms, are used for purposes of determining the required buffer class in unzoned areas.

D. **Vacant<sup>367</sup> Property in Unzoned Area.**

1. In the unzoned area, if the subject property is adjacent to a vacant property, then a Class A buffer is required on the subject property, regardless of the proposed land use group, in accordance with Table 6.2.2-2.
2. When the vacant property is developed, the developer of the vacant property shall provide additional buffer width and plant materials in order to achieve the required buffer class. *For Example: If a Land Use Group (LUG) 4 develops next to vacant property, the LUG 4 shall provide a Class A buffer. When the Vacant property develops, the vacant property shall provide sufficient buffer width and planting to create a Class C buffer on both properties combined.*

<sup>367</sup> The proposed definition for vacant is “A property on which no structure(s) is situated.”

Table 7.2.2-2: <del>Perimeter</del> Interior Buffer Requirements in Unzoned Areas					
Subject Property Land Use Group	Adjacent Property Land Use Group				
	1	2	3	4	Vacant
1	--	--	--	C	A
2	A	--	--	C	A
3	B	B	--	--	A
4	C	C	C	--	A

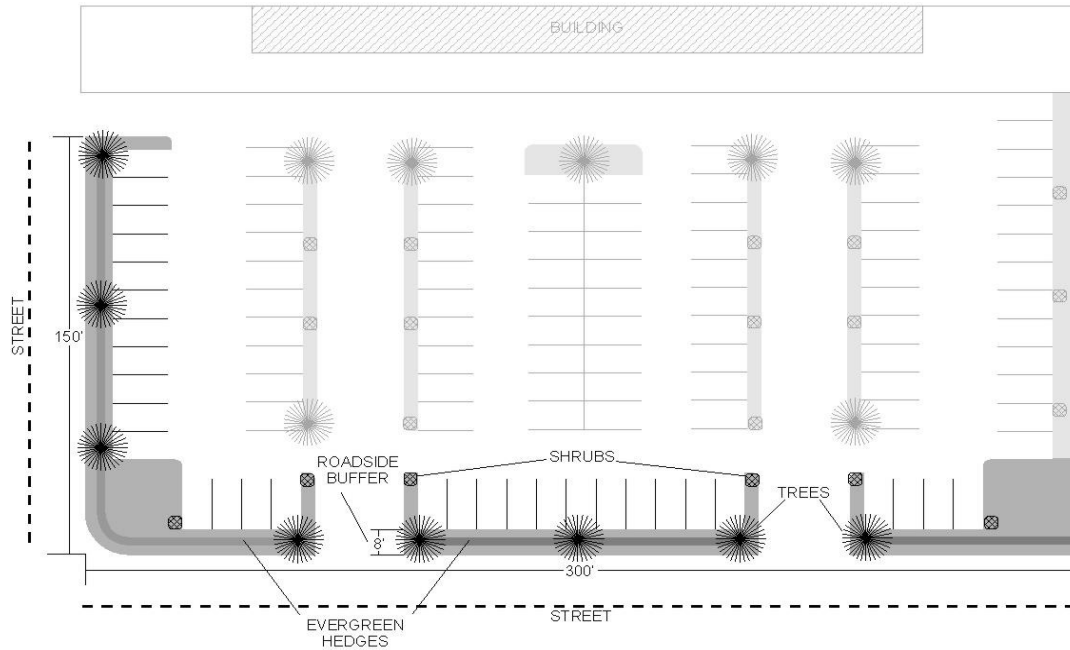
**7.2.3 ~~ROADSIDE RIGHT-OF-WAY~~ BUFFERS<sup>368</sup>**

- A. **Generally.** Except as required for Rural Scenic Road Buffers in the Scuffletown Rural Conservation Area (see Article 3), Table 7.2.3-1: ~~Right-of-Way~~Roadside Buffer Requirements in Zoned Areas sets out the required buffer class as determined by the classification of adjoining streets and the zoning district of the subject property. Table 7.2.3-2: ~~Right-of-Way~~Roadside Buffer Requirements in Unzoned Areas sets out the required buffer class as determined by the classification of adjoining streets and the proposed land use group, as established in Article 21: Definitions & Acronyms, of the subject property.
- B. **Location.** ~~Right-of-way~~Roadside buffers, as depicted in Figure 7.2.3-1: ~~Right-of-Way~~Roadside Buffers, shall be located outside of the rights-of-way of existing roads and shall be located outside the future rights-of-way of all transportation corridor projects identified in Article 13: Transportation Corridor Preservation.<sup>369</sup>

<sup>368</sup> This Subsection replaces the roadside buffers required for parking lots with 10 or more spaces in zoned areas (ZO Sections

<sup>369</sup> This Paragraph carries forward a portion of the first paragraph in ZO Section 12:4 Parking Lot Landscaping.

**Figure 7.2.3-1: Right-of-Way Roadside Buffers**



- C. **Widths.** The widths of right-of-way roadside buffers is as follows:
  1. Class A: 10<sup>370</sup> feet;
  2. Class B: 18 feet; and
  3. Class C: 25 feet.
- D. **Fences and Walls.** A fence or wall may be provided parallel with a roadside right-of-way buffer but must be located outside of the buffer.
- E. **Plant Materials.** The amount of plantings required in a right-of-way roadside buffer are determined by multiplying such requirements of an perimeter interior buffer by one half.<sup>371</sup> *For Example: A Class C right-of-way roadside buffer is 25 feet in width, requires 3 shade or evergreen coniferous trees, 3 small or multi-stem trees, and 15 shrubs per 100-foot segment.*

<sup>370</sup> This fits a ROW-roadside buffer berm, which is 3 feet tall, 1 foot flat on top, and has a 1:3 slope.

<sup>371</sup> This provision is intended to make the ROW-roadside buffer more similar to what the Zoning Code currently requires, although it is still an increase in requirements compared to current practice.

**Table 7.2.3-1: ~~Right-of-Way~~Roadside Buffer Requirements in Zoned Areas**

Adjoining Street Classification	Subject Property Zoning District						
	AG, ESD-PM <sub>7</sub>	R-S, R-20, R-20A, R-15, R-12, R-10, R-7.5, R-6	R-M8, R-M10, R-M16, R-M20, R-MA, R-MHP	OD, C-N	C-1, C-2, C-3 <sub>7</sub>	S-1, I-1	R-R3, R-R1, RU-V, RU-C
Local	A	A	B	A	B	B	A
Major or Minor Collector	A	A	B	B	B	C	B
Principal or Minor Arterial <sup>1</sup>	A	B	C	B	C	C	C
Interstate	B	C	C	C	C	C	C

<sup>1</sup> ~~In the Scuffletown Rural Conservation Area, this applies only to roads not listed in § 3.6: Rural Scenic Road Buffer.~~

**Table 7.2.3-2: ~~Right-of-Way~~Roadside Buffer Requirements in Unzoned Areas**

Adjoining Street Classification	Subject Property Land Use Group			
	1	2	3	4
Local	--	A	B	C
Major or Minor Collector	B	B	B	C
Principal or Minor Arterial <sup>1</sup>	C	C	C	C
Interstate	C	C	C	C

<sup>1</sup> ~~In the Scuffletown Rural Conservation Area, this applies only to roads not listed in § 3.6: Rural Scenic Road Buffer.~~

## 7.3 RIPARIAN BUFFERS<sup>372</sup>

### 7.3.1 GENERALLY

#### A. Applicability.

- Riparian buffers shall be provided along all classes of streams and jurisdictional waters of the state in accordance with the Greenville County ~~Soil and Water Conservation Commission~~ Storm water Management Design Manual (SMDM).

<sup>372</sup> This Section includes the current riparian buffer requirements adopted by County Council in 2023 and incorporates provisions from the County’s Riparian Buffer Design and Maintenance Manual.

2. Riparian buffers must be protected in perpetuity.
  3. Riparian buffers may be used for post-construction water quality if the developer and engineer design it for that purpose and the County engineer approves the design.
- B. **Exemptions.** In areas covered by an approved U.S. Army Corps of Engineers permit per the Clean Water Act, an applicant may be exempt from the County's riparian buffer requirements at the discretion of the County Engineer or County Engineer designee.
- C. **Manual and Specifications.** Riparian buffers must comply with Greenville County's "[Riparian Buffer Design and Maintenance Manual](#)" and Greenville County's [Stormwater Management Design Manual](#) Technical Specification WQ-11: *Permanent Water Quality Stream Buffer.*"
- D. **Delineation.** Within the proposed project boundary all jurisdictional waters or streams classified as waters of the state shall be delineated by a certified licensed professional using U.S. Army Corps of Engineers and SCDES's Water Classifications and Standards and shall be shown in the Storm Water Management and Sediment Control Plan along with all natural buffer areas. ~~Delineation as described in this Article is not required for Preliminary Plan review and approval.~~

### 7.3.2 STANDARDS

- A. **Riparian Buffer Widths.** Except as specified further in this Section, the following riparian buffer widths are required.
1. *Streams.* A minimum 50-foot riparian buffer as measured from the top of the stream bank inland shall be established along each side of all intermittent, perennial, and blue line streams.
  2. *Jurisdictional Waters.* A minimum 50-foot riparian buffer shall be established along all jurisdictional waters of the state.
  3. ~~*Ten or More Lots Served by Septic Watershed Draining 50 Acres or More.*~~ ~~For lots established by a division of land resulting in 10 or more lots served by septic systems,~~ a minimum 100-foot riparian buffer as measured from the top of the stream bank inland shall be established along each side of all intermittent, perennial, and blue line streams within a watershed draining 50 acres or more.
- B. **No Disturbance.** Within a riparian buffer the existing vegetation shall not be cleared or disturbed. Grading, stripping of topsoil, plowing, cultivating, filling, or storage of materials and machinery are prohibited within the buffer.
- C. **Encroachments.** The following structures and activities if approved by Greenville County and/or the State of South Carolina are permitted within the riparian buffer:

1. Road crossings, bridges, trails, and utilities;
2. Stream restoration projects;
3. Scientific studies, including water quality monitoring and stream gauging;
4. Horticultural practices, including thinning and planting, may be used to maintain health of individual trees; and
5. Removal of hazard trees and invasive species.

**D. Riparian Buffer Protection.**<sup>373</sup>

1. *Protection Required in Perpetuity.* Riparian buffers must be protected during and post-construction in all types of development.
2. *Plat and Deed Restrictions.* Preservation of riparian buffers shall be provided by plat and deed restrictions.
3. *Location.* Any riparian buffers shall be located in common areas within residential subdivisions approved by the Planning Commission through the Preliminary Plan process.
4. *Individual Lots.* For individual lots created through the Summary Plat process, preservation of the buffer area shall be by plat and deed restrictions and must be protected during construction.

**E. Standards for Specific Activities.** The following standards apply to certain specified activities taking place in the vicinity of a body of water that requires a riparian buffer. Where these standards conflict with the riparian buffer widths required in [Section § 7.3.2.A: Riparian Buffer Widths](#), above, then the wider buffer width applies.

1. *Disturbance.* Riparian buffer areas disturbed as part of a re-vegetation plan shall be re-vegetated using native vegetation.
2. *Diffuse Flow.* Diffuse flow from stormwater runoff shall be maintained in the buffer by dispersing concentrated flow with appropriate energy dissipation measures.
3. *Reedy River Watershed.* In the Reedy River Watershed, if existing tree density is inadequate, ~~re-forestation may be required or stream stabilization and grassed buffers a~~ planting combination of native woody and herbaceous vegetation will be provided to meet the needed buffers described above.

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<sup>373</sup> This is from existing LDR 8.17.2.

~~4. *Agricultural.* Stumping on agricultural land shall only take place outside of a riparian buffer a minimum of 75 feet in width.~~

~~5. *Silviculture.* Removal of trees as a part of silviculture activity shall only take place outside of a riparian buffer that is a minimum of 50 feet in width unless authorized by the Forestry Commission for the overall health of the buffer.~~

6.4. *Trout Waters.* Clearing of land that has rivers, streams, or tributaries designated as fishing habitat by ~~Greenville County or~~ the South Carolina Department of Natural Resources shall only take place outside of a riparian buffer a minimum of 100 feet in width.

~~7. *Existing Lake, Ponds, and Jurisdictional Wetlands.* Clearing of land that has existing lakes, ponds, or jurisdictional wetlands shall only take place outside of a riparian buffer a minimum of 50 feet in width.~~

8.5. *Endangered and Threatened Species.*

- (a) ~~The presence of threatened or endangered plant species on the development site shall increase the riparian buffer to 150 feet in width. The presence of threatened or endangered plant species adjacent to the stream and dependent on stream health to survive shall increase the riparian buffer to 150 feet in width.~~
- (b) ~~In addition, the applicant shall provide a critical habitat report prepared by a qualified biologist consultant with the Preliminary Plan. The purpose of the report is to determine the extent, characteristics, and function of any critical habitat that may be affected by activities on site. The applicant shall provide a critical habitat assessment report prepared by a qualified biologist consultant with the Preliminary Plan. The purpose of the report is to determine the extent, location and characteristics of the critical habitat (specifically outlined in 7.3.2E.5(a) above) that are within the action areas that may be affected by activity on site.~~

F. **Buffer Allowed Uses.** All riparian buffers shall be maintained as in-situ vegetation and free from development. Access through buffer areas shall be provided, when necessary, for maintenance purposes.

- 1. *Within Stream Side Buffer.* Within the stream side zone of the buffer, only the following uses and activities are permitted:
  - (a) Passive recreation such as bird watching and walking;
  - (b) Flood control structures and stream bank stabilization;
  - (c) Installation of livestock watering points; and



- (d) Utilities crossing and road crossings with stabilization of all disturbed areas.
  - 2. *Outside Stream Side Buffer.* Outside the stream side buffer area (within the managed zone) the following uses and activities are permitted:
    - (a) Utilities;
    - (b) Road crossings; and
    - (c) Bike paths and greenway trails (not to exceed 10 feet in width).
  - 3. *Fill Material.* Fill material shall not be brought into the riparian buffer.
- G. **Buffer Averaging.** When warranted by topography, the Assistant County Administrator for Engineering & Public Works may authorize adjustments to the required width of a riparian buffer if:
- 1. Any reductions in width do not inhibit or degrade stream and habitat functions;
  - 2. Not more than 25% of the required buffer area is reduced in width; and
  - 3. The total area of the required stream buffer is maintained. This means the buffer must be wider than required in some areas to offset width reductions in other areas.

### 7.3.3 REVEGETATION<sup>374</sup>

#### A. **Applicability.**

- 1. *Original State.* Generally, a riparian buffer shall be kept in its original state at the time of development with the property owner providing maintenance in accordance with § 7.3.4: *Maintenance*.
- 2. *Criteria.* This Subsection applies where:
  - (a) The Assistant County Administrator for Public Works finds that the area around a waterbody is not well vegetated and not receiving the water quality benefits of a healthy buffer;
  - (b) An illegal buffer encroachment has occurred without first obtaining an authorized encroachment;

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<sup>374</sup> This Section is derived from text in the “Riparian Buffer Design and Maintenance Manual” but is put in a more regulatory format.

- (c) Revegetation of a stream or wetland buffer is required as a part of an authorized encroachment; or
- (d) A property owner is conducting a voluntary buffer restoration.

**B. Buffer Revegetation Plan.**

1. *Generally.* A Buffer Revegetation Plan specifies type, quantity, and placement of vegetation to create a healthy buffer as well as the long-term maintenance plan for caring for the buffer. The applicant shall submit to the Assistant County Administrator for Public Works a Buffer Revegetation Plan in order to demonstrate compliance with this Section.
2. *Contents.* A Buffer Revegetation Plan shall contain two components: a buffer revegetation site plan and a site preparation plan. Refer to Appendix A of the [Riparian Buffer Design and Maintenance Manual](#) for submittal requirements.
3. *Certification.* A Site Preparation plan shall be stamped and signed by a licensed landscape architect registered in the state of South Carolina.

**C. Planting and Site Standards.**

1. *Disturbed Areas.* For disturbed areas within the first 25 feet of the buffer measured from the top of stream bank inland, and any disturbed areas with slopes of three to two or greater, soil shall be stabilized in a manner approved by the Assistant County Administrator for Public Works until permanent vegetation is established. Only 100% biodegradable material shall be used.
2. *Fertilizer.* Fertilizers shall only be used in the 75-foot buffer area measured from the top of stream bank inland, with permission from the Assistant County Administrator for Public Works after a soil test confirms the need for additional nutrients. Fertilizer shall be slow-release, organic fertilizer and shall only provide the nutrients deemed necessary by the soil test conducted by the property owner.
3. *Manual Installation.* Plants shall be installed manually (no motorized vehicles or equipment).

**D. Plant Species.**

1. *Plant List.* Only plants listed in Table 7.1.3-2: *Suggested Plant List* that are shown as appropriate for riparian buffers may be installed in a riparian buffer. Invasive species<sup>375</sup> shall not be used.
2. *Tree Species.* A minimum of 6 species of trees shall be planted for Buffer Revegetation Plans calling for greater than 20 trees.
3. *Shrub Species.* A minimum of 3 species of shrubs shall be planted for Buffer Revegetation Plans calling for greater than 15 shrubs. A minimum of 5 species of shrubs shall be planted for Buffer Revegetation Plans calling for greater than 50 shrubs.
4. *Grass Species.* A minimum of 4 species of grasses and grass-like plants, and a minimum of 2 species of forbs shall be planted when these plants are used to establish ground cover in areas greater than 1,000 square feet.
5. *Smaller Areas.* For areas less than 1,000 square feet, there are no minimum species requirements.

E. **Planting Density Requirements.** All trees and shrubs shall be guaranteed for two years and replaced accordingly.

1. *Quarter Acre or Less.* If one quarter-acre or less of buffer area is disturbed (up to 10,890 square feet or less of buffer area), then for every 400-square-foot unit (20 feet by 20 feet) or fraction thereof, plant or install:
  - (a) One canopy tree at one and one-half inch caliper or large evergreen at 6 feet in height;
  - (b) Two understory trees a minimum of three-quarter inch caliper or 1 evergreen at 4 feet in height or 1 understory tree and 2 large shrubs at a minimum of 3 feet in height;
  - (c) Three small shrubs or woody groundcover a minimum of 15 inches in height;
  - (d) 100% vegetative cover of all exposed soil (no bare areas larger than one square foot) using native grasses, grass-like plants, and forbs; and
  - (e) Organic mulch (shredded or chipped wood or leaf mulch, not including sawdust) shall be applied in a ring around the base of new trees and shrubs to aid in establishment and prevent competition by ground layer plantings.

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<sup>375</sup> Invasive species means a native or non-native plant species that tends to spread uncontrollably, overwhelming other species.

2. *More than a Quarter Acre.* If greater than one quarter-acre of buffer area is disturbed (greater than 10,890 square feet of buffer area), then for every 400 square-foot unit (20 feet by 20 feet) or fraction thereof, plant or install:
  - (a) The waterside 50% of the riparian buffer (from the top of the stream bank inland for the first 50 feet): plant at the same rate as for one quarter-acre or less.
  - (b) From 50 feet inland to 100 feet inland trees shall be provided according to the following standards:
    - (1) A minimum of 320 trees shall be planted per acre;
    - (2) Trees may be dormant bare-root stock, but shall be at least 2 feet in height at the time of planting;
    - (3) 40% to 60% of trees shall be understory species;
    - (4) No more than 10% of required trees shall be pines; and
    - (5) To achieve a natural distribution, trees do not have to be evenly spaced.
  - (c) From 50 feet inland to 100 feet inland shrubs shall be provided according to the following standards:
    - (1) A minimum of 435 shrubs shall be planted per acre;
    - (2) Shrub may be containerized or bare root stock;
    - (3) If bare rooted or small containerized shrubs are used, initial planting should be greater than 538 per acre to allow for failure;
    - (4) Shrubs shall be planted in groups and more densely along the outer edges of the buffer to prevent light penetration and recolonization by invasive species; and
    - (5) 100% cover of all exposed soil shall be provided using either native grasses, grass-like plants and forbs, or mulch.
  - (d) Refer to § 7.3.3.E.3: *More than One Acre*, below, if the land owner proposes to disturb more than one acre of riparian buffer.
3. *More than One Acre.* If greater than one acre of buffer area is disturbed, then, with an evaluation from an arborist, forester, or other qualified professional, natural regeneration may be an acceptable method of buffer establishment. However, the property owner shall submit a forestry management plan to the Assistant County Administrator for Public Works, and receive approval of such plan, prior to any

vegetation being removed. A minimum of 35 feet next to the water shall be left in a forested state and protected prior to any vegetation being removed.

### 7.3.4 MAINTENANCE

- A. *General.* Periodic maintenance of a riparian buffer in the form of plant removal is permitted subject to the requirements of this Subsection.
- B. *Tree Professional.* Before removal takes place, a professional arborist, forester, or other knowledgeable tree professional shall evaluate the vegetation to ensure proposed maintenance will not harm the effectiveness of the riparian buffer. The tree professional shall submit their findings to the Assistant County Administrator for Public Works.
- C. *Dead and Decaying Plants.* Dead and decaying plant matter on the ground may be removed if the tree professional finds that it is increasing erosion or otherwise threatening the stability of the bank.
- D. *Overwhelming Species.* If the tree professional finds that any species is overwhelming large portions of the buffer, then the species may be removed.
- E. *Removal and Pruning.* Trees may be removed from the buffer if the tree professional finds that pruning is not a viable option. If pruning is proposed to take place, it shall take place according to the [Riparian Buffer Design and Maintenance Manual](#).

### 7.3.5 SUNSET PROVISION

The provisions and requirements of § 7.3: Riparian Buffers shall expire on January 4, 2026, unless re-adopted by Greenville County Council. If County Council fails to re-adopt the article, § 7.3 shall read “[Reserved].”

## 7.4 ABANDONED CEMETERY BUFFERS<sup>376</sup>

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### 7.4.1 PURPOSE

The purpose of this Section is to protect abandoned cemeteries, as defined in South Carolina Code of Laws [§ 27-43-40](#), that share a common property line with or are located within new developments.

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<sup>376</sup> This Section is new and is intended to protect historic cemeteries.

### 7.4.2 DESIGNATION ON APPLICATION

An abandoned cemetery shall be designated as such on any Site Plan or Subdivision Plat.

### 7.4.3 BUFFER REQUIREMENTS

- A. **Structured Buffer.** A structured buffer, as established in § 7.2.1: *Generally*, shall be required to separate an abandoned cemetery from adjacent new development.
- B. **Historic Preservation Commission.** New fences or walls built to fulfill the structured buffer requirement require approval of the Historic Preservation Commission.
- C. **Height.** An existing or new fence or wall that is part of an abandoned cemetery buffer shall have a minimum height of 4 feet and a maximum height of 6 feet. The Zoning Administrator may approve existing fences or walls that are less than 4 feet or greater than 6 feet in height if the fence or wall adequately screens and protects the cemetery from the proposed development.
- D. **Buffer Classes.**
  1. Table 7.4.3-1: *Abandoned Cemetery Buffer Requirements in Zoned Areas* sets out the required buffer class as determined by the zoning district of the adjacent new development and the size of the abandoned cemetery.
  2. Table 7.4.3-2: *Abandoned Cemetery Buffer Requirements in Unzoned Areas* sets out the required buffer class as determined by the land use group of the subject property and the size of the abandoned cemetery.
- E. **Access.** Design of an abandoned cemetery buffer shall allow for access as required in South Carolina Code of Laws Title 27, [Chapter 43](#), Article 3: *Access to Cemeteries on Private Property*.
- F. **Functioning Cemeteries.** Buffer requirements as established in § 7.2.2: *Interior Buffers*, apply to functioning cemeteries.

**Table 7.4.3-1: Abandoned Cemetery Buffer Requirements in Zoned Areas**

Size of Abandoned Cemetery	Adjacent New Development Zoning District					
	AG, ESD-PM, R-R3, R-R1	R-S, R-20, R-20A, R-15, R-12, R-10, R-7.5, R-6	R-M8, R-M10, R-M16, R-M20, R-MA, R-MHP	OD, RU-V, C-N	C-1, C-2, C-3, RU-C	S-1, I-1
2,000 Square Feet or Less	A	A	B	A	B	B
More than 2,000 Square Feet	A	A	B	B	B	C

Table 7.4.3-2: Abandoned Cemetery Buffer Requirements in Unzoned Areas				
Size of Abandoned Cemetery	Subject Property Land Use Group			
	1	2	3	4
2,000 Square Feet or Less	A	A	B	C
More than 2,000 Square Feet	A	B	B	C

## 7.5 SCREENING FOR COMMERCIAL USES<sup>377</sup>

### 7.5.1 APPLICABILITY

- A. This Section applies to all new business, office, mercantile, assembly (gathering), educational, institutional, and storage uses, structures, and developments.
- B. This Section does not apply to industrial, governmental, quasi-governmental, or utility uses, structures, or developments.

### 7.5.2 TRASH COLLECTION FACILITIES & SERVICE AREAS SCREENING

- A. Trash collection and service areas/loading docks must be incorporated into the overall design of the development so as to minimize the visual and acoustic impacts of these functions from adjacent properties and public streets.
- B. Except as provided in § 7.5.2C below, trash collection and service areas that can be viewed from public roads or adjoining residential or commercial properties shall provide a minimum 6-foot tall opaque wall around the facility. Trash areas shall have a durable, opaque metal gate.
- ~~B.C.~~ When the trash collection facility uses an underground containment well, the facility must be screened by evergreen plant material that is at least 4 feet in height at the time of planting and capable of forming a continuous screen at least 6 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
- ~~C.D.~~ These areas shall complement the principal building architecture to the extent possible.

<sup>377</sup> This Section carries forward current screening standards in LDR Sections 10.3.4: *Trash Collection Facilities and Service Areas* and 10.3.7: *HVAC Screening*.

### 7.5.3 EQUIPMENT SCREENING

- A. All ground-, wall-, and roof-mounted mechanical equipment, HVAC equipment, emergency generators, and other accessories (including satellite TV, electronic data dishes, and antennas) shall be screened from view from public roads and adjoining properties or their appearance shall be made less obtrusive in accordance with this Subsection. The site plan shall depict this equipment as dashed lines.
- B. Except as provided in § 7.5.3C below~~C~~, rooftop equipment shall be screened by a parapet or other architectural element that is at least equal to the maximum elevation of the equipment and is complimentary to the building's architecture.
- C. Where the elevation of an adjacent public road or adjoining property compared to the subject property is such that the screening of rooftop equipment would be ineffective, the applicant shall, at minimum, paint such equipment to match the primary color of the building. The applicant must provide "line of site" plans from all directions to verify compliance with this standard.
- D. Where a building is proposed for adaptive reuse,<sup>378</sup> the applicant may either screen the equipment as required in § 7.5.3B above~~B, above~~, or paint the equipment, as provided in § 7.5.3C above~~C, above~~.

### 7.5.4 OUTDOOR STORAGE AREAS SCREENING

- A. All accessory outdoor storage areas, as allowed by § 4.4.17: *Outdoor Storage*, shall be enclosed by a wall, fence, or evergreen plant material or a combination thereof measuring at least 6 feet in height.
- B. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous screen at least 6 feet in height. Individual plantings shall be spaced not more than 5 feet apart.

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<sup>378</sup> The proposed definition of *adaptive reuse* is "the conversion of an existing building built for one use to another use, typically to address some aspect of physical or functional obsolescence."



## 7.6 FENCES & WALLS<sup>379</sup>

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### 7.6.1 APPLICABILITY

- A. This Section applies to all fences and walls with a height above average grade of 30 inches or more.
- B. The construction of a new fence or wall, or reconstruction of at least 50% of an existing fence or wall, shall comply with the standards of this Section.

### 7.6.2 LOCATION & HEIGHT

- A. A fence or wall shall be located entirely within the subject property, but may be located within a required setback, provided the fence or wall is aligned parallel to the adjacent property line.
- B. No fence or wall may:
  - 1. Encroach upon a public right-of-way;
  - 2. Conflict with the requirements in § 12.4: *Intersection Sight Distance*;
  - 3. Interfere with any utility line; or
  - 4. Obstruct any required access point.
- C. Any fence greater than 7 feet in height requires a Building Permit.
- D. A fence that surrounds a retention or detention pond shall be at least 48 inches in height.

### 7.6.3 SUBDIVISION ENTRANCE WALLS

If a developer elects to have a subdivision entrance wall that intersects with existing roadways, these walls shall comply with any applicable requirements established in [Chapter 19: Signs](#) of the Greenville County Code, and the ~~right-of-way~~roadside buffer requirement. Subdivision entrance walls shall be placed outside of the right-of-way.

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<sup>379</sup> This Section relates to privacy fences and walls that are not part of a required buffer. An example would be just a residential privacy fence on the perimeter of a lot. The Assessment identified this as an area where the County could use more guidance.



## ARTICLE 8: TREE PRESERVATION<sup>380</sup>

### 8.1 FINDINGS<sup>381</sup>

- A. Greenville County's natural resources are essential to its prosperity, quality of life, and character. Trees and the tree canopy provide positive benefits to all residents of Greenville County and contribute to community image, pride, and quality of life.
- B. The benefits of trees and the tree canopy include:
1. Enhancement of the aesthetics and property values in an area;
  2. Critical habitat and food sources for animal and plant species;
  3. Shade that mitigates the urban heat island effect resulting from development;
  4. Prevention of soil erosion;
  5. Reduction of stormwater impacts and improvement of groundwater recharge;
  6. Buffers to noise and screening of unsightly areas;
  7. Windbreaks that prevent damage to buildings and crops; and
  8. Wood products used in our buildings and landscapes.

<sup>380</sup> This revised draft makes several important changes from the Public Review Draft based on feedback from the Planning Commission, the Council, and County staff, including the removal of the requirement for preservation of tree save areas, required specimen tree preservation, and fee-in-lieu of compliance. This Article significantly re-organizes and updates the existing tree ordinance in Chapter 16, Article IV: *Tree Standards and Practices*. The consulting team engaged a group of conservation stakeholders, development stakeholders, the Planning Commission, and the County Council, as well as County staff to identify areas to improve the County's tree preservation standards. Based on this feedback, the proposed revisions generally continue the current approach to tree preservation and planting using tree density units with changes to 1) require at least 10% of the TDUs be from preservation of existing trees if available on the development site; 2) provide a density bonus as incentive for the preservation of additional specimen trees; 3) provide for incentives using increases and decreases of the TDUs for preferred (specimen) and undesired (planted pine and understory) tree species; and 4) adds a lot tree location requirement to provide one canopy tree in the front yard of residential lots. The UDO relocates current §17-51 stream buffers to proposed §6.3: Riparian Buffers. The Article Implements *Plan Greenville County Objective D-2, Strategies:*

4. Maintain and improve connectivity of natural systems that supports wildlife corridors and habitats. (pg. 139.)
6. Identify and preserve healthy tree canopies. (pg. 139.)
7. Identify and preserve significant heritage or landmark trees. (pg. 139.)
8. Expand tree canopy through the promotion of tree planting within all new developments or individual properties. (pg. 139.)

<sup>381</sup> This Section includes findings from current §17-51: *Purpose* and adds the benefits of trees described in the comprehensive plan sections on Forestry (pgs. 130-31) and Natural Resources (pg. 136).

- C. Some trees possess added value due to their age, size, location, or connection to history or local culture.
- D. The loss of trees and tree canopy associated with mass grading and other development practices negatively impacts human health, environmental quality, the overall quality of life, and general property values.
- E. The loss of trees and tree canopy resulting from development practices adversely affects air quality, water quality, stormwater runoff, property values, scenic quality, urban design, human health and well-being, outdoor recreation, and wildlife.
- F. Urbanization is now the primary cause of deforestation in South Carolina, and Greenville County is losing its tree canopy at a rapid rate due to urbanization.

## 8.2 PURPOSE<sup>382</sup>

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The purpose of this Article is to:

- A. Implement the County's comprehensive plan;
- B. Protect the County's diminishing tree canopy;
- C. Maintain and improve connectivity of natural systems that support wildlife corridors and habitats;
- D. Identify and preserve healthy tree canopies;
- E. Identify and preserve significant specimen trees;
- F. Expand the tree canopy through the promotion of tree planting within all new developments or individual properties;
- G. Mitigate the adverse effects of the loss of trees in Greenville County occurring as a result of residential, commercial, institutional, and industrial land development practices;
- H. Protect the rights of all citizens and property owners by ensuring that a reasonable and prudent policy of conservation and replenishment of tree cover is applied during the process of land development;
- I. Preserve existing trees by requiring reasonable maintenance after planting; and

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<sup>382</sup> This Section combines current §17-51: *Purpose* and 17-52: *General Policy* with significant changes to incorporate the purposes proposed by the comprehensive plan (Natural Resources, pgs. 138-39) and stakeholder input.

- J. Provide public education on the benefits of trees, tree conservation, and tree care.

### 8.3 APPLICABILITY<sup>383</sup>

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- A. **Generally.** The provisions of this Article apply to all new development in unincorporated areas of Greenville County that cause land disturbing activities for which a grading permit is required under the Storm Water Management Ordinance of Greenville County, codified as Article III of Chapter 8 of the Greenville County Code.
- B. **Exemptions.** This Article does not apply to:
1. Land disturbing activities that only require the approval of a Simplified Storm Water Management and Sediment Control Plan; and
  2. The land disturbing activities that are exempt under the Storm Water Management Ordinance, including individual single-family residences, agriculture, forestry, and certain mining activities. Refer to [§ 8-67: Prohibitions and Exemptions](#) for a full list of criteria for all exemptions.
- C. **Limitations.** Clearing trees through development activity that uses timber harvesting as a means to prepare a site for non-exempt development to circumvent the requirements of this Article is prohibited. The County shall defer any application:
1. For one year after the completion of a timber harvest if:
    - (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance permit, or subdivision plan; and
    - (b) The removal qualified for an exemption contained in S.C. Code Ann. [§ 48-23-205\(B\)](#); or
  2. For five years after the completion of a timber harvest if:

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<sup>383</sup> This Section significantly changes the requirements of current §17-53: *Application and Exemptions*. It clarifies that the tree preservation requirements apply to both zoned and unzoned areas in all situations where stormwater permits are required, except for a simplified stormwater permit (which includes exceptions for agriculture, single-family homes not part of a common plan, and other common minor impacts). It prohibits using forestry activities to clear land for development as provided in S.C. Code Ann. § 48-23-205. It provides for the use of existing trees in root protection zones to satisfy other requirements of the UDO, including buffers, open space, and landscaping.

- (a) The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance permit, or subdivision plan;
- (b) The removal qualified for an exemption contained in in S.C. Code Ann. [§ 48-23-205\(B\)](#); and
- (c) The harvest was a willful violation of County regulations.

**D. Tree Density Units and Other Tree Requirements.**

1. *Generally.* The requirements of this Article to preserve or plant trees may also be used to satisfy other requirements for the provision of trees in this UDO, including:
  - (a) *Buffers.* Retention of existing trees in root protection zones may be used to satisfy riparian and ~~perimeter~~interior buffer requirements under Article 7: *Buffers & Screening*;
  - (b) *Lot Trees.* Existing individual trees or stands preserved on a lot in a root protection zone may be used to satisfy the lot tree provision requirements of § 8.5: *Lot Trees*;
  - (c) *Open Space.* Retention of existing trees in root protection zones may be used to satisfy the open space requirements in § 11.4: *Open Space*;
  - (d) *Parking Lot Landscaping.* Individual trees or stands in a root protection zone may be used to satisfy the tree provision requirements for parking lots under § 6.4: *Interior Parking Lot Landscaping*; and
  - (e) *Low Impact Development.* Retention of existing trees in root protection zones may be used in areas designed for low impact development techniques for stormwater mitigation practices as defined in Article 14: *Stormwater Management*.

**8.4 TREE CONSERVATION & PLANTING IN ALL NEW DEVELOPMENTS<sup>384</sup>**

A. **Tree Density Units Required.** All new developments to which this Article applies must meet the minimum tree density unit requirements in Table 8.4-1 by the preservation of existing trees or the planting of new trees as specified in this Section.

<b>Table 8.4-1: Required Tree Density Units for Developments</b>	
<b>Use of Development</b>	<b>Tree Density Units (Minimum)</b>
Detached House Dwellings	10 tree density units per disturbed acre
Duplex Dwellings Group Living Multiplex Dwellings Quadplex Dwellings Townhouse Dwellings Triplex Dwellings	<u>10 tree density units per disturbed acre plus</u> 2 tree density units per 4,000 square feet of building footprint
Mixed-Use Development	<u>10 tree density units per disturbed acre</u> <u>2 tree density units per 4,000 square feet of building footprint for residential uses</u> <u>4 tree density units per 4,000 square feet of building footprint for non-residential uses</u>
All Other Uses (For Example, Public Recreation, Industrial, Commercial, Retail, and Institutional Projects)	15 tree density units per disturbed acre

B. **Existing Trees.** Existing trees in ungraded areas, excluding stream buffers, shall count in all project types toward the tree density unit requirements, provided they meet the root protection zone requirements.

1. *Required Preservation of Existing Trees.* At least 10% of required tree density units for new developments shall be satisfied with existing trees except in cases where existing trees are not available on the development site.
2. *Tree Density Unit Credits for Preserved Trees.* Preservation of existing trees in a root protection zone qualifies for the tree density unit credits provided in Table 8.4-2.

**Table 8.4-2: Tree Density Units for Preserved Trees**

<sup>384</sup> This section reorganizes and clarifies the current standards in § 17-55: *General Criteria for Tree Conservation in All New Developments*; § 17-58: *Provisions for Residential Projects*; § 17-59: *Provisions for Public Recreation, Industrial, Commercial, Retail, and Institutional Projects*; § 17-60: *Density Units for Planted Trees*; and § 17-61: *Density Unit Credits for Preserved Trees*. Important changes include 1) requiring that 10% of the TDUs be accounted for from existing trees, 2) providing an incentive for specimen tree preservation, 3) adding a density bonus for the use of existing trees, and 4) providing a diminished TDU rate for planted pine trees and understory trees.

DBH	Tree Density Units
1 - 2"	1.0
3 - 4"	1.4
5 - 7"	1.8
8 - 9"	2.0
10"	2.4
11"	2.8
12"	3.2
13"	3.3
14"	3.4
15"	3.5
16"	3.6
17"	3.7
18"	3.8
19"	3.9
20"	4.0
21"	4.8
22"	5.2
23"	6.7
24"	9.3
25"	10.2
26"	11.2
27"	12.0
28"	12.9
29"	13.8
30"	14.7
31"	15.5
32"	16.8
33"	17.7
34"	18.9
35"	20
36"	22
36 - 42"	27
43 - 48"	36
49 - 54"	45
55 - 60"	54
61 - 66"	63
67 - 72"	72

- C. *Incentive for Specimen Tree Preservation.* The preservation of existing specimen trees meeting the criteria in Table 8.4-3: *Specimen Trees* qualifies for twice the tree density units provided in Table 8.4-2.



Table 8.4-3: Specimen Trees	
Tree Type	DBH (min)
American Basswood, Appalachian Basswood, American Linden ( <i>Tilia spp. americana var. heterophylla</i> )	24 in
American Beech ( <i>Fagus grandifolia</i> )	24 in
Birches ( <i>Betula spp.</i> )	24 in
Black Gum ( <i>Nyssa sylvicata</i> )	24 in
Black Walnut ( <i>Juglans nigra</i> )	24 in
Elms ( <i>Ulmus spp.</i> )	24 in
Hemlocks ( <i>Tsuga spp.</i> )	24 in
Hickories ( <i>Carya spp.</i> )	24 in
Maples ( <i>Acer spp.</i> )	24 in
Oaks ( <i>Quercus spp.</i> ), except Water Oak ( <i>Q. nigra</i> )	24 in

**Key:** min = minimum required to qualify | in = inches

1. **Condition of Trees.** All trees to receive credit must be healthy and in good condition and are subject to review by the County.

**2.1. Design to Consider Existing Trees.** The design of any land development project or subdivision shall take into consideration the location of all specimen trees and stands of trees. The County, at the request of the developer or landowner, may **field survey/evaluate** the site and **consult on identify** opportunities and incentives to save trees.

D. **Density Bonus for Use of Existing Trees.** Developments that satisfy at least 50% of the tree density unit requirement using existing trees qualify for a 10% **dwelling unit** density bonus for the development above the general zoning district or subdivision area standards.

E. **Tree Density Units for Planted Trees.**

1. **Generally.** Any development that does not fully satisfy the tree density requirement using existing trees must plant trees on the site to meet the tree density requirement.
2. **Tree Density Credits for Planted Trees.** Planting of new or replacement trees qualifies for the tree density unit credits provided in Table 8.4-4.

Table 8.4-4: Tree Density Units for Replacement and Planted Trees	
Caliper	Tree Density Units
1.25"	0.5

Table 8.4-4: Tree Density Units for Replacement and Planted Trees	
Caliper	Tree Density Units
2"	1.0
3"	1.2
4"	1.4
5"	1.6
6"	1.8
7" and larger	2.0

3. *Pine and Understory Trees.* Planted pine and understory trees are only entitled to 50% of the tree density units stated in Table 8.4-4.
4. *Maximum Number of Pine Trees.* The number of ~~non-loblolly~~ pine trees cannot exceed a maximum of 25% of the total number of required trees to satisfy the tree density unit requirement.

### 8.5 LOT TREES<sup>385</sup>

- A. **Lot Trees Required.** In addition to the other requirements of this Article, the applicant must provide trees for individual lots that are platted as part of a new residential subdivision at the rates set out in Table: 8.5-1. *Lot Tree Standards.*

Table: 8.5-1. Lot Tree Standards	
District/Area	Lot Trees Required
Unzoned – <u>lot larger than 15,000 sf</u>	4
<u>Unzoned – lot 15,000 sf or smaller</u>	<u>2</u>
AG, ESD-PM, R-R3, R-R1, R-S, R-20A, R-20, R-15	4
R-12, R-10, R-7.5, R-6, RU-V, <u>R-MA</u>	2
R-M8, R-M10, R-M16, R-M20, <del>R-MA</del> , R-MHP	No
O-D, C-N, C-1, C-2, C-3, RU-C, S-1, I-1,	<u>2 per residential lot</u> <del>No</del>
I-2, BTD, FRD, PD	No

<sup>385</sup> This Section maintains the required number for lot trees for individual lots under §17-58: *Provisions for Residential Projects*. Multifamily parcels and other uses will have trees as provided Article 5: *Parking & Loading* and Article 6: *Buffers & Screening*.

**Table: 8.5-1. Lot Tree Standards**

District/Area	Lot Trees Required
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Key: sf = square feet

**B. Tree Selection.**

1. *Selection Requirements.* Lot trees planted to satisfy the requirements of this Section must be listed in UDO Administrative Manual, Section 1: *Suggested Plant List*.
2. *Ratio of Shade Trees to Small Trees.* At least 50% of the trees provided on each lot must be shade trees identified in UDO Administrative Manual, Section 1: *Suggested Plant List*.
3. *Existing Trees.* Existing trees preserved on an individual lot may satisfy the requirement for lot trees if it is a species included in UDO Administrative Manual, Section 1: *Suggested Plant List* or Table 8.4-3: *Specimen Trees*.

- C. Location Requirements.** If the lot tree requirement is satisfied by planting new trees, at least one shade tree required by this Section must be planted on the lot between the front façade of the dwelling and the eight-foot setback line from the sidewalk, the edge of pavement, or the right-of-way as provided in § 8.8E: *Planting Locations*.

**8.6 APPLICATION REQUIREMENTS<sup>386</sup>**

- A. Applications that Trigger Review.** The information required by this Subsection must be submitted with applications for storm water permits, group development plan review, and subdivision plat review.
- B. Tree Surveys and Plans.** Applications must include the following surveys and other documentation to identify and verify the existing trees on the development site.
1. *Tree Survey.* A tree survey and inventory must be a to-scale map or a site plan prepared and sealed by a registered surveyor or certified arborist that includes the following information:
    - (a) All existing trees that are to be counted toward the requirements of this Section, including location, size, and species;
    - (b) Root protection zones for all trees to be preserved must be delineated; and

<sup>386</sup> This section significantly revises the application standards in current §17-55: *General Criteria for Tree Conservation In all New Developments*. The current regulation only requires a tree survey if the applicant is seeking credit for preservation of existing trees. Preservation of at least some trees is now required, so the draft proposes a tree survey, assessment report, and tree protection plan. It also removes the option for a 35% reduction in the root protection zone.

(c) Existing trees that are to be counted toward the requirements of this Article must be flagged and labeled with a numbered tag in order to be located in the field.

2. *Assessment Report.* A tree assessment report prepared by a qualified professional for all existing trees for which the applicant seeks the incentive for specimen tree preservation in § 8.4: Tree Conservation & Planting in All New Developments~~that are to be counted toward the requirements of this Article.~~ The tree assessment report must:

(a) Describe the current condition of the tree, including its condition, form, structure, and location; and

(b) Include reference numbers used on field tags.

**C. Tree Protection Plans.**

1. *When Required.* The applicant must provide a Tree Protection Plan that complies with this Section with the application for the land disturbance permit.

2. *Generally.*

(a) A Tree Protection Plan (TPP) is a plan of the same scale as, and superimposed on, a development site plan or Preliminary ~~Plat-Plan~~ that indicates the root protection zone of all trees to be protected or preserved on a development site. The plan is intended to identify areas where construction activities, including parking and storage of materials, are not allowed.

(b) A TPP shall locate and identify by species and size those trees that are to be protected during land disturbance (development) activities for the purpose of using the protected trees to comply with required tree density units.

(c) All trees to be preserved to comply with the required tree density unit standards must be flagged and labeled with a numbered tag in order to be located in the field.

3. *Standards.*

(a) The TPP must delineate a root protection zone protecting all trees to be used to comply with the requirements of this Section. The root protection zone must measure the greater of:

(1) A one-foot radius from the trunk of the tree per each inch of diameter at breast height, or

(2) A six-foot radius around the tree.

4. *Review by County.* ~~The Upon receipt of a TPP, the County must review the plan for compliance with the requirements of this Article- as a part of the Land Disturbance Permit review and tree protection measures within 15 calendar days of receipt. If the submitted TPP does not meet the technical requirements of this Article, staff must ask the applicant for additional information or a revised plan.~~

## 8.7 TREE PROTECTION DURING CONSTRUCTION<sup>387</sup>

- A. **Development Activity Within Root Protection Zones Prohibited.** No construction, grading, parking, equipment, material storage, or any other land development activity is allowed within the Root Protection Zones delineated on the Tree Protection Plan at any time during the project except as provided in § 8.7C below.
- B. **Protective Fencing Required.**
1. *Generally.* Protective fencing is required for all root protection zones and is to be maintained during construction. Protective fencing shall:
    - (a) Be at least 4 feet in height;
    - (b) Completely encircle the root protection zones as provided on the TPP; and
    - (c) Be in place prior to any land disturbing activity begins and remain in place for the duration of the project.
  2. *Protection for Contiguous Groups of Trees.* Groups of trees may be protected by one perimeter fence meeting the specifications outlined in this Section.
  3. *Signs Required.* Signs must be installed on the protective fence visible on all sides of the fenced-in area (minimum one on each side or every 300 linear feet). The sign must contain the following or similar text in both English and Spanish: "TREE PROTECTION ZONE: KEEP OUT."
- C. **Trenching and Boring.**
1. Trenching is not allowed without the Subdivision Administrator's approval and requires a showing that boring is not a viable alternative construction method.
  2. Boring is allowed to install site access for utilities, but corridors for the boring must be identified on the tree protection plan.

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<sup>387</sup> This Section adds new standards for implementation of the tree protection plans during construction to ensure that construction activities do not damage existing trees that are to be preserved.

**8.8 PLANT MATERIAL TREE INSTALLATION<sup>388</sup>**

- A. **Plant Tree Variety.** All required plants trees shall be of the type and species appropriate for the climate of Greenville County and location being planted. In order to reduce the threat and impact of plant disease, multiple species shall be utilized on each site.
- B. **Minimum Sizes for Plants Trees.** All required plant material trees must meet the size requirements in Table 8.8-1: *Minimum Plant Tree Sizes and Heights*.

Table 8.8-1: Minimum <u>Plant Tree</u> Sizes and Heights		
Plant Type	Minimum Size at Planting	Minimum Height at Planting
Shade Tree	2-Inch Caliper	10 feet
Small or Multi-Stem Tree	1.5-Inch Caliper	6 feet

- C. **Selection of Materials Trees.**
  - 1. *Biodiversity.*
    - (a) Biodiversity of the genus and species of trees is required in order to prevent monocultures, which could result in large-scale losses in the event of disease or blight.
    - (b) A minimum of six species of trees are required for installations calling for greater than 20 trees. However, the biodiversity requirement does not apply to:
      - (1) Development sites of one acre or less; or
      - (2) Plantings in riparian buffers. Refer to § 7.3: *Riparian Buffers* for plant genus and species requirements in such buffers.
  - 2. *Plant Material.* Trees planted pursuant to this Section shall be good, healthy nursery stock. The form, size, quality, and proportions of proposed trees must meet the guidelines outlined in the ANSI Z60.1 American Standard for Nursery Stock.
- D. **Preferred Trees.**<sup>389</sup> Trees listed in UDO Administrative Manual, Section 1: *Suggested Plant List*, shall be utilized to fulfill the requirements of this Article. Trees that are not listed in UDO

<sup>388</sup> The installation standards of this Section are new and generally conform with the installation standards for Buffers in Article 6 with additional detail added, including an option for delay planting to the optimal planting season with a security requirement.

<sup>389</sup> The tree list will be updated by staff in conjunction with revisions to Article 6: *Buffers & Screening*. The current preference is to relocate an updated tree list to an appendix to the UDO.

Administrative Manual, Section 1: *Suggested Plant List* are allowed and may comply with this Section if the Subdivision Administrator determines that the tree:

1. Is not a prohibited species;
2. Is either native to the region or not invasive; and
3. Provides habitat for native wildlife or migratory birds.

**E. Planting Locations.**

1. *Spacing.* In general, all shade trees shall be spaced 40 to 60 feet on-center. Spacing may be varied to account for site features such as roads, driveways, utilities, and structures.
2. *Rights-of-Way.* ~~Shade trees provided pursuant to this Article may not be located in the right-of-way of any County or State road. Small or multi-stemmed trees may be located in the right-of-way.~~
3. *Setback for Shade Trees.* Shade trees shall be set back at least 8 feet from either the sidewalk, the edge of pavement, or the right-of-way. This setback applies from the measure that is further from the centerline of the road.

**F. Material Installation.** All plant material installation must conform to the minimum standards of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.

**G. Time for Planting.**

1. *Generally.* New plant material should generally be installed after construction of the project or phase has been completed.
2. *Delayed Planting.* The Subdivision Administrator may approve a delay of the required tree planting until the appropriate planting season, generally from October through March.
3. *Security Required.* In the event of delayed planting, the applicant must provide a performance bond or other adequate security as provided in § 22.5: *Financial Security Requirements* in an amount sufficient to ensure completion of the plant material installation.

**H. Tree Warranty.** The contractor installing trees to meet the requirements of this article must provide a one-year warranty on plant material to the owner, and this warranty must be noted in the planting notes included with the plans.

**I. Professional Expertise.** The applicant should seek professional expertise to determine the appropriate plant materials for any particular site, when considering individual site, soil, moisture, and microclimate conditions.

## 8.9 INSPECTIONS AND ENFORCEMENT<sup>390</sup>

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- A. **Inspections.** All inspections shall verify the location and number of trees required to comply with this Article and shall ensure that the trees identified for preservation to comply with the requirements are healthy.
1. *Subdivision and Development.*
    - (a) Conformity with the Tree Protection Plan shall be inspected by County staff as part of Storm Water Permit inspections.
    - (b) The inspections shall be conducted before and after the grading phase and at the end of the project before a final plat is approved.
    - (c) Any damage noted must be treated in accordance with the recommendations of County staff before a final plat is approved.
    - (d) Installation may be delayed until the appropriate season pursuant to § 8.8G: *Time for Planting*.
  2. *Commercial Lots.*
    - (a) Conformity with the Tree Protection Plan shall be inspected by County staff before and after the grading phase and at the end of the project before a certificate of occupancy is issued for commercial developments.
    - (b) Any damage noted must be treated in accordance with the recommendation of County staff prior to the issuance of a certificate of occupancy.
    - (c) Installation may be delayed until the appropriate season pursuant to § 8.8G: *Time for Planting*. If the applicant provides acceptable security pursuant to § 8.8G: *Time for Planting*, the applicant is entitled to a ~~temporary certificate of use~~ *Zoning Compliance* pursuant to § 16.2.1: *Zoning Compliance* and must comply with the planting requirements for a final certificate of occupancy.
  3. *Residential Lots.*
    - (a) Lot trees must be inspected by ~~County staff the building inspector~~ prior to the issuance of a certificate of occupancy.

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<sup>390</sup> This Section replaces the standards of current §17-63: *Violations Civil Penalties and Enforcement* with a cross-reference to the general enforcement authority of the UDO and topic-specific requirements for mitigation. It also adds a framework for inspections based on staff input and new staffing for subdivision inspections.



- (b) Installation may be delayed until the appropriate season pursuant to § 8.8G: *Time for Planting*. If the applicant provides acceptable security pursuant to § 8.8G: *Time for Planting*, the applicant is entitled to a ~~Temporary certificate of use~~Zoning Compliance pursuant to § 16.2.1: *Zoning Compliance* and must comply with the planting requirements for a final certificate of occupancy.

**B. Enforcement.**

1. *Generally.* Violations of this Article shall be processed, enforced, and penalized as provided in § 8.3C: *Limitations* and Article 19: *Violations & Enforcement*.
2. *Mitigation.* In addition to the enforcement and penalties in Article 20, a property owner may be required to replant shade and understory trees at a rate not to exceed one inch DBH of trees for each one inch DBH of shade trees that are removed or compromised in violation of this Article.

## 8.10 COMPLIANCE REQUIRED FOR FINAL PLATS & CERTIFICATES OF OCCUPANCY<sup>391</sup>

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- A. **Final Plats.** The applicant must comply with the provisions of § 8.4: *Tree Conservation & Planting in All New Developments* before the issuance of any final plat, or the applicant must provide acceptable security pursuant to § 8.8G: *Time for Planting*.
- B. **Certificates of Occupancy.**
1. The applicant must comply with the provisions of § 8.5: *Lot Trees* before the issuance of a certificate of occupancy.
  2. If the applicant provides acceptable security pursuant to § 8.8G: *Time for Planting*, the applicant is entitled to a ~~Temporary certificate of use~~Zoning Compliance pursuant to § 16.2.1: *Zoning Compliance* and must comply with the requirements for a final certificate of occupancy.

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<sup>391</sup> This new section provides deadlines for review of the tree preservation requirements based on the land development procedures and staff input.

## 8.11 APPEALS<sup>392</sup>

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- A. **Right to Appeal.** The applicant may seek review of administrative decisions under this Article from the Board of Zoning Appeals under the provisions of Article 16: *UDO Procedures*.
- B. **Standard for Appeal.** The Board of Zoning Appeals must review an administrative decision based on the standards set out in this Article.

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<sup>392</sup> This Section revises § 17-57: *Density Variances and Appeals* to provide a procedure for an administrative decision on tree preservation that is appealable to the Board of Zoning Appeals. It removes the separate standard for variances based on the reorganization of tree preservation into the UDO. Variances will be available under standard UDO variance procedures.

## ARTICLE 9: OUTDOOR LIGHTING<sup>393</sup>

### 9.1 PURPOSE, APPLICABILITY, & EXEMPTIONS

#### 9.1.1 PURPOSE

The purpose of this Article is to prevent lighted sites from creating light pollution and off-site glare in ways that constitute a hazard to public safety or an interference with the use, value, and enjoyment of nearby properties.

#### 9.1.2 APPLICABILITY

Except as provided in § 9.1.3: *Exemptions*, the provisions of this Article apply to all development in the PD, POD, and FRD zoning districts; group developments; multiplex dwellings; apartment complexes; major subdivisions; and non-residential (including campgrounds and recreational vehicle parks) and mixed use development in unincorporated Greenville County that meets or exceeds the following thresholds:

- A. **New Development.** New development on previously undeveloped land;
- B. **Change in Use.** A change in use from a residential to a non-residential use; and
- C. **Expansions.**
  - 1. *Expansion of Multiplex Dwelling.* Expansion of a multiplex dwelling by more than 5 dwelling units;
  - 2. *Expansion of an Apartment Complex.* Expansion of an apartment complex by more than 5 dwelling units;
  - 3. *Expansion of a Campground.* Expansion of a campground by ~~more than 5~~any number of campsites;

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<sup>393</sup> This Article carries forward and expands the applicability of the County's current provisions for outdoor lighting (ZO Section 12:1.1 and LDR Sections 10.2.3 and 10.3.6). ZO Section 12:1.1 generally applies to funeral homes and cemeteries, churches, agritourism, mixed use development, and group development as well as the PD, FRD, NC, and POD districts. LDR Sections 10.2.3 and 10.3.6 generally apply to industrial, commercial, and multi-family developments. Proposed here is to expand the applicability of the regulations to include all multiplex dwellings and non-residential, mixed use, and apartment complex developments in the zoned and unzoned areas. "Non-residential" includes industrial, commercial, and civic uses, as well as religious facilities; however, Section 8.1.3 expressly exempts agricultural uses.

4. *Expansion of a Recreational Vehicle Park.* Expansion of a recreational vehicle park by more than 5 recreational vehicle sites;
5. *Expansion of Gross Floor Area.* Expansion of the gross floor area of a building by more than 25%; or

6. *Expansion of Paved Surface.* Expansion of a paved surface by more than 25%.

- D. **Nonconforming Lighting.** When existing lighting on a site is nonconforming, it must be brought into compliance when a proposed development meets the threshold in § 18.5: Nonconforming Site Improvements.

### 9.1.3 EXEMPTIONS

The following types of outdoor lighting are exempt from the requirements of this Article:

- A. **Emergencies.** Lighting used only under emergency conditions;
- ~~B. **Agricultural.** Lighting for agricultural uses and structures;<sup>294</sup>~~
- ~~C.B. **Residential.** Lighting for on individual lots where the principal use is a detached house dwellings, duplexes, triplexes, quadplexes, townhouses, and or manufactured homes;~~
- ~~D.C. **Temporary Uses.** Lighting associated with an approved temporary use;~~
- ~~E.D. **Temporary Construction Lighting.** Temporary lighting associated with a construction site;~~
- ~~F.E. **Monuments and Statues.** Lighting for public monuments and statues;~~
- ~~G.F. **Water Features.** Underwater lighting in fountains, swimming pools, and other water features;~~
- ~~H.G. **State and Federal Mandates.** Lighting required pursuant to state and federal laws (e.g., FAA);~~
- ~~I.H. **Building Code.** Lighting required by the County's Building Code;~~
- ~~J.I. **Ornamental Lighting.** Ornamental lighting with a rated initial luminaire lumen output of 525 mean lumens or less; and~~
- ~~K.J. **Seasonal Lighting.** Seasonal lighting.~~

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<sup>294</sup> ~~The current Zoning Ordinance requires agritourism uses to comply with the lighting standards in Section 12:1.1. The exemption proposed in this paragraph would remove the requirement for agritourism uses to meet outdoor lighting standards.~~

## 9.2 STANDARDS

### 9.2.1 PROHIBITED LIGHTING

Any outdoor lighting ~~that is not designed for roadway illumination~~ that produces incidental or reflected light that could impair the operator of a motor vehicle or pose a danger to pedestrians or that creates a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property, or onto a public roadway is prohibited.

### 9.2.2 MULTIPLEX, APARTMENT COMPLEX, NON-RESIDENTIAL, & MIXED USE STANDARDS<sup>395</sup>

- A. **Generally.** In order to reduce light trespass and light pollution, the standards of this Subsection, including those in Table 9.2.2-1: *Multiplex, Apartment Complex, Non-Residential, and Mixed Use Light Pole and Fixture Requirements*, ~~shall~~ apply to all multiplex, apartment complex, non-residential (including campgrounds and recreational vehicle parks), and mixed use development.
- B. **Adjacent to Residential.** All lighting within 30 feet of a property line with adjacent residential property shall meet the IESNA “full-cutoff” (no light output above 90 degrees at any lateral angle around the fixture) ~~standards classification~~, as depicted in Figure 9.2.2-1: *Full Cut-off Fixture*, to limit light trespass onto adjoining properties, notwithstanding the requirements of Table 9.2.2-1.
- C. **Photometric Plan.** Sites that utilize light fixtures of greater than 400 watts and/or 25,000 lumens shall provide a photometric plan to confirm that there is no more than 0.5 foot-candle at the property line with adjoining residential property.

**Table 9.2.2-1: Multiplex, Apartment Complex, Non-Residential, and Mixed Use Light Pole and Fixture Requirements**

<del>Wattage</del>	<del>Mean-Initial Lamp Lumens (max)</del>	<del>Cut-off Requirements (min)</del>	<del>Pole Height (max)</del>
<del>0-175</del>	15,000	Non cut-off	18 ft
<del>176-400</del>	27,000	Semi cut-off <sup>1</sup>	30 ft
<del>400-1000</del>	100,000	Cut-off <sup>2</sup>	40 ft
<del>1000+</del>	Unlimited	Full cut-off <sup>3</sup>	40 ft

**Key:** max = maximum allowed | min = minimum required | ft = feet

<sup>1</sup> Semi cut-off fixtures must have no more than 5% lamp lumens above the horizontal plane.

<sup>395</sup> This Subsection carries forward the standards in LDR Sections 10.2.3 and 10.3.6, which apply to industrial, commercial, and multi-family development. “Non-residential” is intended to include industrial and commercial developments as well as civic buildings, religious facilities, etc.

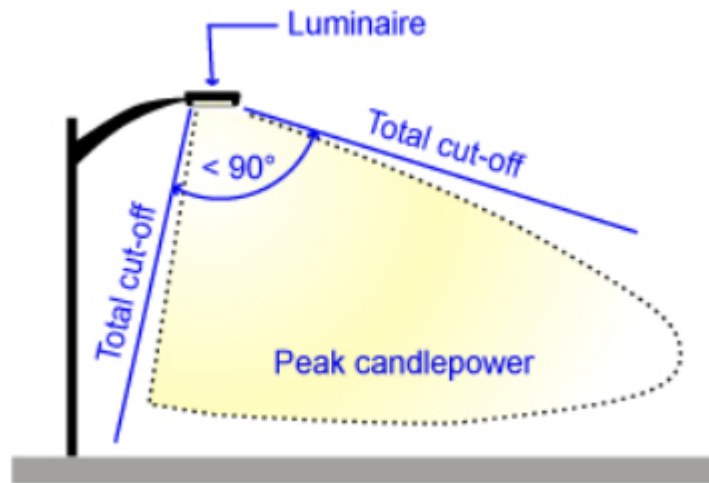
**Table 9.2.2-1: Multiplex, Apartment Complex, Non-Residential, and Mixed Use Light Pole and Fixture Requirements**

<b>Wattage</b>	<b>Mean-Initial Lamp Lumens (max)</b>	<b>Cut-off Requirements (min)</b>	<b>Pole Height (max)</b>
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<sup>2</sup> Cut-off fixtures must have no more than 2.5% lamp lumens above the horizontal plane.

<sup>3</sup> Full cut-off fixtures must have no lamp lumens above the horizontal plane.

**Figure 9.2.2-1: Full Cut-off Fixture**



D. **Awnings.** Awnings or canopies used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque so that light cannot shine through.

E. **Wall Pack Lights.**

1. **Fully Shielded Full Cutoff.** Wall packs on the exterior of the building shall ~~be fully shielded~~ meet the IESNA full cutoff classification (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward ~~and be of low wattage (100 watts or lower).~~
2. **Visible Light Source.** Wall pack light sources visible from any location off the site are prohibited.

### 9.2.3 STANDARDS FOR SPECIFIC USES & DISTRICTS<sup>396</sup>

~~A. Uses in the PD, POD, and FRD Districts. outdoor lighting fixtures for all uses in the PD, POD, and FRD districts shall meet IESNA “full-cutoff” requirements (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of 20 feet above finished grade. Flashing lights are prohibited.~~

~~B.A. Exterior Lighting for Group Developments. Adequate exterior lighting shall be provided in all group developments. Outdoor lighting fixtures for group developments shall meet the IESNA “full-cutoff” requirements classification (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall must not be mounted ~~in excess of~~ 25 feet or less above finished grade.~~

~~C.B. Fuel Canopies. Lighting under a fuel canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:~~

- ~~1. *Recessed Fixture.* A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully shielded light distribution; or~~
- ~~2. *Surface Mounted Fixture.* A surface-mounted fixture incorporating a flat glass that provides a full cutoff or fully shielded light distribution.~~

### 9.2.4 STREETLIGHTING IN SUBDIVISIONS<sup>397</sup>

A. Streetlights are required in all new ~~townhouse~~ subdivisions and must meet the standards in 9.2.4B below.

~~B. Streetlights are not required in other types of subdivisions. However, where provided, All~~ luminaires installed for the purpose of illuminating public and private streets must:

- ~~1. Use LED lamps; and~~
- ~~2. Be fully shieldedMeet the IESNA full cutoff classification;<sup>398</sup>~~
- ~~3. Be mounted 25 feet or less above finished grade; and~~

<sup>396</sup> Paragraph A carries forward ZO Section 12:1.1. Paragraph B carries forward ZO Section 10:1.1 F. Paragraphs C, D, and E are new.

<sup>397</sup> These streetlighting provisions are new.

<sup>398</sup> ~~Fully shielded~~ LED luminaires that meet the IESNA full cutoff classification are available through Duke Energy’s outdoor lighting program. Blue Ridge Electric Co-op offers outdoor lighting, including LED options, but their catalog is not online. It is unclear from their website whether Laurens Electric Co-op provides streetlights.

2.4. Be shown on the Preliminary Plan.



## ARTICLE 10: BUILDING DESIGN

### 10.1 GENERAL PROVISIONS

#### 10.1.1 PURPOSE

The purpose of this Article is to protect existing development and landscapes by providing standards for new buildings that promote compatible new development throughout the County. The standards that follow address a range of topics to ensure quality design.

#### 10.1.2 APPLICABILITY

- A. **Unzoned Areas.** Section 10.2: *Building Setbacks in Unzoned Areas* applies to all development in the unzoned areas of unincorporated Greenville County. Sections 10.8: *Mixed Use & Commercial Building Standards* and ~~Section~~ 10.9: *Retail Over 40,000 Square Feet* also apply in the unzoned areas.
- B. **Zoned Areas.** Except as provided in § 10.1.2.C, below, §§ 10.3 through 10.10 apply throughout the zoned areas of unincorporated Greenville County to development that meets or exceeds the following thresholds:
1. **New Development.** New development on previously undeveloped land;
  2. **Change in Use.** A change in use from a residential to a nonresidential use;
  3. **Expansions.**
    - (a) *Expansion of Apartments or Multiplex.* Expansion of an apartment complex or multiplex use by more than 5 units;
    - (b) *Expansion of Gross Floor Area.* Expansion of the gross floor area of a building by more than 25%; or
    - (c) *Expansion of Paved Surface.* Expansion of a paved surface by more than 25%.
- C. **Exceptions.** This Article does not apply to development in the AG, R-R3, R-R1, or R-MHP<sup>399</sup> Districts or in the R-D or POD legacy districts.

<sup>399</sup> Article 5: *Use Regulations in Zoned & Unzoned Areas* establishes standards for the development of manufactured home parks.

## 10.2 BUILDING SETBACKS IN UNZONED AREAS

### 10.2.1 PURPOSE

The purpose of the standards that follow is to provide the required setbacks for new development in unzoned areas in Greenville County.

### 10.2.2 BUILDING SETBACKS<sup>400</sup>

Setbacks for all lots in unzoned areas shall follow the standards set in Table 10.2.2-1: *Building Setbacks in Unzoned Areas*.

<b>Table 10.2.2-1: Building Setbacks in Unzoned Areas</b>	
<b>Residential Subcollector and Access</b>	
Front Setback	20 ft
Side Setback	5 ft (corner lot is 20 feet for side facing street)
Rear Setback	5 ft
<b>Residential Collector</b>	
Front Setback	30 ft
Side Setback	5 ft (corner lot is 20 ft for side facing street)
Rear Setback	5 ft
<b>Minor Arterial, Major Collector, Minor Collector</b>	
Front Setback	40 ft
Side Setback	5 ft (corner lot setback based on front setback for side road type)
Rear Setback	5 ft
<b>Arterial Streets</b>	
Front Setback	50 ft
Side Setback	5 ft (corner lot setback based on front setback for side road type)
Rear Setback	5 ft
<b>Non-Residential or Multiplex<sup>1</sup></b>	
Front Setback (Residential Subcollector and Collector)	30 ft
Front Setback (Minor Arterial, Major Collector, Minor Collector)	40 ft

<sup>400</sup> These setbacks come from Table 8.1 Building Setbacks in Unzoned Areas, in the Greenville County Land Development Regulations.

<b>Table 10.2.2-1: Building Setbacks in Unzoned Areas</b>	
Front Setback (Arterial Street)	50 ft
Side Setback	20 ft
Rear Setback	20 ft

**Key:** ft = feet

<sup>1</sup> If non-residential use is located next to a non-residential use, setbacks are reduced to 5 feet on sides and rear.

## 10.3 RESIDENTIAL DISTRICTS<sup>401</sup>

### 10.3.1 PURPOSE & APPLICABILITY

Non-residential buildings in residential districts shall be designed to respect or create low-density, semi-natural settings, which focuses on large lots for detached house dwellings while still providing opportunities for limited non-residential development. The building standards that follow promote high-quality design and focus on compatibility with the site and existing development for non-residential buildings located in the R-S, R-20A, R-20, R-15, R-12, R-10, R-7.5, and R-6 zoning districts.

### 10.3.2 BUILDING DESIGN STANDARDS

A. **Natural Landscape.** A non-residential building shall be located and designed to complement the landscape in which it is situated by applying the following strategies.

1. *Topography.* A building shall be located to preserve and fit within the natural topography.
2. *Yards and Private Open Space.* A building shall be located to provide for generous yards and private open space surrounding the structures.
3. *Clustered Buildings.* New buildings on a site shall be clustered to preserve open space and natural topography.
- ~~4. *Public Open Space.* Where private open space is minimal, a development shall incorporate public open space that is accessible to all in the development, and to the general public, where appropriate. A private open space shall be placed central to the buildings it serves.~~

<sup>401</sup> The building standards in this section are based on best practices and the context of the Suburban Character Area as described in *Plan Greenville County*.

B. **Visual Interest and Context.** A new non-residential building shall be designed to be visually interesting and to fit within the context, and shall abide by the following design standards:

1. **Uninterrupted Wall.** A new building shall minimize long, uninterrupted wall lengths greater than ~~100-50~~ feet in length that face the public realm by incorporating one or more of the following strategies:
  - (a) Building module offsets ~~changes~~ that are a minimum of 5 feet deep and 10 feet long; ~~or~~
  - (b) Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide; or
  - (b)(c) Windows that cover at least 40% of the wall's surface area between 3 and 8 vertical feet from grade.
2. **Blank Wall.** Where a wall greater than 50 feet in length is incorporated into the design of a new building, in addition to incorporating wall offsets, articulation lines, and windows, it shall utilize one or more of the following strategies to minimize blank wall area along the ground floor.
  - (a) Display cases that project from a wall and create an opportunity for advertisements, artwork, and other visual features;
  - (b) Canopies and awnings to define the pedestrian level;
  - (c) Wall art that is attached to or located directly in front of the wall; or
  - (d) Landscaping that is attached to or located directly in front of the wall including planter boxes, large pots, or greenery walls. Planted material must be cable of covering 50% of the façade with which it is associated at maturity.
3. **Building Entry.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
  - (a) **Shared.** A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  - (b) **Features.** A building entry shall be highlighted through one or more of the following strategies:
    - (1) Awning or canopy;
    - (2) Change in building materials on the module within which the entrance is located or around the entrance itself; or

- (3) Projected or recessed building module within which the entrance is located.
4. **Accessibility.** A building entry shall be accessible by a pathway at least 5 feet in width leading from the public realm existing or planned sidewalk. This does not apply if a sidewalk does not currently exist and is not planned for the street.

## 10.4 MIXED RESIDENTIAL DISTRICTS<sup>402</sup>

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### 10.4.1 PURPOSE & APPLICABILITY

Design standards in this Section address a variety of building types—~~detached house dwelling~~, duplex, triplex, quadplex, townhouse, multiplex, apartment and non-residential—which all contribute to the diverse and unique character of these districts. Buildings shall be designed to create visual interest for pedestrians, as these districts tend to be less reliant on vehicles, and to accommodate a range of indoor and outdoor uses. The standards in this Section apply to development in the R-M8, R-M10, and R-M16 zoning districts.

### 10.4.2 TOWNHOUSE, DUPLEX, TRIPLEX, & QUADPLEX BUILDING STANDARDS

A townhouse building and buildings with multiple units, such as a duplex, triplex, and quadplex, shall be designed to appear as a detached dwelling structure and to fit within the context, especially where it is located in a primarily detached house dwelling neighborhood, and to provide functionality to the residents.

- A. **Height and Scale.** The ~~height and~~ scale of a new building shall reflect that of the adjacent building(s).
- B. **Roof Form.** The roof form of a new building shall reflect those in the context, and especially those adjacent to the new building.
- C. **Attached Garage.** Where a garage is attached to the building, it shall be designed to be visually subordinate.
  1. **Garage Setback.** Where the garage door faces the public realm, the front wall of the garage shall be set back a minimum of five feet from the front wall of the residence.

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<sup>402</sup> The building standards in this section are based on best practices and the context of the Traditional Character Area as described in *Plan Greenville County*.

2. **Garage Width.** Where the garage door faces the public realm, the garage width shall be a maximum of 25 feet or 40% of the width of the primary structure.
  3. **Rear Garage.** Where the garage is located to the rear of the structure and accessed via side driveway or alley, the garage shall be placed to be minimally visible from the front wall of the primary building and the public realm.
- D. **Detached Garage.** Where a detached garage is utilized, it shall be located and designed to be visually subordinate to the primary structure.
1. The detached garage shall be located to the rear of a structure and shall face an alley or secondary street.
  2. Where alley access does not exist, the detached garage shall be located to be minimally visible.
    - (a) The detached garage shall be located to the rear of the primary structure.
    - (b) Where the detached garage cannot be located completely to the rear of the primary structure, the front wall of the garage shall not be located forward of the front 50% of the depth of the primary structure.
- E. **Materials and Colors.** Natural materials, materials found in the established context, and muted building colors shall be utilized.
- F. **Primary Entrances.** Primary entrances for each unit shall be designed to be easily located by the tenant and to be notable from the public realm. The following standards shall apply:
1. **Setback.** Both of the primary entrances shall not be set back more than 10 feet from the front-most wall of the building.
  2. **Orientation.**
    - (a) **Duplex, Triplex, and Quadplex.**
      - (1) One primary entrance, or a shared entryway, shall face the street.
      - (2) Primary entrances for the other unit(s) shall be located on a side or rear wall to minimize their visibility from the public realm.
    - (b) **Townhouse.** The primary entrance for each unit shall face the public realm. Secondary entrances shall be located on side or rear walls.
  3. **Pathway.**
    - (a) **Duplex, Triplex, Quadplex.**

- (1) Where there is a shared entry, one path shall be used.
  - (2) Where individual entries are used for each unit, a pathway shall connect each entry to the public realm. Where feasible, a single path shall connect the public realm to a point near the structure, at which the path may split to access different units.
- (b) *Townhome*. An individual entryway path shall connect each unit to the public realm.

**G. Utilities.**

- 1. Utilities and service areas, such as utility meters and mailboxes, on duplex, triplexes, and quadplexes shall be located to be minimally visible.
- 2. Mailboxes on townhomes may be located to be visible from the street.

### 10.4.3 MULTIPLEX & APARTMENT RESIDENTIAL DEVELOPMENT BUILDING STANDARDS

New multiplex and apartment developments, other than individual triplexes and quadplexes, shall be designed to fit within the existing context and to provide high quality design by abiding by the following standards, as illustrated through Figure 10.4.3-1: *Apartment Buildings in the Mixed Residential Districts*.

- A. Uninterrupted Walls.** A new building shall minimize long, uninterrupted wall lengths greater than 100 feet in length that face the public realm by incorporating one or more of the following strategies:
- 1. *Offsets*. Building module offsets changes that are a minimum of 5 feet deep and 10 feet long;
  - 2. *Articulation Lines*. Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide;
  - 3. *Arcades*. Arcades along the exterior wall.
- B. Building Entrances.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
- 1. *Location*. A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  - 2. *Design*. A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;



- (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
  - (c) Projected or recessed building module within which the entrance is located.
- C. **Roofs.** New multiplex and apartment buildings shall have a pitched roof.
- D. **Pathways.** A building entry shall be accessible by a pathway leading from the public realm.
- E. **Stairs.** An exterior staircase shall be designed to be minimally visible from the public realm.
- 1. *Extension.* An exterior staircase shall not extend beyond the front wall of the structure.
  - 2. *Location.*
    - (a) Where possible, an exterior staircase shall be located within a breezeway or pass-through area, shielded primarily by the building form.
    - (b) Where an exterior staircase must be located on the outer wall of a building rather than in an interior pass-through, the roof shall extend over the staircase so it is incorporated into the design of the building.
- F. **Materials and Colors.** Natural materials, materials found in the established context, and muted building colors shall be utilized.

**Figure 10.4.3-1: Multiplex and Apartment Buildings in the Mixed Residential Districts**





### **10.4.4 NON-RESIDENTIAL BUILDINGS**

A new non-residential building shall be designed to be visually interesting and to fit within the context, and shall abide by the following design standards:

- A. **Uninterrupted Wall.** A new building shall minimize long, uninterrupted wall lengths greater than 50 feet in length that face the public realm by incorporating one or more of the following strategies:
1. Building module offsets that are a minimum of 5 feet deep and 10 feet long;
  2. Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide; or
  3. Windows that cover at least 40% of the wall's surface area between 3 and 8 vertical feet from grade.
- B. **Blank Wall.** Where a wall greater than 50 feet in length is incorporated into the design of a new building, in addition to incorporating wall offsets, articulation lines, and windows, it shall utilize one or more of the following strategies to minimize blank wall area along the ground floor.
1. Display cases that project from a wall and create an opportunity for advertisements, artwork, and other visual features;
  2. Canopies and awnings to define the pedestrian level;
  3. Wall art that is attached to or located directly in front of the wall; or
  4. Landscaping that is attached to or located directly in front of the wall including planter boxes, large pots, or greenery walls. Planted material must be cable of covering 50% of the façade with which it is associated at maturity.
- C. **Building Entry.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
1. *Shared.* A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  2. *Features.* A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;
    - (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
    - (c) Projected or recessed building module within which the entrance is located.

- D. Accessibility.** A building entry shall be accessible by a pathway at least 5 feet in width leading from an existing or planned sidewalk. This does not apply if a sidewalk does not currently exist and is not planned for the street.

## 10.5 HIGH DENSITY MIXED RESIDENTIAL DISTRICTS<sup>403</sup>

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### 10.5.1 PURPOSE & APPLICABILITY

The purpose of the following building standards for the high density mixed residential districts is to achieve high-quality design in a denser setting in which multiplex and apartment buildings are most common. The standards in this Section apply to development in the R-M20 and R-MA zoning districts.

### 10.5.2 MULTIPLEX & APARTMENT COMPLEX BUILDING STANDARDS

~~Article 11:~~ A multiplex building, other than an individual triplex or quadplex, located in a high density mixed residential district shall abide by the following building design standards. Multiplexes, quadplexes, and triplexes located in an apartment complex are also subject to this Section.

- A. **Base, Middle, and Cap.** A new building shall be designed to incorporate a base, middle, and cap that provides unique design elements within each section.
- B. **Uninterrupted Walls.** A new building shall minimize long, uninterrupted wall lengths greater than 100 feet in length that face the public realm by incorporating one of the following strategies:
1. *Offsets.* Building module offsets changes that are a minimum of 5 feet deep and 10 feet long; or
  2. *Articulation Lines.* Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide.
- C. **Blank Wall Area.** Where a wall greater than 50 feet in length is incorporated into the design of a new building, in addition to incorporating wall offsets, articulation lines, and windows, it shall utilize at least one of the following strategies to minimize blank wall area along the ground floor.
1. *Wall Art.* Wall art that is attached to or located directly in front of the wall; or

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<sup>403</sup> <sup>403</sup> The building standards in this section are based on best practices and the context of the Urban Character Area as described in *Plan Greenville County*.

2. **Landscaping.** Landscaping that is attached to or located directly in front of the wall including planter boxes, large pots, or greenery walls.
- D. **Roof Form.** The roof form of the new building shall reflect the context. A flat roof with a parapet or a gable roof is most commonly appropriate.
- E. **Building Entry.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
1. **Shared Entry.** A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  2. **Entry Elements.** A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;
    - (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
    - (c) Projected or recessed building module within which the entrance is located.
- F. **Entry Location.** Building entries shall be spaced no more than 150 feet apart.
- G. **Accessibility.** A building entry shall be accessible by a pathway leading from the public realm.
- H. **Building Materials.** A minimum of 30% of the building shall utilize brick, stone, wood, stucco, Hardie board or similar cementitious planking material, slate, limestone, or tile.

### **10.5.3 NON-RESIDENTIAL BUILDINGS**

A new non-residential building shall be designed to be visually interesting and to fit within the context, and shall abide by the following design standards:

- A. **Uninterrupted Wall.** A new building shall minimize long, uninterrupted wall lengths greater than 50 feet in length that face the public realm by incorporating one or more of the following strategies:
1. Building module offsets that are a minimum of 5 feet deep and 10 feet long;
  2. Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide; or
  3. Windows that cover at least 40% of the wall's surface area between 3 and 8 vertical feet from grade.

- B. Blank Wall.** Where a wall greater than 50 feet in length is incorporated into the design of a new building, in addition to incorporating wall offsets, articulation lines, and windows, it shall utilize one or more of the following strategies to minimize blank wall area along the ground floor.
1. Display cases that project from a wall and create an opportunity for advertisements, artwork, and other visual features;
  2. Canopies and awnings to define the pedestrian level;
  3. Wall art that is attached to or located directly in front of the wall; or
  4. Landscaping that is attached to or located directly in front of the wall including planter boxes, large pots, or greenery walls. Planted material must be cable of covering 50% of the façade with which it is associated at maturity.
- C. Building Entry.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
1. *Shared.* A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  2. *Features.* A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;
    - (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
    - (c) Projected or recessed building module within which the entrance is located.
- D. Accessibility.** A building entry shall be accessible by a pathway at least 5 feet in width leading from an existing or planned sidewalk. This does not apply if a sidewalk does not currently existand is not planned for the street.

## **11-210.6 RURAL VILLAGE DISTRICT BUILDING STANDARDS**

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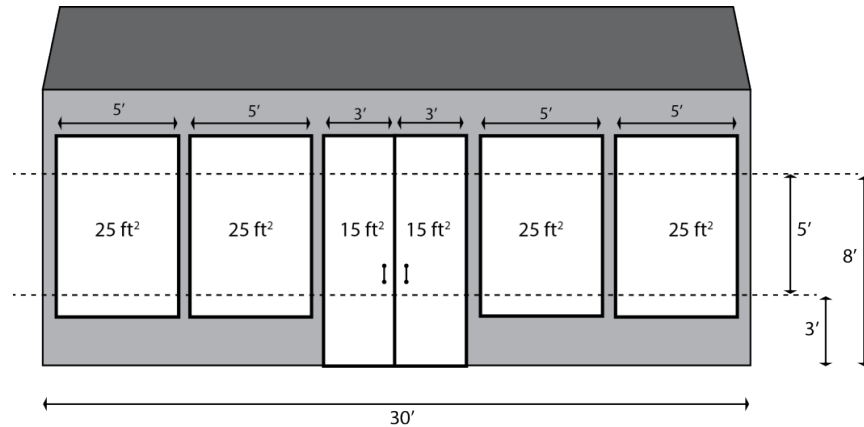
- A. Generally.** Buildings in the RU-V District, which are smaller in scale and compatible with traditional small town character, shall be designed to fit within the commercial context and be compatible with adjacent residential areas.
- B. Building Design in the RU-V District.** When a new building is constructed in the RU-V District, it shall abide by the following standards:

1. **Building Orientation.** The building shall be oriented towards the street from which it is addressed. Where a parking lot is provided to the rear of a building, the building may include a secondary entry that faces the parking lot.
2. **Building Height.** The height of the building shall be no more than one-half a story taller than the established range of building heights in the adjacent neighborhood.
3. **Primary Entrance.** The primary entrance facing the street shall be highlighted by one or more of the following:
  - (a) Awning or canopy;
  - (b) Architectural detail; or
  - (c) Planter pots adjacent to entry.
4. **Front Setbacks and Transparency Zone.** The minimum front setback specified in [§ 2.3.8: Rural Village District \(RU-V\) Article 2, Table 2.3.9-1: RU-V Dimensional Standards](#) may be reduced, if the public-facing façade(s) includes a transparency zone and pedestrian-oriented primary entry per Table 10.6-1: *RU-V Transparency Zone Requirements for Reduced Front Setbacks*. Refer to Figure 10.6-1: *RU-V Transparency Zone Illustrated Examples*.

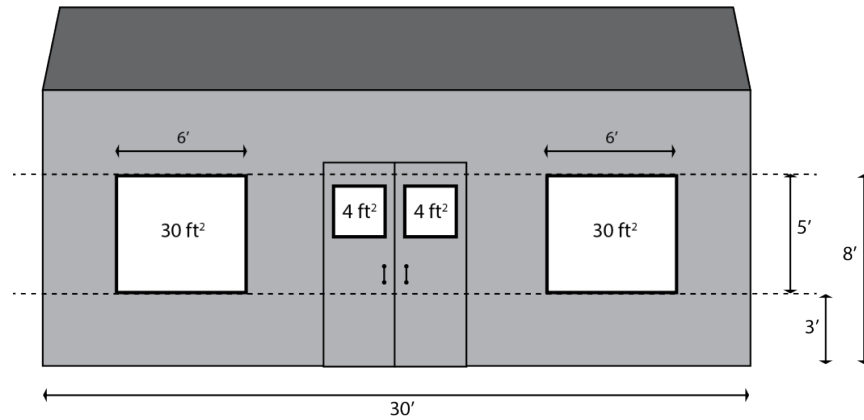
Table 10.6-1: RU-V Transparency Zone Requirements for Reduced Front Setbacks	
Front Setback	Transparency Zone Requirements
0 ft – 10 ft	At least 70% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required. SCDOT approval is required for setbacks less than 10 feet.
10.01 – 24.99 ft	At least 40% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required.
25 ft and greater	No transparency required. No additional entry requirements.

5.

**Figure 10.6-1: C-NRU-V Transparency Zone Illustrated Examples**



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 87% (130 ft<sup>2</sup>)



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 45% (68 ft<sup>2</sup>)

**11-310.7 NEIGHBORHOOD COMMERCIAL DISTRICT BUILDING STANDARDS**

- A. **Generally.** Buildings in the C-N District, which are smaller in scale and are located within a neighborhood context rather than a commercial corridor, shall be designed to fit within the context and be compatible with the adjacent residential development.
- B. **Adaptive Reuse.** Where an existing building is being adaptively reused for a neighborhood commercial building, as shown in Figure 10.7-1: *Neighborhood Commercial*, it shall abide by the following standards:
  - 1. **Key Features.** The following elements of the original building shall be maintained:
    - (a) Building orientation;

- (b) Building form including features such as a front porch;
  - (c) Roof form; and
  - (d) Doors and windows on the front-most wall of the structure.
2. *Building Addition.* An addition to an existing building shall be located on the rear or side of the building to maintain the front setbacks and residential character of the property.
  3. *Rooftop Addition.* A rooftop addition shall be located along a rear or side roof plane.
  4. *Porch Addition.* A front porch addition may be considered where there is precedent in a residential context.
    - (a) *Height.* The height of the front porch addition shall align with the first floor of the structure.
    - (b) *Depth.* The depth of the front porch shall reflect the depth of existing front porches on neighboring residential buildings.

**Figure 10.7-1: Neighborhood Commercial**



- C. **New Neighborhood Commercial.** When a new building is constructed in the C-N District, it shall abide by the following standards:
  1. *Building Orientation.* The building shall be oriented towards the street from which it is addressed.



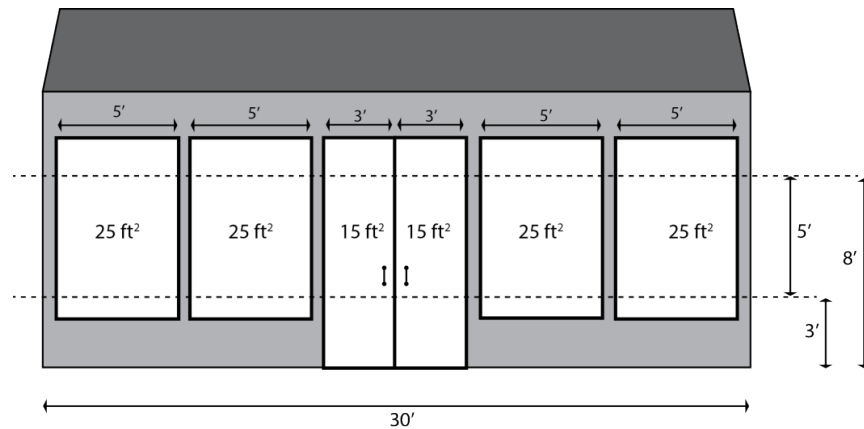
2. **Building Height.** The height of the building shall be no more than one-half a story taller than the established range of building heights in the neighborhood.
3. **Roof Form.** The roof form shall be compatible with the existing roof forms in the neighborhood.
4. **Primary Entrance.** The primary entrance shall be highlighted by one or more of the following:
  - (a) Porch;
  - (b) Outdoor patio or seating area; or
  - (c) Awning or canopy.
5. **Front Setbacks and Transparency Zone.** The minimum front setback specified in § 2.3.9: Neighborhood Commercial District (C-N) Article 2, Table 2.3.10-1: C-N Dimensional Standards may be reduced, if the public-facing façade(s) includes a transparency zone and pedestrian-oriented primary entry per Table 10.7-1: *C-N Transparency Zone Requirements for Reduced Front Setbacks*. Refer to Figure 10.7-~~12~~: *C-N Transparency Zone Illustrated Examples*.

Table 10.7-1: C-N Transparency Zone Requirements for Reduced Front Setbacks	
Front Setback	Transparency Zone Requirements
0 ft – 10 ft	At least 70% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required. SCDOT approval is required for setbacks less than 10 feet.
10.01 – 24.99 ft	At least 40% of public facing façade surface area between 3 and 8 vertical feet from grade shall be transparent. Primary pedestrian-oriented entry required.
25 ft and greater	No transparency required. No additional entry requirements.

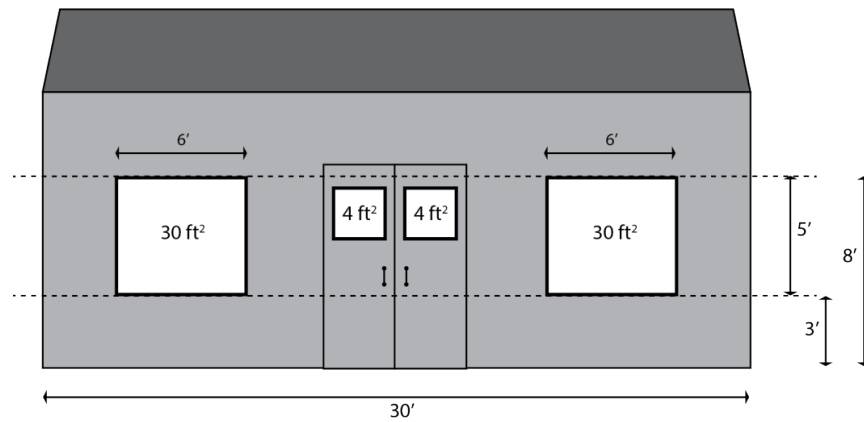
6.



**Figure 10.7-12: C-N Transparency Zone Illustrated Examples**



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 87% (130 ft<sup>2</sup>)



Transparency Zone: 150 ft<sup>2</sup>  
 Percent Transparent: 45% (68 ft<sup>2</sup>)

**11-410.8 MIXED USE & COMMERCIAL BUILDING STANDARDS**

A new mixed use or commercial building in a C-1, C-2, C-3, or OD district, or in an unzoned area, shall abide by the following design standards.

- A. **Base, Middle, and Cap.** A new building shall be designed to incorporate a base, middle, and cap that provides unique design elements within each section. For instance, the middle shall be defined by windows, entries, and architectural details, and the cap shall be defined by a roof and its elements.
- B. **Transparency.** A new building shall incorporate transparencies that fit within the context, that display high quality design, and that create pedestrian interest from the public realm. The following minimum transparency requirements shall apply:

- (a) Ground floor: 70%; and
- (b) Upper stories: 30%

C. **Uninterrupted Walls.** A new building shall minimize long, uninterrupted wall lengths greater than 100 feet in length that face the public realm by incorporating one or more of the following strategies:

1. *Offsets.* Building module offsets changes that are a minimum of 5 feet deep and 10 feet long; or
2. *Articulation.* Vertical articulation lines that occur every 50 feet across the building and are a minimum of 6 inches deep and 12 inches wide.

D. **Blank Wall Area.** Where a wall greater than 25 feet in length is incorporated into the design of a new building, in addition to incorporating wall offsets, articulation lines, and windows, it shall utilize the following strategies to minimize blank wall area along the ground floor.

1. Display cases that project from a wall and create an opportunity for advertisements, artwork, and other visual features;
2. Canopies and awnings to define the pedestrian level;
3. Wall art that is attached to or located directly in front of the wall;
4. Landscaping that is attached to or located directly in front of the wall including planter boxes, large pots, or greenery walls; or
5. Arcades that define a semi-private space between the sidewalk and building entry, as shown in Figure 10.8-1: *Commercial Building Articulation*.

**Figure 10.8-1: Commercial Building Articulation**

- E. **Roof Form.** The roof form of the new building shall reflect the context. A flat roof with a parapet or a gable roof is most commonly appropriate.
- F. **Building Entry.** A building entry shall face the public realm and be designed to be easily recognizable and distinguishable.
1. A shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  2. A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;
    - (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
    - (c) Projected or recessed building module within which the entrance is located.
- G. **Accessibility.** A building entry shall be accessible by a pathway leading from the public realm.
- H. **Building Materials.** Natural materials such as brick, stone, wood, stucco, Hardie board or similar cementitious planking material, slate, limestone, tile, or materials found in the established context shall be utilized.

## **11.5.10.9 RETAIL OVER 40,000 SQUARE FEET<sup>404</sup>**

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### **11.5.110.9.1 PURPOSE**

The purpose of these standards is to achieve high quality design in retail buildings 40,000 square feet or larger located in any zoning district. These often include shopping centers, malls, or free-standing sites whose primary use is or was a retail sales facility with at least one tenant. The standards include architectural detail, scale, and pedestrian and bicycle access, creating a base level of quality design while allowing for creativity from the developer. These standards apply to all retail buildings 40,000 square feet and larger, including those in unzoned areas.

### **11.5.2 EXCEPTIONS<sup>405</sup>**

~~The Zoning Administrator may determine exceptions to these required standards, such as:~~

- ~~A. — The application of the standards would result in peculiar and exceptional difficulties or hardship upon the owner of the property; or~~
- ~~B. — Alternative site planning and building design approach meets the design objectives equally well or better than would compliance with the standard(s); and~~
- ~~C. — In either of the foregoing circumstances, the exception may be granted without substantial detriment to the public good.~~

### **11.5.310.9.2 BIG BOX DESIGN STANDARDS**

- A. **Setback.** No structure shall be erected within 25 feet from any external lot line. However, where land uses within the proposed development are the same as uses permitted on the adjoining properties, a lesser setback that is consistent with the zoning on the adjoining properties may be permitted.
- B. **Building Modules.** Breaking a large building into modules enhances variety in building design and ensures long, monotonous facades are not part of the community. Modules also help create a more human-scaled building. Articulation techniques are done at a smaller scale than building modulation, but are a crucial component to creating visual interest and preventing large expanses of blank wall area.

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<sup>404</sup> This section is a combination of existing and new content. It primarily follows the structure as outlined in the ZO section 6:2(26) but is edited for clarity and best practices.

<sup>405</sup> ~~This Subsection is carried forward from ZO Section 6:2(26): Big Box Retail.~~

1. *Wall Plane Projections and Recesses.* Facades greater than 100 feet in length shall incorporate wall plane projections or recesses that are a minimum of ten feet deep and 20 feet wide. One such wall projection or recess shall occur a minimum of every 100 feet.
  2. *Articulation.* Facades greater than 100 feet in length shall incorporate at least two of the following articulation techniques:
    - (a) *Parapet Height.* Change in parapet height by a minimum of two feet from the adjacent parapet. This must occur every 50 feet along the building façade;
    - (b) *Expression Lines.* Horizontal expression lines measuring a minimum of 12 inches in height and 6 inches in depth. The placement of a horizontal expression line shall align a building feature such as a story height, window, or door frame. The expression line shall change height after 100 feet in length; or
    - (c) *Awning or Canopy.* Incorporating an awning or canopy at the ground level. It shall be used to define a storefront or entryway and shall be:
      - (1) A minimum of nine feet above the sidewalk;
      - (2) At least 6 feet in depth, but at least 2 feet from the curb line; and
      - (3) Shall extend at least 10 feet on either side of the entryway.
- C. **Active Ground Floors.** Creating an active ground floor that incorporates features to minimize blank wall area is essential. A variety of features shall be considered in order to create a comprehensive ground floor design including entryways and window transparency, and additional techniques can assist when these elements are sparse due to the building use.
1. *Entry Elements.* Each principal building on the site shall have clearly defined, visible customer entrances with at least three of the following features:
    - (a) Canopies or porticos;
    - (b) Overhangs;
    - (c) Recesses/projections;
    - (d) Arcades;
    - (e) Raised corniced parapets over the door;
    - (f) Peaked roof forms over the door;
    - (g) Arches;

- (h) Outdoor patios; or
- (i) Building material changes around the entryway such as tilework and moldings which are integrated into the building design.

2. *Transparency.* The ground floor shall be a minimum of 20% transparent.

3. *Blank Wall Area.* Blank wall area shall not extend more than 50 feet along the ground floor. Where windows are not appropriate, a minimum of one of the following shall be incorporated:

- (a) Display cases to highlight products or advertise for events;
- (b) Wall art, such as murals; or
- (c) Planter beds, large pots, or other landscaping features to soften the blank wall.

**D. Roof Form.**

1. *Generally.* The roof of a large building should be designed to create visual interest and reduce the visual scale of the building. Features should complement the character of nearby buildings and neighborhoods.

2. *Design.* The design of the roof shall incorporate at least two of the following features:

- (a) Parapets screening flat roofs and rooftop equipment;
- (b) Overhanging eaves;
- (c) Sloped roofs;
- (d) Three or more roof slope planes; or
- (e) Repeating pattern of change in color, texture, and material modules.

**E. Building Materials.** Creating visual interest through the use of building materials and colors can also assist in visually breaking up the building to make it appear to be a smaller mass. The standards below shall be followed when determining the appropriate application of building materials and color.

1. *Primary.* The predominant exterior building materials shall include, without limitation:

- (a) Brick;
- (b) Wood;
- (c) Stucco

- (d) Sandstone;
  - (e) Other natural stone;
  - (f) Hardie board or a similar cementitious planting material;
  - (g) Slate;
  - (h) Limestone;
  - (i) Glass, glass curtain wall or glass block features; or
  - (j) Tinted and textured concrete masonry units.
2. *Color.* Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.
  3. *Accents.* Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
  4. *Prohibited.* The predominant exterior building materials shall not include the following:
    - (a) Smooth-faced concrete block;
    - (b) Tilt-up concrete panels; and
    - (c) Pre-fabricated steel panels.
- F. **Accessibility.** Providing pedestrian access to and through a site it crucial to ensure the building is accessible through varying forms of transportation. The following standards shall be followed:
1. *Sidewalks.* Sidewalks shall be constructed ~~along all sides of the lot that abut a public street~~ in accordance with § 12.5: Sidewalks & Shared Use Paths.
  2. *Internal Walkway.* An internal pedestrian walkway at least 4 feet in width shall be provided and distinguished from driving surfaces through the use of special pavers, scored concrete, or stamped asphalt.
  3. *Overhang or Awning.* A weather protection feature shall be incorporated with a paved, internal pedestrian walkway. The overhang or awning shall extend at least ten feet from the building and run parallel along the building for at least 30 feet from all customer entrances.
  4. *Amenities.* Benches, seating, bus shelters, and other similar amenities shall be located underneath the weather protection feature.



5. *Walkway.* Walkways shall be located to connect the main building entrance to transit stops.
- G. **Screening.** Screening shall be provided in accordance with Article 7: *Buffers & Screening*.
- H. **Service Areas.** Service areas such as loading docks, trash collection, outdoor storage, HVAC equipment areas, and similar facilities must be incorporated into the overall design of a building and site. They shall be landscaped and screened to minimize visual and acoustic impacts on adjacent properties and public streets.
1. *Location.* No service areas shall be located within 25 feet of any public street, public sidewalk, or internal pedestrian way.
  2. *Setback.* The display of items for sale such as temporary storage trailers, storage sheds, storage buildings, temporary movable storage buildings, lumber, and masonry products, must comply with the front set-back requirement of the zoning district of the site on which the primary structure is located or the building setback required by § 10.2: Building Setbacks in Unzoned Areas, as applicable, but in any case, such materials may not be placed closer than 25 feet from ~~a street right-of-way~~ a lot line.
- I. **Parking Lot Landscaping.** Parking lot landscaping is an important element in reducing reflective heating, controlling water runoff, and improving the aesthetics of a site. By requiring higher standards of parking lot landscaping for big box stores than the requirements in § 6.4: *Interior Parking Lot Landscaping*, adaptively reusing the structures in the future becomes easier.
1. *Quantity.* The amount of landscape material required in § 6.4.2E shall be increased by 50%.
  2. *Spacing.* The required space between parking spaces and trees required in § 6.4.2I.1 shall be reduced by 50%.

### **11.5.410.9.3 ADAPTIVE REUSE OF BIG BOX RETAIL BUILDINGS<sup>406</sup>**

In order to minimize blight and ensure the use of large retail buildings beyond their initial intended use, new big box stores greater than 50,000 square feet shall be designed for flexible and adaptive reuse.

