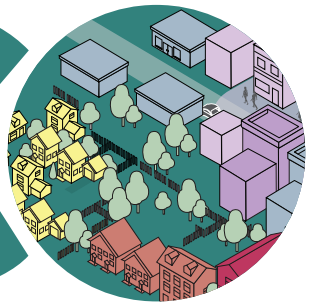
CHAPTER 19

GREENVILLE DEVELOPMENT CODE



GVL2040 IN ACTION
SHAPING OUR FUTURE

Adopted June 12, 2023

Amended following 24-month Code Review on August 25, 2025

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CONTENTS

Art. 19-1. Introductory Provisions 1-1
Div. 19-1.1. General 1-2
Div. 19-1.2. Districts Established 1-7
Div. 19-1.3. Official Zoning Map 1-8

Art. 19-2. Zoning Districts 2-1
Div. 19-2.1. Applicability 2-3
Div. 19-2.2. House-Scale (RH-) 2-7
Div. 19-2.3. Neighborhood-Scale (RN-, RNX-) 2-17
Div. 19-2.4. Community-Scale (RC-) 2-29
Div. 19-2.5. Mixed Use (MX-) 2-37
Div. 19-2.6. Shopfront (MXS-) 2-47
Div. 19-2.7. Business (BG, BH) 2-57
Div. 19-2.8. Industrial (IX, IG) 2-63
Div. 19-2.9. Special (CM, CV, PK) 2-69
Div. 19-2.10. Overlay Districts 2-77
Div. 19-2.11. Rules for Zoning Districts 2-84

Art. 19-3. Use Regulations 3-1
Div. 19-3.1. Applicability 3-2
Div. 19-3.2. Permitted Use Table 3-3
Div. 19-3.3. Use Definitions. 3-10
Div. 19-3.4. Use Standards 3-22
Div. 19-3.5. Accessory Uses and Structures. 3-38
Div. 19-3.6. Temporary Uses and Structures 3-44

Art. 19-4. Development Standards 4-1
Div. 19-4.1. Applicability 4-3
Div. 19-4.2. Development Bonus 4-4
Div. 19-4.3. Blocks and Lots 4-8
Div. 19-4.4. Streets 4-15
Div. 19-4.5. Multi-Modal Access and Parking 4-27
Div. 19-4.6. Vehicle Access and Parking. 4-36
Div. 19-4.7. Utilities 4-57
Div. 19-4.8. Transitions and Screening 4-59
Div. 19-4.9. Fences and Walls 4-78
Div. 19-4.10. Landscape Standards 4-87
Div. 19-4.11. Signs 4-93
Div. 19-4.12. Lighting 4-121
Div. 19-4.13. Materials. 4-126

Art. 19-5. Environmental Protection.....5-1
Div. 19-5.1. General 5-2
Div. 19-5.2. Tree Protection 5-5
Div. 19-5.3. Stormwater Management. 5-15
Div. 19-5.4. Environmental Protection Appendices 5-62

Art. 19-6. Administration.....6-1
Div. 19-6.1. Authority 6-2
Div. 19-6.2. Approval Processes 6-9
Div. 19-6.3. Nonconformities 6-57
Div. 19-6.4. Enforcement 6-64

Art. 19-7. Definitions 7-1
Div. 19-7.1. General 7-2
Div. 19-7.2. Defined Terms 7-4

ART. 19-1. **INTRODUCTORY PROVISIONS**

Div. 19-1.1. General 1-2
19-1.1.1. Title 1-2
19-1.1.2. Authority 1-2
19-1.1.3. Purpose and Intent 1-2
19-1.1.4. Applicability and Jurisdiction 1-3
19-1.1.5. Relationship to Other Ordinances and Laws 1-4
19-1.1.6. Transitional Provisions 1-5
19-1.1.7. Severability 1-6

Div. 19-1.2. Districts Established.....1-7

Div. 19-1.3. Official Zoning Map 1-8

DIV. 19-1.1. GENERAL

19-1.1.1. TITLE

These regulations are officially known as the "Greenville Development Code" and may be referred to as the "Development Code" or "this Code."

19-1.1.2. AUTHORITY

A. General

The City Council is authorized to adopt this Code pursuant to the enabling authority contained in the SC Code of Laws, generally including, without limitation, SC Code 1976, §§ 6-29-310 et seq., 6-29-710 et seq., 6-29-1110 et seq., 6-29-1510 et seq., and 6-31-10 et seq. This Code consolidates the City's zoning and land development regulatory authority under the SC Code of Laws.

B. Reference to South Carolina General Statutes

Whenever any provision of this Code refers to or cites a section of the SC Code of Laws and that section is later amended or superseded, this Code will be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

19-1.1.3. PURPOSE AND INTENT

The purpose and intent of this Code is to guide development in accordance with the existing and future needs of the City and to promote the public health, safety, convenience, order, appearance, prosperity, and general welfare of the property owners and residents of the City and other members of the public. The purpose and intent of this Code is more specifically to:

A. Implement the City's Comprehensive Plan.

B. Provide for adequate light, air, and open space.

C. Secure safety from fire, flood, and other dangers.

D. Promote quality new housing, provide a diversity of housing options, and preserve neighborhoods.

E. Promote the downtown as a regional center of commerce, government, arts, entertainment, and residential life.

F. Ensure appropriate commercial and industrial development patterns.

G. Encourage quality new development that blends with existing development.

H. Facilitate the creation of a convenient, attractive, and harmonious community.

I. Protect and preserve scenic, historic, and ecologically sensitive areas.

J. Protect and provide for open space.

K. Promote an inter-connected, multi-modal, walkable community.

L. Provide for continued tree preservation, balanced with the growth of the City.

M. Regulate the use of land for purposes that support and enhance the City for all of its citizens.

N. Facilitate the adequate provision or availability of transportation, police and fire protection, water, sewer, schools, parks and recreation facilities, affordable housing, disaster evacuation, and other facilities and services that the City may provide to enhance the health, safety and welfare of its citizens.

19-1.1.4. APPLICABILITY AND JURISDICTION

A. General

The provisions of this Code apply to all land, all land development, and the use of all structures on all lands and waters within the corporate limits of the City. The provisions of this Code are considered the minimum standards necessary to promote and protect the public health, safety, and general welfare.

B. Application to Governmental Units

The provisions of this Code apply to all land, all land development, and the use of all structures and land owned or held in tenancy by the City or its agencies or departments; by the State, its agencies, departments or political subdivisions; and to the full extent permitted by law, the government of the United States, its agencies, departments or corporate services, except as otherwise specifically provided in this Code.

C. No Development Until Compliance

Following adoption of this Code, no structure, land or water may be used, and no structure or part of a structure may be located, erected, moved, reconstructed, extended, converted (change of use) or structurally altered without full compliance with the provisions of this Development and all other applicable City, State and federal regulations, except as otherwise specifically provided in this Code.

D. Effect of Permits

1. Development authorized by a permit cannot be carried out until the applicant has secured all other permits required by this Code or any other applicable provisions of the Municipal Code and the SC Code of Laws.

2. Further, the issuance of a permit does not ensure the subsequent approval of other applications for development approval unless the relevant and applicable portions of this Code and other provisions are met.

E. Exemptions

1. Acquisition of Interest in Land by State for Public Purposes

The provisions of this Code do not require formal subdivision of land as a result of actions taken by the State and its political subdivisions to acquire land or interests in land for public rights-of-way and easements.

2. Emergency Action by City

The City or City agencies or departments may be exempt from the provisions of this Code when an emergency exists such that make it impossible to submit to the normal procedures and requirements of this Code, and quick and instant action is necessary to secure the public health, safety or welfare. The City Council must ratify such exemption after the fact at its next regularly scheduled meeting, and base its ratification on specified findings of fact related to the emergency involved.

3. Homes for Mentally or Physically Handicapped Persons

Pursuant to SC Code 1976, § 6-29-770(E), the provisions of this Code do not apply to a home serving 9 or fewer mentally or physically handicapped persons if the home provides care on a 24-hour basis and is approved or licensed by a state agency or department or is under contract with the agency or department for that purpose. Pursuant to SC Code 1976, § 6-29-770(E), prior to locating a home for handicapped persons in the City, the appropriate state agency or department or the private entity proposing to operate the home shall first give prior notice to the City, advising of the exact location of the proposed home, and comply with the other requirements of that provision and state law.

19-1.1.5. RELATIONSHIP TO OTHER ORDINANCES AND LAWS

A. Conflicts with Other City Codes or Laws

Where the provisions of this Code are inconsistent with one another or if the provisions of this Code conflict with provisions found in other adopted codes or ordinances of the City, the more restrictive provision governs unless the specific terms of the provisions say otherwise.

B. Conflicts with Private Agreements

If the provisions of this Code conflict with the provisions of private easements, covenants or restrictions, the stricter of the requirements apply. The City is not responsible for monitoring or enforcing private covenants and restrictions, although the City may inquire as to whether land is subject to covenants and restrictions during the review of development applications.

C. Conflicts with State or Federal Law

If the provisions of this Code are inconsistent with the law or regulations of the state or federal government, the more restrictive provision controls to the extent permitted by law.

D. Relationship to Comprehensive Plan and Land Use Policies

It is the intention of the City Council that this Code implement the planning policies and Comprehensive Plan adopted pursuant to the provisions of SC Code 1976, § 6-29-510 et seq.

19-1.1.6. TRANSITIONAL PROVISIONS

A. Effective Date

The Greenville Development Code was adopted on June 12, 2023, and became effective on July 15, 2023.

B. Violations Continue

Any violation of the City's previous land development regulations (Chapter 19, Land Management) continue to be a violation under this Code and subject to the penalties and enforcement in ***Div. 19-6.4***. unless the use, development, construction, and other activity complies with the express terms of this Code.

C. Completion of Development Plans under Previous Ordinances

1. Completed Applications

a. Any complete application that has been submitted for approval, but upon which no final action has been taken by the appropriate decision-making body or person prior to the effective date of the ordinances from which this Development is derived, will be reviewed and considered in accordance with either the provisions of the ordinance in place on the date of submittal or this Code, at the applicant's option.

b. If the applicant elects to have the complete application reviewed under the provisions of the ordinances in place on the date of submittal, the application will be processed in good faith and must comply with any time frames for review. If the application fails to comply with the required time frames, it will expire and future development will be subject to the requirements of this Code.

2. Preliminary or Final Approval

a. A development for which approval of a minor subdivision final plat, major subdivision preliminary plat, site plan permit, stormwater permit, planned development district, special exception permit, or variance permit was granted prior to the effective date of the ordinances from which this Code is derived may be completed in accordance with the approved plat or development approval and any other approved permits and conditions, even if the development does not comply with one or more development standards in this Code.

b. If the development for which preliminary or final approval was granted prior to the effective date of the ordinances from which this Code is derived fails to comply with any time frames for development, the preliminary or final approval will expire and future development will be subject to the requirements of this Code.

3. Buildings or Developments with Previously Issued Building Permits

a. Any building or development for which a building permit was granted prior to the effective date of the ordinances from which this Code is derived is permitted to proceed to construction even if such building or development does not conform to the provisions of this Code.

b. If the development for which the building permit is issued prior to the effective date of the ordinances from which this Code is derived fails to comply with the time frames for development established for the building permit, the building permit will expire and future development will be subject to the requirements of this Code.

4. **Acceptance of Single-Unit Residential Building Permits for 12 Months**

   a. An application for a single-unit detached residential structure meeting all applicable requirements of the Land Management Ordinance in effect immediately prior to the effective date of this ordinance may be submitted and permitted under those standards within a 12-month period from the effective date of this ordinance; provided, however, that this provision shall only apply to parcels that were located R-6, R-9, and S-1 zoning districts immediately prior to the effective date of this ordinance.

19-1.1.7. SEVERABILITY

It is the legislative intent of the City Council in adopting this Code that all provisions be liberally construed to guide development in accordance with the existing and future needs of the City as established in this Code and to promote the public health, safety, convenience, order, appearance, prosperity, and general welfare of the property owners and residents of the City. If any section, subsection, sentence, clause, or phrase of this Code is for any reason held by a court of competent jurisdiction to be invalid, such decision will not affect the validity of the remaining portions of this Code. The City Council declares that it would have passed this Code and any section, subsection, sentence, clause and phrase of the Code, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid.

DIV. 19-1.2. DISTRICTS ESTABLISHED

In order to carry out the purposes of this Code, the following zoning districts are established.

HOUSE-SCALE	
RH-A	House A
RH-B	House B
RH-C	House C
RH-D	House D

NEIGHBORHOOD-SCALE	
RN-A	Neighborhood A
RN-B	Neighborhood B
RNX-B	Neighborhood Flex B
RN-C	Neighborhood C
RNX-C	Neighborhood Flex C

COMMUNITY-SCALE	
RC-2	Community 2
RC-3	Community 3
RC-5	Community 5

MIXED USE	
MX-2	Mixed Use 2
MX-3	Mixed Use 3
MX-5	Mixed Use 5
MX-D	Mixed Use Downtown

SHOPFRONT MIXED USE	
MXS-2	Shopfront 2
MXS-3	Shopfront 3
MXS-5	Shopfront 5
MXS-D	Shopfront Downtown

BUSINESS	
BG	Business General
BH	Business Heavy

INDUSTRIAL	
IX	Industrial Flex
IG	Industrial General

SPECIAL	
CM	Campus
CV	Civic
PK	Park

OVERLAY	
-DD	Downtown Design
-P	Preservation
-NR	Neighborhood Revitalization
-AP	Airport Protective
-SFHA	Special Flood Hazard Area

DIV. 19-1.3. OFFICIAL ZONING MAP

A. Established

The official zoning map designates the location and boundaries of the various zoning districts established in this Code within the City. The official zoning map is kept on file in the office of the Administrator and is available for public inspection during normal business hours.

B. Incorporated by Reference

The official zoning map and any notations on the map are incorporated by reference and made part of this Code.

C. District Boundaries

Zoning district boundaries are lot lines or the centerline of streets, alleys, railroad rights-of-way, streams and rivers, or such lines extended, unless otherwise specified. Where a zoning district boundary divides a lot into two or more districts, development must comply with the zoning requirements applicable to each portion of the lot. The property owner may also request a zoning map amendment as provided in *Sec. 6.2.2*.[1]

D. Changes to Official Zoning Map

Changes in zoning district boundaries must be made consistent with the provisions of *Sec. 6.2.2.* Changes must be entered on the official zoning map by the Administrator promptly after the amendment has been approved by the City Council.

E. Mapping Disputes

The Administrator has the authority to interpret the official zoning map and determine where the boundaries of the different zoning districts fall, where the boundary is in dispute.

ART. 19-1 AMENDMENTS

1. *Code 2023, §19-1.3;* Ord. *No. 2024-16, §19-1.3, 3-11-2024*

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ART. 19-2. **ZONING DISTRICTS**

Div. 19-2.1. Applicability 2-3
19-2.1.1. General 2-3
19-2.1.2. Activity Type 2-4

Div. 19-2.2. House-Scale (RH-) 2-7
19-2.2.1. Intent 2-7
19-2.2.2. RH-A House A 2-8
19-2.2.3. RH-B House B 2-10
19-2.2.4. RH-C House C 2-12
19-2.2.5. RH-D House D 2-14

Div. 19-2.3. Neighborhood-Scale (RN-, RNX-) 2-17
19-2.3.1. Intent 2-17
19-2.3.2. RN-A Neighborhood A. 2-18
19-2.3.3. RN-B Neighborhood B 2-20
19-2.3.4. RNX-B Neighborhood Flex B 2-22
19-2.3.5. RN-C Neighborhood C 2-24
19-2.3.6. RNX-C Neighborhood Flex C 2-26

Div. 19-2.4. Community-Scale (RC-) 2-29
19-2.4.1. Intent. 2-29
19-2.4.2. RC-2 Community 2. 2-30
19-2.4.3. RC-3 Community 3. 2-32
19-2.4.4. RC-5 Community 5. 2-34

Div. 19-2.5. Mixed Use (MX-) 2-37
19-2.5.1. Intent 2-37
19-2.5.2. MX-2 Mixed Use 2 2-38
19-2.5.3. MX-3 Mixed Use 3 2-40
19-2.5.4. MX-5 Mixed Use 5 2-42
19-2.5.5. MX-D Mixed Use Downtown 2-44

Div. 19-2.6. Shopfront (MXS-) 2-47
19-2.6.1. Intent 2-47
19-2.6.2. MXS-2 Shopfront 2. 2-48
19-2.6.3. MXS-3 Shopfront 3. 2-50
19-2.6.4. MXS-5 Shopfront 5. 2-52
19-2.6.5. MXS-D Shopfront Downtown. 2-54

Div. 19-2.7. Business (BG, BH) 2-57
19-2.7.1. Intent 2-57
19-2.7.2. BG Business General 2-58
19-2.7.3. BH Business Heavy 2-60

Div. 19-2.8. Industrial (IX, IG) 2-63
19-2.8.1. Intent 2-63
19-2.8.2. IX Industrial Flex 2-64
19-2.8.3. IG Industrial General 2-66

Div. 19-2.9. Special (CM, CV, PK) 2-69
19-2.9.1. Intent 2-69
19-2.9.2. CM Campus. 2-70
19-2.9.3. CV Civic 2-72
19-2.9.4. PK Park 2-74
19-2.9.5. Campus district supplemental design considerations . 2-76

Div. 19-2.10. Overlay Districts 2-77
19-2.10.1. Intent 2-77
19-2.10.2. Downtown Design Overlay (-DD) 2-78
19-2.10.3. Preservation Overlay (-P) 2-78
19-2.10.4. Neighborhood Revitalization Overlay (-NR) 2-79
19-2.10.5. Airport Protective Overlay (-AP) 2-83
19-2.10.6. Special Flood Hazard Area Overlay (-SFHA) 2-83

Div. 19-2.11. Rules for Zoning Districts 2-84
19-2.11.1. General Provisions. 2-84
19-2.11.2. Lot Size 2-91
19-2.11.3. Density 2-94
19-2.11.4. Coverage 2-95
19-2.11.5. Building Setbacks 2-100
19-2.11.6. Transitions 2-106
19-2.11.7. Build-To. 2-107
19-2.11.8. Parking Setbacks 2-113
19-2.11.9. Fences and Walls 2-115
19-2.11.10. Height 2-116
19-2.11.11. Massing 2-122
19-2.11.12. floor heights 2-129
19-2.11.13. Transparency 2-133
19-2.11.14. Entrances 2-144

DIV. 19-2.1. **APPLICABILITY**

19-2.1.1. **GENERAL**

A. Zoning district regulations apply based on the development activities proposed, as shown in the table below. Typically, more than one development activity will apply (for example, an expansion of an existing use may include both an addition and a facade modification).

		PROJECT ACTIVITY							
DISTRICT REGULATIONS		New Construction	Addition	Site Modification	Facade Modification	Minor Change of Use [3]	Major Change of Use [3]	Minor Renovation [2]	Maintenance and Repair
Lot Size	*Sec. 2.11.2.*	●	○	○	○	○	○	○	○
Density [2]	*Sec. 2.11.3.*	●	●	○	○	●	●	○	○
Coverage [2]	*Sec. 2.11.4.*	●	●	●	○	○	○	○	○
Building Setbacks	*Sec. 2.11.5.*	●	●	○	○	○	○	○	○
Transitions and Screening [2]	*Sec. 2.11.6.*	●	●	●	○	○	●	○	○
Build-To	*Sec. 2.11.7.*	●	●	○	○	○	○	○	○
Parking Setbacks	*Sec. 2.11.8.*	●	●	●	○	○	○	○	○
Fences and Walls	*Sec. 2.11.9.*	●	●	●	○	○	○	○	○
Height	*Sec. 2.11.10.*	●	●	○	○	○	○	○	○
Massing	*Sec. 2.11.11.*	●	●	○	○	○	○	○	○
Ground Story	*Sec. 2.11.12.*	●	●	○	○	○	○	○	○
Transparency	*Sec. 2.11.13.*	●	●	○	●	○	○	○	○
Entrances	*Sec. 2.11.14.*	●	●	○	●	○	○	○	○

KEY: ● = Standards generally apply ○ = Standards do not apply

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that section. Applicability may be modified for existing structures by ***Div. 19-6.3.*** Where a section is listed as not applying, no requirements in that section apply.

C. The general applicability in this section may be further modified by the applicability provisions for each set of standards in this Section.

19-2.1.2. ACTIVITY TYPE

A. New Construction or Addition

1. **New Construction.** Any activity that includes the construction of a new building or structure, or any activity that exceeds 50% of fair market value.[2]
2. **Addition.** Any substantial expansion or enlargement of an existing building or structure. Includes activity that increases the floor area or the height of an enclosed space within an existing building.

B. Site Modification

Any substantial modification to a site, including landscaping, trees, fencing, walls, lighting, grading, flatwork, and parking lots including repaving of existing parking lots. As clarification, the resealing, restriping, or resurfacing of parking lots is considered Maintenance and Repair.[2]

C. Facade Modification

Any substantial change to the exterior envelope of a building. Includes changes to any of the following: the facade of a building; the amount of exterior foundation wall that is exposed above existing grade; or an architectural element (including a balcony, porch or deck) attached to a facade. Includes any change to a facade that goes beyond the definition of maintenance and repair.

D. Minor and Major Change of Use[3]

A change in use or a modification of an area designed and intended for a specific use from the previously approved use. Includes a change in the principal use of any portion of a building, site or lot from one of the uses specified in *Div. 19-3, Use Regulations* to another. Includes the expansion of floor area, site area or lot area dedicated to a use or modification in the intensity of a use, such as an increase in seating capacity or the number of persons in care.

1. **Minor Change of Use.** A change of use where the use intensity, as defined in *Sec. 3.2.2.*, changes from:
    a. A Low Intensity Use to another Low Intensity Use;
    b. A Medium Intensity Use to a Low Intensity Use;
    c. A Medium Intensity Use to another Medium Intensity Use;
    d. A High Intensity Use to a Low Intensity Use;
    e. A High Intensity Use to a Medium Intensity Use; or
    f. A High Intensity Use to another High Intensity Use.
2. **Major Change of Use.** A change of use where the use intensity, as defined in *Sec. 3.2.2.*, changes from:
    a. A Low Intensity Use to a Medium Intensity Use;
    b. A Low Intensity Use to a High Intensity Use; or
    c. A Medium Intensity Use to a High Intensity Use.

d. Re-establishment of a use that has been abandoned. A use is considered abandoned when the use is discontinued for 12 months or greater.

3. **Change of Use in Multi-tenant Developments.**

a. Change of use in a multi-tenant development is modified as follows:

i. The Administrator will designate suites within a multi-tenant development as anchors and non-anchors. Multi-tenant developments may have more than one anchor suite or have no anchor suite. Anchor suites are generally the largest suites by floor area, generally at least 10,000 square feet in floor area, or prominently located within the multi-tenant development compared to non-anchor suites. Suites not designated as an anchor suite are designated as non-anchor suites.

ii. Improvements required due to a Change of Use are limited to the tenant's suite and areas of the site that the Administrator determines will be used by the tenant, however when a Major Change of Use occurs in an anchor suite:

a) The Pedestrian Access and Transit Access requirements of ***Div. 19-4.5***. apply to the entire site;

b) The Transitions requirements of ***Div. 19-4.8***. apply to the entire site;

c) The Screening requirements of ***Sec. 4.8.3.*** and ***Sec. 4.8.4.*** apply to the entire site; and

d) Nonconforming multi-tenant freestanding signage, that has been erected for at least 10 years, in the multi-tenant development must be brought into compliance or removed.

iii. Re-establishment of a use in a non-anchor suite that has been abandoned as defined in Sec. 2.1.2.D.2.d. is regulated as a Minor Change of Use.

E. Minor Renovation[2]

Modification of any building or structure that does not expand the building or structure and requires a building permit, and which does not exceed 50% of fair market value of the property within a 5-year period. Does not include modifications to meet fire, life safety, and handicapped requirements. Includes any change that goes beyond the definition of maintenance and repair, including the removal of load-bearing walls when such removal does not impact the exterior walls of the structure. Renovations that cumulatively exceed 50% of fair market value of the property within a 5-year period are considered New Construction.[2]

F. Maintenance and Repair

Activity done to correct the deterioration, decay of, or damage to, any part of a building, structure, or lot, that does not involve a change or modification of the existing design, outward appearance or applicable zoning requirements. In-kind replacement of deteriorated or damaged parts of a building is considered maintenance and repair.

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DIV. 19-2.2. **HOUSE-SCALE (RH-)**









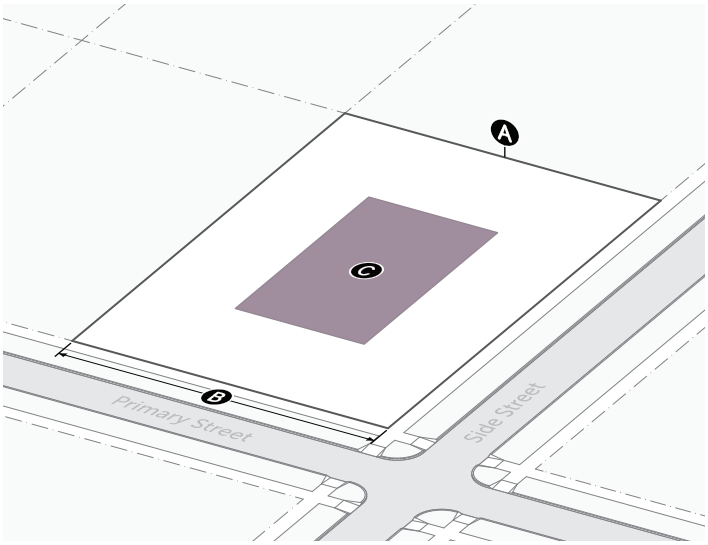
19-2.2.1. **INTENT**

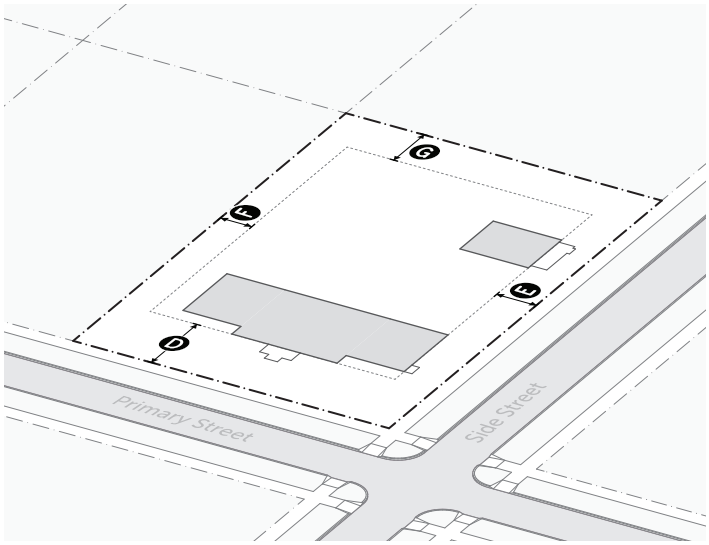
A walkable neighborhood environment intended to accommodate a variety of low-intensity housing options including single-family homes and accessory units, supporting and within walking distance of neighborhood-serving retail, food and service uses.

RH-A	RH-B	RH-C	RH-D
1 primary unit, 1 accessory unit (max)	1 primary unit, 1 accessory unit (max)	1 primary unit, 1 accessory unit (max)	1 primary unit, 1 accessory unit (max)
80' lot width (min)	60' lot width (min)	40' lot width (min)	25' lot width (min)
2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)
100' building width (max)	60' building width (max)	40' building width (max)	35' building width (max)

19-2.2.2. **RH-A** HOUSE A

A. **SITE**



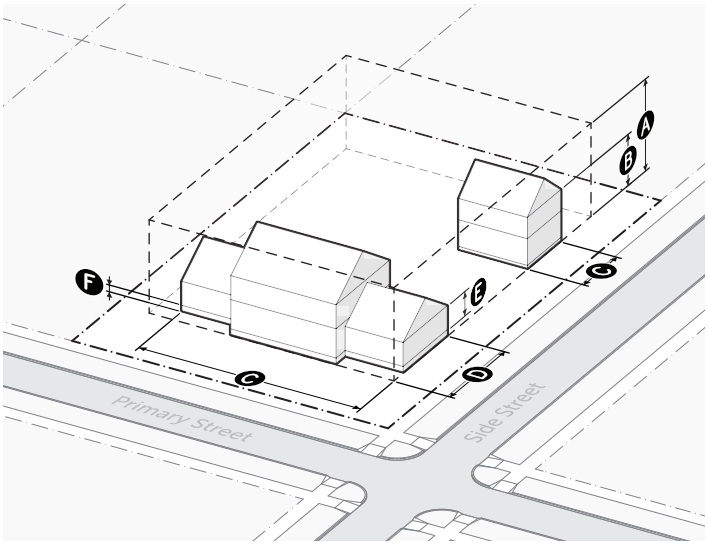


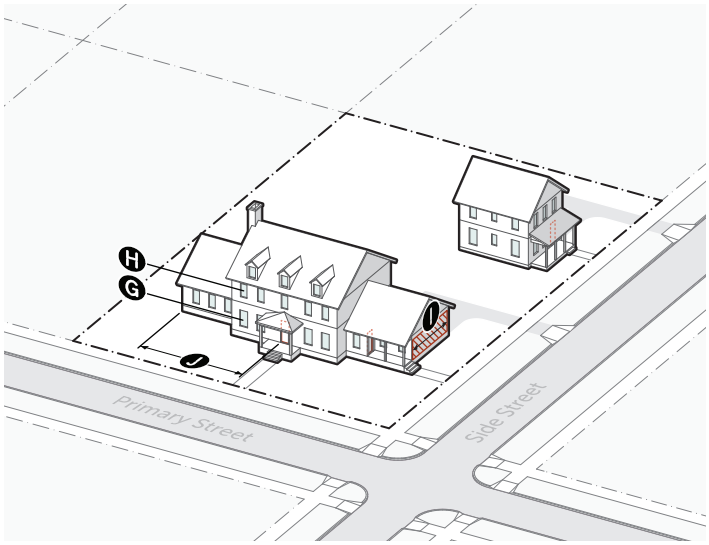
1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	18,000 SF
B Width (min)	80'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Primary units	1
Accessory Dwelling units	1
3. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	20%

4. **BUILDING SETBACKS** [4]	*Sec. 2.11.5.*
D Primary street lot line (min)	
Primary structure	Setback Range or 30'*
Accessory structure	60'
E Side street/side alley lot line (min)	
Primary structure	15'
Accessory structure	30'
F Side lot line (min)	
Up to 100' wide lot	10'
Above 100' wide lot	12'
G Rear/rear alley lot line (min)	
Primary structure	20'
Accessory structure	5'
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	40'
Side street (min)	15'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RH-A

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	
Primary structure[1]	2.5 / 32'
Accessory structure[4]	2 / 25'
B Side wall (max)	
Primary structure	25'
Accessory structure	18'
2. **MASSING**	*Sec. 2.11.11.*
C Building width (max)	100'
D Building depth (max)	100'
3. **GROUND STORY**	*Sec. 2.11.12.*
E Story height (min)	9'
F Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	25%	20%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
5. **ENTRANCES** [4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	60'	60'
Entry feature	Yes	No

NOTES: [4]

* If a Setback Range cannot be established, a 30' minimum primary street lot setback shall be used.

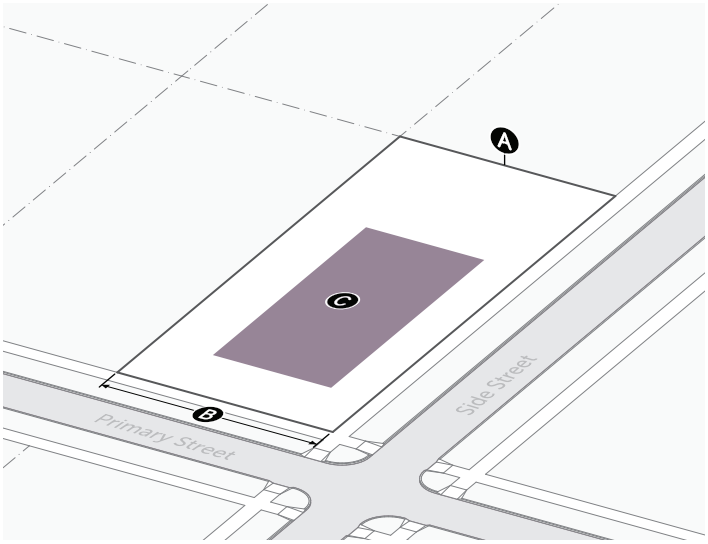
** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

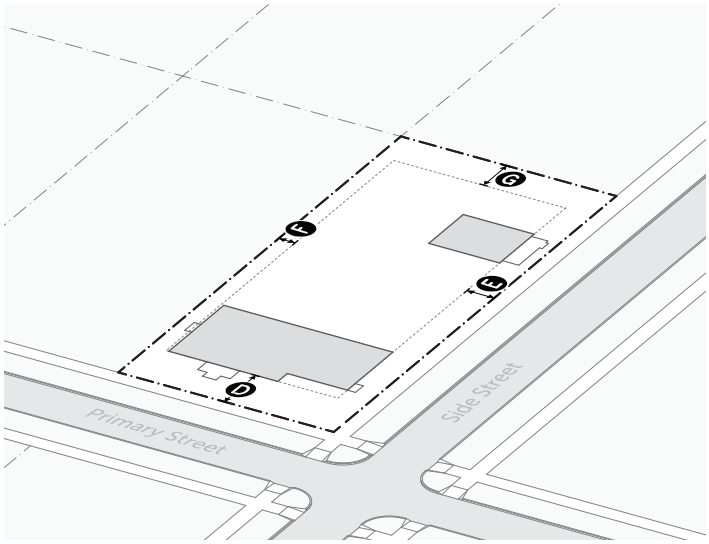
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19-2.2.3. **RH-B** HOUSE B

A. **SITE**

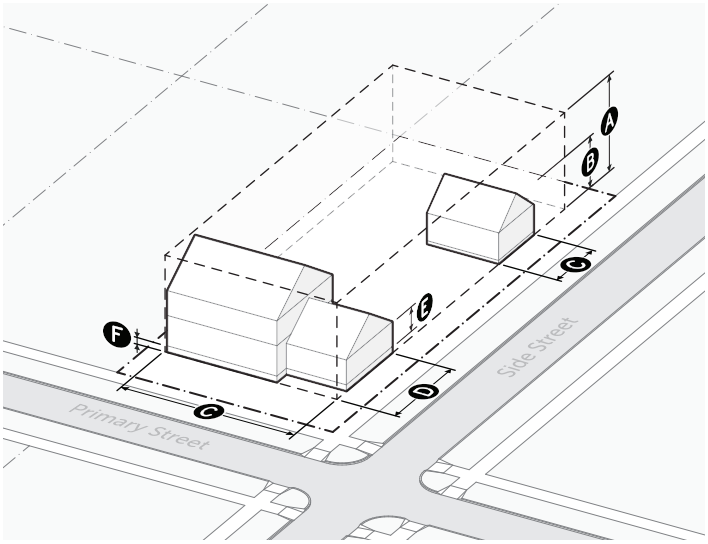


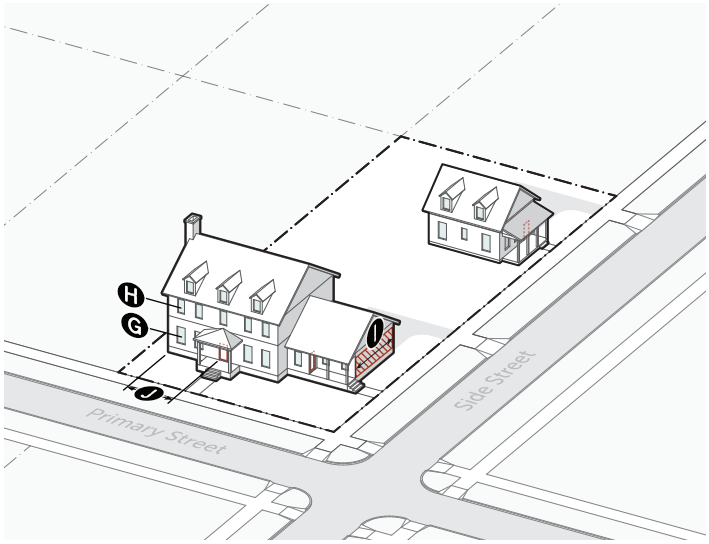


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	9,000 SF
B Width (min)	60'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Primary units	1
Accessory Dwelling units	1
3. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	
Up to 14,000 SF lot	35%
14,001 to 20,000 SF lot	30%
Above 20,000 SF lot	25%

4. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min)	
Primary structure	Setback Range or 20'*
Accessory structure	50'
E Side street/side alley lot line (min)	
Primary structure	10'
Accessory structure	20'
F Side lot line (min)	
Up to 70' wide lot	5'
71' to 100' wide lot	7'
Above 100' wide lot	10'
G Rear/rear alley lot line (min)	
Primary structure	15'
Accessory structure	5'
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	
Primary structure[1]	2.5 / 32'
Accessory structure[4]	2 / 20'
B Side wall (max)	
Primary structure	25'
Accessory structure	16'
2. **MASSING**	*Sec. 2.11.11.*
C Building width (max)	
Up to 80' wide lot	60'
81' to 100' wide lot	70'
Above 100' wide lot	80'
D Building depth (max)	80'
3. **GROUND STORY**	*Sec. 2.11.12.*
E Story height (min)	9'
F Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	25%	20%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	50'	50'
Entry feature	Yes	No

NOTES: [4]

* If a Setback Range cannot be established, a 20' minimum primary street lot setback shall be used.

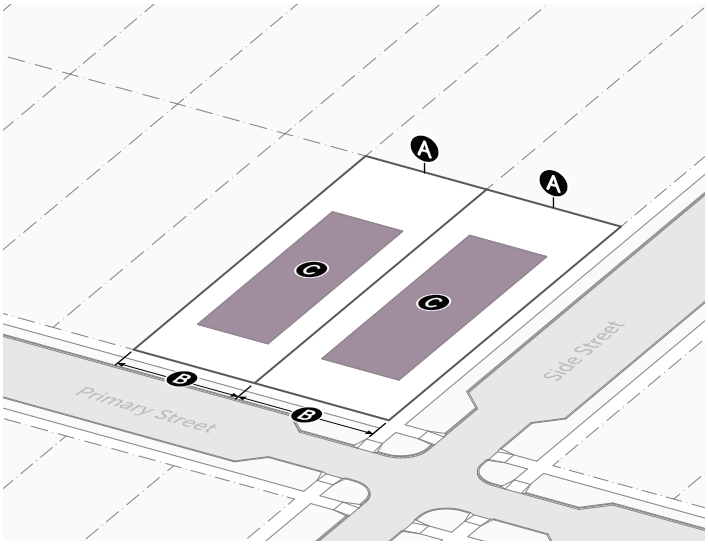
** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

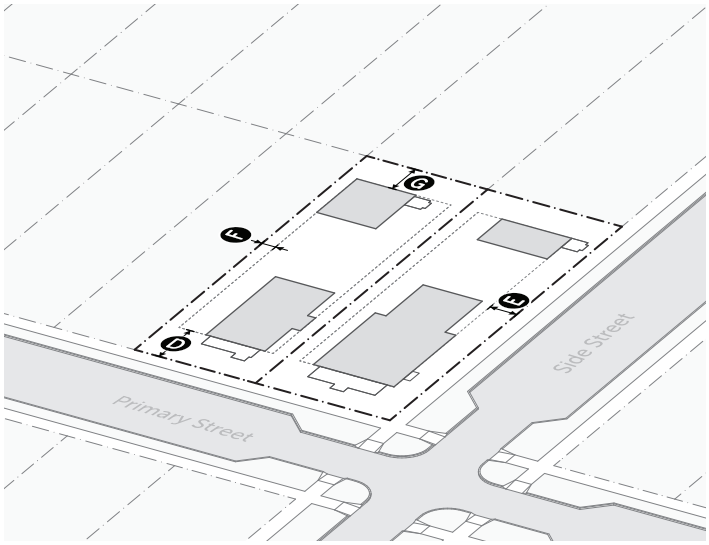
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19-2.2.4. **RH-C** HOUSE C

A. **SITE**



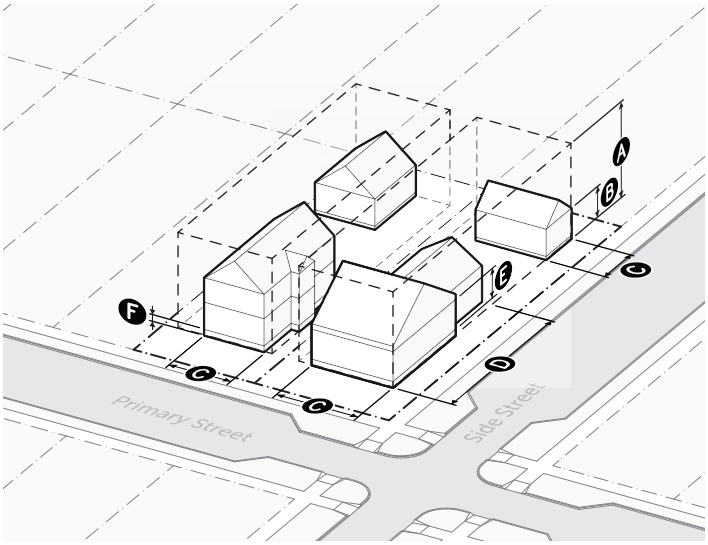


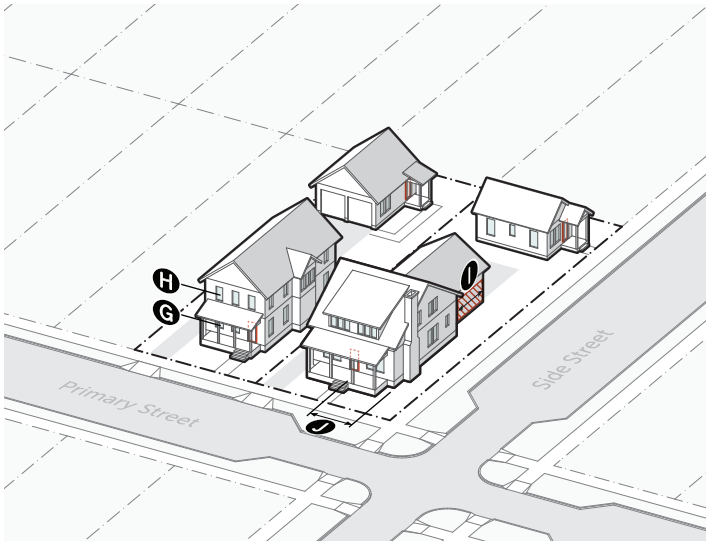
1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	6,000 SF
B Width (min)	40'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Primary units	1
Accessory Dwelling units	1
3. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	
Up to 9,000 SF lot	45%
9,001 to 14,000 SF lot	40%
14,001 to 20,000 SF lot	35%
Above 20,000 SF lot	30%

4. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min)	
Primary structure	Setback Range or 20'*
Accessory structure	50'
E Side street/side alley lot line (min)	
Primary structure	10'
Accessory structure	20'
F Side lot line (min)	
Up to 60' wide lot	5'
61' to 100' wide lot	7'
Above 100' wide lot	10'
G Rear/rear alley lot line (min)	
Primary structure	15'
Accessory structure	5'
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RH-C

B. BUILDING





1. **HEIGHT**[4]	*Sec. 2.11.10.*
A Overall height (max stories/feet)	
Primary structure[1]	2.5 / 32'
Accessory structure[4]	2 / 20'
B Side wall (max)	
Primary structure	25'
Accessory structure	16'
2. **MASSING**	*Sec. 2.11.11.*
C Building width (max)	
Up to 60' wide lot	40'
61' to 80' wide lot	50'
81' to 100' wide lot	60'
Above 100' wide lot	70'
D Building depth (max)	70'
3. **GROUND STORY**	*Sec. 2.11.12.*
E Story height (min)	9'
F Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	25%	20%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	40'	40'
Entry feature	Yes	No

NOTES: [4]

* If a Setback Range cannot be established, a 20' minimum primary street lot setback shall be used.

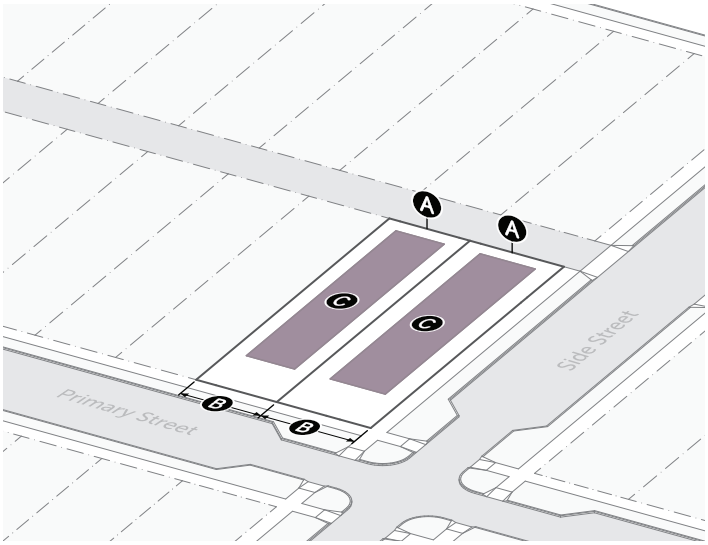
** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

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19-2.2.5. **RH-D** HOUSE D

A. **SITE**

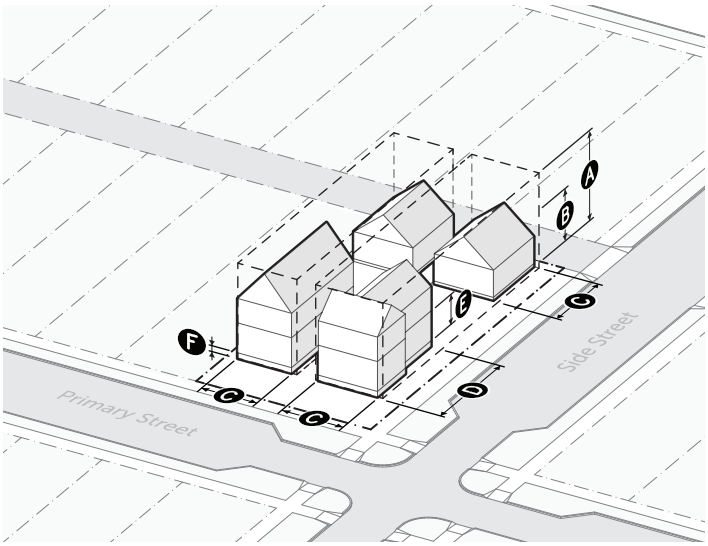


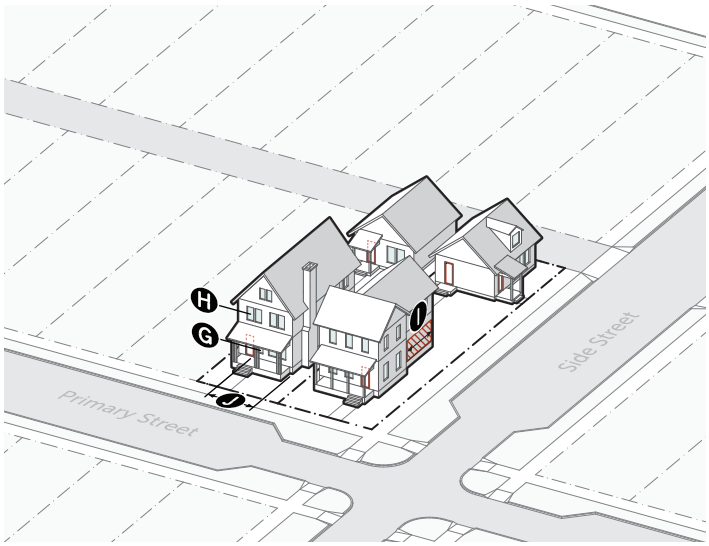


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	3,000 SF
B Width (min)	
Front access	40'
Side/rear access	25'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Primary units	1
Accessory Dwelling units	1
3. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	50%

4. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min)	
Primary structure	Setback Range or 20'*
Accessory structure	50'
E Side street/side alley lot line (min)	
Primary structure	7'
Accessory structure	15'
F Side lot line (min)	5'
G Rear/rear alley lot line (min)	4'
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

B. BUILDING





1. HEIGHT	Sec. 2.11.10.
A Overall height (max stories/feet)	
Primary structure[1]	2.5 / 32'
Accessory structure[4]	2 / 20'
B Side wall (max)	
Primary structure	25'
Accessory structure	16'
2. MASSING	*Sec. 2.11.11.*
C Building width (max)	35'
D Building depth (max)	60'
3. GROUND STORY	*Sec. 2.11.12.*
E Story height (min)	9'
F Finish floor elevation (min/max)	0' / 5'

4. TRANSPARENCY	Sec. 2.11.13.	
	Primary St.	Side St.
G Ground story (min)	25%	20%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
5. ENTRANCES	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	20'	40'
Entry feature	Yes	No

NOTES: [4]

* If a Setback Range cannot be established, a 20' minimum primary street lot setback shall be used.

** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

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DIV. 19-2.3. **NEIGHBORHOOD-SCALE (RN-, RNX-)**









19-2.3.1. **INTENT**

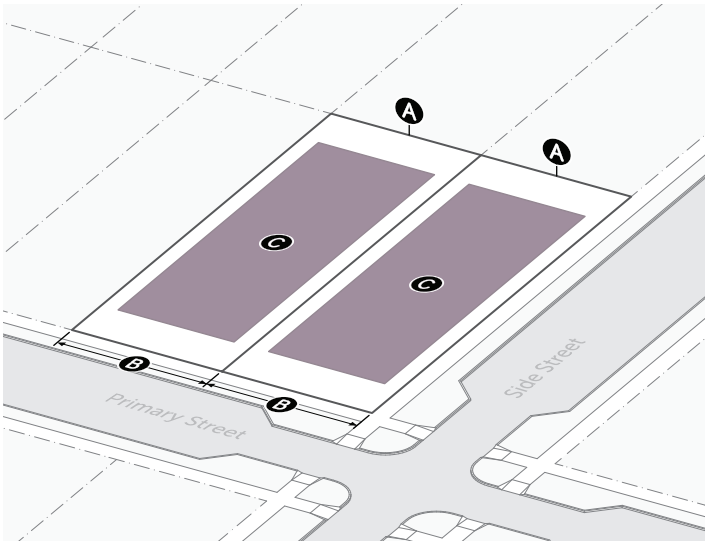
A walkable neighborhood environment intended to accommodate a variety of low-intensity housing options including single-family homes, duplexes, triplexes, fourplexes, townhouses and small apartments, supporting and within walking distance of neighborhood-serving retail, food and service uses.

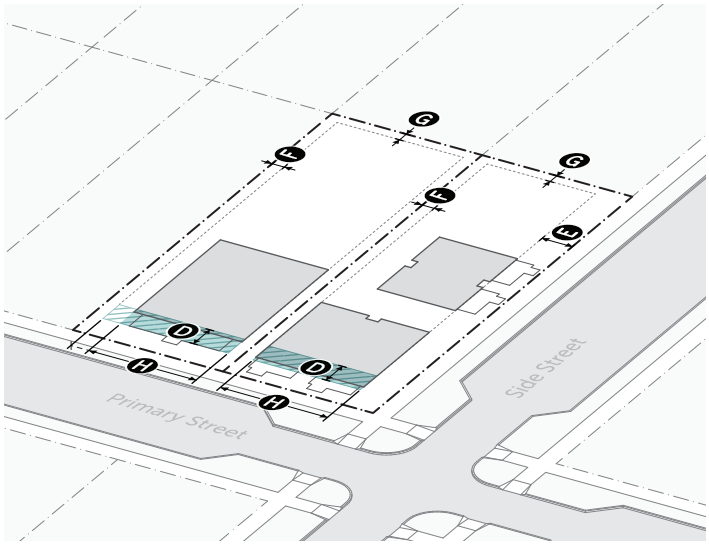
Neighborhood-Scale Flex (RNX-) districts allow for additional neighborhood-serving commercial uses that are limited in scale and extent.

RN-A	RN-B	RNX-B	RN-C	RNX-C
4 dwelling units (max)	8 dwelling units, 10 with bonus (max)	8 dwelling units, 10 with bonus (max)	12 dwelling units, 16 with bonus (max)	12 dwelling units, 16 with bonus (max)
25' lot width (min)	25' lot width (min)	25' lot width (min)	25' lot width (min)	25' lot width (min)
2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	3 stories / 42' in height (max)	3 stories / 42' in height (max)
40' building width (max)	60' building width 80' with bonus (max)[4]	60' building width 80' with bonus (max)[4]	100' building width 125' with bonus (max)[4]	100' building width 125' with bonus (max)[4]
		Limited small-scale commercial		Limited small-scale commercial

19-2.3.2. **RN-A** NEIGHBORHOOD A

A. **SITE**



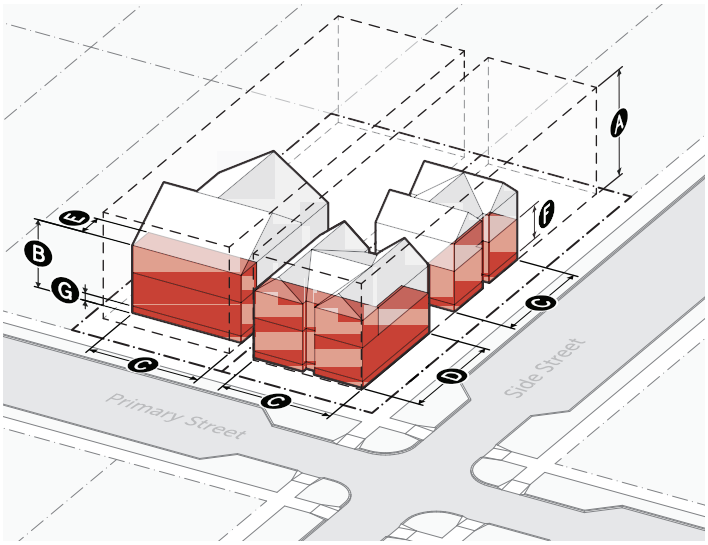


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	2,000 SF
B Width (min)	
Front access	40'
Side/rear access	25'
2. **DENSITY**	*Sec. 2.11.3.*
Dwellings per lot (max)	4
3. **COVERAGE**	*Sec. 2.11.4.*
C Building coverage (max)	60%

4. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min)	Setback Range*
E Side street/side alley lot line (min)	10'
F Side lot line (min)	5'
G Rear/rear alley lot line (min)	4'
5. **BUILD-TO**	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	50%
Side street	None
6. **PARKING SETBACKS**	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	5'
7. **FENCES AND WALLS**	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RN-A

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)[1]	2.5 / 32'
B Side wall (max)	25'
2. **MASSING**	*Sec. 2.11.11.*
C Building width (max)	40'
D Building depth (max)	70'
E Active depth (min)	9'
3. **GROUND STORY**	*Sec. 2.11.12.*
F Story height (min)	9'
G Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
H Ground story (min)	25%	20%
I Upper story (min)	15%	15%
J Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
K Street-facing entry spacing (avg)	30'	50'
Entry feature	Yes	Yes

NOTES: [4]

* If a Setback Range cannot be established, a 10' minimum/20' maximum primary street lot setback shall be used.

** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

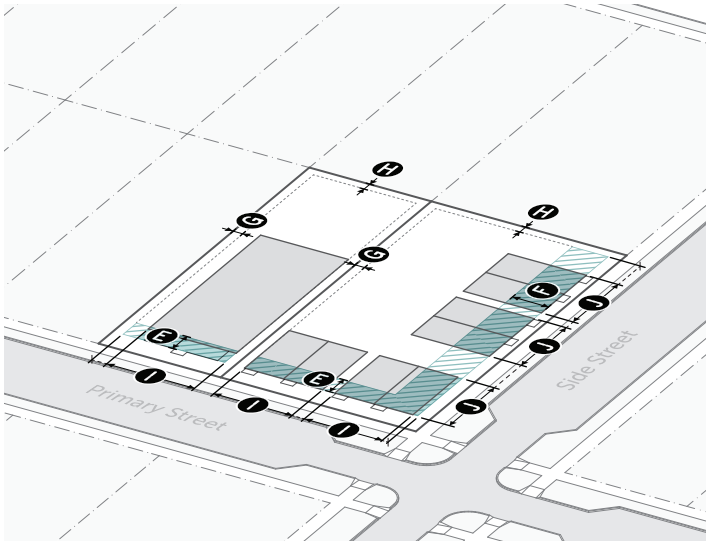
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19-2.3.3. **RN-B** NEIGHBORHOOD B

A. **SITE**





1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	25'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Base	8
Bonus	10
3. COVERAGE[2]	*Sec. 2.11.4.*
C Building coverage (max)	
0 to 8 units and Nonresidential	65%
9 to 10 units	75%
D Outdoor amenity space (min)	10%

4. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
E Primary street lot line (min/max)	Setback Range*
F Side street lot line (min/max)	5' / 20'
G Side lot line (min)	4'
H Rear/alley lot line (min)	4'
5. TRANSITION[2]	*Sec. 2.11.6.*
Transition type	Type A
6. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	65%
J Side street	40%
7. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	10'
8. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)[1]	2.5 / 32'
B Side wall (max)	25'
2. **MASSING**[4]	*Sec. 2.11.11.*
C Building width (max)	
Base	60'
Bonus	80'
D Building depth (max)	90'
E Active depth (min)	9'
3. **GROUND STORY**	*Sec. 2.11.12.*
F Story height (min)	9'
G Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
H Ground story (min)	25%	20%
I Upper story (min)	15%	15%
J Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
K Street-facing entry spacing (avg)	30'	50'
Entry feature	Yes	Yes

NOTES: [4]

* If a Setback Range cannot be established, a 10' minimum/20' maximum primary street lot setback shall be used.

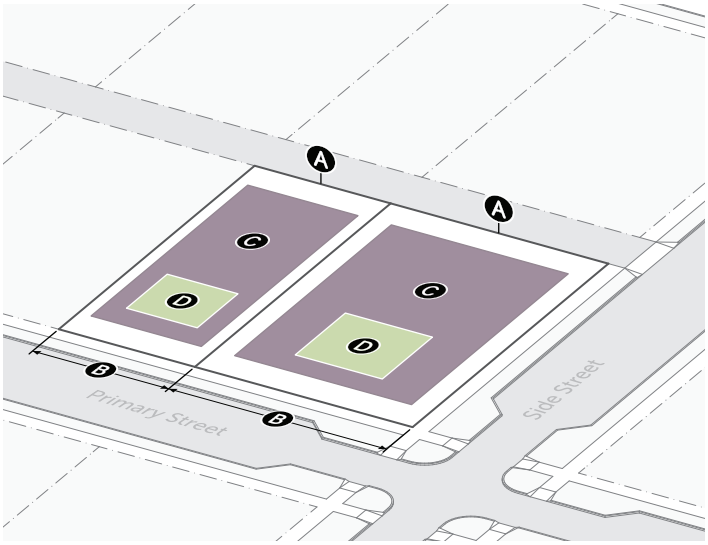
** Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

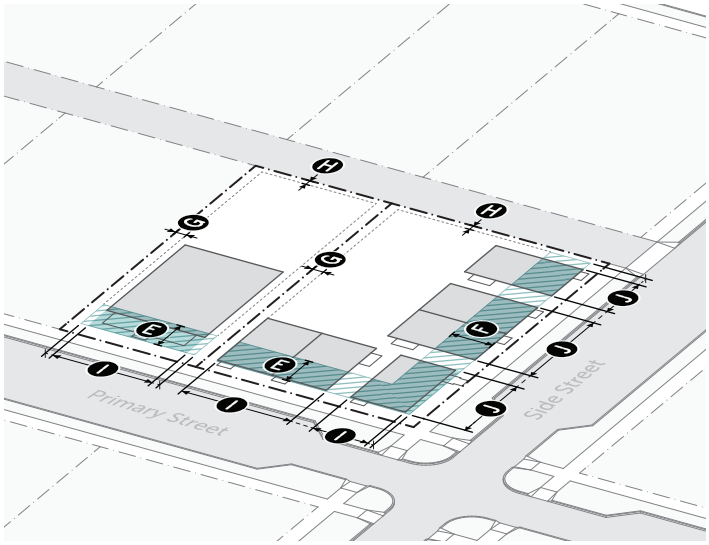
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19-2.3.4. **RNX-B** NEIGHBORHOOD FLEX B

A. **SITE**



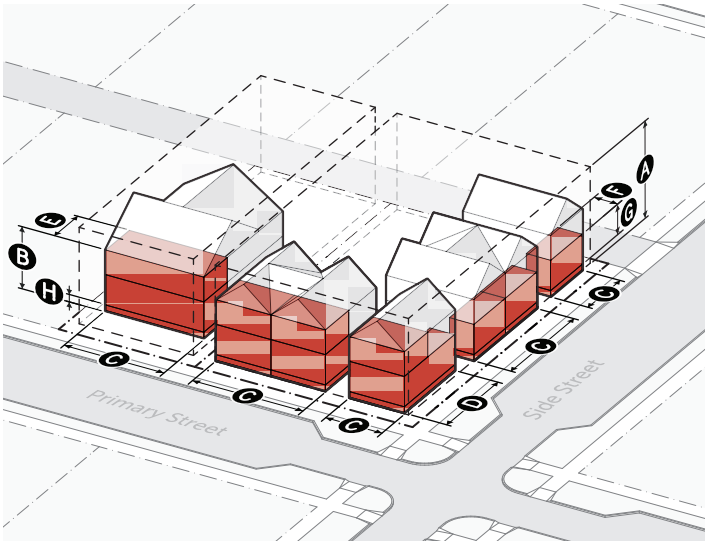


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	25'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Base	8
Bonus	10
3. COVERAGE[2]	*Sec. 2.11.4.*
C Building coverage (max)	
0 to 8 units and Nonresidential	65%
9 to 10 units	70%
D Outdoor amenity space (min)	10%

4. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 20'
G Side lot line (min)	4'
H Rear/alley lot line (min)	4'
5. TRANSITION	*Sec. 2.11.6.*
Transition type	Type A
6. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	65%
J Side street	40%
7. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
8. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RNX-B

B. BUILDING





1. HEIGHT	*Sec. 2.11.10.*
A Overall height (max stories/feet)[1]	2.5 / 32'
B Side wall (max)	25'
2. MASSING[4]	*Sec. 2.11.11.*
C Building width (max)	
Base	60'
Bonus	80'
D Building depth (max)	90'
Active depth (min)	
E Primary street	15'
F Side street	9'
3. GROUND STORY	*Sec. 2.11.12.*
G Story height (min)	10'
H Finish floor elevation (min/max)	
Residential	0' / 5'
Nonresidential	-2' / 5'

	Primary St.	Side St.
4. TRANSPARENCY	*Sec. 2.11.13.*	
I Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
J Upper story (min)	20%	20%
K Blank wall width (max)	10'	20'
5. ENTRANCES[4]	*Sec. 2.11.14.*	
L Street-facing entry spacing (avg)	30'	50'
Entry feature	Yes	Yes

NOTES: [4]

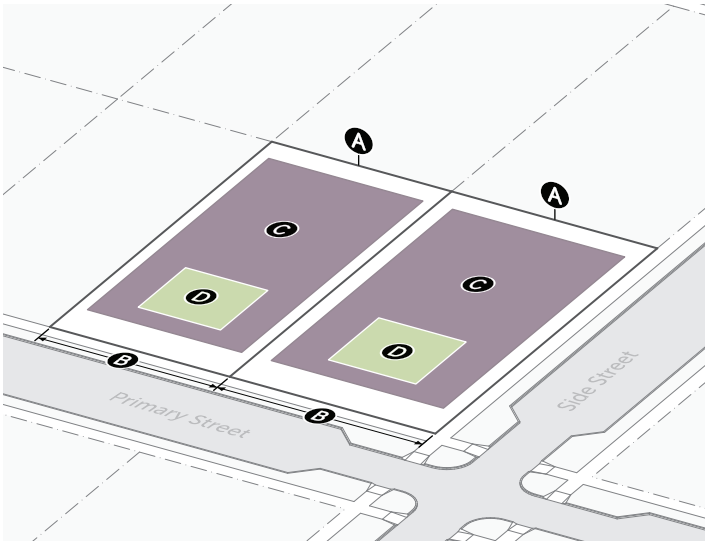
* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

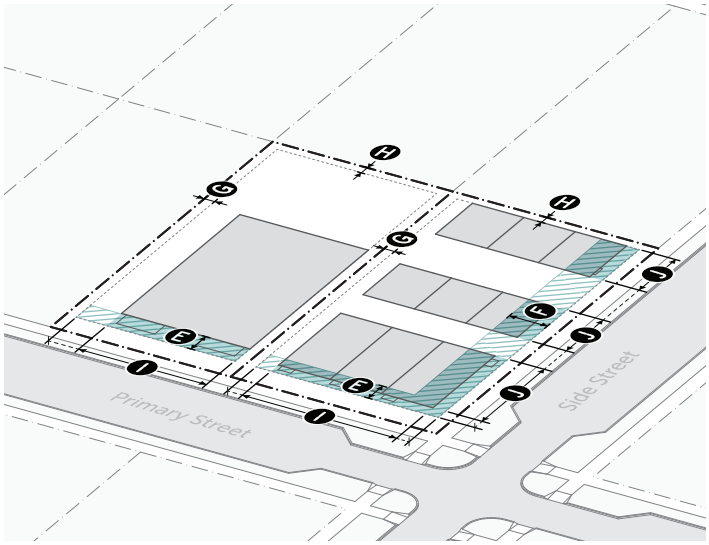
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19-2.3.5. **RN-C** NEIGHBORHOOD C

A. **SITE**



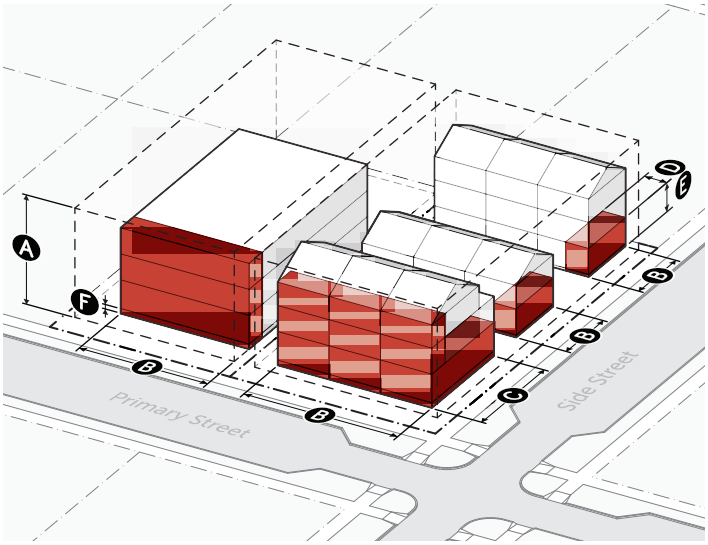


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	25'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Base	12
Bonus	16
3. COVERAGE[2]	*Sec. 2.11.4.*
C Building coverage (max)	
0 to 12 units and Nonresidential	70%
13 to 16 units	75%
D Outdoor amenity space (min)	10%

4. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	10' / 20'
F Side street lot line (min/max)	5' / 20'
G Side lot line (min)	4'
H Rear/alley lot line (min)	4'
5. TRANSITIONS[2]	*Sec. 2.11.6.*
Transition type	Type A
6. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	65%
J Side street	40%
7. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	30'
Side street (min)	10'
8. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RN-C

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	3 / 42'
2. **MASSING**[4]	*Sec. 2.11.11.*
B Building width (max)	
Base	100'
Bonus	125'
C Building depth (max)	100'
D Active depth (min)	9'
3. **GROUND STORY**	*Sec. 2.11.12.*
E Story height (min)	9'
F Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	25%	20%
H Upper story (min)	15%	15%
I Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)[1]	40'	50'
Entry feature	Yes	Yes

NOTES: [4]

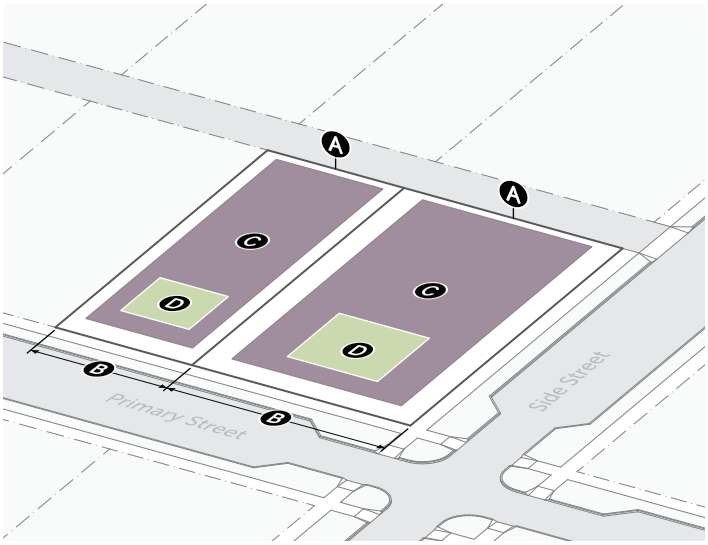
* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

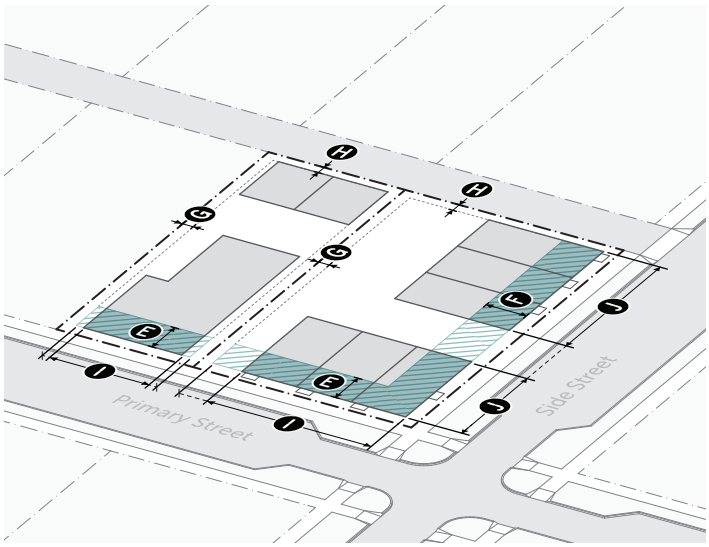
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19-2.3.6. **RNX-C** NEIGHBORHOOD FLEX C

A. **SITE**



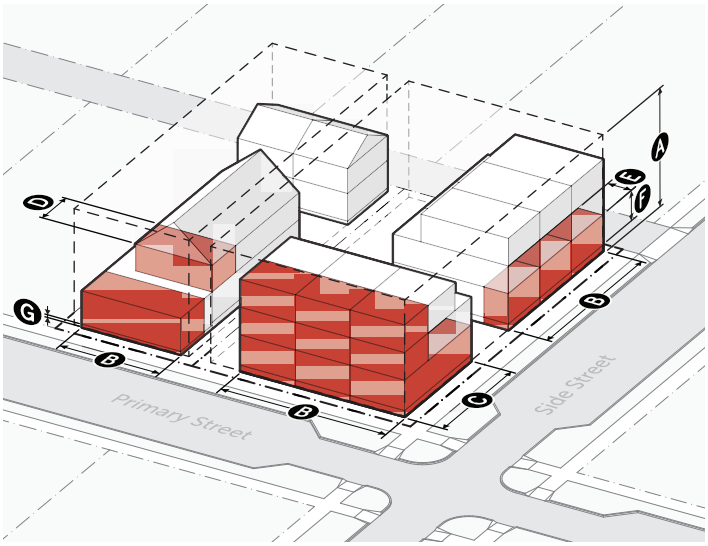


1. **LOT SIZE**	*Sec. 2.11.2.*
Ⓐ Area (min)	None
Ⓑ Width (min)	
Front access	40'
Side/rear access	25'
2. DENSITY	*Sec. 2.11.3.*
Dwellings per lot (max)	
Base	12
Bonus	16
3. COVERAGE[2]	*Sec. 2.11.4.*
Ⓒ Building coverage (max)	
0 to 12 units and Nonresidential	70%
13 to 16 units	75%
Ⓓ Outdoor amenity space (min)	10%

4. **BUILDING SETBACKS**	*Sec. 2.11.5.*
Ⓔ Primary street lot line (min/max)	5' / 20'
Ⓕ Side street lot line (min/max)	5' / 20'
Ⓖ Side lot line (min)	4'
Ⓗ Rear/alley lot line (min)	4'
5. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A
6. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
Ⓘ Primary street	65%
Ⓙ Side street	40%
7. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
8. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RNX-C

B. BUILDING





1. HEIGHT	*Sec. 2.11.10.*
A Overall height (max stories/feet)	3 / 42'
2. MASSING[4]	*Sec. 2.11.11.*
B Building width (max)	
Base	100'
Bonus	125'
C Building depth (max)	100'
Active depth (min)	
D Primary street	15'
E Side street	9'
3. GROUND STORY	*Sec. 2.11.12.*
F Story height (min)	10'
G Finish floor elevation (min/max)	
Residential	0' / 5'
Nonresidential	-2' / 5'

	Primary St.	Side St.
4. TRANSPARENCY	*Sec. 2.11.13.*	
H Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
I Upper story (min)	20%	20%
J Blank wall width (max)	10'	20'
5. ENTRANCES[4]	*Sec. 2.11.14.*	
K Street-facing entry spacing (avg)[1]	40'	50'
Entry feature	Yes	Yes

NOTES: [4]

* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

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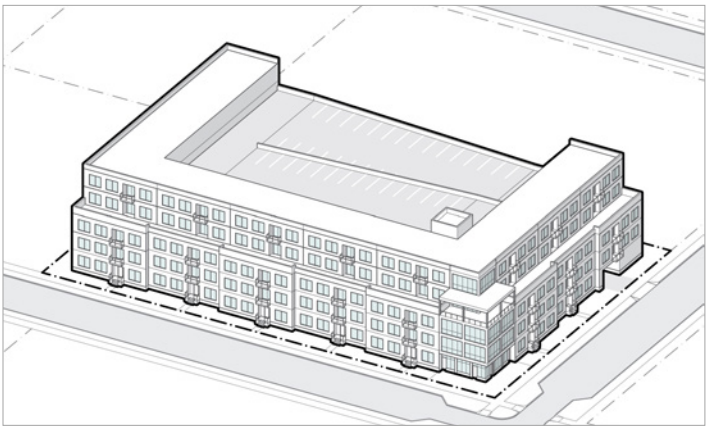
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DIV. 19-2.4. **COMMUNITY-SCALE (RC-)**







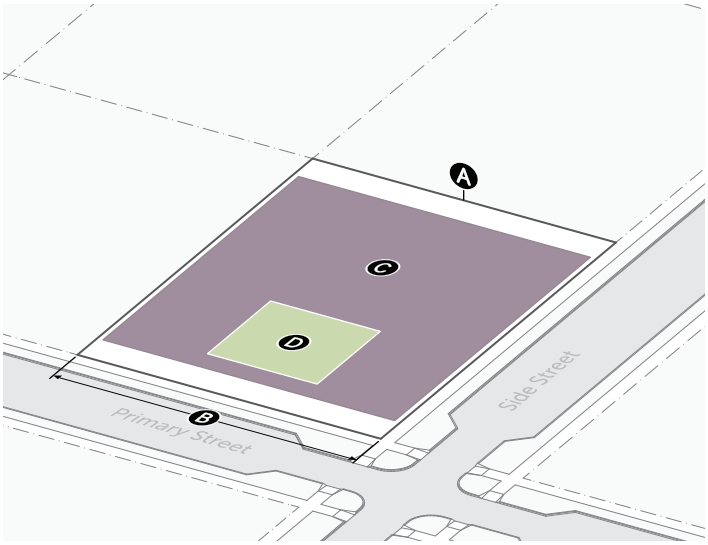
19-2.4.1. **INTENT**

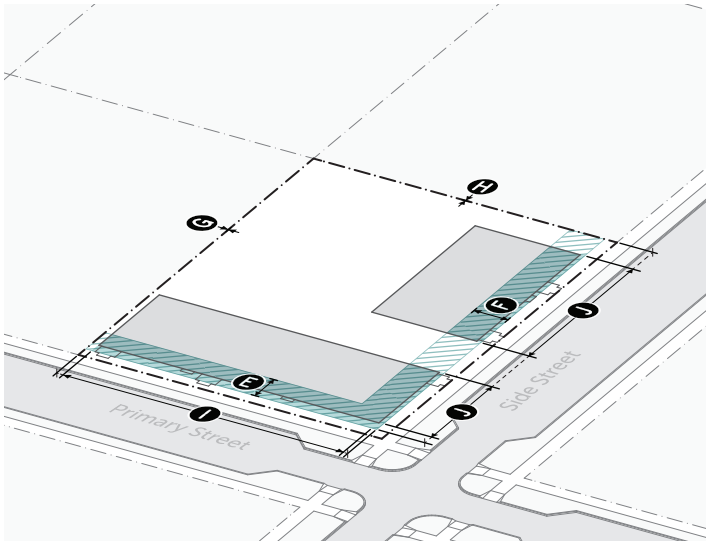
A walkable neighborhood environment intended to accommodate a variety of medium-intensity housing options including duplexes, triplexes, fourplexes, and townhouses up to larger apartment complexes supporting and within walking distance of neighborhood-serving retail, food and service uses.

RC-2	RC-3	RC-5
No density restrictions	No density restrictions	No density restrictions
15' lot width (min)	15’ lot width (min)	15’ lot width (min)
2 stories / 30' in height 4 stories / 54' with bonus (max)	3 stories / 42' in height 5 stories / 68' with bonus (max)	5 stories / 68' in height 7 stories / 94' with bonus (max)
175' building width (max)	175’ building width (max)	275’ building width (max)

19-2.4.2. **RC-2** COMMUNITY 2

A. **SITE**

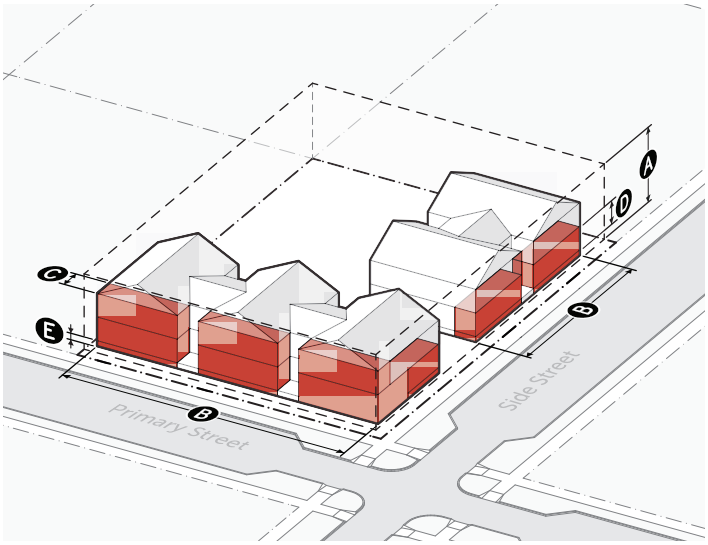




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 15'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	
Base	2 / 30'
Bonus	4 / 54'
2. **MASSING**	*Sec. 2.11.11.*
B Building width (max)	175'
C Active depth (min)	9'
3. **GROUND STORY**	*Sec. 2.11.12.*
D Story height (min)	10'
E Finish floor elevation (min/max)	0' / 5'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
F Ground story (min)	35%	30%
G Upper story (min)	20%	20%
H Blank wall width (max)	15'	25'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
I Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

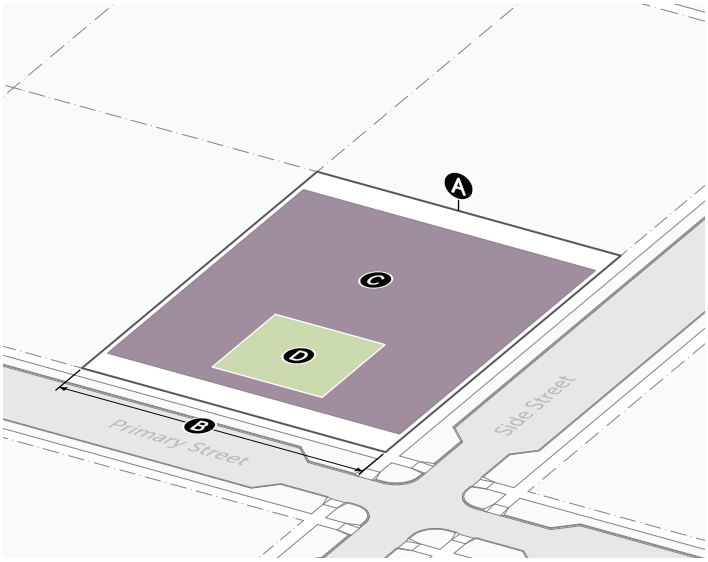
NOTES: [4]
* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

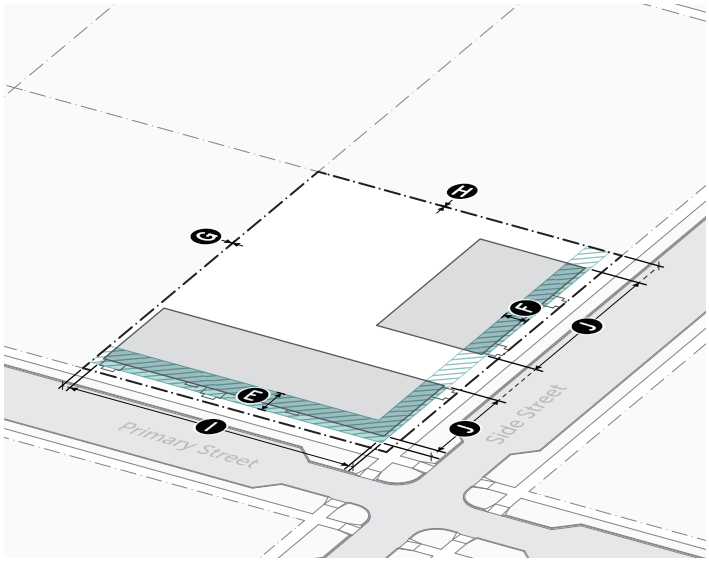
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19-2.4.3. **RC-3** COMMUNITY 3

A. **SITE**



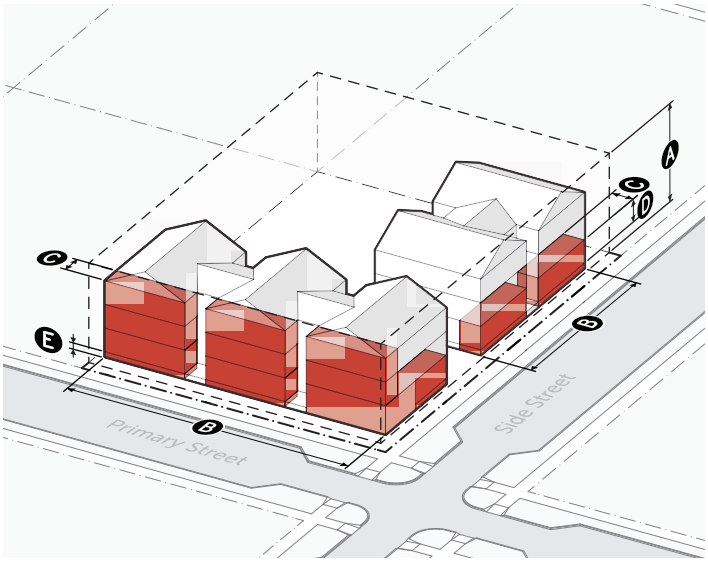


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 15'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

RC-3

B. BUILDING





		Primary St.	Side St.
1. HEIGHT	*Sec. 2.11.10.*		
A	Overall height (max stories/feet)		
	Base	3 / 42'	
	Bonus	5 / 68'	
2. MASSING	*Sec. 2.11.11.*		
B	Building width (max)	175'	
C	Active depth (min)	9'	
3. GROUND STORY	*Sec. 2.11.12.*		
D	Story height (min)	10'	
E	Finish floor elevation (min/max)	0' / 5'	
4. TRANSPARENCY	*Sec. 2.11.13.*		
F	Ground story (min)	35%	30%
G	Upper story (min)	20%	20%
H	Blank wall width (max)	15'	25'
5. ENTRANCES[4]	*Sec. 2.11.14.*		
I	Street-facing entry spacing (avg)	40'	60'
	Entry feature	Yes	Yes

NOTES: [4]

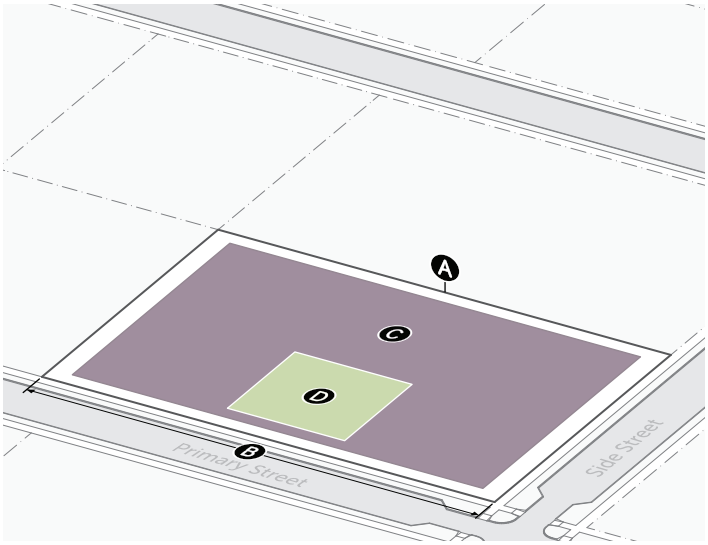
* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

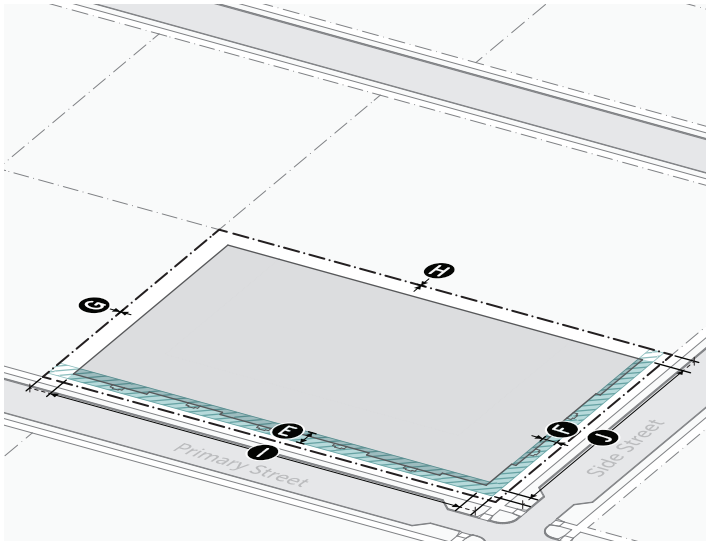
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19-2.4.4. **RC-5** COMMUNITY 5

A. **SITE**

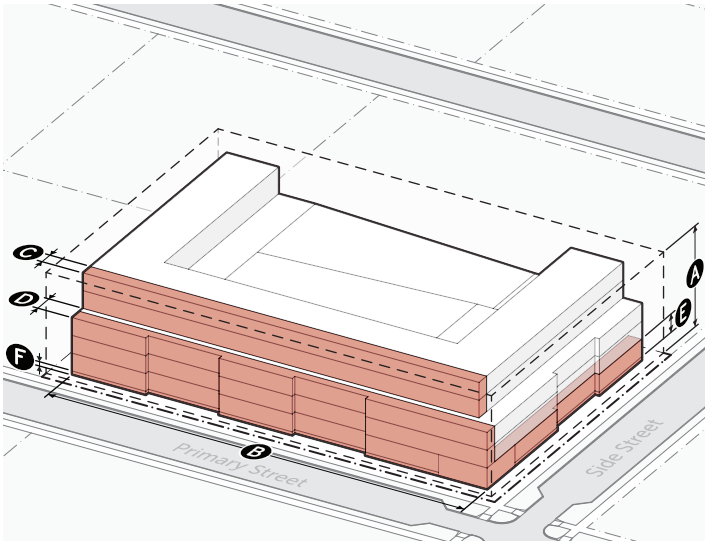




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	None
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 15'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type E | 6'

B. BUILDING





		Primary St.	Side St.
1. HEIGHT		*Sec. 2.11.10.*	
A	Overall height (max stories/feet)		
	Base	5 / 68'	
	Bonus	7 / 94'	
2. MASSING		*Sec. 2.11.11.*	
B	Building width (max)	275'	
C	Active depth (min)	9'	
	Street step-backs		
	Stories without step-back (max)	3	
D	Step-back depth (min)	10'	
3. GROUND STORY		*Sec. 2.11.12.*	
E	Story height (min)	10'	
F	Finish floor elevation (min/max)	0' / 5'	
4. TRANSPARENCY		*Sec. 2.11.13.*	
G	Ground story (min)	35%	30%
H	Upper story (min)	20%	20%
I	Blank wall width (max)	15'	25'
5. ENTRANCES[4]		*Sec. 2.11.14.*	
J	Street-facing entry spacing (avg)	40'	60'
	Entry feature	Yes	Yes

NOTES: [4]

* Additional standards apply to all lots within the Neighborhood Revitalization Overlay District.