- A. **Individual Spaces.** A new big box retail building shall be designed so that it is readily subdivided into usable, independently accessible retail spaces of 25,000 square feet or less.

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<sup>406</sup> This section incorporates new standards demonstrating best practices for potential adaptive reuse of large big box retail buildings.



- B. **Building Entrances.** The design of a big box retail building shall incorporate locations for separate, distinguishable building entrances if the building is subdivided in the future.

## ~~11.6~~10.10 HEAVY COMMERCIAL & INDUSTRIAL BUILDINGS

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### ~~11.6.1~~10.10.1 PURPOSE & APPLICABILITY

The purpose of these standards is to achieve high quality design in heavy commercial, service, and industrial buildings located in any zoning district. The standards focus on breaking up a large building form and providing architectural detail to create visual interest and uphold the standard of high-quality design. Buildings over 60,000 square feet in S-1 and I-1 zoning districts ~~over 60,000 square feet~~ shall apply the guidelines in this Section.

### ~~11.6.2~~ EXCEPTIONS

~~The Zoning Administrator may determine exceptions to these required standards, such as:~~

- A. ~~The application of the standards would result in peculiar and exceptional difficulties or hardship upon the owner of the property; or~~
- B. ~~Alternative site planning and building design approach meets the design objectives equally well or better than would compliance with the standard(s); and~~
- C. ~~In either of the foregoing circumstances, the exception may be granted without substantial detriment to the public good.~~

### ~~11.6.3~~10.10.2 BUILDING DESIGN STANDARDS

- A. **Building Modules.** Breaking a large building into modules enhances variety in building design and ensures long, monotonous facades are not part of the community. Modules also help create a more human-scaled building. Articulation techniques are done at a smaller scale than building modulation, but are a crucial component to creating visual interest and preventing large expanses of blank wall area.
1. *Wall Plane Projections and Recesses.* Facades greater than 100 feet in length shall incorporate wall plane projections or recesses that are a minimum of ten feet deep and 20 feet wide. One such wall projection or recess shall occur a minimum of every 100 feet.
  2. *Articulation.* Facades greater than 100 feet in length shall incorporate at least one of the following articulation techniques:

- (a) *Parapet Height.* Change in parapet height by a minimum of two feet from the adjacent parapet. This must occur every 50 feet along the building façade;
  - (b) *Expression Lines.* Horizontal expression lines measuring a minimum of 12 inches in height. The placement of a horizontal expression line shall align a building feature such as a story height, window, or door frame. The expression line shall change height after 100 feet in length; or
- B. **Building Entry.** On large commercial and industrial buildings and sites, a visually prominent pedestrian entry ensures prioritized pedestrian access.
  - 1. *Building Entry.* The pedestrian entrance on the building shall face the public realm and be designed to be easily recognizable and distinguishable.
  - 2. *Shared.* Where utilized, a shared building entry shall be centrally located to provide easy access from common spaces, parking, and the public realm.
  - 3. *Features.* A building entry shall be highlighted through one or more of the following strategies:
    - (a) Awning or canopy;
    - (b) Change in building materials on the module within which the entrance is located or around the entrance itself; or
    - (c) Projected or recessed building module within which the entrance is located.
- C. **Building Materials.** Creating visual interest through the use of building materials and colors can also assist in visually breaking up the building to make it appear to be a smaller mass. The standards below shall be followed when determining the appropriate application of building materials and color.
  - 1. *Primary.* The predominant exterior building materials shall include, without limitation:
    - (a) Brick;
    - (b) Wood;
    - (c) Stucco
    - (d) Sandstone;
    - (e) Other natural stone;
    - (f) Hardie board or a similar cementitious planting material;
    - (g) Slate;

- (h) Limestone;
  - (i) Glass, glass curtain wall or glass block features; or
  - (j) Tinted and textured concrete masonry units.
2. *Color.* Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.
  3. *Accents.* Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
- D. **Accessibility.** Providing pedestrian access to and through a site it crucial to ensure the building is accessible through varying forms of transportation. The following standards shall be followed:
1. *Sidewalks.* Sidewalks shall be constructed in accordance with § 12.5: Sidewalks & Shared Use Paths~~along all sides of the lot that abut a public street.~~
  2. *Overhang or Awning.* A weather protection feature shall be incorporated with a paved, internal pedestrian walkway. The overhang or awning shall extend at least ten feet from the building and run parallel along the building for at least 30 feet from all customer entrances.
  3. *Amenities.* Benches, seating, bus shelters, and other similar amenities shall be located underneath the weather protection feature.
  4. *Walkway.* Walkways shall be located to connect the main building entrance to sidewalks along the public street.
- E. **Service Areas.** Service areas such as loading docks, trash collection, outdoor storage, HVAC equipment areas, and similar facilities must be incorporated into the overall design of a building and site. They shall be landscaped and screened to minimize visual and acoustic impacts on adjacent properties and public streets.
1. *Location.* No service areas shall be located within 25 feet of any public street, public sidewalk, or internal pedestrian way.
  2. *Setback.* The display of items for sale such as temporary storage trailers, storage sheds, storage buildings, temporary movable storage buildings, lumber, and masonry products, must comply with the front set-back requirement of the zoning district of the site on which the primary structure is located or the building setback required by § 10.2: Building Setbacks in Unzoned Areas, as applicable, but in any case, such materials may not be placed closer than 25 feet from ~~a street right of way~~ lot line.

## 11.7.10.11 REVIEW DISTRICTS<sup>407</sup>

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### 11.7.110.11.1 PURPOSE

Review Districts are established to provide a high level of design quality, site amenities, and open space for innovative and creative mixed use developments and for a proposed development that does not fit within an existing zoning district. The Review Districts are intended to be large in scale and provide a range of uses while promoting the efficient use of land and protecting natural features and scenic beauty. The building design standards that follow provide high level guidance for any Review District to achieve high quality design, while still allowing for flexibility and creativity in the design.

### 11.7.210.11.2 ARCHITECTURAL DESIGN

- A. **Location.** Buildings shall be located and oriented to provide a clearly distinguishable front façade that provides a functional relationship with its site, adjacent sites, and nearby thoroughfares.
- B. **Design.** The architectural design of buildings and structures, and their materials and colors shall be visually harmonious with the overall appearance of the district.
- C. **Building Material.** Building materials shall be appropriate for the scale of the building, compatible with its location, and expressive of the character and image of the development.
- D. **Entrance.** The building entrance(s) shall be easily recognizable and highlighted through the use of architectural details, change in materials, awnings, porches, or other unique details.
- E. **Articulation.** Building facades, especially the front, shall be articulated using windows, doors, and other architectural details to create visual interest and minimize blank wall area.
- F. **Modulation.**
  - 1. Larger, multiplex or apartment buildings within the development shall be designed to incorporate building projections and recesses to create a modulated building form that is visually smaller.
  - 2. Non-residential buildings 10,000 square feet or larger in size shall utilize building projections and recesses to minimize long, blank walls and highlight primary pedestrian entrances.

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<sup>407</sup> This section carries forward some of the standards in ZO Section 8:10.11 *Architectural Form* (BTD District) and ZO 8:4.12 *Architectural Form* (I-2 District) and supplements it with an updated purpose statement to correspond to the zone district language and best practices.

- G. **Roof Form.** Larger, multiplex or apartment buildings within the development shall have a pitched roof form that broken into components to minimize the scale of the roof.

## ~~Article 12:~~ARTICLE 11: SUBDIVISIONS & GROUP DEVELOPMENTS

### ~~12.1~~11.1 GENERAL PROVISIONS

#### ~~12.1.1~~11.1.1 PURPOSE

- A. The purpose of this Article is to promote safety and manage impacts of development on surrounding properties and developments through the provision of subdivision and group development design standards.
- B. The following standards are minimum requirements. Staff may approve improvements that exceed the minimum standard.
- C. These regulations are designed to be administered in a manner to harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of appropriate adjoining tracts.

#### ~~12.1.2~~11.1.2 APPLICABILITY

- A. **Generally.** This Article applies to all group developments and all subdivisions within the limits of the Greenville County.
- B. **Subdivision Types.** Table 11.1.2-1 specifies allowable subdivision types by location/zoning district.<sup>408</sup>
  1. *Exempt Subdivisions.* Exempt Subdivisions do not require review by the Technical Advisory Committee and are reviewed by staff at the time of submittal. Exempt Subdivisions include:
    - (a) Simple Plats;
    - ~~(a)~~(b) Survey plats (whether newly performed or historical) showing existing lots of record that do not create roads or shared drives;

<sup>408</sup> Proposed is to eliminate the Rural Conservation Subdivision type in favor of allowing open space residential, tiny house, and townhouse subdivisions in unzoned areas with sewer and allowing only conventional residential subdivisions in unzoned areas without sewer, with larger lot sizes required (see 11.2.4.C: *Lots*). Also proposed is to eliminate the Traditional Neighborhood Development (TND) subdivision type. This subdivision type is very prescriptive, and without offering significant incentives or, conversely, mandating this development type, there is a concern that TNDs as a stand-alone subdivision type would not be used.

~~(b)~~(c) Mortgage plats (used for purchasing property);

~~(e)~~(d) Lot line adjustments where the total number of lots is not increased and the resultant lots meet the requirements of the UDO;

~~(d)~~(e) Combination or recombination of entire lots of record that do not involve the creation of new streets or changes in existing streets;

~~(e)~~(f) Division of land into parcels of 5 acres or more where no new street is involved;

~~(f)~~(g) Division of land by order of probate court or master in equity based on settlement of an estate; and

~~(g)~~(h) Division of land for public utility purposes.

2. *Summary Plat Subdivisions.* Summary Plat Subdivisions include ~~Simple Plat Subdivisions,~~ Minor Subdivisions, and Family Subdivisions.
3. *All Other Subdivision Types.* All other subdivision types apply only to major subdivisions.

C. **Development Types.** Table 11.1.2-2 specifies allowable development types by location/zoning district.

1. *Group Developments.* Group developments are allowed in unzoned areas, and in all zoning districts if the uses in the group development are allowed by § 4.2: *Use Table*. If a group development involves subdivision, the requirements for the particular subdivision type apply in addition to the requirements for group developments.
2. *Zero Lot Line Developments.* When a proposed subdivision includes zero lot line dwellings, the design standards for zero lot line developments apply in addition to standards for the proposed subdivision type.

**Table 11.1.2-1: Allowable Subdivision Types by Location/Zoning District**

Location/ Zoning District <sup>2</sup>	Subdivision Type <sup>1</sup>								
	Exempt Subdivision	Summary Plat Subdivision	Commercial Subdivision <sup>1</sup>	Conventional Residential Subdivision	Open Space Residential Subdivision	SRCA Conservation Subdivision	SRCA Rural Estate Lot Subdivision	Tiny House Subdivision	Townhouse Subdivision
Unzoned Area, with sewer <sup>3</sup>	✓	✓	✓	✗	✓	✗	✗	✓	✓
Unzoned Area, without sewer	✓	✓	✗	✓	✗	✗	✗	✗	✗
SRCA, with sewer <sup>4</sup>	✓	✓	✓	✗	✗	✓	✓ <sup>5</sup>	✗	✗
SRCA, without sewer <sup>4</sup>	✓	✓	✓	✗	✗	✗	✓	✗	✗
AG	✓	✓	✓	✗	✗	✗	✗	✗	✗
ESD-PM	✓	✓	✓	✓	✗	✗	✗	✗	✗
R-R3, <del>R-R1</del>	✓	✓	✓	✓	✓	✗	✗	✗	✗
<del>R-R1</del> , R-S	✓	✓	✓	✓	✓	✗	✗	✗	✗
R-20A, R-20, R-15, R-12, R-10, R-7.5, <del>R-6</del>	✓	✓	✓	✓	✓	✗	✗	✗	✓
R-M8, R-M10, R-M16, R-M20, R-MA	✓	✓	✓	✓	✓	✗	✗	✗	✓
FRD, PD	✓	✓	✓	✓	✓	✗	✗	✓	✓
All Other Zoning Districts	✓	✓	✓	✓	✓	✗	✗	✗	✗✓

**Key:** ✓ = Subdivision type is allowed in this location/zoning district | ✗[blank cell] = Subdivision type is prohibited in this location/zoning district

<sup>1</sup> All subdivision types apply to major subdivisions, except Summary Plat Subdivisions which apply only to ~~minor subdivision~~ Minor Subdivisions.

<sup>2</sup> Commercial subdivisions include subdivisions for mixed use developments and for apartment complex developments.

<sup>3</sup> “With sewer” means the proposed subdivision is able to connect to a public sewer system in accordance with Article 15: Utilities.

<sup>4</sup> A proposed subdivision of property located in the SRCA may only utilize the subdivision types specified for SRCA.

<sup>5</sup> Rural estate lot subdivisions may be allowed in areas of the SRCA with sewer. See § 11.11.



**Table 11.1.2-2: Allowable Development Types by Location/Zoning District**

Location/ Zoning District	Development Type	
	Group Development	Zero Lot Line Development
Unzoned Area	✓	✓
SRCA	✓	✗
AG	✓	✗
<u>ESD-PM</u>		
<del>ESD-PM</del> , R-R3, R-R1, R-S	✓	✓
R-20A, R-20, R-15, R-12, R-10, R-7.5, R-6	✓	✓
R-M8, R-M10, R-M16, R-M20, R-MA	✓	✓
FRD, PD	✓	✓
All Other Zoning Districts	✓	✓

**Key:** • = Development type is allowed in this location/zoning district | ✗[blank cell] = Development type is prohibited in this location/zoning district

**12.211.2 GENERAL SUBDIVISION & GROUP DEVELOPMENT DESIGN STANDARDS**

**12.2.111.2.1 PURPOSE**

All proposed subdivisions and group developments shall be designed to facilitate the most advantageous development of the entire County and shall bear a reasonable relationship to the Comprehensive Plan. The general design of subdivisions and group developments shall:

- A. **Contours.** Take advantage of and be adjusted to the contours of the land so as to produce usable building sites and streets of reasonable gradients;
- B. **Suitability and Compatibility.** Consider the suitability of the land and its capability to support and maintain the proposed development;
- C. **Constraints.** Consider site constraints, such as:
  - 1. Topography;
  - 2. Rock outcrops;
  - 3. Flood damage prevention;

4. Erosion control;
5. Wetland preservation;
6. Stormwater management;
7. Solar energy;
8. Tree preservation;
9. Noise and pollution control;
10. Habitat for endangered species;
11. Areas of historical, archaeological, or architectural significance;
12. Land use relationships; and
13. Other additional factors prescribed by this Ordinance;

D. **Natural Resource Protection.** Protect large open spaces, wooded areas, and wetlands:

1. *Topography.* New lots should be arranged so that building locations preserve and fit within the natural topography;
2. *Clustered Buildings.* Where a set of buildings is desired, they should be clustered to preserve the natural features of the property;
3. *Open Space.* New lots should be arranged to preserve connected open space rather than sectioning off open space; and

E. **Public Realm.** Locate larger building forms and modules to be minimally visible from the public realm. New buildings are subject to the standards specified in Article 10: *Building Design*.

### ~~12.2.2~~ **11.2.2 DEVELOPMENT BOUNDARY BUFFERS**<sup>409</sup>

A. **Purpose.** Development boundary buffers are intended to protect the privacy of existing and future residences that adjoin new subdivisions and group developments.

B. **Applicability.** This Subsection applies to all major subdivisions and all group developments.

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<sup>409</sup> Carries forward and reorganizes LDR 8.21 *Forested Natural Vegetative and/or Landscaped Buffer* with minor revisions to simplify the language.

C. **Buffer Location.** A development boundary buffer:

1. Runs parallel to the outermost lot lines of a development, except the lot line adjacent to a right-of-way which instead requires a ~~right-of-way~~roadside buffer pursuant to § 7.2.3; and
2. May overlap riparian and wetland buffers.

D. **Buffer Width.** A development boundary buffer must be at least 20 feet wide.

E. **Natural Vegetated Buffers or Landscaped Buffers.**

1. *Generally.* A development boundary buffer must be a natural vegetated buffer, landscaped buffer, or a combination of the two, as specified in this Paragraph.
2. *Natural Vegetated Buffers.*
  - (a) If a vegetated buffer exists and contains sufficient density to achieve the intended privacy of a development boundary buffer, it must be left in its natural state.
  - (b) The buffer should contain mature hardwoods, evergreens, or a variety of both.
  - (c) The buffer must be protected during construction. If any trees sustain damage during construction, suitable replacements selected from the Plant List in the UDO Administrative Manual must be installed prior to final platting or first building permit, whichever occurs first.
3. *Landscaped Buffers.* If a natural vegetated buffer does not exist or is not 20 feet wide, the following provisions apply:
  - (a) A natural vegetated buffer less than 20 feet wide shall be expanded/enhanced to meet the 20-foot minimum width with additional deciduous and evergreen trees.
  - (b) In the event there is no natural vegetative buffer, deciduous (canopy) or evergreen trees shall be planted to create the buffer.
  - (c) In either case, canopy trees shall not be placed closer than 15 feet on center and evergreen trees shall not be placed closer than 10 feet on center. The goal is to have continuous canopies touching at mature size.
  - (d) Any tree planted in the buffer area must be at least 6 feet in height for evergreens and 1.5 inches in diameter for canopy trees (minimum height of 6 feet) at the time of planting.

- (e) Trees planted within the buffer shall be staggered to provide optimal coverage within the buffer and to attain the 20 foot width requirement.
- F. **Buffers on Sites with Steep Slopes or Unique Site Conditions.** On sites with steep slopes (11% or more) or other unique site conditions, the Subdivision Administrator may authorize a reduced buffer or combination of buffer elements such as fences, berms, or other elements to achieve the purpose of this Subsection. The Subdivision Administrator may seek input from the Technical Advisory Committee.
- G. **Installation of Landscaped Buffer.** Any newly planted trees, fencing, berms, or other buffer elements must be installed within 18 months from the date site work commences. The Subdivision Administrator may allow the developer to postpone required tree planting until the appropriate planting season.
- H. **Tree Warranty Required.** A tree warranty for newly planted trees must be provided by the contractor or developer, who must adequately maintain all trees for the first year of planting. During the warranty period, the contractor or developer is responsible for replacing any newly planted dead trees as well as any dead trees within a natural vegetated buffer.
- I. **Sight Distance.** Appropriate sight distance triangles and sight lines must be maintained at all intersections.
- J. **Use of Buffer.**
1. All development boundary buffers shall be maintained as in situ vegetation and free from development, except as allowed by § 11.2.2J.2 below.
  2. Use of the buffers is restricted to only road crossings, bike paths, and greenway trails or walkways a maximum of 10 feet in width.
  3. Removal of invasive species within the buffer is allowed.
- K. **Buffer Ownership & Maintenance.** A development boundary buffer must be owned and maintained in accordance with § 11.4.8: Ownership of Open Space and § 11.4.9: Long-Term Protection & Maintenance of Open Space.

### **11.2.3 RIGHT-OF-WAY DEDICATION**

~~K.~~ Any major or minor subdivision with lots that abut an existing County road that was never formally dedicated as right-of-way must dedicate to Greenville County 25 feet of right-of-way, measured from the centerline of the existing pavement.

**12.2.3 11.2.4 GUEST PARKING<sup>410</sup>**

- A. In any residential or mixed use development where the gross density exceeds 6 dwelling units per acre, off-street guest parking areas shall be interspersed throughout the development.
- B.        Off-street guest parking areas may be unpaved.
- C.        Off-street guest parking areas shall not require the use of public streets for maneuvering directly into or out of any parking space.
- D.        Guest parking spaces shall be provided at a rate of one space per every 4 dwelling units.

**11.2.5 STREETLIGHTING**

**Article 13:** Streetlights are required in all major subdivisions pursuant to § 9.2.4: Streetlighting in Subdivisions.

**13.1.1 11.2.6 MAILBOXES<sup>411</sup>**

- A. **Generally.** The local postmaster should be contacted to discuss options for the method of mail delivery for new developments early in the design process. The delivery method must dictate the mailbox type and location; and requires the approval of the United States Postal Service (USPS) as required by the most current Postal policy.
- B. **Type of Delivery.** The type of delivery approved by the local postal manager shall be noted on the development plan (Preliminary Plan). If Cluster Box Units (CBUs) are selected, the location(s) shall be incorporated in the design of the subdivision and shown on the Preliminary Plan.
- C. **Support Materials.** The use of concrete filled metal pipe for any mailboxes is expressly prohibited. The installation of a single support is allowed (with approval from the Postal Service) in a configuration of 4 boxes per post. In the case of a single support, non-yielding and non-breakaway mailbox structures are prohibited. Please see the USPS Guide for Builders and Developers for more information.
- D. **Curbside Mailboxes (where permitted).** No mailboxes or other structures may be located within the sidewalk. When mailboxes are placed adjacent to a sidewalk, they shall be located in

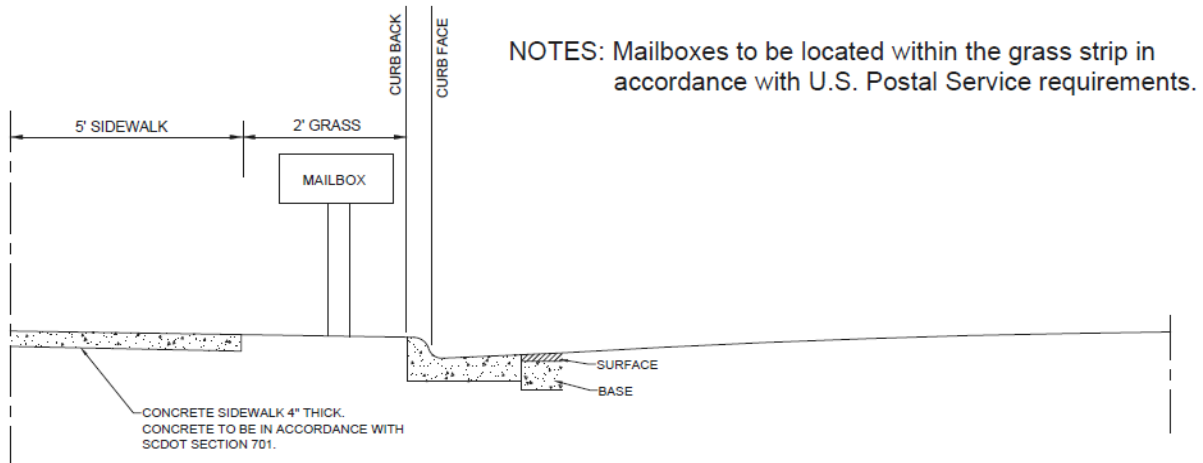
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<sup>410</sup> These provisions are new. They are intended to address concerns with on-street parking in higher density developments, particularly those with narrow streets where emergency vehicle access may be hindered by excessive on-street parking on streets not originally designed/constructed to accommodate on-street parking.

<sup>411</sup> Carries forward LDR Section 8.19: *Mailboxes*.

accordance with the specifications shown in Figure 11.2.4-1: *Typical Mailbox and Sidewalk Location*, below:

**Figure 11.2.4-1: Typical Mailbox and Sidewalk Location**



**TYPICAL MAILBOX AND SIDEWALK LOCATION**

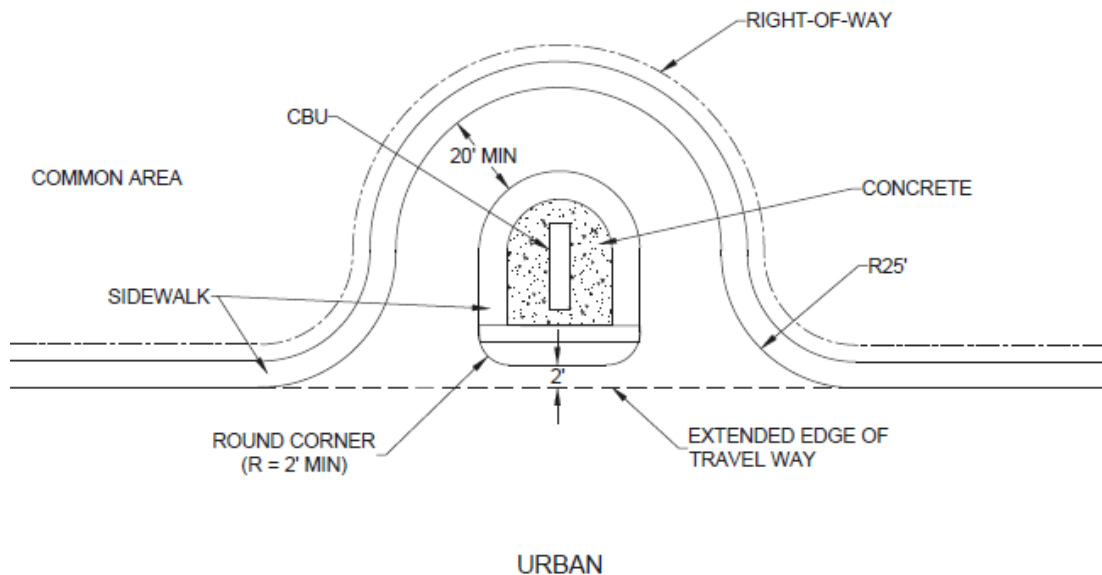
NO SCALE

**E. Cluster Mailboxes (when required).**

1. *Traffic Flow.* Cluster Box Unit (CBU) location(s) selected shall be such that there is no disruption or interference with the vehicular traffic flow on the roadway or any public street. Location of the CBU(s) shall be approved prior to the Preliminary Plan process.
2. *Visibility.* CBUs shall not be installed so close to an intersection or traffic lane that they block visibility for approaching traffic or could be struck by a passing motor vehicle.
3. *Dead-End Streets.* CBUs shall not be located on dead-end streets where there is no safe turnaround for Postal delivery vehicles.
4. *Direction.* CBUs shall be installed facing the correct direction. CBUs installed on concrete pads poured behind the sidewalk shall face the sidewalk. CBUs installed on concrete pads located in landscape strips between the curb and the sidewalk shall face the sidewalk. Do not install CBU facing the curb or street—causing the carrier and the customer to stand in the street to deliver or retrieve mail.
5. *Locations.*
  - (a) The preferred location of the CBUs is in common/amenity areas and conducive to both pedestrian and vehicular traffic. The pedestrian/amenity area shall have at least one parking space per 50 homes being served.

- (b) If an amenity area is not available for use, CBUs may be placed within eyebrow islands, as depicted in Figure 11.2.4-2: *Example of Cluster Mailboxes*, if:
- (1) Individual lot access is not situated adjacent to the eyebrow;
  - (2) Length of the road on eyebrow provides for adequate stacking;
  - (3) Sidewalk accessibility is available to the island; and
  - (4) Ownership and maintenance of structure(s) within the island is the responsibility of the homeowner's association. Greenville County does not maintain islands or structures within islands.

**Figure 11.2.4-2: Example of Cluster Mailboxes**



6. *Installation.* CBUs shall be installed as depicted in Figure 11.2.4-3: *Cluster Installation Examples*, and in accordance with the following standards.
- (a) CBUs shall not be installed until the local USPS representative has ensured compliance with the official specifications.
  - (b) Please refer to the USPS Guide for Developers for specifications on the construction of CBUs, including the concrete pad.

**Figure 11.2.4-3: Cluster Mailbox Installation Examples**



**CORRECT** – Note how much concrete was required in order to meet local codes



**INCORRECT** – The ADA requires that sidewalks remain clear



**CORRECT** – Plan ahead. This pad was actually poured before the sidewalk was put in. The dimensions, elevation, and slope were calculated to match the future sidewalk



**Figure 11.2.4-3: Cluster Mailbox Installation Examples**

CORRECT – Wheelchair accessible. Set back from the roadway. Easy access for the carrier.

Please refer to the USPS Cluster Box Guide for more information and latest updated document.

## **13-2-11.3 LOTS**

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### **13-2-11.3.1 APPLICABILITY**

This Section applies to all lots in a major or minor subdivision, unless otherwise specified by the applicable subdivision type. Parcels located in Group Developments are not subject to this Section.

### **13-2-11.3.2 GENERALLY**

#### **A. Lot Design.**

1. The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision, for the type of development contemplated, and in consideration of the method of providing water and sewer facilities to the lots.
2. Lot dimensional standards shall be as required in this Section unless otherwise specified in this UDO.
3. Lots shall be designed so as to provide positive drainage away from building sites and individual lots shall be coordinated with the general storm drainage plan for the subdivision. Lot boundaries shall be made to coincide with natural and pre-existing human-made drainageways to the extent practicable to avoid the creation of lots that can be built upon only by altering such drainageways.

#### **B. Newly Created Through Lots.** Newly created through lots, having frontage on newly created subdivision roads as well as having frontage on existing County or state-maintained roads, shall

be provided access from the newly created road(s) only. Through access between newly created roads and existing roads is not permitted across newly created lots.<sup>412</sup>

- C. **Non-Buildable Lots.** Lots or parcels created through the subdivision process that are not intended for building purposes shall be so designated and perpetually bound as "not-buildable" unless subsequently released through the subdivision process.

### ~~13-2-3~~11.3.3 DIMENSIONAL STANDARDS

#### A. Minimum Lot Area.

##### 1. Zoned Lots.

- (a) Zoned lots shall have a minimum lot area as specified in Article 2: *Zoning Districts*, except when served by septic systems.

~~2.~~(b) When served by a septic system, a zoned lot shall conform to the minimum lot size necessary to comply with SCDES's minimum standards for septic systems or the minimum lot size required by the zoning district, whichever is larger.

~~3-2.~~ *Unzoned Residential Lots.* Unless otherwise specified in this Article, unzoned residential lots shall have a minimum area as follows:

- (a) *Lots in Major Subdivisions With 10 or More Lots and Individual Septic Systems.* Each lot located in a major subdivision comprised of 10 or more lots that are served by individual septic systems shall have an area of at least 1.5 acres; and<sup>413</sup>

(b) *Lots in All Other Subdivisions.* Lots located in all other subdivisions shall be at least 6,000 square feet in area or shall be sized in accordance with SCDES's minimum standards for septic tanks.<sup>414</sup>

~~(b)~~(c) *Sunset Provision.* The provisions and requirements of § 11.3.3A.2(a) shall expire on January 4, 2026, unless re-adopted by Greenville County Council. If County Council fails to re-adopt this Section, § 11.3.3A.2(a) shall be stricken from the ordinance and § 11.3.3A.2 shall read: "Unzoned Residential Lots. Unless otherwise specified in this Article, unzoned residential lots shall have a minimum area of 6,000 square feet or shall be sized in accordance with SCDES's minimum standards for septic tanks."

<sup>412</sup> Carries forward LDR Section 8.4: *Newly Created Through Lots*.

<sup>413</sup> This Paragraph C.2(a) is from a text amendment adopted by County Council in 2023.

<sup>414</sup> Carries forward LDR Section 8.2: *Minimum Lot Size*

4.3. *Unzoned Non-Residential and Mixed Use Lots.* Unless otherwise specified in this Article, unzoned lots intended for non-residential or mixed use shall be at least 6,000 square feet or the minimum size necessary to comply with SCDES's minimum standards for septic systems. Each lot must contain adequate area to provide the yard areas required by Article 10: *Building Design*, the off-street parking and loading areas required by Article 6: *Parking & Loading*, and the stormwater control measures required by the [Greenville County Stormwater Management Ordinance](#).

**B. Minimum Lot Frontage (Access to Lots).**

- (a) All unzoned lots located on a State road shall have a minimum width of 50 feet, unless otherwise approved by SCDOT.
- (b) All other unzoned lots shall have a minimum of 20 feet of access to and frontage on an approved access to a public street or on a private road constructed to current County road standards or unpaved private drive standards (see Article 12: *Access & Connectivity*).
- (c) Zoned lots shall have a minimum lot width as required in Article 2: *Zoning Districts*.<sup>415</sup>

**C. Minimum Setbacks and Heights.**

- 1. Zoned lots shall have minimum setbacks as required in Article 2: *Zoning Districts*.
- 2. Unless otherwise specified in this Article, unzoned lots shall have minimum setbacks as specified by Article 10: *Building Design*.

**13.2.411.3.4 FLAG LOTS**

Flag lots created through the subdivision process, on Summary [Plats](#), Preliminary [Plans](#), and Final Plats, shall meet the following:<sup>416</sup>

- A. **Exclusion.** The access strip or flagpole shall not be used to calculate the minimum lot area. The front lot setback distance shall be measured from the closest property line parallel to the public road excluding the flagpole.
- B. **Depth.** Flagpole lots may not be created deeper than three lots from the existing street.
- C. **Private Access Easement.**

<sup>415</sup> Carries forward LDR Section 8.3: *Minimum Lot Frontage (Access to Lots)*.

<sup>416</sup> Carries forward LDR Section 8.5: *Flag Lots*.

1. In order to limit the number of encroachments into existing County and SCDOT maintained roads, where multiple flagpole access strips meet the existing roadway, a private access easement shall be established for these lots so that only one connection with the existing street is created to serve these lots. The connection with the existing road must meet all applicable Greenville County and/or SCDOT Encroachment Permit requirements and the drive shall be constructed to meet Fire Code Apparatus and Road Access requirements and have an adequate drainage design.
2. Private access easements for flag lots may not serve more than three lots. The subdivider is responsible for constructing and installing the driveway.
3. The owner(s) of lots created in this manner shall be responsible for continued maintenance of the drives. Upon written notification by the Fire Chief or Fire Marshal of the respective fire protection district, the owner(s) shall correct any cited deficiencies within 60 days of receipt of notification of the need for maintenance. County Code Enforcement is responsible for ensuring the owner(s) corrects the deficiencies.

### **13-3-111.4 OPEN SPACE**<sup>417</sup>

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#### **13-3-111.4.1 PURPOSE**

- A. Open space is land and/or bodies of water used for recreation, amenity, or buffer.
- B. The purposes of open space requirements are to:
  1. Preserve existing vegetation and important wildlife habitat;
  2. Conserve prime agricultural lands;
  3. Protect historical and cultural resources;
  4. Provide active and passive recreational opportunities for residents;
  5. Enhance the aesthetic and environmental quality of development; and
  6. Connect neighborhoods, open space, and employment areas.

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<sup>417</sup> This new Section consolidates the County's current open space regulations to provide consistency and reduce redundancy.

**13.3.211.4.2 APPLICABILITY<sup>418</sup>**

This Section applies to:

- A. All new development required by this Article to incorporate open space (see Table 11.4.4-1: *Minimum Amount of Open Space Required*);
- B. Expansions of an existing Residential Group Development by 10 dwelling units or more; and
- C. Expansions of an existing Non-Residential Group Development by 1 acre or more.

**13.3.311.4.3 GENERAL OPEN SPACE STANDARDS<sup>419</sup>**

- A. Open space shall be usable, accessible, and meaningful.
- B. Land dedicated as open space shall be of meaningful proportions and dimensions so as to be consistent with the purpose and intent of this Article.
- C. Open space shall be contiguous to the extent practicable.

**13.3.411.4.4 AMOUNT & TYPES OF OPEN SPACE REQUIRED**

- A. **Minimum Amount of Open Space Required.** Table 11.4.4-1: *Minimum Amount of Open Space Required* summarizes the amount of open space required by subdivision and development type.

Table 11.4.4-1: Minimum Amount of Open Space Required		
Subdivision/Development Type	Open Space Required (min)	Types of Open Space Allowed
Group Developments, Mixed Use	400 sf per du, plus 10% of non-residential site area	All types listed in Table 11.4.4-2
Group Developments, Non-Residential	10% of site area	All types listed in Table 11.4.4-2
Group Developments, Residential	400 sf per du	All types listed in Table 11.4.4-2
Summary Plat Subdivisions	None	n/a
Non-Residential Subdivisions	None	n/a
Conventional Residential Subdivisions	<del>15%</del> None	All types listed in Table 11.4.4-2, except plazas/n/a

<sup>418</sup> This Subsection carries forward current open space requirements and proposes to add an open space requirement for conventional subdivisions and group developments.

<sup>419</sup> Paragraphs B and C are carried forward from ZO 7:2.4-6 *Required Open Space* (Open Space Residential Development).

Table 11.4.4-1: Minimum Amount of Open Space Required		
Subdivision/Development Type	Open Space Required (min)	Types of Open Space Allowed
Open Space Residential Subdivisions	20% to 40% of site area (see § 11.9.4: <i>Required Open Space</i> )	All types listed in Table 11.4.4-2, except plazas
SRCA Conservation Subdivisions	50%	Natural area, community park, neighborhood park, linear park, pocket park, greenway, square/green
SRCA Rural Estate Lot Subdivisions	None	n/a
Tiny House Subdivisions	400 sf per du	All types listed in Table 11.4.4-2, except plazas
Townhouse Subdivisions	30% of site area	All types listed in Table 11.4.4-2, except plazas
Zero Lot Line Developments	Based on proposed subdivision type	Based on proposed subdivision type

**Key:** min = minimum required | sf = square feet | du = dwelling unit | n/a = not applicable

**B. Amenity Required.**

1. In any subdivision or development where this Section requires open space, at least one amenity shall be provided. Allowable amenities include, but are not limited to:
  - (a) Multi-use trail;
  - (b) Community garden;
  - (c) Fenced dog park with a minimum area of 5,000 square feet;
  - (d) Canoe and kayak launch or boat ramp;
  - (e) Picnic area with a minimum size of 2,500 square feet that includes at least two picnic tables and at least one barbeque grill or pit;
  - (f) Playground with a minimum area of 2,500 square feet; and
  - (g) Bicycle storage and repair station.
2. Boat and RV storage areas do not count as a required amenity.

C. **Areas Counted as Open Space.**<sup>420</sup>

1. *Types of Open Space.* Open space shall be comprised of two or more of the types described in Table 11.4.4-2: *Types of Open Space.*

<b>Table 11.4.4-2: Types of Open Space</b>		
<b>Type of Open Space</b>	<b>Description</b>	<b>Size (min)</b>
Natural Area	An area of undisturbed or minimally disturbed vegetation. Examples include woodlands, wetlands, and steep slopes. A natural area may contain multi-use paths to accommodate pedestrians, bicyclists, and equestrians, but typically does not contain structures or other improvements.	1,000 sf
Agricultural Area	An area that is actively used for farming. May include crop lands, orchards, grazing lands, and pastures. Often contains structures such as barns, stables, fences, and silos.	1,000 sf
Community Park	An open space available for civic and recreational purposes. Serves multiple neighborhoods or developments. May contain a limited number of athletic fields.	5 ac
Neighborhood Park	An open space available for civic purposes, unstructured recreation, and limited amounts of structured recreation. Typically serves a single neighborhood or development.	0.25 ac
Linear Park	A linear open space available for civic purposes and unstructured recreation. Dwelling units and neighborhood amenity buildings typically front a linear park. Serves a single neighborhood or development.	20 ft in width
Pocket Park	An open space available for informal activities in close proximity to dwellings and/or workplaces. Often contains benches or other seating areas.	1,000 sf
Greenway	A linear open space that links multiple neighborhoods, developments, or open spaces. May follow natural corridors, such as rivers and creeks. Greenways often contain multi-use trails to accommodate pedestrians, bicyclists, and equestrians.	20 ft in width
Active Civic/Recreation Area	An open space designed for specific, active civic or recreational uses such as clubhouses, swimming pools, tennis courts, ballfields, golf courses, and similar uses.	1,000 sf

<sup>420</sup> Adds specific types of open spaces to ensure required open space is intentionally planned and of meaningful size. Carries forward and consolidates ZO Sections 7:2.4-6: *Required Open Space (Open Space Residential Development)*, 8:9.3-5: *Open Space Requirement (SRC District)* and LDR Section 22.3.6 *Required Open Space (Open Space Network)* (Rural Conservation Subdivision). Removes “septic drain fields as part of a community wastewater collection and treatment system” as an area counted towards required open space per Staff Technical Advisory Committee input.

Table 11.4.4-2: Types of Open Space		
Type of Open Space	Description	Size (min)
Square/Green	An open space available for civic purposes, unstructured recreation, and limited amounts of structured recreation. Typically serves a single neighborhood or development in a prominent location. Includes landscaped areas and lawns with or without trees and shrubs. May include limited hardscaping.	0.25 ac
Plaza	A formal open space available for civic purposes or commercial activity. Located in commercial and mixed use areas, typically at the intersection of important streets or other significant locations. Predominantly hardscaped.	0.5 ac

**Key:** min = minimum required | sf = square feet | ac = acres

2. *Active Civic/Recreation Areas.* Up to one-third of required open space may be comprised of areas for active civic and recreational uses as described in Table 11.4.4-2: *Types of Open Space*.<sup>421</sup>
3. *Buffers.* Development boundary buffers required by § 11.2.2 and buffers required by Article 7: *Buffers & Screening* may constitute up to one-third of required open space if the buffers meet the other requirements of this Section. Buffers are considered a “natural area” open space type.
4. *Vegetated LID Features.* Up to 100% of the site area that contains vegetated LID features, as required by Article 14: *Stormwater Management*, may be counted as open space. There are no minimum dimensional requirements for LID features to count as open space.
5. *Resource Protection Areas.* Resource protection areas may constitute up to one-third of required open space. Resource protection areas include:
  - (a) Natural water bodies;
  - (b) Wetlands;
  - (c) Floodplains;

<sup>421</sup> The current Zoning Ordinance prohibits the inclusion of “uses such as community swimming pool(s), clubhouse(s), and similar uses” as open space in Open Space Residential Developments Option #1 (which is proposed to be carried forward), but allows such uses to count as up to 50% of required open space in Open Space Residential Developments Option #2 (which is proposed to be eliminated). LDR 10.4.4 expressly allows a clubhouse, swimming pool, or similar improvements to count as open space in multi-family developments. Proposed here is to allow such uses to count as up to 50% of required open space in any development (except in SRCA conservation subdivisions—see Table 11.4.4-1: *Minimum Amount of Open Space Required*).



- (d) Steep slopes (20% or greater);
  - (e) Cemeteries; and
  - (f) Historical, cultural, and archaeological sites.
6. *Stormwater Management Facilities.* Recreational lakes or ponds used for stormwater management may constitute up to 50% of required open space.
  7. *Water Quality Buffers.* Water quality buffers may be located within required open space to meet stormwater management requirements if they comply with the [Stormwater Management Design Manual](#). Permission must be obtained from the Land Development Division for use and any alterations of those features; however, water quality features shall not be removed.
  8. *Underground Utility Easements and Rights-of-Way.* Easements and rights-of-way for underground utilities may be located in required open space, if the above-ground portion of the easement or right-of-way qualifies as one of the open space types specified in Table 11.4.4-2: *Types of Open Space*.
- D. **Areas Not Counted as Open Space.**<sup>422</sup> The following types of areas do not count towards required open space:
1. *Streets and Parking.* Land occupied by existing or proposed streets or rights-of-way, driveways, or parking areas, unless associated with recreational structures or parks;
  2. *Utility Line Rights-of-Way.* Rights-of-way for above-ground high tension electrical transmission lines, oil lines, or natural gas lines;
  3. *Building Separation and Setbacks.* Required building separation and setback areas within an apartment complex or other group development;
  4. *Stormwater Facilities.*
    - (a) Any fenced detention or retention areas used for stormwater management regardless of size; and
    - (b) Any stormwater pond less than 3 acres in size and 4.5 feet in depth, unless there is an adjoining open space that is twice the acreage of the stormwater pond. In

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<sup>422</sup> Carries forward ZO Sections 7:2.4-6: *Required Open Space (Open Space Residential Development)* and 8:9.3-5: *Open Space Requirement (SRC District)*; LDR Section 22.3.6 *Required Open Space (Open Space Network)* (Rural Conservation Subdivision). Adds “septic drain fields as part of a community wastewater collection and treatment system” as an area not counted towards required open space per Staff Technical Advisory Committee input.

such cases the stormwater pond may count as up to 50% of required open space as specified in § 11.4.4.C.6, above.

5. *Hazardous Materials.* Land contaminated by materials identified by SCDES and/or by the U.S. Environmental Protection Agency (USEPA) as hazardous or toxic that therefore qualify for federally funded cleanup under the Resource Conservation and Recovery Act (RCRA); and
6. *Ditches.* Ditches, including those identified as wetlands by the U.S. Army Corps of Engineers.

### ~~13.3.5~~ **11.4.5 NATURAL VEGETATION IN REQUIRED OPEN SPACE**<sup>423</sup>

- A. **Tree Preservation.** Tree preservation requirements, as established in Article 8: Tree Preservation, may be met with trees located within required open space.
  1. Preserved trees shall be clearly identified and labeled as such on all development plans.
  2. A Tree Protection Plan shall be submitted and approved along with the Preliminary Plan or Group Development Plan, as applicable.
- B. **Vegetation Removal.**
  1. The removal of trees and natural vegetation from required open space areas is permitted in the development phases for the purpose of utility crossing easements, passive recreational uses, and drainage ways with the proper notations on the Final Plat or Final Group Development Plan, as applicable.
  2. Neither the developer, property owners, nor other subsequent contractors or builders shall remove or destroy any trees or natural vegetation from the open space area for any purpose without the express written permission of open space owner.
  3. The removal of invasive species and dead or fallen trees is allowed and recommended.<sup>424</sup>

<sup>423</sup> Paragraph A carries forward LDR Section 11.2.A. (Cluster Developments). Paragraph B carries forward portions of LDR Section 11.6.B.4.b (Final Plats for Cluster Developments).

<sup>424</sup> This provision is carried forward and revised to include invasive species.

**11.4.6 ACCESS TO OPEN SPACE<sup>425</sup>**

- A. All open space areas shall have at least one primary access point from an internal road (subdivisions) or a private road or driveway (group developments). Additional secondary access points are encouraged. However, where an open space access point also serves as the access to a stormwater management facility or is located in a utility easement, a secondary access point is required.
- B. Access points to the open space shall meet the following requirements:
1. The primary access point shall be at least 20 feet in width;
  2. Additional secondary access point(s) shall be at least 6 feet in width; and
  3. The primary and any secondary access points to the open space shall be shown as part of the open space and shall not be part of an individual lot.
- C. In an Open Space Residential Subdivision, required open space must be immediately adjacent to the largest practical number of lots within the development. Lots that do not adjoin open space must be connected to the open space via a sidewalk or trail.

**11.4.7 OPEN SPACE PLAN<sup>426</sup>**

- A. **Delineation.** All property designated for required open space shall be delineated on the Preliminary Plan or Group Development Plan, as applicable.
- B. **Labeling.**
1. Only the acreage required to comply with this Section shall be identified as “Open Space.” All other areas that will be owned and maintained by the POA or HOA shall be identified as “Common Area.”

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<sup>425</sup> Carries forward and consolidates provisions in LDR Section 22.3.6.C. *Required Open Space (Open Space Network)* [Rural Conservation Subdivisions]; LDR Section 11.4 *Access to Open Space* (Cluster Developments); and ZO Section 8:9.3-5 *Open Space Requirement* (SRC District Conservation Subdivision).

<sup>426</sup> This Subsection carries forward and reorganizes LDR 11.3.2: *Open Space Delineation* [Cluster Developments], and expands its applicability to all development required to provide open space under this Section. Proposed is to delete the paragraph authorizing the Planning Commission to “determine the appropriateness of the dimensions of the required open space. The open space on the Preliminary Plan should have meaningful dimensions, proportions, and placement” since Subsection 11.4.4: *Amount & Types of Open Space Required* specifies the minimum size of each type of open space. Also proposed is to delete the paragraphs pertaining to natural features and slopes, since these (or a portion of them) will be included as open space types (Paragraph C).

2. Each open space area shall be labeled with the applicable open space type (see Table 11.4.4-2: *Types of Open Space*) and its area in square feet.
- C. **Open Space Types.** The open space plan shall identify the types of open space provided, the acreage for each, and the proposed uses for these areas, if any, and shall describe how the provided open space meets the intent of this Section.
- D. **Preserved Areas.** Areas to be wholly preserved, such as wetlands or endangered species habitat, shall be identified as “Preserved Area - No Access” on the plans and in the field, unless a specific trail route is approved by the organization having jurisdiction. Signs shall be located at least every 50 feet along the perimeter of the preserved area.
- E. **Cemeteries.** Limited access shall be provided to cemeteries for maintenance and visitation as required by S.C. Code Title 27, [Chapter 43](#), Article 3: *Access to Cemeteries on Private Property*.
- F. **Ownership & Maintenance.** The Open Space Plan shall specify the manner in which the open space will be owned, preserved, and maintained as required by §§ 11.4.8: *Ownership of Open Space* and 11.4.9: *Long-Term Protection & Maintenance of Open Space*.

### ~~13.3.8~~ 11.4.8 OWNERSHIP OF OPEN SPACE<sup>427</sup>

- A. **Generally.** All land dedicated as open space shall have land development restrictions that run with the land and provide for protection and maintenance of the open space in perpetuity.
- B. **Ownership of Open Space.**
  1. The owner and developer or subdivider shall identify the type of ownership for open space areas.
  2. Open space areas may be owned by one or a combination of the following mechanisms:
    - (a) *Greenville County.* Greenville County, subject to acceptance by the County Council;

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<sup>427</sup> This Subsection carries forward and consolidates the current requirements for open space ownership and long-term maintenance in:

- ZO Section 7:2.2-3: *Open Space Ownership, Dedication, and Management* (Open Space Residential Development);
- ZO Sections 8:9.3-7: *Open Space Ownership and Management* and 8:9.3-8: *Maintenance of Open Space* (SRC District Conservation Subdivisions);
- LDR Sections 11.5: *Ownership and Maintenance* and 11.6: *Final Plats* (Cluster Development);
- LDR Section 13.9 *Ownership and Maintenance of Public Use lots, Greenways and Civic Use Areas* (Traditional Neighborhood Development); and
- Tiny House Ordinance (adopted September 2021).

- (b) *Other Public Agencies.* Public jurisdictions or agencies, subject to their acceptance;
- (c) *Associations.* Homeowners Associations (HOA), Property Owners Associations (POA), or other cooperative associations or organizations;
- (d) *Shared Interests.* Shared, undivided interest by all property owners within the subdivision or development;
- (e) *Non-Profits.* Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance; and
- (f) *Private Organizations.* Third-party corporations that can accept easements, subject to their acceptance.

### 13.3.911.4.9 LONG-TERM PROTECTION & MAINTENANCE OF OPEN SPACE

#### A. Land Development Restrictions.

1. Open space areas shall be protected in perpetuity through land development restrictions, including easements, deed restrictions, restrictive covenants, or other appropriate legal mechanisms.
2. The land development restrictions are intended solely for the purpose of ensuring the land is protected and maintained as open space and shall not, in any way, imply the right of public access or any other right or duty not expressly set forth by the terms of the restrictions.
3. The land development restrictions shall:
  - (a) Include a complete metes and bounds description of the property designated as open space;
  - (b) Prevent development and/or subsequent subdivision of the open space areas for uses other than those allowed under the approved subdivision or development plan;
  - (c) Specify the party(ies) responsible for maintenance of the open space areas; and
  - (d) Identify a source of funding to support future required maintenance and upkeep activities.
4. A copy of the recorded land development restrictions shall be provided to Subdivision Administration prior to approval of a Final Plat or prior to the issuance of a land disturbance permit for a Group Development that does not require a Final Plat.

**B. Maintenance Responsibility.**

1. The open space owner or entity identified in the land development restrictions as having control over the open space area is responsible for the continuing upkeep and proper maintenance of all open space areas.
2. The open space owner shall ensure open space areas are maintained:
  - (a) So that their use and enjoyment as open space are not diminished or destroyed; and
  - (b) In compliance with the maintenance standards in § 11.4.9.C., below, the land development restrictions, and any maintenance agreements.

**C. Maintenance Standards.**

1. Open space areas shall not contain conditions that are unsafe to people or property, or that adversely affect the environment.
2. Normal maintenance, including the removal of dead or fallen trees and invasive species, is allowed and recommended.
3. Designated open space areas shall be maintained in a natural condition, but may be modified to improve appearance, functioning, or overall condition. Permitted modifications may include:
  - (a) Reforestation and forest management;
  - (b) Pasture or cropland management;
  - (c) Stream bank protection; and
  - (d) Passive recreation such as trails, picnic areas, common greens.
4. If any part of the open space was designated to meet stormwater management requirements, permission must be obtained from the Land Development Division prior to any alteration of the designated open space.

## **13.4.11.5 GROUP DEVELOPMENTS<sup>428</sup>**

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### **13.4.11.5.1 GENERALLY**

- A. Group Developments may be comprised of residential uses, commercial/non-residential uses, or a combination of these uses.
- B. Group Developments may be created with or without fee simple lots.
- C. Group Developments allow review of these projects for overall design, vehicular and pedestrian connections, stormwater and other infrastructure, and overall appropriateness regardless of whether or not lots are created.

### **13.4.211.5.2 DESIGN STANDARDS<sup>429</sup>**

The following design standards apply to all Group Developments.

#### **A. Roads and Driveways.**

- 1. Roads and driveways shall meet the requirements of Article 12: *Access & Connectivity* for private roads.<sup>430</sup> If the roads are to be conveyed to Greenville County for maintenance, they shall be built in compliance with the public road standards specified in § 12.7: *Street Classification & Design* and § 12.8: *Street Construction Standards*.
- 2. Private roads may have parallel parking on them and must have ROW dedicated to an entity.
- 3. Private roads are required where parcels do not have direct frontage on the road (i.e., the parcel is surrounded by common area).
- 4. Private driveways are the only road category that allows perpendicular parking.

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<sup>428</sup> Carries forward LDR Sections 12.1 *Application*, 12.2 *Review Process*, and 12.5 *Design Standards* (Article 12: *Provisions for Group Development*) and ZO Sections 10:1-1.B: *General Standards, Roads*; 10:1-1.C: *General Standards, Traffic Circulation* (Article 10: *Provisions for Group Development*). LDR Sections 12.3 *Group Development Plan Submittal Requirements* and 12.4 *Revisions to Approved Plans* are relocated to Articles 16: *UDO Procedures* and 22: *Submittal Requirements*. ZO Sections 10:1-1.D, E, and I are carried forward in Article 5: *Parking & Loading*. ZO Section 10:1-1.F is carried forward in Article 8: *Outdoor Lighting*. ZO Section 10:1-1.G. is eliminated since it is simply a cross-reference to the Sign Ordinance. ZO Section 10:1-1.H is consolidated with other buffer requirements in Article 7: *Buffers & Screening*. ZO Section 10:2: *Site Plan Review for Group Developments* is located in Article 16: *UDO Procedures*.

<sup>429</sup> This Subsection carries forward LDR Section 12.5 *Design Standards* [Group Developments].

<sup>430</sup> Clarifies that roads and drives have to meet all standards for private roads, as required by the ZO (the LDRs only require compliance with thickness and drainage requirements).

**B. Access.**

1. Approved access may consist of rights of access and cross parking agreements in which a parcel is entitled as a portion of an approved Group Development.
2. Rights of access and cross parking agreements must be specifically outlined in legal documentation or in other recorded documents for the property owners' association or horizontal property regime.

**C. Traffic Circulation.** The Group Development Plan shall accommodate safe, efficient, and convenient vehicular, pedestrian, and bicycle circulation throughout the development.

**D. Minimum Lot Size.** There is no minimum lot size for lots or parcels created as part of a Group Development.

**E. Minimum Setbacks.<sup>431</sup>**

1. All structures in a Group Development shall be located at least 25 feet from all external lot or parcel lines.
2. Setbacks are not required from lot or parcel lines on the interior of the development.

**13.4.311.5.3 REVIEW PROCESS<sup>432</sup>****A. Group Developments with New Lots.**

1. When new lots are proposed to be created as part of a Group Development, a Preliminary Plan is submitted to Subdivision Administration, following the requirements and process described in § 16.4.6: *Major Subdivision – Preliminary Plans*.
  - (a) Subdivision Administration is the lead agency in processing and approval.
  - (b) In addition, and concurrently, a Group Development Plan shall be submitted to Zoning Administration for review and comment.

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<sup>431</sup> This Paragraph carries forward LDR Subsection 12.5.4: *Minimum Setbacks* [Provisions for Group Developments], but removes the allowance for Planning & Zoning Division staff to reduce setbacks (current text: "No structure shall be erected within 25 feet from any external lot line; however, where land uses are the same as uses permitted in the adjoining properties outside the development, a lesser setback that is consistent with the required setback of the adjoining properties may be permitted by the Planning and Zoning Division."). Alternatively, the County could establish more specific criteria specifying the reduced setbacks staff could allow.

<sup>432</sup> Carries forward LDR Section 12.2: *Review Process* (Provisions for Group Developments) with minor edits.



2. The Technical Advisory Committee and Zoning Administration staff shall review and provide comments on the Preliminary Plan and Group Development Plan.
  3. The Preliminary Plan shall be taken to the Planning Commission for review and approval.
- B. **Group Developments Without New Lots.** For Group Developments where no new lots are created, a Group Development Plan is submitted to Subdivision Administration. Zoning Administration may review and provide comments on the Group Development Plan, which is then reviewed and approved, approved with conditions, or disapproved by the Subdivision Administrator.

#### ~~13.4.4~~ **11.5.4 REVISIONS TO GROUP DEVELOPMENT PLANS**

- A. When the owner(s) of a Group Development that was originally established without fee simple lots wants to create lots within the development, submittal of a Preliminary Plan is required.
- B. When the owner(s) of a Group Development wants to convert the development to a major or minor subdivision, adequate right-of-way for a public or private road must be provided. In addition, all applicable UDO requirements must be met (e.g., setbacks, buffers, street construction).

#### ~~13.5.1~~ **11.6 SUMMARY PLAT SUBDIVISIONS**

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##### ~~13.5.1~~ **11.6.1 GENERALLY**

Summary Plat Subdivisions involve the division of an existing lot into at least two but not more than six lots and do not require construction of a public or private road or the extension of public utilities.

##### ~~13.5.2~~ **11.6.2 SIMPLE PLAT SUBDIVISIONS**<sup>433</sup>

- A. Zoned lots shall have the minimum dimensional and setback standards required in Article 2: Zoning Districts.
- B. Unzoned lots shall have the minimum area specified in § 11.3.3: Dimensional Standards.
- A.C. ~~If in the case of a Summary Plat Subdivision that contains no more than two lots, the subdivider is not required to submit the standard Summary Plat, but instead is allowed to record the plat on a paper plat not to exceed 18 by 24 inches. However, if the Summary Plat Subdivision is~~

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<sup>433</sup> Carries forward LDR Section 3.7: *Simple Plats*.

located within an existing subdivision, the Minor Subdivision procedure applies (see § 11.6.3: *Minor Subdivisions*).

~~B.~~ The paper plat must contain, as a minimum, the information listed in the ~~Summary Plat Application Checklist~~.<sup>434</sup>

~~C.D.~~ Simple Plat Subdivisions are exempt from meeting stormwater requirements.

### ~~11.5.3~~ 11.6.3 MINOR SUBDIVISIONS<sup>435</sup>

A. **Minimum Requirements.** The following minimum requirements apply for all new Minor Subdivisions to ensure the development of these lots protects public health and safety and the orderly development of the surrounding area:

1. If the lot is located in a subdivision that was originally approved after 1968, the Minor Subdivision must be approved through the Major Subdivision procedure since the original subdivision was approved by the Planning Commission;
2. Each lot must conform to all applicable zoning regulations or Land Development Regulations in unzoned areas;
3. Minor Subdivisions shall comply with the provisions set forth in the current Greenville County Code Chapter 8, Article II: Floods and Flood Control in addition to the provisions in this Article;
4. Minor Subdivisions shall not violate the intent of the UDO;
5. The subdivider shall design the lots to reflect the unique characteristics of the property by responding to its topography, wetlands, streams, and forests, and their relationships to adjoining properties and roads;
6. At the point where an applicant/property owner wants to exceed the criteria for a Minor Subdivision, the criteria for a Major Subdivision shall apply for the entire project;
7. It is the subdivider's responsibility to ensure the proposed lots have direct access from a right-of-way dedicated to public use, a private right-of-way dedicated to use by the

<sup>434</sup> ~~The cross-reference in the current LDR is Section 3.1.2, but this section does not exist. The cross-reference likely should be Section 3.5.4: *Plan Requirements*. Submittal requirements, like those in current LDR Section 3.5.4, will be listed in checklists maintained outside the UDO.~~

<sup>435</sup> Carries forward LDR Subsections 3.5.1: *Application* and 3.5.2: *Summary Plat* (Minor Subdivisions) with minor edits. LDR Subsection 3.5.6: *Stormwater Management* (Minor Subdivisions) is carried forward in UDO Article 14: *Stormwater Management*. The remaining subsections in Section 3.5: *Minor Subdivisions* are located in UDO Articles 16: *UDO Procedures* and 22: *Submittal Requirements*.

subject lots, or an unpaved shared private drive that meets the requirements of § 12.2.2: *Unpaved Shared Private Driveways*,<sup>436</sup>

8. It is the subdivider’s responsibility to ensure the proposed lots meet the criteria for public water systems or sewage systems. Appropriate agency approvals must be provided to Subdivision Administration prior to approval of the Summary Plat;
9. It is the subdivider’s responsibility to identify who will be responsible for meeting the stormwater management and erosion control requirements for lot development:
  - (a) If the lots are intended for immediate development, appropriate stormwater permits shall be obtained prior to the approval of the Summary Plat;
  - (b) If the subdivider does not intend to develop the lot(s), the following notes shall be added to the Summary Plat:
    - (1) There is no land disturbance associated with this Summary Plat.
    - (2) At the time of development, each lot must obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality; and
    - (3) A building and land disturbance hold shall be placed on each lot until a Land Disturbance Permit is obtained;
10. If the proposed new lots have existing structures, zoning and encroachment requirements shall be evaluated.
11. If the proposed new lots are planned for non-residential use, stormwater management measures are required.

#### B. **Review Process.**

1. Minor Subdivisions applications are reviewed by Subdivision Administration. [See Article 16: *UDO Procedures*]
2. Stormwater management may be a part of this process. [see § 14.5: *Stormwater Management for Minor Subdivisions*]

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<sup>436</sup> This Paragraph is revised to clarify that access may be from a public or private right-of-way or an unpaved shared private drive. (Current text in LDR Subsection 3.5.2.G and I: “In the unzoned area of the county, subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access;” and “It is the subdivider’s responsibility to ensure the proposed lots have direct access from the lot to a right-of-way dedicated to public use.”)

3. If the County determines that public or private road improvements are necessary for any reason, the applicant shall be redirected to the Preliminary Plan and Final Plat processes.

## ~~13-6-1~~11.7 COMMERCIAL SUBDIVISIONS

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### ~~13-6-1~~11.7.1 INTENT

When a proposed subdivision includes land that is zoned for or proposed to be zoned for a non-residential use, an apartment complex use, or a mixed use development, the layout of the subdivision shall follow the requirements in this Section.

### ~~13-6-2~~11.7.2 DESIGN PRINCIPLES

In addition to the principles and standards found elsewhere in this UDO, which are appropriate to the planning of all subdivisions, a Commercial Subdivision shall demonstrate to the satisfaction of the Planning Commission that any streets, parcels, and improvements proposed are specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following design principles and standards shall be observed:

- A. **Area and Dimensions.** Proposed non-residential parcels shall be suitable in area and dimensions to the types of development anticipated and in accordance with minimum UDO requirements for lot size, setbacks, and other parameters.
- B. **Streets.** Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be placed thereupon. See § 12.7: *Street Classification & Design* and § 12.8: *Street Construction Standards*.

### ~~13-6-3~~11.7.3 RELATIONSHIP TO ADJACENT PROPERTIES

- A. **Nuisance.** Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed non-residential subdivision, including the provisions in this UDO for buffering and landscaping.
- B. **Traffic.** Streets carrying non-residential traffic, especially truck or equipment traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas or uses unless required by the Planning Commission.

## 13.7.11.8 CONVENTIONAL RESIDENTIAL SUBDIVISIONS<sup>437</sup>

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### 13.7.11.8.1 INTENT

A Conventional Residential Subdivision is one in which all land area within the development is devoted to building lots that comply with the minimum lot size limits of the residential zoning district. Unless otherwise expressly declared and approved at the time of Preliminary Plan approval, all residential subdivisions are considered Conventional Subdivisions.

### 13.7.211.8.2 MINIMUM DIMENSIONAL STANDARDS

- A. Zoned lots shall have the minimum dimensional and setback standards required in Article 2: *Zoning Districts*.
- B. Unzoned lots shall have the minimum area specified in § 11.3.3: *Dimensional Standards*.

## 13.8.11.9 OPEN SPACE RESIDENTIAL SUBDIVISIONS<sup>438</sup>

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### 13.8.11.9.1 INTENT

- A. **Description.** An Open Space Residential Subdivision is a residential subdivision in which dwellings are situated on the most developable portion of the site in exchange for the preservation of substantial amounts of open space for recreational, environmental, and ecological reasons.
- B. **Purpose.**
  1. The purpose of Open Space Subdivisions is to provide a method of land development that permits variation in lot sizes without an increase in the overall density of population or development.
  2. This allows the subdivision of land into lots of varying sizes which will provide home buyers a choice of lot sizes according to their needs, while at the same time, preserving open space, tree cover, scenic vistas, natural drainage ways, and outstanding natural topography.
  3. Such measures prevent soil erosion and flooding by allowing development to occur according to the nature of the terrain; provide larger open areas with greater utility for

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<sup>437</sup> Carries forward ZO Section 7:1.1 *Conventional Residential Development*.

<sup>438</sup> Generally carries forward LDR Article 11: *Cluster Developments* and ZO Section 7:2: *Open Space Residential Development*.

rest and recreation; and encourage the development of more attractive and economical site design.

- C. **General Design.** The developer, while still building the same number of homes, is able to provide a more economical product to the consumer by reducing the overall cost of required sewer, roads, and other infrastructure. Open Space Subdivision facilitates the economic and efficient provision of public services as well. The resultant subdivision benefits from the open, recreational space and by the placement of houses in a manner more conducive to better social interactions among neighbors.

**11.9.2 DENSITY**

Table 11.9.2-1 specifies the maximum density allowed in an Open Space Subdivision by zoning district or area. Open Space Subdivisions are prohibited in zoning districts not listed in Table 11.9.2-1.

Table 11.9.2-1: Maximum Density in Open Space Subdivisions	
Zoning District or Area	Maximum Density (du/ac)
Unzoned Area	n/a
<del>R-R3</del>	<del>0.33</del>
R-R1	1.0
R-S	1.7
R-20A	2.2
R-20	2.2
R-15	2.9
R-12	3.6
R-10	4.4
R-7.5	5.8
R-6	7.3
R-MHP	9
R-M8	8
R-M10	10
R-M16	16
R-M20	20
R-MA	20

**Key:** du/ac = dwelling units per acre | n/a = not applicable

**11.9.3 MINIMUM DIMENSIONAL STANDARDS<sup>439</sup>**

- A. **Minimum Acreage for Development.** Open Space Subdivisions require a minimum gross site area of 2 acres. The minimum site area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.
- B. **Minimum Lot Area and Width for Individual Lots.**
  - 1. There is no required minimum lot area per dwelling unit unless otherwise required by SCDES and/or the adopted Building Code.
  - 2. Zoned lots shall have the minimum width required by Article 2: *Zoning Districts*.
  - 3. Unzoned lots shall have the minimum width specified in § 11.3.3: *Dimensional Standards*.
- C. **Setbacks.**
  - 1. All structures shall be located at least 25 feet from any external lot line.
  - 2. Front, side, or rear setbacks are not required for internal lots.
  - 3. Front setbacks from existing roads are specified in Article 2: *Zoning Districts* for the applicable zoning district.

**11.9.4 REQUIRED OPEN SPACE<sup>440</sup>**

Table 11.9.4-1: *Minimum Amount of Open Space Required in Open Space Subdivisions* specifies the minimum amount of open space required based on the zoning district or area in which the Open Space Subdivision is located.

<u>Zoning District or Area</u>	<u>Required Common Open Space (min)</u>
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<sup>439</sup> The open space provisions (current LDR Sections 11.2: General Provisions, 11.3.2: Open Space Delineation, 11.4: *Access to Open Space*, 11.5: *Ownership and Maintenance*; current ZO Section 7:2.2-3: *Open Space Ownership, Dedication, and Management*; and portions of ZO Sections 7:2.4-6: *Required Open Space* and 7:2.5-6: *Required Open Space*) are carried forward in Section 11.3: *Open Space*.

<sup>440</sup> This Section carries forward the minimum open space requirements for Option #1 in ZO Table 7.2: *Open Space Residential Development Options*. Pursuant to input from the Staff Technical Advisory Committee, this Section proposes to eliminate Option #2 since it is infrequently used. This Section also proposes to remove the limitation on single-family attached (townhouse) units in Open Space Subdivisions and instead allow the use table to control. For example, townhouses are a permitted use in R-MA, but the current regulations limit the number of townhouses to only 15% of the total number of dwelling units in an Open Space Subdivision. The open space design requirements (LDR Subsection 11.3.2: *Open Space Delineation* and LDR Section 11.4: *Access to Open Space*) are carried forward in Section 11.3: *Open Space*.

<u>Unzoned Area</u>	<u>30%</u>
<u>R-MA, R-M8 through R-M20, R-6, R-7.5</u>	<u>20%</u>
<u>R-10, R-12, R-15, R-20, R-20A</u>	<u>30%</u>
<u>R-S</u>	<u>40%</u>
<u>R-R1</u>	<u>50%</u>

**Key:** min = minimum required

**Table 11.9.4-1: Minimum Amount of Open Space Required in Open Space Subdivisions**

	Zoning District or Area										
	Unzoned Area	R-MA	R-M8 through R-M20	R-6	R-7.5	R-10	R-12	R-15	R-20/R-20A	R-S	R-R3, R-R1
<b>Required Common Open Space (min)</b>	30%	20%	20%	20%	20%	30%	30%	30%	30%	40%	50%

**Key:** min = minimum required

**13.9.11.10 SRCA CONSERVATION SUBDIVISIONS<sup>441</sup>**

**13.9.11.10.1 INTENT**

Conservation Subdivisions are intended to provide for residential development that supports the development goals of the Scuffletown Rural Conservation Area (SRCA), protect open space and natural resources, and retain the predominantly rural character of the SRCA. It is established to serve the following purposes:

- A. **Preservation of Sensitive Areas.** To preserve open space, including those areas containing unique and sensitive features such as steep slopes, streams, wetlands, and floodplains;
- B. **Preservation of Rural Character.** To preserve the rural atmosphere by maintaining and protecting the rural landscape, including large estate lots, farmland, natural rolling topography, significant tree coverage, and scenic views by minimizing views of new development from existing roads;

<sup>441</sup> This Section carries forward the current conservation subdivision regulations, which apply in the Scuffletown Rural Conservation District.



- C. **Historic Preservation.** To preserve and maintain historic and archaeological sites and structures that serve as significant reminders of the County’s cultural and architectural history;
- D. **Recreation.** To provide for active and passive recreational needs of County residents;
- E. **Efficiency.** To provide greater efficiency in the location of services and infrastructure by reducing road length, utility runs, and the amount of paving for development; and provide connectivity of subdivisions to existing and proposed street network;
- F. **Open Space Networks.** To create an interconnected network of open space that supports wildlife habitat and corridors; and
- G. **Water.** To minimize the impacts of development on flooding and water quality.

### ~~13.9.211.10.2~~ **GENERAL PROVISIONS**

#### A. **Minimum Acreage for Development.**

1. The minimum pre-developed area or tract size of an SRCA conservation subdivision is 8 acres.
2. The minimum pre-developed area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.

#### B. **Minimum Lot Area for Individual Lots.** The minimum lot area for lots within an SRCA conservation subdivision is 6,000 square feet.

#### C. **Setbacks.**<sup>442</sup> Minimum front, side, and rear setbacks are established by the lot’s underlying zoning district.

#### D. **Maximum Density.**

1. The maximum gross density (number of lots allowed per acre) is determined by the lot’s base zoning. The lot density calculation is based on total gross acreage of the parent tract or parcel, excluding any utility right-of-way.
2. Pre-developed parcels used to calculate lot density shall be contiguous. In instances where pre-developed parcels are non-contiguous or a parent tract is separated by a road, the lot density and required open space is calculated separately based on the gross acreage of each tract or noncontiguous parcel.

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<sup>442</sup> Carries forward ZO Subsection 8:9.3-3 but relocates the prohibition of buildings in buffers to Paragraph D.9.

3. Density may not be transferred to non-contiguous parcels of land or tracts separated by a road.

### ~~13.9.3~~ 11.10.3 DESIGN

#### A. Open Space Requirements.<sup>443</sup>

1. *Required Open Space.* At least 50% of land area of the total acreage to be subdivided shall be set aside as protected open space for natural habitat preservation, passive recreation, and/or conservation for agriculture.
2. *Contiguous Open Space.* Designated open space shall be contiguous with open space on adjacent developed or undeveloped parcels in order to provide large uninterrupted expanses of open space.
3. *Interconnection.*
  - (a) Land dedicated as open space shall be of meaningful proportions and dimensions so as to be consistent with the purpose and intent of this Section.
  - (b) Open space shall be physically connected, whenever possible, to the larger Scuffletown Area open space system outlined in the Scuffletown Area Plan and configured to create and maintain interconnected networks of conservation lands.

#### B. Screening and Buffers.

1. ~~*Perimeter*~~*Interior* and ~~*Right-of-Way*~~*Roadside* Buffer.
  - (a) A minimum 50-foot buffer shall be provided along the perimeter of the development, including along adjacent rights-of-way except where a rural scenic road buffer is required (see § 11.10.3B.2 below).
  - (b) Within the 50-foot buffer existing vegetation shall not be clear-cut and existing significant trees shall be preserved.
  - (c) Buildings are prohibited within the required buffer areas.<sup>444</sup>

<sup>443</sup> Most of the open space requirements have been relocated to Section 11.3: *Open Space*, including Open Space Requirements (access; utilities, rights-of-way, and amenities; and buffers), Open Space Composition, Ownership of the Open Space, Maintenance of the Open Space, and Allowances Within the Open Space.

<sup>444</sup> Relocated from Paragraph 11.10.2.C.

- (d) In those areas where existing landscape does not create a visual screen between the development and adjoining road frontages, a landscape screen at least 6 feet in height must be provided.
  - (1) Screening shall consist of evergreen plant material at least 6 feet in height at time of planting and capable of forming a continuous screen.
  - (2) Screening plant material shall not be placed within 25 feet of the road right-of-way and shall be arranged in an informal manner.
- 2. *Rural Scenic Road Buffer.* A rural scenic road buffer must be provided if the subdivision abuts a rural scenic road. See § 3.6: *Rural Scenic Road Buffer.*
- 3. *Structural Screening.* Berms, privacy fences, and walls may not be used to meet the screening requirements and are prohibited within the required buffer area.
- 4. *Permitted Activities.* The 50-foot buffer provided along the existing road frontage adjoining the subdivision shall be designated as open space or common area. Permitted activities and development within the road frontage buffer are as follows:
  - (a) Street of driveway access;
  - (b) Walkways, paths, trails, and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties;
  - (c) Entrance features and signage to the extent permitted; and
  - (d) Clearing for sight distances as required for reasonable traffic safety.

## ~~13.10~~ 11.11 SRCA RURAL ESTATE LOT SUBDIVISIONS

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### ~~13.10.111.11.1~~ 11.11.1 APPLICABILITY

- A. Rural Estate Lot Subdivisions are allowed in the Scuffletown Rural Conservation Area (SRCA) if the applicant:
  - 1. Demonstrates compliance with the standards and criteria contained in this Section; and
  - 2. Establishes that a Rural Estate Lot Subdivision setting aside little or no open space for permanent protection would preserve environmental resources, natural and scenic features, and historic resources to a degree equal to or greater than development utilizing open space design principles.

- B. The applicant may be required to protect such features, sites, and resources from further development with appropriate covenants or easements running with the land.

**~~13.10.2~~ 11.11.2 MINIMUM LOT AREA & SETBACKS<sup>445</sup>**

- A. The minimum lot size is 4 acres for all Estate Lot Subdivisions. Family Subdivisions are exempt from the 4-acre lot size requirement, but must meet the minimum lot area specified in 11.3.3: Dimensional Standards.
- B. A single parcel located in the Scuffletown Rural Conservation Area that is greater than one acre in size but less than 8 acres in size may be subdivided into two parcels one time, following enactment of this provision, if the resulting two parcels comply with the base zoning district. A parcel created by a subdivision authorized by this Subsection is not eligible for further subdivision, unless such subdivision is made in compliance with the other provisions of this Article.
- C. Table 11.11.2-1: *Minimum Lot Area & Setbacks for Rural Estate Lots* establishes minimum lot area and setbacks for lots created as part of a Rural Estate Lot Development, based on whether the development is a minor or major subdivision.

Table 11.11.2-1: Minimum Lot Area & Setbacks for Rural Estate Lots		
	Minor Subdivision	Major Subdivision
<b>Lot Area (min)</b> <sup>[1]</sup>	4 ac	4 ac
<b>Front Setback (min)</b>	150 ft	75 ft
<b>Side Setback (min)</b>	50 ft	50 ft
<b>Rear Setback (min)</b>	25 ft	25 ft

**Key:** min = minimum required | ac = acres | ft = feet | n/a = not applicable  
<sup>[1]</sup> Family Subdivisions are exempt from the SRCA minimum lot area requirement.

**~~13.10.3~~ 11.11.3 DRIVEWAY SEPARATION FOR MINOR SUBDIVISION LOTS**

For lots created through the Minor Subdivision process, the minimum separation between private residential driveways is 400 feet. If Article 12: *Access & Connectivity* requires a different separation distance, the greater distance applies.

<sup>445</sup> Carries forward and consolidates ZO Subsections 8:9.4-3 *Rural Estate Lot Subdivision with New Roads (Major Subdivisions)* and 8:9.4-4 *Rural Estate Lot Subdivision on Existing Roads (Minor Subdivisions)*.

**13.10.411.11.4 FAMILY SUBDIVISIONS<sup>446</sup>**

- A. **Minimum Requirements.** The minimum requirements in this Subsection must be met to ensure the development of Family Subdivision lots protects public health and safety and the orderly development of the surrounding area.
1. The proposed subdivision must be consistent with the intent of this UDO;
  2. Each lot must conform to the required minimum lot size required by this UDO or as required by SCDES;
  3. It is the subdivider's responsibility to ensure the proposed lots have direct access from a right-of-way dedicated to public use, a private right-of-way dedicated to use by the subject lots, or an unpaved shared private drive that meets the requirements of § 12.2.2: *Unpaved Shared Private Driveways*;<sup>447</sup>
  4. The proposed subdivision of lots shall comply with the provisions set forth in the current Greenville County Code Chapter 8, Article II: Floods and Flood Control in addition to the provisions in this Article.
  5. The parcel is not located in an existing subdivision (residential development).
- B. **Review Process.** Family Subdivisions are subject to the Summary Plat procedure (see § 11.6: *Summary Plat Subdivisions*).

**13.11.11.12 TINY HOUSE SUBDIVISIONS<sup>448</sup>****13.11.11.12.1 INTENT**

~~In order to~~To ensure ~~that developments for dwelling units known as tiny homes~~Tiny House Subdivisions ~~are meeting~~ minimum standards that protect the life, health and safety of the residents,

<sup>446</sup> Carries forward LDR Section 3.6.2 *Minimum Requirements* (Family Subdivisions Exception). The remaining portions of LDR Section 3.6 are proposed to be carried forward in UDO Article 16: *UDO Procedures*. Proposes to allow Family Subdivisions only in the Scuffletown Rural Conservation Area (SRCA). Under the current LDRs, there is no difference between a Minor Subdivision and a Family Subdivision other than the associated fee (there is no fee for family subdivisions). However, in Rural Estate Lot Subdivisions in the SRCA, Family Subdivisions are exempt from the 4-acre minimum lot size requirement. For this reason, the UDO proposes to continue to allow Family Subdivisions in the SCRD.

<sup>447</sup> This Paragraph is revised to clarify that access may be from a public or private right-of-way or an unpaved shared private drive. (Current text in LDR Subsection 3.6.2.B and C: "Each lot must have direct access from the lot to a right-of-way dedicated to public use;" and "In the unzoned area of the County, family subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access.")

<sup>448</sup> This Section carries forward the tiny home subdivision regulations adopted by Greenville County Council in September 2021. The provisions related to open space are consolidated with similar provisions in Section 11.3: *Open Space*.

the following design rules include, but are not limited to, regulations promoting proper spacing, lot requirements, setbacks, access and parking, and adequate public infrastructure.

### ~~13.11.2~~ 11.12.2 GENERAL PROVISIONS

#### A. **Where Permitted.**

1. In the unzoned areas, Tiny House Subdivisions are permitted within a pocket neighborhood setting with individually owned (fee simple) lots.
2. In the zoned areas, Tiny House Subdivisions are permitted only in the FRD and PD review districts.
3. This Section is not inclusive of recreational vehicles, park models, campers, or other seasonal use designs that are regulated by the Recreational Vehicle Industry Association (RVIA).

B. **Review Process.** A Preliminary Plan shall be submitted to Subdivision Administration, following the requirements and process specified in Article 16: *UDO Procedures*. Subdivision Administration shall be the lead agency in processing and approval. The Preliminary Plan shall be taken to Technical Advisory Committee for review and comments. The Preliminary Plan shall be taken to the Planning Commission for review and approval. Subdivision Administration shall sign off on approved Preliminary Plan after consideration by the Planning Commission.

### ~~13.11.3~~ 11.12.3 DESIGN

The following design standards apply to all Tiny House Subdivisions:

#### A. **Number of Units.**<sup>449</sup>

1. *Zoned Areas.* A minimum of 4 tiny houses and maximum of 30 tiny houses are allowed per pocket neighborhood.
2. *Unzoned Areas.*
  - (a) *Without Public Sewer.* Where public sewer is unavailable, a pocket neighborhood shall not exceed 10 tiny houses, and the minimum lot area per dwelling unit is 6,000 square feet or a lot area sized in accordance with SCDES minimum standards for septic tanks, whichever is larger.

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<sup>449</sup> This Paragraph incorporates a text amendment adopted by County Council in 2023 that reduces the number of tiny houses allowed in a pocket neighborhood in the unzoned area (from 30 to 10) when public sewer is unavailable.

(b) *With Public Sewer.* In areas where public sewer is available, the minimum lot area ~~lot size~~ is 1,950 square feet.

(b)(c) *Sunset Provision.* The entirety of § 11.12.3A.2 shall expire on January 4, 2026, unless re-adopted by Greenville County Council. If County Council fails to re-adopt this section, the language in § 11.12.3A.2 shall be stricken from this Ordinance and § 11.12.3A.2 shall read: “Unzoned Areas. In unzoned areas, there is no limit on the number of tiny houses that can be constructed in a Tiny House Subdivision and there is no minimum lot area.”

B. **Centralized Common Area.** The common open space area shall include usable public spaces such as lawn, gardens, patios, plazas, or scenic viewing area. Common tables, chairs, and benches are encouraged, with all houses having access to it.

1. *Open Space per Unit.* Four hundred square feet of common open space is required per unit.
2. *Location of Houses.*
  - (a) Fifty percent of units shall have their main entry on the common open space.
  - (b) All units shall be within 5 feet of common open space(s). Setbacks cannot be counted towards the common open space calculation.
  - (c) The principal common open space shall be located centrally to the project. Additional common open space can only account for 25% of the total requirement with trails and pathways connecting the total development. Passive trails are allowed and may count towards the common open space requirement.
  - (d) Tiny houses shall surround the common open space on a minimum of two sides of the green.
  - (e) Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than 10%.
3. *Community Buildings.* Community buildings or clubhouses can be counted towards the common open space calculation.

C. **Structure Design.**

1. *Porches.* All houses shall have both front and rear porches.
2. *Orientation.*

- (a) Front porches shall be oriented towards common open space or street and designed to provide a sense of privacy between units.
- (b) Secondary entrances facing the parking and sidewalk are required to have a minimum 5-foot by 5-foot porch.

### ~~13.11.411.12.4~~ LOT REQUIREMENTS

- A. **Area.** Where public sewer is unavailable, the minimum lot area per dwelling unit is 6,000 square feet or sized in accordance with SCDES minimum standards for septic tanks. In areas where public sewer is available, the minimum lot area is 1,950 square feet.
- B. **Setbacks.**
  - 1. *Measurements.*
    - (a) The minimum front setback is 20 feet, which shall be used for front porch and parking.
    - (b) The minimum rear setback, or the minimum setback next to common area, is 5 feet which shall be used for the construction of a rear porch.
    - (c) Minimum side setbacks are 5 feet.
  - 2. *Encroachments.* No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall be closer than five feet to any structure on an adjacent lot.
  - 3. *External Lot Lines.* All structures shall be located at least 25 feet from any external lot line.<sup>450</sup>
- C. **Access and Parking.**
  - 1. *Direct Access.* No lot shall have direct access to an existing public street or highway.

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<sup>450</sup> This Paragraph carries forward LDR Section 23.3.5.e: *Setbacks* [Tiny Houses], but removes the allowance for Subdivision Administration staff to reduce setbacks (current text: “No structure shall be erected within 25 feet from any external lot line; however, where land uses are the same as uses permitted in the adjoining properties outside the development, a lesser setback that is consistent with the required setback of the adjoining properties may be permitted by Subdivision Administration.”). Alternatively, the County could establish more specific criteria specifying the reduced setbacks staff could allow.



2. *Frontage.* All lots shall have a minimum of 20 feet of access to and frontage on an approved access to a public street or on a private road constructed to current County road standards or private drive.
3. *Private Drives.* A private drive shall have an improved surface width of 20 feet and meet the County Land Development Regulations for thickness and drainage for private roads.
4. *Public Roads.* If roads are to be conveyed to Greenville County, they shall be built in compliance with the public road standards of Article 12: *Access & Connectivity*.
5. *Use of Public Right-of-Way.* The use of any public right-of-way for the purpose of parking or maneuvering vehicles is prohibited.

### ~~13.11.5~~ 11.12.5 SCREENING & BUFFERING

- A. A wall, fence, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height alongside and rear exterior lot lines where located adjacent to a non-residential use (and/or district) shall be provided for screening and privacy purposes.
- B. A 20-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts shall be maintained.

### ~~13.11.6~~ 11.12.6 PEDESTRIAN FACILITIES

A continuous safe pedestrian walkway or sidewalk at least 5 feet wide shall be provided along all internal access roads or drives. All pedestrian walkways or sidewalks shall be approved by Subdivision Administration. Internal pedestrian connections shall take into consideration connectivity to public right-of-way for facilitation of access to existing or future transit.

### ~~13.11.7~~ LIGHTING

~~All streets within a Tiny House Subdivision shall be lighted at night. The following standards apply:~~

- ~~A. **Full Cutoff.** For lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA "full-cutoff" (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of 25 feet above finished grade.~~
- ~~B. **Nuisance Avoidance.** All other outdoor lighting such as floodlights and spotlights shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by~~

~~projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway.~~

~~13.11.8~~11.12.7 **SIGNS**

All signs shall comply with the provisions set forth in Chapter 19: Signs.

~~13.11.9~~11.12.8 **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 the Subdivision Administrator.

~~13.11.10~~11.12.9 **FINAL PLATS**

For Tiny House Subdivisions, when recording a Final Plat, the following applies in addition to other platting requirements of this UDO:

- A. **Proportion of Open Space.** The recorded required acreage for common open space on each Final Plat shall be proportional or greater to the total acreage being platted. Subsequent Final Plats shall also meet the proportional requirements for the overall platted acreage.
- B. **Sample Table.** The following information shall be shown on the Final Plat in a table showing the following:

<b>Tiny House Development</b>	<b>Entire Development</b>	<b>This Plat</b>	<b>Cumulative (to date)</b>
Number of Lots Proposed	30	20	20
Required Open Space (400 square feet per Unit)	12,000	8,000	8,000
Open Space Provided (square feet)	13,600	8,000	8,000
Total Acres	2	1.10	1.10

## ~~13.12.11.13~~ **TOWNHOUSE SUBDIVISIONS**<sup>451</sup>

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### ~~13.12.111.13.1~~ **INTENT**

It is the purpose and intent of this Section to accommodate Townhouse Subdivisions by creating standards that cover all aspects of townhouse development, including site and building design.

### ~~13.12.211.13.2~~ **LOT AREA**

Each townhouse dwelling shall be located on a lot with a minimum area of 1,950 square feet.<sup>452</sup>

### ~~13.12.311.13.3~~ **DESIGN**

- A. **Façade Variation.** The facades of townhouses in a group shall be varied by changed front yard setbacks and variation in materials or design so that not more than two abutting townhouses have the same front yard setback and the same or essentially the same architectural treatment of facades and roof lines. The minimum setback difference is 5 feet.
- B. **Townhouse Buildings.** A townhouse building must contain at least 3, but not more than 6, townhouse dwelling units.
- C. **Private Yard Area.** Every lot containing a townhouse shall provide a private yard of at least 320 square feet, oriented to either the building front, rear, or side, enclosed visually by fences or walls at least 5 feet in height or plantings to screen first level views from adjacent units.
- D. **Distance Between Buildings.** A townhouse building or associated accessory structure must be located at least 15 feet from any portion of another townhouse building or an accessory structure associated with another townhouse building.
- E. **Street Frontage.**
  - 1. Each townhouse project site shall have a frontage on a public street.
  - 2. Individual lots need not front a public or private street but may face upon common open areas. In such cases, the rear lot line shall abut a public or private street.

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<sup>451</sup> These standards are new and address the unique requirements for single-family attached (townhouse) subdivisions. Proposed is to require individual townhouse dwelling units to be located on individual fee simple lots (see definition of *Dwelling, Townhouse* in Article 21: *Definitions & Acronyms*). In other developments where units are built to look like townhouses but are located on a single parcel, the units are considered multiplex dwellings.

<sup>452</sup> This is the same minimum lot area required for tiny houses (see 11.12.4: *Lot Requirements*).

3. No townhouse shall be constructed so as to provide direct vehicular ingress or egress to any controlled access highway, major thoroughfare, arterial, or collector street.

**F. Parking.**

1. A minimum of two off-street parking spaces shall be provided for the residents of each townhouse. Such parking spaces may be provided on the lot of the townhouse or in a commonly owned and maintained off-street parking bay or facility; provided that no parking space shall be more than 100 feet, by the most direct pedestrian route, from the door of the townhouse it is intended to serve.
2. For recreation buildings or swimming pools, there shall be a minimum of one parking space per 100 square feet of floor area or water surface area. These are exclusive of one another and shall be counted separately.

**G. Driveways.** Driveways for individual townhouse dwellings shall be at least 25 feet in length from the internal edge of the sidewalk where a sidewalk is provided. This requirement applies whether the dwellings are front-loaded or served by a rear alley. If a sidewalk is not provided or the units are served by rear alleys, the driveway shall be measured from the edge of the roadway or alley.

~~H. **Streetlights.** Streetlights are required in townhouse subdivisions pursuant to 9.2.4: *Streetlighting in Subdivisions.*~~

## ~~13.13~~ **11.14 ZERO LOT LINE DEVELOPMENTS**<sup>453</sup>

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### ~~13.13.1~~ **11.14.1 INTENT**

These regulations allow detached house dwellings to be situated adjacent to one side lot line and/or the rear lot line in order to provide more usable yard area.

### ~~13.13.2~~ **11.14.2 APPLICABILITY**

Zero Lot Line Developments are allowed in major subdivisions in the areas specified in Table 11.1.2-2: *Allowable Development Types by Location/Zoning District.*

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<sup>453</sup> This Section carries forward the current allowance for zero lot line dwellings and adds requirements for maintenance easements and for the developer to establish a maximum lot coverage for the development based on the design of the stormwater system.

### ~~13.13.311.14.3~~ **13.13.411.14.3 SIDE & REAR YARDS FOR ZERO LOT LINE DWELLINGS**

#### A. **Generally.**

1. Zero lot line dwellings may be constructed adjacent to the:
  - (a) Side lot line on one side of a lot (the “zero lot line”), with a side yard provided only on the other side of the lot; and/or
  - (b) Rear lot line.
2. The side yard along the non-zero lot line shall be the total of the side yards that are normally required on each side of the lot. For example, if the zoning district minimum side setback is 5 feet, a setback of at least 10 feet shall be provided along the non-zero lot line.

B. **Side and Rear Yards Adjacent to Public Streets.** A zero lot line is prohibited adjacent to a public street.

C. **Openings Along Zero Lot Line Prohibited.** In order to maintain privacy, openings for access, light, or air are prohibited on the wall of any structure located along a zero lot line.

D. **Zero Lot Line Development Adjacent to a Non-Zero Lot Line Dwelling.** Where a zero lot line development abuts a lot containing a non-zero lot line dwelling, the district minimum side and/or rear setback, as applicable, is required.

### ~~13.13.411.14.4~~ **13.13.411.14.4 LOT COVERAGE**<sup>454</sup>

- A. The developer of a Zero Lot Line Development shall establish a maximum lot coverage for the development based on the design of the stormwater system.
- B. All structures and other impervious surfaces shall count towards maximum lot coverage.
- C. The maximum lot coverage shall be:
  1. Shown on all development plans and plats; and
  2. Established in the recorded covenants for the development, which must be submitted for staff review in conjunction with the Preliminary Plan.

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<sup>454</sup> This Section is new and intended to address the Staff TAC’s concerns about future additions to structures creating negative impacts on the development’s stormwater management facilities.

**13.13.511.14.5 MAINTENANCE & DRAINAGE EASEMENTS**

- A. An easement for maintenance, drainage, and/or encroachments must be provided by the owner of the adjoining lot that abuts a zero setback lot line.
- B. The easement shall be in favor of the lot on which a zero lot line dwelling is planned at the boundary to which this easement is adjacent.
- C. The purpose of the easement is to provide perpetual access for the maintenance of the wall, roof, eaves, and other components of the zero lot line dwelling or drainage system built on the zero lot line.
- D. The easement shall extend along the entire length of the side or rear (zero) lot line to which it is adjacent.
- E. The minimum width of such easement is:
  - 1. Five feet along one-story walls; and
  - 2. Ten feet along two-story or higher walls.
- F. The easement area must be kept free of structures at all times, but may be paved or have vegetation.

**13.13.611.14.6 PLAT REQUIRED**

Zero lot lines, building setback lines, and maintenance easements shall be shown by a clearly defined method on a recorded plat of the Zero Lot Line Development approved by the Planning Commission pursuant to the Major Subdivision procedure in Article 16: *UDO Procedures*.

## ~~Article 14:~~ARTICLE 12: ACCESS & CONNECTIVITY

### ~~14.1~~12.1 GENERAL PROVISIONS

#### ~~14.1.1~~12.1.1 PURPOSE

The purpose of this Article is to promote safe transportation facilities, improved mobility and access, and increased business and/or land value in the County. Access management reduces the potential for accidents and improves travel conditions by minimizing conflicts between through and turning vehicles. Research has shown that accident rates increase consistently with an increase in the density of access points, while accident rates decrease with the implementation of access management standards. Accordingly, access to collector and arterial streets and highways shall be managed according to the standards of this Article.

#### ~~14.1.2~~12.1.2 APPLICABILITY

- A. This Article applies to all lots in unincorporated Greenville County where development meets or exceeds the following thresholds:
1. **New Development.** New development on previously undeveloped land;
  2. **Change in Use.** A change in use from a residential to a non-residential use; and
  3. **Expansions.**
    - (a) *Expansion of Apartments or Multiplex.* Expansion of an apartment complex or multiplex use by more than 5 units;
    - (b) *Expansion of Gross Floor Area.* Expansion of the gross floor area of a building by more than 25%; or
    - (c) *Expansion of Paved Surface.* Expansion of a paved surface by more than 25%.
- B. In addition, § 12.4: *Intersection Sight Distance* applies to all new and existing development throughout the zoned and unzoned areas.

## ~~14.2~~12.2 DRIVEWAYS

### ~~14.2.1~~12.2.1 APPLICABILITY

Every building erected or moved after the effective date of this UDO shall be located on a lot adjacent to and have access to a public street, highway, road, or other public way; ~~or private road;~~ or access easement, except in Group Developments and as provided in ~~Section~~ § 12.2.2: *Unpaved Shared Private Driveways*, below. All new driveways shall meet the requirements in ~~Section~~ § 12.2.2: *Unpaved Shared Private Driveways* or in ~~Section~~ § 12.2.3: *Access Management*.

### ~~14.2.2~~12.2.2 UNPAVED SHARED PRIVATE DRIVEWAYS

- A. **Purpose.** The intent of this Subsection is to provide affordable access to developments with a limited number of lots created in rural areas, without having to construct a road to County public or private road standards while providing for the safety of property owners by requiring adequate access for fire, emergency medical, and law enforcement vehicles. By consolidating multiple driveway connections, the standards of this Subsection provide for safer access to existing public roads, the continued uninterrupted use of the access for all of the owners by establishing a durable easement and assigns responsibility for continuing maintenance of the access.
- B. **Recording Requirements.**
1. **Criteria.** For the purpose of dividing property one acre or greater in area in the unzoned area or properties zoned AG, ~~ESD-PM,~~ RR-1, and RR-3, ~~RU-V, and RU-C,~~ the Planning Commission may authorize the creation of lots utilizing unpaved private drives under the following conditions:
    - (a) No more than 6 lots are created; and
    - (b) The unpaved private drive shall:
      - (1) Be shown on a Preliminary Plan;
      - (2) Meet all the criteria for a Preliminary Plan as set forth in the provisions of Article 16: *UDO Procedures*; and
      - (3) Be defined with metes and bounds.
  2. **Additional Lots.** The Planning Commission may allow more than 6 lots if it finds that the lots are configured so that the use of unpaved shared driveways are not detrimental to the public health, safety, or welfare.



3. *No Acceptance of Maintenance.* The recorded plat shall carry a statement that the unpaved private drive shall not be accepted and/or maintained as a public right-of-way until such time as it meets minimum County standards for a public road, as reflected in this Article. This includes but is not limited to paving, establishing proper drainage, meeting horizontal and vertical curve requirements, and dedicating 50 feet of right-of-way.
4. *Unpaved Private Drive Standards.* The unpaved private drive shall be established by the creation and legal establishment of a minimum 40-foot wide ~~driveway~~right-of-way:
  - (a) Which is appurtenant;
  - (b) Which is non-exclusive;
  - (c) In which all property owners own an undivided interest in the drive; and
  - (d) Names a person, persons, or an entity responsible for ownership and maintenance of the drive.
5. *Unrecorded Agreement.* An unrecorded copy of the Unpaved Private Drive Easement Agreement or other legal documentation, which addresses items (a) through (d) listed above, and a Stormwater Pollution Prevention Plan (SWPPP) shall be provided to the Technical Advisory Committee<sup>455</sup> for review and approval prior to recording the plat.

C. **Minimum Construction Standards.** In addition to meeting all the County and/or SCDOT encroachment permit requirements for offsets and construction within a public right-of-way, the unpaved private drive shall also conform to the following minimum construction standards for the passage of emergency vehicles:

- ~~1.~~ 1. *All-Weather Surface.* An all-weather surface consisting of a minimum of 4-inch compacted stone base;
- ~~1.2.~~ 1.2. *Asphalt Apron.* An asphalt apron where it intersects the public right-of-way;
- ~~2.3.~~ 2.3. *Surface Width.* A minimum improved surface width of 20 feet for its entire length;
- ~~3.4.~~ 3.4. *Vertical Clearance.* A minimum vertical clearance of 13 feet, 6 inches of vertical clearance along its entire length;
- ~~4.5.~~ 4.5. *Turn-Around.* A turn-around opportunity at its terminus, to be approved by the Fire Marshall or the Chief of the respective Fire Protection District, that adequately provides for storm water drainage and with pipes for stream crossings or storm water drainage

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<sup>455</sup> This draft shows "Technical Advisory Committee" rather than Subdivision Administrator when existing language is used.

that shall be sized appropriately for the passage of at least the 10-year design storm and be able to withstand the anticipated loads of emergency vehicles without deforming;

~~5.6.~~ 6.6. *Drainage.* The unpaved private drive shall have adequate drainage;

~~6.7.~~ 7.7. *SWPPP.* An approved storm SWPPP shall be in effect for the subdivision;

~~7.8.~~ 8.8. *Length.* The maximum length of the drive may exceed 1,200 linear feet only if the Planning Commission finds that:

- (a) The lots and the driveway are configured so as not to be detrimental to the public health, safety, or welfare;
- (b) The Fire Protection District supports the extended length of the driveway; and
- (c) The shared driveway serves a maximum of 6 lots.

~~8.9.~~ 9.9. *Curves and Grades.* Vertical and horizontal curves and grades shall meet the minimum requirements for private roads as established in § 12.7.3: *Design Standards for Public Streets*;

~~9.10.~~ 10.10. *Signs.* If the drive is to serve more than 2 lots, the subdivider shall furnish appropriate traffic control signs and road name signs; and

~~10.11.~~ 11.11. *Frontage.* Each lot created on such an unpaved private drive shall have a minimum of 20 feet of road frontage on the unpaved private drive.

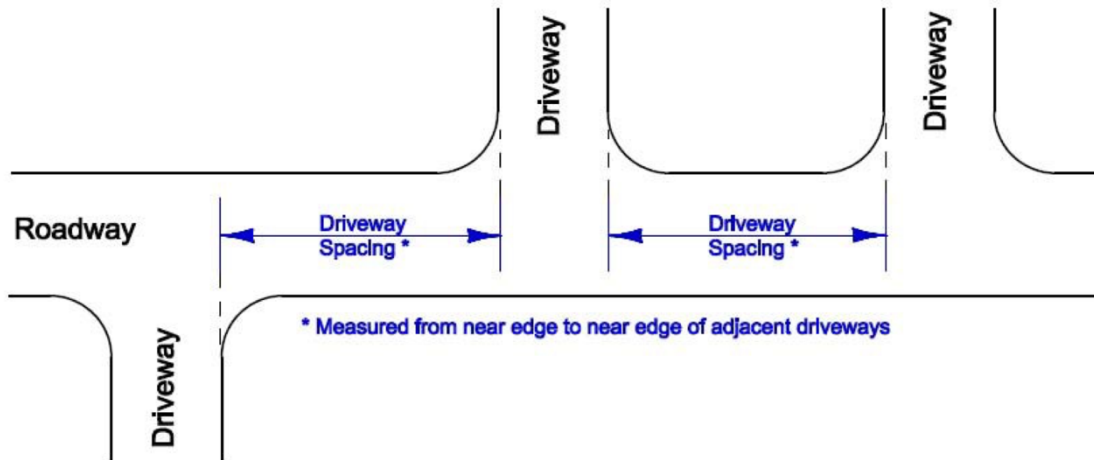
- D. **Driveway Access Summary Plat.** Before the Summary Final Plat can be filed, the required regulatory signage shall be in place and the drive shall be constructed. A design load calculation by a registered professional civil engineer, hired by the developer, shall be provided to the Fire Marshall or Chief of the respective Fire Protection District. A letter documenting that the drive meets the Fire Code requirements shall be furnished to the Technical Advisory Committee by the Fire Marshall or Chief of the respective Fire Protection District.
- E. **Recording Limitations.** Plats utilizing this unpaved private drive shall not be recorded under Financial Security.
- F. **Future Subdivision of Lots.** Without the authorization of the Planning Commission, lots created on unpaved private drives shall not be further subdivided until such time as the drive is brought into compliance with the County's public or private road standards, as specified in this Article. This includes but is not limited to paving, establishing proper drainage, meeting horizontal and vertical curve requirements, and dedicating 50 feet of right-of-way.
- G. **Maintenance Responsibility.**
  - 1. Continued maintenance of these access ways shall be provided by the owner(s).

2. Upon written notification by the Local Fire Authority having jurisdiction, the owner(s) shall correct any cited deficiencies within 60 days of receipt of notification of the need for maintenance.
  3. County Code Enforcement is responsible for ensuring the owner(s) corrects the deficiencies.
- H. **Waivers.** Waivers, as provided in § 16.4.10: *Waivers (LDRs)*, from the standards pertaining to maximum number of lots and maximum driveway length, but not for procedural or other requirements, may be allowed upon recommendation of the respective Fire Protection District.

### ~~14.2.3~~ 12.2.3 ACCESS MANAGEMENT

- A. **Generally.** The standards of this Subsection apply to driveways that are not addressed in § 12.2.2: *Unpaved Shared Private Driveways*.
- B. **Driveway Access and Widths.**
1. *Single- and Two-Family Driveway Widths.* Driveways for single and two-family lots shall be a minimum of 12 feet wide and a maximum of 24 feet wide at the property line. One driveway is required per dwelling unit. New single and two-family lots shall not take access from arterial streets.
  2. *Triplex, Fourplex, Multi-Family, Non-Residential, and Mixed Use Driveway Widths.* Driveways for triplexes, fourplexes, multi-family, non-residential, and mixed use lots shall be a minimum of 24 feet wide at the property line and configured to direct traffic safely into and out of the property. The County Engineer may require median separation between ingress lanes and egress lanes.
  3. *Alternative Access for Corner Lots.* Lots that abut intersections of streets of different classifications (Principal Arterial, Minor Arterial, Major Collector, Minor Collector, and Local in descending classification) shall take access from the street of lesser classification if the access meets the corner clearance requirements of § 12.2.3C: *Driveway Spacing and Corner Clearance*, below.
- C. **Driveway Spacing and Corner Clearance.**
1. Generally, the requirements of this Subparagraph are measured along the edge of the street, from the closest edge of pavement of the first driveway to the closest edge of pavement of the second driveway, including curb returns. This type of spacing is shown in Figure 12.2.3-1: *Driveway Spacing, and Corner Clearance Measurements, as "spacing, same side" and "spacing, opposite side."*

**Figure 12.2.3-1: Driveway Spacing and Corner Clearance Measurements**



**Key:**

A = Curb Radius *Image Source: SCDOT Access & Roadside Management Standards Manual*

B = Spacing, Same Side of Street

C = Driveway Apron

D = Accessed Street

E = Spacing, Opposite Side of Street

F = Intersecting Street

G = Corner Clearance

2. *Driveway Spacing, Same Side of Street.* Table 12.2.3-21: *Minimum Driveway Spacing, Same Side of the Street*, sets out the minimum spacing for driveways on the same side of the street, whether on successive properties or the same property.

**Table 12.2.3-21: Minimum Driveway Spacing, Same Side of the Street**

Land Use	Street Type					
	Local	Collector (Major and Minor)	Arterial (Principal and Minor)			
<i>Posted Speed (mph)</i>	<i>Any</i>	<i>Any</i>	$\leq 30$	<i>35 to 40</i>	<i>45 or 50</i>	<i>55 or 60<sup>1</sup></i>
Access serves single- and two-family lots	20 ft	40 ft	--	--	--	--
Access serves quadplexes, triplexes, multi-family, non-residential, or mixed use	40 ft	200 ft	200 ft	250 ft	360 ft	425 ft

**Key:** mph = miles per hour | ft – feet

<sup>1</sup> Driveway spacing on streets with a speed limit of greater than 60 miles per hour is subject to the County Engineer's requirements or to the requirements of the South Carolina Department of Transportation, as appropriate.

3. *Driveway Spacing, Opposite Side of Street.* In order to prevent conflicting left-turn movements, connections on opposite sides of arterial and collector streets shall be

directly opposite each other or offset by a distance of a minimum of 125 feet, unless a median or divider prevents the potential conflicts.

4. *Corner Clearance.*

- (a) Table 12.2.3-2: *Minimum Corner Clearance*, sets out the minimum corner clearance for driveways. Since site and intersection design shall be considered on an individual basis, greater clearance lengths may be required by the County Engineer if necessary to protect public safety.
- (b) If the dimensions of an existing lot and the absence of a reasonable opportunity for shared access make compliance with this Subsection impractical, then right-in, right-out access may be permitted at the farthest available point away from the intersection. For example, a corner lot that cannot establish shared access with neighboring properties may be permitted to have two right-in, right-out access points (one on each frontage), provided that they are located as far away from the intersection as possible.

Table 12.2.3-2: Minimum Corner Clearance			
Accessed Street Classification	Intersecting Street Classification	Minimum Corner Clearances	
		<i>Accessed Street</i>	<i>Intersecting Street</i>
Local	Local	20 feet	20 feet
Local	Collector	20 feet	30 feet
Local	Arterial	50 feet	75 feet
Collector	Collector	75 feet	75 feet
Collector	Arterial	75 feet	150 feet
Arterial	Arterial	150 feet	150 feet

**14.3.12.3 CONNECTIVITY**

**14.3.112.3.1 PURPOSE & APPLICABILITY**

- A. **Purpose.** The purpose of this Section is to:
  - 1. Support the creation of a highly connected transportation system in order to protect the public health, safety, and welfare in order to ensure adequate access for emergency and service vehicles, connect neighborhoods to each other and to local destinations such as schools, parks, and shopping centers, reduce vehicle miles of travel and travel times;
  - 2. -Improve air quality;
  - 3. Reduce emergency response times;

- 4. Encourage connections to redevelopable property; and
- 5. Free up arterial road capacity to better serve regional long distance travel needs.

B. **Applicability.** This Section applies to all non-residential single-building developments, all group developments, and all subdivisions except Summary Plat subdivisions, as indicated in Table 12.3.1: *Applicability of Section 12.3.*

Table 12.3.1: Applicability of Section 12.3				
Development or Subdivision Type	12.3.2: External Connectivity	12.3.3: Internal Connectivity	12.3.4: Vehicular Cross-Access	12.3.5: Emergency & Fire Access
Non-Residential Single-Building Developments	✘	✘	✓	✓
Group Developments (without subdivision)	✘	✘	✓	✓
Group Developments (with subdivision)	✘	✘	✓	✓
Summary Plat Subdivisions	✘	✘	✘	✘
Major Residential Subdivisions	✓	✓	✘	✘
Major Non-Residential Subdivisions	✘	✘	✓	✘

**Key:** ✓ = Applies for development/ subdivision type | ✘[blank cell] = Does not apply for development/ subdivision type

**14.3.212.3.2 EXTERNAL CONNECTIVITY<sup>456</sup>**

- A. **Purpose & Applicability.** In order to create a more connected transportation system and accommodate emergency and service vehicles, the following external connectivity standards apply to major residential subdivisions.
- B. **Stubbed Streets.**

<sup>456</sup> These are adapted from Section 8.8.1 in the current LDRs.

1. All collector or residential streets shall be stubbed to the boundary of the subdivision. Stub streets within previously platted subdivisions shall be connected with streets in the proposed subdivision, except as provided in § 12.3.2B.2 below. The subdivider may only utilize cul-de-sacs where necessary as established in § 12.3.2B.2 below.
  2. Upon review of a Preliminary Plan, the Technical Advisory Committee may determine that connections are not appropriate between incompatible uses or where floodplains, wetlands, riparian buffers, green space, slopes exceeding 11%, or other unique site conditions prevent a street connection. In such instances, a cul-de-sac designed in accordance with § 12.7.3I: *Non-Through Streets, Cul-de-Sacs, and Turnarounds*, may be utilized.
  3. A temporary turnaround may be required where the dead end exceeds 150 feet in length.
  4. When a stub-out is required, the right-of-way shall be extended to the property line.
  5. The stub-out shall consist of the right-of-way and apron, which includes up to seven feet of paved area. The existing developer is required to set aside the right-of-way and construct a five-foot apron to the stub-out. The connecting developer is required to build the connection to the apron.
  6. Stub streets must be clearly marked with signage indicating future connections. In addition, a notation shall be made on the final subdivision plat that states that the land outside the street right-of-way shall revert to the abutting property owners.
- C. **30 or Fewer Units.** Any subdivision of 30 or fewer dwelling units shall provide at least one external access point to the existing street network.
- D. **31 to 100 Units.**
1. Any subdivision of 31 to 100 dwelling units shall provide at least two external access points to the existing ~~or future~~ street network. The second access point may consist of an access point that is only accessible by emergency vehicles if approved through a Waiver as established in § 16.4.10: *Waivers (LDRs)* and designed according to § 12.7.4C: *Gates*. If the configuration of the property does not allow for a secondary access, the paved surface of the single external access point shall be at least 26 feet wide to the first intersection.
  2. If the emergency access will not be a road or driveway, then the access shall be shown on the SWPPP. The access must have appropriately designed drainage and a plan/profile to ensure constructability. LID features are encouraged for these types of emergency access points.
- E. **101 to 250 Units.**

1. Any subdivisions of 101 dwelling to 250 dwelling units shall provide at least two access roads to the collector and thoroughfare street network to be built in accordance with this Article.
2. No more than the number of lots that accommodate 100 dwelling units shall be approved on a Final Plat(s) until the required secondary access has been constructed.

**F. 251 Units or More.**

1. Subdivisions of 251 dwelling units or more shall provide at least three separate access points. With recommendation from the Traffic Engineer, the Planning Commission may waive the requirement for construction of one access point if subdivision design and phasing illustrate the additional required access in a future phase.
2. For subdivisions of ~~250-251~~ lots or more, stub streets may be credited for one of the required access points if two access roads are connected to the existing collector and thoroughfare street network.

**G. Waiver.** Waivers, as provided in ~~Section~~ § 16.4.10: *Waivers (LDRs)*, may be allowed during Preliminary Plan review if there are extreme cases where limited road frontage, floodplains, wetlands, riparian buffers, slopes exceeding 11%, or other unique site conditions that prevent access and do not substantially impact emergency service delivery.

**H. Connection.** Subdivisions shall be designed in a manner that streets providing the external access required in this Subsection only connect to minor collectors or residential streets.

### ~~14.3.3~~ 12.3.3 INTERNAL CONNECTIVITY<sup>457</sup>

- A. Major residential subdivisions shall be designed in a manner to provide for multiple street connections to and between local destinations, such as parks, schools, and shopping, without requiring the use of arterial streets. As such, this Subsection provides an internal connectivity index that new residential subdivisions must achieve.
- B. The street network for any subdivision shall achieve the internal connectivity ratios required in Table 12.3.3-1: *Internal Connectivity Ratio Requirements* (see example in Figure 12.3.3-1: *Internal Connectivity Example*).

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<sup>457</sup> **Connectivity Ratio:** The number of street links divided by the number of nodes or link ends, including cul-de-sac heads.

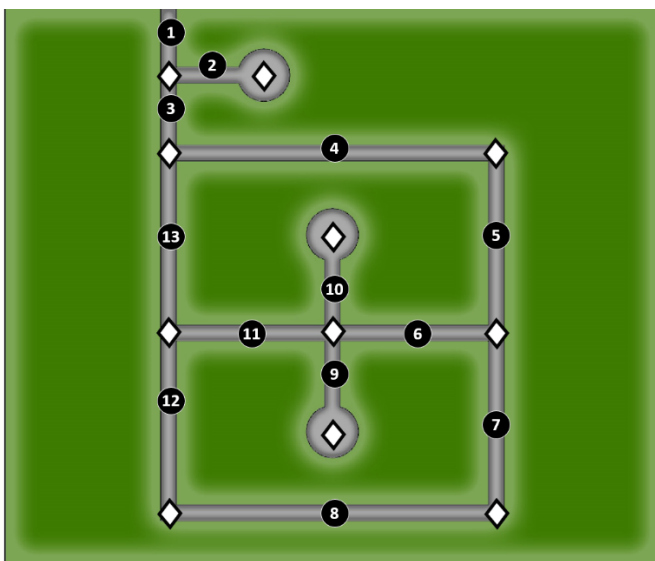
**Link:** That portion of a street defined by a node at each end or at one end. Approved stubs to adjacent property are considered links. However, alleys are not considered links.

**Node:** The terminus of a street or the intersection of two or more streets, except that intersections that use a roundabout shall not be counted as a node.

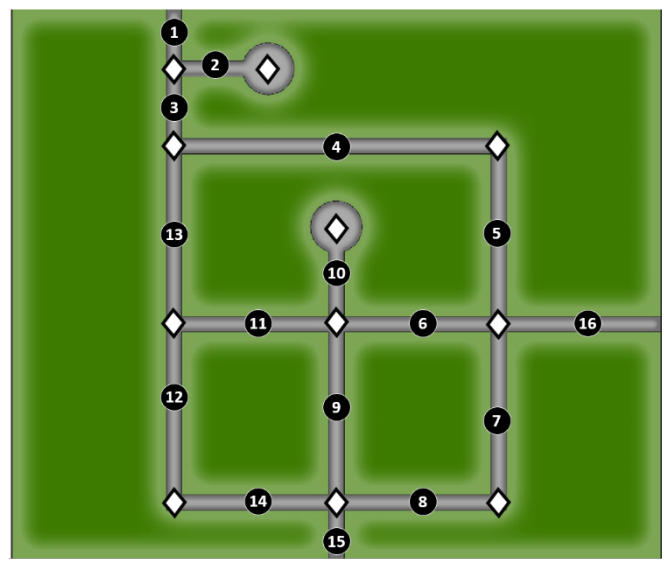


Table 12.3.3-1: Internal Connectivity Ratio Requirements	
Subdivision Type	Connectivity Ratio
SRCA Rural Estate Lot Subdivision	0.0
SRCA Conservation Subdivision	0.0
Open Space Residential Subdivision	1.0
Conventional Residential Subdivision	1.4
Tiny House Subdivision	1.0
Townhouse Subdivision	1.2

Figure 12.3.3-1: Internal Connectivity Example



**Figure Notes:** Subdivision that does not meet the Ratio for Conventional subdivisions (13 links/ 11 nodes = 1.18 ratio)



**Figure Notes:** Same development modified to meet Ratio for Conventional subdivisions (16 links/11 nodes = 1.45 ratio)

**14.3.412.3.4 VEHICULAR CROSS-ACCESS**

- A. **Generally.** Vehicular cross-access requirements apply in unzoned areas to the following land use groups defined in Article 21: *Definitions & Acronyms* and, in zoned areas, to the following zoning districts:
  1. Land Use Group 1;
  2. Land Use Group 2;

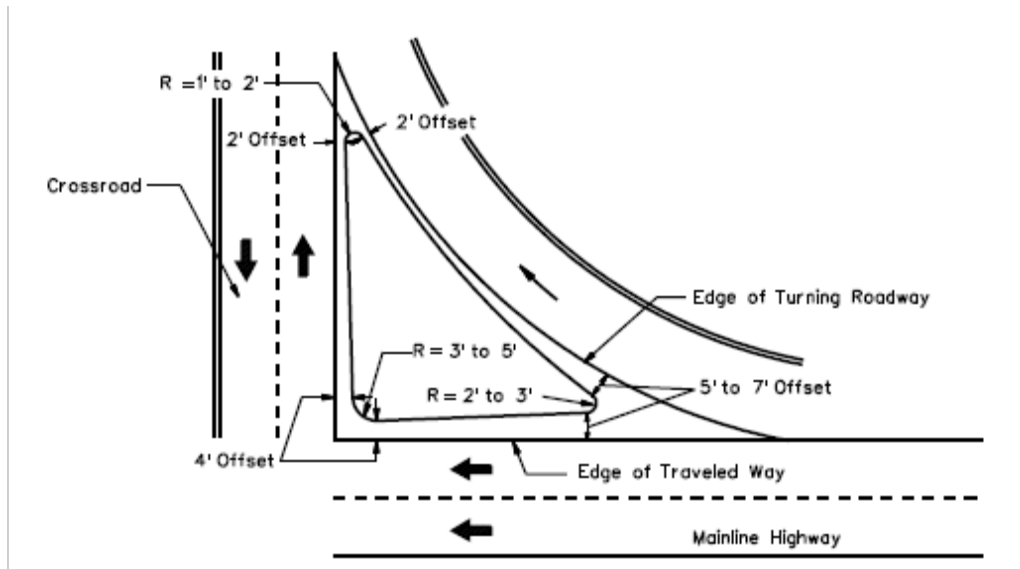
3. Mixed Residential (R-MA only);
  4. Office (O-D);
  5. Neighborhood Commercial (C-N);
  6. Commercial (C-1, C-2, and C-3); and
  7. Services (S-1).
- B. **Standards.** To encourage shared access points and shared parking for adjacent applicable uses and districts along Principal Arterials, Minor Arterials, and Major Collectors, site plans prepared for all new multi-family, commercial, and mixed-use development shall comply with the following standards:
1. *Adjacent Lots.* Internal vehicular circulation areas shall be designed to allow for cross-access to adjacent lots with multifamily residential, non-residential, or mixed-uses.
  2. *Stubs.* A stub for future cross access shall be provided and constructed to the property line from the vehicular use area to all adjacent vacant land designated for multifamily residential, non-residential, or mixed-uses.
  3. *Separation.* A minimum distance of 40 feet shall be required between a cross-access way and driveway entrance apron.
  4. *Width.* Cross-access ways shall allow for two-way traffic between parcels through the use of a single drive aisle with a minimum width of 24 feet or through two one-way aisles each with a minimum width of 12 feet. The maximum median separation width shall be 15 feet with a left-turn pocket or 4 feet without a left-turn pocket.
  5. *Recordation.* A cross-access easement shall be recorded as a condition of approval for the Final Plat of the development or prior to issuance of Certificate of Occupancy.
  6. *Waivers.* Waivers, as provided in § 16.4.10: *Waivers (LDRs)*, from these standards, but not for procedural requirements, may be granted for these cross-access requirements in cases where floodplains, wetlands, riparian buffers, slopes exceeding 11%, vehicular safety factors, or other unique site conditions prevent cross-access. The applicant shall provide proof of these conditions.

### ~~14.3.5~~ 12.3.5 EMERGENCY & FIRE ACCESS

- A. **Access or Sprinkler.** Each structure greater than 30 feet or three stories in height shall be accessible by fire apparatus from three sides, as outlined below. This Section shall not apply if the building is equipped with an approved automatic sprinkler system.

1. *Two Access Points.* Two accesses suitable for emergency vehicles shall be provided when buildings or facilities have a gross area of more than 62,000 square feet.
  2. *Single Access Point.* When all buildings of a project are equipped with an approved automatic sprinkler system, a single approved fire apparatus access way is allowed provided the gross building area does not exceed 124,000 square feet.
- B. **SCDOT.** When two emergency accesses are required, they shall comply with the minimum applicable County or SCDOT standards.
- C. **Aerial Apparatus.**
1. *Lowest Fire Department Access.* Emergency accesses capable of accommodating aerial apparatus shall be constructed when buildings exceed 30 feet in height above the lowest level of Fire Department access. Such accesses shall be a minimum of 26 feet unobstructed width.
  2. *Buildings over 30 Feet.* For buildings exceeding 30 feet in height, at least one aerial apparatus access route (minimum 26-ft width) shall begin between 15 and 30 feet from the building. This route shall extend to within 150 feet of any combustible construction.
- D. **SWPPP.** If the emergency access will not be a road or driveway, then the access shall be shown on the SWPPP. The access must have appropriately designed drainage and a plan/profile to ensure constructability. Low Impact Development (LID) features are encouraged for these types of emergency access points.
- E. **Channelization Island Plan.** When required, a detailed channelization island plan shall be submitted for review prior to construction. Channelization island design must be reviewed on a case-by-case basis due to differing roadway and traffic characteristics. (See Figure 12.3.5-1: *Channelization Island*)

Figure 12.3.5-1: Channelization Island



## 14.4.12.4 INTERSECTION SIGHT DISTANCE

### 14.4.112.4.1 APPLICABILITY

This Section applies to all new and existing development throughout the zoned and unzoned areas.

### 14.4.212.4.2 CLEAR SIGHT DISTANCE

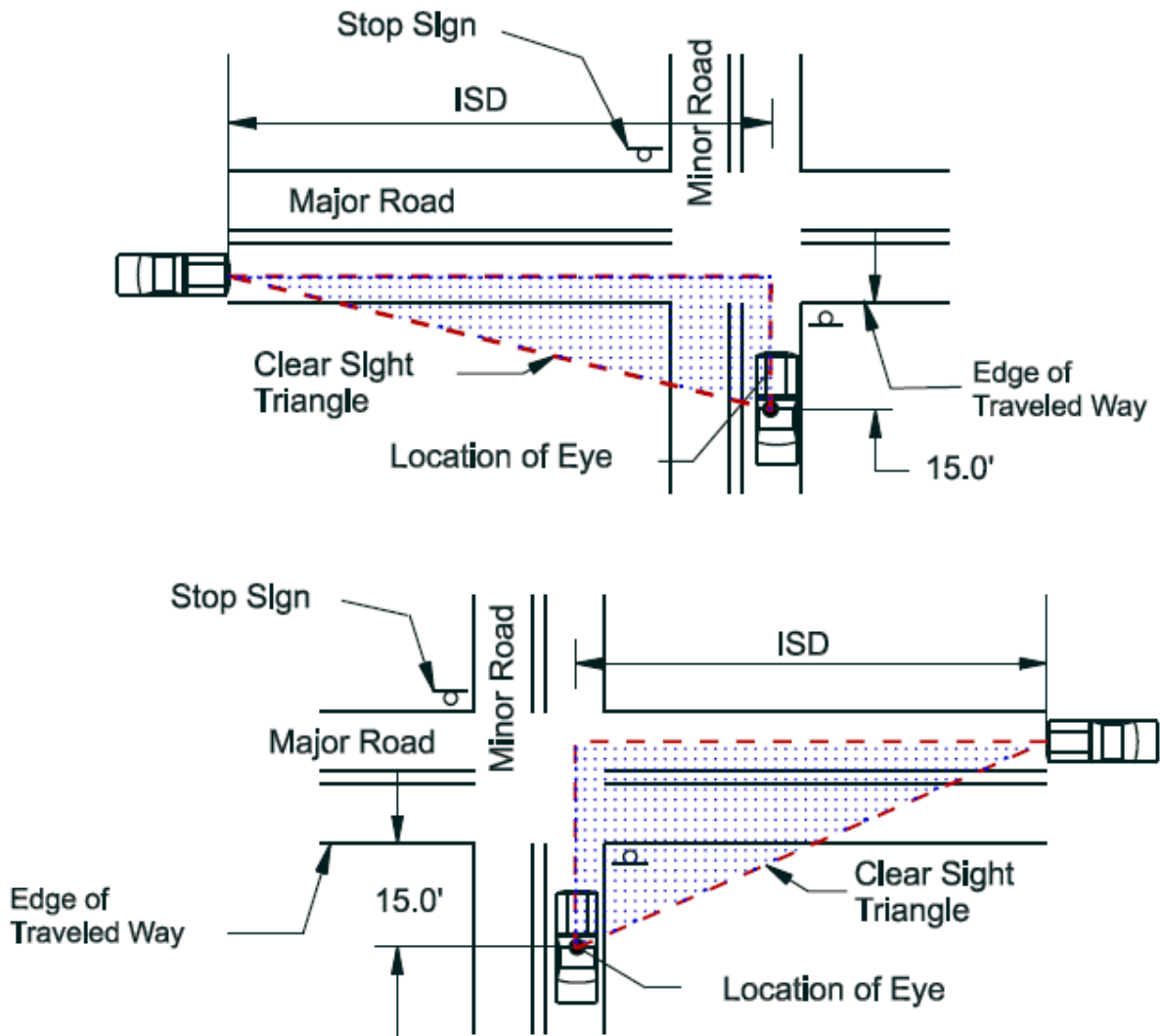
- A. As illustrated in Figure 12.4.1-1: *Intersection Sight Distance Illustration*, a minimum corner sight distance is required to permit drivers entering the higher order street to see approaching traffic from a long enough distance to allow the driver to decide when to enter the higher order street, turn onto the higher order street, and accelerate in advance of the approaching traffic.
- B. The entire area of the clear sight triangle shall be shown on Preliminary Plans and Final Plats and shall be designed to provide the driver of the entering vehicle with an unobstructed view to all points 3.5 feet above the roadway along the centerline from point A to point B.
- C. The sight distance in feet is determined using [Table 12.4.1-1](#) ~~the chart~~ below (~~taken~~ from the [AASHTO Geometric Design of Highways and Streets, 2004](#) ~~SCDOT Roadway Design Manual~~);:

<b>Table 12.4.1-1: Intersection Sight Distances<sup>1</sup></b>			
<b>Design Speed (miles per hour)</b>	<b>Intersection Sight Distance (feet)<sup>2</sup></b>		
	<b>Passenger Cars</b>	<b>Single-Unit Trucks</b>	<b>Tractor/Semi-Trailers</b>
15	170	210	255
20	225	280	340
25	280	350	425
30	335	420	510
35	390	490	595
40	445	560	680
45	500	630	765
50	555	700	850
55	610	770	930
60	665	840	1,015
65	720	910	1,100
70	775	980	1,185
75	830	1,050	1,270
80	885	1,115	1,350

<sup>1</sup>Applies to vehicles approaching from the left and to vehicles approaching from the right on a two-lane road only.

<sup>2</sup>The ISD values assume a minor road approach grade less than or equal to 3%. For grades greater than 3%, increase the ISD value by 10%.

**Figure 12.4.1-1: Intersection Sight Distance Illustration**



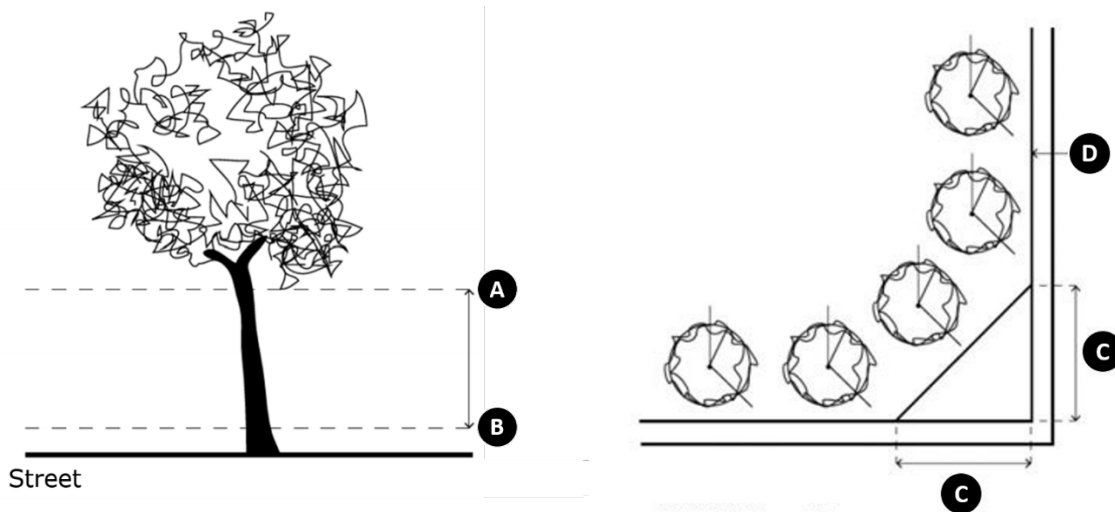
**CLEAR SIGHT TRIANGLE FOR VIEWING TRAFFIC APPROACHING FROM THE RIGHT AND LEFT**

**14.4.312.4.3 SIGHT TRIANGLES**

- A. As illustrated in Figure 12.4.3-1: *Sight Triangles*, the property lines at all intersections shall have a 25-foot setback from the Point of Intersection (PI) to the Point of Tangent (PT).
  - 1. Each PT shall be connected to the PI with a straight line.
  - 2. There shall be no radius placed on property lines at any intersection.

3. The triangles shall allow for unobstructed lines of sight.
- B. Plantings and structures exceeding 30 inches in height, but less than 72 inches in height, that would obstruct the clear sight across the area are prohibited. The County has the right to remove anything that obstructs the clear sight triangle.

**Figure 12.4.3-1: Sight Triangles**



**Key:** A = 72 inches; B = 30 inches; C = 25 feet; D = Property Line

## **14.5.12.5 SIDEWALKS & SHARED USE PATHS**

### **14.5.112.5.1 APPLICABILITY**

This Section applies to and requires internal and external sidewalks in ~~Minor Subdivisions (except Family Subdivisions and Simple Plat Subdivisions)~~, Major Subdivisions, commercial developments, and Group Developments.

### **14.5.212.5.2 PURPOSE**

This Section is intended to create, refine, and complete sidewalk networks within Greenville County to support mobility, accessibility, and transportation mode choice.

### **12.5.3 SIDEWALKS CROSSWALKS, & SHARED USE PATHS IN MINOR SUBDIVISIONS, MAJOR SUBDIVISIONS, GROUP DEVELOPMENTS, & COMMERCIAL DEVELOPMENTS**

A. **Where Required.** Sidewalks or shared use paths are required internally within all developments and externally along frontages within the County under any of the following conditions:

1. *Public Schools.* Within one and one-half miles of a public school (measured along the road from the entrance);

2. *Lots.*

(a) On any proposed street with 40 or more lots; and

(b) On all proposed streets servicing 75 or more lots (see design standards chart).

3. *Entrance.* On the entrance road(s) of any development meeting the above requirements, along the entire length of the frontage.

3.4. *Frontages.* Sidewalks are required along the frontage of the development parcel in all Major Subdivisions, Group Developments, and commercial developments.

4.5. *Plans.* Sidewalks and shared use paths are required internal and external to any development that connects to an adjacent sidewalk, shared use path, planned sidewalk, or planned shared use path as listed in the County's Safe Routes to School, Recreation & Work Plan, GPATS Long Range Plan, GreenLink Transit Development Plan, or any other County- or SCDOT-adopted plan.

B. **Exemptions.** Sidewalks or shared use paths are not required:

(a) On streets where grades exceed 15%;

(b) Internally within developments in R-R1, R-R3, and R-S zoning districts or unzoned areas, except when it is an open space subdivision; or

(c) External to developments, if the frontage road is classified as a Rural Local Collector (reference Road Functional Classifications), except when it is listed in the County's Safe Routes to School, Recreation & Work Plan, GPATS Long Range Plan, GreenLink Transit Development Plan, or any other County- or SCDOT-approved plan.

(1) The Planning Director or County Engineer may exempt the external sidewalk requirements based on previously existing sidewalks, redundant adjacent pedestrian infrastructure, or in cases where internal public-use facilities exceed the benefits of external sidewalks.



- (2) Current absence of pedestrians shall not be used to justify an exemption.

**C. Sidewalk Standards.**

1. *Design.* Sidewalks shall be designed in accordance with the standards of the right-of-way owner, either SCDOT District 3 or Greenville County Roads and Bridges, and be in full compliance with the Americans with Disabilities Act (ADA).
2. *Width.* A minimum 5-foot wide concrete sidewalk shall be constructed on at least one side of any residential streets where they are required. Other alternative walkways and surfaces may be approved during the Preliminary Plan review process on a case-by-case basis that meets the intent of providing connectivity.
3. *Location.* Sidewalks shall be located within the public right-of-way unless otherwise approved. If located outside of a public right-of-way, the applicant shall dedicate a permanent public use easement or additional right-of-way.
4. *Planted Strips.* Sidewalks shall have a grass (or comparable material) strip a minimum of 2 feet in width located between the curb and sidewalk and ADA-compliant connections between curbs and bus stops.
5. *Catch Basins.* Catch basins shall be designed to accommodate the sidewalk and stay within the right-of-way.
6. *Curb Ramps.* Curb ramps with ADA-approved detectable warning surfaces that contrast visually with adjacent walking surfaces either light-on-dark or dark-on-light shall be provided where a sidewalk intersects with a street. All sidewalks shall match the associated road grades and curb ramps shall be compliant with the most recent edition of ADA guidelines (Title II).
7. *Façades.* Sidewalks shall be provided along and/or connecting to any external-facing building façade abutting public parking areas and/or a customer entrance and shall comply with ADA guidelines.
8. *Connections.*
  - (a) Where an internal sidewalk extends to the roadway and/or external sidewalk exists on an adjacent property terminating at the property line, the development must connect its sidewalk to it.
  - (b) Where internal streets terminate (e.g., cul-de-sac) within 300 feet of an external sidewalk or shared-use path, the development must provide a public access easement and sidewalk connection.

**D. Shared Use Path Standards.**

1. *Applicability.* The developer shall construct a shared use path instead of a sidewalk on any external frontage where an adopted plan has identified the need for a shared use path, along the full length of the development frontage.
2. *Design.* Shared use paths shall be designed in accordance with the standards of the right-of-way owner, either SCDOT District 3 or Greenville County Roads and Bridges, and fully comply with the ADA.
3. *Width.* The developer shall construct a minimum 8-foot wide (11-foot wide for Swamp Rabbit Trail) concrete shared use path on at least one side of any residential streets where a shared use path is required. Other alternative walkways and surfaces may be approved during the Preliminary Plan review process on a case-by-case basis that meets the intent of providing connectivity.
4. *Location.* Shared use paths shall be located within the public right-of-way unless otherwise approved. If located outside of a public right-of-way, the developer shall dedicate a permanent public use easement or additional right of way.
5. *Planted Strips.* Shared use paths shall have a grass (or comparable material) strip at least 5 feet in width located between the curb and shared use path and ADA-compliant connections between curbs and bus stops.
6. *Catch Basins.* Catch basins shall be designed to accommodate the shared use path and stay within the right-of-way.
7. *Curb Ramps.* Curb ramps with ADA-approved detectable warning surfaces that contrast visually with adjacent walking surfaces, either light-on-dark or dark-on-light, shall be provided where a shared use path intersects with a street. All shared use paths shall match the associated road grades, and curb ramps shall comply with the most recent edition of ADA guidelines (Title II).

E. **Fee-in-Lieu Program.**<sup>458</sup>

1. *Waiver.* Waivers, as provided in ~~Section~~ § 16.4.10: *Waivers (LDRs)*, may be allowed during Preliminary Plan review if, where a new internal or external sidewalk or shared use path is required to be constructed, the applicant makes a written request to the Planning Commission for a waiver and requests to pay a fee-in-lieu of providing a sidewalk or shared use path.
2. *Conditions.* The Planning Commission may grant the waiver if the Commission determines that one or more of the following conditions exists and that the applicant

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<sup>458</sup> This Paragraph carries forward LDR Section 8.18 C. but revises to authorize the Planning Commission, rather than the Subdivision Administrator, to approve requests through the Waiver process.

pays a fee-in-lieu of constructing the sidewalk or shared use path as determined by the average linear foot cost of County sidewalk or shared use path projects for the most recent two-year period for which the County has data, from the date of inquiry:

- (a) The sidewalk or shared use path is not identified in any current County-approved plan as a needed pedestrian linkage;
- (b) The sidewalk or shared use path is proposed to be constructed within an existing right-of-way where the Planning Commission determines sufficient right-of-way or easement width does not exist or cannot be dedicated to build the sidewalk or shared use path;
- (c) The sidewalk or shared use path has received full funding through an adopted plan, but construction has not yet commenced; or

~~(d)~~ —

~~(e)~~(d) The sidewalk or shared use path cost is financially or environmentally prohibitive as determined by the Planning Commission.

3. *Easement.* If a fee-in-lieu of constructing a sidewalk or shared use path is approved, the developer shall provide a recorded easement, if necessary, for the future development of the sidewalk or shared use path (if outside of the right-of-way). Easements for sidewalks shall be at least 7 feet in width. Easements for shared use paths shall be at least 18 feet in width. Fees-in-lieu shall be paid prior to recording of the Final Plat.

4. *Use of Fees.* All fees collected by the County pursuant to these provisions shall be:

- (a) Accounted for separately from other monies,
- (b) Expended only for the construction of sidewalks, shared use paths, connections to bus stops, or other pedestrian improvements in the County;
- (c) Expended within the timeframe as outlined in state law regarding “Fee-in-lieu-of;”
- (d) Expended within the same County Council district in which they were collected.

F. **Costs.** Prior to the recording of the Final Plat, the costs of all sidewalks or shared use paths shown on the plans and as noted on the Final Plat that have not yet been installed shall be included in the ~~financial security~~ Financial Security. The developer may elect to have the builder of that lot construct the sidewalks or shared use paths adjacent to that lot. In such cases, the developer is responsible for installing all handicap ramps prior to recording the Final Plat.

G. **Access to Community Facilities.**

1. Sidewalks or shared use paths shall be designed to ensure convenient access and direct connections to parks, playgrounds, schools, transit stops, cluster box units, and other community facilities.
2. Easements for sidewalks shall be at least 7 feet in width. Easements for shared use paths shall be at least 18 feet in width.
3. Sidewalks, shared use paths, or access easements to community facilities shall be shown on the Final Plat and shall be delineated both with signs and with on-site physical means such as gravel, asphalt, planted screenings, or other appropriate delineators.
4. Drainage should be provided for in accordance with Article 14: *Stormwater Management* and County Code Chapter 8: Flood Control, Drainage, Stormwater Management.

#### H. **Crosswalks.**

1. If a pedestrian facility crosses a vehicular entrance to a residential subdivision, a crosswalk is required. Crosswalks are not otherwise required in residential subdivisions. All crosswalks must be maintained by the property owners' association.
- ~~1.2.~~ Where sidewalks or shared use paths terminate at roadway intersections adjacent to other sidewalk- or shared use path-adorned intersections, thermoplastic crosswalks of equal width to the sidewalk or shared use path shall be provided.
- ~~2.3.~~ Crosswalks shall be white parallel bars (rails) at least 12 inches wide and the full length of the roadway. The ladder-bars shall be separated no more than 24 inches apart and shall be 12 inches in width.
- ~~3.4.~~ The sidewalks or shared use paths shall connect adjacent sidewalks or shared use paths crossing asphalt or concrete roadway intersections. The County Engineer may approve alternate materials for crosswalks, such as pavers or pervious pavement. The property owners' association shall maintain the alternate materials.

#### I. **Street Trees.** At a width of 5 feet or greater, a planted strip may employ street trees, with approval and in compliance with Article 7: *Buffers & Screening*, based on Functional Classification Clear Zone requirements:

1. *Arterials.* Street trees are prohibited;
2. *Major Collectors.* Street trees may be permitted in urban areas;
3. *Minor Collectors.* Street trees are preferred; and
4. *Local Streets.* Street trees are preferred if space is available.

## 14.6.12.6 TRANSIT<sup>459</sup>

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### 14.6.112.6.1 PURPOSE

The following incentives are provided in order to encourage the location of new developments in close proximity to existing stops and to encourage the provision of new transit stops with new development.

### 14.6.212.6.2 APPLICABILITY

The requirements and incentives in this Section apply to lots located in zoned areas. The parking and dimensional incentives in this Section are cumulative and may both apply to a single site.

### 14.6.312.6.3 TRANSIT STOP REQUIREMENT

#### A. **Locations.** Transit stops are required as follows:

1. *Adopted Plans.* Transit stops shall be provided in locations specified in the GPATS Long Range Plan, Greenville Transit Development Plan, or any other County- or SCDOT-adopted plan.
2. *Significant Generators and Destinations.* ~~Adjacent~~<sup>1,3</sup>Adjacent to proposed significant transit generators or destinations, in locations approved by the transit agency. Significant transit generators or destinations are:
  - (a) Residential developments that will, at build-out, contain 200 or more dwelling units.
  - (b) Nonresidential developments that are:
    - (1) Projected to generate at least 1,350 average daily trips, according to the most recent Trip Generation Manual; and
    - (2) Are not located within 1,320 feet of an existing, conforming transit stop (see § 12.6.3B: *Transit Stop Standards*, below).

#### B. **Transit Stop Standards.**

1. Transit stops shall include the following elements, which shall meet the standard specifications of the County and the Americans with Disabilities Act (ADA):

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<sup>459</sup> The incentives in this Section are new and they implement *Plan Greenville County* Objective I-3, Strategy 2.

- (a) Concrete shelter pad;
  - (b) Shelter;
  - (c) Bench;
  - (d) Bus pad;
  - (e) Trash receptacle;
  - (f) Transit stop and route signage; and
  - (g) Bicycle rack.
2. If a proposed development is a significant generator or destination that is served by an existing transit stop that does not include all of the enumerated elements or does not meet the current specifications of the County or Americans with Disabilities Act, then the applicant shall upgrade the existing transit stop according to the requirements of § 12.6.3B.1 above.
  3. Where transit stops are required on new streets associated with new developments, the streets shall include bus turn-outs, unless waived by the County Engineer.

#### **14.6.4 12.6.4 PARKING REDUCTION**

- A. *Existing Transit Stops.* Developments within 1,320 feet of an operating transit stop may reduce the number of parking spaces required in Article 6: *Parking & Loading* by 10%.
- B. *New Transit Stops.* Developments that provide new transit stops, in coordination with GreenLink, may reduce the number of parking spaces required in Article 6: *Parking & Loading*, by 15%.
- C. *Shuttle to Transit Facility.* With authorization of the **Planning** Director, on a legal affidavit approved by the County Attorney, and reauthorized on a bi-annual basis, Government & Civic and Business, Professional, Scientific, & Technical uses that provide regularly scheduled shuttle transit to and from a transit facility such as a park and ride facility may receive up to a 5% reduction in the number of required off-street parking spaces required in Article 6: *Parking & Loading*.

#### **14.6.5 12.6.5 DIMENSIONAL STANDARDS BONUS**

- A. **Generally.** The following bonuses may apply to developments within 1,320 feet of an existing transit stop or that provide a new transit stop on-site, in coordination with GreenLink.

- B. **Height.** An additional 10% building height based on the maximum height requirement of the zoning district, as established in Article 2: *Zoning Districts*.
- C. **Gross Floor Area.** An additional 10% gross floor area, where applicable, based on the maximum gross floor area requirement of the zoning district, as established in Article 2: *Zoning Districts*.
- D. **Off-Street Parking.** A reduction of 20% of required off-street parking for developments, as established in Article 6: *Parking & Loading*.
- E. **Density.** An additional 10% dwelling units per acre, based on the maximum density of the zoning district, as established in Article 2: *Zoning Districts*.

## ~~14.7.1~~ **12.7 STREET CLASSIFICATION & DESIGN**

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### ~~14.7.1~~ **12.7.1 APPLICABILITY**

This Section applies to all major subdivisions and all group developments.

### ~~14.7.2~~ **12.7.2 STREET CLASSIFICATION**

For the purpose of this UDO, all streets are classified based upon [An Expanded Functional Classification System for Highways and Street](#) (NCHRP 855 2018).

- A. **Arterial Streets.** High volume streets that carry traffic between commercial centers or communities and may connect to freeways. Arterial streets are generally classified and maintained by SCDOT and must be built to SCDOT standards. For the purposes of this UDO, arterial streets are divided into the following street types:
  1. Urban principal arterial;
  2. Rural principal arterial;
  3. Urban minor arterial; and
  4. Rural minor arterial.
- B. **Collector Streets.** Streets that primarily connect residential, local, and industrial streets to arterial streets. Collectors are generally classified and usually maintained by SCDOT For the purposes of this UDO, collector streets are divided into the following classifications:
  1. Urban major collector;
  2. Rural major collector;

3. Urban minor collector; and
  4. Rural minor collector.
- C. **Local Collector Streets.** Low volume collectors that are generally owned and maintained by Greenville County or the cities within Greenville County. These streets are often residential in nature but were built specifically for transportation functions. Local streets do not have dead ends or cul-de-sacs. For the purposes of this UDO, local streets are divided into the following classifications:
1. Urban local collector;
  2. Rural local collector;
  3. Rural town local collector;
  4. Suburban local collector; and
  5. Mountainous local collector.
- D. **Local Residential Streets.** Streets used primarily to provide access from major or minor collector streets to residential units. These streets are generally constructed as residential developments. Residential streets may be public or private. The two classes of local residential streets are:
1. Local residential; and
  2. Local mountainous residential.
- E. **Local Commercial/Industrial Streets.** Streets used primarily to provide access to industrial or commercial facilities or that are built specifically to service commercial or industrial facilities. The two classes of local commercial/industrial streets are:
1. Heavy commercial/industrial; and
  2. Light commercial/industrial.
- F. **Private Drives.** Paved or unpaved surfaces that provide vehicular and pedestrian access to 2 or more residences, businesses, or services. A private driveway serving a single residence is not considered a private drive.
- G. **Alleys.**
1. The purpose of an alley is to provide vehicular access to developments that cannot be adequately served by existing streets or as a means of reducing or eliminating individual driveway accesses.



2. All alleys are to be privately maintained with measures to ensure the travel way is not obstructed in any manner, including parking.
3. The pavement design shall meet private alley standards (see Table 12.7.3-3: *Design Standards*). The geometry of the alley shall be adequate to accommodate traffic if the alley will be used for public services (e.g. sanitation).
4. Garages and fences should be set back from the alley right-of-way a minimum of 5 feet to provide an adequate turning area for vehicles. Alley intersections, sharp changes in alignment, and dead-ends are prohibited if alleys will be used by service vehicles.
5. Design speed is 15 miles per hour.
6. The County is not responsible for damage occurring to the pavement structure due to use of the alley for access in providing public services.
7. Private alleys are ineligible for acceptance into the County public road inventory.

### ~~14.7.3~~ 12.7.3 DESIGN STANDARDS FOR PUBLIC STREETS

#### A. **Generally.**

1. All public streets within unincorporated Greenville County must comply with the design standards specified in this document and in the UDO Administrative Manual.
2. To determine which standards apply to any specific classification, refer to Table 12.7.3-3: *Design Standards*. The [GPATs Functional Classification Map](#) identifies the context and classification of each street.

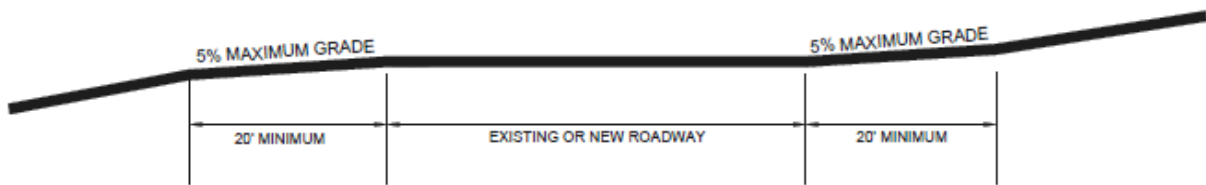
#### B. **Rights-of-Way and Cross-Sections.**

1. A proposed right-of-way shall be of sufficient width to accommodate the required street cross-section, including sidewalks, catch basins, utilities, and on-street parking lanes, if provided. The required right-of-way width is listed in the Table 12.7.3-3: *Design Standards*. If on-street parking is provided, the right-of-way width shall be increased by at least 11 feet for each parking lane.
2. Pavement width shall be sufficient to serve the projected traffic on and use of the street, but in no way shall the pavement width be less than that required in Table 12.7.3-3: *Design Standards*.

#### C. **Grades.**

1. *Vertical Tangent Grade.* The minimum vertical tangent grade on any proposed street shall not be less than 1% and the maximum grade shall not exceed those listed in Table 12.7.3-3: *Design Standards*.
2. *Intersections.* All proposed street grades when intersecting an existing and/or proposed street or highway shall be constructed as to meet the same horizontal grade of the existing intersection and shall have a maximum approach grade of 5% for a distance of 20 feet from the edge of pavement of the existing street to which the proposed connection is being made.

**Figure 12.7.3-1: Maximum Approach Grade**



D. **K Factors/Vertical Curves.** See Table 12.7.3-3: *Design Standards*, for acceptable K factors.

E. **Horizontal Curves.**

1. *Generally.* See the Table 12.7.3-3: *Design Standards* for minimum horizontal curve radii. Where a deflection angle of more than 10 degrees in the alignment of the street occurs, the right-of-way shall be curved. At subdivision entrances there should be a minimum of 100-foot tangent prior to the start of any curve.
2. *Rural Mountainous.* For rural mountainous roads, additional pavement shall be provided in accordance with Table 12.7.3-1: *Horizontal Curves*.

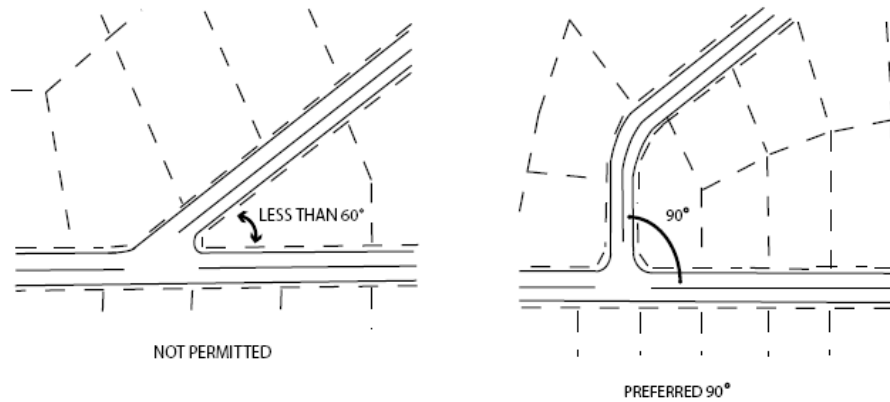
Table 12.7.3-1: Horizontal Curves	
Radius	Increased Width
70' – 90'	25%
60' – 70'	35%
50' – 60'	45%
Less Than 50'	50%

F. **Intersections.**

1. *Angles.* All new roads shall intersect other streets at, preferably, right angles whenever possible. No street shall intersect any other street at an angle less than 60 degrees in relation to alignment of the intersecting road.

- 2. **Alignment.** Four-way intersections shall be designed such that lanes on opposing streets line up with each other.

**Figure 12.7.3-2: Intersection Angles**

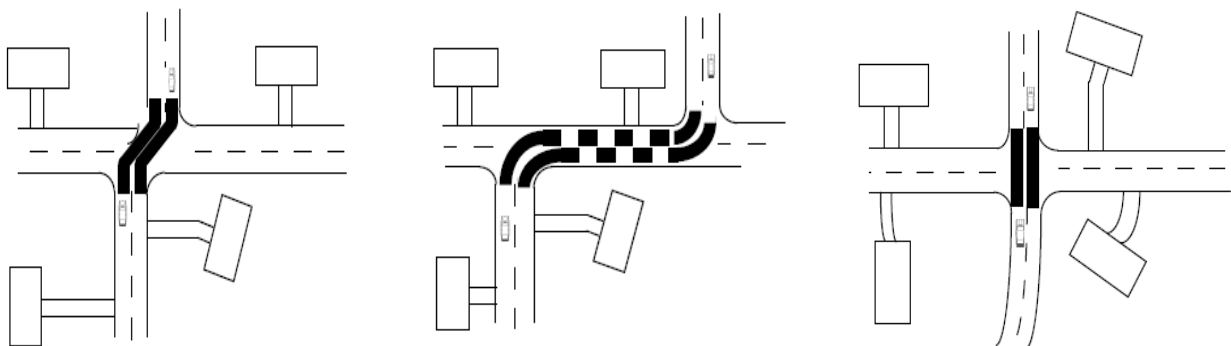


- G. **Intersection Offsets.** The minimum distance between intersections shall be as established in Table 12.7.3-2: *Intersection Offsets*, and illustrated in Figure 12.7.3-3: *Street Jogs/Offsets*.

Table 12.7.3-2: intersection Offsets	
Speed Limit on Main Through Street	Offset
25 mph	125 ft
35 mph	150 ft
45 mph	175 ft
55 mph	200 ft

**Key:** mph = miles per hour | ft = feet

**Figure 12.7.3-3: Street Jogs/Offsets**



**Figure 12.7.3-3: Street Jogs/Offsets**

**Sharp street jogs create hazardous driving conditions. Not Acceptable**

**See chart for exact offset.**

**Street jogs are eliminated with proper design.**

**Table 12.7.3-3: Design Standards**

Street Classifications			Street Width <sup>B</sup>	ROW Width <sup>C</sup>		Design Speed	K-Factor		Curb Radii	Max Grade	Min Horizontal Radius	Tangent Between Curves	Full Depth Asphalt		Asphalt with Binder and Stone Base			X-Section Details				
				w/ Sidewalk	NO sidewalk		Crest	Sag					Surface	Binder & Surface <sup>F</sup>	Surface	Binder	Stone					
			ft	ft	ft	mph	--	--	ft	%	ft	ft	in	in	in	in	in					
LOCAL COLLECTORS (County)	Public & Private	Urban	24	40 min	46	30 (25)	16 (12)	26	30 (25)	10 (18)	250 (75) <sup>D</sup>	100 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail LC-3	See Detail LC-4 for 3 lane section			
		Suburban	22	56	46	30 (25)	16 (12)	26	30 (25)	10 (18)	250 (75) <sup>D</sup>	100 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail LC-2				
		Rural	20	---	46	30 (25)	16 (12)	26	30 (25)	10 (18)	250 (75) <sup>D</sup>	100 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail LC-1				
RESIDENTIAL	Public & Private	>750 ADT	24	46 (52)	44	25	14 (12)	26	30 (25)	10 (18)	155 (75) <sup>D</sup>	100 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail R-1				
		250-750 ADT	22	44 (52)	42	25	12	26	25	10 (18)	155 (75) <sup>D</sup>	50 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail R-1				
		<250 ADT	20	42 (52)	40	20	7	17	25	11 (18)	100 <sup>F</sup> (75) <sup>D</sup>	50 (75)	1 1/2	2 1/2 / 1 1/2	1 1/2	2 1/2	6	See Detail R-1				
	Private	Unpaved Drive <sup>A</sup>	20	---	Easement	Must Meet UDO Section 12.2.2 and Satisfy Servicing Fire District				6	Must Meet UDO Section 12.2.2 and Satisfy Servicing Fire District						6 (6) <sup>H</sup>	---				
OTHER	Public & Private	Commercial / Industrial	28	50	48	35	29	49	40	8	300 <sup>E</sup>	150	1 1/2	6 <sup>G</sup>	1 1/2	4 <sup>G</sup>	8	See Detail C-1				
		Paved Drive	20	---	Easement															---	---	
	Private	Alley (1-way)	12	---	---															---	---	
		Alley (2-way)	18	---	---															---	---	

**( \_\_ ) Indicate Mountainous Standards**

- <sup>A</sup> Must be paved for a minimum length of 50 ft
- <sup>B</sup> Road must be 24 ft wide when connecting to a state road with a min 100 ft taper to appropriate width based on street classification. Road must be 26 ft wide when required 2nd entrance cannot be provided.
- <sup>C</sup> ROW for rural cross sections is 50 ft
- <sup>D</sup> Extra pavement width required in the radius to accommodate school buses, fire trucks and semitrailers (WB-67)
- <sup>E</sup> Based on crown of 1/4 in/ft - no superelevation
- <sup>F</sup> 1st surface lift must be placed within 7 days of placement of binder (unless inclement weather prohibits)
- <sup>G</sup> Must be placed in 2-inch lifts
- <sup>H</sup> RAP (preferred) or other approved base material

- H. **Drainage.** All public roads shall be designed with proper drainage systems to collect roadway runoff (and runoff from adjacent properties depending on topography) and convey the flows to a suitable discharge point. Roadway drainage design shall comply with County Code [Chapter 8: Flood Control, Drainage, Stormwater Management](#) and the most recent edition of the Stormwater Design Manual.
- I. **Non-Through Streets, Cul-de-Sacs, and Turnarounds.**
1. *T-Type and Hammerhead Turnarounds.* T-type or hammerhead turnarounds, as approved by the County Engineer, are encouraged for stub-out streets. If a stub-out street is less than 200 feet long or the depth of the lot, no turnaround is required. Stub-outs greater than 200 feet long and serving more than two lots require a turnaround. (See also § 12.3.2: *External Connectivity*)
  2. *Temporary Turnarounds.* In phased subdivisions, temporary turnarounds are required for through streets planning to continue into a new phase. The temporary turnaround must begin beyond the property line of the last lot shown on that phase's final plat. Temporary turnarounds shall have a minimum slope of 1% as measured from the center. When a temporary turnaround is required, the right-of-way shall be extended to the property line. A notation shall be made on the Final Subdivision Plat that states that the land outside the street right-of-way shall revert to the abutting property owners.
  3. *Cul-de-Sacs.*
    - (a) *Street Dimensions.* Cul-de-sacs are required to have the dimensions established in Table 12.7.3-4: *Standard Cul-de-Sac Dimensions*, as illustrated in Figure 12.7.3-4: *Standard Cul-de-Sac Dimensions*.
    - (b) *Cul-de-Sac Island.*
      - (1) Pavement widths shall be in accordance with the most current AASHTO Policy on Geometric Design of Highways and Streets standards for vehicles with a 40-foot wheelbase. A minimum width of 25 feet of paved surface shall surround the island.
      - (2) A minimum 10 foot right-of-way shall be dedicated beyond the outside edge of pavement regardless of the shape or size of the cul-de-sac.
      - (3) Rolled curb is required to allow adequate turning radius for Public Service vehicles.
      - (4) Cul-de-sac islands other than those shown in this UDO shall be approved by the Director.
      - (5) Except in the case of offset cul-de-sac pavements, all cul-de-sac islands shall be directly centered in the right-of-way and under drained.

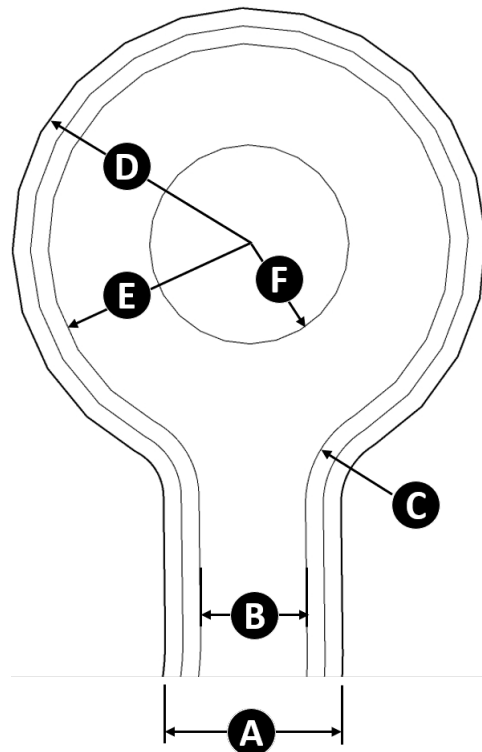
- (6) See Figure 12.7.3-6: *Subsurface Drainage Detail* or Article 14: *Stormwater Management* (as applicable).

**Table 12.7.3-4: Standard Cul-de-Sac Dimensions**

Measurement	Residential			Non-Residential <sup>460</sup>
Right-of-Way Width (A)	42 feet	44 feet	46 feet	50 feet
Street Width (B)	20 feet	22 feet	24 feet	28 feet
Back-of-Curb Radius (C)	35 feet	35 feet	35 feet	35 feet
Bulb Radius Including Right-of-Way (D)	60 feet	60 feet	60 feet	70 feet
Bulb Radius Not Including Right-of-Way (E)	48 feet	48 feet	48 feet	50 feet
Island Right-of-Way (F) <sup>1</sup>	10 feet	10 feet	10 feet	12 feet

<sup>1</sup>See Subparagraph (b), *Cul-de-Sac Island*, above

**Figure 12.7.3-4: Standard Cul-de-Sac Dimensions**

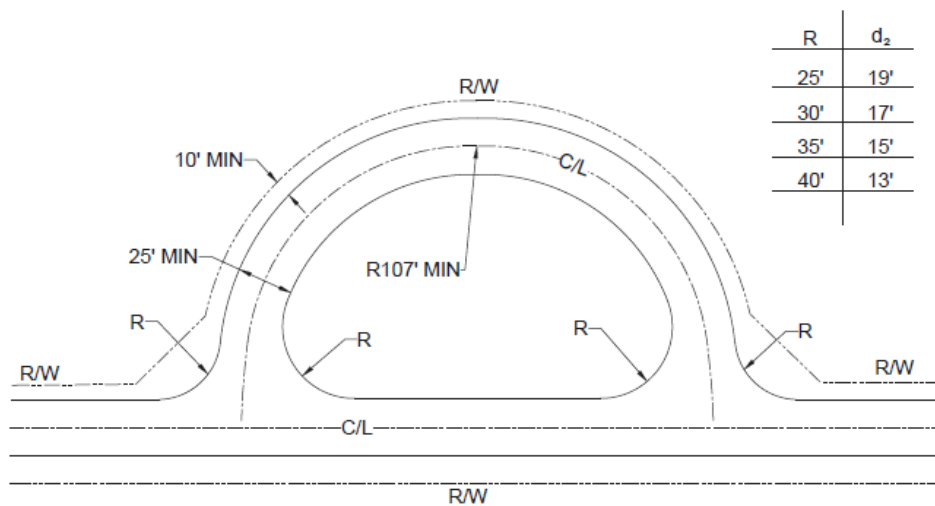


<sup>460</sup> In current code this column has really large numbers in it. These are reduced.

J. **Eyebrows.** For a temporary turnaround, an eyebrow, as illustrated in Figure 12.7.3-5: *Eyebrow Dimensions*, can be used.

1. **Paved Width.** Pavement width design shall be in accordance with most current AASHTO Policy on Geometric Design of Highways and Streets standards for WB-40 vehicles. A minimum paved surface width of 25 feet is required.
2. **Right-of-Way.** A minimum 10 feet right-of-way shall be dedicated beyond the outside edge of pavement.
3. **Dimensions.** Detail dimensions are shown on the following example:

**Figure 12.7.3-5: Eyebrow Dimensions**



K. **Standard Islands.** A detailed design plan for proposed roadway islands shall be shown on the road plan and profile and shall adhere to the following standards:

1. **General Standards.**
  - (a) The plant materials in the entrance island shall be maintained to provide a sight tunnel between the height of 30 inches and 72 inches above the adjacent roadway surface for a minimum distance of 35 feet from the intersecting right-of-way. Taller items may be placed in the entrance island beyond the point of 35 feet.
  - (b) In cul-de-sac islands, eyebrow islands, and any island except entrance islands, plant material with a mature height in excess of one foot is not allowed within 5 feet of the face of curbing.
  - (c) Signs within entrance islands may be allowed upon review by the Traffic Engineer and in accordance with County Code Chapter 18, [Article VI: Permits for Encroachments Across County Roads](#). Entrance island signs shall be placed at

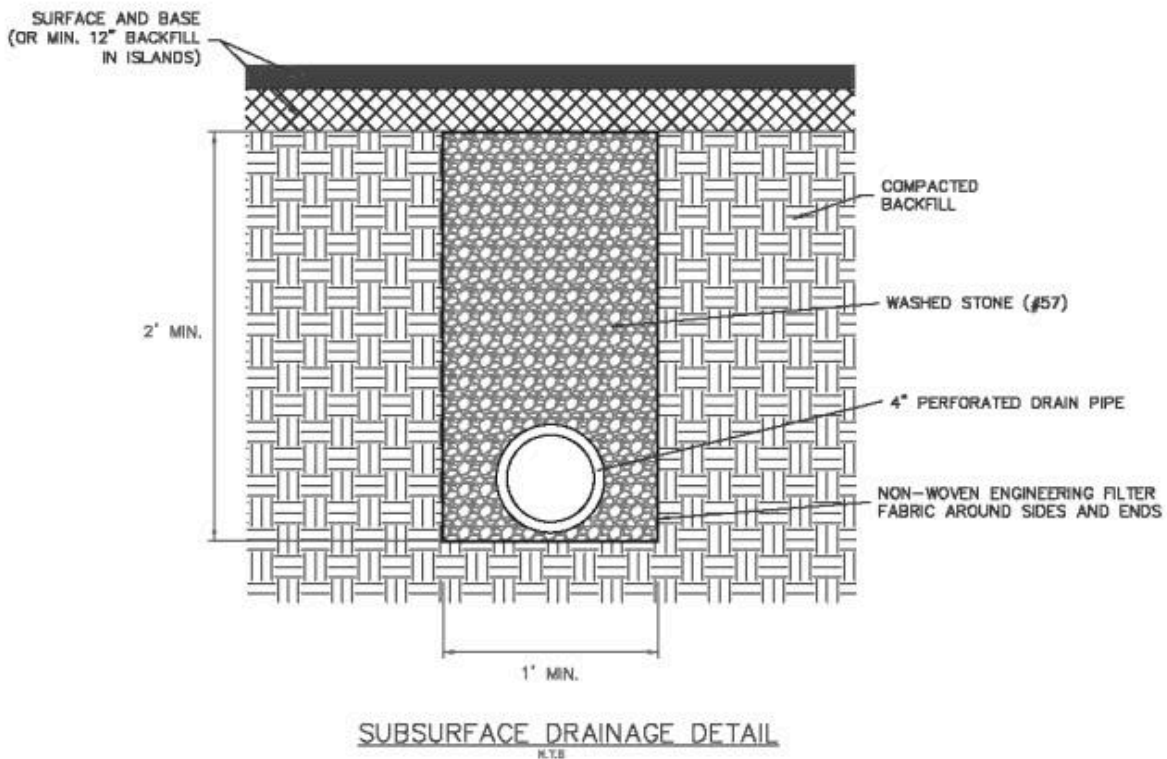


least 3 feet from the edge of curbs paralleling the travel lanes. Above-ground structures are prohibited in the last 5 feet of the entrance island. Sign maintenance within the islands is the sole responsibility of the Property Owners Association.

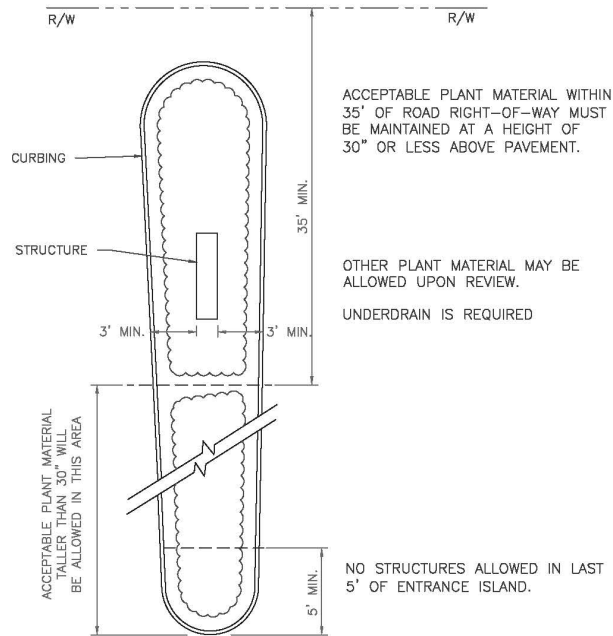
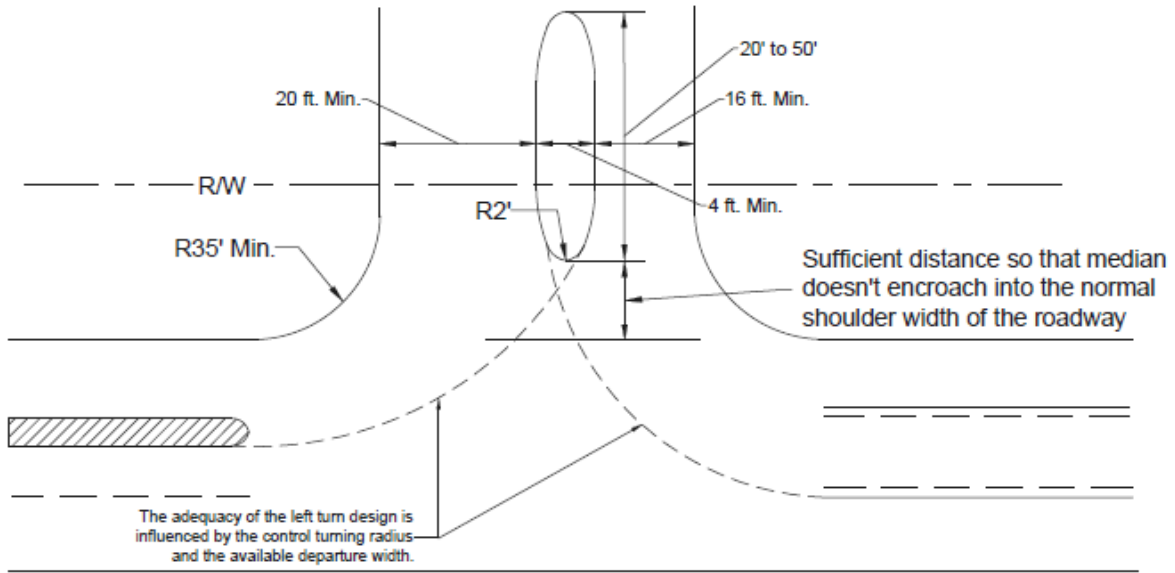
- (d) No above-ground structures, such as retaining walls, raised planter beds, or water features and/or fountains, are allowed in any island or within right-of-way of a public road. Lighting and flagpoles may be allowed if placed in accordance with the requirements in 12.7.3 K. 1. (c), above. Lighting, neighborhood signs, flagpoles are the sole responsibility of the Property Owners Association.
  - (e) Trees within islands or the public road right-of-way are allowed only upon approval of the landscape plan. Plant material and the maintenance of the plant material is the sole responsibility of the Homeowners Association (see list of approved plant material in Article 7: *Buffers & Screening*).
  - (f) Any nonconforming structure or plant within any island may be removed at the discretion of the County Engineer.
  - (g) Planter islands can be used to meet post construction water quality requirements by using low impact development principles as specified in Article 14: *Stormwater Management*.
2. *Landscaping Plans.* A detailed landscape plan for all roadway island(s) shall be submitted to the Land Development Division for review during the roadway plan review process.
  3. *Roadway Entrance Islands.*
    - (a) The minimum width shall be four feet measured from the outside face of the curb to the direct opposite outside face of the curb.
    - (b) Minimum pavement width shall be 20 feet in the lane exiting the subdivision and 16 feet in the lane entering the subdivision. The width of the road at SCDOT right-of-way shall be determined by the latest edition of the SCDOT ARMS Manual. Pavement width beyond the end of the island shall be tapered at a rate of 8:1 to the typical pavement width. A double yellow centerline shall be provided when the island is more than five feet from the right-of-way.
    - (c) No taper shall be allowed across the width of intersecting roadways. Road widths across intersections shall be equal.
    - (d) Curb radius at the intersection shall be no less than 35 feet.
    - (e) No driveway curb cuts shall be allowed within 5 feet of the end (rear) of the entrance island.

- (f) There shall be 100 feet of tangent roadway separating the entrance from a curve in the roadway.
- (g) The island shall be curbed with the ends rounded.
- (h) The island shall be under drained in accordance with Figure 12.7.3-6: *Subsurface Drainage Detail*.
- (i) The minimum length shall be 20 feet measured from the outside face of the curb.
- (j) The maximum length shall be 50 feet measured from the outside face of the curb.
- (k) Figure 12.7.3-7: *Entry Island and Planting*, shows detailed dimensions for planting islands.

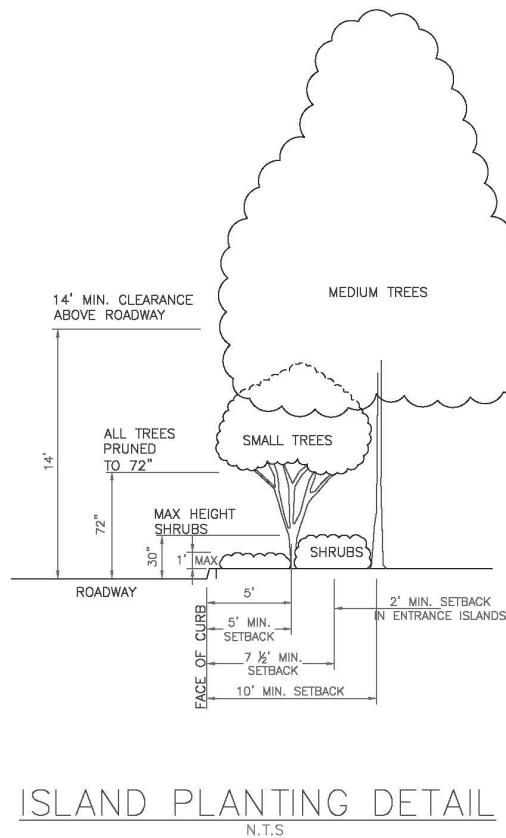
**Figure 12.7.3-6: Subsurface Drainage Detail**



**Figure 12.7.3-7: Entry Island and Planting**



ENTRANCE ISLAND PLANTING  
N.T.S

**Figure 12.7.3-7: Entry Island and Planting**

#### **12.7.4 DESIGN STANDARDS FOR PRIVATE ROADS**

- A. **Design Standards for Private Roads.** All private roads shall be designed to public standards, except as provided in this Subsection. Pavement design may consist of 1.5" of surface with 2" binder or 4" of stone.
- B. **Landscaping and Structures Within Islands.**
1. **Landscaping.** A detailed landscape plan for all roadway island(s) shall be submitted to the Technical Advisory Committee for review during the roadway plan review process. The plan should adhere to the same standards as those for public roads; however, Waivers for the use of differing plant material and inclusion of non-standard configurations of islands may be granted in accordance with § 16.4.10: *Waivers (LDRs)*, if no safety hazards will exist. At no time may the plant material or above-ground structure(s) restrict the entrance of emergency vehicles into or along the roadway. The maintenance of plant material and structures within islands in private roads is the responsibility of the homeowners' association or covered by the restrictive covenants.

2. **Emergency Access.** If any plant material or structures(s) restricts the passage of emergency vehicles into or along the roadway, it must be removed by the developer or Property Owners Association within 30 days of receipt of notification from the appropriate fire district.
3. **LID.** Planter islands can be used to meet post construction water quality requirements by using low impact development principles. [See Article 14: *Stormwater Management*]

C. **Gates.**

1. **Gating Required.** Private residential roads that connect and provide through access to two public roads shall be gated.
2. **Standards.** When gates or other approved methods of securing access roads are used, all of the following, where applicable, shall apply.
  - (a) Minimum gate width shall be 20 feet; however, if there are single gates in each direction, the minimum width of each gate is 16 feet;
  - (b) Gates shall either swing in the direction of apparatus travel or shall be of a sliding variety;
  - (c) Gates in which manual operation is allowed by the authority having jurisdiction shall be of a type construction so that they can be operated by one person. A padlock or chain and padlock shall not be used on manual gates unless an approved key box containing all key(s) is installed at the gate location or the locking devices are capable of being opened with the use of common forcible entry tools;
  - (d) Electric opening devices shall be readily accessible by fire department personnel for emergency access;
  - (e) All locking device specifications, whether located on manual or electric gates, shall be approved by the authority having jurisdiction prior to being installed;
  - (f) All components of gates and other approved securing devices shall be maintained and kept in proper working order at all times; and
  - (g) Stacking length for vehicles shall be at least 50' from the edge of pavement.

D. **Mountainous - Private Unpaved.** Private, unpaved roads located in areas subject to mountain road standards (see Figure 12.7.1-1: *Road Standards Map*) shall meet the following minimum standards:

1. A minimum right-of-way of 50 feet.

2. A minimum all weather surface width of 20 feet.
  3. Shall be surfaced with a minimum of 4 inches of compacted stone base.
  4. A minimum overhead clearance of 13 feet 6 inches.
  5. Minimum intersection offset requirements as set forth in 12.7.3G above.
  6. Comply with the drainage design and construction standards outlined in § 12.8: *Street Construction Standards* and Article 14: *Stormwater Management*.
  7. Horizontal and vertical alignment to comply with UDO Administrative Manual Section 2: *Design Standards for Streets & Drives*.
  8. Meet property line and intersection requirements as set forth in § 12.4: *Intersection Sight Distance*.
- E. **Maintenance.** All liability, maintenance, and upkeep of the travel surface, and all incidental structures shall be the responsibility of the landowners, developer, or property owners' association. Installation and maintenance of driveway pipe, drainage features, street name signs, and traffic control signs shall be the responsibility of the landowners, developer, or property owners' association.
- F. **Final Plats.** The Final Plat on which a private road is established shall contain the following statement:
- "Each property owner is provided access to a public road by a private road of which each property owner has an undivided interest. The private access road will not be accepted and maintained as a public right-of-way until such time as it meets minimum County standards as reflected in the most current Unified Development Ordinance."
- G. **Certification of Completeness.** Design certification shall be provided by a registered Professional Engineer. Prior to recording a Final Plat or releasing the Financial Security, as-built certification of the completed roadways and drainage system to be furnished to the Land Development Division.

### ~~14.7.5~~ 12.7.5 TRAFFIC CALMING

Every effort shall be made to produce a design that encourages appropriate residential speeds. On residential collectors on which there is a combination of expected traffic volume, length, straight alignment, and/or a design hardship, traffic calming devices are required. Acceptable traffic calming devices on new streets include but are not limited to raised crosswalks, bulb-outs, chicanes, traffic circles, raised intersections, and median islands. See UDO Administrative Manual Section 4 for details.

### ~~14.7.6~~ **12.7.6 HALF STREETS**

New half streets are prohibited. Whenever an existing half street is adjacent to a tract of land to be subdivided, the other half of the street shall be platted within such tract.

### ~~14.7.7~~ **12.7.7 RESERVATION OF RIGHT-OF-WAY ON COUNTY ROADS**

Any subdivision accessing a County road and/or having lots adjacent to County roads shall accommodate a 25-foot right-of-way from the centerline of the County roadway for future projects, regardless of existing right-of-way.

### ~~14.7.8~~ **12.7.8 CONFORMITY TO THE MAJOR THOROUGHFARE/TRANSPORTATION PLANS**

- A. The GPATS Transportation Improvement Program lists roadway projects that are planned for the next six years. Subdivisions along these routes shall accommodate the future right-of-way. The developer may reserve the future right-of-way or shall reserve the right-of-way as long as the reserved right-of-way is accommodated in the subdivision plan. Protected GPATS setbacks are available on GIS.
- B. If conceptual design plans indicating right-of-way for a project have been developed by Greenville County or SCDOT (~~preliminary plan~~ Preliminary Plans), then that right-of-way shall be reserved by the developer. If final right-of-way plans have been developed, or if the project is under construction or completed, no additional rights-of-way need to be reserved. If right-of-way plans have not been developed, then the following rights-of-way shall be reserved:
  1. Planned three lanes-30 feet from centerline;
  2. Planned five lanes-50 feet from centerline; and
  3. Planned seven lanes-70 feet from centerline.

### ~~14.7.9~~ **12.7.9 STREET NAMES**

Proposed public and private street names shall not duplicate or be phonetically similar to existing street names in Greenville County. All street names shall be approved by the Greenville County E-911 Office.

#### A. **Street Signs and Markers.**

1. The owner or developer initially shall install all required signage including but not limited to street identification signs, regulatory and warning signs, (~~i.e.~~ speed limit signs), and stop signs.

2. Size, placement, and reflectivity shall conform to requirements of the most recent edition of the Manual on Uniform Traffic Control Devices, or otherwise approved by the Greenville County Traffic Engineer. Preferred font is Highway EM at minimum 4.55 inches high with use of capital and lower case lettering. Road numbers and prefixes shall be at least 1.5 inches high.
3. Road numbers must be on street name signs.
4. Street name signs should be placed atop stop signs on the same post when possible.
5. Streets may not be named for living persons, per SC Code of Laws.
- A-6. All sign plans shall be submitted as a part of the road plan approval submittal process and approved by the Traffic Engineer.

B. **Non-Typical Street Names Signs.** The use of non-typical street identification signs, that do not comply with the Manual of Uniform Traffic Control Devices, is allowed in conformance with the following:

1. *Dimensions.* Street name lettering shall be mixed-case, 6" (inches) in height for upper-case letters and 4.5" (inches) in height for lower-case letters, evenly spaced and centered. Road ID Numbers shall be at least 1.5" (inches) in height and shall follow the street name.
2. *~~No~~ Abbreviations.* Abbreviations of street names suffixes are ~~not permissible~~allowed.
3. *Colors and Reflectability.* Lettering and background shall be contrasting colors and provide reflectability equivalent to engineering grade reflective Scotchlite, Series C as used with traditional greenblade signs. Alternative sign designs shall be approved by the Traffic Engineer.
4. *Maintenance.* The Final Plat shall contain a statement designating that the Property Owners Association is responsible for maintenance of non-typical street identification signs. Any replacement of street identification signs by Greenville County must be with County standard materials, unless the Property Owners Association pays for their replacement.
5. *Inspection.* All signage shall be inspected by the County Engineer as a part of the final punch list to approve the road for acceptance. No streets will be given final approval without the installation of signage that meets minimum County standards. Traffic control/regulatory and warning signs (stop/speed limit signs) shall be standard face and in accordance with MUTCD guidelines for color, shape, size, and retro reflectivity.



## **14.8.12.8 STREET CONSTRUCTION STANDARDS**

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### **14.8.12.8.1 CONSTRUCTION PLAN SUBMITTAL REQUIREMENTS**

After preliminary approval is granted, detailed construction drawings shall be submitted for review and approval to other departments or agencies prior to construction.

#### **A. Drainage Plan.**

1. A detailed drainage plan shall be submitted to the County Engineer.
2. The detailed drainage plan shall have a separate topographic map with not greater than 12 foot contour intervals showing the overall drainage conveyance system, the layout of the storm drain system (both open conveyance system and closed piped system(s)) and the delineation of the drainage areas of the proposed storm drainage conveyance system.
3. Calculations for pipe and channel conveyance designs shall be submitted or shown on the plans.
4. Individual lot drainage patterns, stormwater conveyance channels and/or pipe conveyance systems shall be shown within easements or rights-of-way.
5. This detailed drainage plan is considered as a component of a stormwater management and sediment control plan included as a part of the subdivision's comprehensive stormwater pollution prevention plan (SWPPP).
6. This drainage plan shall be in compliance with SCDES's Regulation 72-300 and the NPDES (National Pollutant Discharge Elimination System) General Permit for Stormwater Discharges for Construction Activities, Greenville County's Flood Damage Prevention Ordinance and Stormwater Management Ordinance.
7. Specific design criteria for the drainage plan can be found in the [Stormwater Management Design Manual](#).

**B. Road Centerline Plan and Street Profile.** At the time the drainage plan is submitted, a road centerline plan and profile for each street shall be prepared with the plan view immediately above the profile. The horizontal scale should be no greater than one inch equals 50 feet and vertical scale no greater than one inch equals 10 feet. The following must be shown:

1. Alignment information;
2. Existing and proposed centerline elevations at no less than 100 foot stations; and

- 3. The storm drain system shall be shown on the road profile plan with type of inlet, station with offset, slope, and invert elevation.
- C. **Subdivisions With Lakes or Ponds.** Where the subdivision includes a lake or pond (existing or to be constructed) in connection with the development, the subdivider shall verify with DHEC that it meets the standards of the Dam and Reservoir Safety Act Regulations. If these water impoundments are additionally a part of the stormwater management of a subdivision, such plans shall also be reviewed by the Land Development Division.
- D. **Entrance and Cul-de-Sac Islands.** Detailed plans of any proposed entrance islands and any proposed cul-de-sac islands shall be submitted to the Land Development Division and applicable Fire Department prior to construction. These plans shall include any proposed or existing plant materials. (See § 7.1.3: *Plant Materials Standards* and Figure 12.7.3-6: *Entry Island and Planting*)

**14.8.212.8.2 CONSTRUCTION PLAN REVIEW/INSPECTION FEES**

- A. **Fee Table.** These fees are applied to cover construction plan review and field inspection and can be found on the Subdivision Administration website.

Table 12.8.2-1: Fee Table	
Items Covered by Fees	
<b>Plan Review</b>	
	First Review and First Resubmittal
	Additional Plan Revisions
	Variance Fee
<b>Field Inspection</b>	
	Pre-Construction
	Clearing and Grubbing
	Rough Grading
	Drainage
	Subgrade
	Binder
	Surface Asphalt
	Final Punch List
	Final Signoff
	Additional Re-Inspection of any of the above items

- B. **Inspection Schedule.** Greenville County field inspection schedule allows for one inspection for each of the stages of construction listed above with the exception of the subgrade and surface asphalt inspection where one additional re-inspection is allowed without incurring the additional re-inspection fee. This schedule applies for all the roads shown in that phase of construction as documented on the final recorded plat for that phase.

### ~~14.8.3~~ 12.8.3 MINIMUM SPECIFICATIONS FOR ALL ROADWAYS

- A. **Technical Standards.** Roadways for access to buildings, facilities, or property shall be capable of supporting a minimum of 80,000 pounds (DOT CFR 2007) before any combustible products are allowed to be brought on site and be constructed using asphalt, concrete, or other permitted surface as approved by the authority having jurisdiction. This is equivalent to six inches of gravel with the subgrade at 98% compaction of a Standard Proctor (ASTM D-698) or two and one-half inches of binder course based on road type.
- B. **Water Lines and Hydrants.** Water lines and hydrants shall be installed and in working order prior to roadways being built, final plat recorded, and combustible products being allowed on site. A model home may be constructed if there is a hydrant within 600 linear feet and a fire truck can get within 150 feet. A statement of approval from the respective fire department shall be submitted to support the model home construction.
- C. **Width and Unobstructed Height.** Roadways shall have a minimum width in accordance with Table 12.7.3-3: *Design Standards* and a minimum unobstructed height of 13 feet, 6 inches.

### ~~14.8.4~~ 12.8.4 CONSTRUCTION STANDARDS FOR PUBLIC ROADS

In addition to all the design standards previously listed, the following construction standards are required. Miscellaneous design details are provided in the UDO Administrative Manual.

- A. **Clearing and Grubbing.** All work shall be required to conform to requirements and standards as set forth in the Division 200: *Clearing and Grubbing* of the most recent edition of the SCDOT Construction Manual.
- B. **Subgrade.** Subgrade shall be constructed as specified in the "Subgrade" section, in the SCDOT Specifications, or sound, undisturbed residual soils. In fill areas, all subgrade soils shall be compacted in accordance with the "Construction Requirements" section of the SCDOT Specifications.
- C. **Base Course.**
  - 1. **Granular Base Courses.** The granular base course shall be one of the following types, compacted and tested in accordance with the "Compaction and Testing Requirements" section of this Ordinance. The minimum compacted thickness requirements are ~~given~~ **provided** in ~~Table 12.7.3-3: Design Standards~~ **Table 12.8.4-1: Paving Standards Chart**.
    - (a) Sand Clay Base Course as specified in SCDOT Specifications.
    - (b) Soil-Aggregate Base Course as specified in SCDOT Specifications.
    - (c) Macadam Base Course as specified in SCDOT Specifications.

- (d) Stabilized Aggregate Base Course as specified in SCDOT Specifications.
  - (e) Cement Stabilized Base Course as specified in SCDOT Specifications.
2. *Asphaltic Base Courses.* An asphaltic base may be used in place of or in conjunction with granular bases. The asphalt base is to be one of the following types, constructed in accordance with the requirements set forth in the appropriate sections of the most current edition of the SCDOT Specifications. The minimum compacted thickness requirements are ~~given provided~~ in ~~Table 12.7.3-3: Design Standards~~~~Table 12.8.4-1: Paving Standards Chart 7 &~~ Table 12.8.5-2: *Composition Limits for Hot Mix Asphalt Surface Courses.*
- (a) Hot ~~Laid-Mix~~ Sand Asphalt Base Course as specified in SCDOT Specifications.
  - (b) Hot ~~Laid-Mix~~ Asphalt Aggregate Base Course as specified in SCDOT Specifications.
  - (c) Hot ~~Laid-Mix~~ Asphalt Concrete Binder Course as specified in SCDOT Specifications.
3. *Surface Course.* The surface course is to be one of the following types while adhering to general specifications set forth in the SCDOT Specifications for bituminous pavement and for rigid pavement.
- (a) Hot ~~Laid-Mix~~ Asphaltic Concrete Surface Course, Type C, or latest equivalent approved by the SCDOT. Type D or latest equivalent approved by the SCDOT may be used with the prior authorization of the County Engineer. The required compacted thickness requirements are ~~given provided~~ in ~~Table 12.7.3-3: Design Standards~~~~Table 12.8.4-1: Paving Standards Chart~~ and Table 12.8.5-2: *Composition Limits for Hot Mix Asphalt Surface Courses.*
  - (b) Portland Cement Concrete. As specified in the SCDOT Specifications, with a minimum thickness of six inches for residential streets and seven inches for commercial / industrial streets. Reinforcing fabric shall be used.
- D. **Site Specific Paving Designs.** At the discretion of the Engineer of Record, they may provide the County with a pavement design report from a geotechnical engineer recommending the pavement thickness(es) for each road in the subdivision based on appropriate CBR values and anticipated traffic volumes. This report should include enough samples to provide a true representation of the soil type variations throughout the subdivision, with special attention to the appropriate pavement design in areas of fill.
- E. **Restrictions on Asphalt Paving Work.**
- 1. *Weather Conditions for Installation.* No surface asphalt paving shall be installed on a wet surface or when the weather conditions are otherwise unfavorable. To pave the binder

and/or surface course, temperature shall be 45 degrees Fahrenheit and rising in the shade.

2. *Delivery and Placement.* The asphalt shall be delivered and placed in accordance with the SCDOT Specifications, with the exception that prime shall be cured for a minimum of 24 hours if used.
3. *Asphalt Temperature.* The asphalt shall be delivered to the spreader at a temperature between 250 degrees Fahrenheit and 325 degrees Fahrenheit and, with the exception of sand asphalt mixture for base course construction, within 20 degrees Fahrenheit of the temperature set at the plant.
4. *Prime Coat.* Where prime coat is used, the prime coat shall cure for a minimum of 24 hours prior to paving and shall be applied as specified in the SCDOT Specifications. Prime may be used at the discretion of the County Engineer or their authorized representative and is not required if stone base is paved within 24 hours of being set up and approved.
5. *Equipment Size.* Equipment Size requirements:
  - (a) Steel Wheel Roller – 5 to 8 ton
  - (b) Back Roller – 5 to 8 ton
  - (c) Rubber Tire Roller – 9-wheel rubber tire
  - (d) Paving Train – self-propelled asphalt paver w/vibratory screed capability and standard 10-foot screed.
6. *Final Surface Course.* Final surface course shall be applied 90 days after the first surface course or once ~~25~~50% of the homes within that phase of the subdivision have been constructed, whichever is greater. In order to apply the final surface course prior to this requirement and ensure no construction traffic damage to the final surface, a thicker alternate paving standard may be approved on a case by case basis.

**Table 12.8.4-1: Paving Standards Chart**

<b>Street Classification (Corresponding Volume)</b>	<b>Full-Depth Asphalt</b>		<b>-Asphalt with Binder and Stone Base</b>		
	<b>Surface</b>	<b>Binder &amp; Surface [1]</b>	<b>Surface</b>	<b>Binder</b>	<b>Stone</b>
<b>Residential Streets (Public and Private)</b>					
Access (< 250 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
Subcollector (250 – 750 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
Collector (750 – 1250 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
Minor Collector (1250-4000 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in

**Table 12.8.4-1: Paving Standards Chart**

Street Classification (Corresponding Volume)	Full Depth Asphalt		Asphalt with Binder and Stone Base		
	Surface	Binder & Surface [1]	Surface	Binder	Stone
Non-Residential	1½ in	6 in [2]	1½ in	4 in [2]	8 in
Access (< 250 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
<b>Rural Mountainous</b>					
Paved (< 250 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
Paved (> 250 VPD)	1½ in	2½ in, 1½ in	1½ in	2½ in	6 in
<b>Private Mountainous</b>					
Unpaved	6 in Stone [3]			6 in Stone [3]	

**Key:** in = inches | VPD = vehicles per day

[1] 1st surface lift shall be placed within seven days of placement of binder (unless inclement weather prohibits)

[2] Shall be placed in two lifts

[3] May use other approved base material, RAP is preferred

F. **Storm Drainage.** Except as noted, the latest SCDOT Standard Specifications shall be used. All lines must be laid in accordance with the “Pipe Culverts” County Standards. Strict compliance to backfilling and compaction restrictions and regulations are required.

1. **Storm Drain Pipe.** Shall conform to the following standards:
  - (a) **Reinforced Concrete Pipe.** Shall be Class III or better, as specified in the SCDOT Specifications.
  - (b) **Corrugated Metal Pipe.** Shall be aluminized steel, Type II, or other approved by the SCDOT. All aluminized steel pipe shall be Type II, with re-rolled ends having not more than two corrugations per end. All corrugated metal pipe shall also be of sufficient thickness to meet the design load requirements for the proposed cover height. Connectors for corrugated metal pipe shall be fully corrugated bands with an integral flange or higher quality connector. Band material shall be the same as the pipe provided and shall be of adequate gauge to accommodate the loading and cover requirements. When corrugated metal pipes are used in outfall conditions, a headwall is required.
  - (c) **Polypropylene Pipe (PP).**
    - (1) **General Limitations - PP**
      - i. Manning’s “n” value for use in design shall be 0.012.

- ii. PP pipe, with diameter from 15 inches to 60 inches, shall be installed in accordance with the County-approved construction plans and to County specification.
- iii. PP pipe is allowed for use with in all County rights-of-way.
- iv. All outfall pipes must have a headwall installed.
- v. Inspections by a geo-technical firm during pipe installation are required.
- vi. PP pipe ~~is approved by the County Engineer or their designee on a case-by-case basis~~ may be used for driveway culverts.

(2) *Materials - PP*

- i. *Generally.* These specifications cover the requirements and methods of tests for polypropylene pipe, couplings, and fittings for use in surface and subsurface drainage applications.
- ii. *Joint Performance.* Pipe shall be joined using a bell and spigot joint meeting the requirements of ASTM F2881 or AASHTO M330. The joint shall be watertight according to the requirements of ASTM 03212. Gaskets shall meet the requirements of ASTM F477. Gasket shall be installed by the pipe manufacturer and covered with a removable, protective wrap to ensure the gasket is free from debris. A joint lubricant available from the manufacturer shall be used on the gasket and bell during assembly. 12- through 60-inch (300 to 1500 mm) diameters shall have an exterior bell wrap installed by the manufacturer. Polypropylene pipe (15-inch diameter and greater) shall meet the requirements of AASHTO M 330 and ASTM F2881 (latest editions).
- iii. *Fittings.* Fittings shall conform to ASTM F2881 or AASHTO M330. Bell and spigot connections shall utilize a welded or integral bell and valley or inline gaskets meeting the watertight joint performance requirements of ASTM D3212.
- iv. *Material Properties.* Polypropylene compound for pipe and fitting production shall be impact modified copolymer meeting the material requirements of ASTM F2881, Section 5 and AASHTO M330, Section 6.1.
- v. *Field Pipe & Joint Performance – PP.* To assure watertightness, field performance verification may be accomplished by testing in accordance with ASTM F1417 or ASTM F2487. Appropriate safety

precautions must be used when field-testing any pipe material. Contact the manufacturer for recommended leakage rates.

(3) *Construction Requirements - PP*

- i. *Installation.* Polypropylene pipe shall be installed in accordance with the latest SCDOT Standard Specifications for Highway Construction, the manufacturer's specifications, and/or ASTM D2321, whichever is more stringent. Installation shall be in accordance with ASTM D2321 and ADS recommended installation guidelines, with the exception that minimum cover in traffic areas for 12- through 48-inch (300 to 1200 mm) diameters shall be 2 ft. (0.6 m) in single run applications. Backfill for minimum cover situations shall consist of Class 1 (compacted), Class 2 (minimum 90% SPD), or Class 3 (minimum 95%) material. Maximum fill heights depend on embedment material and compaction level.
  - ii. *Joints.* Polypropylene pipe joints shall be designed/installed per ASTM D3212 using materials meeting the requirements of AASHTO M 330 and ASTM F2881.
2. *Testing Requirements.* Testing shall include compaction and density testing of backfill within trenches, but may include other material tests as required by the County Engineer or their authorized representative.
  3. *Compaction Testing.*
    - (a) *Applicability.* The grading contractor and utility installation contractor, including public utilities and their subcontractors, shall be responsible for providing compaction testing and reporting as described below.
    - (b) *Compaction Requirements.* Testing by a geotechnical engineering company shall be performed for all backfill over pipes within the right-of-way. The minimum required compaction shall be 95% Standard Proctor for all trenches within the right-of-way.
    - (c) *Location and Frequency of Tests.* Compaction tests shall be taken at 100-foot intervals and at depths indicated in the "backfilling" section of the specification at each location. The geotechnical testing firm shall determine the location for tests, and shall obtain prior approval from the County Engineer or their authorized representative if the proposed testing frequency is less than shown above. Additional testing in problem areas may be required as directed by the County Engineer or their authorized representative.



- (d) *Reporting.* The results of all compaction tests shall be reviewed by the Engineer of Record and forwarded to the County Engineer or their representative with comments as necessary. A copy of the overall site plan or the appropriate road plan sheets, showing the test locations and depth below sub-grade elevation, shall be submitted with the test results. The report shall also include the geotechnical testing firm's observations regarding soil condition, weather conditions, moisture content and total stone used as backfill during the installation process. No roadways shall be paved until the County has reviewed and approved the compaction tests results for the section of roadway to be paved.

4. *Inspection Requirements.*

- (a) Inspections should consist of field visits during pipe installation activities for the purposes of observing activities, and documenting all substandard methods, materials, or conditions. Periodic (key) inspections by the Engineer of Record shall be required during the course of the project, and shall be conducted jointly with the County representative at critical stages of construction. Contractor is responsible for notifying the Engineer of Record prior to the start of installation.
- (b) If rain occurred during a period when the polypropylene pipe was uncovered, the geotechnical testing firm shall inspect the pipe prior to work resuming to ensure that pipe floating has not occurred during the rain event.

5. *Inspection Procedures.*

- (a) *Inspection by Geotechnical Firm.* A geotechnical firm shall be employed by the contractor for the purpose of providing inspections & testing during the installation of pipe.
- (b) *Inspection by Engineer of Record.* The Engineer of Record must inspect at completion of sub-grade and after major utility installation. The Engineer of Record must verify that all major utilities are installed and trenches are backfilled and compacted. The Engineer of Record must check the catch basin locations and configurations to identify any possible deviations from the plans. The Engineer of Record must review all compaction tests reports and verify the necessary number and location of tests and the required compaction at each location.
- (c) *Inspections by the County.* After installation of the pipe and prior to the asphalt binder installation, the County Engineer or their authorized representative must perform a video inspection of the storm drainage system. All lids and covers must be removed for the inspection. The results of the compaction test and geotechnical site inspection report shall be provided to the County prior to the installation of binder.

- (d) Engineers wishing to use PP pipe on County roads shall include the above specification on the construction plans.
6. *High Density Polyethylene (HDPE) Pipe.* HDPE pipe is not acceptable for use within the County's rights-of-way.
7. *General Inspection Procedures.*
- (a) *Design Loading.* As a minimum, all pipe materials shall be capable of supporting H-20 loading under minimum cover. All pipe shall also be of sufficient thickness to meet the design load requirements for the proposed cover height. Greater design loadings shall apply to industrial, commercial, or special situations as appropriate.
  - (b) *Minimum Cover.* Two feet minimum cover shall be required for all pipe materials in the right-of-way, measured from the outside top of the pipe to the finished subgrade at the lowest point. The County Engineer or their authorized representative shall approve variances only if extenuating circumstances exist. In these cases, Class IV or ductile iron is required.
  - (c) *Grade.* The Engineer of Record should make all efforts not to design pipe over a 10% slope, especially in the road right-of-way. In cases where the right-of-way where steep grades are inevitable, the Engineer of Record should use concrete anchors or other factory recommended anchor systems. These details are required on the construction plans.
  - (d) *Minimum Size.* Pipe less than 15 inches in diameter is not allowed.
  - (e) *Installation.* All storm drain lines shall be installed in accordance with SCDOT Specifications or County Specifications (stricter specifications will take precedence). A vibratory roller, trackhoe-mounted sheepsfoot roller, or other mechanical tamping device shall be used for compacting all utility trenches in the right-of-way.
  - (f) *Single and Duel Piped Drainage Systems.* Greenville County Engineering supports the design and installation of single piped drainage systems. In the case where the Engineer of Record has no choice due to cover restrictions to use dual pipes (double barrel), headwalls are required. No more than two pipes are allowed at a crossing if a larger pipe or structure cannot be installed due to cover restrictions. The Engineer of Record should make every effort to provide alternatives to dual piped systems.
8. *Catch Basins.* Shall conform to the following standards:
- (a) *Construction.* Catch basins and aprons shall be constructed as shown in UDO Administrative Manual Section 3: *Miscellaneous Design Details*, or an alternative

configuration may be used upon approval by the County Engineer or their authorized representative.