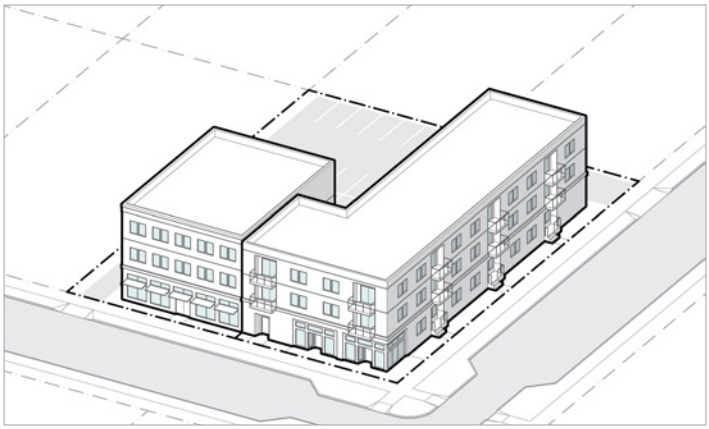
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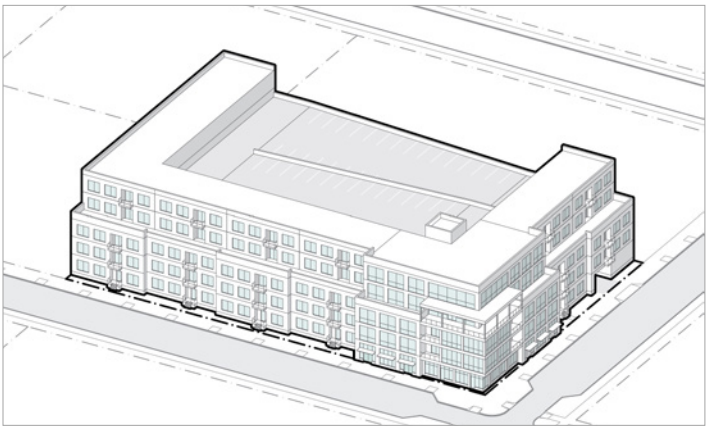
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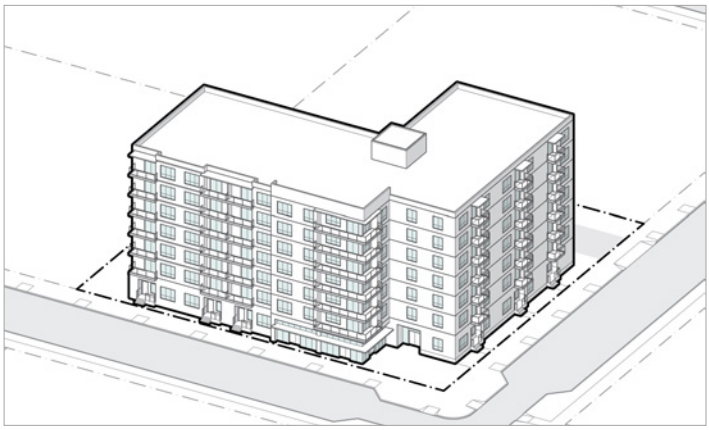
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DIV. 19-2.5. **MIXED USE (MX-)**









19-2.5.1. **INTENT**

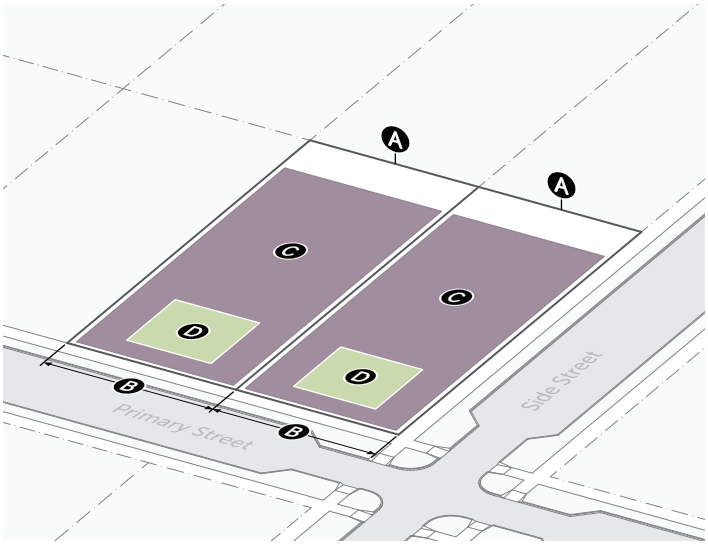
Moderate intensity mixed-use, office and residential buildings intended to accommodate a variety of residential, retail, service and commercial uses in a vibrant, pedestrian-friendly environment.

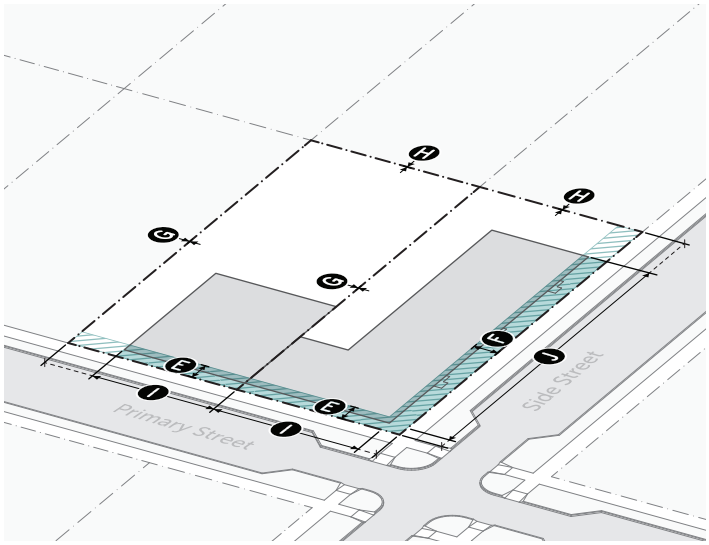
Downtown Mixed Use (MX-D) is intended to accommodate the City's most intense mixed use and pedestrian-friendly activity. Although buildings are allowed to be exclusively residential or nonresidential in use, the vertical mixing of uses is strongly encouraged.

MX-2	MX-3	MX-5	MX-D
No density restrictions	No density restrictions	No density restrictions	No density restrictions
15' lot width (min)	15’ lot width (min)	15’ lot width (min)	15’ lot width (min)
2 stories in height 4 stories with bonus (max)[4]	3 stories in height 5 stories with bonus (max)[4]	5 stories in height 7 stories with bonus (max)[4]	See height map
275' building width (max)	275’ building width (max)	275’ building width (max)	275’ building width (max)

19-2.5.2. **MX-2** MIXED USE 2

A. **SITE**

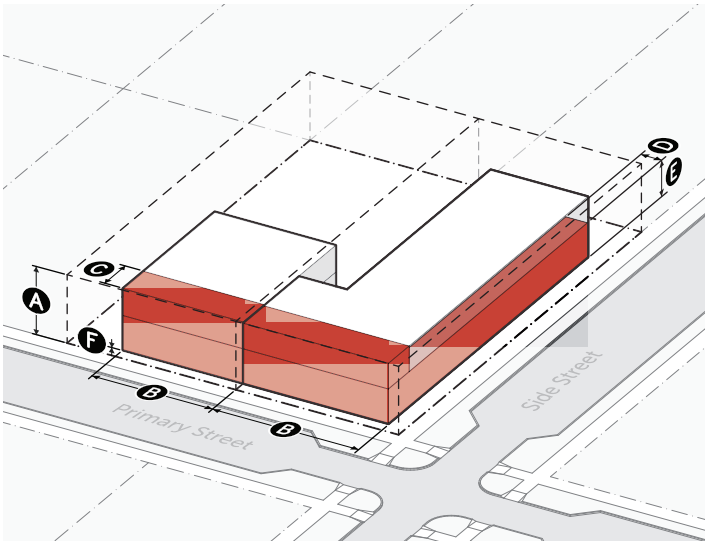


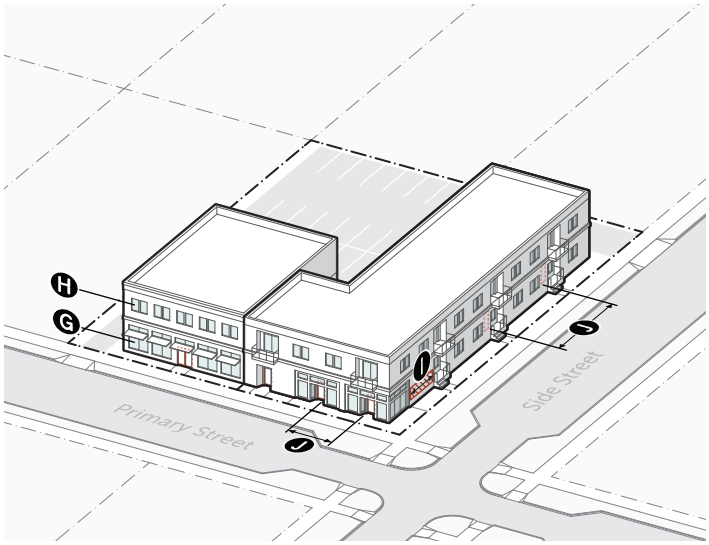


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	0' / 10'
F Side street lot line (min/max)	0' / 10'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING

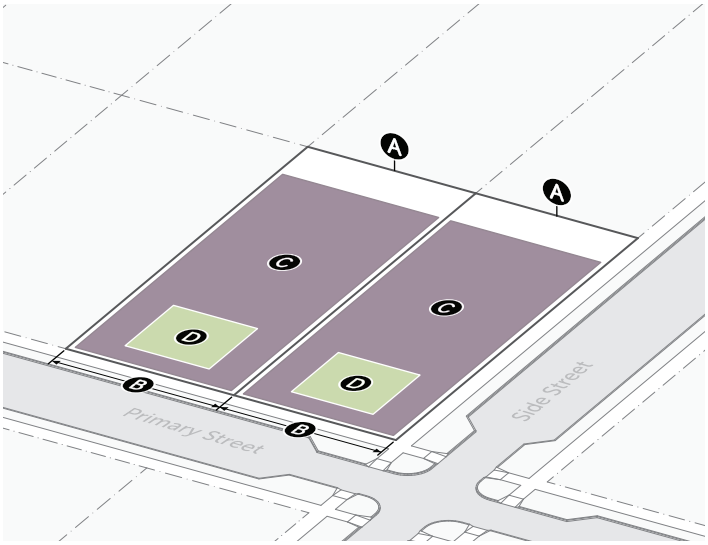


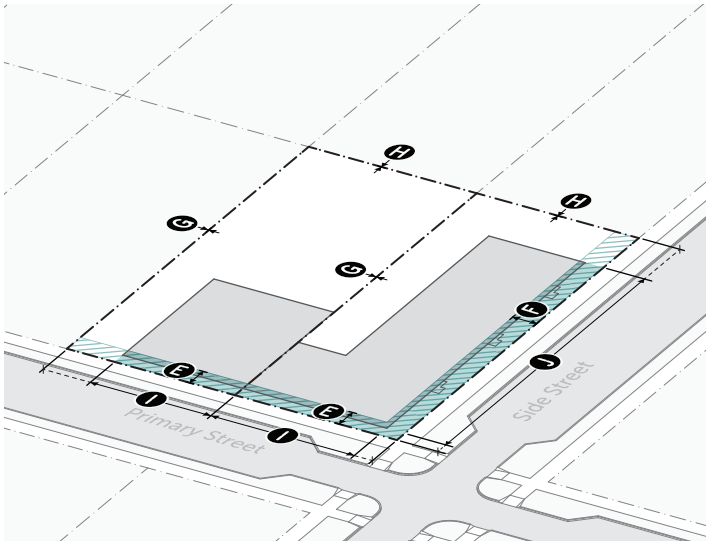


		Primary St.	Side St.
1. HEIGHT[4]	*Sec. 2.11.10.*		
A	Overall height (max stories)		
	Base	2	
	Bonus	4	
2. MASSING	*Sec. 2.11.11.*		
B	Building width (max)	275'	
	Active depth (min)		
C	Primary street	15'	
D	Side street	9'	
3. FLOOR HEIGHTS[4]	*Sec. 2.11.12.*		
	GROUND STORY		
E	Story height (min/max)		
	Residential	10' / 18'	
	Nonresidential	12' / 18'	
F	Finish floor elevation (min/max)		
	Residential	2' / 5'	
	Nonresidential	-2' / 2'	
	UPPER STORY		
	Story height (max)	15'	
4. TRANSPARENCY	*Sec. 2.11.13.*		
G	Ground story (min)		
	Residential	35%	30%
	Nonresidential	50%	30%
H	Upper story (min)	20%	20%
I	Blank wall width (max)	15'	25'
5. ENTRANCES[4]	*Sec. 2.11.14.*		
J	Street-facing entry spacing (avg)	40'	60'
	Entry feature	Yes	Yes

19-2.5.3. **MX-3** MIXED USE 3

A. **SITE**

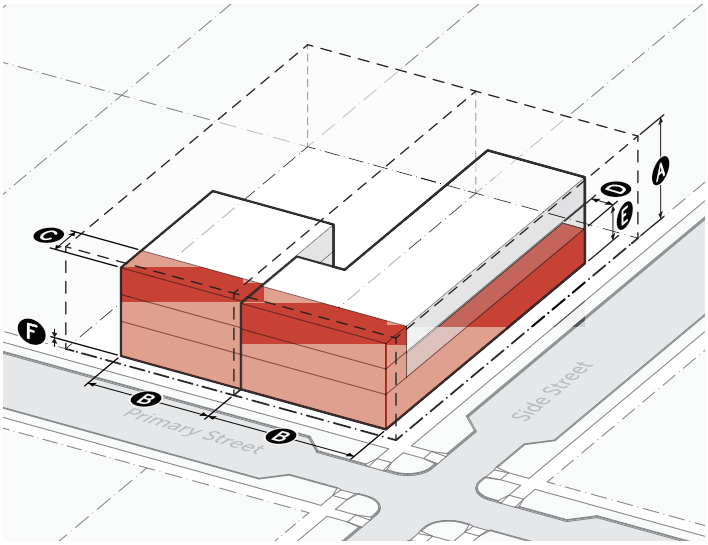




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	0' / 10'
F Side street lot line (min/max)	0' / 10'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
K Primary street (min)	20'
L Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING

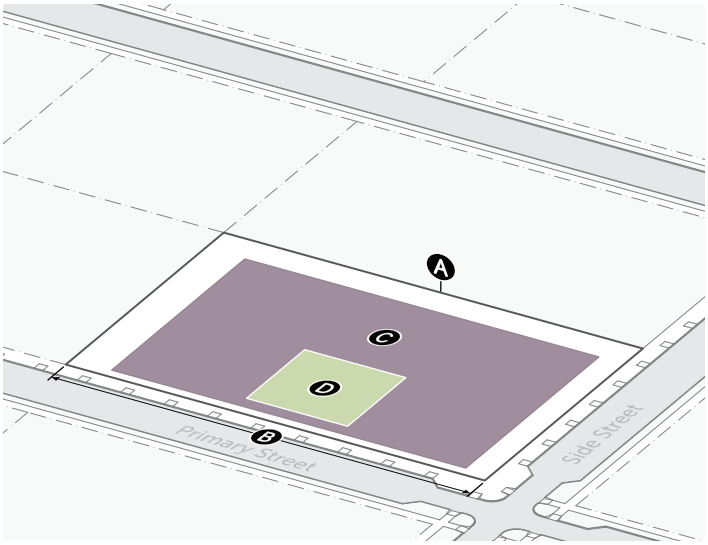


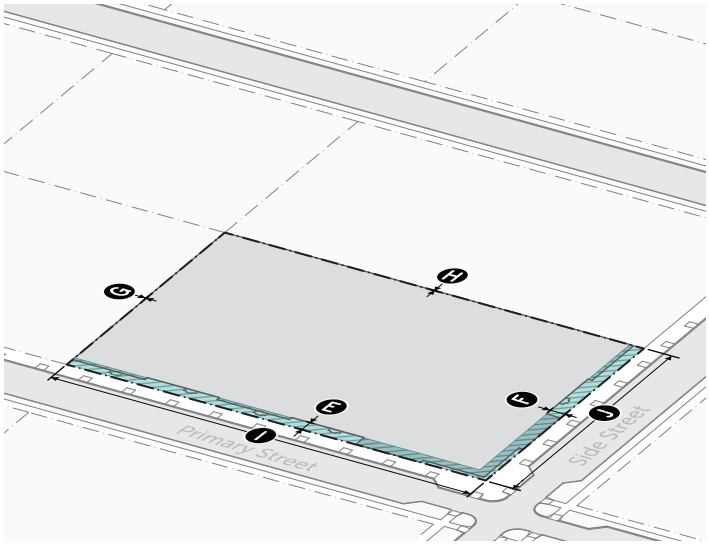


		Primary St.	Side St.
1. **HEIGHT**[4]	*Sec. 2.11.10.*		
A	Overall height (max stories)		
	Base	3	
	Bonus	5	
2. **MASSING**	*Sec. 2.11.11.*		
B	Building width (max)	275'	
	Active depth (min)		
C	Primary street	15'	
D	Side street	9'	
3. **FLOOR HEIGHTS**[4]	*Sec. 2.11.12.*		
	GROUND STORY		
E	Story height (min/max)		
	Residential	10' / 18'	
	Nonresidential	12' / 18'	
F	Finish floor elevation (min/max)		
	Residential	2' / 5'	
	Nonresidential	-2' / 2'	
	UPPER STORY		
	Story height (max)	15'	
4. **TRANSPARENCY**	*Sec. 2.11.13.*		
G	Ground story (min)		
	Residential	35%	30%
	Nonresidential	50%	30%
H	Upper story (min)	20%	20%
I	Blank wall width (max)	15'	25'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*		
J	Street-facing entry spacing (avg)	40'	60'
	Entry feature	Yes	Yes

19-2.5.4. **MX-5** MIXED USE 5

A. **SITE**

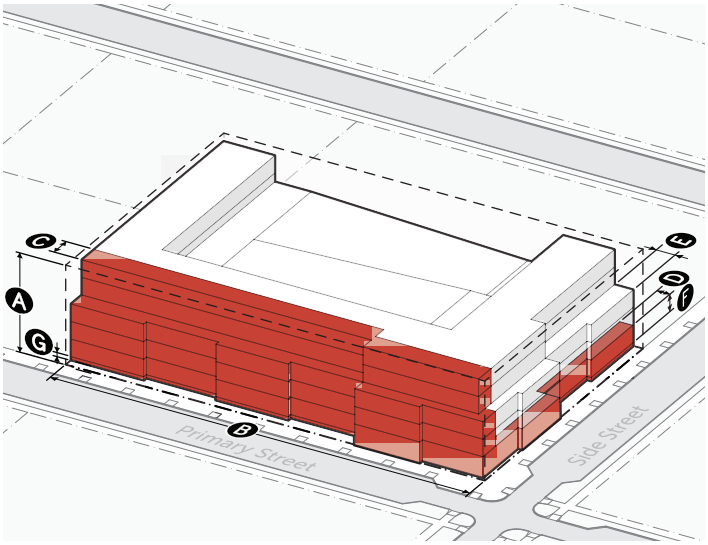


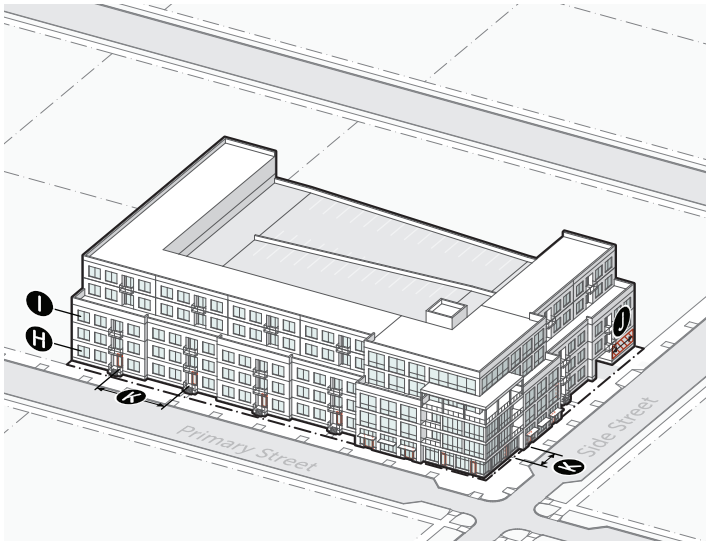


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	None
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	0' / 10'
F Side street lot line (min/max)	0' / 10'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING





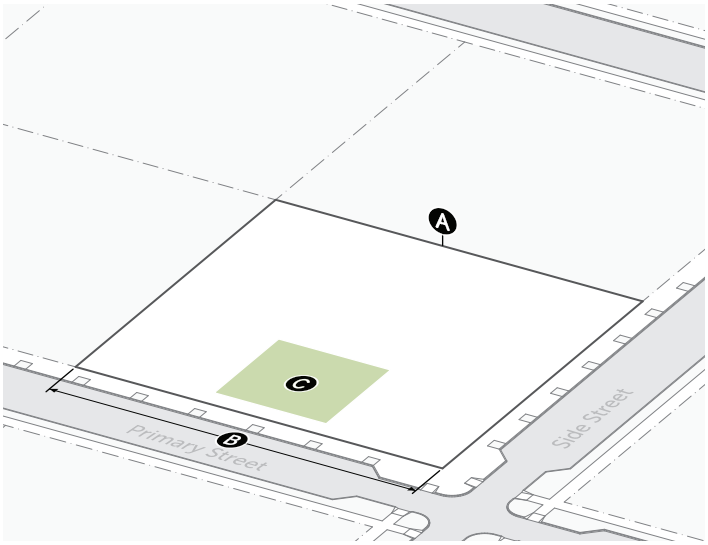
1. **HEIGHT**[4]	*Sec. 2.11.10.*
A Overall height (max stories)	
Base	5
Bonus	7
2. MASSING	*Sec. 2.11.11.*
B Building width (max)	275'
Active depth (min)	
C Primary street	15'
D Side street	9'
Street step-backs	
Stories without step-back (max)	3
E Step-back depth (min)	10'
3. FLOOR HEIGHTS[4]	*Sec. 2.11.12.*
GROUND STORY	
F Story height (min/max)	
Residential	10' / 18'
Nonresidential	14' / 18'
G Finish floor elevation (min/max)	
Residential	2' / 5'
Nonresidential	-2' / 2'

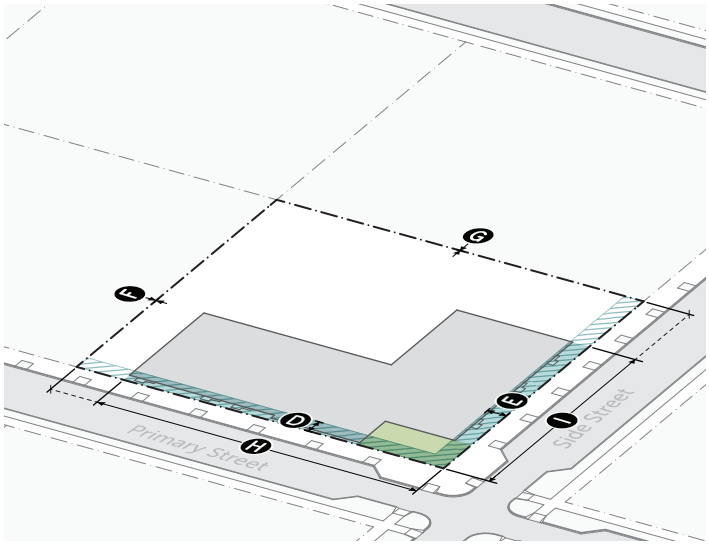
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. TRANSPARENCY	*Sec. 2.11.13.*	
H Ground story (min)		
Residential	35%	30%
Nonresidential	50%	30%
I Upper story (min)	20%	20%
J Blank wall width (max)	15'	25'
5. ENTRANCES[4]	*Sec. 2.11.14.*	
K Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

19-2.5.5. **MX-D** MIXED USE DOWNTOWN

A. **SITE**

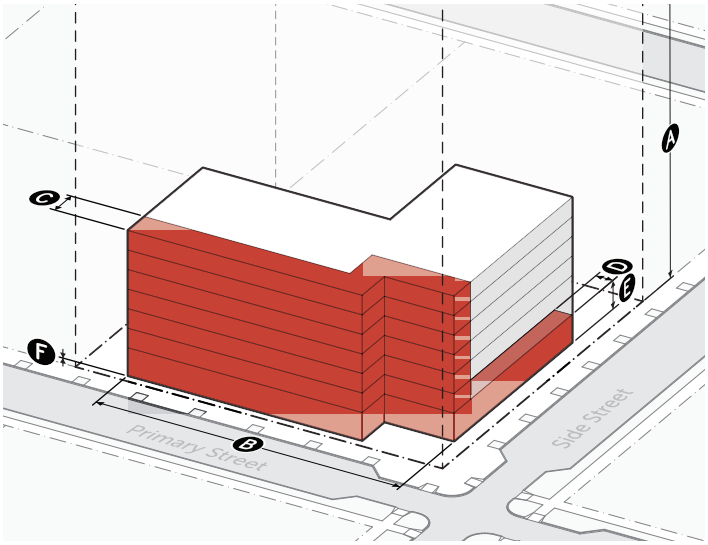




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	None
Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min/max)	0' / 10'
E Side street lot line (min/max)	0' / 10'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	0'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	85%
I Side street	65%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type A | 0'
Side street yard height (max)	Type A | 0'
Side/rear yard height (max)	Type F | 8'

B. BUILDING





		Primary St.	Side St.
1. HEIGHT		*Sec. 2.11.10.*	
A	Overall height (max stories)	See Height Map	
2. MASSING		*Sec. 2.11.11.*	
B	Building width (max)	275'	
	Active depth (min)		
C	Primary street	15'	
D	Side street	9'	
3. FLOOR HEIGHTS[4]		*Sec. 2.11.12.*	
	GROUND STORY		
E	Story height (min/max)		
	Residential	10' / 18'	
	Nonresidential	14' / 18'	
F	Finish floor elevation (min/max)		
	Residential	2' / 5'	
	Nonresidential	-2' / 2'	
	UPPER STORY		
	Story height (max)	15'	
4. TRANSPARENCY		*Sec. 2.11.13.*	
G	Ground story (min)		
	Residential	35%	30%
	Nonresidential	50%	30%
H	Upper story (min)	20%	20%
I	Blank wall width (max)	15'	25'
5. ENTRANCES[4]		*Sec. 2.11.14.*	
J	Street-facing entry spacing (avg)	40'	60'
	Entry feature	Yes	Yes

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DIV. 19-2.6. **SHOPFRONT (MXS-)**









19-2.6.1. **INTENT**

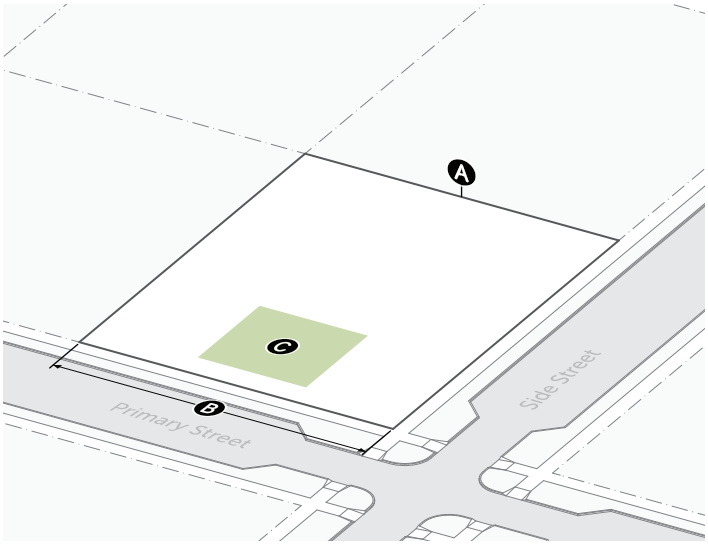
Moderate intensity mixed-use buildings intended to accommodate a variety of residential, retail, service and commercial building uses in a vibrant, pedestrian-friendly storefront environment. Uses are flexible but tall ground floors with large areas of transparent glazing are required to accommodate retail ready ground stories.

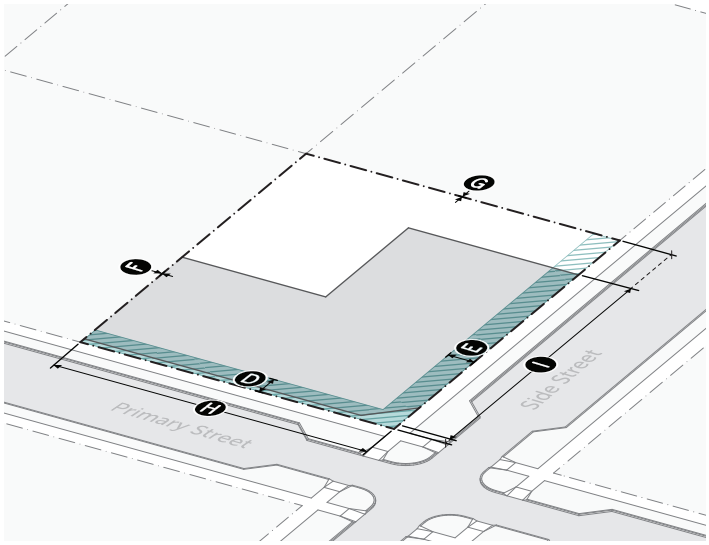
Downtown Shopfront (MXS-D) is intended to accommodate the City's most intense mixed use and pedestrian-friendly activity. Although buildings are allowed to be exclusively residential or nonresidential in use, the vertical mixing of uses is strongly encouraged.

MXS-2	MXS-3	MXS-5	MXS-D
No density restrictions	No density restrictions	No density restrictions	No density restrictions
15' lot width (min)	15’ lot width (min)	15’ lot width (min)	15’ lot width (min)
2 stories in height 4 stories with bonus (max)[4]	3 stories in height 5 stories with bonus (max)[4]	5 stories in height 7 stories with bonus (max)[4]	See height map
175' building width (max)	175’ building width (max)	175’ building width (max)	175’ building width (max)

19-2.6.2. **MXS-2** SHOPFRONT 2

A. **SITE**

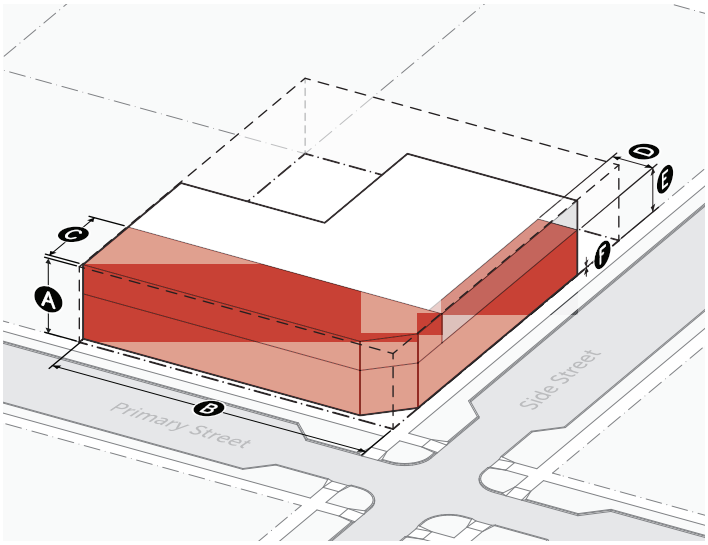




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	60'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
Building coverage (max)	None
C Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min/max)	0' / 10'
E Side street lot line (min/max)	0' / 10'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	85%
I Side street	65%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type A | 0'
Side street yard height (max)	Type A | 0'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



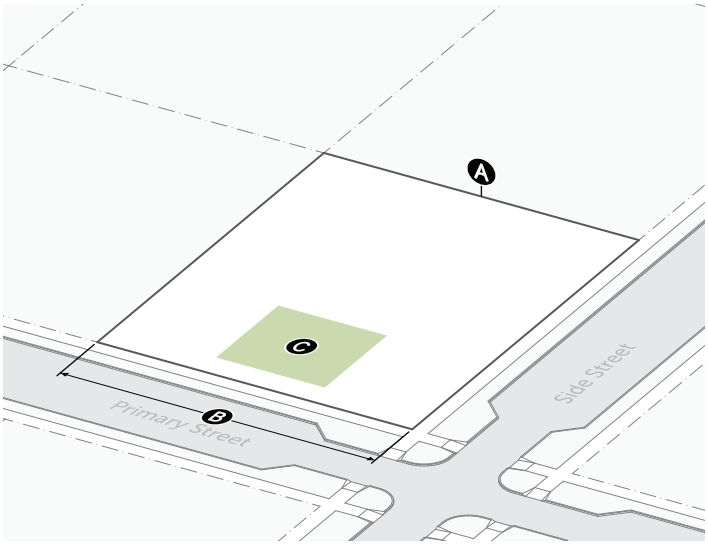


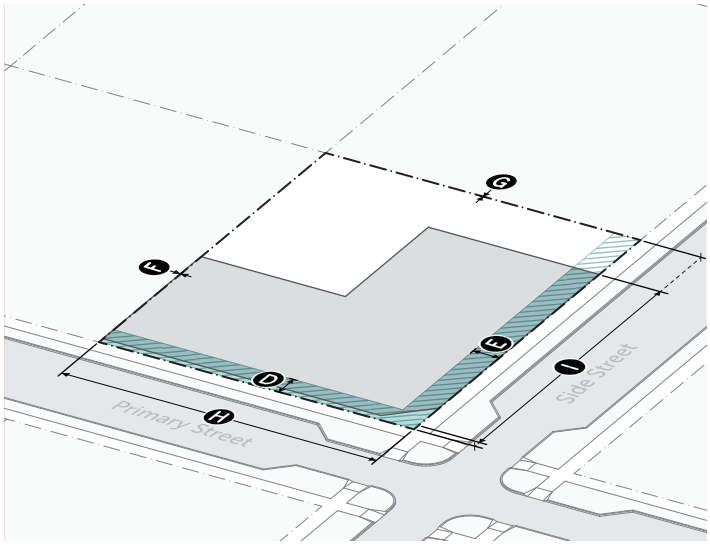
1. **HEIGHT**[4]	*Sec. 2.11.10.*	
A Overall height (max stories)		
Base	2	
Bonus	4	
2. **MASSING**	*Sec. 2.11.11.*	
B Building width (max)	175'	
Active depth (min)		
C Primary street	30'	
D Side street	15'	
3. **FLOOR HEIGHTS**[4]	*Sec. 2.11.12.*	
GROUND STORY		
E Story height (min/max)	14' / 18'	
F Finish floor elevation (min/max)	-2' / 2'	
UPPER STORY		
Story height (max)	15'	

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	70%	30%
H Upper story (min)	20%	20%
I Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

19-2.6.3. **MXS-3** SHOPFRONT 3

A. **SITE**

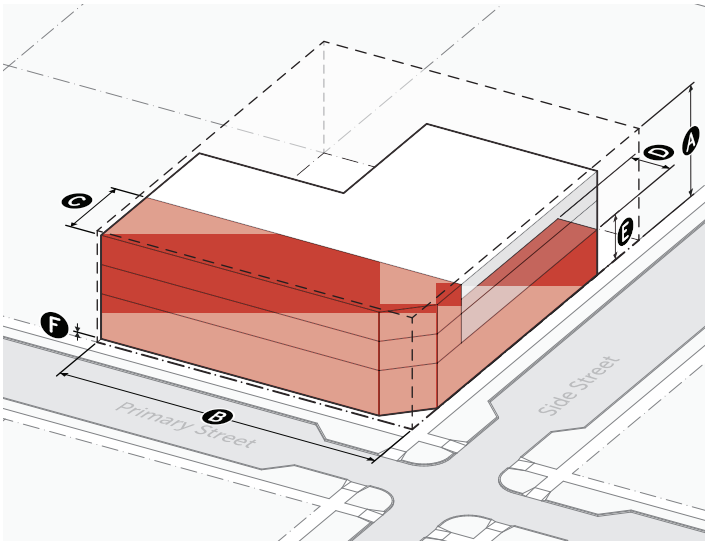




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	60'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
Building coverage (max)	None
C Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min/max)	0' / 10'
E Side street lot line (min/max)	0' / 10'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	85%
I Side street	65%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type A | 0'
Side street yard height (max)	Type A | 0'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



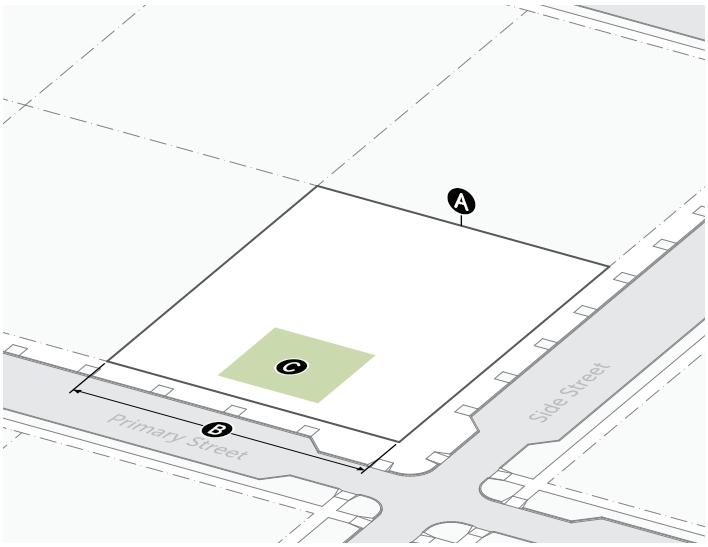


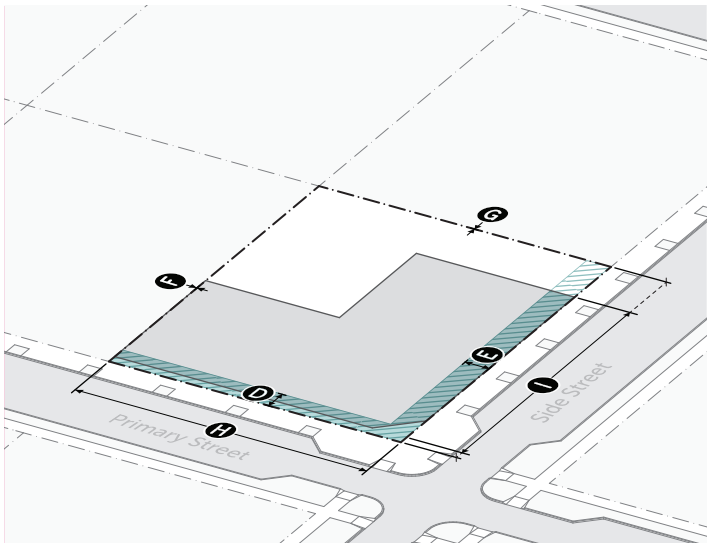
1. **HEIGHT**[4]	*Sec. 2.11.10.*
A Overall height (max stories)	
Base	3
Bonus	5
2. **MASSING**	*Sec. 2.11.11.*
B Building width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
3. **FLOOR HEIGHTS**[4]	*Sec. 2.11.12.*
GROUND STORY	
E Story height (min/max)	14' / 18'
F Finish floor elevation (min/max)	-2' / 2'
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
G Ground story (min)	70%	30%
H Upper story (min)	20%	20%
I Blank wall width (max)	10'	20'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

19-2.6.4. **MXS-5** SHOPFRONT 5

A. **SITE**

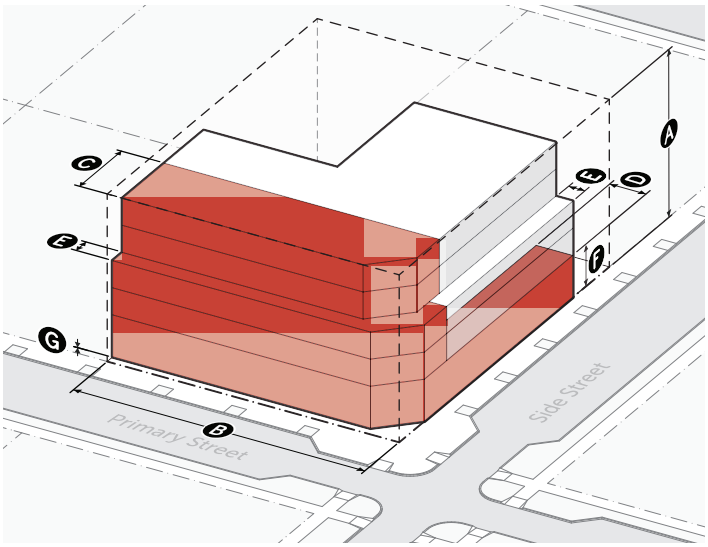




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	60'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
Building coverage (max)	None
C Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min/max)	0' / 10'
E Side street lot line (min/max)	0' / 10'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	85%
I Side street	65%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type A | 0'
Side street yard height (max)	Type A | 0'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



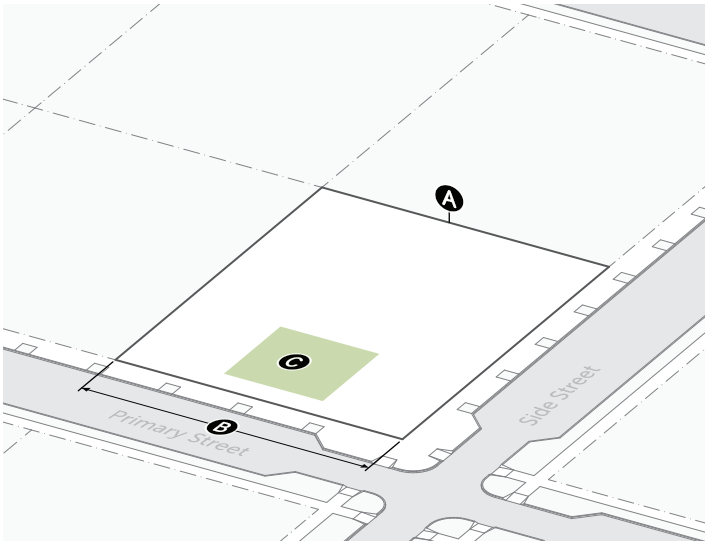


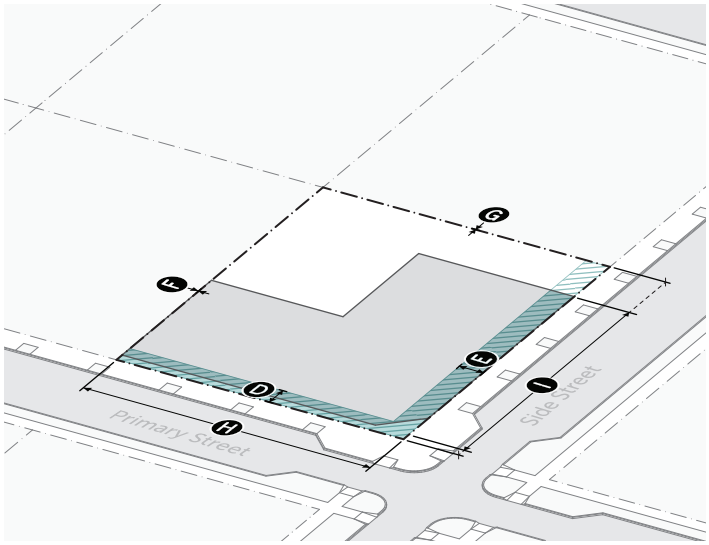
1. HEIGHT[4]	*Sec. 2.11.10.*
A Overall height (max stories)	
Base	5
Bonus	7
2. MASSING	*Sec. 2.11.11.*
B Building width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
Street step-backs	
Stories without step-back (max)	3
E Step-back depth (min)	10'
3. FLOOR HEIGHTS[4]	*Sec. 2.11.12.*
GROUND STORY	
E Story height (min/max)	14' / 18'
F Finish floor elevation (min/max)	-2' / 2'
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. TRANSPARENCY	*Sec. 2.11.13.*	
H Ground story (min)	70%	30%
I Upper story (min)	20%	20%
J Blank wall width (max)	10'	20'
5. ENTRANCES[4]	*Sec. 2.11.14.*	
K Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

19-2.6.5. **MXS-D** SHOPFRONT DOWNTOWN

A. **SITE**

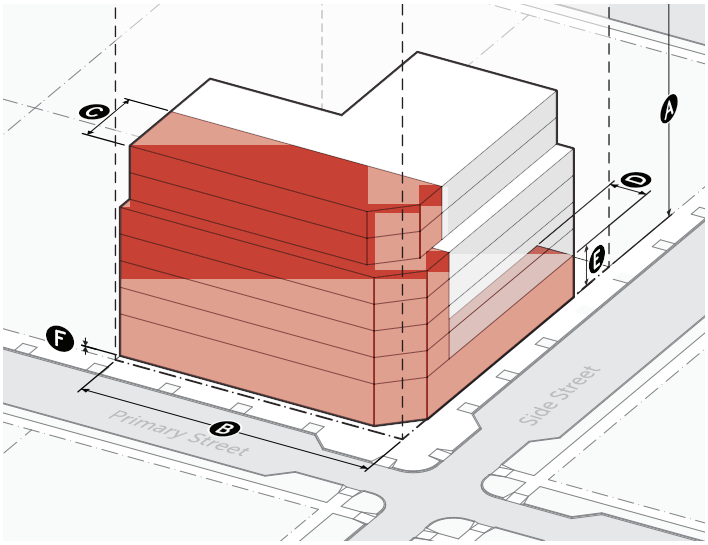




1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	60'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
Building coverage (max)	None
C Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**[4]	*Sec. 2.11.5.*
D Primary street lot line (min/max)	0' / 10'
E Side street lot line (min/max)	0' / 10'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	0'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
H Primary street	85%
I Side street	65%
6. PARKING SETBACKS	*Sec. 2.11.8.*
J Primary street (min)	20'
K Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type A | 0'
Side street yard height (max)	Type A | 0'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



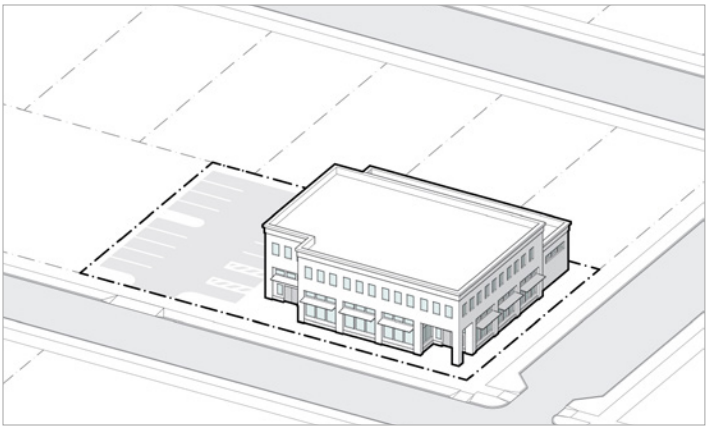


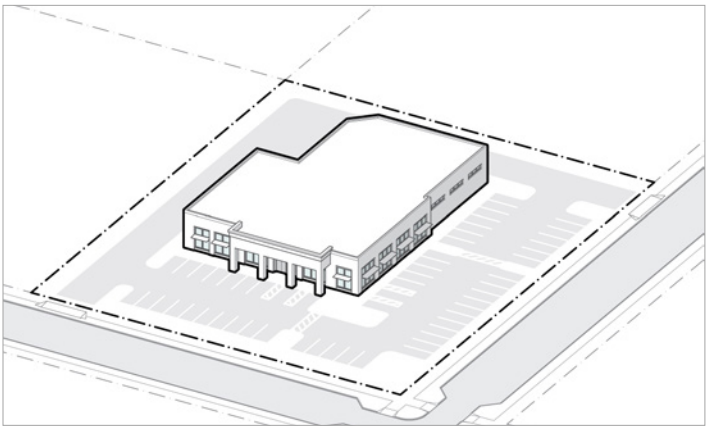
1. HEIGHT	*Sec. 2.11.10.*
A Overall height (max stories)	See Height Map
2. MASSING	*Sec. 2.11.11.*
B Building width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
3. FLOOR HEIGHTS[4]	*Sec. 2.11.12.*
GROUND STORY	
E Story height (min/max)	14' / 18'
F Finish floor elevation (min/max)	-2' / 2'
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. TRANSPARENCY	*Sec. 2.11.13.*	
G Ground story (min)	70%	30%
H Upper story (min)	20%	20%
I Blank wall width (max)	10'	20'
5. ENTRANCES[4]	*Sec. 2.11.14.*	
J Street-facing entry spacing (avg)	40'	60'
Entry feature	Yes	Yes

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DIV. 19-2.7. **BUSINESS (BG, BH)**





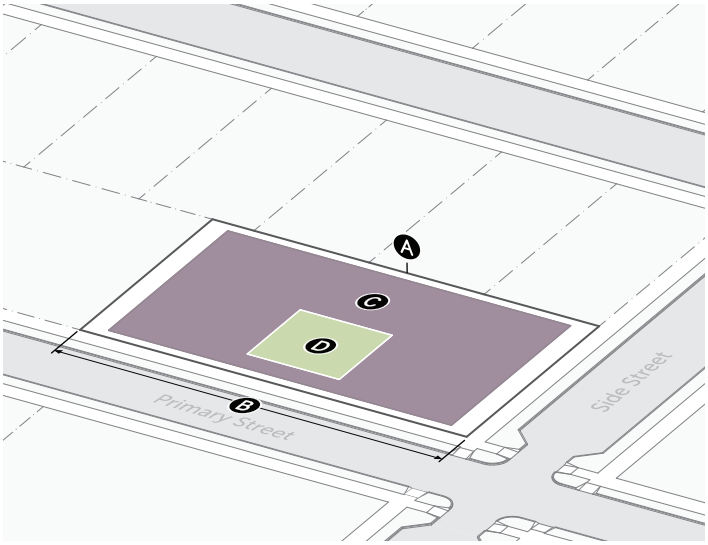
19-2.7.1. **INTENT**

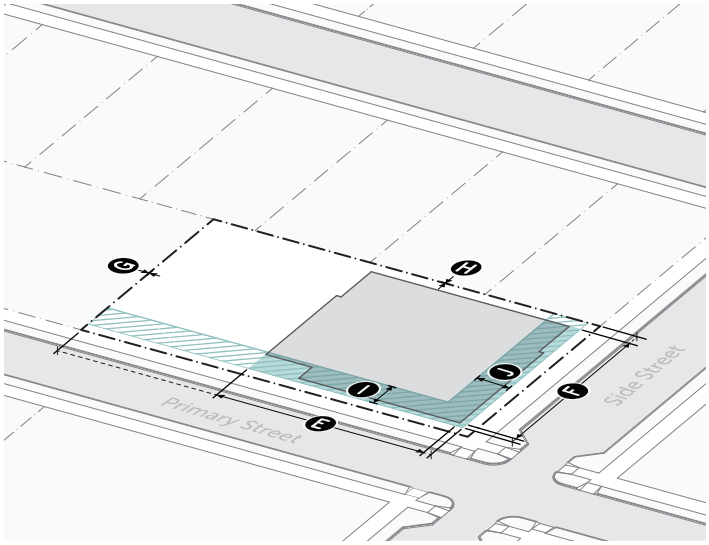
Moderate intensity buildings intended to create employment centers along corridors. The Business districts come in two types: Business General (BG) and Business Heavy (BH). Business General (BG) is intended for more walkable places with smaller lots and more urban building configurations, and accommodates residential, office, and commercial activities, including retail and entertainment. Business Heavy (BH) is intended for more auto-oriented places with larger lots and larger buildings, and accommodates heavy commercial activities including vehicle repair and car sales.

BG	BH
No density restrictions	Residential not allowed
15' lot width (min)	75' lot width (min)
3 stories in height 5 stories with bonus (max)[4]	55' in height (max)
175' building width (max)	Unlimited building width

19-2.7.2. **BG** BUSINESS GENERAL

A. **SITE**

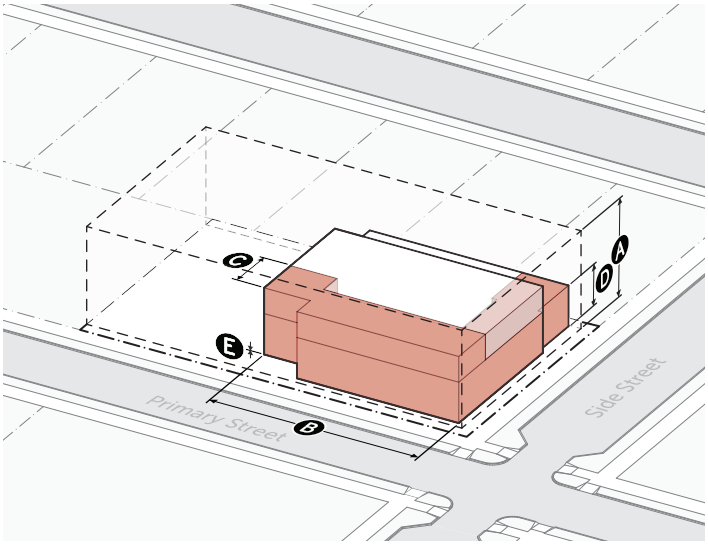


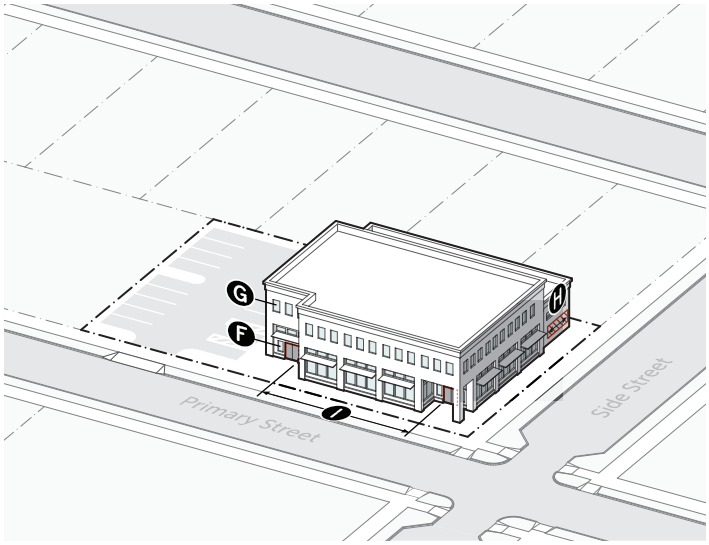


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 20'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	50%
J Side street	40%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



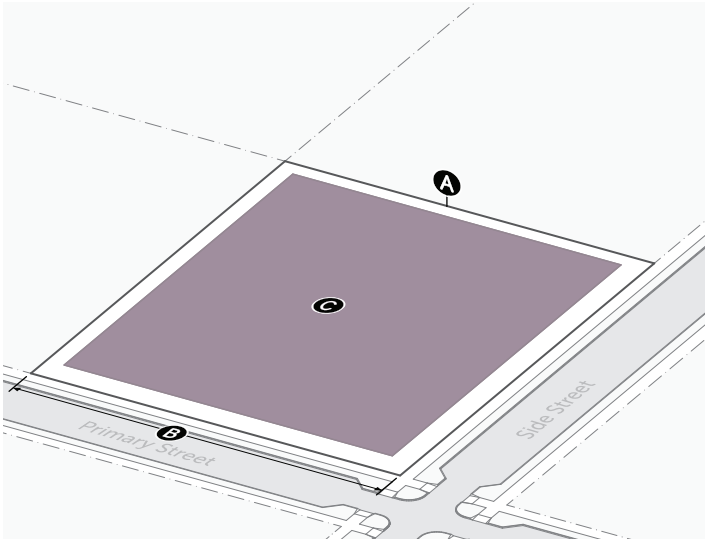


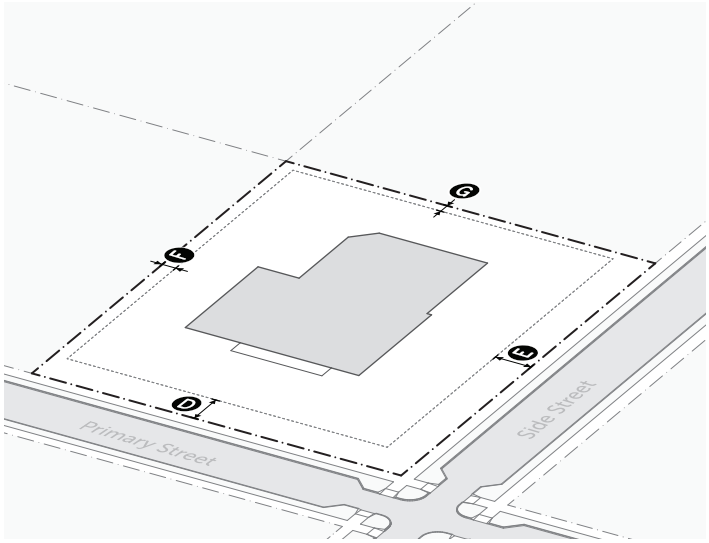
1. **HEIGHT**[4]	*Sec. 2.11.10.*
A Overall height (max stories)	
Base	3
Bonus	5
2. **MASSING**	*Sec. 2.11.11.*
B Building width (max)	175'
C Active depth (min)	20'
3. **FLOOR HEIGHTS**[4]	*Sec. 2.11.12.*
GROUND STORY	
D Story height (min/max)	
Residential	10' / 18'
Nonresidential	12' / 18'
E Finish floor elevation (min/max)	
Residential	2' / 5'
Nonresidential	-2' / 5'
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
F Ground story (min)		
Residential	25%	20%
Nonresidential	40%	30%
G Upper story (min)	20%	20%
H Blank wall width (max)	15'	25'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
I Street-facing entry spacing (avg)	60'	100'
Entry feature	Yes	Yes

19-2.7.3. **BH** BUSINESS HEAVY

A. **SITE**

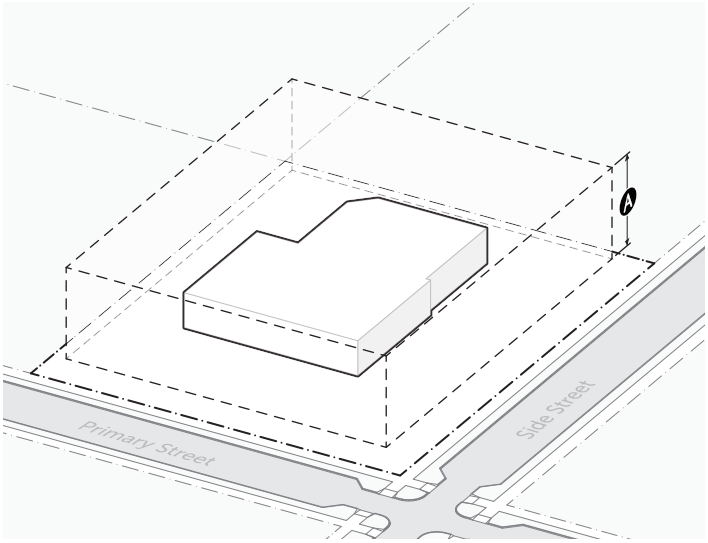


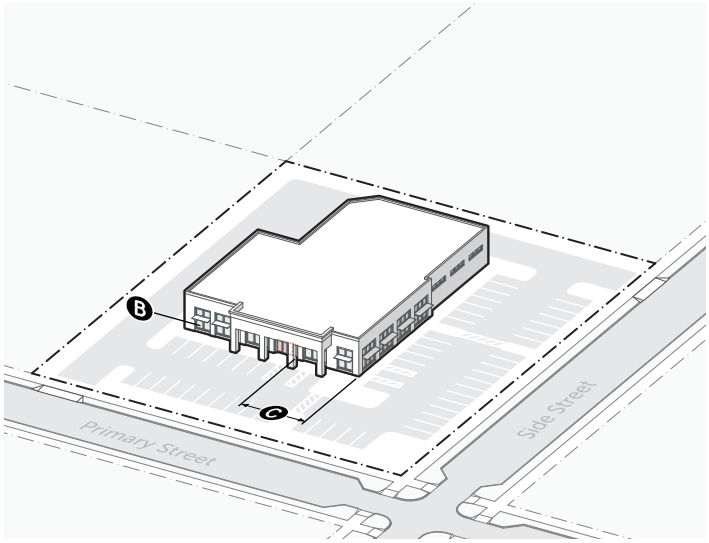


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	7,500
B Width (min)	75'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
Outdoor amenity space (min)	None

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min)	20'
E Side street lot line (min)	20'
F Side lot line (min)	10'
G Rear lot line (min)	10'
Alley lot line (min)	5'
4. TRANSITIONS[2]	*Sec. 2.11.6.*
Transition type	Type A, B, C
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	10'
Side street (min)	5'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type D | 8'
Side street yard height (max)	Type D | 8'
Side/rear yard height (max)	Type F | 8'

B. BUILDING





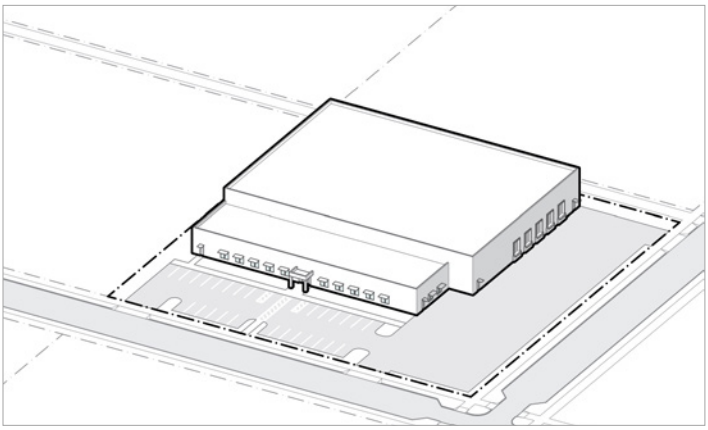
1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max)	55'
2. **MASSING**	*Sec. 2.11.11.*
Building width (max)	None
Active depth (min)	None
3. **GROUND STORY**	*Sec. 2.11.12.*
Story height (min)	None
Finish floor elevation (min/max)	None

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
B Ground story (min)	30%	15%
Upper story (min)	None	None
Blank wall width (max)	None	None
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
C Street-facing entry spacing (avg)	150'	None
Entry feature	Yes	No

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DIV. 19-2.8. **INDUSTRIAL (IX, IG)**





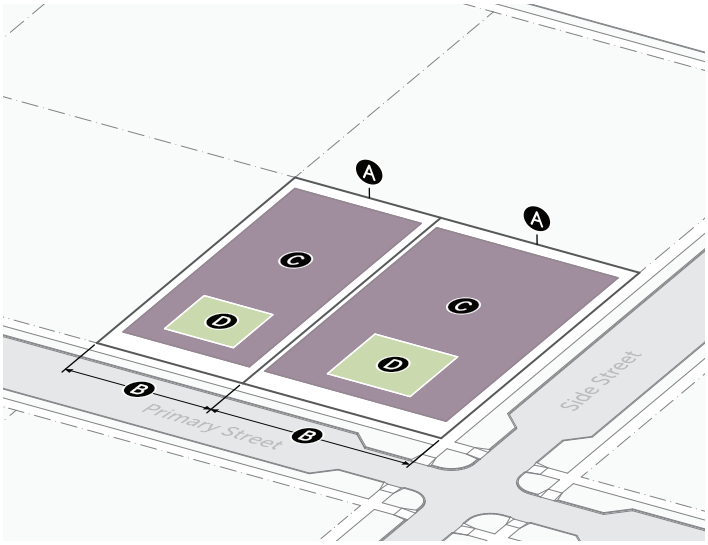
19-2.8.1. **INTENT**

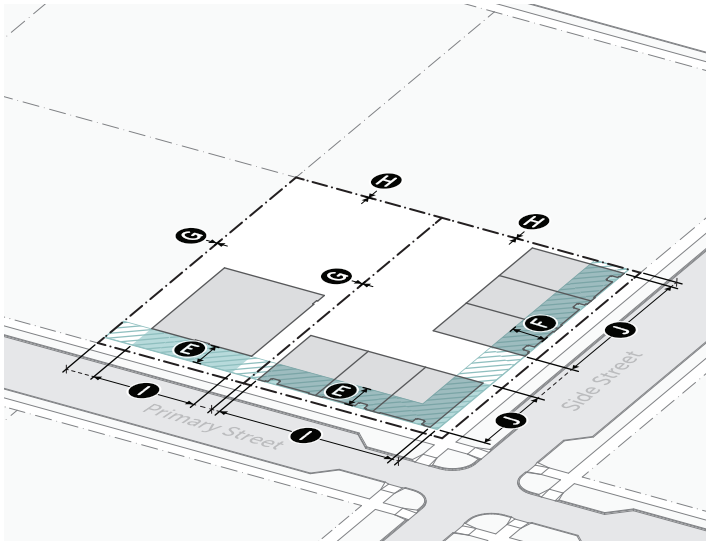
The Industrial districts come in two types: Industrial Flex (IX) and Industrial General (IG). Industrial Flex (IX) is intended to accommodate a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity, and residential opportunities in a vibrant pedestrian-friendly environment. Industrial General (IG) is intended to accommodate a range of larger-footprint commercial and low-impact industrial activities, including those where some outdoor storage is needed.

IX	IG
No density restrictions	Residential not allowed
15' lot width (min)	100' lot width (min)
3 stories in height 5 stories with bonus (max)[4]	80' in height (max)
275' building width (max)	Unlimited building width

19-2.8.2. **IX** INDUSTRIAL FLEX

A. **SITE**



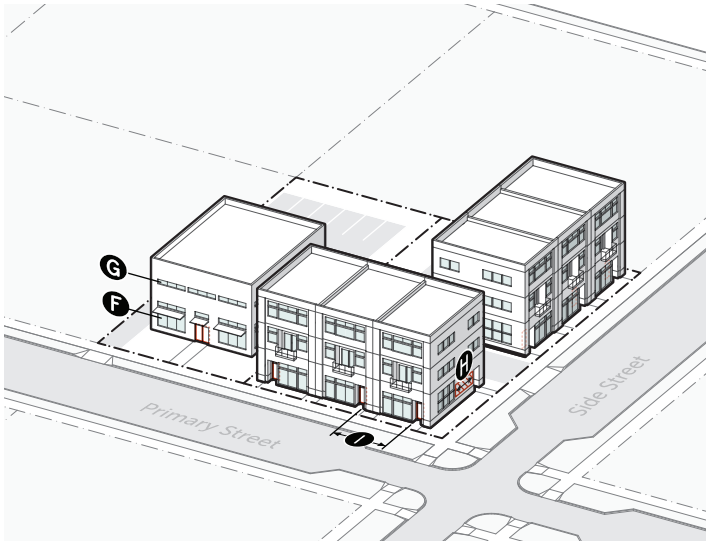


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	None
B Width (min)	
Front access	40'
Side/rear access	15'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	80%
D Outdoor amenity space (min)	10%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min/max)	5' / 20'
F Side street lot line (min/max)	5' / 20'
G Side lot line (min)	0'
H Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type A, B
5. BUILD-TO	*Sec. 2.11.7.*
Build-to width (min)	
I Primary street	75%
J Side street	45%
6. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	20'
Side street (min)	5'
7. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type B | 3'
Side street yard height (max)	Type C | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



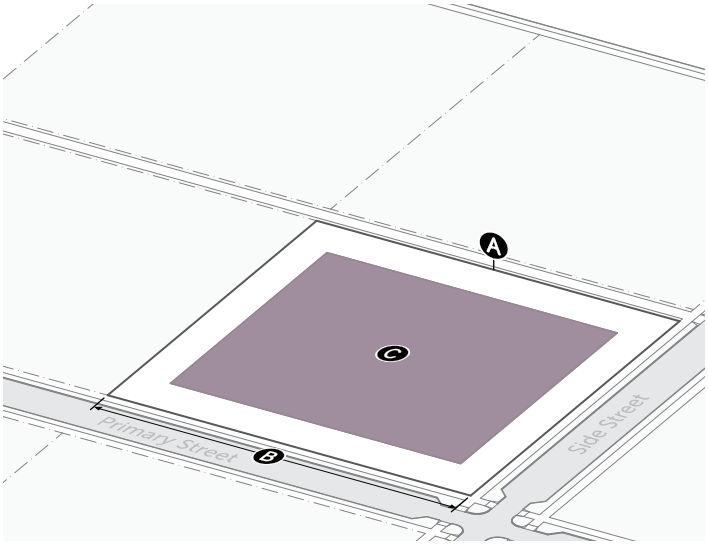


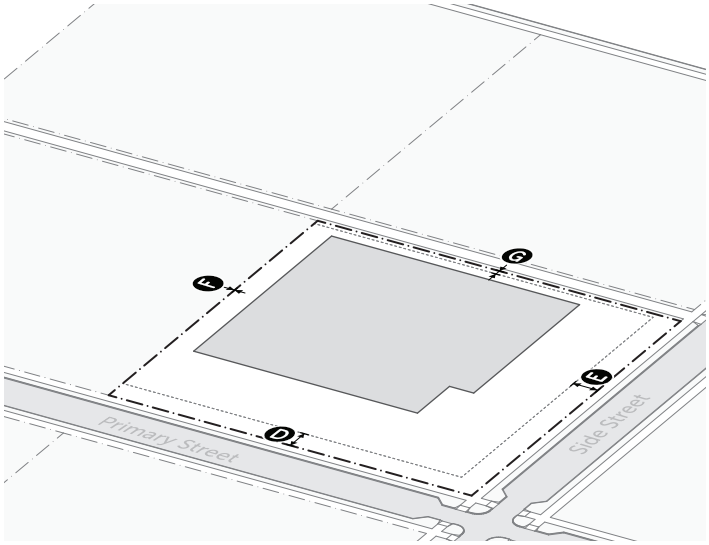
1. **HEIGHT**[4]	*Sec. 2.11.10.*
A Overall height (max stories/feet)	
Base	3
Bonus	5
2. **MASSING**	*Sec. 2.11.11.*
B Building width (max)	275'
C Active depth (min)	15'
3. **FLOOR HEIGHTS**[4]	*Sec. 2.11.12.*
GROUND STORY	
E Story height (min/max)	
Residential	10' / 18'
Nonresidential	12' / 18'
F Finish floor elevation (min/max)	-2 / 5'
UPPER STORY	
Story height (max)	15'

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
F Ground story (min)	20%	20%
G Upper story (min)	20%	20%
H Blank wall width (max)	20'	40'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
I Street-facing entry spacing (avg)	50'	75'
Entry feature	Yes	Yes

19-2.8.3. **IG** INDUSTRIAL GENERAL

A. **SITE**

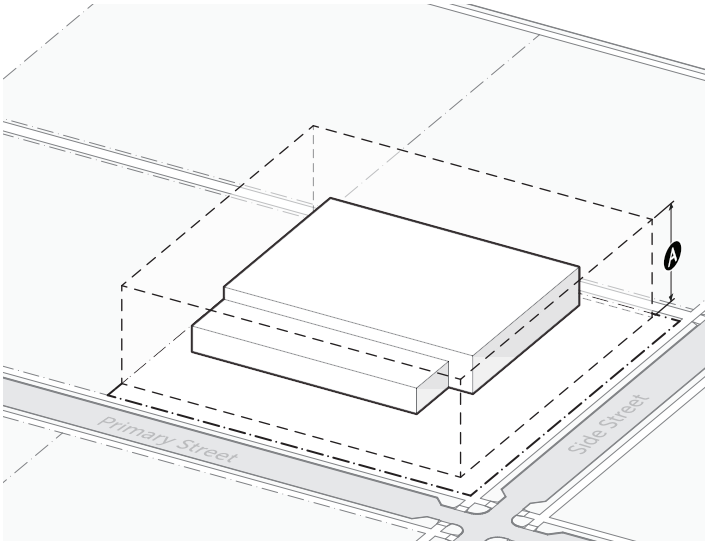


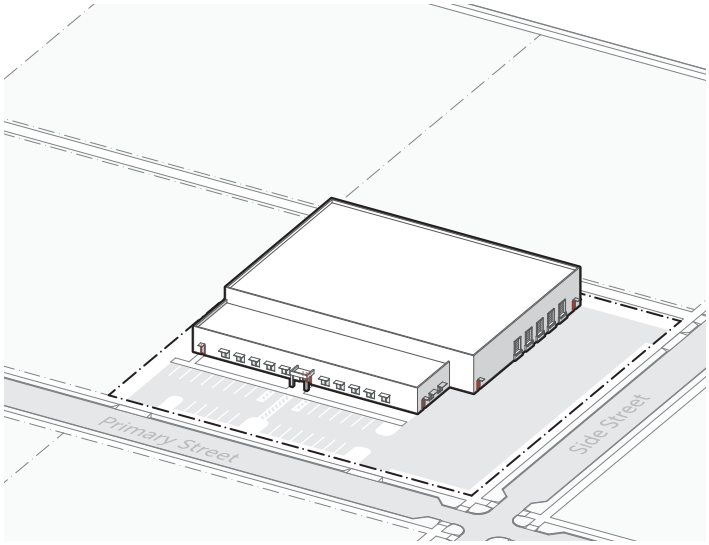


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	10,000
B Width (min)	100'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	60%
Outdoor amenity space (min)	None

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min)	20'
E Side street lot line (min)	20'
F Side lot line (min)	0'
G Rear lot line (min)	0'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type C
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	10'
Side street (min)	5'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type D | 8'
Side street yard height (max)	Type D | 8'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



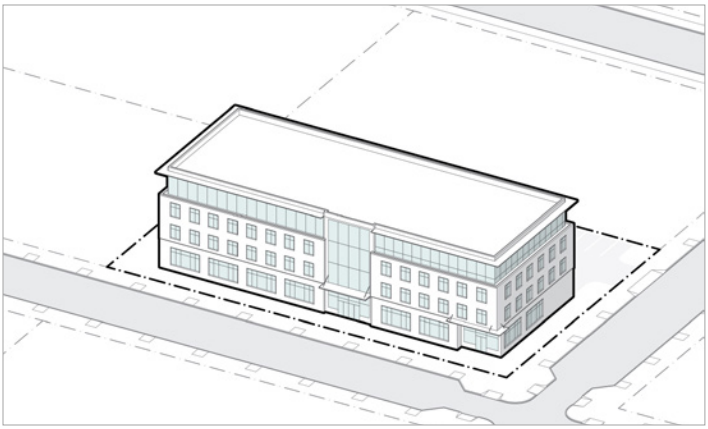


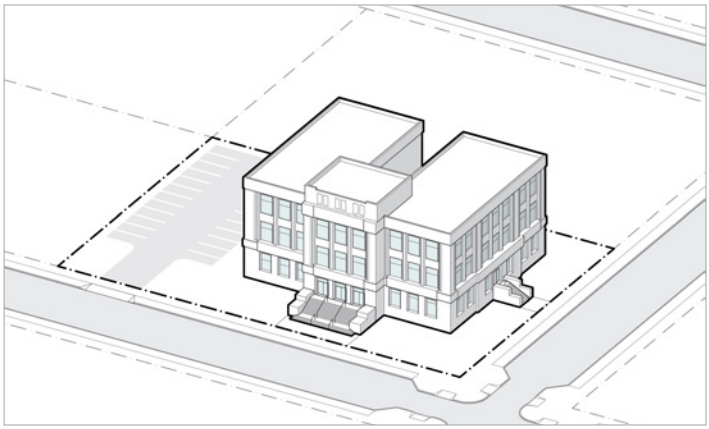
1. **HEIGHT**	*Sec. 2.11.10.*
Ⓐ Overall height (max)	80'
2. **MASSING**	*Sec. 2.11.11.*
Building width (max)	None
Active depth (min)	None
3. **GROUND STORY**	*Sec. 2.11.12.*
Story height (min)	None
Finish floor elevation (min/max)	None

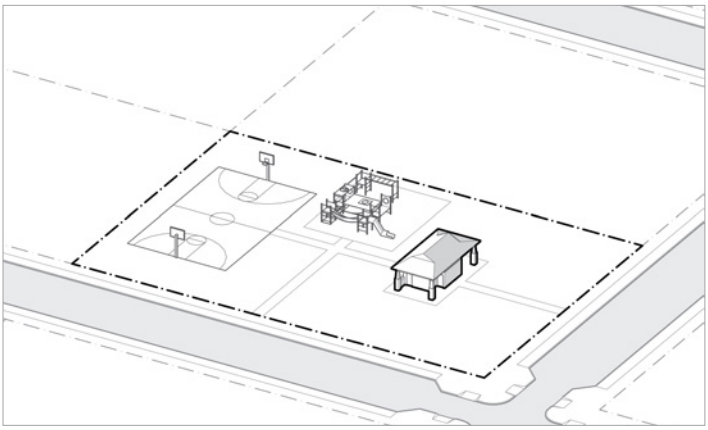
	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
Ground story (min)	None	None
Upper story (min)	None	None
Blank wall width (max)	None	None
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
Street-facing entry spacing (avg)	None	None
Entry feature	No	No

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DIV. 19-2.9. **SPECIAL (CM, CV, PK)**







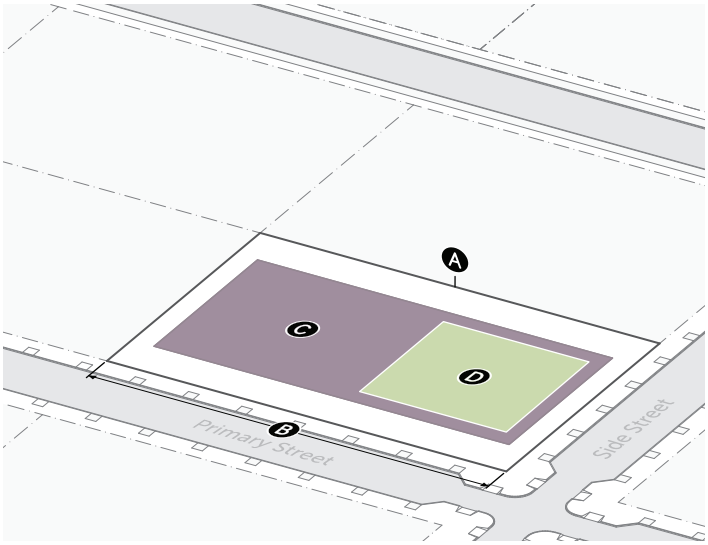
19-2.9.1. **INTENT**

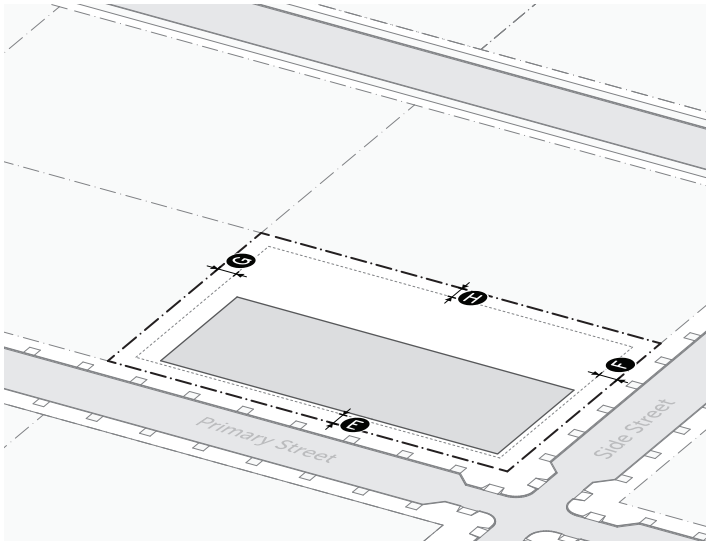
A mix of building types that serve surrounding neighborhoods and produce activities that do not readily assimilate into other zoning districts. Campus (CM) is intended for campus-like settings with larger lots, more open space, and larger buildings, and allow activities including mixed employment and technology hubs. Civic (CV) accommodates public, civic, and institutional uses. Parks (PK) is intended to create, preserve, and enhance parkland to meet the open space goals and active and recreational needs of the City.

CM	CV	PK
No density restrictions	Residential not allowed	Residential not allowed
100' lot width (min)	50' lot width (min)	No minimum lot width
5 stories / 68' in height (max)	5 stories / 68' in height (max)	35' in height (max)
Unlimited building width	Unlimited building width	Unlimited building width

19-2.9.2. **CM** CAMPUS

A. **SITE**

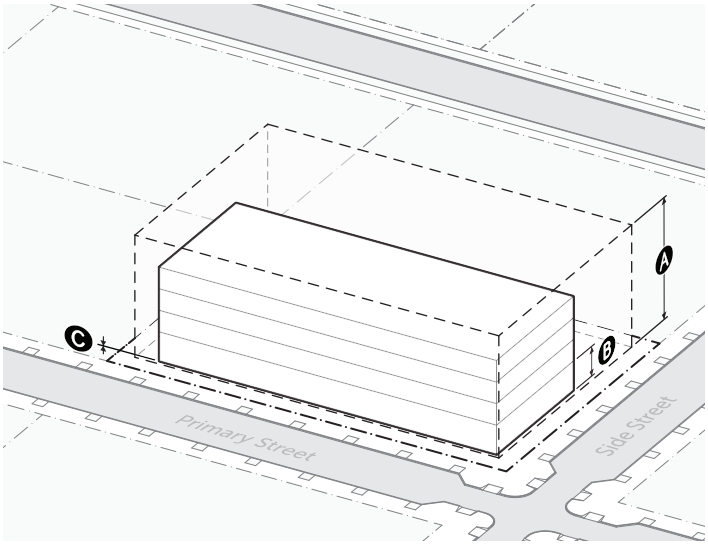


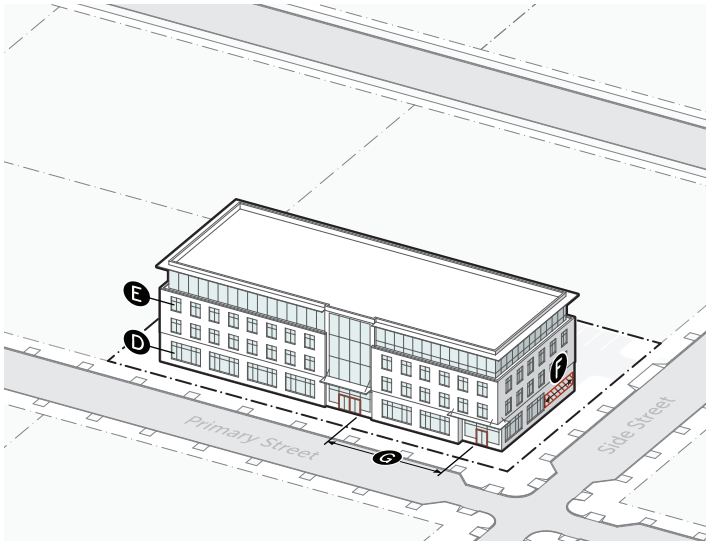


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	10,000
B Width (min)	100'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	60%
D Outdoor amenity space (min)	20%

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
E Primary street lot line (min)	10'
F Side street lot line (min)	10'
G Side lot line (min)	10'
H Rear lot line (min)	10'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type B
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	10'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type D | 6'
Side street yard height (max)	Type D | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING





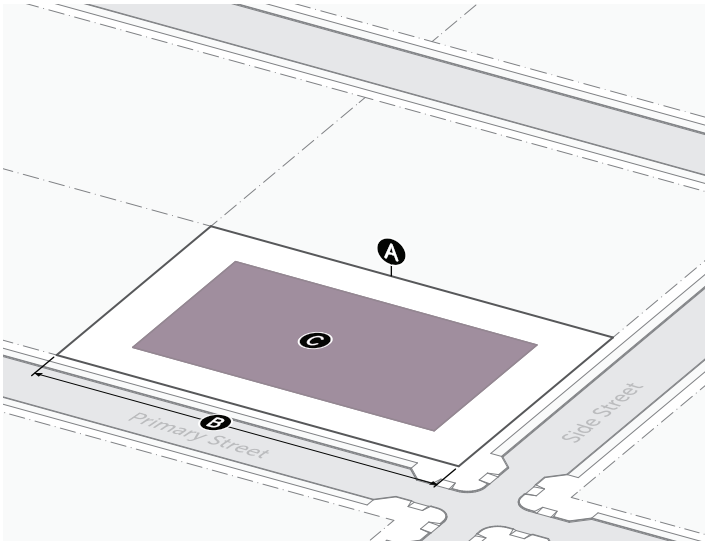
1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	5 / 68'
2. **MASSING**	*Sec. 2.11.11.*
Building width (max)	None
Active depth (min)	None
3. **GROUND STORY**	*Sec. 2.11.12.*
B Story height (min)	10'
C Finish floor elevation (min/max)	-2' / 5'

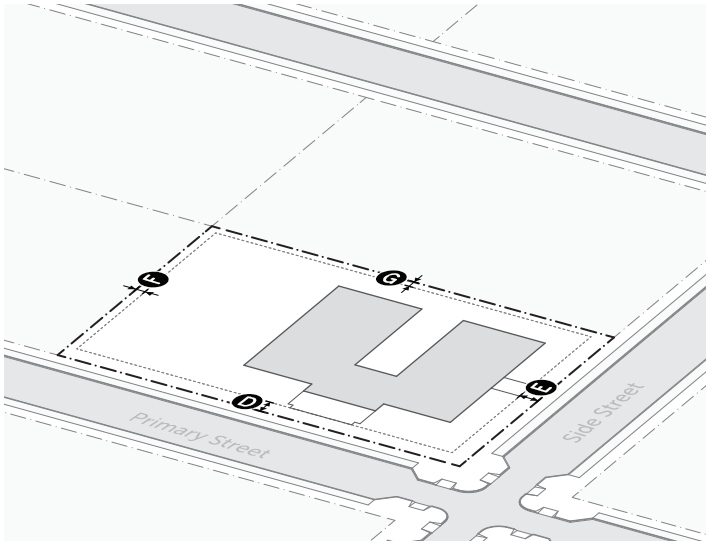
	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
D Ground story (min)	20%	20%
E Upper story (min)	15%	15%
F Blank wall width (max)	25'	50'
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
G Street-facing entry spacing (avg)	200'	250'
Entry feature	Yes	Yes

See **Sec. 19-2.9.5 for Campus District Supplemental Design Considerations.*

19-2.9.3. **CV** CIVIC

A. **SITE**

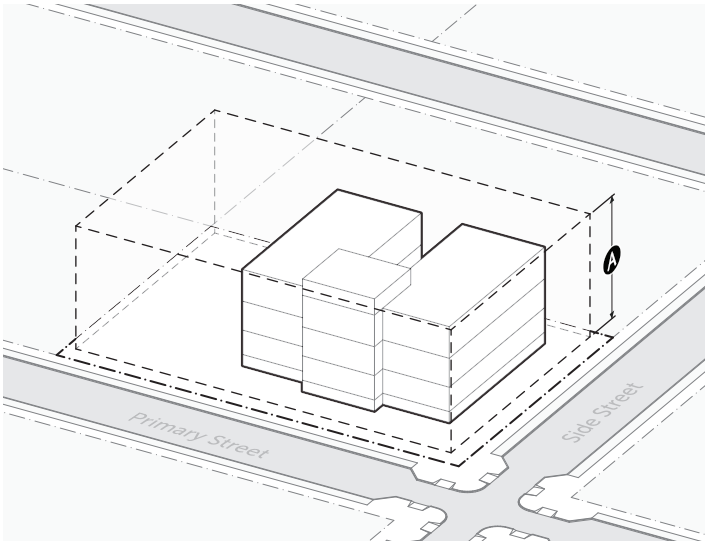


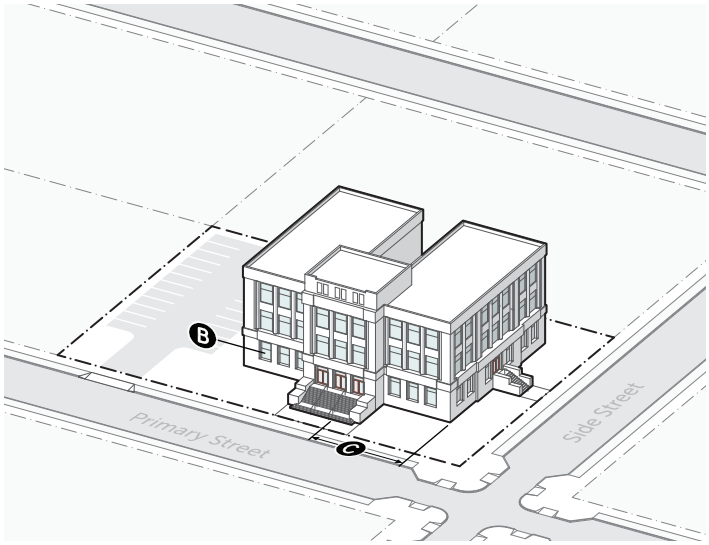


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	10,000
B Width (min)	50'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	50%
Outdoor amenity space (min)	None

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min)	10'
E Side street lot line (min)	10'
F Side lot line (min)	5'
G Rear lot line (min)	5'
Alley lot line (min)	5'
4. TRANSITIONS	*Sec. 2.11.6.*
Transition type	Type B
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	10'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type D | 6'
Side street yard height (max)	Type D | 6'
Side/rear yard height (max)	Type F | 8'

B. BUILDING



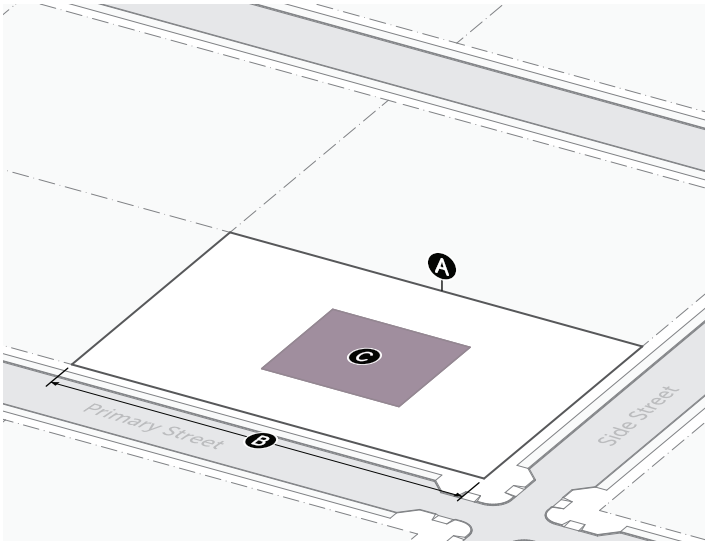


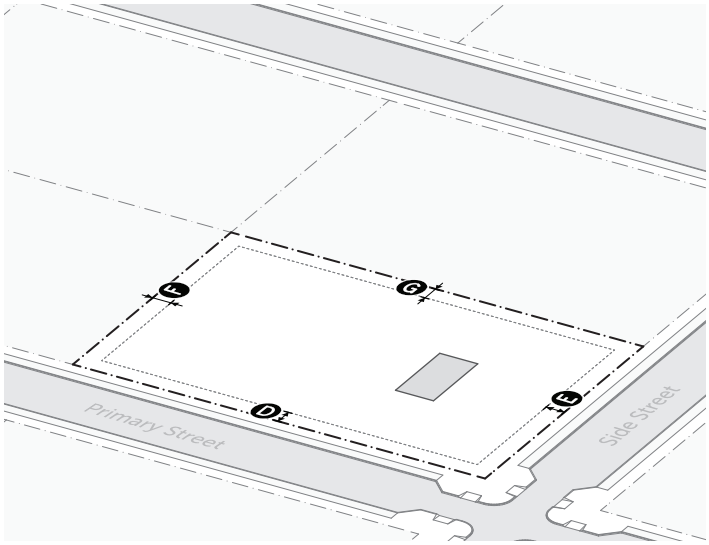
1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max stories/feet)	5 / 68'
2. **MASSING**	*Sec. 2.11.11.*
Building width (max)	None
Active depth (min)	None
3. **GROUND STORY**	*Sec. 2.11.12.*
Story height (min)	None
Finish floor elevation (min/max)	None

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
B Ground story (min)	20%	20%
Upper story (min)	None	None
Blank wall width (max)	None	None
5. **ENTRANCES**[4]	*Sec. 2.11.14.*	
C Street-facing entry spacing (avg)	200'	250'
Entry feature	Yes	Yes

19-2.9.4. **PK** PARK

A. **SITE**

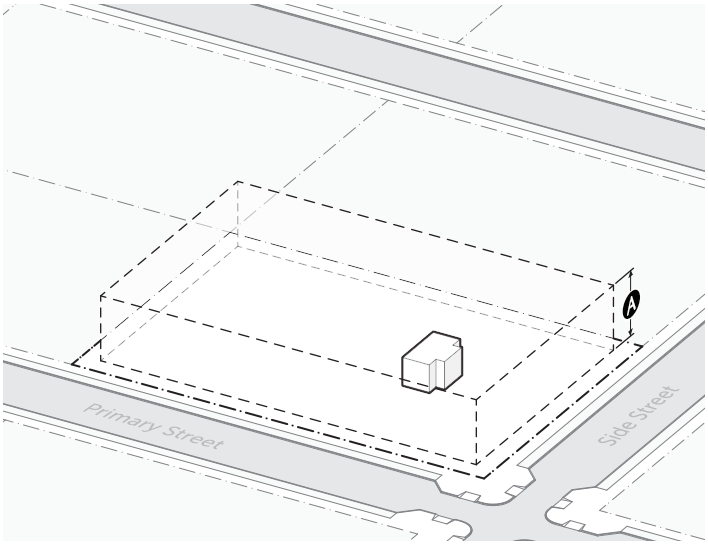


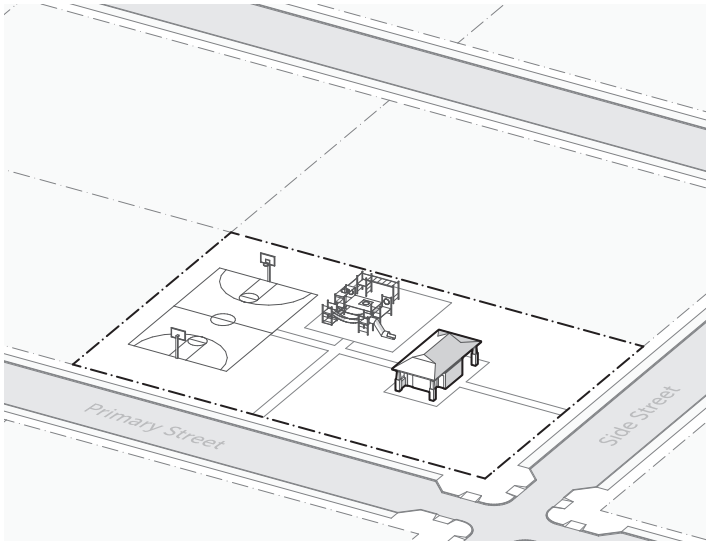


1. **LOT SIZE**	*Sec. 2.11.2.*
A Area (min)	2,000 SF
B Width (min)	20'
2. COVERAGE	*Sec. 2.11.4.*
C Building coverage (max)	15%
Outdoor amenity space (min)	None

3. **BUILDING SETBACKS**	*Sec. 2.11.5.*
D Primary street lot line (min)	10'
E Side street lot line (min)	10'
F Side lot line (min)	10'
G Rear lot line (min)	10'
Alley lot line (min)	5'
4. TRANSITIONS[2]	*Sec. 2.11.6.*
Transition type	--
5. PARKING SETBACKS	*Sec. 2.11.8.*
Primary street (min)	10'
Side street (min)	10'
6. FENCES AND WALLS	*Sec. 2.11.9.*
Front yard height (max)	Type D | 8'
Side street yard height (max)	Type D | 8'
Side/rear yard height (max)	Type F | 8'

B. BUILDING





1. **HEIGHT**	*Sec. 2.11.10.*
A Overall height (max)	35'
2. **MASSING**	*Sec. 2.11.11.*
Building width (max)	None
Active depth (min)	None
3. **GROUND STORY**	*Sec. 2.11.12.*
Story height (min)	None
Finish floor elevation (min/max)	None

	Primary St.	Side St.
4. **TRANSPARENCY**	*Sec. 2.11.13.*	
Ground story (min)	None	None
Upper story (min)	None	None
Blank wall width (max)	None	None
5. **ENTRY FEATURE**[4]	*Sec. 2.11.14.*	
Street-facing entry spacing (avg)	None	None
Entry feature	No	No

19-2.9.5. CAMPUS DISTRICT SUPPLEMENTAL DESIGN CONSIDERATIONS

A. Purpose

These supplemental standards are intended to provide flexibility for large educational, institutional, business, medical, or entertainment complexes which are already in place; and for new complexes over 10 acres, which require flexibility due to the scale of the buildings, previous master planning, or the nature of the use, which cannot be fully integrated into the form-based code.

B. Standards

1. General Character

The district is established to allow for flexible placement of buildings and unified treatment of signs, open space, landscaping, and other site and building elements while providing compatible transitions between the campus and adjacent neighborhoods.

2. Building Placement and Location

Buildings may be oriented toward an internal public space or roadway, with the expectation that the primary front facade will face any public roadways to the extent feasible.

3. Building Height

Building may achieve additional heights, as referenced in ***Section 2.11.10.5.b***.

4. The Zoning Administrator shall have the flexibility and oversight to determine the interior building height, design, mass, transparency, and other site requirements, such as parking (automobile and bicycle), signage, lot coverage, lighting, and landscaping to ensure the campus is able to function as one cohesive district, understanding that this flexibility is not intended to reduce the overall quality of the development.

5. These Campus District Supplemental Design Considerations must be reviewed annually to ensure the overall development results align with the intended as-built expectations.

6. The Zoning Administrator may require a community meeting or Project Preview Meeting for a new or revised Campus Master Plan prior to permit approval.[2]

DIV. 19-2.10. **OVERLAY DISTRICTS**

19-2.10.1. **INTENT**

Overlay Districts apply additional regulations within a specified geographic area. These regulations may relate to design, noise, environmental protection, or any other issue that requires additional zoning or subdivision regulation in a specific area of the City. Overlay standards may supplement or override standards applied elsewhere in this Code.

-DD	-P	-NR	-AP	-SFHA
Downtown Design Overlay	Preservation Overlay	Neighborhood Revitalization Overlay	Airport Protective Overlay	Special Flood Hazard Area Overlay
see zoning map for specific boundaries of each Overlay District				

19-2.10.2. DOWNTOWN DESIGN OVERLAY (-DD)

View Map
View Guidelines

A. Purpose

The purpose of the Downtown Design Overlay is to preserve and encourage pedestrian-oriented development in a manner compatible with the existing and historic built-environment and with nearby residential areas.

B. Standards

All demolition, new construction, additions, and all exterior changes to existing structures in the Downtown Design overlay must comply with the terms and conditions of a Major Urban Design Certificate of Appropriateness, and is subject to the Downtown Design (-DD) overlay design guidelines.[4]

19-2.10.3. PRESERVATION OVERLAY (-P)

View Map
View Guidelines

A. Purpose

The City recognizes that the historic and architectural resources of the City are among its most important assets. It is the purpose of the Preservation Overlay:

1. To protect the beauty of the City and improve the quality of its built-environment through identification, recognition, conservation, maintenance and enhancement of its historic and architectural resources;
2. To protect designated areas having historic and architectural significance against intrusion of designs that fail to protect such significance;
3. To ensure harmonious, orderly and efficient growth and development of the City;
4. To stabilize and improve property values in such districts, thereby strengthening the local economy;
5. To foster civic pride; and
6. By furthering such purposes, to promote the public welfare, to strengthen the cultural and educational life of the City, and to make the City a more attractive and desirable place in which to live and work.

B. Standards

1. Major Historic Certificate of Appropriateness Required

No demolition, new construction, addition, site modification, or alteration of exterior architectural features to property within the Preservation Overlay may take place without the issuance of a Major

Historic Certificate of Appropriateness by the Administrator or Historic Review Board as otherwise provided by this Code. Where applicable, a certificate must be issued prior to the issuance of any building permit or such other permit. Any building permit or such other permit issued that is not in conformity with this section will be considered void.

2. **Design Guidelines**

   All new construction of any type and all exterior changes to existing structures in a Preservation Overlay district must comply with the terms and conditions of a Major Historic Certificate of Appropriateness issued pursuant to the procedures in Sec. 6.2.7., and in accordance with the appropriate Preservation Overlay district design guidelines.

3. **Unreasonable Hardship**

   If a development proposal is denied or a property owner realizes that they cannot comply with the requirements of this section, the applicant may apply to the Historic Review Board for an exemption based on the unreasonable hardship of maintaining the property according to the Preservation Overlay district design guidelines, pursuant to the procedures of Sec. 6.2.7. The property owner must supply information to demonstrate unreasonable hardship.

19-2.10.4. NEIGHBORHOOD REVITALIZATION OVERLAY (-NR)

View Map

A. Purpose

The purpose of the Neighborhood Revitalization overlay is to enhance the compatibility of new development in certain Special Emphasis Neighborhoods with design standards established and approved by City Council. Providing for compatible development in these overlay districts increases the opportunity for public, nonprofit, and private funds to be invested in these areas and eliminates or reduces the need for continual re-investment of time and funds to maintain or improve the neighborhood's quality of life.

B. Applicability[4]

The standards apply to the following projects:

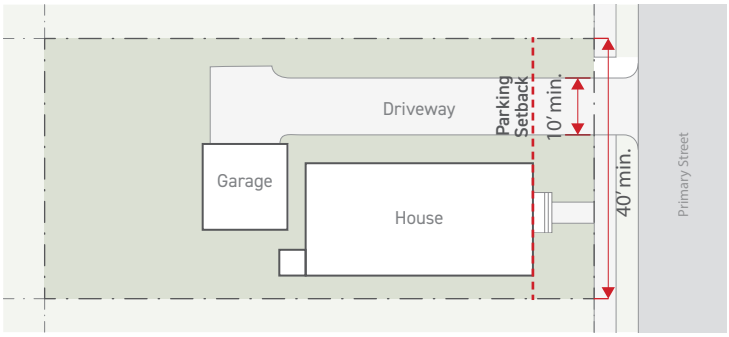
1. New lots created by summary plat or major subdivision.
2. Construction of a new single-unit attached or detached dwelling, accessory dwelling, duplex dwelling, or garage/carport.
3. Addition of an attached garage/carport.
4. Installation or expansion of a driveway or parking pad.
5. Additions to a dwelling that have a construction value that exceeds 50% of the fair market value of the property as reflected on the Greenville County Tax Assessor's role. Additions phased over a 5-year period will be combined to determine applicability of the percent threshold criteria. Renovations are exempt from the overlay standards, but their value is calculated in the 5-year phased period above.

6. Additions that increase the principal building footprint square footage by more than 40%. Additions phased over a 5-year period will be combined to determine the applicability of the percent threshold criteria.

C. Standards[4]

1. Single-Family Detached and Duplex Dwellings.

   New housing should be compatible with the existing fabric of the community and promote a walkable environment.



   a. Lot Width: 40 feet minimum.

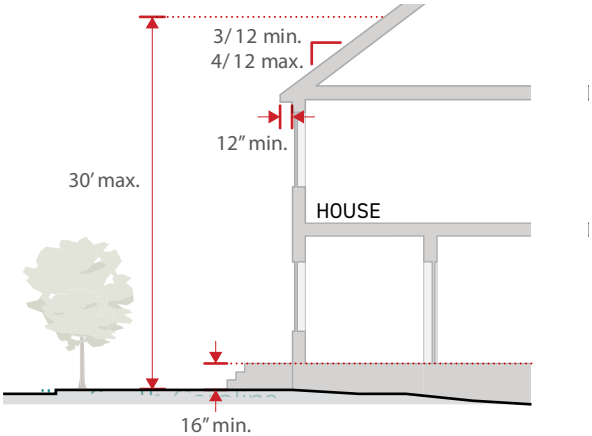
   b. Driveways: Shall at no point be wider than ten feet (except in rear yard or connecting to an alley) and shall only be located to the side and/or rear of a house. Parking in a front yard may be allowed by the Administrator when conditions exist that do not allow access to the side or rear yard (i.e. topography, limited space between an existing house and lot line (an area less than ten feet wide). Backup space in a front yard may be allowed by zoning administrator when access to an adjacent street may be difficult due to traffic patterns on the street. The Administrator shall determine that the design and landscaping of the parking and or backup space ensures adequate stormwater mitigation and protection of the character of the block.

   c. Walkways: All houses shall have a sidewalk between three and five feet wide that connects the front porch to the public sidewalk, or the front porch to the driveway if no public sidewalk exists.

   d. Retaining Walls: Must be faced in stone, brick, or stucco, if visible from the public street.

   e. Foundation: Slab foundations shall be elevated a minimum of 16 inches above finished grade on all elevations and shall consist of brick/stone. Crawlspace foundations shall consist of brick/stone veneer at a minimum height of 16 inches above finished grade on all elevations (zoning administrator may make exceptions considered for accessibility requirements).

   f. Building Height: 30 feet maximum, as defined in Sec. 2-11.10.



g. Roof: Shall be gable or hipped with pitch between 3/12 and 14/12.

h. Eave Overhang: 12 inch minimum.

i. Chimneys: Must be faced in stone or brick.

j. Attached or Detached Garages: Must be located behind the back wall of the primary structure.

k. Accessory Structures: See Div. 3-5.

l. Front Porches: Must have a front porch at least six foot minimum depth and eight foot minimum width from edge of wall to edge of porch. Porches shall not be enclosed and have at least two columns with a minimum six inch nominal diameter each.

m. Exterior Walls: No concrete block masonry or metal panel is permitted. Stucco may be used as an accent.

n. Trim Details: Four inch nominal width minimum for siding or two inch minimum for brick masonry trim shall be used at windows, doors, corners, cornices, eaves, rakes, and fascias.

o. Fenestration (Doors and Windows): 25 percent minimum of the front facade shall be fenestrated and 10% minimum of each of the side and rear facades shall be fenestrated.

2. Single-Family Attached

New single-family attached housing should be compatible with the existing fabric of the community and promote a walkable environment.

a. Driveways: All driveways/parking areas shall be located to the side and/or rear of a unit. No front yard parking locations are permitted. Parking in a front yard may be allowed by zoning administrator when conditions exist that do not allow access to the side or rear yard (i.e. topography, limited space between an existing house and lot line (an area less than ten feet wide). Backup space in a front yard may be allowed by zoning administrator when access to an adjacent street may be difficult due to traffic patterns on the street. The administrator shall determine that the design and landscaping of the parking and or backup space ensures adequate stormwater mitigation and protection of the character of the block.

b. Shared Alleys: All attached developments shall be required to share a rear parking access through the use of a shared alley. To the extent possible, alleys shall be accessed via the side of the block. Where not possible (i.e., infill development in block interiors), alleys shall be accessed via the primary street but shall have no more than two curb cuts.

c. Walkways: Each individual unit shall have a sidewalk between three and five feet wide that connects the front porch to the public sidewalk (no shared walkway).

d. Retaining Walls: Must be faced in stone, brick, or stucco, if visible from the public street.

e. Foundation: Slab foundations shall be elevated a minimum of 16 inches above finished grade on all elevations and shall consist of brick/stone veneer. Crawlspace foundations shall consist of brick/stone veneer at a minimum height of 16 inches above finished grade on all elevations (zoning administrator may make exceptions considered for accessibility requirements).

f. Building Height: 30 feet maximum, as defined in Sec. 2-11.10.

g. Roof: Shall be gable or hipped with pitch between 3/12 and 14/12.

h. Eave Overhang: 12 inch minimum.

i. Roof Massing: All dwelling units shall have at least one gable or dormer facing the public street. Roof massing should be used to delineate each unit from one another.

j. Chimneys: Must be faced in stone or brick

k. Garages: Shall be provided only along the rear of the main dwelling structure and shall be accessed via a shared alley (no front-facing garages).

l. Accessory Structures: See Div. 3-5.

m. Porches: Each dwelling unit shall have a front porch at least 6 foot minimum depth and eight foot minimum width from edge of wall to edge of porch. Porches shall not be enclosed and have at least two columns with a minimum six inch nominal diameter each.

n. Doors: Each dwelling unit shall have a front door that faces the public street.

o. Exterior Walls: No concrete block masonry or metal panel is permitted. Stucco may be used as an accent.

p. Trim Details: Four inch nominal width minimum for siding or two inch minimum for brick masonry trim shall be used at windows, doors, corners, cornices, eaves, rakes, and fascias.

q. Fenestration: 25 percent minimum of the front facade and ten percent minimum of the rear facade shall be fenestrated. On end units only, ten percent minimum of the side facade shall be fenestrated.



19-2.10.5. AIRPORT PROTECTIVE OVERLAY (-AP)

A. Purpose

The Airport Protective Overlay district (AP) is established to ensure against safety hazards, noise, and obstruction problems associated with aircraft using the Greenville Downtown Airport and Donaldson Field Airport / South Carolina Technology and Aviation Center (SCTAC).[4]

B. Standards

1. All development proposed within the Airport Protective Overlay must be located, designed, constructed, and maintained in a manner that does not impair the safe operation of the airport. More specifically, all development must comply with Federal Aviation Regulations, Volume XI, Part 77, Objects Affecting Navigable Airspace.
2. The Administrator will not issue any permit or approval for development in the Airport Protective Overlay prior to receipt of written confirmation from the Federal Aviation Administration (FAA) or the Greenville Airport Commission that the proposed development is in compliance with all pertinent regulations.

19-2.10.6. SPECIAL FLOOD HAZARD AREA OVERLAY (-SFHA)

A. Purpose

The Special Flood Hazard Area Overlay is established to protect the public health, safety, and general welfare by minimizing public and private losses resulting from flood conditions in specific areas of the City by:

1. Restricting or prohibiting uses that are dangerous to health, safety, and property due to water or erosion or flood heights or velocities;
2. Requiring that uses vulnerable to flooding, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of floodwaters;
4. Controlling filling, grading, dredging, and other development that may increase the prospect of erosion or flood damage;
5. Preventing or regulating the construction of flood barriers that will unnaturally divert floodwater or that may increase flood hazards to other lands.

B. Standards

Design standards for special flood hazard areas are established in *Sec. 5.3.7.*

DIV. 19-2.11. RULES FOR ZONING DISTRICTS

Subsections:[3]

19-2.11.1. General Provisions 2-84
19-2.11.2. Lot Size 2-91
19-2.11.3. Density 2-94
19-2.11.4. Coverage 2-95
19-2.11.5. Building Setbacks 2-100
19-2.11.6. Transitions 2-106
19-2.11.7. Build-To 2-107
19-2.11.8. Parking Setbacks 2-113
19-2.11.9. Fences and Walls 2-115
19-2.11.10. Height 2-116
19-2.11.11. Massing 2-122
19-2.11.12. Floor Heights 2-129
19-2.11.13. Transparency 2-133
19-2.11.14. Entrances 2-144

19-2.11.1. GENERAL PROVISIONS

A. Street Designation

1. All streets abutting a lot must be designated as either a primary street, side street, or alley.
2. Where a lot abuts only one street, the street is considered a primary street.
3. A lot abutting multiple streets must designate at least one as a primary street.
4. A lot may abut more than one primary street.

B. Lot Line Designation

1. General

a. Each lot line must have one of the following designations and no lot line can have more than one of the following designations:

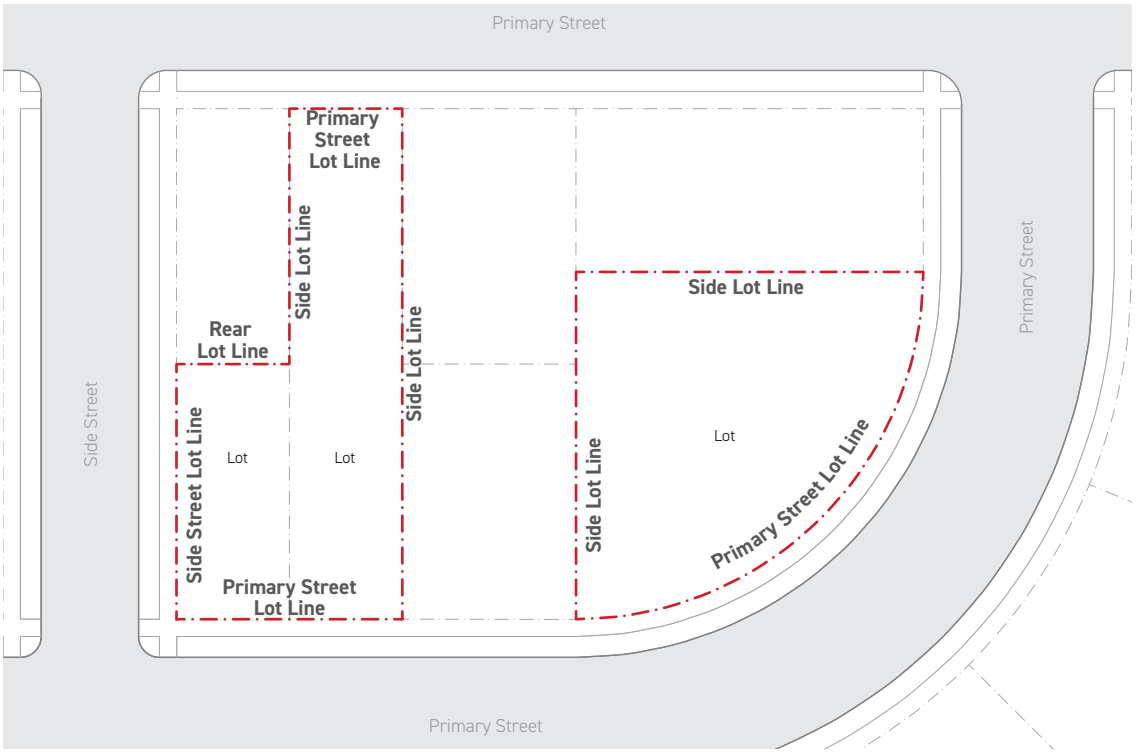
i. Primary street lot line;

ii. Side street lot line;

iii. Rear lot line;

iv. Side lot line; or

v. Alley lot line.



b. In addition to these required designations, lot lines may also be included into one of the following categories:

   i. Street lot line; and

   ii. Common lot line.

2. Primary Street Lot Line

Any lot line that abuts a primary street right-of-way.

a. Each lot must have at least one primary street lot line. A lot may have more than one primary street lot line.

b. For lots that abut multiple streets, a primary street lot line is determined using the following:

   i. The street or streets with the highest classification;

   ii. The established orientation of the block;

   iii. The street abutting the longest face of the block;

   iv. The street parallel to an alley within the block;

   v. The street that the site takes its addresses from; and

   vi. The primary street designation of adjacent development, either existing or approved.

c. For lots with frontage on multiple primary streets where adjacent lots have established frontages on both streets, new construction may meet primary street standards on one street and side street standards for the other street. The Administrator must approve the primary and side street designations.[4]

d. A lot line abutting a park, open space, river, trail, or pedestrian path may be designated as a primary street lot line if such designation promotes a logical and orderly development pattern and does not compromise the block requirements of ***Sec. 4.3.1.*** To be eligible for designation as a primary street, the following standards apply:

   i. A park may be an existing park or one that will be constructed as part of a development. A new park must meet the standards for Outdoor Amenity Space in Sec. 19-2.11.4.B, provided that any area of the park designated as a primary street must have a minimum depth of 25 feet.

   ii. Open space must have a minimum depth of 25 feet to be designated as a primary street. The open space may be a separate parcel or provided as an easement across multiple parcels. The open space must allow for public access and must include a pedestrian path or trail. If a transition is required per Sec. 19-4.8.1, up to 10 feet of the transition area may be credited towards the open space width requirement.

   iii. The Swamp Rabbit Trail and its connecting trails qualify for primary street designation. Multi-use trails constructed pursuant to Sec. 19-4.4.1.C.3.c. qualify for primary street designation. Other new trails or pedestrian paths must be publicly accessible and provide a minimum 25-foot right-of-way or easement width to be considered for primary street designation.

   iv. The Administrator may require riparian zone improvements or stream bank stabilization for any portion of a river or other water body proposed for designation as a primary street, or which is included within open space designated as a primary street. Required riparian zone improvements should be proportionate to the scope of the project and must be completed in coordination with the Engineering Division.

   v. Building setbacks are measured from the edge of the easement, riparian buffer, or right-of-way boundary of the trail or feature that has been designated as a primary street.

   vi. Alleys and easements providing access to lots or sublots with an alternate primary street frontage must meet Fire Marshal and Engineering standards.[1]

e. Once designated for a lot, a primary street lot line cannot be changed (e.g., a primary street lot line cannot, for the purposes of subsequent development, be re-designated as a side street lot line) unless all standards of the applicable zoning district are met based on the proposed change in street lot line designation.

3. Side Street Lot Line

Any lot line that abuts a side street right-of-way. Any street lot line not determined to be a primary street lot line is considered a side street lot line.

4. Rear Lot Line

Any lot line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street lot line.

a. A lot may have no more than one lot line designated as a rear.

b. In the case of a lot that fronts two streets on opposite sides, a lot may have no rear lot line.

c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line.

5. **Side Lot Line**

   Any lot line not determined to be a primary street, side street, rear, or alley lot line.

6. **Alley Lot Line**

   Any lot line separating a site from an alley right-of-way. Even when a lot line qualifies as a rear lot line or side lot line, all lot lines that abut an alley right-of-way are considered an alley lot line.

7. **Street Lot Line**

   Any lot line that abuts a street right-of-way. Street lot lines include all primary street lot lines and side street lot lines.

8. **Common Lot Line**

   Any lot line shared by multiple lots. Common lot lines include all side and rear lot lines.

C. Residential and Nonresidential Uses

1. **Residential Uses**

   *Includes all uses listed in the residential category of the use table - see **Sec. 3.2.2.***

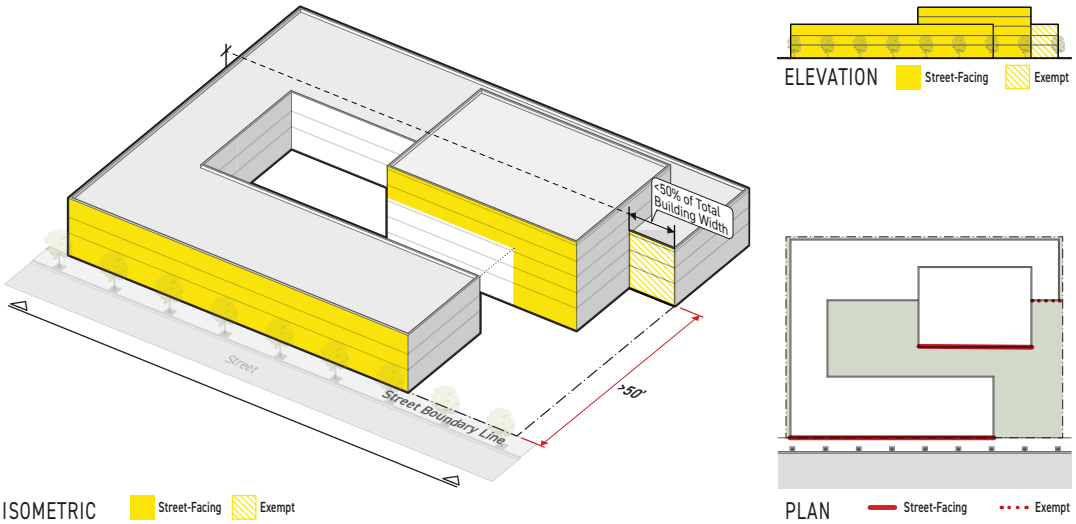
2. **Nonresidential Uses**

   *Includes all uses listed in the nay category other than the residential category of the use table - see **Sec. 3.2.2.***

D. Street-Facing Building Facades

The portions of a building facade (when projected parallel to the street) with no permanent structure located between the building facade and the primary or side street lot line.

1. Secondary building facades located more than 50 feet behind the primary or side street lot line are exempt from any street-facing requirements (e.g. transparency, entrances), provided the cumulative width of the exempted facade is no wider than 50% of the total building width.[4]



E. Yard Designation

1. General

a. All portions of a lot between exterior walls of a building and a property line must be designated as either a front yard, side street yard, side yard, or rear yard.

b. No portion of a lot may have more than one yard designation.

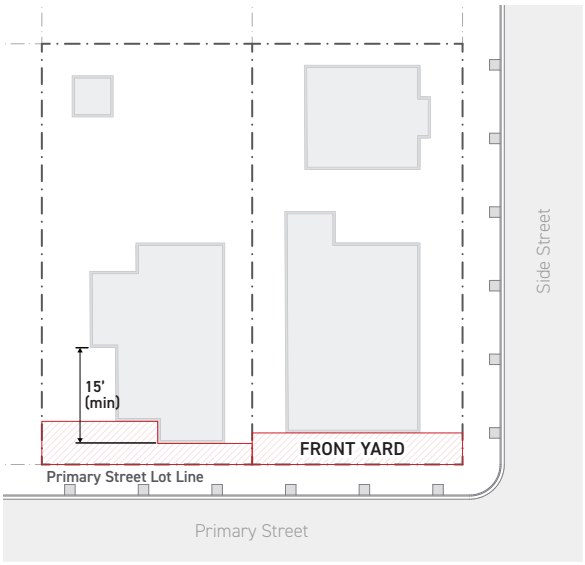
c. Yard designations are determined in the following order: front yard, side street yard, if any; rear yard; and side yards, if any.

2. Front Yard

All portions of a lot between a primary street lot line and a principal structure facing a primary street lot line extending the full width of the lot.

a. A front yard does not include a building facade set back more than 15 feet from the principal building's street-facing facade.

b. Any portion of a lot that is designated as a front yard may not be designated as any other yard.



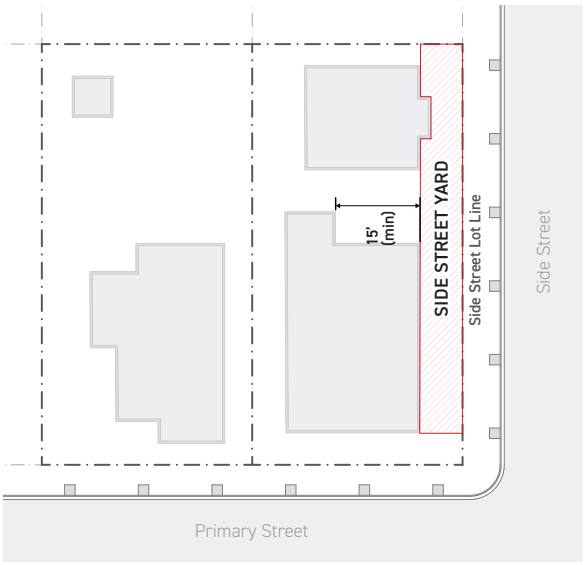
3. Side Street Yard

All portions of a lot between a side street lot line and a principal structure facing a side street lot line extending the full depth of the lot.

a. A side street yard does not include any building facade set back more than 15 feet from the principal building's street-facing facade.

b. For portions of the lot where no principal structure abuts the side street yard, the side street yard includes only portions of the lot included in the side street setback.

c. A side street yard does not include any portion of a lot that may be designated as a front yard.

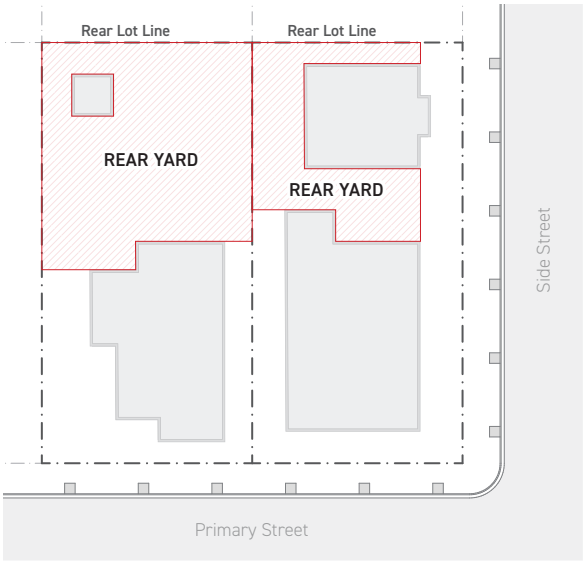


4. Rear Yard

All portions of a lot between a rear lot line and a principal structure facing the rear lot line for the full width of the lot.

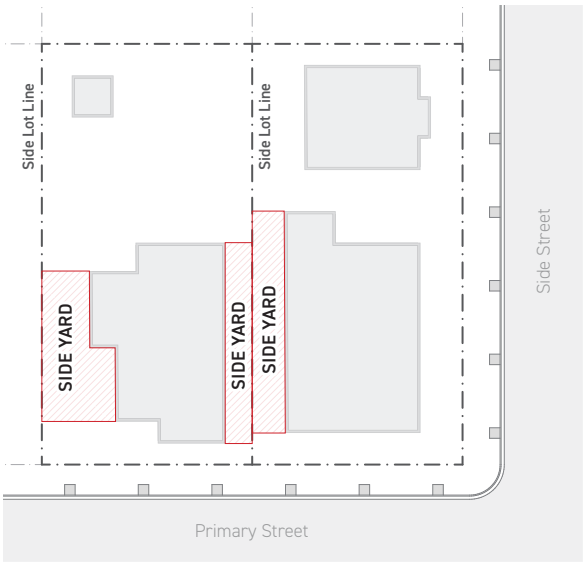
a. A rear yard does not include any portion of a lot that may be designated as a front yard or side street yard.

b. Any portion of a lot that is designated as a rear yard may not be designated as a side yard.



5. Side Yard

All portions of a lot between a side lot line and a principal structure. Portions of a lot that do not meet the yard designation criteria for any other yard are designated as side yard.



19-2.11.2. LOT SIZE

A. Area

The total area within the boundaries of a lot.

1. Intent

To help ensure newly established lots are generally consistent with traditional development patterns in the neighborhood and within the same zoning district.

2. Applicability

a. The minimum lot area requirement applies only to lots officially approved and recorded on or after the effective date of this Code.

b. Any use allowed in the zoning district may be established on a lot officially approved and recorded before the effective date of this Code, regardless of size of the lot, provided, that all other requirements of this Code are met.

3. Standards

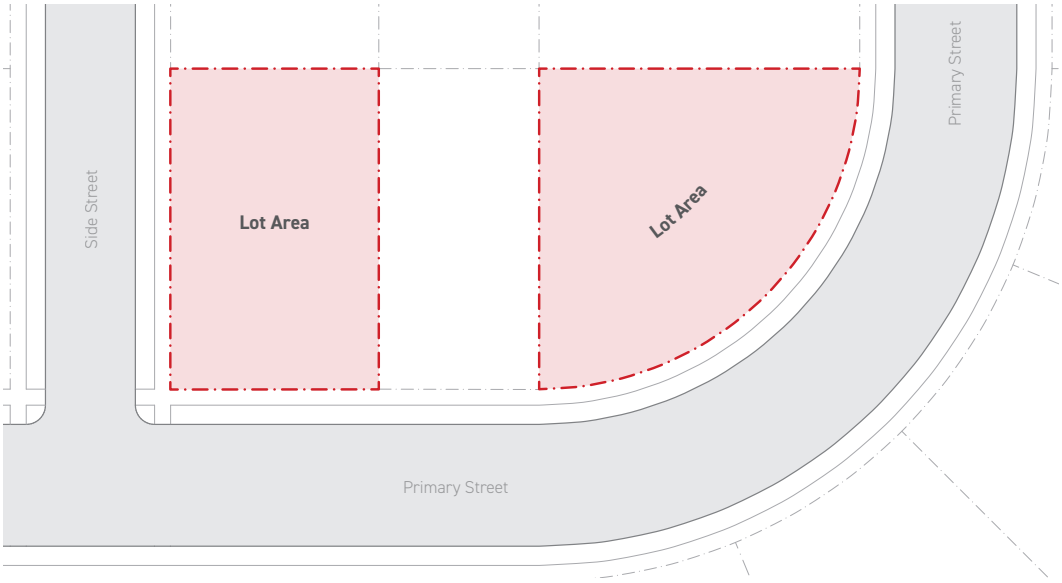
All lots must have an area no less than the minimum lot area required by the zoning district.

4. Measurement

a. Lot area is measured horizontally as the total land area within the boundaries of a lot.

b. Lot area includes all portions of a lot allocated for required easements.

c. Lot area does not include portions of a lot required for land dedication.



5. **Relief**

   a. A reduction of up to 10% of the required minimum lot area may be requested in accordance with ***Sec. 6.2.14.***

   b. A reduction beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

B. Width

The length of primary street lot lines bounding a lot.

1. **Intent**

   To help ensure newly established lots are generally consistent with the character of the neighborhood and other properties within the same zoning district, and to help ensure safe and adequate vehicular access to and from a lot.

2. **Applicability**

   a. The minimum width requirement applies only to lots officially approved and recorded on or after the effective date of this Code.

   b. Any use allowed in the zoning district may be established on a lot officially approved and recorded before the effective date of this Code, regardless of the width of the lot, provided, that all other requirements of this Code are met and in no instance can a lot have a lot width of less than 15 feet.

3. **Standards**

   a. No applicable lot can be less than the minimum width required by the zoning district.

   b. Lots providing vehicular access from the primary street must meet the minimum lot width requirements for lots with front vehicular access specified by the zoning district.

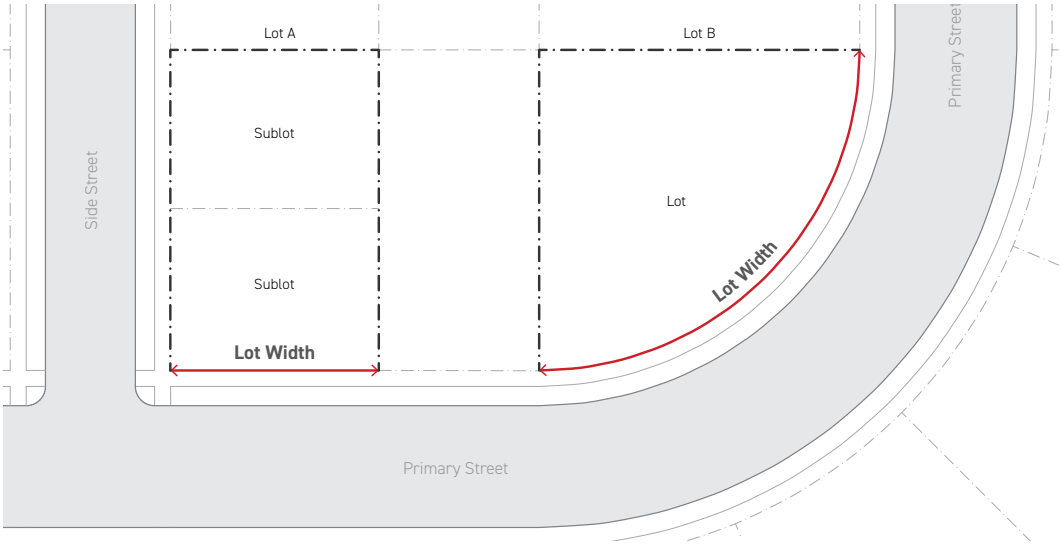
   c. Lots providing vehicular access from any right-of-way other than the primary street, or not providing vehicular access at all, must meet the minimum lot width required for lots with other vehicular access specified by the zoning district.

4. **Measurement**

   a. Lot width is measured following the geometry of all primary street lot lines that bound the lot.

   b. When lot widths do not equal a whole number, corresponding fractions less than 0.5 shall be rounded down to the nearest whole number and fractions corresponding to 0.5 or greater shall be rounded up to the next whole number. For example, a lot in a RH-C district with a width of 60.4 feet would round down to 60 feet for the purposes of establishing minimum side setbacks and maximum building width.[4]

   c. Where a lot has 2 or more primary street lot lines facing different streets, all primary street lot lines must meet the minimum lot width standard.



5. **Relief**

   a. A reduction of up to 10% of the required minimum lot width may be requested in accordance with *Sec. 6.2.14.*

   b. A reduction beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-2.11.3. DENSITY

A. Dwellings per Lot

The maximum number of primary and accessory dwelling units allowed on a lot.

1. Intent

To ensure the number of dwelling units permitted on a lot is aligned with the zoning district intentions and is physically compatible with the lot itself.

2. Applicability

The limitation on the number of dwelling units per lot applies to all lots.

3. Standards

a. A lot cannot exceed the maximum number of primary and accessory dwelling units allowed by the zoning district, unless the development lot meets the criteria for the dwelling units per lot bonus in accordance with ***Div. 19-4.2.***

b. When more than one primary dwelling unit per lot is allowed by the zoning district, dwelling units may be detached or attached.

c. Accessory dwelling units may be detached or attached to the primary dwelling unit.

4. Relief

No administrative relief is allowed.

19-2.11.4. COVERAGE

A. Building Coverage

The percentage of lot area that is covered by buildings or structures.

1. Intent

To preserve the open area and reduce the bulk of buildings on a lot by limiting the amount of buildings or structures that cover a lot.

2. Applicability

The maximum building coverage requirements apply to all lots.

3. Standards

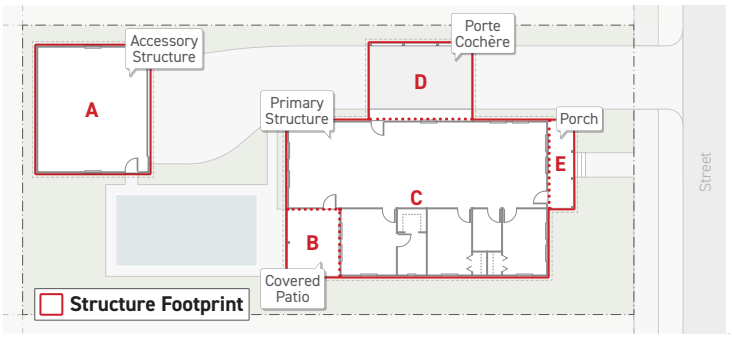
a. Buildings or roofed structures on a lot cannot have a cumulative area in excess of the maximum building coverage allowed by the zoning district.

b. In House B (RH-B) and House C (RH-C), the building coverage cannot exceed the maximum allowed based on the lot area, as platted and recorded for the lot.

c. In Neighborhood B (RN-B), Neighborhood Flex B (RNX-B), Neighborhood C (RN-C), and Neighborhood Flex C (RNX-C), the building coverage cannot exceed the maximum allowed based on the number of units provided on the site.

4. Measurement

a. Building coverage is measured by dividing the cumulative area of all buildings and roofed structures on the lot by the lot area.



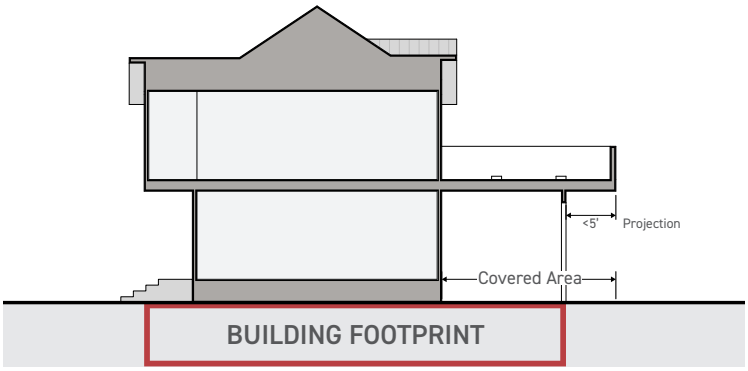
Area **A**
\+ Area **B**
\+ Area **C**
\+ Area **D**
\+ Area **E**

Cumulative Structure Footprint

(Cumulative Structure Footprint)
÷
(Total Site Area)

Building Coverage

b. Building coverage does not include portions of architectural projections (including roof overhangs and projected balconies) that are less than 5 feet from the nearest wall, column, spanning beam, or other structural element carrying gravity loads to the ground.



5. **Relief**

a. An increase of 10% of the allowed area of buildings or roofed structures may be requested in accordance with *Sec. 6.2.14.*

b. An increase beyond 10% may be requested in accordance with *Sec. 6.2.15.*

B. Outdoor Amenity Space

An area on a lot designated to be used for active or passive recreation, calculated as a percentage of total lot area.

1. **Intent**

a. To ensure adequate recreation and open space areas for residents and tenants, and to ensure such spaces are accessible, usable and safe.

b. To encourage projects to provide high-quality, pedestrian-oriented, and publicly accessible gathering spaces along the primary street sidewalk.

2. **Application**

a. The outdoor amenity space requirements apply to all lots except for those whose principal use is single-unit living.[4]

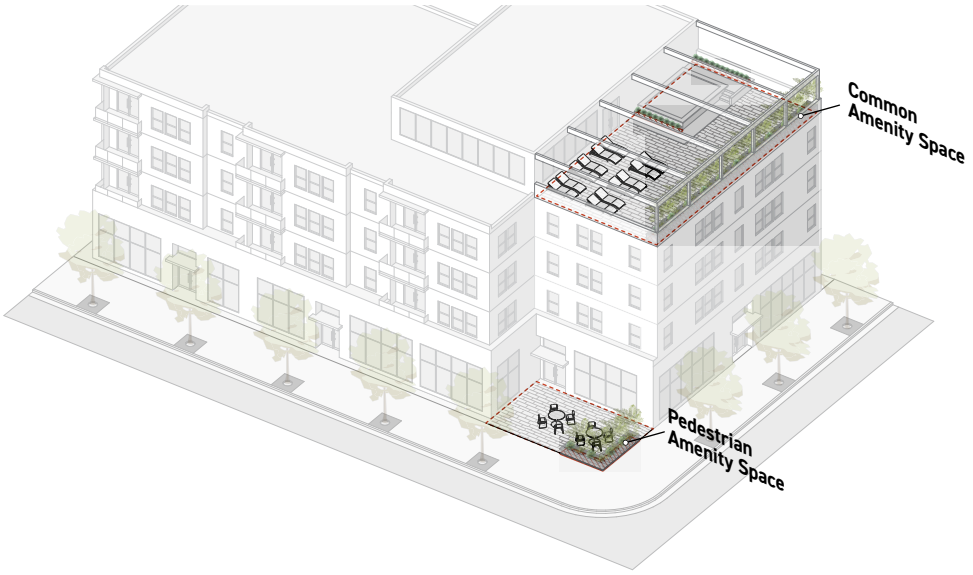
b. Where the calculation of outdoor amenity space requires less than 400 square feet, no outdoor amenity space is required.

3. Standards

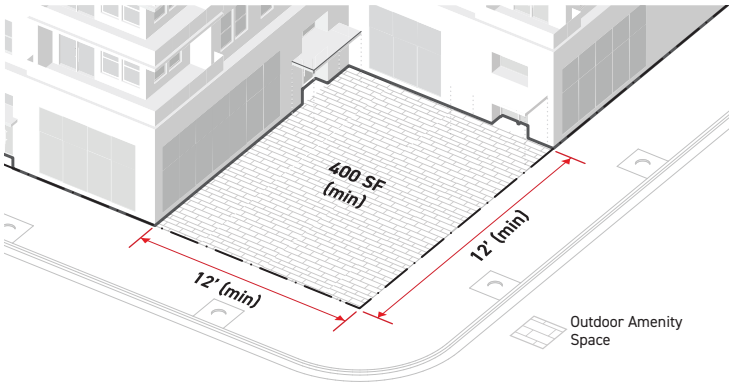
a. All Outdoor Amenity Space[4]

i. A lot must provide outdoor amenity spaces having a cumulative area no less than the minimum percentage of outdoor amenity space specified by the zoning district.

ii. The required outdoor amenity space must meet the standards of either ***paragraph b. Common Outdoor Amenity Space*** or ***paragraph c. Pedestrian Outdoor Amenity Space*** below.

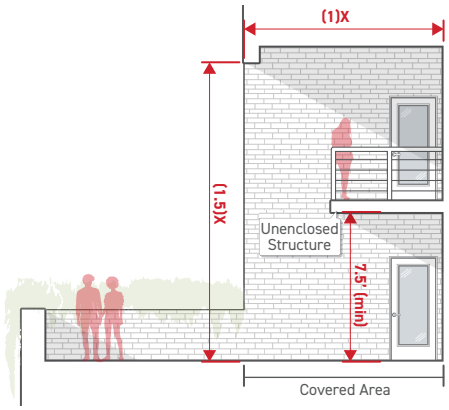


iii. Each outdoor amenity space must have a minimum area of 400 square feet, and no horizontal dimension of less than 12 feet, measured perpendicular to any boundary of the space.

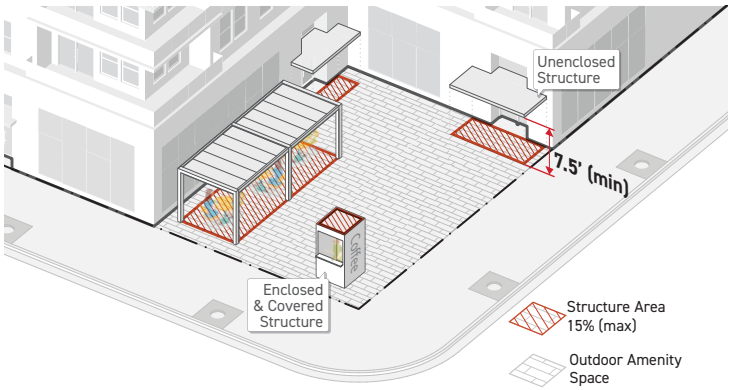


iv. No portion of the outdoor amenity space can have a clear height of less than 8 feet.

v. Outdoor amenity space that is roofed must have a minimum clear height of 1.5 times the depth of the roofed area.



vi. Fully enclosed accessory structures and roofed accessory structures may be permitted within an outdoor amenity space provided they cover a cumulative area no greater than 15% of the continuous outdoor amenity space area.



vii. A minimum of 20% of the total area of each outdoor amenity space must be planted area and meet the requirements of ***Div. 19-4.10.***

b. **Common Outdoor Amenity Space**

Type of Outdoor Amenity Space generally reserved for use by building tenants and may not be accessible to the public. Examples include roof decks, pool amenity areas, pet walks, and courtyards.

i. Each square foot of common outdoor amenity space provided counts as 1 square foot of required outdoor amenity space.

ii. Common outdoor amenity space must meet the requirements of ***paragraph a. All Outdoor Amenity Space*** above.

iii. Common outdoor amenity space must be made available to all tenants of a building, at no cost, during the hours of operation of the building. The space may not be permanently reserved or in any way exclude any tenant during the time it is required to be made available to all tenants.

iv. Building facades adjacent to common outdoor amenity space must have a minimum transparency of 15% for each story.

v. Common outdoor amenity space cannot be located in a required transition setback.

c. **Pedestrian Outdoor Amenity Space**

Type of Outdoor Amenity Space that is publicly accessible and located in close proximity to the public sidewalk. Examples include patios and plazas.

i. Each square foot of pedestrian outdoor amenity space provided counts as 2 square feet of required outdoor amenity space.

ii. Pedestrian outdoor amenity space must meet the requirements of ***paragraph a. All Outdoor Amenity Space*** above.

iii. The finished floor or ground surface of a pedestrian amenity space must be located either at the same grade as the pedestrian zone ***(see Sec. 4.4.1.C.3)***, or within the ground floor elevation minimums and maximums specified by the zoning district.

iv. Pedestrian amenity space must abut and be directly accessible from the public sidewalk along the primary street or side street. Pedestrian amenity space cannot be separated from this public sidewalk by any structure for more than 40% of the width of the amenity space, with the exception of a wall or fence 42 inches in height or the maximum height specified by the zoning district, whichever is less. The allowed wall or fence must provide openings for pedestrian access at least once every 35 feet.

v. All facades facing pedestrian amenity space must meet the applicable window and door standards required by the zoning district for the applicable primary or side street frontage.

vi. Mechanical and utility equipment cannot be located within a pedestrian amenity space, or between a pedestrian amenity space and an adjacent building facade.

4. Measurement

The minimum required outdoor amenity space is calculated by multiplying the total lot area by the minimum outdoor amenity space percentage specified by the zoning district.

5. Relief

a. A reduction of up to 10% of the total required area of outdoor amenity space may be requested in accordance with ***Sec. 6.2.14.***

b. A change of up to 10% from an outdoor amenity space dimensional standard may be requested in accordance with ***Sec. 6.2.14.***

c. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

d. A design that meets the intent of the outdoor amenity space standards to an extent equal to or better than the specified design standards may be considered by the Administrator.

19-2.11.5. BUILDING SETBACKS

The area on a lot not intended for buildings and structures. Includes primary street setbacks, side street setbacks, side setbacks, rear setbacks, and alley setbacks.

A. Intent

To provide open areas on a lot and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

B. Applicability

1. The building setback requirements apply to all lots.
2. Building setbacks apply only to the perimeter edges of a lot. Building setbacks do not apply to individual sublots that are part of a larger lot.

C. Standards

1. Minimum Setbacks

a. All buildings and structures on a lot must be located at or behind the minimum building setback specified by the zoning district, unless listed as an exception in ***paragraph E.*** below.

b. In House B (RH-B) and House C (RH-C), all buildings and structures must be located at or behind the building setbacks specified based on the lot width, as platted and recorded for the lot.

2. Maximum Setbacks

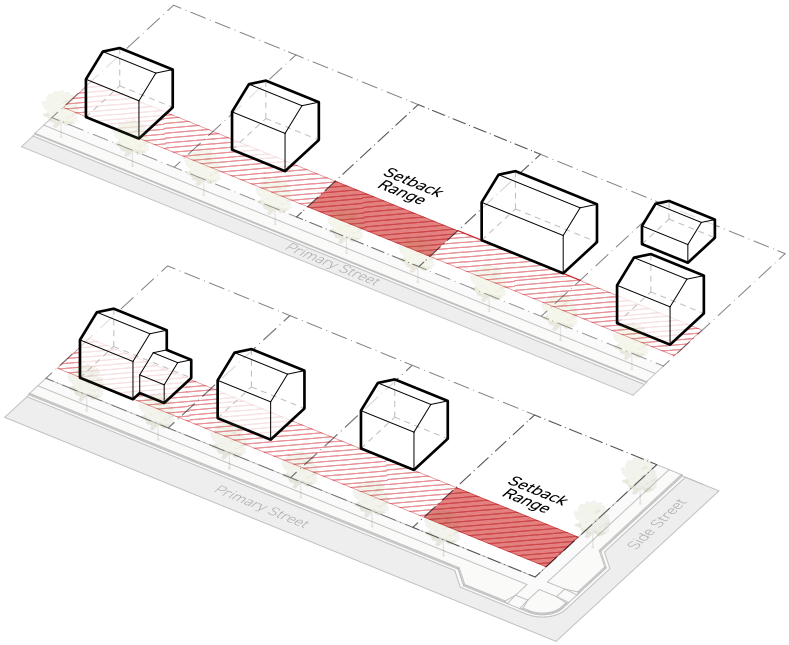
The area between the minimum and maximum street setbacks define the build-to zones. For requirements related to the build-to zones, see ***Sec. 2.11.7.***

3. Established Setback Range[2]

When required by the zoning district, the primary street setback is modified as follows:

a. The required primary street setback must be met within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range.

b. On an interior lot, the range of setbacks is determined by the 2 closest existing lots in both directions along the block face.



c. On a corner lot, the range of setbacks is determined by the 3 closest existing lots along the block face.

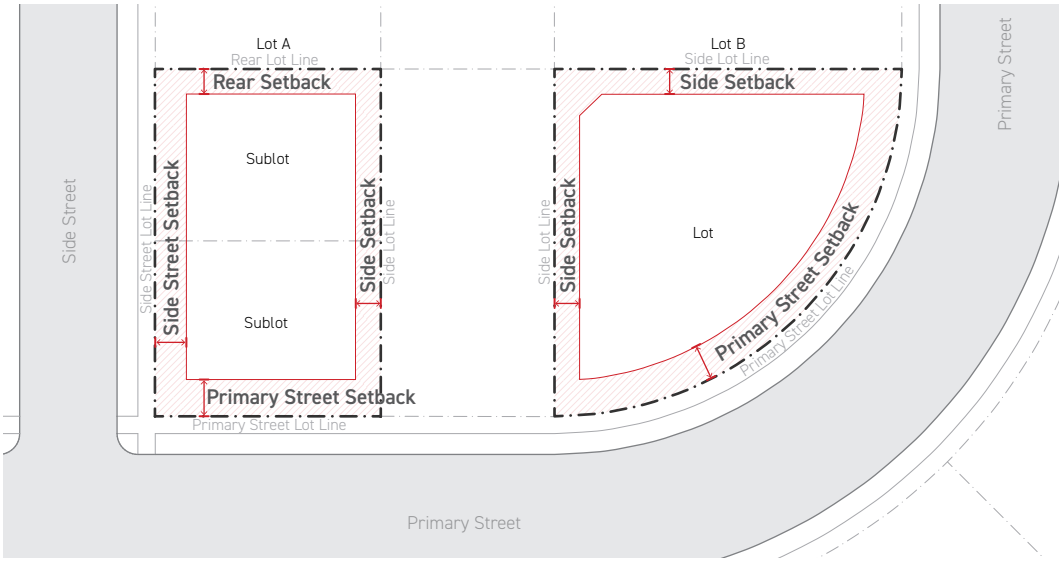
d. If any lot included in the setback range calculation has no dwelling unit on the front half of the lot or the lot is vacant, the lot must be disregarded for the purpose of calculating the established setback range.

e. If the Administrator determines the established setback range cannot be adequately determined, the setback range specified for the zoning district must be met.

f. For a future phase in an existing development, the Administrator may provide for a setback range that is consistent with previous development phases.

D. Measurement

1. All building setbacks are measured perpendicular to the applicable lot line. Where a lot line abuts an access easement, the setback may be measured from the interior edge of access easement rather than the lot line.



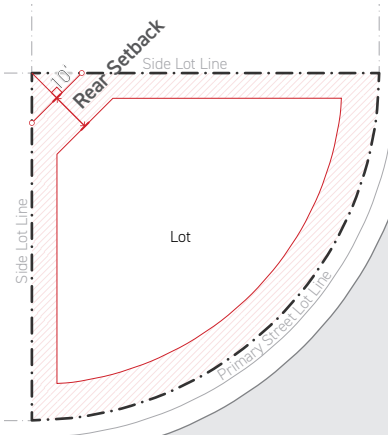
2. Primary street setback is measured from the primary street lot line.

3. Side street setback is measured from the side street lot line.

4. Rear setback is measured from the rear lot line

   a. For determining the rear setback for a triangular or gore-shaped lot, the rear lot line is determined based on a 10 feet wide line, parallel to the primary street lot line that intersects two side lots lines at its endpoints.

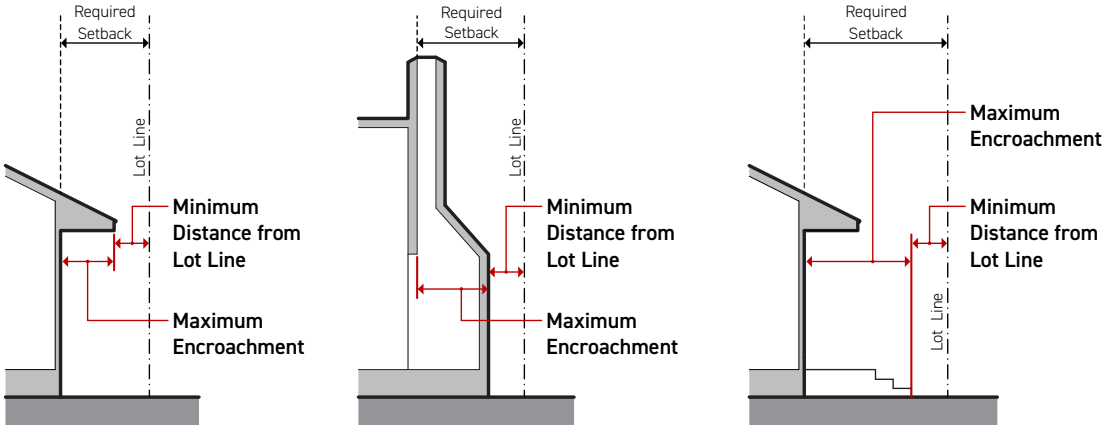
   b. For instances where the primary street lot line is not straight, the rear lot line must be parallel to a line connecting the end points of the primary street lot line.



E. Exceptions

1. Limited Encroachments

The following are allowed to encroach beyond the building setback up to the minimum distance from the lot line specified below. The encroachments only apply when the zoning district's setbacks are equal to or larger than the setbacks specified below.



	ALLOWED ENCROACHMENT		
	Primary St. / Side St. Setback	Side / Rear Setback	Alley Setback
Architectural Details *Building elements attached to or integrated into the structure of a building, not intended for human occupation. Examples include: cornices, belt courses, sills, lintels, pilasters, pediments and chimneys*			
Encroachment (max)	2'	1.5'	2'
Distance from lot line (min)	0'	1.5'	1.5'
Roof Projections *Roof elements that overhang or cantilever beyond the footprint of the building. Examples: eaves, roof overhangs, gutters, awnings and canopies*			
Encroachment (max)	3'	1.5'	2'
Distance from lot line (min)	0'	1.5'	1.5'
Unenclosed Structures (ground story) *Unenclosed structures having all finished floors and ground surfaces no more than 2.5 feet above grade. Does not include carports, which are subject to district setbacks.[4] Examples: porches, decks, stoops, landing platforms, gazebos, trellises, arbors, pergolas*			
Encroachment (max)	8'	1.5'	0'
Distance from lot line (min)	0'	1.5'	same as district
Enclosed Structures *Enclosed structures that overhang or cantilever beyond the footprint of the building that have a cumulative length less than 25% of the width of the building facade, measured individually for each story. Examples: bay windows, sleeping porches, overhanging volumes*			
Encroachment (max)	2'	3'	0'
Distance from lot line (min)	0'	3'	same as district
Mechanical/Electrical Equipment *Examples: gas meters, electrical meters, water heaters, HVAC equipment, generators, cisterns, wind turbines and solar panels[4]*			
Encroachment (max)	not allowed	0'	0'
Distance from lot line (min)	same as district	1.5'	same as district
Waste Receptacle Enclosure[2] *Examples: trash compactors, garbage, recycling and food waste and their associated screening*			
Encroachment (max)	not allowed	0'	0'
Distance from lot line (min)	same as district	5'	same as district
Signs	*see Sec 19-4.11, Signs*		

2. Unlimited Encroachments

The following can encroach into a required setback to the extent necessary to perform their proper function

a. Accessibility ramps and lifts.

b. Equipment related to public or utility operating systems, including related wires, conduits, and pipes. Examples include hydrants, transformers, utility cabinets, water utility devices, cable television, or phone boxes.

c. Covered structures located entirely below grade. Examples include cellars, basements, storm water storage, and cisterns.

d. Sidewalks, multi-use paths, ramps, driveways, and patios 2.5 feet in height or less, measured from grade.[1]

e. Fences and walls.

f. Plants. Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses, and associated planters and raised planting beds, if applicable.

g. Stormwater devices including steep slopes for detention and underground detention.

h. Permanent or movable furniture. Examples include benches, tables, and bike and scooter parking racks.

F. Relief

1. A reduction in required setback of up to 10% may be requested in accordance with ***Sec. 6.2.14***, provided the resulting setback is at least 1.5 feet.

2. A change in the established setback range of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

3. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

4. In zoning districts with a maximum building setback, the Administrator may approve a larger setback for lots with significant site development constraints, topographic issues, or irregular lot configurations. The additional setback should be the minimum amount necessary to address the lot-specific constraints.[2]

5. In zoning districts with a maximum building setback, the Administrator may approve a larger setback for lots with anticipated or existing utility easements. The maximum setback may only be increased by the minimum distance necessary to establish the easement, as verified by the City Engineer.[3]

19-2.11.6. **TRANSITIONS**

Additional setback, a buffer requirement and reduced height allowance when certain districts abut specifically defined districts with a lower height intensity.

For requirements see ***Div. 19-4.8.***

19-2.11.7. BUILD-TO

A. Build-To Width

The cumulative building width that occupies the build-to zone relative to the width of the site at the street lot line.

1. Intent

To regulate the placement of buildings along the public realm so that buildings frame the public realm with a consistent street wall.

2. Applicability

a. The build-to width applies to all lots.

b. The build-to width does not apply to individual sublots that are part of a larger lot.

c. The build-to width requirements applies to the ground story of the building only.

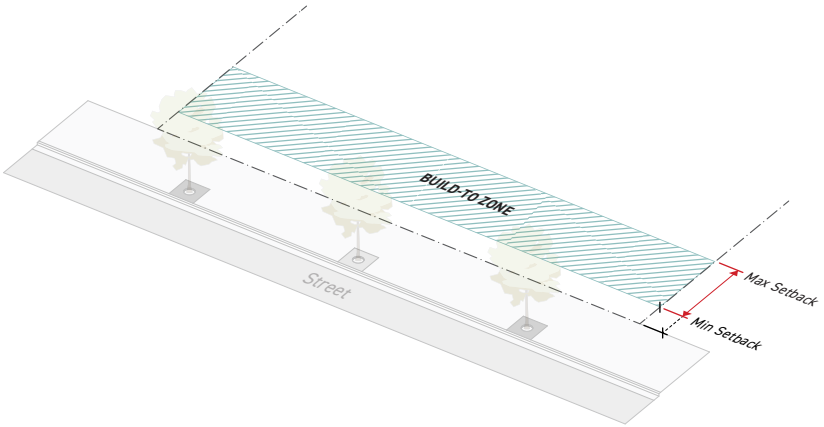
d. Development which does not utilize the entire lot is expected to comply with the build-to width requirements along the frontage respective to each portion or phase of the project. [1]

3. Standards

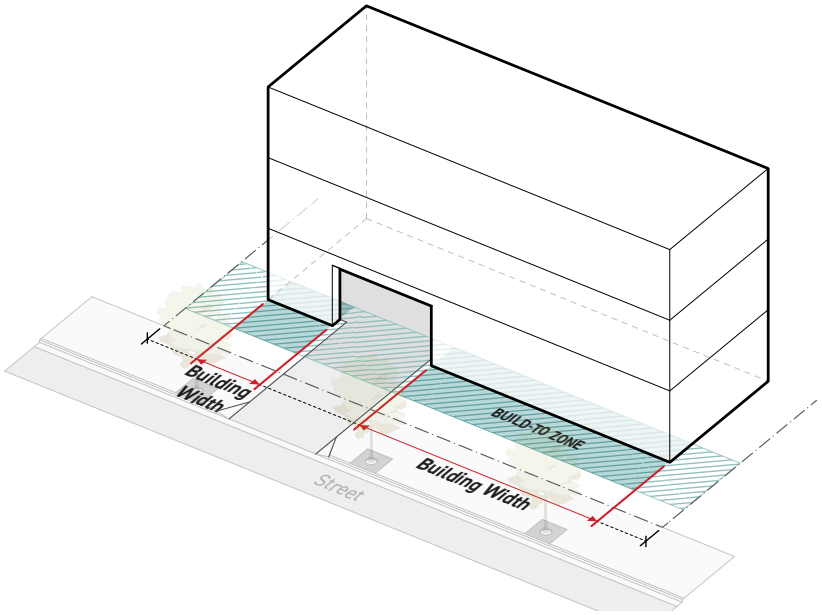
a. **General**

i. Buildings must be located within the build-to zone for no less than the minimum build-to width required in the zoning district.

ii. The build-to zone is the area on the site between the minimum and maximum building setbacks, for the full width of the site. The build-to zone is measured perpendicular to the primary or side street lot line from the minimum street setback to the maximum street setback.



iii. Portions of building width providing motor vehicle access to a vehicle use area through the ground story of a building does not qualify as building width in the build-to zone.



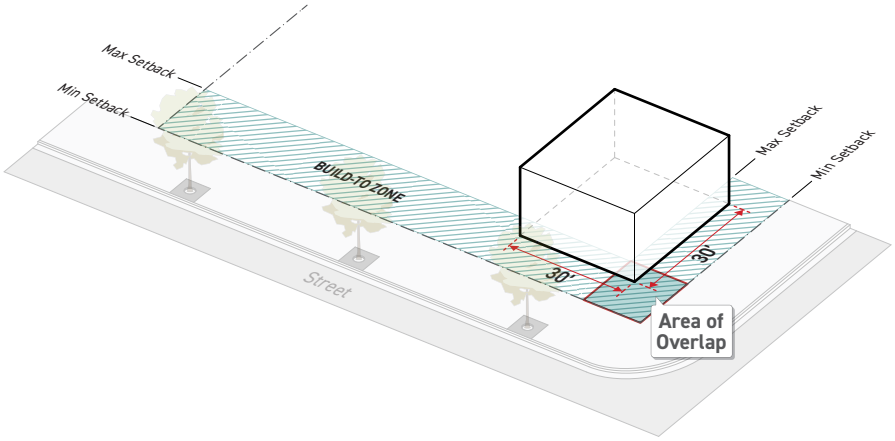
iv. Once the minimum build-to width requirement has been satisfied, buildings and structures may occupy the area behind the maximum building setback.

v. For lots with existing nonconforming buildings, see requirements in *Div. 19-6.3.*

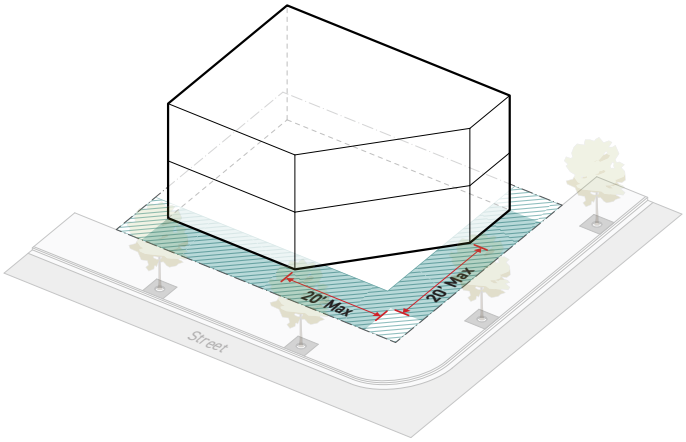
b. **Corner Lots**

i. On corner lots where both streets have build-to width requirements, a building must occupy the portion of the lot area where the two intersecting build-to zones overlap, as described below:

ii. The building must occupy the build-to zones for both streets lot lines for a minimum of 30 feet from the corner. This is measured starting at the edge of the building occupying the area of overlap and moving away from the corner, parallel to the street lot line. This building width counts toward the required build-to width for both street lot lines.



iii. A chamfered corner no more than 20 feet in width along both street lot lines qualifies as a building width in the build-to zone even where it extends outside of the build-to zone. Chamfered corner width is measured parallel to the street lot line.

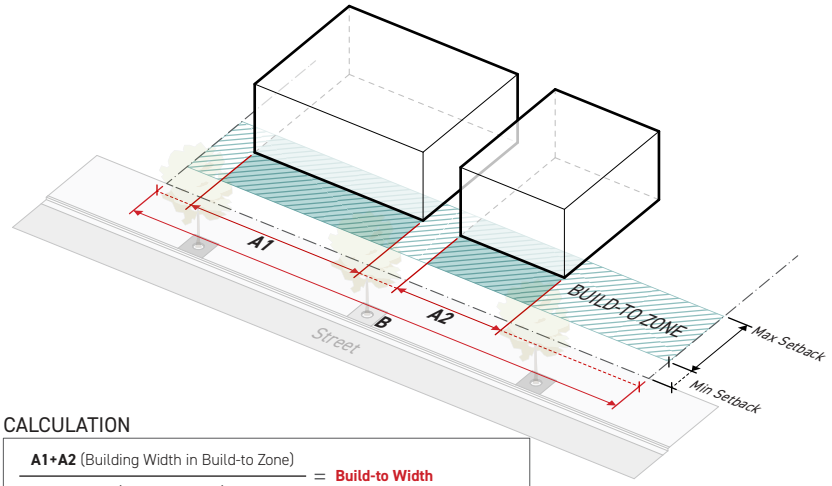


iv. This standard does not apply when a pedestrian amenity space occupies the same portion of the area of overlap and is being used as a pedestrian amenity allowance, see requirements in *paragraph B*. below.

4. **Measurement**

a. Build-to width is calculated separately along each street lot line where a build-to width is required.

b. Build-to width is a percentage measured as the sum of all building widths occupying the build-to zone, divided by the total lot width.



c. The Administrator may reduce the build-to width requirements for the following impediments located in a build-to zone by an amount proportionate to the size and width of the impediment:

i. Heritage trees

ii. Dedicated open space

iii. Floodways, wetlands, or riparian buffers

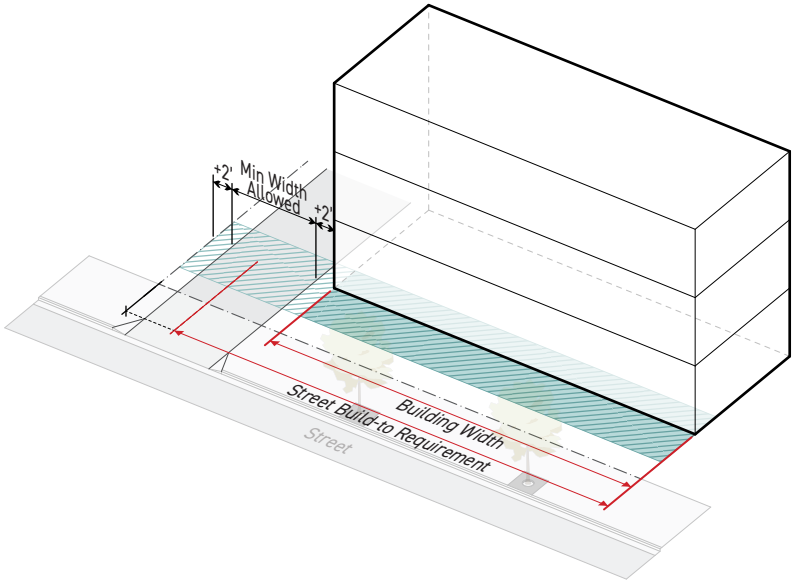
iv. Sight distance triangles

v. Public drainage and utility easements [1]

5. **Exceptions**

a. Open space meeting *Sec. 2.11.4.B.*, counts toward the minimum build-to width requirement in accordance with ***paragraph B***. below.

b. Where vehicular access is permitted to be taken through the street lot line and providing access prevents a building from meeting the build-to width requirement, a reduced build-to width may be allowed, provided the portion of the lot in the build-to zone used for vehicle access is no wider than the minimum required driveway width plus an additional 4 feet of width for clearance. See *Sec. 4.6.1.*



6. **Relief**

a. A reduction of up to 10% in the total required building width occupying the build-to zone may be requested in accordance with *Sec. 6.2.14.*

b. A reduction beyond 10% may be requested in accordance with *Sec. 6.2.15.*

B. Pedestrian Amenity Allowance

The amount of pedestrian amenity space in the build-to zone that is allowed to count toward the build-to width requirement.

1. **Intent**

To promote the creation of active, human-scaled outdoor spaces as an extension of the sidewalk, providing visual interest and vitality to the amenity space as well as the public realm. The pedestrian amenity allowance provides flexibility for building and site design while maintaining standards essential for ensuring all projects contribute to defining a consistent and legible street wall.

2. **Applicability**

a. Portions of buildings required to meet the build-to width requirement in ***paragraph A.*** above.

b. Portions of the lot between the building and the street lot line for the width of the pedestrian amenity space provided.

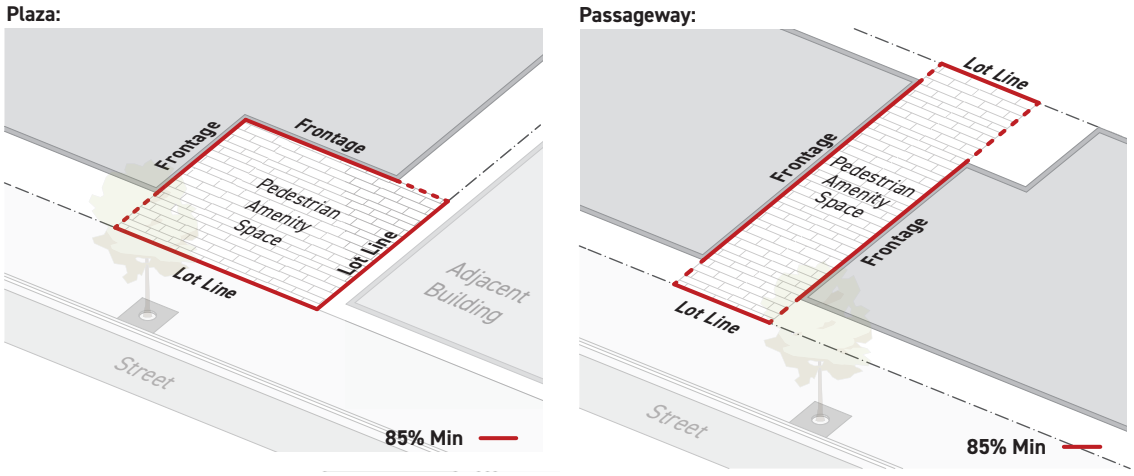
3. Standards

Pedestrian amenity space may be provided as a substitute for a maximum of 15% of the built-to width requirement, provided the following standards are met:

a. Meets the standards of *Sec. 2.11.4.B.*

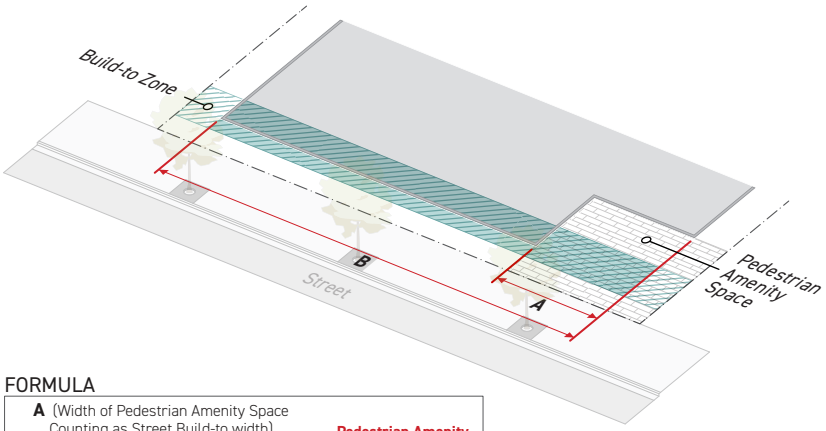
b. Pedestrian amenity spaces may be wider than the maximum 15% allowed, however, any part of the pedestrian amenity space width that exceeds this allowance does not count toward the build-to width requirement.

c. A minimum of 85% of the pedestrian amenity space perimeter must abut either a lot line or a facade meeting the standards of the zoning district specified for the abutting street lot line. Where pedestrian amenity space abuts multiple street lot lines, the standards specified for the street lot line that abuts the pedestrian amenity space for the greatest length applies.



4. Measurement

Pedestrian amenity allowance is measured as the cumulative width of pedestrian amenity spaces occupying the build-to zone provided as a substitute, divided by the required build-to width.



FORMULA

$$\frac{\text{A (Width of Pedestrian Amenity Space Counting as Street Build-to width)}}{\text{B (Required Street Build-to width)}} = \text{Pedestrian Amenity Allowance (\%)}$$

5. **Relief**

a. An increase of up to 10% in the total width of pedestrian amenity space provided as a substitute for a portion of a building occupying the build-to zone may be requested in accordance with ***Sec. 6.2.14.***

b. An increase beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

c. For lots with significant site development constraints, topographic issues, multiple frontages, or irregular lot configurations, the Administrator may approve an alternate site and building configuration that does not meet the district build-to width minimums along each frontage. In exchange for approving an alternate layout, the Administrator may require improvements within the build-to zone to frame the public realm and create the appearance of a consistent street wall. Required improvements should be appropriate for the site based on the conditions used to justify the alternative layout and may include, but are not limited to, plazas, promenades, raised terraces, gardens, fountains, architectural walls, and public art. [1]

19-2.11.8. PARKING SETBACKS

Where on-site parking is or is not allowed between the building and the street.

A. Intent

To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging, and attractive streetscape with active uses and landscaping along the public realm.

B. Applicability

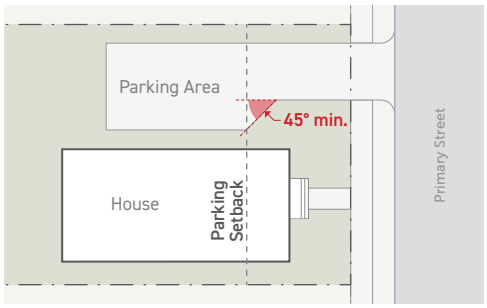
Parking setback requirements apply to all lots, excluding parking that is fully underground.[3]

C. Standards

1. General[2]

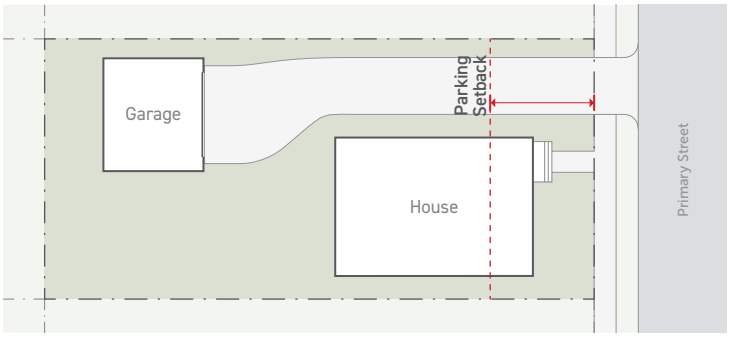
a. All parking on a parking pad, in a parking lot, or in a garage must be located at or behind the minimum parking setback specified by the zoning district. The required spaces behind the parking setback must meet the minimum dimensions of ***Sec. 4.6.3.C.2.***

b. Driveways are required to meet the requirements found in ***Sec. 4.6.1.*** Within the parking setback, driveway transitions to parking areas must taper at 45 degrees or greater.



D. Measurement

1. Primary street parking setback is measured from the primary street lot line.
2. Side street parking setback is measured from the side street lot line.



E. Relief [3]

1. A reduction in required parking setback of up to 10% may be requested in accordance with Sec. 6.2.14.
2. A change beyond 10% may be requested in accordance with Sec. 6.2.15.
3. The Administrator may allow parking within the parking setback for lots with an existing building when conditions exist that do not allow access to the side or rear yard due to limited space between the building and lot line (an area less than ten feet wide).

19-2.11.9. FENCES AND WALLS

Vertical structures separating the public realm from private property.

For requirements see ***Div. 19-4.9.***

19-2.11.10. HEIGHT

A. Overall Height

The vertical dimension of a building or structure measured in feet and stories.

1. Intent

To provide adequate light, air, safety, and to protect the character of an area and the interests of the general public.

2. Applicability

Overall height limitations apply to all lots in all zoning districts.

3. Standards

No building, portion of a building, or structure can exceed the maximum number of feet or stories allowed in the zoning district, unless:

a. The building, portion of a building, or structure is listed as an encroachment in ***paragraph 5.*** below.

b. The development site meets the criteria for the height bonus in accordance with ***Div. 19-4.2.***

4. Measurement

a. **Height in Stories**

i. Height in stories is measured as the number of stories above existing grade from all sides of the building. The ground story and all upper stories are included in the calculation of maximum height in stories.[4]

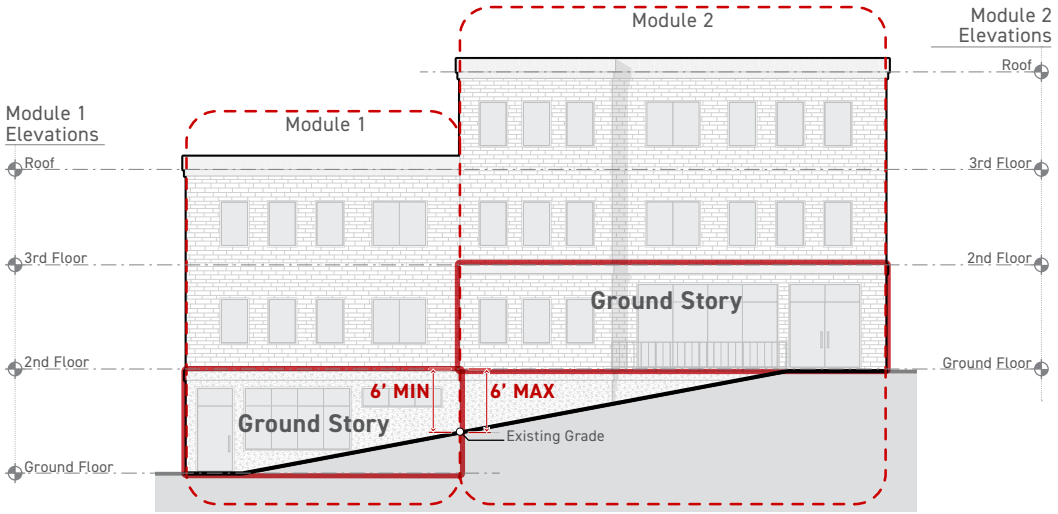
ii. A story is the part of a building included between the finish floor of one floor and the finish floor of the next floor above, or if there is no floor above, then the bottom of structure for the roof above. A mezzanine does not count as a story.

iii. The ground story (or first floor) of a building is determined as follows:

a) The ground floor facade that is exposed a minimum of 6 feet above existing grade along the full width of the applicable building facade.

b) Notwithstanding the allowance for an exposed basement in part iv below, the finished floor of a ground story can be no higher than 6 feet above the existing grade for any portion of the building perimeter. This may mean the elevation of the ground story may change within the same building.[2]





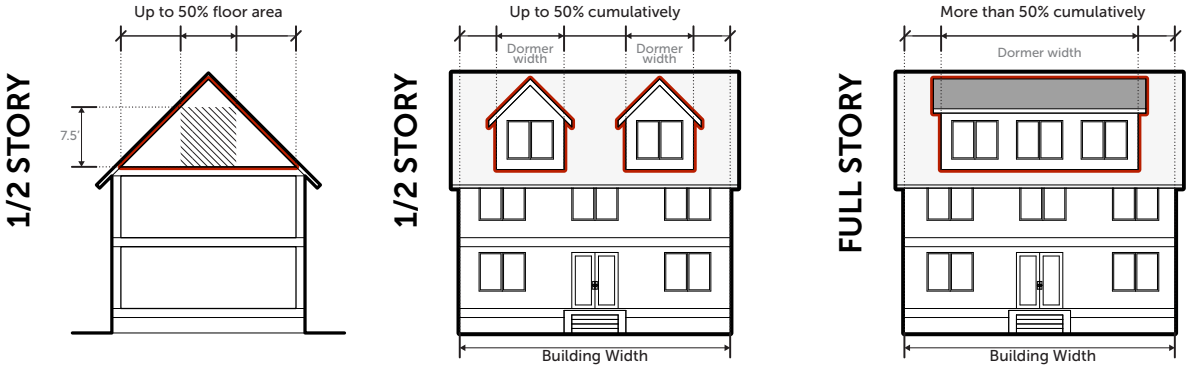
iv. An occupiable space in a building located below the ground story is a basement. Basements are not included in the calculation of maximum height in stories. A basement may be exposed along a side or rear lot line up to 50% of the perimeter of the building, but cannot be exposed more than 15 feet in height at any point. A basement cannot be exposed along any primary street lot line.[2]

v. Any story located above the ground story is an upper story. Any floor exceeding the maximum floor height established by the district is considered an additional story. Any height above the top story of the building is considered an encroachment.[4]

vi. The topmost story of a building is not counted as a full story and is counted as a half story when the following standards are met:

a) It is completely within the roof form of the building and less than 50% of the floor area has a clear height of more than 7.5 feet, measured from the finish floor to the finish ceiling; and

b) Dormers do not exceed more than 50% of the front, rear, or side building width.