- (b) *Materials & Minimum Width.* Construction materials for catch basins shall be standard precast or 8-inch concrete brick. Catch basins must have a minimum width of 36 inches.
  - (c) *Deep Catch Basins.* All catch basins 4 feet deep or deeper require manhole steps 12 inches on center. Steps must conform to ASTM-C-478 or equivalent.
  - (d) *Drop from Roadway.* The minimum drop from the edge of the roadway to the throat of the basin shall be 6 inches for the standard (2 inches) offset from the road. Greater offsets shall require greater drops to achieve the desired 25% cross-slope for the apron.
  - (e) *Manhole Lids Required.* All catch basins along the roadway shall have manhole lids.
9. *Subsurface Drainage.* The following construction requirements shall apply to pipe underdrains:
- (a) *Construction.* Underdrains shall be constructed as shown in UDO Administrative Manual Section 3: *Miscellaneous Design Details*, or an alternative manufactured product such as strip or edge drain may be used upon approval by the County Engineer or their authorized representative.
  - (b) *Location From Curb.* Underdrains shall be installed within 2½ feet of the back of the curb and shall be properly connected to a permanent drainage structure such as a catch basin, or daylighted to a suitable location off the right-of-way.
  - (c) *Cover.* All underdrains shall have a minimum of 2 feet of cover.
  - (d) *Timeline.* Underdrains shall be installed prior to the base course.
  - (e) *When Required.* Underdrains are required on both sides of the street where mucking out and backfilling have been done, or where the water table is within two feet of the road centerline elevation.
  - (f) *Inspections.* Underdrains shall be inspected and approved by the County Engineer or representative during installation.
  - (g) *Additional Underdrains.* Additional underdrains may be required as determined by the County Engineer or their authorized representative.
10. *Miscellaneous Drainage Requirements.*

- (a) *Stormwater Management and Permanent Water Quality.* For properties being subdivided or developed as part of a larger common plan, stormwater management and permanent water quality features must be incorporated into the plan. For specific design criteria, see the Stormwater Design Manual.
- (b) *Lake Water Elevations.* The water elevation in lakes shall not be higher than three feet below the centerline elevation of the roadway at any time.
- (c) *Damming Structures.* No dams or structures serving as dams to impound water, or any portion of such a structure shall be allowed in the right-of-way. This further means that no County road shall pass over such a structure without approval from the appropriate agencies (Greenville County Land Development Division, SCDES, Greenville County Community Planning, Development and Public Works Department, and Greenville County Engineering).
- (d) *Drainage Outfall into a Lake.* The outfall invert elevation shall be at least 1 foot above the normal pool elevation of the lake.
- (e) *Stabilization of Open Channels.* All open channels used for conveyance of roadway drainage shall be properly stabilized to prevent erosion.
- (f) *Headwall.* All discharge pipe 36 inches and over shall have a pre-cast headwall or site-built reinforced concrete or masonry headwall.
- (g) *Drainage Easements.* Drainage easements of the following widths shall be provided and dedicated for maintenance and public use. All attempts should be made to install pipes in the center of the easement.

<b>Table 12.8.4-13: Drainage Easement Widths</b>	
<b>Pipe Size</b>	<b>Required Easement Width (min)</b>
15 inches - 30 inches	15 feet
36 inches - 54 inches	22 feet
Over 54 inches	30 feet

**Key:** min = minimum required

- (1) For major ditches or channels, the easement width shall be equal to the top width of the ditch plus 12.5 feet on each side (total easement width may vary).
- (2) For minor ditches with open channel flow, the required easement width shall be determined from the equivalent pipe size required to carry the flow and the easement width (listed above) corresponding to that calculated pipe size.

- (3) The following statement shall be included on the construction plans and final plat: "There is a 5-foot drainage and utility easement along either side of all side lot lines and front lot line. There is a 10-foot drainage and utility easement along all rear lot lines except where otherwise noted."
- (h) *Rip Rap*. Stone shall be hard quarry or fieldstone that must withstand exposure to water and weathering. Refer to Stormwater Design Manual for design.
- (i) *Stormwater Management for Amenity Areas*. Any areas noted for future development, which may be intended to contain amenities, shall be considered separately from the residential development itself. Therefore, all subsequent drainage plans for these areas shall be reviewed and approved by the appropriate County agencies. If, or when, alterations are made to the submitted subdivision drainage plans to meet the requirements for the amenities area, the Engineer of Record shall submit a revised drainage plan showing the effects of such revisions on all phases of the existing drainage system.
- (j) See Article 14: *Stormwater Management* for additional stormwater management requirements.

#### G. **Bridges.**

1. All bridges, tunnels, and underpasses intended for vehicular traffic shall have a minimum length of 20 feet and a clear width of 28 feet. Greenville County reserves the right to request greater widths based on the street classification. All bridge designs shall be subject to the prior approval of the County Engineer or their authorized representative.
2. All bridges, tunnels, and underpasses intended for vehicular traffic shall be designed in accordance with the most current edition of the AASHTO "Standard Specifications for Highway Bridges," including any interim specifications and the alternate military loading. Roads & Bridge elevations shall be a minimum 2 feet above Base Flood Elevation in an Area of Special Flood Hazard.
3. A drainage analysis and shop drawings of the proposed bridge are required for construction review.

#### H. **Construction Standards for Sidewalks, Curbs, Joints, Patching.**

1. *Sidewalks and Curbing*. All proposed street connections to existing streets or highways having existing sidewalks shall be constructed by removal of the sidewalk to the new proposed curb radii. All intersections and curb ramps shall conform to the requirements of the most recent edition of the ADA guidelines.

- (a) The concrete shall be batched and mixed in accordance with the provisions in the “Portland Cement Concrete for Structures” section of the SCDOT specifications.
- (b) Curbs and gutters shall be constructed in uniform sections 10 to 15 feet in length except where shorter sections are necessary for closure, but none less than 4 feet in length.
- (c) Forms shall not be displaced during concrete pouring and the concrete shall be spaded or vibrated throughout the entire volume especially against forms and joints. The surface of the concrete shall be floated, troweled, broomed, corners edged and finished to the typical cross-section used, i.e., crown sections and/or superelevation.
- (d) *Rolled Curb or Stand Up Curb and Gutter.*
  - (1) Curb shall provide a 6-inch face against the pavement and the cross sectional shape is approved by the County Engineer or their authorized representative.
  - (2) When slip forms are used, the aggregate size, amount of cement, and proportions of all materials for the concrete may vary from previous requirements as necessary to provide a workable and satisfactory mix.
  - (3) Expansion and contraction joints shall be constructed at the same locations as required with formed construction. These joints, spaced at 10 to 15 foot intervals, shall be made by cutting the concrete by an acceptable method. The manner of construction of all joints shall meet the approval of the County Engineer or their authorized representative and shall present a workmanlike finish. See sketch as provided in this Article.
  - (4) No obstructions shall be allowed within the limits of the sidewalk area.
- (e) *Expansion Joints.* Preformed expansion joints 3/4-inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:
  - (1) Whenever a sidewalk is constructed between an adjoining substantial structure on one side and a curbing on the other side, an expansion joint shall be formed adjacent to the curbing.
  - (2) An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.

- (3) When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be placed to match these existing joints.
  - (4) Transverse expansion joints shall be placed at intervals of not more than 100 feet in all concrete.
  - (5) The joint should have a filler material that consists of fibers of a cellular nature or rubber, in accordance with SCDOT specifications.
- (f) *Contraction Joints.*
- (1) The concrete slabs in sidewalks between expansion joints shall be divided into blocks 10 feet in length by scoring transversely after floating operations are complete.
  - (2) Whenever the sidewalk slabs are more than 10 feet in width, they shall be scored longitudinally in the center.
  - (3) All scoring shall extend for a depth of 1 inch and shall not be less than one-quarter inch nor more than one-half inch in width. All scoring shall be edged and finished smooth and true to line.
2. *Patching & Full-Depth Repairs.* The following requirements and procedures shall apply for all base failure, binder, and full-depth repairs:
- (a) For full-depth repairs of finished pavement:
    - (1) Saw cut pavement 12 inches beyond the extent of distresses to provide clean, unbroken edges.
    - (2) Patches must be cut to have a straight and vertical edge. The sides of the existing asphalt pavement must be clean and thoroughly tacked. The patch must tie into the existing pavement to ensure a smooth transition and ride as well as positive drainage. The cut width shall be of a compactable width or contractor shall use equipment that allows compaction of a cut less than four by four feet.
  - (b) For all repairs including binder patching:
    - (1) For patched areas in excess of 6 inches deep, backfill with CR-14 or equivalent.
    - (2) Depths of patches over four inches must be performed in two separate lifts.

- (3) Thickness of binder course shall be at least 33 inches.
- (4) In the case of failures in the repaired area, the County Engineer or their authorized representative may require a geotechnical firm to inspect and report recommendations to the developer/contractor in the repaired areas.

- I. **Constructing Required Improvements.** When constructing the required improvements for the subdivision, the following procedures shall apply:
  1. *Plans Required.* Prior to construction, a set of plans must be submitted for review to the County Engineer bearing a certificate by a registered engineer that the plans comply with the County's Unified Development Ordinance.
  2. *Inspections Required.* During construction, inspections must be conducted in accordance with § 12.8.5: *Testing & Inspections*.
  3. *Record Drawings After Inspections.* After completing each phase of road and drainage improvements, the developer shall notify the County Engineer that the improvements are ready for inspection. Upon such notification, the County Engineer shall perform inspections of all required improvements. Upon completion of the improvements, "Record Drawings" shall be submitted with certification that the subdivision's design and construction are in compliance with the County's Unified Development Ordinance. Certifications are to be made by a registered professional engineer licensed in South Carolina.
  4. *Water and Environmental Control Inspections.* After completing all public water improvements, the developer shall notify the Greenville Water System where applicable, the South Carolina Department of Environmental Services (SCDES), and other appropriate district authorities, that the improvements are ready for final inspection.
  5. *Sewer Improvement Inspections.* After completing all sewer improvements, the developer's engineer shall certify to SCDES and the sewer providers that the improvements are ready for inspection. of SCDES shall issue a permit to operate for water and sewer before systems are placed into service.
  6. *Additional Inspections.* In addition to the technical inspections by the appropriate agencies, the Greenville County Land Development Department staff shall make such inspections as necessary to ensure compliance with the UDO and the ~~preliminary plan~~ Preliminary Plan as submitted.

## ~~14.8.5~~ 12.8.5 TESTING & INSPECTIONS

### A. Description.



1. *Testing.* Testing shall include proofrolling, compaction, and density testing of in-situ base soils, roadway fill areas, backfill within utility trenches, stone base courses, and/or asphalt pavement, but may include other material tests as required by the County Engineer or their authorized representative.
2. *Inspections.* Inspections shall consist of periodic field visits during various phases of construction for the purposes of investigating present site conditions & activities, and documenting all substandard methods, materials, or conditions. Periodic (key) inspections by the Engineer of record shall be required during the course of the project, and shall be conducted jointly with the County representative at critical stages of construction.

**B. Testing Requirements.**

1. *Proofrolling.* The proofroll is good for 72 hours if no rain events have occurred between the proof roll and the request to pave. The proofrolling shall be performed using a fully loaded tandem dump truck weighing not less than 30 tons gross, or equivalent. Any areas that show visible deflection must be repaired, and a second proofroll may be required prior to verify the repairs. Compaction tests by a geotechnical engineering firm may also be required in problem areas as directed by the County Engineer or their authorized representative.
2. *Compaction Testing.*
  - (a) *Applicability.* The grading contractor and/or utility installation contractor shall be responsible for providing compaction testing and reporting as described below.
  - (b) *Compaction Requirements.* Testing by a geotechnical engineering company shall be performed for all backfill over utility installations and fill areas in the road right-of-way. The minimum required compaction shall be 95% Standard Proctor +/- 2% optimum moisture content for the roadways and 98% Standard Proctor for all trench and fill areas within the right-of-way.
  - (c) *Location & Frequency of Tests.* Compaction tests shall be taken at random locations and at random depths at each location to provide a range of sampling depths. The required frequency of testing shall be as follows:
    - (1) *Sanitary Sewer.* Test along the line at 300 feet intervals, and randomly at service connections at the rate of one test per eight services and at manholes at the rate of one test for every three manholes. Tests shall be required for all repair work requiring cutting of the asphalt binder course.
    - (2) *Water Mains.* Test along the line at 300 feet intervals, and randomly at valve and blowoff locations in the roadway at the rate of one for every three valve and blowoff locations in the roadway. Test randomly at

service connections at the rate of one test per eight services and at manholes at the rate of one test for every three manholes.

- (3) *Storm Drains.* Test along the line at 300 feet intervals, and at all cross lines.
  - (4) *Other Utilities.* Test along the line at 300 feet intervals, and at all road crossings (excluding borings).
  - (5) *Fill Areas.* Fill should be placed, compacted, and tested at no more than 18 inch intervals. The test shall be performed at 150 feet intervals, staggered on the left and right sides of the roadway. If bridging in the fill is required, a Geotechnical Engineer must provide a report for recommendations to be submitted to the County Engineer or their authorized representative. Additional testing in problem areas may be required as directed by the County Engineer or their authorized representative.
  - (6) *Note:* The Engineer of Record or geotechnical testing firm shall determine the location for tests, and shall obtain prior approval from the County Engineer if the proposed testing frequency is less than shown above.
- (d) *Reporting.* The results of all compaction tests shall be reviewed by the Engineer of Record and forwarded to the County Engineer with comments as necessary prior to the request for proofroll. A copy of the overall site plan or the appropriate road plan sheets, showing the test locations and depth below subgrade elevation, shall be submitted with the test results. No roadways shall be paved until the County Engineer has reviewed and approved the compaction tests results for the section of roadway to be paved.
  - (e) *Expiration.* The compaction report expires after 60 days.

### 3. *Asphalt Quality Control.*

- (a) *Density.* During pavement application, the required density for the asphalt shall be achieved by suitable rolling equipment and methods. The contractors must use a highway class paver exceeding 12,000 pounds, a steel wheel front roller of five to eight tons or more, nine wheel rubber tire intermediate roller, and a five to eight ton steel wheel back roller or equipment the County Engineer deems equal or better. If proper compaction of the asphalt is questionable, the County Engineer may require a series of asphalt density tests to verify proper compaction of the asphalt. The minimum asphalt density shall be 90% of the theoretical maximum density by the RICE method.

- (b) *Extraction and Gradation Testing.* The County Engineer may require extraction and gradation testing to determine mix composition and verify compliance with SCDOT specifications.
- (c) *Binder and Asphalt Mixes.* Greenville County Mixes for binder and surface asphalt must meet the following criteria: a current SCDOT approved job mix for each facility or an equivalent mix designed and stamped by a Geo-Technical firms’ P.E. Hydrated lime is required in all mixes at the rate of 1% of the dry aggregate.

**Table 12.8.5-1: Composition Limits for Hot Mix Binder Courses**

<b>Required Gradation</b>	
<b>Sieve Designation</b>	<b>Percentage by Weight Passing</b>
1 inch	100
¾ inch	97 -100
½ inch	83-100
No. 4	58-95
No. 8	42-62
No. 30	20-50
No. 100	6-20
No. 200	2-10

Note: The amount between any two consecutive sieves smaller than ½ inch shall not be less than 3%. See most recent SCDOT supplemental specs for low volume or secondary roads.

<b>Percent of Total Mixture</b>	
Asphalt Binder Limits (%)	5.0 – 6.8
Binder Grade	

<b>Required Job Mix Marshall Design Criteria</b>	
Minimum Stability, lbs.	1200
Air Voids, %	3.5-6.0
Flow, 0.01 inch	8-16
Dust/ Asphalt Ratio	0.6-1.2

<b>Voids in Mineral Aggregates</b>	
Nominal Maximum Aggregate	1000
¾ inch	14.0%
½ inch	15.0%

<b>Required Field Marshall Criteria</b>	
Minimum Stability, lbs.	No requirement
Air Voids, %	3.0-6.0
Dust/Asphalt Ratio	0.6-1.2

(d)

<b>Table 12.8.5-2: Composition Limits for Hot Mix Asphalt Surface Courses</b>	
<b>Graduation Requirements – Type 3</b>	
<b>Sieve Designation</b>	<b>% by Weight Passing</b>
¾ inch	100
½ inch	97-100
3/8 inch	80-100
No. 4	58-78
No. 8	42-64
No. 30	18-40
No. 100	5-20
No. 200	2-8
Note: The amount between any two consecutive sieves smaller than 3/8 inch shall not be less than 3%	
<b>Percent of Total Mixture</b>	
Asphalt Binder	5.0-6.5
<b>Required Job Mix Marshall Design Criteria</b>	
No. Blows per face	50
Min. Stability, Lbs.	600
Air Voids, %	4.0-6.0
Flow, 0.01 in.	8-16
Dust/ Asphalt Ratio	0.60-1.20
% Voids Filled	68-77
<b>Minimum VMA, %</b>	
Nominal Maximum Aggregate Size	
½ inch	15.0
3/8 inch	16.0

**C. Inspection Procedures.**

1. *Inspections by the Engineer of Record.*

(a) *Key Inspections.* The following key inspections shall be performed by the Engineer of Record during the course of construction. If any problems are encountered, the necessary repairs must be made at the direction of the Engineer of Record.

(1) *Inspection #1 - At Completion of Clearing and Grubbing Operations.* The Engineer of Record must verify that all organic materials (i.e., stumps, logs, and brush) have been removed from the roadway area. The Engineer of Record must also document any unsuitable soil conditions in the right-of-way.

(2) *Inspection #2 - At Completion of Rough Grading.* The Engineer of Record must inspect the roadway, especially any fill areas and slopes, to identify

unsuitable soil conditions. The Engineer of Record must review the compaction test results in the fill areas to verify that the required compaction has been achieved. The Engineer of Record must check the location of edge of curb to ensure proper road and curb widths are achieved.

- (3) *Inspection #3 - At Completion of Subgrade & After Major Utility Installation.* The Engineer of Record must verify that all major utilities are installed and trenches are backfilled and compacted. If unsuitable material is encountered, then the Engineer of Record must document the location of deficiencies, specific correction outlined to the contractor, and material used for correction. This information should be provided to the County Engineer as a part of the reports needed for final acceptance. The Engineer of Record must check the road subgrade for proper elevations, grades, and crown, and must check the catch basin locations and configurations to identify any possible deviations from the plans. The Engineer of Record must review all compaction test reports and verify the necessary number and location of tests and the required compaction at each location.
- (4) *Inspection #4 - Proofroll.* The County Engineer shall meet the Engineer of Record on-site to conduct the proofroll prior to binder or stone base installation. All necessary repairs must be made based on the proofroll results.
- (5) *Inspection #5 - During Binder/Surface Combination or Stone Base Installation.* The Engineer of Record, their representative, or SCDOT Level 2 Asphalt inspector must periodically monitor the paving application in order to provide direction and document the binder or stone base installation. The County Engineer must plan to be on-site, but the County's presence does not relieve the Engineer of Record or Level 2 Inspector of their duty to document and certify proper installation. If stone base is used, the Engineer of Record must also certify the application of the prime coat if required.
- (6) *Inspection #6 - Binder Punch-List Inspection.* The Engineer of Record and County Engineer shall conduct a thorough punch-list inspection of the roadway, including curbs and catch basins, to identify base failures, broken curbs, broken CB aprons, water valve and/or manhole cover problems, etc. In the inspection report, the Engineer of Record must detail the items to be corrected and the tentative schedule for repair.
- (7) *Inspection #7 - Follow-Up Inspection Prior to Final Surface Installation.* The Engineer of Record shall meet the County Engineer on-site to go over

the repairs to the binder, curbs, and/or catch basins. If all repairs are satisfactory, the final surface must be installed.

- (8) *Inspection #8 - During Final Surface Installation.* The Engineer of Record, their representative, or SCDOT Level 2 Inspector must periodically monitor the paving application on-site to provide direction and document the final surface installation. The County Engineer must plan to be on-site, but the County's presence does not relieve the Engineer of Record or other representative of their duty to document and certify proper installation of the final surface.
  - (9) *Inspection #9 - Final Punch-List Inspection.* The Engineer of Record, Developer, Contractor, County Engineer, and County Maintenance Superintendent or their authorized representative shall meet on the site to go over the project. In the inspection report, the Engineer of Record must detail the results of the meeting, any items to be corrected, and the tentative schedule for repair. If repairs are not substantially complete within 45 calendar days, a new punch list may be required.
  - (10) *Inspection #10 - Final Acceptance.* The Engineer of Record must meet the County Engineer on-site to go over the finished punch-list items. If all items are complete, the County Engineer shall proceed to issue the notice of acceptance.
- (b) *Follow-Up and Repeat Inspections.* The Engineer of Record must conduct follow-up or repeat inspections as needed to resolve problems or provide the County with complete information and documentation as required above. Please see Construction review and Inspection fee table available at the Greenville County Land Development Division for repeat inspection cost.

## 2. *Inspections by the County.*

- (a) *Start Up or Pre-construction Meeting.* At the direction of the County Engineer, a start-up or pre-construction meeting is required to discuss construction issues prior to beginning work. The Engineer of Record, Contractor, Utility Providers and County Engineer must attend the meeting, preferably on-site.
- (b) *Proofrolls.* The County Engineer, or County approved third party Geotechnical Engineer, shall be on site for the proofroll, and any follow-up proofrolls as required. The County Engineer shall review all compaction test results submitted by the Engineer of Record and shall approve the reports before the contractor installs the binder.

- (c) *Storm Drainage Inspection.* After installation of the storm drain system and prior to the binder installation, the County Engineer must perform an inspection of the storm drainage system. All lids and covers must be removed for the inspection.
- (d) *Binder Punch-list and Follow-up.* The County Engineer shall meet the Engineer of Record to inspect and prepare a punch list for the binder, curbs, and catch basins prior to installing the final surface. A follow-up meeting shall be held as necessary to review and approve any required repairs.
- (e) *Final Punch-list and Follow-up.* The County Engineer shall meet the Engineer of Record and others to inspect all aspects of the roadway and drainage system and prepare the final punch list prior to acceptance. A follow-up meeting shall be held as necessary to review and approve any required repairs.
- (f) *Paving.* The County Engineer and Engineer of Record/Level 2 SCDOT Inspector must plan to be on-site during paving installations, but will ultimately rely on the Engineer of Record's inspection report and certification of the paving operation.
- (g) *Follow-up Inspections.* The County Engineer shall make additional inspections of the site as needed to meet with the Engineer of Record, review and approve repairs, or address other problems.
- (h) *Prior Notice for inspections.* The County inspection can be scheduled with 48-hours' notice prior to any of the above key inspections. Failure to provide this advance notice may result in scheduling conflicts, delay of the County's inspection, and possible disruption of the project schedule.

**D. Asphalt Plant & Material Certification.**

1. *Certification Requirements.*

- (a) *SCDOT Certified Asphalt Plant.* All plants currently on the SCDOT Asphalt Plant Certification list are automatically qualified to supply asphalt materials for proposed County roads.
- (b) *SCDOT Certified Inspector.* All contractors supplying mix to Greenville County Projects must have a level 2 (or above) SCDOT certified inspector on staff. If a company does not have this individual, then they must hire a level 2 Inspector from a Geo-Technical firm while Greenville County mix is being produced to perform proper quality assurance procedures.

**E. Acceptance, One-Year Warranty, and Construction Damage Bond.**

1. *Acceptance.* At completion of all paving, storm drainage system installation, major utility installation, traffic and street sign installation, curbing, sidewalk installation (if applicable) and grassing/mulching of the right-of-way, the County Engineer shall

conduct an inspection of the project or project phase to determine if it is substantially complete. The only exception to the substantially complete requirement would be if the developer elects the sidewalk construction bond option outlined under § 16.4.8: *Major Subdivision – Final Plats*. If the project road(s) in that phase are approved, the County Engineer must notify the Subdivision Administrator that once all the requirements of § 12.7: *Street Classification & Design* and § 12.8: *Street Construction Standards* are completed and the Subdivision Administrator has received the documents in § 12.8.1: *Construction Plan Submittal Requirements*, a written notice of acceptance shall be issued. The roads may be accepted into the County inventory for maintenance if a ~~financial security~~ Financial Security is in place for only the remaining sidewalk.

2. *One Year Warranty.*

(a) *Agreement.* As a condition of the notice of acceptance, the subdivider, either an individual, partnership, corporation, or other legal entity, must enter into an agreement with Greenville County wherein they agree that they will repair, upon written notification by Greenville County and at their own expense, all defects in material and workmanship which occur in the roadways or drainage system accepted by Greenville County pursuant to the granting of such acceptance for a period of one year from the date such work is accepted by Greenville County.

(b) *Warranty Period.* The one-year warranty period shall begin immediately after acceptance and shall cover all defects in materials, installation, and workmanship for the roadway pavement, storm drainage system, drainage outfall channels, curbs, sidewalks, grassing/erosion control, and traffic and street signage. Any significant problems, failures, or defects observed during the warranty period shall be repaired by the developer at their expense, as deemed necessary by the County Engineer. Damage caused by construction activity or other external forces is excluded from the one-year warranty and must be covered under a separate construction damage fund.

F. **Encroachment Fee.** An encroachment fee as part of the Building Permit fee is required by the Greenville County Codes Department. This nonrefundable fee ~~in the amount \$60~~ is charged to account for any damages to the catch basin lids, curb and gutter, roadway, or sidewalk due to homebuilding and development and covers the cost of the driveway encroachment.



## ~~Article 15:~~ **ARTICLE 13: TRANSPORTATION CORRIDOR PRESERVATION**<sup>461</sup>

### ~~15-1~~ **13.1 PURPOSE**

The Greenville County Council finds that additional setbacks for planned road improvements:

- A. Assist in the preservation of public health, safety, and welfare and to aid in the harmonious, orderly, and beneficial development of the county in accordance with the Comprehensive Plan;
- B. Provide for the preservation and protection of corridors where transportation improvements are scheduled to occur; and
- C. Minimizes impacts associated with road widening and new road construction.

### ~~15-2~~ **13.2 APPLICABILITY**

This Article applies to all land within Greenville County that abuts or is located within corridors planned and funded for improvements in the current GPATS Transportation Improvement Program, in the current South Carolina Transportation Infrastructure Bank program, and/or in another adopted plan or capital improvement program that identifies planned and funded transportation corridor improvements.

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<sup>461</sup> This Article carries forward (with minor edits) and reorganizes the County’s Transportation Corridor Preservation Ordinance ([Ordinance No. 4326](#)), adopted November 3, 2009. It updates references to the current TIP and adds corridors planned for improvement through other programs, including a Capital Improvement Program should Greenville County adopt one in the future. This Article proposes to maintain the list of subject roads and applicable setbacks in a document entitled *Greenville County Transportation Preservation Corridors* which will be maintained outside the UDO. This allows the roads and setbacks to be updated as projects are completed and new projects are funded, without needing a formal UDO text amendment—which will ensure the additional setbacks can be applied immediately following approval of the transportation project. Since the transportation projects are approved through other formal processes, such as the adoption of the TIP by the GPATS Policy Coordinating Committee, there is no need to also require a UDO text amendment.

The following sections are proposed for consolidation with other UDO articles:

- Sections 2: *Authority*, 14: *Separability and Validity*, 15: *Repeal of Conflicting Ordinances*, and 16: *Effective Date* are proposed to be consolidated with related provisions in UDO Article 1: *Introduction*;
- Section 7: *Variance Procedure* is proposed to be consolidated with provisions for “waivers” in UDO Article 16: *UDO Procedures*; and
- Section 13: *Penalties for Non-Compliance* is proposed to be consolidated with related provisions in UDO Article 19: *Violations & Enforcement*.

### ~~15.3~~13.3 ADMINISTRATION

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- A. **Development Review.** Any proposed structure, development, or subdivision that abuts or is located within a corridor subject to this Article requires review by the Greenville County Traffic Engineer (subdivisions) or Zoning Administrator (all other development) prior to the issuance of a land disturbance permit, in order to assess the impact of any proposed structure or development on the road improvement and to ensure the cumulative setback requirement is being met.
- B. **Administrative Setback Waivers.** When it is determined during the design phase of a transportation corridor project subject to this Article that the additional setback specified by *Greenville County Transportation Preservation Corridors* is not needed, the Traffic Engineer or Zoning Administrator, as applicable, may waive the additional setback for a proposed structure, development, or subdivision. The applicant must submit written verification from the entity managing the transportation project that the additional setback is not needed.

### ~~15.4~~13.4 ADDITIONAL SETBACK REQUIRED

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#### ~~15.4.1~~13.4.1 ROADS SUBJECT TO ADDITIONAL SETBACKS

- A. The corridors subject to this Article and the extent of each preservation setback are set forth in *Greenville County Transportation Preservation Corridors*, a document maintained and kept on file with the Transportation Division of the Greenville County Planning Department, and are maintained and displayed as a layer on the Greenville County GIS.
- B. *Greenville County Transportation Preservation Corridors* is updated when new transportation projects are approved and funded through other approval processes, such as the periodic adoption of the GPATS Transportation Improvement Program by the GPATS Policy Coordinating Committee, and when projects are completed and can be removed from the list.

#### ~~15.4.2~~13.4.2 ESTABLISHMENT

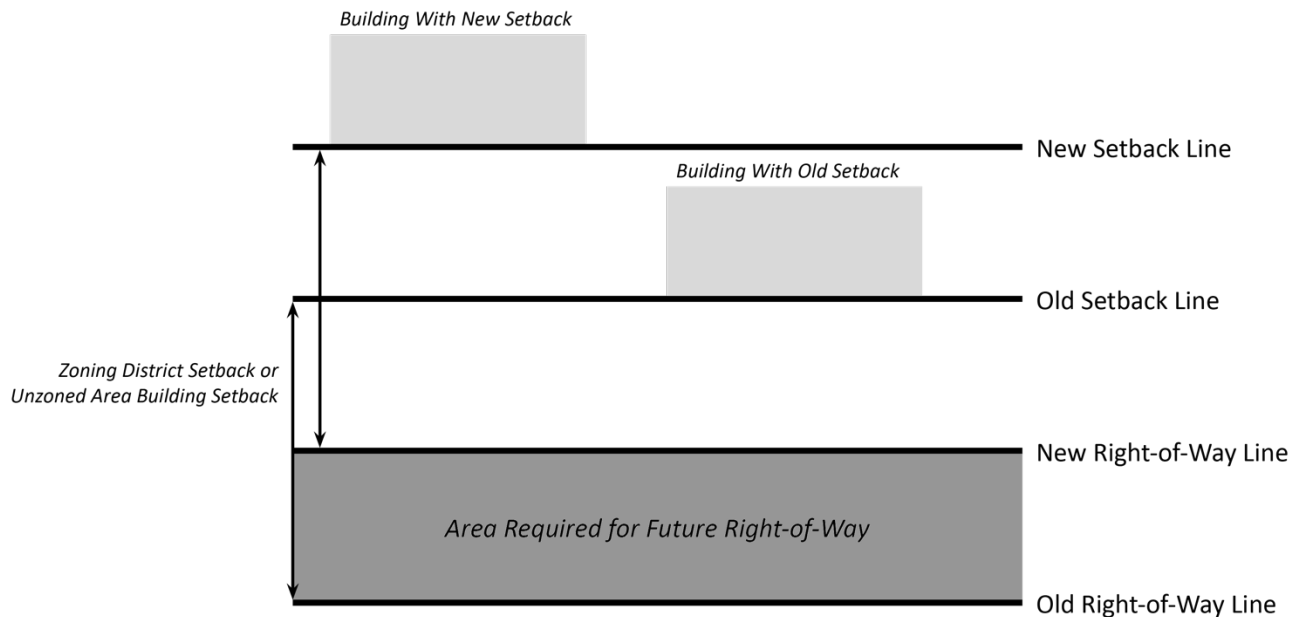
- A. **Generally.** No building, structure, or stormwater management facility shall be erected, constructed, reconstructed, moved, added to, or structurally altered within the future right-of-way of any corridor subject to this Article or within the minimum additional setback area specified by *Greenville County Transportation Preservation Corridors*, except as provided in § 13.4.4: *Allowable Interim Uses of Setback Area*.
- B. **Identified Alignments.** Where a future alignment for a road improvement has been established, the setback requirement specified in *Greenville County Transportation Preservation Corridors* shall be applied to the approved alignment.

- C. **Undetermined Alignments.** Where an alignment has not been determined, an approximate alignment shall be established based on the existing street centerline. The setbacks prescribed by *Greenville County Transportation Preservation Corridors* are based on the right-of way cross section established for each project.

**15.4.313.4.3 RELATION TO GENERALLY REQUIRED SETBACKS**

When determining the cumulative setback requirement for property within the identified corridors, the setback requirement specified in *Greenville County Transportation Preservation Corridors* is in addition to the setback requirement of the zoning district in which the property is located or § 10.2: *Building Setbacks in Unzoned Areas*, as applicable. See Figure 13.4.3-1: *Example Setback Application*.

**Figure 13.4.3-1: Example Setback Application**



**15.4.413.4.4 ALLOWABLE INTERIM USES OF SETBACK AREA**

The following uses, directly and indirectly related to the primary use of the affected property, may be allowable within the setback area on an interim basis. In zoned areas, the use must also be allowed in the zoning district.

- A. The construction of parking is allowed, however, any parking spaces constructed within the area required for future right-of-way shall not be considered toward the minimum off-street parking required by Article 6: *Parking & Loading*;
- B. Signs, landscaping, and fencing;

- C. Temporary sales and leasing offices;
- D. Produce stands and farmers markets;
- E. Agricultural uses;
- F. Storage yards; and
- G. Other uses considered to be compatible with the aforementioned uses.

#### ~~15.4.5~~ **13.4.5 UTILITIES**<sup>462</sup>

Utilities installed to serve new development shall be located in a manner that will not require their relocation as part of the improvement project identified in *Greenville County Transportation Preservation Corridors*.

#### ~~15.4.6~~ **13.4.6 ROADSIDE ~~RIGHT-OF-WAY~~ BUFFERS**<sup>463</sup>

~~Right-of-way~~ **Roadside** buffers required by Article 7: *Buffers & Screening* shall be located outside the current and future rights-of-way of all roads identified in *Greenville County Transportation Preservation Corridors*.

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<sup>462</sup> This Section is new.

<sup>463</sup> This Section carries forward part of the first paragraph in ZO Section 12:4 *Parking Lot Landscaping*.

## ~~Article 16:~~ **ARTICLE 14: STORMWATER MANAGEMENT**<sup>464</sup>

### ~~16.1~~ **14.1 GENERAL PROVISIONS**

#### ~~16.1.1~~ **14.1.1 PURPOSE**

This Article provides baseline stormwater management requirements for roadway infrastructure and to maintain or improve water quality in the County from all development.

#### ~~16.1.2~~ **14.1.2 APPLICABILITY**

- A. This Article applies to all development in unincorporated Greenville County, except where otherwise indicated.
- B. Portions of this Article apply only to design requirements for drainage systems on public or private roads that will become or have the potential to become the permanent maintenance responsibility of the County.
- C. All development must comply with the provisions set forth in the current Greenville County Stormwater Management Ordinance in addition to the provisions in this Article. In the event of a conflict between the two, the Greenville County Stormwater Management Ordinance supersedes this Article.

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<sup>464</sup> This Article establishes requirements for the use of low impact development techniques to manage stormwater, mitigate heat island effects, and improve the aesthetic quality of development. Implements *Plan Greenville County* Objective D-1, Strategy 5 (“Promote sustainable, low impact development practices including, but not limited to, stormwater management, green infrastructure, maintenance of vegetative cover, stream buffers, purchase of development rights, and conservation set-asides in development plans and the zoning code”); and Objective F-4, Strategy 2 (“Encourage the use of low impact development stormwater solutions.”). The Article cross-references the Stormwater Management and Flood Damage Prevention Ordinances, which will be maintained outside the UDO.

This Article incorporates LDR Section 3.5.6: *Stormwater Management*, LDR Article 17: *Stormwater Management*, LDR Section 8.17.3: *Conveyance System*, and LDR Appendix E: *Low Impact Development Features within the Centers and Corridors*. Proposed is to not carry forward LDR Appendix D: *Water Quality Guidelines for Commercial & Community Facility Parking Lots*, since more widespread use of LID is required and Article 5: *Parking & Loading* already allows for pervious parking areas in certain instances.

Proposed is to eliminate LDR Appendix G: *Density Bonus for Low Impact Development Program (Stormwater Banking Program)*. This program was originally implemented in March 2013. Staff recommends discontinuation of the program since it is complex to administer and has never been used. Further, some of the items that qualify for points under the program are proposed to be required in UDO, and the UDO can achieve the same or similar results through conventional standards.

- D. Where special conditions or unique circumstances apply, the County Engineering and Maintenance Division may modify, amend, and/or supplement the requirements in this Article if it is in the best interest of the community and is not in violation of other ordinances or laws.

### ~~16.1.3~~ 14.1.3 AREAS SUBJECT TO FLOODING<sup>465</sup>

All development must comply with the provisions set forth in the County’s current Flood Damage Prevention Ordinance.

### ~~16.2~~ 14.2 STORMWATER MANAGEMENT DESIGN MANUAL<sup>466</sup>

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- A. Greenville County has established requirements and procedures to control the potential adverse effects of increased stormwater runoff associated with future development.
- B. The County is also required by federal law to obtain a National Pollutant Discharge Elimination System permit from the S.C. Department of Environmental Services (SCDES) for stormwater discharges from the Greenville County stormwater system. The NPDES permit requires the County to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practical using management practices, control techniques, and system design and engineering methods.
- C. Subdivisions and development projects containing public roads and infrastructure that will be permanently maintained by the County require that drainage systems conform to specific County design/maintenance standards.
- D. Thus, all storm drainage design shall comply with the latest edition of the Greenville County Stormwater Management Design Manual (SMDM). The design manual can be viewed by accessing the “Design Manual” tab on the Land Development Division’s website.
- E. Refer to § 12.8.4F: *Storm Drainage* for additional stormwater requirements for public roads.

### ~~16.3~~ 14.3 EASEMENTS FOR STORMWATER FACILITIES

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- A. **Generally.** Stormwater facilities shall be located in common areas or easements, as specified in the Greenville County Stormwater Management Ordinance and in § 15.1.5: *Utility & Drainage Easements*.

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<sup>465</sup> Carries forward LDR Section 17.1: *Areas Subject to Flooding* with minor edits.

<sup>466</sup> Carries forward LDR Section 17.2: *Stormwater Design Manual* with minor revisions to formatting.

**B. Conveyance System.<sup>467</sup>**

1. Off-site stormwater that flows through a proposed development must be routed through a designed conveyance system within a designated easement, preferably through a common area.
2. The conveyance system easements are intended to be reciprocal easements and not a dedication to the County.
3. ~~Design the system, if it has off-site stormwater, for the 25-year storm event and provide safe passage for the 100-year storm event so as to not negatively impact adjoining proposed homes.~~ If a conveyance system involves off-site stormwater, it should be designed for the 25-year storm event, and safe passage should be provided for the 100-year storm event so as to not negatively impact adjoining proposed homes.

**16.4.14.4 ROADWAY DRAINAGE SYSTEM DESIGN****16.4.114.4.1 CATCH BASIN DESIGN**

- A. **Generally.** Refer to the SMDM for technical guidance on the items listed below.
- B. **Hydraulic Capacity Calculations.** The following methods are acceptable submittals to demonstrate that the catch basin design meets the requirements of this Section:
  1. Computer design. Acceptable computer design applications include Civil 3D Storm Sewers Extension, Civil 3D Hydrology Extension, Hydrology Studio, Stormwater Studio, HydroCAD, StormCAD, and others;
  2. Hand calculations using Hazen-Williams equation, Manning's equation, orifice equation, weir equation and the energy equation, and graphic solutions including U.S. Army nomographs for Headwater Depth for Culverts with Inlet Control, etc.; or
  3. Table 14.4.1-1: *Maximum Flow Per Lane* and Table 14.4.1-2: *Required Apron Length for Inlets on Grade*, below.
- C. **Spread Limits.**

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<sup>467</sup> Carries forward LDR 8.17.3 *Conveyance System* and changes the term “subdivision” in B.1. to “development” for broader applicability.

1. On curbed roadways, the roadway drainage system and curb inlet spacing shall be designed to limit the amount of flow in the roadway such that excess spread into the travel lane or overtopping of the curbs is avoided.
2. For a crowned roadway, Table 14.4.1-1 specifies the maximum flow per lane.

<b>Table 14.4.1-1: Maximum Flow Per Lane</b>	
<b>Road Grade</b>	<b>Flow per Lane (max)<sup>1</sup></b>
< 3%	4 cfs
≥ 3% and < 6%	5 cfs
≥ 6% and < 10%	6 cfs
≥ 10%	7 cfs

**Key:** max = maximum allowed | cfs = cubic feet per second

<sup>1</sup> Maximum flow calculated for the 10-year storm event using the rational method.

3. Steeper roads can handle flows in excess of 7 CFS per lane, however, the hydraulic capacity and capture efficiency for inlets on grade then become the limiting factors at around 7 CFS.
4. At sag locations, the roadway shall have a minimum of 0.5% longitudinal slope within 50 feet of the level point in the sag. For large flows, flanking inlets shall be installed on either side of the low point to prevent exceeding the spread limit.

**D. Capture Efficiency.**

1. The capture efficiency of inlets on grade is a key consideration in road drainage system design. As the road grade increases, the inlet apron length must increase to allow flows to transition from the roadway to the inlet.
2. Table 14.4.1-2 lists the required apron length for inlets on grade.

<b>Table 14.4.1-2: Required Apron Length for Inlets on Grade</b>	
<b>Road Grade</b>	<b>Apron Length (min)</b>
< 3%	6 ft
≥ 3% and < 6%	8 ft
≥ 6% and < 10%	10 ft
≥ 10%	12 ft

**Key:** min = minimum required | ft = feet

3. At sags, use an apron length of 6 feet on both sides of the inlet.

**E. Inlet Configurations.**

1. A wide variety of inlet configurations may be used for the roadway drainage system including raised top with slot (SCDOT T9), combination grate with hood (SCDOT T1), orifice-type slot (SCDOT T16, T17 and T18) and standard drop inlet.



2. Refer to the SCDOT standard details (available online) for T9, T1, T16, T17 and T18 material and construction information.
3. Refer to the County SMDM for County standard details for T9 and T1 layout information.
4. Table 14.4.1-3 establishes miscellaneous inlet design requirements.

Table 14.4.1-3: Inlet Design Requirements	
Parameter	Requirement
Weir opening height	4 in (min), 9 in (max)
Grate design loading	Must comply with AASHTO H-20
Apron length	6 ft (min), 12 ft (max)
Catch basin depth	3 ft (min), 12 ft (max) (within ROW)
Step requirement	Steps required on all catch basins deeper than 4 ft
Grates, on grade	Use vane-type grate (Neenah R-3067-L or equivalent)

**Key:** min = minimum required | in = inches | ft = feet | ROW = right-of-way

### ~~16.4.2~~ 14.4.2 PIPE DESIGN

- A. **Generally.** Refer to the SMDM for technical guidance on the items listed below.
- B. **Hydrology Study and Calculations.** The Engineer of Record shall submit the following for the County’s review of the proposed system:
  1. A drainage map consisting of a topographical map showing the proposed roadways and lots, drainage system with individual structures labeled, and all on-site and/or off-site drainage areas delineated and labeled showing acreages going to each inlet; and
  2. Calculations for determining the weighted curve number for each subwatershed;
  3. Calculations for determining the time of concentration for each subwatershed and time of travel for the connecting channels;
  4. A schematic network diagram of the computer model used for the analysis; and
  5. A summary table showing peak flows for the 10-yr design storm.
- C. **Hydraulic Capacity Calculations.** The following are acceptable methods for designing and analyzing the pipe system:
  1. Computer design. Acceptable drainage system design applications include Civil 3D Storm Sewers Extension, Civil 3D Hydrology Extension, Hydrology Studio, Stormwater Studio, HydroCAD, StormCAD, and others; and

- 2. Hand calculations using the rational method, Hazen-Williams equation, Manning's equation, orifice equation, weir equation and/or the energy equation, and graphic solutions including U.S. Army nomographs for Headwater Depth for Culverts with Inlet Control, etc.
  - (a) Hand calculations are suitable for single culverts or simple systems consisting of a few connected pipes.
  - (b) Any system consisting of more than 5 connected pipes shall be modeled using a hydraulic analysis computer program capable of computing the hydraulic grade line for the complete system.

D. **Minimum Pipe Size.** No pipe less than 15 inches in diameter is allowed, except for subsurface passive dewatering systems.

E. **Minimum and Maximum Pipe Depth.**

- 1. The minimum depth for storm drainage systems within the County right-of-way is OD+1.5 feet, where OD is the outside diameter of the pipe. For shallow burial under the roadway, special bedding and backfill is required.
- 2. For storm drainage pipes to be accepted into the County inventory and permanently maintained by the County, the maximum pipe depth shall be based on the drainage easement width and practical excavation limits for repairs to be performed by County crews.
- 3. Storm drainage pipes within the County right-of-way shall not exceed 12 feet in depth, measured from finished ground surface to pipe invert.
- 4. Portions of the road drainage system outside the County road right-of-way may be deeper than 12 feet if the POA or landowner is responsible for permanent maintenance of those pipes exceeding 12 feet deep.
- 5. Under no circumstances shall pipes carrying road drainage be installed more than 20 feet deep unless special permission is granted by the County Engineering Department.
- 6. The permanent easement width for pipes shall comply with Tables 14.4.2-1 and 14.4.2-1 below depending on pipe size, pipe depth, or a combination thereof. The table yielding the greater easement width shall dictate.

**Table 14.4.2-1: Permanent Easement Width Base on Pipe Size**

Pipe Size	Permanent Easement Width (total)
15 in to 30 in	15 ft
36 in to 54 in	22 ft
Over 54 in	30 ft

**Key:** min = minimum required | in = inches | ft = feet

**Table 14.4.2-2: Permanent Easement Width Base on Pipe Depth**

Pipe Depth	Permanent Easement Width (total)
< 8 ft	15 ft
≥ 8 ft and < 12 ft	22 ft
≥ 12 ft and < 16 ft	30 ft
≥ 16 ft and < 20 ft	38 ft
> 20 ft	n/a

**Key:** min = minimum required | in = inches | ft = feet | n/a = not applicable

F. **Minimum and Maximum Pipe Slope.** Refer to the [SMDM](#), Chapter 6, regarding maximum/minimum pipe flow velocities.

G. **Large Drainage Structures.**

1. Large drainage structures refer to pipes 72 inches diameter or greater, box culverts, arch culverts, concrete spans, and bridges.
2. For large drainage structures within the County right-of-way, the Engineer of Record shall submit hydrologic and hydraulic design information in accordance with 14.4.2B: *Hydrology Study Calculations* and 14.4.2C: *Hydraulic Capacity Calculations*. Additionally, the Engineer shall provide shop/assembly drawings, geotechnical data, environmental permitting information, floodplain permitting information, and other pertinent design and/or regulatory information.
3. Large drainage structures shall be designed to convey the 100-year peak flow with not less than one foot freeboard measured from the low point of the roadway.
4. The intentional impoundment of flow on the upstream side of a County road embankment for the purposes of stormwater detention, retention, or amenity purposes is prohibited.

H. **Outlet Stabilization.**

1. Stabilization shall be installed at all pipe outlets discharging to channels, streams, or other natural surfaces with the potential for suffering erosion damage.
2. A precast headwall, flared end section, or other approved outlet structure is required for all pipe outfalls 36 inches and over.
3. On steep slopes, the last joint of pipe on a plain end outlet shall be a full 8-foot joint.

4. Where a drainage outfall is an appreciable distance above the bottom of a stream or ditch into which it empties, a means to reduce velocity by infiltration or dissipation is required.

**I. Open Channel Design.**

1. The design of all open channels shall comply with the requirements of SMDM Chapter 6: Hydraulics.
2. Existing open channels within the development that will carry increased flows as a result of the development may require the installation of proactive stabilization measures to ensure the channel(s) can handle the increased flows without suffering erosion of the streambanks.<sup>468</sup>
- 4.3. When stormwater runoff on proposed lots becomes concentrated and the flow of water could impact proposed structures, a swale is required to convey the flow to a proposed structure. The swale must be shown on the drainage map required by § 14.4.2B.1 above and placed in a drainage easement.

## **16.5.14.5 STORMWATER MANAGEMENT FOR MINOR SUBDIVISIONS**<sup>469</sup>

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### **16.5.114.5.1 APPLICABILITY**

This Section applies to Minor Subdivisions, ~~which are subject to the Summary Plat procedure~~ (see § 16.4.2: *Minor Subdivision*).

### **16.5.214.5.2 STORMWATER POLLUTION PREVENTION PLAN (SWPPP) REQUIRED**

- A. Subdividing one parcel (the “parent parcel”) into more than two parcels is considered a part of a larger common plan of development as defined by EPA if, when totally developed, the common plan results in a cumulative land disturbance totaling one acre or more in area.
- B. The Greenville County Stormwater Management Ordinance requires stormwater management features if the entire common plan area’s future development’s impervious surfaces result in an increase of one cubic foot per second in runoff from the existing land pervious condition.

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<sup>468</sup> Changes the term “subdivision” to “development” for broader applicability.

<sup>469</sup> Carries forward LDR Section 3.5: *Minor Plats*, Subsection 3.5.6: *Stormwater Management* with the following revisions: (1) changes “larger parcel” to “parent parcel;” (2) clarifies the provisions for optional stormwater management procedures; and (3) eliminates the provision allowing 65% of the site to be preserved in a forest or native condition, pursuant to staff input.

- C. Either condition requires the preparation of a SWPPP for the lots created from the parent parcel. Land Development Division staff shall review the proposed long term development plans with the subdivider to determine whether a SWPPP is required or whether the Residential LID program will meet the intent of the Clean Water Act.

### ~~16.5.3~~ 14.5.3 LOW IMPACT DEVELOPMENT BEST MANAGEMENT PRACTICES FOR INDIVIDUAL LOTS

Low impact development best management practices may be used on individual lots in a minor subdivision, as specified in § 14.6: *Low Impact Development Features*.

### ~~16.5.4~~ 14.5.4 OPTIONAL STORMWATER MANAGEMENT PROCEDURES FOR RESIDENTIAL MINOR SUBDIVISIONS

- A. **Generally.** When a SWPPP is required pursuant to § 14.5.2: *Stormwater Pollution Prevention Plan (SWPPP) Required* but the subdivider does not want to provide a SWPPP for the entire parent parcel at the time of recording the Summary Plat, the subdivider may follow one of the two optional procedures specified below.
- B. **Zero Land Disturbance Permit.** When there is no land disturbance associated with the minor subdivision, the subdivider may apply for a Zero Land Disturbance Permit.
1. In this case, the County shall place holds on building permits for each of the affected lots until an appropriate Land Disturbance Permit is obtained through the Land Development Division.
  2. The subdivider must list this provision on the Summary Plat.
  3. As each subdivided lot is sold and the new owner prepares to develop the site, the new owner must apply for a residential lot grading permit or a residential low impact development permit to ensure their proposed development complies with the dispersion requirements.
- C. **Runoff Dispersal.** When there is land disturbance associated with the minor subdivision, the subdivider may disperse runoff into a forested area located on the same lot where the land disturbance occurs, if:
1. The effective impervious surface of the area draining into the forested area is a maximum of 10%; and
  2. The minor subdivision maintains ratios proportional to 65% forested conditions and 10% effective impervious area. Examples of such ratios are specified in Table 14.5.4-1: *Example Ratios for Runoff Dispersal into a Forested Area*.

Table 14.5.4-1: Example Ratios for Runoff Dispersal into a Forested Area		
Native Vegetation Preserved (min)	Effective Impervious Area (max)	Lawn/Landscape (max)
65%	10%	35%
60%	9%	40%
55%	8.5%	45%
50%	8%	50% <sup>1</sup>
45%	7%	55% <sup>1</sup>
40%	6%	60% <sup>1</sup>
35%	5.5%	65% <sup>1</sup>

**Key:** min = minimum required | max = maximum allowed

<sup>1</sup> Where lawn/landscape areas are established on previous tilled soils and exceed 50% of the total site, these areas should be developed using low impact development (LID) features through the residential LID permit program.

**14.6.14.6 LOW IMPACT DEVELOPMENT FEATURES FOR WATER QUALITY<sup>470</sup>**

**14.6.14.6.1 PURPOSE**

- A. Low impact development (LID) is used in Greenville County to provide for runoff reduction, infiltration and to manage runoff for improved water quality.
- B. This Section establishes requirements for the use of LID Best Management Practices (BMPs) to:
  - 1. Facilitate the design of drainage systems that are consistent with good engineering practice and design and in accordance with the County’s planning efforts, including stormwater management planning;
  - 2. Minimize the cost of constructing and maintaining engineered stormwater drainage systems by facilitating natural drainage patterns and infiltration of stormwater runoff;
  - 3. Provide a mechanism that allows development with minimum adverse effects to the natural environment.

<sup>470</sup> This Section carries forward portions of LDR Appendix E: *Low Impact Development Features within the Centers and Corridors*. Appendix E was based on the County’s previous Comprehensive Plan, so proposed here is to update the standards and expand their applicability to all development subject to the Greenville County Stormwater Management Ordinance. This Section does not carry forward LDR Appendix E, Section C: *Water Quality Requirements* or Section D: *Water Quantity Requirements* since the Greenville County Stormwater Management Design Manual indicates the appropriate locations for application of the various types of LID BMPs.

### ~~16.6.2~~ 14.6.2 APPLICABILITY

This Section applies to all land disturbing activity, as defined in the current Greenville County Stormwater Management Ordinance, except:

- A. Any development activity expressly exempted by Stormwater Management Ordinance § 8-67: Prohibitions and Exemptions; and
- B. Minor subdivisions which may, but are not required to, incorporate LID features.

### ~~16.6.3~~ 14.6.3 MINIMUM TREATMENT THRESHOLD

- A. LID BMPs are typically used in conjunction with on-site detention. On small sites and in higher density areas, there may be little open area where larger stormwater management features can be placed. The use of LID BMPs is required to ensure developments meet water quality requirements.<sup>471</sup>
- B. All development subject to this Section shall include LID BMPs in the overall stormwater management design to achieve water quality by pollutant of concern reductions. See Chapter 9 of the SMDM.

### ~~16.6.4~~ 14.6.4 TECHNICAL INFEASIBILITY

An applicant demonstrates technical infeasibility of LID BMPs through a site-specific analysis prepared by a registered professional engineer.

### ~~16.6.5~~ 14.6.5 LID BEST MANAGEMENT PRACTICES<sup>472</sup>

- A. **Generally.** LID BMPs that may be utilized on a site are limited to those identified in the Greenville County Stormwater Management Design Manual (SMDM).
- B. **Design Standards.** All LID BMPs utilized on a site shall meet the design and construction specifications and details established in the SMDM.
- C. **Applicability of LID BMPs.**<sup>473</sup>

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<sup>471</sup> This Paragraph carries forward portions of LDR Appendix E: *Low Impact Development Features within the Centers and Corridors*, Paragraph A: *Purpose* and revises to require, rather than encourage, the use of LID features.

<sup>472</sup> This Section generally carries forward portions of LDR Appendix E: *Low Impact Development Features within the Centers and Corridors*, Paragraph B: *Low Impact Development Features*.

<sup>473</sup> This Paragraph replaces the table in LDR Appendix E, Section G, *Matrix: Applicability of LIDs* with a cross-reference to a similar (but more recent) table in the Stormwater Management Design Manual.

1. The appropriateness of a particular LID BMP depends on a number of factors, including site characteristics, the proposed land use, and the proposed intensity or density of development.
2. SMDM Appendix F: *Post Construction Water Quality BMP Suggested Uses* identifies appropriate BMPs based on the land area requirement, proposed land use, and potential benefits of the BMP. This Appendix shall guide the selection of LID BMPs for a particular development site.

#### ~~16.6.6~~ 14.6.6 RELATIONSHIP OF LID BMPs TO OTHER GREEN INFRASTRUCTURE

- A. Green infrastructure includes the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.<sup>474</sup>
- B. Green infrastructure systems include both natural components, such as open spaces and landscaped areas, and engineered components, such as rain gardens and stormwater wetlands. As such, vegetated LID BMPs may be included in required setbacks, buffers, landscape areas, and open space areas as specified below.
- C. If part of an approved stormwater management plan for a proposed development:
  1. Vegetated LID features may be constructed within:
    - (a) Required ~~perimeter~~interior buffers; and
    - (b) Required setbacks;
  2. Landscaping used in vegetated LID features may count towards any landscaping required by this UDO; and
  3. Vegetated LID features may count towards required open space, as provided in § 11.4.4: *Amount & Types of Open Space Required*.
- D. In a non-residential, mixed use, or apartment complex development:
  1. To promote multi-functional LID practices and provide incentives for their use, bioretention areas, vegetated swales, planter boxes, rainwater harvesting systems,

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<sup>474</sup> This definition of *green infrastructure* is from the Federal Water Pollution Control Act (33 U.S.C. 1362: *Water Pollution Prevention and Control*).



natural channel design, and other vegetated practices may be used to meet parking area landscaping areas required in this UDO.

2. These may be constructed in designated landscape areas if part of an approved stormwater management plan.<sup>475</sup>

#### ~~16.6.7~~ **14.6.7 RETROFITTING**<sup>476</sup>

- A. Retrofitting is a process that involves the modification of existing control structures or conveyance systems, initially designed to safely convey or temporarily store stormwater runoff to minimize flooding.
- B. Redevelopment in areas subject to this Section may require retrofitting existing stormwater control and conveyance systems to meet the current standards for stormwater quantity and water quality. [See the [SMDM](#) and the [Stormwater Management Ordinance](#)]
- C. In areas previously developed and now being retrofitted, installing a new BMP for water quantity and water quality may be required for some existing conveyance systems.

#### ~~16.6.8~~ **14.6.8 LID BMPs WITHIN THE GREENVILLE COUNTY ROAD RIGHT-OF-WAY**<sup>477</sup>

- A. **Generally.** LID BMPs may be located in a Greenville County road right-of-way (ROW), if they are part of an approved stormwater management plan for a proposed development.
- B. **Road Design Standards.**
  1. All LID BMPs shall comply with the latest edition of the [SMDM](#). In addition, the following standards apply:
    - (a) LID BMPs located within a Greenville County ROW shall not impact the integrity of the road design nor shall they conflict with design criteria of the road requirements;
    - (b) The filling in of a ditch, if that ditch functions as part of a stormwater conveyance system in the ROW, is prohibited; and

<sup>475</sup> From the U.S. EPA's [Revising Local Codes to Facilitate Low Impact Development](#)

<sup>476</sup> This Subsection carries forward LDR Appendix E, Section E: *Retrofitting* with revisions to remove reference to the Centers and Corridors Land Use areas.

<sup>477</sup> This Subsection carries forward LDR Appendix E, Section F: *Allowable LIDs Within the Greenville County ROW* with revisions to replace references to the Center and Corridors Land Use Category, Core Areas, and Transition Areas.

- (c) Retrofitting of existing conveyances systems and installing a new BMP for water quantity and/or water quality may be an option used in areas where the most intensive commercial and highest density residential development is located.
  - 2. For any water quality feature located within the ROW, only runoff from the roadway may be directed into the feature. The Assistant County Administrator for Public Works may make exceptions on a case-by-case basis in areas with intensive commercial and/or medium to high density residential uses.
  - 3. All off-site stormwater shall be directed to the storm drain system.
- C. **Allowable LID BMPs.** The following LID BMPs may be used within a Greenville County ROW:<sup>478</sup>
- 1. *Vegetated Swales.*
    - (a) See [SMDM](#) Appendix G: *Post-Construction WQ Specifications and Details*, Technical Specification WQ-19.
    - (b) Vegetated swales:
      - (1) Must meet the minimum design requirement for conveyances, including:
        - i. Being designed for the 25 year storm; and
        - ii. Having maximum slope and velocities as outlined in the SMDM.
      - (2) May be used in cul-de-sac center islands and curb extensions if there is adequate space and volume to meet design criteria.
  - 2. *Pervious Pavement.*
    - (a) See [SMDM](#) Appendix G: *Post-Construction WQ Specifications and Details*, Technical Specification WQ-16).
    - (b) Appropriate sub soils must be present; otherwise, underdrains may be necessary.
    - (c) Areas with pervious pavement must be appropriately built to handle pedestrian and automobile traffic (when used in driveways).
  - 3. *Planter Boxes.*

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<sup>478</sup> This Paragraph carries forward LDR Appendix E, Section F: *Allowable LIDs Within the Greenville County ROW* with revisions to remove LID BMPs not currently listed in the SMDM (i.e., grass buffers and enhanced grass swales).

- (a) See SMDM Appendix G: *Post-Construction WQ Specifications and Details*, Technical Specification WQ-25.
- (b) Planter boxes are allowed in the ROW as engineered features to handle road runoff only.
- (c) Planter boxes may be used in sidewalk areas, curb extensions, and cul-de-sac islands.
- (d) Underdrains should be implemented to ensure that volume in excess of the water quality volume will flow into the storm drain system.

4. *Bioretention Areas.*

- (a) See SMDM Appendix G: *Post-Construction WQ Specifications and Details*, Technical Specification WQ-05.
- (b) Bioretention areas may be used in cul-de-sac center islands, curb extensions, and in the ROW, if there is adequate space and volume for the feature.
- (c) Underdrains should be implemented to ensure that volume in excess of the water quality volume will flow into the storm drain system.

5. *Sand Filters.*

- (a) See SMDM Appendix G: *Post-Construction WQ Specifications and Details*, Technical Specification WQ-06.
- (b) Sand filters may be used in cul-de-sac center islands, curb extensions, and in the ROW, if there is adequate space and volume for the sand filter.

**D. Maintenance of LID Features Within a County ROW.**

- 1. The property owners (individuals, HOAs, or POAs) who directly benefit from the LID BMP are responsible for maintenance, operation, and repair of all of LID BMPs, other than pervious sidewalk, located in a County ROW.
- 2. The use of LID BMPs within the Greenville County public ROW requires a maintenance agreement and a hold harmless clause.
  - (a) The purpose of these agreements is to clarify the maintenance responsibilities for certain elements of the public ROW lie with private property owner(s) (individual, HOA, or POA).

- (b) Approved maintenance agreements become part of the property deed recorded with the Greenville County Register of Deeds Office. The as-built (or record) drawings must be included in the agreement.
3. Maintenance of LID BMPs is critical to the successful functioning of these types of systems and shall be included as a project permit condition.
    - (a) Maintenance requirements depend on the LID BMP chosen, but may include ongoing sweeping, debris removal, and landscape maintenance.
    - (b) Maintenance requirements are described in the specifications for each type of BMP in the SMDM.
- E. **Stormwater Concept Plan for Features Within a County ROW.**
1. The applicant shall present the Stormwater Concept During the ~~preliminary plan~~Preliminary Plan Pre-~~Design-Submittal~~ meeting (PSM).
  2. The purpose of the Stormwater Concept Plan Process is to discuss possible site constraints, existing drainage problem areas, transportation needs, soil conditions, design and accessibility, and maintenance responsibilities.
  3. This Concept Plan should focus on the proposed layout and LID features and BMPs for during- and post-construction applications that are unique and require a non-standard approach.
  4. Once County staff has agreed to the concept presented, the applicant may proceed to develop the ~~preliminary plan~~Preliminary Plan that incorporates the agreed upon concepts.

#### ~~16.6.9~~14.6.9 MAINTENANCE OF LID FEATURES

Low impact development features are subject to the ongoing inspection and maintenance requirements specified in the Greenville County Stormwater Management Ordinance, Division 6: *On-Going Inspection and Maintenance of Stormwater Facilities and Practices*.

## ~~Article 17:~~ **ARTICLE 15: UTILITIES**

### ~~17.1~~ **15.1 GENERAL PROVISIONS**

#### ~~17.1.1~~ **15.1.1 PURPOSE**

The purpose of this Article is to ensure development throughout Greenville County has safe and efficient access to essential utilities and services, including potable water, sewage disposal, electric power, telephone service, and fire protection.

#### ~~17.1.2~~ **15.1.2 APPLICABILITY**

- A. This Article applies to all development in the zoned and unzoned areas of Greenville County.
- B. All development must comply with the provisions set forth in the current Greenville County Code Chapter 8, *Article II: Floods and Flood Control* in addition to the provisions in this Article. In the event of a conflict between the two, Greenville County Code Chapter 8, Article II, supersedes this Article.

#### ~~17.1.3~~ **15.1.3 AVAILABILITY OF AND APPROVAL FOR ESSENTIAL SERVICES<sup>479</sup>**

- A. All projects that require the development of new public infrastructure that include new facilities or essential services shall obtain required approval of those new services by the service provider prior to final plat approval by Subdivision Administration. "Essential services" means provision of potable water, sewage disposal, electric power, telephone service, and fire protection.
- B. Non-availability of essential services shall be grounds for denying permits for development until such services are available.
  - 1. The service provider is not obligated to extend or supply essential services if capacity is not available. If capacity is available, the extension of services shall be by and at the cost of the developer, unless the service provider agrees otherwise.
  - 2. All service extensions shall be designed and installed in full compliance with the service provider's standards for such services, and shall be subject to review, permit and inspection as required by the other policies and ordinances of the service provider.

<sup>479</sup> This Section carries forward LDR Section 7.1. Paragraph C is revised pursuant to input from ReWa and MetroConnects.

- C. Availability is determined based on proximity and capacity that exists for serving a project at the time of inquiry, and the feasibility to connect to the service provider's existing system.
1. Availability shall be assessed prior to the submission of a Preliminary Plan. The developer shall obtain letters from the service provider(s) with a notification of preliminary availability of services.
  2. Once the service provider approves final construction plans and specifications, a capacity commitment letter must be provided to the developer of the subdivision.
- D. Water and sewer system improvements shall be completed and approved/accepted by the service provider in accordance with the general standards specified in this Article before any Final Plat of a subdivision is eligible for final approval by Subdivision Administration.

#### ~~17.1.4~~ **15.1.4 GAS, CABLE, & OTHER NON-ESSENTIAL UTILITIES**

Development may be served by natural gas, cable television, fiber optic communication services, and other non-essential utilities, consistent with the plans and standards of the appropriate agency.

#### ~~17.1.5~~ **15.1.5 UTILITY & DRAINAGE EASEMENTS<sup>480</sup>**

- A. All utility lines and related facilities shall be located within dedicated easements, unless installed within a road right-of-way.
- B. The width, length, and location of all easements for drainage and utilities shall be established by the appropriate agency involved and shown on the Final Plat.
- C. A 5-foot drainage and utility easement is required on each side of all interior side and rear lot lines. A 10-foot drainage and utility easement is required along all exterior rear lot lines. If an adjoining subdivision has already dedicated a rear 5-foot easement; the 10-foot requirement is reduced to 5 feet.
- D. An easement acts as a reciprocal agreement between property owners. Each property owner is responsible for maintaining such easement on their property. Drainage and utility easements are intended to be reciprocal easements among the property owners and not a dedication to the County. Property owners are responsible for keeping easements intact and clear of debris or structures. Easements should not be altered in any manner.

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<sup>480</sup> Carries forward LDR Section 8.17.1 *Drainage & Utility Easements* with minor revisions to Paragraph D, and adds Paragraph A.

## **17.2.15.2 WATER & SEWER SYSTEMS<sup>481</sup>**

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### **17.2.15.2.1 GENERAL PROVISIONS<sup>482</sup>**

- A. In zoned areas, area requirements for individual lots in all zoning districts are minimum requirements with an approved water and sewerage disposal system accessible to the lot. If a lot of record with less than the minimum area is proposed for use and does not have an approved water and sewerage system available, a certificate from the South Carolina Department Environmental Services (SCDES) approving the proposed facilities must accompany a request for a building permit.<sup>483</sup>
- B. The developer is required to install a water distribution system, including fire protection, in accordance with the standards, procedures, and policies of the water service provider and applicable fire code provisions and Residential Code for 1 & 2 Family Dwellings, unless documented by the water service provider that the existing line size will not permit the additional service. The extension/upgrading of water lines, as well as the location and spacing of fire hydrants to be installed within a new development or subdivision shall be determined by the water service provider and/or fire district.
- C. Should the installation of a public water system prove infeasible, individual well permits shall be obtained prior to the issuance of a building permit.
- D. The developer is required to provide public sewage disposal systems in accordance with the standards, procedures, and policies of the appropriate sewer service provider, unless it is documented by the Sewer Provider(s) providing wastewater services that sewer service and/or sewer treatment is not available or feasible.
- E. If the Sewer Treatment Provider determines, and the Sewer Collection Provider confirms, a connection to a public sewer system is not available or feasible, each lot in a proposed subdivision must receive a permit for an individual septic system from SCDES before the County can issue a building permit. [See § 15.2.6: *Individual Septic Systems*]
- F. Proposed subdivisions utilizing a Community (Cluster) System as an on-site wastewater system are prohibited. This prohibition applies to all methods of subdividing land in Greenville County,

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<sup>481</sup> This Section generally carries forward the requirements in LDR Article 7: *Water Supply/Sewage Disposal Requirements*, except Section 7.5 *Water or Sewer Systems Not Connected to Municipal or Service Providers* which is not proposed to be carried forward pursuant to input from ReWa and MetroConnects. Other revisions are proposed as indicated in the footnotes in this Section.

<sup>482</sup> Carries forward LDR Section 7.2.1 *General*, with minor edits to Paragraphs B and C and to Paragraphs D and E pursuant to input from ReWa and MetroConnects.

<sup>483</sup> This Paragraph carries forward ZO Section 9:2.2 *Facility Approval*.

including, but not limited to, major subdivisions, minor subdivisions, group developments, and review districts.<sup>484</sup>

### ~~17.2.2~~ **15.2.2 ADEQUATE FACILITIES REQUIRED FOR RESIDENTIAL DWELLINGS**<sup>485</sup>

- A. It is unlawful to construct or occupy any residential dwelling that is not connected to an approved water supply and sewerage disposal facility.
- B. Wherever public water and sewerage systems are available, dwellings shall be connected to such systems. In every other case, individual water supply and sewerage disposal facilities must meet the requirements set by SCDES.

### ~~17.2.3~~ **15.2.3 INITIAL CONTACT WITH SEWER TREATMENT PROVIDER**<sup>486</sup>

The developer must initiate contact with the Sewer Treatment Provider at least 60 days prior to Greenville County application submittal (though 90 days is recommended) for preliminary review of sewer availability, feasibility, and Basin Plan consistency.

### ~~17.2.4~~ **15.2.4 SERVICE ACCEPTANCE PROCEDURE**<sup>487</sup>

- A. Before ~~preliminary plan~~ Preliminary Plans are submitted to Subdivision Administration, the Developer shall contact the Sewer Treatment Provider per § 15.2.3: *Initial Contact With Sewer Treatment Provider* to initiate a Basin Plan Consistency / Sewer Provider Participation Review for the proposed development. Preliminary plans for proposed subdivisions of land shall be submitted to the service providers for water and the Sewer Providers for their approval to ensure that lines are available for the development to connect to and the line(s) has the necessary available capacity.<sup>488</sup>
- B. For a proposed subdivision that will be on a public sewage disposal system, construction plans for the collection system shall be submitted to Sewer Provider and the Sewer Treatment Provider for approval in accordance with their rules and regulations after Preliminary Plan approval is granted by the Planning Commission.
- C. Prior to approval and recording of the Final Plat, it must be reviewed by:

<sup>484</sup> This Paragraph F is from a text amendment adopted by County Council in 2023.

<sup>485</sup> Carries forward ZO Section 9:2.1: *Water and Sewerage*.

<sup>486</sup> This Section is new and is proposed to be added pursuant to input from ReWa and MetroConnects.

<sup>487</sup> Carries forward LDR Section 7.2.2 *Service Acceptance Procedure* with substantive revisions proposed to Paragraphs A and C.1. and minor revisions proposed to Paragraphs D and F pursuant to input from ReWa and MetroConnects.

<sup>488</sup> Revised to require coordination with the sewer providers prior to application submittal to Greenville County.



1. The Sewer Provider(s), if the subdivision will use a public sewage system. The Sewer Providers must issue a letter with the lot numbers with available public sewage to ensure the proposed lots are in compliance with the Sewer Provider(s)'s approved plans; and<sup>489</sup>
  2. The Water Service Provider to ensure the proposed lots are in compliance with their approved plans.
- D. Subdivision Administration must receive written approval from SCDES or an acceptance letter from the Sewer Providers prior to granting approval of the subdivision's Final Plat. A Preliminary Acceptance Letter from the water service provider is also required prior to granting approval of the subdivision Final Plat.
- E. Final letters that the service lines have been installed according to the construction plans and specification of the service providers must be received by Subdivision Administration prior to releasing the ~~financial security~~ Financial Security.
- F. The addition or deletion of lots within a subdivision may require additional review and approval by the appropriate Water and Sewer Provider(s) prior to recording the Final Plat or the recording of a revised Final Plat.

#### ~~17.2.5~~ **15.2.5 EXTENSION OF PUBLIC WATER & SEWER SYSTEMS**<sup>490</sup>

- A. All extensions of public water and sewer systems, including fire protection systems and public main extensions and service laterals for sewer, shall have the approval of the service providers involved and shall be constructed according to their specifications and under their supervision. Subdivision Administration shall be notified in writing by SCDES and, where necessary, by the appropriate service providers of the acceptance of these extensions prior to ~~granting final~~ approval of the ~~subdivision Final p~~Plat.
- B. Should extended public sewer systems prove infeasible by the Sewer Treatment Provider, individual permits shall be obtained from SCDES prior to the issuance of a building permit.

<sup>489</sup> Revised to clarify the Sewer Provider will issue a letter related to availability of public sewer system.

<sup>490</sup> Carries forward LDR Section 7.3 *Extension of Public Water and Sewer Systems* and adds "and public main extensions and service laterals for sewer" to Paragraph A pursuant to input from ReWa and MetroConnects.

### ~~17.2.6~~ 15.2.6 INDIVIDUAL SEPTIC SYSTEMS<sup>491</sup>

- A. If connection to public sewage facilities is not available or feasible as determined by the Sewer Treatment Provider and confirmed by the Sewer Collection Provider(s), the developer shall contact SCDES for septic tank approval information.
- B. Prior to Final Plat approval for a subdivision using individual septic tanks, the developer shall provide the County with a Soil Evaluations Report (PERC) to support the proposed developable area or number of proposed lots. Septic-suitable soil location areas shall be clearly identified on all plans and plats.
- C. Developments seeking septic tank approval shall plat lots with 25-foot minimum width sewer easements to accommodate sewer, should sewer become available in the future. Summary Plats, Preliminary Plans, and Final Plats shall depict the location of sewer easements required by the Sewer Treatment Provider. The developer must consult with the Sewer Treatment Provider to determine the appropriate easement locations.
- D. A primary and alternative septic tank and drainfield site is required for all lots in Minor and Major Subdivisions.
  - 1. Final and Summary Plats must delineate the location of the primary and alternative septic tank and drainfield locations.
  - 2. Applications for Minor and Major Subdivisions shall include a soil report and system layout for each proposed lot prepared by a professional soil classifier confirming septic suitability for the primary and alternative septic fields.

### ~~17.2.7~~ 15.2.7 PRIVATE WATER SYSTEMS<sup>492</sup>

- A. Prior to construction, all community (private) water systems shall obtain a "Construction Permit" from SCDES.
- B. The service provider that issues the construction permit should be contacted when construction begins so they can make inspections.
- C. Upon completion and prior to placing the water system into service, SCDES must make a final inspection and issue a copy of their "Permit to Operate" to Subdivision Administration.

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<sup>491</sup> This Section is new and is added pursuant to input from ReWa and MetroConnects. Paragraphs C and D are significant additions to current requirements.

<sup>492</sup> Carries forward the water-related portion of LDR Section 7.4 *Private Water and Sewer Systems*. Removes provisions for private sewer systems for consistency with a text amendment adopted by County Council in 2023.

Subdivision Administration must receive a copy of the “Permit to Operate” prior to approval and recording of the Final Plat.

- D. Should community (private) water systems prove unfeasible, individual permits shall be obtained from SCDES prior to the issuance of a building permit.

## ~~Article 18:~~ **ARTICLE 16: UDO PROCEDURES**<sup>493</sup>

### ~~18.1~~ **16.1 GENERAL PROVISIONS**

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#### ~~18.1.1~~ **16.1.1 PURPOSE**<sup>494</sup>

The purposes of this Article are to:

- A. Consolidate all UDO procedures and outline clear standards for filing and processing applications for zoning approvals required by this UDO;
- B. Allow applicants, County officials, and the public to quickly and efficiently ascertain the steps involved in obtaining UDO approvals; and
- C. Implement the Comprehensive Plan, neighborhood and area plans, and functional plans developed by the County.

#### ~~18.1.2~~ **16.1.2 APPLICABILITY**<sup>495</sup>

- A. **Generally.** This Article controls the procedures for the initiation, review, and decision for all permits or approvals required by this UDO.
- B. **Comprehensive Plan and UDO Administration.** This Article controls the procedures for the administration of and amendments to the UDO and Comprehensive Plan.
- C. **Applicability for Specific Procedures.**
  - 1. *Zoning and LDR Standards.* The UDO includes both zoning and land development regulations. Each Subsection includes a paragraph describing the applicability of the procedure.
  - 2. *Applicability Table.* Table 16.1.2-1: *Applicability of Procedures to UDO Articles* provides an applicability matrix that is referenced by various Subsections to determine what procedure applies to matters such as UDO interpretations, appeals, variances, and waivers arising out of standards and decisions based on each Article.

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<sup>493</sup> This draft Article includes all current procedures in the Zoning Ordinance and Land Development Regulations.

<sup>494</sup> This new Section sets out general purposes for UDO procedures.

<sup>495</sup> This Section updates the applicability standards of § 3:1: *General Provisions* to conform to the new UDO framework.

<b>Table 16.1.2-1: Applicability of Procedures to UDO Articles<sup>496</sup></b>			
<b>UDO Article</b>	<b>Section 16.2: Zoning Procedures</b>	<b>Section 16.3: Historic Preservation Procedures</b>	<b>Section 16.4: LDR Procedures</b>
Article 1: <i>Introduction</i>	✓		
Article 2: <i>Zoning Districts</i>	✓		
Article 3: <i>Scuffletown Rural Conservation Area</i>			✓
Article 4: <i>Use Regulations for Zoned Areas</i>	✓		
Article 5: <i>Use Regulations for Zoned &amp; Unzoned Areas</i>	✓		
Article 6: <i>Parking &amp; Loading</i>	✓		
Article 7: <i>Buffers &amp; Screening</i>	✓		
Article 8: <i>Tree Preservation</i>	✓		
Article 9: <i>Outdoor Lighting</i>	✓		
Article 10: <i>Building Design</i>	✓		
Article 11: <i>Subdivisions &amp; Group Developments<sup>497</sup></i>			✓
Article 12: <i>Access &amp; Connectivity</i>			✓
Article 13: <i>Transportation Corridor Preservation</i>	✓		
Article 14: <i>Stormwater Management</i>			✓
Article 15: <i>Utilities</i>			✓
Article 16: <i>UDO Procedures</i>	✓		
Article 17: <i>Agencies</i>	✓		
Article 18: <i>Nonconformities &amp; Vested Rights</i>	✓		
Article 19: <i>Violations &amp; Enforcement</i>	✓		
Article 20: <i>Legal Provisions</i>	✓		
Article 21: <i>Rules of Interpretation &amp; Measurement</i>	✓		

<sup>496</sup> This table provides an applicability matrix to identify the procedures that apply to each Article of the UDO.

<sup>497</sup> This and subsequent articles will need to be renumbered.

**Table 16.1.2-1: Applicability of Procedures to UDO Articles<sup>496</sup>**

UDO Article	Section 16.2: Zoning Procedures	Section 16.3: Historic Preservation Procedures	Section 16.4: LDR Procedures
Article 22: <i>Definitions &amp; Acronyms</i>	✓		
Article 23: <i>Submittal Requirements</i>	✓		

Key: ✓ = UDO procedure Section applies to Article | Blank = UDO procedure Section does not apply to Article

**16.1.3 SUMMARY OF PROCEDURES<sup>498</sup>**

The procedures established in this Article are summarized in Table 16.1.3-1: *Summary of Procedures*.

**Table 16.1.3-1: Summary of Procedures**

Procedure	Reviewing, Decision-Making, & Appeal Bodies					Hearing Type	Public Notice <sup>1</sup>		
	Staff	BZA	PC	HPC	CC		Mail	Posted	Publication
<b>Zoning Procedures</b>									
Appeals (Zoning)	R	<u>DA</u>				<u>B&amp;CQ</u>	N/A	N/A	<u>Yes</u> <u>N/A</u>
<u>Building Permit Review for Zoning Compliance</u>	D	A				N/A	N/A	N/A	N/A
Final Development Plan for Review Districts	D	A				N/A	N/A	N/A	N/A
Group Development Review	D	A				N/A	N/A	N/A	N/A
<u>Pre-Application Community Meeting</u>						<u>N/A</u>	<u>N/A</u>	<u>Yes</u>	<u>N/A</u>
Small Wireless Permit	D	A				N/A	N/A	N/A	N/A
Special Exception	R	D				<u>B&amp;CQ</u>	N/A	Yes	Yes
Variances (Zoning)	R	D				<u>B&amp;CQ</u>	N/A	Yes	Yes
<u>UDO Interpretations (Zoning)</u>	<u>D</u>	<u>A</u>				<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Initial Zoning	R		R		D	P	<u>Yes</u> <sup>2</sup> <u>N/A</u>	Yes	Yes

<sup>498</sup> This new Subsection summarizes the decision-making body and notice required in a simple table format for ease of reference.

**Table 16.1.3-1: Summary of Procedures**

Procedure	Reviewing, Decision-Making, & Appeal Bodies					Hearing Type	Public Notice <sup>1</sup>		
	Staff	BZA	PC	HPC	CC		Mail	Posted	Publication
Zoning Map Amendment (Rezoning)	R		R		D	P	N/A	Yes	Yes
Zoning Map Amendment (Rezoning) – Review Districts	R		R		D	P	N/A	Yes	Yes
<b>Historic Preservation Procedures</b>									
Certificate of Appropriateness	R				D	<u>B&amp;CQ</u>	N/A	N/A	N/A
Designation of Historic Properties	R				R	D	P	N/A	N/A
<b>Land Development Regulation Procedures</b>									
Appeals (LDRs)	R		D			N/A	N/A	N/A	N/A
Family Subdivision	D		A			N/A	N/A	N/A	N/A
Major Subdivision – Preliminary Plans	R		D			<u>B&amp;CQ</u>	N/A	<u>N/A/Yes</u>	N/A
Review District Subdivision – Preliminary Plans	R		D			<u>B&amp;CQ</u>	N/A	<u>YesN/A</u>	N/A
Major Subdivision – Final Plats	D		A			N/A	N/A	N/A	N/A
Minor Subdivision	D		A			N/A	N/A	N/A	N/A
Recording Plats of Record	D		A			N/A	N/A	N/A	N/A
Simple Plat	D		A			N/A	N/A	N/A	N/A
Street Name Changes	R		D			<u>B&amp;CQ</u>	<u>YesN/A</u>	Yes	Yes
Waivers (LDRs)	R		D			<u>B&amp;CQ</u>	N/A	<u>N/AN/A</u>	N/A
<del>UDO</del> Interpretations (LDRs)	<del>D</del>		<del>A</del>			<del>N/A</del>	<del>N/A</del>	<del>N/A</del>	<del>N/A</del>
<b>Comprehensive Plan and UDO Procedures</b>									
Comprehensive Plan Adoption and Amendment	R		R		D	P	N/A	<u>N/A/Yes</u>	Yes
UDO Text Amendment	R		R		D	P	N/A	<u>N/A/Yes</u>	Yes

**Table 16.1.3-1: Summary of Procedures**

Procedure	Reviewing, Decision-Making, & Appeal Bodies					Hearing Type	Public Notice <sup>1</sup>		
	Staff	BZA	PC	HPC	CC		Mail	Posted	Publication

**Key:** Staff = The Zoning Administrator or Subdivision Administrator, who may seek input from other staff, other County departments, or other agencies as needed | BZA = Board of Zoning Appeals | PC = Planning Commission | HPC = Historic Preservation Commission | CC = County Council | R = Review Body | D = Decision-Making Body | A = Appeal Body | ~~Q = Quasi-Judicial Hearing~~ B&C = Board and Commission Hearing | P = Public Hearing

**Notes:**  
<sup>1</sup> This table only indicates public notice requirements for people other than the applicant. Generally, an applicant will receive 15 days’ notice of hearings.  
<sup>2</sup> Mailed notice is required for County-initiated zoning. See Subsection 16.2.7: *Initial Zoning* for details on mailed notice for initial zoning.

**18.1.416.1.4 GENERAL PROCEDURAL REQUIREMENTS & AUTHORITY<sup>499</sup>**

**A. General Application Requirements.**

1. *Application Forms.* All applications authorized by this UDO shall be made on forms maintained for each permit or approval by the Planning Department, which are available online or in-person at the County’s offices.
2. *Submittal Requirements.* Applications filed under this Subchapter must include the information required by Article 22: *Submittal Requirements*, including all information required on any application checklist maintained by staff for the particular permit or approval.
3. *Application Fees.* The applicant shall pay all applicable fees at the time of the application. The County cannot accept an application until the applicant has satisfied all application requirements, including the payment of all fees.

**B. Authorized Representative.** Each submittal must identify on the application form an Authorized Representative, including mailing address, phone number, and email address. All communication regarding the project must be directed to that person. In the event that the Authorized Representative is not available, an alternate may be identified to Planning Department staff, provided the applicant identifies the alternate in writing.

**C. Action on an Application.** The County shall not process or begin to act on an application until the application is complete with all required information and documents and the applicant has paid all fees in full.

~~**D.A. Application Inactivity**~~

<sup>499</sup> This new Subsection provides an overview of the application review process and includes the LDRs’ standards in §§ 3.2.2: *Authorized Representative* and 3.2.3: *Application Inactivity*.



~~1. Planning Staff shall close all subdivision applications that are inactive for a period of six months on the applicant's part. Once Planning Staff has closed an application, an applicant must submit a new application and fee for approvals.~~

~~2.1. After five months of inactivity, staff shall send a reminder letter to the applicant informing them of the pending closure of the application file.~~

**E.D. Conformance with Application.** Approvals issued on the basis of plans and applications approved under this Article authorize only the use, arrangement, and construction set forth in the approved plans and applications, and do not authorize any other use, arrangement, or construction.

**F.E. Written Findings.** Unless otherwise specifically provided in this Article, written findings are not required for a final decision on any application.

**G.F. Workflow Summary.** This Article provides rules for procedures, such as pre-application meetings, notices, and hearings. It then describes the process for specific land use decisions. The Sections providing for specific procedures generally share a common workflow and description, as follows:

Table 16.1.4-1: Procedure Workflow	
Element	Meaning
Purpose	Explains the reasons for a particular procedure.
Applicability	The type of development or situation that is subject to the process.
Initiation	Describes how the applicant begins the process, including which department or official receives the application.
Completeness	Describes how the County determines that the application has sufficient information to be processed.
Amendment	Describes when and how the applicant may amend or supplement the application.
Notice	Describes the type of notice and how it is provided.
Approval Process	Identifies who has the authority to act on the application and the type of proceeding that leads to the decision.
Approval Criteria	Describes the standards that apply to the application. All applications are subject to the general standards of this UDO. However, if there is a conflict between a general UDO standard and a specific UDO standard, the specific standard applies or governs.
Scope of Approval	Describes the activities that the application authorizes or the meaning of the approval. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordkeeping	Some procedures have specific requirements for maintaining records of applications and actions. County record retention policies govern all recordkeeping requirements.

Appeals	Defines when a decision on an application is subject to an appeal within the County and identifies the persons who have <u>the right to appeal</u> . In addition, this section outlines the procedure and requirements for an appeal <u>the right to appeal</u> .
Reapplication	If an application is denied or withdrawn, some processes have a waiting period before that type of application can be re-filed for the property.

**18.1.516.1.5 COMPLETENESS REVIEW<sup>500</sup>**

**A. Application Requirements Completeness.**

A.1. Applications required under this UDO are ~~considered~~ complete only if they ~~are~~:

1.(a) ~~Are~~ Submitted in the required format;

2.(b) ~~Include~~ all mandatory information; and

(c) ~~Are~~ Accompanied by the application fee.

3.2. For any application subject to a mandatory deadline for review, the time for review does not begin to run until the application is complete as provided in this Subsection.

**B. Process for Review.**

1. Planning Department staff shall review applications for completeness.

2. For procedures that are included in the County’s Application Calendar, Planning Department staff ~~must~~ shall notify the applicant of any application that is determined to be incomplete ~~within two business days of its submittal~~ within the timeframe provided in the Application Calendar available on the County’s website, along with an explanation of the application’s deficiencies.

2.3. For procedures that are not included on the Application Calendar, Planning Department staff shall notify the applicant of any application that is determined to be incomplete within a reasonable time of its submittal, along with an explanation of the application’s deficiencies.

**C. Administrative Dismissal for Incomplete Applications.**

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<sup>500</sup> This Section updates and clarifies current § 3:1.1: *Application Completeness* and 3.2.3: *Application Inactivity*. It sets a new completeness review based on the County’s published review calendar.

1. The Zoning Administrator or Subdivision ~~a~~AAdministrator shall dismiss any application that:
  - ~~(a)~~ ~~That requires public notice, either by posting or publication;~~
  - ~~(b)~~(a) ~~That d~~Doesid not meet the completeness standards of this Section at the time of filing or supplementation; and
  - ~~(b)~~ For procedures that are included in the County's Application Calendar, Hhas not been corrected by the applicant by submission of all required information within the timeframe provided in the Application Calendar available on the County's website; ~~two business days~~or
  - ~~(c)~~ For procedures that are not include on the Application Calendar, has not been corrected by the applicant within 60 days of its submittal-
2. The Zoning Administrator or Subdivision AAdministrator shall notify the applicant of the administrative dismissal for incompleteness by email.
- ~~3.~~ ~~The applicant may resubmit the application at any time, regardless of re-filing limitations for any procedure in this Article.~~

~~**Expiration of Incomplete Applications.** For applications that do not require public notice, if the applicant fails to provide the required information within 30 days of the date the applicant was notified of the incomplete application, then the application expires and must be re-filed for any further consideration.~~ **Application Inactivity.**

~~Planning Staff shall close all subdivision applications that are inactive for a period of six months on the applicant's part. Once Planning Staff has closed an application, an applicant must submit a new application and fee for approvals.~~

~~After five months of inactivity, staff shall send a reminder letter to the applicant informing them of the pending closure of the application file.~~

~~D.3.~~

E.D. **Completeness Review for Wireless Facilities.** The procedures provided in § 16.2.3: *Small Wireless Permit* modify the completeness review provisions of this Subsection for that use.

## ~~18.1.6~~ 16.1.6 PRE-APPLICATION MEETINGS<sup>501</sup>

### A. Applicability.

1. Pre-application meetings with the Technical Advisory Committee (TAC) are required for rezoning applications to the review districts provided for in § 2.4: *Review Districts*.
2. An applicant for ~~P~~preliminary ~~P~~plant approval may request an optional pre-application meeting with the Planning Department.

### B. Timing.

1. *Pre-Application TAC Review.*

(a) The applicant must submit to the Planning Department a copy of the Preliminary Development Plan and all other information required by a Review District rezoning application 31 days before the rezoning application deadline.

(b) The TAC review meeting for review district rezonings must occur at least 21 days before the rezoning application deadline.

~~(a) The rezoning presubmittal meeting shall occur five days before the rezoning application deadline. The pre-application TAC review meeting for review district rezonings must occur at least 21 days before the applicant files the application.~~

(c)

~~(b) The applicant must submit to the Planning Department a copy of the Preliminary Development Plan and all other information required by a Review District Rezoning application 10 business days before the TAC review meeting.~~

2. *Optional Pre-Application Meetings.* Other optional pre-application meetings may occur at any time relative to the application and do not require submission of development plans before the meeting.

### C. Topics for the TAC Review Meeting.

1. The TAC shall review the applicant's Preliminary Development Plan to determine the extent to which it varies from the development standards of this UDO.

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<sup>501</sup> This Subsection significantly updates the pre-application meeting standard. For ordinary applications, it carries forward the concept of a voluntary pre-application meeting and adds detail on the procedure. For Review District Rezoning applications, it provides for a mandatory pre-application review of the Preliminary Development Plan proposed by the applicant.

2. The TAC must evaluate the extent to which the Preliminary Development Plan meets or does not provide the minimum infrastructure required by:
  - (a) Article 12: *Access & Connectivity*;
  - (b) Article 14: *Stormwater Management*;
  - (c) Article 15: *Utilities*; and
  - (d) Other applicable state and federal regulations.
3. Zoning staff shall review the application to ensure that the applicant has satisfied all submittal requirements ~~have been satisfied~~. The Zoning Administrator shall not approve an incomplete application ~~to submit a formal application~~.

**D. Topics for Optional Pre-Application Meetings.**

1. The optional pre-application meeting is for informational purposes for the applicant and Planning Department staff and may include an overview of the project, site conditions, proposed uses, proposed layout, and any other information relating to the project.
2. No formal decisions are made at optional pre-application meetings. The applicant's and Planning Department staffs' comments are ~~for purposes of information but are for~~ information purposes only and are not binding on either the County or the applicant.

**~~18.1.7~~16.1.7 PRE-APPLICATION COMMUNITY MEETING<sup>502</sup>**

- A. **Purpose.** Pre-application community meetings provide an opportunity for the community to learn about upcoming projects in a recurring, familiar setting.
- B. **Applicability.** The following procedures require a pre-application community meeting:
  1. Major Subdivision – Preliminary Plans; and
  2. Zoning Map Amendment (Rezoning) – Review District.
- C. **Notice.** The applicant must provide posted notice as provided in § 16.1.10: *Notice Provisions*.
- D. **Format of Meeting.**

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<sup>502</sup> This new Section requires a pre-application community meeting for major subdivisions and review district rezonings. It is based on the City of Greenville's new "Project Preview Meeting." See [Greenville Development Code § 19-6.2.1.B.1.b](#). The proposed community meetings will take place monthly at a County venue. It will give members of the community and officials an opportunity to review and comment on development proposals.

1. The Planning Director shall establish procedures for community meetings, including scheduling, location, and format.
2. The Planning Director shall publish the meeting procedures on the [County](#) website.
3. Documentation for projects presented at a community meeting shall generally comply with the requirements of this UDO.

**E. Timing.**

1. The community meeting must occur before the applicant submits a formal application on the proposed project.
2. [The applicant must submit Aa](#) formal application ~~must be submitted~~ within six months after the ~~project preview~~[community](#) meeting. Failure to submit an application within six months requires participation in another community meeting.
3. The Planning Director may request that an applicant defer to a future ~~project preview~~[community](#) meeting if major revisions are required based on a pre-application meeting.

**F. Report on Community Meeting.**

1. The applicant shall provide a written report on the results of the community meeting with the application.
2. At a minimum, the report shall include:
  - (a) Dates and locations of all community meetings on the applicant's proposal;
  - (b) Information on notice, including the dates of posted notice and other public notice provided;
  - (c) The number of people who participated in the community meeting;
  - (d) A summary of concerns, issues, and problems expressed during the community meeting;
  - (e) How the applicant has addressed or intends to address concerns, issues, and problems expressed during the community meeting; and
  - (f) Concerns, issues, and problems the applicant is unable to address, including reasons why the concerns cannot or should not be addressed.

- G. Effect of Failure to Participate.** The Planning Director must deem an application incomplete if it fails to substantially comply with the published community meeting procedures or [the requirements for](#) the content of the summary report.

### ~~18.1.8~~ 16.1.8 DEVELOPMENT APPROVAL TYPES<sup>503</sup>

#### A. **Administrative Approvals.**

1. *Generally.* Administrative approvals involve a decision on an application by a staff member of the County's Planning Department based on the standards of this UDO.
2. *Hearing.* A hearing is not required for administrative approvals.
3. *Specific Approval Types.* Administrative approvals include:
  - (a) Building Permit Review for Zoning Compliance;
  - (b) Group Development Review;
  - (c) Final Development Plan for Review Districts;
  - (d) Small Wireless Permit;
  - (e) UDO interpretations (Zoning);
  - (f) Family Subdivision;
  - (g) Major Subdivisions – Final Plats;
  - (h) Minor Subdivision;
  - (i) Recording Plats of Record;
  - (j) Simple Plat; and
  - (k) UDO Interpretations (LDRs).

#### B. ~~Quasi-Judicial~~ **Board and Commission Approvals.**

1. *Generally.* ~~Quasi-judicial~~ **Board and Commission** approvals involve a decision on ~~an application~~ **matters of first impression** by an appointed board, such as the Board of Zoning Appeals, Planning Commission, or the Historic Preservation Commission, based on a discretionary standard of this UDO.

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<sup>503</sup> This new Subsection provides information on the three primary development approval types. The current Zoning Ordinance and LDRs both include these development approvals. However, naming the procedures allows common standards and simple cross-references.

2. *Hearing.* A ~~Board and Commission~~ ~~quasi-judicial~~ approval requires a ~~quasi-judicial~~ hearing and notice as provided in § 16.1.10: *Notice Provisions* and the notice provision of each specific development approval type.
3. *Specific Approval Types.* ~~Quasi-judicial~~Board and Commission approvals include:
  - (a) Appeals (Zoning);
  - (b) Certificates of Appropriateness;
  - (c) Designation of Historic Properties;
  - (d) Special Exceptions
  - (e) Variances (Zoning);
  - (f) Major Subdivision - Preliminary Plans;
  - (g) Review District Subdivision – Preliminary Plans;
  - (h) Street Name Changes;
  - (i) Waivers (LDRS); and
  - (j) Appeals (LDRS).

### C. **Legislative Approvals.**

1. *Generally.*
  - (a) Legislative development approvals involve a decision by the County Council that changes land use policy. The County Council has the ~~duty of considering and adopting or rejecting~~discretion to consider and adopt or reject proposed amendments or the repeal of this UDO as provided by law.
  - (b) The ~~duties of the~~ County Council's role in connection with this UDO does not include hearing and deciding questions of interpretation and enforcement that may arise.
2. *Hearing.* A legislative development approval requires a public hearing as provided in § 16.1.10: *Notice Provisions* and the notice provision of each specific development approval type.
3. *Specific Approval Types.* Legislative development approvals include:
  - (a) Designation of Historic Properties;



- (b) Initial Zoning;
- (c) Zoning Map Amendments (Rezoning);
- (d) Zoning Map Amendment (Rezoning) – Review Districts
- (e) UDO Text Amendments; and
- (f) Comprehensive Plan Adoption and Amendment.

### ~~18.1.9~~ **16.1.9 HEARING PROCEDURES**<sup>504</sup>

#### A. Board and Commission ~~Quasi-Judicial~~ Hearings.

1. *Appearances.*
  - (a) Any party may appear in person or by agent or by attorney at a Board and Commission approval~~quasi-judicial~~ hearing.
  - (b) Authorized Planning Department staff, such as the Zoning Administrator and the Subdivision Administrator, may be represented in meetings by designees within the Department at hearings.
2. Subpoena Attendance of Witnesses (Board of Zoning Appeals Only). The Board of Zoning Appeals may subpoena witnesses and in case of contempt may certify this fact to the Circuit Court for Greenville County.
3. *Scope of Decision.* ~~In deciding quasi-judicial hearings, the decision-making body may reverse or affirm, wholly or in part, or may affirm as modified the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken.~~ When deciding matters of first impression in a Board and Commission Hearing, the Board or Commission may approve, approve with conditions, or deny the matter. In matters involving a permit, the decision-making body and may issue or direct the issuance of a permit.
4. Request to Remand (Board of Zoning Appeals Only). If the Board of Zoning Appeals determines that the record is insufficient for review, the Board may remand the matter to an administrative official upon motion by a party or the Board's own motion. The Board of Zoning Appeals may remand a matter to an administrative official, upon

<sup>504</sup> This Subsection carries forward current hearing standards and adds a remand procedure to conform with requirements in S.C. Code Ann. § 6-29-800.

~~motion by a party or the Board's own motion, if the Board determines the record is insufficient for review.~~

~~(a) — The Board may deny a party's motion to remand if the Board determines that the record is sufficient for review.~~

~~(b)~~(a) The Board must set a rehearing on a remanded matter without further public notice for a time certain within 60 days unless otherwise agreed to by the parties.

~~(c)~~(b) The Board shall maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and the Board must provide notice of the rehearing to these persons prior to the rehearing.

5. *Board of Zoning Appeals Decisions.*

(a) All final decisions and orders of the Board of Zoning Appeals must be in writing and be permanently filed in the office of the Board as a public record.

(b) The Board must state separately findings of fact and conclusions of law in its final decisions and orders, and the Board must deliver its final decisions and orders to the applicant by certified mail. ~~All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board which must be delivered to parties by certified mail.~~

**B. Public Hearings.**

1. *Appearances.*

(a) Any person may appear to provide public comment.

(b) Planning Department staff shall present the ~~facts regarding~~ the matter at the public hearing. This presentation must be made a part of the hearing record.

2. *Scope of Decision.* County Council has all powers granted by this UDO and state law to adopt, amend, reject, or table any matter for which a public hearing is required.

**~~18.1.10~~16.1.10 NOTICE PROVISIONS<sup>505</sup>**

- A. **Generally.** This Subsection establishes various requirements for notice to the public, applicants, and other interested parties for applications, hearings, and meetings as required by this Article.
- B. **Publication.** Planning Department staff must place a notice in a newspaper of general circulation in the County if publication is required by the process.
- C. **Electronic Delivery.** Planning Department staff must notify the applicant or authorized representative, as applicable, by email or other electronic notification at least 15 days before any hearing for which notice is required.
- D. **Mailed Notice.** Planning Department staff must provide notice ~~by~~ to parties as required by this Article.
  - 1. Planning Department staff must mail the required notice at least 15 days before any hearing for which mailing is required.
  - 2. Notice must be provided by regular mail unless certified mail is required by a specific process or state law.
  - 3. Notices to property owners must be mailed to the owner's address listed in the County's tax records.
- E. **Posted Notice by Applicant.**
  - 1. The applicant bears the responsibility to place and maintain all signs when posted notice is required for the process.
  - 2. The Planning Department staff must provide the applicant or designated representative with an adequate number of Notice of Hearing signs to allow the applicant or designated representative to properly post and maintain notice signs on the property.
  - 3. If posted notice is required by the process, the signs must be displayed for at least 15 days before the date of the hearing.
  - 4. Only signs ~~as~~ provided by the Planning Department staff shall be used for posted notices.

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<sup>505</sup> This Section carries forward, expands, and clarifies the requirements of § 3:2.5: *Notice of Hearing*. It adds an allowance for electronic notice for many procedures. [It removes the requirement for a subdivider to mark the centerlines of all roads.](#)

5. Notice signs shall be placed in a conspicuous place or places on or adjacent to the affected premises. At least one sign shall be visible from each public thoroughfare that abuts the property.
6. Failure to keep the subject property posted on at least two separate days will result in removal of the matter from any hearing docket and forfeiture of the application fees. In the event the signs are not present on two separate days~~removed~~, the applicant may submit a new application and fees for the following month.
7. All notice signs must be removed by the applicant within 5 days after the public hearing and returned to the Planning Department.
- ~~8. At the time the developer posts the required subdivision notice signs, the location of the centerlines of any proposed new roads which intersect the existing road will be staked and flagged.~~

### ~~18.1.11~~ 16.1.11 APPEALS<sup>506</sup>

#### A. Purpose.

1. The purpose of this Subsection is to provide a clear process to implement the avenues of appeal provided by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Codified as S. C. Code Ann. § 6-29-310, et seq.
2. This Subsection is not intended to expand or create a right to appeal that is not provided by the Comprehensive Planning Enabling Act.