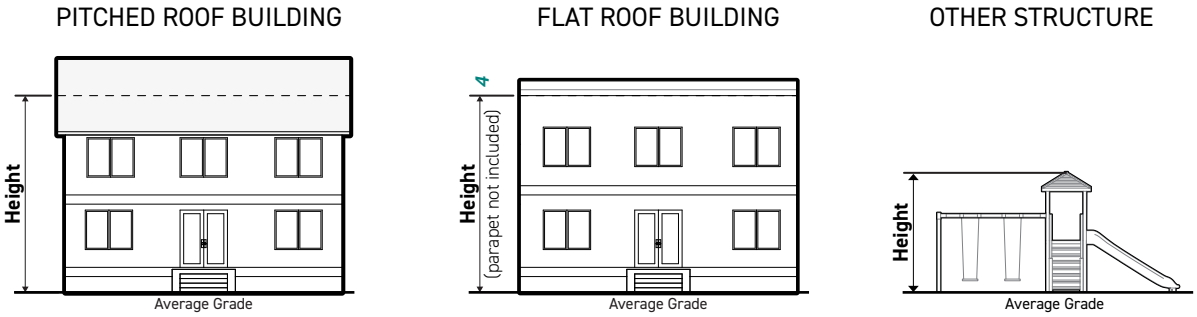
b. **Height in Feet**

Height in feet is measured from the primary street-facing facades. Height in feet is the number of feet from average existing grade to:[4]

i. The mid-point of the roof, for a building with a roof having a pitch greater than 4:12;

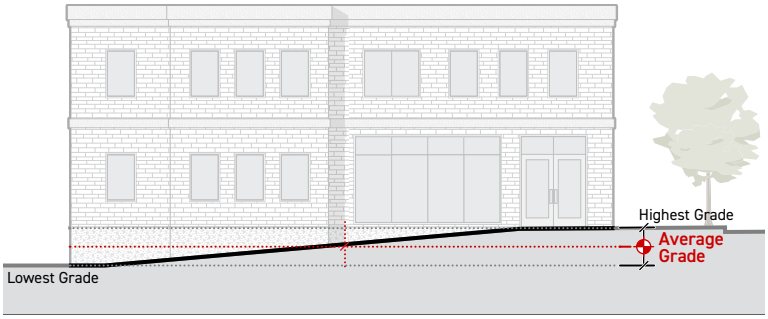
ii. The top of the roof deck, for a building with a roof having a pitch of 4:12 or less; and

iii. The topmost point of the structure, for all other structures.



c. **Average Grade**

i. Average grade is calculated by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade.



ii. Where the sidewalk is more than 5 feet from the primary street-facing building facade, average existing grade is calculated by averaging the highest and lowest existing elevation within 5 feet of the primary street-facing building facade.

iii. Large buildings and those developed on sites with significant topographic variation may calculate average existing grade independently for each building module that steps up or down the slope.

5. Exceptions

a. Limited Encroachments

The following encroachments are allowed beyond the maximum height limit, as specified below:

	ALLOWED ENCROACHMENT	
	Base Height	**Bonus Height**
Architectural Elements *Attached to or integrated onto the top of a building, not intended for human occupation.* *Examples: cupolas, domes, flagpoles and lighting*[2]		
Encroachment (max)	3'	5'
Setback from roof edge (min)	1.5'	3'
Safety and Screening[4] *Used for safety, screening or protection.* *Examples: fencing, walls, parapets, and railings*		
Encroachment (max)	6'	6'
Setback from roof edge (min)	0'	0'
Vertical Circulation *Floor area used only for building circulation and rooftop access.* *Examples: elevator room (and associated equipment) and stairway access to roof*		
Encroachment (max)	10'	10'
Setback from roof edge (min)	5'	5'
Unenclosed Structures *Attached to or integrated onto the roof of a building, intended for human shelter or activity.* *Examples: shade structures, cabanas, pergolas, rooftop bar, outdoor dining, permanent seating, beehives, sports courts and cooking facilities*		
Encroachment (max)	8'	8'
Setback from roof edge (min)	5'	5'
Mechanical/Electrical Equipment *Supported by a roof related to public or privately-operated systems, including related wires, conduits, pipes and visual screens.* *Examples: HVAC equipment, cisterns, water tanks, wind turbines, solar panels, solar water heaters, exhaust ducts, smokestacks, satellite dishes, ventilation fans, chimney, flues, vent stacks, and generators*		
Encroachment (max)	5'	7'
Setback from roof edge (min)	3'	3'
Flatwork *Objects 2.5 feet in height or less.* *Examples: decking, walkways, patios*		
Encroachment (max)	2.5'	2.5'
Setback from roof edge (min)	1'	1'
Signs	*see Div. 19-4.11*	

b. **Unlimited Encroachments**

i. Vegetation, including trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses, and associated planters and raised planting beds, that is setback a minimum of 1 foot from the roof edge can encroach an unlimited amount above the maximum allowable height.

ii. Lots in the Park (PK) zoning district that are owned by the City of Greenville can encroach above the allowable building height an additional 1 foot for each foot that the structure is set back from the nearest street lot line or common lot line.

iii. Steeples, spires, and belfries, or similar structures as approved by the Administrator, provided they are set back at least 1.5 feet from the roof edge.[2]

6. **Relief**

a. An increase in maximum building or structure height in feet of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. An increase to an encroachment dimension of up to 10% may be requested in accordance with *Sec. 6.2.14.*

c. An increase beyond 10% or an increase in maximum height in stories may be requested in accordance with *Sec. 6.2.15.*

B. Side Wall

The vertical dimension of the wall of a building or structure, supporting the roof structure.

1. **Intent**

To protect the scale and character of development in traditional neighborhoods.

2. **Applicability**

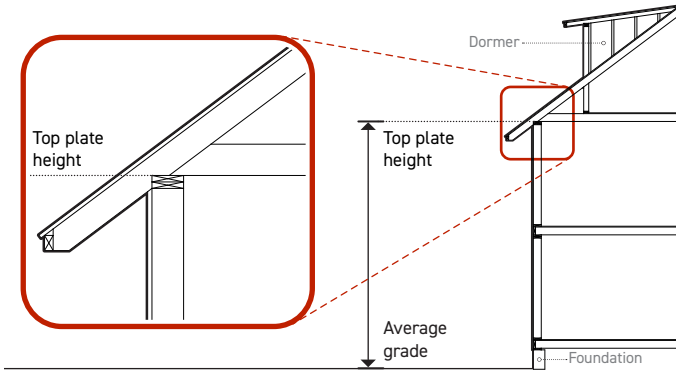
Side wall height limitations apply to all lots in House-Scale (RH-) and Neighborhood-Scale (RN- and RNX-) zoning districts.

3. **Standards**

Side wall height cannot exceed the maximum height specified by the zoning district.

4. **Measurement**

Side wall height is measured from average existing grade to the top plate of the building.



5. **Relief**

   a. An increase in maximum side wall height of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

   b. An increase beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

19-2.11.11. MASSING

A. Building Width

The horizontal width of a building on a lot, parallel to the street lot line.

1. Intent

a. To promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking wide buildings into multiple, clearly distinguished building widths.

b. To encourage larger projects to provide open space for pedestrians and recreation.

2. Applicability

a. Building width requirements apply to all street-facing building facades.

b. Building width requirements apply only to portions of buildings located above the maximum ground floor elevation required by the zoning district.

3. Standards

a. General

i. No building located on the same lot can be wider than the maximum building width allowed by the zoning district.

ii. Two buildings can abut one another provided that they have no shared components and are structurally independent from one another.

b. Building Break Alternative[4]

One or more building breaks meeting the following standards may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building width requirement:

i. Each building face contributing to the building width must be between 10% and 40% of the total building width, and must project or recede from the adjacent building face a minimum of 6 feet. If articulation does not vary by at least 6 feet, it is not considered a building face.

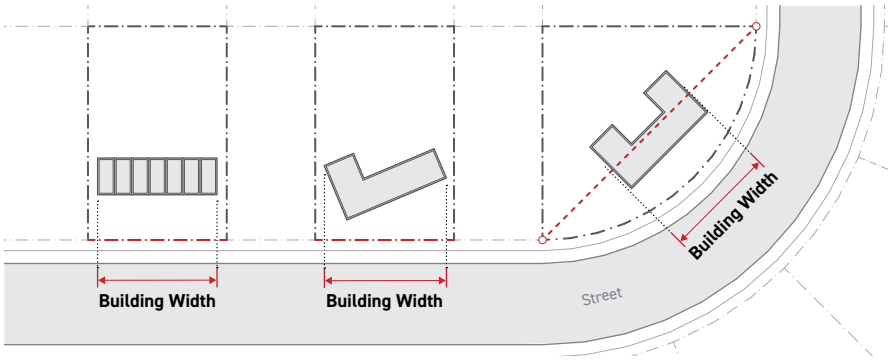
ii. The building articulation is required on all stories of the building.



iii. The building must not exceed the district maximum for building width by more than 1.5 times.

4. **Measurement**

Building width is measured horizontally and parallel to each abutting primary street or side street lot line from one end of a building to the opposite end.



5. **Exceptions**

a. Additions exceeding maximum building width must be set back from the primary facade a distance equal to or greater than one-half the building depth.

6. **Relief**

a. Increased building width of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. Increased building width beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

B. Building Depth

The horizontal depth of a building on a lot, perpendicular to the primary street lot line.

1. **Intent**

To promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking deep buildings into multiple, clearly distinguished building masses.

2. **Applicability**

a. Building depth requirements apply to all building facades perpendicular to the primary street lot line.

b. Building depth requirements apply only to portions of buildings located above the maximum ground floor elevation required by the zoning district.

3. **Standards**

a. **General**

i. No building located on the same lot can be deeper than the maximum building depth allowed by the zoning district.

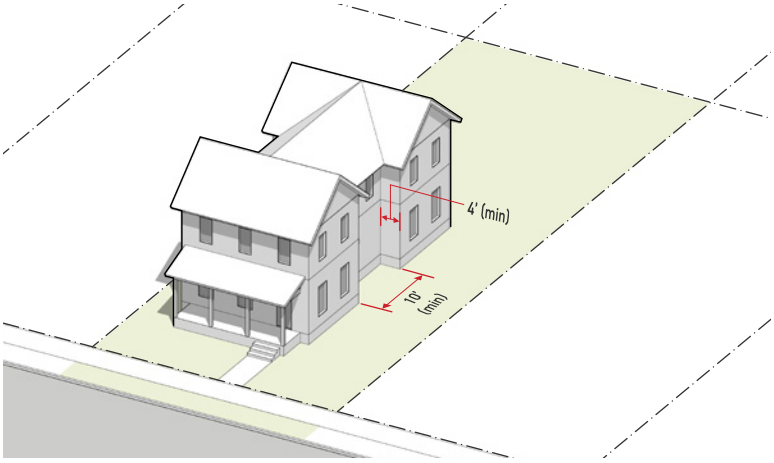
ii. Two buildings can abut one another provided that they have no shared components and are structurally independent from one another.

b. **Building Break Alternative**

A break in the building massing meeting the following standards may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building depth requirement:

i. The width of the building break can be no less than 10 feet.

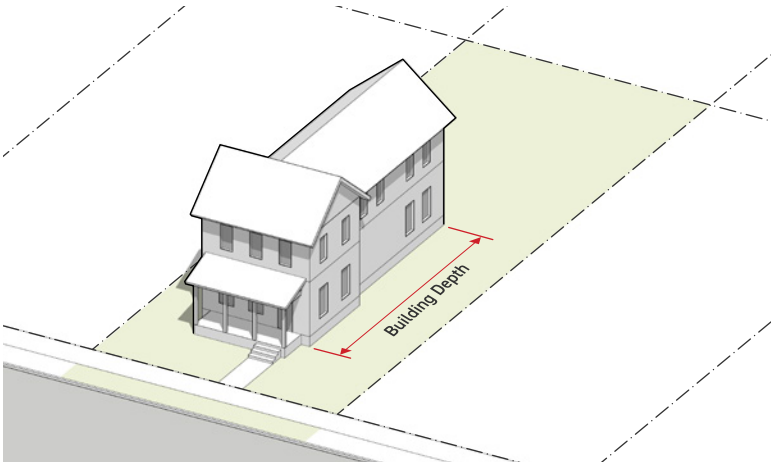
ii. The depth of the building break must be at least 4 feet.



iii. A maximum of 1 building break exception can be used for each building.

4. Measurement

Building depth is measured horizontally and parallel to each abutting side lot line from one end of a building to the opposite end.



5. Relief

a. Increased building depth of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. Increased building depth beyond 10% may be requested in accordance with *Sec. 6.2.15.*

C. Active Depth

The horizontal depth of a building that must contain active uses.

1. Intent

To help minimize the impact of inactive spaces on the public realm and to promote a comfortable, safe, engaging, and attractive build environment.

2. Applicability

a. Active depth standards apply to the portions of a building used to meet the minimum build-to width requirement. See ***Sec. 2.11.7.***

b. On primary streets, the active depth applies to all stories.

c. On side streets, the active depth requirement applies to the ground story only.

3. Standards

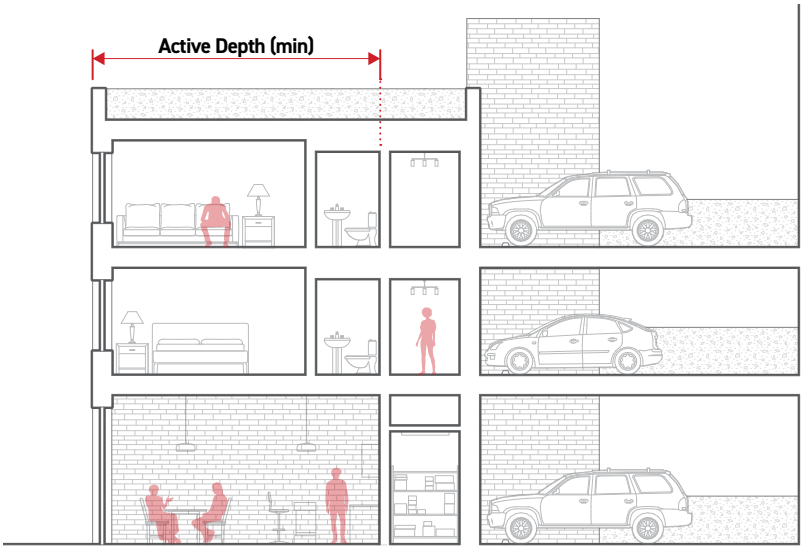
a. Applicable portions of a building must provide the minimum active depth required by the zoning district.

b. No more than 20% of the floor area of the required active depth can be used for inactive uses such as storage, hallways, stairwells, elevators, and equipment rooms.

c. Parking spaces and motor vehicle use areas are not allowed in any portion of the required active depth.

4. Measurement

Active depth is measured from the front building facade inward to the interior of the building.



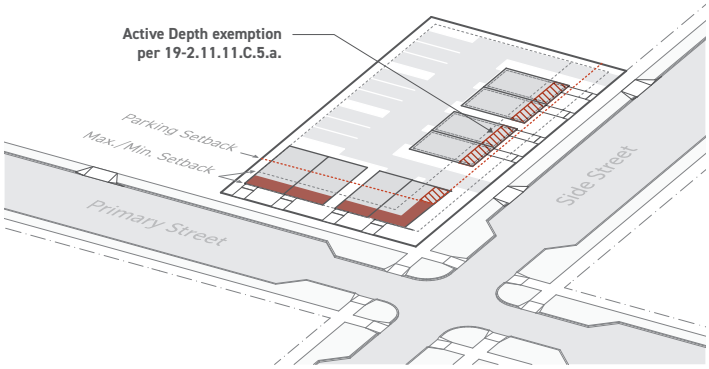
5. Exceptions[4]

a. For new construction of a multi-unit residential use, rear-loaded garages and on-site parking areas located within the active depth area of a side street lot line are exempt from active depth requirements, subject to the following standards:

i. Garages and parking areas must still comply with parking setbacks.

ii. Active depth must be met along the primary street lot line.

iii. Ground floor transparency must be met along the side street lot line.



6. Relief

a. Decreased active depth of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. Decreased active depth beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

D. Street Step-Backs

Step-like recess in the upper stories massing of a building along primary and side street lot lines.

1. Intent

To reduce the perceived bulk and mass of a building along facades facing public rights-of-way, and ensuring building height along the street is appropriate to neighboring context, while allowing for additional building height.

2. Applicability

a. Street step-back requirements apply to lots fronting on streets designated as a thoroughfare on the *Street Type Map in Appendix B.*

b. Street step-back requirements apply to all buildings or structures that face a primary or side street lot line.

3. Standards

The following standard are required for a minimum of 85% of the building width:

a. All stories above the maximum stories without step-back requirement are to be stepped back from the street-facing facade by at least the minimum set-back depth required by the zoning district.

b. No building or structure may extend into the minimum set-back depth, except where allowed in *paragraph 5.* below.

c. Buildings with a height up to the maximum stories without step-back are not required to provide a street step-back.

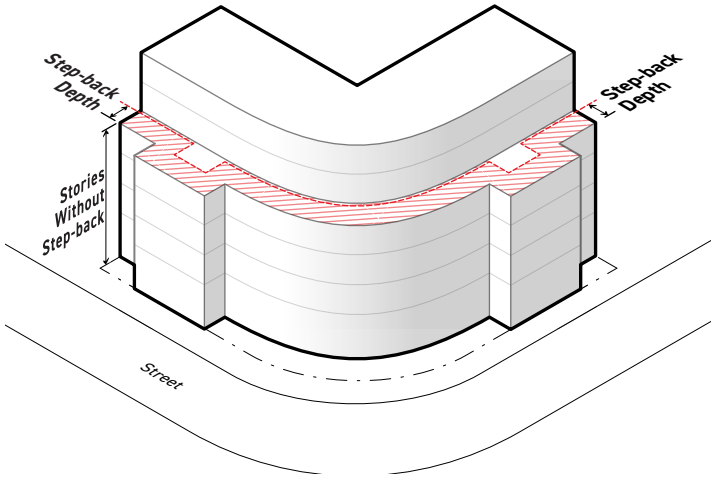
4. Measurement

a. Stories without Step-Back

Stories without step-back is measured according to *Sec. 2.11.10.A.4.a.*

b. Step-Back Depth

The minimum set-back depth is measured as the horizontal distance from the outside edge of the facade associated with the uppermost story without a step-back to the outside edge of the facade of the stepped back stories.



5. Exceptions

The following are allowed to encroach beyond the street step-back as listed below:

ALLOWED HORIZONTAL ENCROACHMENTS	
Architectural Details	
Encroachment (max)	2’
Roof Projections	
Encroachment (max)	2.5’
Unenclosed Structures	
Encroachment (max)	5’
Enclosed Structures: Projecting	
Encroachment (max)	2.5’
Mechanical/Electrical Equipment	
Encroachment (max)	1.5’

ALLOWED VERTICAL ENCROACHMENTS	
Mechanical/Electrical Equipment	
Encroachment (max)	5'
Setback from roof edge (min)	3'
Architectural Elements	
Encroachment (max)	5'
Setback from roof edge (min)	2'
Safety Barriers	
Encroachment (max)	4'
Setback from roof edge (min)	0'
Unenclosed Structures	
Encroachment (max)	8
Setback from roof edge (min)	2'
Flatwork	
Encroachment (max)	2.5'
Setback from roof edge (min)	1'
Vegetation	
Encroachment (max)	Unlimited
Setback from roof edge (min)	1'

6. **Relief**

a. Decreased step-back depth of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. Decreased step-back depth beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

19-2.11.12. FLOOR HEIGHTS [4]

A. Ground Story Height[4]

The floor-to-floor height of the story of a building having its finish floor elevation nearest to existing grade.

1. Intent

To promote high-quality ground-story spaces that are adaptable and appropriate to their intended use and surrounding context.

2. Applicability

a. Ground story height standards apply to all buildings that contain habitable space on the ground story. The ground story is determined according to ***Sec. 2.11.10.A.4.a.***

b. Where a zoning district regulates ground story height differently for residential and nonresidential uses, residential standards apply to all residential uses, and nonresidential standards apply to nonresidential uses.

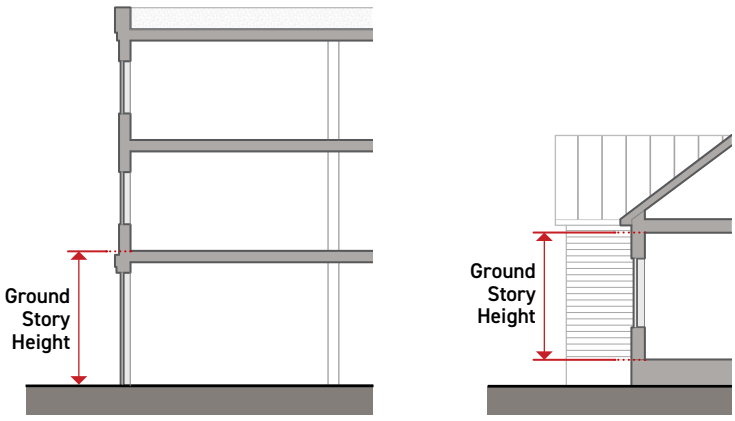
3. Standards

The ground story height can be no lower than the minimum ground story height required by the zoning district.

4. Measurement

a. Ground story height is measured from the top of the finished floor of the ground story to the top of the finished floor of the story above.

b. Where there is no story above, ground story height is measured from the top of the finished floor to the bottom of the roof structure above.



5. Relief

a. A reduction in required ground story height of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. A reduction beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

B. Finish Floor Elevation

The height of the finished floor associated with the story of a building having its finished floor elevation nearest to existing grade.

1. Intent

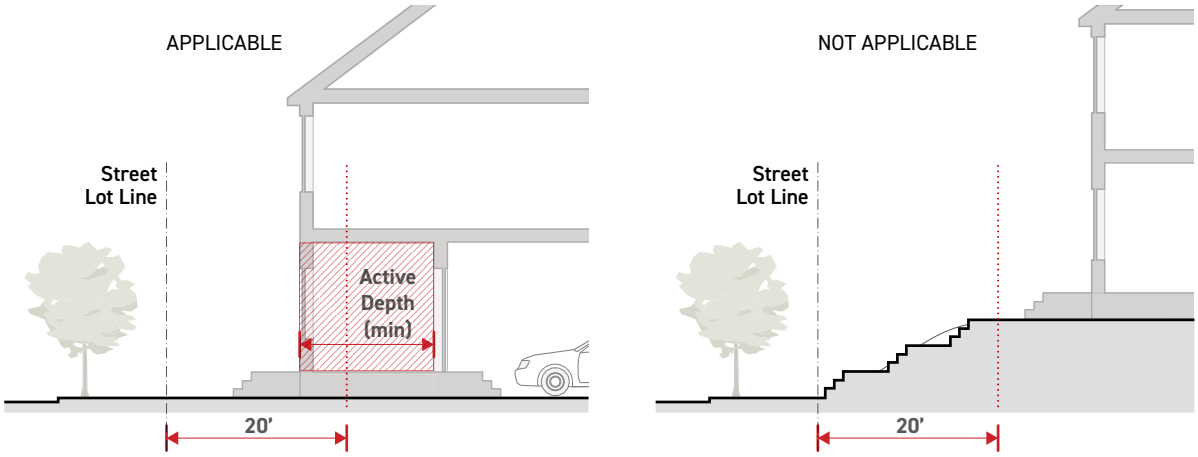
To promote "eyes on the street", increase the perception of safety, and encourage visual connections between the public realm and the exterior of the building.

2. Applicability

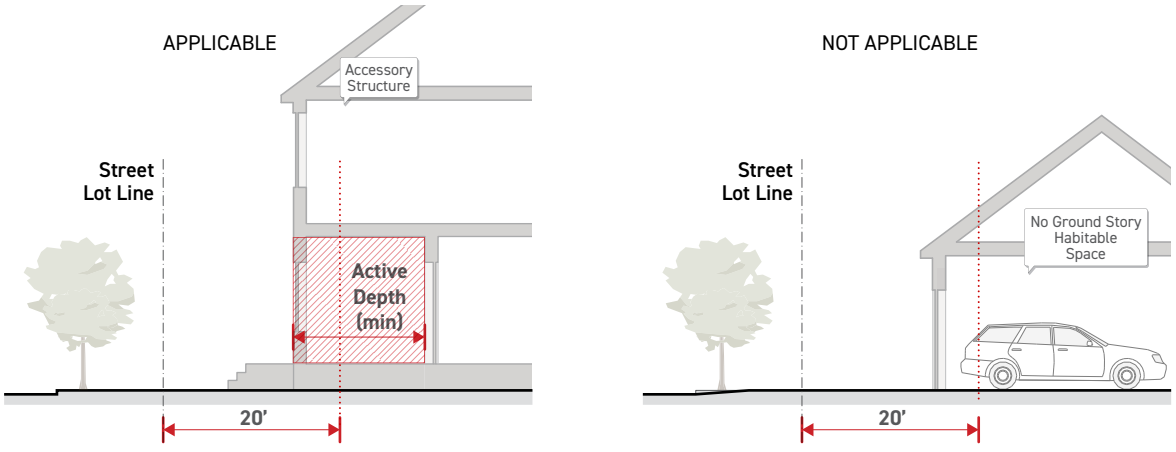
a. The finish floor elevation standards apply to all buildings that contain habitable space on the ground story and that are located within 20 feet of a primary street or side street lot line. The ground story is determined according to *Sec. 2.11.10.A.4.a.*

b. Where a zoning district regulates finish floor elevation differently for residential and nonresidential uses, residential standards apply to all residential uses, and nonresidential standards apply to nonresidential uses.

c. Where a zoning district regulates active depth, the finish floor elevation standards apply only to the required ground floor active depth.



d. The finish floor elevation standards do not apply to accessory structures, unless the ground story of the accessory structure contains habitable space for a dwelling unit.



3. Standards

a. All applicable ground stories must have a finished floor surface meeting the following standards:

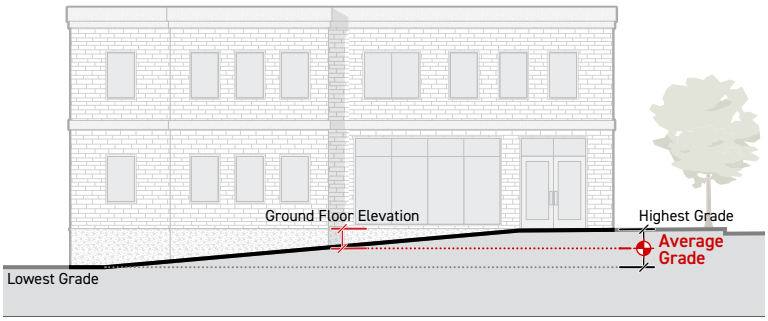
i. An elevation no lower than the minimum finish floor elevation required by the zoning district.

ii. An elevation no higher than the maximum finish floor elevation required by the zoning district.

b. Finish floor elevation for nonresidential floor area in a residential building, such as a lobby, gym, or office, may be reduced to 0 feet.

4. Measurement

Finish floor elevation is measured from average existing grade to the top of the finished floor of the ground story. On corner sites, for the purpose of determining finish floor elevation, average existing grade must be established independently for each street-facing building facade. Average grade is measured according to ***Sec. 2.11.10.A.4.c.***



5. Relief

a. A change in the minimum or maximum finish floor elevation of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

C. Upper Story Height[4]

The floor-to-floor height of all stories of a building above the ground story..

1. Intent

To promote high-quality upper-story spaces that are adaptable and appropriate to their intended use and surrounding context.

2. Applicability

a. Where minimum and maximum upper story heights are established by zoning district, upper story height standards apply to all buildings that contain habitable space within an upper story, and to the portions of any building that exceed the ground story maximum story height.

b. Where a zoning district regulates upper story height differently for residential and nonresidential uses, residential standards apply to all residential uses, and nonresidential standards apply to nonresidential uses.

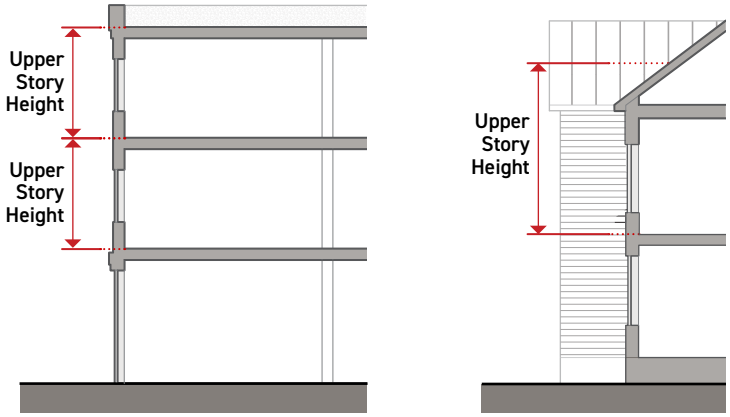
3. **Standards**

   a. The upper story height can be no higher than the maximum height required by the zoning district.

   b. If a floor exceeds the maximum height required by the zoning district, it is considered an additional story.

4. **Measurement**

   Upper story height is measured from the top of the finished floor of each story to the top of the finished floor of the story above.



   Where there is no story above, upper story height is measured from the top of the finished floor to:

   a. The mid-point of the roof, for a building with a roof having a pitch greater than 4:12;

   b. The top of the roof deck, for a building having a pitch of 4:12 or less; and

   c. The topmost point of the structure, for all other structures.

5. **Exceptions**

   Limited encroachments are allowed beyond the topmost story in accordance with Sec. 2.11.10.A.5.a.

6. **Relief**

   a. No administrative relief is allowed.

   b. A change to the dimensional standards of this section may be requested in accordance with ***Sec. 6.2.15.***

19-2.11.13. TRANSPARENCY

A. Ground Story and Upper Story Transparency

The amount of transparent area on a building facade.

1. Intent

To provide visual interest along the public realm by encouraging visual connections between the public realm and the interior of a building.

2. Applicability

Ground story and upper story transparency standards apply to primary and side street-facing building facades only. The ground story is determined according to ***Sec. 2.11.10.A.4.a.*** Any additional stories above the ground story is to be considered an upper story.

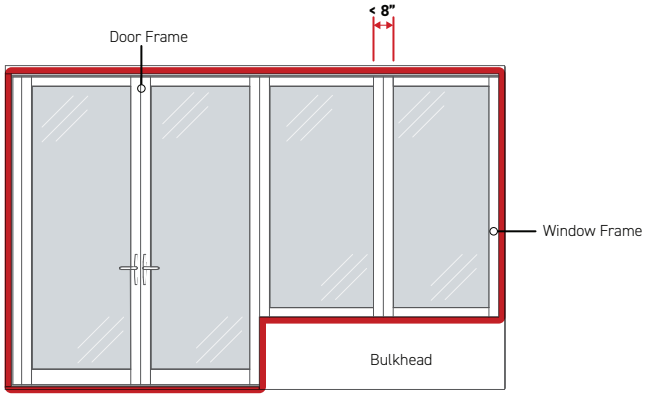
3. Standards

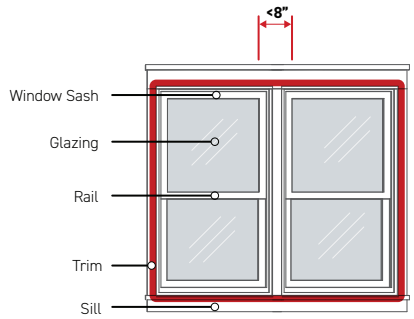
a. Applicable ground and upper story building facades must meet the minimum transparency of the zoning district.

b. To be considered transparent area, window and door glazing must meet the following requirements:

	Visible Light Transmittance	External Reflectance
Ground story	More than 60%	Less than 20%
Upper story	More than 30%	Less than 40%

c. Muntins, mullions, window sashes, window and door frames, or window and door trim that are integral to window and door assemblies that are less than 8 inches wide may be considered transparent when calculating required percentages.

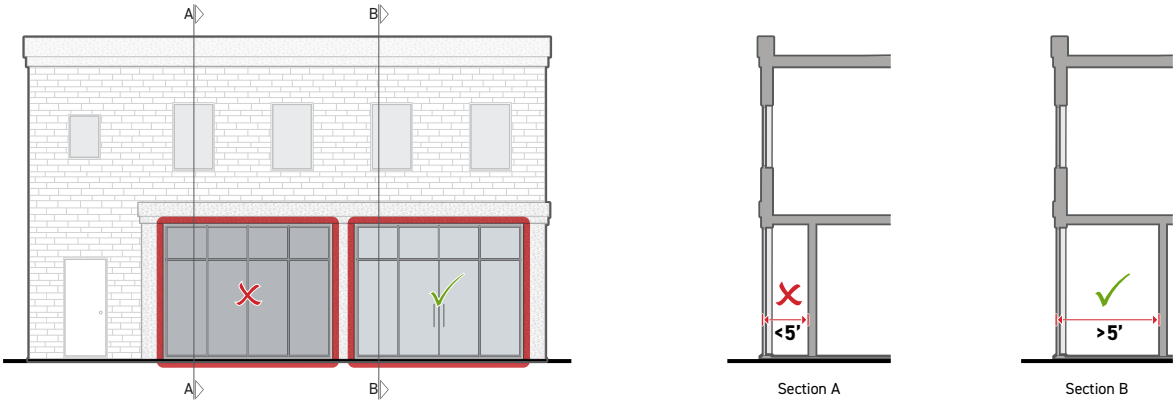




d. Windows and doors used to meet the transparency requirements may be temporarily covered by operable window treatments, such as curtains or blinds.

e. Windows and doors obscured by fixed exterior facade screens (e.g. louvers)[1] may count toward transparent area, provided no more than 25% of the total transparent area is covered for any individual window or door opening counting toward transparent area.

f. Interior walls and other permanent interior visual obstructions cannot be located within 5 feet of the window or door opening used to meet the transparency requirement.



g. Ground story windows and doors obscured by interior security gates and window displays located less than 5 feet from the window opening may count toward transparent area, provided no more than 25% of the total transparent area is covered for any individual window or door opening counting toward transparent area.



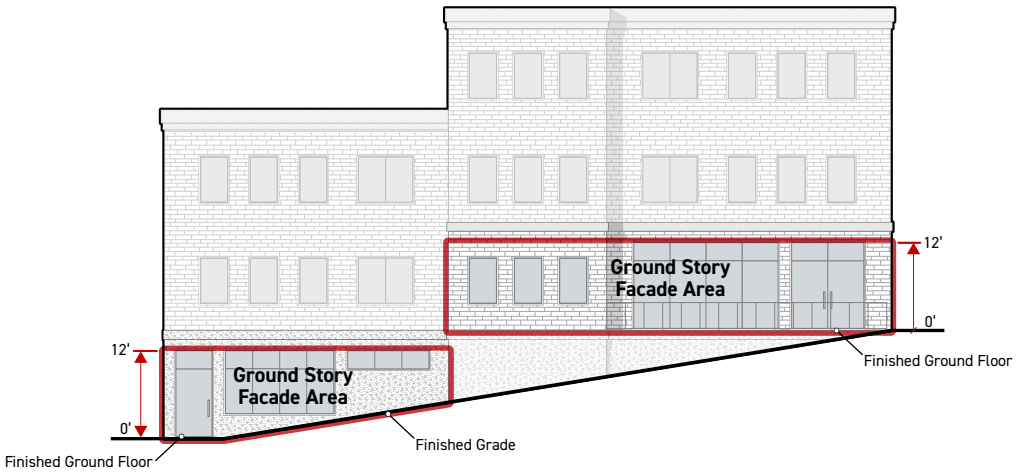
4. Measurement

a. Ground Story

i. General

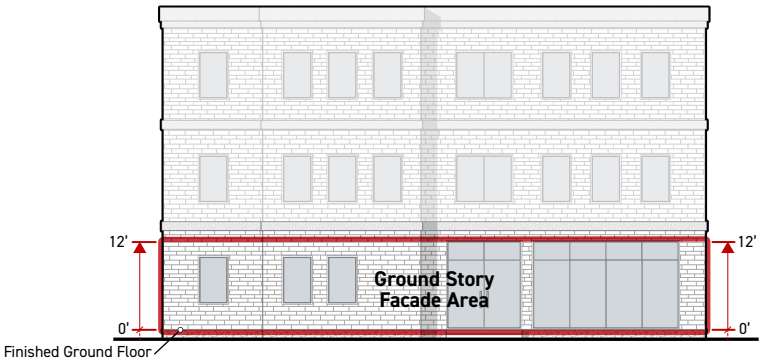
a) Ground story transparency is measured as a percentage calculated as the sum of all facade area meeting the measurement requirements for transparency, divided by the total applicable facade area.

b) No portion of a ground story located below existing grade is included in ground story facade area.



ii. Commercial Ground Story Transparency

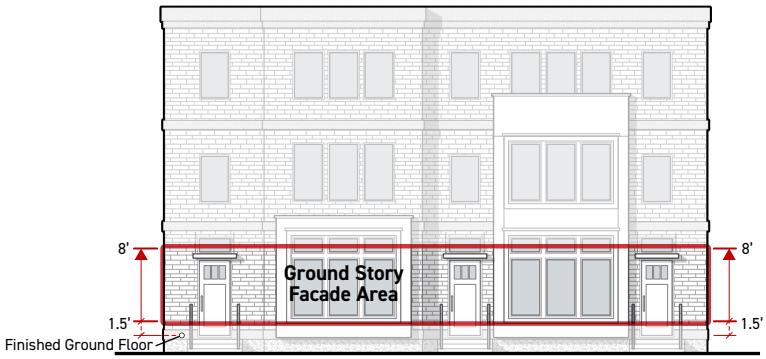
a) For the purpose of calculating transparency, commercial ground story facade area is measured between 0 and 12 feet above the top of the ground story finish floor elevation.



b) If the ground story height is less than 12 feet, ground story facade area is measured between the top of the finished floor of the ground story and the top of the finished floor of the story above. When there is no story above, it is measured to the top of the wall plate.

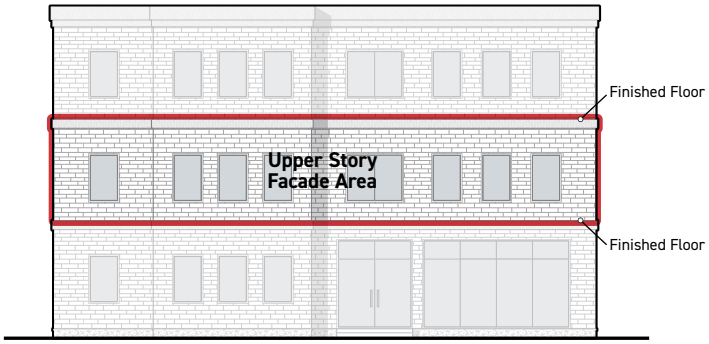
iii. **Residential and Non-Commercial Ground Floor Transparency**

Ground story facade area is measured between 1.5 and 8 feet above the top of the ground story finished floor elevation.



b. **Upper Stories**

i. For the purpose of calculating upper story transparency, upper story facade area is measured as the portion of the facade area between the top of the finished floor for that story and the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.



ii. Upper story transparency is measured separately for each individual story of a building facade above the ground floor.

5. **Relief**

a. A reduction to the total required transparent area for a story of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. A reduction beyond 10% may be requested in accordance with *Sec. 6.2.15.*

B. Blank Wall Width

The distance between widths of ground story facade and foundation wall without window or door openings.

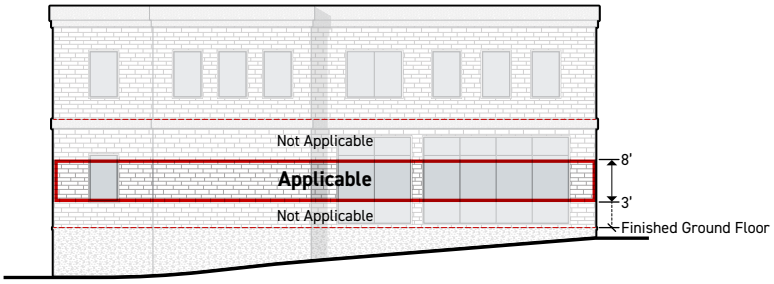
1. Intent

To provide visual interest and activation along the public realm by limiting the area without visual or physical connections between the public realm and the interior of a building.

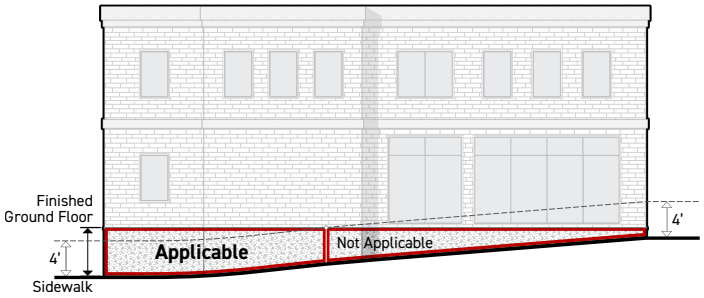
2. Applicability

Blank wall standards apply to the following:

a. Street-facing facades between 3 and 8 feet from the finish floor elevation of the ground story, measured vertically.



b. All portions of foundation walls on street-facing building facades that are exposed 4 feet in height or greater above existing grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of existing grade within 5 feet, measured from and perpendicular to the foundation wall.



3. Standards

a. General

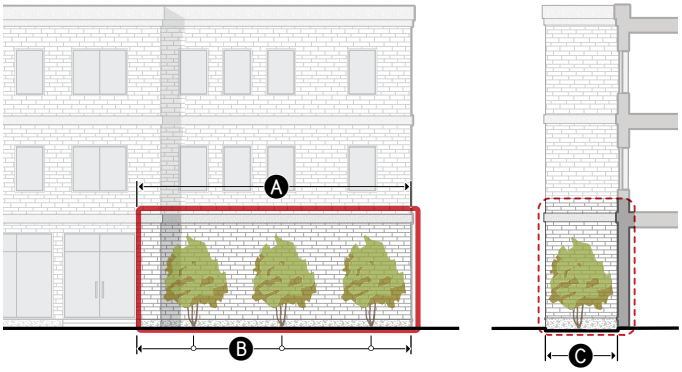
Windows and doors meeting the standards of ***Sec. 2.11.13.A.*** on applicable ground story facades or foundation walls can be separated by a distance no greater than the maximum blank wall width specified by the zoning district.

b. **Ground Story Facade Blank Wall Treatments**

Ground story facades that exceed the maximum allowed blank wall width may apply one or more of the following blank wall treatments and increase the allowed blank wall width by 100%.

UNDERSTORY TREES

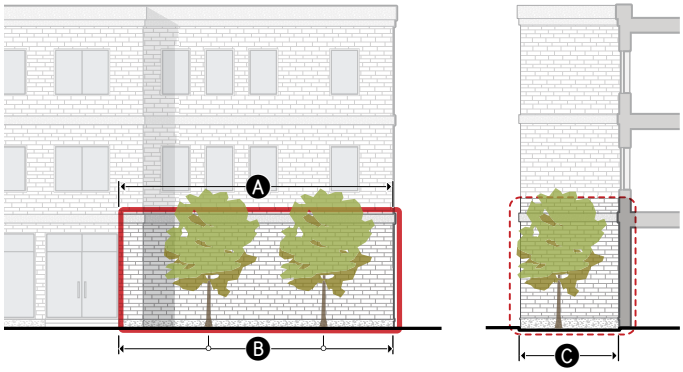
Small trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		
A	Treatment width (min % of blank wall width)	100%
	Tree type	Understory
B	Planting frequency (min avg.)	5 per 100'
C	Planting area depth (min)	7'

CANOPY TREES

Large trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		
A	Treatment width (min % of blank wall width)	100%
	Tree type	Canopy
B	Planting frequency (min avg.)	3 per 100'
C	Planting area depth (min)	15'

LIVING WALL

A permanently fixed assembly located between a ground story facade with no window or door openings and the public realm that supports plants, their growing medium, and irrigation.



DIMENSIONAL STANDARDS	
A Treatment area (min % of blank facade area)	75%

PUBLIC ART

A noncommercial image attached to the blank wall. Murals located on public property, within a public easement, or which receive funding from the City must be approved by Arts in Public Places.



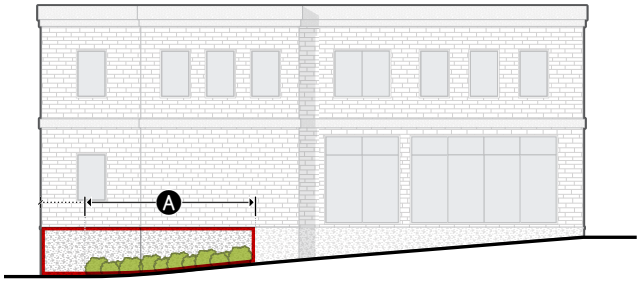
DIMENSIONAL STANDARDS	
A Treatment area (min % of blank facade area)	75%

c. **Blank Foundation Wall Treatments**

Foundation walls that exceed the maximum allowed blank wall width may apply one or more of the following blank foundation wall treatments and increase the allowed blank wall width by 100%.

FOUNDATION PLANTING

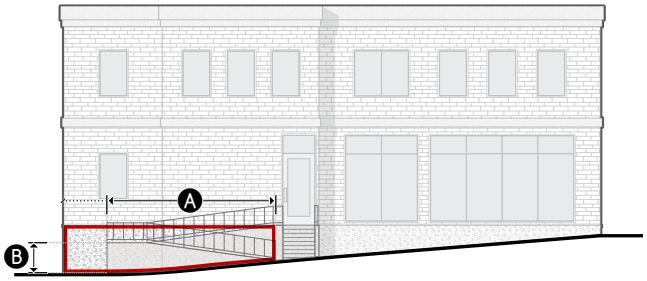
Screening plants located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		
A	Treatment width (min % of blank wall width)	75%
	Plant type	Screening plant
	Planting frequency (min avg.)	3 per 10’
	Planting area depth (min)	3’

PEDESTRIAN ACCESS

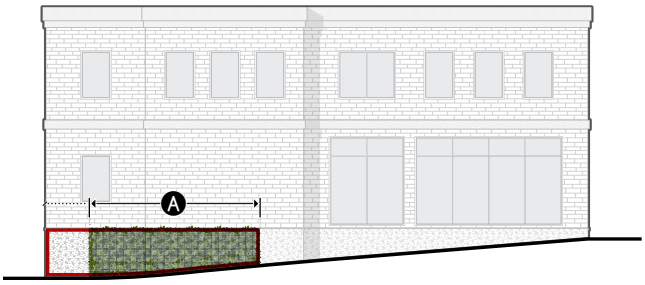
Stairs or ramps providing pedestrian access to a street-facing entrance located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		
A	Treatment width (min % of blank wall width)	75%
B	Height above sidewalk (max)	4’

LIVING WALL

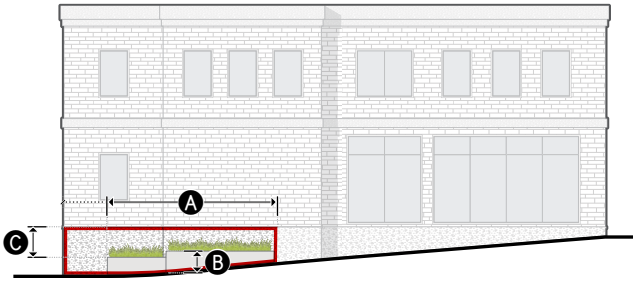
A structure permanently attached to a foundation wall with no window or door openings that supports climbing plants.



DIMENSIONAL STANDARDS		
A	Treatment area (min % of blank foundation wall area)	75%
	Planting area depth (min)	1.5’

PLANTER

Permanent structure containing plants and their growing medium located between a foundation wall with no window or door openings and the public realm.



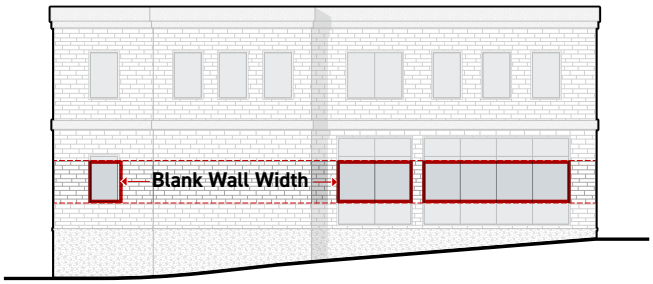
DIMENSIONAL STANDARDS		
A	Treatment area (min % of blank foundation wall area)	75%
	Planting area depth (min)	2.5’
B	Height above sidewalk (min)	4’
C	Foundation wall reveal (max)	2’

4. **Measurement**

a. **General**

i. Blank wall width is measured horizontally and parallel to the street boundary line from the edge of a window or door to the edge of an adjacent window or door, or to the edge of the ground story facade.

ii. Blank wall width is measured horizontally for any individual width of ground story facade that does not include transparency between 3 and 8 feet, measured vertically from the ground story finish floor elevation.



b. **Blank Wall Treatments**

i. **Treatment Width**

Minimum treatment width is measured as a percentage, calculated as the cumulative width of blank wall treatments divided by the total length of blank wall width.

ii. **Treatment Area**

Minimum treatment area is measured as a percentage, calculated as the cumulative area of blank wall treatments divided by the total applicable facade area within the blank wall width.

iii. **Tree Type**

See *Div. 19-4.10.* for understory and canopy tree planting requirements.

iv. **Plant Type**

See *Div. 19-4.10.* for screening plant planting requirements.

v. **Planting Frequency**

Planting frequency is measured as a ratio of the minimum number of plants required along the total length of the blank wall width. A minimum of one plant of the required plant type must be provided regardless of the width of blank wall treatment.

vi. **Planting Area Depth**

Minimum planting area depth is measured as the horizontal dimension of growing medium at the narrowest point, measured perpendicular to the applicable street lot line. The planting area must be open to the sky for at least the required planting area depth.

vii. **Height Above Sidewalk**

a) Height above sidewalk is measured vertically from adjacent sidewalk grade to the topmost point of the blank wall treatment.

b) For foundation walls located more than 10 feet from the sidewalk, maximum height above sidewalk is measured from the lowest elevation of existing grade to within 5 feet, measured from and perpendicular to the foundation wall, to the topmost point of the blank wall treatment.

viii. **Foundation Wall Reveal**

Foundation wall reveal is measured vertically from the top of an inactive wall treatment to the finished ground floor elevation along the entire treated portion of a blank foundation wall.

5. **Relief**

a. A change from any blank wall dimensional standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-2.11.14. ENTRANCES

A. Street-Facing Entry Spacing

A maximum distance between street-facing doors providing access from the public realm to the interior of a building.

1. Intent

To provide visual interest along the public realm, orient buildings to the public realm, and promote greater use and activation of the public sidewalk by limiting distance without physical connections between the public realm and the interior of a building.

2. Applicability

a. Street-facing entry spacing requirements apply to all ground story street-facing facades.

b. The maximum street-facing entry spacing requirements must be met for each building and abutting buildings on a lot or within a project site, but are not applicable to buildings unrelated to the project.

c. Accessory structures do not have to provide a street-facing entry, and are not included in the calculation of maximum street-facing entry spacing requirement.

3. Standards

a. A street-facing entry must be provided to meet the street-facing entry spacing requirements of the zoning district.

b. The number of street-facing entries on each building must meet, at a minimum, the number of entries as required by the average spacing established by the zoning district.[4]

c. Entrances satisfying the entry spacing requirement may not be located less than 20 feet apart. Entrances closer than 20 feet do not count toward the total number of required entrances.[4]

d. To qualify as a street-facing entry, building entrances must meet the following standards:

i. Be located on a street-facing ground story facade;

ii. Provide both ingress and egress pedestrian access to the ground story of the building;

iii. Remain operable at all times. Access may be controlled and limited to residents, or tenants; and

iv. Must access an occupiable space.

e. A primary street-facing entry is required for all buildings.

f. A side street-facing entry is only required when the building width along the side street is greater than the maximum entry spacing requirement for the zoning district.

g. On a corner lot, an angled entry at the corner of the building where the primary and side street-facing facades meet may be used to meet the requirement for a street-facing entry along both streets.

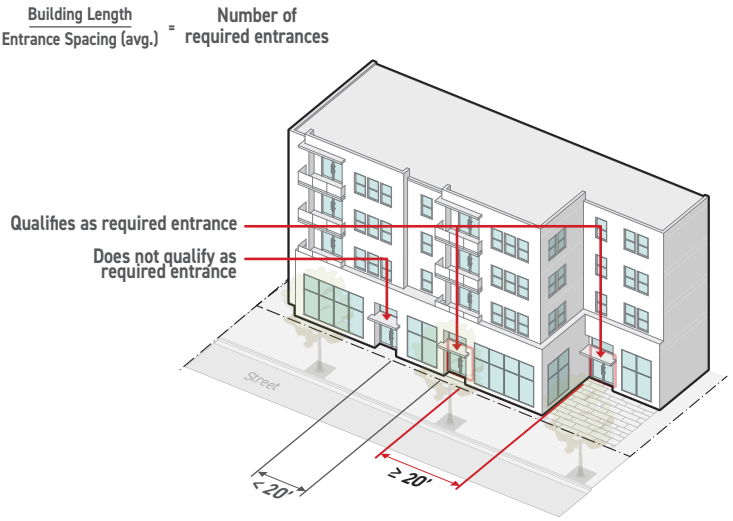
h. Non-required entries are allowed in addition to required entries.

i. For single-unit living uses, only one street-facing entry is required along the primary street.[4]

4. **Measurement**[4]

a. The number of required entrances is measured by dividing the total length of the street-facing facade by the average entry spacing identified in the zoning district.

b. When the application of these regulations results in a fraction, fractions corresponding to less than 0.5 shall be rounded down to the nearest whole number and fractions corresponding to 0.5 or greater shall be rounded up to the next whole number. In no case shall rounding result in less than one required street-facing entry. Fractions that result in less than one street-facing entry on that facade must be rounded to one.



5. **Relief**

a. An increase in the maximum street-facing entry spacing requirement of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. An increase beyond 10% may be requested in accordance with *Sec. 6.2.15.*

c. For uses that require security or privacy considerations or sites with significant site development constraints or topographic issues, the Administrator may approve an alternate street-facing entry configuration that does not meet the zoning district's maximum entry spacing or number of required entries. The alternate design must comply with the entry spacing standards to the maximum extent practicable.[3]

B. Entry Feature

Improved design requirements applied to entrances along the public realm.

1. **Intent**

To promote visual interest along the public realm, provide greater shelter and comfort to users, and highlight connections between the public and private realm to improve walkability.

2. **Applicability**

Entry feature standards apply to all required street-facing entrances where entry features are required by the zoning district.

3. **Standards**

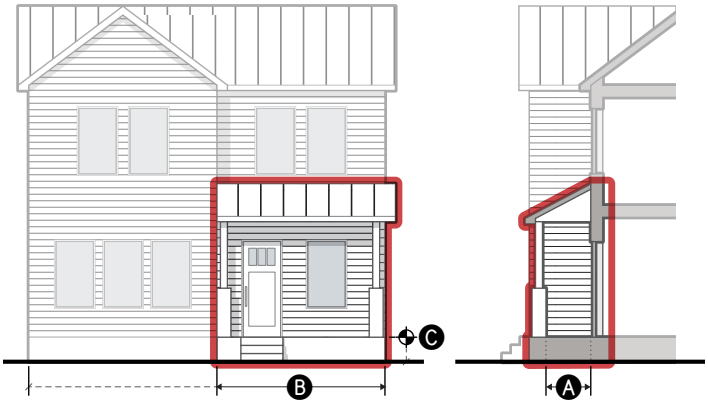
a. Any entry feature must face and be directly accessible from the public right-of-way along the applicable primary or side street lot line.

b. Any roof, canopy, or similar feature providing coverage for an entry feature must provide adequate protection from inclement weather for pedestrians using the entry.

c. An entry feature must meet all the standards of one of the following entry feature options:

PORCH

A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.

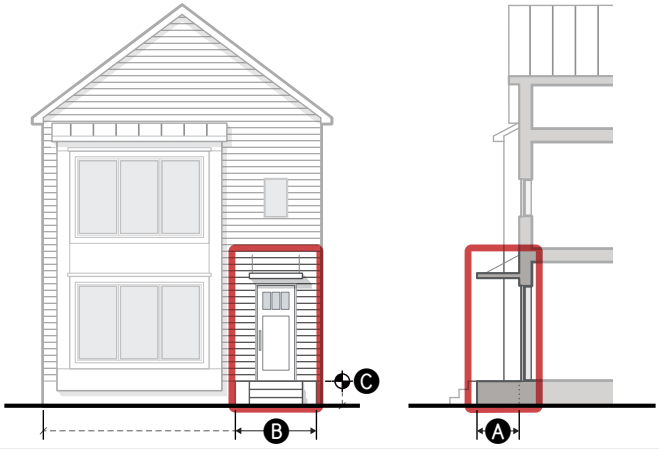


DIMENSIONAL STANDARDS

A	Depth (min)	5'
B	Width (min % of building width)	30%
	Covered entrance	n/a
	Covered area (min)	100%
C	Finished floor elevation (min/max)	2' / 5'
	Enclosure (max)	50%

RAISED ENTRY

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.

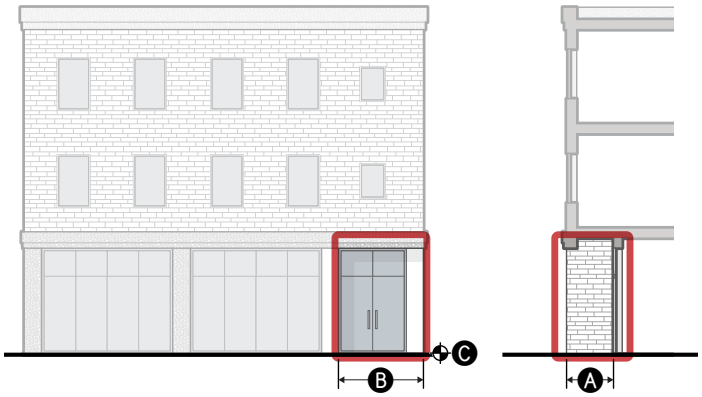


DIMENSIONAL STANDARDS

A	Depth (min)	3'
B	Width (min)	4'
	Covered entrance	Required
	Covered area (min)	n/a
C	Finished floor elevation (min/max)	2' / 5'
	Enclosure (max)	50%

RECESSED ENTRY

A space set behind the primary facade plane providing sheltered access to a street-facing entrance.

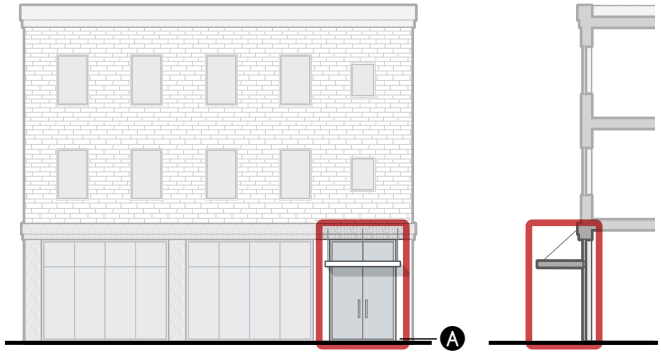


DIMENSIONAL STANDARDS

A	Depth (min/max)	3' / 15'
B	Width (min)	5'
	Covered entrance	Required
	Covered area (min)	100%
C	Finished floor elevation (min/max)	-2' / 5'
	Enclosure (max)	75%

COVERED ENTRY

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure.



DIMENSIONAL STANDARDS

	Depth (min)	n/a
	Width (min)	n/a
	Covered entrance	Required
	Covered area (min)	n/a
A	Finished floor elevation (min/max)	-2' / 2'
	Enclosure (max)	50%

FORECOURT

A yard screened with a short wall, fence or hedge that provides significant privacy for tenants located on the ground story, near sidewalk grade.



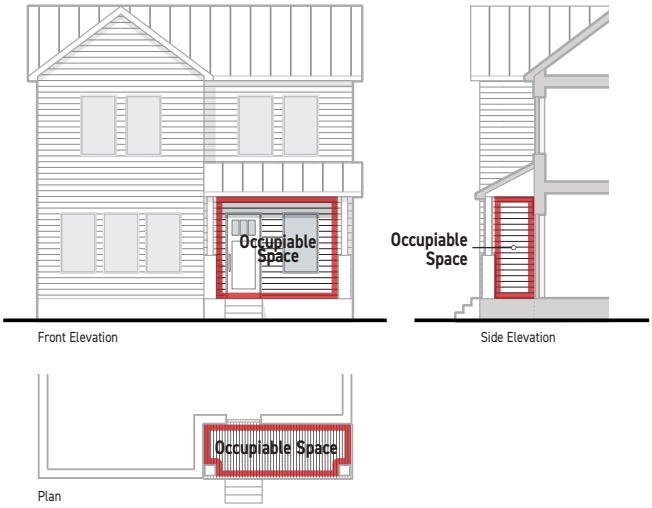
DIMENSIONAL STANDARDS	
A Depth (min)	8'
B Width (min)	10'
Covered entrance	Required
Covered area (min)	n/a
C Finished floor elevation (min/max)	-2' / 5'
Fence/wall height (min/max)	2.5' / 4'

4. Measurement

a. General

i. An entry feature is measured for each required street-facing entry based on whether the design of a street-facing entry meets the standards of an allowed entry feature.

ii. Entry feature standards apply only to the occupiable portion of an entry feature. Stairs and ramps used to access the entry feature are not considered occupiable area for the purpose of meeting entry feature standards.



b. Depth

Minimum depth is measured as the horizontal dimension at the narrowest point of an entry feature, perpendicular to the applicable street lot line.

c. Width

i. When specified in feet, width is measured as the total width of an entry feature, measured parallel to the applicable street lot line.

ii. When specified as a percentage, width is measured as the total width of the entry feature divided by the total width of the building that the entry provides access to, measured parallel to the applicable street lot line.

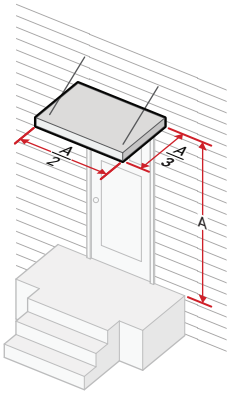
iii. When the calculation for an entry feature width percentage results in a fraction, the result is rounded up to the nearest whole number.

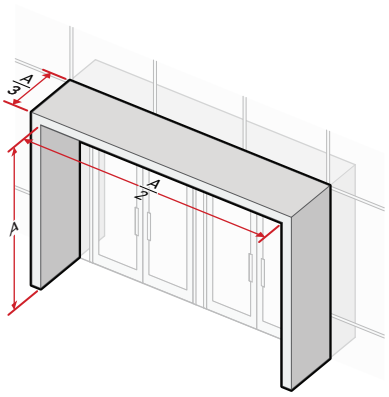
d. Covered Entrance

i. When required as a part of an entry feature, a canopy, roof, or other sheltering structure must cover the exterior area immediately abutting the associated street-facing entry.

ii. The minimum depth of the covered area must be the clear height of the covered area divided by 3.

iii. The minimum width of the covered area must be the clear height of the covered area divided by 2.





A = Clear Height

e. **Covered Area**

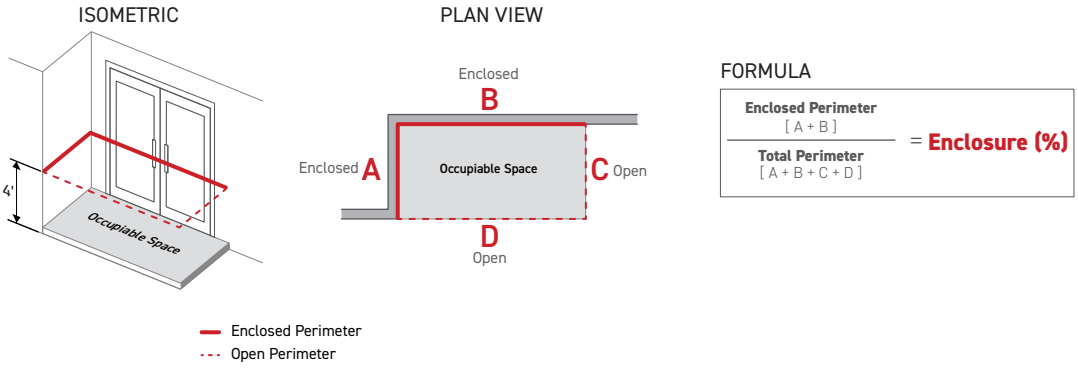
Covered area is measured as the portion of an entry feature area that is covered by a canopy, roof, or other sheltering structure, divided by the total entry feature area.

f. **Finish Floor Elevation**

Where a sidewalk exists within 10 feet of the entry feature, the finish floor elevation is measured from the average existing grade along the adjacent sidewalk to the top of the finished floor surface or ground surface of the entry feature. Average existing grade along the sidewalk is measured as described in *Sec. 2.11.10.A.4.c.*

g. **Enclosure**

Enclosure is measured as a percentage calculated by measuring the linear distance around the occupiable space of the entry feature at a height of 4 feet, and dividing the enclosed portions of the perimeter by the total perimeter.



5. Relief

a. A change from any entry feature dimensional standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

ART. 19-2 AMENDMENTS

1. *Code 2023, §19-2; Ord. No. 2024-16, §19-2, 3-11-2024*
2. *Code 2023, §19-2; Ord. No. 2024-63, §19-2, 10-14-2024*
3. *Code 2023, §19-2; Ord. No. 2025-14, §19-2, 2-10-2025*
4. *Code 2023, §19-2; Ord. No. 2025-59, §19-2, 8-25-2025*

ART. 19-3. **USE REGULATIONS**

Div. 19-3.1. Applicability 3-2
19-3.1.1. General 3-2

Div. 19-3.2. Permitted Use Table 3-3
19-3.2.1. Use Table Interpretation 3-3
19-3.2.2. Use Table 3-5

Div. 19-3.3. Use Definitions..... 3-10
19-3.3.1. Use Definition Interpretation 3-10
19-3.3.2. Residential Uses 3-10
19-3.3.3. Public and Institutional Uses 3-11
19-3.3.4. Commercial Uses. 3-14
19-3.3.5. Industrial uses. 3-19

Div. 19-3.4. Use Standards 3-22
19-3.4.1. Applicability 3-22
19-3.4.2. Residential Use Standards 3-22
19-3.4.3. Public and Institutional Use Standards 3-23
19-3.4.4. Commercial Use Standards 3-29
19-3.4.5. Industrial Use Standards 3-35
19-3.4.6. ADDITIONAL USE STANDARDS 3-36

Div. 19-3.5. Accessory Uses and Structures..... 3-38
19-3.5.1. General standards 3-38
19-3.5.2. Specific Standards 3-39

Div. 19-3.6. Temporary Uses and Structures 3-44
19-3.6.1. General Standards 3-44
19-3.6.2. Specific Standards 3-45

DIV. 19-3.1. **APPLICABILITY**

19-3.1.1. **GENERAL**

A. Use regulations apply based on the development activities proposed, as shown in the table below. Typically, more than one development activity will apply (for example, an expansion of an existing use may include both an addition and a facade modification).

		PROJECT ACTIVITY							
USE REGULATIONS		New Construction	Addition	Site Modification	Facade Modification	Minor Change of Use [4]	Major Change of Use [4]	Minor Renovation [3]	Maintenance and Repair
Use Permissions	*Div. 19-3.2.*	●	●	●	○	●	●	●	○
Use Definitions	*Div. 19-3.3.*	●	●	●	○	●	●	●	○
Use Standards	*Div. 19-3.4.*	●	●	●	○	●	●	●	○
Accessory Uses and Structures	*Div. 19-3.5.*	●	●	●	○	●	●	●	○
Temporary Uses and Structures	*Div. 19-3.6.*	●	●	●	○	●	●	●	○

KEY: ● = Standards generally apply ○ = Standards do not apply

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that section. Applicability may be modified for existing structures by ***Div. 19-6.3.*** Where a section is listed as not applying, no requirements in that section apply.

C. The general applicability in this section may be further modified by the applicability provisions for each set of standards in this Section.

D. Project activity types are defined in *Sec. 2.1.2.*

DIV. 19-3.2. PERMITTED USE TABLE

19-3.2.1. USE TABLE INTERPRETATION

A. Use Table Key

1. Allowed Uses

a. P = A use allowed with approval of the Administrator.

b. P* = A use allowed with approval of the Administrator, provided it meets the use standards in the right-hand column of the use table.

2. Discretionary Allowed Uses

a. S = A use that is allowed only with approval of the Board of Zoning Appeals as a special exception.

b. S* = A use that is allowed only with approval of the Board of Zoning Appeals as a special exception, provided it also meets the use standards in the right-hand column of the use table.

3. Uses Not Allowed

a. - = A use that is not allowed.

4. Use Intensity[4]

a. H = A use that is classified as a High Intensity Use.

b. M = A use that is classified as a Medium Intensity Use.

c. L = A use that is classified as a Low Intensity Use.

d. Accessory uses are excluded from use intensity classification.

B. Use Restrictions in All Districts

1. Size

a. Size restrictions expressed as square feet (SF) in the use table refer to gross floor area per tenant.

b. Size restrictions expressed as acreage in the use table refer to the total size of the site.

2. Hours of Operation

Any use open to the public with hours of operation between 12:00 a.m. (midnight) and 5:00 a.m. requires a Special Exception permit and must comply with the standards of ***Sec. 3.4.6.***

3. Delivery and Waste Collection Hours

With the exception of BG, BH, and IG zones which do not abut residential districts, delivery, waste collection, and similar commercial traffic is prohibited between the hours of 10:00 p.m. and 7:00 a.m.

C. Uses Prohibited in All Districts

The following uses are specifically prohibited in all zoning districts within the City of Greenville.

1. Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible, toxic, or explosive materials in violation of the State fire code.
2. Rendering plants.
3. Slaughter houses/meat packaging plants.
4. Production of chemical, leather, rubber, or similar products.
5. The display and sale of motor vehicles except for approved auto/truck/recreational vehicle sales establishments.
6. The repair of more than one motor vehicle owned by a person living at a residence.
7. Storage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational.
8. Any use that creates a foul odor off-premises on a regular basis.
9. Ice vending machines. This prohibition does not apply to ice chests or coolers at an allowed primary use.[3]

19-3.2.2. **USE TABLE**

Use Category Specific Use	HOUSE-SCALE				NEIGHBORHOOD-SCALE					COMMUNITY-SCALE			MIXED USE				SHOPFRONT MIXED USE				BUSINESS		INDUSTRIAL		SPECIAL			Intensity	Use Standards
	RH-A	RH-B	RH-C	RH-D	RN-A	RN-B	RNX-B	RN-C	RNX-C	RC-2	RC-3	RC-5	MX-2	MX-3	MX-5	MX-D	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV	CM	PK		
RESIDENTIAL USES																													
Household Living																													
Single-unit living	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	-	P	-	L	
Multi-unit living	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P*	P*	P*	P*	P	-	P	-	-	P	-	M	*Sec. 3.4.2.A.*
Manufactured home park	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	H	*Sec. 3.4.2.A.*
Group Living																													
General group living	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	-	P	-	M	
PUBLIC AND INSTITUTIONAL USES																													
Civic																													
General civic	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	M	
Detention center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	S	-	-	H	
Religious assembly[5]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	M	
Shelter	-	-	-	-	-	-	-	-	-	-	-	-	S*	S*	S*	-	-	-	-	-	P*	-	P*	-	P*	-	-	H	*Sec. 3.4.3.A.*
Day Care																													
Group day care home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	M	
Day care center or preschool	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	M	
Education																													
School	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	H	
College, university or trade school	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	P*	-	H	*Sec. 3.4.3.B.*

KEY: P = Use allowed S = Use requires Special Exception approval * = Use standards apply - = Use not allowed

H = High Intensity Use M = Medium Intensity Use L = Low Intensity Use

Use Category Specific Use	HOUSE-SCALE				NEIGHBORHOOD-SCALE					COMMUNITY-SCALE			MIXED USE				SHOPFRONT MIXED USE				BUSINESS		INDUSTRIAL		SPECIAL			Intensity	Use Standards
	RH-A	RH-B	RH-C	RH-D	RN-A	RN-B	RNX-B	RN-C	RNX-C	RC-2	RC-3	RC-5	MX-2	MX-3	MX-5	MX-D	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV	CM	PK		
Parks and Open Space																													
General parks and open space (up to 1 acre)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	L	*Sec. 3.4.3.C.*
General parks and open space (1+ acres)	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	L	
Commercial Greenhouse/ Nursery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	M	
Cemetery, columbarium or mausoleum	-	-	-	-	-	-	-	-	-	S	S	S	-	-	-	-	-	-	-	-	S	S	-	-	S	-	P	L	
Utilities																													
Utility, major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	H	
Utility, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	H	
Wireless communications facilities, freestanding tower[2]	S	S	S	S	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	P*	P*	-	P*	P*	P*	P*	P*	P*	P*	H	*Sec. 3.4.3.D.*
Wireless communications facilities, all other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	L	*Sec. 3.4.3.D.*
COMMERCIAL USES																													*Sec. 3.4.4.A.*
Entertainment and Recreation																													
General indoor entertainment and recreation (up to 6,000 SF)[2]	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	S	P*	-	H	*Sec. 3.4.4.B.*
General indoor entertainment and recreation (6,000+ SF)[3]	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	P*	P*	P*	P*	P*	P*	S	P*	-	H	*Sec. 3.4.4.B.*
General outdoor entertainment and recreation[2]	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	P*	S	P*	P*	P*	S	P*	S	H	*Sec. 3.4.4.B.*
Casino or gambling establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	H	
Private civic club or lodge	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	M	

KEY: P = Use allowed S = Use requires Special Exception approval * = Use standards apply - = Use not allowed

H = High Intensity Use M = Medium Intensity Use L = Low Intensity Use

Use Category Specific Use	HOUSE-SCALE				NEIGHBORHOOD-SCALE					COMMUNITY-SCALE			MIXED USE				SHOPFRONT MIXED USE				BUSINESS		INDUSTRIAL		SPECIAL			Intensity	Use Standards
	RH-A	RH-B	RH-C	RH-D	RN-A	RN-B	RNX-B	RN-C	RNX-C	RC-2	RC-3	RC-5	MX-2	MX-3	MX-5	MX-D	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV	CM	PK		
Food and Beverage																													
General food and beverage (up to 6,000 SF)	-	-	-	-	-	-	S*	-	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	H	*Sec. 3.4.4.C.*
General food and beverage (6,000+ SF)	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	H	*Sec. 3.4.4.C.*
Bar or nightclub	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	H	*Sec. 3.4.4.C.*
Brewpub[5]	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	H	*Sec. 3.4.4.C.*
Microbrewery, small winery or microdistillery[5]	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	H	*Sec. 3.4.4.C.*
Lodging																													
General lodging (up to 10 guest rooms)	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	H	*Sec. 3.4.4.D.*
General lodging (10+ guest rooms)	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-	H	*Sec. 3.4.4.D.*
Medical																													
General medical (up to 6,000 SF)	-	-	-	-	-	-	P*	-	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	M	*Sec. 3.4.4.E.*
General medical (6,000+ SF)	-	-	-	-	-	-	-	-	P*	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	M	*Sec. 3.4.4.E.*
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	P	-	P	P	-	-	P	P	-	H	
Medical collection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	-	H	
Medical laboratory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	M	
Office																													
General office (up to 6,000 SF)[2]	-	-	-	-	-	-	P	-	P	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	M	*Sec. 3.4.4.F.*
General office (6,000+ SF)[3]	-	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	P	P	P	P	P	S	P	P	P	P	-	M	*Sec. 3.4.4.F.*
Data center	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	-	P*	-	M	*Sec. 3.4.4.F.*
Bail bond service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-	-	M	

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H = High Intensity Use M = Medium Intensity Use L = Low Intensity Use

Use Category / Specific Use	HOUSE-SCALE				NEIGHBORHOOD-SCALE					COMMUNITY-SCALE			MIXED USE				SHOPFRONT MIXED USE				BUSINESS		INDUSTRIAL		SPECIAL			Intensity	Use Standards
	RH-A	RH-B	RH-C	RH-D	RN-A	RN-B	RNX-B	RN-C	RNX-C	RC-2	RC-3	RC-5	MX-2	MX-3	MX-5	MX-D	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV	CM	PK		
Parking																													
Commercial surface parking	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	P*	P*	-	H	*Sec. 3.4.4.G.*
Commercial structured parking	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	P*	P*	-	H	*Sec. 3.4.4.G.*
Remote Parking [3]	-	-	-	-	-	-	S*	-	S*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	P*	P*	-	M	*Sec. 3.4.4.G.*
Personal Service																													
General personal service (up to 6,000 SF)	-	-	-	-	-	-	P	-	P	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	M	
General personal service (6,000+ SF)	-	-	-	-	-	-	-	-	-	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	M	
Animal Care, outdoor [2]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P*	-	-	-	H	*Sec. 3.4.4.H.*
Tattoo Facility [2]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	-	H	*Sec. 3.4.4.H.*
Retail																													
General retail (up to 6,000 SF)	-	-	-	-	-	-	S	-	P	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	M	
General retail (6,000+ SF)	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	P	-	M	
Alternative financial service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	-	-	-	-	H	*Sec. 3.4.4.I.*
Liquor store	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	-	P*	P*	P*	-	-	-	-	H	*Sec. 3.4.4.I.*
Pawnshop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	H	
Sexually-oriented business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S*	-	-	-	H	*Sec. 3.4.4.I.*
Smoke or Vape Shops [3]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	-	-	-	H	*Sec. 3.4.4.I.*
Transportation																													
Passenger terminal	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	P	P	P	P	P	P	-	H	
Airport or heliport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	H	
Vehicle Sale and Service																													
Vehicle repair or service (up to 10,000 pounds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	-	-	-	H	*Sec. 3.4.4.K.*
Vehicle repair or service (over 10,000 pounds) [4]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	P*	-	-	H	*Sec. 3.4.4.K.*
Vehicle sale or rental (up to 10,000 pounds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	P*	-	-	-	H	*Sec. 3.4.4.K.*

KEY: P = Use allowed S = Use requires Special Exception approval * = Use standards apply - = Use not allowed

H = High Intensity Use M = Medium Intensity Use L = Low Intensity Use

Use Category Specific Use	HOUSE-SCALE				NEIGHBORHOOD-SCALE					COMMUNITY-SCALE			MIXED USE				SHOPFRONT MIXED USE				BUSINESS		INDUSTRIAL		SPECIAL			Intensity	Use Standards
	RH-A	RH-B	RH-C	RH-D	RN-A	RN-B	RNX-B	RN-C	RNX-C	RC-2	RC-3	RC-5	MX-2	MX-3	MX-5	MX-D	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV	CM	PK		
Vehicle sale or rental (over 10,000 pounds)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	-	-	H	*Sec. 3.4.4.K.*
Fueling station	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	-	-	-	H	*Sec. 3.4.4.K.*
INDUSTRIAL USES																													
Industrial and Manufacturing																													
Low-impact industrial and manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	P	P	-	P	-	M	
High-impact industrial and manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	-	-	H	*Sec. 3.4.5.A.*
Research and development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	-	-	P*	S	S	P	P	-	P	-	M	*Sec. 3.4.5.A.*
Warehouse and Distribution																													
General warehouse and distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	H	*Sec. 3.4.5.B.*
Distribution storage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	H	
Self-service storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	H	
Vehicle storage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	H	
Waste-Related Service																													
Waste disposal or treatment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	H	
Recycling drop-off center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	H	
ACCESSORY USES																													
Accessory dwelling unit[5]	P*	P*	P*	P*																								-	*Sec. 3.5.2.A.*
Drive-thru	-	-	-	-	-	-	-	-	-	-	-	-	S*	S*	S*	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	*Sec. 3.5.2.B.*
Drive-in	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	*Sec. 3.5.2.C.*
Home day care	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	P*	-	-	*Sec. 3.5.2.D.*
Home occupation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	P*	-	-	*Sec. 3.5.2.E.*
Outdoor dining	-	-	-	-	-	-	P*	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	*Sec. 3.5.2.F.*
Outdoor display	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	P*	-	-	*Sec. 3.5.2.G.*
Outdoor entertainment	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	*Sec. 3.5.2.H.*
Outdoor storage	-	-	-	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	*Sec. 3.5.2.I.*
Outdoor video screen[3]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P*	-	-	-	-	-	-	P*	-	-	-	-	-	*Sec. 3.5.2.J.*

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DIV. 19-3.3. USE DEFINITIONS

19-3.3.1. USE DEFINITION INTERPRETATION

A. Uses are organized by use category (such as Household Living or Group Living) and then by specific use within that category (such as single-unit living or multi-unit living). Use categories do not have permissions; they are used to organize specific uses with similar attributes. Specific uses within each use category have permissions that determine if that use is allowed in a particular zoning district.

B. When a proposed use is not listed, the Administrator has the responsibility for determining whether the proposed use is similar to an already listed use. Where a use contains a list of included uses, the uses on the list are to be considered example uses, and not all-inclusive. The Administrator will first determine what use category the use is most similar to, and then determine the most similar specific use.

C. When determining whether a proposed use is similar to an already listed use, the Administrator will consider the following criteria:

1. Actual or projected characteristics of the use.
2. Amount and nature of any nuisances generated on the premises.
3. Type, size, nature and arrangement of buildings and structures.
4. Relative amount and types of sales.
5. Relative number of employees and customers.
6. Hours of operation.
7. Number of vehicle trips generated, types of vehicles, and parking demand.
8. Anticipated amount and type of outdoor storage.
9. Likely impact on adjacent properties.

D. Multiple principal uses are allowed on a lot when the uses are all allowed in the district and the standards for all uses on the lot can be met.

19-3.3.2. RESIDENTIAL USES

A. Household Living Use Category

Residential occupancy of a dwelling unit by a household. A household is considered one or more persons living together in a dwelling unit, with common access to, and common use of, all living, kitchen, and eating areas within the dwelling unit. Tenancy is typically arranged for 30 days or more. Household living is consolidated into the following groups:

1. **Single-Unit Living**

   One primary dwelling unit on a lot. May include one accessory dwelling unit on the same lot that is detached, attached, or internal to the principal structure.[5]

2. **Multi-Unit Living**

   Two or more primary dwelling units on a lot.

3. **Manufactured Home Park**

   A site which contains or is intended for the long-term location of manufactured homes that may include services and facilities for the residents. Includes both manufactured home park (with leased or condominium spaces) and manufactured home subdivision (individually platted spaces).

B. Group Living Use Category

Residential occupancy of a building by a group of people that does not meet the definition of household living. Tenancy is typically arranged for 30 days or more. Generally, group living facilities have a common eating area for residents and residents may receive care, training or treatment.

1. **General Group Living**

   Group living uses that provide for a variety of living facilities. Typical examples include boarding house, dormitory, fraternity or sorority house, monastery or convent, single-room-occupancy (SRO) housing, cooperative housing, assisted living facility, community residential care facility, group foster homes, hospice, nursing homes, rehabilitation center, and alternative/post incarceration facility.

19-3.3.3. PUBLIC AND INSTITUTIONAL USES

A. Civic Use Category

Uses that provide ongoing governmental, life safety, educational, and cultural services to the general public, uses that provide meeting areas for religious practice. Civic is consolidated into the following groups:

1. **General Civic**

   Civic uses that provide general governmental, life safety and cultural services. Typical examples include community center, emergency response facility, government office, library, museum, police substation, post office, senior center, social service facility, and youth club facility.

2. **Detention Center**

   A use for the judicially required detention or incarceration of people, where inmates and detainees are typically under 24-hour supervision. Typical examples include prison, jail, probation center, and juvenile detention home.

3. **Religious Assembly**

   A use that provides meeting areas for religious activities, including facilities operated by a religious group and used for educational or recreational activities. Typical examples include church, chapel, mosque, temple, and synagogue.

4. **Shelter**

   A use that provides temporary sleeping facilities for unhoused or displaced persons, typically for periods less than 30 days.

B. Day Care Use Category

Uses that provide care, protection and supervision of children or adults on a regular basis in a facility away from their primary residence, primarily during daytime hours, for less than 24 hours per day. Day Care is consolidated into the following groups:

1. **Group Day Care Home**

   A use that provides care for a minimum of 7 and a maximum of 12 persons in the residence of the provider.

2. **Day Care Center or Preschool**

   A use that provides care services and that may include some instruction. Typical examples include childcare center, "Head Start" program, nursery school, parent cooperative preschool, or drop-in center.

C. Education Use Category

Uses that provide educational services to students. Education is consolidated into the following groups:

1. **School**

   A use that provides education to students at the pre-kindergarten, kindergarten, elementary, middle, or high school level.

2. **College, University or Trade School**

   A use that provides post-secondary education to students. Typical examples include college or university, community college, nursing and medical schools not accessory to a hospital, seminary, and business or trade school.

D. Parks and Open Space Use Category

Uses that provide active or passive outdoor recreation. Typically, areas and facilities are publicly accessible and often contain recreational equipment such as slides, swings, climbing frames, ballfields, soccer fields, basketball courts, swimming pools, splash pads, and tennis courts. Parks and open space uses are consolidated into the following groups:

1. **General Parks and Open Space**

   Parks and open space uses that provide for outdoor recreation to the general public. Typical examples include neighborhood, community or regional park; community or neighborhood pools and amenity areas; dog park; community or botanical garden; conservation or preservation area; public square or plaza; golf course; and recreational trail, greenway, or multi-use path.

2. Greenhouse

A building or structure whose roof and sides are made largely of glass or other transparent or translucent material where the temperature and humidity can be regulated for the cultivation or protection of plants.

3. Cemetery, Columbarium or Mausoleum

A use that provides for the interment of human or animal remains, including a cemetery for earth interments, a columbarium for cinerary interments, or a mausoleum for vault interments.

E. Utilities

Uses that generate and distribute utility services such as electricity, gas, sewer, water, cable and internet. Utilities are consolidated into the following groups:

1. Utility, Major

A use that provides services of a regional nature that normally entail the construction of new buildings or structures. Typical examples include power generating plants and sources; electrical switching facilities, stations and substations; water and wastewater treatment plants; solar farms; and water towers.

2. Utility, Minor

A use that provides services that are necessary to support development within the immediate vicinity and that involve only minor structures. Typical examples include small facilities such as transformers, relay and booster devices; well water and sewer pump stations; stormwater retention and detention facilities; telephone exchanges; and surface transportation stops.

3. Wireless Communications Facilities, Freestanding Tower

A structure erected on the ground and used primarily for the support of broadcast or receiving equipment used by commercial, governmental, or other public or quasi-public users. A communication tower includes structures supporting equipment used in the provision of personal wireless services, but does not include private household use of satellite dishes and television antennas, or amateur radio operators licensed by the Federal Communications Commission.

4. Wireless Communications Facilities, All Other

All other wireless communications facilities, including:

a. **Communications Tower, Roof-Mounted**

A structure placed on a building used primarily for the support of broadcast or receiving equipment and used by commercial, governmental, or other public or quasi-public users. A communication tower includes structures supporting equipment used in the provision of personal wireless services, but does not include private home use of satellite dishes and television antennas or amateur radio operators as licensed by the Federal Communications Commission.

b. **Small Wireless Facility within Right-of-Way**

A small wireless facility, as defined by ***Sec. 36-131,*** located in the right-or way.

c. **Other Wireless Communications Facilities within Right-of-Way**

A wireless communication facility other than a small wireless facility, located in the right-of-way.