#### B. Stay of Zoning Proceedings.

1. Generally. An appeal or other pending completed application requesting ~~a quasi-judicial approval~~ (such as of a variance or special exception generally) stays all proceedings in furtherance of the action appealed from unless the criteria for a finding of imminent peril in Subparagraph 2., below, apply.
2. Cases of Imminent Peril.
  - (a) unless ~~After the notice of appeal has been filed with the officer the officer~~ from whom the appeal, the officer may seek relief from the stay is taken by certifying to the Board of Zoning Appeals or a court of competent jurisdiction, ~~after notice of appeal shall have been filed with him,~~ that by reason of facts

<sup>506</sup> This Section updates and combines several subsections in Section 3:5: *Appeals and Hearings*, including 3:5.2: *Appeals to the Board*; 3:5.3: *Stay of Proceedings*; and 3:5.6: *Appeals* and Section 3:2.11: *Stay of Proceedings*. The changes are intended to clarify procedures for appeals of Zoning decisions based on input from stakeholders.

stated in the certificate, a stay would, in the officer's~~his~~ opinion, cause imminent peril to life or property.

~~1.(b)~~ In cases presenting a risk of imminent perilsuch a case, the proceedings shall notmay be stayed ~~other than~~ by a restraining order, ~~which may be~~ granted by the Board of Zoning Appeals or by a court of competent jurisdiction.

~~2. Rezoning. If the rezoning application is withdrawn or denied, then any enforcement action will continue. The Board shall Only grant one stay of enforcement action pursuant to this section and shall not grant a stay of enforcement action after a decision has been made on the rezoning application that resulted in the stay.~~

### C. **Parties in Interest.**<sup>507</sup>

~~1. Generally. For standing for the purposes of the appeals to the Board of Zoning Appeals or the Planning Commission, provisions of this Article,~~ a "party in interest" is:

~~(a) The applicant or authorized representative; or~~

~~(b) a person who has suffered an "injury in fact" directly caused by the decision being appealed.~~

~~1. An "injury in fact" is an invasion of a legally protected interest which is concrete and particularized; actual or imminent, not conjectural or hypothetical; and distinct and separate from harm that may be suffered by the public as a whole.:~~

~~(a) Owns, resides in, occupies, or, on a regular basis, physically uses property located within 1,500 feet of the perimeter of the parcel or parcels that are the subject of the decision being appealed; and~~

~~(b)2. Has suffered an "injury in fact" directly caused by the decision being appealed. An "injury in fact" is an invasion of a legally protected interest which is (1) concrete and particularized and (2) actual or imminent, not conjectural or hypothetical.~~

~~3. Organizations. For any entity or organization that meets the definition of a person in this UDO, the entity or organization must have a member who satisfies the definition above to qualify as a party in interest.~~

~~2.4. Notice. The definition of parties in interest in this Subsection does not apply to the notice provisions of this UDO.~~

<sup>507</sup> This Section ~~significantly updates current § 3:5.5: Parties in Interest, with a new standard for standing that applies in internal appeals to the Board of Zoning Appeals and the Planning Commission. It updates the current language from just the applicant and persons who provided written comment to language preferred by the County Attorney.~~

**D. Appeal of Administrative Decisions.**

1. *Generally.* All decisions by County staff for administrative approvals and other administrative decisions provided in this UDO may be appealed to either the Board [of Zoning Appeals](#) or the Planning Commission, depending on the procedure or approval from which the appeal is being taken.
2. *Standing.* Appeals to the Board [of Zoning Appeals](#) or Planning Commission may be taken by a party in interest or by any officer, department, board, or bureau of the County.
3. *Time for Appeal.*
  - (a) Appeals to the Board [of Zoning Appeals](#) from decisions on an administrative approval or other administrative decision must be taken within 35 days from the date the decision notice or letter is mailed to the applicant.
  - (b) Appeals to the Planning Commission from decisions on an administrative approval or other administrative decision must be taken within 15 days from the date the decision notice or letter is mailed to the applicant.
4. *Filing of Appeal.*
  - (a) An appeal must be filed with the officer from whom the appeal is taken.
  - (b) The notice of appeal must specify the grounds of the appeal and include the following:
    - (1) Citation to each specific subsection of the UDO that the appellant claims administrative staff applied or interpreted in error;
    - (2) A detailed explanation of how the administrative staff decision violated that UDO subsection; and
    - (3) Any other information, such as surveys, plans, reports, maps, and data, that the UDO requires in:
      - i. The substantive section addressing the subject matter of the appeal; and
      - ii. The submittal requirements of Article 22: and the application checklists published by the County.
  - (c) [The administrative staff member whose decision is the subject of the appeal shall provide those items and documents presented to and reviewed by the staff member to the Board or the Planning Commission.](#)

5. Scope of Appeal.

(a) In deciding an appeal, the decision-making body may reverse or affirm, wholly or in part, or may affirm as modified the order, requirements, decision, or determination.

~~(e)~~(b) In any appeal of an Administrative Decision, the decision-making body may consider only those issues and arguments that were actually presented to the administrative staff member who made the decision and only those materials that were presented to or available to the staff member who made the decision. The Board or the Planning Commission must not consider any new issues, arguments, or materials presented for the first time on appeal.

- E. **Appeal of Decisions by the Board of Zoning Appeals, the Planning Commission, and the Historic Preservation Commission.** Decisions of the Board of Zoning Appeals, Planning Commission, and Historic Preservation Commission may be appealed in the manner provided by the laws of the State of South Carolina and particularly by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S. C. Code Title 6, Chapter 29.

## 18.2-16.2 ZONING PROCEDURES

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### 18.2-116.2.1 ZONING BUILDING PERMIT REVIEW FOR ZONING COMPLIANCE<sup>508</sup>

- A. **Purpose.** The purpose of a Building Permit Zoning Compliance review by the Zoning Administrator is to ensure that ~~a~~ a proposal develop a site or to erect, install, or alter a structure, or building, ~~or sign~~ fully meets the zoning requirements of this UDO before the work is begun or the use is established ~~ment of the use~~.
- B. **Applicability.** This Section applies to all applications for a Land Disturbance Permit or a Building Permit for all uses except for a single detached house dwelling that is not part of a larger development plan.
- C. **Initiation.**
- A separate filing with the Zoning Administrator is not required.

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<sup>508</sup> This Subsection combines, carries forward, and augments the procedures for Building Permit reviews by Planning in current §§ 3:6: *Building Permits* 3:7: *Certificate of Use* to conform with current practice. The process requires the Zoning Administrator to review and endorse Building Permits to ensure they comply with the UDO. The Section references the standards of Chapter 5: Buildings and Construction for most procedural issues because this is not a separate application required of an applicant for a building permit. The Section also adds standards that conform with the general workflow for all procedures.

2. The applicant initiates a Land Disturbance Permit review by filing a complete Land Disturbance application with the Land Development Division.

~~C.3.~~ The applicant initiates Building Permit review by filing a complete Building Permit application with the Building Official. ~~A separate filing with the Zoning Administrator is not required.~~

D. **Completeness.**

1. The Land Development Division shall review all Land Disturbance Permit applications pursuant to the standards of Chapter 8: Flood Control, Drainage, and Stormwater Management.

~~D.2.~~ The Building Official shall review all Building Permit applications pursuant to the standards of Chapter 5: Buildings and Construction.

E. **Amendments.** An applicant may submit additional information or amend an application for a Building Permit only if allowed by the standards of Chapter 8: Flood Control, Drainage, and Stormwater Management or Chapter 5: Buildings and Construction, as applicable.

F. **Notice.** Public notice of the application is not required.

G. **Approval Process.**

1. The Zoning Administrator shall review and endorse or not endorse a Land Disturbance Permit or Building Permit application.

2. The Zoning Administrator may endorse an application for temporary use for zoning compliance and may require conditions and safeguards to protect the occupants and the general public.

~~2.3.~~ The Land Development Division shall not approve a Land Disturbance Permit application without an endorsement by the Zoning Administrator.

~~3.4.~~ The Building Official shall not approve a Building Permit application without an endorsement by the Zoning Administrator.

~~4.5.~~ The Building Official or Land Development Division will also review and approve or deny the application based on the standards of Chapter 5: Buildings and Construction or Chapter 8: Flood Control, Drainage, and Stormwater Management, as applicable.:-

H. **Approval Criteria.** The Zoning Administrator must review and endorse a Land Disturbance Permit or Building Permit application if the proposed plans and application materials conform with the provisions of this UDO.



- I. **Scope of Approval.** Endorsement by the Zoning Administrator is required for the issuance of all Building Permits to which this UDO applies.
- J. **Recordkeeping.** A record of all Building Permits must be retained as provided in [Chapter 5: Buildings and Construction](#) or [Chapter 8: Flood Control, Drainage, and Stormwater Management, as applicable.](#)
- K. **Appeals.**
  - 1. An applicant may appeal the Zoning Administrator’s refusal to endorse a Building Permit to the Board [of Zoning Appeals](#) as provided in § 16.2.10: *Appeals (Zoning)*.
  - 2. An applicant may appeal the Building Official’s decision on a Building Permit as provided in [Chapter 5: Buildings and Construction](#) or [Chapter 8: Flood Control, Drainage, and Stormwater Management, as applicable.](#)
- L. **Reapplication.** An applicant may resubmit a withdrawn or denied Building Permit application as provided in [Chapter 5: Buildings and Construction](#) or [Chapter 8: Flood Control, Drainage, and Stormwater Management, as applicable.](#)

## ~~18.2.2~~ **16.2.2 GROUP DEVELOPMENT REVIEW**<sup>509</sup>

- A. **Purpose.** Group Development Review is intended to provide an overview of the applicant’s proposed land development. This site plan review is required for certain development types and uses that present an increased risk of detrimental effects to surrounding uses and the community in general. Group Development Review evaluates the proposed use’s compliance with this UDO.
- B. **Applicability.** This Section applies to an application for Group Development Review. This Site plan review is required if provided for by the use regulations for the proposed use set out in § 4.3: *Conditional & Special Exception Principal Uses* and Article 5: *Use Regulations for Zoned & Unzoned Areas* ~~Section 3.3: Conditional and Special Exception Uses and Article 4: Use Regulations for Zoned and Unzoned Areas.~~
- C. **Initiation.**
  - 1. *Applicant Eligibility.* An owner of real property, or that owner’s authorized representative, may apply for Group Development Review for that property.
  - 2. *Application Requirements.*

<sup>509</sup> This new Section provides a clear Site Plan Review process for certain uses that require additional review. The Site Plan Review is different from the renamed Final Development Plan Review, which was previously also called Site Plan Review.

- (a) An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in ~~Article 22: Submittal Requirements~~ ~~Article 24: Submittal Requirements~~.
  - (b) An application for Group Development Review shall be made at the time provided in the applicable use regulation set out in § 4.3: ~~Conditional & Special Exception Principal Uses~~ ~~and Article 5: Use Regulations for Zoned & Unzoned Areas~~ ~~Section 3.3: Conditional and Special Exception Uses~~ ~~and Article 4: Use Regulations for Zoned and Unzoned Areas~~.
- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for Group Development Review only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.** Public notice of the application is not required.
- G. **Approval Process.**
  - (a) The Zoning Administrator shall review and approve or deny the Group Development Review application.
  - (b) The Zoning Administrator shall consult with the Technical Advisory Committee for all applications for which Article 4: *Use Regulations for Zoned Areas* requires a site plan review.
- H. **Approval Criteria.** The Zoning Administrator shall review the site plan to determine if the proposed use, structures, buildings, and site improvements comply with the provisions of this UDO.
- I. **Scope of Approval.**
  - 1. Group Development Review approval confirms that the proposed use, structures, buildings, and site improvements comply with this UDO.
  - 2. An applicant must obtain a Building Permit to ensure conformity of all other features with the requirements of this UDO and the Building Code.
- J. **Recordkeeping.** The Zoning Administrator shall retain a record of all approved Group Development Review applications.
- K. **Appeals.** An applicant may appeal a decision on a Group Development Review to the Board of Zoning Appeals as provided in § 16.2.10: *Appeals (Zoning)*.

- L. **Reapplication.** An applicant may resubmit a withdrawn or denied Group Development Review application at any time.

~~18.2.3~~ **16.2.3 SMALL WIRELESS PERMIT**<sup>510</sup>

- A. **Purpose.** The purpose of this Subsection is to provide a clear and efficient application process for small wireless uses and to comply with requirements imposed by State and Federal laws and regulations in the permitting of small wireless facilities.
- B. **Applicability.**
  - 1. This Subsection applies to small wireless permits.
  - 2. Table 16.2.3-1: *Permitting Matrix for Small Wireless Deployments* summarizes the required permits for small wireless use depending on the area of the County and the location of the deployment.

**Table 16.2.3-1: Permitting Matrix for Small Wireless Deployments**

	<b>Zoned Area</b>	<b>Unzoned Area</b>
<u>P</u> ublic <u>C</u> ounty Right-of-Way <sup>1</sup>	Encroachment Permit Small Wireless Permit	Encroachment Permit Small Wireless Permit
Private Property	Building Permit	Building Permit

<sup>1</sup> County permits are not required for small wireless deployments in SCDOT managed rights-of-way.

- C. **Initiation.**<sup>511</sup>
  - 1. *Application Requirements.* The application shall be made by the applicant, or its duly authorized representative as noted in a notarized statement from the applicant, and shall contain the following:
    - (a) The applicant’s name, address, telephone number, and email address, including emergency contact information for the applicant;
    - (b) The names, addresses, telephone numbers, and email addresses of all consultants, if any, acting on behalf of the applicant with respect to the filing of the application;

<sup>510</sup> The new small wireless permit implements the requirements of the S.C. Small Wireless Facilities Deployment Act for deployment of small wireless facilities in the right-of-way. The same standards apply to small wireless facilities on private property.

<sup>511</sup> These are the statutory requirements for an application under the S.C. Small Wireless Facilities Deployment Act. The County cannot implement additional requirements.

- (c) A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected ~~or impacted~~ by the physical work proposed;
- (d) Detailed construction drawings regarding the proposed use of the right-of-way;
- (e) To the extent the proposed facility involves collocation on a pole, decorative pole, or support structure, a structural report performed by a duly licensed engineer in South Carolina evidencing that the pole, decorative pole, or support structure will structurally support the collocation, or that the pole, decorative pole, or support structure may and will be modified to meet structural requirements, in accordance with applicable codes;
- (f) For any new aboveground facilities, visual depictions, or representations if such are not included in the construction drawings;
- (g) Information indicating the approximate horizontal and vertical locations, relative to the boundaries of the right-of-way, of the small wireless facility for which the application is being submitted;
- (h) If the application is for the installation of a new pole or replacement of a decorative pole, a certification that the wireless provider has determined after diligent investigation that it cannot meet the service objectives of the application by collocating on an existing pole or support structure on which:
  - (1) The wireless provider has the right to collocate subject to reasonable terms and conditions; and
  - (2) Such collocation would be technically feasible and would not impose significant additional costs. ~~T~~he wireless provider shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and shall provide a written summary of the basis for such determination;
- (i) If the small wireless facility will be collocated on a pole or support structure owned by a third party, other than a County pole, a certification that the wireless provider has permission from the owner to collocate on the pole or support structure;
- (j) An affirmation that the applicant is, on the same date, submitting applications for other required permits identified in the list of required permits the County maintains;

- (k) Any additional information reasonably necessary to demonstrate compliance with the criteria set forth in § 16.2.3H ~~Section 4.7.D: Standards of Review Approval Criteria, below~~; and
- (l) For any applicant that is not a wireless services provider, an attestation that a wireless services provider has requested in writing that the applicant collocate the small wireless facilities or install, modify, or replace the ~~p~~Pole at the requested location.

2. *Consolidated Applications.*

- (a) An applicant seeking to collocate small wireless facilities may submit a single consolidated application, provided that such a consolidated application shall be:
  - (1) For a geographic area no more than two miles in diameter; and
  - (2) For no more than 30 small wireless facilities.
- (b) The applicant may receive a single permit for the collocation of multiple small wireless facilities with a consolidated application.
- (c) Solely for purposes of calculating the number of small wireless facilities in a consolidated application, a small wireless facility includes any pole on which such small wireless facility will be collocated.

3. *Encroachment Permit Required.* Before approval of the small wireless permit application, small wireless facilities proposed in County right-of-way must receive an encroachment permit from the County ~~or the State Department of Transportation, depending on the entity that controls the right-of-way.~~

D. **Completeness.**<sup>512</sup>

- 1. The Building Official shall review an application and shall notify the applicant in writing whether the application is complete within ten business days of receiving an application. If an application is incomplete, the Building Official must specifically identify the missing information in writing.
- 2. The processing deadline in § 16.2.3G: *Approval Process* is tolled from the time the Building Official sends the notice of incompleteness until the applicant provides the missing information. The processing deadline also may be tolled by agreement of the applicant and the authority, confirmed in writing.

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<sup>512</sup> This new Subsection provides for the completeness review as provided in the S.C. Small Wireless Facilities Deployment Act.

- E. **Amendments.** Any amendment to information contained in an application shall be submitted in writing to the County within 10 business days after the change necessitating the amendment.
- F. **Notice.** Public notice of the application is not required.
- G. **Approval Process.**
1. The Building Official will review the application and issue a small wireless permit.
  2. The Building Official must make the final decision to approve or deny the application within:
    - (a) 60 days of receipt of a complete application for collocation of small wireless facilities; and
    - (b) 90 days of receipt of a complete application for the installation, modification, or replacement of a pole and the collocation of associated small wireless facilities on the installed, modified, or replaced pole.
- H. **Approval Criteria.** A small wireless permit must be issued if it meets the requirements of this Subsection and the requirements of § 5.7: Small Wireless Facilities ~~Section 4.7: Small Wireless Facilities~~.
- I. **Scope of Approval.**
1. *Timing of Installation.* Installation or collocation for which a permit is granted pursuant to this Subsection must be completed within one year of the permit issuance date unless the County and the applicant agree to extend this period, or a delay is caused by the lack of commercial power or by the lack of communications facilities to be provided to the site by an entity that is not an affiliate, as that term is defined in 47 U.S.C. Section 153(2), of the applicant.
  2. *Effect and Term of Permit.* Approval of an application authorizes the applicant to:
    - (a) Undertake the installation or collocation; and
    - (b) Subject to applicable relocation requirements and the applicant's right to terminate at any time, operate and maintain the small wireless facilities and any associated pole covered by the permit for a period of 10 years, which may be renewed for equivalent durations so long as the installation or collocation is in compliance with the criteria set forth in this ordinance and the permit.
  3. *Conditions and Obligations.* Any conditions contained in a permit, including without limitation conditions designed to reduce the visibility of the small wireless facility and associated pole, or to make any portion of the same appear to be something other than a small wireless facility, shall apply for the entirety of the permit term and shall include

a duty to maintain and replace components as necessary to ensure continued compliance.

4. *Effect of Denial.* The denial of one or more small wireless facilities in a consolidated application will not delay processing of any other small wireless facilities in the same consolidated application.
- J. **Recordkeeping.**<sup>513</sup> The Building Official shall retain a record of all Small Wireless Permits issued.
- K. **Appeals.**<sup>514</sup> An applicant may appeal the Building Official's decision on a Small Wireless Permit as provided in Chapter 5: Buildings and Construction.
- L. **Reapplication.**<sup>515</sup> An applicant may resubmit a withdrawn or denied Small Wireless Permit application at any time.

#### ~~18.2.4 UDO INTERPRETATION (ZONING)~~<sup>516</sup>

- A. ~~**Purpose.** A zoning code interpretation is a written decision issued by the Zoning Administrator regarding the interpretation of any provision set forth in this UDO. It is intended to clarify ambiguities in the Zoning Code and to clarify any ambiguities in future amendments.~~
- B. ~~**Applicability.** The procedures in this Subsection apply to control applications and interpretations under the Articles identified in Table 16.1.2-1: *Applicability of Procedures to UDO Articles*.~~
- C. ~~**Initiation.**~~
1. ~~*Applicant Eligibility.* Any person may submit a request for a UDO interpretation to the Zoning Administrator regarding the applicable Articles of this UDO.~~
  2. ~~*Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in **Article 24: Submittal Requirements**.~~
- D. ~~**Completeness.** Applications are evaluated for completeness under the standards of Subsection 16.1.5: *Completeness Review*.~~

<sup>513</sup> This Subsection carries forward the recordkeeping requirement of § 3:7.1: *Certificate of Use*.

<sup>514</sup> This new Subsection provides for an appeal with a cross-reference to Subsection 16.1.11: *Appeals*.

<sup>515</sup> This new Subsection provides authority for a reapplication.

<sup>516</sup> ~~This new Section provides clear standards for interpretations of this UDO by County staff.~~

- E. ~~**Amendments.** An applicant may submit additional information or amend an application for a UDO Interpretation only in response to communications from County staff that the application is not complete, as provided in Subsection 16.1.5: *Completeness Review*.~~
- F. ~~**Notice.** Public notice of the application is not required.~~
- G. ~~**Approval Process.** The Zoning Administrator may approve or deny a request by issuing a written decision that shall be delivered by regular mail to the applicant.~~
- H. ~~**Approval Criteria.**~~
1. ~~The Zoning Administrator may issue a UDO interpretation if there is an ambiguity or need for the clarification demonstrated by the applicant. The interpretation must be based on the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO.~~
  2. ~~The Zoning Administrator may deny or reject the request if there is no ambiguity or need for the clarification demonstrated by the applicant.~~
  3. ~~The Zoning Administrator shall render only one interpretation per issue. If an interpretation is requested on an issue previously addressed, the Zoning Administrator shall provide a copy of the previous interpretation.~~
- I. ~~**Scope of Approval.**~~
1. ~~A Zoning Code UDO interpretation shall become effective upon execution by the Zoning Administrator.~~
  2. ~~The UDO interpretation shall apply to the review of:
 
    - (a) ~~Any pending application for the applicant who applied for the interpretation; and~~
    - (b) ~~All future applications filed on or after the effective date.~~~~
- J. ~~**Recordkeeping.**~~
1. ~~All UDO interpretations shall be numbered consecutively in order of their issuance.~~
  2. ~~The Planning Department shall maintain UDO interpretations for public access and review in hard copy and on its Internet site until the applicable section of the UDO is amended to provide the necessary clarification.~~
- K. ~~**Appeals.** An applicant may appeal a decision on a UDO interpretation to the Board as provided in Subsection 16.2.12: *Appeals (Zoning)*.~~
- L. ~~**Reapplication.** An applicant may resubmit a withdrawn or denied request for a UDO interpretation at any time.~~



### ~~18.2.5~~16.2.4 ZONING MAP AMENDMENT (REZONING)<sup>517</sup>

- A. **Purpose.** This Subsection provides the process to change the official Zoning Map. Zoning Map changes can occur as the result of a change in the Comprehensive Plan, changes in local conditions, or other factors. Rezoning usually are requested by property owners to provide a suitable framework for development.
- B. **Applicability.** This Subsection applies to all amendments to the official Zoning Map.
- C. **Initiation.**
1. *Applicant Eligibility.* Changes and amendments to the official Zoning Map be initiated by:
    - (a) County Council, the County Planning Commission, or the Board of Zoning Appeals by adoption of a motion; or
    - (b) Any interested property owner with a property interest in the parcel of property being petitioned for a map change or their authorized representative by filing an application with the Planning Department.
  2. *Application Requirements.*
    - (a) Changes and amendments requiring an application must be filed with the Zoning Administrator on an application form provided by the Planning Department.
    - (b) The application must include a description or statement of the present and proposed district boundary to be changed and the names and addresses of the owner or owners of the property.
- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.**<sup>518</sup>
1. Amendments to proposed Zoning Map amendments being considered by the County Council, the County Planning Commission, or the Board of Zoning Appeals may be adopted by motion of the Body considering the matter for review or approval.
  2. For applications from interested property owners, an applicant may submit additional information or amend an application for a rezoning only in response to communications

<sup>517</sup> This Subsection carries forward and clarifies current § 3:2: Zoning Ordinance Text and Map Amendments.

<sup>518</sup> This new Subsection provides a clear allowance for amendments by County decision-makers but limits the right of other applicants to amend and supplement the application only if it is incomplete.

from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

**F. Notice.**

1. *Generally.* Public hearings on amendments to the official Zoning Map require notice by publication as provided in Table 16.2.4-1.
2. *Notice Standards.* The applicant must provide posted notice as provided in Table 16.2.4-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions*.

Table 16.2.4-1: Required Notice for UDO Map Amendments			
Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days Before Hearings <del>N/A</del>
Posting	Yes	General Public	15 Days Before Public Hearing
Publication	Yes	General Public	15 Days Before Public Hearing

3. *Notice of Meetings of Public Bodies.* All other notices for regular or special meetings of the Planning Commission and County Council to consider rezonings must comply with the procedures for notice of the meeting for the body considering the matter.

**G. Approval Process.**

1. *Public Hearing.*
  - (a) Planning Department staff shall place rezoning applications on the agenda for the next scheduled public hearing of County Council.
  - (b) The Planning Department staff shall present the facts regarding the request for the rezoning at the public hearing. This presentation shall be made a part of the hearing record.
  - (c) The hearing shall proceed as provided in § 16.1.9: *Hearing Procedures* and the adopted Rules of Greenville County Council.
2. *First Reading by County Council.* At the First Reading by Council, the rezoning request is entered into the public record. The Council Clerk shall forward the request to the Planning Commission and subsequently to the Planning and Development P&D Committee for their recommendations.
3. *Planning Commission Review and Recommendation.*
  - (a) Planning Department staff shall review and make written recommendations to the Commission concerning the request.

- (b) Prior to final action by County Council, the Planning Commission shall review the rezoning application at its next regular meeting and offer any comments or recommendations as appropriate.
- (c) The Planning Commission may allow additional public comment on the matter at its regularly scheduled meeting at the discretion of the Planning Commission Chair.
- (d) The Planning Commission shall have 30 days to submit its report and recommendation to County Council. If the Planning Commission fails to submit a report within the prescribed time period, South Carolina law deems the Commission to have recommended approval of the change or departure.
- (e) In its recommendation, the Planning Commission may request an additional comment session. If County Council returns the matter to the Planning Commission for additional comment, the Planning Commission shall hold the public comment session at its next regularly scheduled meeting.

#### 4. *Action by County Council.*

- (a) Planning and Development P&D Committee Review and Recommendation.
  - (1) The Planning and Development P&D Committee shall consider information presented at the public hearing and recommendations from the staff review and the Planning Commission before making a recommendation to County Council. The Planning and Development Committee may also take all other actions that it is authorized to take by Council rules and state law.
  - (2) The Planning and Development P&D Committee may return the matter to the Planning Commission and require an additional public comment session based on the Committee's determination or a request by the Planning Commission. The Planning and Development Committee may also take all other actions that it is authorized to take by Council rules and state law.
- (b) Second and Third Reading by County Council of a rezoning request must proceed under the established procedures for consideration and adoption of legislation.

#### H. **Approval Criteria.**

- 1. The County Council may approve or disapprove rezoning requests in its discretion.
- 2. Before County Council approves any map amendment, Planning Department staff shall inform the Planning Commission and County Council of the relation of the application to

the provisions of the County's Comprehensive Plan or, in the absence of such information, that the Council should consider one or more of the following:

- (a) That the original zoning classification given the property was improper or inappropriate; or
- (b) That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the County's Comprehensive Plan and which have substantially altered the basic character of the area.

- I. **Scope of Approval.** An ordinance affecting a change in the Official Zoning Map shall not become effective until the day following Third Reading by County Council.
- J. **Recordkeeping.** When the County Council approves a rezoning request, the Zoning Administrator shall ensure the Official Zoning Map is promptly updated in accordance with § 2.2: *Zoning Map*.
- K. **Appeals.** The decision by the County Council is final.
- L. **Reapplication.**
  - 1. *County Initiated Rezonings.* There is no limitation on renewed consideration of proposed rezoning raised by motion of the County Council, the County Planning Commission, or the Board of Zoning Appeals.
  - 2. *Rezoning Requests by Owners and Residents.*
    - (a) When County Council denies a rezoning request proposed by interested property owners and residents, it will not consider another rezoning request to the same or a less restrictive zoning district affecting the same property within one year from the date of the previous denial.
    - (b) For the purposes of reapplication, “less restrictive” means a district that allows greater residential density or greater commercial or industrial intensity than the district standards that apply to the parcel or parcels under the current Official Zoning Map.
    - (c) A rezoning request for the same property to a more restrictive zoning district is not subject to the one-year reapplication period.
    - (d) When a rezoning request is withdrawn at the request of the applicant after such time as the application has been legally advertised for public hearing, the same rezoning request shall not be considered for the same property for six months from the date of withdrawal.

## ~~18.2.6~~ 16.2.5 ZONING MAP AMENDMENT (REZONING)—REVIEW DISTRICTS<sup>519</sup>

### A. Purpose.

1. This Subsection provides the process to adopt changes to the official Zoning Map to the Review Districts provided for in § 2.4: *Review Districts*.
2. These districts encourage innovative and creative design of residential and commercial developments and permit a greater amount of flexibility by removing some of the restrictions of conventional zoning.
3. Review District rezoning provides a mechanism for County Council and the Applicant to agree on the scope of the proposed development, recognizing that some concepts will

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<sup>519</sup> This Subsection significantly updates and clarifies the Review District Rezoning process. Currently, the County Council approves a development plan during the rezoning process, but the Planning Commission can override the development plan during the subsequent subdivision review. It combines and organizes the various procedures for review district rezonings in one location, which are located in:

- ZO Section 3:9 Site Plan Review for PD, NC, POD
- ZO Section 8:1 PD, Planned Development District
- ZO Section 8:2 POD, Planned Office District - deleted.
- ZO Section 8:3 NC, Neighborhood Commercial District – made base district.
- ZO Section 8:4 I-2, Industrial Park District
- ZO Section 8:8 FRD, Flexible Review District
- ZO Section 8.10 BT, Business and Technology District
- LDR Article 18 Planned Office District (deleted),
- LDR Article 19 Neighborhood Commercial District (base district),
- LDR Article 20 Planned Development District,
- LDR Article 21 Flexible Review District.

The overall review district development process is changed as follows based on County staff's recommendations:

- Requires participation in the monthly pre-application community meeting.
- Requires a pre-application Technical Advisory Committee (TAC) review of the preliminary development plan.
- Provides for review by the Planning & Development Committee to set a public hearing.
- Provides for a public hearing by Council, followed by First Reading.
- Provides for Planning Commission review and recommendation for the rezoning and preliminary development plan.
- Provides for Second and Third Reading to approve the rezoning, which results in preliminary development plan approval by Council.
- The final development plan is approved by County staff based on consistency with the approved preliminary development plan.
- If the review district includes the subdivision of the parcel, the Staff TAC reviews a preliminary plan and evaluates all infrastructure requirements in the UDO.
- The Planning Commission reviews the preliminary plan for consistency with the County Council's decision and the infrastructure requirements identified by the TAC.
- Staff approves the Final Plat based on consistency with the approved Preliminary Plan.

be more appropriate than others, and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

B. **Applicability.** This Subsection applies to all amendments to the official Zoning Map to adopt the districts provided for in § 2.4: *Review Districts*. These districts include:

- 1. Business & Technology District (BTD) (See § 2.4.2);
- 2. Flexible Review District (FRD) (See § 2.4.3);
- 3. Industrial Park District (I-2) (See § 2.4.4); and
- 4. Planned Development District (PD) (See § 2.4.5).

C. **Initiation.**

1. *Applicant Eligibility.* Any property owner with a property interest in the parcel of property being petitioned for a map change or their authorized representative may initiate a Review District rezoning by filing an application with the Planning Department.

2. *Pre-Application Meetings.*

(a) For all ~~review district~~ Review District rezonings, the applicant must participate in a pre-application Technical Advisory Committee (TAC) review meeting as provided in § 16.1.6: *Pre-Application Meetings*.

~~(a)~~(b) The Zoning Administrator shall not approve an applicant to submit a formal application when the applicant submitted an incomplete application for the TAC review meeting.~~The Zoning Administrator will not approve an applicant that submitted an incomplete application for the TAC review meeting to submit a formal application.~~

~~(b)~~(c) An applicant for Major Subdivision review shall participate in a Pre-Application Community Meeting as provided in § 16.1.7. This meeting must occur no more than six months before the filing of the application.

3. *Application Requirements.*

(a) Applicants must file ~~review district~~ Review District rezoning applications with the Zoning Administrator on an application form provided by the Planning Department.

(b) The applicant must include all information required by the application, including a Preliminary Development Plan as provided in Article 22: *Submittal Requirements*.

- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a ~~review district~~Review District rezoning only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.**
  - 1. *Generally.* Public hearings on amendments to the official Zoning Map require notice by publication as provided in Table 16.2.5-1.
  - 2. *Notice Standards.* The applicant must provide posted notice as provided in Table 16.2.5-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions*.

Table 16.2.5-1: Required Notice for Review District Rezoning			
Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days Before Public Hearing N/A
Posting	Yes	General Public	15 Days Before Public Hearing
Publication	Yes	General Public	15 Days Before Public Hearing

- 3. All other notices for regular or special meetings of the Planning Commission and County Council to consider rezonings must comply with the procedures for notice of the meeting for the body considering the matter.

- G. **Approval Process.**
  - 1. *Public Hearing.*
    - (a) The Zoning Administrator shall place ~~review district~~Review District rezoning applications on the agenda for the next scheduled public hearing of County Council.
    - (b) The Planning Department staff shall present the facts regarding the request for the rezoning at the public hearing. This presentation shall be made a part of the hearing record.
    - (c) The hearing shall proceed as provided in § 16.1.9: *Hearing Procedures* and the adopted Rules of Greenville County Council.
  - 2. *First Reading by County Council.* At First Reading, the Review District rezoning is introduced to County Council and entered in the public record. After First Reading, Council refers the matter to the Planning Commission and the Planning and Development ~~P&D~~ Committee for their recommendations.

3. *Planning Commission Review and Recommendation.*
  - (a) Planning Department staff shall review and make written recommendations to the Planning Commission concerning the rezoning request and Preliminary Development Plan.
  - (b) The Planning Commission shall review the rezoning application and Preliminary Development Plan at its next regular meeting and offer any comments or recommendations as appropriate.
  - (c) The Planning Commission shall have 30 days to submit its report and recommendation to County Council. If the Planning Commission fails to submit a report within the prescribed time period, South Carolina law deems the Commission to have recommended approval of the change or departure from the map.
  - (d) The Planning Commission may allow additional public comment on the matter at its regularly scheduled meeting.
  - (e) In its recommendation, the Planning Commission may request an additional comment session. If County Council returns the matter to the Planning Commission for additional comment, the Planning Commission shall hold the public comment session at its next regularly scheduled meeting.
4. *Planning and Development Committee Review and Recommendation.*
  - (a) The P&D Committee shall consider information presented at the public hearing and recommendations from the staff and the Planning Commission.
  - (b) The P&D Committee may take any action that it is empowered to take by County ordinance or County Council rules.
5. *Action by County Council. Second and Third Reading by County Council of a rezoning request and review of the Preliminary Development Plan shall proceed under the established procedures for consideration and adoption of legislation.*

#### H. **Approval Criteria.**

1. In making its report and recommendation to County Council on a Review District rezoning, the Planning Commission shall determine the following factors:
  - (a) The spirit of the zoning district will not be violated;
  - (b) The proposed development will harmonize with existing developments;



- (c) The proposed development will be a desirable addition to the physical pattern of the neighborhood;
  - (d) The design is such that additional traffic will not be a burden on existing streets;
  - (e) No adverse environmental impacts will be created by the proposed development;
  - (f) The visual appearance of the development will harmonize with the existing development; and
  - (g) The architectural character blends with the surrounding area.
2. The Planning Commission may recommend additional or more restrictive requirements if it is determined that it is within the best public interest.
3. — The County Council will review a Review District rezoning in its discretion. ~~However, all Preliminary Development Plans shall meet the minimum infrastructure requirements for public health, safety, and general welfare as outlined in the applicable sections of the ordinance and other applicable state regulations.~~
- (a) — The applicant may request, and the Planning Commission and County Council may consider, variations from the zoning, land development, and infrastructure requirements of this UDO in reviewing the Preliminary Development Plan. The Technical Advisory Committee will report on the ways that the proposal departs from the standards of the UDO and recommend approval or denial of the proposal to meet minimum health and safety standards. ~~The zoning requirements that may be varied include the standards in the following articles:~~
- (1) — ~~Article 2: Zoning Districts;~~
  - (2) — ~~Article 4: Use Regulations for Zoned Areas;~~
  - (3) —
  - (4) — ~~Article 5: Use Regulations for Zoned & Unzoned Areas;~~
  - (5) — ~~Article 6: Parking & Loading;~~
  - (6) — ~~Article 7: Buffers & Screening, except § 7.3: Riparian Buffers;~~
  - (7) — ~~Article 8: Tree Preservation;~~
  - (8) — ~~Article 9: Outdoor Lighting;~~
  - (9) — ~~Article 10: Building Design;~~

~~(10) — Article 11: Subdivisions & Group Developments; and~~

~~(11) — Article 13: Transportation Corridor Preservation.~~

~~(b) — The applicant shall not request, and the Planning Commission and County Council shall not consider, variations from the infrastructure requirements of this UDO in reviewing the Preliminary Development Plan. The infrastructure requirements that cannot be varied include the standards in the following articles:~~

~~(1) — Article 12: Access & Connectivity;~~

~~(2) — Article 14: Stormwater Management; and~~

~~(3)3. Article 15: Utilities.~~

I. **Scope of Approval.**

1. *Final Development Plan Required.* Approval of a Review District rezoning proposal results in the approval of the Preliminary Development Plan and authorizes the applicant to submit a Final Development Plan for review by the Planning Department as provided in § 16.2.6: *Final Development Plan for Review Districts.*

2. *General Requirements.*

(a) Variations to the standards of this UDO included in the approved Statement of Intent or Preliminary Development Plan shall only supersede the zoning regulations of this UDO as provided in § 1.1.1A.1.

(b) Variations to the infrastructure standards of this UDO as provided in § 1.1.1A.1. require a waiver from Planning Commission as provided in § 16.4.10: *Waivers (LDRs)*; if not approved during the rezoning approval process.

3. *Effective Date.* An ordinance affecting a change in the Official Zoning Map shall not become effective until the day following Third Reading by County Council.

J. **Recordkeeping.** When the County Council approves a rezoning request, the Zoning Administrator shall ensure the Official Zoning Map is promptly updated in accordance with § 2.2: *Zoning Map.*

K. **Appeals.** The decision by the County Council is final.

L. **Reapplication.** When County Council denies a Review District rezoning request, it will not consider another rezoning request to the same property within one year from the date of the previous denial.

## ~~18.2.7~~16.2.6 FINAL DEVELOPMENT PLAN FOR REVIEW DISTRICTS<sup>520</sup>

~~1. The final development plan is approved by County staff based on consistency with the approved Preliminary Development Plan.~~

**B.A. Purpose.** A Final Development Plan review is a process that allows the Zoning Administrator to evaluate whether all proposed buildings, structures, infrastructure, and uses comply with the standards of this UDO and the approved Preliminary Development Plan for a Review District.

**C.B. Applicability.** This Subsection applies to the final development plan review required for the Review Districts provided for in § 2.4: *Review Districts*. These districts include:

1. Business & Technology District (BTD) (see § 2.4.2);
2. Flexible Review District (FRD) (see § 2.4.3);
3. Industrial Park District (I-2) (see § 2.4.4); and
4. Planned Development District (PD) (see § 2.4.5).

**D.C. Initiation.**

1. *Applicant Eligibility.* Final Development Plan review for Review Districts may be initiated by any applicant who has obtained approval for Review District rezoning by filing an application with the Planning Department.
2. *Application Requirements.*
  - (a) Final Development Plan review applications must be filed with the Zoning Administrator on an application form provided by the Planning Department.
  - (b) The applicant must include all information required by the application, including a ~~F~~final ~~D~~evelopment ~~P~~lan as provided in Article 22: *Submittal Requirements*.

**E.D. Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.

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<sup>520</sup> This Subsection significantly updates and clarifies the current “site plan review” for review districts. It re-names this procedure final development plan review to eliminate confusion with the site plan review procedure. The draft combines and organizes the final development plan reviews in ZO Section 3:9 Site Plan Review for PD, NC, POD, and ZO Section 8:8 FRD, Flexible Review District. For an overview of the new Review District Rezoning process, see the note with 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.

F.E. **Amendments.** An applicant may submit additional information or amend an application for a rezoning only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

G.F. **Notice.** Public notice of the application is not required.

H.G. **Approval Process.**

1. *Generally.* The Zoning Administrator shall review the Final Development Plan application within 30 days and must notify the applicant of the decision. Based on the approval criteria below, the Zoning Administrator may:
  - (a) Approve the Plan;
  - (b) Request modifications to the Plan;
  - (c) Reject the Plan; or
  - (d) Determine that the proposed Plan constitutes a major change that requires further Council consideration as provided in § 16.2.6G.2(b) below ~~Paragraph I,~~ ~~below.~~
  
2. *Review of Plans with Major and Minor Changes.*
  - (a) *Minor Changes.*
    - (1) The Zoning Administrator may approve minor changes to an approved Review District that do not significantly alter the basic concept and general characteristics of the district ~~may be approved by the Zoning Administrator.~~
    - (2) The Zoning Administrator shall not approve a minor change ~~may not be approved by the Zoning Administrator~~ that conflicts with specific conceptual considerations previously approved by County Council.
  - (b) *Major Changes.*
    - (1) County Council shall review major changes to a Review District using the application procedure for a new Review District rezoning in § 16.2.5.
    - (2) ~~After approval of a~~ if County Council approves a major change ~~by County Council,~~ approval of the Final Development Plan may proceed under this Subsection without re-application.

I.H. **Approval Criteria.**

1. *Generally.* The Zoning Administrator shall review the Final Development Plan application to determine whether the proposed buildings, structures, infrastructure, uses, and other development conditions comply with the approved Preliminary Development Plan for the Review District and the standards of this UDO.
2. *Changes to Approved Preliminary Development Plan.* If the applicant makes any changes to an approved Preliminary Development Plan, the Zoning Administrator shall determine whether any proposed change is major or minor using the criteria below.
3. *Minor Changes.* Minor changes are those that do not significantly alter the basic concept and general characteristics of the district. Examples of minor changes include, but are not limited to, the following:
  - (a) Reductions in density, signage, or square footage;
  - (b) Increases in landscaping, open space, or setbacks;
  - (c) Minor changes to landscaping, lighting, parking, or signage;
  - (d) Reorientation of structures;
  - (e) Changes to more restrictive land uses; and
  - (f) Shifts in approved density from one area of the Review District to another.
4. *Major Changes.* Major changes to an approved Review District are those that would significantly alter the basic concept and general characteristics of the District. Examples of major changes include, but are not limited to, the following:
  - (a) Boundary changes;
  - (b) Decrease in open space;
  - (c) Increase or decrease in number of ingress and egress points and relocation or realignment of ingress and egress points;
  - (d) Changes to more intensive land uses, e.g., residential to commercial; and
  - (e) Any change which the Zoning Administrator determines would significantly alter the basic concept and general characteristics of the Review District.

#### 16.2.1 **Scope of Approval.**

1. *Generally.* Final Development Plan approval is an intermediate step in the approval process for Review Districts. For single parcel Review Districts, Final Development Plan approval allows the owner to apply for and receive development permits, such as building permits or certificates of occupancy. For Review Districts that subdivide land,

after receiving Final Development Plan approval, the owner must complete the subdivision approval procedure and shall not be eligible for development permits until receiving final plat approval and recording the final plat.

2. *Subdivision Approval.* If the approved Final Development Plan includes a proposed subdivision of land, the applicant must seek ~~P~~preliminary ~~P~~plan~~at~~ approval as provided in § 16.4.7: *Review District Subdivision – Preliminary Plans* after the approval of a final development plan.~~–~~
3. *Developments not Involving Subdivision.* If the approved Final Development ~~P~~plan does not involve the subdivision of land, the applicant may proceed to comply with the specific requirements for development of the site, including applying for a ~~L~~and ~~d~~Disturbance ~~p~~Permit.
4. *Expiration of Approval.* All Final Development Plan review approvals are valid for two years. If development permits have not been issued in this time, a new plan review is required. Provided, however, that approved site plans for the Review Districts are subject to the provisions of the County’s Vested Rights Ordinance.

~~K~~.J. **Recordkeeping.** The Final Development Plan and the Zoning Administrator’s decision shall be a part of the Review District records.

~~L~~.K. **Appeals.** An applicant may appeal a decision on a Final Development Plan to the Planning Commission as provided in § 16.1.11: *Appeals*.

~~M~~.L. **Reapplication.**<sup>521</sup> An applicant may resubmit a withdrawn or denied Final Development Plan application at any time.

## ~~18.2.8~~16.2.7 INITIAL ZONING<sup>522</sup>

- A. **Purpose.** This Section establishes the procedures to apply zoning to ~~parcels~~lots currently located in an unzoned area of unincorporated Greenville County.

<sup>521</sup> This new Subsection provides authority for a reapplication.

<sup>522</sup> This Section significantly revises ZO § 3:2.3: *Initiation of Amendments* by eliminating the referendum and petition options, as such, for initial zoning and replacing them with a simple application process that is nearly identical to the County’s current rezoning process. The referendum option has never been used. The petition option is complex and time consuming, taking up to two years or longer to complete and may discourage property owners from pursuing zoning, even when there is significant interest among property owners in a particular area. In addition, we believe this approach responds better to the South Carolina Supreme Court decision in *I’On, LLC v. Town of Mount Pleasant* that we’ve discussed and is in line with the approach the consultant team presented to the Committee of the Whole at its April 2021 workshop.

**B. Applicability.**

1. This Section applies to any request to amend the Zoning Map to apply one or more zoning districts to property located in unincorporated Greenville County that is not currently zoned.
2. If the proposed zoning district is a Review District as defined in § 2.4: *Review Districts*, the procedural requirements of § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts* also apply.

**C. Initiation.**

1. *Applicant Eligibility.*<sup>523</sup> An initial zoning request may be initiated by:
  - (a) Greenville County Council by adoption of a motion;
  - (b) Greenville County Planning Commission by adoption of a motion;
  - (c) The Greenville County Planning Director (but not their designee<sup>524</sup>);
  - (d) The owner(s) of the property proposed for initial zoning; or
  - (e) An agent of the owner(s) of the property proposed for initial zoning, with a signed Acting Agent Authorization Form.
2. *Initiation Requirements for Property Owner-Initiated Zoning.*
  - (a) *Property Contiguous to Zoned Area.*
    - (1) When property proposed for initial zoning is contiguous to other zoned property, the property owner or agent files an Application for

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Proposed here is to allow individual property owners to submit applications for initial zoning when the subject property is contiguous to zoned area, which codifies a current County policy. When property proposed for initial zoning is not contiguous to zoned area, this draft proposes that the application must include at least 160 acres and the signatures of 60% of the property owners. This significantly reduces the threshold acreage for initial zoning (from 640 acres) to make the process more accessible to residents, while maintaining a reasonably high acreage threshold to limit “piecemeal” zoning requests.

<sup>523</sup> This is consistent with ZO Section 3:2.3: *Initiation of Amendments* but proposes to remove the BZA as an authorized group that can initiate initial zoning and add *Planning Director* as an authorized person who can initiate initial zoning.

<sup>524</sup> The proposed definition of *Planning Director* is “[t]he administrative head of the Planning Department, or their designee.”

Amendment to Official Greenville County Zoning Map with the Zoning Administrator.

- (2) An application for initial zoning may include a single lotparcel or any number of lotparcels contiguous to each other, if at least one of the lotparcels is contiguous to a zoned lotparcel.
  - (3) The application requires signatures from 100% of the owners (or agents) of the property proposed for zoning.
  - (4) If an application for initial zoning includes two or more lotparcels, the proposed zoning district must be the same for all lotparcels.
- (b) *Property Not Contiguous to Zoned Area (“Area Zoning”).*
- (1) When property proposed for initial zoning is not contiguous to other zoned property, the application must include at least 160 acres of contiguous unzoned property.
  - (2) The County shall not accept an Application for Amendment to Official Greenville County Zoning Map unless the Application includes the signatures of at least ~~100~~60% of the owners (or agents) of the property proposed for Area Zoning.<sup>525</sup>

3. *Initiation Requirements for County-Initiated Zoning.*

- (a) An initial zoning may be initiated by the County Council or Planning Commission by adoption of a motion that identifies the lotparcel(s), proposed zoning district(s), and the reason for the initiation of zoning.

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<sup>525</sup> This Paragraph proposes ~~to maintain the 60% to encode the 100% consent signature requirement threshold Council has generally recognized. It is a significant change from the current 60% threshold. even though County Council's typical practice is to only zone those lots where the owner agrees to be zoned.~~ The reason many property owners choose to initiate zoning is to protect their community from the development of undesirable or incompatible land uses. However, requiring 100% of property owners to agree to have their lots zoned enables owners who want to develop such incompatible land uses to “opt out” of zoning, thus negating the community’s efforts. Over the long run, the policy of allowing owners to opt out could defeat the purpose of zoning to avoid incompatible land uses by leaving areas of unzoned property in the zoned areas of the County. For example, the owner of rural land might opt out of zoning for personal reasons, and a residential area could develop around this low-intensity land use over time. Eventually, the owner might decide to sell to a developer, and the parcel could be developed as a commercial use that attracts significant traffic or operates late in the evening. Zoning is intended to avoid incompatibilities such as this but is only effective if it covers all parcels in an area. ~~The proposed text provides the flexibility for Council to zone areas where a majority of the owners support the initial zoning request. Ultimately, though, the decision to zone property is up to County Council and the Council may choose to continue its practice to only zone the lots of willing property owners.~~



- (b) An initial zoning may be initiated by the Planning Director by preparation of a proposal that identifies the lotparcel(s), proposed zoning district(s), and the reason for the initiation of zoning.
- (c) As soon as reasonably possible following adoption of the motion or preparation of the proposal, the proposed initial zoning begins the process specified in § 16.2.7G: *Approval Process* ~~Paragraph G~~.
- (d) When the County initiates initial zoning, the subject property is not required to be contiguous to zoned area.

4. *Pre-Application Meeting.*

- (a) If an owner or an owner's agent decides to initiate zoning, they must participate in a pre-application meeting consistent with § **16.1.6: Pre-Application Meeting**.
- (b) If the request is for Area Zoning, Planning Department staff and the applicant(s) shall identify the proposed initial zoning area at the pre-application meeting and determine the number of property owner signatures required for the application to be complete.
- (c) At or following the meeting, staff shall prepare a map exhibit identifying the proposed initial zoning area that must accompany the application.
- (d) The applicant may work with staff to adjust the boundary of the initial zoning area prior to submittal of the application.

5. *Proposed Zoning District.* An initial zoning request should propose one or more zoning districts that are compatible with the Comprehensive Plan Future Land Use Map. Article 2: *Zoning Districts* includes recommended locations for each base zoning district.

6. *Split-Zoned LotParcels.* An initial zoning request shall not propose more than one zoning district on a single lotparcel.

D. **Completeness.** Planning Department staff shall review an application for completeness based on the standards of § 16.1.5: *Completeness*.

E. **Amendments.** An applicant may submit additional information or amend an application for initial zoning only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

F. **Notice.**<sup>526</sup>

1. *Notice Requirements for Property Owner-Initiated Zoning.* The notice required by Table 16.2.7-1 applies to an initial zoning request filed by the property owner(s).

<b>Table 16.2.7-1: Required Notice for Property Owner-Initiated Initial Zoning Requests</b>			
<b>Type</b>	<b>Required?</b>	<b>To Whom?</b>	<b>When?</b>
Electronic	Yes	<del>Applicants</del> General public	15 days before County Council public hearing
Mail	Yes	Owners of the subject property whose signatures are not included on the application	<del>21 days before County Council public hearing</del>
Posting <sup>1</sup>	Yes	General public	15 days before County Council public hearing
Publication	Yes	General public	15 days before County Council public hearing

<sup>1</sup> See 16.2.7F.4.

2. *Notice Requirements for Property County-Initiated Zoning.* The notice required by Table 16.2.7-2 applies to an initial zoning request initiated by Greenville County.

<b>Table 16.2.7-2: Required Notice for County-Initiated Initial Zoning Requests</b>			
<b>Type</b>	<b>Required?</b>	<b>To Whom?</b>	<b>When?</b>
Electronic	Yes	<del>N/A</del> General public	<del>15 days before County Council public hearing</del> N/A
Mail	Yes	Owners of the subject property	21 days before County Council public hearing
Posting <sup>1</sup>	Yes	General public	15 days before County Council public hearing
Publication	Yes	General public	15 days before County Council public hearing

<sup>1</sup> See 16.2.7F.4.

3. *Mailed Notice.*<sup>527</sup>

- (a) When mailed notice is required for an initial zoning request, the Planning Department shall provide notification by a written letter sent by registered or

<sup>526</sup> Section 16.1.7: *Notice Provisions* describes in detail each type of notice and specifically how it is provided (e.g., electronic notice appears on the Greenville County website, published notice appears in a print newspaper of general circulation).

<sup>527</sup> If mailed notice is required for other procedures, this Paragraph may be relocated to Section 16.1.7: *Notice Provisions*.

certified mail, return receipt requested. The letter must be mailed at least 21 days before the County Council meeting at which the public hearing on the zoning is scheduled.

- (b) If the addressee of any required notice under this Section fails or refuses to accept or sign a return receipt for the notice, or the notice is returned undelivered, ~~P~~lanning Department staff shall provide notice by regular mail, deposited in the United States mail, properly stamped, to the address used by the addressee for tax purposes.
- (c) An affidavit of the official required to give the notice, setting forth the time and manner of the method of notice, will be conclusive proof of notice.

- 4. *Posted Notice for Large Area Zoning.* The County shall post notice for zoning of large areas at prominent locations and intersections within the area proposed for initial zoning with no requirement to post each affected ~~lot~~parcel.

G. Approval Process.<sup>528</sup>

1. *Public Hearing.*

- (a) Upon receipt of a complete application or following adoption of a motion or completion of a proposal, as applicable, Planning Department staff shall place the initial zoning request on the agenda for the next scheduled County Council zoning public hearing date.
- (b) At the public hearing, Planning Department staff shall present the facts regarding the initial zoning request at the public hearing.
- (c) The public hearing provides the only opportunity for public comment, except when the Planning Commission allows additional comment as provided in § 16.2.7G.4(c), below.

2. *First Reading.*

- (a) Following the public hearing (typically at its next regular meeting of the County Council), the zoning ordinance shall receive First Reading.
- (b) After First Reading, Council sends the matter to a public hearing and then, in succession, to the Planning Commission and the ~~P&D~~Planning and Development Committee for their recommendations.

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<sup>528</sup> Carries forward applicable provisions of ZO 3:2.4 *Public Hearing*, ZO 3:2.6 *Action by the Planning Staff and Planning Commission* and ZO 3:2.7 *Action by County Council*.

3. *Zoning Administrator Review and Recommendation.*

- (a) The Zoning Administrator shall review the request and prepare a report that includes:
  - (1) A description of the relationship of the proposed zoning to the Comprehensive Plan; and
  - (2) A written recommendation for approval or disapproval.
- (b) The Zoning Administrator shall provide this report to the Planning Commission, Planning and Development Committee, and County Council.

4. *Planning Commission Review and Recommendation.*

- (a) In addition to the criteria specified in § 16.2.7H, the Planning Commission shall consider information presented at the public hearing and the Zoning Administrator's report and recommendation in making its report and recommendation.
- (b) The Planning Commission shall recommend approval or disapproval, or make no recommendation, of the initial zoning request. The Commission shall send its recommendation to the Planning and Development Committee for consideration.
  - (1) The Planning Commission has 30 days to submit its recommendation.
  - (2) If the Planning Commission fails to submit a recommendation within the prescribed time period, South Carolina law deems the Commission to have recommended approval of the initial zoning request.
- (c) In its recommendation, the Planning Commission may request that the P&D Planning and Development Committee return the matter to the Commission for an additional comment session. It is within the Planning and Development P&D Committee's discretion whether to approve or deny the request.
- (d) Typically, the County Council public hearing provides the only opportunity for public comment on an initial zoning request. However, the Planning Commission may allow additional public comment on an initial zoning request at its regularly scheduled meeting.

5. *Planning and Development Committee Review and Recommendation.*

- (a) In addition to the criteria specified in § 16.2.7H, the Planning and Development Committee shall consider information presented at the public hearing, the Zoning Administrator's report and recommendation, and the Planning

Commission's report and recommendation in making its recommendation to County Council.

- (b) The Planning and Development Committee may return the initial zoning request to the Planning Commission and require an additional public comment session on the request based on the Committee's determination or based on a request by the Planning Commission. If the Committee returns the request to the Planning Commission for additional comment, the Planning Commission shall schedule the public comment session at its next regularly scheduled meeting.
- (c) The Planning and Development P&D Committee may take any action that it is empowered to take by County ordinance or County Council rules.

6. *Second Reading.*

- (a) In addition to the criteria specified in § 16.2.7H, the County Council shall consider information presented at the public hearing, the Zoning Administrator's report and recommendation, the Planning Commission's report and recommendation, and the Planning and Development Committee's recommendation in making its decision.
- (b) County Council shall vote to approve or disapprove the initial zoning request. If the Planning and Development Committee or the Planning Commission recommended:
  - (1) Approval of the initial zoning request, County Council may approve or disapprove the request by simple majority; or
  - (2) Disapproval of the initial zoning request, County Council may:
    - i. Reject the request by simple majority; or
    - i. Adopt initial zoning only by a favorable vote of two-thirds of the members of the Council.<sup>529</sup>
- (c) If County Council votes to approve the request at sSecond ~~fR~~Reading, the request proceeds to the next Council meeting for ~~t~~Third ~~fR~~Reading.
- (d) If County Council votes to disapprove the request at sSecond ~~fR~~Reading, the application fails, and the Council will not consider the application at a ~~t~~Third ~~fR~~Reading.

<sup>529</sup> Current text in Zoning Ordinance Section 3:2.7 only requires a two-thirds vote to override the recommendation of the Planning Commission. However, the [Rules of Greenville County Council](#) require a two-thirds vote to override a recommendation for disapproval from both the Planning and Development Committee. That policy is codified here.

~~R~~Reading. The Zoning Administrator shall notify the applicant(s) by mail of the disapproval.

- (e) County Council may defer action on an initial zoning request for up to 90 days<sup>530</sup> in order to gain additional facts or to seek the resolution of any disputes surrounding the request.

7. *Third Reading.*

- (a) If County Council votes to approve the request at ~~S~~Second ~~R~~Reading, the request proceeds to the next meeting of Council for ~~T~~Third ~~R~~Reading.
- (b) County Council votes to approve or disapprove the zoning request. If the Planning and Development Committee or the Planning Commission recommended:
  - (1) Approval of the initial zoning request, County Council may approve or disapprove the request by simple majority;
  - (2) Disapproval of the initial zoning request, County Council may:
    - ii. Reject the request by simple majority; or
    - i. Adopt initial zoning only by a favorable vote of two-thirds of the members of the Council.

H. **Approval Criteria.** In making its recommendation or decision, the reviewing and decision-making bodies shall consider the following factors, as applicable:

1. Whether the proposed zoning is consistent with the Comprehensive Plan and any other relevant adopted plans;
2. Whether the proposed zoning and land uses allowed in the district reinforce the existing or planned character of the neighborhood;
3. Whether public facilities and services, including schools; roads; recreation facilities; wastewater treatment, water supply, and stormwater facilities; and police, fire, and emergency medical services are adequate for the land uses allowed in the proposed district;
4. Whether the proposed zoning is consistent with best practices for community planning; and

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<sup>530</sup> This timeframe is new and is proposed to provide predictability for applicants.

5. Whether any other criteria the reviewing and decision-making bodies determine to be relevant apply to the request.

**I. Scope of Approval.**

1. Initial zoning becomes effective the day following approval at ~~the~~ Third ~~the~~ Reading by County Council.<sup>531</sup>
2. Approval of an initial zoning request subjects the property to all provisions of this UDO. Any subsequent development or change in use must conform to the applicable provisions of this UDO.
3. An approved initial zoning request does not authorize development. Any development that occurs after approval of the initial zoning request requires additional approval, which may include site plan or Subdivision Plat approval, if applicable, and Building Permits and Certificates of Occupancy.

- J. Recordkeeping.** When the County Council approves a rezoning request, the Zoning Administrator shall promptly update the Official Zoning Map in accordance with § 2.2: *Zoning Map*.

- K. Appeals.** The decision by the County Council is final.

**L. Reapplication.**<sup>532</sup>

1. *Reapplication After Disapproval.* When County Council disapproves an initial zoning request, it shall not consider a request for the same or a less restrictive zoning district classification (see § 2.1.3: *Base District Hierarchy*) affecting the same parcel or parcels for one year from the date of disapproval. A request for a more restrictive zoning district classification is not subject to the one-year waiting period.
2. *Reapplication After Withdrawal.*
  - (a) When an applicant withdraws their request prior to advertisement for public hearing, the applicant may resubmit the request at any time.
  - (b) When an applicant withdraws their request after it has been legally advertised for public hearing, the County shall not accept another initial zoning request for the same property for six months from the date of withdrawal.

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<sup>531</sup> Carries forward ZO 3:2.9 *Effective Date of Changes in Zoning or Map Ordinances*.

<sup>532</sup> Carries forward ZO 3:2.8 *Reconsideration of Request for Amendment* with revisions to simplify the text.

**16.2.8 SPECIAL EXCEPTION USES<sup>533</sup>**

- A. **Purpose.** Some land uses, buildings, or structures are not appropriate under all circumstances in a given zoning district but may be appropriate if adequate precautions are taken to assure compatibility with surrounding uses. This Section provides procedures for review of applications for ~~special exception use~~ Special Exception Uses as provided in this UDO.
- B. **Applicability.** This Section applies to an application for a Special Exception Use. An applicant shall obtain Special Exception approval from the Board of Zoning Appeals before changing a use to or establishing a new use that is a ~~special exception use~~ Special Exception Use for the district, as shown in § 4.2: *Use Table*.
- C. **Initiation.**<sup>534</sup>
  - 1. *Applicant Eligibility.* An owner of real property, or that owner’s authorized representative, may apply for a ~~special exception use~~ Special Exception Use for that property.
  - 2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in Article 22: *Submittal Requirements*.
- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a Special Exception only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.**<sup>535</sup>
  - 1. *Generally.* Notice shall be given as provided in Table 16.2.8-1: *Required Notice for Special Exception Uses*.
  - 2. *Notice Standards.* The applicant must provide posted notice as provided in Table 16.2.8-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions*.

**Table 16.2.8-1: Required Notice for Special Exception Uses**

Type	Required?	To Whom?	When?
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<sup>533</sup> This Section carries forward, clarified, and expands the procedures in current § 3:3: Special Exceptions. The Section includes additional recordkeeping procedures to comply with State law.

<sup>534</sup> This Subsection expands and clarifies the initiation standards in current 3:3.1 *Uses Permitted by Special Exception*.

<sup>535</sup> This Subsection reformats and clarifies the current 15-day notice requirement provided in § 3:3.1: *Uses Permitted by Special Exception*.



Electronic Posting	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days before BZA meeting <del>N/A</del>
Posting	Yes	General Public	15 days before BZA meeting
Publication	Yes	General Public	15 days before BZA meeting

G. **Approval Process.**<sup>536</sup>

1. *Hearing.* The Board of Zoning Appeals shall review all applications for ~~special exception use~~Special Exception Use at a hearing.
2. *Authority.*
  - (a) The ~~Board~~Board of Zoning Appeals may approve, deny, or approve as modified any request for a use permitted by ~~S~~special Eexception after a hearing has been held.
  - (b) The ~~Board~~Board of Zoning Appeals may also attach any necessary conditions, such as time limitations or requirements that one or more things be done before the use can commence.
  - (c) The ~~Board~~Board of Zoning Appeals may remand the matter to the Zoning Administrator as provided in § 16.1.9: *UDO Procedures*.
3. *Written Findings.*
  - (a) The Board of Zoning Appeals shall make written findings indicating compliance with the regulations governing the ~~special exception use~~Special Exception Use and setting out any conditions placed on the approval by the Board.
  - (b) The Board of Zoning Appeals's written findings shall state separately all findings of fact and conclusions of law made by the Board.

H. **Approval Criteria.**

1. The Board of Zoning Appeals may grant permission for those uses permitted by ~~special exception~~Special Exception that are in accordance with the provisions of this UDO.
2. The Board of Zoning Appeals shall consider the following factors:
  - (a) The proposed use meets all required conditions for the ~~special exception use~~Special Exception Use set out in § 4.3: *Conditional & Special Exception Principal Uses* and Article 4: *Use Regulations for Zoned Areas*;

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<sup>536</sup> This Subsection reformats and combines the current approval process in § 3:3.1: *Uses Permitted by Special Exception* and Section 11:1: *General Provisions*.

- (b) The use is not detrimental to the public health, safety, or general welfare;
- (c) The use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar services; and
- (d) The use will not violate neighborhood character nor adversely affect surrounding land uses.

**I. Scope of Approval.**

1. The approval of a ~~special exception use~~Special Exception Use application authorizes the establishment of the ~~special exception use~~Special Exception Use subject to any conditions.
2. After approval of a ~~special exception use~~Special Exception Use, the applicant must obtain a Building Permit Review for Zoning Compliance issued by the Zoning Administrator as provided in § 16.2.1: Zoning Compliance.
3. A ~~special exception~~Special Exception approval allows the use with any structures and buildings. The applicant does not need to re-apply for ~~special exception~~Special Exception approval for the construction of any structures and buildings for the use in the future.

**J. Recordkeeping.<sup>537</sup>**

1. ~~Board~~Board of Zoning Appeals Minutes.
  - (a) The ~~Board~~Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Board and must be a public record.
  - (b) The reasons for the ~~Board~~Board of Zoning Appeals's decision and any conditions shall be entered in the minutes of the meeting.
2. *Filing of Decisions.* All final decisions and orders of the ~~Board~~Board of Zoning Appeals must be permanently filed in the office of the Board as a public record.
3. *Notice of Decisions.* The ~~Board~~Board of Zoning Appeals shall deliver its final decisions or orders to the ~~applicant~~parties by certified mail.

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<sup>537</sup> This Subsection significantly updates the recordkeeping requirement of Section 11:1 with the recordkeeping requirements in S.C. Code Ann. §§ 6-29-790 & -800.

- K. **Appeals.**<sup>538</sup> A party in interest may appeal final decisions by the ~~Board~~Board of Zoning Appeals as provided in § 16.1.11: *Appeals*.
- L. **Reapplication.**<sup>539</sup>
1. *Generally.* After the ~~Board~~Board of Zoning Appeals has denied a request for a Use by Special Exception, the applicant must wait one year from the date of the denial before applying for a new Special Exception on the same property.
  2. *Substantial Change.*
    - (a) If the request has been substantially altered from the original request, the applicant must wait three months from the date of the denial before applying for a new Use by Special Exception on the same property.
    - (b) The Zoning Administrator shall determine if a new request for a Use by Special Exception has been substantially altered. This decision may be appealed to the ~~Board~~Board of Zoning Appeals pursuant to the provisions of § 16.1.11: *Appeals*.

### ~~18.2.10~~16.2.9 VARIANCES (ZONING)<sup>540</sup>

- A. **Purpose.**<sup>541</sup> This Section establishes a procedure to avoid unnecessary hardships that could result from a strict application of this UDO.
- B. **Applicability.**<sup>542</sup>
1. The procedures in this Subsection apply to variance applications under the Articles identified in Table 16.1.2-1: *Applicability of Procedures to UDO Articles*.
  2. An applicant shall obtain variance approval to construct, develop, or make a material change in any building or structure that does not comply with the zoning standards of this UDO.

<sup>538</sup> This Subsection provides for appeals with a cross-reference to the general standard for appeals from the BZA.

<sup>539</sup> This Subsection carries forward the re-application standards in § 3:5.8: *Action after Denial of a Variance or Use by Special Exception*.

<sup>540</sup> This Section carries forward, clarifies, and expands the procedures in current ZO § 3:4: Special Variances. The Section includes additional recordkeeping procedures to comply with State law. Assessment: the stakeholders suggested several specific concepts for improvement, including clarification of the process for variances (by delineating BZA vs. Planning Commission authority) and for appeals of Zoning and LDR decisions, and reconsideration of application denials. The stakeholders also suggested that the County consider a process to allow administrative adjustments and variances.

<sup>541</sup> This new Subsection defines the purpose of the procedure.

<sup>542</sup> This new Subsection provides that the procedures apply to variance use applications.

C. **Initiation.**<sup>543</sup>

1. *Applicant Eligibility.* An owner of real property, or that owner’s authorized representative, may apply for a variance for that property.
2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in Article 22: *Submittal Requirements*.

D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.

E. **Amendments.** An applicant may submit additional information or amend an application for a variance only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

F. **Notice.**<sup>544</sup>

1. *Generally.* Notice shall be given as provided in Table 16.2.9--1: *Required Notice for Variances*.
2. *Notice Standards.* The applicant must provide posted notice as provided in Table 16.2.9-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions*.

**Table 16.2.9-1: Required Notice for Variances**

Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days before BZA meeting <del>N/A</del>
Posting	Yes	General Public	15 days before BZA meeting
Publication	Yes	General Public	15 days before BZA meeting

G. **Approval Process.**<sup>545</sup>

1. *Hearing.* The ~~Board~~Board of Zoning Appeals shall review all applications for variances at a hearing.
2. *Authority.*

<sup>543</sup> This Subsection expands and clarifies the initiation standards in current 3:3.1 *Uses Permitted by Special Exception*.

<sup>544</sup> This Subsection reformats and clarifies the current 15-day notice requirement provided in § 3:4.1: *Consideration of Variances*. The cross-reference standardizes the notice requirements and will require re-application if the applicant fails to maintain the notice signs.

<sup>545</sup> This Subsection reformats and combines the current approval process in § 3:4.1: *Consideration of Variances*.

- (a) The ~~Board~~Board of Zoning Appeals may grant, deny, or approve as modified any request for a variance after a hearing has been held.
- (b) In granting a variance, the ~~Board~~Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the ~~B~~oard may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.
- (c) The ~~Board~~Board of Zoning Appeals may remand the matter to Zoning Administrator as provided in 16.1.9: UDO Procedures.

3. *Written Findings.*

- (a) The ~~Board~~Board of Zoning Appeals shall make written findings indicating compliance with the regulations governing variances and setting out any conditions placed on the approval by the Board.
- (b) The ~~Board~~Board of Zoning Appeals's written findings shall state separately all findings of fact and conclusions of law made by the Board.

H. **Approval Criteria.**<sup>546</sup>

- 1. The ~~Board~~Board of Zoning Appeals may hear and decide appeals for a variance from the requirements of the UDO when strict application of the provisions of the ordinance would result in unnecessary hardship.
- 2. The ~~Board~~Board of Zoning Appeals may grant a variance in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:
  - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - (b) These conditions do not generally apply to other property in the vicinity;
  - (c) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - (d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

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<sup>546</sup> This Subsection carries forward the variance criteria from § 3:4.1 Consideration of Variances.

3. The ~~Board~~Board of Zoning Appeals shall not consider the fact that property may be utilized more profitably, should a variance be granted, as a grounds for a variance.
4. The ~~Board~~Board of Zoning Appeals shall not grant a variance the effect of which would be to:
  - (a) Allow the establishment of a use not otherwise permitted in a zoning district;~~;~~
  - (b) Extend physically a nonconforming use of land;~~;~~ or
  - (c) Change the zoning district boundaries shown on the Official Zoning Map.
5. In granting any variance, the ~~Board~~Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this UDO. Violation of such conditions and safeguards shall be a violation of this UDO.

I. **Scope of Approval.**<sup>547</sup>

1. The approval of a variance application authorizes the establishment of the use, structure, or building with the feature or features that do not comply with this UDO.
2. An applicant must obtain Building Permit Review for Zoning Compliance to ensure conformity of all other features with the requirements of this UDO.

J. **Recordkeeping.**<sup>548</sup>

1. ~~Board~~Board of Zoning Appeals Minutes.
  - (a) The ~~Board~~Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Board and must be a public record.
  - (b) The reasons for the ~~Board~~Board of Zoning Appeals's decision and any conditions shall be entered in the minutes of the meeting.
2. *Filing of Decisions*. All final decisions and orders of the ~~Board~~Board of Zoning Appeals must be permanently filed in the office of the Board as a public record.

<sup>547</sup> This new Subsection describes the extent of the approval for a special exception use application.

<sup>548</sup> This Subsection significantly updates the recordkeeping requirement of Section 11:1 with the recordkeeping requirements in S.C. Code Ann. §§ 6-29-790 & -800.

3. *Notice of Decisions.* The ~~Board~~Board of Zoning Appeals shall deliver its final decisions or orders to the ~~applicant~~parties by certified mail.

K. **Reapplication.**<sup>549</sup>

1. *Generally.* After the ~~Board~~Board of Zoning Appeals has denied a request for a variance, the applicant must wait one year from the date of the denial before applying for a new variance on the same property.
2. *Substantial Change.*
  - (a) If the request has been substantially altered from the original request, the applicant must wait three months from the date of the denial before applying for a new variance on the same property.
  - (b) The Zoning Administrator shall determine if a new request for a variance has been substantially altered. The applicant may ~~be~~ appeal the decision to the ~~Board~~Board of Zoning Appeals pursuant to the provisions of § 16.2.10: *Appeals (Zoning)*.

### ~~18.2.11~~16.2.10 APPEALS (ZONING)<sup>550</sup>

- A. **Purpose.**<sup>551</sup> The purpose of the appeals procedure is that all questions of interpretation and enforcement shall be first presented to the Zoning Administrator and shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator.
- B. **Applicability.**<sup>552</sup> The procedures in this Subsection apply to appeals of administrative decisions on applications, approvals, and interpretations under the Articles identified in Table 16.1.2-1: *Applicability of Procedures to UDO Articles*.
- C. **Initiation.**<sup>553</sup>

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<sup>549</sup> This Subsection carries forward the re-application standards in § 3:5.8: *Action after Denial of a Variance or Use by Special Exception*.

<sup>550</sup> This Section carries forward, clarifies, and expands the procedures in current § 3:5: *Appeals and Hearings*. The Section includes additional recordkeeping procedures to comply with State law.

<sup>551</sup> This Subsection carries forward the purpose of appeals from § 3:5.1: *Duties of Zoning Administrator, Board of Zoning Appeals, County Council, and Courts on Matters of Appeal*.

<sup>552</sup> This new Subsection provides that the procedures apply to appeals.

<sup>553</sup> This Subsection expands and clarifies the initiation standards in current § 3:5.2 *Appeals to the Board* and 3:5.3: *Stay of Proceedings*.

1. *Applicant Eligibility.* A party in interest as defined in § 16.1.11: Appeals or any officer, department, board, or bureau of the County may appeal decisions and actions in the interpretation or administration of this UDO to the ~~Board~~Board of Zoning Appeals.
2. *Appeal Deadline.* An appeal must be taken within 35 days of the date of the decision notice or letter, by filing an application to appeal with the Planning Department.
3. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in Article 22: *Submittal Requirements*.
- ~~4. *Stay of Proceedings.* An appeal of an administrative decision stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board certifies in writing that in the opinion of the official, a stay will cause imminent peril to life or property. The certification must specify facts that support the official's opinion. In which case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board or by a court of competent jurisdiction.~~

- D. **Completeness.** Planning Department staff shall review applications for completeness using the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for an aAppeal only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.**<sup>554</sup> Notice shall be given to the applicant and ~~parties~~the general public as provided in Table 16.2.10-1: *Required Notice for Appeals*.

Table 16.2.10-1: Required Notice for Appeals			
Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <del>Parties</del> <u>Adjoining Landowners</u>	15 Days before BZA Meeting <u>N/A</u>
Posting	No	General Public	<u>15 Days before BZA Meeting</u> <u>N/A</u>
Publication	Yes	General Public	15 Days before BZA Meeting

- G. **Approval Process.**<sup>555</sup>
  1. *Hearing.* The ~~Board~~Board of Zoning Appeals shall review all appeals of administrative decisions at a hearing.

<sup>554</sup> This Subsection reformats and clarifies the current 15-day notice requirement provided in § 3:5.2: *Appeals to the Board*.  
<sup>555</sup> This Subsection reformats and combines the current approval process in §§ 3.5.2: *Appeals to the Board* and 3:5.4 *Decisions*.



2. *Authority.*

- (a) The ~~Board~~Board of Zoning Appeals may reverse, affirm, wholly or in part, or affirm as modified the order, requirement, decision, or determination appealed from and shall make such order, requirements, decision, or determination, and to that end, shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit if all other applicable requirement of this UDO and other County Ordinances are met.
- (b) The ~~Board~~Board of Zoning Appeals may remand the matter to the Zoning Administrator as provided in § 16.1.9: *UDO Procedures*.
- (c) The concurring vote of the majority of the members of the ~~Board~~Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator.

3. *Written Findings.*

- (a) In all final decisions or orders, the ~~Board~~Board of Zoning Appeals shall specifically state that it is affirming (in whole or in part), affirming as modified, or denying the particular matter presented to it for decision.
- (b) All final decisions and orders of the board shall be in writing.
- (c) The ~~Board~~Board of Zoning Appeals shall state separately all findings of fact and conclusions of law it makes in its final decisions or orders.

H. **Approval Criteria.**<sup>556</sup> In considering an appeal of an administrative decision, the ~~Board~~Board of Zoning Appeals shall consider the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO by the Board and Zoning Administrator.

I. **Scope of Approval.**<sup>557</sup>

- 1. The finding for an applicant on appeal interprets this UDO or directs action to be taken by Planning Department staff in implementing the decision.
- 2. An applicant must obtain a Building Permit Review for Zoning Compliance to ensure conformity of all other features of the development application with the requirements of this UDO.

<sup>556</sup> This Subsection carries the approval criteria in § Section 11:1 *General Provisions*.

<sup>557</sup> This new Subsection describes the extent of the approval for a special exception use application.

J. **Recordkeeping.**<sup>558</sup>

1. ~~Board~~Board of Zoning Appeals Minutes.

- (a) The ~~Board~~Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Board and must be a public record.
- (b) The reasons for the ~~Board~~Board of Zoning Appeals's decision and any conditions shall be entered in the minutes of the meeting.

2. *Filing of Decisions.* All final decisions and orders of the ~~Board~~Board of Zoning Appeals must be permanently filed in the office of the Board as a public record.

3. *Notification of Decisions.* Final decisions or orders of the ~~Board~~Board of Zoning Appeals must be delivered to the partiesapplicant by certified mail.

K. **Appeals.**<sup>559</sup> A party in interest may appeal final decisions by the ~~Board~~Board of Zoning Appeals as provided in § 16.1.11: *Appeals*.

L. **Reapplication.** An applicant may not resubmit a withdrawn or denied appeal.

## ~~18.3~~16.3 HISTORIC PRESERVATION PROCEDURES

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### ~~18.3.1~~16.3.1 DESIGNATION OF HISTORIC PROPERTIES<sup>560</sup>

A. **Purpose.** This Subsection is intended to preserve the County's historic resources and structures by providing the procedures for recommendations by the Historic Preservation Commission to County Council to identify and designate historic properties.

<sup>558</sup> This Subsection significantly updates the recordkeeping requirement of Section 3:5.4: *Decisions* with the recordkeeping requirements in S.C. Code Ann. §§ 6-29-790 & -800.

<sup>559</sup> This Subsection provides for appeals with a cross-reference to the general standard for appeals from the BZA.

<sup>560</sup> This Subsection consolidates and revises the procedural requirements for designation of historic properties in current §§ 8:7.1-9: *Owner Notification*; 8:7.1-5: *Powers and Duties*; 8:7.1-8: *Criteria for Historic Designation*; and 8:7.1-10: *Identification on County Zoning Map*. The draft streamlines and clarifies the role of County staff, the Historic Preservation Commission, and the County Council in the historic designation process. It clarifies that the historic properties are added to a Historic Register and eliminates reference to the Historic Preservation Overlay District. Staff believes that a revision of the historic designation procedures would assist with the County's efforts to become a Certified Local Government (CLG), which is required to obtain federal grants for historic preservation. This revision re-orders the procedure to allow HPC-initiated designations but retains the requirement for owner consent before any designation may be recommended.

- B. **Applicability.** This Subsection applies to recommendations for the designation of historic properties for inclusion in the County’s Historic Register by the Historic Preservation Commission.
- C. **Initiation.**
1. *By the Historic Preservation Commission.* The Historic Preservation Commission may adopt a motion to initiate the process for the designation of a historic property.
  2. *By the Property Owner.* The property owner may also initiate the historic designation process by filing an application with the Zoning Administrator on an application form provided by the Planning Department.
- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness.*
- E. **Amendments.** An applicant may submit additional information or amend an application for designation of historic properties up until the time of the Historic Preservation Commission’s meeting on the matter.
- F. **Notice.**
1. The Zoning Administrator must notify the owners of properties proposed for historic designation by mail at least 30 days before the Historic Preservation Commission’s meeting considering the designation.
  2. Public notice of the application is not required.
- G. **Approval Process.**
1. Historic Preservation Commission Recommendation. On an application for historic designation, ~~t~~The Historic Preservation Commission shall have the power to recommend to the County Council:
    - (a) Approval;
    - (b) Approval with modifications; or
    - (c) Denial of the application.
  2. *Planning and Development Committee Review.*
    - (a) The Zoning Administrator shall present a report summarizing the Historic Preservation Commission’s recommendation to adopt a historic designation for a property to the County Council’s Planning and Development ~~(P&D)~~ Committee.

(b) County Council's Planning and Development ~~&D~~ Committee may approve the initiation of the process to adopt a resolution to add the property to the County's Historic Register.

3. *Council Consideration.* After review by the Planning and Development Committee, the County Council may adopt a resolution approving the addition of the property to Greenville County's Historic Register.

#### H. **Approval Criteria.**

1. *Owner Consent Required.* The Historic Preservation Commission shall not recommend the designation of a historic property without the owner's written consent.
2. *Review Criteria.* The Historic Preservation Commission shall review the Historic Register and make recommendations for historic designations to the Greenville County Council based on the following criteria. A property may be designated historic if it is 75 years of age or older, and is covered by at least one of the following requirements:
  - (a) Has significant inherent character, interest, or value as part of the development or heritage of the community, state, or nation;
  - (b) Is the site of an event significant in history;
  - (c) Is associated with a person or persons who contributed significantly to the culture and development of the community, state, or nation;
  - (d) Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the community, state, or nation;
  - (e) Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architecture or engineering;
  - (f) Is the work of a designer whose work has influenced significantly the development of the community, state, or nation;
  - (g) Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;
  - (h) Is a part of or related to a square or other distinctive element of community planning;
  - (i) Represents an established and familiar visual feature of the neighborhood or community; or

- (j) -Has yielded, or may be likely to yield, information important in pre-history or history.
- 3. The Historic Preservation Commission may waive the 75-year age requirement by a majority vote.
- I. **Scope of Approval.**
  - 1. Within 10 days of the County Council’s final decision, the Zoning Administrator must add the parcel to the County’s Historic Register.
  - 2. After approval, the property owner must comply with the applicable rules for Certificates of Appropriateness (see § 16.3.2) for certain changes to the property.
- J. **Recordkeeping.** The Historic Preservation Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the ~~Commission Board~~ and must be a public record.
- K. **Appeals.** The County Council’s Decision is ~~isn~~ final. ~~Appeals.~~
- L. **Reapplication.** An applicant may resubmit a withdrawn or denied application for Designation of Historic Property at any time.

### ~~18.3.2~~ 16.3.2 CERTIFICATE OF APPROPRIATENESS<sup>561</sup>

- A. **Purpose.** This Subsection is intended to preserve the County’s historic resources and structures by providing for a review by the Historic Preservation Commission before major renovation or demolition of designated historic structures.
- B. **Applicability.**
  - 1. *Generally.* A Certificate of Appropriateness is required before a building permit can be issued for the demolition, new construction, exterior alteration, modification, or addition to a designated historic property. Any building permit not issued in conformity with this UDO shall be considered void.
  - 2. *Maintenance, Repair, and Interior Projects.*
    - (a) A Certificate of Appropriateness is not required for the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic

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<sup>561</sup> This Subsection carries forward and combines the procedural requirements for the certificate of appropriateness for modifications of historic properties in current § 8:7.2: *Certificate of Appropriateness* with the design guidelines in § 8:7.3.

when that repair does not involve a change in design, material, or defining characteristics of the structure.

- (b) A Certificate of Appropriateness is not required for changes to the interior arrangements or alterations to the interior of a building unless the interior of a public building or the public space of a private building is specifically described and designated as historic.
- (c) The Historic Preservation Commission may authorize a Historic Preservation Commission member to approve minor projects involving repairs and ordinary maintenance that do not alter design, material, or defining characteristics of a structure or interior projects not subject to design review.

**C. Initiation.**

- 1. *Applicant Eligibility.* An owner of real property, or that owner's authorized representative, may apply for a Certificate of Appropriateness for that property.
- 2. *Application Requirements.*
  - (a) An application for a Certificate of Appropriateness shall be filed with the Zoning Administrator on an application form provided by the Planning Department.
  - (b) The application shall include all information on the application form to allow Planning Department staff and the Historic Preservation Commission to determine the nature of the application.

**D. Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness.*

**E. Amendments.** An applicant may submit additional information or amend an application for a Certificate of Appropriateness up until the time of the Historic Preservation Commission's meeting on the matter.

**F. Notice.**

- 1. The Zoning Administrator shall notify the owners of the property that is the subject of the application for a Certificate of Appropriateness by mail at least 15 days before the hearing.
- 2. Public notice is not required.

**G. Approval Process.**

- 1. *Opportunity to Be Heard.* The Historic Preservation Commission shall give the owner of the subject property the opportunity to be heard on the matter during the hearing.

2. *Commission Action on Applications.*
  - (a) The Historic Preservation Commission shall review the application in a [Board and Commission Approval](#) ~~quasi-judicial~~ hearing and render a decision. The Commission may approve, deny, or approve with conditions an application for a Certificate of Appropriateness.
  - (b) The Historic Preservation Commission shall make findings of fact to decide whether or not the applicant's plans are appropriate using the design guidelines in this Section.
3. *Time Limits.*
  - (a) Applications for a Certificate of Appropriateness shall be considered by the Historic Preservation Commission at its next regular meeting, provided the application has been filed at least seven calendar days before the regularly scheduled meeting of the Historic Preservation Commission.
  - (b) If the Historic Preservation Commission fails to take action upon an application within 45 days after the completed application is received, the application shall be considered approved, except in cases where the Historic Preservation Commission has postponed an application to demolish a structure under the provisions of this Ordinance.
4. *Substantial Hardship.* In the event a Certificate of Appropriateness is denied, the property owner may apply for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic properties.

#### H. **Approval Criteria.**

1. *Intent.* In reviewing a Certificate of Appropriateness, the Historic Preservation Commission shall take into account the architectural and historical significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure, as well as the effect of such change or additions upon other structures in the vicinity.
2. *Standards for Rehabilitation.* When considering an application for a Certificate of Appropriateness for new construction, alteration, repair, or restoration, the Historic Preservation Commission shall use the U.S. Secretary of the Interior's [Standards for Rehabilitation](#) as guidelines in making its decisions. The Secretary's Standards for Rehabilitation are:
  - (a) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

- (b) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterized a property shall be avoided.
  - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - (d) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
  - (e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the property shall be preserved.
  - (f) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature(s) shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, pictorial, or physical evidence.
  - (g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - (h) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
3. *Additional Guidelines.* In addition, the Historic Preservation Commission may adopt and consider more specific guidelines for local historic districts and local historic buildings.
4. *Substantial Hardship.*
- (a) In considering a claim for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic



properties, the Historic Preservation Commission may consider whether the owner can comply with the design guidelines and earn a reasonable rate of return on the investment in the property. Relevant criteria include:

- (1) Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the Historic Preservation Commission;
- (2) ~~A s~~Structural report or a feasibility report;
- (3) Market value of the property in its present condition and after completion of the proposed project;
- (4) For the past 2 years, annual gross income from the property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time; and
- (5) Other information considered necessary by the Historic Preservation Commission to determine whether or not the property yields a reasonable return.

I. **Scope of Approval.** The Historic Preservation Commission's decision only determines if the proposed modification is appropriate. It authorizes the applicant to apply for and obtain necessary permits for construction and other development activity. It does not authorize any specific construction work or development activity.

J. **Recordkeeping.**

1. After the decision of the matter, the Certificate of Appropriateness application form must be signed by the Chair or the Vice Chair of the Historic Preservation Commission stating its approval, denial, or approval with conditions and the reasons for the decision.
2. The Historic Preservation Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Board and must be a public record.

K. **Appeals.** A party in interest may appeal final decisions by the Historic Preservation Commission as provided in § 16.1.11: *Appeals*.

L. **Reapplication.** If the Historic Preservation Commission determines that a Certificate of Appropriateness should be denied, a new application affecting the same property may be submitted only if a substantial change is made in the plans for the proposed construction, alteration, or restoration.

## 18.416.4 LAND DEVELOPMENT REGULATION PROCEDURES

### 18.4.116.4.1 REVIEW REQUIRED FOR PLATS

- A. **Generally.** A person shall not file or record a plat that subdivides land in Greenville County unless the County's Planning Department has approved the plat, and the plat contains the signature of the County Subdivision Administrator.
- B. **Review and Stamping of Plats.** Plat approval must be noted in writing on the plat by the County Subdivision Administrator.

### ~~18.4.2 UDO INTERPRETATIONS (LDRS)<sup>562</sup>~~

- ~~A. **Purpose.** A UDO interpretation on land development regulations is a written decision issued by the Subdivision Administrator regarding the interpretation of the land development provisions in this UDO. It is intended to clarify ambiguities or vagueness in the UDO and to clarify any ambiguities in future amendments.~~
- ~~B. **Applicability.** The procedures in this Subsection apply to control applications, approvals, and interpretations under the Articles identified in Table 16.1.2 1: *Applicability of Procedures to UDO Articles*.~~
- ~~C. **Initiation.**~~
  - ~~1. **Applicant Eligibility.** Any person may submit a request for a UDO interpretation to the Subdivision Administrator regarding the applicable Articles of this UDO.~~
  - ~~2. **Application Requirements.** An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in **Article 24: Submittal Requirements**.~~
- ~~D. **Completeness.** Planning Department staff shall review applications are evaluated for completeness using the standards of Subsection 16.1.5: *Completeness Review*.~~
- ~~E. **Amendments.** An applicant may submit additional information or amend an application for a UDO interpretation only in response to communications from County staff that the application is incomplete, as provided in Subsection 16.1.5: *Completeness Review*.~~
- ~~F. **Notice.** Public notice of the application is not required.~~

<sup>562</sup> This Subsection significantly expands and clarifies the interpretation provisions in § 1.6.5: *Interpretation*.

~~G. **Approval Process.** The Subdivision Administrator may approve or deny a request for an interpretation by issuing a written decision that shall be delivered by regular mail to the applicant.~~

~~H. **Approval Criteria.**~~

- ~~1. The Subdivision Administrator may issue a UDO interpretation if there is an ambiguity or need for the clarification demonstrated by the applicant. The interpretation shall be based on the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO.~~
- ~~2. The Subdivision Administrator may deny or reject the request if there is no ambiguity or need for the clarification demonstrated by the applicant.~~
- ~~3. The Subdivision Administrator shall render only one interpretation per issue. If an applicant requests an interpretation of an issue previously addressed, the Subdivision Administrator shall provide the Applicant with a copy of the previous interpretation.~~
- ~~4. When interpreting the UDO's land development regulations, the Subdivision Administrator shall consider the standards of the UDO as the minimum provisions for the protection of the health, safety, and welfare of the general public.~~
- ~~5. The Subdivision Administrator may rely on national, state, or local design standards, at the Subdivision Administrator's discretion, when the UDO fails to address an issue.~~

~~I. **Scope of Approval.**~~

- ~~1. A UDO Code interpretation shall become effective upon execution by the Subdivision Administrator.~~
- ~~2. The UDO interpretation shall apply to the review of:
  - ~~(a) Any pending application for the applicant who applied for the interpretation; and~~
  - ~~(b) All future applications filed on or after the effective date.~~~~

~~J. **Recordkeeping.**~~

- ~~1. The Subdivision Administrator shall number each UDO interpretation sequentially in order of their issuance.~~
- ~~2. The Planning Department shall maintain UDO interpretations for public access and review in hard copy and on its Internet site until the County Council amends the applicable section of the UDO to clarify the UDO's intended meaning.~~

~~K. **Appeals.** An applicant may appeal the Subdivision Administrator's interpretation of the UDO's land development regulations to the Planning Commission as provided in Subsection 16.4.12: *Appeals (LDRs)*.~~

### ~~18.4.3~~16.4.2 MINOR SUBDIVISION<sup>563</sup>

- A. **Purpose.** The purpose of ~~minor subdivision~~ Minor Subdivision review is to provide a simple procedure to create subdivided lots that are in compliance with this UDO where a new public or private road is not required.
- B. **Applicability.**
1. *Generally.* Minor Subdivision review applies to requests to subdivide a parcel into no more than six lots where the resulting lots will have access to an existing public or private road and where the construction of a new public or private road is not required.
  2. *If Road Improvements Required.* If the standards of this UDO require public or private road improvements, the applicant must proceed under the Major Subdivision standards of this Section.
- C. **Initiation.**
1. *Applicant Eligibility.* Only an owner of real property, or that owner's authorized representative, may apply for a ~~minor subdivision~~ Minor Subdivision approval for that property.
  2. *Application Requirements.* An applicant must file an application complete with all information, materials, and fees required by the UDO with the Planning Department. The application shall include the supporting material required in the application and a Summary Plat as provided in Article 22: *Submittal Requirements*.
- D. **Completeness.** Planning Department staff shall review all ~~minor subdivision~~ Minor Subdivision applications for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a ~~minor subdivision~~ Minor Subdivision.
- F. **Notice.** Public notice of the application is not required.

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<sup>563</sup> This Subsection carries forward and reorganizes § 3.5: *Minor Subdivisions*. Note: 3.5.6: *Stormwater Management* has been relocated to § 14.5: *Stormwater Management for Minor Subdivisions*.

G. **Approval Process.** Minor ~~S~~ubdivision requests are reviewed by the County's Technical Advisory Committee.

1. If the Technical Advisory Committee approves the subdivision based on the standards of this Subsection, the Subdivision Administrator must sign and stamp the ~~minor subdivision~~ Minor Subdivision plat without any need for review or approval from the Planning Commission.
2. If the Technical Advisory Committee determines the application does not qualify for ~~minor subdivision~~ Minor Subdivision approval, the applicant must proceed under the ~~M~~ajor ~~S~~ubdivision standards of this Section.

H. **Approval Criteria.**

1. *Subdivision Criteria.* The following minimum requirements have been established for all new Minor Subdivisions to ensure that the development of these lots will protect public health and safety and the orderly development of the surrounding area.
  - (a) Each lot must conform to all applicable standards in this UDO.
  - (b) Development on the lots will not potentially obstruct the floodplain.
  - ~~(c) — The subdivision may not violate the intent of this UDO.~~
  - ~~(d)~~(c) The subdivider shall design the lots to reflect the unique characteristics of the property by responding to its topography, wetlands, streams, and forests, and their relationships to adjoining properties and roads.
  - ~~(e)~~(d) The parcel shall not be located in an existing subdivision (residential development), and it must be a previously platted lot of record.
  - ~~(f)~~(e) Street Access.
    - (1) All lots resulting from the subdivision must have access to and frontage on a public right of way which the County or the SCDOT has accepted for continuous maintenance.
    - (2) It shall be the subdivider's responsibility to assure that the proposed lots have direct access from the lot to a right of way dedicated to public use.
    - (3) Summary plats must comply with the UDO requirement of providing internal road access. Showing future road right of way or stub outs is not permitted on a ~~minor subdivision~~ Minor Subdivision plat.

- (4) In the unzoned area of the county, ~~minor subdivision~~ Minor Subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access.

~~(g)~~(f) Water and Sewer. It is the subdivider's responsibility to assure that the proposed lots meet the criteria for public water systems or sewage systems. The applicant must provide appropriate agency approvals to Subdivision Administration with the application to be considered for review.

- (1) If public water and sewer service are available, appropriate documentation of water and sewer service must be provided to the Planning Department by the agency approving the service.
- (2) If using individual wells or septic tanks, the applicant must contact SCDES for their procedures, and lots must be evaluated for suitability at the time of development.
- (3) Developments seeking septic tank approval shall plat lots with 25-foot minimum width sewer easements to accommodate sewer, should sewer become available in the future. Plats shall depict the location of sewer easements required by the Sewer Treatment Provider. The developer must consult with the Sewer Treatment Provider to determine the appropriate easement locations.
- (4) The County Engineer may require the developer to provide additional drainage information as required by state or federal law.

~~(h)~~(g) Minor sSubdivisions must comply with the stormwater management standards in § 14.5: *Stormwater Management for Minor Subdivisions*. If the new proposed lots are zoned non-residential, stormwater compliance shall be required.

~~(i)~~(h) If the new proposed lots have existing structures, setbacks must be evaluated under the standards of this UDO.

2. *Referral of Application for Planning Commission Review*. The Subdivision Administrator may refer a Minor Subdivision to the Planning Commission for good cause. Good cause shall include, but not be limited to, any of the following factors:
  - (a) The proposed subdivision includes infrastructure, such as sewer or stormwater control measures;
  - (b) The site includes topographical, geologic, hydrologic/wetlands, or other physical features which merit special consideration;
  - (c) The site contains sensitive wildlife habitat for endangered or threatened species;

- (d) The site contains or is adjacent to significant archeological, architectural, or historic sites, cemeteries, or resources which merit protections; or
  - (e) Whether or not the proposed subdivision is consistent with the goals and objectives of the Comprehensive Plan.
- I. **Scope of Approval.** Approval of a ~~minor subdivision~~ Minor Subdivision by the Subdivision Administrator or the Planning Commission allows the filing of the plat with the Register or Deeds.
  - J. **Recordkeeping.** The Subdivision Administrator must retain copies of all ~~minor subdivision~~ Minor Subdivision plats.
  - K. **Appeals.** An applicant may appeal a decision on a ~~minor subdivision~~ Minor Subdivision to the Planning Commission as provided in § 16.4.11: *Appeals (LDRs)* .
  - L. **Reapplication.** An applicant may resubmit a withdrawn or denied request for a ~~minor subdivision~~ Minor Subdivision at any time.

#### ~~18.4.4~~ 16.4.3 FAMILY SUBDIVISION<sup>564</sup>

- A. **Purpose.** The purpose of ~~family subdivision~~ Family Subdivision review is to provide a simplified subdivision procedure to create subdivided lots for qualifying property transfers within a family that complies with this UDO.
- B. **Applicability.**
  - 1. *Generally.* ~~Family subdivision~~ Family Subdivision -review applies to requests to subdivide lots where the resulting lots will be owned by members of the same immediate family and all resulting lots have direct access to an existing public road.
  - 2. *Immediate Family Limitation.*
    - (a) The resulting lots may only be transferred to a member of the same immediate family.
    - (b) For the purposes of this Subsection, immediate family is limited to a natural or legally defined offspring, stepchild, spouse, sibling, aunt, uncle, niece, nephew, grandchild, grandparent, or parent of the owner.

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<sup>564</sup> This Subsection carries forward and reorganizes Section 3.6: *Family Subdivisions Exception*.

(c) The property owner may be a family trust or family partnership so long as the trustees, beneficiaries, or partners are composed only of members of the immediate family of the property grantor.

~~(e)~~3. Limitation on Locations. The Family Subdivision procedure is only available for parcels located within the Scuffletown Rural Conservation Area.

**C. Initiation.**

1. **Applicant Eligibility.** An owner of real property, or that owner's authorized representative, may apply for a ~~family subdivision~~Family Subdivision-approval for that property.
2. **Application Requirements.**
  - (a) An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and a summary plat as provided in Article 22: *Submittal Requirements*.
  - (b) The application must also be accompanied by an affidavit signed by the grantor and grantee under oath and penalty of perjury that identifies the ~~family subdivision~~Family Subdivision-as being for the purpose of conveyance to a qualifying family member and identifying the receiving family member and the relations to the grantor.

**D. Completeness.** Planning Department staff shall review applications for completeness under the standards of § 16.1.5: *Completeness*.

**E. Amendments.** An applicant may submit additional information or amend an application for a ~~family subdivision~~Family Subdivision-application only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

**F. Notice.** Public notice of the application is not required.

**G. Approval Process.** The Subdivision Administrator shall review and approve or deny an application for ~~family subdivision~~Family Subdivisions without the need for Planning Commission approval.

**H. Approval Criteria.** A ~~family subdivision~~Family Subdivision-must meet the following minimum requirements to ensure that the development of ~~family subdivision~~Family Subdivision-lots will protect the public health and safety and the orderly development of the surrounding area.

1. Each lot must conform to the required minimum lot size of this UDO and the requirements of SCDES if the lots do not have access to public water and sewer.
2. Each lot must have direct access from the lot to a right-of-way dedicated to public use.



- 3. In the unzoned area of the County, ~~family subdivision~~Family Subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access.
- 4. The proposed subdivision of lots may not obstruct or potentially obstruct the floodplain.
- ~~5. The proposed subdivision may not violate the intent of this UDO.~~
- ~~6.5.~~6.5. The parcel is not located in an existing subdivision (residential development).

~~I.~~ **Scope of Approval.**

~~1.1.~~1.1. Approval of a ~~family subdivision~~Family Subdivision by the Subdivision Administrator allows the filing of the plat with the Register of Deeds.

- ~~2. If at the time of subdividing, the applicant does not wish to develop any of the lots, the following notes must be added to the plat:~~
  - ~~(a) This division is in accordance with the Family Subdivision Exemption;~~
  - ~~(b) There is no land disturbance associated with this Family Subdivision; and~~
  - ~~(c) At the subdivider's request, this plat was not evaluated for future development (water availability, sewer availability, stormwater management requirements, floodplain requirements, or encroachment requirements).~~
- ~~3. At the time of development each lot must be evaluated for development and obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality.~~
- ~~4. A building and land disturbance hold shall be placed on each lot until a Land Disturbance Permit has been obtained.~~

J. **Recordkeeping.** The Subdivision Administrator must retain copies of all family subdivision plats.

K. **Appeals.** An applicant may appeal a decision on a ~~family subdivision~~Family Subdivision to the Planning Commission as provided in § 16.4.11: *Appeals (LDRs)*.