19-3.3.4. COMMERCIAL USES

A. Entertainment and Recreation Use Category

Uses that provide continuous or periodic entertainment or recreational activity. Entertainment and recreation is consolidated into the following groups:

1. General Indoor Entertainment and Recreation

Entertainment and recreation uses that operate primarily in an indoor setting. Typical examples include arcade, arena, bowling alley, cinema, concert hall, convention center, dance hall, event venue, firing range, ice or roller skating rink, indoor stadium, pool hall, and theater.

2. General Outdoor Entertainment and Recreation

Entertainment and recreation uses that operate primarily in an outdoor setting. Typical examples include amusement or water park; amphitheater; athletic complex; outdoor stadium; ballfields; basketball or tennis court; bicycle, skateboarding or roller blading facility; drive-in or outdoor theater; golf driving range; miniature golf course; and horse stable or equestrian center.

3. Casino or Gambling Establishment

Any business, regardless of principal use, having within a single structure the operation for gambling purposes of more than 5 player stations for machines that are subject to licensing under *SC Code 1976, § 12-21-2720(A)(3)*; or any 2 or more establishments having such machines, regardless of number, and located within 100 feet of each other when the licenses for such establishment are issued to the same person or to a business entity having the same principals.

4. Private Civic Club or Lodge

A use that provides meeting areas for membership organizations that hold regular meetings or events for dues-paying members and their guests.

B. Food and Beverage Use Category

Uses that prepare and sell food and beverage for on- or off-premise consumption. Food and beverage is consolidated into the following groups:

1. General Food and Beverage

Food and beverage uses that prepare and sell food or beverage. Typical examples include bakery, catering facility, cafe, coffee and tea shop, commercial kitchen, fast food establishment, ice cream or yogurt shop, juice or smoothie bar, restaurant, and pizza delivery establishment. Includes ancillary alcohol sales.

2. **Bar or Nightclub**

   A use primarily for serving beer, wine, liquor, or tobacco for on-site consumption. May include a dance floor, live or amplified music, or sell food for on-premise consumption. Typical examples include bar, nightclub, cigar bar, and hookah lounge.

3. **Brewpub**

   A use that manufactures not more than 2,000 barrels of beer per calendar year for on-premise consumption. May serve beer or wine produced off-premise for on-premise consumption, or sell food for on-premise consumption.

4. **Microbrewery, Small Winery or Microdistillery**

   A use that manufactures not more than 20,000 barrels of beer or cider, 50,000 gallons of wine or mead, or 125,000 cases of liquor per calendar year for on- or off-premise consumption.

C. Lodging Use Category

Uses with individual sleeping or living units that provide overnight accommodations to guests for short-term stays of generally less than 30 days. Lodging is consolidated into the following groups:

1. **General Lodging:**

   Lodging uses that provide for a variety short-term stay facilities. Typical examples include hotel, motel, inn, bed and breakfast, hostel, short-term rental and extended stay facility.

D. Medical Use Category

Uses that provide medical, surgical or dental care to patients such as the diagnosis, treatment, mitigation, cure or prevention of disease. Medical is consolidated into the following groups:

1. **General Medical**

   Medical uses that administer human health care in a non-hospital, outpatient setting. Typical examples include medical office or clinic, dental office or clinic, acute care facility, birthing center, optometrist, orthodontist, physical therapy office, surgical out-patient facility, urgent care, and accessory laboratory.

2. **Hospital**

   A use that administers primarily in-patient, intensive, human medical or surgical care, including stand-alone emergency care services.

3. **Medical Collection**

   A use that pays compensation for the collection of blood or other bodily fluids, excluding blood or plasma donation establishments and sites.

4. **Medical Laboratory**

   A use that conducts medical research or testing and examining of materials derived from the human body, such as fluid, tissue or cells, for the purpose of providing information on diagnosis, treatment, mitigation, cure or prevention of disease. Includes compounding pharmacy and training of medical students.

E. Office Use Category

Uses characterized by activities conducted in a private or co-working setting and generally focusing on business, professional or financial services. Office is consolidated into the following groups:

1. General Office

Office uses that provide space for a variety of business, professional or financial services to be conducted. Typical examples include accounting, advertising, architecture, auditing, banking, bookkeeping, consulting, contracting, design, employment, engineering, insurance, investment, legal, real estate, security or technology services; call centers; radio or TV broadcasting studio; and recording studio.

2. Data Center

A use primarily for the storage, management, processing, and transmission of digital data, housing computer and network equipment, systems, servers, appliances and other associated components related to digital data operations. May also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center.

3. Bail Bond Service

A use that provides services by a licensed bail bondsman.

F. Parking Use Category

Uses that provide parking as a principal use. Parking is consolidated into the following groups:

1. Commercial Surface Parking

A use that provides vehicle storage or parking on a surface lot, paved or unpaved, as a principal use.

2. Commercial Structured Parking

A use that provides vehicle storage and parking in a building or structure as a principal use.

3. Remote Parking

A use that provides vehicle storage and parking as a principal use that serves as off-site parking for another nearby use. Any vehicle storage or parking area located in one zoning district that serves a use in another zoning district is also considered Remote Parking, whether located on the same lot or a separate lot.[3]

G. Personal Service Use Category

Uses involved in providing personal care or repair services. Personal service is consolidated into the following groups:

1. General Personal Service

Personal service uses that provide a variety of personal care or repair services. Typical examples include barbershop, salon and spa; copy, printing or shipping service; dance, martial art or music school; health

club or gym; indoor kennel, veterinary clinic or animal grooming service; funeral home or mortuary without cremation service; laundromat, laundry drop-off facility or dry-cleaning that does not involve hazardous chemicals; tailor, shoe repair or upholsterer; and body piercing.[2]

2. **Animal Care, Outdoor**

   a. An animal care facility, veterinary clinic, overnight or daytime boarding facility, or other use with an outdoor kennel, amenity area, or other area intended for animal use.[2]

   b. A small outdoor animal use area that is incidental to an indoor kennel, veterinary clinic, or animal grooming service may be permitted with a General Personal Service use under 19-3.3.4.G.1, provided that the outdoor area is limited to animal relief or temporary holding and will not generate adverse impacts on surrounding properties.[2]

3. **Tattoo Facility**

   A use that involves the application of tattoos to the human body. Tattoo facilities do not include the removal of tattoos nor the practice of micropigmentation which are classified as "General Medical" uses for the purposes of this Chapter. This use furthermore does not apply to removal procedures done at a physician's office, such as by a dermatologist, cosmetic surgeon, or similar physician.[2]

H. Retail Use Category

Uses involved in the sale, lease or rent of new or used products. Retail is consolidated into the following groups:

1. **General Retail**

   Retail uses that sell, lease or rent a variety of new or used products. Typical examples include, appliance store; bicycle sales, rental or repair; book store; clothing or shoe store; craft or fabric store; electronics store; department store; drug store or pharmacy; flower shop; home goods or furniture store; hardware store; musical instrument sales, rental or repair; optician; pet store; sporting goods store; toy store; automobile parts store; bank, financial institution or ATM; convenience store without gasoline sales; photography, art, dance studio or gallery; farmers market; grocery store; landscape or plant nursery; and jewelry store.

2. **Alternative Financial Service**

   A use that provides high interest short-term loans, check cashing services, or that purchases precious/semiprecious metals, stones or gems from the general public. Typical examples include check cashing establishment, title loan lenders, payday lenders, deferred presentment lenders, and dealers in precious metals.

3. **Liquor Store**

   A use or place of business that holds a State Alcoholic Beverage License exclusively for the retail sale of alcoholic beverages, excluding beer and wine, in original packages for off-premise consumption.

4. **Pawnshop**

   A use or business that regularly lends money on the security of pledged goods or engages 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.

5. **Sexually-Oriented Business**

   An adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, or a sex paraphernalia store, as defined in Chapter 8, Article IV, Sexually Oriented Businesses of the Municipal Code.

6. **Smoke or Vape Shops**[3]

   Any retail establishment that sells, dispenses, promotes, or displays vaping devices or products; smoke paraphernalia; electronic cigarettes or products; tobacco products; cigarettes; cigars; plant material (shredded or dried); smoking blends; cannabis, hemp, and cannabinoid products legalized for retail sale under state law and intended to be inhaled or smoked; or similar products, whether in liquid, gel, solid, or other form, that are inhaled or smoked and which meets any of the following criteria:

   a. More than two percent (2%) of the total square footage of the business, or 200 square feet, whichever is less, is used for the sale, dispensing, promotion, or display of such products or devices, or, as to any such retail business consisting of 250 square feet or less, more than five (5) square feet is used for such purposes.

I. Transportation Use Category

Uses that facilitate the boarding, loading, arrival or departure of passengers and goods for a variety of mobility and transportation options including trains, buses, boats, planes, cars and helicopters. Transportation is consolidated into the following groups:

1. **Passenger Terminal**

   A use for the pickup and drop off of passengers. Typical examples include bus transfer facility or bus station, light rail station, multi-modal facility, and transit station or rail station.

2. **Airport or Heliport**

   A use that provides a facility or location designed, used, or intended to be used for the landing or taking off of aircrafts or helicopters, including all necessary taxiways, aircraft and helicopter storage and tie-down areas, hangars, and other necessary buildings.

J. Vehicle Sale and Service Use Category

Uses that sell, rent, lease, service or repair motorcycles, scooters, passenger vehicles, commercial vehicles, recreational vehicles, boats, 18-wheelers, high lifts, and heavy equipment. Vehicle sale and service is consolidated into the following groups:

1. **Vehicle Repair or Service**

   A use for servicing and repairing vehicles. Typical examples include automobile repair or servicing, tire sales or installation, automobile wash or detailing, heavy truck servicing or repair, and heavy equipment repair. Vehicle repair and service is broken down into the following sub-categories:

   a. Vehicle Repair or Service (up to 10,000 pounds). Typical vehicles include automobiles, motorcycles, mopeds, pickup trucks and vans.

   b. Vehicle Repair or Service (more than 10,000 pounds). Typical vehicles include semi-trucks and recreational vehicles.

2. **Vehicle Sales**

   A use that sells, rents or leases vehicles. Typical examples include automobile rental or sales, truck or trailer rental, recreational vehicle rental or sales, and heavy equipment sales or rental. Vehicle sale and rental is broken down into the following sub-categories:

   a. Vehicle Sale or Rental (up to 10,000 pounds). Typical vehicles include automobiles, motorcycles, mopeds, pickup trucks and vans.

   b. Vehicle Sale or Rental (more than 10,000 pounds). Typical vehicles include semi-trucks and recreational vehicles.

3. **Fueling Station**

   A use that sells and dispenses vehicle fuel, including diesel, gasoline, hydrogen, electricity, and other alternative fuels. Automobile washes are permitted as an accessory use to fueling stations.

19-3.3.5. INDUSTRIAL USES

A. Industrial and Manufacturing Uses

Uses involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the site. Industrial and manufacturing is consolidated into the following groups:

1. **Low-Impact Industrial and Manufacturing**

   a. Industrial and manufacturing uses where some or all of the following characteristics are present or anticipated:

      i. Majority of manufacturing or industrial activity takes place indoors.

      ii. No significant heat, noise, sounds, vibrations, odors or particulates detected by neighboring properties.

      iii. No significant use of dangerous or harmful chemicals.

      iv. No significant use of highly combustible or flammable materials, liquids, or gases.

      v. No use of hazardous or explosive materials.

   b. Typical examples include manufacturing, processing, fabrication, packaging or assembly of prefabricated parts, handcrafted goods, consumer electronics, computers, appliances, optical devices or instruments, medical or surgical instruments, food products, cosmetics, clothing or shoes, jewelry, printed or photographic materials, signs, small automotive parts, cabinets or furniture; welding shops; exterminators; and brewery, winery or distillery.

2. **High-Impact Industrial and Manufacturing**

   a. Industrial uses where some or all of the following characteristics are present or anticipated:

      i. Majority of manufacturing or industrial activity takes place outdoors.

ii. Significant heat, noise, sounds, vibrations, odors or particulates may be detectable by neighboring properties.

iii. Significant use of dangerous or harmful chemicals.

iv. Significant use of highly combustible or flammable materials, liquids, or gases.

v. Use of hazardous or explosive materials.

b. Typical examples include textile production; lumber mills or wood product manufacturing; clay, bone, plastic, stone or glass products or materials production; crematory incinerators;[1] concrete batching or asphalt mixing; metals or metal product fabrication and production; machinery, equipment, instruments, vehicles, appliance or electronic manufacturing and assembly; prefabricated structure or manufactured home production; fuel oil distributor; and solid fuel yard.

3. Research and Development

A use focused primarily on the research and development of new products or for scientific research intended for manufacture, production or sale of products elsewhere. Typical examples include automotive, plastics, genetics, biotechnology, pharmaceuticals, and polymers.

B. Warehouse and Distribution Use Category

Uses involved in the storage or movement of goods for themselves or other entities. Goods are generally delivered to other firms or the final consumer. There is little or no on-site sales activity with customers present. Warehouse and distribution is consolidated into the following groups:

1. General Warehouse and Distribution

Warehouse and distribution uses characterized by primarily indoor movement and activity. Typical uses include fulfillment center, distribution center, cold storage plant, household moving storage, general freight storage, and warehouse.

2. Distribution Storage Yard

A use involved in the storage, distribution or processing of goods and materials characterized by significant outdoor movement and activity. May also include the outdoor storage of equipment used for the distribution of goods and materials such as trucks, trailers, trains, cars, boats, carriages, and shipping containers. Typical uses include truck or freight terminal; switching yard; outdoor storage lot; and stockpiling of sand, gravel, mulch, stone, or other aggregate materials.

3. Self-Service Storage

A use that offers secure self-storage for household goods in individual rooms, compartments, lockers, or containers, where clients bring goods for storage and retrieve them at any time during normal business hours.

4. Vehicle Storage Yard

A use that provides storage for operable vehicles without occupants for more than 24 hours. Typical examples include towing service; taxicab, bus charter or limousine storage lot; school bus lot; recreational vehicle, trailer and boat storage; and impound lot.

C. Waste-Related Service Use Category

Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste-related is consolidated into the following groups:

1. Waste Disposal or Treatment

A use that provides for the disposal or treatment of industrial or domestic wastes and for the reduction and handling of solids and gases removed from such wastes. Typical examples include land-spreading of waste, sanitary landfill, tire disposal or recycling, waste composting, recycling processing facility, incinerator, energy recovery plant, salvage and junk yard, and hazardous-waste collection site.

2. Recycling Drop-Off Center

A use that provides a facility or area where waste or used and secondhand materials are bought, sold, exchanged, stored, processed or handled. Typical materials include scrap iron, paper, rags, rubber tires, bottles, discarded goods, machinery, or inoperable motor vehicles.

DIV. 19-3.4. USE STANDARDS

19-3.4.1. APPLICABILITY

The following use standards apply only where the *Use Table in Div. 19-3.2* includes an asterisk (*) for the use permission in the applicable zoning district. Where no asterisk is present in the Use Table, these use standards do not apply.

19-3.4.2. RESIDENTIAL USE STANDARDS

A. Household Living[5]

1. Multi-Unit Living

In any MXS- District, dwelling units are allowed only in the upper stories of a mixed-use building. A lobby and active shared facilities (such as a gym, lounge area, meeting space or mail room) are allowed on the ground floor.

2. Manufactured Home Park

a. **Underlying Zoning Standards**

Underlying zoning district standards in *Sec 19-2.4.* do not apply to any manufactured home park.

b. **Lot Size**

i. A manufactured home park lot must be a minimum of 5 acres.

ii. Individual sublots must be no less than 3,000 square feet, with a lot width of 30 feet minimum.

c. **Coverage**

i. Building coverage cannot exceed 50%.

ii. Outdoor amenity space of at least 15% of the total area of the park must be provided.

d. **Transitions**

i. A Transition Type B must be provided (see *Sec. 4.8.1.*) along all common lot lines.

ii. A Frontage Screen L-2 must be provided (see *Sec. 4.8.3.*) along all street lot lines.

e. **Height**

Buildings and structures cannot exceed a maximum height of 35 feet.

19-3.4.3. PUBLIC AND INSTITUTIONAL USE STANDARDS

A. Civic

1. Shelters

The use must be located no closer than 1,000 feet, measured lot line to lot line, from a day care center or other school.

B. Education

1. College, University, or Trade School

A vehicle sale and service use or industrial and manufacturing use is not permitted as an accessory use unless the use is allowed in the underlying zoning district.

C. Parks and Open Space

1. General Parks and Open Space (Up to 1 Acre)

Flood lights and flood lamps are not permitted.

D. Utilities

1. Wireless Communications Facilities

a. General Requirements

All wireless communications facilities permitted under this Code must comply with the following general requirements in addition to other applicable provisions of this *Sec. 3.4.3.D.1.*

i. Abandonment and Removal

A wireless communications facility and any pole or support structure used solely for that wireless communication facility that has not been operated for a period in excess of 12 consecutive months, is abandoned and must be removed; providing the City must first provide written notice to the owner(s) in order to allow the owner(s) 10 business days to rebut the assertion of abandonment. Any support structure other than a tower, and any property affected by placement of the wireless communications facility or modification of the support structure must be restored to its condition prior to attachment of the wireless communications facility, except as the City may otherwise direct. The City must enforce removal by means of existing regulatory authority, with costs of removal or restoration jointly chargeable to the owner of the wireless communications facility or the support structure.

ii. Required Frontage Screen

Wireless communications facilities or poles or support structures associated with the same cannot be located within frontage screens that are required by *Sec. 4.8.3.* with the exception of approved stealth wireless communications facilities.

iii. **Lighting**

Wireless communications facilities and associated pole or support structure cannot be lighted unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA), or unless the facilities are stealth facilities, and lighting is a concealment element.

iv. **Signage**

Except for signage that may be approved as a concealment element, signs located at or upon wireless communications facilities, placed on an associated pole or support structure in connection with the wireless communications facility, is limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.

v. **Site Usage**

a) Any buildings, cabinets or shelters associated with the wireless communications facility, must be used only to house equipment and other supplies in support of the operation of the wireless communications facility. Any equipment not used in direct support of such operation cannot be stored on the site.

b) Where stealth facilities are not feasible, base station and accessory equipment must be located, designed, and screened to blend with the existing natural, or built surroundings to reduce the visual impacts as much as technically feasible, and to be compatible with neighboring land uses and the character of the community.

c) No ground-mounted base station or accessory equipment is permitted in a residential district, with the exception of cabinets that do not exceed the dimensions of other utility-associated cabinets within the immediate residential vicinity and are shielded or placed in a manner consistent with other similar cabinets, except as part of a stealth facility.

d) The wireless communications facility cannot produce noise that would interfere with the peaceable enjoyment of adjoining properties.

e) The equipment installed as part of any wireless communications facility must be minimized, so that the wireless communications facility is as unobtrusive as technically feasible.

f) The elements of the wireless communications facility, and any pole or support structure to which it is affixed must be consistent with the overall design and character of the neighborhood and locations in which it is placed, and with publicly-available planned improvements to those neighborhoods. The design, including the physical dimensions of the pole or support structure, are to be considered in making this determination.

vi. **Exceptions**

a) An applicant may obtain approval of an application for placement of a wireless communications facility and for any pole or support structure for which approval is sought as part of the application, if the applicant demonstrates that denial of the application would constitute an effective prohibition within the meaning of 47 U.S.C. Section 332(c)(7) or otherwise violates applicable law such that the City is required to issue a permit for placement. Claims must be supported by sworn declarations, and engineering claims by licensed engineers authorized to practice in the State of South Carolina and qualified to attest to facts asserted.

b) A permit is not required under this ***Sec. 3.4.3.D.1.*** for placement of cells on wheels for a temporary period as defined under FCC regulations; or for ordinary maintenance or replacement of equipment that does not increase the physical dimensions of a wireless communications facility or support structure, or defeat any applicable concealment element. Other modifications of a wireless communications facility, or of a support structure to accommodate a modification to a wireless communications facility, do require approval; however, the City Engineer, with the approval of the Administrator, may exempt from approval immaterial increases in the physical dimensions of a wireless communications facility or support structure, providing the applicable concealment elements are not defeated. A permit under this Code is not required for placement, installation, maintenance, operation or replacement of small wireless facilities in the rights-of-way for which a node site license is issued pursuant to Chapter 36, or for micro wireless facilities that are exempted from the permit requirements of Chapter 36. A permit otherwise is required, providing that for placement of a small wireless facility in any public right-of- way, a permit will be issued applying the standards and procedures of ***Chapter 36***, and this ***Sec. 3.4.3.D.1.***

vii. **Projects**

When an application for a wireless communications facility is part of a network of planned facilities, an applicant may submit, or may be required by the City to submit, plans for the proposed network as a whole, and the City may evaluate the planned facilities considering the impact of the project as a whole, in order to ensure that the impact of the project is minimized.

viii. **Other Obligations**

The application for, and the placement of wireless communications facilities are subject to this Code and regulations issued to implement this Code. This ***Sec. 3.4.3.D.1.*** must not be interpreted to waive any obligations that may apply under other provisions of applicable law, including but not limited to building and electrical codes.

ix. **Design Guidelines**

In order to provide guidance to applicants concerning the design of wireless communications facilities, support structures, and poles which comply with this Code, the City Engineer must maintain and publish on the City's website a catalog of site-specific designs that have been approved by the City, it being recognized that the same design as those in the catalogue should in most instances be deemed appropriate for a comparable location. A person who wishes to install a wireless communications facility may ask the City to review the design for installation in particular locations, and to add the design to the catalog.

x. **No Additional Cost to the City**

Whenever this ***Sec. 3.4.3.D.1.*** specifies co-location, the replacement of an existing structure, or any other action (besides governmental approvals), all such action must be taken at the sole expense of the applicant.

b. **Towers, Monopoles and Colocation**

i. **Types Permitted**

New towers must be either monopoles, or stealth facilities, and stealth facilities are preferred.

ii. **Availability of Other Suitable Locations**

New monopoles other than stealth facilities will not be permitted unless the applicant makes the showing required by *Sec. 3.4.3.D.1.a.vi.a.* Except in residential zoning districts, stealth facilities may be permitted if applicant demonstrates that no existing tower would permit the provision of personal wireless services to the area which the applicant proposes to serve, while satisfying the other provisions of this *Sec. 3.4.3.D.1.*

iii. **Design**

Towers are subject to the following:

a) Towers must be engineered and constructed to accommodate a minimum number of collocations based upon their height, except where inconsistent with other provisions of the Municipal Code.

1) Towers 60 to 100 feet must support at least 2 communications providers;

2) Towers greater than 100 feet but less than 150 feet must support at least 3 communications providers; and

3) Towers greater than 150 feet in height must support at least 4 communications carriers.

b) Except where inconsistent with other provisions of this Code, the equipment compound area surrounding the tower must be of sufficient size to accommodate base station and accessory equipment for the appropriate number of communications providers in accordance with *Sec. 3.4.3.D.1.b.iii.a.*

c) Towers are subject to terms and conditions that minimize the impact upon private and public property (including, where applicable, the public right-of-way), ensure consistency with the surrounding area, and employ concealment elements appropriate to the location proposed.

d) Towers are not permitted within utility rights-of-way or in utility easements, except in accordance with the following requirements:

1) The easement area or public rights-of-way must be a minimum of 100 feet in width;

2) The easement area or public rights-of-way must contain overhead utility transmission and/or distribution structures that are 80 feet or greater in height;

3) The height of a tower or the highest point on the base station affixed to it may not exceed by more than 30 feet the height of existing utility support structures; and

4) The tower and all other elements of the wireless communications facility associated with it, must be set back a minimum of 15 feet from all boundaries of the easement or right-of-way.

iv. **Setbacks**

Towers must be set back from all property lines a distance equal to its engineered fall zone, except where allowed in residential districts, towers must be located at least 30 feet from the property line of a lot containing a residential use and, further, set back from any structure located on the lot at a distance equal to its engineered fall zone.

v. **Height**

When allowed in residential districts, the highest point on the tower or base station affixed to it cannot exceed a height equal to 60 feet from ground level.

vi. **Fencing**

A tower and all other elements of the wireless communications facility associated with it must be secured and enclosed with a fence not less than 6 feet in height, except for towers permitted under paragraph (iv) above, or where the requirement would defeat concealment elements. Fencing must be screened in accordance with ***Div. 19-4.9.*** Barbed wire fencing is prohibited.

c. **Roof-mounted Communication Towers and Base Stations**

i. **Location**

Except in the MX-D and MXS-D districts, a proposed roof-mounted communication tower or base station may be permitted as an accessory or secondary use only on buildings that exceed 50 feet in height in accordance with ***Sec. 2.11.10.***

ii. **Height**

In the MX-D and MXS-D districts, a roof-mounted communication tower or base station cannot exceed a height to which it is visible from the adjacent public rights-of-way. For all other districts except BH and IG, such roof-mounted facilities cannot exceed the height of 40 feet.[2]

iii. **Equipment**

All elements of the wireless communications facility and any pole or tower must be of a color that will minimize their visual impact as determined by the Administrator. Additionally, the facility and any pole or tower must be configured to have a minimal visual impact as seen from the street, public park, or existing residential development.[5]

d. **Building, Utility Pole and Light Pole Mounted Wireless Communications Facilities**

i. **Stealth Facilities Permitted**

Base stations that are stealth facilities may be placed inside any existing building or other existing structures (other than off-premises signs) providing that the placement does not alter the physical dimensions of the structure. Portions of base stations that are stealth facilities may be attached to the side of any building or other existing structures, other than a single-family residential units and off-premises signs. However, installation is not permitted where it would adversely affect a historically significant or environmentally sensitive structure or area, and is only permitted where other elements of the wireless communications facility and pole or support structures can be appropriately concealed by placing those elements on the rooftop, within the building, underground, or by some other means that conceals them from view. Antennas must be located at least 20 feet above ground level, and may not extend into any rights-of-way except as part of approved signage.

ii. **Placement on Existing Utility Poles Outside of the Rights-of-way**

Antennas associated with a wireless communications facility may be placed on an existing utility pole outside of the rights-of-way. The facilities must be small wireless facilities within

the meaning of federal regulations, and must be reviewed applying the standards applicable to placements on utility poles within the rights-of-way.

iii. **Mounted on Light Poles**

a) This section applies to light poles situated on private property, or public property other than the rights-of-way.

b) Wireless communications facilities may be placed on existing light poles subject to the same conditions that apply to existing utility poles providing that:

1) The design and placement of all elements of the wireless communications facility is consistent with the design of the light pole to which it will be attached and;

2) The design and placement of all elements of the wireless communications facility will not adversely affect the overall design of the area within which the light pole is located.

3) The City must know who will own and control the light pole, and who is responsible for emergency responses and ensuring the safety of the light pole.

4) The applicant must have and maintain a binding contract with the entity that owns or controls the light pole, which may include the City. Nothing in this ordinance prevents an entity that owns or controls a light pole, including the City, from imposing additional or stricter standards for the design of the light pole than may be imposed pursuant to the regulatory conditions in the permit issued pursuant to this section.

iv. **Replacement**

For purposes of this section, if an existing utility or light pole must be replaced it may be replaced providing that it meets other applicable requirements of this section and:

a) The design of the replacement light pole is consistent with the design of the light pole that it replaces.

b) In the case of the utility pole, the overall height of the pole, measured from ground level to the highest point including the wireless communications facility, does not increase by more than 10 feet, and the diameter measured at 6 feet from the butt, does not increase by more than 2 inches; and

c) In the case of the light pole, its overall height, measured from ground level to the highest point, including the wireless communications facility, does not increase by more than 10 feet, and the design, height and proportions remain consistent with design of the light pole that is being replaced.

e. A permit will only be issued for a wireless communications facility and associated poles and support structures in the rights-of-way that are not, or will not be small wireless facilities, where the same (a) satisfy the conditions of ***Chapter 36***; and (b) the facility is an approved stealth facility or the applicant shows that a permit must be issued to it as a matter of state or federal law.

f. **Application and Procedure**

The Administrator, in consultation with the City Engineer and planning and development division must develop forms requiring such information and documentation as they deem prudent and necessary for the City's review of eligible facilities requests and with respect to all other applications, the issuance of the approvals contemplated hereunder. The Administrator, in consultation with the City Engineer and the Planning and Development Division may develop regulations governing the

number of applications that may be submitted by or on behalf of any person at any time, and may require a person, to identify all facilities that it intends to construct within the City, and (in the case of a person who will be leasing facilities to another) all facilities its lessees intend to install within the City. All applications must be processed in accordance with the following time frames:

i. Upon receipt of the application, the Administrator must review such application to determine whether the application is complete, must notify the applicant that the application is incomplete within 30 days of receipt or such shorter period as may be required in order to toll or reset the time for review under applicable FCC regulations. An application is incomplete if it omits or withholds any required information, or fails to provide information in sufficient detail to determine whether the application is eligible for administrative review, or to determine whether the work will be performed in accordance with, and will result in a wireless communications facility that complies with applicable law.

ii. If the applicant fails to respond to the notice of incompleteness within a time specified by the Administrator, the application must be denied. If applicant responds, but the application remains incomplete, the Administrator must promptly notify the applicant that the application remains incomplete, within the times specified by applicable law.

19-3.4.4. COMMERCIAL USE STANDARDS

A. General

In a RC- District, commercial uses must not exceed 25% of the floor area on a lot.

B. Entertainment and Recreation[2]

1. General Indoor Entertainment and Recreation

The following standards apply, as deemed applicable by the Administrator:

a. Operation of the business must comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the Department of Revenue.

b. At all times during its occupancy, the applicant must assign a manager on the premises who must ensure compliance with this Code, and the applicable South Carolina Code of Laws and Regulations.

c. The applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) must participate in the merchant education/server training program offered by the Phoenix Center or comparable program offered by other vendors approved by the City Police Department. Evidence of satisfactory completion of this training for each employee must be retained on-site and available for inspection by the Administrator and the City Police Department. Current personnel must receive training within 30 days of issuance of the certificate of occupancy and future personnel must receive training within 30 days of hiring.

d. The Administrator may require the applicant to retain outdoor security persons during operation of the establishment. The security persons must possess a security officer registration certificate pursuant to South Carolina Code 1976, title 40, chapter 18, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.

e. Occupant capacity of the establishment must be established by the City building codes Administrator. The applicant must designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons.

f. Acoustic music and entertainment may be permitted in an outdoor space. Specified hours of outdoor music and entertainment are limited by the permit.

g. Exterior sound amplification is prohibited except in areas specifically authorized on the approved site plan; all amplified sound must be directed inward toward the facility and away from any adjoining use or public property. Specified hours of exterior sound amplification are limited by the permit.

h. Interior sound amplification must be located only as reflected on the approved floor plan and must be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows must remain closed after 10:00 p.m.

i. Rooftop decks must have perimeter guard railing above table surfaces.

j. Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code must be posted in conspicuous locations on the building and throughout the parking lot and must be enforced by the proprietors.

k. The application must comply with City noise, smoking, and encroachment ordinances.

l. All debris and garbage from the use shall be properly discarded.

m. If a shared or remote parking agreement is required for the use, the applicant shall be responsible for maintaining the parking agreement as long as the use remains in operation.

n. Pursuant to *Sec. 19-6.2.1.D.*, the Administrator may attach additional conditions which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the use.

2. General Outdoor Entertainment and Recreation

a. The Use Standards for General Indoor Entertainment and Recreation in part 1 of this subsection also apply to General Outdoor Entertainment and Recreation, as deemed applicable by the Administrator.

b. Outdoor entertainment stages must comply with *Sec. 3.5.2.G.*[5]

C. Food and Beverage[2]

1. General Food and Beverage

a. In RNX- and RC- districts, hours of operation between 12:00 a.m. (midnight) and 5:00 a.m. are prohibited. Where permitted in all other districts, hours of operation between 12:00 a.m. (midnight) and 5:00 a.m. require a special exception permit in accordance with *Sec. 3.2.1.B.2.* and *Sec. 3.4.6.*[5]

2. Bar or Nightclub

a. Must comply with the location standards established by the state.

b. Operation of the business must comply at all times with the provisions of the South Carolina Alcoholic Beverage Control Act and the regulations of the Department of Revenue.

c. At all times during its occupancy, the applicant must assign a manager on the premises who must ensure compliance with this Code, and the applicable South Carolina Code of Laws and Regulations.

d. The applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) must participate in the merchant education/server training program offered vendors approved by the City Police Department. Evidence of satisfactory completion of this training for each employee must be retained on-site and available for inspection by the Administrator and the City Police Department. Current personnel must receive training within 30 days of issuance of the certificate of occupancy and future personnel must receive training within 30 days of hiring.[5]

e. The Administrator may require the applicant to retain security persons during operation of the establishment. The security persons must possess a security officer registration certificate pursuant to ***South Carolina Code 1976, title 40, chapter 18***, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.[5]

f. Occupant capacity of the establishment must be established by the City building official. The applicant must designate staff at all ingress/egress points to be responsible for monitoring the flow of patrons.[5]

g. Exterior sound amplification is prohibited except in areas specifically authorized on the approved site plan; all amplified sound must be directed inward toward the facility and away from any adjoining use or public property. Specified hours of exterior sound amplification are limited by the permit.

h. Interior sound amplification must be located only as reflected on the approved floor plan and must be directed away from the principal entrance or directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows must remain closed after 10:00 p.m.

i. Rooftop decks must have perimeter guard railing above table surfaces.

j. Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of this Code must be posted in conspicuous locations on the building and throughout the parking lot and must be enforced by the proprietors.

k. The application must comply with City noise, smoking, encroachment, and other applicable ordinances.[5]

l. The Administrator may attach additional conditions which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the use.[5]

3. **Brewpub**[5]

a. The Use Standards for Bar or Nightclub in part 2 of this subsection also apply to Brewpub, as deemed applicable by the Administrator.

4. **Microbrewery, Small Winery or Microdistillery**[5]

a. The Use Standards for Bar or Nightclub in part 2 of this subsection also apply to Microbrewery, Small Winery, or Microdistillery, as deemed applicable by the Administrator.

D. Lodging[2]

1. General Lodging

When a general lodging use is located in the same building as a multi-unit living use:

a. The owner of the dwelling unit must obtain a license to operate a short-term rental; and

b. In multi-unit dwellings with 4 or more units, no more than 25% of the total number of dwelling units within a building may operate as a short-term rental. In one, two, and three-unit dwellings, all units may be used as a short-term rental. Structures used as short-term rentals are subject to all fire and building code standards.[2]

E. Medical[2]

1. General Medical

a. Permitted hours of operation are from 7:00 a.m. to 9:00 p.m. in the RNX- and RC- districts.[5]

b. In MXS-D districts fronting Main Street from Beattie Place/College Street to Markley Street and/or Augusta Street, general medical uses on the ground floor must not be located within 15 feet of the Main Street and/or Augusta Street building facade. Fronting includes parcels used as plazas.[5]

i. The Administrator has the authority to waive the above requirement to preserve the architectural integrity of historic buildings.[5]

F. Office[2]

1. General Office[5]

a. In MXS-D districts fronting Main Street from Beattie Place/College Street to Markley Street and/or Augusta Street, general office uses on the ground floor must not be located within 15 feet of the Main Street and/or Augusta Street building facade. Fronting includes parcels used as plazas.

i. The Administrator has the authority to waive the above requirement to preserve the architectural integrity of historic buildings.

2. Data Center

a. A data center must not exceed 50% of the floor area on a lot; and

b. The data center must not be located within 30 feet of the primary street or side street building facade.

G. Parking[2]

When abutting a common lot line of any RH- or RN- District, a Transition Type B is required.

H. Personal Service[2]

1. General Personal Service

Reserved for future use.

2. Animal Care, Outdoor

a. No portion of the outdoor kennel or other outdoor animal use area can be within 300 feet of the property line of a lot zoned RH or RN.

b. The administrator may require a noise attenuation study as part of the review of an outdoor animal care facility. Baffling or other on-site mitigation to limit noise impacts on external properties or to ensure compliance with the City of Greenville noise ordinance may be required as a condition of approval pursuant to Section 19-6.2.1.D.

3. Tattoo Facility

a. Tattoo facilities must receive all required South Carolina Department of Public Health (DPH) permits. Issuance of a permit by the State of South Carolina for a tattoo facility does not constitute approval by the City of Greenville nor compliance with this Chapter.[5]

b. Notwithstanding the provisions above, a tattoo facility is not allowed within 300 feet of a parcel zoned "Park" (PK).

c. A tattoo facility may not be located on a parcel abutting a common lot line of any House-Scale (RH-) District.

d. Tattoo facilities must close by 9:00 PM.

I. Retail[2]

1. Alternative Financial Service

a. The use must be located no closer than 3,000 feet, measured lot line to lot line, from the nearest check-cashing establishment, deferred presentment lender, title loan company, or dealers in precious metals; and

b. The uses must be located within a group nonresidential development, shopping center, or the like with all structures constituting a minimum of 30,000 square feet; or

c. The use must be located wholly within the confines of a grocery store or general merchandise retail establishment having a minimum of 30,000 square feet; and

d. The use must have no separate access to the exterior of the building.

2. Liquor Store

The use must comply with the location and other standards established by the State for such use.

3. Sexually-Oriented Business

a. **Location**

i. A sexually-oriented business must be operated no closer than 1,000 feet of:

a) A religious institution;

b) A day care center or other school;

c) A boundary of a house-scale district;

d) A boundary of a neighborhood-scale district;

e) A boundary of a community-scale district;

f) A property line of a lot containing a structure having a residential use;

g) A public park or recreation area;

h) A public building; or

i) A youth activity center.

ii. There must be no establishment, substantial enlargement, or transfer of ownership or operation of a sexually-oriented business within 1,000 feet of another sexually-oriented business.

b. **Measurement of Distance**

Distances provided in ***paragraph 3.a.*** above must be measured in a straight line, without regard to intervening structures, from the structure of the sexually-oriented business to the nearest property line of the premises containing another sexually-oriented business, a religious institution, day care center or school, a public park or recreation area, a public building, a youth activity center, a boundary of a residential district, or a lot containing a structure having a residential use.

c. **Purpose; Findings and Rationale**

The City's purpose, findings, and rationale for regulating the location of sexually-oriented businesses is set forth in ***Section 8-70*** of the Municipal Code and the City hereby adopts and incorporates herein its stated findings and legislative record related to the adverse secondary effects of sexually-oriented businesses, including the judicial opinions and reports related to such secondary effects.

4. Smoke or Vape Shops[3]

a. Smoke or Vape Shops are not allowed within 1,500 feet of another Smoke or Vape Shop, including any Smoke or Vape Shop use that has been vacated or discontinued but is eligible to be re-established under this Code, and whether such other Smoke or Vape Shop is inside or outside the municipal limits of the city.

b. Smoke or Vape Shops are not allowed within 1,500 feet of a K-12 school (public or private), child-care center, religious assembly, youth/teen center, park or similar-type amenity, recreational trail, or community center, including any such use not yet active but under active development, and whether such other use is inside or outside the municipal limits of the city.

c. A Smoke or Vape Shop may not be located on a parcel abutting a common lot line of any House-Scale (RH-) District.

d. Smoke or Vape Shops must close by 9:00 PM.

e. For the purposes of this subsection, the distance between uses shall be measured from the property lines of the parcels upon which such uses are located.

J. Transportation[2]

Reserved for future use.

K. Vehicle Sales and Service[5]

1. Vehicle Repair or Service

a. Screening

i. When abutting a common lot line of any RH- or RN- District, a Transition Type C is required.

b. Vehicle repair or service (over 10,000 lbs.) is permitted in the BH and CV districts for governmental entities only.

2. Vehicle Sale or Rental

a. Minimum Site Size

Must be located on a site at least one acre in area. Contiguous or adjacent parcels including rights-of-way under the same ownership and used for vehicle sale or rental are counted as one parcel to meet the minimum site size.

b. Screening

i. When abutting a common lot line of any RH- or RN- District, a Transition Type C is required.

ii. Standards set forth in Sec. 4.6.3.C.8. apply.

3. Fueling Station

a. Fueling stations that existed as of the effective date of this ordinance may perform facade modifications, minor renovations, and maintenance and repair activities under Div. 19-2.1. without triggering the nonconforming use standards of Div. 19-6.3.

b. Additions and site modifications made to nonconforming fueling stations that trigger the nonconforming use standards of Div. 19-6.3. must comply with the applicable standards of this chapter except the Build-To Width requirements.

c. Fueling stations that existed as of the effective date of this ordinance may demolish and reconstruct their facilities in the same general configuration.

d. New construction must comply with all applicable standards of this Chapter.

19-3.4.5. INDUSTRIAL USE STANDARDS

A. Industrial and Manufacturing

1. High-Impact Industrial and Manufacturing

a. A rendering plant, slaughter house, or meat packing plant is prohibited.

b. Production of leather, rubber, or similar materials is prohibited.

c. Operation of a crematory incinerator is limited to the hours of 8:00 AM to 5:00 PM. Crematory incinerators located within 300 feet of a House-scale (RH-) lot shall not operate on weekends or state-recognized holidays. This limitation does not apply to other operations which may occur at such facilities including consultations, funerals, or other business processes.[1]

2. Research and Development

In MX-D and MXS-D the uses are only permitted on an upper story.

B. Warehouse and Distribution

1. General Warehouse and Distribution

Bulk storage of materials that are flammable or explosive, or that present hazards or conditions commonly recognized as offensive, is prohibited.

19-3.4.6. ADDITIONAL USE STANDARDS [5]

A. Hours of Operation

Uses open to the public with hours of operation between 12:00 a.m. (midnight) and 5:00 a.m. must obtain a special exception permit per ***Sec. 3.2.1.B.2.*** and comply with the following:

1. On-site traffic must be directed away from abutting residential uses and residential districts between the hours of 12:00 a.m. (midnight) and 5:00 a.m.
2. Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances must be posted in conspicuous locations and enforced by the proprietors.
3. Exterior sound amplification is prohibited between the hours of 12:00 a.m. (midnight) and 5:00 a.m.
4. Interior sound amplification may be permitted but must be directed away from the principal entrance or directed toward the interior of the building. Sound baffling or other mitigations may be required.
5. Except to provide ingress and egress, exterior doors and windows must remain closed between the hours of 12:00 a.m. (midnight) and 5:00 a.m.
6. Outdoor dining and seating areas must be closed between the hours of 12:00 a.m. (midnight) and 5:00 a.m., unless otherwise modified by the Board of Zoning Appeals based on the criteria of ***Sec. 6.2.15.D.2.***
7. Rooftop dining and seating areas must be closed between the hours of 12:00 a.m. (midnight) and 5:00 a.m., unless otherwise modified by the Board of Zoning Appeals based on the criteria of ***Sec. 6.2.15.D.2.***
8. Establishments serving alcoholic beverages between the hours of 12:00 a.m. and 5:00 a.m. must retain at least one security person during those hours. The number of security persons may be increased by the Board of Zoning Appeals. The security persons must possess a security officer registration certificate pursuant to South Carolina Code 1976, title 40, chapter 18, or, as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified. The Board of Zoning Appeals may modify or waive the security requirement after the use has operated for at least six (6) months.
9. The Board of Zoning Appeals may require that an Applicant have a follow-up meeting with the Administrator 6-months after commencement of operation to verify that the Applicant is adequately addressing adverse impacts of the use.

10. The Board of Zoning Appeals may attach additional conditions which will protect nearby uses from any adverse impacts reasonably expected to occur as a result of the operation of the use during these hours. The Board may modify or add conditions that apply beyond 12:00 a.m. (midnight) and 5:00 a.m.

DIV. 19-3.5. ACCESSORY USES AND STRUCTURES

19-3.5.1. GENERAL STANDARDS [5]

A. Allowed Accessory Uses and Structures

The permitted use table in *Sec. 3.2.1* establishes the allowed accessory uses and structures by district. Accessory structure includes those defined in *Div. 19-7.2*. Multiple accessory uses are allowed on a lot when the uses are all allowed in the district and the standards for all uses on the lot can be met.[5]

B. Accessory Uses and Structures Not Listed

An accessory use or structure not specifically listed in *Sec. 3.2.1.* is not allowed unless the Administrator determines the use:

1. Is clearly incidental to and customarily found in connection with an allowed principal use;
2. Is subordinate to and serving an allowed principal use;
3. Is subordinate in area, extent and purpose to the principal use served;
4. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal building or use served; and
5. Is located on the same lot as the principal use served.

C. Rules for All Accessory Uses and Structures

1. A permit is required for any accessory use or structure exceeding 100 square feet of gross floor area.
2. Accessory structures must comply with the dimensional requirements of the zoning district, unless listed as an allowed encroachment in *Div. 19-2.11*.
3. No accessory use or structure is permitted on the lot until after the principal use or structure is permitted.
4. Accessory structures may connect to the ground floor of the primary structure by an open breezeway up to 8 feet wide at its widest point.[5]

D. Location of Accessory Structures[3]

1. Accessory structures must also comply with the minimum applicable setbacks in each zoning district.[5]
2. Accessory structures in RH- and RN- districts may only be located in the side, side street, or rear yard of the principal building.[5]
3. Accessory structures located in the rear yard do not need to comply with the side street setback, but must be setback a minimum of 5 feet from the side street lot line.[5]
4. An accessory structure cannot be located within any platted or recorded easement or over any utility.

19-3.5.2. SPECIFIC STANDARDS

A. Accessory Dwelling Units (ADUs)[5]

A dwelling unit providing complete, independent living facilities located on the same lot as a primary dwelling unit, which is intended for use by a separate household.

See *Div. 19-7.2.* for definitions of "dwelling unit" and "household." For clarification of these definitions as they apply to ADUs, a wet bar or partial kitchen, which does not include a range or 220V circuit, does not constitute "cooking facilities," and a half-bath which does not include a shower or tub does not constitute "sanitation facilities."

1. Each year from 2025-2028, staff will provide a report that shall be created and presented to City Council on the number and location of new accessory dwelling units. The report must include both new construction and conversions.
2. Pursuant to S.C. Code Ann. 6-29-1145, the City will not issue a zoning or building permit for an accessory dwelling unit if it has received notice of a restrictive covenant on a tract or parcel of land prohibiting such use.
3. Accessory dwelling units must comply with all district standards including setbacks, height, massing, side wall height, and building coverage.
4. Accessory dwelling units should ensure aesthetic continuity by maintaining similar architectural styles and elements as the primary structure.
5. The square footage of an accessory dwelling unit is limited to 80% of the primary dwelling, up to a maximum of 1,000 square feet.
6. No rooftop or second-story decks are permitted for an accessory dwelling unit unless oriented towards the interior of the lot and designed to limit visibility from properties sharing a common side or rear lot line. This standard does not apply to side street lot lines or rear lot lines with alley access, or to stairway landings providing access to a second-story entrance that are smaller than 36 square feet.
7. When approving an accessory dwelling unit, the Administrator may require the installation of Transition Screen L-1, M-1, or M-2 to reduce visual impacts to surrounding properties.
8. An accessory dwelling unit may be rented but cannot be sold separately from the primary dwelling. Use of an ADU for a short-term rental is only permitted as provided in *Div. 19-3.2.*
9. Utilities for an accessory dwelling unit may be separately metered from the primary unit.
10. An ADU is eligible for a separate address from the primary unit.
11. To establish and maintain use of an accessory structure as an ADU, the property owner(s) of the legal lot of record must occupy, as their primary residence, either the principal dwelling unit or the ADU.

B. Drive-thru

Allows for service provided directly to automobiles where the customer drives up to a window or mechanical device through or by which the customer is serviced without exiting the vehicle on the same lot as a permitted commercial use.

1. Must meet the stacking requirements of *Sec. 4.6.4.C.3*
2. Vehicle stacking spaces must be illustrated on the site plan.
3. Buildings with drive-thrus must meet all dimensional standards for the zoning district, including setbacks and build-to requirements.
4. To minimize the visual impact when drive-thru facilities are visible from the street, drive-thru facilities must be incorporated into the overall building design with material selection and design details.
5. Drive-thru areas require the installation of a frontage screen meeting the requirements of Section 19-4.8.3.
6. Full details of all drive-thru equipment including signage, menu boards, canopies, directional markings, lighting, and other elements must be included on the site plan.
7. Devices for the transmission or broadcasting of voices or music must be so directed or muffled so as to minimize impacts to any adjacent residential properties and must comply with the City's noise ordinance. A sound attenuation study may be required by the Administrator if deemed necessary.[2]
8. In MX- and BG districts, drive-thrus must meet the following standards:
    a. Drive-thru windows and stacking lanes cannot be placed between the primary street and the building. Drive-thru windows, lanes, and drive aisles must be placed to the side or rear of the building.
    b. No drive-thru window or ordering area is permitted on the side of a building facing any RH- or RN-district.

C. Drive-in

Allows for the ordering and consumption of food and beverage in automobiles parked on the same lot as a permitted commercial use.

D. Home Day Care

Allows for the care, protection and supervision of up to 6 children or adults on a regular basis in a facility away from their primary residence, primarily during daytime hours for less than 24 hours per day, within a dwelling unit.

1. At least 1 person engaged in the home day care must reside in the dwelling unit in which the home day care is located as their primary place of residence.
2. The home day care may employ no more than 1 person not living on the premises at one time.
3. The dwelling unit and lot must remain residential in appearance and characteristics. External changes that make the dwelling appear less residential in nature or function are not allowed.

E. Home Occupation

Allows for limited nonresidential activity in a dwelling unit or an accessory structure.[5]

1. **General**

   In RH- and RN- districts, home occupation uses must not exceed 25% of the floor area of the principal structure on a lot or 500 square feet within an accessory structure.[5]

2. **Employees and Customers**

   a. At least 1 person engaged in the home occupation must reside in the dwelling unit in which the home occupation is located as their primary place of residence.

   b. One employee not living on the premises is allowed on-site at any time.

   c. One customer or client associated with the home occupation is allowed on-site at any given time.

3. **Exterior Appearance**

   a. All activities associated with the home occupation must be conducted completely within the dwelling unit or accessory structure, excluding activities or services that, by their nature, must be conducted off-site.[5]

   b. No outdoor storage associated with the home occupation is allowed.

   c. The dwelling unit, accessory structure, and lot must remain residential in appearance and characteristics. External changes that make the dwelling appear less residential in nature or function are not allowed.[5]

   d. Interior display of goods or equipment associated with the home occupation must not be visible from the street.

   e. No equipment or process can be used in connection with the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.

4. **Prohibited Home Occupation Uses**

   The following uses are prohibited as home occupations:

   a. Landscaping business, other than office use:

   b. Commercial greenhouse;

   c. Contractor's business, other than office use;

   d. Automotive repair;

   e. Physician's or chiropractor's clinic; and

   f. Fortune telling.

   g. Furniture repair or cabinet shop

   h. Any use determined by the Administrator to be incompatible with the property's zoning district and neighboring dwelling units.[5]

F. Outdoor Dining

Allows for an accessory outdoor dining on the property of a permitted principal commercial use. Outdoor dining is an unenclosed area with tables, chairs, and other furnishings set up for the purpose of drinking or eating food and beverages.

1. Outdoor dining cannot encroach upon any public right-of-way, sidewalk or parking areas without an encroachment permit.[3]
2. Outdoor dining cannot impair the ability of pedestrians or cyclist to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

G. Outdoor Display

Allows for an accessory outdoor display of products actively available for sale on the property of a permitted principal commercial use.

1. Outdoor display is only allowed with a permitted ground floor nonresidential use.
2. Outdoor display must be located within 20 feet from the facade and cannot exceed 6 feet in height.
3. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.
4. Outdoor display cannot encroach upon any public right-of-way or sidewalk. Outdoor display cannot impair the ability of pedestrians or cyclists to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

H. Outdoor Entertainment

Allows for an accessory outdoor entertainment stage on the property of a permitted principal commercial use. An outdoor entertainment stage is a raised unenclosed platform that accommodates musical or theatrical shows or performances.

1. Outdoor entertainment stages may not be located with 150 feet of a RH- or RN- District.
2. Outdoor entertainment stages must comply with Chapter 16, Art. II, Div. 3, Noise of the Municipal Code.[3]

I. Outdoor Storage

Allows for accessory outdoor storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale on the property of a permitted principal public and institutional, commercial, or industrial use.

1. Outdoor storage must be located to the side or rear of the principal building.
2. In a MX- or MXS-, outdoor storage is limited to merchandise or material in boxes, in crates, on pallets or other kinds of containers.[2]
3. When abutting a common lot line of a RH- or RN- District, a Fence Type F is required.
4. The amount of space dedicated to outdoor storage on a lot cannot exceed the following:

ZONING DISTRICT	MAX % OF LOT AREA USED FOR OUTDOOR STORAGE
MX-, MXS-, BG, IX, CV, CM	10%
BH	20%
IG	45%

5. Shipping containers are not permitted for outdoor storage except in the IG district, where they must not be visible from the primary street. In all other districts, shipping containers must be unloaded and removed within 48 hours.[2]

J. Outdoor Video Screen[3]

Allows for an accessory outdoor video screen and associated audio equipment. Includes any digital display device, including LED, LCD, or projection technology, with a screen size exceeding 32 square feet that is typically used to display broadcast, cable, satellite, or streaming content, intended primarily for entertainment purposes. These standards do not apply to sports venues or city-permitted events.

1. The Administrator will review each application for an outdoor video screen to ensure it is not an Outdoor Advertising Sign, which is regulated under Sec. 19-4.11.6, or an Electronic Message Board subject to ***Sec. 4.11.4.R.***
2. The maximum allowable size of an outdoor video screen is 275 square feet.
3. Outdoor video screens are only permitted for ground-level uses. Rooftop and upper-story screens are not permitted. The maximum height of the screen cannot exceed 25 feet above ground level.
4. Screens must be oriented towards the interior of the property and cannot be visible from any public right-of-way, including multi-use trails. Outdoor video screens are not permitted within 100 feet of any RH-, RN-, RC-, or PK- district.
5. The screen frame or support structure must comply with applicable design standards. The rear of the screen must be enclosed or screened with a permanent structure or covering. Wiring, connectors, and electronic components must be concealed and should not be accessible to the public.
6. Screens must be equipped with automatic brightness controls to adjust the display brightness based on ambient light conditions. The maximum brightness level cannot exceed 7,500 nits during daylight hours and 300 nits from dusk until dawn. Screens must remain turned off unless the business is open to the public and must be turned off between 12:00 am (midnight) and 5:00 AM; provided, however, that the Administrator may extend these hours during live-broadcast events of major public interest.
7. Audio from outdoor video screens must comply with generally applicable noise ordinances and be directed towards the intended audience and away from adjacent properties.
8. No content that is obscene, offensive, or otherwise unsuitable for public viewing is permitted. Flashing, strobe, or rapidly changing images are prohibited.
9. Outdoor video screens and associated sound systems must be maintained in good working condition, free from defects, damage, or malfunctions. Any inoperative or malfunctioning equipment must be repaired or deactivated within 48 hours.

DIV. 19-3.6. TEMPORARY USES AND STRUCTURES

19-3.6.1. GENERAL STANDARDS

A. Purpose

1. This section allows for the establishment of certain temporary uses of limited duration, providing that such uses are discontinued upon the expiration of a prescribed time period.
2. Temporary uses do not involve the construction or alteration of any permanent building or structure.

B. Permit Required

1. All temporary uses must obtain a temporary use permit in accordance with procedures in *Sec. 6.2.13.* unless otherwise stated in this section.

C. Rules for All Temporary Uses and Structures

1. The temporary use must not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
2. The temporary use must not have substantial adverse impacts on nearby residential uses.
3. Permanent alterations to the site are prohibited.
4. If the property is developed, the site of the temporary use and structure is located in an area that supports the temporary use without encroaching into, or creating a negative impact upon, existing buffers; open space; landscaping; pedestrian and vehicular traffic movements (including emergency vehicle access); and parking space availability.
5. If the property is undeveloped, the site of the temporary use and structure must be located in an area with sufficient land area to enable the temporary use to function adequately, including any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers.
6. The temporary use cannot violate any applicable conditions of approval that apply to the principal use on the site.
7. Off-street parking must be adequate to accommodate the proposed temporary use.
8. All approved temporary signs associated with the temporary use must be removed when the activity ceases.
9. All otherwise applicable permits and inspections must be issued and approved prior to the approval of the temporary use or structure.

19-3.6.2. SPECIFIC STANDARDS

A. Seasonal Sales

Seasonal sales, including the sale of such items as Christmas trees and pumpkins, seasonal produce, and other similar agricultural products, may be permitted for a maximum of 90 days.

B. Sidewalk and Parking Lot Sales

1. Sidewalk and parking lot sales located on the same lot as the merchant's principal use may be permitted for a maximum of 60 days per calendar year.
2. No more than 3 temporary sidewalk or parking lot sales of goods per site are allowed per calendar year.
3. Sidewalk sales on public sidewalks are not allowed except in a MX-D or MXS-D District and only upon issuance of an outdoor display and cafe encroachment permit in accordance with ***section 8-167 et seq.***

C. Construction-Related Activities

Temporary construction-related activities, including construction offices and storage buildings, outdoor storage, and employee parking areas.

1. On-site

a. A temporary use permit is not required for construction-related activities on the same site as the construction activity.

b. Such uses must be removed within 30 days after issuance of a final certificate of occupancy.

2. Off-site

a. A temporary use permit is required for construction-related activities on a site that is adjacent to or nearby the construction site.

b. Such uses must be removed and the site restored to its previous condition within 30 days after issuance of a final certificate of occupancy.

D. Temporary Office Facilities

Temporary facilities used as sales or leasing offices, including those located in a model unit of a residential project or used during construction to expand or replace a permanent building, may be permitted on the same site as the permanent use.

1. Duration

a. Sales offices may be established for pre-sales or leasing prior to construction of the project.

b. Such temporary offices may remain on the site for a period of time not to exceed 12 months. This period may be renewed for a period of time not to exceed two 6-month periods upon approval of the Administrator 30 days prior to the expiration of the permit. In no event, however, can such extensions allow the temporary use to remain on the site for more than 2 years.

2. **Location**

   Structures related to the temporary use may be located anywhere on site except within existing vegetated buffers or other areas designated on the site plan to remain free from land-disturbance.

3. **Other Requirements**

   a. The temporary structure is either a modular building unit or a building constructed to the standards of the state building code.

   b. Underpinning, skirting, or other curtain wall materials must be installed.

   c. All permits required by applicable building, electrical, plumbing, and mechanical codes must be obtained prior to installation of the temporary structure.

   d. A sketch plan containing sufficient information to show compliance with the above standards must be submitted to and approved by the Administrator prior to installation of the temporary structure.

E. Temporary Dwelling Unit

The use of a travel trailer, motorized home, manufactured housing unit or similar as a temporary dwelling unit may be permitted subject to the following standards:

1. The temporary dwelling unit replaces the permanent dwelling unit of the applicant which has been rendered uninhabitable due to fire, vandalism, or natural disaster.

2. Use of the temporary dwelling unit is limited to the time needed to repair or restore the permanent residence to a habitable condition or 6 months, whichever is less. The Administrator may extend the temporary use for additional 6-month periods in accordance with *Sec 19-3.6.*

F. Use of Motor Vehicle, Trailer, or Shipping Container for Sales, Service, Storage, or Other Business[2]

1. The use of any motor vehicle, trailer, or shipping container in which, out of which, or from which any goods are sold, stored, services performed, or other businesses conducted is prohibited in all RH-, RN-, RC-, and IG Districts and on public property. However, this subsection does not prohibit the use of a motor vehicle, trailer, or shipping container for the following uses without benefit of a temporary use permit pursuant to Div. 19-3.6.:

   a. The sale of food products at a City-approved event;

   b. Construction authorized by a building permit; or

   c. The temporary loading and unloading of goods providing that no individual trailer or container is in place longer than 48 hours.

2. Shipping containers are prohibited except when used for outdoor storage in an IG district pursuant to Sec. 3.5.2.H.5.

3. This subsection does not apply to Mobile Food Units, which are regulated under subsection G below.

4. This subsection does not prohibit the operation of non-profit and community service vehicles and trailers in the city limits including blood donation, fire safety training, traveling libraries, and similar such uses.

G. Mobile Food Units

The use of any vehicle, trailer, or other movable motorized or non-motorized structure that is used for the sales of food and beverages to the general public.

1. A temporary use permit is not required for mobile food units located in a MX-, MXS-, BG, BH, IX, CV, CM, or PK District.[2]
2. An owner or operator of a mobile food unit must obtain all required permits, including a City of Greenville business license, prior to operating in the City.
3. An owner or operator of a mobile food unit must receive the written permission of the property owner prior to locating on the premises. Mobile food units may locate on a vacant parcel or one with existing structures and uses. Mobile food units must be removed at the end of each day. Trash and debris must be placed in a waste receptacle and properly disposed.[2]
4. The mobile food unit must be located so that the physical unit and its customer service area does not block or impede access across any vehicular or pedestrian travel way, ADA-accessible parking area or pathway, or any service or emergency access way. No temporary or permanent signage or site fixtures such as tents, tables, chairs, or umbrellas are permitted.[2]
5. In addition to the generally applicable noise ordinance and other City ordinances, the use of a generator by a mobile food unit is prohibited within 100 feet of a RH-,RN- or RC- District.
6. A mobile food unit stored or parked at its affiliated restaurant or commissary kitchen must be kept in an approved parking area or other vehicle use area that meets the standards of Sec. 4.6.4. Electrical cables, hoses, and other components cannot block or be placed across a sidewalk, trail, or vehicle travel lane. The mobile food unit must fit within the designated parking area and cannot obstruct or create a hazard for vehicular or pedestrian traffic.[2]

H. Portable Storage Units[5]

Portable storage units may be permitted subject to the following standards:

1. No more than 2 units consisting of not more than a total of 320 square feet may be permitted for a residence.
2. No more than 6 units consisting of not more than 960 square feet may be permitted for a place of business.
3. When located upon property containing a residential use, the unit can be used only for temporary incidental residential accessory use purposes; it cannot be used for nonresidential purposes or storage, or in conjunction with a home occupation.
4. The unit cannot be connected to a utility.
5. No unit can remain in-place longer than 30 days without a permit issued by the Administrator; the Administrator may extend the use for an additional 90 days in 30-day increments in accordance with *Sec. 19-6.2.13* (temporary use permits). However, the unit cannot remain in-place more than 120 days in any 12-month period unless authorized pursuant to a natural disaster preventing the issuance of a permit authorizing the reconstruction of a permanent building.

ART. 19-3 AMENDMENTS

1. *Code 2023, §19-3.3, §19-3.4; Ord. No. 2023-80, §19-3.3, §19-3.4, 11-13-2023*
2. *Code 2023, §19-3; Ord. No. 2024-16, §9-3, 3-11-2024*
3. *Code 2023, §19-3; Ord. No. 2024-63, §19-3, 10-14-2024*
4. *Code 2023, §19-3; Ord. No. 2025-14, §19-3, 2-10-2025*
5. *Code 2023, §19-3; Ord. No. 2025-59, §19-3, 8-25-2025*

ART. 19-4. **DEVELOPMENT STANDARDS**

Div. 19-4.1. Applicability 4-3
19-4.1.1. General 4-3

Div. 19-4.2. Development Bonus 4-4
19-4.2.1. Affordable Housing and Open Space 4-4

Div. 19-4.3. Blocks and Lots 4-8
19-4.3.1. Blocks 4-8
19-4.3.2. Site, Lot, and Sublots 4-13

Div. 19-4.4. Streets 4-15
19-4.4.1. Street Types 4-15

Div. 19-4.5. Multi-Modal Access and Parking 4-27
19-4.5.1. Pedestrian Access 4-27
19-4.5.2. Bicycle Parking 4-33
19-4.5.3. Transit Access 4-35

Div. 19-4.6. Vehicle Access and Parking 4-36
19-4.6.1. Vehicle Access 4-36
19-4.6.2. Vehicle Parking 4-40
19-4.6.3. Parking Design 4-47
19-4.6.4. Other Vehicle Use Areas 4-52
19-4.6.5. Garage Design 4-55

Div. 19-4.7. Utilities 4-57
19-4.7.1. Utility Standards 4-57

Div. 19-4.8. Transitions and Screening 4-59
19-4.8.1. Transitions 4-59
19-4.8.2. Transition Screens 4-63
19-4.8.3. Frontage Screens 4-69
19-4.8.4. Site Element Screens 4-75

Div. 19-4.9. Fences and Walls 4-78
19-4.9.1. Fence Types 4-78
19-4.9.2. Retaining Walls 4-85

Div. 19-4.10. Landscape Standards 4-87

Div. 19-4.11. Signs 4-93
19-4.11.1. General 4-93
19-4.11.2. Prohibited Signs 4-95
19-4.11.3. Signs Not Requiring a Permit 4-95
19-4.11.4. Permanent and Large Temporary Signs 4-99
19-4.11.5. Measurement 4-116
19-4.11.6. Outdoor Advertising Signs 4-117

Div. 19-4.12. Lighting 4-121
19-4.12.1. Intent 4-121
19-4.12.2. Applicability 4-121
19-4.12.3. Standards 4-121
19-4.12.4. Measurement 4-125

Div. 19-4.13. Materials 4-126
19-4.13.1. Intent 4-126
19-4.13.2. Applicability 4-126
19-4.13.3. Standards 4-126

DIV. 19-4.1. APPLICABILITY

19-4.1.1. GENERAL

A. Standards apply based on the type of activity proposed, as shown in the table below. For all zoning districts, the development standards apply as shown in the table below:

		PROJECT ACTIVITY							
STANDARDS		New Construction	Addition	Site Modification	Facade Modification	Minor Change of Use [5]	Major Change of Use [5]	Minor Renovation [4]	Maintenance and Repair
Development Bonuses	*Div. 19-4.2.*	●	●	○	○	●	●	○	○
Blocks and Lots	*Div. 19-4.3.*	●	○	○	○	○	○	○	○
Streets	*Div. 19-4.4.*	●	●	●	○	○	○	○	○
Multi-Modal Access and Parking	*Div. 19-4.5.*								
Pedestrian Access		●	●	●	○	○	●	○	○
Bicycle Parking		●	●	●	○	○	●	○	○
Transit Access [5]		●	●	●	○	○	●	○	○
Vehicle Access and Parking	*Div. 19-4.6.*								
Vehicle Access		●	●	●	○	○	○	○	○
Vehicle Parking		●	●	●	○	●	●	○	○
Parking Design		●	●	●	○	●	●	○	○
Other Vehicle Use Areas		●	●	●	○	●	●	○	○
Garage Design		●	●	●	○	○	○	○	○
Transitions and Screening	*Div. 19-4.8.*								
Transitions		●	○	○	○	○	●	○	○
Screening		●	●	●	○	○	●	○	○
Fences and Walls	*Div. 19-4.9.*	●	○	●	○	○	○	○	○
Landscape Standards	*Div. 19-4.10.*	●	●	●	○	○	○	○	○
Signs	*Div. 19-4.11.*	●	○	○	●	●	●	○	○
Lighting [4]	*Div. 19-4.12.*	●	●	●	●	○	○	○	○
Materials [2]	*Div. 19-4.13.*	●	●	○	●	○	○	○	○

KEY: ● = Standards generally apply ○ = Standards do not apply

B. Where a section applies according to the table above, the project activity must meet all of the applicable requirements in that section. Applicability may be modified for existing structures by *Div. 19-6.3.* Where a section is listed as not applying, no requirements in that section apply.

C. The general applicability in this section may be further modified by the applicability provisions for each set of standards in this Section.

D. Project activity types are defined in *Sec. 2.1.2.*

DIV. 19-4.2. DEVELOPMENT BONUS

19-4.2.1. AFFORDABLE HOUSING AND OPEN SPACE

A. Intent

1. To create opportunities at key locations throughout Greenville for developers to voluntarily obtain additional building height (in stories) and density (in units/parcel) in exchange for the resulting project conferring public goods back to the Greenville community consistent with the city's comprehensive land use plan, GVL2040, adopted in February 2021 by the Greenville City Council.
2. To incentivize the development of projects that implement the goals of the GVL2040 Comprehensive Plan.
3. To ensure that 10% to 15% of all new housing is income-restricted to provide access to high-quality affordable housing.[2]
4. To preserve as much as 35% of remaining vacant land as open space or parkland in order to bolster quality of life and protect environmental assets.

B. Applicability

1. Dwelling Unit and Width Bonus[6]

The dwelling unit bonus applies only to sites within the following zoning districts:

a. *Neighborhood B (RN-B)*
b. *Neighborhood Flex B (RNX-B)*
c. *Neighborhood C (RN-C)*
d. *Neighborhood Flex C (RNX-C)*

2. Height Bonus

The height bonus applies only to sites within the following zoning districts:

a. *Community 2 (RC-2)*
b. *Community 3 (RC-3)*
c. *Community 5 (RC-5)*
d. *Mixed Use 2 (MX-2)*
e. *Mixed Use 3 (MX-3)*
f. *Mixed Use 5 (MX-5)*
g. *Shopfront 2 (MXS-2)*
h. *Shopfront 3 (MXS-3)*
i. *Shopfront 5 (MXS-5)*

j. *Business General (BG)*[6]

k. *Industrial Flex (IX)*

C. Standards

Development in the applicable districts seeking a Development Bonus[1] must meet both the affordable housing bonus standards and the open space bonus standards as described below.

1. Residential Projects

a. **Height, Width, or Density In Exchange for Affordable Housing**[6]

i. Whether the new units are fee simple owner occupied, owner occupied in a condominium or cooperative or some other such form of ownership, or renter occupied; for a project to obtain any of the available bonus units or height available in a given district, the applicant must commit to delivering either:

a) 15% of all residential units in the project, as consisting of the base and bonus areas[1], shall be affordable to households with an annual income of not more than 80% AMI or;

b) 10% of all residential units in the project, as consisting of the base and bonus areas[1], shall be affordable to households with an annual income of not more than 60% AMI.

ii. While the percentage of unit counts per project must remain as stated above, an averaging of the AMI target percentage may be applied at the Administrator's discretion to allow for lower or higher AMIs as conditions allow.

iii. Projects for which the rounding provisions of Section 19-4.2.1.D.2.a. would result in no affordable units shall, in lieu of the requirement to include affordable units, instead be subject to an affordable housing mitigation fee of $2.50 for every bonus square-foot above and beyond what is permitted by right. For example, a proposal to augment two commercial floors permitted by right with a bonus third-floor containing two residential apartments would result in an affordable unit requirement equation of 2x0.15=0.3, which would round down to a requirement of zero (0) affordable units; achieving the bonus for this proposed project would require payment of the affordable housing mitigation fee. In the alternative to payment of the affordable housing mitigation fee for such projects, the affordable unit requirement may at the option of the applicant be rounded up to one (1) unit.[1]

b. **Height, Width, or Density in Exchange for Open Space**[6]

i. In addition to meeting the affordability requirements, the applicant must offset the higher density's impact to the city's open space network by providing open space easements on or off site at a square-footage equal to or greater than half of the bonus square-footage being contemplated.

a) Open space easements provided via this measure do not need to be contiguous to the project site.

b) Open space easements areas must:

1) Meet the criteria set forth in *2.11.4.B "Outdoor Amenity Space,"* or

2) Meet the criteria for worthy preservation by meeting at least one of the following:

(A) Having a contiguous natural undeveloped area suitable for environmental

preservation, or

(B) Having a location suitable for active or passive recreational public use.

c) Open space easements provided via this measure will be held by the City and must allow for public use.

d) Should the applicant not be willing or able to provide the open space easement to address the impacts incurred by higher density, a fee-in-lieu-of option shall be available at the rate of $2.50 for every bonus square-footage above and beyond what is permitted by right; such fees to be used by the city solely for:

1) Land acquisition for environmental preservation, or

2) Land acquisition for active or passive recreational use, or

3) Development of said lands for active or passive recreational use.

2. Nonresidential Projects

a. Height, Width, or Density In Exchange for Affordable Housing and Open Space[6]

i. Every additional square foot above and beyond what is allowed by-right shall incur a $2.50 affordable housing mitigation fee.

ii. In addition to meeting the affordability requirements, the applicant must offset the higher density's impact to the city's open space network by providing open space easements on or off site at a square-footage equal to or greater than half of the bonus square-footage being contemplated.

a) Open space easements provided via this measure do not need to be contiguous to the project site.

b) Open space easements must:

1) Meet the criteria set forth in ***2.11.4.B "Outdoor Amenity Space,"*** or

2) Meet the criteria for worthy preservation by meeting at least one of the following:

(A) Having a contiguous natural undeveloped area suitable for environmental preservation, or

(B) Having a location suitable for active or passive recreational public use.

c) Open space easements provided via this measure will be held by the City and must allow for public use.

d) Should the applicant not be willing or able to provide the open space easement to address the impacts incurred by higher density, a fee-in-lieu-of option shall be available at the rate of $2.50 for every bonus square-footage above and beyond what is permitted by right; such fees to be used by the city solely for:

1) Land acquisition for environmental preservation, or

2) Land acquisition for active or passive recreational use, or

3) Development of said lands for active or passive recreational use.

D. Definitions and Guidance

1. Open Space

The provision of open space and/or the fee-in-lieu payment to the open space fund may be split. The offsets do not need to be completely an either/or choice between the fee or open-space provision, but may be a combination of both provided the total is met.

2. Affordable Housing Bonus

a. All Dwelling Units

i. When the application of these regulations results in a fraction, fractions corresponding to less than 0.5 shall be rounded down to the nearest whole number and fractions corresponding to 0.5 or greater shall be rounded up to the next whole number.[1]

ii. The City of Greenville is responsible for monitoring and enforcement of the affordability requirements and deed restrictions.

b. Rental Dwelling Units

i. Affordability means the monthly rent charged including utilities must be at or below 30% of the household's gross monthly income.

ii. Households accessing affordable rental units are not released from ordinary property management requirements, including credit-worthiness, and utility, first-month rent and last month rent deposits.

iii. Affordable rental housing created by this bonus must be deed restricted and remain affordable for 20 years post-Certificate of Occupancy.[4]

c. Owner-Occupied Dwelling Units

i. Affordability means the mortgage, amortization, taxes, insurance, and condominium or association fees, if any, excluding utilities, must be at or below 28% of the household's gross monthly income.

ii. Households buying affordable owner units are not released from ordinary property management requirements, including credit worthiness, utility deposits, and monthly homeowner's association (HOA) or condominium (POA) fees.

iii. Affordable owner units must remain affordable and be deed restricted for 20 years post-Certificate of Occupancy, with such restrictions containing the following stipulations:[4]

a) Buyer/owner agrees to maintain the unit at buyer's/owner's sole expense and be subject to annual inspection by the City;

b) Buyer/owner may only sell the unit through an arms-length transaction that maintains the deed restriction for the remaining 20-year term;

c) Buyer/owner may sell at any time;

d) Affordable buyer/owner housing created by this bonus must be deed restricted and remain affordable for the remaining 20-year term; and

e) A sale may only proceed following a City of Greenville administrative review to confirm the status of the deed restriction.

DIV. 19-4.3. BLOCKS AND LOTS

19-4.3.1. BLOCKS

A. Intent

To provide a well-connected street network with safe and convenient vehicular and pedestrian access within developments and between adjacent developments.

B. Applicability

Block standard requirements apply to all of the following development sites:

1. Development sites greater than 2 acres.
2. Development sites greater than 600 feet in any dimension.

C. Standards

1. Block Perimeter and Length

a. No development is permitted on an applicable site having a block perimeter greater than 1,600 feet or a block length greater than 600 feet.

b. Where the existing block perimeter is greater than the maximum allowed block perimeter or block length, development projects must provide new streets and street rights-of-way to comply with the maximum block standards.

c. Where all lots on a block have alley access, the maximum block perimeter and block length may be increased by 25%.

d. The Administrator may waive block perimeter and block length requirements for portions of the site that abut and are located within 600 feet of obstructions to the street network that are permanent and inaccessible. Inaccessible obstructions include steep slopes in excess of 25%, freeways, railroads, sensitive utility easements, and other similar obstructions where pedestrian access to the obstructing land use is detrimental or prohibited, and the future provision of a complete block is infeasible.

e. The Administrator may increase maximum block length standards to 1,200 feet for portions of the site that abut and are located within 600 feet of obstructions to the street network that are permanent and accessible. Accessible obstructions include public school campuses, public parkland, waterways, stream buffers, cemeteries, and other similar obstructions.

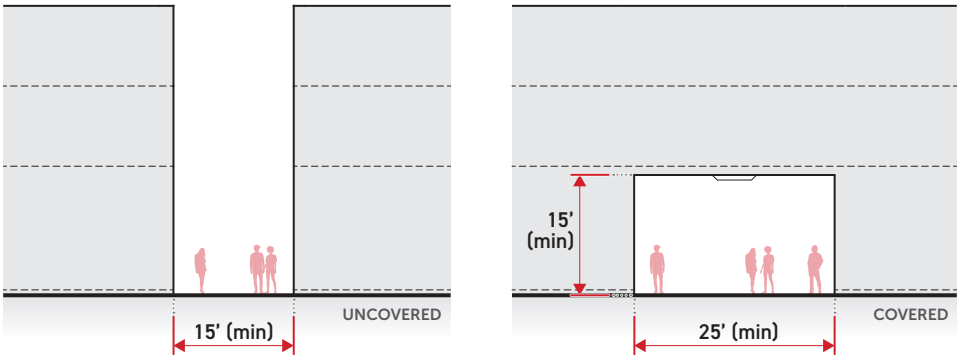
2. Mid-Block Pedestrian Passageways

a. Where the block is bisected by a pedestrian connection that meets the following standards, the maximum block perimeter and block length may be increased by 25%:

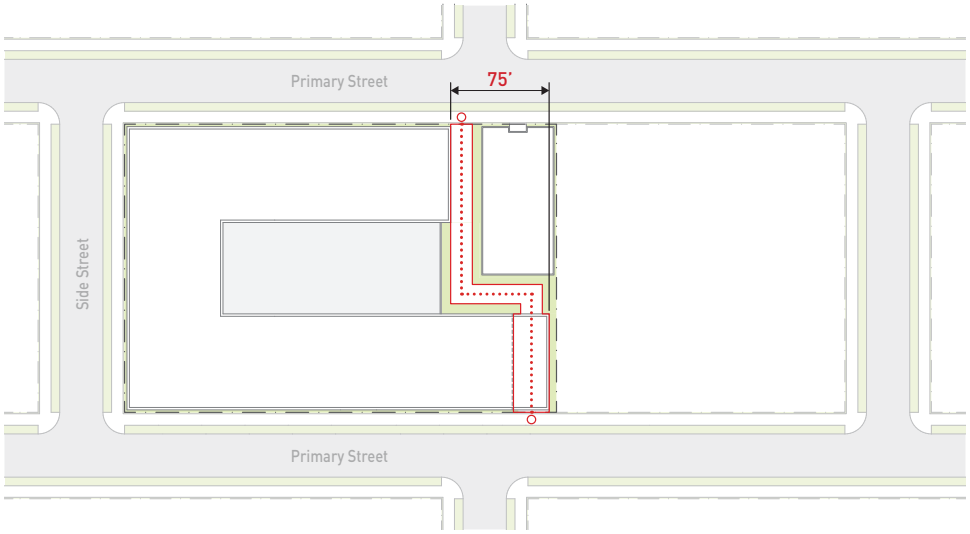
i. The pedestrian passageway must connect from the public sidewalk on the primary street through the lot to either the public sidewalk, alley, other public way, or easement abutting the opposing lot line.

ii. The pedestrian passageway must be a minimum width of 15 feet for uncovered portions and a minimum width of 25 feet for covered portions.

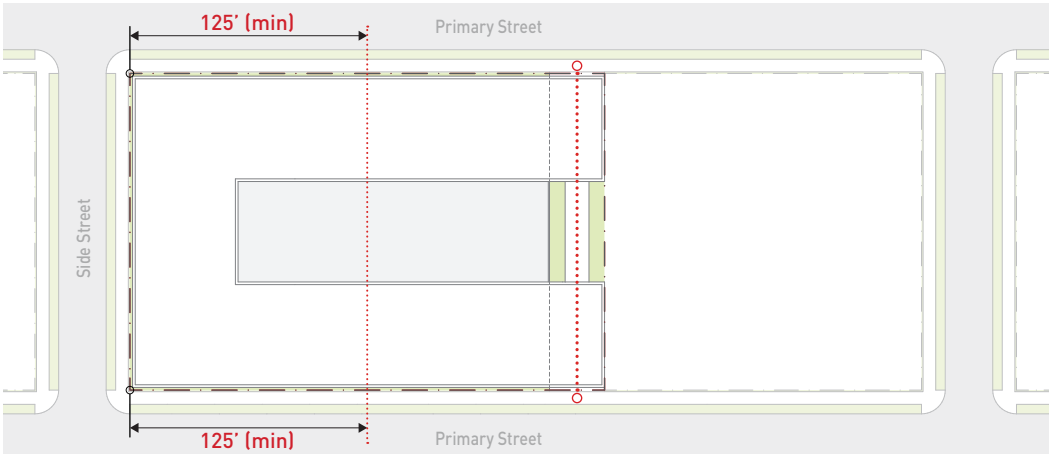
iii. The pedestrian passageway must have a minimum clear height of 15 feet, with the exception of required luminaries and trees.



iv. The centerline of the pedestrian passageway cannot vary laterally more than 75 feet from the access point on the primary street, measured parallel to the primary street lot line.



v. Access to the pedestrian passageway must be a minimum of 125 feet from the street intersection, measured along the primary street.



vi. The pedestrian passageway must be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive-aisle. Drive-aisle crossings must be the shortest practical distance.

vii. The pedestrian passageway must be illuminated in accordance with *Div. 19-4.12.*

viii. The pedestrian passageway must be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of the pedestrian passageway from pedestrian access during the required available hours.

b. Pedestrian passageways may count towards required outdoor amenity space if they meet the requirements of *Sec. 2.11.4.B.*

3. New Streets

a. Where a new street is required, it must be developed in accordance with the standards in *Div. 19-4.4.* and engineering details in the *Engineering Design and Specifications Manual*.

b. Where land ownership prevents a through street, a street stub must be provided to enable a future through street connection. The street stub must be located at the elevation of existing grade along abutting parcels as determined by the Administrator.

c. If a street stub or previously designated cross-access point exists on an abutting parcel, the street network provided by any new development abutting the street stub must connect to the street stub and complete the alignment as a through street wherever practical, as determined by the Administrator.

d. New streets must intersect with existing streets at existing intersections, wherever practical, as determined by the Administrator.

4. Cul-de-Sacs

a. Cul-de-sacs are allowed only where the Administrator has found that topographical, ownership, or other challenges beyond the land developer's control prevent the creation of a regular street grid.

b. Where a cul-de-sac is determined to be allowed, it must meet the dimensional standards of this section, and engineering details in the Engineering Design and Specifications Manual.

c. Cul-de-sacs may not exceed the lengths established by the zoning district in the following table:

	Max. Cul-de-Sac Length
RH-	
All RH- districts[2]	750'
RN-	
All RN- and RNX- districts[2]	750'
Community-scale	
All RC- districts	Not allowed
Mixed Use	
All MX- districts	Not allowed
Shopfront	

	Max. Cul-de-Sac Length
All MXS- districts	Not allowed
Business	
BG	Not allowed
BH[2]	750'
Industrial	
IX	Not allowed
IG[2]	750'
Special	
All special districts	Not allowed

d. A cul-de-sac must have a minimum radius of 42' and may not exceed a maximum radius of 70'.[2]

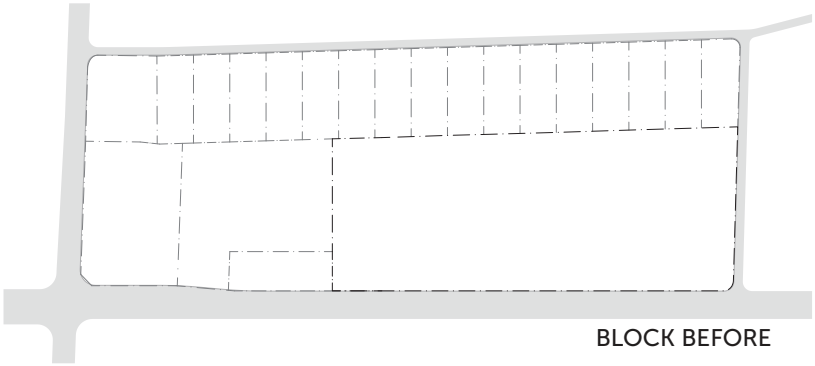
e. In all developments, a cul-de-sac must have a minimum radius of 48' if serving a fire apparatus access road.[2]

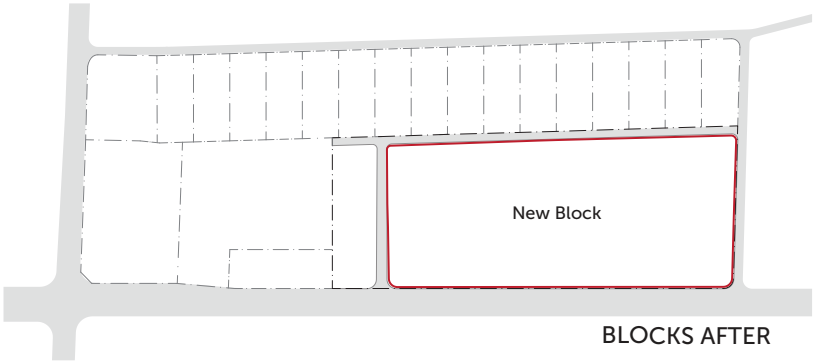
f. Where a cul-de-sac is constructed, pedestrian passageway meeting the requirements of ***Sec. 4.5.1.*** and public right-of-way easement must be provided to allow for the movement of pedestrians from the cul-de-sac, through the adjacent property, to the nearest public right-of-way. The easement must be provided in the location most likely to produce future pedestrian passageway connections. The Administrator has the authority to choose the location of the pedestrian passageway.

D. Measurement

1. Block Perimeter

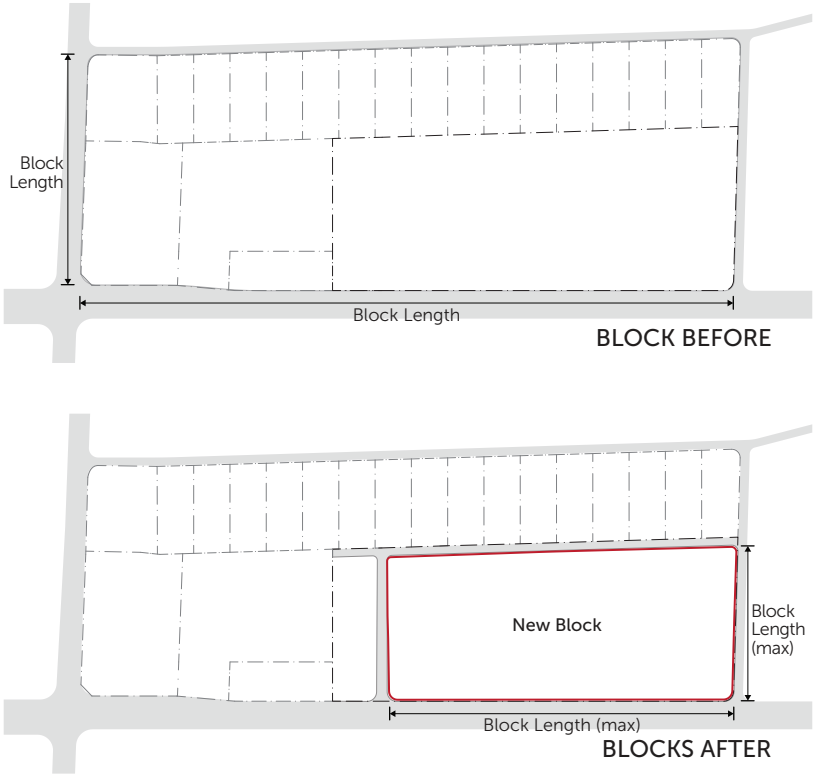
Block perimeter is measured along all lot lines abutting a street or right-of-way.





2. Block Length

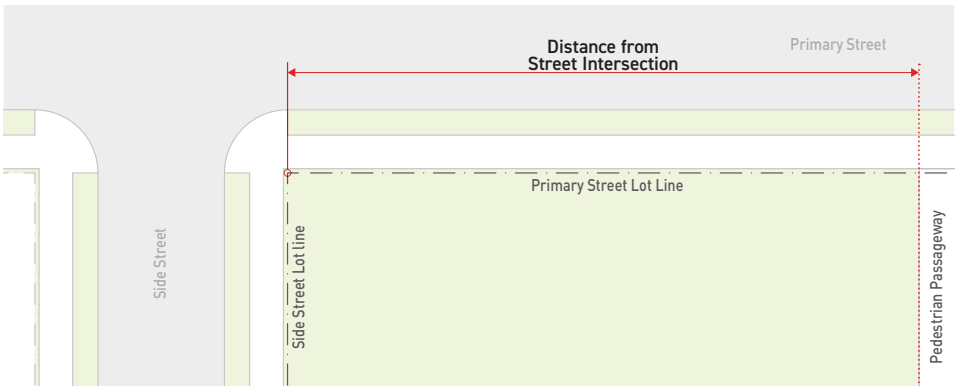
Block length is measured along the edge of a public or private right-of-way of each block face.