L. **Reapplication.** An applicant may resubmit a withdrawn or denied request for a ~~family subdivision~~Family Subdivision at any time.

**16.4.4 SIMPLE PLAT**<sup>565</sup>

- A. **Purpose.** The purpose of ~~simple plat subdivision~~ Simple Plat Subdivision review is to provide a simplified subdivision procedure to create subdivided lots for qualifying property transfers that comply with this UDO.
- B. **Applicability.**
1. Generally. ~~Simple plat subdivision~~ Simple Plat Subdivisions review applies to requests to subdivide lots where no more than two lots are proposed, the resulting lots will have access to an existing public or private road, and the construction of a new public or private road is not required.
  - 1-2. Parcels within Existing Subdivision. If a Simple Plat Subdivision is located within an existing subdivision, the Minor Subdivision procedure applies (see § 16.4.2: Minor Subdivision).
  - 2-3. If Road Improvements Required. If the standards of this UDO require public or private road improvements, the applicant must proceed under the Major Subdivision standards of this Section.
- C. **Initiation.**
1. Applicant Eligibility. An owner of real property, or that owner's authorized representative, may apply for a ~~simple plat subdivision~~ Simple Plat Subdivision approval for that property.
  2. Application Requirements. An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and a ~~simple plat~~ plat as provided in Article 22: *Submittal Requirements*.
- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a ~~simple plat subdivision~~ Simple Plat Subdivision.
- F. **Notice.** Public notice of the application is not required.
- G. **Approval Process.**

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<sup>565</sup> This Subsection carries forward and clarifies § 3.7: *Simple Plats*. Changes include adding the criteria staff currently apply to determine if a parcel is eligible for simple plat review.

1. The Subdivision Administrator shall review and approve or deny an application for ~~simple plat subdivision~~Simple Plat Subdivision review without Planning Commission involvement.
2. If the Subdivision Administrator determines the application fails to qualify for ~~simple plat subdivision~~Simple Plat Subdivision approval as provided in Paragraph B, above, the applicant must proceed under the Minor Subdivision or Major Subdivision standards of this Section, as applicable based on the proposed subdivision.

#### H. **Approval Criteria.**

1. *Subdivision Criteria.* The following minimum requirements apply to all new Simple Plat Subdivisions to ensure that the development of lots will protect public health and safety and the orderly development of the surrounding area.
  - (a) The lots must not have been subdivided since 2003.
  - (b) The proposed lots have no existing non-residential uses and, if zoned, are zoned residential.
  - (c) Each lot must conform to all applicable standards in this UDO.
  - (d) Development on the lots will not potentially obstruct the floodplain.
  - ~~(e) — The subdivision may not violate the intent of this UDO.~~
  - ~~(f)~~(e) The subdivider shall design the lots to reflect the unique characteristics of the property by responding to its topography, wetlands, streams, and forests, and their relationships to adjoining properties and roads.
  - ~~(g)~~(f) The parcel shall not be located in an existing subdivision (residential development), and it must be a previously platted lot of record.
  - ~~(h)~~(g) Street Access.
    - (1) All lots resulting from the subdivision must have access to and frontage on a public right of way which has been accepted by the County or the SCDOT for continuous maintenance.
    - (2) The applicant must ensure that the proposed lots have direct access from the lot to a right of way dedicated to public use.
    - (3) Simple plats must comply with the UDO requirement of providing internal road access. Showing future road right of way or stub outs is not permitted.

(4) In the unzoned area of the county, a Simple Plat Subdivision not fronting on a public road may utilize the unpaved shared drive option to provide access.

~~(j)~~(h) Water and Sewer. The applicant must ensure that the proposed lots meet the criteria for public water systems or sewage systems. The applicant must provide appropriate agency approvals to Subdivision Administration before the Subdivision Administrator may act on the application.

(1) If public water and sewer service are available, the applicant must provide appropriate documentation of water and sewer service to the Planning Department by the agency approving the service.

(2) If using individual wells or septic tanks, the applicant must contact SCDES for their procedures, and lots must be evaluated for suitability at the time of development.

(3) The County Engineer may require the developer to provide additional drainage information as required by state or federal law.

~~(j)~~(i) If the new proposed lots have existing structures, the Subdivision Administrator shall evaluate setbacks under the standards set in the UDO.

2. *Referral of Application for Planning Commission Review*. The Subdivision Administrator may refer a Simple Plat application to the Planning Commission for good cause. Good cause shall include, but not be limited to, any of the following factors:

(a) The site includes topographical, geologic, hydrologic/wetlands, or other physical features which merit special consideration;

(b) The site contains sensitive wildlife habitat for endangered or threatened species;

(c) The site contains or is adjacent to significant archeological, architectural, or historic sites, cemeteries, or resources which merit protections; or

(d) The proposed subdivision is consistent with the goals and objectives of the Comprehensive Plan.

I. **Scope of Approval**. The applicant shall have the authority to record a Simple Plat with the Register of Deeds only after receiving the Subdivision Administrator's approval of the Simple Plat subdivision application.

J. **Recordkeeping**. The Subdivision Administrator must retain copies of all Simple Subdivision plats.

- K. **Appeals.** An applicant may appeal a decision on a Simple Plat subdivision to the Planning Commission as provided in § 16.4.11: *Appeals (LDRs)*.
- L. **Reapplication.** An applicant may resubmit a withdrawn or denied request for a ~~simple plat subdivision~~Simple Plat Subdivision review at any time.

#### ~~18.4.6~~16.4.5 RECORDING PLATS OF RECORD<sup>566</sup>

- A. **Purpose.** The purpose of review of ~~plats of record~~Plats of Record is to ensure that filed plats do not show subdivided lots that do not comply with this UDO.
- B. **Applicability.** All plats that are not approved under another procedure authorized in this Section must be reviewed before filing with the Register of Deeds. This includes:
  1. Survey plats (whether newly performed or historical) used for the purpose of indicating existing lots of record; and
  2. Mortgage plats that are used for financial purposes only and are not to be used to transfer property from one owner to the other.
- C. **Initiation.**
  1. *Applicant Eligibility.* An owner of real property, or that owner's authorized representative, may apply to record ~~plats of record~~Plats of Record for that property.
  2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and as provided in Article 22: *Submittal Requirements*.
- D. **Notice.** Public notice of the application is not required.
- E. **Approval Process.**
  1. The Subdivision Administrator shall review and approve or deny an application for recording ~~plats of record~~Plats of Record using the criteria of this Subsection without the need for Planning Commission approval.

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<sup>566</sup> This Subsection significantly updates the procedure in § 3.8: *Recording Plats of Record*. It removes the exception allowing surveyors to verify a plat does not create a new lot based on staff input. All plats will have to be reviewed and approved before filing.

2. The Subdivision Administrator shall stamp approved ~~plats of record~~Plats of Record with a statement that the plat does not create a new subdivision. This stamp must appear on the plat of record for it to be eligible for recording.
- F. **Approval Criteria.** The Subdivision Administrator shall approve a ~~P~~Plat of ~~R~~Record for recording only if the plat does not:
1. Create public or private roads or shared drives; or
  2. Create or alter any lot of record or tax parcel.
- G. **Scope of Approval.** An approval of a ~~p~~Plat of ~~r~~Record by the Subdivision Administrator by affixing the Administrator's stamp on the plat authorizes the applicant to record the plat of record with the Register of Deeds.
- H. **Recordkeeping.** The Subdivision Administrator shall retain copies of all applications for recording ~~plats of record~~Plats of Record.
- I. **Appeals.** An applicant may appeal a decision on an application for recording ~~plats of record~~Plats of Record to the Planning Commission as provided in § 16.4.11: *Appeals (LDRs)*.
- J. **Reapplication.** An applicant may resubmit a withdrawn or denied request for an application for recording ~~plats of record~~Plats of Record at any time.

#### ~~18.4.7~~16.4.6 MAJOR SUBDIVISION – PRELIMINARY PLANS<sup>567</sup>

- A. **Purpose.** The purpose of Preliminary Plan review is to ensure compliance with all aspects of this UDO before construction of the infrastructure for a new subdivision, to provide community input, and to provide public review of the proposed subdivision.
- B. **Applicability.**
1. Preliminary Plan review is the first step in the Major Subdivision process.
  2. Major Subdivision are subdivisions that:
    - (a) Subdivide a parcel of land into ~~seven~~7 or more lots;

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<sup>567</sup> This Subsection completely reorganizes the major subdivision procedures in §§ 1.6.1: *Submission of Plan or Plat for Planning Commission Review* and 3.3: *Major Subdivisions (Preliminary Plan Procedures)*. Major changes include 1) requiring the applicant to present major subdivisions at the new Community Meeting in § 16.1.7; and 2) eliminating public attendance at the Technical Advisory Committee (TAC) meetings.

- (b) Subdivide a parcel of land that includes the construction of new public or private roads, regardless of the number of proposed lots; or
- (c) Subdivide a parcel of land for a proposed group development use.

3. All Major Subdivisions must receive approval through the following procedures.

**C. Initiation.**

- 1. *Applicant Eligibility.* An owner of real property, or that owner's authorized representative, may apply for a ~~p~~Preliminary ~~p~~Plan approval for that property.
- 2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and a Preliminary Plan that conforms with the requirements of Article 22: *Submittal Requirements*.
- 3. *Application Timing.* Planning Department staff maintains a Subdivision Activity Calendar that provides all deadlines for Major Subdivision review. The calendar is available at the Planning Department office and on the [County's website](#).
- 4. *Pre-Submittal Meetings.*
  - (a) An applicant for Major Subdivision review shall participate in a Pre-Application Community Meeting as provided in § 16.1.7. This meeting must occur no more than six months before the filing of the application.
  - (b) Planning Department staff recommends that all applicants schedule a pre-submittal meeting at which Planning Department staff ~~shall~~ assist the applicant to comply with the ~~m~~Major ~~s~~Subdivision requirements and process. Pre-~~s~~Submittal ~~m~~Meetings for subdivisions are scheduled with Subdivision Administration in accordance with the Subdivision Activity Calendar.

D. **Completeness.** Planning Department staff shall review applications for completeness based on the standards of § 16.1.5: *Completeness*.

E. **Amendments.** An applicant may submit additional information or amend an application for a Preliminary Plan review only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

**F. Notice.**

- 1. *By County.* The County shall give notice by email as provided in Table 16.4.6-1: *Required Notice for Major Subdivisions*.

2. *By Applicant.* The applicant must provide posted notice as provided in Table 16.4.6-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions.*

Table 16.4.6-1: Required Notice for Major Subdivisions			
Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days before PC meeting <del>N/A</del>
Posting	Yes	General Public	15 days before PC meeting
Publication	No	General Public	N/A

**Notes:** PC = Planning Commission

**G. Approval Process.**

1. *Technical Advisory Committee Review.*
  - (a) After acceptance of the Preliminary Plan and posting of notice, Planning Department staff shall submit the Preliminary Plan to the Technical Advisory Committee (TAC) for their review and recommendations.
  - (b) The TAC shall meet at least 3 business days before the Planning Commission meeting.
  - (c) The ~~a~~Applicant or the ~~a~~Applicant’s ~~a~~Authorized ~~r~~Representative must attend the TAC meeting. The Subdivision Administrator shall deny the application if the applicant or authorized representative fail to attend the TAC meeting.
  - (d) The TAC shall make a recommendation to the Planning Commission.
  - (e) The ~~applicant or the applicant’s authorized representative~~ ~~Applicant or the Applicant’s Authorized Representative~~ shall fully address all comments made at the TAC meeting on the Preliminary Plan during a revision period set by the Subdivision Administrator. Planning Department staff shall submit the revised Preliminary Plan to the Planning Commission for its review.
  
2. *Planning Commission Review.*
  - (a) The Planning Commission shall review reports and recommendations from TAC and Planning Department staff, the application materials, and comments from the applicant, the applicant’s representatives, and the public.
  - (b) The Planning Commission has the authority to approve, approve as modified, deny, hold the matter only by agreement between the Commission chair and the applicant, or take no action on the matter before it.
  - (c) The Planning Commission shall consider and vote on any accepted plans or plats within the deadlines set by the Subdivision Review Calendar, unless otherwise agreed upon by both the applicant and the Commission chair.



- (d) The applicant or the applicant's authorized representative ~~Applicant or the Applicant's Authorized Representative~~ must attend the Planning Commission meeting. The Planning Commission ~~Subdivision Administrator~~ shall deny the application if the applicant or authorized representative fails to attend the Planning Commission meeting.

3. *Review Time.*

- (a) Preliminary Plan review is the first step of review for Major Subdivision applications.
- (b) The total review time for Preliminary Plan review shall not exceed 60 days from the date of acceptance unless the Planning Commission chair and the applicant mutually agree to extend the time as allowed by state law.

H. **Approval Criteria.** The Planning Commission shall review a Preliminary Plan for compliance with all aspects ~~the specific requirements~~ of this UDO for the applicable subdivision type.

I. **Scope of Approval.**

1. Upon approval of the Preliminary Plan by the Planning Commission, the applicant may proceed to comply with the specific requirements for development of the site, including applying for a Land ~~Disturbance~~ Permit.
2. Preliminary Plan approval shall constitute approval of the proposed widths and alignment of streets and dimensions and shapes of development lots, open space, buffers and screening, and tree preservation areas.
3. Approval of a Preliminary Plan shall not constitute approval of the Final Plat.
4. The applicant may construct a model home on the parcel before final plat approval if:
  - (a) Water lines and hydrants are installed as provided in the approved plan and are in working order;
  - (b) A drivable surface is in place; and
  - (c) Access on a drivable surface is provided for a fire truck no further than 150 feet from the structure.
5. *Validity and Expiration.*
  - (a) All Preliminary Plan approvals shall be valid for a period of time not to exceed two years unless a one-year extension of time is applied for and granted by the Subdivision Administrator.

- (b) After the initial 2-year period, the developer may apply for one-year extensions, not to exceed 5 total extensions.

6. *Amendments to Approved Plans.*

- (a) The applicant may request approval of a change to an approved Preliminary Plan in writing to the Subdivision Administrator in accordance with [the](#) subdivision review calendar. The request shall fully describe the change and provide reasonable justification for granting the change.
- (b) The Subdivision Administrator shall approve any change to an approved Preliminary Plan or accompanying datasheet that does not alter:
  - (1) The basic design or layout of the subdivision; and
  - (2) The functional interrelationship of the individual features of the subdivision to each and surrounding properties and which comply with the provisions of this ordinance.
- (c) The Subdivision Administrator shall not approve any request to change an approved Preliminary Plan that:
  - (1) Does not comply with the requirements of this UDO;
  - (2) Increases the number of units or dwellings;
  - (3) Increases or decreases the number of ingress and egress points;
  - (4) Decreases the open space; or
  - (5) Includes changes that the Subdivision Administrator determines would significantly alter the basic concept of the approved Preliminary Plan.
- (d) The Subdivision Administrator shall either approve or disapprove the change within 45 days of receipt of the request. The Subdivision Administrator shall approve any changes in writing or by signature on the face of the revised Preliminary Plan.
- (e) The applicant must re-apply for Preliminary Plan approval by the Planning Commission if the Subdivision Administrator ~~cannot approve~~[denies](#) the request for amendment under the standards of this Paragraph.

J. **Recordkeeping.**

- 1. A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be

maintained as a public record. The Planning Commission’s meeting minutes may satisfy this requirement.

- 2. Planning Development staff shall notify the applicant in writing of actions taken on an application.
- 3. Planning Development staff shall make an electronic copy of the Preliminary Plan available within five business days of an approval.
- 4. If the Planning Commission approves a Preliminary Plan application, the Subdivision Administrator shall note and certify the approval. This certification shall include the date on which the Planning Commission approved the application.
- 5. Upon approval or denial of any plans or plats submitted to the Planning Commission, the Planning Department must issue a letter outlining the action taken and procedures for appeal or reconsideration, if applicable.

K. **Appeals.** A party in interest may appeal final decisions by the Planning Commission as provided in § 16.1.11: *Appeals*.

L. **Reapplication.**

- 1. An applicant may resubmit a withdrawn Preliminary Plan application or one dismissed administratively for incompleteness at any time.
- 2. When the Planning Commission denies an application for ~~preliminary plan~~Preliminary Plan or ~~plat~~Plat approval, Greenville County shall not, for a period of 60 days from the date of the denial, accept any application for a subdivision comprised of the same ~~Parcel~~Parcel or ~~Parcels~~Parcels that were included in the denied application.
- 3. A parcel can only have one submitted plan or plat on file for review at a time. Until an accepted submittal is approved or withdrawn, no additional plans or plats will be accepted for the affected parcel or parcels. ~~An applicant may resubmit a denied Preliminary Plan application after three months from the date of the denial.~~

### ~~18.4.8~~16.4.7 REVIEW DISTRICT SUBDIVISION – PRELIMINARY PLANS<sup>568</sup>

- A. **Purpose.** The purpose of the Review District Preliminary Plan review is to ensure compliance with this UDO and the approved Final Development Plan before construction of the infrastructure for a new subdivision in a Review District.
- B. **Applicability.**
1. This Subsection applies to all subdivisions for property located in one of the Review Districts provided for in § 2.4: *Review Districts*. These districts include:
    - (a) Business & Technology District (BTD) (see § 2.4.2);
    - (b) Flexible Review District (FRD) (see § 2.4.3);
    - (c) Industrial Park District (I-2) (see § 2.4.4); and
    - (d) Planned Development District (PD) (see § 2.4.5).
  2. Preliminary Plan review is the first step in the subdivision process for property approved for a Review District Rezoning as provided in § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.
  3. All subdivisions of land in a Review District must receive approval through the following procedures.
- C. **Initiation.**
1. *Applicant Eligibility.* An owner of real property in a Review District, or that owner’s authorized representative, may apply for a ~~P~~Preliminary ~~P~~Plan approval for that property after approval of the Final Development Plan as provided in § 16.2.6: *Final Development Plan for Review Districts*.
  2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and a Preliminary Plan that conforms with the requirements of Article 22: *Submittal Requirements*.

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<sup>568</sup> This new provides for subdivision approval for Review Districts. It follows the same format as the Major Subdivision process but narrows the Planning Commission’s consideration of the matter to ensure compatibility with the Preliminary Development Plan previously approved by Council. For an overview of the new Review District Rezoning process, see the note with 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*.

- 3. *Application Timing.* Planning Department staff maintains a Subdivision Activity Calendar that provides all deadlines for subdivision review. The calendar is available at the Planning Department office and on the [County’s website](#).
- D. **Completeness.** Planning Department staff shall review applications for completeness based on the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a Preliminary Plan review only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.**
  - 1. *By County.* The County shall give notice by email as provided in Table 16.4.7-1: *Required Notice for Review District Subdivisions—Preliminary Plans*.
  - 2. *By Applicant.* The applicant must provide posted notice as provided in Table 16.4.7-1 and comply with all requirements provided in § 16.1.10: *Notice Provisions*.

Table 16.4.7: <a href="#">Required Notice for Review District Subdivisions—Preliminary Plans</a>			
Type	Required?	To Whom?	When?
Electronic	Yes	Applicant/ <a href="#">Parties Adjoining Landowners</a>	15 Days before PC meeting <a href="#">N/A</a>
Posting	Yes	General Public	15 days before PC meeting
Publication	No	General Public	N/A

**Notes:** PC = Planning Commission

- G. **Approval Process.**
  - 1. *Technical Advisory Committee Review.*
    - (a) After acceptance of the Preliminary Plan and posting of notice, Planning Department staff shall submit the Preliminary Plan to the Technical Advisory Committee (TAC) for their review and recommendations.
    - (b) The TAC shall meet at least 3 business days before the Planning Commission meeting.
    - (c) The [Applicant](#) or the [Applicant’s Authorized Representative](#) must attend the TAC meeting. The Subdivision Administrator shall deny the application if the applicant or authorized representative [fails](#) to attend the TAC meeting.
    - (d) The TAC shall make a recommendation to the Planning Commission.
    - (e) The [applicant or the applicant’s authorized representative](#)~~Applicant or the Applicant’s Authorized Representative~~ shall fully address all comments made at the TAC meeting on the Preliminary Plan during a revision period set by the

Subdivision Administrator. Planning Department staff shall submit the revised Preliminary Plan to the Planning Commission for its review.

2. *Planning Commission Review.*

- (a) The Planning Commission shall review reports and recommendations from TAC and Planning Department staff, the Review District Preliminary Development Plan and Final Development Plan, the application materials, and comments from the applicant, the applicant's representatives, and the public.
- (b) Outstanding TAC comments that the applicant has not addressed shall serve as specific requirements and conditions that must be met for Preliminary Plan approval.
- (c) The Planning Commission has the authority to approve, approve as modified, deny, hold the matter only by agreement between the Commission chair and the applicant, or take no action on the matter before it.
- (d) The Planning Commission shall consider and vote on any accepted plans or plats within the deadlines set by the Subdivision Review Calendar, unless otherwise agreed upon by both the applicant and the Commission chair or the Subdivision Administrator.
- (e) The applicant or the applicant's authorized representative~~Applicant or the Applicant's Authorized Representative~~ must attend the Planning Commission meeting. The Planning Commission Subdivision Administrator~~Subdivision Administrator~~ shall deny the application if the applicant or authorized representative fails to attend the Planning Commission meeting.

3. *Review Time.* The total review time for Preliminary Plan review shall not exceed 60 days from the date of acceptance unless the Planning Commission chair and the applicant mutually agree to extend the time as allowed by state law.

H. **Approval Criteria.**

- 1. The Planning Commission shall review a Preliminary Plan for a Review District for compliance with this UDO, as modified by ~~the~~ any variations from the UDO in the Preliminary Development Plan approved by the County Council.
- 2. The Planning Commission shall not adopt a Preliminary Plan that is inconsistent with the Preliminary Development Plan approved by the County Council.
- 3. The Planning Commission shall review the infrastructure requirements identified by the TAC. The infrastructure requirements that cannot be varied without a waiver pursuant to § 16.4.10: *Waivers (LDRs)* include the standards in the following articles:

- (a) Article 12: *Access & Connectivity*;
- (b) Article 14: *Stormwater Management*; and
- (c) Article 15: *Utilities*.

I. **Scope of Approval.**

1. Upon approval of the Preliminary Plan by the Planning Commission, the applicant may proceed to comply with the specific requirements for development of the site, including applying for a land disturbance permit.
2. Preliminary Plan approval shall constitute approval of the proposed widths and alignment of streets and dimensions and shapes of development lots, open space, buffers and screening, and tree preservation areas.
3. Approval of a Preliminary Plan shall not constitute approval of the Final Plat. Separate Final Plat approval is required as provided in § 16.4.8: *Major Subdivision – Final Plats*.
4. The applicant may construct a model home on the parcel before final plat approval if:
  - (a) Water lines and hydrants are installed as provided in the approved plan and are in working order;
  - (b) A drivable surface is in place; and
  - (c) Access on a drivable surface is provided for a fire truck no further than 150 feet from the structure.
5. *Validity and Expiration.*
  - (a) All Preliminary Plan approvals shall be valid for a period of time not to exceed two years unless a one year extension of time is applied for and granted by Subdivision Administration.
  - (b) After the initial two year period, the developer may apply for one year extensions, not to exceed five total extensions.
6. *Amendments to Approved Plans.*
  - (a) The applicant may request approval of a change to an approved Preliminary Plan in writing to the Subdivision Administrator in accordance with subdivision review calendar. The request shall fully describe the change and provide reasonable justification for granting the change.
  - (b) The Subdivision Administrator shall approve any change to an approved Preliminary Plan or accompanying datasheet that does not alter:

- (1) The basic design or layout of the subdivision; and
  - (2) The functional interrelationship of the individual features of the subdivision to each and surrounding properties and which comply with the provisions of this ordinance.
- (c) The Subdivision Administrator shall not approve any request to change an approved Preliminary Plan that:
- (1) Does not comply with the requirements of this UDO;
  - (2) Increases the number of units or dwellings;
  - (3) Increases or decreases the number of ingress and egress points;
  - (4) Decreases the open space; or
  - (5) Includes changes which the Subdivision Administrator determines would significantly alter the basic concept of the approved Preliminary Plan.
- (d) The Subdivision Administrator shall either approve or disapprove the change within 45 days of receipt of the request. The Subdivision Administrator shall approve any changes in writing or by signature on the face of the revised Preliminary Plan.
- (e) The applicant must re-apply for Preliminary Plan approval by the Planning Commission if the Subdivision Administrator ~~cannot approve~~denies the request for amendment under the standards of this Paragraph.

**J. Recordkeeping.**

1. A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record. The Planning Commission's meeting minutes may satisfy this requirement.
2. Planning Development staff shall notify the applicant in writing of actions taken on an application.
3. Planning Development staff shall make an electronic copy of the Preliminary Plan available within five business days of an approval.
4. If the Planning Commission approves a Preliminary Plan application, the Subdivision Administrator shall note and certify the approval. This certification shall include the date on which the Planning Commission approved the application.



5. Upon approval or denial of any plans or plats submitted to the Planning Commission, the Planning Department must issue a letter outlining the action taken and procedures for appeal or reconsideration, if applicable.
- K. **Appeals.** A party in interest may appeal final decisions by the Planning Commission as provided in § 16.1.11: *Appeals*.
- L. **Reapplication.**
1. An applicant may resubmit a withdrawn Preliminary Plan application or one dismissed administratively for incompleteness at any time.
  2. When the Planning Commission denies an application for ~~p~~Preliminary ~~p~~Plan or ~~p~~Plat approval, Greenville County shall not, for a period of 60 days from the date of the denial, accept any application for a subdivision comprised of the same ~~P~~parcel or ~~P~~parcels that were included in the denied application.
  3. A parcel can only have one submitted plan or plat on file for review at a time. Until an accepted submittal is approved or withdrawn, no additional plans or plats will be accepted for the affected parcel or parcels. ~~An applicant may resubmit a denied Preliminary Plan application after three months from the date of the denial.~~

#### ~~18.4.9~~16.4.8 MAJOR SUBDIVISION – FINAL PLATS<sup>569</sup>

- A. **Purpose.** Final Plat approval is the final step in the subdivision of land for Major Subdivisions. Final ~~p~~Plat approval is intended to ensure that the construction and development of all subdivisions of land comply with the standards and requirements of this UDO, and ~~f~~Final ~~p~~Plat approval triggers the establishment of legal lots, the County's acceptance of the subdivision's roads, and, if applicable, the acceptance of financial securities for unfinished work.
- B. **Applicability.** Final Plat subdivision approval is required for:
1. All Major Subdivisions; and
  2. Subdivision of land involving property located within an approved Review District as provided in § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*..
- C. **Initiation.**

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<sup>569</sup> This Section updates and streamlines the current final plat approval process in § 3.4: Final Plat Procedures by clearly providing for staff review of final plats and relocating submittal requirements and financial security procedures to Article 22: *Submittal Requirements*.

1. **Applicant Eligibility.** An owner of real property, or that owner's authorized representative, may apply for Final Plat approval for that property after the project has received Preliminary Plan approval.
2. **Application Requirements.**
  - (a) An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application and a Final Plat as provided in Article 22: *Submittal Requirements*.
  - (b) If the subdivider proposes to dedicate streets to the County, the applicant must submit a notarized statement of dedication of streets and roads signed by each owner of the property stating that:
    - (1) The subdivision plan shown on the Final Plat is made with their free consent and in accordance with their desires;
    - (2) The dedication of streets or roads shown on the plat and the road dedication form is freely offered; and
    - (3) The property shown on the plat is not encumbered by a recorded deed of trust or mortgage or by a judgment rendered by any court.

D. **Completeness.** Planning Development staff shall review applications for completeness based on the standards of § 16.1.5: *Completeness*.

E. **Amendments.** An applicant may submit additional information or amend an application for a Final Plat review only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.

F. **Notice.** Public notice of the application is not required.

G. **Approval Process.**

1. The Subdivision Administrator shall review and approve or deny a Final Plat application.
2. The Administrator shall sign and stamp approved Final Plats to certify the Pplat for recording.

H. **Approval Criteria.**

1. The Subdivision Administrator must review Final Plats to ensure compliance with the approved Preliminary Plan.
2. Public dedications and ~~financial security~~Financial Security may be required for all planned infrastructure improvements.

3. The Subdivision Administrator shall approve a Final Plat if it:
  - (a) Complies with all standards of this UDO; and
  - (b) Conforms to the Preliminary Plan approved by the Planning Commission.
4. *Dedications.*
  - (a) The County shall not accept any streets unless the street has been completed and opened, and the street corresponds in its location and lines with a street shown on a final plat.
  - (b) Before the Subdivision Administrator may approve and sign a Final Plat, the County's ~~e~~Engineering ~~d~~Department must have approved roadway construction plans, and the applicant must have constructed a riding surface sufficient to support emergency vehicles.
  - (c) The Subdivision Administrator must determine that the applicant provided a notarized statement regarding the voluntary dedication of streets and roads signed by each owner of the property as required by § 16.4.8C.2(b).
  - (d) If street construction is incomplete and the Subdivision Administrator approves the Final Plat under the requirements of a ~~financial security~~Financial Security to ensure the completion of the streets, the applicant shall assume liability for damages that might be incurred by persons using the streets prior to the time that the streets are accepted by the County for continuous maintenance.

**I. Scope of Approval.**

1. *Filing of Plat.* An approved Final Plat may be filed with the Register of Deeds.
2. *Financial Security.* If ~~financial security~~Financial Security is required for unfinished infrastructure, the applicant must comply with all requirements for ~~financial security~~Financial Security in Article 22: *Submittal Requirements*.
3. *Acceptance of Roads.* Final plat approval does not automatically result in the acceptance of any roads in the subdivision.
4. *Revisions.* If it should become necessary to revise a Final Plat that has been recorded, the subdivider shall have the registered land surveyor submit a revised final plat for review under the Final Plat review procedures of this Subsection.

**J. Recordkeeping.**

1. A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record.
  2. The Subdivision Administrator shall notify the applicant or the applicant's authorized agent in writing of the actions taken on the application.
  3. If the applicant or the applicant's authorized agent fails to record ~~the~~ Final Plat within seven days of receiving the Subdivision Administrator's approval, the Final Plat is void, and the applicant or the applicant's authorized agent shall not attempt to record it.
  4. Once all infrastructure has been completed, the Subdivision Administrator shall send a written notice of acceptance and authorize the release of the remaining ~~financial security~~ Financial Security, if applicable.
- K. **Appeals.** An applicant may appeal a decision on a Final Plat to the Planning Commission as provided in § 16.4.11: *Appeals (LDRs)*.
- L. **Reapplication.** An applicant may resubmit a withdrawn or denied request for a Final Plat approval at any time.

#### ~~18.4.10~~ 16.4.9 STREET NAME CHANGES<sup>570</sup>

- A. **Purpose.** This procedure allows the Planning Commission to change the name of a street or road in unincorporated areas of Greenville County. The County Council has determined that the adequate provision of police, fire, emergency medical services, and other public services to the residents of the unincorporated portion of Greenville County requires the establishment of a uniform system to change the name of any street, road, or public way located in the unincorporated portion of the County.
- B. **Applicability.** This Subsection applies to applications to change the name of an existing street. The Planning Commission shall establish and assign names for all streets, roads and public ways that need to be changed for purposes of public safety and convenience.
- C. **Initiation.**
1. *Applicant Eligibility.* Applications for changes of street names may be initiated by:

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<sup>570</sup> This Subsection carries forward and combines the current standards for changing street names in § 8.15.1: *Changes to Street Names*; and Chapter 18, Article V: Street Naming and Numbering. It replaces the 100% consent requirement for adjacent landowners to an objection process.

- (a) ~~County Council~~ or the County Planning Commission by adoption of a motion; or
- (b) Any owner of property adjacent to the subject street by filing an application with the Planning Department.

2. *Application Requirements.* An applicant must file street name change applications with the Planning Department on an application form provided by the Planning Department and provide all required information.

- D. **Completeness.** Applications are evaluated for completeness under the standards of § 16.1.5: *Completeness.*
- E. **Amendments.** An applicant may submit additional information or amend an application for a street name change only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness.*
- F. **Notice.**<sup>571</sup> Notice shall be given to the applicant, landowners adjacent to the subject street, and the public as provided in Table 16.4.9-1: *Required Notice for Street Name Changes.*

Table 16.4.9-1: Required Notice for Street Name Changes			
Type	Required?	To Whom?	When?
Email	Yes	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	15 Days before Commission Meeting <del>15 Days Before Commission Meeting</del>
<u>Mail</u>	<u>Yes</u>	<u>Adjacent Landowners</u>	<u>15 Days before Commission Meeting</u>
Posting	No	General Public	N/A
Publication	Yes	General Public	15 Days Before Commission Meeting

- G. **Approval Process.** All proposed road name changes must be approved by:
  - 1. E-911 Division Review. The Greenville County E-911 Office shall review any proposal to change the name of any street, road, or public way and report its findings and recommendations to the Planning Commission; ~~and,~~
  - 1. ~~The Planning Commission~~ Planning Commission Review. The Planning Commission shall review and assign and approve changes to the names of all streets, roads, and public ways based on the report and recommendations of the County’s E-911 Division.
  - 2. \_\_\_\_\_

- H. **Approval Criteria.**
  - 1. Promulgation of Street/Road Name Change Policy. The Director of the County’s E-911 Division and the Planning Commission are authorized to promulgate a street/road name

<sup>571</sup> This Subsection reformats and clarifies the current 15-day notice requirement provided in § 3:5.2: *Appeals to the Board.*

change policy to implement the provisions of this Section. The policy adopted shall be on file in the office of E-911 and shall be available for public inspection.

2. Greenville County E-911 Office Review. The Greenville County E-911 Office shall review the application and existing street information in Greenville County as provided in state law and shall report to the Planning Commission on ~~its~~ findings and recommendations about the proposed street name change.

~~1.~~ \_\_\_\_\_

2. Planning Commission Review.

~~1.(a)~~ For County initiated changes, the Planning Commission shall review and assign names for all streets, roads and public ways that need to be changed for purposes of public safety based on the report and recommendations of the County’s E-911 Division ~~The Planning Commission may change the name of a street or road within the boundary of its territorial jurisdiction~~ in the following circumstances:

~~(a)(1)~~ When there is duplication of names or other conditions which are likely to confuse the traveling public or disrupt the delivery of mail, orders, or messages;

~~(b)(2)~~ When it is found that a change may simplify marking or giving of directions to persons seeking to locate addresses; or

~~(3)~~ Upon any other reason that the Commission deems appropriate.

(a) For applicant initiated changes, the Planning Commission shall review and assign names for all streets, roads and public ways based on the on the report and recommendations of the County’s E-911 Division, using the following criteria:

(1) Applicant pays a \$500 application fee;

(2) A public hearing is held and no one speaks in opposition to the request; and

(3) The applicant pays an additional \$150 per sign to be changed, which amount represents the sign replacement cost.

~~(c)~~ \_\_\_\_\_

I. **Scope of Approval.** Approval of a street name change officially changes the street name.

J. **Recordkeeping.** After a public hearing and Planning Commission approval, the Subdivision Administrator shall issue a letter notifying the requestor of the designated change, which must

then be recorded in the office of the Register of Deeds to document the changed name as the legal name of the street or road.

- K. **Appeals.** A party in interest may appeal final decisions by the Planning Commission as provided in § 16.1.11: *Appeals*.
- L. **Reapplication.** After the Planning Commission has denied a request for a name change, anthe applicant must wait one year from the date of the denial before applying for a new name change for the same street.

#### ~~18.4.11~~16.4.10 **WAIVERS (LDRS)**<sup>572</sup>

- A. **Purpose.** This Subsection establishes a procedure to allow relief that will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of this UDO would result in unnecessary hardship or peculiar and exceptional practical difficulties.
- B. **Applicability.** The procedures in this Subsection apply to control evaluation of applications for waivers of standards under the Articles identified in Table 16.1.2-1: *Applicability of Procedures to UDO Articles*.
- C. **Initiation.**
  - 1. *Applicant Eligibility.* An owner of real property, or that owner’s authorized representative, may apply for a waiver for that property.
  - 2. *Application Requirements.* An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in Article 22: *Submittal Requirements*.
- D. **Completeness.** Planning Department staff shall review applications for completeness based on the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for a waiver only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.** Public notice of the application is not required.
- G. **Approval Process.**

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<sup>572</sup> This Subsection reorganizes and clarifies current LDR § 1.6.3: *Variances*. The draft changes the name from “variances” to “waivers” to distinguish this procedure from variances under the zoning standards.

1. *Staff Comments.* Planning Department staff shall solicit comments from the Technical Advisory Committee regarding the waiver request. These comments shall be presented to the Commissioners for their review, use, and consideration.
2. *Hearing.* The Planning Commission shall review all applications for waivers.
3. *Authority.* The Planning Commission shall review the application for waiver and may modify such requirements as provided by the approval criteria below.

#### H. **Approval Criteria.**

1. When reviewing a waiver request, the Planning Commission shall protect the public interests of the County and its citizens and consider whether the waiver serves the general intent and spirit of these regulations.
2. The Planning Commission may grant a waiver from the terms of this ordinance upon a finding that at least one of the following applies:
  - (a) The waiver requested is the minimum waiver that will make possible the legal use of the land;
  - (b) Owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship or peculiar and exceptional practical difficulties; or
  - (c) The waiver requested ~~must be~~ is in harmony with the general purpose and intent of this ordinance and ~~must is~~ not be injurious to a neighbor or otherwise detrimental to the public welfare.

#### I. **Scope of Approval.**

1. The approval of a waiver application waives a standard of this UDO. It does not approve any specific application for land development or the subdivision of land.
2. All affected County departments are bound by waivers granted by the Planning Commission.

#### J. **Recordkeeping.**

1. A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record.
2. Planning Department staff shall notify the applicant in writing of actions taken on a waiver application.



- K. **Appeals.** A party in interest may appeal final decisions by the Planning Commission as provided in § 16.1.11: *Appeals*.
- L. **Reapplication.** After the Planning Commission has denied a request for a waiver, an applicant must wait six months from the date of the denial before applying for the same waiver on the same property.

#### ~~18.4.12~~16.4.11 APPEALS (LDRS) <sup>573</sup>

- A. **Purpose.** The purpose of the appeals procedure is to allow the Planning Commission to review certain decisions made by the Subdivision Administrator.
- B. **Applicability.** The procedures in this Subsection apply to appeals of administrative decisions on applications, approvals, and interpretations under the Articles identified in Table 16.1.2-1: *Applicability of Procedures to UDO Articles*.
- C. **Initiation.**
  1. **Applicant Eligibility.** A party in interest as defined in § 16.1.11: Appeals or any officer, department, board, or bureau of the County may ~~Only a party in interest may~~ appeal a decision by the Subdivision Administrator to the Planning Commission.
  2. **Appeal Deadline.** A person eligible to appeal a decision made by the Subdivision Administrator must submit the appeal to the Planning Department, with all information required by this ordinance within 15 days of the date of the Subdivision Administrator's decision. Failure to meet this deadline terminates any right to appeal.
  3. **Application Requirements.** An applicant must file an application with the Planning Department. The application shall include the supporting material required in the application as provided in Article 22: *Submittal Requirements*.
- D. **Completeness.** Planning Department staff shall review applications for completeness based on the standards of § 16.1.5: *Completeness*.
- E. **Amendments.** An applicant may submit additional information or amend an application for an appeal only in response to communications from County staff that the application is not complete, as provided in § 16.1.5: *Completeness*.
- F. **Notice.** Public notice of the application is not required.

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<sup>573</sup> This Subsection proposes a new appeal provision for the Subdivision Administrator's decisions under the LDR provisions of the UDO based on stakeholder input.

G. **Approval Process.**

1. *Hearing.* The Planning Commission shall review all appeals of administrative decisions.
2. *Authority.*
  - (a) The Planning Commission may reverse or affirm, wholly or in part, or may affirm as modified the order, requirement, decision, or determination appealed from.
  - (b) The vote of a majority of a quorum of the Planning Commission shall be necessary to reverse any order, requirement, decision, or determination of the Subdivision Administrator.

H. **Approval Criteria.** In considering an appeal of an administrative decision, the Planning Commission shall apply the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO by the Commission and Subdivision Administrator.

I. **Scope of Approval.** The finding for an applicant on appeal interprets this UDO or directs action to be taken by Planning Department staff in implementing the decision.

J. **Recordkeeping.**

1. A record of all actions on all land development plans and subdivision plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained as a public record.
2. Planning Department staff shall notify the appellant in writing of the outcome of the appeal.

K. **Appeals.** A party in interest may appeal final decisions by the Planning Commission as provided in § 16.1.11: *Appeals*.

L. **Reapplication.** An applicant may not resubmit a withdrawn or denied appeal.

## ~~18.5~~ **16.5 COMPREHENSIVE PLAN AND UDO PROCEDURES**

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### ~~18.5.1~~ **16.5.1 COMPREHENSIVE PLAN ADOPTION & AMENDMENT**<sup>574</sup>

A. **Purpose.** This Subsection describes how the County adopts and makes changes to the Comprehensive Plan. The Planning Commission should review the Comprehensive Plan or

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<sup>574</sup> This new Section provides clear standards for the adoption and modification of the Comprehensive Plan.

elements of it as often as necessary to determine whether changes in the amount, kind, or direction of development of the area or other reasons make it desirable to amend the Plan.

- B. **Applicability.** This Subsection applies to any request to amend the Comprehensive Plan.
- C. **Initiation.** The process to adopt or amend any part of the adopted Comprehensive Plan may be initiated by:
  - 1. The County Council, by adoption of a motion;
  - 2. The Planning Commission, by adoption of a motion; or
  - 3. Recommendation of the Planning Department.
- D. **Completeness.** Completeness review does not apply to this procedure.
- E. **Amendments.** Amendments to a proposal to adopt or amend an adopted Comprehensive Plan may be made by County Council or the County Planning Commission by adoption of a motion.
- F. **Notice.**
  - 1. Public hearings on adoption of or amendments to a Comprehensive Plan require public notice as provided in Table 16.5.1-1 before first reading by County Council.

Table 16.5.1-1: Required Notice for Comprehensive Plan Adoption and <del>UDO Text</del> Amendment*			
Type	Required?	To Whom?	When?
Email	No	Applicant/ <del>Parties</del> Adjoining Landowners	N/A N/A
Posting	No	General Public	N/A
Publication	Yes	General Public	30 Days before Public Hearing

- 2. All other notices for regular or special meetings of the Planning Commission and County Council to consider Comprehensive Plan adoption and amendments shall comply with the procedures for notice of the meeting for the body considering the matter.

- G. **Approval Process.**
  - 1. *Planning Commission.*
    - (a) The Planning Commission shall consider the proposal and provide a recommendation to County Council.
    - (b) For Comprehensive Plan Amendments, the Commission shall provide a recommendation for approval, approval with modifications, or disapproval of the proposed amendment or Plan.

- (c) Recommendation of a Comprehensive Plan ~~a~~AAmendment or ~~a~~AAdoption must be by resolution of the Planning Commission, carried by the affirmative votes of at least a majority of the entire membership.
2. *County Council.*
- (a) The County Council shall conduct a public hearing on a proposed amendment prior to adoption.
  - (b) For Comprehensive Plan ~~a~~AAmendment or ~~Adoption~~Adoption and amendments, the County Council shall approve, approve with modifications, or disapprove the proposed amendment or adoption.
  - (c) For Future Land Use Map Amendments, the County Council shall approve or disapprove the proposed amendment.
- H. **Approval Criteria.** In considering any Comprehensive Plan or Future Land Use Map ~~a~~AAmendment application, the Planning Commission and County Council shall consider the following criteria:
- 1. Whether a proposed amendment is consistent with other policies and recommendations in the Comprehensive Plan;
  - 2. Whether the proposed amendment or adoption is consistent with other adopted County plans and policies;
  - 3. Whether the amendment or proposed plan is consistent with sound planning principles; and
  - 4. Any other factors the Commission or Council deem appropriate.
- I. **Scope of Approval.** A Comprehensive Plan or Future Land Use Map Amendment or adoption of a new Plan is a formal change in County policy. It does not authorize or require specific actions as a result.
- J. **Recordkeeping.**
- 1. When the County Council approves changes to the text of the Comprehensive Plan, the Planning Director shall update the Comprehensive Plan to include these changes or shall add the changes as an appendix to the Plan, as appropriate.
  - 2. When the County Council adopts a new Comprehensive Plan, the Planning Director shall replace the public review copy of the previous Comprehensive Plan with the new Plan.
  - 3. The Planning Director shall maintain copies of all previously adopted Comprehensive Plans.

4. When the County Council approves changes to the Future Land Use Map, the Planning Director must update the Future Land Use GIS layer.
- K. **Appeals.** The County Council's decision is final.
- L. **Reapplication.** There is no limitation on renewed consideration of proposed amendments or adoption of a Comprehensive Plan raised by motion of the County Council or the County Planning Commission.

### ~~18.5.2~~ 16.5.2 UDO TEXT AMENDMENT<sup>575</sup>

- A. **Purpose.** This Section provides procedures for amending, supplementing, or repealing the text of this UDO by the County Council.
- B. **Applicability.** The procedures in this Subsection apply to control all proposed amendments to the text of this UDO.

#### ~~C.~~ **Initiation.**

~~1.C.~~ Applicant Eligibility. Changes and amendments to this UDO may be initiated by:

~~(a)1.~~ County Council, the County Planning Commission, or the Board of Zoning Appeals by adoption of a motion; or

~~(b)2.~~ Any interested property owner or resident of Greenville County, or their authorized representative, by filing an application with the Planning Department. The Planning Director by proposing the amendment to the Planning Commission, which may recommend the proposed amendment by adoption of a motion.

~~2.~~ Application Requirements. Changes and amendments requiring an application must be filed with the Planning Department on an application form provided by the Planning Department. The application must include a description or statement of the present and proposed UDO standard.

~~D.~~ Completeness. Planning Department staff shall review applications for completeness based on the standards of Subsection 16.1.5: Completeness Review.

<sup>575</sup> This Section updates and reorganizes the current standards for text amendments to the zoning ordinance in current § 3:2: *Zoning Ordinance Text and Map Amendments*. The primary changes include 1) providing a single text amendment process for both zoning and LDR amendments using the current framework for zoning ordinance amendments; 2) providing a separate Section applicable to Rezoning (addressed by Section 16.2.4: *Zoning Map Amendment (Rezoning)*); 3) extending the published notice period for amendments from 15 days to 30 days to meet the required notice in S.C. Code Ann. § 6-29-1130 (which applies to LDRs but not zoning amendments); and 4) placing the current zoning amendment procedures in the common UDO work flow.

~~E.~~ **Amendments.**

~~1.D.~~ Amendments to the application or proposal for changes and amendments to this UDO being considered by County Council, the County Planning Commission, or the Board of Zoning Appeals may be adopted by motion.

~~2.~~ For applications from interested property owners and residents, an applicant may submit additional information or amend an application for a UDO text amendment only in response to communications from County staff that the application is not complete, as provided in Subsection 16.1.5: *Completeness Review*.

~~F.E.~~ **Notice.**<sup>576</sup>

1. Public hearings on amendments to the text of this UDO require public notice as provided in Table 16.5.2-1 before first reading by County Council.

Table 16.5.2-1: Required Notice for UDO Text Amendments			
Type	Required?	To Whom?	When?
Email	No	Applicant/ <del>Parties</del> <del>Adjoining Landowners</del>	N/A N/A
Posting	No	General Public	N/A
Publication	Yes	General Public	30 Days before Public Hearing

2. All other notices for regular or special meetings of the Planning Commission and County Council to consider UDO amendments must comply with the procedures for notice of the meeting for the body considering the matter.

~~G.F.~~ **Approval Process.**<sup>577</sup>

~~1.~~ Initial Review by the Planning and Development Committee.

~~(a)~~ For applications from interested property owners and residents, the County Council’s Planning and Development Committee (P&D) shall consider the matter at a regular meeting before setting the matter for public hearing.

~~(b)1.~~ County Council’s Planning and Development Committee shall initially review ~~For~~ proposals to change or amend the UDO by the County Council, the County Planning

<sup>576</sup> This paragraph extends the published notice period for amendments from 15 days to 30 days to meet the required notice in S.C. Code Ann. § 6-29-1130 (which applies to LDRs but not zoning amendments). This change is necessary to provide for a uniform procedure to amend both zoning and LDRs using a common process.

<sup>577</sup> This Section combines and reorganizes the provisions of §§ 3:2.6: Action by the Planning Staff and Planning Commission and 3:2.7: Action by County Council. The process is proposed in a chronological order instead of the current order, which is organized based on the different decision-making bodies.

Commission, ~~or the Board of Zoning Appeals, or the Planning Director.~~ ~~the initial review by the P&D Committee is not necessary. The Planning Director shall schedule the matter for the next public hearing.~~

2. *Public Hearing.*
  - (a) The Planning Director shall place proposals to change or amend this UDO ~~s~~ on the agenda for the next scheduled public hearing of County Council.
  - (b) The Planning Department staff shall present the facts regarding the request for the amendment at the public hearing. This presentation shall be made a part of the hearing record.
  - (c) The public hearing shall proceed as provided in § 16.1.9: *Hearing Procedures* and the adopted Rules of Greenville County Council.
3. *County Council First Reading.* At First Reading, an ordinance proposing the amendment, supplement, change, or repeal is introduced to County Council and entered in the public record. After First Reading, Council sends the matter to a public hearing and then, in succession to the Planning Commission and the P&D Committee for their recommendations.
4. *Planning Commission Review and Recommendation.*
  - (a) Planning Department staff shall review and make written recommendations to the Planning Commission concerning the request.
  - (b) The Planning Commission must review the proposed amendment at its next regularly scheduled meeting and provide a report of its recommendations to the County Council.
  - (c) The Planning Commission may allow additional public comment on the matter at its regularly scheduled meeting, at the discretion of the Planning Commission Chair.
  - (d) The Planning Commission shall have 30 days to submit its report and recommendation to County Council. If the Planning Commission fails to submit a report within the prescribed time period, it is deemed to have made no recommendation concerning the change or departure from the text.
  - (e) In its recommendation, the Planning Commission may request an additional comment session. If County Council returns the matter to the Planning Commission for additional comment, the Planning Commission shall hold the public comment session at its next regularly scheduled meeting.
5. *Action by County Council.*

- (a) Planning and Development P&D Committee Review and Recommendation.
  - (1) The Planning and Development P&D Committee (P&D) shall consider information presented at the public hearing and recommendations from the staff review and the Planning Commission before making a recommendation to County Council.
  - (2) The P&D Committee may return the matter to the Planning Commission and require an additional public comment session based on the P&D Committee’s determination or a request by the Planning Commission.
- (b) Second and Third Reading by County Council of a proposed change or amendment to this UDO shall proceed under the established procedures for consideration and adoption of legislation.

H.G. **Approval Criteria.** County Council may approve or disapprove changes and amendments to this UDO ~~at~~ its discretion. It may consider factors including whether the amendment is necessary to:

1. Implement the Comprehensive Plan and Future Land Use Map;
2. Correct an original mistake or manifest error in the regulations;
3. Recognize a substantial change or changing conditions or circumstances in the community; or
4. Recognize changes in technology, the style of living, or manner of doing business.

I.H. **Scope of Approval.** Any ordinance affecting a change in the text of this UDO becomes effective on the date provided in the ordinance adopting the change, but it shall not become effective earlier than the day following ~~the~~ Third ~~the~~ Reading by County Council.

I.I. **Recordkeeping.** When the County Council approves changes to the text of the UDO, those changes must be compiled, indexed, codified, and made available to the general public as provided in the adopted Rules of Greenville County Council.

~~K.J.~~ **Appeals.** The County Council’s decision is final.

L.K. **Reapplication.** County Council may reconsider a proposed amendment~~s~~ raised by motion of the County Council, the County Planning Commission, ~~or~~ the Board of Zoning Appeals, or the Planning Director at any time.

~~2. —When County Council denies a request for an amendment to the UDO text proposed by interested property owners and residents, the applicant may not petition for the same or similar amendment again until one year from the date of the previous denial.~~



## Article 17: REVIEWING & DECISION-MAKING BODIES

### 17.1 GENERALLY

- A. This Article formally establishes commissions, boards, or officials, or recognizes existing commissions, boards, or officials, that administer this UDO.
- B. This Article establishes the composition of those agencies, their jurisdiction, and related administrative matters.

### 17.2 COUNTY COUNCIL<sup>578</sup>

- A. The Greenville County Council is organized and has the powers authorized by S.C. Code Title 4, Chapter 9, and County Code Chapter 2, Article III.
- B. The County Council operates in accordance with the Rules of Greenville County Council.
- C. With respect to the administration and enforcement of this UDO, the County Council does not act in a review or recommending capacity.
- D. The duties of the County Council in connection with this UDO do not include hearing and deciding questions of interpretation and enforcement that may arise. ~~The procedure for deciding such questions is described in 16.2.5: UDO Interpretation (Zoning) and 16.4.2: UDO Interpretation (LDRs).~~
- E. The County Council has final (local) decision-making authority on the following matters:
  1. Adoption of and amendments to the Comprehensive Plan (see § 16.5.1: *Comprehensive Plan Adoption & Amendment*);
  2. Initial zoning (see § 16.2.7: *Initial Zoning*);
  3. Zoning map amendments (rezonings) (see § 16.2.4: *Zoning Map Amendment (Rezoning)* and § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*);
  4. Major changes to Review Districts (see § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*);
  5. Historic properties designation (see § 16.3.1: *Designation of Historic Properties*); and

<sup>578</sup> Carries forward ZO Section 2:1 *County Council* and the second paragraph of ZO 3:5.1 *Duties of Zoning Administrator, Board of Zoning Appeals, County Council, and Courts on Matters of Appeal*.

6. UDO text amendments (see § 16.5.2: *UDO Text Amendment*).
- F. In addition, the County Council may take action to accept public dedications offered as part of the subdivision plat process.

### **19.317.3 COUNTY COUNCIL COMMITTEE ON PLANNING & DEVELOPMENT**

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- A. The Rules of Greenville County Council establish standing committees that review and advise the full County Council on various matters. The County Council Committee on Planning & Development is responsible for advising County Council on matters including Comprehensive Plan implementation, zoning map amendments, and other planning-related matters.
- B. The Committee on Planning & Development provides recommendations to County Council on the following application types:
  1. Adoption of and amendments to the Comprehensive Plan (see § 16.5.1: *Comprehensive Plan Adoption & Amendment*);
  2. Initial zoning (see § 16.2.7: *Initial Zoning*);
  3. Zoning map amendments (rezonings) (see § 16.2.4: *Zoning Map Amendment (Rezoning)* and § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*);
  4. Major changes to Review Districts (see § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*);
  5. Historic properties designation (see § 16.3.1: *Designation of Historic Properties*); and
  6. UDO text amendments (see § 16.5.2: *UDO Text Amendment*).

## **17.4 PLANNING COMMISSION<sup>579</sup>**

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### **19.417.4.1 POWERS & DUTIES**

- A. The Planning Commission is organized and has the powers assigned by S.C. Code Title 6, Chapter 29, Article I: Creation of Local Planning Commission and Greenville County Code Chapter 17, Article V: Planning Commission.

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<sup>579</sup> Carries forward ZO Section 2:2 *Planning Commission* and augments the Commission's duties to include all those specified in the UDO.

- B. In addition, the Planning Commission has the following duties in the administration and enforcement of this UDO:
1. To provide recommendations for approval, approval with modifications, or disapproval of the Comprehensive Plan (see § 16.5.1: *Comprehensive Plan Adoption & Amendment*);
  2. To provide recommendations for approval, approval with modifications, or disapproval of all amendments to the Comprehensive Plan (see § 16.5.1: *Comprehensive Plan Adoption & Amendment*);
  3. To provide recommendations for approval or disapproval of all initial zoning applications (see § 16.2.7: *Initial Zoning*);
  4. To provide recommendations for approval or disapproval of all zoning map amendment (rezoning) applications (see § 16.2.4: *Zoning Map Amendment (Rezoning)*);
  5. To provide recommendations for approval, approval with conditions, or disapproval of all zoning map amendment (rezoning) applications for Review Districts (see § 16.2.5 *Zoning Map Amendment (Rezoning)—Review Districts*);
  6. To provide recommendations for approval, approval with conditions, or disapproval of all applications for major changes to existing Review Districts (see § 16.2.5 *Zoning Map Amendment (Rezoning)—Review Districts*);
  7. To provide recommendations for approval, approval with modifications, or disapproval of all proposed UDO text amendments (see § 16.5.2: *UDO Text Amendment*);
  8. To issue final decisions on waiver applications (see § 16.4.10: *Waivers (LDRs)*);
  9. To issue final decisions on appeal applications related to Land Development Regulations (see § 16.4.11: *Appeals (LDRs)* ); and
  10. To issue final decisions on street ~~naming or~~ renaming applications (see § 16.4.9: *Street Name Changes*).

## **17.4.2 MEETINGS & QUORUMS**

### **A. Meetings.**

1. Meetings of the Planning Commission shall be held regularly, at the call of the chairperson, and at such other times as the chairperson or Planning Commission may determine.
2. All meetings of the Planning Commission shall be open to the public.

**B. Notice.** Public notice for Planning Commission meetings shall be provided in accordance with the requirements outlined in S.C. Code, Title 30, Chapter 4, also known as the Freedom of Information Act, and S.C. Code § 6-29-310 et seq.

**C. Decisions.** Decisions are made by a majority vote of a quorum of members.

**D. Quorum.**

1. A majority of the members appointed and currently serving constitute a quorum for conducting business, including members who have recused themselves for conflict of interest, pursuant to S.C. Code § 8-13-700(B).

2. The Planning Commission shall not take any action unless a quorum is present.

**E. Minutes.** The Planning Commission shall keep:

1. Minutes of its proceedings showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact; and

~~10.2.~~ Records of its examinations, findings, determinations, and any other official actions.

## ~~19.5~~ **17.5 BOARD OF ZONING APPEALS**<sup>580</sup>

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### ~~19.5.1~~ **17.5.1 ESTABLISHMENT & MEMBERSHIP**<sup>581</sup>

- A. Pursuant to S.C. Code § 6-29-780, et seq., this Section establishes a Board of Zoning Appeals (BZA) composed of nine members appointed by County Council to serve staggered terms of three years.
- B. The County Council shall fill any vacancy in the membership for the remainder of the unexpired term.
- C. The County Council may remove BZA members for just cause. Any fact that, in the discretion of Council, adversely affects the public interest, including lack of attendance at meetings, no longer being a resident of Greenville County, failure to comply with the education requirements

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<sup>580</sup> This Section carries forward and augments current Zoning Ordinance provisions pertaining to the Board of Zoning Appeals. Procedural elements related to special exceptions, variances, and appeals are relocated to Article 16: *UDO Procedures*.

<sup>581</sup> Adds cross-reference to S.C. Planning Act. Carries forward 2:4.1 *Memberships* with minor edits and adds text to clarify the meaning of “members shall be removable for cause by County Council.”

for appointed officials specified by the S.C. Planning Act, or misconduct in office, may constitute just cause.<sup>582</sup>

### ~~19.5.2~~17.5.2 POWERS & DUTIES<sup>583</sup>

- A. The BZA does not act in a review or recommending capacity.
- B. The BZA has final (local) decision-making authority on the following matters:
  - 1. Special exception uses (see § 16.2.8);
  - 2. Variances (see § 16.2.9); and
  - 3. Appeals of administrative decisions related to zoning (see § 16.2.10).

### ~~19.5.3~~17.5.3 OFFICIALS<sup>584</sup>

- A. **Election.** At the first regular meeting of each calendar year, the BZA shall elect from its members a chairperson, vice-chairperson, and any other officers deemed necessary.
- B. **Terms.** All officers shall serve for one year or until they are reelected or a successor is elected.<sup>585</sup>
- C. **Duties.**
  - 1. The chairperson shall be a voting member and shall:
    - (a) Preside at meetings and hearings;
    - (b) Administer oaths, when applicable;
    - (c) Call special meetings;
    - (d) Act as spokesperson for the BZA; and
    - (e) Perform other duties approved by the BZA.

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<sup>582</sup> This sentence is derived from County Code § 17-74: *Removal of Members* (Planning Commission).

<sup>583</sup> Carries forward ZO Section 2:3 *Board of Zoning Appeals*.

<sup>584</sup> Carries forward 2:4.3 *Officials*. Clarifies the election of the chair, vice-chair, and other officers occurs at the first meeting of each calendar year. Clarifies the duties of the chairperson, the role of the vice-chairperson, and what happens if both the chair and vice-chair are absent from a meeting.

<sup>585</sup> Aligns language with that used for the Historic Preservation Commission, as it is simpler and clearer to the layperson.

2. The chairperson may compel the attendance of witnesses and the production of papers, records, and other documents by subpoena.
  3. The vice-chairperson shall exercise the duties of the chairperson in the absence, disability, or disqualification of the chairperson.
  4. In the absence of the chairperson and vice-chairperson, the members present shall elect an acting chairperson.
- D. **Secretary.** The Zoning Administrator shall serve as secretary for the purposes of recording meeting minutes and other administrative duties as may be required.<sup>586</sup>

#### ~~19.5.4~~ 17.5.4 MEETINGS & QUORUMS<sup>587</sup>

A. **Meetings.**

1. Meetings of the BZA shall be held regularly, at the call of the chairperson, and at such other times as the chairperson or BZA may determine.
2. All meetings of the BZA shall be open to the public. All evidence and testimony shall be presented publicly.

B. **Notice.** Public notice for BZA meetings shall be provided in accordance with the requirements outlined in S.C. Code, Title 30, [Chapter 4](#), also known as the Freedom of Information Act; and S.C. Code [§ 6-29-800](#).

C. **Decisions.** Decisions are made by a majority vote of a quorum of members.

D. **Quorum.**

1. A majority of the members appointed and currently serving constitute a quorum for conducting business, including members who have recused themselves for conflict of interest, pursuant to S.C. Code [§ 8-13-700\(B\)](#).
2. The BZA shall not take any action unless a quorum is present.

E. **Minutes.** The BZA shall keep:

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<sup>586</sup> The definition of *Zoning Administrator* includes “or their designee.”

<sup>587</sup> Carries forward 2:4.4 *Meetings*, except the sentence stating “[d]ue notice shall be given to all parties in interest” which is carried forward in Article 16: *UDO Procedures*. Adds provisions clarifying decisions are made by majority votes and clarifies what constitutes a quorum. Carries forward 2:4.5 *Minutes of Proceedings*.

1. Minutes of its proceedings showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact; and
2. Records of its examinations, findings, determinations, and any other official actions.

### ~~19.5.5~~ **17.5.5 RULES OF PROCEDURE**<sup>588</sup>

- A. The BZA shall adopt rules of procedure (or “bylaws”) governing its operations, in accordance with this Section and S.C. Code § 6-29-790.
- B. *Robert's Rules of Order Newly Revised* governs the conduct of meetings, except as otherwise provided by the Board’s rules of procedure.

### ~~19.5.6~~ **17.5.6 CONFLICTS OF INTEREST**<sup>589</sup>

Any member of the BZA who has a personal or financial interest, either directly or indirectly, in any property that is the subject of or affected by a decision of the BZA shall not participate in the BZA’s decision-making process concerning the property.

## ~~19.6~~ **17.6 HISTORIC PRESERVATION COMMISSION**

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### ~~19.6.1~~ **17.6.1 ESTABLISHMENT & MEMBERSHIP**<sup>590</sup>

- A. Pursuant to S.C. Code § 6-29-870, et seq., this Section establishes an Historic Preservation Commission (HPC) composed of nine members appointed by County Council to serve staggered terms of four years.
- B. Members shall assume their duties at the first regular meeting after their appointment.
- C. The County Council shall fill any vacancy in the membership for the remainder of the unexpired term.
- D. The County Council may remove HPC members for just cause. Any fact that, in the discretion of Council, adversely affects the public interest, including lack of attendance at meetings, no longer being a resident of Greenville County, failure to comply with the education requirements

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<sup>588</sup> Carries forward 2:4.2 *Proceedings*. Adds provisions requiring use of *Robert’s Rules of Order*, unless otherwise specified in the Board’s bylaws.

<sup>589</sup> This new section is proposed for consistency with the same section for the Historic Preservation Commission.

<sup>590</sup> Carries forward portions of 8:7.1-1 *Composition and Qualifications*, 8:7.1-2 *Removal*, 8:7.1-3 *Appointment to Fill a Vacancy*,

for appointed officials specified by the S.C. Planning Act, or misconduct in office, may constitute just cause.<sup>591</sup>

- E. All members of the HPC shall have a demonstrated interest in historic preservation. The HPC should have at least one member representing each of the following categories:
1. A historian, knowledgeable in local history;
  2. An architect;
  3. A member of a local historical preservation groups, such as the Historic Greenville Foundation, Greenville Historic Society, or another accredited group representing the historic and cultural interests of Greenville County; and
  4. An archaeologist.
- F. Pursuant to S.C. Code [§ 6-29-870\(C\)](#), a voting member of the HPC shall not hold any other municipal or County office.
- G. Members shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties.

### ~~19.6.2~~ **17.6.2 JURISDICTION**<sup>592</sup>

- A. **Generally.** The jurisdiction of the Historic Preservation Commission is the unincorporated areas of Greenville County and does not intrude into the limits of any municipality within the County, unless the municipality approves such authorization.
- B. **Designation of Historic Properties.** The jurisdiction of the HPC for the recommendation of properties to be designated historic is the same as specified in § 17.6.2A, above.
- C. **Certificates of Appropriateness.** The jurisdiction of the HPC for the review of proposed alteration to exteriors of buildings, new construction, and demolition is the individual properties and areas that County Council has designated as historic.

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<sup>591</sup> This sentence is derived from County Code § 17-74: *Removal of Members* (Planning Commission). It essentially carries forward and expands the examples in 8:7.1-2 *Removal*.

<sup>592</sup> Carries forward 8:7.1-11 *Jurisdiction of the Historic Preservation Commission*.



**19.6.317.6.3 POWERS & DUTIES**<sup>593</sup>

- A. The responsibility of the Historic Preservation Commission is to:
1. Promote the purposes and objectives of historic preservation in Greenville County;
  2. Develop and maintain a local inventory of buildings, structures, objects, and sites more than 75 years old and make these records available to the public;
  3. Review the local designation of individual historic properties and historic districts (see § 16.3.1); and
  4. Review applications for certificates of appropriateness (see § 16.3.2).
- B. In addition, the HPC conducts first review and evaluation of all proposed nominations for the National Register of Historic Places for properties within its jurisdiction, prior to consideration by the South Carolina State Board of Review.
1. The HPC may send its recommendations to the State Historic Preservation Office for consideration at the meeting of the State Board of Review.
  2. The HPC shall not nominate properties directly to the National Register; only the State Board of Review has this final review authority.

**19.6.417.6.4 OFFICIALS**<sup>594</sup>

- A. **Election.** At the first regular meeting of each calendar year, the HPC shall elect from its members a chairperson, vice-chairperson, and any other officers deemed necessary.
- B. **Terms.** All officers shall serve for one year or until they are reelected or a successor is elected.
- C. **Duties.**
1. The chairperson shall be a voting member and shall:
    - (a) Preside at meetings and hearings;
    - (b) Call special meetings;

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<sup>593</sup> Carries forward 8:7.1-6 *Historic Property Inventory*, 8:7.1-12 *Nomination to the National Register of Historic Places*, and portions of 8:7.1-5 *Powers and Duties*. Other provisions are carried forward in Section 16.3: *Historic Preservation Procedures*.

<sup>594</sup> Carries forward a portion of 8:7.1-1 *Composition and Qualifications*. Clarifies elections occur at the first meeting of the calendar year. Adds a requirement for election of a vice-chair to serve in the chair's absence.

- (c) Act as spokesperson for the HPC; and
  - (d) Perform other duties approved by the board.
2. The chairperson may administer oaths and compel the attendance of witnesses by subpoena.<sup>595</sup>
  3. The vice-chairperson shall exercise the duties of the chairperson in the absence, disability, or disqualification of the chairperson.
  4. In the absence of the chairperson and vice-chairperson, the members present shall elect an acting chairperson.
- D. **Secretary.** The HPC shall appoint a secretary for the purposes of recording meeting minutes and other administrative duties as may be required. The secretary may be an officer of the governing authority, an appropriate staff person of Greenville County, or a member of the HPC.

### ~~19.6.5~~ **17.6.5 MEETINGS & QUORUMS**<sup>596</sup>

- A. **Meetings.**
1. Meetings of the HPC shall be held regularly, at the call of the chairperson, and at such other times as the chairperson or HPC may determine.
  2. All meetings of the HPC shall be open to the public.
- B. **Notice.** Public notice for HPC meetings shall be provided in accordance with the requirements outlined in S.C. Code, Title 30, Chapter 4, also known as the Freedom of Information Act.
- C. **Decisions.** Decisions are made by a majority vote of a quorum of members.
- D. **Quorum.**
1. A majority of the members appointed and currently serving constitute a quorum for conducting business, including members who have recused themselves for conflict of interest, pursuant to S.C. Code § 8-13-700(B).
  2. The HPC shall not take any action unless a quorum is present.
- E. **Minutes.** The HPC shall keep:

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<sup>595</sup> This language is from S.C. Code § 6-29-870(D).

<sup>596</sup> This new section is proposed for consistency with the same Board of Zoning Appeals section and S.C. Code § 6-29-870(D).

1. Minutes of its proceedings showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact; and
2. Records of its examinations and any other official actions.

#### ~~19.6.6~~ **17.6.6 RULES OF PROCEDURE**<sup>597</sup>

- A. The HPC shall adopt rules of procedure (or “bylaws”) governing its operations, in accordance with this Section and S.C. Code § 6-29-790.
- B. *Robert's Rules of Order Newly Revised* governs the conduct of meetings, except as otherwise provided by the Commission’s rules of procedure.

#### ~~19.6.7~~ **17.6.7 CONFLICTS OF INTEREST**<sup>598</sup>

Any member of the Historic Preservation Commission who has a personal or financial interest, either directly or indirectly, in any property that is the subject of or affected by a decision of the HPC shall not participate in the HPC’s decision-making process concerning the property.

### ~~19.7~~ **17.7 TECHNICAL ADVISORY COMMITTEE**

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#### ~~19.7.1~~ **17.7.1 ESTABLISHMENT & MEMBERSHIP**<sup>599</sup>

- A. This Section establishes a Technical Advisory Committee (TAC) comprised of Greenville County staff and representatives from other organizations with a role in the review of the following types of development:
  1. Developments subject to Article 4: *Use Regulations for Zoned Areas*, which include Campgrounds, Manufactured Home Parks, and Recreational Vehicle Parks but exclude individual manufactured homes not located in a Manufactured Home Park;
  2. Group Developments with new lots;
  3. Preliminary Plans for Major Subdivisions;
  4. Minor Subdivision reviews; and

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<sup>597</sup> Adds provisions requiring adoption of rules of procedure in accordance with Code § 6-29-870(D) and the use of *Robert’s Rules of Order*, unless otherwise specified in the Commission’s bylaws.

<sup>598</sup> Carries forward 8:7.1-4 *Conflicts of Interest*.

<sup>599</sup> Carried forward from LDR 3.3.5 *Plan Review*.

5. Zoning Map Amendment (Rezoning) applications for Review Districts, if the district will include one or more subdivisions.
- B. The TAC is comprised of representatives of the following organizations:
1. Governing Fire District;
  2. Greenville County Emergency Management;
  3. Greenville County Engineering and Maintenance Division;
  4. Greenville County Floodplain Management Division;
  5. Greenville County Land Development Division;
  6. Greenville County Planning – Historic Preservation;
  7. Greenville County School District;
  8. Greenville Water and/or appropriate water system;
  9. MetroConnects and/or appropriate sewer subdistrict;
  10. Renewable Water Resources (ReWa);
  11. SCDES;
  12. SCDOT;
  13. Greenville County Soil and Water Conservation District; and
  14. Any other organization the Subdivision Administrator determines is appropriate.

### ~~19.7.2~~ 17.7.2 DUTIES

The TAC has the following duties in the administration and enforcement of this UDO:

- A. Provide recommendations for approval, approval with conditions, or disapproval of all applications for Minor Subdivisions (see § 16.4.2: *Minor Subdivision*);
- B. Provide recommendations for approval, approval with conditions, or disapproval of all applications for Preliminary Plans for Major Subdivisions and Group Developments (see § 16.4.6: *Major Subdivision – Preliminary Plans*) based on the standards of this UDO and other applicable County, State, and Federal laws and regulations;

- C. Provide recommendations to the Zoning Administrator for approval, approval with conditions, or disapproval of all applications for site plan review required by Article 4: *Use Regulations for Zoned Areas*;
- D. Review and provide recommendations to the Planning Commission and County Council Zoning Administrator on Zoning Map Amendment (Rezoning) applications for Review Districts, ~~if the district will include one or more subdivisions~~ (see § 16.2.5: *Zoning Map Amendment (Rezoning)—Review Districts*) to evaluate whether the proposed development meets the minimum standards of this UDO and otherwise adequately provides for the health and safety of the community; and
- E. Provide comments on all applications for Waivers of land development regulations (see § 16.4.10: *Waivers (LDRs)*).

### ~~19.7.3~~ 17.7.3 MEETINGS

- A. **Meetings.** The TAC meets ~~at least 3 days~~ prior to the regular monthly Planning Commission meeting.<sup>600</sup>
- B. **Decision.** The TAC provides comments and technical/advisory information but does not make formal decisions.

### ~~19.8~~ 17.8 ASSISTANT COUNTY ADMINISTRATOR FOR COMMUNITY PLANNING & DEVELOPMENT

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The Assistant County Administrator for Community Planning & Development has the following duties in the administration and enforcement of this UDO:

- A. Receive, review, and act on applications for Family Subdivisions (see § 16.4.3: *Family Subdivision*);
- B. Receive, review, and act on applications for Simple Plat Subdivisions (see § 16.4.4: *Simple Plat*);
- C. Receive, review, and act on applications for recording Plats of Record (see § 16.4.5: *Recording Plats of Record*);
- ~~D. Certify Sketch Plan approvals in writing on the plan document (see 16.4.7: Major Subdivision Sketch Plans);~~

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<sup>600</sup> Carried forward from LDR 3.3.5 *Plan Review*.

~~E.D.~~ E.D. Certify Preliminary Plan approvals in writing on the plan document (see § 16.4.6: *Major Subdivision – Preliminary Plans* and § 16.4.7: *Review District Subdivision – Preliminary Plans*); and

~~F.E.~~ F.E. Receive, review, and act on applications for Final Plats (see § 16.4.8: *Major Subdivision – Final Plats*).

## ~~19.9~~17.9 ASSISTANT COUNTY ADMINISTRATOR FOR ENGINEERING & PUBLIC WORKS

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The Assistant County Administrator for Engineering & Public Works has the following duties in the administration and enforcement of this UDO:

- A. Authorize adjustments to riparian buffer widths (see § 7.3: *Riparian Buffers*);
- B. Review plans for roadway drainage system design (see § 14.4: *Roadway Drainage System Design*); and
- C. Authorize exceptions to the design of certain low impact development BMPs (see § 14.6.8: *LID BMPs Within the Greenville County Road Right-of-Way*).

## ~~19.10~~17.10 PLANNING DEPARTMENT

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### ~~19.10.1~~17.10.1 PLANNING DIRECTOR

The Planning Director has the following duties in the administration and enforcement of this UDO:

- A. Advise applicants for permits concerning the provisions of this UDO and assist applicants in preparing applications;
- B. Receive and forward to the Historic Preservation Commission all complete applications that require its review, pursuant to Article 16: *UDO Procedures*;
- C. Provide public notice as required by Article 16: *UDO Procedures*;
- D. Provide public information relative to this UDO;
- E. Maintain permanent and current records of matters pertaining to this UDO, including:
  - 1. UDO text amendments; and
  - 2. All previously adopted and current Comprehensive Plans, including any amendments.
- F. Execute any and all reports as the County Council may require; and

- G. Coordinate with other County departments and outside agencies as needed in the execution of these duties.

### ~~19.10.2~~ 17.10.2 ZONING ADMINISTRATOR<sup>601</sup>

In addition to the duties specified in County Code Chapter 2, [Article VI](#), the Zoning Administrator has the following duties in the administration and enforcement of this UDO:

- A. Advise applicants for permits concerning the provisions of this UDO and assist applicants in preparing applications;
- B. Receive, review, and act on [Certificate of Use Zoning Compliance](#) applications (see § 16.2.1: [Zoning Compliance](#));
- C. Review and provide recommendations on requests for initial zoning (see § 16.2.7: Initial Zoning);
- D. Receive and forward to the Planning Commission all complete Zoning Map Amendment (Rezoning) applications that require its review (see Article 16: *UDO Procedures*);
- E. Receive and forward to the Board of Zoning Appeals all complete applications that require its review, pursuant to Article 16: *UDO Procedures*;
- F. Make unlisted use determinations in accordance with § 4.2.2: Classification of New & Unlisted Uses;
- G. Develop interpretations of ambiguities in this UDO and other issues of the matters the Articles identified for Zoning and Historic Preservation Procedures in Table 16.1.2-1: *Applicability of Procedures to UDO Articles* in accordance with [16.2.6: UDO Interpretations \(Zoning\)](#); if there is an ambiguity or need for the clarification.
1. The interpretation must be based on the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO.
  - G.2. The Zoning Administrator shall render only one interpretation per issue.
- H. Interpret zoning district boundaries where boundaries on the ground differ from those shown on the Official Zoning Map;<sup>602</sup>

<sup>601</sup> Carries forward and augments ZO Section 13:1 *Zoning Enforcement Official and Duties*.

<sup>602</sup> The current Zoning Ordinance identifies this as a duty of the Board of Zoning Appeals. The S.C. Planning Act does not expressly authorize this as a BZA power/duty, so the UDO proposes to make this a Zoning Administrator duty with appeal to the BZA—the same as for all other UDO interpretations.

- I. Provide public notice as required by Article 16: *UDO Procedures*;
- J. Maintain permanent and current records of matters pertaining to this UDO, including:
  - 1. All original and current zoning maps; and
  - 2. Zoning Map amendments;
- K. Keep records and files of any and all matters referred to them;
- L. Execute any and all reports as the County Council may require;
- M. Coordinate with other County departments and outside agencies as needed in the execution of these duties;
- N. Investigate, prepare reports, and issue notices of violations of this UDO (see Article 19: *Violations & Enforcement*); and
- O. Order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; take any other action authorized by this Ordinance to ensure compliance with or prevent violation of its provisions. [See Article 19: *Violations & Enforcement*]<sup>603</sup>

### ~~19.10.3~~ **17.10.3 SUBDIVISION ADMINISTRATOR**

The Subdivision Administrator has the following duties in the administration and enforcement of this UDO:

- A. Receive and forward to the Planning Commission all complete subdivision-related applications that require its review (see Article 16: *UDO Procedures*);
- B. Receive and forward to the Technical Advisory Committee all complete applications that require its review, pursuant to Article 16: *UDO Procedures*;
- C. Develop interpretations of ambiguities in this UDO related to land development regulations in accordance with ~~16.4.2: UDO Interpretations (LDRs)~~; Develop interpretations of the matters the Articles identified for Land Development Procedures in Table 16.1.2-1: *Applicability of Procedures to UDO Articles* if there is an ambiguity or need for the clarification.

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<sup>603</sup> Carries forward a portion of ZO Section 13:1 *Zoning Enforcement Official and Duties*.



1. The interpretation must be based on the purposes and standards of this UDO, other applicable law, and previous interpretations of this UDO.

~~2.~~ The Subdivision Administrator shall render only one interpretation per issue.

- D. Provide public notice as required by Article 16: *UDO Procedures*;
- E. Maintain permanent and current records of matters pertaining to this UDO, including:
  - 1. Minor Subdivision plats;
  - 2. Family Subdivision plats;
  - 3. Simple Subdivision plats;
  - 4. Applications for recording Plats of Record; and
  - 5. Major Subdivision ~~Sketch Plans~~, Preliminary Plans, and Final Plats;
- F. Hold and track financial securities submitted in relation to infrastructure improvements in Major Subdivisions; and
- G. Provide written notice of acceptance of infrastructure improvements and authorize the release of any applicable ~~financial security~~ Financial Security (see § 16.4.8: *Major Subdivision – Final Plats*).

## ~~19.11~~17.11 BUILDING OFFICIAL

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In the administration and enforcement of this UDO, the Building Official has the duty to:

~~Receive, review, and act on building permit applications (see § 16.2.2: *Building Permit Review*); and~~  
receive, review, and act on small wireless permit applications (see § 16.2.3: *Small Wireless Permit*).

## ~~19.12~~17.12 CODE COMPLIANCE DIVISION

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The Code Compliance Division has the following duties in the administration and enforcement of this UDO:

- A. Investigate potential UDO violations;
- B. Report UDO violations to the Zoning Administrator; and
- C. Issue citations for UDO violations.

~~19.13~~**17.13 INFORMATION SYSTEMS DIVISION**

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In the administration and enforcement of this UDO, the Information Systems Division has the duty to maintain, as part of Greenville County’s Geographic Information System (GIS), the location and boundaries of the zoning districts established in this UDO and the location and boundaries of Comprehensive Plan Future Land Use Map designations.

## ~~Article 20:~~ ARTICLE 18: NONCONFORMITIES & VESTED RIGHTS

### 20.1-18.1 GENERAL PROVISIONS FOR NONCONFORMITIES

#### 20.1-118.1.1 PURPOSE

- A. Applying new regulations to existing development can create situations where existing lot dimensions, development density or intensity, land uses, buildings, structures, landscaping, parking areas, signs, or other conditions do not strictly comply with new requirements.
- B. This Article protects and regulates nonconforming lots, site improvements, structures, and uses (collectively referred to as “nonconformities”) and specifies the circumstances and conditions under which nonconformities may continue.
- C. The County finds that nonconformities adversely affect the orderly development and value of other property and should not continue unless brought into compliance with new County regulations over a reasonable period of time. In addition, reinvestment in some properties that do not strictly comply with current regulations can maintain existing neighborhood assets and economic growth and is allowed with appropriate conditions.

#### 20.1-218.1.2 APPLICABILITY

- A. **Generally.** ~~This Sections~~ 18.1 through 18.5 of this Article:
  - 1. ~~Apply~~ies to nonconforming lots, site improvements, structures, and uses; and
  - 2. ~~Do~~es not confer legal nonconforming status to expired approvals, abandoned uses and structures, or to lots, site improvements, structures, or established uses inconsistent with County regulations in effect when the lot, site improvement, structure, or use was established.
- B. **Conforming Uses.** After the effective date of this UDO, structures or the uses of land or structures that conform to the regulations in place prior to adoption of the UDO for the district or unzoned area in which they are located may be continued. However, any structural alteration or change in use must conform with the applicable regulations in this UDO.<sup>604</sup>

<sup>604</sup> Carries forward 9:1.4 *Conforming Uses* with minor edits to simplify language.

- C. **Illegal Uses.** Uses illegally established prior to adoption of the UDO shall remain illegal ~~unless and until reviewed and approved in accordance with the applicable standards and procedures specified in the UDO.~~<sup>605</sup>
- D. **Preexisting Manufactured Home Parks.** Manufactured home parks or subdivisions that were lawfully in existence and operating on April 15, 1986, under valid permits issued by Greenville County Council but which do not conform to requirements set forth in this section shall be considered a nonconforming use. However, nonconforming parks may be expanded if in accordance with prior approvals.<sup>606</sup>

### ~~20.1.3~~ **18.1.3 AUTHORITY TO CONTINUE**

- A. Nonconformities may continue in accordance with the requirements of this Article.
- B. In all cases, the burden of establishing that a lawful nonconformity exists is the responsibility of the lot owner or the authorized user of the nonconforming lot, site improvement, structure, or use.

### ~~20.1.4~~ **18.1.4 MINOR REPAIRS & MAINTENANCE**<sup>607</sup>

Minor repairs and routine maintenance required to keep nonconforming uses, structures, lots, and site improvements in safe condition are allowed if the minor repair or maintenance does not create a new nonconformity or increase the extent of the existing nonconformity.<sup>608</sup> This allowance includes minor repairs and routine maintenance to structures occupied by a nonconforming use.

## ~~20.2~~ **18.2 NONCONFORMING LOTS**

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### ~~20.2.1~~ **18.2.1 APPLICABILITY**

This Section applies to:

- A. Zoned lots with less area, width, or depth than required by Article 2: *Zoning Districts* for the district in which the lot is located; and

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<sup>605</sup> ~~Modifies Carries forward~~ 9:1.5 *Illegal Uses*.

<sup>606</sup> Carries forward ZO 5:9.8 *Preexisting Manufactured Home Parks*.

<sup>607</sup> This Subsection expands the provisions in 9:3.7 *Repair and Alteration of Nonconforming Uses* to all nonconformities.

<sup>608</sup> This sentence is borrowed from the Rock Hill Zoning Ordinance (Section 10.3.5) with minor revisions.

- B. Unzoned lots with less area or width than required by § 11.3.3: *Dimensional Standards* for lots in unzoned areas.

### ~~20.2.2~~ 18.2.2 CONTINUANCE OF NONCONFORMING LOTS<sup>609</sup>

If a lot of record in existence on the effective date of this UDO does not meet minimum lot area, width, or depth requirements, the lot may be used as a building site if:

- A. Any new structure or addition to an existing structure meets ~~the minimum front and side~~all setback requirements specified in Article 2: *Zoning Districts* for the zoning district in which the lot is located or in § 10.2: *Building Setbacks in Unzoned Areas* for lots in unzoned areas; and
- B. Any lot containing a use serviced by a private septic tank system meets minimum SCDES regulations.

### ~~20.3~~ 18.3 NONCONFORMING USES

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#### ~~20.3.1~~ 18.3.1 APPLICABILITY

This Section applies to any lawfully established use that does not meet the requirements in Article 4: *Use Regulations for Zoned Areas* or Article 5: *Use Regulations for Zoned & Unzoned Areas*.

#### ~~20.3.2~~ 18.3.2 CONTINUATION & EXPANSION OF NONCONFORMING USE

- A. A nonconforming use may continue as long as it remains otherwise lawful. A change in zoning or ownership of the property on which a nonconforming use is located does not affect the use's nonconforming status, and the use may continue in accordance with this Section.
- ~~B. A use that is nonconforming because it was a permitted or conditional use at the time of establishment and now is a special exception use~~Special Exception Use in the zoning district pursuant to Article 4: *Use Regulations for Zoned Areas*:
- ~~1. May continue; and~~
  - ~~2. Shall not be relocated, expanded, enlarged, or increased in intensity without first receiving special exception use~~Special Exception Use approval and a Certificate of Use Zoning Compliance (see Article 16: *UDO Procedures*).

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<sup>609</sup> Carries forward ZO 9:3.1 *Nonconforming Lots*.

- ~~C. A use that is nonconforming because it was a permitted or special exception use Special Exception Use at the time of establishment and now is a conditional use in the zoning district pursuant to Article 4: *Use Regulations for Zoned Areas*:~~
- ~~1. May continue; and~~
  - ~~2. Shall not be relocated, expanded, enlarged, or increased in intensity without first receiving a Certificate of Use Zoning Compliance (see Article 16: *UDO Procedures*).~~
- ~~D. A use located in an unzoned area that is nonconforming because it was lawfully established and now is subject to use regulations (see Article 5: *Use Regulations for Zoned & Unzoned Areas*):~~
- ~~1. May continue; and~~
  - ~~2. Shall not be relocated, expanded, enlarged, or increased in intensity without first receiving a Certificate of Use Zoning Compliance (see Article 16: *UDO Procedures*).~~
- ~~E.B. Nonconforming uses of land existing on the effective date of this UDO ~~shall not~~ may be expanded in any way to occupy up to 10% of additional building area or land area.<sup>610</sup>~~

### ~~20.3.3~~ **18.3.3 CHANGE OF NONCONFORMING USE**<sup>611</sup>

- A. Any nonconforming use may be changed to any conforming use.
- B. Once a nonconforming use is changed to any conforming use, the owner shall not reestablish a nonconforming use.

<sup>610</sup> Revises ZO 9:3.2 *Expansion of Nonconforming Uses* to prohibit expansion of nonconforming uses. The current Zoning Ordinance allows expansion with “the express review of the Board of Zoning Appeals.” However, the ZO does not specify criteria for the BZA to use in determining whether to authorize expansion. Proposed here is simply to prohibit expansion of nonconforming uses.

<sup>611</sup> Revises ZO 9:3.4 *Change of Nonconforming Use* to remove the allowance for the BZA to authorize a nonconforming use to be changed to “any use more in character with the uses permitted in the district.” This current text authorizes the BZA to allow the establishment of a use not otherwise allowed in a district. However, it is County Council’s role to establish the types of uses appropriate in each zoning district through adoption of the Use Table (see Article 4: *Use Regulations for Zoned Areas*).

### ~~20.3.4~~ **18.3.4 CESSATION OF NONCONFORMING USES OF LAND & STRUCTURES**<sup>612</sup>

- A. When a nonconforming use of land ceases for a continuous period of ~~6-12~~ months, subsequent use of the land shall conform to the current UDO regulations for the district or unzoned area in which the land is located.
- B. When a nonconforming use of a structure is discontinued or abandoned for ~~6-12~~ months, the use shall not be resumed, and the subsequent use shall conform to the current UDO regulations for the district or unzoned area in which the structure is located.
- ~~C. The Board of Zoning Appeals may grant an extension to the abandonment period of up to 12 months if the applicant requests the extension at least 30 days prior to the end of the 6-month timeframe referenced above and specifies all reasons making the extension necessary.~~

### ~~20.3.5~~ **18.3.5 DAMAGE OR DESTRUCTION OF STRUCTURES CONTAINING NONCONFORMING USES**<sup>613</sup>

- A. Any structure containing a nonconforming use that has been damaged by fire or other causes, may be reconstructed and used as before, if reconstruction is substantially begun within 12 months of the damage.
- B. However, reconstructed structures shall not exceed the square footage contained in the structure at the time the damage occurred.
- C. All reconstructed structures that are altered or improved or are built on a different location on the same site from the original construction shall meet all current applicable UDO requirements for the district or unzoned area in which the structure is to be located, unless any requirement is modified by the Board of Zoning Appeals pursuant to its powers enumerated in Article 17: *Reviewing & Decision-Making Bodies*.

## ~~20.4~~ **18.4 NONCONFORMING STRUCTURES**

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### ~~20.4.1~~ **18.4.1 APPLICABILITY**

This Section applies to existing structures that do not comply with the:

<sup>612</sup> Carries forward ZO 9:3.5 *Cessation of Nonconforming Uses of Land* and ZO 9:3.6 *Cessation of Nonconforming Uses of Structures*. Adds text to recognize that nonconforming uses may occur in unzoned areas.

<sup>613</sup> Carries forward 9:3.8 *Damage or Destruction of Nonconforming Uses*.

- A. Minimum setbacks, maximum floor area, or maximum height specified by Article 2: *Zoning Districts* for the district in which the structure is located;
- B. Minimum building setbacks specified by § 10.2: *Building Setbacks in Unzoned Areas*;
- C. Building design requirements specified in Article 10: *Building Design*; or
- D. Minimum setbacks specified by Article 13: *Transportation Corridor Preservation*.

#### ~~20.4.2~~**18.4.2 CONTINUATION & EXPANSION OF NONCONFORMING STRUCTURES**

- A. A nonconforming structure may continue as long as it remains otherwise lawful.
- B. Nonconforming structures in existence on the effective date of this UDO or structures made nonconforming as a result of road improvements may be expanded if the expansion conforms to setback requirements specified in Article 2: *Zoning Districts* for the district in which the lot is located or in § 10.2: *Building Setbacks in Unzoned Areas* for lots in unzoned areas.<sup>614</sup>

#### ~~20.4.3~~**18.4.3 CHANGE OF USE IN A NONCONFORMING STRUCTURE**<sup>615</sup>

When a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by securing a ~~Certificate of Use~~[Zoning Compliance](#) (see Article 16: *UDO Procedures*).

#### ~~20.4.4~~**18.4.4 DAMAGE OR DESTRUCTION OF NONCONFORMING STRUCTURES**<sup>616</sup>

- A. Any structure containing a nonconforming use that has been damaged by fire or other causes, may be reconstructed and used as before, if reconstruction is substantially begun within 12 months of the damage.
- B. However, reconstructed structures shall not exceed the square footage contained in the structure at the time the damage occurred.
- C. All reconstructed structures that are altered or improved or are built on a different location on the same site from the original construction shall meet all current applicable UDO requirements for the district or unzoned area in which the structure is to be located, unless any requirement

<sup>614</sup> Carries forward 9:3.3 *Expansion of Nonconforming Structures*. Adds text to recognize that nonconforming structures may be located in unzoned areas. Deletes sentence that states “[t]he Board of Zoning Appeals may permit expansion into a required setback area.” This is true whether or not the structure is nonconforming (the BZA can authorize a setback variance for any structure, if variance criteria are met).

<sup>615</sup> This Subsection is new.

<sup>616</sup> Carries forward 9:3.8 *Damage or Destruction of Nonconforming Uses*.



is modified by the Board of Zoning Appeals pursuant to its powers enumerated in Article 17: *Reviewing & Decision-Making Bodies*.

## ~~20.5~~18.5 NONCONFORMING SITE IMPROVEMENTS<sup>617</sup>

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### ~~20.5.1~~18.5.1 APPLICABILITY

- A. This Section applies to developed lots with site improvements that do not comply with the requirements of this UDO.
- B. This Section does not apply to buildings that do not comply with Article 10: *Building Design*, which are subject to the provisions in § 18.4: *Nonconforming Structures*.

### ~~20.5.2~~18.5.2 ALTERATION OF A STRUCTURE ON A LOT WITH NONCONFORMING SITE IMPROVEMENTS

- A. **When Nonconforming Site Improvements Must Be Brought into Compliance.** Alteration of any structure located on a lot with nonconforming site improvements is prohibited unless the nonconforming site improvements are brought into complete conformity with the current UDO regulations applicable to the use, zoning district, or unzoned area, except when the proposed alterations result in:
  - 1. An increase of no more than 2,500 square feet or 25% of the gross floor area of the existing building(s), whichever is less;
  - 2. Expansion of a multiplex dwelling by 5 or fewer dwelling units;
  - 3. Expansion of an apartment complex by 5 or fewer dwelling units;
  - 1-4. Expansion of a recreational vehicle park by 5 or fewer recreational vehicle sites; or
  - 2-5. An increase in the number of required off-street parking spaces by 10 or fewer spaces.
- B. **Alterations Are Cumulative Over a Five-Year Period.** If the cumulative total of all alterations of a structure over any consecutive five-year period exceeds the maximum allowed by §§ 18.6.1A

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<sup>617</sup> This new Section establishes rules for the review and redevelopment of sites that are nonconforming as to landscaping, parking, or other development standards. The proposed definition of *site improvement* is “a human-made element on a lot, other than a building, that the UDO requires as a condition of development or redevelopment. Site improvements include, but are not limited to, buffers, landscaping, parking, and outdoor lighting.”

and 18.6.1B, above, the nonconforming site improvements must be brought into full compliance with this UDO.

## **20.6.18.6 VESTED RIGHTS**

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### **20.6.118.6.1 PURPOSE<sup>618</sup>**

- A. Vested rights balance the right of property owners to rely on official governmental acts and the County’s obligation to respond to community changes and needs through revisions to this Chapter.
- B. By this Section, the County recognizes and commits to protect vested rights as created by S.C. Code § 6-29-1510 *et seq.* (the “Vested Rights Act”); County Code Chapter 17, Article VI: Vested Rights; and other applicable law.

### **20.6.218.6.2 APPLICATIONS & PROJECTS IN PROCESS<sup>619</sup>**

After the effective date of this UDO, all construction and uses of land must conform to the requirements for the zoning district or unzoned area in which it is to be located, except that any matter pending prior to the effective date of this UDO is governed by the Zoning Ordinance, Land Development Regulations, and Transportation Corridor Preservation Ordinance in effect prior to the effective date of this UDO.

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<sup>618</sup> This purpose statement is new.

<sup>619</sup> Carries forward 9:1.1 *New Uses or Construction*.

## ~~Article 21:~~ **ARTICLE 19: VIOLATIONS & ENFORCEMENT**

### ~~21-19.1~~ **19.1 GENERALLY**

- A. This Article establishes the procedures to enforce compliance with this UDO and to mandate corrections for violations of this UDO or conditions of an approval or permit issued under this UDO.
- B. Any person, firm, corporation, or other entity that violates the provisions of this UDO is subject to the remedies and penalties it provides.

### ~~21-219.2~~ **19.2 VIOLATIONS**<sup>620</sup>

- A. **Types of Violations.** Greenville County shall enforce violations using the penalties and remedies provided by this Article, the Greenville County Code, and any requirements or limitations of South Carolina law. The following activities, acts, failures to act, and conditions are violations of this UDO:
  1. *Development or Use Without Permit or Approval.* Any activity that is not authorized by the acquisition of all required permits, approvals, certificates, and authorizations required by this UDO;
  2. *Development or Use of Land Inconsistent with This UDO.* Any activity inconsistent with any zoning, development, landscaping, sign, or general regulation of this UDO or any amendment to it;
  3. *Development or Use of Land Inconsistent with Approved Application.* Use, arrangement, or construction that differs from approved applications, site plans, or construction documents;<sup>621</sup>
  4. *Development or Use Inconsistent with Conditions of Approval.* Any activity inconsistent with any term, condition, or qualification placed by the County upon a required permit, certificate, rezoning, plan or plat approval, or other form of authorization granted by the County to allow the use, development, placement of signs, or other activity upon land or improvements of land;

<sup>620</sup> These new provisions clarify the types of activities that violate the UDO.

<sup>621</sup> Carries forward second paragraph in ZO Section 3:8 *Conformance of Construction and Use*. The provisions in the first paragraph of 3:8 are carried forward in Article 16: *UDO Procedures*.

5. *Failure to Obtain a ~~Certificate of Use~~Zoning Compliance.* Failure to obtain a ~~Certificate of Use~~Zoning Compliance as required by § 16.2.1: *Zoning Compliance*.<sup>622</sup>
6. *Making a Lot or Yard Nonconforming.* Reducing or diminishing any lot area, lot width, lot depth, or setback so that the lot or yard is smaller than prescribed by this UDO;
7. *Increasing the Intensity of Use.* Increasing the intensity or density of use of any land or structure, except in accordance with the procedural and substantive requirements of this UDO;
8. *Deficient Landscaping and Site Improvements.* Failing to install or maintain any landscaping, screening, or site improvements required by this UDO;
9. *Removal of Vegetation in Buffers.* The unauthorized removal or disturbance of vegetation from required buffers, except in accordance with the provisions of Article 7: *Buffers & Screening*;
10. *Failure to Maintain Required Open Space.* The failure to maintain required open space as specified by § 11.4.9: *Long-Term Protection & Maintenance of Open Space*;
11. *Displaying a Temporary Sign Longer Than Permitted.* Displaying a temporary sign for a period of time in excess of that stated in the approval;
12. *Disrupting Notice.* Removing, defacing, obscuring, or interfering with any notice posted or made pursuant to this UDO;<sup>623</sup>
13. *Failure to Comply with a Stop Work Order.* Continuing construction or other site work on any development, building, or structure on any land or site after service of a stop work order issued by the County pursuant to this Article;
- ~~14. *Unauthorized Changes to Zoning Map.* Any change in zoning district boundaries on the Zoning Map that is not made in conformance with the procedures set forth in Article 2: *Zoning Districts*;~~
- ~~15.~~14. *Transfer or Sale of Land Pursuant to an Unapproved Plat.* The transfer or sale of any land by reference to, exhibition of, or by other use of a plat of the subdivision of the land before the County has approved the plat and the Greenville County Register of Deeds has recorded the plat; and<sup>624</sup>

<sup>622</sup> Carries forward ZO 3:7.4 *Failure to Obtain Certificate of Use*.

<sup>623</sup> The current penalties for applicants who remove or fail to post notice signs for variance and special exception applications are carried forward in § 16.1.10: *Notice Provisions*.

<sup>624</sup> Carries forward a portion of LDR 1.6.7 *Violations and Penalties*.

~~16.15.~~ *Other Acts.* Any other act prohibited by this UDO or the failure to do any act required by this UDO is a violation under this Section and is punishable under this UDO.

- B. **Each Day Constitutes a Separate Offense.** Each day that a person, firm, corporation, or other entity commits or continues any violation of any provision of this UDO constitutes a separate offense.<sup>625</sup>

### ~~21.3~~19.3 PENALTIES<sup>626</sup>

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- A. **Violation is a Misdemeanor.** Any person, firm, corporation, or other entity who violates any provision of this UDO by performing an act prohibited by it or by failing to perform an act required by it is guilty of a misdemeanor.
- B. **Remedies.**<sup>627</sup>
1. *Generally.*
    - (a) The County shall punish violations of this UDO within the jurisdictional limits of magistrate's court.
    - (b) The Zoning Administrator or other appropriate County official may seek injunctive relief or any other appropriate action in courts of competent jurisdiction to enforce the provisions of this UDO.
    - (c) When any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this UDO, the Zoning Administrator or any adjacent, nearby, or neighboring property owner who would be affected by such violation in addition to other remedies, may institute an injunction or any other appropriate action or proceeding to prevent the use of such building, structure, or land.<sup>628</sup>
    - (d) This Article does not prevent the County from taking such other lawful action as necessary to remedy any violation of this UDO.
  2. *Withholding Acceptance of Applications.*
    - (a) The County may decline to accept any application specified in Article 16: *UDO Procedures* or other chapter of the County Code related to land on which there is

<sup>625</sup> Carries forward portions of ZO Section 13:3 *Penalties for Violations* and TCP Section 13 *Penalties for Non-Compliance*.

<sup>626</sup> Specifies procedures for withholding or revoking permits and penalties for violations consistent with state law. This Section carries forward current provisions and proposes new provisions.

<sup>627</sup> Carries forward portions of Section 13:3 *Penalties for Violations*.

<sup>628</sup> Carries forward 13:2.2 *Remedies*.

an uncorrected UDO violation until the owner resolves the violations and pays all related fines.

- (b) In instances where the action proposed in the application would resolve the violation, the County may accept and process the application.

3. *Withholding of Permits or Approvals.*

- (a) The County may deny or withhold all permits, certificates, plan or plat approvals, or other forms of authorization for any development on land where there is an uncorrected UDO violation. The County shall not issue the authorization until the owner resolves all violations and pays all fines levied.
- (b) In instances where issuance of the authorization would resolve the violation, the County may grant the authorization.
- (c) In instances where the County identifies evidence of a violation after the acceptance, processing, and/or issuance of a permit or other authorization, all activity with regards to the processing of the application, including inspections, must cease until the owner brings the lot into compliance and pays all fines levied.

4. *Stop Work.* With or without revoking permits, the County may issue a stop work order on any development on any land where there is an uncorrected UDO violation.

5. *Revocation of Permits and Approvals.* The County may revoke all permits, certificates, plan or plat approvals, or other forms of authorization for any development on land where there is an uncorrected UDO violation. [See § 19.5: *Revocation of Permit or Approval*]

6. *Penalties for Transfer or Sale of Land Pursuant to an Unapproved Plat.*<sup>629</sup>

- (a) It is a violation of this Ordinance for any person, firm, corporation, or other entity to transfer or sell land by reference to, exhibition of, or by other use of a plat of the subdivision of land before the County has approved the plat and the Greenville County Register of Deeds has recorded the plat. Violations are subject to the penalties in this Article and in S.C. Code [§ 6-29-1190](#).
- (b) The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from such penalties.

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<sup>629</sup> Carries forward a portion of LDR 1.6.7 *Violations and Penalties*.

## **21-419.4 ENFORCEMENT PROCEDURES**<sup>630</sup>

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### **A. Notice of Violation.**

1. If the Zoning Administrator finds a violation of any UDO provisions, they shall notify in writing the person, firm, corporation, or other entity responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it.<sup>631</sup>
2. In the case of violations not involving continuing construction or development or any emergency situation, the Zoning Administrator shall give written notice of the nature of the violation to the owner, occupant, or agent of the property at the last known address.
3. The contents of the notice must describe the nature of the violation in terms that would reasonably allow the property owner or other responsible person, representative, or tenant to determine the nature of the violation to allow for self-abatement and shall mandate a 15-day time to cure before the County will take further enforcement action.
4. The person, firm, corporation, or other entity to whom notice is directed shall correct the violation or be subject to further enforcement action.
5. The Zoning Administrator shall personally serve notice or send notice by certified mail, return receipt requested. Failure to sign for the certified mail or failure to pick up the notice from the post office is not a lack of notice under this UDO where delivery was attempted, and a record of this attempt was provided as required by procedures for restricted mail.

### **B. Complaints Regarding Violations.**<sup>632</sup>

1. Whenever a violation of this UDO occurs or is alleged to have occurred, any person may file a written complaint with ~~the Zoning Administrator~~Greenville County. The complaint must state fully the causes and basis of the alleged violation.
2. The Zoning Administrator shall record the complaint, investigate, and take action as provided by this UDO.

### **C. Immediate Enforcement.**

1. If the Zoning Administrator determines that an emergency situation exists or continuing construction is occurring in violation of this UDO, the County may immediately use the

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<sup>630</sup> This Section specifies responsibility for enforcement actions, notification, cure periods, and enforcement actions.

<sup>631</sup> Carries forward a portion of ZO Section 13:1 *Zoning Enforcement Official and Duties*.

<sup>632</sup> Carries forward 13:2.1 *Complaints Regarding Violations* with minor edits.

enforcement powers and remedies available to it pursuant to § 19.3: *Penalties* and § 19.5: *Revocation of Permit or Approval*.

2. Other notification procedures are not required as a prerequisite to an immediate enforcement action.

**D. Action by Zoning Administrator.** The Zoning Administrator may:

1. Order discontinuance of illegal use of land, buildings, or structures;
2. Order the removal of illegal buildings or structures or of additions, alterations, or structural changes thereto;
3. Order discontinuance of any illegal work being done; or
4. Take any other action authorized by this Ordinance to ensure compliance with or prevent violation of its provisions.<sup>633</sup>

**E. Stay of Proceedings.**<sup>634</sup>

1. A pending rezoning application stays any enforcement actions related to a violation of this UDO on the property that is the subject of the rezoning request.
  - (a) If the rezoning application is withdrawn or denied, then any enforcement action shall continue.
  - (b) Only one stay of enforcement action shall be granted pursuant to this Paragraph. A stay of enforcement action shall not be granted after a decision has been made on the rezoning application that resulted in the stay.
2. An appeal, or other pending application requesting Board of Zoning Appeals action, stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board that, by reason of facts stated in the certification, a stay would, in his-their opinion, cause imminent peril to life or property.
  - (a) In this case, proceedings shall not be stayed other than by a restraining order, which may be granted ~~by the Board or~~ by a court of competent jurisdiction.
  - 2.(b) Only one stay of enforcement action shall be granted pursuant to this Paragraph. A stay of enforcement action shall not be granted after a decision has been made on the Board of Zoning Appeals application that resulted in the stay.

<sup>633</sup> Carries forward a portion of ZO Section 13:1 *Zoning Enforcement Official and Duties*.

<sup>634</sup> Carries forward ZO 3:2.11 *Stay of Proceedings (Rezoning)* and ZO 3:5.3 *Stay of Proceedings (Appeal)*.



## **21-519.5 REVOCATION OF PERMIT OR APPROVAL<sup>635</sup>**

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- A. **Basis for Revocation.** The Zoning Administrator may revoke a permit or approval at any time prior to the completion of the use, building, structure, development, site improvement, or subdivision for which the permit was issued, when the Zoning Administrator determines one or more of the following conditions is present:
1. There is departure from the plans, specifications, or conditions as required under the terms of the permit;
  2. The applicant provided materially incorrect information to procure the permit;
  3. The County issued the permit in error; or
  4. The use, building, structure, development, site improvement, or subdivision violates any provisions of this UDO.
- B. **Notice.** The Zoning Administrator shall serve written notice of the revocation upon the owner or the owner's agent or contractor or post the notice in a prominent location on the lot. Where notice of revocation is served or posted, all further construction, use, or development of the lot must cease.
- C. **Appeal of Revocation.** The owner or their agent or contractor may appeal any revocation of a permit to the Board of Zoning Appeals as provided in § 16.2.10: *Appeals (Zoning)* or § 16.4.11: *Appeals (LDRs)* , as applicable.

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<sup>635</sup> This new section allows revocation of a permit if the applicant provided materially incorrect information, if the applicant fails to comply with a condition, or if the County issued the permit or approval in error.

## ~~Article 22:~~ **ARTICLE 20: RULES OF INTERPRETATION & MEASUREMENT**

### ~~22-1~~ **20.1 GENERAL RULES OF INTERPRETATION**

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- A. This Article and Greenville County Code § 1-2: Definitions and Rules of Construction establish rules for interpreting this UDO.
- B. The regulations in this UDO are considered the minimum necessary for the protection of the health, safety, and welfare of the general public. When an applicant proposes to exceed minimum technical requirements specified in the UDO or when the UDO does not address certain technical standards, applicants should consult generally accepted national, state, and local engineering and design standards.<sup>636</sup>
- C. For purposes of interpreting this UDO, the following definitions of word use apply:
1. Words used in the present tense include the future tense;
  2. Words used in the singular include the plural and words used in the plural include the singular;
  3. Words of one gender include the other genders and firms, partnerships, and corporations;
  4. The words "shall" and "must" are mandatory;
  5. The words "may," "should," and "encouraged" are permissive;
  6. The term "structure" includes the term "building;" and
  7. The words "such as," "includes," "including," and "for example" mean "including, but not limited to," unless otherwise provided.
- D. This UDO contains illustrations and graphics, which are designed to assist the reader in understanding the provisions of this UDO. However, to the extent there is any inconsistency between the text of this UDO and any illustrations or graphics, the text controls.
- E. Where this UDO permits or requires an act on the part of an "owner," "lot owner," or "property owner" and a particular lot or tract of land is owned by several persons, whether in partnership,

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<sup>636</sup> Carries forward LDR Section 1.6.5 *Interpretation* with revisions to clarify the text.

joint venture, or other form of joint ownership, the act shall be taken on behalf of, and with the express consent of, all such persons.

- F. Any reference to a statute, provision of the Greenville County Code, other law or regulation, reference document, technical manual, or other document refers to the current version of the document.
- G. In computing any period of time, refer to § 1.2 *Computation of time*, unless specifically provided in this UDO.

## 22-220.2 INTERPRETATION OF ZONING MAP<sup>637</sup>

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- A. When uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules apply:
  1. District boundary lines are intended to follow the ~~centerlines~~ boundary lines of streets, highways, alleys, easements, and other rights-of-way; the ~~centerlines~~ boundary lines of streams or other water channels; and follow platted lot or other property lines; and
  2. In the absence of visual district boundaries or specified distances on the Official Zoning Map, dimensions or distances shall be determined by scaling the distance on the Official Zoning Map.
- B. When the physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Zoning Administrator shall interpret the district boundaries.

## 22-320.3 CONFLICTING RULES

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- A. **Zoning District Hierarchy.**
  1. When base zoning district and overlay zoning district provisions conflict, the provisions of the overlay zoning district control.<sup>638</sup>
  2. When review zoning district and overlay zoning district provisions conflict, the provisions of the review zoning district control except in the Airport Protection Overlay District, where the provisions of the overlay district control.

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<sup>637</sup> Carries forward ZO Section 1:5 *Interpretation of District Boundaries*. Revises to clarify zoning district boundaries stop at street

<sup>638</sup> This provision allows overlay districts to relax base district standards. For example, the proposed Mill Village Overlay District allows reduced setbacks in order to promote a building style consistent with historic neighborhood and protect the viability of existing historic structures.

- B. **Conflicts Between UDO Standards.** When generally applicable standards in this UDO conflict, the more restrictive standard controls, except that Scuffletown Rural Conservation Area standards always take precedence over other UDO standards.
- C. **Stricter Standards in This Chapter.** In accordance with S.C. Code [§ 6-29-960](#), where this UDO imposes a greater width or size of yards, courts, or other spaces; a lower height of buildings or smaller number of stories; a greater percentage of lot to be left unoccupied; or otherwise imposes higher standards than are required in any other statute or local ordinance or regulation, the provisions of this UDO control.<sup>639</sup>
- D. **Stricter Standards in Other Statutes, Local Ordinances, or State or Federal Regulations.** When the provisions of any other statute, local ordinance, or state or federal regulations impose higher standards than are required by these regulations, the provisions of such statute, local ordinance, or regulations shall apply.<sup>640</sup>
- E. **Conflicts With Private Restrictions.**<sup>641</sup>
1. This UDO does not interfere with or abrogate or annul any easements, covenants, or other agreements between parties.
  2. Where this UDO is more restrictive or imposes higher standards than a private restriction, this UDO controls.
  3. Where a private restriction is more restrictive or imposes higher standards than this UDO, the private restriction controls if properly enforced by a person having the legal right to enforce the restrictions. The County does not enforce private restrictions.

## 22.4.20.4 HOW TO MEASURE LOT AREA, WIDTH, & DEPTH

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### 22.4.120.4.1 LOT AREA

- A. The area of a lot:
1. Is calculated in square feet by multiplying the lot depth by the lot width; and

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<sup>639</sup> Carries forward first sentence in LDR Section 1.5 *Conflict with Other Laws, Ordinance, or Regulations*, with edits to incorporate language in S.C. Code [§ 6-29-960](#).

<sup>640</sup> Carries forward second sentence in LDR Section 1.5 *Conflict with Other Laws, Ordinance, or Regulations*.

<sup>641</sup> This new Section clarifies the relationship of the UDO and private restrictions.

2. Does not include any portion of a street right-of-way.<sup>642</sup>
- B. When a lot is irregularly shaped, the calculation method varies based on the lot shape and the information available. [See [www.mathopenref.com/polygonirregulararea.html](http://www.mathopenref.com/polygonirregulararea.html)]
- C. This calculation is also used to determine the area of a parcel.<sup>643</sup>

### ~~22.4.2~~ 20.4.2 LOT WIDTH

A. **Measurement.**

1. The width of a lot is the horizontal distance between the side lot lines, measured:
  - (a) Parallel to the front lot line; or
  - (b) In the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the front lot line.
2. The required minimum lot width must be met at the front lot line, except as specified in § 20.4.2B: *Lots on Cul-de-Sacs*, below.

- B. **Lots on Cul-de-Sacs.** For lots located on a cul-de-sac, the required minimum lot width must be met at the minimum front setback specified in Article 2: *Zoning Districts* or in § 10.2: *Building Setbacks in Unzoned Areas*, as applicable.

### ~~22.4.3~~ 20.4.3 LOT DEPTH

The depth of a lot is the average horizontal distance between the front and rear lot lines, measured generally parallel to the side lot lines.

## ~~22.5~~ 20.5 HOW TO CALCULATE RESIDENTIAL DENSITY

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A. **Generally.**

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<sup>642</sup> Proposed here is to no longer allow the calculation of minimum lot area to include any portion of a street right-of-way. ZO 7:1.4 *Calculating Minimum Lot Area* allows “the area adjacent to a lot designated as being County owned right-of-way [to] be included in the computation and determination of the minimum lot area.”

<sup>643</sup> The definition of *lot* is “[a]n area of land designated by number or other symbol as a part of a legally approved and recorded subdivision or as described by metes and bounds and recorded in the office of the Greenville County Register of Deeds.” The definition of *parcel* is “[a]n individually taxable piece or portion of land. Unlike a lot, a parcel is not approved through the subdivision process.”

1. The total number of dwelling units allowed in a development is regulated by density in some zoning districts and subdivision types. In other zoning districts and subdivision types, the total number of dwelling units allowed is controlled by minimum lot area.
  2. Density for residential uses is expressed in dwelling units per acre of land.
  3. The calculation of maximum density is based on the gross area of all lots or parcels in a proposed development prior to the dedication of any rights-of-way, public parks, or other public areas.
- B. **Accessory Dwelling Units.** The calculation of maximum density excludes accessory dwelling units.
- C. **Calculation.** To calculate the maximum number of dwelling units allowed in a subdivision or development type that is regulated by density, multiply the gross lot area by the maximum density standard. See Table 20.5-1: *Example Calculation of Maximum Density*.
- D. **Rounding.** When density calculations result in a fraction, the allowed number of dwelling units is rounded down to the next lowest whole number.

Table 20.5-1: Example Calculation of Maximum Density	
<b>District</b>	C-1
<b>Dwelling Type</b>	Mixed Use Building
<b>Density (max)</b>	16 du/ac
<b>Gross Lot/Parcel Area</b>	473,201 sf
<b>Example Calculation of Maximum Density</b>	
<i>Step 1: Convert lot/parcel area to acres (1 ac = 43,560 sf)</i>	473,201 sf / 43,560 sf = 10.86 ac
<i>Step 2: Multiply gross lot area (in acres) by the maximum density</i>	10.86 ac x 16 du/ac = 173.76 = 173 du

**Key:** max = maximum allowed | du = dwelling units | ac = acres | sf = square feet

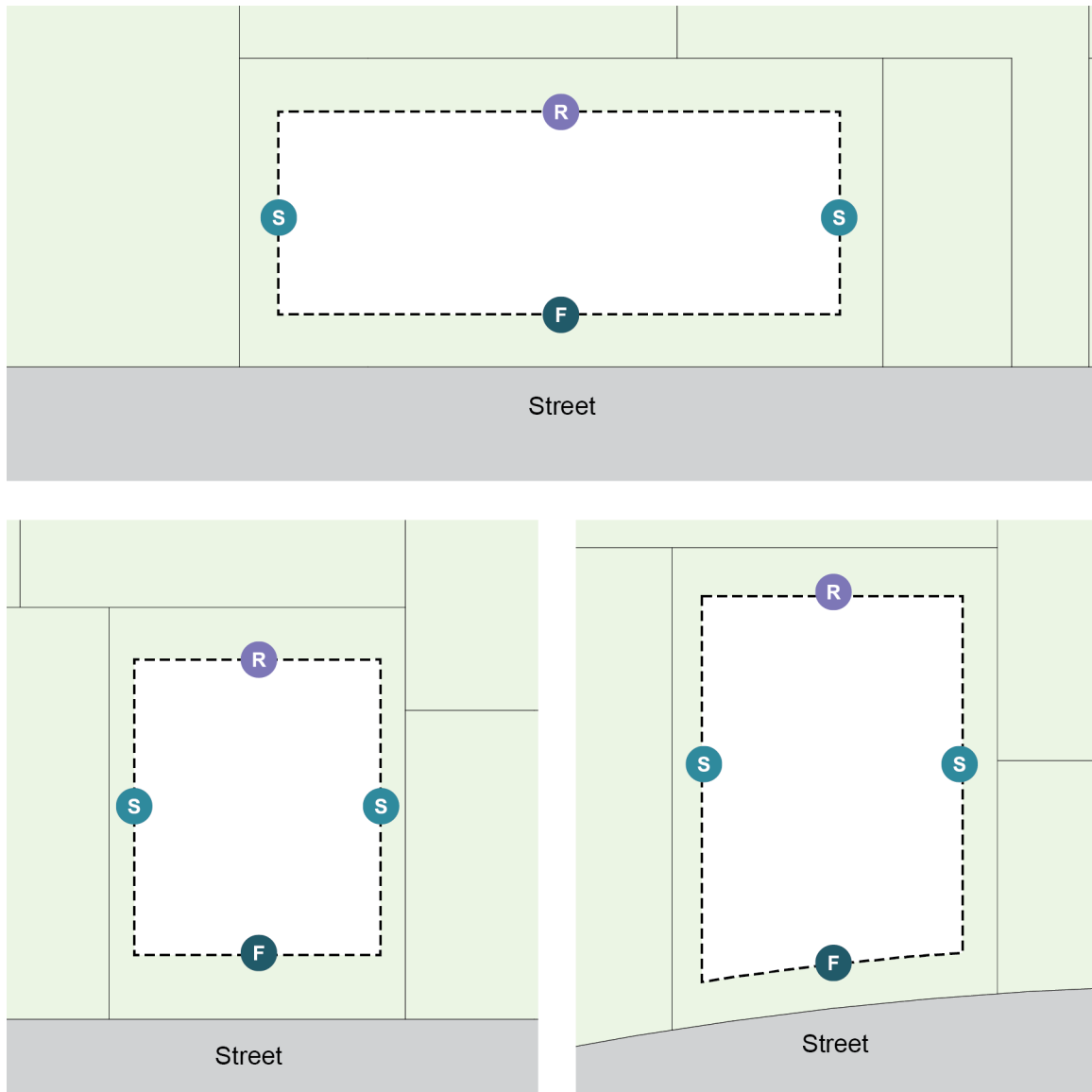
## 22.6.20.6 HOW TO MEASURE SETBACKS

### 22.6.120.6.1 GENERALLY

- A. **Yards and Setbacks.**
1. *Front Yards and Setbacks.* A front yard is adjacent to the front lot or parcel line and is typically located along a street. The front setback line is located parallel to the front lot or parcel line.

2. *Rear Yards and Setbacks.* A rear yard is adjacent to the rear lot or parcel line and is generally located parallel to the front yard. The rear setback line is located parallel to the rear lot or parcel line.
3. *Side Yards and Setbacks.* Side yards are adjacent to side lot or parcel lines and are generally located perpendicular to the front and rear yards. A side setback line is located parallel to the side lot or parcel line.
4. *General Location of Yards and Setback Lines.* Figure 20.6.1-1: *General Location of Yards and Setback Lines* illustrates the location of yards and setback lines on typical lots.

**Figure 20.6.1-1: General Location of Yards and Setback Lines**

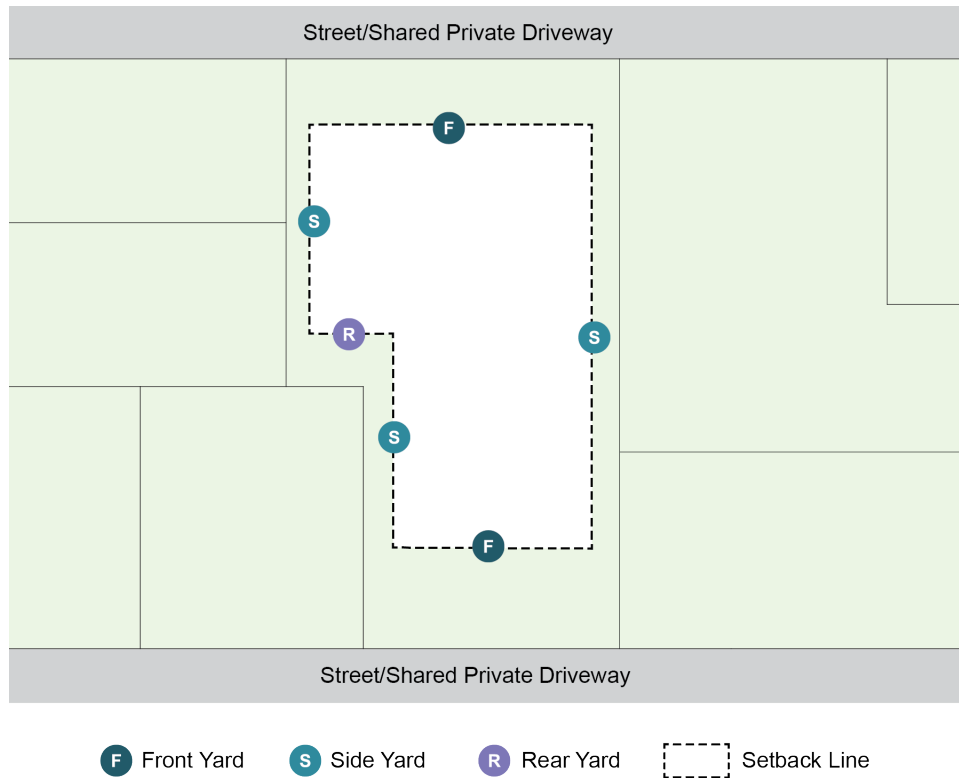


**F** Front Yard    **S** Side Yard    **R** Rear Yard    Setback Line

5. *Double Frontage Lots.* For double frontage lots, the front setback requirements apply along both streets as illustrated in Figure 20.6.1-2: *Typical Location of Yards and Setback Lines on a Double Frontage Lot.*

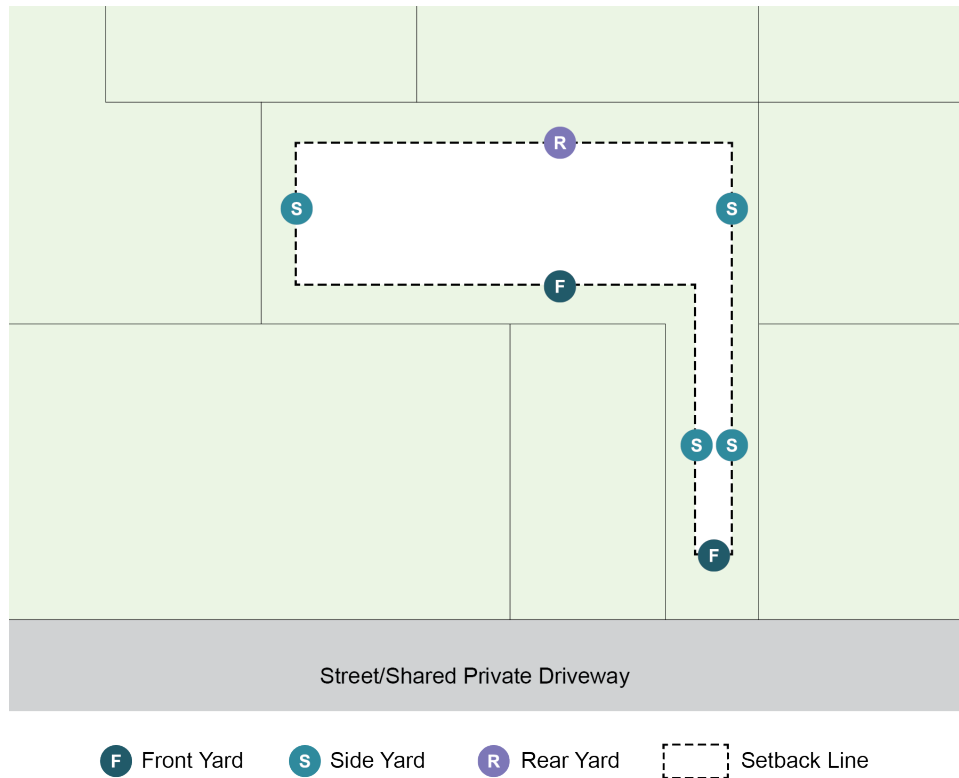


**Figure 20.6.1-2: Typical Location of Yards and Setback Lines on a Double Frontage Lot**



- 6. *Flag Lots.* The “flagpole” portion of a flag lot must meet setbacks, as shown in Figure 20.6.1-3: *Typical Location of Yards and Setback Lines on a Flag Lot.*

**Figure 20.6.1-3: Typical Location of Yards and Setback Lines on a Flag Lot**



7. *Irregularly Shaped Lots.* Figure 20.6.1-4 shows the location of yards and setback lines on two irregularly shaped lots. These are provided for reference only; the Zoning Administrator determines the location of yards and setback lines on irregularly shaped lots in accordance with § 20.6.1B: *Determinations and Interpretations*, below, ~~and~~ 16.2.5: UDO Interpretations (Zoning).

**Figure 20.6.1-42: Example Location of Yards and Setback Lines on Irregularly Shaped Lots**

B. **Determinations and Interpretations.** When making determinations or, if necessary, interpretations under this Section, the Zoning Administrator shall consider the following characteristics of the property and surrounding properties:

1. The orientation of existing or proposed buildings containing the principal use;
2. The orientation of adjacent buildings and other buildings along the street;
3. Means of gaining safe access;
4. The relative dimensions of the lot and yards;
5. Delivery of services to the property, including mail and trash collection;
6. Associated setbacks; and
7. Other features related to site design and safe circulation.

**22.6.220.6.2 MEASUREMENT**

**A.B. Generally.** Setbacks are measured from the lot line or, if applicable, the interior edge of the development boundary buffer to the closest projection of any portion of a building or structure, except for encroachments as allowed by § 20.6.3: *Encroachments*.<sup>644</sup>

**A. Relationship to Buffers.**

1. Where Article 7: *Buffers & Screening* requires a ~~perimeter~~interior or ~~right-of-way~~roadside buffer, any required building or structure setback may overlap the buffer.
1. Where Article 11: *Subdivisions & Group Developments* requires a development boundary buffer, any required building or structure setback shall not overlap the buffer.
  - (a) Required zoning district setbacks (or building setbacks in unzoned areas) are measured from the interior edge of the development boundary buffer, if the buffer is located on the same lot as the proposed structure.
  - (b) Required zoning district setbacks (or building setbacks in unzoned areas) are measured from the property lot line if the development boundary buffer is not located on the same lot as the proposed structure.

**22.6.320.6.3 ENCROACHMENTS**

- A. Table 20.6.3-1: *Allowed Encroachments into Required Yards & Setbacks* specifies structures or elements that may encroach beyond setback lines.
- B. Cantilevers consisting of roofed over space shall not encroach any setback line.

Table 20.6.3-1: Allowed Encroachments into Required Yards & Setbacks			
Structure or Feature	Yard(s) Where Encroachment is Allowed	Encroachment (max)	Setback from Lot Line(s) (min)
Balconies and porches	Front, rear	5 ft	5 ft <sup>645</sup>
<del>Decks attached to the principal structure</del>	<del>Rear</del>	<del>5 ft</del>	<del>3 ft</del>
Eaves and roof extensions or overhangs	Any yard	2 ft	No min

<sup>644</sup> This revises ZO Section 7:3 *Determining Setback Lines in All Districts* to require all setbacks to be measured from the property line.

<sup>645</sup> This effectively means that a porch or balcony in the rear yard of certain uses in the R- and R-M Districts cannot encroach into the setback because the required rear setback is only 5 feet.

**Table 20.6.3-1: Allowed Encroachments into Required Yards & Setbacks**

Structure or Feature	Yard(s) Where Encroachment is Allowed	Encroachment (max)	Setback from Lot Line(s) (min)
Farmstands <sup>646</sup>	Any yard adjacent to a road	No max	10 ft
Mechanical units for residential uses	Any yard	No max	3 ft
Open fire escapes	Side	3 ft	No min
Ordinary projections of windowsills, belt courses, buttresses, chimneys, cornices, piers, and other architectural features	Any yard	2 ft	No min
Protective awning, hood, or overhang above a doorway	Any yard	3 ft	No min
Ramps for ADA accessibility	Any yard	No max	No min
Stoops and landings that do not <u>that do not exceed 16 sf in total area occupy more than 20% of an exterior wall</u> <sup>647</sup>	Any yard in a residential zoning district	No max	No min
<u>Uncovered decks attached to the principal structure</u>	<u>Rear</u>	<u>5 ft</u>	<u>3 ft</u>

**Key:** max = maximum allowed | min = minimum required | ft = feet

**22-720.7 HOW TO MEASURE HEIGHT**

A. **Measurement.** The height of a structure is the vertical distance measured from grade plane to the average height of the highest roof surface.<sup>648</sup>

<sup>646</sup> The definition of “farmstand” added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021) states “[f]armstands may be located on the same lot as a farm and situated close to a road.” This table clarifies how close to a road a farmstand can be located.

<sup>647</sup> Carries forward a portion of 7:3.4 *Side Setbacks in Single-family Residential Districts*. Replaces “...that do not occupy more than 20% of an exterior wall” with “...that do not exceed 16 sf in total area.”

<sup>648</sup> This is the current definition of *height* in the Zoning Ordinance. It is the same as the 2018 International Building Code’s (IBC) definition of *height*. The IBC defines *grade plane* as “[a] reference plane representing the average of the finished

**B. Exceptions.**

1. Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the maximum height limit.<sup>649</sup>
2. ~~All~~**Any** buildings may exceed the height limitations of the district if the minimum ~~depth of rear yards-setback~~ and the minimum ~~width of side yards-setbacks~~ required in the district regulations are increased 1 foot for each 3 feet by which the height of such building exceeds the prescribed height limit.<sup>650</sup>

**22-820.8 HOW TO CALCULATE-MEASURE GROSS FLOOR AREA**<sup>651</sup>**A. Gross floor area (GFA):**

1. Is measured from the exterior faces of the exterior walls of a structure;
2. Includes the total horizontal area of all floors of a structure, including interior balconies, mezzanines, corridors, stairways, closets, and elevator shafts; and
3. Excludes shafts with no openings and interior courts that are open from the floor to the sky.

**B.** The GFA of a structure or portion thereof without exterior walls is the useable area under the horizontal projection of the roof or floor above.

**20.9 HOW TO CALCULATE BUILDING COVERAGE****A. Measurement. Building coverage is:**

1. Expressed as a percentage of lot area; and
2. Calculated by dividing the total area (in square feet) of all buildings and roofed structures on a lot by the total lot area (in square feet) and multiplying the result by 100.

ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building between the structure and a point 6 feet from the building.” (IBC, Section 202)

<sup>649</sup> Carries forward exceptions to height limits in ZO 7:3.7 *Height*.

<sup>650</sup> Carried forward from ZO 7:3.7 *Height*.

<sup>651</sup> This Section is consistent with the IBC definition of *floor area, gross* (IBC, Section 202).

**B. Exceptions.** The calculation of building coverage excludes:

1. Portions of architectural projections (including roof overhangs and balconies) that are less than 5 feet from the nearest wall, column, spanning beam, or other structural element carrying gravity loads to the ground; and<sup>652</sup>
2. Structures that are located completely below the finished lot grade, such as basements.

~~B.~~

## **22-920.10 HOW TO MEASURE USE SEPARATION DISTANCE**

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**A. Generally.**

1. This Section describes how to measure the required minimum separation distance between certain conditional and ~~special exception use~~ Special Exception Uses specified in § 4.3: *Conditional & Special Exception Principal Uses*.
2. Depending on the regulated use, § 4.3: *Conditional & Special Exception Principal Uses* specifies a minimum separation distance between the new regulated use and:
  - (a) The same type of existing use;
  - (b) Certain zoning districts; ~~and~~/or
  - (c) Certain sensitive land uses, such as dwelling units.

**B. Measurement.** Measurements are taken in a straight line from the nearest portion of the lot line where the new regulated use is proposed to:

- (a) The nearest portion of the lot line where the existing regulated use is located; and
- (b) The nearest portion of the lot line or zoning district boundary line of the uses and districts from which the regulated use must be separated.

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<sup>652</sup> This exception is the same as allowed by the City of Greenville's Development Code (Sec. 19-2.11.4).

### ~~22.10~~20.11 HOW TO MEASURE THE DIAMETER OF A TREE<sup>653</sup>

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- A. For trees with calipers of 4 inches or less, the diameter of the trunk is measured 6 inches above the ground.
- B. For trees between 4 and 12 inches caliper, the diameter of the trunk is measured 12 inches above the ground.
- C. For trees larger than 12 inches caliper, the diameter of the trunk is measured at breast height (DBH).
  - 1. The DBH of a tree is the total diameter in inches of a tree trunk or trunks measured in inches at a height of 4.5 feet above existing grade (at the base of the tree).
  - 2. If a tree trunk splits at ground level and does not share a common base, then each trunk is measured as a separate tree.
  - 3. If a multi-trunk tree splits below the 4.5-foot mark, all trunks are measured separately and count as one tree.

### ~~22.11~~20.12 HOW TO MEASURE SLOPE<sup>654</sup>

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- A. Slope is measured as the change in elevation over the horizontal distance between consecutive contour lines and is expressed as a percent.
- B. Slope is measured over 3 or more 2-foot contour intervals (6 cumulative vertical feet of slope).

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<sup>653</sup> This text is taken from the definitions in the current tree ordinance.

<sup>654</sup> This is relocated from the definition of “steep slope.”



## ~~Article 23:~~ ARTICLE 21: DEFINITIONS & ACRONYMS

### 23-121.1 ACRONYMS

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#### **(A, B, C)**

**ADA:** The Americans with Disabilities Act of 1990

**ADT:** Average daily trips

**BMP:** Best management practice

**BZA:** Greenville County Board of Zoning Appeals

**CFS:** Cubic feet per second; a measure of flow rate

#### **(D, E, F)**

**DBH:** Diameter at breast height

**DES:** See **SCDES**

**DOT:** See **SCDOT**

**EPA:** See **USEPA**

**FEMA:** Federal Emergency Management Agency

**FIRM:** Flood Insurance Rate Map

**FMR:** Fair Market Rent

#### **(G, H, I)**

**GFA:** Gross floor area

**GLA:** Gross leasable area

**HOA:** Homeowners' association

**HUD:** United States Department of Housing & Urban Development

**(J, K, L)**

**LDD:** Greenville County Land Development Division

**LID:** Low impact development

**(M, N, O)**

**MFI:** Median family income

**MSL:** Mean sea level

**(P, Q, R)**

**POA:** Property owners' association

**ReWa:** Renewable Water Resources

**ROW:** Right-of-way

**RV:** Recreational vehicle

**RVIA:** Recreational Vehicle Industry Association

**(S, T, U)**

**SRCA:** Scuffletown Rural Conservation Area

**SCDES:** South Carolina Department of Environmental Services

**SCDOT:** South Carolina Department of Transportation

**SMDM:** [Greenville County Stormwater Management Design Manual](#)

**SWPPP:** Stormwater pollution prevention plan

**TAC:** Technical Advisory Committee

**TDR:** Transfer of development rights

**USACE:** United States Army Corps of Engineers

**USEPA:** United States Environmental Protection Agency

**(V, W, X, Y, Z)**

**VPD:** Vehicles per day

**23-221.2 DEFINITIONS**<sup>655</sup>**(A)**

**Abattoir:** A commercial facility used for the slaughtering of animals that are either raised or transported to the facility and the processing and storage of animal products and waste that results from the slaughtering process.<sup>656</sup>

**ABC (Liquor Sales):** Retail establishment licensed by the South Carolina Department of Revenue for the sale of alcoholic beverages in containers for off-premises consumption.

**Accessory Living Quarters:** An accessory building used solely as the temporary dwelling for guests of the occupants of the premises; such dwelling having no kitchen facilities and not rented or otherwise used as a separate dwelling unit.

**Accessory Outdoor Storage:** The storage of any equipment or commodity outside of a building for more than 24 hours. Outdoor storage does not include outdoor storage uses that are specifically addressed as a principal or accessory use, such as, but not limited to, salvage yards and junkyards; vehicle and manufactured home repair and storage uses; vehicle and manufactured home sales and rental uses; laydown yards; outdoor retail displays; and recycling drop boxes.<sup>657</sup>

**Accessory Use:** A use of land or of a building or portion thereof customarily incidental to the principal use of the land or building and located on the same lot with such principal use.

**Adaptive Reuse:** The conversion of an existing building built for one use to another use, typically to address some aspect of physical or functional obsolescence.

**Adult Entertainment Establishments (Sexually Oriented Businesses):** An establishment defined by the current provisions of the Greenville County Adult Oriented Business Ordinance No. 2673, which is codified as Greenville County Code of Ordinances, Chapter 2.5, Article Three: Adult-Oriented Entertainment Establishments.

<sup>655</sup> This Section consolidates definitions from the Zoning Code and Land Development Regulations. The changes tracked here reflect revisions to current ordinance text.

<sup>656</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>657</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**Agriculture, Farming:** The science or art of cultivating the soil, producing crops, plants, trees, or shrubs, and/or raising livestock or fowl which does not require a tax license by the state of South Carolina.

**Agricultural Processing, Storage, and/or Support Services:** Establishments employed by the agriculture and forestry industries that perform activities associated with the processing, storage, production, and distribution of forest and agricultural products. Use examples include abattoirs; establishments where crops are cleaned, shelled, fumigated, cured, sorted, packed, cooled, or stored; distribution hubs for locally and regionally produced food; and establishments that perform crop-related services, such as dusting, spraying, plowing, fertilizing, seed bed preparation, planting, and cultivating.<sup>658</sup>

**Agricultural/Horticultural Production, Indoor:** A land use for the production of fruits, vegetables, tree nuts, crops, plants, trees, or shrubs that occurs entirely within a building.<sup>659</sup> This use includes greenhouses.

**Agricultural/Horticultural Production, Outdoor:** A land use for the production of fruits, vegetables, tree nuts, crops, plants, trees, or shrubs that occurs primarily outdoors.<sup>660</sup> This use includes nurseries.

**Agritourism:** Activities conducted on a working farm, ranch, or other agricultural facility that offer opportunities to the general public or invited groups for education, entertainment, recreation, and/or active involvement in the farm operation.<sup>661</sup>

**Alley:** A minor, permanent private service-way that is used for secondary vehicular access to the back or the side of properties that otherwise have primary vehicular access to a public street.

**Alteration:** Any change, addition or modification in construction, occupancy, or use.

**Amusement/Theme Park:** A commercially operated park with a predominance of outdoor games and activities for entertainment, including motorized rides, water slides, miniature golf, batting cages, and the like.

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<sup>658</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>659</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>660</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>661</sup> Adapted from Horry County's definition of "agriculture tourism" and Lancaster County, Pennsylvania's definition of "agritourism enterprise" in its Agritourism Guidelines. This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**Animal Production Facility:** A large-scale agricultural facility that produces animals or animal by-products for commercial sale.<sup>662</sup>

**Animal Shelters:** A facility used to house or contain domesticated animals that is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit or public organization devoted to the welfare, protection, and humane treatment of animals.

**Apartment:** A dwelling unit located in a triplex, quadplex, or multiplex dwelling, or a dwelling unit located in a mixed-use building.

**Apartment Complex:** A group development comprised of triplex dwellings, quadplex dwellings, and/or multiplex dwellings.

**Arcade:** An area contiguous to a street or plaza that is open and unobstructed, and that is accessible to the public at all times. Arcades may include building columns, landscaping, statuary, and fountains. Arcades do not include off-street loading/unloading areas, driveways, or parking areas.

**Area Plan:** A plan for a specific, defined area of any size of Greenville County. An Area Plan is considered an amendment to the County Comprehensive Plan in order to address specific needs, limited to growth management, land use, economic development, and/or natural resource management.

**Arena, Stadium, Exhibition Hall:** A facility used for exhibitions of live performances of music, dance, sporting events, and other entertainment events, as well as for trade shows, meetings, and private events.

**Art Gallery:** An establishment for the display and sale of individually crafted artwork, jewelry, metal work, furniture, sculpture, pottery, leathercraft, hand-woven articles, and similar items.

**Articulate:** To give emphasis to or distinctly identify a particular element. An articulated facade would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.

**Artisan Workshop or Studio:** An establishment for the preparation, display, and sale of individually crafted artwork, jewelry, metal work, furniture, sculpture, pottery, leathercraft, hand-woven articles, and similar items.

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<sup>662</sup> This definition is derived from [SCDHEC Regulation 61-43: Standards for the Permitting of Agricultural Animal Facilities](#). This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**Assembly:** Includes the use of a building or structure, or a portion thereof, for the gathering together of persons for purposes such as civic, social, or religious functions; recreation; food or drink consumption; or awaiting transportation.

**Assembly Operations:** Companies engaged in value-added processing and light manufacturing.

**Assistant County Administrator for Community Planning & Development:** The administrative head of the Planning and Building Safety Departments, or their designee.

**Assistant County Administrator for Public Works:** The administrative head of the Public Works Department, or their designee.

**Athletic Facility:** An indoor or outdoor facility used strictly for athletic-related events.<sup>663</sup>

**Auction House/Auction Lots:** An establishment primarily engaged in the merchant wholesale distribution of new and used products and goods, such as vehicle, equipment, furniture, art and antiques, agricultural commodities, and memorabilia. Auction house use includes the storage of the products to be offered for sale.

**Authorized Representative:** For each submittal, the specific, single project agent to whom all questions, comments, and discussion will be directed during processing. The Authorized Representative is responsible for attending pre-submittal meetings, the Technical Advisory Committee meeting, the Planning Commission, and all other meetings, as applicable.

**Auditorium:** An indoor building/facility used by the public for viewing events such as concerts, plays, indoor sports, and public gatherings etc.

~~**Automobile Service Facility:** A building or part thereof, which is used for minor repairs, such as, oil changes, tune-ups, brake jobs, engine and transmission repair, replacing mufflers, etc. These facilities may dispense flammable and combustible liquids.~~

**Automobile Wash, Automated:** Any automobile cleaning facility which provides exterior washing and cleaning on a drive-through or roll-over basis.

**Automobile Wash, Full-Service:** Any automobile cleaning facility which provides exterior and interior washing and cleaning services for automobiles and other motor vehicles.

**Automobile Wash, Self-Service:** Any automobile cleaning facility where equipment and/or facilities are provided for the self-service cleaning of automobiles and other motor vehicles.

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<sup>663</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**(B)**

**Bakery:** An establishment primarily engaged in the production and retail sale of baked goods.

**Bank or Financial Institution:** An establishment that provides retail banking services, mortgage lending, or similar financial services to an individual or business.

**Banquet Hall:** See Special Event Facility.

**Barn or Stable:** A structure used to house animals, farm equipment, feed, storage, or other farm-related items.<sup>664</sup>

**Basement:** Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

**Bed and Breakfast:** Private home offering lodging and breakfast to guests. This type of establishment is primarily a private home offering lodging and breakfast to guests.

**Berm:** An earthen mound formed to shield undesirable views, decrease noise, and/or add topographical interest.

**Block:** A piece or parcel of land entirely surrounded by public streets.

**Blue Line Stream:** Any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS).

**Boat and Recreational Vehicle Sales, Service, and Rental:** Establishments engaged in the sale or rental of boats and recreational vehicles, with or without ancillary repair and service operations.

**Boathouse:** A structure designed and constructed for the purpose of storing a boat(s) in a body of water.

~~**Board:** The Greenville County Board of Zoning Appeals.~~

**Board of Zoning Appeals:** A ~~quasi-judicial~~ board consisting of nine members appointed by County Council, as provided in Article 17: *Reviewing & Decision-Making Bodies*.<sup>665</sup>

**Body Piercing:** The creation of an opening in the body of a human being so as to create a permanent hole for the purpose of inserting jewelry or other decoration. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, or eyebrow, but does not include piercing an ear lobe with a

<sup>664</sup> This definition was revised in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>665</sup> This definition is relocated from current Zoning Code Section 8:6.4, *Definitions* (AP, Airport Protective Areas).

disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear lobe.

**Body Piercing Establishment:** An establishment primarily engaged in the practice of body piercing.

**Bookstore/Newsstand:** An establishment for the retail sale of books, magazines, periodicals, newspapers, or other printed matter, audio recordings, motion pictures, and other digital materials. Bookstore/Newsstand does not include adult entertainment establishments.

**Breezeway:** A structure for the principal purpose of connecting a principal building or structure on a property with other buildings.

**Brewpub:** A restaurant that produces on the permitted premises a maximum of 2,000 barrels a year of beer for sale on the premises.<sup>666</sup>

**Buffer, ~~Perimeter~~Interior:** An area of undeveloped, vegetated land that acts as a separation between two land uses of different intensity.

**Buffer, Right-of-Way:** An area of undeveloped, vegetated land that provides visual screening between a land use and a road.

**Buffer, Riparian:** A natural or vegetated area adjacent to or bordering a body of water such as a stream, lake, pond, or other water course through which stormwater runoff flows in a diffuse manner so that the runoff does not become channeled, and which provides for the infiltration of pollutants while protecting the water body.

**Building:** Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, process, equipment, or goods.

**Building, Accessory:** An incidental subordinate building customarily incidental to and located on the same lot occupied by the principal use or building, such as a detached garage.

**Building Code:** The current codes adopted by Greenville County Council in Greenville County Code Chapter 5, [Article II: Regulatory Codes](#).

**Building Coverage:** The proportion of the lot area covered by the building footprint.

**Building Face, Front:** Any building face, which can be touched by a line, drawn perpendicular to street (public or private).

**Building Face, Public:** Any building side that is visible from public or private rights-of-way and/or the faces that contain public entry.

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<sup>666</sup> This definition is derived from the definition of “brewpub” in SC Code Chapter 61, [Section 61-4-1700\(1\)](#).



**Building, Mixed Use:** A building that contains at least one dwelling unit and one or more non-residential uses allowed in the zoning district in which the mixed use building is located.

**Building Permit:** A certificate which has been endorsed by the Zoning Administrator that a proposal to use or occupy a building; or to erect, install, or alter a structure, building, or sign that fully meets the requirements of this Ordinance.

**Building, Principal:** See [Structure, Principal](#).

**Building Setback Line:** A line establishing the minimum allowable distance between the nearest portion of any building, excluding ~~steps, gutters, and similar fixtures~~ encroachments as allowed by § 20.6.3: Encroachments, and the property lot line when measured perpendicularly thereto.

**Building, Temporary:** A building used temporarily for construction-related activities, such as offices and storage of construction materials and equipment incidental and necessary to construction of utilities, buildings, or other community facilities or used temporarily as a Subdivision Sales Center in a subdivision under construction.

**Business and Facilities Support Services:** Establishments offering specialized sales and support services used in the conduct of commerce. These services may include employment services, copying and printing services, advertising and mailing services, building maintenance services, management and consulting services, protective services, equipment rental and leasing, and sales of office equipment and supplies.

**Business Incubator Centers:** Retail, office, or industrial space that is affordable to new, low-margin businesses and frequently includes professional advice on business operations and general facilities support, such as clerical support and access to copy machines, facsimile machines, and computers. This definition includes co-working facilities.

**Butcher Shop:** A retail establishment that supplies meat and poultry products but where meat processing is limited to making cuts of meat from preprocessed carcasses.

## (C)

**Caliper:** A unit of physical measure for defining the diameter of a tree. For trees with calipers of four inches or less, the diameter of the trunk is measured six inches above the ground. For trees between four and 12 inches caliper, the diameter of the trunk is measured 12 inches above the ground. For trees larger than 12 inches caliper, see Diameter at Breast Height. [See § 20.11: *How to Measure the Diameter of a Tree*]

**Campground:** A site with temporary or permanent campsites, shelters, cabins, or other structures designed or intended for overnight occupancy that is operated for recreation, religious, education, or vacation purposes. A campground includes residential camps (“summer camps”) and primitive campgrounds. The non-commercial use of private property for camping activities by the property

owner, or one or more people authorized by the property owner, is not considered a “campground” and is not regulated by this Ordinance.

**Canopy:** A roof-like, unenclosed (except when connected to a building) shelter having various means of support and generally used for protection from weather for pedestrians.

#### Care Facilities Child/Adult:

**Care Center:** A facility that provides personal care service for **6 or more persons on a 24-hour basis**. (*Personal care service* - The care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the residents while at the facility.)

**Day Care Center:** A facility that provides personal care service for **more than 6-5 persons and less than 24 hours**. (*Personal care service* - The care of persons who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the person while at the facility.)

**Day Care Center in a Religious Facility:** A facility operated by a religious facility that provides personal care service for **more than 6-5 persons and less than 24 hours**. (*Personal care service* - The care of persons who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the occupants while at the religious facility.)

~~**Day Care Home:** A residential home that serves as a personal care facility for **6 or fewer persons**. Only those residing in the home may be involved in the day-to-day operation of the adult / childcare home. (*Personal care service* - The care of persons who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the persons while at the home.)~~

**Group Home:** A residential home that serves as a personal care facility for **6-5 or fewer persons on a 24-hour basis**. Only those residing in the home may be involved in the day-to-day operation of the adult / childcare home. (*Personal care service* - The care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while at the home.)

**Nursing Care Facility:** A facility that serves as a personal nursing care facility for **more than 6-5 persons on a 24-hour basis**.

**Nursing Care in Home:** A residential home that serves as a personal nursing care facility for **6-5 or less-fewer persons on a 24-hour basis**. Only those residing in the home may be involved in the day-to-day operation of the adult / childcare nursing home.

**Caretaker's/Watchman's Quarters:** An accessory dwelling on a non-residential premises, occupied by a person who oversees the non-residential operation 24 hours a day and their family.

**Catering Establishment:** An establishment in which the principal use is the preparation of food and meals on the premises for delivery to another location for consumption.

**Cemetery:** Land used or intended to be used for the burial or interment of the dead, including columbaria, mausolea, and chapels when operated in conjunction with and within the boundaries of such cemetery. The term cemetery implies that the land is specifically designated as a burial ground. Cemeteries can be privately, publicly, or family owned. A cemetery also can be a Historic Site.

**Certificate of Occupancy:** A statement signed by the Building Official setting forth that the building, structure, or use complies with the adopted building codes.

~~**Certificate of Use/Zoning Compliance:** A statement signed review by the Zoning Administrator setting to confirm forth that the building, structure, or use complies with the Zoning Ordinance and that the same may be used for the purpose stated herein.~~

**Change of Tenancy/Ownership:** Taking possession or occupancy of land or premises under lease and/or purchase from a previous tenant or owner.

**Chickens:** Any member of the species *Gallus gallus domesticus*, regardless of sex.

~~**Chickens in Residential Districts:** Chickens kept, raised, or used in accordance with § 4.4.10: *Chickens in Residential Districts, which are not considered farm animals.*~~

**Clean Manufacturing:** Clean Manufacturing in which waste minimization and prevention practices are continuously applied. These practices include conservation of raw materials and energy, elimination of toxic inputs, and reduction in toxic outputs.

**Clear Cutting:** The removal of all trees and other vegetation from an area during land development.

**Clearing:** Removing trees, stumps, woody debris, and other vegetation from an area of land.

**Collection Center for Recyclable Consumer Items:** A facility designed to receive household consumer items for recycling, such as metal food containers and cans, glass food containers, beverage bottles, discarded newspapers, magazines, cardboard, and flat paper.

**Collocate or Collocation:** A situation in which two or more antennas are placed on a common communication tower or pole or the addition or the replacement of antennas on an existing communication tower or pole. Collocation includes combined antennas but does not include roof- or surface-mounted small wireless facilities, or the placement of any personal wireless service antenna on an amateur radio antenna within a residential district.

**Columbaria:** A building or structure designed with niches for the location of urns to hold the ashes of cremated persons. Columbaria shall be operated only within the boundaries of cemeteries and churches.

**Commercial:** Of or pertaining to trade or production which deals with the exchange of goods and/or services from producer to final consumer, including but not limited to entertainment, mercantile trade, finance, real estate, and all other commercial services, including tourism.

**Commercial Incinerator:** A facility that processes waste using controlled flame combustion to break down the waste.

**Commercial Vehicle:** Any vehicle that is used primarily for business purposes. Commercial vehicles shall be determined by business identification and/or class of vehicle as outlined by the Federal Highway Administration.

**Communication Antenna:** An antenna operated by a communications provider to transmit or receive radio or electromagnetic waves.

**Communication Provider:** Any entity required to be licensed or whose radio or electromagnetic waves are regulated by the Federal Communications Commission.

**Communication Tower:** A freestanding structure taller than 60 feet in height which supports at least one communication antenna and a similar structure affixed to a building that extends more than 20 feet above the roof of the building operated by commercial, governmental, or other public and quasi-public users. This use does not include communication equipment operated by a public service agency, private home use of satellite dishes and television antennas, or amateur radio operators licensed by the Federal Communications Commission. The height limitation for towers includes any attached antennas.

**Communications and Information:** A use classification for establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries.

**Community Center:** A facility used for recreational, social, educational, and/or cultural activities, usually owned and operated by a public or non-profit group or agency. A community center provides ongoing activities and services for the general benefit of people in the community, such as educational, art, and recreational classes; indoor and outdoor recreational facilities; job training and small business development; child and adult day care; social activities; group meeting space; performance and event space; and kitchen and dining facilities.<sup>667</sup>

**Community Center Area:** The social center of the Traditional Neighborhood Development (TND), containing a central public space and the most intense and mixed development.

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<sup>667</sup> County Council adopted this definition on September 20, 2022, in conjunction with other text amendments related to community centers.

**Community Garden:** A ~~non-commercial~~ private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family. A community garden may include greenhouses and nurseries.

**Community (Cluster) System:** A wastewater collection and treatment system that provides shared collection, treatment, and disposal of domestic wastewater from multiple parcels or multiple units of individually deeded property. Such a system might serve a small subdivision or an apartment complex. Any onsite wastewater system serving more than one piece of deeded property is considered a Community (Cluster) System.<sup>668</sup>

**Composting Facility:** A facility where organic matter that is derived primarily from off-site is to be processed by composting and/or is processed for commercial purposes. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost. A composting facility does not include composting of material produced on the same lot or multiple lots under the same ownership or control, which is not regulated by this UDO and therefore allowed on any lot.

**Concert Hall:** See Auditorium.

**Condominium:** A multiple-family dwelling or other development containing individually owned dwelling units or non-residential units with jointly owned and shared areas and facilities, and where the dwelling or development is subject to the provisions of S.C. Code Title 27, Chapter 31: Horizontal Property Act.

**Connectivity Ratio:** The number of street links divided by the number of nodes or link ends, including cul-de-sac heads.

**Corner Store:** A small retail or service business located on a corner lot at the street level. Corner store businesses are limited to newsstands, bookstores, barbershops, beauty salons, bakeries, ice cream and yogurt shops, coffee shops, delis, food and convenience markets, and art galleries.

**Corporate Headquarters:** Corporate headquarters is the part of a corporate structure that deals with important tasks such as strategic planning, corporate communications, taxes, law, finance, human resources, and information technology.

**Correctional Facilities and Prisons:** Publicly or privately operated facility for the custodial occupancy of persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

**County Pole:** A pole owned, managed, or operated by or on behalf of the County; provided, however, county pole shall not include any pole, support structure, electric transmission structure, or equipment of any type that is part of a County owned or controlled electric plant or system for furnishing of

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<sup>668</sup> County Council adopted this definition in 2023 as part of an ordinance to amend and update the Land Development Regulations to address the use of community septic systems.

electricity to the public for compensation. The term county pole shall include, without limitation, poles that the County leases, rents, licenses, or otherwise compensates the owner thereof for the provision of street lighting.

**Craft Brewery:** A facility that commercially produces beers and similar beverages on site. Such facilities may include all aspects of production as well as administrative offices and a tap room. A craft brewery is classified as one of the following:

1. **Microbrewery:** A brewery that produces less than 15,000 barrels of beer per year and sells 75% or more of its beer off-site.<sup>669</sup>
2. **Regional Brewery:** A brewery that produces between 15,000 and 6,000,000 barrels of beer per year.<sup>670</sup>

**Crematorium:** A facility containing properly installed, certified apparatus intended for use in the act of cremation.

**Critical Habitat:** This term is defined in the Endangered Species Act. See [16 U.S.C. § 1532\(5\)\(A\)](#).

**Critical Root Zone:** The land area around the base of a tree in which disturbances are prohibited to protect the roots of the tree and aid the tree's survival.

**Cropland:** Land suitable for or used for the cultivation of crops.

**Cul-de-sac:** A street having one end open to traffic and being permanently terminated by a vehicular turnaround.

**Cultural Facilities:** Buildings, structures, sites, and places that tell the story of the community. For the purposes of this UDO, cultural facilities include museums; historic buildings and structures; historic cemeteries; unique, natural, or scenic resources; and archaeological sites that are open to the public.

## (D)

**Data Centers:** A large group of networked computer servers typically used by organizations for the remote storage, processing, or distribution of large amounts of data where the majority of the space is occupied by computers and/or related equipment and where information is processed, transferred, or stored.

**Decentralized Sewer:** A variety of approaches for collection, treatment, and dispersal/reuse of wastewater for individual dwellings, industrial or institutional facilities, clusters of homes or

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<sup>669</sup> This is how the [Brewers Association](#) defines the craft beer industry market segment “microbrewery.”

<sup>670</sup> This is how the [Brewers Association](#) defines the craft beer industry market segment “regional brewery.”

businesses, and entire communities. These systems are a part of permanent infrastructure and can be managed as stand-alone facilities or be integrated with centralized sewage treatment systems.<sup>671</sup>

**Decorative Pole:** A pole that is specifically designed and placed for aesthetic purposes and may have attached informational or directional signage and/or pole banners.

**Dedication:** A deeded, prescriptive, or acknowledged proof by maintenance activity of the right of way, unless otherwise stated, grants an easement to the traveling public and does not convey the fee.

**Density:** The number of dwelling units allowed on an area of land.

**Development:** Any human-made change to or subdivision of improved or unimproved land, including the construction of or substantial improvements to buildings or other structures, that requires a permit or other approval from Greenville County.

**Diameter at Breast Height (DBH):** The DBH of a tree is the total diameter in inches of a tree trunk or trunks measured at a height of 4.5 feet above existing grade (at the base of the tree). Diameter at Breast Height is used for measuring all trees greater than 12 inches caliper. [See § 20.11: *How to Measure the Diameter of a Tree*]

**Domestic Wastewater:** The untreated liquid and solid human body waste and the liquids generated by water-using fixtures and appliances, including those associated with food service operations. For the purposes of this definition, domestic wastewater does not include industrial process wastewater.<sup>672</sup>

**Dormer:** A window set vertically forming a gable projecting from a sloping roof.

**Dormitory:** A housing facility that provides residence to individuals unrelated by blood, marriage, or adoption that is owned or operated by a public or private school for the occupancy of its students.

**Drainage Plan:** A site plan showing contours, drainage structures (including, but not limited to pipes, ponds, ditches, etc.), anticipated flow calculations, destination of run-off to nearest identifiable drainage way, and any other data required to clearly define the proposed drainage system.

**Drug Store:** See [Pharmacy](#).

**Dry Cleaning/Laundry Establishment:** Pick-up and delivery stations where limited cleaning is done on site including self-service laundries open to the public.

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<sup>671</sup> This definition is proposed by ReWa and MetroConnects.

<sup>672</sup> County Council adopted this definition in 2023 as part of an ordinance to amend and update the Land Development Regulations to address the use of community septic systems.



**Dry Cleaning/Laundry Establishment (Institutional):** A production facility in which commercial laundering and dry cleaning are conducted that is not open to the public. Solvent quantities and classifications will determine the occupancy as either Factory Industrial or Hazardous.

**Dwelling:** Any building used exclusively for human habitation including any permitted home occupation but excluding hotels, motels, and rooming and boarding houses. Dwellings include traditional construction, modular homes, and manufactured housing. Alternative styles may include geodesic domes and yurts.

**Dwelling Unit:** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.<sup>673</sup>

**Dwelling Unit, Accessory:** A secondary dwelling established in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot, whether a part of the same structure as the primary dwelling unit or in a detached structure.<sup>674</sup>

**Dwelling, Detached House:** A dwelling unit that is entirely surrounded by open space or yards on the same lot.

**Dwelling, Duplex:** A residential building containing two individual dwelling units located on a single lot or on two separate lots.

**Dwelling, Farm Labor:** See [Farm Labor Dwelling](#).

**Dwelling, Multiplex:** A residential building containing five or more individual dwelling units located on a single lot. See also [Apartment Complex](#).

**Dwelling, Quadplex:** A residential building located on single lot that contains four dwelling units. A quadplex often has a common outside entrance(s) for all the dwelling units.

**Dwelling, Townhouse:** ~~A building that contains three or more attached townhouse units. Three or more dwelling units, each with its own outside entrance, that are joined together by a common party wall or a connecting permanent structure such as a breezeway, carport, or garage, and that are located on adjoining individual lots.~~<sup>675</sup>

<sup>673</sup> Revised to align with the 2018 International Residential Code. This is the same definition added to the Land Development Regulations as part of the “tiny home ordinance” (Ord. No. 5325), adopted in September 2021.

<sup>674</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>675</sup> ~~Revised to align with the Building Code.~~ The proposed revision limits “single-family attached dwellings” to townhouse dwelling types. Duplexes are a separate (two-family) dwelling type. Triplexes and quadplexes are types of multiple-family dwellings. “Condominium” is removed, as the term refers to a form of ownership, not a type of dwelling. The increase from two to three units aligns with the ~~IRC~~ [Building Code](#). Proposed is to require individual townhouse dwelling units to be located on individual fee simple lots. In other developments where units are built to look like townhouses but are located on a single parcel, the units are considered multiplex dwellings.



**Dwelling, Triplex:** A residential building located on single lot that contains three dwelling units. A triplex often has a common outside entrance(s) for all the dwelling units.

**Dwelling, Zero Lot Line:** A detached house dwelling that has a zero-foot setback from a side and/or rear property line.

## (E)

**Easement:** A grant, by the property owner of a portion of land, for use by the public, a utility, a corporation, or person for specified purposes. Drainage and utility easements are intended to be reciprocal easements among the property owners and not a dedication to the County.

**Effluent:** The liquid discharged from a septic tank, effluent pump station, or other sewage treatment device.<sup>676</sup>

**Electronics and Home Appliance Repair:** An establishment primarily engaged in the provision of repair services for small electronics, such as computers and televisions, and appliances, such as dishwashers and refrigerators, to individual and households.

**Emergency Service, Fire, Police, EMS:** A facility operated by a governmental agency for the purposes of protecting the safety of the public and providing services in emergency situations. Such facilities may include administrative offices, sleeping and cooking areas for employees, storage of equipment, temporary detention facilities, and the open or enclosed parking of patrol vehicles, fire apparatus, ambulances, and similar vehicles.

**Emergency Vehicle:** Any vehicle designated and authorized to respond to an emergency. Such vehicles can be part of a governmental agency, but also include those run by charities, non-governmental organizations, and other commercial companies.

**Endangered Species:** An endangered species is identified as endangered by the U.S. Fish & Wildlife and Fisheries Service.

**Endangered Species Act:** The Endangered Species Act (ESA) was enacted by Congress in 1973. Under the ESA, the U.S. Fish & Wildlife Fisheries Service has the responsibility to protect endangered species (species that are likely to become extinct throughout all or a large portion of their range), threatened species (species that are likely to become endangered in the near future), and critical habitat (areas vital to the survival of endangered or threatened species).

**Engineer of Record:** The professional licensed by the State to practice engineering who certified an applicable plan or plat.

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<sup>676</sup> County Council adopted this definition in 2023 as part of an ordinance to amend and update the Land Development Regulations to address the use of community septic systems.

**Equestrian Center:** A commercial facility designed and intended to be used for the conduct of equestrian events. Equestrian events include exhibition, training, educational, recreational, therapeutic, and competition activities involving horses. An equestrian center may include complementary services such as a riding school, farrier, vet, tack shop, or equipment repair.

**Equine:** Connected or related to horses, donkeys, mules, or other members of the taxonomic family Equidae.

**Equine Stable:** A facility where equines are kept or raised, which may include areas for boarding, training, and riding.

**Equipment Sales and Rental:** An establishment primarily engaged in the sale or rental of tools, lawn and garden equipment, power equipment, party supplies, and similar goods and equipment, including storage and incidental maintenance. This term does not include motor vehicle sales and rental facilities, retail sales of agricultural products, or sales/service of agricultural equipment.

**Evergreen Shrub:** Any self-supporting woody plant with several stems, retaining leaves throughout the year, easily maintained at 30 to 40 inches in height.

**Eyebrow:** The arc of a cul-de-sac covering the outer ridge of a tangent street section.

## (F)

**Façade:** The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.

**Fairgrounds:** A facility that includes buildings and outdoor areas for animal shows and judging, carnivals, circuses, community meetings, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, and theaters, but does not include racetracks or motorized contests of speed.

**Family Subdivision:** The division of land into two or more new lots at one time or over a period of time where conveyance may only be to members of the immediate family of the property owner.

“Immediate family” means

**Immediate Family:** Any any person who is a natural or legally defined offspring, stepchild, spouse, sibling, aunt, uncle, niece, nephew, grandchild, grandparent, or parent of the owner.

**Farm Animals:** Domesticated animals kept or raised in a rural or agricultural setting to provide labor, produce commodities, and/or for recreational purposes. Farm animals include, but are not limited to, cattle, bison, swine, sheep, goats, llamas, emus, guineas, poultry, and fowl. This definition excludes domesticated animals kept as household pets. For purposes of this Ordinance, a “household pet” sleeps inside a dwelling rather than in a barn or stable. Chickens kept, raised, or used in accordance with Subsection 3.4.7: Backyard Chickens § 4.4.10: Chickens in Residential Districts are not considered farm animals.

**Farm Labor Dwelling:** An accessory single-family dwelling located on a farm and used by one or more individuals that support the daily operation of the principal agricultural use.<sup>677</sup>

**Farmers' Market:** A temporary or permanent retail facility that is open to the public; that is operated by a governmental agency, a non-profit corporation, or one or more farmers' market vendors; and at which at least 75% of the vendors sell farm products or value-added farm products.

**Farmstand:** A small, typically open-air structure from which agricultural and value-added agricultural products are sold. Farmstands are located on the same lot as a farm, dwelling unit, or business and may be situated close to a road. A farmstand may be temporary (seasonal) or permanent. The sale of food items outside a structure, such as a lemonade or vegetable stand, on a temporary basis is not considered a farmstand and is not regulated by this Ordinance.<sup>678</sup>

**Fire Apparatus Access Way:** An access way that provides fire apparatus access from a fire station to a facility, building, or portion thereof.

**Fireworks Stands, Temporary:** This facility consists of a temporary structure for the purpose of the retail sales of fireworks in accordance with the Rules and Regulations of the State Board of Pyrotechnics Safety Board and shall be located in such a manner as to make it immobile and to prevent it from shifting or blowing over. Tie down devices shall be affixed, and wheels shall be removed.

**Fishing Lakes and Ponds:** Lake or pond where patrons pay a fee for access to fishing.<sup>679</sup>

**Fitness Center (Private):** A private gym or fitness facility that has restricted membership or access that offers the ability for exercise, weight training, personal/one-on-one training, etc. in an establishment with a maximum square footage not to exceed 3,000 sq. ft. of gross floor area.<sup>680</sup>

**Flea Market:** An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

**Flex Space:** A building designed and constructed to accommodate a variety of office, warehousing, distribution, and manufacturing operations. Flex space may also include training rooms to train employees.

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<sup>677</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021). Revised to clarify this is an accessory use (i.e., not the main farmhouse) and is used by people who support the daily operation of the farm but do not necessarily derive income from the farm.

<sup>678</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021). The UDO clarifies that uses such as lemonade and vegetable stands aren't regulated if the use occurs outside a structure and on a temporary basis. Section 22.7: *How to Measure Setbacks* includes an allowance for farmstands to encroach up to a specified distance into a required roadside setback.

<sup>679</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>680</sup> Added pursuant to text amendment CZ-2021-74 (adopted October 2021).

**Flood Insurance Rate Map (FIRM):** See Greenville County Code Chapter 8, [Article II: Floods and Flood Control](#).

**Floodway:** See Greenville County Code Chapter 8, [Article II: Floods and Flood Control](#).

**Forestry and Logging Activities:** The use of land for the raising and harvesting of timber, pulp woods, and other forestry products for commercial purposes, including the cutting and removal of trees from their growing site and the related operation of cutting and skidding machinery. Forestry and logging activities do not include the construction or creation of roads or the clearing of land for construction approved under this Ordinance, which is considered accessory to the development of the property.<sup>681</sup>

**Fraternity/Sorority House:** A house or structure occupied by a college or university fraternity or sorority containing sleeping rooms, bathrooms, common rooms, and a central kitchen and dining area maintained exclusively for members of the fraternity or sorority and their guests or visitors.

**Fully Shielded Luminaire:** A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.<sup>682</sup>

**Funeral Home, Mortuary:** An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings, and/or display of funeral equipment.

## (G)

**Gable:** A triangular wall section at the end of a pitched roof, bounded by the two roof slopes.

**Game Court:** An area of ground defined by surfacing, fencing, or other techniques and used for the purpose of playing tennis, basketball, handball, and similar recreational activities. A driveway or patio associated with a residential use is not considered a game court.

**Garden Center:** Generally a retail business engaged in the sale to the public of garden related items to include but not limited to, bedding plants, potted trees, potted shrubs, annual flowers and vegetable plants, seed, outdoor furniture, lawn ornaments, fertilizers, mulches, gardening implements and that buys goods or products in quantity from manufacturers and importers either directly or through a wholesaler, and may also include provisions for landscape design and installation services.

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<sup>681</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>682</sup> This new definition is from the Joint International Dark-Sky Association – Illuminating Engineering Society [Model Lighting Ordinance](#) (MLO).

**Gas Station:** A retail establishment where gasoline, motor oil, lubricants, or other minor accessories are sold to the public in combination with the retailing of items typically found in a convenience market or supermarket.

**Gas Sales, Bulk:** The storage and wholesale or retail sale of large quantities of flammable and combustible liquids, compressed gases, or liquefied petroleum gas.

**Go-Kart Facilities, Outdoor:** An outdoor facility, track, or course upon which racing or timed events are conducted with go-karts. Go-karts are miniature, self-propelled vehicle designed to be independently operated by the person riding therein and includes the terms "cart," "go-cart," or "kart." For purposes of this Ordinance, go-karts are vehicles that have operating engines rated below 20 horsepower.<sup>683</sup>

**Golf Course:** An outdoor area designed for playing golf, which frequently includes a clubhouse, restrooms, and locker rooms. A golf course may provide retail sales and services customarily related to golf and food and beverage facilities. This definition excludes miniature golf courses, which are classified as a recreation and amusement use.

**Government Facilities and Operations:** A building or facility owned, leased, or operated by the Federal government, State of South Carolina, Greenville County, a political subdivision of the State, or other public agency.

**Grade Plane:** A reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building between the structure and a point 6 feet from the building.<sup>684</sup>

**Grading:** Excavating, filling (including hydraulic fill), or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition. Grading requires a [Land Disturbance Permit](#).

**Grandfathered Lot, Site Improvement, Structure, or Use.** See [Nonconforming Lot](#), [Nonconforming Site Improvement](#), [Nonconforming Structure](#), or [Nonconforming Use](#).

**Gray Water:** Domestic wastewater that is generated by water-using fixtures and appliances such as sinks (excluding kitchen sinks), showers, and laundry but that does not come into direct contact with human excreta or solid organic matter.<sup>685</sup>

**Greenhouse:** A glassed or plastic enclosure used for the cultivation or protection of tender plants.

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<sup>683</sup> This definition is from Greenville County Code Chapter 3, [Article III: Outdoor Go-Kart Tracks](#).

<sup>684</sup> The term *grade plane* is used in the definition of *height*. This definition is from the 2021 South Carolina Building Code.

<sup>685</sup> County Council adopted this definition in 2023 as part of an ordinance to amend and update the Land Development Regulations to address the use of community septic systems.

**Grocery Store:** A retail establishment in which the majority of the building's floor area is devoted to the sale of food products, including fresh fruits and vegetables, dairy products, and meats, for home preparation and consumption. A grocery store is substantially larger and carries a broader range of merchandise than a convenience store.

**Gross Floor Area (GFA):** See § 20.8: *How to [Measure](#) Gross Floor Area.*

**Gross Leasable Area (GLA):** The total floor area designed for tenant occupancy and exclusive use including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

**Group Development:** A development consisting of two or more buildings that are located on one or more parcels where individual buildings or parcels do not have frontage on a public or private street; are developed with a common plan for the protection, maintenance, and improvement of the parcels and stormwater facilities; and have private, shared internal circulation.

**Gunsmith:** An establishment engaged in the assembly, sale, and repair of small firearms.

## (H)

**Half Street:** A portion of the width of a street, usually along the edge or boundary of a development, where the remaining portion of the street is to be provided by the development of an adjacent property.

**Hazardous Tree:** A tree that has defects in its roots, trunk, or branches that make it likely to fall and cause personal injury or property damage.

**Height:** The vertical distance from grade plane to the average height of the highest roof surface.

**Highway:** A street or traffic way serving as and designated as a State or United States route.

**Hip Roof:** Roof without gables.

**Historic Site:** Historic site is an official location designated by a federal or state government as a historic site where pieces of archeological, architectural, political, military, cultural, or social history have been preserved due to their cultural heritage value. For the purposes of this ordinance, a site is considered a Historic Site if it is properly listed on the National Register of Historic Places by the U.S. Department of Interior.

**Home Occupation:** Any use of principal and accessory buildings clearly incidental to their uses for dwelling purposes and conducted for compensation by a resident thereof within a residential district and meeting the requirements of § 4.4: *Accessory Uses & Structures.*

**Homeowners Association (HOA):** See [Owners' Association.](#)

**Horse:** See [Equine.](#)

**Hospital:** An institution designed for the diagnosis, treatment, and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices.

**Hotel or Motel:** A building or group of buildings containing individual sleeping or living units designed for the temporary occupancy of transient guests and which has conveniently located parking.

**Household Upholstery Shops:** An establishment primarily engaged in the repair and replacement of upholstery for household furnishings. Such establishments may also engage in the sale of fabric used to cover furniture.

## (I)

**Illegal Use:** A use established in a particular zoning district in which the use is prohibited after the application of zoning to that particular parcel of land.

**Impervious Surface:** Any hard-surfaced, humanmade area that does not readily absorb or retain water, including building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

**Industrial Service:** A use classification that includes enterprises engaged in the processing, manufacturing, compounding, assembling, packaging, treatment, or fabrication of materials and products from processed or previously manufactured materials. Examples include assembly of electrical appliances; bottling of beverages and foodstuffs; printing plants; the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents, and other chemicals; the production of items made of stone, metal, or concrete; enterprises that provide linen, clothing, and/or laundry services to industrial, medical, or other business clients; dry cleaning plants; and tire recapping and retreading plants. These types of enterprises typically do not produce direct emissions<sup>686</sup> or generate dust, heat, glare, noise, or odors that can be detected beyond the lot lines.

**Industrial, Heavy:** A use classification that includes enterprises that have the potential to be dangerous or extremely obnoxious. Examples include uses where explosives are stored; petroleum is refined; natural and liquid gas and other petroleum derivatives are stored and/or distributed in bulk; radioactive materials are compounded; chemicals, pesticides, and certain acids are manufactured; metals are fabricated from raw materials; natural resources are mined or quarried; and hazardous waste is treated or stored as the establishment's principal activity.

**Industrial, Light:** A use classification that includes enterprises in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Included in this use type are

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<sup>686</sup> According to the [EPA](#), “direct emissions” “are produced by burning fuel for power or heat, through chemical reactions, and from leaks from industrial processes or equipment;” “indirect emissions” “are produced by burning fossil fuel at a power plant to make electricity, which is then used by an industrial facility to power industrial buildings and machinery.”



industries involved in processing and/or refining raw materials such as chemicals, rubber, wood, or wood pulp; forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals; and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

**Invasive species:** Non-native or exotic species, such as kudzu, that tend to grow rapidly and out-compete and displace native species in specific habitats.

## (J)

**Junkyards:** ~~Any property used in part or in whole for the storing, keeping, buying, or selling of items defined as “junk,” excluding properly licensed landfills, but including abandoned barrels or drums; dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts; and the following old, scrap, or used items: metal; rope; rags; batteries; paper; cardboard; plastic; rubber; pallets; appliances; motors; industrial or commercial fixtures; rubbish; debris; or wrecked, dismantled, or disabled motor vehicles or parts thereof. See Salvage Yard.~~

**Jurisdictional Wetlands:** An area that meets the definitional requirements for wetland boundaries by the U.S. Army Corps of Engineers, as required by the Clean Water Act, 33 U.S.C.A. Section 1344, as amended.

## (K)

**Kitchen:** Any room or portion of a room within a building designed and intended to be used for the cooking or preparation of food.

## (L)

**Lamp:** A generic term for a source of optical radiation (i.e., “light”), often called a “bulb” or “tube.” Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.<sup>687</sup>

**Land Development:** The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics. Land development also includes clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and the installation of impervious cover.

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<sup>687</sup> This new definition is from the MLO.



**Land Disturbance Permit:** Written authorization issued by the Public Works Land Development Division to proceed with clearing and grading activities on a site or a portion of a site. The permit may include clearing, clearing and grubbing, grading, and storm drain installation.

**Land Disturbance Permit, Simplified:** Land disturbing activity that disturbs less than one acre of land, is not part of a larger common plan of development, does not fall under the NPDES Industrial Storm Water Permit, or does not create a peak flow increase of greater than one cubic foot per second.

**Land Use Group:** A classification system for land uses located in unzoned areas of Greenville County. For the purpose of applying certain standards, such as buffer requirements, uses in unzoned areas are classified into one of the following four Land Use Groups:

1. *Land Use Group 1.*
  - (a) Agriculture and horticulture uses; and
  - (b) Detached house dwellings.
2. *Land Use Group 2.*
  - (a) All residential uses not in Land Use Group 1;
  - (b) Mixed use buildings and developments;
  - (c) Government and civic uses; and
  - (d) Educational uses.
3. *Land Use Group 3.*
  - (a) Accommodations and lodging uses;
  - (b) Animal-related uses (non-farm);
  - (c) Arts, entertainment, and recreation uses;
  - (d) Business, professional, scientific, and technical uses;
  - (e) Healthcare uses; and
  - (f) Retail, service, and food and beverage uses.
4. *Land Use Group 4.*
  - (a) Heavy commercial and industrial uses;
  - (b) Natural resource extraction uses;

- (c) Transportation, warehousing, and storage uses;
- (d) Utility uses;
- (e) Vehicle-related uses; and
- (f) Waste management uses.

**Landfill:** A disposal facility or part of a facility where solid waste is placed in or on land, and which is not a land treatment facility, a surface impoundment, or an injection well.<sup>688</sup> Landfills are classified as one of three types:<sup>689</sup>

1. *Class I:* A solid waste landfill used solely for the disposal of trees, stumps, wood chips, and yard trash that is generated from land-clearing activities, excluding agricultural and silvicultural operations when generation and disposal are on site.
2. *Class II:* A landfill that accepts the types of waste designated as acceptable by [SCDHEC Regulation 61-107.19](#) that are generated by construction, demolition, land-clearing, industrial, or manufacturing activities; or obtained from segregated commercial waste.
3. *Class III:* A landfill that accepts municipal solid waste, industrial solid waste, sewage sludge, non-hazardous municipal solid waste, incinerator ash, and other non-hazardous waste.

**Landscape Business:** A commercial establishment primarily engaged in the decorative or functional alteration, planting, and maintenance of grounds for others. A landscape business may engage in the installation and construction of underground improvements but only to the extent that such improvements, such as drainage and irrigation systems, are necessary to support or sustain the landscaped surface of the ground. A landscape business may sell mulch, gravel, and sand, but does not produce these items on-site.

**Landscaping:** The improvement of the appearance of an area by the planting of trees, grass, shrubs, or other plant materials, or by the alteration of the contours of the ground.

**Laydown and Storage Yard:** Land used temporarily for the storage of equipment, vehicles, machinery, and building materials that is intended to be used in an associated active construction site.

**Legacy District:** An obsolete base or review district that cannot be expanded or added to the zoning map. [See § 2.6: *Legacy Districts*]

**Legislative Body:** Greenville County Council.

<sup>688</sup> This definition is from [SC Code § 44-96-40\(22\)](#).

<sup>689</sup> The definitions of the landfill classifications are derived from [SCDHEC Regulation 61-107.19](#).

**Library:** A public, non-profit facility in which literary, musical, artistic, or reference materials such as, but not limited to, books, manuscripts, computers, recordings, or films are kept for use by or loan to patrons of the facility. Libraries do not typically sell materials to patrons but may conduct periodic used book sales or other events intended to raise money for the facility.

**Light Fixture:** The assembly housing the lamp(s), which may include some or all of the following components: housing, mounting bracket, pole socket, lamp holder, ballast, reflector, mirror, refractor, or lens.

**Light Pollution:** Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.<sup>690</sup>

**Light Trespass:** Light that falls beyond the property it is intended to illuminate.<sup>691</sup>

**Link:** A segment of road between two intersections or from an intersection to a cul-de-sac/stub-out. This includes road segments leading from the existing adjoining road(s). Approved stubs to adjacent property are considered links. However, alleys are not considered links.

**Livestock:** See [Farm Animals](#).

**Loading Space, Off-Street:** Space for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

**Lot:** An area of land designated by number or other symbol as a part of a legally approved and recorded subdivision or as described by metes and bounds and recorded in the office of the Greenville County Register of Deeds.

**Lot of Record:** A lot existing before the adoption of the Unified Development Ordinance and as shown or described on a plat or deed in the records of the Greenville County Register of Deeds.

**Lot, Corner:** A lot abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or of the street lines as extended is the corner.

**Lot, Depth:** See § 20.4.3: *Lot Depth*.

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<sup>690</sup> This definition is from the Joint Illuminating Engineering Society/International Dark-Sky Association [Model Lighting Ordinance](#).

<sup>691</sup> This definition is from the Joint Illuminating Engineering Society/International Dark-Sky Association [Model Lighting Ordinance](#).

**Lot, Double Frontage:** A lot, other than a corner lot, abutting upon two or more streets. A corner lot is considered to have double frontage if it has access on three or more sides or shows access to two streets parallel to one another.

**Lot, Flag:** An interior lot, located behind another lot that has a narrow strip of land not less than 20 feet in width for its entirety that runs along one side of the front lot to provide access to the public street. A panhandle or pipe stem lot is considered a flag lot.

**Lot, Through:** A lot that has access to more than one Public or Private Right-of-Way.

**Lot, Width:** See § 20.4.2: *Lot Width*.

**Lot Line, Front:** The line that separates a lot from a street right-of-way.

**Lot Line, Rear:** Ordinarily the lot line that is opposite and most distant from the front lot line.

**Lot Tree:** An existing or newly planted tree that conforms with the requirements of this UDO for a developer to provide specified numbers of trees on residential subdivision lots.

**Low Impact Development (LID):** An approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional site drainage that treats stormwater as a resource rather than a waste product. LID features reduce the amount of untreated runoff discharged to surface waters by allowing stormwater to be absorbed and filtered by soil and vegetation before flowing into groundwater or surface water resources. This reduces stormwater maintenance costs and protects water quality. LID features can help mitigate the impacts of development by preserving and recreating natural landscape features, reducing the amount of impervious area, promoting infiltration, and aiding in the improvement of water quality.<sup>692</sup>

**Lumber Yard:** A facility where building materials such as lumber, plywood, drywall, paneling, cement blocks and other cement products, and other building products are stored and sold. Lumberyards may also process lumber by performing millwork, planing, cutting, and other customizing processes. Lumberyards may provide for the sale of associated products including tools and fasteners.

**Luminaire:** A complete lighting unit consisting of a light source such as a lamp or lamps, together with the parts designed to position the light source and connect it to the power supply. It may also include parts to protect the light source or the ballast or to distribute the light. A lampholder itself is not a luminaire.<sup>693</sup>

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<sup>692</sup> This sentence carries forward portions of LDR Appendix E: *Low Impact Development Features within the Centers and Corridors*, Paragraph A: *Purpose*, as well as a portion of the definition of *low impact development* in the Stormwater Management Ordinance.

<sup>693</sup> This definition is from the National Electrical Code, Article 100 – Definitions.

**(M)**

**Major Subdivision:** The division of land into 7 or more lots at one time or over a period of time; or any subdivision of land that includes the construction of new street or new right of way, extension of a public water or sewer system, or the installation of drainage improvement to facilitate residential lot construction. Applications for Major Subdivisions must follow the schedule for submittals of Preliminary Subdivision for Planning Commission review and approval.

**Manufactured Home:** See also [Manufactured Single-Section Home](#) and [Manufactured Multi-Section Home](#). A manufactured home is a structure that:<sup>694</sup>

1. Is transportable in one or more sections;
2. Is at least 8 feet in width or at least 40 feet in length or when erected on-site is 320 or more square feet;
3. Is built on a permanent chassis;
4. Is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and
5. Includes the plumbing, heating, air conditioning, and electrical systems contained therein.

**Manufactured Home Park:** Any lot or parcel of land maintained, offered, or used for parking of more than three manufactured homes used or intended to be used for living or sleeping purposes regardless of whether or not a charge is made for such accommodations.

**Manufactured Home Park Office:** A building or portion thereof located in a manufactured home park used by the park operator for activities involved in the day-to-day management of the park.

**Manufactured Home Sales:** An establishment primarily engaged in the retail sale of new and used manufactured homes and may also provide ancillary installation and repair services.

**Manufactured Home Space:** That portion of land in a manufactured home park allotted to or designed for the accommodation of one manufactured home.

**Manufactured Multi-Section Home:** A manufactured home that contains two or more separately towable sections designed to be joined into one integral unit capable of being again separated into components. Either or both units may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may only be used for residential purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are

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<sup>694</sup> This definition and the definitions of “multi-section” and “single-section” manufactured homes are revised for consistency with the SC statutory definition of manufactured home [SC Code [§ 40-29-20\(9\)](#)].

excluded from this definition. This definition includes units referred to as double-wide manufactured homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

**Manufactured Single-Section Home:** A manufactured home that may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may only be used for residential purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are excluded from this definition. This definition includes units referred to as single-wide manufactured homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

**Manufacturing Facility:** A building/plant that uses raw materials and converts, compounds, processes, assembles, or packages them to a useful product such as petroleum products converted to plastics, rubber and petroleum products and carbon black converted to tires, wheat converted to flour, etc.

**Marina:** A docking and storage facility for boats that may retail fuel and marine supplies and may also repair, maintain, or rent boats.

**Mausoleum:** A building or structure designed with vaults to hold caskets or crematory urns. Mausoleums shall be operated only within the boundaries of approved cemeteries.

**Medical Offices & Clinics:** A use classification that includes doctor offices, dentist offices, urgent care facilities, medical and diagnostic laboratories, and similar facilities concerned with the diagnosis, treatment, and care of human beings.

**Mixed Use Building:** A building that contains at least one dwelling unit and one or more non-residential uses allowed in the zoning district in which the mixed use building is located.

**Mixed Use Development:** A development containing residential and non-residential uses on one or more parcels where all uses are well-integrated and are reliant on common facilities such as vehicular access roads or drives and stormwater facilities.

**Mobile Food Unit:** A fully enclosed mobile kitchen that prepares, cooks, or serves food as defined in [SCDA Regulation 61-25: Retail Food Establishments](#) and is permitted by SCDA.<sup>695</sup>

**Mobile Vending:** A use that includes the sale of food and merchandise from a mobile vending unit or mobile food unit.

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<sup>695</sup> This definition is from [SCDA Regulation 61-25: Retail Food Establishments](#), Section 1-201.10 (B)(16) and (B)(69).

**Mobile Vending Unit:** Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, or other device designed to be portable and not permanently attached to the ground from which any merchandise other than food is offered for sale.

**Modular Building:** Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes and transported to the point of use for installation or erection.<sup>696</sup> A modular building meets the requirements of the South Carolina Modular Buildings Construction Act ([S.C. Code § 23-43](#)).

**Monuments & Tombstones Sales:** Establishments primarily engaged in buying or selling partly finished monuments, grave markers, and tombstones with no work other than polishing, lettering, or shaping to custom order.

**Motor Sport/ Race Track:** See Greenville County Code of Ordinances, Chapter 3, [Article II: Motor Sports Facilities](#).

**Mountainous Road:** A roadway having a slope greater than 11%.

**Mulch:** A protective covering (such as pine straw or shredded bark) spread evenly around trees, shrubs, and ground covers to reduce evaporation, maintain even root temperatures, prevent erosion, and control weeds.

**Museums:** See [Cultural Facilities](#).

## (N)

**Nail Salons:** An establishment primarily engaged in providing manicure and pedicure services.

**Natural Materials:** Any product or physical matter that comes from plants, animals, or the Earth. In regard to building materials, this includes stone, rock, lumber, and brick.

**Nightclubs and Taverns:** An establishment whose primary business is the sale of alcoholic beverages manufactured off-site for consumption on the premises. Nightclubs and taverns may either be open to the public or a private club. Nightclubs and taverns may offer dancing, musical performances, and food service. The sale of alcoholic beverages must be licensed by the South Carolina Department of Revenue.

**Nonconforming Lot:** A lot of record in existence on the effective date of this Ordinance that does not meet the requirements for area and/or width applicable in the district in which the lot is located. [See § 18.2: *Nonconforming Lots*]

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<sup>696</sup> This sentence is the statutory definition of “modular building unit” ([S.C. Code §23-43-20](#)).

**Nonconforming Site Improvement:** A [Site Improvement](#) that does not comply with the requirements of this UDO. [See § 18.5: *Nonconforming Site Improvements*]

**Nonconforming Structure:** A structure that lawfully existed on the effective date of this UDO and that does not conform with the dimensional standards or building design standards specified in this UDO. [See § 18.4: *Nonconforming Structures*]

**Nonconforming Use:** A use that lawfully occupied a structure or land on the effective date of this UDO, that has been lawfully continued, and that does not now conform with Article 4: *Use Regulations for Zoned Areas* or Article 5: *Use Regulations for Zoned & Unzoned Areas*. [See § 18.3: *Nonconforming Uses*]

**Node:** The terminus of a street or the intersection of two or more streets, except that intersections that use a roundabout are not counted as a node.

**Non-Depository Financial Services:** Establishments that offer Consumer Lending Services, Check Cashing Services, or Deferred Presentment Services (Payday Loans) and require a license to operate under the South Carolina Consumer Finance Law, codified at S.C. Code Ann. [§ 34-29-10](#), et seq., the South Carolina Deferred Presentment Services Act, codified at S.C. Code Ann. [§ 34-39-110](#), et seq., South Carolina's Check Cashing Services laws, codified at [§ 34-41-10](#), et seq., or the South Carolina Consumer Protection Code - Loans, codified at S.C. Code Ann. [§ 37-3-101](#), et seq. This definition excludes precious metals dealers and establishments that provide mortgage lending, retail banking, brokering, or similar financial services.

**Non-Through Street:** A street designed to be permanently closed with an approved turnaround at the end.

**Nursery:** An agricultural activity or location where plants, such as trees and shrubs, are grown for transplanting or for use as stocks for grafting or budding.

## (O)

**Office:** A room or group of rooms used to conduct the affairs of a business, profession, service industry, or government.

**Onsite Wastewater (OSWW) System:** A system, generally consisting of a collection sewer, septic tank(s), and subsurface wastewater infiltration area, designed to treat and dispose of domestic wastewater through a combination of natural processes that ultimately result in effluent being transmitted through the soil, renovated, and ultimately discharged to groundwater. An onsite



wastewater system also includes an onsite wastewater system, as described above, for the treatment and disposal of gray water.<sup>697</sup>

**Open Channels:** All overland diversions, existing and proposed, that convey storm flows through the site.

**Open Space:** Land or bodies of water used for recreation, amenity, or buffer. [See § 11.4: *Open Space*]

**Open Space Subdivision:** A form of residential subdivision that permits housing units to be grouped on sites or lots with dimensions, frontages, and setbacks reduced from conventional sizes, if the density of the tract as a whole does not exceed the density specified in § 11.9: *Open Space Residential Subdivisions* and the subdivision includes the minimum amount of open space specified in § 11.9: *Open Space Residential Subdivisions*.

**Ornamental Lighting:** Lighting that does not impact the function and safety of an area but is purely decorative, or that is used to illuminate architecture and/or landscaping and is installed for aesthetic effect.

**Outdoor Retail Display:** A limited type of outdoor storage located on the same lot as a retail sales establishment where merchandise is displayed for sale.

**Outdoor Storage:** The use of a lot or portion thereof for the keeping of goods and materials outside of a building.

**Owners' Association:** A private non-profit association that is organized by the developer of a development in which individual owners share common interests in open space and/or facilities and are in charge of preserving, protecting, managing, and maintaining the common property, and enforcement of any protective covenants, easement and/or restrictions. May be referred to as a homeowners' association (HOA) or property owners' association (POA).

## (P)

**Parapet:** The portion of a wall that extends above the roofline.

**Parcel:** An individually taxable piece or portion of land. Unlike a Lot, a parcel is not approved through the subdivision process.

**Parking Facility (Indoor/Outdoor):** Use of a site for surface parking or a parking structure unrelated to a specific use that provides one or more parking spaces together with driveways, aisles, turning and maneuvering areas, incorporated landscaped areas, and similar features meeting the requirements

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<sup>697</sup> County Council adopted this definition in 2023 as part of an ordinance to amend and update the Land Development Regulations to address the use of community septic systems.

established by this Ordinance. This use type excludes parking facilities accessory to an allowed principal use.

**Parking Lot:** Land area or facility for parking or storage of motor vehicles used for business, commerce, industry, or personal use.

**Parking Space:** The storage space for one automobile including the necessary access space and located outside the dedicated street right-of-way.

~~**Parties in Interest:** Those persons, including the applicant and/or appellant, who have submitted a written statement to the Board of Zoning Appeals or Zoning Administrator indicating their interest in a particular matter pending before the Board.~~

**Passenger Transportation Station or Terminal:** A facility used for the purposes of providing regular, continuing shared-ride surface or air transportation services to the public. Passenger transportation stations include airports, bus terminals, subway terminals, taxi stands, trolley and cable car terminals, and railroad terminals.

**Passenger Vehicle:** A motor vehicle, except for motorcycles and mopeds, designed for carrying 10 or fewer passengers and used primarily for the transportation of people.

**Pawn Broker:** Any person engaged in the business of lending money on the security of pledged goods, or engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.<sup>698</sup>

**Pawn Shop:** The location at which or premises in which a pawnbroker regularly conducts business.<sup>699</sup>

**Pedestrian Walkway:** A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.

**Person:** An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.<sup>700</sup>

**Personal Motorized Vehicle Sales, Service, and Rental:** Establishments primarily engaged in the sale, service or rental of motorcycles, all-terrain vehicles, mopeds, golf carts, and any motorized vehicles intended for off-road recreational use. Included in this use type are the incidental storage, maintenance, and servicing of such equipment.

**Personal Services:** A use category that includes establishments primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Services offered by personal services

<sup>698</sup> This definition is from S.C. Code § 40-39-10(2).

<sup>699</sup> This definition is from S.C. Code § 40-39-10(4).

<sup>700</sup> This definition is relocated from current Zoning Code Section 8:6.4, *Definitions* (AP, Airport Protective Areas).

establishments include treatments to improve the grooming and appearance of the human body, such as haircuts, hair styling, shaving and hair removal, skin care, facial care, tanning, spray-tans, and spa treatments; as well as services for personal appearance and cleanliness, such as shoe repair shops, alterations shops, dry cleaning pick-up/drop-off stores, and laundromats. Personal services do not include any services or treatments that can only be administered with the supervision of a licensed physician.

**Pervious Surface:** A surface that presents an opportunity for precipitation to infiltrate into the ground.

**Pet Day Care Services:** An establishment primarily engaged in the care of household pets for less than 24 hours at a time. This use does not include veterinary services or commercial kennels.

**Pet Grooming, Training, Boarding (indoor):** An establishment primarily engaged in providing grooming, training, and/or daily or overnight boarding services for household pets.

**Pet Supply Store:** A retail establishment primarily engaged in the sale of products related to the care of household pets, such as food, toys, and medicines.

**Pharmacy:** An establishment primarily engaged in preparing and dispensing prescription medications. Also referred to as a “drug store.”

**Photography Studio:** A retail establishment used for the purpose of photographing subjects and processing photographs for commercial purposes.

**Planned Development District:** A development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is in accordance with an approved development plan. [See § 2.4.5: *Planned Development District (PD)*]

**Planning Director:** The administrative head of the Planning Department or their designee.

**Plat:** A map prepared by a Registered Land Surveyor in accordance with the County’s regulations and statutes of the State that represents a tract or multiple tracts of land and shows the boundaries and locations of individual properties and streets. The following are definitions intended to distinguish between different categories of plats:

1. **Final:** A plat of all or a portion of a subdivision in substantial conformance with the approved Preliminary Plan, in accordance with the County’s regulations and the statutes of the State.
2. **Simple:** A plat that shows a division of a parcel with no more than 2 lots.
3. **Summary:** A plat that shows a division of a parcel into multiple lots that does not require construction of a public or private Road.

**Plat of Record:** An accurate graphical representation, neatly lettered and properly dimensioned, report of a survey made by a Registered Land Surveyor of a finite piece of land, including pertinent data and appropriate information.

**Pocket Neighborhood:** A type of planned community that consists of a grouping of smaller residences, often around a courtyard or common garden, designed to promote a close-knit sense of community and neighborliness with an increased level of contact.

**Pole:** A vertical pole such as a utility, lighting, traffic control, decorative, or similar pole made of wood, concrete, metal, or other material that is lawfully located, or to be located, within a right-of-way. Such term shall not include a wireless support structure or electric transmission structure.

**Portable Storage Unit:** Any container, including a shipping container, designed for the temporary storage of personal or business property and that is delivered and removed by truck and/or trailer.

**Portico:** A porch or walkway with a roof supported by columns, leading to the entrance of a building.

**Post Office:** A facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

**Preliminary Plan:** A tentative plan showing a proposed subdivision design submitted for review and approval in accordance with § 16.4: *Land Development Regulation Procedures*.

**Principal Building or Structure:** See Structure, Principal.

**Principal Use:** See Use, Principal.

**Private Access Easement:** A privately owned and maintained easement that provides vehicular access to one or more lots or parcels.

**Processing of Forestry Products (Sawmills):** A facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products. This does not include the processing of timber for use on the same lot by the owner or resident of that lot.<sup>701</sup>

**Professional Offices:** Establishments intended for the conduct of professional business services by a commercial enterprise. Examples include legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; consulting services; graphic, industrial, and interior design services; advertising services; and office and administrative services.

**Property Owners' Association (POA):** See Owners' Association.

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<sup>701</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**Public Utility:** Any agency that, under public franchise or ownership, provides the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other services and all equipment and structures necessary to provide such services.

**Public Utility Station:** A structure or facility used by a public or quasi-public utility agency to store, distribute, or generate electricity, gas, heat, or steam; provide telecommunications services; provide rail transportation; or to pump or chemically treat water. This excludes storage or treatment of sewage, solid waste, or hazardous waste.

## (Q)

**Quarry:** A land use for the commercial extraction of stone, sand, gravel, or topsoil from an open pit. Quarrying does not include the process of grading a lot to prepare for the construction of a building, structure, or other facilities.

**Quorum:** A majority of the authorized members of a board or commission.

## (R)

**Recreation Area (Private):** An area located on a lot containing a detached house, townhouse, duplex, triplex, ~~or~~ quadplex, or multiplex dwelling used by residents of the dwelling for leisure activities, such as tennis or swimming.

**Recreation & Amusements, Indoor:** An establishment that provides recreational activities or games of skill where all activities take place inside a building. Accessory uses may include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Examples include bowling alleys, roller-skating or ice-skating rinks, billiard or pool halls, video games arcades, and bingo halls.

**Recreation & Amusements, Outdoor:** An establishment that provides recreational activities or games of skill where any portion of the activity takes place outside a building. Accessory uses and buildings may include restrooms, dressing rooms, equipment storage, maintenance buildings, open-air pavilions, and similar structures used primarily for recreational and amusement activities. Examples include miniature golf courses, bumper boats, and batting cages.

**Recreation, Neighborhood:** A recreational area shown on the approved subdivision plat comprised of one or more of the following: swimming pools, picnic shelter, game courts, and neighborhood clubhouses. A community recreational area is intended to serve the residents of the subdivision in which it is located. It does not include for-profit, privately owned and operated facilities.

**Recreational Vehicle (RV):** A vehicular unit that is designed as a temporary dwelling for travel, recreational, and vacation use, and that is self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, tiny home on wheels, motor home, fifth-wheel trailer, or van.

**Recreational Vehicle Park (RV Park):** Any lot upon which two or more recreational vehicle sites are located, established, or maintained for occupancy as temporary living quarters for purposes of recreation or vacation. This term does not include any premises on which unoccupied recreational vehicles, whether new or used, are parked for the purposes of inspection, sale, storage, or repair.

**Recyclable Materials:** Reusable material including, glass, clothing, plastics, paper products (e.g., newspapers, stationary, scrap paper, computer paper, and corrugated cardboard) rubber, batteries, ferrous and non-ferrous metals, concrete asphalt, wood, building materials, and yard wastes.

**Recycling Collection Center:** A facility located within an enclosed building that accepts recyclable materials by donation, redemption, or purchase. May allow sorting, limited compacting, and/or crushing of recyclable materials for shipment to other locations. This type of facility is the intermediate storage and hauling site, between recycling drop-off boxes and recycling processing centers, for recyclable materials.

**Recycling Convenience Center:** A staffed enclosed facility that receives and sorts banned materials (e.g. used oil, tires, white goods, and batteries) and waste into separate weather-resistant containers. Such facilities are prohibited from processing recyclable materials on-site and are intended to provide citizens with easy and accessible solid waste and recyclable disposal services.

**Recycling Drop Box:** A single container with a maximum dimension of 9 feet by 32 feet used for public disposal of recyclable products.

**Recycling Drop-Off Trailer:** A non-motorized trailer designed and/or maintained as a temporary or permanent use to accept donated recyclable goods. A recycling trailer may be pulled by a truck for purposes of selling or recycling the goods at a different location.