3. Pedestrian Passageways

a. Pedestrian passageway width is measured from one edge of the designated passageway perpendicularly to the opposite edge of the passageway.

b. Pedestrian passageway distance from street intersection is measured from the point where two street lot lines intersect adjacent to a street corner to the nearest edge of a required pedestrian passageway, measured along the street lot line.



E. Relief

a. A change of up to 10% to the required block standards may be requested in accordance with *Sec. 6.2.14.*

b. A change beyond 10% may be requested in accordance with *Sec. 6.2.15*

19-4.3.2. SITE, LOT, AND SUBLOTS

A. Intent

To establish minimum requirements for parcels of land in the application of this Code and provide mechanisms for the transfer of land ownership.

B. Applicability

Site, lot, and sublot standards apply to all development projects. Sublots are not permitted in the RH- districts.

C. Standards

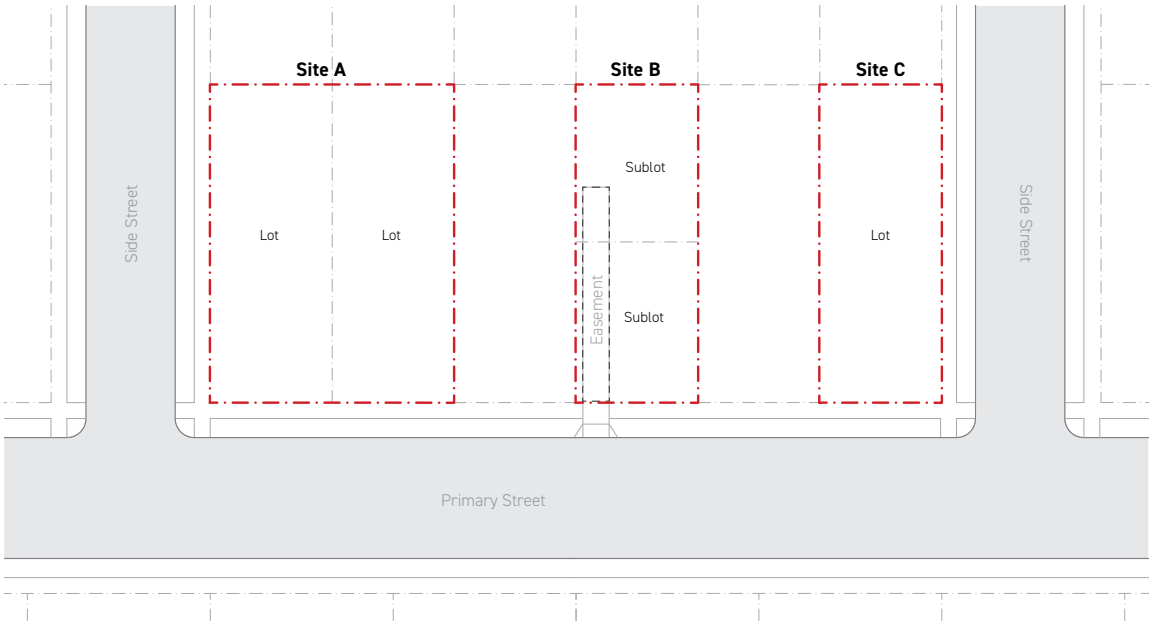
1. General

Every newly created lot and sublot requires approval as either a minor or major subdivision. For procedural information on the subdivision process, see *Sec. 6.2.4.*[2]

2. Site

a. A site is a single lot or group of connected lots owned or functionally controlled by the same person or entity, assembled for the purpose of development.

b. A site must abut a primary street.



3. Lot

a. A lot is a parcel, tract, or area of land established by a plat or other means as permitted by law, which is to be used, developed, or built upon.

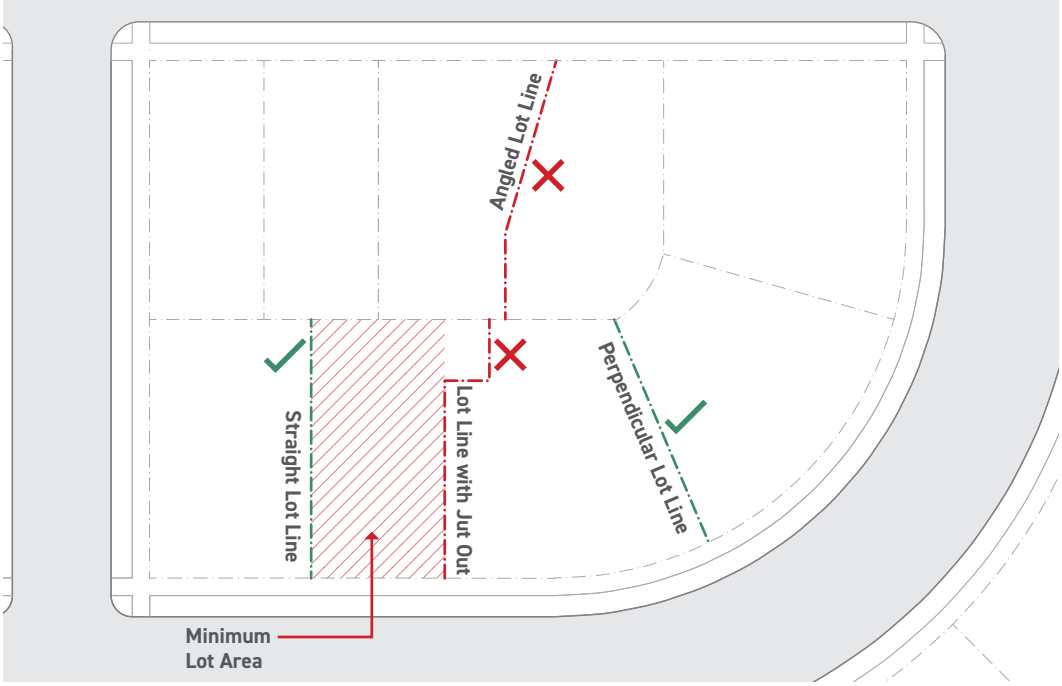
b. A lot must abut a primary street.

c. A lot must meet the requirements of the zoning district.

d. Each new lot created through the subdivision process must meet the dimensional standards for the zoning district in which it is located and should be generally developable under the standards of this Development Code, taking into account topography, floodplain, easements, and other site constraints. The Administrator or Planning Commission may request modifications to a subdivision plat to address developability concerns prior to approval. Exceptions include, but are not limited to, lots platted for open space, common areas, and other lots identified on the plat as not intended for development.[2]

e. Consistent with Section *19-2.11.2.B.3.*, no applicable lot can be less than the minimum width required by the zoning district.[2]

f. Lot lines should be generally perpendicular to a street or curve where they intersect the right-of-way and continue in a relatively straight bearing to a rear or alley property line. Jut outs behind or into other lots should be avoided and do not count in the calculation of minimum lot area.[4]



4. Sublot

a. A sublot is a parcel of land, existing with other sublots on a single lot, intended for the purpose of the transfer of ownership or possession or for development.

b. A sublot is not required to abut a primary street, side street, or alley but must abut a permanent access easement that meets one of the following standards:

i. Access easements must meet one the following minimum width standards:

a) Vehicle access easement of at least 10 feet in width for a maximum length of 150', or as approved by the Fire Marshal; or

b) Pedestrian access easement of at least 6 feet in width.

DIV. 19-4.4. **STREETS**

19-4.4.1. **STREET TYPES**

A. Intent

To improve the safety of all transportation users throughout the City, and to create a connective network that promotes an active public realm and the use of active transportation by creating safe and convenient facilities for pedestrians and bicyclists.

B. Applicability

1. Street type requirements apply when a development plan proposes the construction of a new street, public or private.
2. Streetscape requirements, including pedestrian zones and landscaping zones, apply to all lots.
3. Existing streets may remain serving existing development in their current configuration, but are required to meet the street type requirements if extended or substantially rebuilt as determined by the Administrator.

C. Standards

1. General

a. New streets, public and private, must be developed in accordance with the Street Type Map, dimensional standards in this Section, and engineering details in the ***Engineering Design and Specifications Manual.***

b. The City may determine that additional right-of-way must be dedicated to facilitate the required street and streetscape improvements.

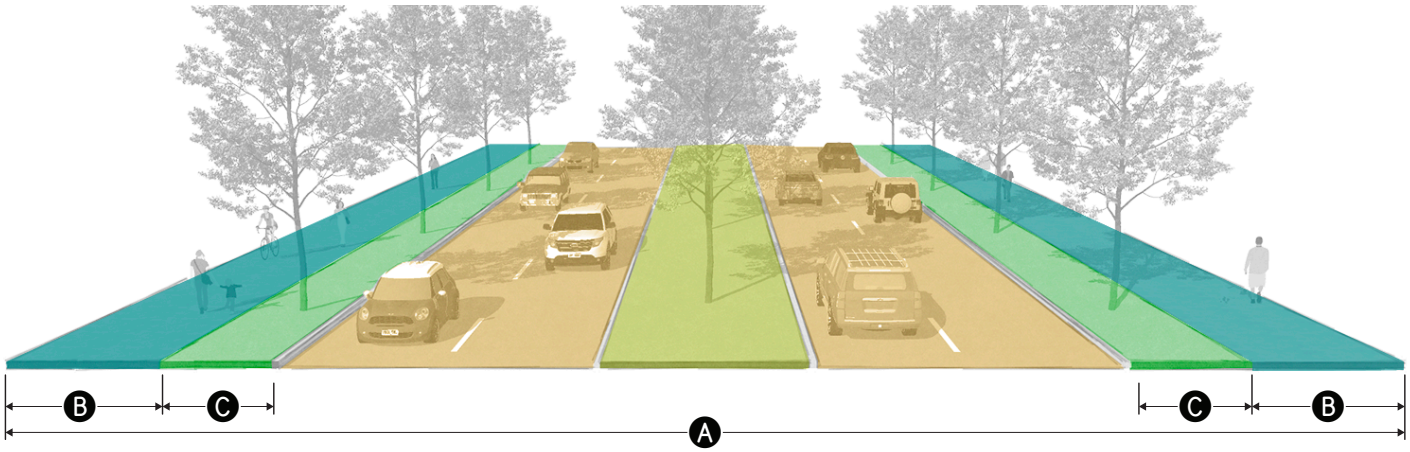
c. Gated streets are not permitted. For existing gated streets, a publicly accessible pedestrian passageway must be provided.

d. In areas with predominant patterns of existing streetscapes that conflict with the requirements of this section, the Administrator may allow for streetscapes to be constructed to match existing pedestrian zone and landscape zone configurations.

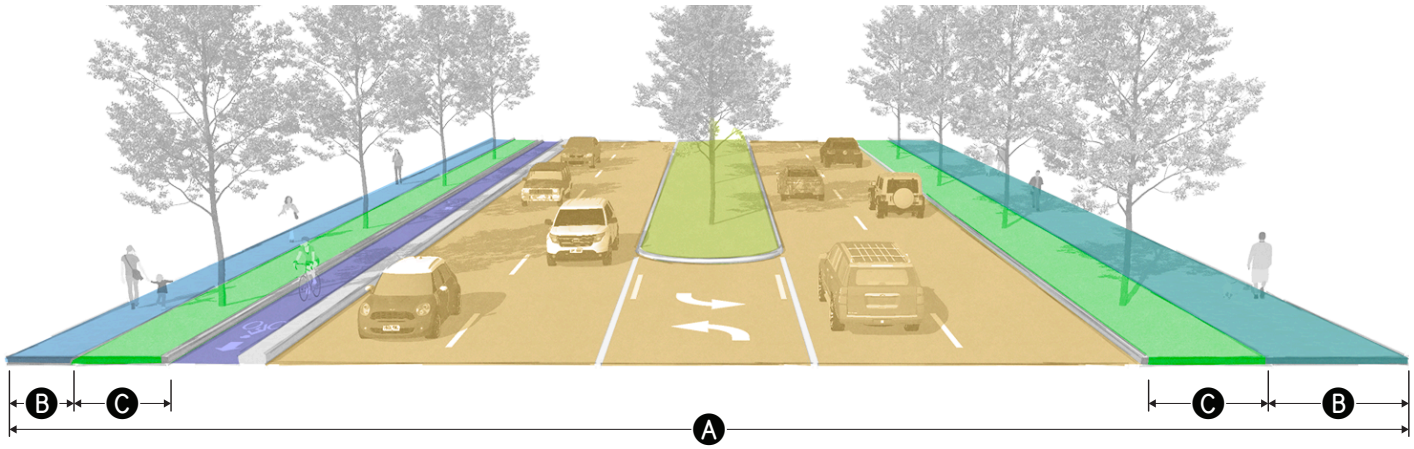
2. **Street Types**

THOROUGHFARE[2]

BOULEVARD



AVENUE

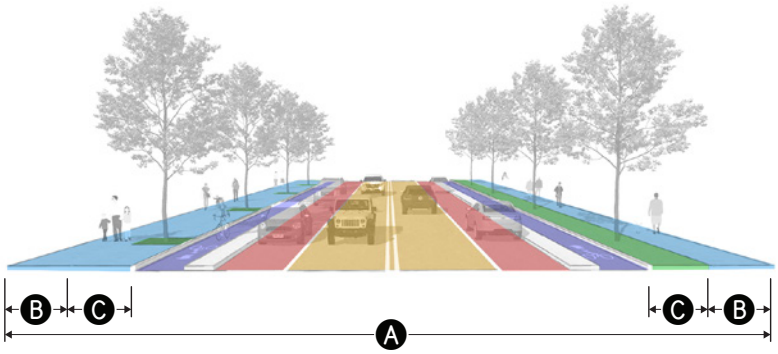


DIMENSIONAL STANDARDS	
A Right-of-way width (min)	90' - 105'
B Pedestrian zone (min)	5-10'
C Landscape zone (min)	8'
Tree planting type	Lawn
Planting frequency (min)	40' on-center

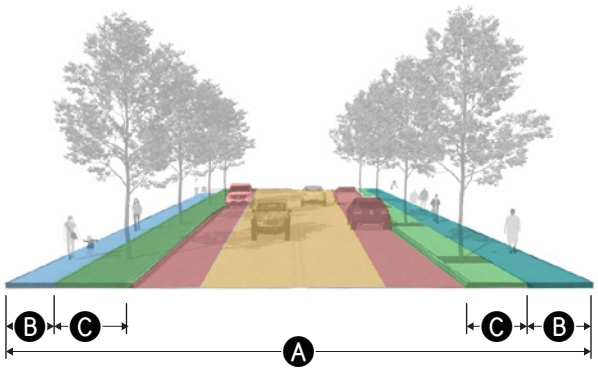
Refer to the ***Engineering Design and Specifications Manual*** for additional information.

DISTRICT STREET[2]

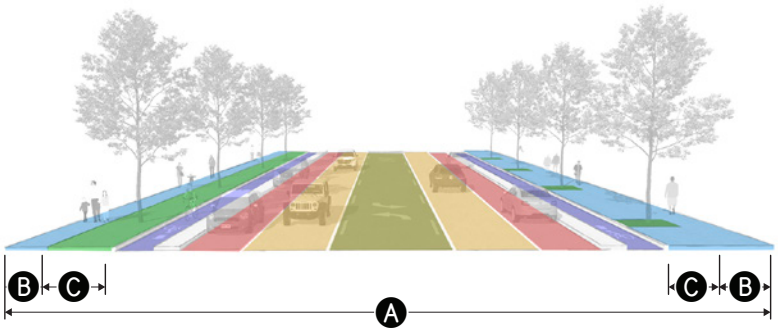
MIXED-USE
(TWO-LANE)



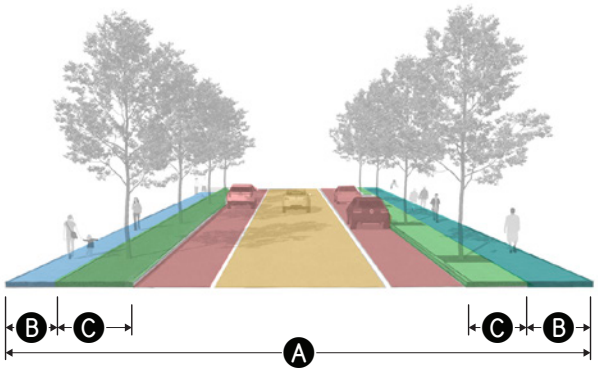
MAIN STREET



MIXED-USE
(THREE LANE)



ONE-WAY

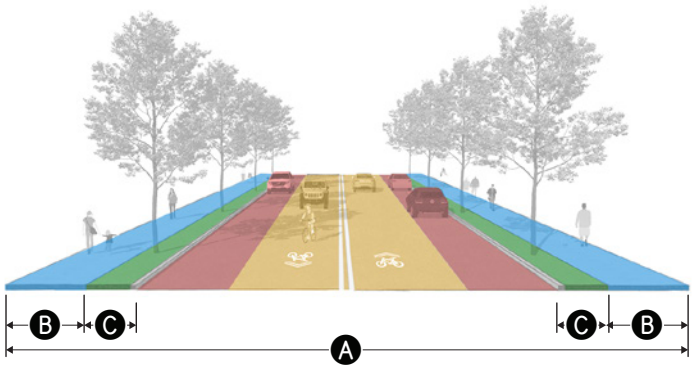


DIMENSIONAL STANDARDS	
A Right-of-way width (min)	70' - 100'
B Pedestrian zone (min)	5-12'
C Landscape zone (min)	5-8'
Tree planting type	Lawn or Grates
Planting frequency (min)	40' on-center

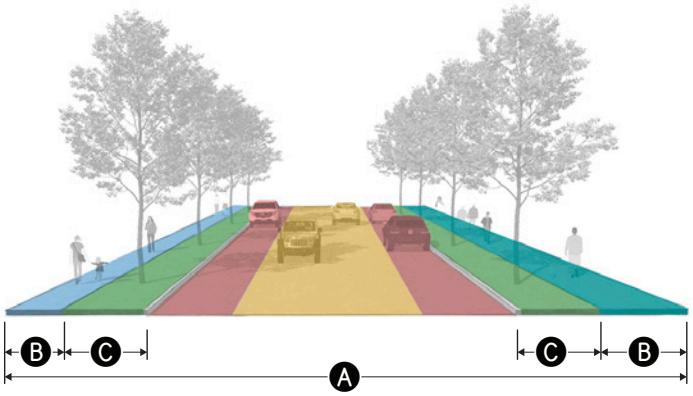
Refer to the ***Engineering Design and Specifications Manual*** for additional information.

NEIGHBORHOOD STREET[2]

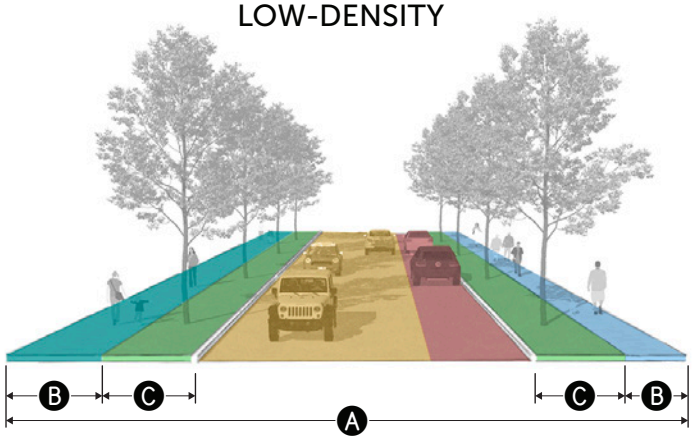
HIGH-DENSITY



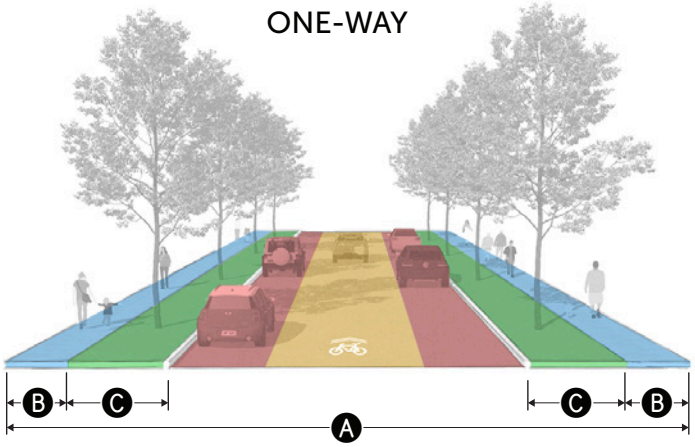
MEDIUM-DENSITY



LOW-DENSITY



ONE-WAY

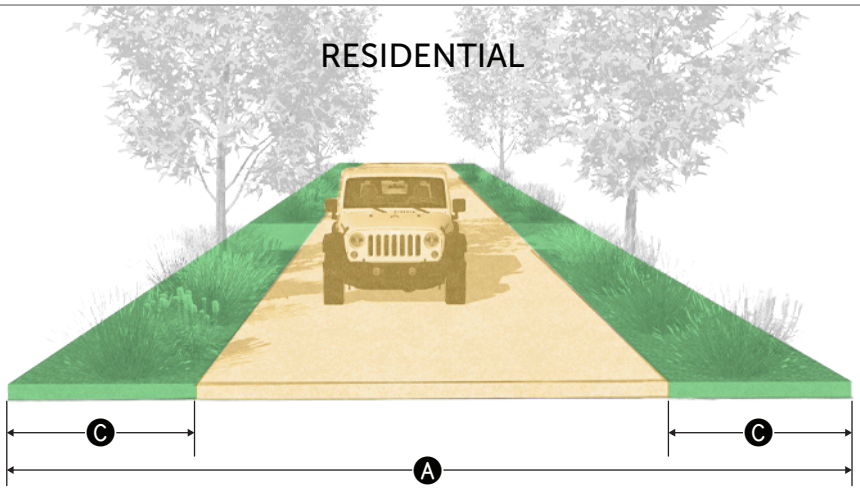


DIMENSIONAL STANDARDS	
A Right-of-way width (min)	40’ - 65’
B Pedestrian zone (min)	5-8’
C Landscape zone (min)	5’
Tree planting type	Lawn
Planting frequency (min)	40’ on-center

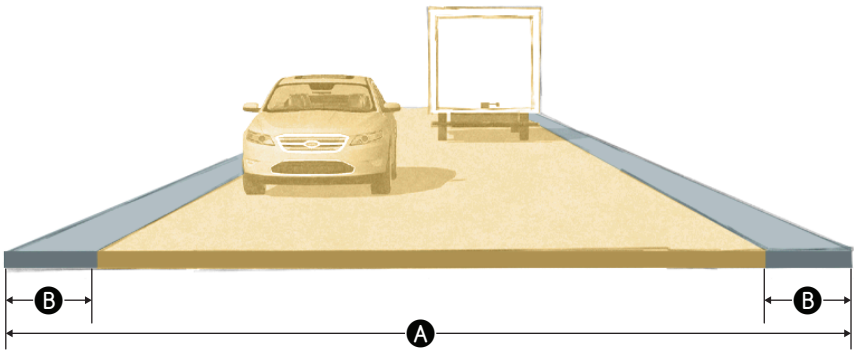
Refer to the ***Engineering Design and Specifications Manual*** for additional information.

ALLEY[2]

RESIDENTIAL



MIXED-USE + COMMERCIAL



DIMENSIONAL STANDARDS	
A Right-of-way width (min)	20' - 30'
B Shoulder (min)	2.5'
C Landscape zone (min)	4-5.5'
Tree planting type	None

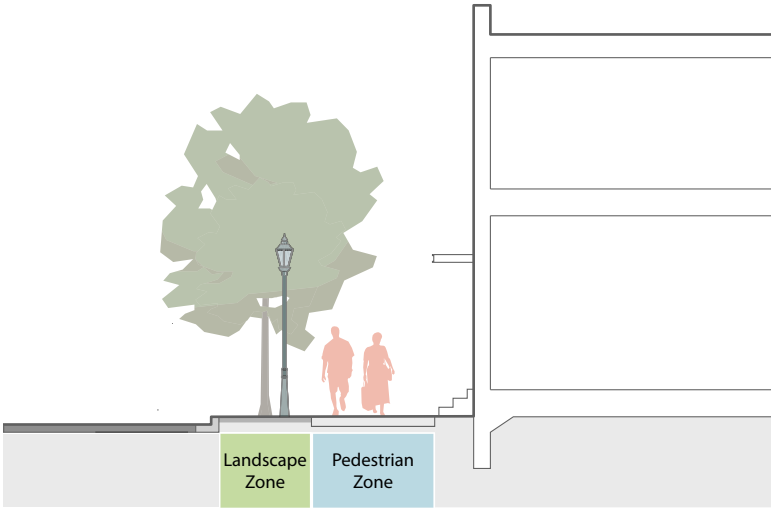
Refer to the ***Engineering Design and Specifications Manual*** for additional information.

3. Pedestrian Zone

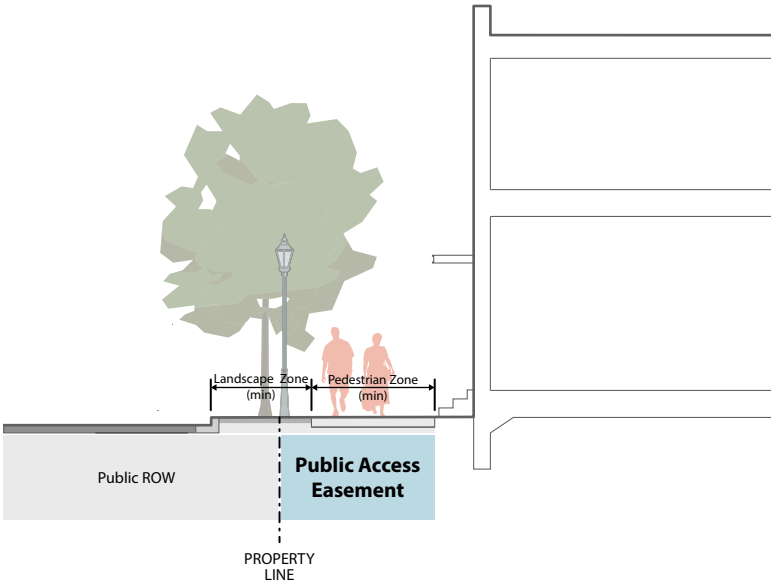
a. All Pedestrian Zones

i. A clear, direct, continuous, and paved sidewalk or trail must be provided along all existing and future streets.

ii. Pedestrian zones must be separated from automobile travel lanes and street parking with a landscape zone meeting ***paragraph 4*** below.



iii. Where there is not enough room in the right-of-way for the required pedestrian zone, the pedestrian zone must be provided on-site as a permanent public access easement.



iv. All required sidewalks and trails must be constructed to comply with all City and ADA specifications.

v. Utility poles cannot be located in a pedestrian zone unless an alternative location is not feasible, as determined by the Administrator.

b. **Sidewalks**

i. No required sidewalk may have a horizontal dimension narrower than the minimum width specified by the street classification on the Street Type Map. The sidewalk must not include any fixed obstructions for the minimum specified width.

ii. Where existing sidewalks are determined to be in "good condition" by the Administrator, they may be used to comply with pedestrian zone requirements provided the sidewalk complies with all standards in this section.

iii. Fee in lieu of sidewalk construction[6]

a) The Administrator may, upon receiving an application for a Sidewalk Waiver, accept a fee in lieu of constructing a required sidewalk if at least one of the following conditions apply:

1) Existing physical constraints such as topography, waterways, drainage features, natural resources, buildings, etc. prevent the construction of standard sidewalks.

2) The sidewalk installation alone would require a Conditional Letter of Map Revision (CLOMR) for floodplain or floodway impacts.

3) The sidewalk would need to be removed or relocated within five years due to a publicly funded sidewalk improvements project. In this case, easements sufficient for the publicly funded project must be provided.

4) The Administrator determines that the sidewalk is not within proximity, generally considered more than 1,000 feet from the closest completed sidewalk segment, measured along the right-of-way boundary. A sidewalk easement may be required to construct the sidewalk in the future.

b) The fee in lieu of amount shall be calculated in accordance with the Sidewalk Construction Fee in Lieu of Schedule included in the ***Engineering Design and Specifications Manual.***

c) A public access easement must be recorded in sufficient width to accommodate a future sidewalk per the ***Engineering Design and Specifications Manual.***

d) All fees collected for fee in lieu of sidewalk construction shall be used solely for the design and construction of pedestrian infrastructure within the City.

c. **Multi-use Trails**[2]

i. This subsection does not apply to an Addition to a Single-Unit Living Use, including construction of an accessory structure or accessory dwelling unit. This subsection does not modify other Street standards which may be applicable pursuant to ***Sec. 19-4.1.1.A.***

ii. Sites with frontages identified as a multi-use trail or pedestrian path in an adopted pedestrian plan must construct the planned multi-use trail for the full length of the frontage, ensuring that no portion of the trail segment is narrower than the minimum width specified in the adopted master plan.

iii. To meet pedestrian zone requirements, multi-use trails must be widened by an additional 5 feet beyond the minimum width specified in the adopted master plan. The expanded portion of the trail is considered the pedestrian zone and must comply with ***paragraph 3*** above. Alternatively, a minimum width for the required trail and pedestrian zone may be determined by the Administrator.

iv. The Administrator may waive the requirement to construct a multi-use trail if the lot is not within proximity, generally considered more than 1,000 feet, of the closest completed trail segment,

measured along the right-of-way boundary following the trail route shown in the adopted master plan. In lieu of constructing the trail, a trail easement must be provided across the lot to construct the trail in the future.

4. Landscape Zone

a. A continuous landscape zone must be provided along all existing and future streets.

b. The landscape zone must be located between the back of curb and the pedestrian zone.

c. No required landscape zone may have a horizontal dimension narrower than the minimum width specified by the street classification on the Street Type Map.

d. Where there is not enough room in the right-of-way for the required landscape zone, the landscape zone must be provided on-site as a permanent public access easement.

e. Where existing landscape zones are determined to be in "good condition" by the Administrator, they may be used to comply with landscape zone requirements provided they comply with all standards in this section. An existing substandard landscape zone may be expanded and improved to meet this standard.

f. Street trees must be provided in all landscape zones in accordance with ***paragraph 5*** below.

g. The following encroachments are permitted in the landscape zone subject to City approval:

i. Public transit shelters, benches, trash receptacles, bicycle racks, and residential mailboxes.

ii. Utility boxes, meters, man hole covers, regulatory signs, and fire suppression equipment.

iii. Pedestrian lighting.

iv. Landscaping, sidewalks, trees, and planters.

5. Tree Planting Type

a. **All Tree Planting Types**

i. Required street trees must be located in the landscape zone.

ii. All required street trees and their planting areas must comply with ***Div. 19-4.10.***

iii. Required street trees must be canopy trees and must be planted according to the minimum tree spacing specified by the street classification. Tree spacing may vary to accommodate driveways, utilities, and other potential conflicts, provided no canopy street tree is planted closer than 20 feet from another street tree.

iv. When required to be planted under an overhead utility line, required street trees shall be understory trees and must be planted every 20 feet on-center, on average. Tree spacing may vary to accommodate driveways, utilities, and other potential conflicts, provided no understory street tree is planted closer than 10 feet from another street tree.

v. The minimum number of street trees required along each street is calculated by dividing the length of the street lot line by the minimum tree spacing specified by the street classification.

vi. Within the required planting area, soils cannot be compacted and the surface area must be pervious.

b. **Tree Lawns**

Where the street classification specifies "lawn" for the street tree planting type, a continuous planting area with a minimum width as specified by the street classification and a minimum soil depth of 3 feet must be provided for the full length of the associated street lot line.

c. **Tree Grates**

i. Where the street classification specifies "grates" for the street planting type, a planting area with a minimum width as specified by the street classification, a minimum soil depth of 3 feet, and a minimum length of 8 feet must be provided for each required street tree.

ii. Pervious pavers or pervious grates may be provided on top of the planting area provided the planting area is protected from compaction.

d. **Tree Lawns / Grates**

Where the street classification specifies "lawn or grates" for the street planting type, the applicant, with approval from the Administrator, may choose to meet their street tree requirement using tree lawns, tree grates, or a combination of both.

6. Relief

a. A reduction of up to 10% to the street tree planting area dimensional standards may be requested in accordance with *Sec. 6.2.14.*

b. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

D. Streets and Access Standards

1. Design Standards

The arrangement, character, extent, width, grade, and location of public and private streets must conform to all applicable federal and state regulations and the Design and Specifications Manual. All streets must be designed to complement existing and proposed streets, streetscapes, walkways, bikeways, and public art ("complete streets"); topographic conditions; public convenience and safety, especially fire, police, and emergency responders; and the land uses proposed to be served by such streets.

2. Street Projection

Streets must be designed to provide a network of interconnected streets, walkways, and bikeways. Except as authorized by ***paragraph 5*** below, the street layout of a proposed development must provide for the continuation or projection of streets, alleys, bikeways, and walkways adjacent to the area being developed. Proposed streets, alleys, bikeways, and walkways must continue at a width (equal or greater) and an alignment consistent with the streets, alleys, bikeways, and walkways being continued and the provisions of the Design and Specifications Manual.

3. Traffic Calming

Streets must be designed to provide an acceptable level of service; enhance visual interest; and integrate physical measures designed to improve the safety and utility of streets for non-motorized users.

4. **Points of Access**

Development must provide cross-access between compatible, adjacent land uses unless determined by the decision-making body to be infeasible due to topography; environmental constraints; or property configuration/shape. Development may be required to share driveway access with adjoining properties, consistent with the provisions of the Design and Specifications Manual. Restrictions to access, including, but not limited to gates; gatehouses, guard houses, etc., are prohibited unless such access is determined by the decision-making body to be necessary for public safety.

5. **Half-Streets and Abutting Rights-of-Way**

If a development abuts an existing public street, the developer must dedicate to the City additional rights-of-way along the subject street in an amount sufficient to meet the minimum required by the Design and Specifications Manual. Half-streets, involving the platting or the construction of one-half of the otherwise required street width are prohibited. If a development abuts an existing half-street, the decision-making body may require the remaining half of the street to be platted and the full section constructed to conform to the requirements of the Design and Specifications Manual.

6. **Dead-End Streets**

Dead-end streets are prohibited unless determined by the decision-making body to be necessary due to topography; environmental constraints; property configuration/shape; property accessibility; and compatibility with adjacent land uses. If determined to be necessary, a turnaround must be provided conforming to the requirements of the Design and Specifications Manual. When a development includes a dead-end street intended for future continuation, the developer must provide and maintain a temporary turnaround within the right-of-way.

7. **Federal and State Highways/Thoroughfare Access**

If a development abuts a federal or state highway, major or minor thoroughfare, or similar type street, access to the subject highway may be prohibited and the development may be required to provide a parallel street or reverse frontage on an interior street to provide access for the lots adjacent to the highway.

8. **Reserve Strips**

Reserve strips designed to limit access to streets, alleys, or public lands are prohibited unless conveyed to the City under conditions meeting the approval of the decision-making body.

9. **Sight Triangles**

At street intersections, the intersecting street rights-of-way must be connected to create a sight triangle as specified in the Design and Specifications Manual. This additional right-of-way must be offered for dedication to the City or SCDOT, as appropriate.

10. **As-Built Drawings**

Upon installation of all streets, a developer must furnish the Administrator with drawings depicting the precise location of all streets pursuant to the provisions of the *Design and Specifications Manual*. An offer of dedication cannot be made until the developer furnishes the Administrator with as-built drawings.

11. Offer of Dedication

Public streets, rights-of-way, and appurtenant storm drainage must be designed and constructed to the standards of the Design and Specifications Manual and must be offered for dedication to the City (or SCDOT or other public authority, as appropriate). The City Council may, by resolution, accept the offer of dedication. All liability and maintenance must remain with the developer until accepted by the City Council after approval of a final plat pursuant to ***Sec. 6.2.4.,*** and the expiration of the required warranty.

12. Private Streets and Private Access Ways

The Planning Commission may approve the installation of private streets or private access ways via an access easement if found to further the purposes of the City's land development regulations in a manner consistent with the protection of the public's interest. The private streets or private access ways must be conveyed to a property owners' association or a condominium regime incorporated pursuant to the South Carolina Code of Laws. All liability and maintenance must remain with the developer until conveyed to the property owners' association or condominium regime. The design and construction of these private streets and private access ways must conform to the requirements of the Design and Specifications Manual.

13. Disclosure Statement

In those instances in which the Planning Commission approves the use of private streets or private access ways conveyed by perpetual easement, a statement must be recorded in the office of the county register of deeds in conjunction with the property owners' declaration of covenants (and documented on the final plat) wherein the rights and obligations of the interested parties and the City are enumerated; to with:

> "Each owner of property shown on this plat is provided access to a public street by an easement recorded in the Office of the Greenville County Register of Deeds in Book ___ at Page ___ in which each property owner has a perpetual undivided interest of access. Further, this easement must provide ingress and egress to agents and employees of the City of Greenville for the purpose of establishing, maintaining, repairing, etc., designated public utilities located within the easement and providing public services, including, but not limited to, fire and police protection, to the properties reflected on this plat. Approval of this plat by the City of Greenville through its authorized agents does not constitute a representation that the easement is actually constructed as shown on the plat or that the easement meets the design standards certified to by the design engineer. The City in its sole discretion may prohibit further subdivision of any lot reflected on this plat. The City will not accept any offer of public dedication of this private access way unless it is designed and constructed to prevailing public street standards and 100 percent of the costs of improvements are assessed to the lots reflected on the plat."

14. Driveway/Access Way Connections to Streets

Driveways and private access ways must be connected to streets via a standard concrete apron in conformance with the ***Design and Specifications Manual.*** Some commercial, industrial, and shared driveways/private access ways must be considered as creating street intersections and must comply with the relevant street design standards of this Section and the Design and Specifications Manual.

15. Driveway/Access Way Spacing

The arrangement, character, extent, width, grade, and location of all driveways and private access ways must conform to all applicable federal and state regulations and the ***Design and Specifications Manual***. Driveways and private access ways must be located as far as possible from street intersections and must align with opposing driveways, private access ways, and streets; a driveway or private access way cannot be located within the curb radius of an intersection.

16. Traditional Neighborhood Development

As part of its approval of a planned development plan and agreement, the City Council may approve the modification of these standards to accommodate the principles of traditional neighborhood development as reflected in the prevailing standards established by the Institute of Transportation Engineers. The PD plan and agreement must reflect the street standards applicable to the development.

DIV. 19-4.5. MULTI-MODAL ACCESS AND PARKING

19-4.5.1. PEDESTRIAN ACCESS

A. Intent

To promote walkability by:

1. Improving pedestrian access from the public realm to the interior of buildings;
2. Ensuring that required entrances are conveniently and effectively accessible to pedestrians; and
3. Activating the public realm with building access points and improve convenient pedestrian circulation through large sites to an extent and frequency appropriate to the context.

B. Applicability

Pedestrian access standards apply to all lots based on the requirements for the zoning district listed below.

1. Pedestrian Connection Types

	Pedestrian Access Type
RH-	
All RH- districts[2]	
Single-unit living[5]	Type 2
All other uses[2]	Type 3
RN-	
All RN- and RNX- districts	Type 2
Community-scale	
All RC- districts	Type 2
Mixed Use	
All MX- districts	Type 1
Shopfront	
All MXS- districts	Type 1
Business	
BG	Type 2
BH	Type 3
Industrial	
IX	Type 2
IG	Type 3
Special	
All special districts	Type 1

2. Site Access

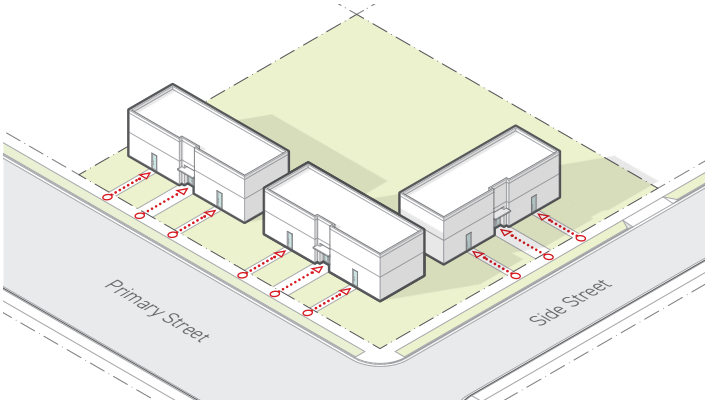
Site access standards apply to all street-facing entrances required by the zoning district, based on requirements in ***Sec. 2.11.14***. Site access standards do not apply to non-required entrances.

C. Standards

1. Pedestrian Connection Types

PEDESTRIAN ACCESS TYPE 1

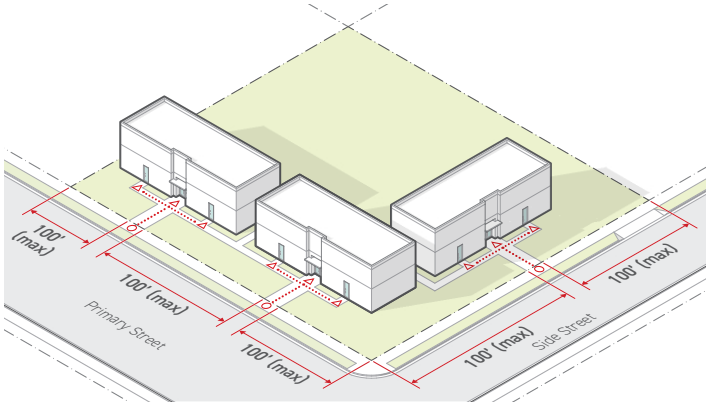
Intended to ensure buildings are highly integrated with the surrounding public realm and to promote walking as a safe and convenient mobility option to improve connectivity through large sites.



SITE ACCESS	
Pedestrian accessway type	Direct
Pedestrian accessway spacing (max)	*See District*
Distance from street intersection (max)	See District

PEDESTRIAN ACCESS TYPE 2

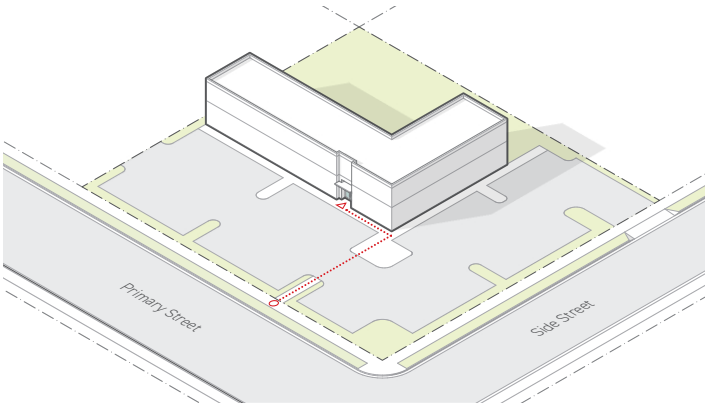
Intended to ensure buildings are conveniently accessible from the public realm and to promote walking as a safe and convenient mobility option to improve connectivity through very large sites.



SITE ACCESS	
Pedestrian accessway type	Linked
Pedestrian accessway spacing (max)	100'
Distance from street intersection (max)	100'

PEDESTRIAN ACCESS TYPE 3

Intended to ensure buildings are accessible from the public realm by requiring a physical connection between the public realm and the interior of a building.



SITE ACCESS	
Pedestrian accessway type	Linked
Pedestrian accessway spacing (min)	1 per lot
Distance from street intersection (max)	None

2. Site Access

a. Pedestrian Accessway Type

i. Linked

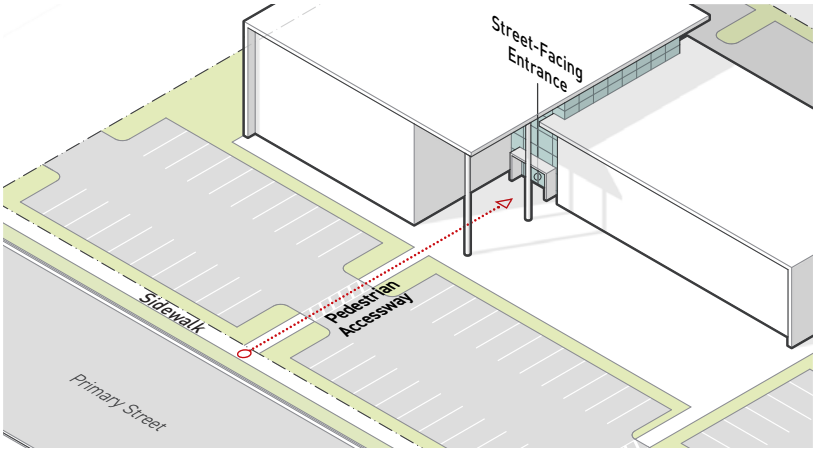
a) Linked pedestrian accessways must connect to the sidewalk, multi-use trail, or other publicly accessible pedestrian-facility along the street lot line, to a required street-facing entrance.

b) The accessway must be at least 4 feet wide.

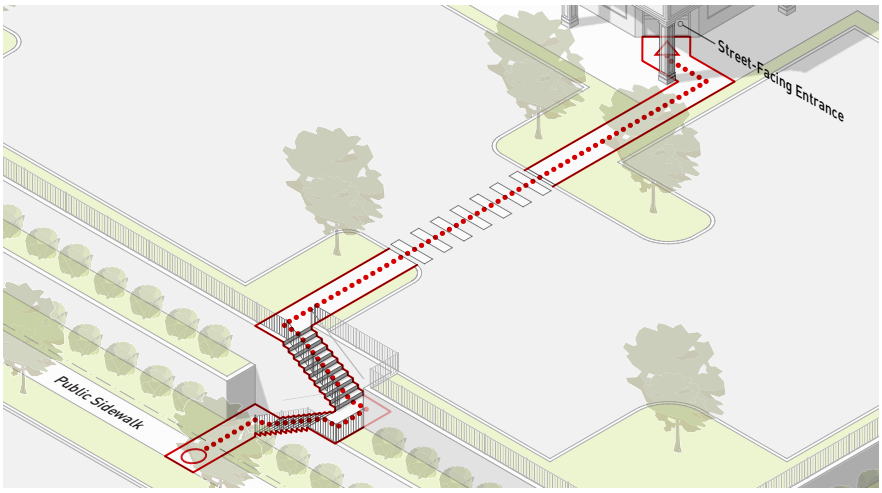
c) The finished surface must be stable, firm, and slip resistant in accordance with ADA floor surface standards.

d) The accessway must be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive-aisle. Drive aisle crossings must be the shortest practical distance. Striping or a distinguished material is required for accessways across a drive aisle or vehicle driveway.[2]

e) Pedestrian access for single-unit living in RH- districts may connect from a street-facing entrance to a private driveway instead of the public sidewalk. This access is not required to be striped or physically separated from the drive aisle.[5]



f) Where a retaining wall, open drainage, or similar obstacle interrupts a required accessway, the connection must be designed to facilitate passage through or over the obstacle. If the connection is not ADA compliant, a separate, compliant accessway must be provided.

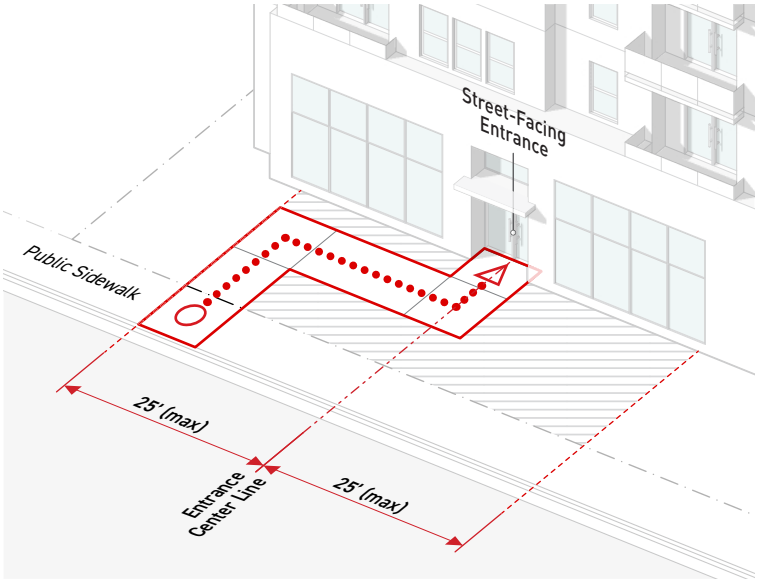


ii. **Direct**

a) Direct pedestrian accessways must comply with all linked pedestrian accessway standards (***paragraph i.*** above) in addition to the standards below.

b) A minimum of one pedestrian accessway must be provided to each street-facing entrance required by the zoning district.

c) The connection to the public sidewalk must be within 25 feet of the center of the street-facing entrance, measured parallel to the applicable lot line.



b. **Pedestrian Accessway Spacing**

A required pedestrian accessway must not be separated from another pedestrian accessway or the end of a street lot line by a distance greater than the maximum allowed pedestrian accessway spacing.

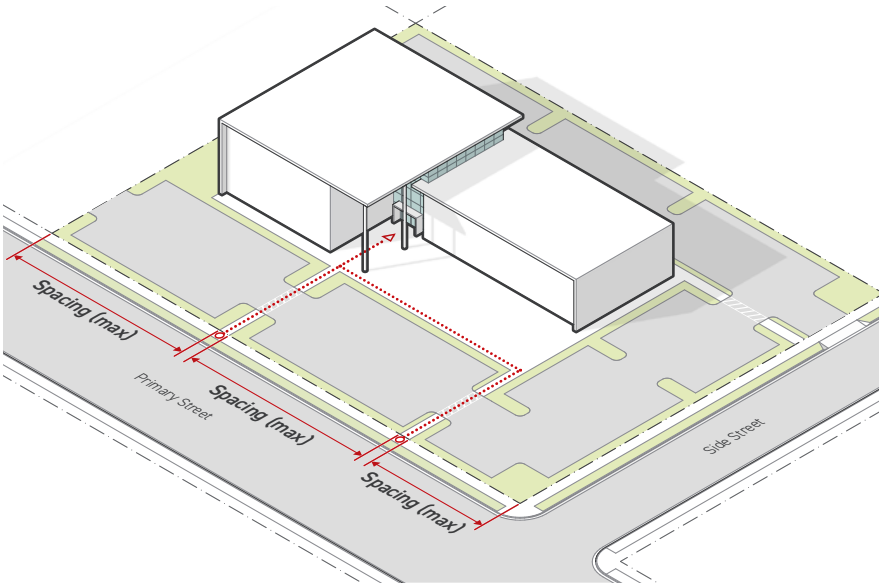
c. **Distance from Street Intersection**

A required pedestrian accessway must not be separated from a street intersection by a distance greater than the maximum allowed distance from street intersection standard.

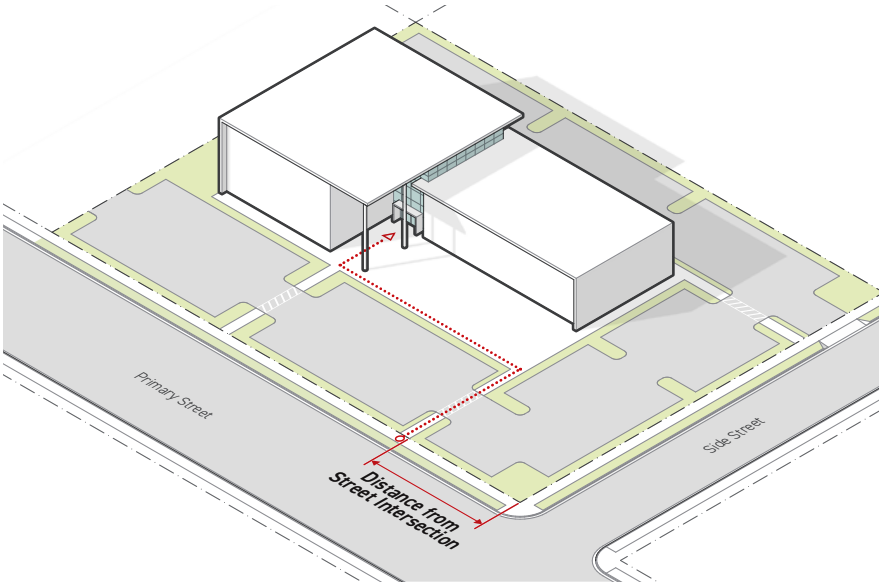
D. Measurement

1. Pedestrian accessway width is measured from one edge of the accessway perpendicularly to the opposite edge.

2. Pedestrian accessway spacing is measured as the distance between pedestrian accessways measured following the geometry of the street lot line from the end of the lot line to the edge of the pedestrian accessway and from the edge of the pedestrian accessway to the edge of the adjacent pedestrian accessway.



3. Pedestrian accessway distance from a street intersection is measured from the intersection of two street lot lines to the nearest edge of a pedestrian accessway measured along the street lot line.



E. Relief

1. A change to a pedestrian access standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.5.2. BICYCLE PARKING

A. Intent

To promote bicycling as an alternative to automobile transportation and help ensure safe, secure, accessible, and convenient storage of bicycles for all users.

B. Applicability

1. All allowed uses in *Art. 19-3.*
2. Projects with 1 to 4 dwelling units are not required to provide short or long-term bicycle parking.
3. Dwelling units with individually accessed private garages are not required to provide long-term bicycle parking.

C. Standards

1. Required Bicycle Parking

Bicycle parking must be provided in accordance with the following table:

	MINIMUM SPACES REQUIRED	
USES	**Short-Term Spaces**	**Long-Term Spaces**
Residential		
Multi-Unit living[5]	1 / 10 dwelling unit, 2 min	1 / 4 dwelling unit, 2 min
General Group Living[5]	1 / 6 beds, 2 min	1 / 3 beds, 2 min
Public, Civic, and Institutional		
All uses[5]	1 / 5,000 SF of gross floor area, 2 min	None
Commercial		
General Lodging[5]	1 / 5,000 SF of gross floor area, 2 min	1 / 4 guestroom, 2 min
All other uses[5]	1 / 5,000 SF of gross floor area, 2 min	None
Industrial		
All uses[5]	1 / 10,000 SF of gross floor area, 2 min	None

Ratios using gross floor area will be measured up to 100,000 SF.[5]

2. Bicycle Facilities

a. General

i. Bicycle parking must consist of bicycle racks that support the bicycle frame at two points in a stable, upright position.[5]

ii. Racks must allow for the bicycle frame and at least one wheel to be locked to the rack.

iii. If bicycles can be locked to each side of the rack, each side can be counted as a required space.

iv. Placement of bicycle racks must allow clear and maneuverable access and must not impede pedestrian and vehicular circulation.[5]

v. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone, or wood chips. Racks must be securely anchored to a permanent surface.

vi. Bicycle parking must be provided in a well-lit area.

vii. When bicycle parking is located adjacent to the pedestrian zone, the bicycle parking space cannot obstruct or encroach into the minimum required pedestrian zone.

b. **Short-Term Bicycle Parking**

i. Short-term bicycle parking must be publicly accessible and located on-site or in an area within 100 feet of the primary entrance for the building it serves.[5]

ii. Short-term bicycle parking may be located within the public right-of-way subject to approval of an encroachment permit for use of the public right-of-way.

iii. Business operators or property owners who choose to install bicycle parking within the public right-of-way are responsible for maintaining the racks.

iv. Any site located within 500 feet of a City-funded bicycle corral may count up to 2 bicycle parking spaces within the bicycle corral toward their required short-term bicycle parking.

c. **Long-Term Bicycle Parking**

i. Long-term bicycle parking offers a secure and weather protected place to park bicycles for employees, residents, commuters, and other visitors who generally stay at a site for several hours.

ii. Long-term bicycle parking is required to be covered and must include use of one of the following:

a) A locked room;

b) A bicycle locker;

c) An area enclosed by a fence with a locked gate;

d) An area within view of an attendant or security guard or monitored by a security camera; or

e) An area visible from employee work areas.

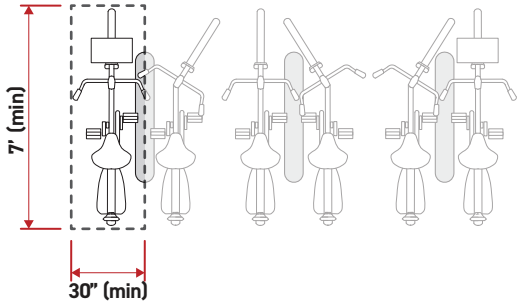
iii. The bicycle parking area must be located on-site or in an area within 200 feet of the building it serves.

D. Measurement

1. When the application of these regulations results in a fraction, fractions of 1/2 or more are counted as 1 space.

2. Distance is measured in walking distance from the nearest point of the bicycle rack to the primary entrance of the use served.

3. Bicycle parking spaces must be a minimum of 30 inches wide and 7 feet long.[5]



E. Relief

1. A bicycle parking requirement may be reduced by up to 10% in accordance with *Sec. 6.2.14.*; in no cases can the requirement be less than 2 spaces.
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.5.3. TRANSIT ACCESS

A. Intent

1. To promote public transit use as an alternative to automobile transportation and help ensure safe, lawful, and accessible access to public transit stops.

B. Applicability

1. All projects located on a current or future identified transit route as determined by Greenlink's Transit Development Plan.

C. Standards

1. Required Transit Stop
   a. If deemed appropriate by the Administrator, applicable projects must install a 6'X12' concrete pad connected to sidewalks at the location determined to be the safest and most practical location for a transit stop.
2. Transit Stop Facilities
   a. Greenlink may install and maintain necessary transit stop items, including signage, benches, lighting, and shelters.
   b. Access to the transit stop must be allowed in perpetuity.

D. Relief

1. Transit infrastructure requirements may be reduced or eliminated as determined by the Administrator.

DIV. 19-4.6. VEHICLE ACCESS AND PARKING

19-4.6.1. VEHICLE ACCESS

A. Intent

To ensure motor vehicle access to sites is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and motor vehicles on the abutting public right-of-way and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to vehicle parking and other motor vehicle use areas.

B. Applicability

Any zoning lot that provides access to motor vehicles.

C. General Standards

1. All existing and proposed development that provides on-site parking or loading must provide a satisfactory means of vehicle access to and from a street or alley.
2. Every platted lot is permitted at least one driveway unless otherwise modified by the Administrator.
3. An encroachment permit is required for cutting of the curbing or pavement of a public right-of-way to provide vehicle access to a property. A driveway may only be installed with an encroachment permit issued by the City.[4]
4. For a driveway on to a County Road or State Highway, final approval must be obtained from the appropriate jurisdiction.
5. When a parcel is adjacent to a primary and side street without an alley, vehicle access must be placed along the side street unless otherwise permitted by the Administrator.
6. When an improved alley exists or is proposed by the development project, vehicle access must take place from the alley unless otherwise permitted by the Administrator.
7. Access may be shared between abutting parcels, provided an easement, deed restriction or other similar agreement acceptable to the City is provided.
8. All vehicle access designs must be approved by the Administrator and must conform to the provisions of the *Engineering Design and Specifications Manual.*

D. Driveway Spacing

1. Applicability

All vehicle access from or to a street serving an on-site parking area with 6 or more parking spaces.

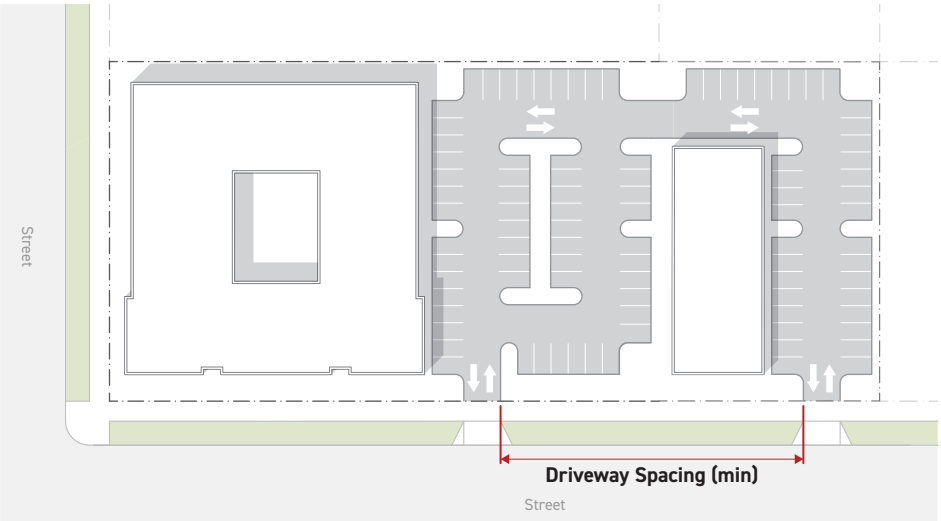
2. Standards

No driveway should be located any closer to any other driveway than the minimum driveway spacing listed below. The table is intended to provide criteria that will be used in making a determination. Additional driveways may be considered by the Administrator.

Street Type	Min. Spacing
Thoroughfare	250'
District Street	200'
Neighborhood Street	100'
Alley	Unlimited

3. Measurement

Driveway spacing is measured along the primary or side street boundary line from edge of pavement to edge of pavement from all existing and proposed driveways located on-site and on adjacent lots.



E. Driveway Design

1. Applicability

a. All new driveways from or to a street serving an on-site parking area of any size.

b. The driveway design standards do not apply to driveways that take access from an improved alley.

2. Standards

a. General Standards

All driveways must meet the following standards, as well as applicable requirements in the Engineering Design and Specifications Manual.

	Number of driveways per lot (max)	Number of lanes per driveway (max)	Lane width (min/max)	
			Primary Street	Side Street
Driveway serving a residential lot in an RH- or the RN-A district[4]	1*	1	10' / 12'	10' / 20'
Driveway serving up to 6 on-site parking spaces[4]	1*	2	10' / 12'	10' / 12'
Driveway serving 7 to 50 on-site parking spaces[4]	1*	2	12' / 16'	12' / 16'
Driveway serving more than 50 on-site parking spaces[4]	2	2	12' / 16'	12' / 16'
Driveway serving an Industrial Use[2]	3	3	12' / 20'	12' / 20'

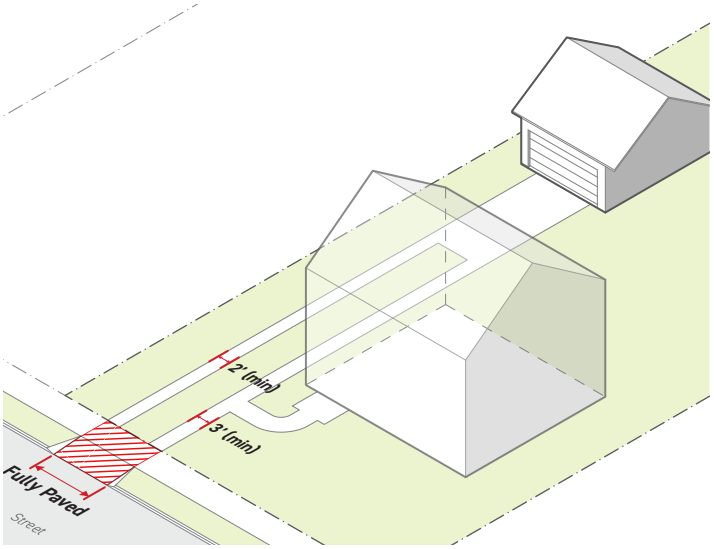
**Secondary driveway may be permitted subject to Engineering review. Access to sites along state routes is subject to SCDOT review.*

b. Ribbon Driveways

i. For driveways serving up to 6 on-site parking spaces, a ribbon driveway is allowed as an alternative to a fully paved driveway.

ii. The concrete strips in a ribbon driveway must be at least 2 feet in width. When the ribbon is also used as a walkway, the width of the strips must be increased to at least 3 feet.

iii. Within the right-of-way, the driveway must be fully paved along its total width.



c. **Circular Driveways**[2]

Circular driveways are permitted in RH- and RN- districts, provided parking setbacks and all engineering standards are met.

3. **Measurement**

a. Lane width is measured separately for each driveway lane.

b. Lane width is measured for each driveway lane from edge of designated lane to edge of designated lane along the street boundary line.

F. Relief

a. A change to a vehicle access standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*

b. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.6.2. VEHICLE PARKING

A. Intent

1. To reduce parking demand, support the use of alternative forms of transportation, promote reuse and redevelopment of existing buildings, reduce the overall cost of construction and development, and increase the overall efficiency and use of taxable land within the City.

B. Applicability

1. All allowed uses in ***Art. 19-3.***

2. **Minimum Spaces Required**

   Minimum spaces required do not apply to lots that meet one of the following conditions:

   a. A lot in Mixed Use Downtown (MX-D) or Shopfront Downtown (MXS-D) districts.

   b. A lot in a Preservation (-P) overlay district.

   c. A lot with a local Landmark historic property.

   d. A lot with a building identified on the Historic Resources List or on the National Register of Historic Places.

3. **Maximum Spaces Allowed**

   Maximum spaces allowed do not apply to developments which incorporate a parking structure.

C. Standards

1. **Required Vehicle Parking**

   a. Vehicle parking must be provided in accordance with the following table:

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
RESIDENTIAL USES			
Household Living	Single-unit living	2 per primary unit + 1 per accessory unit	--
	Multi-unit living	1 per dwelling unit	--
	Manufactured home park	2 per dwelling unit	--
Group Living	General group living	1 per dwelling or rooming unit	--
PUBLIC AND INSTITUTIONAL USES			
Civic	General civic	1 per 500 SF	--
	Detention center	1 per 500 SF	--
	Religious assembly	1 per 100 SF assembly area	--[5]
	Shelter	1 per 500 SF	--

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
Day Care	Group day care home	2 spaces	--
	Day care center or preschool	1 per 375 SF	--
Education	School	2 per classroom	--
	College, university, or trade school	1 per 200 SF	1 per 150 SF
Parks and Open Space	General parks and open space	--	--
	Greenhouse	--	--
	Cemetery, columbarium or mausoleum	--	--
Utilities	Utility, major	1 per 1,500 SF	--
	Utility, minor	1 per 1,500 SF	--
	Communication tower, freestanding	--	--
	Communication tower, roof-mounted	--	--
	Small wireless facility within right-of-way	--	--
	Other wireless communication facilities within right-of-way	--	--
COMMERCIAL USES			
Indoor Entertainment and Recreation	General indoor entertainment and recreation	1 per 100 SF of assembly area + 1 per 500 SF of non-assembly area	--
	General outdoor entertainment and recreation	1 per 100 SF of assembly area + 1 per 500 SF of non-assembly area	--
	Casino or gambling establishment	1 per 300 SF	--
	Private civic club or lodge	1 per 300 SF	--
Food and Beverage	General food and beverage	1 per 125 SF of customer service area	1 per 100 SF of gross floor area, excluding warehouse and storage areas[2]
	Bar or nightclub	1 per 125 SF of customer service area	1 per 100 SF of customer service area
	Brewpub	1 per 125 SF of customer service area + 1 per 1,000 SF of brewery or distillery space	--
	Microbrewery, small winery or microdistillery	1 per 125 SF of customer service area + 1 per 1,000 SF of brewery or distillery space	--
Lodging[6]	General lodging	0.75 per guest room	1.5 per guest room

Use Category	Use Type	Minimum Spaces Required	Maximum Spaces Allowed
Medical	General medical	1 per 600 SF	--
	Hospital	1 per 400 SF	--
	Medical collection	1 per 600 SF	--
	Medical Laboratory	1 per 600 SF	--
Office	General office	1 per 600 SF	1 per 150 SF
	Bail bond service	1 per 600 SF	1 per 150 SF
Parking	Commercial surface parking	--	--
	Commercial structured parking	--	--
	Remote parking	--	--
Personal Service	General personal service	1 per 500 SF	1 per 250 SF
	Animal care, outdoor	1 per 600 SF	--
Retail	General retail	1 per 500 SF	1 per 250 SF
	Alternative financial service	1 per 500 SF	1 per 250 SF
	Liquor store	1 per 500 SF	1 per 250 SF
	Pawnshop	1 per 500 SF	1 per 250 SF
	Sexually oriented business	1 per 200 SF	--
Transportation	Passenger terminal	--	--
	Airport or heliport	--	--
Vehicle Sale and Service	Vehicle repair or service	1 per 1,000 SF	--
	Vehicle sale or rental	1 per 1,000 SF	--
	Fueling station	--	--
INDUSTRIAL USES			
Industrial and Manufacturing	Low-impact industrial and manufacturing	1 per 1,000 SF	--
	High-impact industrial and manufacturing	1 per 1,000 SF	--
	Research and Development	1 per 1,000 SF	--
Warehouse and Distribution	General warehouse and distribution	1 per 1,000 SF	--
	Distribution storage yard	2 per acre	--
	Self-service storage	1 per 10,000 SF	1 per 5,000 SF
	Vehicle storage yard	2 per acre	--
Waste-related Service	Waste disposal or treatment	1 per 1,000 SF	--
	Recycling drop-off center	1 per 1,000 SF	--

KEY: -- = no requirement SF = square feet of gross floor area

b. Parking spaces exceeding the minimum requirements must be designed with low-impact development (LID) techniques. This does not apply to lots in an RH- zoning district. Refer to the *Engineering Design and Specifications Manual* for approved LID techniques.[2]

c. The vehicle parking requirement for a use not specifically listed in the table above will be as required for the closest similar use, as determined by the Administrator.[2]

d. Electric Vehicle Charging Infrastructure[6]

i. New construction (excluding major renovation) of a multi-unit living development or any structured parking must provide EV Installed parking spaces, as defined in ***Div. 19-7.2.***, in accordance with the following table:

Number of EV Installed Parking Spaces	Total Number of Parking Spaces Provided
2	50 to 74 spaces
3	75 to 99 spaces
4	100 or more spaces

Total number of parking spaces provided applies to common parking areas. For lots with floodplain constraints, the Administrator may waive the EV infrastructure requirement.

ii. If at least 10 percent (10%) of the total number of parking spaces in a multi-unit living or a nonresidential development are EV Installed as defined in ***Div. 19-7.2.***, the maximum number of parking spaces allowed per ***Sec. 4.6.2.C.1.a.*** may be increased by 10%. Alternatively, the minimum number of parking spaces required per ***Sec. 4.6.2.C.1.a***. may be decreased by 10%.

2. Location of Parking

a. **Remote Parking**

i. Any required parking spaces, except for required parking spaces for persons with disabilities, may be located off-site provided that:

a) The remote parking area allocated for the use is located within 600 feet walking distance of the use served unless a shuttle bus service is provided;

b) Remote parking use is permitted on the lot of the proposed location for the remote parking area; and

c) If remote parking uses an off-site parking area that is not under the same ownership as the principal use served, a written agreement between the record owners will be required. The agreement must guarantee the use of the off-site parking area for at least 10 years. An attested copy of the agreement between the owners of record must be submitted to the Administrator for recordation in a form established by the City Attorney. Recordation of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. The Administrator must be notified at least 60 days prior to the termination of a lease for off-site parking.

b. **On-Street Parking**

Existing on-street parking spaces may be accepted by the Administrator to meet the minimum parking requirements of this section.

3. Tandem Parking

a. Tandem parking is permitted for residential uses provided that both parking spaces in tandem are assigned to the same dwelling unit.

b. Tandem parking is permitted for commercial uses provided that:

i. The use requires 50 or more spaces;

ii. No more than 30% of the total number of required spaces are designated as tandem; and

iii. An attendant is provided to park vehicles during all business hours of the use utilizing the valet parking.

4. Vehicle Parking Reductions

a. Senior Housing

A residential use deed-restricted specifically for seniors, defined as persons ages 55 and older, or persons with disabilities is only required to provide 0.5 vehicle parking spaces per dwelling or rooming unit.[2]

b. Affordable Housing

Required vehicle parking for a development that includes affordable housing is reduced by 0.5 parking spaces for each affordable dwelling unit (see ***Sec. 4.2.1.***).

c. Alternative Parking Strategy

i. General

a) A reduction in vehicle parking requirements through the provision of one or more alternative parking strategies may be authorized by the Administrator. Applicants must submit an alternative parking plan that includes the following.

1) Detailed description of all uses involved in the alternative parking strategy, including location, floor area, seating capacity if applicable, and hours of operations.

2) Anticipated parking demand generated by employees, tenants, residents, and visitors on an hourly basis, 24 hours per day, for 7 consecutive days.

3) Description of how an alternative parking strategy will alleviate the demand for a specified number of the total required parking stalls.

4) Supplemental materials deemed necessary for depicting all relevant components of an alternative parking strategy.

b) If an alternate parking plan involves properties or facilities not under the same ownership, a written agreement between the record owners will be required. The agreement must guarantee the use of the off-site parking area for at least 10 years. An attested copy of the agreement between the owners of record must be submitted to the Administrator for recordation in a form established by the City Attorney. Recordation of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. The Administrator must be notified at least 60 days prior to the termination of a lease for off-site parking.

ii. Mixed Use

An applicant may request reduced vehicle parking requirements in a mixed use development provided that:

a) The development includes uses which have different peak parking demands or operating hours; or

b) The development includes commercial uses that serve on-site residents and employees.

iii. **Multi-tenant developments**[5]

The minimum vehicle parking requirement in a multi-tenant development may be reduced by 20 percent.

iv. **Shared Parking**

Shared parking facilities may be used to reduce the vehicle parking requirements for multiple uses that are located near one another and which have different peak parking demands or operating hours provided that:

a) The shared parking facility is located within 600 feet walking distance from the primary entrance of each participating use; and

b) Participating uses have mutually exclusive periods of peak parking demand.

v. **Proximity to Public Transportation**

Uses within walking distance of a public transit facility may take advantage of increased transit ridership among employees, tenants, and visitors and a decreased demand for vehicle parking. The total number of required vehicle parking spaces may be reduced provided that:

a) A use is be located within a 1,500-foot walking distance of a public transit stop. A future public transit stop may also apply if the anticipated operating date is within 2 years

vi. **Shuttle Service**

A shuttle service may be used to reduce the vehicle parking requirements for uses generating travel patterns whereby a majority of employees or visitors arrive and depart within the same time periods provided that:

a) A shuttle will provide scheduled service between the use and a location that can accommodate the arrival of shuttle users, such as a park and ride facility or public transit station or stop; and

b) A majority of shuttle users arrive and depart roughly within the same 3-hour period.

D. Measurements

1. Required parking spaces are calculated as the sum of all required spaces for each principal use on a lot, accounting for all floor area on a site.

2. When the application of these regulations results in a fraction, fractions of 1/2 or more are counted as 1 space.

3. Walking distance is measured horizontally along the most direct route of travel on the ground in the following manner:

   a. Starting at the nearest street-facing entrance accessible to the majority of tenants or residents on the subject lot;

   b. In a straight line to the nearest public sidewalk, walkway, street, or road;

   c. Along a public sidewalk, walkway, street, or road; and

   d. In a straight line ending at the nearest pedestrian access point to the destination use.

E. Parking of Commercial Vehicles and Equipment in Residential Districts[2]

1. Applicability
    a. This subsection applies to residential lots in the RH- and RN- districts.
    b. This subsection does not regulate the parking or storage of recreational vehicles, boats, travel trailers, or motor homes.
2. Standards
    a. One commercial vehicle is permitted per residential lot in RH- districts.
    b. One commercial vehicle is permitted for each dwelling unit on a lot in RN- districts.
    c. The commercial vehicle must be owned or operated by the homeowner or occupant.
    d. The following vehicles are prohibited from parking on residential lots:
        i. Vehicles or trailers used for hauling explosives, dangerous chemicals, gasoline, or liquefied petroleum.
        ii. Mobile food units.
        iii. Heavy trucks including, but not limited to, garbage trucks, tractor trailers, semi-trailers, cement-mixers, dump trucks, and towing and recovery vehicles.
        iv. Construction equipment, cranes, bucket trucks, and heavy equipment for tree grinding and mulching.
        v. Vehicles having a gross vehicle weight of more than 10,000 pounds.

F. Parking of Recreational Vehicles in Residential Districts[3]

1. One recreational vehicle or travel trailer is permitted per lot in the RH-, RN-, and RC- districts. The vehicle or trailer must be located to the side or rear of the building on the lot on which the vehicle is located and cannot be located closer to the street than any adjoining residential structure.
2. For a recreational vehicle or travel trailer on a residential lot abutting a Park (PK) district, a Type E fence, as provided in ***Section 19-4.9.1.C.2.***, with minimum 90% opacity is required that extends the length of the recreational vehicle or travel trailer. A recreational vehicle or travel trailer stored within a structure that is fully enclosed on all sides visible from the PK district is exempt from this fencing requirement.
3. Recreational vehicles in residential districts cannot be attached to utilities or occupied except for cleaning and regular maintenance.
4. Vehicles, including recreational vehicles, must comply with other applicable federal, state, or local regulations governing the parking or stopping of vehicles in public streets.

G. Relief

1. A change in vehicle parking requirements up to 10% may be requested in accordance with ***Sec. 6.2.14***.
2. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15***.

19-4.6.3. PARKING DESIGN

A. Intent

To ensure parking lots are designed to create safe, comfortable, and attractive environments for users and pedestrians, while also mitigating negative environmental effects through landscaping and surface design.

B. Applicability

1. All parking lots, when parking is provided, must meet the parking lot design standards.
2. When a parking structure is provided, the parking structure must meet the parking structure design standards.

C. Standards

1. General

a. All portions of a parking lot or parking structure must be accessible by vehicles to all other portions of the parking lot or structure without requiring the use of a street, except for an alley.

b. Each parking space must be located so that no vehicle is required to back onto any sidewalk or street, except for an alley, or sidewalk to leave the parking space.

c. Full and permanent parking space delineation is required. Delineation may include striping, wheel stops, curbing, or other similar permanent material which can clearly define and delineate parking spaces. Full parking space delineation means clear markings for all 3 sides of a space. Parking lots must be maintained to ensure clear delineation of parking spaces, crosswalks, and other marked areas.[2]

d. Parking structures, when provided, shall include the following:[4]

i. Clear sight lines of abutting streets, driveways, and pedestrian pathways;

ii. Light-colored interior walls and ceilings;

iii. Adequate and uniform interior lighting without glare to surrounding properties

2. Spaces and Drive Aisles

a. Parking spaces and drive aisles must meet the following minimum dimensions:

	Standard Space		Compact Space		One-Way Drive		Two-Way Drive	
Angle	Width	Depth	Width	Depth	Drive Aisle	Bay Width	Drive Aisle	Bay width
0° [2]	22′	8′	18′	8′	12′	20′	24′	40′
60° [2]	9′	20′	8′	20′	18′	58′	--	--
90° [2]	9′	18′	8′	18′	--	--	24′	58′

b. Compact parking spaces may be used in place of a standard size space if the following requirements are met:

i. The total number of compact car spaces cannot exceed 15% of the total number of required parking spaces.

ii. No more than 2 compact parking spaces can be placed side by side.

iii. All compact parking spaces must be clearly and visibly designated and striped.

3. Lighting

Parking lot and parking structure lighting must meet the standards in *Div. 19-4.12.*

4. Electric Vehicle Charging

a. Electric vehicle charging equipment, including pedestals, bollards, or cables cannot encroach into drive aisles or pedestrian walkways.

b. Electric vehicle charging equipment cannot contain advertising signage that is visible from a public right-of-way.

c. Transformers and other utility equipment associated with electric vehicle chargers must be screened from the public right-of-way according to *Sec. 4.8.3.*

5. Parking Lot Surfacing and Curbing[6]

a. All parking areas including drive aisles must be fully paved and constructed with concrete, asphalt, paving blocks, other similar materials, or pervious surfacing which are intended for outdoor vehicle use.

b. All parking areas must be graded and drained to collect, retain, and infiltrate surface water on-site. See *Div. 19-5.3* and the *Engineering Design and Specifications Manual* for additional details.

c. Continuous curbing that is at least 6 inches in height or wheel stops that are at least 4 inches in height must be installed around the perimeter of all parking and landscaped areas. Curbing must be constructed of continuous concrete, granite, or other approved material of similar durability and appearance, and must contain inlets at appropriate intervals to allow stormwater infiltration from the open parking area. Where wheel stops are used, they must be placed a minimum of 2½ feet from the head of parking spaces.

6. Parking Lot Landscaping

a. **General**

All parking lot landscape areas must be installed to maximize stormwater runoff capture according to the Engineering Design and Specifications Manual.

b. **Perimeter Landscaping**

i. A transition screen may be required between the vehicle use area and a common lot line, see *Sec. 4.8.2.* for requirements.

ii. A frontage screen may be required between the vehicle use area and street lot line, see *Sec. 4.8.3.* for requirements.

c. **Interior Landscaping**

i. **Interior Islands**

a) No more than 10 consecutive parking spaces may be provided without a landscape interior island.

b) Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.

c) An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 canopy tree and shrubs or groundcover plantings for full coverage of the island at the time of maturity.

d) An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 canopy trees and shrubs or groundcover plantings for full coverage of the island at the time of maturity..

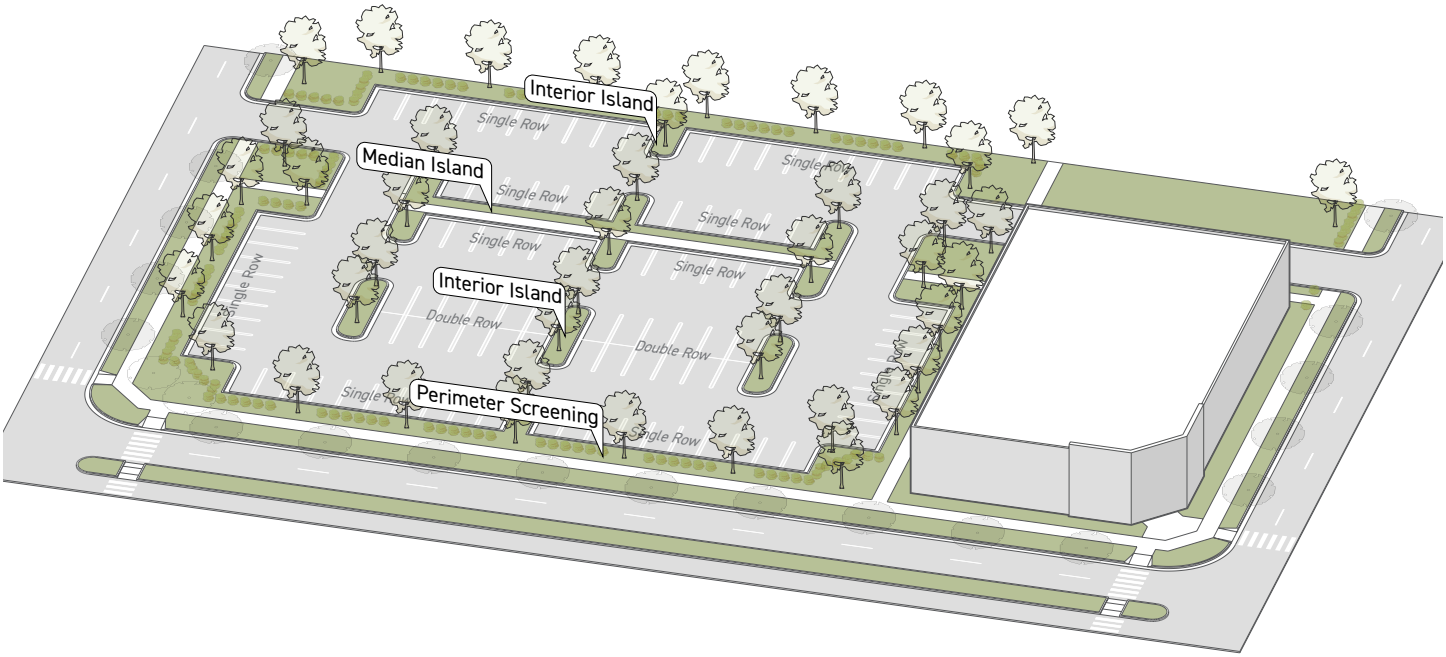
e) Interior islands must be installed below the level of the parking lot surface to allow for stormwater runoff capture. Plantings shall be of a species known to thrive in periodically wet soil conditions.

ii. **Median Islands**

a) A landscape median island must be provided between every 4 single parking rows. Intervals may be expanded to preserve existing trees.

b) A median island must be at least 6 feet wide. A median island with a pedestrian walkway must be a minimum of 12 feet wide.

c) A median island must contain shrubs or groundcover plantings for full coverage of the island at the time of maturity.



7. Parking Structure Screening

Where a parking structure is visible from a public right-of-way or residential property, it must be screened with a permanent structure that meets the following standards:

a. The screen cannot have an opacity less than 60%;

b. Openings in the screen must be 4 inches or less in one dimension, except for openings providing pedestrian or vehicular access;

c. Screen openings accommodating vehicle access can be no wider than the maximum allowed driveway width allowed by the zoning district; and

d. Screen openings accommodating pedestrian access can be no wider than 8 feet for each pedestrian passageway. Where an opening accommodates both pedestrians and vehicles, the maximum allowable opening is 8 feet greater than the maximum allowed driveway width.

8. Parking Lots for Vehicle Sales

Where a parking lot, or portion of a parking lot, is exclusively used for the storage of vehicles for sale, the following standards may be used:

a. Continuous rows of parking spaces are allowed without interior landscape islands.

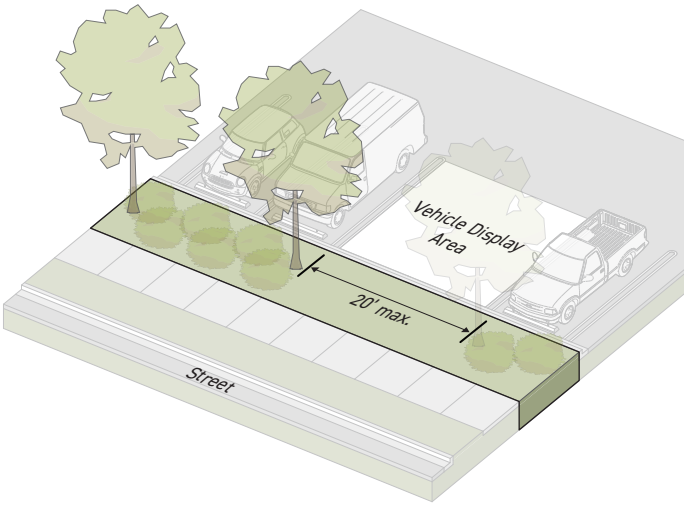
b. Median landscape islands are required according to the standards of this Section, but a pedestrian walkway within the median landscape island is not required.

c. Parking spaces are not required to follow the minimum dimension requirements of this Section.

d. Elevated ramps used for the display of vehicles are allowed. 1 ramp is allowed for each 100' of frontage along a street.

e. The total impervious area used for vehicle storage and parking must not exceed 60% of the lot area. Gravel, pervious pavers, or other approved materials may be employed, and must meet the requirements of the ***Engineering Standards and Design Manual***.

f. Parking frontage screening must be provided in accordance with ***Sec. 4.8.3.***; however, designated vehicle display areas may be exempt from the screening requirement. Vehicle display areas must be paved and are limited to 20 feet in width for every 100 feet of frontage.[5]



D. Measurement

1. Parking Angle

The angle measured from the long edge of a parking space to the drive aisle.

2. **Parking Space Width**

   The distance measured between opposite sides of a parking space.

3. **Parking Space Depth**

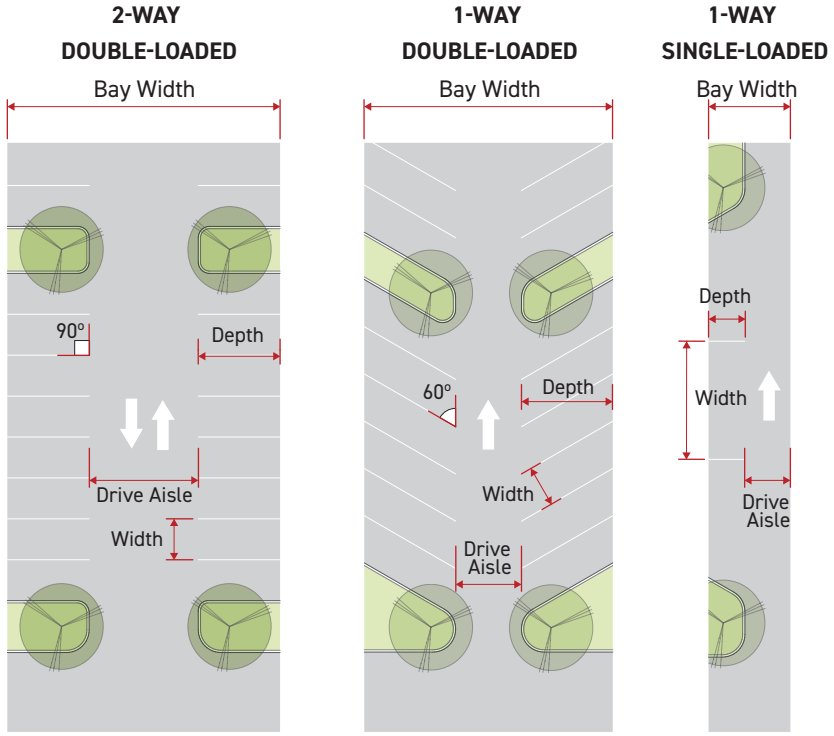
   The distance measured perpendicular to the drive aisle between opposite ends of a parking space.