**Recycling Processing Center:** A facility that accepts, stores, and processes recyclable materials whether or not maintained in connection with another business. Processing includes bailing, briquetting, crushing, compacting, grinding, shredding, sawing, shearing, composting, and sorting of recyclable materials, and may include the heat reduction or melting of such materials. Examples of such facilities include:

- ~~1. **Materials Recovery Facility ("MRF"):** A facility that accepts recyclable materials that have been separated from the waste stream and are delivered either by private citizens, businesses, or recyclables collectors (i.e., "source separated" recyclables) to be processed to meet market specifications.~~
- ~~2. **Dirty Materials Recovery Facility ("DMRF"):** A facility that separates recyclable materials from a combined stream of household refuse and processes the recyclables to meet market requirements.~~
- ~~3. **Co-Composting Facility:** A facility that accepts yard waste, industrial process wastes, agricultural wastes, residues from agricultural products processing, or sludge,~~

~~functioning as a nitrogen source, to be combined in a manner that will lead to its biological or natural degradation.~~

**Religious Facility:** A building used for public worship regardless of denomination or religious affiliation.

**Religious Facility, Large:** A religious institution that has a seating capacity of more than 1,750 persons in the sanctuary, and that may include such non-traditional accessory uses as retail sales, residential sales, and sport and entertainment facilities, as an integrated part of the development.

**Repair & Maintenance:** A type of home occupation use that involves the servicing of small equipment, furniture, or consumer goods within a fully enclosed structure.

**Research & Development:** Research and Development is the investigative activities a business conducts to improve existing products and procedures or that lead to the development of new products and procedures. Research and development laboratories are establishments primarily engaged in performing research or testing activities into technological matters. Research and development facilities typically include one or more of the following types of activity: basic research, applied research, and experimental development. Excluded are any laboratories that mass produce one or more products directly for the consumer market.

**Reserve Strip:** A strip of land adjacent to a public street or similar transportation right of way that has been reserved for the purpose of controlling access to the public way.

**Restaurant:** An establishment that sells prepared food for consumption. Restaurants shall be classified as follows:

1. **Drive-Through or Fast Food:** An establishment that sells food already prepared for consumption, packaged in paper, styrofoam, or similar materials, and may include drive-in or drive-up facilities for ordering.
2. **General:** An establishment that sells food for consumption on or off the premises. Restaurants have a designated full-service kitchen, dining room equipment, and staff to prepare and serve meals. The sale of alcoholic beverages, beer, and wine must be licensed by the State Alcoholic Beverage Licensing Board and incidental to the primary use of the restaurant.
3. **Take-Out:** An establishment that sells food only for consumption off the premises.

**Retail Sales of Agricultural Products:** An establishment engaged in the sale of goods or merchandise related to farming directly to the ultimate consumer, excluding the sale of large agricultural equipment such as trucks, tractors, combines, balers, and spreaders.

**Retail/Mercantile (less than 40,000 sf):** An establishment engaged in the sale of goods or merchandise directly to the ultimate consumer.



**Retail/Mercantile (40,000 sf or greater):** A shopping center, mall, or free standing site whose primary use is or was a retail sales facility with at least one tenant or occupant located in a 40,000 square foot or larger building or structure. (Consistent with the terms of the “SC Retail Facilities Revitalization Act” originally House Bill H.3841, codified in Chapter 34, Title 6 of the S.C. Code of Laws, as amended.)

**Riding Academy:** Land used for the purpose of giving instruction or offering classes, whether public or private, on horsemanship. This use may also include the boarding of horses on-site.<sup>702</sup>

**Right of Way:** A strip of land that is dedicated for public use or private use to accommodate a street, trail, waterline, sanitary sewer, power line, gas line, rail line, and/or other public utilities or facilities.

1. **Public:** A right of way dedicated, deeded, or granted for public use and under the control of a public agency.
2. **Private:** A right of way intended for vehicular traffic providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded and that are not maintained by a public agency.

~~**Right-of-Way Buffer:** The designated area between the road right-of-way and a land use used to soften the impact of dissimilar land uses and provide screening to satisfy the requirements of this Ordinance.~~

**Right-of-Way Line:** The dividing line between a lot, tract, or parcel of land and a contiguous street, railroad, or public utility right-of-way.

~~**Right-of-Way Roadside Buffer:** The designated area between the road right-of-way and a land use used to soften the impact of dissimilar land uses and provide screening to satisfy the requirements of this Ordinance.~~

**Roadway:** That portion of a street intended for use by vehicular traffic.

**Roadway Culverts:** Structures installed under the roadway that convey flows from existing creeks, live streams, or drainage channels that originate upstream of the site and carry off-site flows through the site.

**Runway:** A defined area on an airport prepared for landing and take-off of aircraft along its length.<sup>703</sup>

**Rural Estate Lot Subdivision:** A residential development of large lots developed consistent with the preservation of rural character. [See § 11.11: *SRCA Rural Estate Lot Subdivisions*]

<sup>702</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>703</sup> This definition is relocated from current Zoning Code Section 8:6.4, *Definitions* (AP, Airport Protective Areas).



**(S)**

**Sales/Service of Agricultural Equipment:** This use includes establishments primarily engaged in retail sales of new and used outdoor equipment designed for agricultural use, such as tractors, combines, balers, and spreaders, and may include related activities, such as repair services and sales of replacement parts.

**Salvage Yard:** ~~Any land or area used, in whole or in part, for salvaging or processing scrap metal, motor vehicle parts, or machinery parts. Any property used in part or in whole for the storing, keeping, buying, or selling of items defined as “junk,” excluding properly licensed landfills, but including abandoned barrels or drums; dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts; and the following old, scrap, or used items: metal; rope; rags; batteries; paper; cardboard; plastic; rubber; pallets; appliances; motors; industrial or commercial fixtures; rubbish; debris; or wrecked, dismantled, or disabled motor vehicles or parts thereof.~~ Salvage yards are subject to the requirements of the Greenville County Storm Water Utility Program and the requirements of the EPA/DHEC National Pollutant Discharge System (NPDES).

**Sand and Gravel Pits:** A type of quarry from which only sand or gravel is excavated.

**Schools, Colleges, Universities:** An institution other than a commercial school that provides full-time or part-time education beyond high school.

**School, Commercial:** An establishment that provides for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school, karate school, or dance school).

**Schools, Primary, Secondary:** A public, private, or parochial school offering instruction at the elementary, middle, and high school levels in the branches of learning and study required to be taught in the public schools of the state.

**Scrap Processor:** See [Recycling Processing Center](#) ~~Salvage Yard~~.

**Screen:** Plant materials and landscape or architectural elements used for the purpose of obscuring views, noise, and light or glare from neighboring properties and, where required, road rights-of-way.

**Screening:** The method by which a view of one site from another adjoining site is shielded, concealed, or hidden.

**Seasonal Lighting:** Temporary lighting installed and operated in association with holidays or traditions.

**Self-Storage Facility:** A facility composed of one or multiple structures designed and used for the purpose of renting or leasing individual storage space to occupants who have access to the space for the purpose of storing and removing personal property.<sup>704</sup> .

**Service Provider:** A legally constituted governmental jurisdiction, such as a municipality or water and/or sewer district, that maintains infrastructure and provides a service using that infrastructure within a defined service area.

**Setback:** The minimum distance by which any building or structure must be separated from a or lot line. [See § 20.6: *How to Measure Setbacks*]

**Setback Line:** A line that is parallel to and a given distance from the lot line of a lot or parcel of land at such distance as is required in this Ordinance. [See § 20.6: *How to Measure Setbacks*]

**Sewage Pumping Station:** An indoor or outdoor facility for the operation of pumps used to transmit waterborne sewage through the sewage system.

**Sewage Treatment Facility:** A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area.

**Sewer Availability:** The practicality of connecting to an existing sewer line, as determined by the Sewer Treatment Provider. Sewer is deemed ‘available’ by the Sewer Providers if an existing sewer system is accessible to the proposed development. The existing sewer system capacity will be assessed for the proposed development for the estimated flow. Where annexation or an easement to cross adjacent property is required to connect to an existing sewer line, the existing sewer line is not considered accessible. However, the Sewer Treatment Provider may facilitate the establishment of an easement across adjacent property in order to provide accessibility to an existing sewer line.<sup>705</sup>

**Sewer Collection Provider:** An agency that provides sewer collection and/or conveyance services to customers within its service area. There are two types of satellite sewer agencies: a “Primary” Satellite Sewer Agency, which provides sewer collection and conveyance services; or a “Secondary” (Transport) Satellite Sewer Agency, which receives and conveys flow from a “Primary” Satellite Sewer Agency.<sup>706</sup>

**Sewer Company, Private:** A sewer system owned and operated by a for-profit entity, subject to Public Service Commission and SCDES oversight.<sup>707</sup>

**Sewer Feasibility:** When existing sewer is not available, an assessment performed by the Sewer Treatment Provider and confirmed by the Sewer Collection Provider to determine whether connection to future public sewer, decentralized sewer, or other temporary options may be available within 5

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<sup>704</sup> This definition is from S.C. Code Title 39, Chapter 20: Self-Service Storage Facilities, [Section 39-20-20\(f\)](#).

<sup>705</sup> This definition is proposed by ReWa and MetroConnects, with additional text clarifying the meaning of “accessibility” proposed by County staff.

<sup>706</sup> This definition is proposed by ReWa and MetroConnects.

<sup>707</sup> This definition is proposed by ReWa and MetroConnects.

years. The feasibility assessment may consider long-term Basin Plans consistency and other development projects within the project area, as determined by the Sewer Treatment Provider.<sup>708</sup>

**Sewer Providers:** The Sewer Treatment Provider and Sewer Collection Provider.<sup>709</sup>

**Sewer Treatment Provider:** The agency required for ultimate treatment of wastewater. In Greenville County, except for the area designated within the current service boundary of Greer Commission of Public Works, the Sewer Treatment Provider is Renewable Water Resources (ReWa).<sup>710</sup>

**Shade Tree:** Any tree, evergreen or deciduous, of a species which normally reaches a height of 30 feet or more and a crown spread of 20 feet or more at maturity.

**Shooting Range, Outdoor:** The use of land for archery or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions, such as a turkey shoot. This use type excludes general hunting and unstructured, non-recurring discharging of firearms on private property with the property owner's permission.

**Shooting Range, Indoor:** An area located entirely within an enclosed structure specially designed for the safe discharge and use of rifles, shotguns, pistols, skeet, trap, or any similar firearm for the purpose of sport shooting or military/law enforcement training.

**Shopping Center:** A group of commercial establishments planned, constructed, and managed as a total entity with shared access, customer and employee parking, and provision of goods delivery separated from customer access.

**Shoreline:** The area immediately adjacent to any state water, including lakes, ponds, and streams. More specifically, the line where open waters abut wetlands or dry land during non-flood and non-drought periods.

**Sign:** See [Chapter 19: Signs](#).

**Sign Fabrication, Painting, Manufacturing:** A facility engaged in the production of signs.

**Significant Trees:** Any tree of at least 12 inches DBH that is healthy and not listed on the USDA Natural Resources Conservation Service South Carolina State listed Noxious Weeds and the South Carolina Exotic Pest Plant Council list.

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<sup>708</sup> This definition is proposed by ReWa and MetroConnects.

<sup>709</sup> This definition is proposed by ReWa and MetroConnects.

<sup>710</sup> This definition is proposed by ReWa and MetroConnects.

**Silviculture:** The practice of controlling the establishment, growth, composition, health, and quality of forests and woodlands to enhance a forest’s utility for any purpose.<sup>711</sup>

**Site Design:** A process of intervention involving the location of roadways and other travel structures, dwellings and buildings, and utilities, while preserving existing natural and human-made site features. The process encompasses many steps from planning to construction, including initial inventory, site assessment, alternative analysis, detailed design, and construction procedures and services.

**Site Improvement:** A human-made element on a lot, other than a building, that the UDO requires as a condition of development or redevelopment. Site improvements include buffers, landscaping, parking, and outdoor lighting.

**Site Plan:** A plan that outlines the use and development of a tract of land. Features on the plan may include proposed improvements, size of buildings, shape of buildings, location of buildings, location and design of roads and parking areas, refuse areas, and pedestrian and vehicular circulation on the site.

**Small Tree:** A single- or multi-stem tree of a species that normally reaches a mature height between eight and 30 feet and a crown spread of less than 20 feet at maturity.

**Small Wireless Facility:** Radio transceivers; surface wave couplers; antennas; coaxial or fiber optic cable located on a pole or support structure, immediately adjacent to a pole or support structure, or directly associated with equipment located on a pole or support structure and within a 100-yard radius of the pole or support structure; regular and backup power supplies and rectifiers; and associated ancillary equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and that meets both of the following qualifications: (i) each wireless provider’s antenna could fit within an enclosure of no more than six cubic feet in volume; and (ii) all other wireless equipment associated with the small wireless facility, whether ground or pole mounted, is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility: electric meters, concealment elements, network interface devices, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services. The term *small wireless facility* does not include: the pole, support structure, or improvements on, under, or within which the equipment is located or collocated or to which the equipment is attached; wireline backhaul facilities; or coaxial or fiber optic cable that is between small wireless facilities, poles, or support structures or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

**Special Event:** A celebration, ceremony, wedding, reception, corporate function, circus, carnival, fair, or similar activity involving the gathering of individuals assembled for the common purpose of

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<sup>711</sup> This definition combines the Society of American Foresters’ definition of “silviculture” (*The Dictionary of Forestry*) with a description of silviculture in the [Wisconsin Silviculture Guide](#) published by the Wisconsin Department of Natural Resources.

attending an event. Special Events are subject to a use agreement between a facility owner and another party. Uses that are accessory to a residential use and are not subject to a use agreement are not defined as a special event and are not regulated under this Ordinance. These include private parties, private gatherings, and similar activities. This definition excludes the ancillary use of religious facilities for weddings, funerals, and similar events.

**Special Event Facility:** A facility where Special Events may occur on a regular basis under this Ordinance. Facilities may operate entirely within a structure, outside of a structure, or both inside and outside of a structure.

**Specialty Trade Contractor, General Contractor, Homebuilder:** The primary place of business for establishments engaged in performing activities involved in building construction. Although most work is performed at construction or building sites, contractors and builders may have shops where they perform prefabrication and other work. The work performed may include new work, additions, alterations, or maintenance and repairs.

**Specimen Tree:** Any tree that has been determined by the County to be of high value because of its type, size, age, or other professional criteria. Specimen trees are outstanding and therefore deserving of special protection because of their rarity, appearance, or scientific importance. This may be on the basis of outstanding age, size, and aesthetic merit, connection to an important historic event, scientific value, or occurrence in a unique location or context.

**Stadium:** An outdoor, open-air facility with tiers of seats for viewing events such as sports and concerts.

**Stand (of trees):** A contiguous grouping of trees that has been designated for preservation by the property owner or determined to be of value by the County that demonstrates a relatively mature even-aged stand, a stand with purity of species composition or of a rare or unusual nature, a stand of historical significance, or a stand with exceptional aesthetic quality.

**Steep Slope:** Those areas of land where the grade is 15% or greater.

**Storage Buildings:** An accessory building used or intended to be used by the property owner or tenant solely for the keeping of personal or business materials.

**Stormwater Pollution Prevention Plan (SWPPP):** A site-specific written document that:

1. Identifies potential sources of stormwater pollution at the construction site;
2. Describes stormwater control measures to reduce or eliminate pollutants in stormwater discharges from the construction site; and
3. Identifies procedures the operator will implement to comply with the terms and conditions of this general permit.

**Stream Bank:** The sloping land that contains a stream channel and the normal flows of the stream.

**Street:** A dedicated public right-of-way that affords the principal means of access to abutting property and that has been accepted for maintenance by Greenville County or the South Carolina Department of Transportation. For the purposes of this UDO, the term *street* or *streets* also means avenues, boulevards, roads, lanes, and other public ways. See Article 12: *Access & Connectivity* for hierarchy of streets.

**Street, Private:** Right-of-way that has not been dedicated or officially accepted by a state or local government.

**Street, Stub:** A street that is designed to extend to the property line with a temporary barricade and has the intent to be extended to provide for future access and connectivity.

**Street Width:** The shortest distance between the lines delineating the traveling surface of a street. For streets with curbs, the width is measured from the edge of pavement.

**Streetscape:** All elements of a development or area that are in view from other points along a street.

**Structure:** Anything constructed or erected that requires a fixed location on the ground.

**Structure, Accessory:** A structure that is incidental to that of the principal structure or use and that is located on the same lot.<sup>712</sup>

**Structure, Principal:** A structure in which the primary use of the lot on which the structure is located is conducted.

**Subdivider:** Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision. This definition includes any authorized agent of the subdivider.

**Subdivision:** All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

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<sup>712</sup> This definition was added to the Land Development Regulations as part of the “tiny home ordinance” (Ord. No. 5325), adopted in September 2021.

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority;
2. The division of land into parcels of five acres or more where no new street is involved, and plats of these exceptions must be received as information by the planning agency which shall indicate that fact on the plats;
3. The combination or recombination of entire lots of record where no new street or change in existing streets is involved; and
4. The division of land by order of probate court or master in equity based on settlement of an estate.

**Subdivision Administrator:** The administrative head of the Subdivision Administration Office or their designee.

**Survey:** Drawing illustrating all essential data pertaining to the boundaries of a parcel of land as determined by a SC Registered Land Surveyor.

**Swimming Pool:** Any structure intended for swimming, recreational bathing, or wading that contains water over 24 inches (610mm) deep. This includes in-ground, above-ground and on-ground pools, hot tubs, spas, and fixed-in-place wading pools.

## (T)

**Tattoo:** The process of applying an indelible mark or color to the skin by subcutaneous introduction of nontoxic dyes or pigments. The practice of tattooing does not include the removal of tattoos or the practice of branding, cutting, scarification, skin braiding, or the mutilation of any part of the body.

**Tattoo Establishment:** An establishment primarily engaged in the practice of applying tattoos.

**Theater:** A building used primarily for the presentation of live stage productions, performances, or motion pictures.

**Theater (Outdoor), Amphitheater:** An establishment for the performing arts with open-air seating for audiences. Such establishments may include related services, such as food and beverage sales and other concessions.

**Theater/Motion Pictures (Indoor):** A building or portion thereof devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

**Theater, Drive-In:** A facility where motion pictures are displayed for viewing by patrons who remain in their cars or outdoors for an admission fee and may include food and beverage service.



**Threatened Species:** A threatened species is any species identified as threatened by the U.S. Fish & Wildlife Service.

**Tiny House:** A detached house dwelling that is 400 square feet or less in floor area, excluding lofts.<sup>713</sup> A “loft” is a floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet, 8 inches and used as a living or sleeping space.<sup>714</sup>

**Townhouse Unit:** A single-family dwelling unit in a townhouse dwelling that extends from foundation to roof and that has a yard or public way on not less than two sides.<sup>715</sup>

**Tract:** An area, parcel, site, piece of land, or property that is the subject of a development action.

**Traffic Engineer:** The Greenville County Traffic Engineer in the Engineering & Maintenance Department or their designee.

**Transitional Housing:** A group living arrangement where individuals or families live in the facility on a temporary basis. Transitional housing facilities typically provide services for residents, such as counseling and mentoring, and may include accessory facilities including offices and dining facilities. Transitional housing can support individuals and families in a variety of circumstances, including people experiencing homelessness, victims of domestic violence, children aging out of the foster care system, and offenders released from a correctional facility.

**Transparency:** A term related to building design that refers to the use of clear, non-mirrored glass windows, doors, and other architectural elements that are fundamentally see-through. Frosted, heavily tinted, and other semi-opaque glass materials are not considered transparent.

**Tree:** Any self-supporting woody perennial plant, whether evergreen or deciduous, of a species which normally reaches a height of 10 feet or more at maturity.

**Tree, Canopy or Shade:** Any single-stem tree of a species that normally reaches a height of 30 feet or more and a crown spread of 20 feet or more at maturity.

**Tree, Understory:** Any single- or multi-stem tree of a species that normally reaches a mature height of between 10 and 29 feet and a crown spread of less than 20 feet at maturity.

~~**Tree Save Area:** An area of a land development site with an existing stand of trees that is identified and preserved as required by this Chapter.~~

**Tree Survey:** A tree survey includes two components:

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<sup>713</sup> This definition was added to the Land Development Regulations as part of the “tiny home ordinance” (Ord. No. 5325), adopted in September 2021.

<sup>714</sup> This definition is from the 2021 South Carolina Residential Code, Appendix Q, Section AQ102.

<sup>715</sup> This definition is from the 2021 South Carolina Residential Code.



1. A land survey, completed by a registered land surveyor, as part of a site plan application; and
2. A site plan on which all trees intended to be preserved to meet the requirements of this Ordinance are identified by species and size by a South Carolina licensed forester, landscape architect, or certified arborist. All drawings shall be stamped and sealed.

**Tree Warranty:** A guarantee of tree vitality for one year from the time of planting.

## (U)

**Undisturbed:** Not having been subjected to land or vegetation change, including clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting, or filling of land.

**Use:** The purpose or activity for which land or structures are designed, arranged, intended, occupied, and/or maintained.

**Use, Accessory:** See **Accessory Use**.

**Use, Conditional:** A permitted use that is allowed subject to the conditions specified in § 4.3: *Conditional & Special Exception Principal Uses*.

**Use, Mixed:** See Mixed Use Building and Mixed Use Development.

**Use, Non-Residential:** Any use other than a residential use (e.g., commercial, retail, office, civic, or institutional use).

**Use, Permitted:** Use or activity that, because of its nature and impact, is allowed to occur within a designated zoning district as a use by right.

**Use, Principal:** The main use of land or structures as distinguished from a secondary or accessory use.

**Use, Residential:** Any use that includes only dwelling units and their customary accessory uses, but no other uses.

**Use, Special Exception:** A use that is allowed subject to any conditions specified in § 4.3: *Conditional & Special Exception Principal Uses*, and approval by the Board of Zoning Appeals. [See Article 16: *UDO Procedures*]

**Use, Temporary:** A use of land limited in both duration and the number of annual occurrences, excluding uses and events customarily associated with the principal land use (e.g., weddings at a church, sporting events at a stadium).

**Utility, Quasi-Public:** Essentially a public use, although under private ownership or control.

**(V)**

**Vacant:** A property on which no structure(s) is situated.

**Vape Shop or Tobacco Shop:** An establishment that devotes at least 51% of its gross floor area to the display and sale of electronic cigarettes, tobacco products, and related paraphernalia.<sup>716</sup>

**Electronic Cigarette:** Any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term electronic cigarette includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.<sup>717</sup>

**Tobacco Product:** Any manufactured product that contains tobacco or nicotine or is derived from tobacco including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products, and electronic cigarette cartridges, whether packaged or not. Tobacco product does not include any product that has been approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a tobacco use cessation product or for other medical purposes and is being marketed and sold solely for that approved purpose.<sup>718</sup>

**Tobacco & Vape Paraphernalia:** Cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, electronic cigarette cartridges, electronic cigarette liquids, and any other items designed for the preparation, storing, consumption, or use of tobacco products or electronic smoking devices.<sup>719</sup>

**Variance:** A variance is an adjustment to zoning regulations of the UDO where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship A variance does not involve a change in the use of the property. See also [Waiver](#).

**Vehicle Repair Facility:** A building or part thereof that is used for painting, body and fender work, engine overhauling, or other major repairs of motor vehicles, including automobiles, boats, motorcycles, and recreational vehicles. These repairs typically take more than one day to complete. These facilities may not dispense flammable or combustible liquids.

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<sup>716</sup> This definition is derived from the Montgomery County, Maryland, Zoning Ordinance, [Section 3.5.11.E: Vape Shops](#).

<sup>717</sup> This definition is from the Montgomery County, Maryland, Zoning Ordinance, [Section 3.5.11.E: Vape Shops](#).

<sup>718</sup> This definition is derived from the definition in the [Vermont Model Zoning Ordinance Regulating the Location of Retail Establishments Selling Tobacco Products](#).

<sup>719</sup> This definition is from the Dublin, CA Zoning Ordinance ([Chapter 8.43: Tobacco Retailers](#)).

**Automobile Vehicle Service Facility:** A building or part thereof, which is used for minor repairs, such as, oil changes, tune-ups, brake jobs, engine and transmission repair, replacing mufflers, etc. These facilities may dispense flammable and combustible liquids.

**Vehicle Sales and Rental:** Establishments engaged in the sale or rental of vehicles, including cars, trucks, vans, motorcycles, recreational vehicles, and boats. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas.

**Vehicle Storage Facilities:** A lot or facility in which vehicles, including automobiles, boats, motorcycles, or recreational vehicles are stored for periods greater than five days. ~~Included in this use type are the maintenance and servicing of vehicles being stored.~~

**Vehicle Trim/Upholstery Shop:** An establishment primarily engaged in the installation, repair, or replacement of interior elements in vehicles, such as seat and floor coverings.

**Veterinary Hospital:** An indoor or outdoor facility for the treatment and boarding of animals that may contain outdoor kennels.

**Veterinary Office or Clinic:** A facility for diagnosis, treatment, and care of small domestic animals. Sick or injured animals may be boarded on a short-term basis. No commercial boarding is allowed in a veterinary office or clinic. All activities related to this facility must be enclosed in a self-contained, free-standing building wholly occupied by activities related to the veterinary office.

## (W)

**Waiver:** A modification of a land development regulation granted to a particular property owner because of the practical difficulties or unnecessary hardship that would be imposed by the strict application of that provision. See also [Variance](#).

**Warehouse/Distribution:** A distribution center for a set of products in a warehouse or other specialized building, often with refrigeration or air conditioning, that is stocked with products (goods) to be redistributed to retailers, to wholesalers, or directly to consumers.

**Wedding Chapel:** See [Special Event Facility](#).

**Welding Shop:** An establishment primarily engaged in the fabrication process of joining or fusing two or more separate parts together through the use of heat.

**Wetlands:** Areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Wholesaling, Warehousing, ~~Flex Space~~, and Distribution:** A use classification that includes facilities engaged in the storage, wholesale sales, and distribution of manufactured products, supplies, and equipment to be redistributed to retailers, wholesalers, consumers, or otherwise transported off-site. These facilities may include ancillary offices.

**Winery:** A facility where grapes or other fruit are processed into wine or similar spirits. Such facilities may include all aspects of production, including growing, crushing, fermenting, aging, blending, bottling, and storage, as well as administrative offices and a tasting room. A winery that produces 50,000 or more cases of wine per year is considered an industrial/service use.<sup>720</sup>

**Wireless Antenna:** Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services; or similar equipment used for the transmission or reception of surface waves.

**Wireless Infrastructure Provider:** Any person, including a person authorized to provide telecommunications service in the State, acting to build or install wireless communication transmission equipment, small wireless facilities, or support structures, but that is not a wireless services provider.

**Wireless Provider:** A wireless infrastructure provider or a wireless services provider.

**Wireless Services:** Any services provided using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, delivered to the public using small wireless facilities.

**Wireless Services Provider:** A person who provides wireless services.

**Wireless Support Structure:** A building, billboard, water tank, or other structure to which a small wireless facility is or may be attached. Such term shall not include a pole or electric transmission structure.

**Workshops for Repair and Maintenance of Agricultural Equipment:** A building used primarily for the repair and maintenance of machinery used in farming and agriculture, such as tractors, planters, sprayers, and balers.

## (X, Y, Z)

**Yard, Front:** An area extending across the full width of the lot and lying between the front lot line and the setback line as required in the applicable district. The front is normally determined by the address established by the E-911 staff.

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<sup>720</sup> This definition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

**Yard, Rear:** An area extending across the full width of the lot and lying between the rear lot line and the setback line as required in the applicable district.

**Yard, Required:** The open space between a lot line and the buildable area within which no structure may be located except as otherwise provided in this Ordinance. All yards referred to in this Ordinance are minimum required yards.

**Yard, Side:** An area extending along the length of the lot between the required front yard and the required rear yard and between the side lot line and the setback line as required in the applicable district.

**Zero Lot Line Development:** A development of three or more [Zero Lot Line Dwellings](#).

**Zoning Administrator:** The administrative head of the Zoning Administration Division of the Planning Department or their designee.

**~~Certificate of Use~~Zoning Compliance:** A ~~statement signed review~~ by the Zoning Administrator ~~setting to confirm~~~~forth~~ that the building, structure, or use complies with the ~~Zoning Ordinance~~UDO and that the same may be used for the purpose stated herein.

**Zoning District:** Any portion of the area of unincorporated Greenville County in which the regulations governing the use of land, buildings, and structures are uniform for each class or kind of building, structure, or use. The Zoning Code establishes four types of zoning districts: base, review, overlay, and legacy (see § 2.1.2: *Districts Established*).

**Zoning District, Non-Residential:** Any zoning district not listed as a residential zoning district.

**Zoning District, Residential:** All of the following zoning districts: ESD-PM, R-R3, R-R1, R-S, R-20A, R-20, R-15, R-12, R-10, R-7.5, R-6, R-M8, R-M10, R-M16, R-M20, and R-MA.

## ~~Article 24:~~ARTICLE 22: SUBMITTAL REQUIREMENTS

### ~~24.1~~22.1 GENERAL PROVISIONS

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#### ~~24.1.1~~22.1.1 APPLICABILITY

This Article provides lists and specifications for the information that applications must include in order to be considered complete for review under Article 16: *UDO Procedures*.

#### ~~24.1.1~~22.1.2 DIGITAL APPLICATIONS<sup>721</sup>

- A. The County provides digital applications for a number of procedures. The applications that may be filed digitally are expanded regularly, so the applicant should review the [County Planning Department's website](#) for the latest information.
- B. If the procedure includes a digital application that may be submitted virtually through the [County Planning Department's website](#), the applicant is not required to file a paper copy of the application.

#### ~~24.1.3~~22.1.3 APPLICATION CHECKLISTS<sup>722</sup>

The Planning Department maintains application submittal requirements checklists for each type of procedure described in Article 16: *UDO Procedures*. Each application must include all elements required by this Article and the applicable checklist.

### ~~24.2~~22.2 FEES<sup>723</sup>

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#### ~~24.2.1~~22.2.1 FILING FEES<sup>724</sup>

Applications shall be accompanied by the fee amount that has been established by the County Council for the respective type of application. Fees are not required for applications initiated by authorized Reviewing or Decision-Making Bodies.

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<sup>721</sup> This new Subsection establishes requirements and specifications for filing digital applications.

<sup>722</sup> This new Section provides that application checklists and forms will be maintained outside the UDO. This section will include references to these checklists.

<sup>723</sup> Specifies or cross-references, as appropriate, all UDO-related fees.

<sup>724</sup> Carries forward ZO 3:1.2: *Filing Fees*.

**~~24.2.222.2.2 REZONING-ZONING APPLICATION FEES~~<sup>725</sup>**

When a proposed amendment to the ordinance text or map is initiated by individuals or parties other than County Council, Planning Commission, or Board of Zoning Appeals, a fee shall be paid for each application for administrative and advertising expenses as set forth in Table 22.2.2-1: *Rezoning Fee Schedule*. Zoning fees are listed in the Fee Schedule [\(NEED TO CREATE LINK\)](#) on the County's Zoning Administration website.

Table 22.2.2-1: Rezoning Fee Schedule										
Zoning Requested	Acreage									
	1	2	3	4	5	6	7	8	9	10 or More
Districts	Fee in Dollars									
Residential Districts	70.00	100.00	135.00	170.00	205.00	240.00	270.00	305.00	340.00	350.00
Mixed Residential Districts	205.00	240.00	270.00	305.00	340.00	375.00	405.00	440.00	475.00	500.00
Nonresidential Districts	270.00	305.00	340.00	375.00	405.00	440.00	475.00	510.00	540.00	600.00
Review Districts	750.00									
Text Amendments	100.00									
Final Development Plan Review	75.00									

**~~24.2.3 BOARD OF ZONING APPEALS FEES~~<sup>726</sup>**

An administrative fee of \$80 plus \$20 required advertising cost shall be paid to the Zoning Administrator for each application for a variance, use permitted by special exception, appeal, or interpretation to the Board of Zoning Appeals.

<sup>725</sup> Carries forward ZO 3:1.2: *Filing Fees*.

<sup>726</sup> Carries forward ZO 3:5.7: *Board of Zoning Appeals Fees* (Updated as amended 9/6/23 3-10).

### ~~24.2.4~~ **22.3 SUBDIVISION APPLICATION FEES**

Subdivision fees are listed in the [Fee Schedule](#) on the County's [Subdivision Administration website](#).

### ~~24.3.2~~ **22.3 GENERAL SURVEY REQUIREMENTS**<sup>727</sup>

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#### ~~24.3.1~~ **22.3.1 INTENT**

- A. In order to maintain and improve County land records general survey standards must be followed. Land parcels subject to the requirements specified herein, are required to be referenced by South Carolina State Plane Coordinates, as defined in the South Carolina Code of Laws, ([The South Carolina Coordinate System Act](#), as amended), either by Global Positioning System (GPS) Surveys or Terrestrial Surveys.
- B. Additionally, digital files shall be submitted in a standard format, in addition to standard printed documents required by this Article. These files consist of a copy of the CAD drawing containing all applicable layers and an ASCII text file describing the technical parameters and contact information for the CAD file (metadata).

#### ~~24.3.2~~ **22.3.2 BACKGROUND AND PURPOSE**

- A. **Generally.**
  - 1. Greenville County has made a substantial investment in a modern, computerized, multipurpose land information system. This system is referred to as the Greenville County Geographic Information System (GIS). The GIS is primarily a foundation of geographic information to support and improve County operations and community decision-making. As such, this information is a representation of geographic features that comprise Greenville County.
  - 2. These data are not intended to represent legal boundaries of any kind and are for information purposes only. The signed and sealed plat of record shall be referenced for all legal matters.
- B. **Base Map and Monuments.**
  - 1. The base maps for this system are referenced to the Lambert Conformal single-zone South Carolina State Plane Coordinate System, which is based on the North American Datum of 1983.

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<sup>727</sup> Carries forward LDR Article 4: *General Survey Requirements*.



2. Geodetic survey monuments, usually consisting of a metal disk placed in top of a concrete post, have been placed throughout the County.
3. Data sheets containing descriptions, and state plane coordinate values for these monuments are available from the South Carolina Geodetic Survey. These geodetic control monuments control the county mapping system.
4. For the purpose of this Article, monumented geodetic control points are only those geodetic monuments recognized by the South Carolina Geodetic Survey as being part of the state geodetic network.
5. Property surveys affected by this ordinance will be referenced to their geographic locations, and therefore can be placed in their proper position on the state plane coordinate based county mapping system.
6. Additionally, referencing property corners to state plane coordinates will improve County land records by allowing ground surveys to be properly translated to the GIS.

**C. Format of Submittal.**

1. In addition to referencing property surveys to state plane coordinates, a key to streamlining the translation from ground surveys to the County's GIS is leveraging the advanced techniques surveyors, engineers, and land-development professionals are currently using.
2. Specifically, property surveys are created using computer-aided design and drafting (CAD) tools and stored in a digital format, conceptually similar to the County's GIS. Submission of property surveys, affected by this Article, must be in a digital or electronic format.
3. This requirement will expedite the design, plan review, and data maintenance processes within the County as well as improve data quality.
4. For electronic submission to bring these expected benefits, standards must exist to ensure efficient data translation while preserving the integrity and accuracy of the original measurements.

### ~~24.3.3~~ 22.3.3 SURVEYS REQUIRING STATE PLANE COORDINATE REFERENCE

The following surveys require a State Plane Coordinate reference:

- A. Any subdivision of ~~eight~~ seven7 or more lots cumulatively, including all phases and sections severed from the parent parcel.
- B. Boundary surveys of 25 or more acres total aggregate, unless exempted in § 22.3.4.B, below.

### ~~24.3.4~~ **22.3.4 SURVEYS EXEMPT FROM GEODETIC CONTROL MONUMENT TIE**

- A. It is considered very desirable for surveyors to tie all surveys, whenever possible, to the state plane coordinate system. Nothing in these exemptions is intended to discourage surveyors from tying surveys to the state plane coordinate system.
- B. The following surveys are exempted from the requirement for state plane coordinate reference:
  - 1. Re-tracement surveys of property in existing, platted subdivisions already recorded in the Greenville County Register of Deeds Office;
  - 2. Boundary surveys located in unzoned areas of the County, of less than 100 acres total aggregate;
  - 3. Any boundary survey more than one mile in distance as measured along public roads from a published geodetic monument; and
  - 4. Any survey of a proposed subdivision of ~~7~~six6 or fewer lots, including all phases and sections severed from the parent parcel.

### ~~24.3.5~~ **22.3.5 STANDARDS**

- A. Survey requirements specified in this document are only for referencing land parcels to state plane coordinates. Boundary surveys shall be performed in accordance with the [Standards of Practice Manual for Surveying in South Carolina](#), published by the State Board of Registration for Professional Engineers and Land Surveyors, unless more stringent requirements are specified herein.
- B. As much as possible, control surveys between geodetic monuments and property boundaries shall be extended from the nearest geodetic control monument(s).
- C. The specifications for horizontal control are as follows:
  - 1. *Global Positioning System (GPS) Surveys.*
    - (a) GPS procedures shall be followed to ensure survey grade compatibility with the nearest geodetic control monuments.
    - (b) Survey grade GPS receivers shall be used with a manufacturer's stated accuracy of at least  $\pm$  5 cm  $\pm$  2 ppm.
    - (c) The nearest station may not always be suitable for occupation by GPS because of obstructions, property owner permission, or other reasons.

- (d) The intent of this requirement is to make ties to network stations within 10 kilometers (6.214 miles) of the project and to establish new coordinates on property corners to a spatial accuracy of 0.2 feet.
- 2. Terrestrial Survey monument ties shall meet South Carolina Class A Standards.
- 3. Plat requirements:
  - (a) All directions shall be referenced to South Carolina Grid; and
  - (b) Distances shall be ground distances (not Grid distances).

### ~~24.3.6~~ **22.3.6 ELECTRONIC SUBMISSION STANDARDS & PROCEDURES**

- A. Drawings must be submitted as a drawing file in DWG or DXF format with PDF format for notes and details to the County's [application portal, file transfer protocol FTP-site](#) or on standard storage media approved by Greenville County [in the checklist for the procedure](#). ~~Approved media include CD-ROM or DVD-ROM disks and flash drives.~~ The use of alternate media requires County approval prior to submission.
- B. The submitted media shall be legibly labeled with the drawing or plat name, filename, drawing type (construction plan), project contact information (name, affiliation, phone number, and e-mail address), and submittal and file creation dates.
- C. Coordinate datum shall be the current South Carolina State Plane Coordinate System as specified in the South Carolina Code of Laws.
- D. South Carolina State Plane Coordinates shall be inherent to the submitted drawing file. That is, the submitted drawing file shall contain South Carolina State Plane coordinates, not local grid or paper space coordinates.
- E. Survey requirements for this section shall be consistent with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors unless more stringent requirements are specified herein.
- F. The vertical accuracy of surveys submitted for this section shall be +/- one-half of the elevation contour interval shown on the approved plan. The vertical datum shall be the North American Vertical Datum of 1988 (NAVD 1988).
- G. The submitted drawing file must be clearly named and not exceed 27 characters. For example, Cedar Cove Phase II would be named CedarCovePhII.dwg (or dxf) and Cliffs Valley, Stone Creek Phase II; Lots 42 thru 45 would be named CliffsValStnCrkPhIILts42-45.dwg. Long subdivision names may be abbreviated as long as there is a clear relationship to the submitted plan name.

- H. The Submitted drawing file must include features and text classified by the standard layer and naming convention shown in Table 22.3.6-1: *Drawing File (DWG /DXF) Specifications*. Drawing features and associated text shall not be combined in one layer. Text included in drawing files must use standard fonts that can be read without third-party software.
- I. Closure is critical in converting CAD features to GIS features. All linear and polygon features must be snapped closed, when applicable, and free of symbols (circles at property corners) that break line continuity.
- J. Submitted drawing files shall contain only complete features in the layers shown in Table 22.3.6-1: *Drawing File (DWG /DXF) Specifications*. Incomplete features provided for reference, may be included in an open layer, not shown in Table 22.3.6-1.
- K. A metadata text file with the same name as the drawing file (drawing\_file\_name.txt) is required with each electronic submission. This text file must provide technical parameters and contact information for the survey as specified in Table 22.3.6-1 and Table 22.3.6-2.
- L. A Portable Document Format (PDF) file shall be included in the submittal for each approved plan drawing that contains details relating to the layers specified in Table 22.3.6-1 below. The file(s) shall have the same name as the drawing file followed by a number that begins with 1 for the first file (drawing\_file\_name1.pdf) and increases sequentially for subsequent files (drawing\_file\_name2.pdf, drawing\_file\_name3.pdf, etc.).
- M. A metadata text file with the same name as the drawing file (drawing\_file\_name.txt) is required with each electronic submission. This text file must provide technical parameters and contact information for the survey as specified in Tables 22.3.6-1 and 22.3.6-1-2 below.
- N. A Portable Document Format (PDF) file shall be included in the submittal for each approved plan drawing that contains details relating to the layers specified in Table 22.3.6-1. The file(s) shall have the same name as the drawing file followed by a number that begins with 1 for the first file (drawing\_file\_name1.pdf) and increases sequentially for subsequent files (drawing\_file\_name2.pdf, drawing\_file\_name3.pdf, etc.).

**Table 22.3.6-1: Drawing File (DWG /DXF) Specifications**

Layer Number	Layer Name	Feature Type	Layer Description
2	PARCEL1	Line	Parcel/lot boundaries
4	ROW1	Line	Rights of way delineating private/public land boundary
6	GCP1	Point	Ground control points for drawing file (property corners, benchmarks, monuments, etc.).
17	CNTRLIN1	Line	Street/road centerlines (paved and unpaved)
19	CURBGUT	Line	Curb and Gutter
26	EAS	Line	Utilities, wildlife, transp., storm drainage/detention, etc.

**Table 22.3.6-1: Drawing File (DWG /DXF) Specifications**

Layer Number	Layer Name	Feature Type	Layer Description
33	BMPTEMP	Line	Temporary BMP’s (Silt fence, rock checks, etc.)
34	BMP	Line	Permanent BMP’s (Ponds, water quality devices, etc.)
35	STRMDRN	Line	Storm Drainage (Pipes, inlets, manholes, etc.)
47	CONTPROP	Line	Contours – Existing
48	CONTPROP	Line	Contours – Proposed
49	IMP	Line	Impervious areas (Rooftop, sidewalk, driveway, paved parking, etc.) (do not include roads)
51	LOTNUM1	Text	Proposed parcel lot number
52	LOTDIM1	Text	Bearings, distances, acreage, and x/y of POB
53	GCPITXT	Text	Ground control type (property corners, benchmarks, monuments, etc.) and coordinates
54	RDNAME1	Text	Street/road name
55	RDNAME2	Text	Road number (Federal, State, County highways, etc.)
59	EASTYPE	Text	Type of easement (utility, transp., wildlife, storm, etc.)
60	CONTEXTXT	Text	Elevations of existing contours
61	CONTPROPTXT	Text	Elevations of proposed contours
62	BMPTEMPTYPE	Text	Type of temporary BMP
63	BMPTYPE	Text	Type of permanent BMP
64	STRMDRNTXT	Text	Typical storm drainage text (diameter, length, material, invert elevations, rim elevations, etc.)

**Note:** Only layers applicable to a given plan need to be submitted.

**Table 22.3.6-2: Required Information**

Metadata Text File (<drawing\_file\_name>.txt) Specifications  
 Please Complete All Applicable Items

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Plat/Subdivision Name: \_\_\_\_\_

Drawing / File Name: \_\_\_\_\_

Type of Drawing (construction plan): \_\_\_\_\_

Submittal Date: \_\_\_\_\_

County: \_\_\_\_\_

City: \_\_\_\_\_

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Parent Parcel #: \_\_\_\_\_

Number of Lots: \_\_\_\_\_

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Type of Survey (GPS or Terrestrial): \_\_\_\_\_

Referenced Monument Names/Numbers:  
 Plat Tie Point Description:  
 Grid Bearing and Grid Distance to Monuments:  
 State Plane Coordinates of the Plat Tie Point  
 \_\_\_\_\_  
 GPS Unit Type (Manufacturer and Model):  
 Elevation Reference: Y / N  
 \_\_\_\_\_  
 Prepared by/Firm Name:  
 Street Address:  
 City:  
 State:  
 Zip Code:  
 Phone Number:  
 E-mail:  
 \_\_\_\_\_  
 Software/Version Used:

**24.4.22.4 SUBDIVISION PLAT REQUIREMENTS**

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**24.4.122.4.1 SUMMARY PLAT<sup>728</sup>**

- A. **Formatting Requirements.** The formatting of a summary plat must comply with the following:
1. One electronic copy of the summary plat (see example and checklist on Subdivision Administration webpage) shall be submitted at a scale of at least 1 inch =100 feet; and
  2. The summary plat shall measure 24" x 36" in overall dimensions.

B. ~~Contents of Summary Plat.~~ A ~~s~~Summary ~~p~~lat must contain the information required on the County’s Summary Plat Checklist. ~~following information:~~

- ~~1. Project narrative (separate document) addressing issues brought up at the Pre-Submittal Meeting;~~
- ~~2. Street names and inventory numbers;~~
- ~~3. Lot lines and building lines;~~
- ~~4. Tax map number;~~

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<sup>728</sup> Carries forward the summary plat requirements in 3.5.3: *Submittal Requirements*.

5. ~~Reservations, easements, floodplain drainage easements, public accesses, or sites for other than residential uses with explanation of purpose;~~
6. ~~Legend, north arrow, graphic scale, date, and title;~~
7. ~~Location and description of monuments;~~
8. ~~Name, location, and ownership of adjoining property;~~
9. ~~Name of subdivider or owner;~~
10. ~~Name of SC registered land surveyor with embossed seal;~~
11. ~~Number of acres;~~
12. ~~Appropriate right-of-way required;~~
13. ~~Drainage easements shall be provided for all drainage outfalls from the roadway;~~
14. ~~Area of Special Flood Hazard;~~
15. ~~Cemeteries and burial grounds;~~
16. ~~USGS Blue Line streams with Greenville County buffer easements;~~
17. ~~Appropriate notes regarding permitting needs for encroachments, land disturbance, and floodplain development; and~~
- 18.B. ~~Endangered species, habitat for endangered or threatened species.~~

#### **~~24.4.2 PLAT REQUIREMENTS — SIMPLE PLAT~~<sup>729</sup>**

~~In the case of summary plats which contain no more than two lots, the subdivider is not required to submit the standard summary plat, but instead is allowed to record the plat on a paper plat measuring 18 x 24 inches which contains at least the information listed in Section 3.1.2.~~

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<sup>729</sup> ~~Carries forward the requirements of 3.7: Simple Plats.~~

### ~~24.4.3~~ **22.4.2 PLAT REQUIREMENTS – FAMILY SUBDIVISION**

~~A. Family Subdivisions, which are only applicable in the Scuffletown Rural Conservation Area, must comply with the Summary Plat standards and include the information required on the County's Summary Plat Checklist standards in Subsection 22.4.1.~~

~~B. If at the time of subdividing, the applicant does not wish to develop any of the lots, the following notes must be added to the plat:~~

- ~~1. This division is in accordance with the Family Subdivision Exemption;~~
- ~~2. There is no land disturbance associated with this Family Subdivision;~~
- ~~3. At the subdivider's request, this plat was not evaluated for future development (water availability, sewer availability, stormwater management requirements, floodplain requirements or encroachment requirements);~~
- ~~4. At the time of development each lot must be evaluated for development and obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality; and~~
- ~~5. A building and land disturbance hold shall be placed on each lot until a Land Disturbance Permit has been obtained.~~

### **22.4.3 PLAT REQUIREMENTS – SIMPLE PLAT<sup>730</sup>**

A. In the case of Summary Plats which contain no more than two lots, the subdivider is not required to submit the standard Summary Plat, but instead is allowed to record a Simple Plat on a paper plat measuring 18 x 24 inches which contains at least the information required on the County's Simple Plat Checklist.

B. If at the time of subdividing, the applicant does not wish to develop any of the lots, the following notes must be added to the Simple Plat:

1. At the subdivider's request, this plat was not evaluated for future development (water availability, sewer availability, stormwater management requirements, floodplain requirements or encroachment requirements);
2. At the time of development each lot must be evaluated for development and obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality; and

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<sup>730</sup> Carries forward the requirements of 3.7: *Simple Plats*.



3. A building and land disturbance hold shall be placed on each lot until a Land Disturbance Permit has been obtained.

#### 24.4.422.4.4 PRELIMINARY PLAN<sup>731</sup>

##### A. **Formatting Requirements.**

1. A ~~P~~preliminary ~~p~~Plan shall be submitted to the ~~Community Planning, Development and Public Works~~ Department for review in a scale of not less than 1 inch to 100 feet.
2. The Preliminary Plan shall measure 24 x 36 inches. (See example and checklist on Subdivision Administration website)

##### B. **Contents of Preliminary Plan.** A Preliminary Plan shall include the following information and all information on the County's Preliminary Plan Checklist:

1. A narrative explaining how items brought up at the Pre-Submittal Community Mmeeting were addressed, as applicable;
2. A preliminary lot layout and a GIS survey of the property of the proposed subdivision showing bearings and distances, along with the following note: "Undersigned engineer/surveyor acknowledges that these are GIS-based boundaries, which will be fully surveyed using state plane coordinates at Final Plat;"
3. The ~~preliminary plan~~Preliminary Plan shall conceptually show all future phases of development so that road, infrastructure, and stormwater management connections and relationships may be considered during review. Projects that return as a subsequent phase, without the benefit of phasing review as a ~~preliminary plan~~Preliminary Plan, shall apply for a ~~preliminary plan~~Preliminary Plan revision to allow the comprehensive review;
4. The names of:
  - (a) The subdivision (which shall remain consistent through all processing);
  - (b) The owner or owners and current address;
  - (c) The engineer, surveyor, landscape architect, land planner, who prepared the plan; and
  - (d) The adjoining subdivisions or property owners;

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<sup>731</sup> Carries forward the standards for preliminary plans as provided in 3.3.4: *Plan Requirements*.

5. The location of the proposed subdivision;
6. The location, right of way widths, and inventory numbers of all streets and roads adjacent to any property proposed for subdivision and whether they are public or private;
7. A vicinity map showing the relationship of the property submitted for approval with adjoining property and to all streets or roads existing within 1000 feet of any part of the property to be approved. In addition, the property will be located on this sketch from at least one highway or well-known road or intersection by indicating the mileage to the nearest tenth to the property;
8. The location and size (if known) of sanitary and storm sewers, location, and size (if known) of water mains, and other utilities immediately adjacent to the tract. Also, the names of the owners of the utilities should be included in the ~~preliminary plan~~Preliminary Plan. If water mains and sewers are not on or adjacent to the tract, indicate the direction, distance to, and size of nearest accessible mains. If public sewage facilities are proven infeasible, the developer shall contact SCDES for septic tank approval information. If the area or any part of the area being platted lies within a sewer or water district, this district shall be shown clearly on the ~~preliminary plan~~Preliminary Plan;
9. Topographic contour intervals, not greater than 12-feet, shall be overlaid on the preliminary lot layout;
10. The location of watercourses, live streams, marshes, known wetlands, floodplains and floodways, wooded areas, water impoundments, endangered or threatened species, habitat of endangered or threatened species, existing cemeteries and burial grounds, houses, barns, garages or storage sheds on site and any other significant features on the land proposed for approval. Additionally, the following requirements are part of the plan:
  - (a) The location of any historic sites or cemeteries, which merit protection on site;
  - (b) Protective measures shall be listed on the plan in a narrative form with ownership and location identified in the notes. These measures shall be in accordance with the laws, ordinances, and regulations of the County of Greenville, State of South Carolina, or Federal Government; and
  - (c) Existing cemeteries shall be shown as a separate lot in the subdivision and shall be accessed by a minimum 20 foot wide private or public easement;
11. Areas held in common ownership, or areas that are required for stormwater or other infrastructure facilities (mailbox areas, detention ponds, conservation areas, etc.), shall

be labeled “Undeveloped Area – A, B, C, etc.” and identified as to use, responsibility, and ownership in plan notes;

12. The location, width of all street rights of way, centerline road radii, and other areas proposed to be dedicated to the public or intended for public use and proposed lot lines and approximate lot dimensions;
13. Scale, north arrow, legend, and date;
14. Total area stated in acres of the land proposed for subdivision and a table showing the lot number and the approximate area of each proposed lot;
15. Where zoning exists within Greenville County including municipalities, all ~~p~~Preliminary ~~subdivision p~~Plans shall show the existing zoning classification for the area being platted and all abutting property. The ~~preliminary plan~~Preliminary Plan shall comply with the requirements of the Zoning Ordinance in effect in the area proposed for a subdivision. If the area or any part being platted will not meet the minimum requirements of the Zoning Ordinance, and the developer's design requires the area to be rezoned, the developer must make an application for a zoning change with the appropriate authority. The application for rezoning must be submitted to the appropriate legislative body and have received at least ~~s~~Second ~~r~~Reading approval prior to the submittal of a ~~p~~preliminary ~~subdivision p~~Plan; and
16. The location of the Cluster Box Units.

C. **Preliminary Plan for Open Space Subdivisions.** In addition to other platting requirements, the Preliminary Plan for an Open Space Subdivision shall include a table providing the information in Table 22.4.4-1. with the number of gross acres, permitted density per acre, required open space (total and breakdown by type), and total number of dwelling units.

<b>Table 22.4.4-1: Open Space Subdivision Summary Table</b>			
<u>Residential</u>	<u>Entire Development</u>	<u>This Plan</u>	<u>Cumulative</u>
<u>Permitted Density</u>			
<u>Grow Acres</u>			
<u>Units Allowed</u>			
<u>Units Proposed</u>			
<u>Nonresidential</u>	<u>Entire Development</u>	<u>This Plan</u>	<u>Cumulative</u>

<u>Gross Acres</u>			
<u>Number of Buildings</u>			
<u>Gross Square Feet</u>			

6.

**22.4.5 FINAL PLAT<sup>732</sup>**

- A. **Survey Standards.** The Final Plat shall conform to all the standards of a Class “A” Land Survey as found in the Standards of Practice Manual for Surveying in South Carolina and in the Article.
- B. **Formatting Requirements.**
  - 1. The Final Subdivision Plat shall measure 24 x 36 inches.
  - 2. If the Final Subdivision Plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of each section.
  - 3. The scale of the ~~final plat~~Final Plat shall be such that new addresses and tax map numbers for each lot may be added legibly, post-approval. The scale must be at least 1 inch to 100 feet generally and at least 1 inch to 30 feet for townhomes.
  - 4. Final Plats shall be accompanied by digital files submitted in accordance with the provisions in § 22.3: *General Survey Requirements*.
  - 5. *Electronic Submission of Final Plats.*
    - (a) All ~~final plat~~Final Plats to be submitted for recording shall be accompanied by an electronic copy, as specified by the Electronic Submission Standards and Procedures described below.
    - (b) The only use of the electronic information submitted will be for the anonymous inclusion into the Greenville County GIS system. Disclaimers and limiting statements may be placed in electronic submissions, provided such disclaimers

<sup>732</sup> Carries forward the requirements for final plats in 3.4.2: *Submittal Requirements*; 3.4.11: *Plat Requirements*; and 3.4.13: *Plan Review*.

do not direct liability to the County or create indemnification by the County to the party submitting electronic files.

- (c) Submitted files shall contain, at a minimum, parcels, rights of way, ground control points, street centerlines, easements, lot numbers, lot dimensions, road names, and easement types if these elements are shown on the submitted, printed document. All undeveloped areas shall be identified with letters and notes stating their purpose and maintenance responsibility.

### C. Contents of Final Plat.

1. The title of each ~~final plat~~ Final Plat shall contain the following information and the information required on the County's Final Plat Checklist:
  - (a) Subdivision name as identified on the ~~preliminary plan~~ Preliminary Plan;
  - ~~(b)~~ (b) Name of owner and his address;
  - ~~(b)~~ (c) Preliminary Plan Case Number;
  - ~~(e)~~ (d) Location as to ~~e~~ County and ~~s~~ State;
  - ~~(d)~~ (e) The date or dates the survey was made;
  - ~~(e)~~ (f) A numerical scale;
  - ~~(f)~~ (g) A graphic scale; and;
  - ~~(g)~~ (h) The name, address, registration number, and the seal and signature of the S.C. Registered Land Surveyor who prepared the plat.
2. There shall appear on the Final Plat a certificate by the S.C. Registered Land Surveyor making the survey stating the origin of the information shown on the map including deeds and any recorded data shown thereon. The error of linear closure shall be 1:10,000. Any lines on the map that were not actually surveyed must be clearly indicated and a statement included revealing the source of information. The required certifications can be found on the Subdivision Administration website.
3. Every Final Plat shall contain the following specific information:
  - (a) Accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, or grid. A scale of at least 1 inch to 100 feet is required;

- (b) The ~~final plat~~Final Plat shall show sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every lot line, easement line, boundary line, and other property boundaries;
- (c) Where a boundary line is formed by a curved line, the curved line must be defined in a curve data chart to include the radius, delta, arc length, and the long chord with the chords' bearing and distance. The curve may also be defined as a traverse of chords around the curve;
- (d) The names of adjacent landowners and lot, block, and subdivision designations shall be shown where they have been determined and verified by the surveyor;
- (e) All obvious and apparent rights of way, watercourses, floodplains present, endangered or threatened species, habitat of endangered or threatened species, utilities, roadways, cemeteries and burial grounds, historic structures present, and other such improvements shall be located in undeveloped areas. Protective measures specified in this ordinance will be required, and easements provided. Unless specific instructions are made requiring the digging up of or uncovering of buried utilities, the location of the utilities shall reflect the marked locations as indicated by an underground utility locator service or the respective utility provider;
- (f) If the area of land parcels is shown, the area must be computed to the nearest one hundredth of an acre ~~and or to~~ the nearest square foot;
- (g) In the absence of a specific engineering stormwater plan as a minimum, 5 foot drainage and utility easements shall be established along all side and interior rear property lines; 10 foot easements established along exterior boundary of the subdivision unless adjoining property owners have established easements.
- (h) A note shall be added to the plat that states "This plat shall follow the requirements of the final subdivision development plan."
- (h)(i) Any approved cases in addition to the preliminary plan at the Planning Commission meeting should be noted with date, case and summary of approval and conditions.
- (i)(i) -If applicable, the base flood elevation (BFE) delineation and area of special flood hazard, as defined in the Greenville County Flood Damage Prevention Ordinance, must be shown on the Final Plat prior to recording, along with the lowest floor elevation chart for any lot upon which a structure may be located in or immediately adjacent to the area of special flood hazard.
- (i)(k) Proposed road names shall be added for approval. The Road ID for public roads must be shown. Private roads must be shown as private.

**D. Establishment of Corners and Monuments.** All new or re-established corners shall be:

1. Metal, concrete, or other durable material and shall be detectable with conventional instruments for finding ferrous or magnetic objects;
2. No less than 1/2 inch in diameter for metal corners and 4 inches in diameter for concrete;
3. No less than 24 inches in length;
4. If the corner location falls on pavement, concrete, or other impervious material where one of the above cannot be placed, it is permissible to use nails, spikes, scribes, etc. in or on the surface; and
5. All boundary monuments shall be in place prior to the signing, sealing and issuance of the Final Plat.

**E. Requirements for Homeowners Association.**

1. The membership rights and obligations related to the undeveloped areas, if included in a subdivision, shall be described in covenants running with the land. All undeveloped areas shall be maintained by the homeowners' association or property owners' association within the subdivision or other agency, as identified on the ~~final plat~~Final Plat. The establishment of the association must take place prior to the ~~final plat~~Final Plat approval.
2. No deed restrictions or restrictive covenants shall stipulate lower standards than the minimum required in this UDO.
- ~~2.3.~~ Covenants must be provided and recorded along with the ~~final plat~~Final Plat. The applicant must also provide the articles of incorporation for the homeowners' association, if one will own or manage the common areas of the development.

**F. Final Plat for Review District Subdivisions.** The Final Plat for Review District Subdivisions must include the summary table information provided as part of the Preliminary Plan.

**F.G. Final Plat for Open Space Subdivisions.** When recording a Final Plat for an Open Space Subdivision the following applies:

1. *Proportion of Open Space.* The recorded required acreage for open space on each Final Plat shall be proportional or greater to the total acreage being platted. Subsequent Final Plats shall also meet the proportional requirements for the overall platted acreage.
2. *Content Requirements.* The following information shall be shown on the Final Plat at the time of submittal:

- (a) Density table, using the same format as on the Preliminary Plan, and shall include the proportional acreage being recorded and cumulative acres as the phases progress;
  - (b) Notations indicating the delineated open space, including metes and bounds;
  - (c) Description of the easement placed on all lands and private waters used to satisfy the open space requirements of Open Space Subdivisions, including a statement that the easement shall be solely for the purpose of ensuring the land remains undeveloped and shall not, in any way, imply the right of public access or any other right or duty not expressly set forth by the terms of the easement;
  - (d) A statement that the easement shall run with the land, provide for protection in perpetuity, and be granted to the County, subject to acceptance, a County-approved non-profit land trust, the Homeowners' Association, or other qualified organization approved by the County;
  - (e) A complete metes and bounds description on the easement of the property being designated as open space;
  - (f) Notation to state that this development has been approved by the Planning Commission as an Open Space Subdivision and has provided certain acreage of open space; ~~and~~
- (b) Notation to state that the open space for this development is protected by an easement or other legal mechanism that has been recorded at the Greenville County Register of Deeds Office (Instrument #) and as outlined in the Subdivision Covenants (Instrument #). The note shall state that:
- (1) All open space must remain perpetually undeveloped and that the removal of trees and natural vegetation shall not be permitted in open space designated as natural areas except during the development phases for the purposes of utility crossing easements, passive recreational uses and drainage ways;
  - (2) Neither the developer, property owners, or other subsequent contractors or builders shall be granted permission to remove or destroy any trees or natural vegetation from the open space area for passive recreational or any other purposes without the express written permission of the community board, or homeowners' association, or property owners, or trustees having jurisdiction over the implementation and enforcement of the subdivision covenants; and
  - (1) If some part of the open space was designated to meet stormwater management requirements, permission must be obtained from the Land



Development Division for any alteration of the designated open space. Normal maintenance and the removal of dead or fallen trees are permitted and recommended; and

- (g) The County and municipality, if applicable, where the subdivision is located.

## ~~24.5~~**22.5 FINANCIAL SECURITY REQUIREMENTS**<sup>733</sup>

### ~~24.5.1~~**22.5.1 GENERALLY**

- A. **Option for Completion.** Before obtaining Final Plat approval, the developer has the option to:
1. Complete the required infrastructure improvements and have them accepted by Greenville County; or
  2. Provide ~~financial security~~Financial Security instruments in lieu of completing the infrastructure improvements upon meeting the minimum requirements of this UDO, if applicable.
- B. **Determination of Security Amount.**
1. When a ~~financial security~~Financial Security is permitted, the developer through its ~~a~~Authorized rRepresentative shall submit to Subdivision Administration the ~~actual bid from the contractor or a~~ cost estimate prepared, signed, and sealed by the developer's engineer and verified by the County's or Municipality's Engineer, as applicable, or their authorized representative.
  2. These estimates shall cover the full cost of all remaining infrastructure improvements. The ~~financial security~~Financial Security amount shall be based on 125% of the cost estimates as approved by the County or Municipality at the time ~~financial security~~Financial Security is accepted, or a minimum of \$20,000, whichever is greater.
  3. The applicant shall also pay ~~5% of the cost estimate as~~ a fully refundable deposit that shall be credited against any late fees incurred by the applicant during the period of the Financial Security in an amount provided in the County's Subdivision Fee Schedule.
- C. **Form of Security.** A developer submitting a ~~final plat~~Final Plat for approval (whether an individual, partnership, or corporation) may execute its own Financial Security using one of the following four methods:

<sup>733</sup> Carries forward and updates the financial security requirements 3.4.3: *Financial Security Requirement* based on Staff input. The Section adds an option for a performance bond and updates the standards for letters of credit.

1. An irrevocable letter of credit from an acceptable federally insured financial institution;
2. Cash to be deposited in a County escrow account properly securing the amount of the Financial Security, along with a notarized, original escrow agreement;
3. A performance bond issued by a surety licensed to do business in South Carolina; or
4. A certified check to be deposited in a County escrow account properly securing the amount of the Financial Security. An original, signed, and notarized escrow agreement must be attached.

D. **Fee Required.** All ~~financial security~~Financial Security requests shall be accompanied by a fee in an amount provided in the County's Subdivision Fee Schedule.

E. **Standards for Security.**

1. *Letters of Credit.* For the purpose of this Subsection, ~~U~~E letters of ~~C~~Credit must be issued by a federally insured financial institution that:
  - (a) Is authorized to do business in the State of South Carolina;
  - (b) Maintains a full service branch located within the State of South Carolina; and
  - (c) Has a credit rating of at least of at least A- (Standard & Poors), A3 (Moody's), or an equivalent rating by another agency.
2. *Performance Bonds.* If the applicant provides a performance bond, it must conform with the following criteria:
  - (a) The County must be a named obligee on the bond;
  - (b) The bond must stipulate that it is intended to ensure performance of the completion of the work required by this UDO;
  - (c) The bond must be in an amount sufficient to insure performance of the completion of the work required by this UDO; and
  - (d) The bond may not be released without a written release from the County.
3. All instruments and agreements used under this Article are subject to the approval of Subdivision Administration and the municipality, if applicable.
4. Subdivision Administration may reserve the right to require developers to execute such agreement and instruments in furtherance of this Article as are approved as to form by Subdivision Administration.

F. **Previous Failure to Complete Required Infrastructure.**

1. If it is the developer of record has failed to complete all of the required infrastructure improvements in one previous subdivision (~~not two phases of a single subdivision~~) the Subdivision Administrator may not approve a ~~financial security~~Financial Security on any subsequent subdivisions. Approval of such ~~f~~Financial sSecurities must be granted by the Planning Commission.
2. As a condition of approval in these cases, the Planning Commission may approve the ~~financial security~~Financial Security as submitted or may require additional ~~financial security~~Financial Security up to 140% of the estimated cost of the infrastructure improvements as submitted by the developer's engineer and agreed to by the staff of the County ~~Land Development Division~~Planning Department at the time the ~~financial security~~Financial Security is accepted.
3. The additional 15% of ~~financial security~~Financial Security are reserved to provide reimbursement to County for staff time for project management services required to complete the infrastructure in the subdivision in the event the developer fails to perform.
4. If a developer who has been required to provide an increased ~~financial security~~Financial Security amount successfully completes two separate subdivisions under the increased ~~financial security~~Financial Security provisions without the need to draw the ~~financial security~~Financial Security the developer will be allowed, on future projects, to only meet the 125% of the cost estimate requirement and no longer requires approval from the Planning Commission.
5. For purposes of these Regulations, and this Article "Financial Security" shall refer to a County-approved instrument and arrangement undertaken by and at the expense of the developer, established to provide a financial guarantee in favor of the County. In the event of default or failure by the developer, the Financial Security shall be applied so as to provide funds for the completion of all required infrastructure improvements.

#### ~~24.5.222.5.2~~ **22.5.2 FINANCIAL SECURITY PERIOD**<sup>734</sup>

All ~~financial security~~Financial Security instruments shall be posted with Subdivision Administration for and on behalf of the County of Greenville. The initial ~~financial security~~Financial Security will be in effect for one year and is renewable for a maximum of three one-year extensions, subject to conditions as specified by County staff.

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<sup>734</sup> Carries forward 3.4.4: *Financial Security Period*.

### **24.5.322.5.3 FINANCIAL SECURITY REDUCTIONS & CREDIT FOR COMPLETED WORK<sup>735</sup>**

- A. ~~Developers may apply for a reduction in the amount of the financial security~~ Financial Security posted based on completed infrastructure improvements. ~~The developer may~~ in apply order to qualify for Credit for Completed Work after the completed installation, and inspection of the base course on all proposed roads ~~a significant portion of any one of the following items must be installed in accordance with the approved plans:~~
1. ~~Storm drainage;~~
  2. ~~Roadway base;~~
  3. ~~Roadway asphalt;~~
  4. ~~Curb and gutter; or~~
  5. A. Sidewalks.
- B. Developers should be advised that they must ensure relevant work is complete and in accordance with the approved construction plans prior to making a reduction in the ~~financial security~~ Financial Security. Greenville County permits only one site ~~visit~~ by County staff to verify quantities are correct. The purpose of the site ~~visit~~ is to verify the cost estimate is adequate to complete the remaining work.
- C. In no case may the result of reduction recalculations allow the ~~financial security~~ Financial Security for each ~~final plat~~ Final Plat to go below \$20,000.00.

### **24.5.422.5.4 CONSTRUCTING REQUIRED IMPROVEMENTS UNDER FINANCIAL SECURITY<sup>736</sup>**

- A. After Subdivision Administration has approved a Final Plat and accepted ~~financial security~~ Financial Security to ensure completion of required improvements, the developer shall complete such improvements within 4 years of the initial ~~financial security~~ Financial Security acceptance date for each Final Plat.
- B. If the improvements are not progressing in accordance with County requirements, the County staff member must notify Subdivision Administration and recommend that the developer be notified to complete the required work within a specified period of time. At this time, developer is required to submit an action plan signed by his engineer to be approved by the Land Development Division.

<sup>735</sup> Carries forward 3.4.5: *Financial Security Reductions and Credit for Completed Work.*

<sup>736</sup> Carries forward 3.4.6: *Constructing Required Improvements Under Financial Security.*

B. \_\_\_\_\_

- C. When the required infrastructure has been installed and accepted by the County Engineer or municipal authority, the developer shall provide a copy of the acceptance letter from the appropriate utility agencies and municipal agency (if applicable) along with the required affidavits and dedications to Subdivision Administration.
- D. After receipt of the acceptance letter and affidavits, the Subdivision Administrator shall proceed to complete the acceptance procedures for the infrastructure. [Checklists and forms are available on the County's Subdivision Administration Website. The close out process will follow the financial security calendar as posted on website.](#)

#### ~~24.5.5~~ **22.5.5 SIDEWALK CONSTRUCTION BOND – OPTIONAL**<sup>737</sup>

- A. If at the time of road acceptance all sidewalks are not completed, and at the discretion of the Subdivision Administrator, the developer may post a separate sidewalk construction cash surety to Subdivision Administration in the amount of 125% of the cost for Greenville County to bid out for completion of the sidewalks. The duration of the surety will be up to three years.
- B. With the posting of the surety and fulfilling all other requirements for roadway/infrastructure improvements, the roads may be accepted into the County inventory for maintenance.
- C. The developer and/or the builders of the individual lots are responsible for the completion of the remaining sidewalk with the construction of the structures of the lots. At the end of two years, it is the developer's responsibility to ensure that all the remaining sidewalks shown on the construction plans are installed. If no effort is made to complete the sidewalk after the two-year notice by the end of the third year, the developer shall be considered in default and the funds will be drawn so that the sidewalk may be completed by Greenville County.

#### ~~24.5.6~~ **22.5.6 LAND DEVELOPMENT DIVISION ACTION**<sup>738</sup>

- A. Following notification to Subdivision Administration pursuant to § 22.5.4: *Constructing Required Improvements Under Financial Security*, the Subdivision Administrator shall then, after consultation with Land Development Inspection staff:
1. Release the Financial Security instrument and refund any deposits paid for late fees;
  2. Call for completion of the required improvements within a specified period of time;

<sup>737</sup> Carries forward 3.4.7: *Sidewalk Construction Bond – Optional*.

<sup>738</sup> Carries forward 3.4.8: *Land Development Division Action*.

3. Allow the Financial Security to be extended for an additional year (up to four years total); the Land Development Division must review the cost estimates compared to current market rates and may require an increase in the amount of the Financial Security based on price increases; or
  4. Proceed to enforce collection on the Financial Security instrument.
- B. If the extension is within the first four years, the County Engineer shall only review to verify that quantities are correct.
- C. In cases of unforeseen circumstances, the Subdivision Administrator may agree to extend beyond four years. Prior to granting this extension, the developer shall submit a cost estimate of the remaining work to the County Engineer, who shall review cost estimates and work to be completed to ensure that the security is adequate to cover the remaining work if it were bid out by Greenville County. If the security amount is not sufficient to cover the remaining work, the developer must provide an additional amount of ~~financial security~~ Financial Security. All ~~financial security~~ Financial Security requests shall be accompanied by a fee.

#### **24.5.722.5.7 FINANCIAL SECURITY ADMINISTRATION<sup>739</sup>**

- A. The developer is responsible for maintaining adequate ~~F~~financial ~~S~~securities. Subdivision Administration shall enforce this responsibility through the administration and management of the tasks outlined in this Subsection.
- B. Financial Security Renewal Notices:
1. Are generated by the Subdivision Administrator;
  2. Must be mailed three months prior to security term expiration;
  3. Indicate the due date via electronic notification (45 days prior to ~~Security security Term term Expiration~~ expiration);
  4. Set forth requirements for security release/return; and
- C. The Subdivision Administrator shall obtain and maintain ~~D~~developer/~~B~~builder contact information for County Inspection ~~S~~staff overseeing the work being financially secured.
- D. Financial Security Renewal Warnings:
1. Must be mailed 30 days prior to ~~S~~security ~~T~~term ~~E~~expiration;

<sup>739</sup> Carries forward 3.4.9: *Financial Security Administration*.

2. Must be mailed certified under the signature of the Subdivision Administrator;
  3. Must reference date of original renewal notice and missed deadline for providing the renewal;
  4. Must alert Ddeveloper/Bbuilder that the County of Greenville will initiate the process of collecting the Financial Security if a renewal is not received by certain date.
- E. Financial Security Release/Return. Financial Securities must be kept current and in effect until such time a final inspection is performed, outstanding items are addressed, and the proper review authority makes a recommendation for final acceptance of the project to the Subdivision Administrator.

#### ~~24.5.8~~ **22.5.8 FAILURE TO COMPLETE INFRASTRUCTURE IMPROVEMENTS**<sup>740</sup>

- A. **Declaration of Default.** The Subdivision Administrator shall declare the Financial Security funds to be forfeited and begin collection of the Financial Security funds at the time of Financial Security Renewal if:
1. The improvements indicated on the approved plans are not constructed, completed, installed, or accepted as required;
  2. The developer fails to renew the Financial Security before completion of improvements and acceptance of the project by the County Engineer; or
  3. The developer has failed to respond to the Financial Security Renewal notices.
- B. **Suspension of Permitting While in Default.** Unless good cause is shown as to the default, no building or other permit shall be issued to the developer in the subdivision during any period in which the developer is in violation of the approved plans or the Land Development Regulations relating to the subdivision.
- C. **Collection of Security.**
1. If the developer fails to cure any default or present compelling reason why no default should be declared, the Subdivision Administrator or their authorized representative shall declare the Financial Security funds to be forfeited and begin collection of the Financial Security funds.
  2. The funds shall be placed in an appropriate escrow or agency account subject to the direction of the Assistant County Administrator for Community Planning and,

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<sup>740</sup> Carries forward 3.4.10: *Failure to Complete Infrastructure Improvements*.

Development, ~~and Public Works~~ or their authorized representative, and shall be held for the benefit of the subdivision infrastructure improvements.

3. The County may complete, or have completed, the subdivision improvements to the extent practicable with the available Financial Security funds. This may be accomplished by applying the remaining Financial Security funds to the construction of the improvements. This provision shall not be construed to require the County to fund subdivision infrastructure improvements.

**D. Successor Security Required.**

1. If prior to completion of the infrastructure improvements, a new developer or successor developer acquires ownership of or development rights to a subdivision deemed to be in default according to this subsection, the new developer is required to submit a new Financial Security according to the provisions of this Section before beginning work on the infrastructure improvements.
2. The new Financial Security shall be in an amount sufficient to guarantee the completion of the infrastructure improvements indicated on the approved plans after recalculation of costs in order to allow for the deteriorating condition of the subdivision infrastructure improvements and/or any inflated or increased costs of constructing the improvements.
3. If the Financial Security funds have been drawn by the County prior to the new or successor developer purchasing or acquiring development rights in the defaulted subdivision, the County may assign its rights in the Financial Security funds held by the County to the new or successor developer if the new or successor developer submits a new Financial Security as provided in this Section. All infrastructure costs in excess of the original Financial Security fund amount will be the responsibility of the new or successor developer.

## **22.6 FINANCIAL SECURITY FOR AFFORDABLE HOUSING**

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- A. **Financial Security Required.** Subdivisions that receive a density bonus or other incentive for providing affordable housing in the Residential Districts (§ 2.3.4), Mixed Residential Districts (§ 2.3.5), or Mill Village Overlay District (§ 2.5.3) shall post an affordable housing bond for each designated affordable housing lot established by Final Plat.
- B. **Amount of Financial Security.** The amount of the required financial security is based on the estimated fair market value for each lot recorded on the Final Plat.
- C. **Exemption.** Subdivision developers that partner with a qualified affordable housing developer or funder are exempt from the requirement to provide an affordable housing bond.
  1. Qualified affordable housing developers must be verified by a qualified affordable housing funder.



2. A “qualified affordable housing funder” is an entity such as a HUD entitlement grantee, housing trust fund, or community development financial institution. Local examples of qualified funders include the Greenville County Redevelopment Authority, Greenville Housing Fund, Community Works, and the South Carolina State Housing Finance & Development Authority.

D. Release of Financial Security. To release a financial security for affordable housing, the developer must submit the required affordable housing documentation to the Subdivision Administrator any time before or at close-out of the subdivision. The documentation includes, for each affordable housing lot:

1. The executed sales contract between buyer and seller;
2. An affidavit verifying the number of persons who will live in the house; and
3. Income verification for all persons 18 years of age or older, which must include the past year tax returns and two most recent bank statements.

3. \_\_\_\_\_

## 24.622.7 LANDSCAPING PLAN<sup>741</sup>

Landscape plans, at a scale of not less than one inch equals 50 feet, shall contain existing and proposed landscaping, including:

- A. The location, botanical name and common name, size in diameter one-half foot above grade and height of new trees to be planted, which must comply with this code;
- B. The location, botanical name and common name, size in diameter 4½ feet above grade and estimated height of existing trees which are to be maintained or preserved for credit as per the requirements of this code;
- C. The location and dimensions of parking lots, buffer areas and other planting areas;
- D. The size, botanical name and common name and spacing of plant materials;
- E. The location and design of any fence, wall or earthen berm indicating size, dimensions, and materials;

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<sup>741</sup> This is the current text of § 12:4.9 Plan Submittal Requirements for parking lots in certain districts. Landscaping plans are required for many development procedures.

- F. The location and description of any barriers required to be erected to protect any existing vegetation from damage; and
- G. Provisions for watering and other long-term maintenance to assure serviceability, soil stabilization and plant protection.

## **24.7.22.8 TRAFFIC IMPACT STUDY<sup>742</sup>**

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### **24.7.122.8.1 PURPOSE<sup>743</sup>**

- A. A Traffic Impact Study (TIS) is a specialized engineering study that evaluates the effects of a proposed development on traffic conditions in an area.
- B. These studies help developers and government agencies identify the potential traffic impacts of a development and evaluate strategies to mitigate these impacts both on- and off-site.
- C. Ultimately, the TIS can be used to assess whether the scale of the development is appropriate for a particular site and what improvements may be necessary, on and off the site, to provide safe and efficient access and traffic flow and to accommodate the additional traffic generated by the development.

### **24.7.22.8.2 APPLICABILITY<sup>744</sup>**

- A. **Generally.** This Section applies to Traffic Impact Studies (TIS) for qualifying land development projects with access on County-maintained roads.

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<sup>742</sup> This Section generally carries forward the current requirements for traffic impact studies in the Land Development Regulations with several changes to conform with the SCDOT's TIS process. Particular changes include 1) updating the applicability threshold for unzoned areas so that one standard (100 trips) will apply County-wide; 2) removing the separate standard for rezoning applicability so that all changes in use uniformly trigger a TIS; 3) updating the applicability table with the current size thresholds in the SCDOT's Access & Roadside Management Standards Manual; and 4) updating the requirements for the process and content of a TIS to conform with the current version of the SCDOT Access & Roadside Management Standards Manual.

<sup>743</sup> This Subsection carries forward and updates the first paragraph of current § 9.1: *Intent*.

<sup>744</sup> This Subsection completely updates applicability standards. It combines the second paragraph of current § 9.1: *Intent* with the applicability standards in § 9.2: *Study Requirements* and § 9.5: *Staff Approval*. In addition to the combination of current applicability standards in one location, it updates the applicability table with the current size thresholds in the SCDOT's [Access & Roadside Management Standards](#) Manual. It also removes TIS standards specific to unzoned areas based on staff input and adopts the same applicability limit for rezonings as land development projects.

**B. Developments on State Roads.** Projects on State-maintained roads must comply with the SCDOT’s [Access & Roadside Management Standards](#), and the SCDOT Traffic Requirements Form must be completed and submitted to Greenville County.

**C. Qualifying Land Development Projects.** A TIS is required for:

1. Land development projects expected to generate 100 or more trips during the peak hour of the traffic generator. Examples of large developments that may generate trips meeting this threshold include major shopping centers, apartment complexes, planned developments, and industrial complexes; or
2. Any change or expansion at an existing site, including rezoning, that results in an expected increase of 100 or more peak hour trips.

**D. Measurement of Trip Generation.**

1. *Generally.* The estimated number of trips for the sites is based on the most recent edition of the Institute of Transportation Engineers (ITE) [Trip Generation Manual](#).
2. *Estimate of Trips for Applicability.* Table 22.8.2-1 shall be used to determine whether a study is required for a particular project. It is based on the Seventh Edition of the ITE [Trip Generation Manual](#) and provides examples of land use size thresholds that would be expected to generate 100 peak hour trips.

Table 22.8.2-1: Guidelines for Determining Need for TIS	
Land Use	100 Peak Hour Trips <sup>1</sup>
Single Family Home	90 du
Apartments	150 du
Townhomes	190 du
<del>Manufactured</del> Mobile Home Park	170 du
Shopping Center - Gross Leasable Area (GLA)	6,000 sf
Fast Food Restaurant with Drive In - Gross Floor Area (GFA)	2,000 sf
Gas Station with Convenience Store	7 fueling positions
Banks with Drive-In (GFA)	2,000 sf
General Office	67,000 sf
Medical/Dental Office	29,000 sf
Research & Development	71,000 sf
Light Industrial/Warehousing	185,000 sf
Manufacturing Plant (GFA)	144,000 sf

Key: du = dwelling units | sf = square feet

<sup>1</sup> Rates/equations used to calculate the thresholds are for the PM Peak Hour of the adjacent street.

### ~~24.7.3~~ 22.8.3 STUDY REQUIREMENTS<sup>745</sup>

- A. **Generally.** A TIS shall be under the direct charge of and sealed by a registered South Carolina Professional Engineer with expertise in traffic engineering. The method used for analysis should be based on the most recent edition of ITE's *Transportation Impact Analysis for Site Development*. An impact study shall analyze traffic conditions for the:
1. Existing year conditions;
  2. Build-out year background "no build" conditions; and
  3. Build-out year "build" conditions.
- B. **Study Area.**
1. *Zoned Areas.* For zoned areas, the study area must evaluate the three peak hours and include consideration of the nearest three intersections with a road categorized as a collector or higher within a ½ mile radius from the property boundary.
  2. *Unzoned Areas.* For unzoned areas, the study area must evaluate the three peak hours and include consideration of the nearest three intersections with a road categorized as a collector or higher within a ¾ mile radius from the property boundary. However, the study area may be expanded at the discretion of the County Traffic Engineer if three intersections are not available within a ¾ mile radius from the property boundary.
  3. *Study Area Map.* A study area site map showing the site location is required.
- C. **Proposed Land Use.** The TIS must:
1. Include a description of the current and proposed land use including characteristics such as:
    - (a) The number and type of dwelling units;
    - (b) Gross and leasable floor area; and
    - (c) Number of employees.
  2. Be accompanied by a complete project site plan (with buildings identified as to proposed use); and

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<sup>745</sup> This Subsection completely updates § 9.2: *Study Requirements* to conform with current version of the SCDOT [Access & Roadside Management Standards](#) Manual.

3. Include a schedule for construction of the development and proposed development stages.

**D. Existing Conditions.**

1. Provide a description of existing traffic conditions including existing peak-hour traffic volumes adjacent to the site and levels of service for intersections in the study area.
2. Use existing traffic signal timings.
3. In general, AM and PM peak hour counts should be used; however, occasionally other peak periods may need to be counted to determine the effects of school or special event traffic. Data should be adjusted for daily and seasonal variations.
4. Existing counts may be used if taken within the 12 months of the submittal of the TIS but must consider the growth rate of traffic at the location if more than six months old.
5. Counts shall be taken on a Tuesday, Wednesday, or Thursday when school is in session unless otherwise determined by the County Traffic Engineer. Counts may not be taken on holidays.

**E. Future Background Growth.**

1. If the planned completion date for the project or the last phase of the project is beyond one year of the study, an estimate of background traffic growth for the adjacent street network shall be made and included in the analysis.
2. In general, the growth factor should be determined from local data. However, statewide data may be used if local data cannot be obtained.
3. Include any local, state, or private improvements within the study area that will be underway in the build-out year and traffic that will be generated by other proposed and approved developments in the study area that will be complete in the build-out year plus one year.

**F. Estimate of Trip Generation.**

1. Provide an estimate of trip generation for the proposed project. The site forecasted trips shall be based on the most recent edition of the ITE [Trip Generation Manual](#).
2. A table shall be provided in the report outlining the categories and quantities of land uses, with the corresponding trip generation rates or equations, and the resulting number of trips. The reason for using the rate or equation shall be documented and the Land Use Code (LUC) used for the calculations shall be provided.

3. For large developments that will have multiple phases, the table shall be divided based on the trip generation for each phase.
4. Any reductions due to internal trip capture and pass-by trips, transit use, and transportation demand management shall be justified and documented.
5. All trip generation and trip reduction calculations and supporting documentation shall be included in the report appendix.

**G. Trip Distribution and Traffic Assignment.**

1. The distribution (inbound versus outbound, left turn versus right turn) of the estimated trip generation to the adjacent street network and nearby intersections shall be included in the report and the basis should be explained.
2. The distribution percentages with the corresponding volumes should be provided in a graphical format.

**H. Analysis and Estimate of Impact.**

1. A capacity analysis should be performed at each of the study intersections and access intersection locations (signalized and unsignalized) in the vicinity of the development.
2. Intersection analysis shall include [level of service \(LOS\)](#) determination for all approaches and movements.
3. The level of service shall be based on the procedures in the latest edition of the Transportation Research Board's [Highway Capacity Manual](#).
4. Provide a table detailing delay and level of service in the study area for existing conditions, build-out year without development, and build-out year with development.

**I. Access Management Standards.** The report shall include:

1. A map and description of the proposed access including any sight distance limitations, adjacent driveways, and intersections; and
2. A demonstration that the number of driveways proposed is the fewest necessary and that they provide safe and efficient traffic operations.

**J. Traffic Signalization.**

1. If a traffic signal is being proposed, a signal warrant analysis shall be included in the study.
2. The approval of a traffic signal on projected volumes may be deferred until volumes meet warrants given in the [Manual on Uniform Traffic Control Devices](#).

3. The developer should make any laneage improvements during construction so that if in the horizon year a signal is warranted, one may be installed with little impact to the intersection.

**K. Mitigation and Alternatives.**

1. The ~~t~~Traffic ~~i~~mpact ~~S~~tudy should include proposed improvements or access management techniques that will mitigate any significant changes in the levels of service and provide capacity analyses to document that improvement.
2. The County Traffic Engineer is responsible for final determination of mitigation improvements required to be constructed by the applicant.

**L. Format of Data.**

1. The applicant shall provide all supporting information to the County. Electronic copies of supporting data may be submitted along with printed documents and could expedite the review process.
2. This information may include traffic volumes, capacity analysis, and signal warrant analysis files from software packages.
3. The electronic files that are submitted should be named to identify the contents.

**24.7.422.8.4 MITIGATION OF IMPACTS<sup>746</sup>**

**A. Responsibility for Mitigation.**

1. The developer of a site is responsible for making roadway improvements and installing traffic control devices that may be necessary due to the impacts of the new development based on the recommendations from the study.
2. Improvements to existing infrastructure adjacent to the development may be required of the developer as a condition of issuance of any permit or approval for which a TIS is required, including permits for grading or construction.
3. Improvements may be required to mitigate impacts through the influence area of the development and are not limited to those adjacent to the development.

**B. Mitigation Alternatives.**

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<sup>746</sup> This Subsection combines and carries forward portions of §§ 9.3: *Responsibility for Mitigation* and 9.4: *Mitigation Alternatives*.

1. The traffic impact study will determine what, if any, mitigation measures are needed and applicable on County roads. Mitigation measures can include:
  - (a) Physical improvements;
  - (b) Changes to operational improvements along the roadway, at off-site intersections, and site access points;
  - (c) Development of programs and incentives designed to specifically alter travel behavior; or
  - (d) A combination of measures.
2. Table 22.8.4-1 outlines some examples of mitigation measures.

<b>Table 22.8.4-1: Examples of Mitigation Measures</b>	
<b>Mitigation Category</b>	<b>Mitigation Measure</b>
Roadway Improvements	<ul style="list-style-type: none"> <li>• Repaving/re-striping</li> <li>• Realignment of streets (immediately adjacent to site)                             <ul style="list-style-type: none"> <li>• Improve sight distance</li> </ul> </li> <li>• Minor Widening to provide access to development’s access points                             <ul style="list-style-type: none"> <li>• Intersection improvements</li> </ul> </li> <li>• Acceleration/deceleration lanes                             <ul style="list-style-type: none"> <li>• Left-turn lanes</li> </ul> </li> <li>• Traffic signals (must meet MUTCD warrants)                             <ul style="list-style-type: none"> <li>• Median crossovers</li> </ul> </li> <li>• Building new roadways for interconnectivity</li> </ul>
Access Management Improvements	<ul style="list-style-type: none"> <li>• Increase driveway spacing</li> <li>• Relocate driveways or intersections</li> <li>• Provide multiple entrances on different roads                             <ul style="list-style-type: none"> <li>• Reduce the number of driveways                                     <ul style="list-style-type: none"> <li>• Install medians</li> <li>• Shared access</li> </ul> </li> </ul> </li> <li>• Connections to existing roads or developments</li> </ul>
Operational Improvements	<ul style="list-style-type: none"> <li>• Modify signal timing or phasing</li> <li>• Improve signal progression                             <ul style="list-style-type: none"> <li>• Install signage</li> </ul> </li> </ul>



### **24.7.522.8.5 ACQUISITION OF RIGHT-OF-WAY<sup>747</sup>**

- A. **Procedure for Acquiring Right-of-Way.** If additional right-of-way is required to implement the mitigation recommended by the study, the developer shall make a reasonable effort to obtain the necessary right-of-way to perform the recommended improvements, including offering to purchase the right-of-way for the fair market value amount as appraised by a licensed South Carolina real estate appraiser.
- B. **Waiver-Exception Request.**
1. If the right-of-way cannot be obtained, the developer is required to make a written request to the appropriate County staff for an exception to compliance-waiver, including documentation of the fair market value offer.
  2. ~~The waiver must be granted if~~ County staff shall grant an exception to compliance for the required improvements if they determines that one or more of the following conditions exists:
    - (a) The project will be in conflict with an approved and funded GPATS, SCDOT, C-Funds or County project;
    - (b) The project is proposed to be constructed where sufficient right-of-way cannot be obtained;
    - (c) The reasonable offer is not accepted; or
    - (d) The project cost is environmentally prohibitive.
- C. **Calculation of Fee-in-Lieu.** If the wavier-exception to compliance is granted, the applicant must pay a fee-in-lieu-of constructing the recommended improvements (including cost of right-of-way acquisition) as determined by the average cost of similar projects for the most recent three-year period.
- D. **Use of Fees.** All fees collected by the County pursuant to this Subsection shall be accounted for separately from other monies, shall be expended only for any necessary road improvements, and shall be expended within the timeframe as outlined in state law regarding fees-in-lieu.

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<sup>747</sup> This Subsection carries forward and clarifies the requirements for right-of-way acquisition in § 9.3: *Responsibility for Mitigation*.

### ~~24.7.6~~ **22.8.6 SUBMISSION DEADLINES**<sup>748</sup>

- A. For stand-alone commercial projects, the TIS should be submitted during the ~~l~~and ~~d~~Disturbance ~~p~~Permit submittal process.
- B. For ~~g~~Group ~~d~~Developments and commercial or residential subdivisions being submitted as a part of the ~~preliminary plan~~Preliminary Plan or Preliminary Development Plan processes for ~~proposed developments~~and on a County road, the TIS should be submitted to the Subdivision Administrator as a part of the preliminary ~~subdivision~~ submittal package.
- C. For ~~g~~Group ~~d~~Developments and commercial or residential subdivisions being submitted as a part of the ~~preliminary plan~~Preliminary Plan process on a State road, the SCDOT Traffic Requirements Form shall be submitted no later than 10 days after the Technical Advisory Committee meeting.

### ~~24.7.7~~ **22.8.7 REVIEW AND APPROVAL**<sup>749</sup>

The County Traffic Engineer must evaluate the study and provide recommendations on its methodology and findings to appropriate County staff and decision-making bodies; therefore, early contact with the Traffic Engineer is recommended.

## ~~24.8~~ **22.9 REVIEW DISTRICT SUBMITTALS**

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### ~~24.8.1~~ **22.9.1 PRELIMINARY REVIEW DISTRICT APPLICATION SUBMITTALS**<sup>750</sup>

- A. **Required Submittals.** Applications for a Review District as provided in § 2.4: *Review Districts* shall include the plans and information provided in this Subsection.
- B. **Preliminary Development Plan.** The applicant shall submit a ~~reproducible vellum~~Preliminary Development Plan of the proposed Planned Development which shall include the following:
  1. A boundary survey with vicinity map, title block, scale, and north arrow;
  2. Total number of acres of overall site;

<sup>748</sup> This Subsection carries forward and reorganizes the submittal timing in § 9.5: *Staff Approval*.

<sup>749</sup> This Subsection carries forward and updates the review and approval provisions of § 9.5: *Staff Approval* as a separate Subsection for improved clarity.

<sup>750</sup> Carries forward ZO 8:1.6: *PD Application Process and Preliminary Development Plans*.

3. Location and orientation of existing and proposed buildings, square footage of nonresidential uses;
  4. Primary traffic circulation pattern, including external and internal points of ingress and egress;
  5. Location of parking areas and approximate number of parking spaces per use; and
  6. Any such information or descriptions as may be deemed reasonably appropriate for review.
- C. **Natural Resources Inventory.** The primary objective of the natural resources inventory is to provide better information about the type of land cover, topography, and significant natural, historical, and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the ~~p~~Preliminary ~~d~~Development ~~p~~Plan including the following:
1. 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; and
  2. Topographic contour lines at 8-foot intervals.
- D. **Statement of Intent.** The applicant shall submit three copies of a report setting forth the characteristics of the proposed Planned Development including the following:
1. A description of the procedures of any proposed homeowners' association or other group maintenance agreement;
  2. A statement setting forth the proposed development schedule;
  3. 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;
  4. A statement of impact on public facilities including water, sewer collection and treatment, 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 Planned Development;
  5. A statement describing or renderings or photographs of the architectural style, appearance, and orientation of proposed buildings;
  6. A statement describing the landscaping and screening of proposed project;
  7. A statement describing the maintenance and screening of any proposed pond, lake, or retention pond contained in the development;

- 8. A statement describing pedestrian access and circulation throughout the project; and
- 9. Any such information or descriptions as may be deemed reasonably appropriate for review.

~~24.8.222.9.2~~ **FINAL DEVELOPMENT PLANS**<sup>751</sup>

~~A.~~ **Formatting Requirements.**

~~A.~~ The site plan must:

- 1. ~~Be~~ drawn to a scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the State of South Carolina; ~~and.~~
- 2. ~~Include Aa~~ vicinity map, title block, scale, north arrow, site size, and property line survey.~~;~~

**B. Final Development Plan Contents.** A Final Development Plan meeting the requirements of this Subsection must be submitted to the Planning Department. In order to ensure proper and expeditious review, the site plan must meet the following criteria:

- 1. The location of applicable setbacks and all existing and proposed easements;
- 2. The land use for every part of the site and the number of acres devoted to each use;
- 3. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;
- 4. The site's parking plan, including all off-street parking, loading/unloading areas, and structures; including all parking spaces and their dimensions;
- 5. The site's sign plan, including location, size, colors, and materials of all exterior signage;
- 6. The site's lighting plan, including the location, height, and type of all exterior light fixtures;
- 7. The site's landscaping plan, including location, size, and type of proposed plant material, location of proposed fences, walls, retaining walls or berms, location of any tree protection areas, and location of significant stormwater features.~~;~~

<sup>751</sup> Carries forward 21.3: *Final Development Plan Requirements.*

8. The location of all proposed nonresidential buildings or structures, their general exterior dimensions, and gross square footage;
9. The location of all proposed residential structures, their general exterior by type, the number of bedrooms in approximate square footage for single-family units;
10. The site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc. and the dimensions thereof;
11. Specifications indicating the proposed treatment or improvements to all open space areas and the delineation of those areas proposed for specific types of developed recreational activities;
12. Architectural elevations of proposed buildings; and
13. Perspective sketch indicating color and materials of all structures and screening.

## 24.9.22.10 **SITE PLAN REQUIREMENTS FOR R-MHP DISTRICT**<sup>752</sup>

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### 24.9.122.10.1 **SCDES REVIEW REQUIRED**

Before construction or enlargement of a manufactured home park existing at the time of adoption of this Ordinance, a development plan approved by South Carolina Department of Environmental Services (DES) shall be submitted to the Zoning Administrator.

### 24.9.222.10.2 **PLAN FORMATTING AND CONTENTS**

- A. **Formatting Requirements.** The plan shall be drawn by a registered engineer/surveyor of the state of South Carolina to scale of not less than 100 feet to 1 inch and
- B. **Contents of Site Plan.** The Site Plan shall contain the following information:
  1. The location of the proposed park and the type of surrounding land uses;
  2. The location and dimensions of streets, rights-of-way, drives and parking spaces;
  3. The location and size of manufactured home sites;

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<sup>752</sup> Carries forward site plan standards for Manufactured Home Parks from 5:9.5: *Site Plan Approval*; 5:9.6: *Site Plan Requirements*; and 5:9.7-17: *Drainage Plan*.

4. The location and size of service buildings and recreation areas;
5. The location and type of screening, fences, or hedges;
6. The names and addresses of abutting property owners and of developers. Any manufactured home, service building, or recreation area located in any manufactured home park shall be placed in accordance with an approved development plan;
7. Existing and finished contours at intervals not more than 2 feet;
8. The location of fire hydrants if applicable;
9. Storage areas; and
10. Dumpsters, if applicable.

### ~~24.9.322.10.3~~ DRAINAGE PLAN

Storm Water Management and Sedimentation and Erosion Control Plans shall be submitted to the County ~~Soil and Water Conservation District~~ Land Development Division and approved prior to final approval being granted by the Zoning Administrator.

## ~~24.10 TECHNICAL REPORTS & STUDIES~~<sup>753</sup>

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### ~~24.10.1 PURPOSE~~

~~Article 25: In the administration of this UDO, review and decision-making bodies will occasionally be required to consider proposed development that has unusually significant impacts on adjacent lands and resources and other members of the community.~~

~~Article 26: In those cases, the review and decision-making bodies may find that the procedures specified in the sections of this UDO that govern the case do not allow a full and complete examination and articulation of the environmental and other impacts of the proposed development. This situation is expected since those procedures are generally tailored to the more routine cases and are designed to balance the need of the review and decision-making bodies for complete information against the burdens that a more complete procedure imposes upon landowners.~~

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<sup>753</sup> ~~This new Section establishes authority for decision maker to require technical studies (e.g., engineering studies, historic/cultural resource studies) necessary to enable the decision maker to comply with the standards for approving an application.~~

~~Article 27: Therefore, this Section provides a special procedure to handle more complex cases or applications.~~

### ~~27.1.1 APPLICABILITY~~

~~Article 28: The Assistant County Administrator for Community Planning & Development or the Planning Commission may require the submission of a technical report or study prior to acting on any of the following types of applications:~~

~~Article 29: Major Subdivisions — Sketch Plans; and~~

~~Article 30: Zoning Map Amendment (Rezoning) — Review Districts.~~

~~Article 31: These technical reports and studies may include one or more of the following:~~

~~Article 32: Historical or cultural resources study;~~

~~Article 33: Engineering study;~~

~~Article 34: Environmental impact report;~~

~~Article 35: Tree survey;~~

~~Article 36: Threatened and endangered species survey;~~

~~Article 37: Noise study; or~~

~~Article 38: Parking study.~~

### ~~38.1.1 GENERAL REQUIREMENTS~~

~~Article 39: Before commissioning the study, the Assistant County Administrator for Community Planning & Development must verify the qualifications of the person or firm the applicant wishes to prepare the requested technical report.~~

~~Article 40: The applicant shall bear the costs of all reports and studies.~~

### ~~40.1.1 DETERMINATION THAT TECHNICAL REPORTS OR STUDIES ARE NEEDED~~

~~Article 41: When the Assistant County Administrator for Community Planning & Development or Planning Commission has before it an application listed in this Section, it may, for reasons stated in a written determination, decide that the particular application raises unusually significant questions of impact on the community or members of the community, which would be best understood and mitigated by further technical study.~~

~~Article 42: The written determination shall set forth the impact questions on which the Administrator or Planning Commission requires research, data, and input from affected or interested persons. The listing of impact questions can include items of data this UDO already enables the County to obtain, or it may include additional items of information that are relevant to the impact questions specified in the written determination.~~

~~Article 43: The determination may also assign responsibility for the acquisition of data on the specified impact questions to County agencies or officials, or to officials or agencies in other units of government that have relevant information and may be able to assist the applicant.~~

~~Article 44: The written determination may establish:~~

~~Article 45: A date for the return of the requested data and information; and~~

~~Article 46: The format in which the data is to be presented.~~

#### **~~46.1.1 SUSPENSION OF TIME LIMITS TO ALLOW FOR TECHNICAL STUDY AND REVIEW~~**

~~Article 47: Prior to commissioning a study under this Section, the Assistant County Administrator for Community Planning & Development or Planning Commission shall consult the provisions of **Article 16: UDO Procedures** under which it is operating and County legal counsel to determine the time limits, if any, that are placed upon its deliberations on the application.~~

~~Article 48: Unless time limits are mandated by state or federal law, County time limits on submittals or approvals may be suspended to permit the Administrator or Planning Commission sufficient time to have conducted a technical study under this Section.~~

~~Article 49: If time limits set by state or federal law prohibit reasonable time for technical study, after consultation with County legal counsel, the Administrator or Planning Commission may formally request the applicant's consent to a reasonable and adequate extension of time.~~