4. **Bay Width**

   The distance measured between 2 rows of parking spaces and the drive aisle in-between, or for a single row, the distance between a row of parking spaces and the end of the drive aisle.

5. **Drive Aisle**

   The distance measured from the edge of one row of parking to the edge of the opposite row of parking. If there is only one row of parking spaces, then the paved surface for a vehicle to drive on must meet the minimum drive aisle width.



6. **Interior and Median Island Width**

   Interior and median island width is measured as the narrowest horizontal dimension from one edge of an island to the opposite edge.

E. Relief

1. A change to a parking design standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.6.4. OTHER VEHICLE USE AREAS

A. Intent

To ensure vehicle use areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of neighboring lots or the public realm.

B. Applicability

1. All portions of a lot are designed and intended for use by vehicles must comply with the following standards, including areas used for circulation, maneuvering, loading, staging, queuing, service, and areas to be used for the sale or storage of vehicles.
2. Parking lots are excluded from the vehicle use area are requirements; see ***Sec. 4.6.3.*** for parking lot standards.
3. Loading standards apply to any lot that includes on-site loading areas.
4. Stacking space standards apply to any lot that includes an on-site drive-thru or control gate.

C. Standards

1. General

a. Surfacing

Vehicle use area surfacing must meet the standards in ***Sec. 4.6.3.***

b. Screening

i. A transition screen may be required between the vehicle use area and a common lot line, see ***Sec. 4.8.2.*** for requirements.

ii. A frontage screen may be required between the vehicle use area and street lot line, See ***Sec. 4.8.3.*** for requirements.

c. Lighting

Vehicle use area lighting must meet the standards in ***Div. 19-4.12.***

2. Loading

a. A loading area is not required. If determined necessary by the Administrator, adequate space must be made available on-site for the unloading and loading of goods, materials, items, or stock for delivery and shipping.

b. With the exception of alleys and areas specifically designated by the City, loading and unloading activities are not allowed on a public street.

c. Loading areas must be located to the rear or side of buildings.

d. Loading and unloading activities cannot encroach on or interfere with sidewalks, multi-modal lanes, driveways, drive aisles, stacking spaces, or parking lots.

3. Stacking

a. Required Stacking Spaces

Unless otherwise expressly modified by the Administrator, off-street stacking spaces must be provided as follows:

Activity Type	Stacking Spaces (min)
Food and beverage drive-thru	
On-site ordering	6
Off-site ordering	5
ATM or banking service	3
Pharmacy	3
Other drive-thrus	3

b. Design and Layout

i. Each stacking space must be a minimum of 20 feet in length and 10 feet in width.

ii. Stacking spaces cannot encroach on or interfere with sidewalks, multi-modal lanes, driveways, drive aisles, loading areas, or parking lots.

iii. Where deemed necessary by the Administrator for traffic movement and safety, stacking spaces must be separated from other internal driveways by raised medians or other fixed barriers.

iv. With the exception of adaptive reuse projects, an "escape lane" or aisle, measuring 10 feet in width, must be provided adjacent to the stacking lane where deemed appropriate by the Administrator.

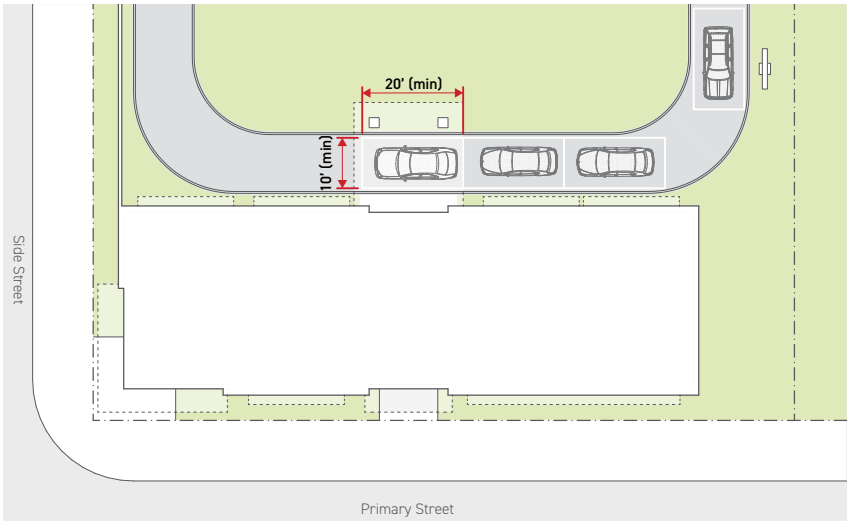
D. Measurement

1. Stacking Space Length

Stacking space length is measured parallel to the drive-thru lane from one end to the opposite end of the queuing space.

2. Stacking Space Width

Stacking space width is measured perpendicularly to the queuing space length from one end to the opposite end of the queuing space.



E. Relief

1. A change to a vehicle use area standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.6.5. GARAGE DESIGN

A. Intent

To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging, and attractive streetscape with active uses and landscaping along the public realm.

B. Applicability

Garage design requirements apply to all lots. Use of the term "garage" and "garage design" also applies to carports and porte cocheres and any other accessory covered vehicle parking areas.[5]

C. Standards

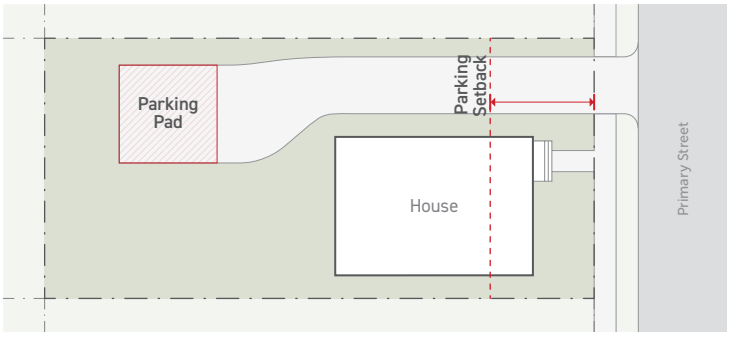
1. General

a. All parking on a lot or in a garage must be located at or behind the minimum parking setback specified by the zoning district.

b. Garages may be attached or detached.

c. Driveways are required to meet the requirements found in *Sec. 4.6.1.*

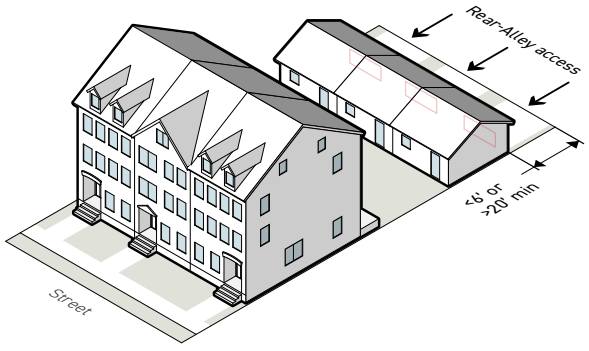
d. No parking pad, turnaround area, or driveway apron may exceed 1,000 square feet in area, excluding square footage dedicated to the driveway.



e. For sites with an alley, the garage door for alley-facing garages must be either:[6]

i. Less than 6 feet from the edge of the alley pavement, or

ii. More than 20 feet from the edge of alley pavement.



2. Lots 40 Feet Wide or Greater

The following requirements apply to developments in House-Scale and Neighborhood-Scale zoning districts with a lot platted 40 feet wide or greater:

a. Front-facing garages must be positioned at least 10 feet behind the front building facade and are limited in width to no more than 40% of any street-facing facade.[6]

b. Garages facing a side, side street, or rear property line must be positioned at least 4 feet behind the front building facade and are limited in width to no more than 40% of any street-facing facade.[6]

c. Garage doors are not allowed within 20 feet of the back of the sidewalk along the primary street.[2]

3. Lots Less Than 40 Feet Wide

The following requirements apply to developments in House-Scale and Neighborhood-Scale zoning districts with a lot platted less than 40 feet wide:

a. Garages must be placed entirely to the rear of the building.

D. Relief[5]

1. No administrative relief is allowed.

2. A change to dimensional standards of this section may be requested in accordance with Sec. 6.2.15.

DIV. 19-4.7. **UTILITIES**

19-4.7.1. **UTILITY STANDARDS**

A. Design Standards

The arrangement, character, extent, width, grade, and location of public and private utilities must conform to all applicable federal and state regulations and the ***Design and Specifications Manual***.

B. Easements

In any case in which a developer installs, or causes the installation of, conduit or other support structures for the use of providers of water, sewerage, electric power, natural gas, communications, cable television, or other utility services, the developer must convey easements to such providers acceptable to the City and such providers to enable them to operate and maintain such services, consistent with the City's need to operate and maintain its streets and public utilities, including sanitary sewerage and storm drainage facilities.

C. Recording of Easements

All easements must be individually recorded on instruments acceptable to the Administrator and referenced on a final plat after installation and before the public utility is placed in service.

D. Connection to Sanitary Sewer

Whenever it is legally possible to connect a principal use or structure to a sewer line by extending a connecting line not more than 300 feet from the principal use or lot corner closest to the end of the existing sewer line, then no use requiring sewage disposal service may be made of such use or structure unless connection is made to such line. Connection to such sewer line is not legally possible if, in order to make connection with such line, it is necessary to extend the connecting line through property not owned by the owner of the property to be served by the connection and, after diligent effort, the easement necessary to extend the connecting line cannot reasonably be obtained.

E. Utility Extension

If the decision-making body determines that it is necessary for the orderly development of the City to extend utility facilities of a proposed development to serve other properties, such facilities must be extended either no more than 300 feet as required by ***paragraph D. above***, or to the respective property lines of the proposed development to accommodate connection.

F. Enlargement of Utilities

If the decision-making body determines that it is necessary for the orderly development of the City to install larger size utility facilities than is required to accommodate the requirements of the proposed development, the decision-making body may require the developer to install the larger size facilities.

G. Compatibility

Utility facilities must be designed and constructed in a manner to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements and facilities located within the development.

H. Underground Utilities

Development may be served by electric power, natural gas, telephone, and cable television services, consistent with the plans and standards of the appropriate agency. All plans must be reviewed and approved by the Administrator for consistency with plans proposed for streets and public utilities. All utility distribution lines, pipes, conduit, and cable television must be installed underground except as authorized by the Administrator and approved by the City Manager in consideration of the unique characteristics of the subject development and the utility agency's standards of service. This Section does not prohibit the installation of aboveground cabinets and pedestals, or comparable structures or fixtures, that are necessary to support the required underground facilities, nor does it require the burial of utilities when existing aboveground lines, pipes, conduit, and cable are repaired, replaced, or installed to improve service in developed areas that are not being redeveloped.

I. As-Built Drawings

Upon installation of all public utilities, a developer must furnish the Administrator with drawings depicting the precise location of all utilities pursuant to the provisions of the ***Design and Specifications Manual***. A public utility facility cannot be placed in service and an offer of dedication cannot be made until the developer furnishes the Administrator with "as-built" drawings.

J. Offer of Dedication

Public utility facilities must be designed and constructed to the standards of the ***Design and Specifications Manual*** and must be offered for dedication to the City prior to placing the facility in service. All liability and maintenance must remain with the developer until accepted by the City and expiration of the required warranty.

DIV. 19-4.8. TRANSITIONS AND SCREENING

19-4.8.1. TRANSITIONS

A. Intent

To improve the compatibility of new development with its surrounding context where the scale of development changes between adjacent lots.

B. Applicability

1. Required Transitions[2]

a. Transitions are required along common lot lines of lots with different zoning designations, as noted in the following table:

		ABUTTING DISTRICT								
		RH-	RN-	RNX-	RC-	MX-	MXS-	BG IX	BH IG	CM CV[2] PK
NEW PROJECT ZONING	RH- RN-A[4] PK[2]	--	--	--	--	--	--	--	--	--
	RN-B[4] RN-C[4]	Type A	--	--	--	--	--	--	--	--
	RNX-	Type A	Type A	--	--	--	--	--	--	--
	RC-2 MX-2 MXS-2	Type A	Type A	--	--	--	--	--	--	--
	RC-3/5 MX-3/5/D MXS-3/5/D	Type B	Type B	Type A	--	--	--	--	--	--
	BG IX	Type B	Type B	Type B	Type A	Type A	Type A	--	--	--
	BH[2]	Type C	Type C	Type C	Type B	Type B	Type B	Type A	--	Type C
	IG[2]	Type C	Type C	Type C	Type C	Type C	Type C	Type C	--	Type C
	CM CV[2]	Type B	--	--	--	--	--	--	--	--

b. A transition is also required along the district boundary internal to a lot that is divided by two or more zoning districts. Such transitions are the same as indicated in the Applicability table in part 1.a. above.

c. The Administrator may, in their discretion, modify or waive a required transition along the internal lot line of a site, as defined in Sec. 19-4.3.2.C.2.a, that is owned or functionally controlled by the same person or entity based on the nature, configuration, and intensity of the proposed development across the site.

d. The Administrator may require a Transition along the lot line of an RC-, MX-, MXS-, BG-, BH-, IX-, or IG-zoned parcel that abuts a parcel located outside the City limits, with the primary goal of protecting established residential areas adjacent to the City limits. The type of transition should reflect the intensity of the proposed development.

2. Exemptions[2]

a. Transition requirements do not apply to the construction of a single-unit dwelling on a lot.

C. Standards

1. General

a. A required transition must be located along the entire length of the common lot line shared with the abutting district.

b. A transition is not required along a lot line where the following criteria is met:

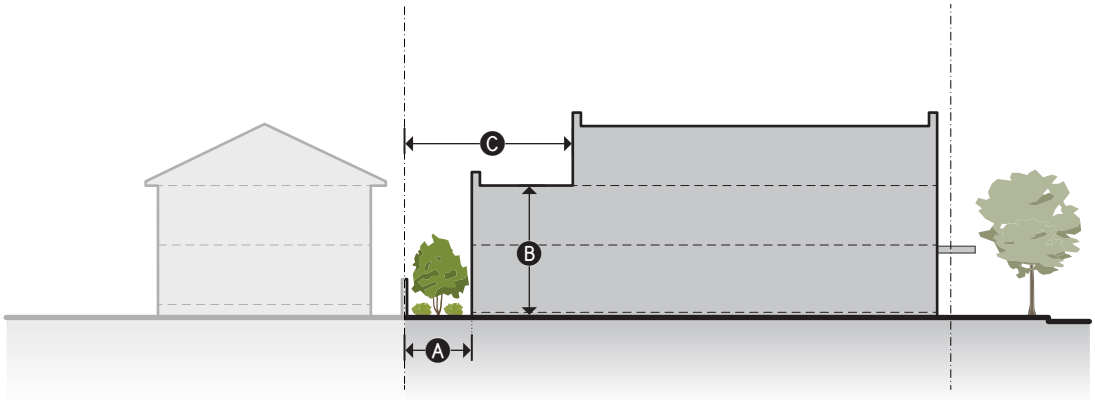
i. Reserved for future use.[2]

c. A transition consists of a combination of a screened area along the affected lot line, building setbacks, and height step-backs to push the mass of the building away from abutting districts after a specified height.

d. Where a use standard requires screening that conflicts with a transition type's screening requirements, the more intensive requirement must be met.

2. **Transition Types**

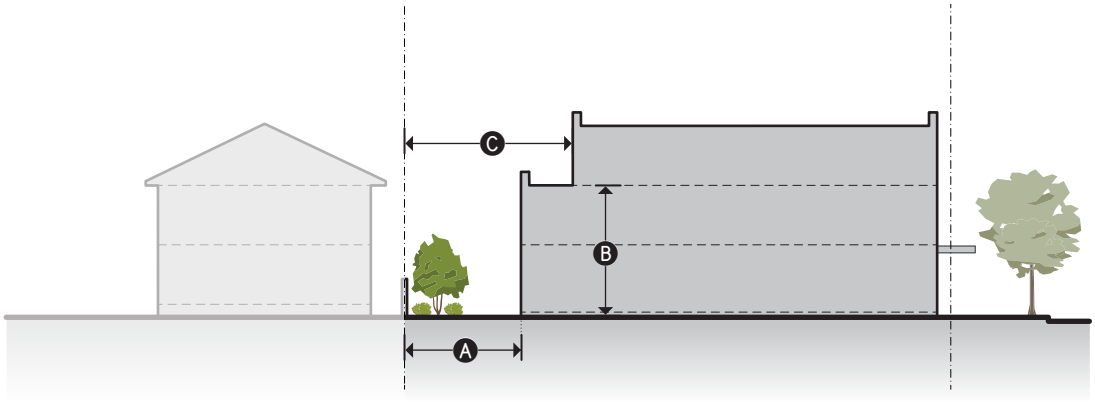
TRANSITION TYPE A



TRANSITION AREA	
A Depth (min)	10'
Transition screen type	Low

UPPER STORY STEP-BACK	
B Height before step-back (max stories)[2]	2
C Upper story step-back (min)	25'

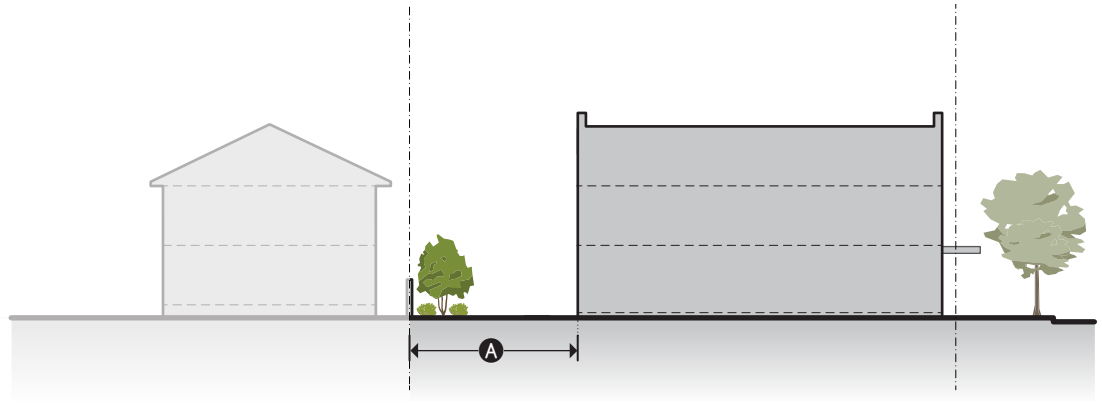
TRANSITION TYPE B



TRANSITION AREA	
A Depth (min)	20'
Transition screen type	Moderate

UPPER STORY STEP-BACK	
B Height before step-back (max stories)[2]	2
C Upper story step-back (min)	25'

TRANSITION TYPE C



TRANSITION AREA	
Ⓐ Depth (min)	30'
Transition screen type	High

UPPER STORY STEP-BACK	
Height before step-back (max stories/feet)	None
Upper story step-back (min)	None

D. Measurement

1. Depth

The transition depth is measured perpendicularly from any lot line shared with an abutting district that requires a transition.

2. Transition Screen Type

The transition screen type is determined by the requirements of ***Sec. 4.8.2.*** The option of which screen type to use within the required category is at the discretion of the applicant.

3. Height Before Step-Back

Measured as the maximum height for the portion of the building before an additional step-back is required. See ***Sec. 2.11.10.*** for measuring building height in stories and feet.

4. Upper Story Step-Back

Upper story step-back depth is measured perpendicularly from the common lot line with an abutting district that requires a transition.

E. Relief

a. A change to a transition type standard of up to 10% may be requested in accordance with ***Sec. 6.2.14.***

b. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

19-4.8.2. TRANSITION SCREENS

A. Intent

To mitigate impacts from uses, activities, or site elements with significant impact on abutting lots.

B. Applicability

Transition screens are required as specified by ***Sec. 4.8.2.*** and ***Div. 19-3.4.***

C. Standards

1. General

a. Required screens, including their sub-grade elements, such as footings or foundations, must be located entirely on-site.

b. Breaks for pedestrian, bicycle, and vehicular access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkaways must cross at or near a perpendicular angle.

c. No buildings or structures, except for walls and fences, are allowed in the screening area.

d. No vehicle use areas are allowed in the screening area, including fire lanes.

e. To allow for access for maintenance, the required plantings must be located on the inside of the wall or fence.

f. All walls and fences provided must meet the wall and fence design and installation standards, see ***Div. 19-4.9.***

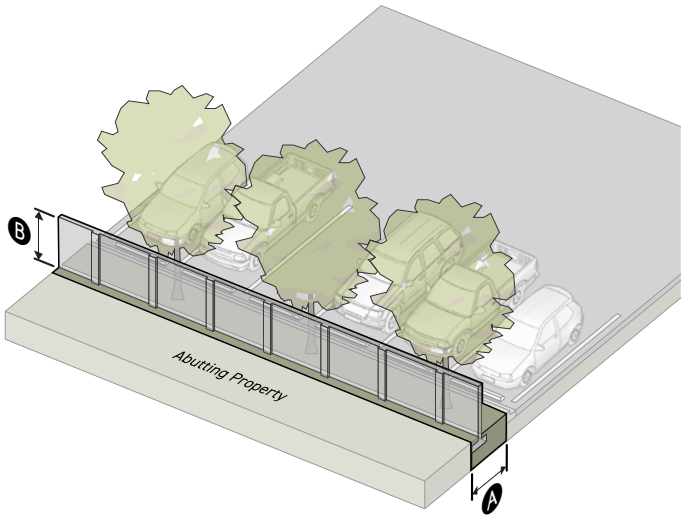
g. All required trees and shrubs must meet ***Div. 19-4.10.***

2. Transition Screening Types

a. Low Impact Transition Screens

TRANSITION SCREEN L-1

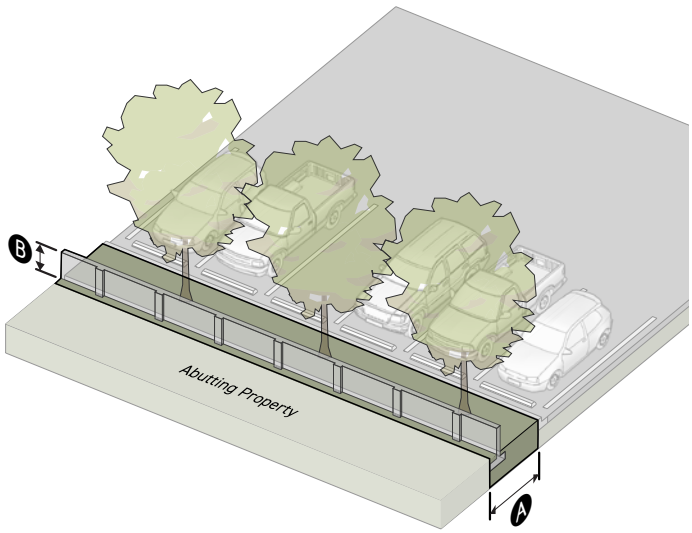
Narrow landscape screening with a wall or fence intended for screening low impact transitions and uses.



SCREENING AREA	
A Depth (min)	6’
Canopy trees (min per 50’)	3
FENCES AND WALLS	
B Height (min)	6’
Opacity (min)	90%
Setback from property line (min)	0’

TRANSITION SCREEN L-2

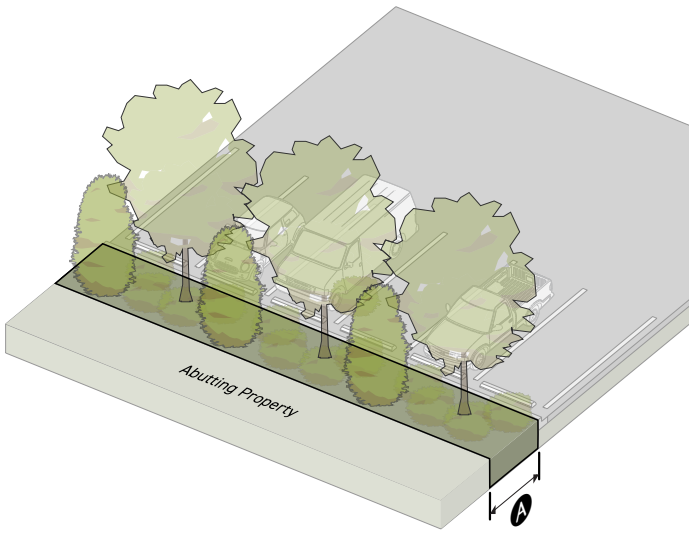
Medium width landscape buffer with a low wall or fence intended for screening low impact transitions and uses.



SCREENING AREA	
A Depth (min)	8’
Canopy trees (min per 50’)	3
FENCES AND WALLS	
B Height (min)	3.5’
Opacity (min)	90%
Setback from property line (min)	0’

TRANSITION SCREEN L-3[2]

Medium landscape screening with no wall or fence intended for screening low impact transitions and uses.

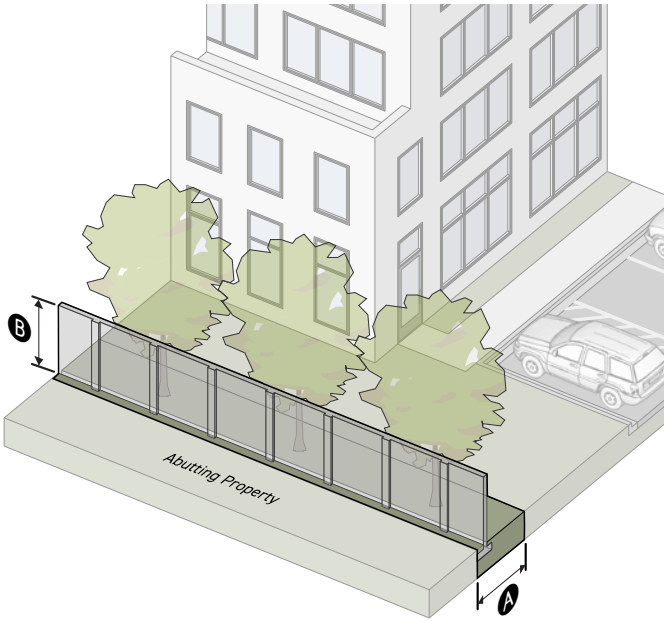


SCREENING AREA	
A Depth (min)	10’
Canopy trees (min per 50’)	3
Understory trees (min per 50’)	3
Shrubs (min per 50’)	12
FENCES AND WALLS	
Not required	

b. **Moderate Impact Transition Screens**

TRANSITION SCREEN M-1

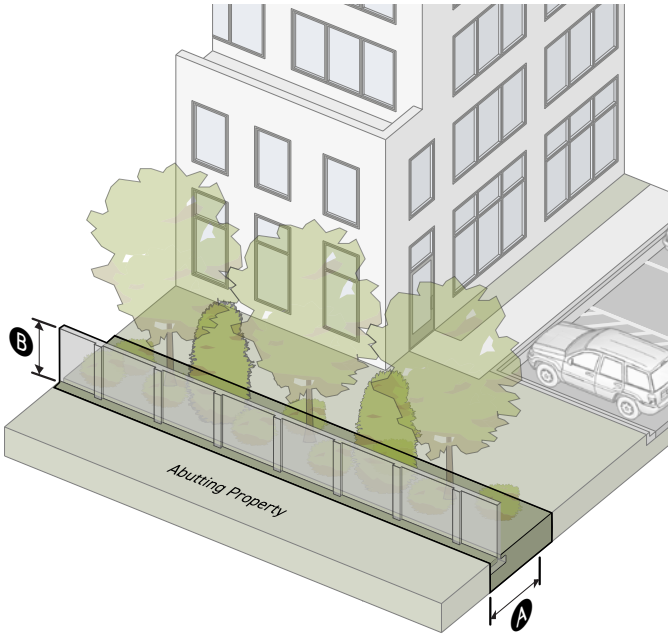
Narrow landscape screening with a wall or fence intended for screening low moderate transitions and uses.



SCREENING AREA	
A Depth (min)	8’
Canopy trees (min per 50’)	3
FENCES AND WALLS	
B Height (min)	8’
Opacity (min)	90%
Setback from property line (min)	0’

TRANSITION SCREEN M-2

Medium width landscape screening with a wall or fence intended for screening moderate impact transitions and uses.

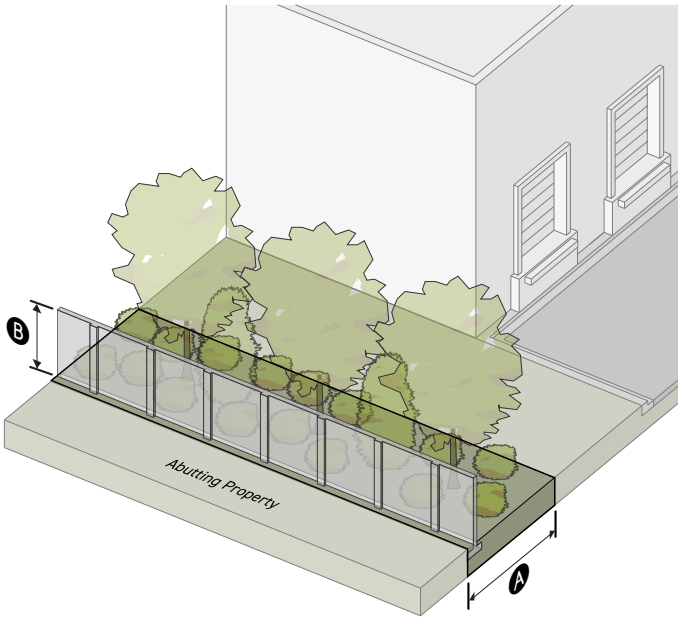


SCREENING AREA	
A Depth (min)	10’
Canopy trees (min per 50’)	3
Understory trees (min per 50’)	2
Shrubs (min per 50’)	8
FENCES AND WALLS	
B Height (min)	6’
Opacity (min)	90%
Setback from property line (min)	0’

c. High Impact Transition Screens

TRANSITION SCREEN H-1

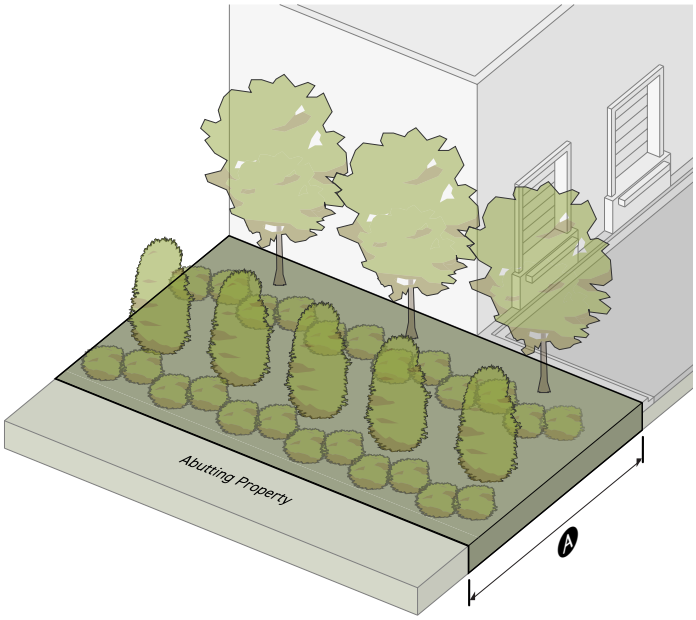
Medium width landscape screening with a wall or fence intended for screening high impact transitions and uses.



SCREENING AREA	
A Depth (min)	15’
Canopy trees (min per 50’)	3
Understory trees (min per 50’)	2
Shrubs (min per 50’)	16
FENCES AND WALLS	
B Height (min)	8’
Opacity (min)	90%
Setback from property line (min)	0’

TRANSITION SCREEN H-2

Wide landscape screening with no wall or fence intended for screening high impact transitions and uses.



SCREENING AREA	
A Depth (min)	30’
Canopy trees (min per 50’)	4
Understory trees (min per 50’)	5
Shrubs (min per 50’)	24
FENCES AND WALLS	
Not required	

D. Measurement

a. **Screening Area Depth**

Screening area depth is measured at the narrowest horizontal dimension from one side of the buffer or screening area to the opposite side.

b. **Planting Frequency**

Trees, shrubs, or plants per 50 feet is measured as the total number of plants within any 50-foot segment of screen area.

c. **Fence or Wall Height**

For measurement of fence or wall height and opacity, see *Div. 19-4.9.*

E. Relief

1. A change to a transition screen standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.8.3. FRONTAGE SCREENS

A. Intent

To screen the negative impacts of uses on the public realm, promoting visual interest and increasing comfort for uses of the adjacent streetscape.

B. Applicability

1. Frontage screening is required along applicable street and alley lot lines:

   a. When a manufacturing or industrial use is across the street or alley from a vulnerable use, as required in *Div. 19-3.4.*

   b. For vehicle use and storage areas in the following instances:

	Frontage Screen Type
Outdoor Storage Areas	
All outdoor storage areas	High
Vehicle Use Areas	
Loading / service areas	High
Drive-thru areas	Low
Parking areas	Low
Vehicle sales areas	Low
Utility Areas	
Utility areas	Moderate

2. Frontage screening is required along the portion of the street or alley lot line that abuts the activity required to be screened, and also, if applicable, the portion of the street or alley lot line that is directly across the street or alley of a site with a vulnerable use.

3. A High Impact Frontage Screen is required along all property lines abutting I-385 and I-85 right-of-way. Any existing vegetation meeting this requirement must be documented and protected during construction. Additional plantings may be required to supplement existing vegetation to satisfy the requirements outlined in *Sec. 4.8.3.C.2.c.* A High Impact Frontage Screen is not required where a frontage road separates a property from a highway or interstate.[5]

C. Standards

1. General

a. Required screens, including their sub-grade elements, such as footings or foundations, must be located entirely on-site.

b. Breaks for pedestrian, bicycle, and vehicular access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkaways must cross at or near a perpendicular angle.

c. No buildings or structures, except for walls and fences, are allowed in the screening area.

d. No vehicle use areas are allowed in the screening area, including fire lanes.

e. To allow for access for maintenance, the required plantings must be located on the inside of the wall or fence.

f. All walls and fences provided must meet the wall and fence design and installation standards, see *Div. 19-4.9.*

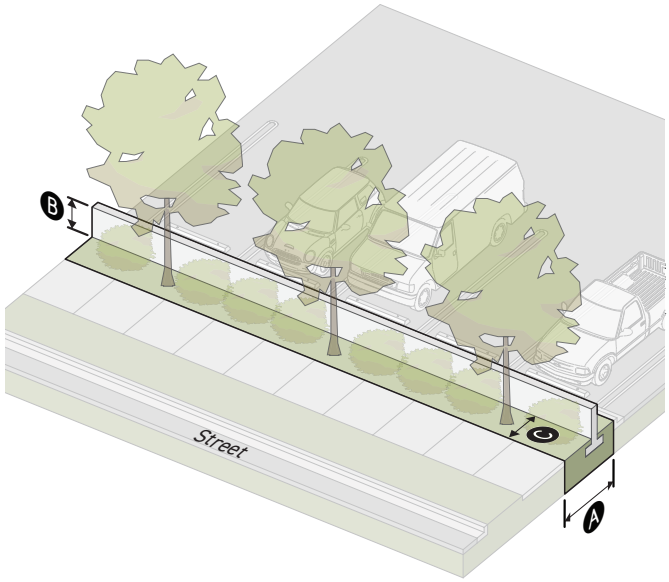
g. All required trees and shrubs must meet *Div. 19-4.10.*

2. Frontage Screening Types

a. Low Impact Frontage Screens

FRONTAGE SCREEN L-1

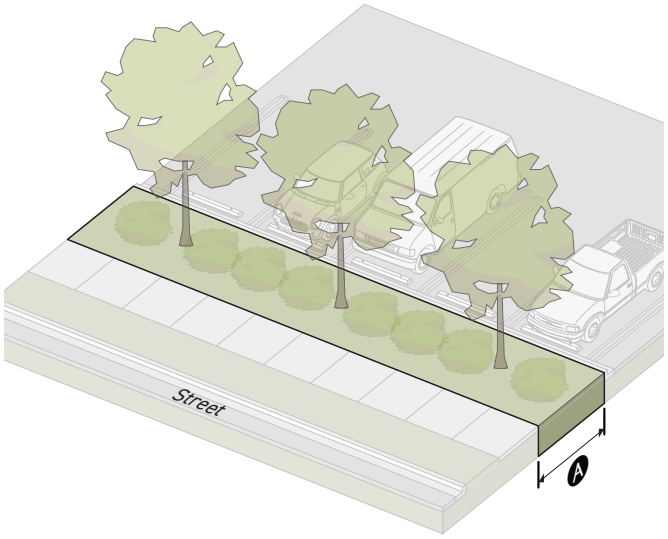
Narrow landscape screening with a low wall or fence intended for low impact outdoor activities including parking lot perimeters.



SCREENING AREA	
A Depth (min)	8’
Canopy trees (min per 50’)	3
Screening plants (min per 50’)	10
FENCES AND WALLS	
B Height (min)	3.5’
Opacity	90%
Below 3.5’ (min)	90%
Above 3.5’ (max)	50%
C Setback from property line (min)	4’

FRONTAGE SCREEN L-2

Narrow landscape screening with no wall or fence intended for low impact outdoor activities including parking lot perimeters.

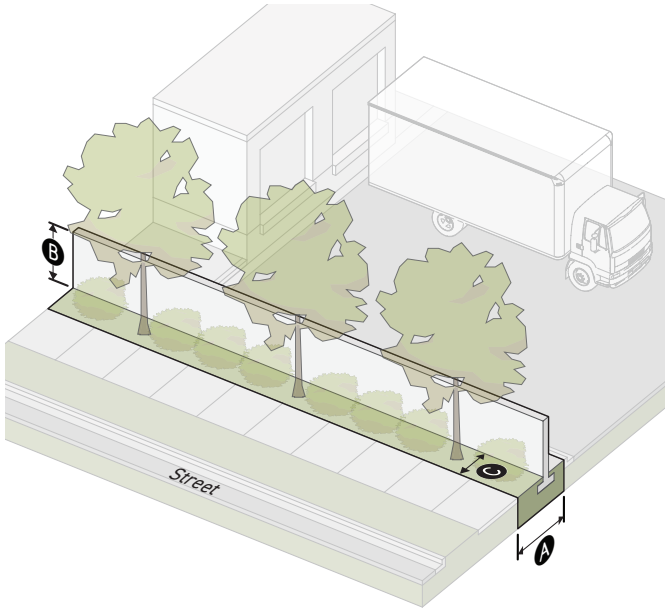


SCREENING AREA	
A Depth (min)	10’
Canopy trees (min per 50’)	3
Screening plants (min per 50’)	12
FENCES AND WALLS	
Not required	

b. **Moderate Impact Frontage Screens**

FRONTAGE SCREEN M-1

Narrow landscape screening with a wall or fence intended for moderate impact outdoor activity areas.

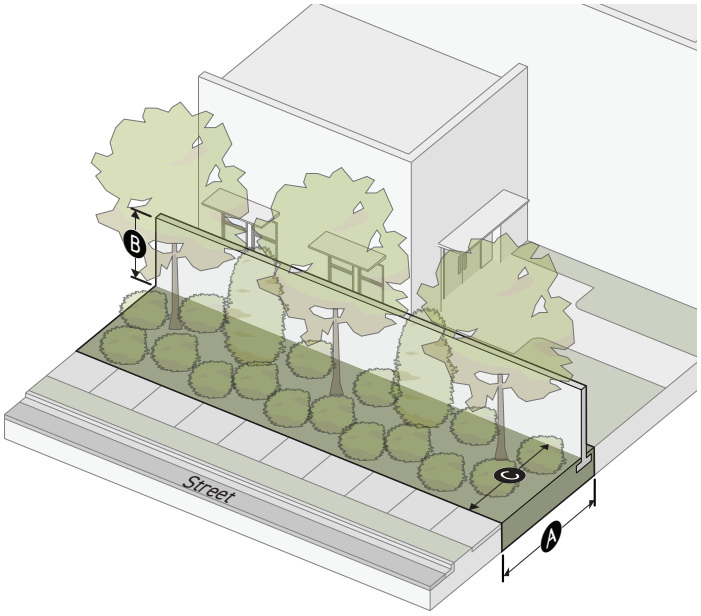


SCREENING AREA	
A Depth (min)	8’
Canopy trees (min per 50’)	3
Screening plants (min per 50’)	10
FENCES AND WALLS	
B Height (min)	6’
Opacity (min)	90%
C Setback from property line (min)	4’

c. **High Impact Frontage Screens**

FRONTAGE SCREEN H-1

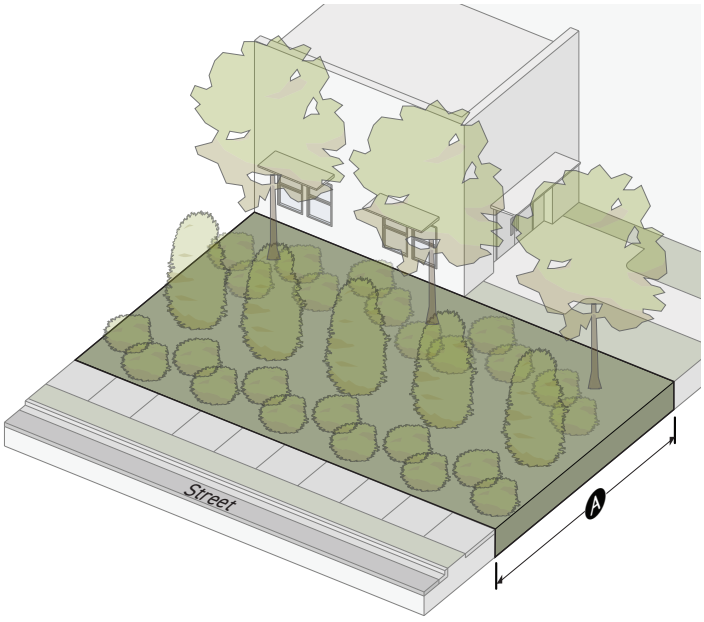
Medium width landscape screening with a wall or fence intended for high impact uses.



SCREENING AREA	
A Depth (min)	15’
Canopy trees (min per 50’)	3
Understory trees (min per 50’)	2
Shrubs (min per 50’)	16
FENCES AND WALLS	
B Height (min)	8’
Opacity (min)	90%
C Setback from property line (min)	4’

FRONTAGE SCREEN H-2

Wide landscape screening with no wall or fence intended for high impact uses.



SCREENING AREA	
A Depth (min)	30’
Canopy trees (min per 50’)	3
Understory trees (min per 50’)	5
Shrubs (min per 50’)	24
FENCES AND WALLS	
Not required	

D. Measurement

a. **Screening Area Depth**

Screening area depth is measured at the narrowest horizontal dimension from one side of the buffer or screening area to the opposite side.

b. **Planting Frequency**

Trees, shrubs, or plants per 50 feet is measured as the total number of plants within any 50-foot segment of screen area.

c. **Fence or Wall Height**

For measurement of fence or wall height and opacity, see *Div. 19-4.9.*

E. Relief

1. A change to a frontage screen standard of up to 10% may be requested in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

19-4.8.4. SITE ELEMENT SCREENS

A. Intent

To minimize effects on surrounding properties and visibility from the public realm of site elements including mechanical, electrical, or utility requirement and waste receptacles.

B. Applicability

All outdoor waste receptacle enclosures and all outdoor mechanical or electrical equipment located on the roof or attached to the wall of a building, or on the ground.

C. Standards

1. Waste Receptacle Screening

a. Waste receptacles, including in-ground waste receptacles, cannot be located in a front yard or side street yard. Waste receptacles must be located to the side or rear of buildings and must meet the encroachment requirements of *Sec. 2.11.5.*

b. In-ground waste receptacles must be painted a neutral color and screened with plant material.

c. Outdoor waste receptacles, with the exception of in-ground waste receptacles, with any above-ground element must be screened on 3 sides by a wall or fence with a minimum height of 6 feet.

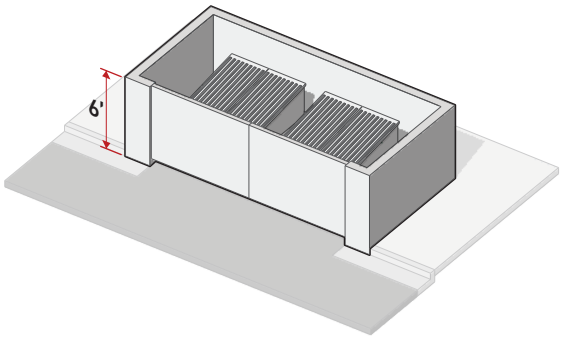
d. Access gates must be provided on the fourth side and must also be a minimum height of 6 feet. Access gates must remain closed, except during refuse pickup.[6]

e. The wall or fence and gate access screening must be 90% opaque.

f. The screening enclosure must meet *Sec. 4.9.1.D.*

g. Chain-link fencing, styrofoam-backed and synthetic stucco, EIFS, and vinyl siding for any element of the screening enclosure is prohibited.[6]

h. Exposed smooth-finished concrete block is limited to the interior of the screening enclosure.[6]



2. Roof-Mounted Equipment Screening

a. Equipment that is visible from the public realm must be screened on the roof edge side by a parapet wall or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.

b. The screening must be at least 75% opaque.

c. Screening must comply with the following standards:[5]

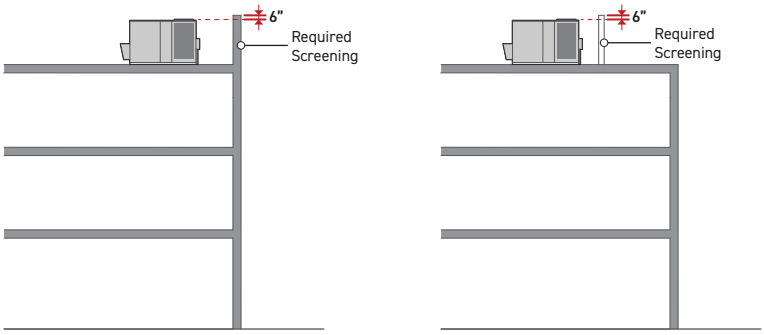
i. Rooftop screens must be constructed of durable, low maintenance material that has a long life expectancy and permanently fixed to the building.

ii. No rooftop screen may be constructed of fabric, wood fencing, chain-link fencing, or discarded materials.

iii. Rooftop screens that exceed the maximum building height for the zoning district must be setback from the roof edge in accordance with ***Sec. 2.11.10.A.5.a.***

iv. Rooftop screens must be maintained in good repair and must be kept vertical, structurally sound, and protected from deterioration.

d. When an existing building undergoes a major renovation or Major Change of Use as defined in ***Sec. 2.1.2***, the Administrator may allow painting of roof-mounted equipment as an alternative to screening. The paint color selected must be neutral and closely match the building's color to minimize visibility of the equipment.[5]



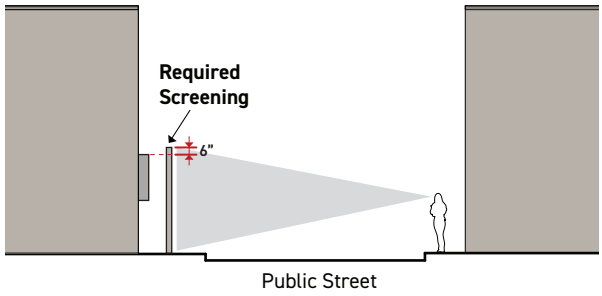
3. **Wall-Mounted Equipment Screening**

   a. Equipment cannot be located in a front yard or side street yard. Equipment must be located in the side or rear yard and must meet the encroachment requirements of *Sec. 2.11.5.*

   b. Equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.

   c. The screening must be at least 75% opaque.

   d. Screening must meet the standards of *Sec. 4.9.1.D.*



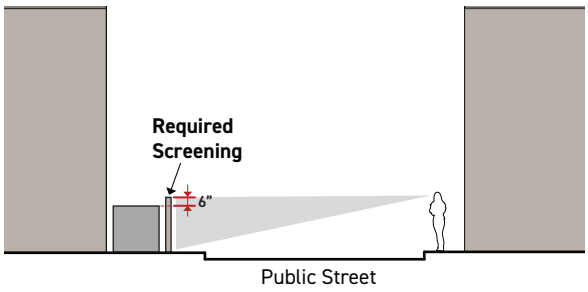
4. **Ground Equipment Screening**

   a. Equipment cannot be located in a front yard or side street yard. Equipment must be located in the side or rear yard and must meet the encroachment requirements of *Sec.2.11.5.*

   b. Equipment visible from a street (not including an alley) must be fully screened by an opaque wall or fence or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.

   c. The screening must be at least 75% opaque.

   d. Screening must meet the standards of *Sec. 4.9.1.D.*



D. Relief

1. An equipment screening dimensional standard may be modified by up to 10% in accordance with *Sec. 6.2.14.*

2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

DIV. 19-4.9. FENCES AND WALLS

19-4.9.1. FENCE TYPES

A. Intent

To balance the needs for natural surveillance and visual interest along the public realm and security and privacy for ground story uses in a manner appropriate to context.

B. Applicability

1. Height limitations apply to all sites.
2. Allowed fence and wall types for each zoning district are set out in ***Art.19-2.***
3. Where a screening requirement requires a taller wall or fence, the screening requirement supersedes.
4. When a property shares a side or rear lot line with another property that has a taller maximum fence height allowance along that shared lot line, the maximum fence height may be increased to match the abutting property's height allowance. Fencing using this increase cannot be setback greater than 2' from the shared lot line.

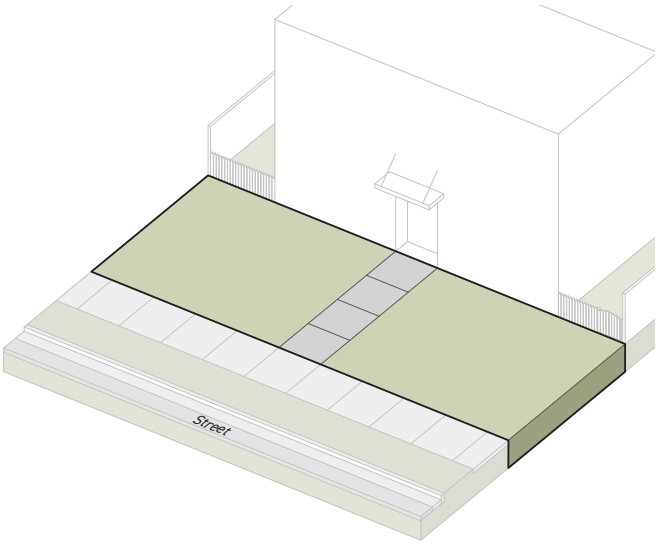
   For example, if the maximum fence height in the rear yard of a residentially zoned property is 6', but the rear lot line abuts the side lot line of an industrially zoned property, which allows an 8' maximum fence height, then the residentially zoned property may erect an 8' tall fence within 2' of that shared property line.[6]

C. Standards

1. Front and Side Street Yard Fence Types

FENCE TYPE A

Intended for front and side street yards where buildings engage directly with sidewalks to provide natural surveillance and visual interest, especially where ground floor uses are commercial.

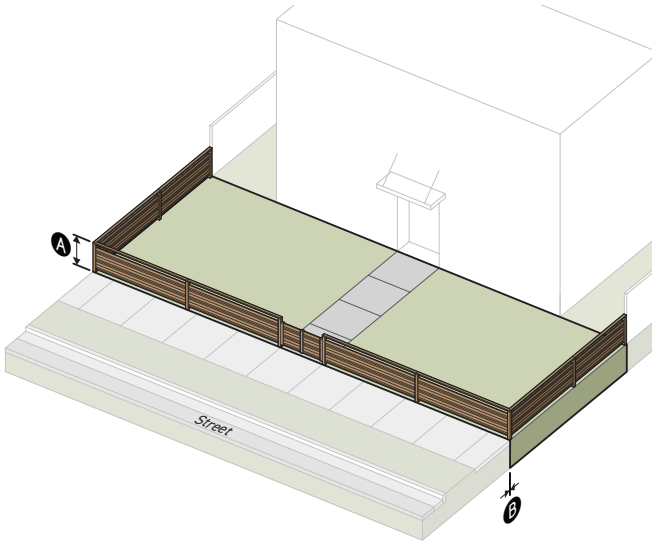


DIMENSIONAL STANDARDS	
Height (max)*	Not allowed

*A wall or fence of a maximum of 4 feet in height is allowed if required for outdoor consumption of alcohol.

FENCE TYPE B

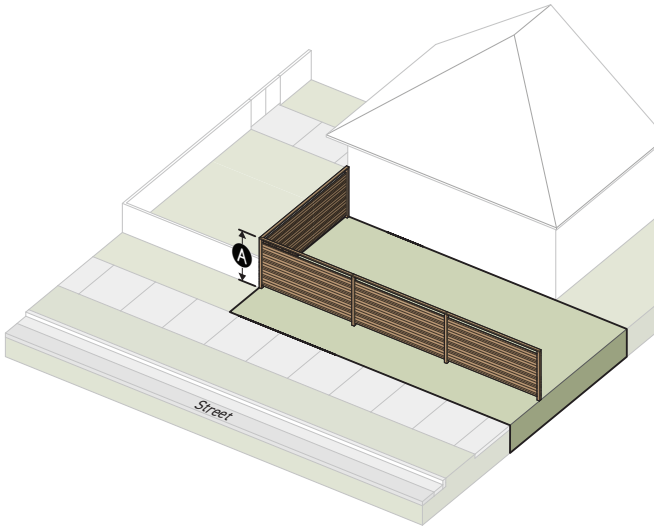
Intended for front and side street yards where the need for natural surveillance and visual interest is balanced with the need for separation between private ground floor uses and sidewalks.



DIMENSIONAL STANDARDS	
A Height (max)	3’
B Setback from property line (min)	0’

FENCE TYPE C

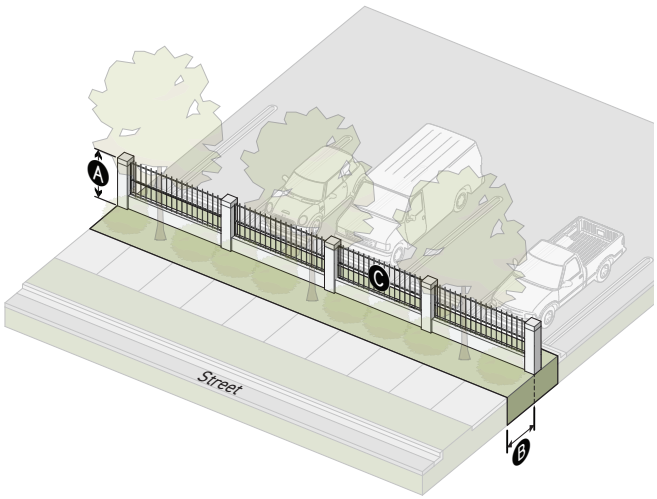
Intended for side street yards where natural surveillance and visual interest along the public realm is less critical than the need to mitigate impacts on private ground floor uses.



DIMENSIONAL STANDARDS	
A Height (max)	
Within 3' of lot line	3'
3' or more from lot line	6'

FENCE TYPE D

Intended for front and side street yards that face a street and parking lot edges where the need for natural surveillance and visual interest along the public realm is balanced with the need for security between private and public realm.

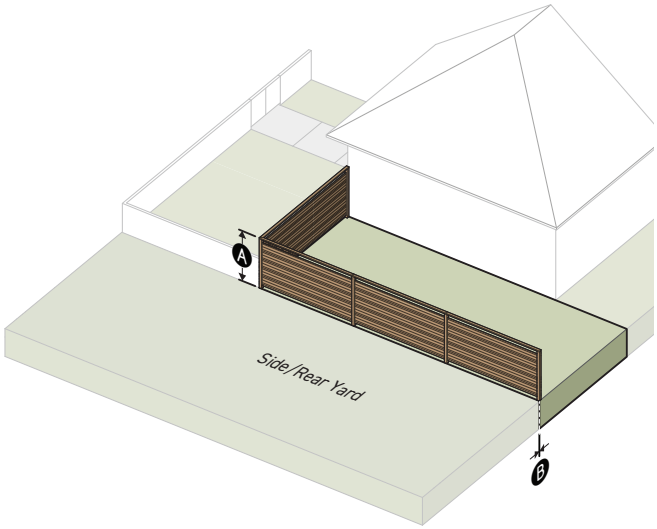


DIMENSIONAL STANDARDS	
A Height (max)	8'
B Setback from property line (min)	3'
C Opacity above 3' in height (max)	50%

2. **Side and Rear Yard Fence Types**

FENCE TYPE E

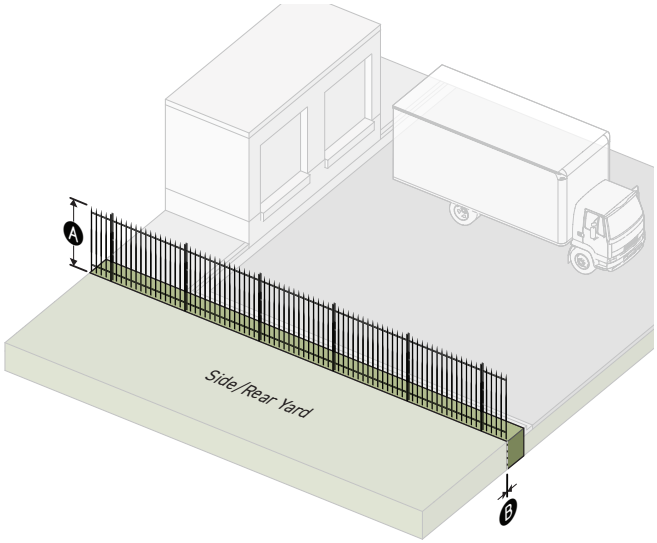
Intended for residential side and rear yards.



DIMENSIONAL STANDARDS	
A Height (max)	6′
B Setback from property line (min)	0′

FENCE TYPE F

Intended for commercial and industrial side and rear yards.



DIMENSIONAL STANDARDS	
A Height (max)	8′
B Setback from property line (min)	0′

D. Design and Installation

1. Material

a. Walls, fences, and screens must be constructed of durable, low maintenance material that has a long life expectancy.

b. No wall, fence, or screen may be constructed of tires, junk, or other discarded materials.

c. Fences and walls constructed of materials with a finished side must face the finished side toward the adjacent property.

d. Chain-linked fences are not allowed in the MX-D district or any MXS- district. When allowed, chain-linked fences must be vinyl-coated and, with the exception of public safety or institutional uses, are not allowed in a front yard or side street yard.[2]

e. Barbed wire or concertina wire is not allowed, unless associated with a public safety use such as a detention center. The Administrator may require screening to conceal the barbed wire or concertina wire from public view. See also *Section 24-69* of the City of Greenville Code of Ordinances.[2]

2. Location

a. Walls, fences, and screens must be set back from the property line in accordance with *Sec. 4.8.3.* and *Div. 19-4.9.*

b. No wall or fence is allowed within any required drainage or utility easement.

c. All walls, fences, and screens including their sub-grade elements, such as footings or foundation, must be located on-site.

d. No wall or fence can interfere with visibility at intersections or driveways.

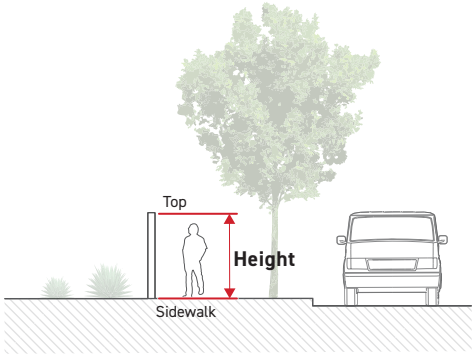
3. Maintenance

All walls and fences must be maintained in good repair and must be kept vertical, structurally sound, and protected from deterioration.

E. Measurement

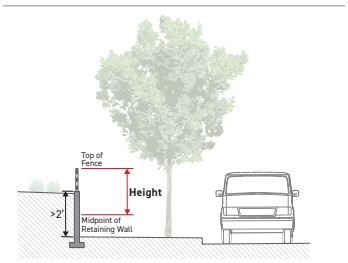
1. Front and Side Street Yards

a. Wall or fence height is measured from the adjacent sidewalk to the topmost point of the wall or fence.



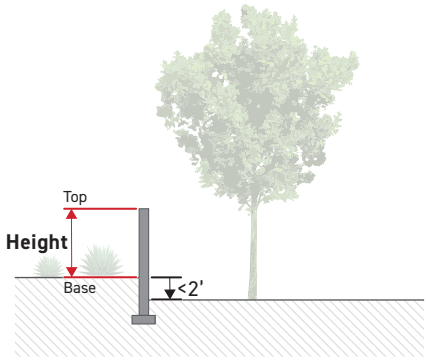
b. When no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.

c. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or fence to the midpoint of the retaining wall.

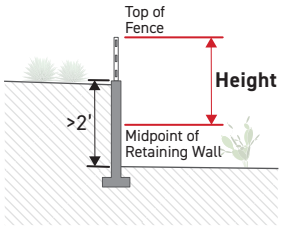


2. Side and Rear Yards

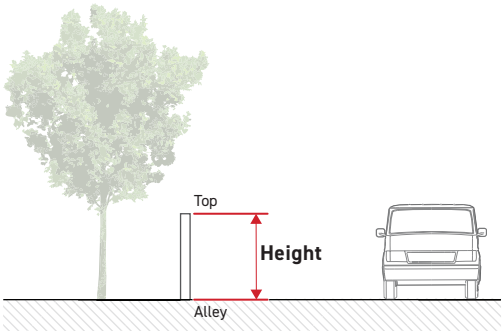
a. Where the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from the base of the wall on the side with the highest grade.



b. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, the height is measured from the top of the wall or fence to the midpoint of the retaining wall.



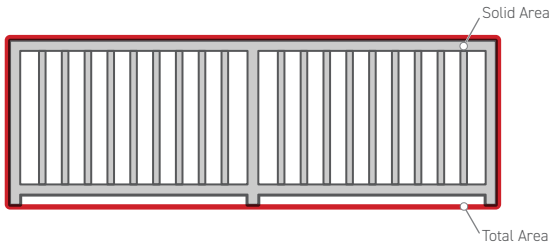
c. Fences and walls are located in the rear or side yard abutting an alley are measured from the surface of the adjacent alley, vertically to the topmost point of the wall or fence.



3. Opacity

a. Opacity is measured as a percentage, calculated by dividing the solid portion of the fence or wall by the total area of the fence or wall.

b. The total area of the fence or wall is measured as the smallest regular shape containing all elements of the fence or wall.



$$\frac{\text{Solid Area}}{\text{Total Area}} = \textbf{Opacity (\%)}$$

F. Relief

1. A wall or fence dimensional standard may be modified by up to 10% in accordance with ***Sec. 6.2.14.***

2. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***

19-4.9.2. RETAINING WALLS

A. Intent

To prevent retaining walls from looming over neighboring properties and public rights-of-way, minimize mass-grading, and improve the aesthetic quality of large retaining walls.[6]

B. Applicability[2]

1. Retaining wall standards are applicable to walls that meet all of the following criteria:

   a. Located in a House-scale (RH-), Neighborhood-scale (RN-), Community-scale (RC-), Mixed Use (MX-), or Shopfront (MXS-) district; or[6]

   b. Located on a lot developed or to be developed with dwelling units, or located on a lot abutting a lot developed or to be developed with dwelling units.

2. Unless specifically indicated by this Section, the Fence and Wall standards in Sec. 4.9.1 do not apply to retaining walls.

C. Standards

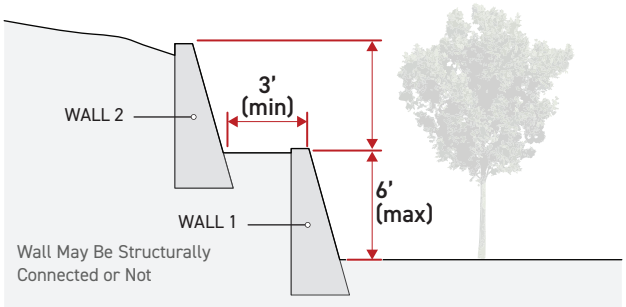
1. General

a. In no case can the height of a wall located in a yard exceed the maximum height of the fence and wall type specified for the zoning district.[6]

b. A maximum of one retaining wall can be built on any lot with a maximum height of 8 feet. However, 2 or more retaining walls can be built if they comply with the following standards:[2]

   i. The minimum horizontal distance between the walls is 3 feet; and

   ii. None of the walls can exceed a height of 6 feet.[2]



2. Landscaping

All retaining walls of 6 feet or greater in height must be landscaped to be screened from view, and must be planted in accordance with *Div. 19-4.10.*[2]

3. **Retaining Wall Finish**[2]

   All retaining walls require a veneer or decorative finish that minimizes their visual impact on adjacent properties and the public view.

D. Measurement

The height of retaining walls is measured from the top of the wall to the lower side of the adjacent ground elevation.

E. Relief

1. A retaining wall dimensional standard may be modified by up to 10% in accordance with *Sec. 6.2.14.*
2. A change beyond 10% may be requested in accordance with *Sec. 6.2.15.*

DIV. 19-4.10. LANDSCAPE STANDARDS

A. Intent

To provided the necessary supplemental information for all applicable planting and landscaping requirements of this Code, in support of a healthy urban ecological system.

B. Applicability

The landscape standards apply to any plant material used to meet a requirement of this Code.

C. Standards

1. General

a. Plant materials must be locally hardy to their specific planting location.

b. Plant materials must be able to survive on natural rainfall once established with no loss of health, or an irrigation system must be provided.

c. A natural-appearing dispersion and spacing of trees and shrubs throughout the site is encouraged.

2. Plant Materials Not Allowed

The Administrator may deem any plant material inappropriate because it is an invasive species or because the plant material is not well suited for the specific planting location. The planting of the following species are not allowed, except upon special review and approval by the Administrator.

a. **Invasive or Pest Species**

All plants found to be invasive by the *SC Forest Commission*, *Clemson Cooperative Extension Service, SCDNR*, or the *SC Exotic Pest Plant Council*. The following species are also considered invasive:

i. **Invasive Trees:**

a) *Ailanthus altissima* (Tree of Heaven)
b) *Albiza julibrissin* (Mimosa)
c) *Paulownia tomentosa* (Princess Tree)
d) *Pyrus calleryana* (Bradford Pear)
e) *Triadica sebifera* (Chinese Tallow Tree)
f) *Melia azedarach* (Chinaberry)
g) *Ulmus parvifolia* (Chinese Elm)
h) *Ulmus pumila* (Siberian Elm)

ii. **Invasive Shrubs**

a) *Berberis* (Mahonia) *bealei* (Leatherleaf Mahonia)
b) *Berberis thunbergii* (Japanese Barberry)
c) *Buddleja davidii* (Butterfly Bush)

d) *Elaeagnus angustifolia* (Russian Olive)
e) *Elaeagnus pungens* (Thorny Olive)
f) *Elaeagnus umbellata* (Autumn Olive)
g) *Euonymus alata* (Burning Bush)
h) *Ligustrum japonicum* (Japanese Privet)
i) *Ligustrum sinense* (Chinese Privet)
j) *Lonicera fragrantissima* (Fragrant Honeysuckle)
k) *Lonicera maackii* (Bush Honeysuckle)
l) *Nandina domestica* (Heavenly Bamboo)
m) *Poncirus trifoliata* (Trifoliate Orange)
n) *Rosa multiflora* (Multiflora Rose)

iii. **Invasive Vines**

a) *Akebia quinata* (Chocolate Vine)
b) *Ampelopsis brevipedunculata* (Porcelain Berry)
c) *Cayratia japonica* (Bushkiller)
d) *Celastrus orbiculatus* (Oriental Bittersweet)
e) *Clematis terniflora* (Sweet Autumn Virgin's Bower)
f) *Euonymus fortunei var. radicans* (Winter Creeper)
g) *Hedera helix* (English Ivy)
h) *Lonicera japonica* (Japanese Honeysuckle)
i) *Persicaria perfoliata* (Mile-A-Minute Vine)
j) *Pueraria montana* (Kudzu)
k) *Tribulus terrestris* (Puncturevine)
l) *Wisteria floribunda* (Japanese Wisteria)
m) *Wisteria sinensis* (Chinese Wisteria)
n) *Vinca minor* (Periwinkle)

iv. **Invasive Herbaceous**

a) *Alliaria petiolata* (Garlic Mustard)
b) *Arthraxon hispidus* (Small Carpetgrass)
c) *Arundo donax* (Giant Reed)
d) *Cyperus entrerianus* (Deep-rooted Sedge)
e) *Ficaria verna* (Fig Buttercup)
f) *Glechoma hederacea* (Ground Ivy)
g) *Heracleum mantegazzianum* (Giant Hogweed)
h) *Imperata cylindrica* (Cogongrass)
i) *Iris pseudacorus* (Yellowflag Iris)

j) *Lespedeza bicolor* (Bicolor/Shrub Lespedeza)
k) *Lespedeza cuneata* (Chinese Lespedeza)
l) *Lygodium microphyllum* (Old World Climbing Fern)
m) *Lygodium japonicum* (Japanese Climbing Fern)
n) *Lythrum salicaria* (Purple Loosestrife)
o) *Microstegium vimineum* (Japanese Stilt Grass)
p) *Miscanthus sinensis* (Chinese Silvergrass)
q) *Perilla frutescens* (Beefsteak Plant)
r) *Phalaris arundinacea* (Reed Canarygrass)
s) *Phragmites australis* (Common Reed)
t) *Phyllostachys aurea* (Golden Bamboo)
u) *Reynoutria japonica* (Japanese Knotweed)
v) *Solanum viarum* (Tropical Soda Apple)
w) *Sorghum halepense* (Johnson Grass)
x) *Stellaria media* (Common Chickweed)
y) *Youngia japonica* (Asiatic Hawsbeard)

b. **Specific Planting Locations**

i. **Trees Not Suited for Parking Lots or Street Trees**

Any species known to have weak wood or produce fruit or seed pods that would create a nuisance or create a hazard to human health and well-being is prohibited as a parking lot or street tree. The following species are considered not suitable:

a) *Ginkgo biloba* (females only)
b) *Robinia pseudoacacia* (Black Locust)
c) *Acer negundo* (Box Elder)
d) *Liriodendron tulipifera* (Tulip Poplar)
e) *Quercus nigra* (Water Oak)
f) *Acer saccharinum* (Silver Maple)
g) *Carya spp.* (Hickory / Pecan)
h) *Acer rubrum* (Red Maple)
i) *Catalpa spp.*
j) *Liquidambar styraciflua* (Sweet Gum)
k) *Diospyros virginiana* (Persimmon)
l) *Prunus spp.* (Plum / Cherry)
m) *Populus alba* (White Poplar)
n) *Salix spp.* (Willows)
o) *Quercus acutissima* (Sawtooth Oak)

p) *Morus spp.* (Mulberry)

q) *Malus spp*. (Apple / Crabapple)

r) *Magnolia grandiflora* (Grand Magnolia)

s) *Plantanus spp.* (Sycamore, London Planetree)

t) *Lagerstroemia indica* (Crape Myrtle)

c. **Trees Allowed Only With Administrator Permission**

i. Columnar varieties cannot be used to meet landscape requirements, including the following species:

a) Slender Silhouette Sweetgum

b) Kindred Spirit Oak

c) Crimson Pointe Purple Leaf Plum

d) Emerald Green Arborvitae

e) Columnar Norway Spruce

f) *Juniper spp.* (columnar varieties)

g) *Cupressus sempervirens* (Italian Cypress)

ii. Larger shrub varieties can only be used to meet shrub landscape requirements and cannot be used to meet tree landscape requirement.

d. **Artificial**

No artificial trees or plants may be installed. Artificial turf may be installed in some instances with permission from the Administrator.

3. Planting Requirements

a. **Species Variety**

Plant materials species variety must be in proportion to the number of trees and shrubs planted. The following minimum quantities must be in the form of genus diversity:

	Required Number of Plants	Min Species
Trees	1 to 5	1
	6 to 10	2
	11 to 15	3
	16 to 20	4
	21 and above	5
Shrubs	1 to 10	2
	11 to 30	4
	31 to 50	6
	50 and above	8

b. **Planting Size**

All landscape planting materials must conform to the minimum size or height standards in the following table, as well as meet the standards of the American Standard for Nursery Stock (ANSI Z-60.1) at the time of planting.

	MIN. SIZE AND HEIGHT	
PLANTING MATERIAL	**Planting**	**Maturity**
Trees		
Canopy trees	3" caliper / 12' height	30' canopy spread
Understory trees	2" caliper / 10' height	15' to 30' canopy spread
Multi-stemmed trees	5 canes max / 10' height	15' to 30' canopy spread
Screening shrubs		
Evergreen shrubs	18" height	3' height
Deciduous shrubs	2' height	3' height
Other screening plants (evergreen)	4' height	10' max width / 8' height

c. **Trees**

i. Trees in planting areas less than 135 square feet must be of a species known to thrive in low soil volume areas.

ii. A minimum of 50% of all trees must be native.

d. **Shrubs**

i. A mix of evergreen and deciduous shrubs is recommended.

ii. A minimum of 50% of all shrubs must be native.

e. **Installation**

i. Plant material must be installed according to American National Standards Institute ANSI A300 tree care standards. This includes removal of straps, burlap wraps, cutting of wire baskets, and proper mulch techniques.

ii. All planting areas must be protected from vehicle damage by the installation of curbing or other methods approved by the Administrator. Alternative barrier designs which provide improved infiltration or storage of stormwater are strongly encouraged.

iii. The plant materials used in and around parking lots and adjacent to street rights-of-way and pedestrian ways must have a height at maturity designed to ensure visibility at intersections and safety of pedestrians.

iv. All planting areas must be stabilized with ground covers, mulches, or other materials approved by the Administrator to prevent soil erosion and to allow rainwater infiltration. Rubber mulch is not acceptable.

4. Maintenance

a. Plant materials must be maintained in good and healthy condition.

b. Planting areas must be kept free of weeds and trash.

c. All plant and other materials used to comply with this section must be placed in such a manner as to ensure maintenance access, to maintain unobstructed sight distances, to avoid encroachment on neighboring property, and must be a species suitable for proposed location, including conflicts with all utility easements and rights-of-way.

D. Measurement

For the measurement of caliper, height, and canopy spread, see the "Methods of Measurement" section of the latest version of the American Standard for Nursery Stock (ANSI Z-60.1).

E. Relief

1. A landscape standard may be modified by up to 10% in accordance with ***Sec. 6.2.14.***
2. A change beyond 10% may be requested in accordance with ***Sec. 6.2.15.***
3. An alternative landscape plan designed by a licensed Landscape Architect that meets the intent of the landscape standards to an extent equal to or better than the specified design standards may be considered by the Administrator.

DIV. 19-4.11. **SIGNS**

19-4.11.1. **GENERAL**

A. **Intent**

The intent of this section is to promote the public health, safety, and welfare; and regulate the markets through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and design requirements. With these concepts in mind, the purpose and intent of this section is:

1. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape which affects the image of the city;
2. To promote the free flow of traffic and protect pedestrians, cyclists, and motorists from injury and property damage caused by, or which may be partially attributable to, cluttered, distracting, and/or illegible signs;
3. To promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with the surrounding buildings and landscape, in order to meet the community's expressed desire for quality development;
4. To promote and accomplish the goals, policies, and objectives of the comprehensive plan;
5. To balance public and private objectives by allowing adequate signage for business identification;
6. To provide design standards which are consistent with other applicable provisions of the development code; and[2]
7. To prevent property damage and personal injury from signs which are improperly constructed or poorly maintained.[2]

In order to achieve these purposes, this section provides reasonably uniform standards while allowing functional flexibility, encouraging variety, and providing incentives to relate signage to basic principles of good design. This section is further intended to assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public structures and spaces are protected by exercising reasonable control over the character and design of sign structures that are near rights-of-way. Finally, this section is intended to provide an improved visual environment for the citizens of, and visitors to, the city.

B. **Applicability**

All signs erected, installed, structurally altered, or otherwise modified after the effective date of this Code. Nonconforming signs are subject to the provisions of ***Sec. 6.3.4.*** These standards apply to design elements and architectural features for signage, not the speech or message conveyed by any individual sign. Terms such as "letters," "symbols," or "copy" may be used interchangeably to apply the operative standards of this Division to various design elements or architectural features of a sign, but must not be construed to restrict, require, or otherwise regulate the speech or message of a sign.[2]

C. Permit Required

Unless specifically exempted in *Sec. 4.11.3*, a sign permit must be obtained prior to erection, installation, display, structural alteration, or change of any sign. Any sign in the public right-of-way requires an encroachment permit.[4]

D. Standards

1. Setbacks and Encroachments

a. District building setback requirements do not apply to signs.

b. Awning, canopy, pedestrian or projecting signs can encroach 42 inches over a public right-of-way provided that:

i. The sign cannot encroach within a vertical plane measured 2 feet from the back of the curb;

ii. The bottom edge of the sign must maintain a clearance of at least 9 feet from the finish grade level below the sign; and[4]

iii. An air rights encroachment permit is obtained pursuant to *Sec. 36-1.*

2. Maintenance

All signs must meet the following provisions for maintenance. Signs that do not meet these provisions must be repaired or removed within 30 days after receipt of notification from the Administrator. Maintenance and repair to nonconforming signs is subject to the provisions of *Sec. 6.3.4.*[4]

a. The area around a sign must be properly maintained so as to make the sign readily visible.

b. All non-functioning bulbs, damaged sign faces or panels, and torn fabric must be replaced or repaired.[4]

c. All sign copy must be maintained securely on the sign face or panel and all missing copy must be replaced.

d. All sign structures, framework, and poles must be structurally sound.

e. Prohibited cabinet signs may only provide maintenance to internal lighting.

3. Compliance with Building and Electrical Codes

All signs in their installation, maintenance, and removal must comply with the provisions of the building and electrical codes adopted by the City.

4. Display of Noncommercial Messages

Any sign authorized in this section may display a noncommercial message in lieu of other copy.

5. Maximum Door and Window Coverage[2]

The total area of all signs authorized by this section cannot block, cover, or otherwise obscure the visibility of more than 20 percent of the combined transparent door and window area per story of any building or tenant space.

19-4.11.2. **PROHIBITED SIGNS**

Unless specifically permitted elsewhere in this section, the following signs are prohibited:

A. Rotating or animated signs involving motion or sound.

B. Flashing, blinking, or varying light intensity signs, including scrolling messages and video.

C. Signs intended to flutter in the wind to attract attention.

D. Any reflective or mirrored sign.

E. Signs that contain or are an imitation of an official traffic sign or signal.

F. Roof signs, except those permitted under ***Sec. 4.11.4.Q.,*** Alternative Design Signs.[6]

G. Inflatable signs.

H. Vehicle signs.

I. Pennants.

J. Snipe signs.

K. Off-premises signs.

L. Type I outdoor advertising signs, except as provided for in ***Sec. 4.11.6.***

M. Flat panel, cabinet or box signs.

N. Pylon Signs.

O. Obscene signs that contain profanity, explicit symbols or images, or other obscenities.

P. Beacons or search lights.[4]

Q. Any permanent or temporary sign not allowed in ***Div. 19-4.11.***[6]

19-4.11.3. **SIGNS NOT REQUIRING A PERMIT**

A. **General**

1. A permit is not required for the following types of signs, provided all applicable provisions of this section are met.

2. Such signs are not considered in determining the allowable number or size of signs on a lot.

3. Signs cannot be internally illuminated.

B. Public Interest Signs

Signs of public interest, erected by or on the order of a public officer in the performance of their duty, such as public notices, safety sign, danger signs, trespassing signs, traffic and street signs, wayfinding signs, memorial plaques and signs of historical interest.

C. Signs Not Visible

Any sign internal to a development not visible from the right-of-way or neighboring property.

D. Flags

Flags are any fabric or other flexible material designed to be flown from a flagpole. Flags must meet the following standards:

1. A maximum of 3 flag poles are permitted per lot;[6]
2. The flag area cannot exceed 1.5 times the height of the pole. For example, a 40-foot tall flag pole yields a maximum 60 square foot flag;
3. The maximum height of a flagpole is 25 feet in residential districts and 40 feet in all other districts, measured from the highest point of the flagpole to average adjacent grade; and[6]
4. A freestanding flagpole must be set back a minimum of 5 feet from a residential lot line.[6]

E. Sidewalk Signs

A sidewalk sign is a movable sign wholly independent of a building for support but not permanently secured or attached to the ground. Sidewalk signs must meet the following standards:

1. The sign cannot exceed 6 square feet in area, 3 feet in height and 2 feet width;
2. The sign must be placed along a building facade with a customer entrance to a tenant space;
3. The sign cannot be placed more than 12 feet from the building facade;
4. One sidewalk sign is permitted for each street facing entrance, and no more than one may be placed per business on the same street face;
5. The sign must be removed and placed indoors at the close of each business day; and
6. The sign cannot be illuminated.
7. The sign cannot impair the ability of pedestrians or cyclist to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

F. Small Temporary Signs

A small temporary sign is any sign with a sign area of 12 square feet or less in RH- and RN- districts, or 32 square feet or less in all other districts, which is not designed or intended to be placed permanently. Any temporary sign with a sign area larger than those dimensions is considered a large temporary sign and must meet the standards of *Sec. 4.11.4.*[4]

1. **House-Scale and Neighborhood-Scale Districts**

   In a House-Scale and Neighborhood-Scale District, small temporary signs must meet the following standards:[2]

   a. Maximum total sign area of 12 square feet per lot.

   b. Maximum area of an individual sign is 6 feet.

   c. Maximum of 2 small temporary signs are allowed per lot.

   d. Small temporary signs may be installed for a period not exceeding 60 consecutive calendar days, up to 2 times per 12 month period.

   e. No internal or external illumination of small temporary signs is permitted.

2. **All Other Districts**

   In a Community-Scale, Mixed Use, Shopfront Mixed Use, Business, Industrial or Special District, small temporary signs must meet the following standards:

   a. Lots are granted up to 32 square feet of small temporary sign area per street frontage without a permit.

   b. The number of small temporary signs allowed on a lot is unrestricted.

   c. Small temporary signs may be used for a period not exceeding 60 consecutive calendar days, up to 2 times per any 12 month period. Additional posting time may be allowed, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.

3. **Small Temporary Signs During Elections and Referendums[4]**

   During the 60-day period before a public election or referendum, there is no limit on the number of small temporary signs that are permitted in addition to the small temporary signs permitted under parts (1) and (2) above, subject to the following standards:

   a. The additional signs cannot exceed 6 square feet per sign face and are limited to a height of 4 feet measured from grade to the top of the sign face.

   b. Signs cannot be located on public property or in public rights-of-way. Signs must be confined wholly to placement on private property, with permission of the property owner. Violations may result in immediate removal of the signs without notice.

   c. Signs must be removed within 5 days after the election or referendum, provided that the Administrator may extend this timeframe in the event of a runoff election.

G. Home Occupation Signs

One non-illuminated sign is permitted at each dwelling with a home occupation provided the sign face does not exceed 2 square feet in area and that such sign is mounted flat against the wall of the principal structure.

H. Public Art

Works of public art when not displayed in conjunction with a commercial enterprise and through which an enterprise may not receive direct commercial gain.

I. Other Signs

1. Wall signs located at a service entrance provided there is not more than 1 per business and the sign does not exceed 4 square feet in area.
2. Window signs not exceeding 2 square feet, with a maximum of 2 such signs per tenant space.[4]
3. Signs installed by the City under 10 square feet associated with community wayfinding and amenities within RH- and RN- districts are permitted.
4. Signs installed by the City within public parks associated with park identification and public events.[6]
5. Small incidental signs which do not exceed 3 square feet in area, have a maximum height of 2 feet, and are placed within 3 feet of vehicular driveway entrances. Incidental signs may be illuminated, contain copy, and must be located outside of the right-of-way. For large developments, the Administrator may require the location of incidental signs be indicated as part of a comprehensive sign package.[2]

19-4.11.4. PERMANENT AND LARGE TEMPORARY SIGNS

A. District Permissions

1. The following signs are allowed by district category. Signs in the Downtown Design (-DD) overlay district require a *Minor Urban Design Certificate of Appropriateness*. Signs in a Preservation (-P) overlay district require a *Minor Historic Certificate of Appropriateness*, see *Div. 19-6.2.*[4]

PERMANENT SIGNS	House-Scale	Neighborhood-Scale	Community-Scale	Mixed Use	Shopfront Mixed Use	Business	Industrial	Special	Definition and Standards
Building Signs									
Window	--	◘	◘	■	■	■	■	■	*Sec 4.11.4.C.*
Wall	◘	◘	◘	■	■	■	■	■	*Sec 4.11.4.D.*
Awning	◘	◘	◘	■	■	■	■	■	*Sec 4.11.4.E.*
Canopy	◘	◘	◘	■	■	■	■	■	*Sec 4.11.4.F.*
Crown[4]	--	--	◘	■	■	■	■	■	*Sec 4.11.4.G.*
Painted Wall	◘	◘	◘	■	■	■	■	■	*Sec 4.11.4.H.*
Pedestrian	--	--	--	■	■	■	■	■	*Sec 4.11.4.I.*
Projecting[4]	--	--	◘	■	■	■	■	■	*Sec 4.11.4.J.*
Freestanding Signs									
Entrance	■	■	■	■	■	■	■	■	*Sec 4.11.4.K.*
Monument[4]	◘	◘	■	■	■	■	■	■	*Sec 4.11.4.L.*
Post[4]	◘	◘	■	■	■	■	■	■	*Sec 4.11.4.M.*
Suspended[4]	◘	◘	■	■	■	■	■	■	*Sec 4.11.4.N.*

■ = Sign type allowed ◘ = Sign type allowed for nonresidential and multi-unit uses only
-- = Sign type not allowed

B. Sign Categories

1. Building Signs

Building signs include window, wall, awning, canopy, crown, painted wall, pedestrian and projecting sign types.

2. Freestanding Signs

Freestanding Signs include entrance, monument, post, and suspended sign types.

C. WINDOW SIGN



1. DESCRIPTION

A sign which is painted on, applied to, attached to or projected upon the glass area of a building facade, including doors, or located within 24 inches of the interior of a window.[4]

2. GENERAL STANDARDS

a. Window signs may be displayed in ground floor windows only.

b. No combination of temporary and permanent window signs may cover more than 20% of any window panel. See also ***Sec. 19-4.11.1.D.5.***[2]

c. Signs within the RH-, RN- and RNX- districts cannot be illuminated.[4]

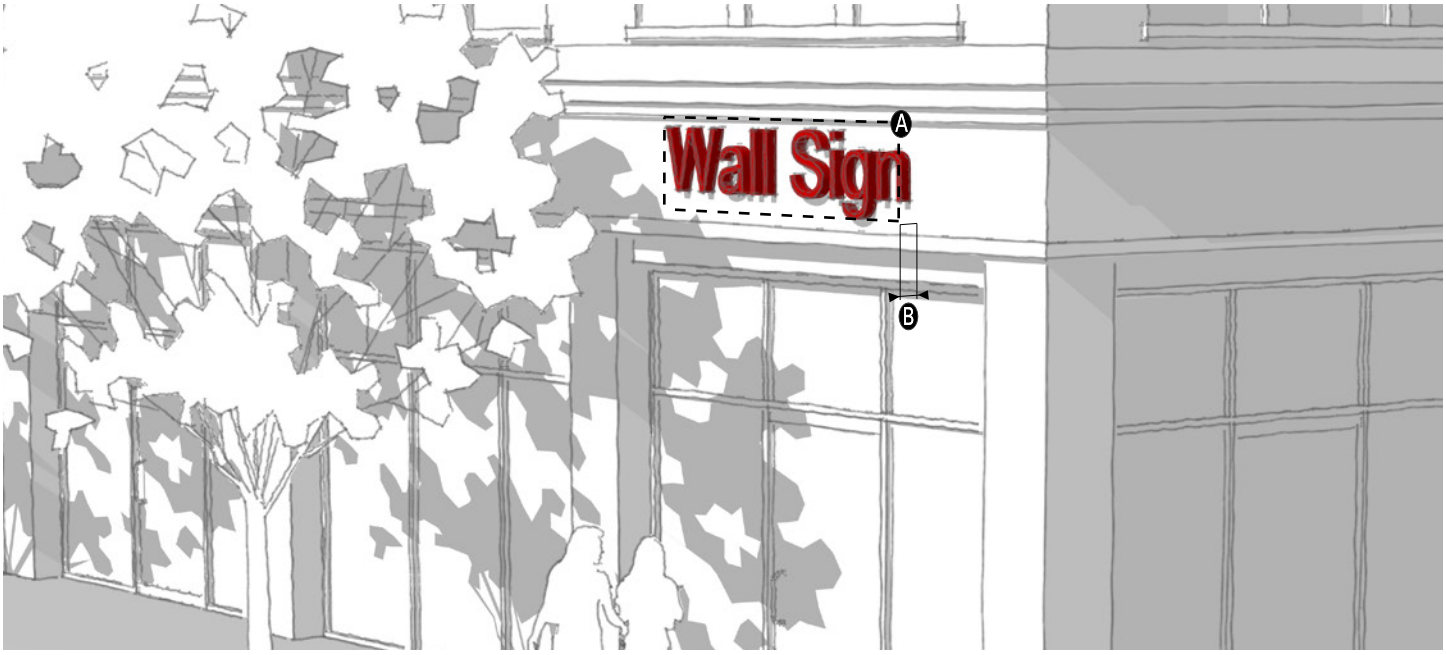
3. NUMBER OF SIGNS

Maximum of 2 per lot or per 30' of tenant building frontage, whichever is greater.[4]

4. SIGN DIMENSIONS

A	Area per sign with an opaque background (max)	10 SF
B	Area per sign with no background (max)	None
	Area per internally illuminated or exposed neon sign (max)	4 SF

D. WALL SIGN



1. DESCRIPTION

A sign attached flat and parallel to the exterior wall of a building or structure, extending no more than 12 inches from the wall.

2. GENERAL STANDARDS

a. Not allowed above roof line or parapet.

b. May only be displayed on facades that include a customer entrance or the appearance of display windows.

c. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

d. Signs within the RH-, RN- and RNX- districts cannot be illuminated.[4]

3. NUMBER OF SIGNS

Maximum of 1 per lot or 30' of tenant building frontage, whichever is greater.[4]

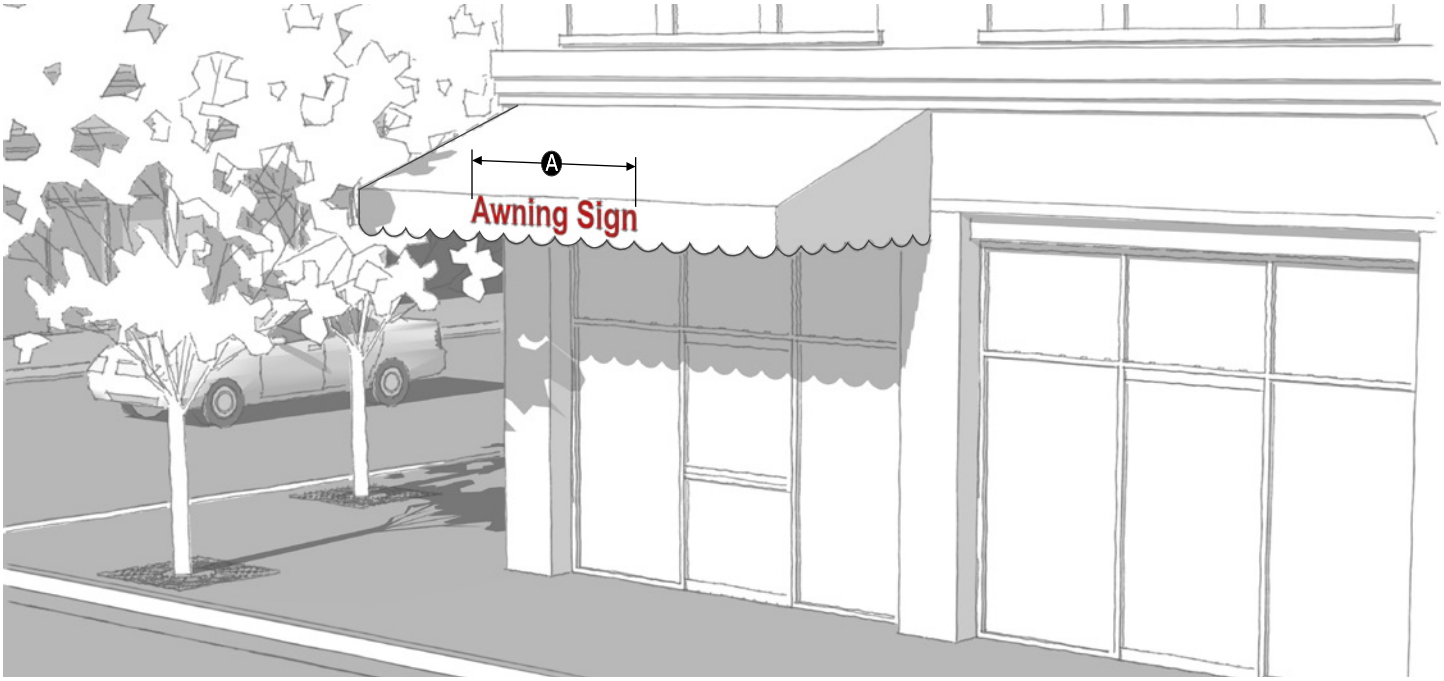
4. TOTAL SIGN AREA[4]

Combined area of all wall, painted wall, awning, canopy and projecting signs (max)	1.5 SF per linear foot of tenant building frontage or 32 sf, whichever is greater.

5. INDIVIDUAL SIGN DIMENSIONS[4]

A	Area (max)	
	Tenant with less than 10,000 SF of gross floor area	50 SF
	Tenant with 10,000 SF or more of gross floor area	50 SF or 10 percent of tenant building wall area (not to exceed 200 SF), whichever is greater
B	Projection width (max)	1 foot

E. AWNING SIGN



1. DESCRIPTION
A sign where graphics or symbols are painted, sewn, or otherwise adhered to the material of an awning as an integrated part of the awning itself.

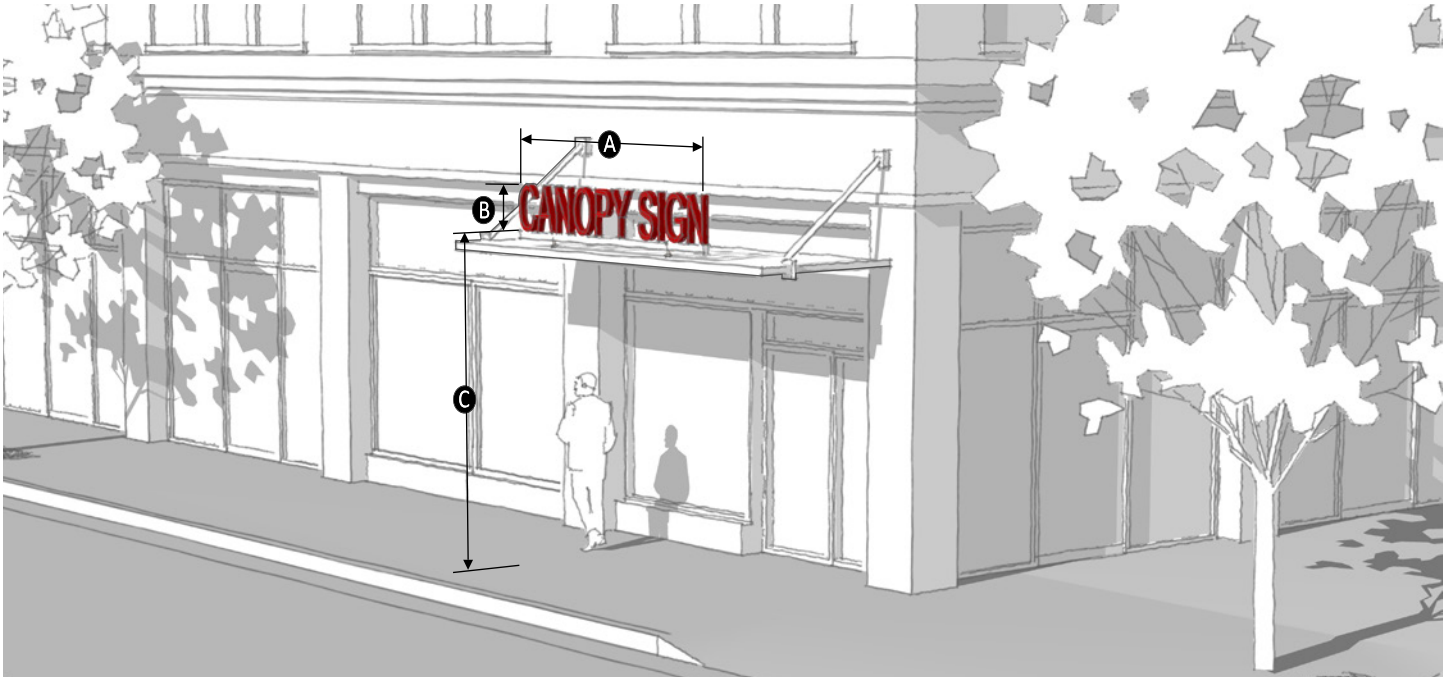
2. GENERAL STANDARDS	
a.	Must be placed on the face or the valance of the awning that are parallel to the building face.
b.	Cannot be illuminated.
c.	Only awnings over ground-story doors or windows may contain signs.

3. QUANTITY
Maximum of 1 per awning.

4. TOTAL SIGN AREA[4]	
Combined area of all wall, painted wall, awning, canopy and projecting signs (max)	1.5 SF per linear foot of tenant building frontage or 32 sf, whichever is greater.

5. INDIVIDUAL SIGN DIMENSIONS	
A Width (max)	60% of the awning width

F. CANOPY SIGN



1. DESCRIPTION

A sign attached to a canopy with a display surface parallel to the plane of the building facade.

2. GENERAL STANDARDS

a. Only canopies over ground-story doors or windows may contain a sign.

b. A canopy sign may be externally and internally illuminated, except within RH-, RN-, and RNX- districts.[4]

3. QUANTITY

Maximum of 1 per canopy.

4. TOTAL SIGN AREA[4]

Combined area of all wall, painted wall, awning, canopy and projecting signs (max.)	1.5 SF per linear foot of tenant building frontage or 32 sf, whichever is greater.

5. INDIVIDUAL SIGN DIMENSIONS

A	Width (max)	60% of the canopy width
B	Height (max)	3 feet
C	Clear height above sidewalk (min)	9 feet
	Clear height above parking area or driveway (min)	14 feet

G. CROWN SIGN



1. DESCRIPTION

A sign painted on, or attached flat and parallel to, the exterior wall of a building or structure that is located at the top of a building facade. The display surface of which does not extend more than 2 feet from the outside wall of the building or structure.

2. GENERAL STANDARDS

a. Must be located on the second story or above.

b. A crown sign must consist of channel letters or have lettering and details which extend a minimum of 2 inches from the surface of the building facade.[4]

3. NUMBER OF SIGNS

2 per lot and 1 per building facade

4. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	
	2 stories[4]	10% of wall area *(not to exceed 200 SF)*
	3-4 stories	200 SF
	5+ stories	350 SF

H. PAINTED WALL SIGN



1. DESCRIPTION

A sign painted on the exterior wall of a building or structure.

2. GENERAL STANDARDS

a. If a painted wall sign is located within a mural, only areas including commercial text and images count toward the sign area.[6]

b. Painted wall signs located within a mural that is located on public property, within a public easement, or which received funding from the City must be approved by Arts in Public Places.

3. NUMBER OF SIGNS

Maximum of 1 per lot or 30' of tenant building frontage, whichever is greater.[4]

4. TOTAL SIGN AREA[4]

Combined area of all wall, painted wall, awning, canopy and projecting signs (max)	1.5 SF per linear foot of tenant building frontage or 32 sf, whichever is greater.

5. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	
	Ground story	50 SF
	Upper story	100 SF

I. PEDESTRIAN SIGN



1. DESCRIPTION

A sign that is attached approximately perpendicular to the exterior wall of a building or structure, typically extending 12 inches or more from the wall.

2. GENERAL STANDARDS

a. Must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single story building.

b. Must be located within 5 feet of a ground story tenant entrance.

c. Must be located at least 15 feet from any other pedestrian sign or projecting sign.[4]

d. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

e. Cannot be internally illuminated.[2]

3. NUMBER OF SIGNS

Maximum of 1 per building entrance

4. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	10 square feet
B	Clear height above sidewalk (min)	9 feet
	Clear height above parking area or driveway (min)	14 feet

J. PROJECTING SIGN



1. DESCRIPTION

A sign that is attached approximately perpendicular to the exterior wall of a building or structure, typically extending 12 inches or more from the wall that does not meet the standards for a pedestrian sign.

2. GENERAL STANDARDS

a. Not allowed above roof line or parapet.

b. Must be located within 5 feet of the building's corner.[6]

c. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

3. NUMBER OF SIGNS

Maximum of 1 per building entrance

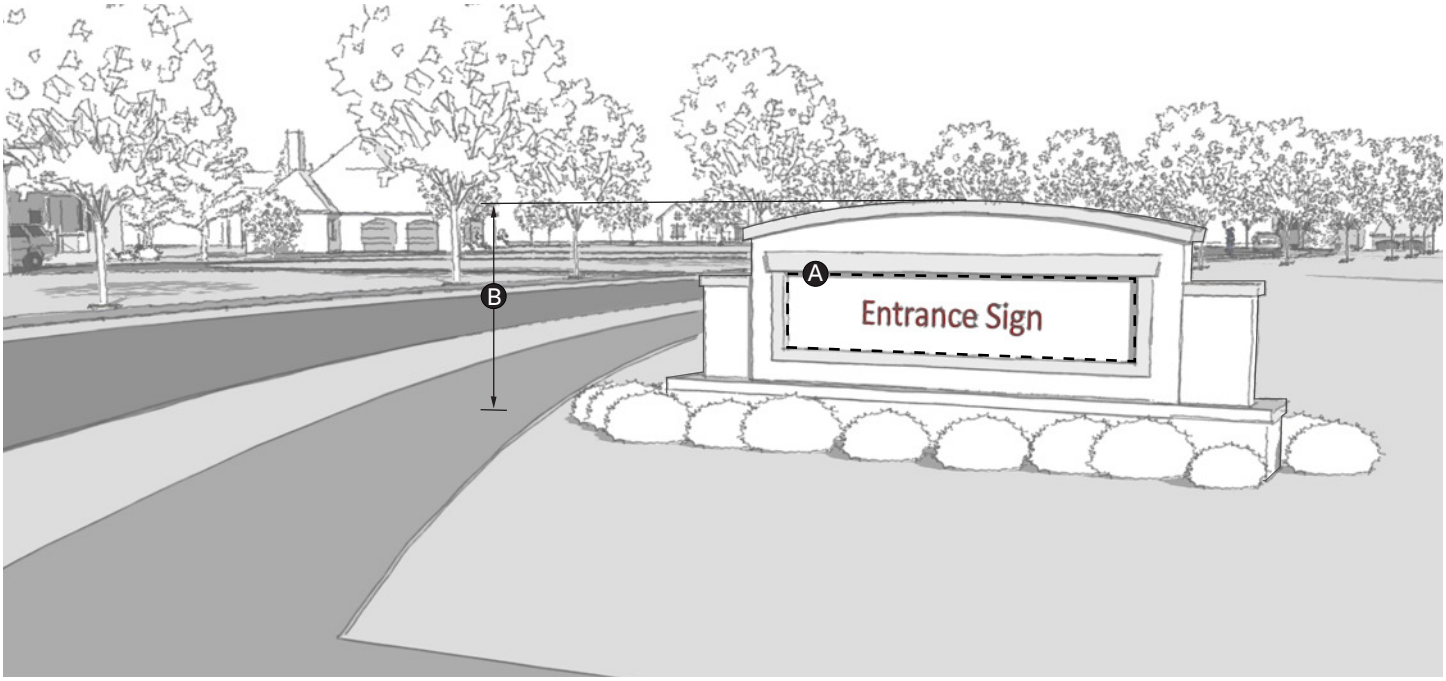
4. TOTAL SIGN AREA[4]

Combined area of all wall, painted wall, awning, canopy and projecting signs (max)	1.5 SF per linear foot of tenant building frontage or 32 sf, whichever is greater.

5. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	50 square feet
B	Clear height above sidewalk (min)	12 feet[6]
	Clear height above parking area or driveway (min)	14 feet

K. ENTRANCE SIGN



1. DESCRIPTION

A freestanding sign which has a solid base and is attached to the ground along its entire length that is placed near a driveway or pedestrian accessway into a development from a public right-of-way.

2. GENERAL STANDARDS

a. Cannot extend within 2 feet of a street right-of-way.

b. Cannot obstruct vision between a height of 3 feet and 9 feet, measured from street grade closest to the sign, within the sight triangle.

c. Signs may be illuminated internally, provided the background is opaque allowing only the letters and logo to light, or with a shielded spot light located at the base of the sign.

d. Not permitted with a single unit living use except at the entrance to a subdivision.

e. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

f. Reserved for future use.[4]

g. Landscaping is required around the base of the sign.

h. Sign must include the street address numbers, when applicable, at a minimum of 6 inches in height and which meet dimensional copy requirements.[4]

i. Must be located at least 200 feet from any other on-premise freestanding sign.[4]

3. NUMBER OF SIGNS

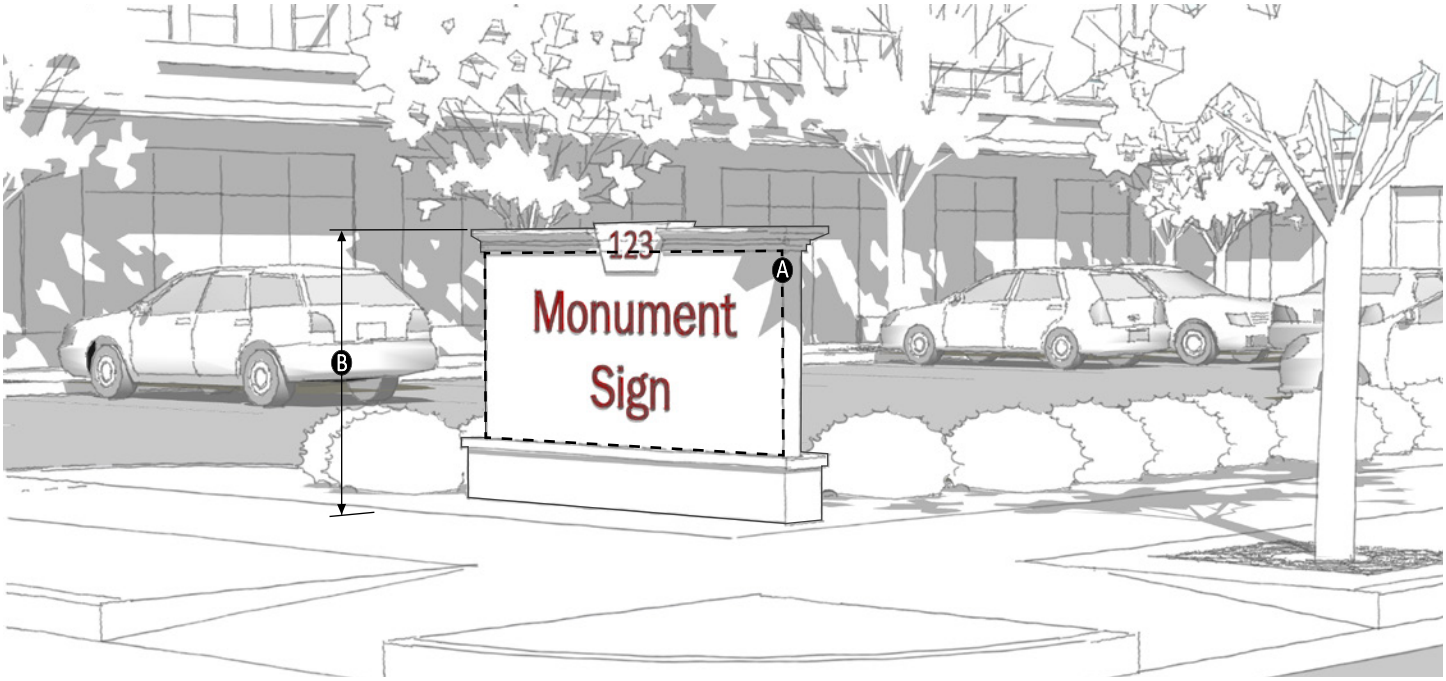
Combined number of freestanding signs (max.)	2 per street front for a multi-tenant development or 1 per street front for a freestanding business or use.

4. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	25 SF
B	Height (max)	6 feet

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L. MONUMENT SIGN



1. DESCRIPTION

A freestanding sign which has a solid base and is attached to the ground along its entire length and that does not meet the description of a entrance sign.

2. GENERAL STANDARDS

a. Cannot extend within 2 feet of a street right-of-way.

b. Cannot obstruct vision between a height of 3 feet and 9 feet, measured from street grade closest to the sign, within the sight triangle.

c. Signs may be illuminated internally, provided the background is opaque allowing only the letters and logo to light, or with a shielded spot light located at the base of the sign.

d. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

e. *Reserved for future use.*[4]

f. Sign must include street address numbers at a minimum of 6 inches in height and which meet dimensional copy requirements.[4]

g. Landscaping is required around the base of the sign.[4]

h. Signs must include an architectural cap at the top of the sign.[4]

i. Must be located at least 200 feet from any other on-premise freestanding sign.[4]

j. Signs are not permitted to front interstate right-of-way.[4]

3. NUMBER OF SIGNS

Combined number of freestanding signs (max)	2 per street front for a multi-tenant development or 1 per street front for a freestanding business or use.

4. INDIVIDUAL SIGN DIMENSIONS

Ⓐ Area (max) [4]	
House-Scale, Neighborhood-Scale, Community-Scale, and Shopfront Mixed Use Districts	25 SF
Mixed Use District	25 SF for freestanding business or use. For multi-tenant developments, an additional 5 SF of area may be granted for each additional tenant. Not to exceed 40 SF.[6]
Business District	32 SF for freestanding business or use. 48 SF for vehicle sale or rental uses.[6] For multi-tenant developments, an additional 4 SF of area may be granted for each additional tenant. Not to exceed 64 SF.[6]
Industrial and Special Districts	64 SF

Ⓑ Height (max)[4]	
House-Scale, Neighborhood-Scale, Community-Scale, and Shopfront Mixed Use Districts	6 feet
Mixed Use District	6 feet for freestanding business or use. For multi-tenant developments, an additional foot of height may be granted for each additional tenant. Not to exceed 10 feet.[6]
Business District	8 feet for freestanding business or use. 12 feet for vehicle sale or rental uses.[6] For multi-tenant developments, an additional foot of height may be granted for each additional tenant. Not to exceed 16 feet.[6]
Industrial and Special Districts	16 feet

M. POST SIGN



1. DESCRIPTION

A low profile freestanding sign mounted on 2 poles placed at the outermost sides of the sign face. A post sign is similar to a monument sign except that the base is not solid.

2. GENERAL STANDARDS

a. Cannot extend within 2 feet of a street right-of-way.

b. Cannot obstruct vision between a height of 3 feet and 9 feet, measured from street grade closest to the sign, within the sight triangle.

c. Signs may be illuminated with a shielded spot light located at the base of the sign.

d. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

e. *Reserved for future use.*[4]

f. Sign must include street address numbers at a minimum of 6 inches in height and which meet dimensional copy requirements.[4]

g. Must be located at least 200 feet from any other on-premise freestanding sign.[4]

h. Signs are not permitted to front interstate right-of-way.[4]

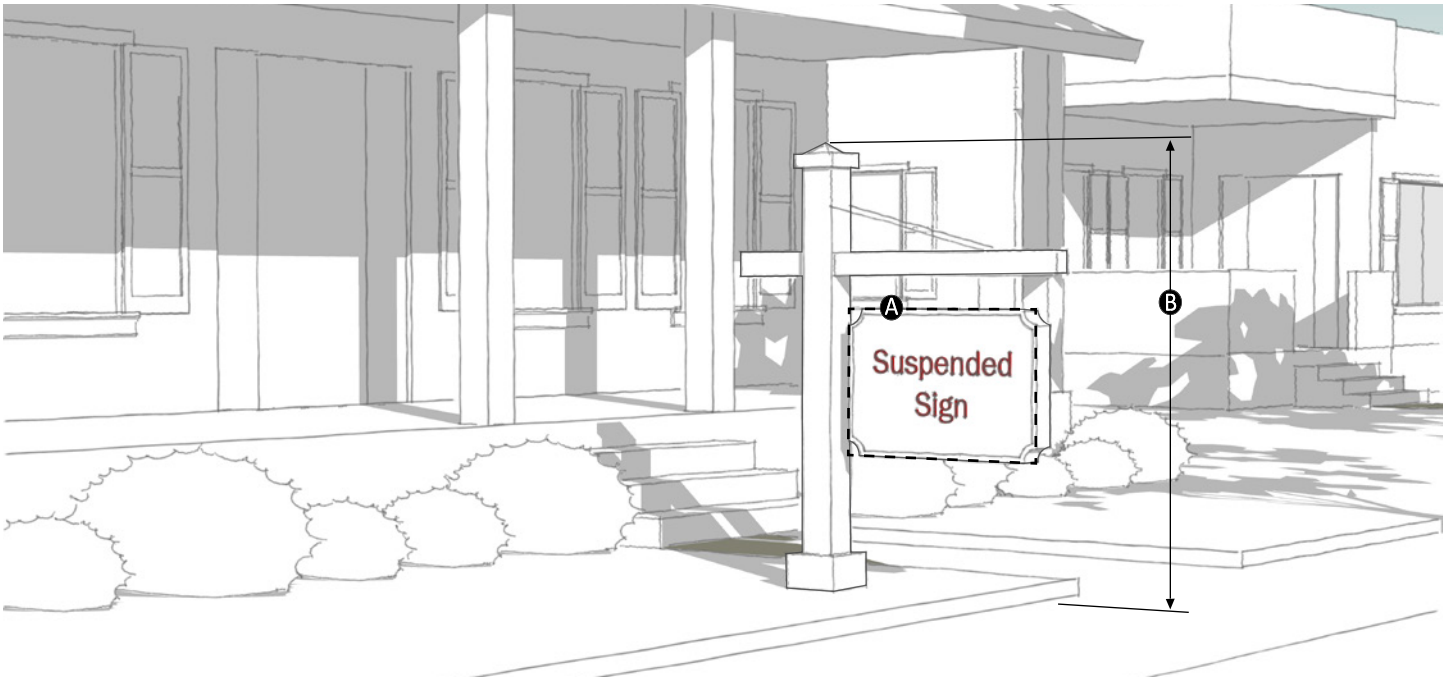
3. NUMBER OF SIGNS

Combined number of freestanding signs (max)	2 per street front for a multi-tenant development or 1 per street front for a freestanding business or use.

4. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	25 square feet
B	Height (max)	6 feet

N. SUSPENDED SIGN



1. DESCRIPTION

A freestanding sign comprised of a vertical pole, a horizontal decorative sign support, and a suspended sign face.

2. GENERAL STANDARDS

a. Cannot extend within 2 feet of a street right-of-way.

b. Cannot obstruct vision between a height of 3 feet and 9 feet, measured from street grade closest to the sign, within the sight triangle.

c. Signs may be illuminated with a shielded spot light located at the base of the sign.

d. Must contain dimensional copy that projects at least 0.5 inches through either sandblasting or projecting letters.

e. Sign must include street address numbers at a minimum of 6 inches in height and which meet dimensional copy requirements.[4]

f. Must be located at least 200 feet from any other on-premise freestanding sign.[4]

g. Signs are not permitted to front interstate right-of-way.[4]

3. NUMBER OF SIGNS

Combined number of freestanding signs (max)	2 per street front for a multi-tenant development or 1 per street front for a freestanding business or use.

4. INDIVIDUAL SIGN DIMENSIONS

A	Area (max)	16 square feet
B	Height (max)	8 feet

O. Large Temporary Signs

1. Large temporary signs must comply with all standards of the associated permanent sign type except the three-dimensional and lighting standards.[2]
2. Large temporary signs may be used for a period not exceeding 30 consecutive calendar days, up to 4 times per any 12 month period. Additional posting time may be allowed, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.
3. Any temporary sign with a total sign area of 12 square feet or less in an RH- or RN- district or 32 square feet in any other district is considered a small temporary sign and does not require a sign permit, consistent with *Sec. 19-4.11.3.F.*[4]
4. Large temporary signs must be a window, wall, entrance, monument, post, or suspended sign. No temporary awning, canopy, painted wall, pedestrian, or projecting sign is permitted.
5. To determine which types of large temporary signs are permitted in a district, see the District Permissions table.

P. Landmark Signs

A sign that exhibits unique design characteristics that enhance the streetscape or identity of a neighborhood and as such contributes to the historical or cultural character of the area or the community at large.

1. In order the be designated a landmark sign, a sign must meet at least 1 of the following criteria:
   a. It was expressly designed for that location, meaning it contains design features or other architectural elements that distinguish it from signs found generally throughout the city; or
   b. It includes materials, lighting techniques, or other components not commonly associated with contemporary sign construction.
2. The sign must be approved by the Historic Review Board as a landmark sign, which will review it based on the criteria of this section.
3. The sign must have been erected 50 years prior to the current calendar year.
4. The sign must comply with all provisions of *Sec. 4.11.1.D.*
5. The sign does not count toward total sign area or number of signs on a lot.

Q. Alternative Design Signs

In Mixed Use (MX-) and Shopfront Mixed Use (MXS-) districts, an alternative signage design that does not readily adhere to the sign types in the Section may be considered by the Administrator. The design must meet the following criteria:

1. The sign must serve to enhance the streetscape or the cultural character of a neighborhood or the community at large. The Administrator will consider any applicable overlay district standards, surrounding design precedents, and applicable master plans as part of the review for Alternative Design Signs and may require modifications of color, font style, sign size, structure, lighting, location, or other content-neutral elements in order to ensure consistency with these precedents.

2. The sign must comply with all provisions of *Sec. 4.11.1.D.*[2]

R. Electronic Message Boards and Pre-Menu and Menu Boards

Electronic message boards and pre-menu and menu boards must incorporate a photo cell, or similar technology, that adjusts brightness of the sign relative to outdoor ambient light, and may be included on monument and post signs, subject to the following conditions.

1. Electronic Message Boards

a. Electronic message boards are only permitted in:[6]

i. CV and CM districts; or for

ii. General indoor entertainment and recreation (6,000+ SF) and General outdoor entertainment and recreation uses located in the –DD overlay district.

b. When such signs are allowed, the area of the electronic sign face must not exceed 30 percent of the overall sign face, and the electronic message must maintain a static message for at least 6 seconds, and must not employ any of the techniques prohibited by *Sec. 4.11.2.*[6]

2. Pre-Menu and Menu Boards

a. Each drive-thru lane is entitled to one pre-menu board, which may be erected at the entrance of the stacking lane, and one menu board at the point of order. All pre-menu boards and menu boards count toward the maximum signage for a property and must comply with the following standards:

i. Maximum sign area is 48 square feet.

ii. Maximum sign height is 8 feet.

iii. Pre-menu and menu boards are be set back a minimum of 15 feet from the street right-of-way line and from lot lines of abutting property improved with non-residential uses.

iv. At any time when the drive-thru use is closed to the public, the pre-menu and menu board are turned off and remain off until the drive-thru use is open to the public.

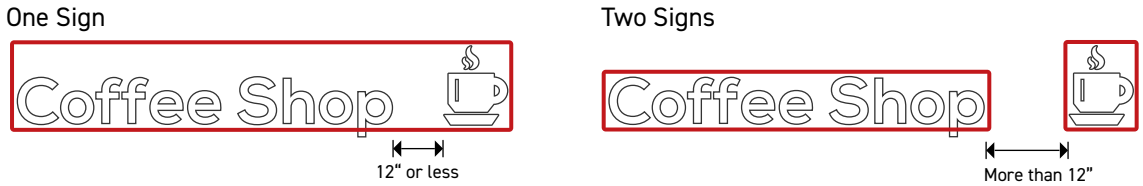
v. Speakers are directed away from adjacent residential dwellings and noise is subject to provisions of ***Chapter 16, Article II, Division 3, Noise*** of the Municipal Code.

vi. Pre-menu and menu boards must be are skirted to the ground with permitted materials.

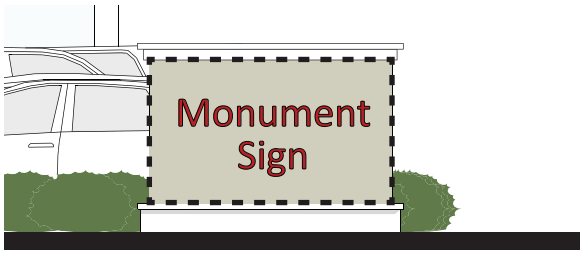
19-4.11.5. **MEASUREMENT**

A. Sign Area

1. For window signs, wall signs, painted wall signs, canopy signs and awning signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses the letters or images as shown below. Images, logos or text greater than 12 inches apart are calculated as separate signs for the purposes of calculating individual sign area.



2. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure on which it is mounted. Includes the face of the structure that the message is affixed to, not including any supports, bracing or street number.



3. For a sign that is 2-sided, back-to-back or V-type, only the area of the largest sign face is computed as part of the sign area. If the sign face angle on a V-type sign is more than a 60 degrees, sign area is computed by adding together the area of all sign faces.

B. Sign Height

1. The height of an freestanding sign is measured from the highest point of the sign or supporting structure to the top of the nearest sidewalk or crown of the road when no sidewalk exists.



C. Relief

1. Administrative relief is not available for sign standards. A variance from a sign standard may be requested in accordance with *Sec. 6.2.15.*

19-4.11.6. OUTDOOR ADVERTISING SIGNS

A. Type I Signs (Billboards)[2]

A Type I Outdoor Advertising Sign is a permanent freestanding off-premises sign, commonly referred to as a billboard, and that is generally used to rent or lease advertising space.[2]

1. Spacing: Minimum Distance from Certain Uses

Type I outdoor advertising signs must not be located closer than 1,000 feet to another Type I outdoor advertising sign or an historic property listed on the national register, a Preservation (-P) overlay district, or a public park; or closer than 500 feet to a residential district or cemetery, the Downtown Design (-DD) overlay district, or the right-of-way of I-385, I-185, Pleasantburg Drive, Pete Hollis Highway, Mills Avenue, Haywood Road, Woodruff Road, Verdae Boulevard, Church Street or Roper Mountain Road. These distances are computed whether the existing sign or protected use is within the City limits or not.

2. Districts Where Permitted

a. Type I outdoor advertising signs are permitted in BH and IG districts, subject to the conditions of this section.[6]

b. Within the MX-D district, Type I outdoor advertising signs are permitted in the following locations only, subject to the conditions of this section:

   i. A maximum of 1 roof-mounted Type I outdoor advertising sign is permitted with visibility from South Church Street between East McBee Avenue and East Washington Street; and

   ii. A maximum of 1 Type I outdoor advertising sign is permitted along East North Street between North Academy Street and Lavinia Avenue.

3. Maximum Area

No single sign face shall exceed 378 square feet in area. Extended advertising area is not permitted. Extended advertising area means design elements that go beyond the established sign face of the billboard. Other terms include top-outs, cut-outs, extenders, or embellishments.[6]

4. Maximum Height

Type I outdoor advertising signs must not exceed 35 feet in height.

5. Setback

All parts of a Type I outdoor advertising sign must be located no closer than 15 feet from a public right-of-way.

6. Number of Faces

Two faces are allowed per Type I outdoor advertising sign structure. These faces must be parallel to each other or at an interior angle to one another not greater than 60 degrees. There must be no double-decker or side-by-side Type I outdoor advertising signs.

7. **Signs Not to be Counted as Part of Total Number of Allowed On-Premises Signs**

   Type I outdoor advertising signs do not count toward the total number of permanent signs allowed on the premises on which they are located.

8. **Maximum Number**

   The maximum number of Type I outdoor advertising signs permitted within the City must not exceed the maximum number of legally-established conforming Type I outdoor advertising signs existing on June 11, 2001. However, in the event that unincorporated areas are annexed into the City, the total number of allowable Type I outdoor advertising signs must be increased by the number of legally-established conforming Type I outdoor advertising signs existing in the territories annexed on the effective date of annexation.

9. **Determination of Maximum**

   a. All conforming Type I outdoor advertising signs existing on June 11, 2001, must be re-permitted for purposes of determining the maximum number of allowed signs. By August 31, 2001, the sign owners must submit to the City the following information for each existing Type I outdoor advertising sign:

      i. Location (e.g., address and/or tax map number of parcel);

      ii. Size of each sign face, excluding extended advertising space;

      iii. Height of each sign;

      iv. Name, address and telephone number of the owner of each sign, and the same information of any person having a security interest in each sign;

      v. If the parcel on which a sign is located is not owned by the owner of the sign, the remaining term of the lease;

      vi. Digital or professionally processed color photographs of each sign face and sign structure that has such quality and clarity as to make identification reliable; and

      vii. Date of erection of sign.

   b. Any existing Type I outdoor advertising sign that is not re-permitted will be classified as a prohibited and illegal sign and must be completely removed within 60 days of notification to the sign owner.

10. **New Signs as Replacements**

   a. A sign permit is required for the construction and erection of Type I outdoor advertising signs. No permit to construct or erect a Type I sign will be issued until the City has verified that at least one existing Type I outdoor advertising sign has been completely removed.

   b. The maximum area allowed for sign faces of new Type I signs as replacements must not exceed the sign face area of the sign being replaced or the maximum area allowed in ***subsection 3.*** above, whichever is less.

   c. The construction or erection of a Type I outdoor advertising sign must be completed within the time frame of the sign permit.

11. **Special Exception Permit Required for Type I Sign**[6]

    a. The owner of a Type I sign may apply to the Board of Zoning Appeals for a special exception permit under *Sec. 6.2.15* to remove the sign and to replace it with a conforming Type I sign at the same or different location.[6]

    b. No approval will be granted for a proposed new location of the replacement sign unless the sign owner first makes an affirmative showing that the replacement sign will be "aesthetically compatible" with the area where it is to be located and that the sign will not adversely impact public safety as a consequence of its design, construction, or placement. Approval for a replacement sign at the same location will consider factors similar to those provided in this section for a new location, but also take into consideration the benefits arising from the improved appearance of a conforming sign at the same location or the removal of signs at other locations.[6]

    c. For purposes of determining whether the proposed sign will be "aesthetically compatible", the Board of Zoning Appeals must consider the following:

        i. The height of the sign in relation to the height of surrounding structures and vegetation;

        ii. The vertical elevation of the sign site in relation to the elevation of nearby properties;

        iii. The sight distance from nearby properties to the sign's site;

        iv. The sign's potential for blocking views otherwise available to occupants of nearby properties;

        v. The sign's potential for blocking views otherwise available to motorists and pedestrians on nearby streets and sidewalks;

        vi. The extent of the sign's reasonably anticipated impact on the values of nearby properties;

        vii. The suitability of the sign's proportions and structural design for the character of nearby uses authorized under existing zoning and the City's land use plan; and

        viii. Other comparable and reasonable considerations relevant to the proposed sign site and the uses and designs of nearby properties and nearby rights-of-way.

    d. The Board of Zoning Appeals' approval may establish conditions on the appearance, location, and positioning of the replacement sign needed to ensure compliance with the purposes of this subsection.

12. **Modifications to Existing Type I Signs**[6]

    a. With the exception of changing an advertisement on an existing face, modifications to an existing Type I Sign must obtain a special exception permit from the Board of Zoning Appeals.

    b. Modifications to an existing nonconforming Type I Sign must comply with the standards of *Sec. 6.3.4*.

13. **Federal Aid Highways**

    Implementation of this section are subject to federal and state statutes otherwise applicable to Type I signs.

B. Type II Signs (Bus Shelter Signs)[2]

A Type II Outdoor Advertising Sign is a sign located on, and designed as an integral part of, city-approved public transportation shelters and is generally used to rent or lease advertising space.[2]

1. **Administrator Review and Approval[2]**

   The Administrator may issue a permit for a Type II Outdoor Advertising Sign upon determination that the design of the sign is integral to the public transportation shelter and that any lighting or other design features will not create a traffic safety hazard or negative impacts on adjacent properties. A Type II Outdoor Advertising Sign located in the Preservation (-P) or Downtown Design (-DD) overlay districts requires a Minor Certificate of Appropriateness as provided in Sec. 19-6.2.6. or Sec. 19-6.2.8.

DIV. 19-4.12. **LIGHTING**

19-4.12.1. **INTENT**

To provide exterior lighting standards to support a variety of environments and to minimize the negative impacts of lighting on adjacent uses and users of the public realm. The degree to which exterior lighting affects a property or street right-of-way should consider the light source, level of illumination, hours of illumination, and the need for illumination.

19-4.12.2. **APPLICABILITY**

A. **New Fixtures**

All lighting fixtures installed after the effective date of this Code.

B. **Existing Fixtures**

1. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
2. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Section.
3. For site modifications, only site lighting needs to come into compliance. For additions and facade modifications, only building lighting needs to come into compliance.[4,6]

C. **Exemptions**

1. Lighting required by the Federal Aviation Administration
2. Lighting within MX-D and MXS-D districts that conforms with the ***Downtown Design Guidelines***

19-4.12.3. **STANDARDS**

A. **Prohibited Lighting Sources**

The following light fixtures and sources cannot be used:

1. Cobra-head-type fixtures having dished or drop lenses or refractors.[6]
2. Temporary searchlights and other high-intensity narrow-beam, moving fixtures that shine light directly up to the sky.
3. No blinking, flashing or fluttering lights or other illuminated device that has a changing light intensity, brightness, or color is permitted in any district except for temporary holiday displays.
4. Neither the direct nor reflected light from any outdoor light source shall create a traffic hazard to operators of motor vehicles or to operators of aircraft and no colored lights may be used in such a way as to be confused or construed as street-traffic control or air-traffic control devices.

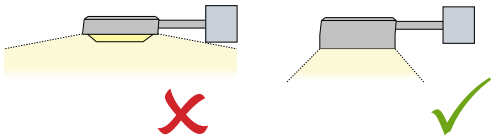
5. LED strip lighting, rope lights, neon, or other lighting fixtures used to frame windows or doors on the inside or outside of a building.[4]

B. Design and Installation

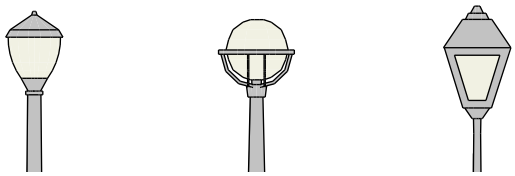
1. Light sources shall be concealed or shielded to minimize the potential for direct glare and unnecessary diffusion on adjacent property and rights-of-way.
2. Maximum point light level shall not exceed 20 footcandles anywhere on site. Light level must be no greater than 0.3 footcandle when measured at the abutting property line to property improved with a residential use and one footcandle when measured at the property line abutting property improved with a nonresidential use or the public right-of-way.[2,6]
3. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
4. Lamps cannot exceed a maximum correlated color temperature (CCT) of 3,500 Kelvin.
5. Total outdoor light output cannot exceed 10,000 lumens per net acre for single-unit living uses and 25,000 lumens per net acre for all other residential uses.[6]
6. Total outdoor light output cannot exceed 50,000 lumens per net acre for all nonresidential development, with the following exceptions:[6]
    a. Vehicle sale or rental uses cannot exceed 75,000 lumens per net acre.[6]
    b. General outdoor entertainment and recreation uses are exempt from the lumens per net acre requirement, however lighting for such uses must be designed using the lowest levels of lumens necessary and designed to minimize sky glow, glare, and other negative impacts to adjacent properties and streets.[6]
7. Lighting must not be oriented onto adjacent properties, streets or sidewalks.
8. Service connections for all freestanding lighting fixtures must be installed underground.
9. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.
10. All outdoor lighting not necessary for security purposes shall be reduced, activated by motion sensors devices, or turned off during non-operating hours.
11. On-site lighting fixtures in residential developments must not exceed 16 feet in height. For nonresidential developments with structures 35 feet or less in height, fixtures must not exceed 20 feet in height. For nonresidential structures greater than 35 feet in height, fixtures must not exceed 30 feet in height. Shoebox-style lighting fixtures must not be used for poles of 16 feet or less in height. The pole or fixture height must include any base that it may be mounted upon.
12. Lighting for outdoor entertainment and recreation uses may have luminaires mounted up to a maximum of 80 feet above finished grade. Luminaires must be equipped with glare control packages (louvers, shields, visors, or similar) and the fixtures must be aimed to direct their beams within the primary performance area. Lights must be extinguished within one hour of the end of an event, or as soon as all patrons exit the premises, whichever is earlier.[2]

C. Parking and Pedestrian Area Lighting

1. All streetlights and parking lot lights must utilize lamp types that are energy efficient and minimize sky glow and other negative impacts of artificial lighting. Lighting shall meet safety concerns with a goal of using the lowest levels of lumens necessary.[6]
2. Light fixtures within nonresidential developments with structures 35 feet or less can be no higher than 20 feet; nonresidential developments with structures greater than 35 feet can be no higher than 30 feet.
3. Light fixtures within residential areas mounted on poles may be no higher than 16 feet.
4. All light fixtures must be full cutoff (shielded), except as listed below.

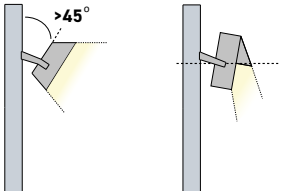


5. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

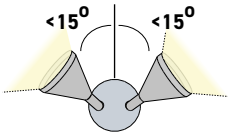


D. Flood Lights and Flood Lamps

1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.

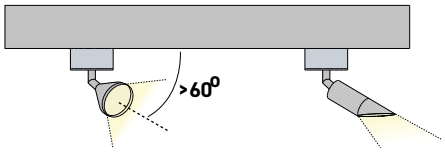


2. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



Overhead View

3. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.

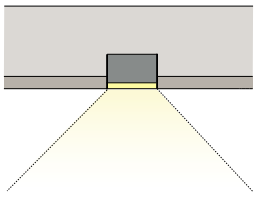


E. Awnings and Canopies

Lighting under awnings or canopies must be less than 24 maintained footcandles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

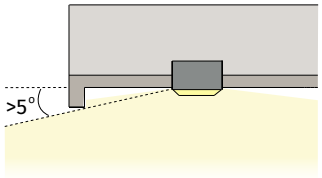
1. Recessed

Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the awning or canopy.



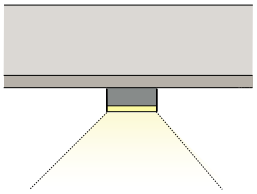
2. Shielded

Light fixture incorporating shields or is shielded by the edge of the awning or canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane.



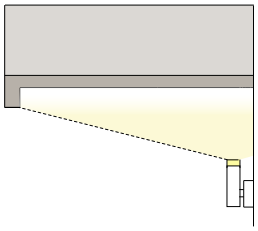
3. Surface Mounted

Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution.



4. **Indirect**

   Indirect lighting where light is beamed upward and then reflected down from the underside of the awning or canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the awning or canopy.



F. Building Lighting

1. Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.

2. All wall pack fixtures must be full cutoff fixtures.



3. Only lighting used to accent architectural features, landscape or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

19-4.12.4. MEASUREMENT

A. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.

B. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

DIV. 19-4.13. **MATERIALS**

19-4.13.1. **INTENT**

To promote the quality and character of the built environment in the city, and to provide property owners, residents, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for development.

19-4.13.2. **APPLICABILITY**

The table below indicates materials that shall be limited in use within each zoning type. Associated allowable percentages of facade area on all facades visible from streets, adjacent parking areas, and residential dwellings are as follows:

MATERIALS	House-Scale	Neighborhood-Scale	Community-Scale	Mixed Use	Shopfront Mixed Use	Business	Industrial	Special
Corrugated Metal Siding	0	0	0	0	0	20	50	100
Exposed smooth-finished concrete block	0*	0	0	0	0	0	20	50
Styrofoam-backed and synthetic stucco; EIFS	0	0	0	0	0	0	0	0
Vinyl siding	100**	100**	0	0	0	0	0	0
Lap siding (ground floor)[4]	100	100	60	0	0	60	0	60
Polished or split-faced concrete masonry units[6]	0*	0	0	25***	0	25***	100	100

*Above first finished floor on the front facade

**0 percent on multi-unit living properties or in historic preservation overlay districts[6]

*** Where buildings are more than 10,000 gross square feet, painted or split-faced concrete masonry units shall be prohibited on front facades or facades facing public streets.[2]

19-4.13.3. **STANDARDS**

A. **Nonresidential Development**

1. All materials shall comply with limitations set forth in Sec. 4.13.2. Materials resembling those noted in Sec. 4.13.2 must also comply with the applicable limitations. The Administrator may disapprove any materials deemed incompatible with the surrounding context.

2. All facades of a building visible from a public street or residential district shall present consistent materials and architectural style.

3. Accessory buildings and structures shall be similar in materials and architectural style to the primary building.

4. Where two or more materials are proposed to be combined on a facade, the heavier and more massive elements shall be located below the lighter elements (e.g., brick shall be located below stucco). Use of a heavier material as a detail on the corner of a building or along cornices or windows is acceptable.

5. Primary facade materials shall not change at outside corners, and shall continue around the corner to a logical point of conclusion such as a window or change in facade plane.

6. Material changes shall occur along a horizontal line or where two forms meet. It is acceptable, however, that change of materials occur as accents around windows, doors, cornices, or as a repetitive pattern.

7. Where buildings are more than 10,000 gross square feet, painted or split-faced concrete masonry units shall be prohibited on front facades or facades facing public streets.[2]

8. Field colors used on the main body of a building shall be subdued and of low reflectivity; fluorescent and metallic paints are prohibited. However, nothing in this section shall prohibit the use of reflective colors on building roofs.

9. Building materials shall either be similar to the materials already being used in the immediate area, or if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.

10. Where nonresidential buildings are adjacent to single-family detached dwellings, primary exterior building materials shall be similar in composition and arrangement to that used on surrounding single-family detached dwellings.

B. Multi-unit Residential Development

1. All materials shall comply with limitations set forth in ***Sec. 4.13.2. Materials*** resembling those noted in Sec. 4.13.2 must also comply with the applicable limitations. The Administrator may disapprove any materials deemed incompatible with the surrounding context.

2. Building facades shall incorporate a coordinated color scheme consisting of matte finishes. Gloss finishes may be used for trim and accent. Florescent and metallic paints are prohibited. However, nothing in this section shall prohibit the use of reflective colors on building roofs.

3. Colors and finishes shall be consistent throughout the development and all sides of the buildings.

4. Accessory buildings and structures shall be similar in materials and architectural style to the primary building.

5. Building materials shall either be similar to the materials already being used in the immediate area or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.

6. Where two or more materials are proposed to be combined on a facade, the heavier and more massive elements shall be located below the lighter elements (e.g., brick shall be located below stucco). Use of a heavier material as a detail on the corner of a building or along cornices or windows is acceptable.
7. Primary facade materials shall not terminate or change at outside corners, and shall continue a minimum distance of two feet from the front corners along the side facades.
8. Material changes shall occur along a horizontal line or where two forms meet. It is acceptable, however, that change of materials occur as accents around windows, doors, cornices, or as a repetitive pattern.

ART. 19-4 AMENDMENTS

1. *Code 2023, §19-4.2; Ord. No. 2023-68, §19-4.2, 10-9-2023*
2. *Code 2023, §19-4; Ord. No. 2024-16, §19-4, 3-11-2024*
3. *Code 2023, §19-4; Ord. No. 2024-27, §19-4, 04-22-2024*
4. *Code 2023, §19-4; Ord. No. 2024-63, §19-4, 10-14-2024*
5. *Code 2023, §19-4; Ord. No. 2025-14, §19-4, 2-10-2025*
6. *Code 2023, §19-4; Ord. No. 2025-59, §19-4, 8-25-2025*

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ART. 19-5. **ENVIRONMENTAL PROTECTION**

Div. 19-5.1. General 5-2
19-5.1.1. Site Development and Related Infrastructure 5-2
19-5.1.2. Traffic Impact Analysis 5-3

Div. 19-5.2. Tree Protection 5-5
19-5.2.1. General 5-5
19-5.2.2. Tree Protection and Replacement 5-8

Div. 19-5.3. Stormwater Management 5-15
19-5.3.1. Introduction 5-15
19-5.3.2. Authority and Purpose 5-15
19-5.3.3. Ordinance Enforcement 5-16
19-5.3.4. Stormwater Management Utility 5-16
19-5.3.5. Stormwater Permits 5-21
19-5.3.6. All Development 5-25
19-5.3.7. Special Management Areas 5-36
19-5.3.8. Stormwater Conveyance Systems 5-52
19-5.3.9. Variances, Waivers and Appeals. 5-54
19-5.3.10. Access and Inspection. 5-56
19-5.3.11. Illicit Discharges, Connections, Spills and Nuisances . 5-56
19-5.3.12. Enforcement. 5-58
19-5.3.13. Disclaimer of Liability 5-61
19-5.3.14. Abrogation and Greater Restrictions 5-61

Div. 19-5.4. Environmental Protection Appendices 5-62
19-5.4.1. Appendix A: Definitions 5-62
19-5.4.2. Appendix B: City of Greenville Floodplain Studies. . . . 5-74
19-5.4.3. Appendix C: FEMA Flood Insurance Study Maps and Profiles5-74
19-5.4.4. Appendix D: Administrator or Designee Duties 5-75
19-5.4.5. Appendix E: Partial List of Permits Required 5-77
19-5.4.6. Appendix F: Rainfall Depth Duration Frequency Tables for City of Greenville 5-78

DIV. 19-5.1. GENERAL

19-5.1.1. SITE DEVELOPMENT AND RELATED INFRASTRUCTURE

A. General Design Principles

1. Intent

The intent of this Section is to establish flexible design principles for development that includes the installation or modification of public and private infrastructure. Development proposals will be evaluated in the context of these design principles and the decision-making body will, to the extent feasible, balance the site-specific development issues with these principles. The objective of this process is to promote development that functions in a manner consistent with the needs of its users; the capacity and design of the interconnecting infrastructure; and the characteristics of the natural environment and neighborhood within which the development is located.

2. Design Standards

The arrangement, character, extent, width, grade, and location of public and private infrastructure must conform to all applicable federal and state regulations and the *Design and Specifications Manual*.

3. Site Alteration

Infrastructure must be designed to minimize the alteration of site topography. Infrastructure must accommodate natural grades to the maximum feasible extent; minimize the removal of existing ground cover and subsoil; and minimize the importation of fill material.

4. Natural Resource Protection

Development must be designed to preserve and enhance wildlife habitat; historic/heritage trees; significant stands of trees; waterways and other natural features; and buffers wherein structures, impervious surfaces, and land-disturbances are restricted.

5. Wetlands

Development must preserve and enhance the natural hydrologic, hydraulic, water quality, and other functions of wetlands within and downstream of the development as well as preserve and enhance the natural infiltration and storage characteristics of the site in conformance with the requirements of *Div. 19-5.3 Stormwater Management.*

6. Natural Drainage

Development must minimize alteration of site topography; channelization and alteration of natural drainage patterns is discouraged and peak discharge rates must conform to the requirements of *Div. 19-5.3 Stormwater Management.*

7. Green Infrastructure

Development must maximize the use of "green infrastructure" consisting of interconnected networks of landscaped areas, open spaces, wetlands, parks, tree preserves, and native plant vegetation that naturally manages stormwater, reduces flooding, captures pollution, and improves water quality. Development

must also maximize the use of rain gardens, bio-swales, green roofs, tree planting, permeable pavement, and other landscape-based drainage features that promote, protect, and mimic natural hydrologic functions. Buffers must be provided to enhance water quality, preserve wildlife habitat, and protect trees, waterways, and other natural features; structures, impervious surfaces, and land-disturbances are restricted within buffers. All stormwater conveyance measures and buffers must conform to the requirements of ***Div. 19-5.3 Stormwater Management.***

B. Illumination

All streets, driveways, sidewalks, parking lots, entrances, exits, common areas, and facilities in nonresidential and multifamily buildings must be sufficiently illuminated to promote the security of property and the safety of persons using such facilities. Lighting within any development that unnecessarily illuminates any other development, street, sidewalk, etc., or substantially interferes with the use and enjoyment of such other facility is prohibited. All lighting must comply with the requirements of ***Div. 19-4.12.***, and the ***Design and Specifications Manual.***

C. Fire Protection

All development must provide a fire protection system including fire hydrants sufficient to provide adequate fire protection for the buildings located or proposed to be located within the development. Installation of a system of fire hydrants that provides fire flow deemed adequate to the fire chief to every part of the building without laying out 500 or more feet of hose from any hydrant must presumptively satisfy this requirement. The fire chief may authorize a deviation from this standard if another arrangement more satisfactorily complies with this requirement.

19-5.1.2. TRAFFIC IMPACT ANALYSIS

A. Purpose

A traffic impact analysis assesses the effects of the projected traffic generation from a proposed development on the surrounding transportation network. These studies range in detail and complexity depending upon the type, size, and location of the development. These studies are used to evaluate whether a development is appropriate for a site given its projected impact and the type of transportation improvements required to accommodate the development.

B. Requirement for Analysis

1. A traffic impact analysis must be submitted by a developer in support of an application if the Administrator determines that a proposed development involving new construction, change in use, or an addition will generate new peak hour traffic trips as defined by the Institute of Transportation Engineers Trip Generation Manual and as outlined below, or as otherwise required by the Administrator:

    a. City thoroughfare: 100 new trips

    b. District street: 75 new trips

    c. Neighborhood street: 50 new trips

    d. Alley: n/a

2. The Administrator's determination will be based upon reasonable expectations of time-of-day usage for similar developments. When developments are projected to have an intensity of use which varies from day-to-day, week-to-week, or month-to-month, the Administrator must base the determination of peak hour upon maximum utilization.

C. Preparation of Traffic Impact Analysis

The analysis must be prepared by a registered engineer licensed in the state. It must utilize trip generation data reflected in the latest edition of the Trip Generation report published by the Institute of Transportation Engineers (ITE), however, the Administrator may approve the use of alternative data resulting from analysis deemed to be more consistent with the subject development.

1. The study area must be defined by the Administrator and, depending on the size and intensity of the development and surrounding development, may be identified by parcel boundary, area of immediate influence, impact to an existing traffic signal system.

2. All existing traffic counts must be conducted within the 12-month period prior to application submittal and include an annual growth factor determined by the administrator prior to submitting the report. Traffic counts shall be taken on Tuesdays, Wednesdays, or Thursdays when Greenville Public Schools are open with students and staff on site and operating on a normal schedule after Labor Day and on or before May 1st, not prior to or following a holiday or during the week of a holiday, and not during the last two weeks of December, unless otherwise requested. Turning movement counts must be collected from 7:00 am to 9:00 am and from 4:00 pm to 6:00 pm at 15-minute intervals, unless otherwise requested. To eliminate unnecessary analysis, consultation between the Administrator and those preparing the traffic counts for the TIA is recommended during the early planning stages of a project

D. Required Improvements

The developer shall be required to mitigate impacts to the transportation network as identified in the approved TIA based on criteria defined in the ***DSM***.

DIV. 19-5.2. TREE PROTECTION

19-5.2.1. GENERAL

A. Purpose

The purpose and intent of this Section is to protect existing tree cover; facilitate the incremental growth of the City's tree canopy; enhance and preserve the environmental and aesthetic qualities of the City; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.

B. Applicability

Except as stated herein, the requirements of this Section apply to all land-disturbing activities that require permit for existing and new development.

C. Exemptions

The following developments and activities are exempt from this Section except where otherwise noted below:

1. Residential property not otherwise engaged in land disturbance or a construction permit and consisting of an existing single-family home provided the owner acquires title to said developed lot on or before June 30, 2021 (for purposes of this ordinance, inter-spousal or inter-family transfers of interest, whether by operation law, deed or the creation of a trust does not constitute acquisition of title);[2]
2. The removal of diseased, dead or naturally fallen trees as determined by a certified arborist, licensed landscape architect or the Administrator; or trees that are found to be a threat to the public health, safety, or welfare by a TRAQ certified arborist or the Administrator;
3. The selective and limited removal of vegetation or trees under 10 inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work;
4. The removal of trees within operationally active utility easements to maintain their intended function; and
5. The removal of trees or vegetation on land that is being used for agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate agricultural or forestry activities, no development applications will be accepted for 36 months from the date the clearing is completed. It is the burden of the property owner to prove that any timber harvesting or land clearing is conducted as a commercial timber operation. A forestry plan must be submitted that demonstrates that the intended forestry activities will contribute to the long-term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a "commercial timber operation."

6. Residential property consisting of an existing single-family home where the owner acquires title on or after July 1, 2021, except for the Heritage Tree protections provided for below in *Sec. 5.2.2.H.* which applies to said property, and trees which are designated as fulfilling the required street tree condition per the Administrator. (for purposes of this ordinance, inter-spousal or inter-family transfers of interest, whether by operation, law, deed or the creation of a trust does not constitute acquisition of title).

7. Tree clearing or cutting performed in order to comply with aeronautic safety requirements mandated by federal or State law or regulation.

D. Definitions

For purposes of this Section, the following definitions apply; in the event of a conflict with the definitions in *Art. 19-7.*, the definitions below control:

1. **Administrator.** The department director who is the final authority for the application and interpretations of the ordinance.

2. **Arborist.** Any person certified by the International Society of Arboriculture (ISA) as an arborist and a member in good standing with the ISA.

3. **Boundary tree.** A tree on adjacent property whose critical root zone intrudes across the property line of the site under consideration.

4. **Buildable area.** That area of the lot available for the construction of a dwelling and permissible accessory uses after having provided the required front, side, rear and any other special yards required.

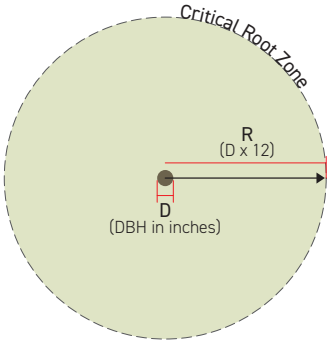
5. **Caliper.** The diameter of a sapling to be planted measured 6 inches above the top of the root flare up to and including 4-inch caliper size. If the caliper at 6 inches above the top of the root flare exceeds 4 inches, the caliper should be measured at 12 inches above the top of the root flare.

6. **Canopy tree.** A tree that normally attains a DBH in excess of 25 inches and a height in excess of 45 feet at maturity.

7. **Construction.** Any new construction, renovation, expansion, clearing or other activity that requires a site permit or impacts the site's ability to support a tree canopy.

8. **Cover area.** That area which falls within the drip line of any tree.

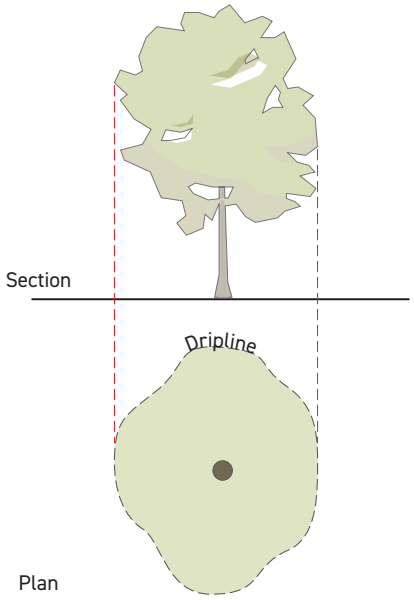
9. **Critical root zone (CRZ).** Is represented by a concentric circle centering on the tree trunk with a radius equal in feet to one times the number of inches of the trunk diameter: (CRZ in ft = 1 x diameter inches) [3]



10. **Destroy.** Any intentional or negligent act or lack of protection that is likely to cause a tree to die within a period of 5 years.

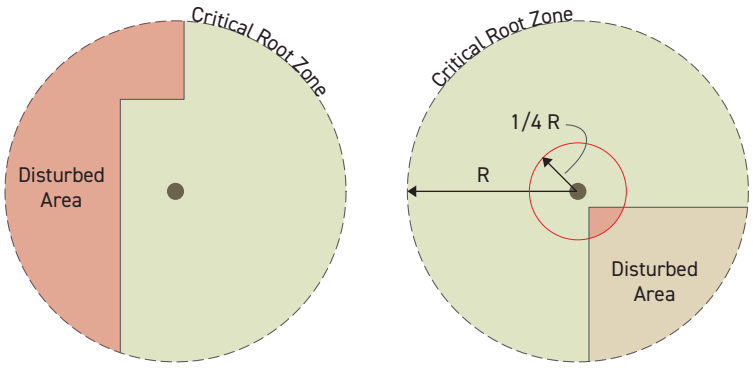
11. **Diameter at Breast Height (DBH).** The diameter of a tree measured at 4.5 feet above the ground.

12. **Dripline.** The edge of the canopy projected onto the ground plane. [3]



13. **Heritage Tree.** See *Sec. 5.2.2.H.*

14. **Impacted tree.** A tree that will suffer injury or destruction to its critical root zone that is greater than 1/3rd of the total area of its CRZ, or is closer to the trunk by less than 1/4th of its CRZ radius.[3]



15. **Invasive plant.** Any plant that has been introduced to the region and has been shown to disrupt ecosystem processes.

16. **Land-disturbing activities.** Any activity involving the clearing, cutting, excavating, filling, or grading of land or any other activity that alters land topography or vegetative cover.

17. **Native or naturalized plant.** Any plant that was in existence in this region prior to European settlement or has since become thoroughly established without disrupting ecosystem processes.

18. **Pruning.** The definition of the term as set forth in both the most recent International Society of Arboricultural pruning standards and guidelines and American National Safety Institute 300.33. Trimming, topping, tipping or flush cutting of trees are not deemed a form of "pruning."

19. **Saved tree.** Any healthy tree that is to be protected and not destroyed or injured during construction as required by this Division.

20. **Tree inventory.** A survey provided by a certified arborist or licensed landscape architect, and a licensed surveyor that shows the location, species, and DBH of all trees greater than 3 inches DBH on-site to be saved; and all trees on site greater than 6 inches to be destroyed, or impacted.

21. **Tree protection plan.** A document showing a visual plan for all existing trees that are to be saved and protected, and showing new trees required to meet replacement quantities.

22. **Understory/Ornamental tree.** A tree that normally attains a DBH of less than 10 inches and a height of less than 45 feet at maturity.

19-5.2.2. TREE PROTECTION AND REPLACEMENT

A. Tree Inventory

The tree inventory and protection plan must be submitted as part of a site plan permit application for any land disturbing permit activity, and all developments listed in ***paragraph B.*** below.

1. A legible tree inventory must be submitted as part of an application for any land disturbing permit or activity, including storage or staging of equipment. The inventory must show all trees greater than 6 inches DBH to be removed (or for residential property consisting of an existing single-family home where title to such property is acquired on or after July 1, 2021, trees that meet the heritage tree definition), and any tree 3 inches DBH or greater to be retained. Trees must be clearly identified on the tree survey as either to be removed or retained. Each tree to be retained should show the critical root zone to determine impacts.

    a. The tree inventory must include any boundary trees, i.e. trees on neighboring properties, which may experience any land disturbance, including storage of equipment or other material, within their critical root zone. In cases where the boundary tree cannot be accessed by a surveyor, the dripline can be substituted for the critical root zone.

    b. Invasive tree and prohibited tree species as determined by the Administrator and all pinus species are exempt from tree protection requirements.

    c. Encroachment within the critical root zone, or dripline if the tree cannot be accessed by a surveyor, of trees located on adjacent properties is not allowed without written approval from that adjacent property's owner if the tree is to be impacted. If the limits of disturbance or land disturbance activity may reasonably be expected to occur within the critical root zone, or dripline as defined above, of trees located on adjacent properties, a letter from the tree's owner may be provided in lieu of tree protection for the tree. The letter must clearly state that the tree's owner is aware of the risk to the tree, that the land disturbing activity may result in the immediate or long-term death or demise of the tree, and that the City is not responsible for any damage or removal of the tree or its parts. The letter must be signed by the adjacent property owner and included with the tree inventory.

B. Tree Removal and Replacement

Development or activity that results in the removal or injury of canopy trees 6 inches or greater in DBH (or for residential property consisting of an existing single-family home, trees that meet the heritage tree definition), or trees required to meet the standards of this Code,[3] that are not recognized invasive species must provide replacement or mitigation equal to or greater than the cumulative DBH of the trees removed and/or injured.

1. Canopy trees required to meet landscape requirements per the Development Code, may be used to meet tree replacement requirements.
2. Tree loss mitigation may be provided by retaining existing canopy trees on site which meet the following criteria:
    a. Trees are between 3 inches and 6 inches DBH;
    b. Trees are in good health and are free of damage or disease, as verified by a certified arborist; and
    c. Trees are not a recognized invasive or prohibited species, or of the pinus species; and
    d. Trees are not within an active utility easement.
3. Where appropriate site conditions exist as determined by the Administrator, replacement trees must be canopy trees. Tree spacing must be a minimum of 15 feet and a maximum of 25 feet for canopy trees. Replacement trees should be distributed and spaced with a naturalized pattern.
4. For stream bank or wetland restoration projects, the Administrator can approve the use of smaller caliper trees or saplings to meet mitigation requirements.
5. In cases where tree mitigation is required but planting is not preferred by the applicant, the Administrator must approve a fee-in-lieu-of mitigation via a payment to the City's Tree Fund. Fees must be based on market rates and updated periodically in ***Appendix E in Administrative Manual.*** Fee-in-lieu-of mitigation fees are capped at $25,000 per acre (excluding heritage tree fines), to be adjusted upward or downward on a pro rata basis based upon the size of the parcel. By way of example, the fee-in-lieu would be capped at $12,500 for a one-half acre parcel and capped at $37,500 for a one and one-half acre parcel. The Tree Fund will be managed by the City and must be used solely for the purposes of:
    a. New tree purchase and installation by the City.
    b. A percentage of new tree and landscape material and installation costs for affordable housing developments (as defined by the City's Economic Development Department) and executed via development agreements with the City;
    c. Maintenance of existing tree canopy on public property and rights-of-way;
    d. Purchase of real property for the purposes of tree plantings or dedicated open space; or
    e. Administration of the above.
6. The total tree mitigation fee may be reduced by a percentage equal to the percentage of affordable housing units included within the project as documented by the City's Community Development Department.

7. Impacted trees are considered to be removed unless a detailed plan for preservation is provided from a certified arborist. The plan must include industry standard BMPs for preservation that may include root pruning, fertilization, aeration, mulching, irrigation, and long-term monitoring. Any impacted tree that dies within 5 years of a permit issuance may be retroactively assessed for mitigation.[3]

C. Tree Density Minimum

All properties subject to this Subsection must provide and maintain at minimum one tree per 2,000 square feet minus building footprints, the area of athletic fields and courts, active utility easements, solar panels, and areas used for commercial plant propagation and growth

D. Tree Protection Plan

A landscape plan must be submitted for all existing trees that are to be saved and protected, and showing new trees required to meet landscape standards and replacement quantities.

1. A summary of required tree mitigation and planting must be included in the tree protection plan, and must summarize:
    a. Acreage of site excluding building footprints, the area of athletic fields and courts, active utility easements, solar panels, and areas used for commercial plant propagation and growth
    b. Square-footage of parking lot if applicable;
    c. Trees planted to meet all landscape requirements, including parking, screening, street trees, and tree density minimum;
    d. Cumulative DBH of trees greater than or equal to 6 inches to be removed;
    e. Cumulative DBH of trees between 3 inches and 6 inches to be saved and used as mitigation for removal of trees greater than or equal to 6 inches;
    f. Cumulative DBH of trees greater than or equal to 6 inches to be saved;
    g. Total calculation of DBH to be mitigated;
    h. Trees to be planted for 1:1 mitigation, and/or fee-in-lieu-of option total; and
    i. Heritage trees being removed.

E. Tree Planting Standards

The form, size, quality, and proportions of proposed trees must meet the guidelines outlined in the ANSI Z60.1 American Standard for Nursery Stock. Installation and maintenance must meet ANSI A300 Standards. Existing trees on a property that are to be protected should be healthy and disease free.

F. Tree Protection During Construction

Protective fencing is required for any tree to be retained following construction. Protective fencing must be a minimum of 4 feet high and of durable construction; such as wood or metal fencing. Protective fencing must completely encircle the dripline of all trees to be preserved. Protective fencing be in place prior to any earth disturbing activity begins and stay in place for the duration of the project. Fencing must be required

around the critical root zone of trees on adjacent properties or trees located in a public right-of-way. Silt fencing cannot be used to provide tree protection.

1. Signs must be installed on the protective fence visible on all sides of the fenced-in area (minimum one on each side and/or every 300 linear feet). The size of each sign must be a minimum of one foot by 1.5 feet and must contain the following bilingual text in both English and Spanish: "TREE PROTECTION ZONE: KEEP OUT."
2. Groups of trees may be protected by one perimeter fence meeting the specifications outlined in this Section.
3. No construction, grading, parking, equipment, or material storage, or any other activity, is allowed within the fenced area at any time during the project.
4. Trenching is not allowed without Administrator's approval. Boring is allowed with consultation by an arborist and approval of the Administrator.
5. Where compaction might occur due to traffic or materials through the tree protection zone, the area must first be mulched with a minimum 4-inch layer of processed pine bark or wood chips or a 6-inch layer of pine straw. Equipment or materials storage must not be allowed within tree protection areas. Compaction cannot occur within the dripline of any trees that are to be preserved on site.

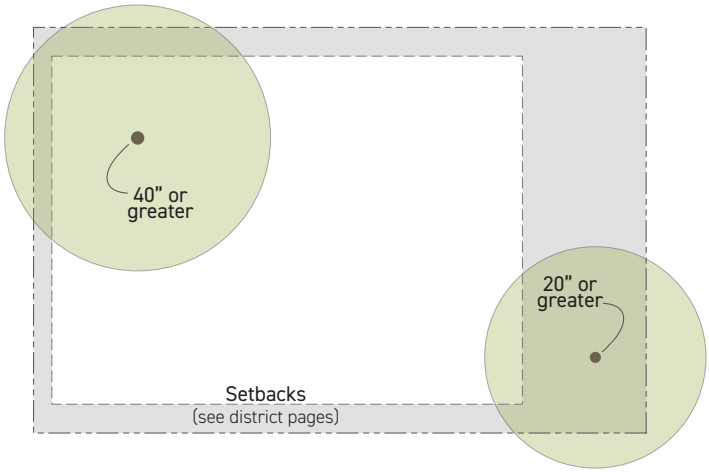
G. Inspections and Ongoing Maintenance

1. An inspection must be requested prior to beginning any grading or site disturbance for verification of tree protection measures.
2. Final landscape inspections will be conducted to ensure plant material is in good condition and planted correctly, as outlined in ANSI A300 and Z60.1.
3. Trees shown on a permitted landscape plan must be maintained to ANSI A300 standards in perpetuity.[3]
4. With approval from the Administrator, a project may be granted a temporary CO, or bond their landscape for a limited time, to allow planting to occur in the dormant season of October through March.
5. Trees not meeting ANSI A300 and ANSI Z60.1 standards at time of right-of-way dedication may be rejected and require replacement prior to accepting the roadway dedication.
6. Trees located within the public right-of-way or on public land are the responsibility of the City and may not be trimmed or maintained by unauthorized personnel.

H. Heritage Tree Protections

1. In order to protect significant trees, the City has established the Heritage Tree designation. The purpose of the heritage tree designation is to encourage the early identification of significant trees to be saved, thus resulting in developments that are more responsive to their environments and appear more mature upon completion.
2. A heritage tree is a tree that is in a healthy and disease-free condition, and is:[3]
   a. 20 inches or greater DBH, located within the setback or buffer area of any property within the City
   b. 40 inches or greater DBH, located anywhere within the City; or

c. Determined to be of cultural importance by the Administrator located anywhere within the City. "Cultural importance" for the purposes of this subsection means the historic significance of the tree as it may relate to an event or person.



3. In addition to the tree mitigation outlined in *Sec 5.2.2.B.*, a heritage tree which is removed must be assessed with a fine of $45 per caliper inch.

   a. Heritage tree mitigation fines are not subject to the $25,000 per acre limit as outlined in *Sec 5.2.2.B* and are assessed independently of the maximum cap.

4. No construction, grading, equipment, material storage, or any other activity, is allowed within the critical root zone of a heritage tree unless the steps taken to adequately ensure the health of the tree are submitted to the planning department in writing and prior to the commencement of any work.

5. A Heritage Tree Disturbance Form must be developed by the administer and must be submitted for the trimming, pruning, encroachment upon, or removal of any Heritage Tree, which may fall outside of development activities. The form must be posted online on the City website and be made available upon request by contacting the Administrator.

   a. Heritage Trees must not be cut, removed, pushed over, killed, harmed, trimmed, sprayed, or destroyed without written approval via the Heritage Tree Disturbance Form.

   b. The Administrator must approve Heritage Tree disturbance only upon a finding that the tree is in a dangerous or deteriorating condition and poses a risk to health, safety, or welfare.

I. Tree Variance

1. If a landowner believes it is not possible to comply with the requirements of *Sec. 5.2.2.B.* or *Sec. 5.2.2.H.*, the landowner may apply for a tree variance from the Administrator, which must be approved only on a finding that the landowner demonstrates all the following standards are met:

   a. **Exceptional Conditions**

      There are extraordinary and exceptional conditions (e.g., size, shape, topography) relevant to the particular piece of property for which the tree variance is sought which do not generally apply to other properties subject to this Section.

b. **Not Result of Action by Landowner**

The special circumstances are not the result of actions by the landowner.

c. **Strict Application Deprives Use**

The application of the requirements of *Sec. 5.2.2.B.* or *Sec. 5.2.2.H.* would effectively prohibit or unreasonably restrict the utilization of the property.

d. **Minimum Variance**

The approval of the tree variance is the minimum action that will make possible the reasonable use of the land that is not contrary to the public interest and that will carry out the purpose and intent of this Section.

e. **Not Detrimental**

The approval of the tree variance will not result in substantial detriment to adjacent property or to the public good.

f. **Consistent with the Intent of** this Section

The tree variance is consistent with the purpose and intent of the provisions of this Section, particularly *Sec. 5.2.2.B.* or *Sec. 5.2.2.H.*, as applicable.

2. The fact that the subject property could be utilized more profitably if a tree variance permit were granted does not constitute grounds for a tree variance. Appeals from the decision of the Administrator may be taken to the Board of Zoning Appeals in accordance with *Sec. 6.2.15.*

J. Mandatory Review

As the purpose and intent of this ordinance is to protect existing tree cover and facilitate the incremental growth of the City's tree canopy, The Planning Commission must review this ordinance every 3 years from the date of its passage to determine if its purpose is being effectively met and the Planning Commission must recommend any changes that it deems necessary or appropriate.

K. Violations

It is a violation of this chapter to remove any trees subject to mitigation without having received a permit to do so. The violator is required to provide a mitigation plan in accordance with this Chapter for City review and approval before activity is permitted to resume. Violations will be identified by the below categories, upon which the fine will be based:

1. Existing Single-Family Violation

Violators removing multiple trees or grouping of trees from applicable existing single-family parcels (*per Sec. 5.2.1.*) without proper tree removal permits must be retroactively charged with the standard mitigation fee as outlined in *Sec. 5.2.2.B.* If the required corrective actions are not completed by the stated date, administrative summonses may be issued for you to appear in Municipal Court. For each violation, you may be punished by a fine of not more than $1,205.00. Each day any violation continues will constitute a separate offense.

2. New Single-Family or Non-Single-Family Violations

Violators removing multiple trees or grouping of trees from new single-family construction or non-single-family parcels or developments without proper tree removal permits will be retroactively charged with the standard mitigation fee as outlined in ***Sec. 5.2.2.B.*** and be assessed an additional fine of $25,000 per acre of disturbed land or prorated as appropriate.

3. Destruction of All Evidence of Removal

In cases where trees, stumps, or trunks have been removed to such an extent that it is impossible to determine the appropriate mitigation per ***Sec. 5.2.2.B.,*** then the maximum mitigation will be imposed of $25,000 per acre of disturbed land or prorated as appropriate, and be assessed an additional fine of $25,000 per acre of disturbed land or prorated as appropriate.

L. Tree Preservation Corridors[3]

1. Highways and Interstates

a. Existing trees that are 6 inches or greater and within 100 feet of the edge of the travelway along I-385 and I-85 must be preserved to the maximum extent practicable.

b. If preservation reasonably prohibits the development of a site, the trees may be removed; however, new canopy trees equal to or greater than the number of inches removed must be replanted in the same general location. A fee-in-lieu-of mitigation is not permitted for trees subject to this subsection; all mitigation must be provided via new plantings on-site.

DIV. 19-5.3. STORMWATER MANAGEMENT

19-5.3.1. INTRODUCTION

This Section is one part of the adopted City comprehensive stormwater management plan. It sets forth the minimum requirements for the stormwater management in the City and sets the City as the corporate enforcement authority for the ordinance. The purpose of this Section is to allow management and mitigation of the effects of urbanization on stormwater drainage by consolidating the existing stormwater management framework into a uniform structure. The Greenville comprehensive stormwater management plan, adopted by Resolution on May 29, 2007, states, "... that the regulations be uniformly and consistently enforced throughout the City by all agencies."

19-5.3.2. AUTHORITY AND PURPOSE

A. Authority

The powers granted to the City of Greenville by the authority and directions for this Section are contained in Act No. 194 of the Acts and Joint Resolutions of 1971 enacted by the general assembly of the state, approved April 23, 1971. In addition to the statutory authority provided for this division in general, the authority of this Section arises from S.C. Code 1976, § 6-29-310 et seq., and is adopted pursuant to S.C. Code 1976, § 48-14-10 et seq., S.C. Code 1976, § 5-7-30, and South Carolina Land Resources Conservation Commission Regulations 72-300 through 72-316, and may be cited as the stormwater management ordinance of the City of Greenville and is adopted pursuant to S.C. Code 1976, § 48-14-10 et seq., S.C. Code 1976, § 5-7-30, and South Carolina Land Resources Conservation Commission Regulations sections 72-300 through 72-316. The administration and enforcement of this Section must be designated by the City Manager in the administrative manual.

B. Purpose

The purpose of this Section is to establish reasonable rules and regulations for stormwater management in order to:

1. Prevent additional harm due to periodic flooding, including loss of life and property and threats and inconveniences to public health, safety, welfare, and the environment.
2. Ensure that development does not increase flood and drainage hazards to others, or create unstable conditions susceptible to erosion.
3. Create no new financial burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and for flood rescue and relief operations.
4. Protect, conserve and promote the orderly development while protecting and conserving the land and water resources.
5. Protect buildings and improvements to buildings from flood damage to the greatest extent possible.
6. Conserve the hydrologic, hydraulic, water quality and other beneficial functions of floodprone areas and regulatory floodplains.

7. Prevent additional disruption of the economy and governmental services due to stormwater and flood drainage.
8. Maintain eligibility for the City of Greenville in the National Flood Insurance Program by equaling or exceeding its requirements and thus make federally subsidized flood insurance available at reduced rates. Comply with the rules and regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended.
9. Maintain compliance with the provisions of the current, effective State of South Carolina NPDES General permit for stormwater discharges from regulated small municipal separate storm sewer systems, S.C. Water Pollution Control Regulations 61-9. Comply with the rules and regulations of the NPDES codified as 40 CFR 122-131, as amended.
10. Conserve and improve the natural hydrologic, hydraulic, water quality and other beneficial functions of wetlands by having, at a minimum, no net loss of wetlands in the City of Greenville, and further these beneficial functions of wetlands by having an objective of a net gain or improvement of wetland function.

19-5.3.3. ORDINANCE ENFORCEMENT

A. Duties

One of the primary duties of the Administrator or designee is to review all stormwater applications and issue permits for those projects that are in compliance with the provisions of this Section. The Administrator or designee is responsible for the administration and enforcement of this Section.

B. Intergovernmental relationship

Included as part of this Section as ***Stormwater Appendix E*** is a delineation of requirements and duties required of and accepted by the Administrator or designee. Certain requirements or duties specified by FEMA and the South Carolina Department of Environmental Services (SCDES) in ***Stormwater Appendix E*** relate only to the intergovernmental relationship between a community and FEMA, the South Carolina Department of Natural Resources (SCDNR), or SCDES for the purposes of that community obtaining or maintaining eligibility for the National Flood Insurance Program (NFIP) and Qualified Local Program Status.[4]

19-5.3.4. STORMWATER MANAGEMENT UTILITY

A. Council Findings

The City Council has made the following findings:

1. The management and regulation of stormwater runoff and sediment is necessary to reduce pollution, siltation, sedimentation, local flooding and stream channel erosion, all of which impact adversely on land and water resources and the health, safety, property and welfare of the residents of the City;
2. The City maintains a system of stormwater management facilities, including, but not limited to, inlets, conduits, manholes, outlets, ponds, and certain drainage easements;

3. The stormwater management facilities and components of the City need to be regularly maintained, rehabilitated, upgraded or improved, and additional stormwater management facilities and measures need to be installed throughout the City;

4. The City needs to upgrade its capability to maintain existing and future stormwater management facilities and measures;

5. All parcels of real property in the City, particularly those with improvements, both use or benefit from the stormwater management system and program, and the improvement of existing facilities and construction of additional facilities in the system, will directly or indirectly benefit the owners of all real estate;

6. Continued growth in the City will contribute to the need for improvements in and maintenance and regulation of the stormwater management system;

7. The City can best manage and regulate the control of stormwater by a policy which regulates the use of real property, both private and public, and which takes reasoned, measured steps to involve the City in additional methods of participation and regulation;

8. Owners of real property should finance the stormwater management system to the extent they and the persons they permit to utilize their property contribute to the need for the system, and fees or other charges therefore should bear a substantial relationship to the cost of the service; and

9. It is in the best interests of the citizens of this City and, most specifically, the owners of real property, that a stormwater management utility and stormwater management utility fee system be established by ordinance and implemented as part of the City's utility special revenue fund, by whatever name designated.

B. Title of Division; Statutory Authority

This Section may be cited as the "Stormwater Management Ordinance of the City of Greenville" and is adopted pursuant to S.C. Code 1976, § 48-14-10 et seq., S.C. Code 1976, § 5- 7-30, and South Carolina Land Resources Conservation Commission Regulations 72-300 through 72-316.

C. Stormwater Management Utility Established; Administration; Powers and Duties

The City Council hereby establishes a stormwater management utility to carry out the purposes, functions and responsibilities in this Section. The governing body of the stormwater management utility is the City Council. The Administrator must administer the stormwater management utility through the public works department or such other departments and divisions as the City Manager designates. The stormwater management utility must have the following powers and duties, which powers and duties are not necessarily exclusive to the stormwater management utility:

1. Stormwater management planning and preparation of comprehensive watershed master plans for stormwater management.

2. Regular inspections and maintenance of public stormwater management facilities and measures for the construction thereof, as well as regular inspections of private stormwater management facilities.

3. Maintenance and improvements of stormwater management facilities that have been accepted by the City for purposes of stormwater management.

4. Plan review and inspection of sediment control and stormwater management plans, measures and practices.
5. Retrofitting designated watersheds to reduce existing flooding problems or to improve water quality.
6. Acquisition of interests in land, including easements.
7. Design and construction of stormwater management facilities and measures and acquisition of equipment.
8. Water quantity and water quality management, including monitoring surveillance.
9. Any and all powers and duties delegated or granted to it as a local government implementing agency under the laws and regulations of the State and the ordinances of the City.

D. Boundaries and Jurisdiction

The boundaries and jurisdiction of the stormwater management utility extend to the corporate limits of the City, as they may exist from time to time, and such areas lying outside the corporate limits of the City must be approved by the City Council.

E. Amount and Classifications of Fees

1. Criteria for Establishing Fees

The City Council hereby establishes the amount and classifications of fees to be implemented to help fund the stormwater management utility and its programs and projects. In establishing such fees, the City Council has considered, among other things, the following criteria:

a. The fee system must be reasonable and equitable so that users pay to the extent they contribute to the need for the stormwater management utility, and so that fees or other charges bear a substantial relationship to the cost of service. The City Council recognizes that these benefits, while substantial, in many cases cannot be measured directly. The fee cycle will follow the calendar year from January 1st through December 31st. This includes all new construction, additions, and demolitions.[1]

b. The components of the calculations used to establish fees must include, but may not be limited to, the following cost factors, which may be associated with the resolution of stormwater problems which the stormwater management utility must seek to alleviate:

   i. Stormwater management planning and preparation of comprehensive watershed master plans for stormwater management;

   ii. Regular inspection and maintenance of public stormwater management facilities and measures for the construction thereof, as well as regular inspections of private stormwater management facilities;

   iii. Maintenance and improvement of stormwater management facilities that have been accepted by the City for purposes of stormwater management;

   iv. Plan review and inspection of sediment control and stormwater management plans, measures and practices;

   v. Retrofitting designed watersheds to reduce existing flooding problems or to improve water quality;

vi. Acquisition of interests in land, including easements;

vii. Design and construction of stormwater management facilities and measures and acquisition of equipment;

viii. Administration and enforcement;

ix. Water quantity and water quality management, including monitoring surveillance; and

x. Debt service and financing costs.

c. The components of the calculations used to establish fees must be based on an equivalent residential unit (ERU), determined and approved by the City Council, with reasonable general adjustments being made for, but not limited to, the following factors:

i. Commercial, service and industrial land uses, multiple-family dwellings, duplex dwellings, condominiums other than single-family attached dwelling, single-family detached dwellings;[1]

ii. Open and/or forested land;

iii. Lot or tract size;

iv. The amount of site that is impervious; and

v. Other generally accepted factors relevant to such calculations based upon the provisions of this Section.

d. The practical difficulties and limitations related to establishing, calculating and administering such fees should be addressed with due regard for fairness, efficiency, ease of comprehension, and ease of administration.

2. **Fee structure**[1]

Stormwater management utility fees must be fixed from time to time by the City Council and are in the fee schedule in the adopted annual budget. Fee categories are as follows:

a. Developed residential property. This includes` single-family attached dwellings and single-family detached dwellings. The fee structure for each parcel of developed residential property must be allocated between two categories based on size of impervious area:

i. Developed residential properties with an impervious building footprint area of 1,640 square feet or less, also known as a Low-Tier residential fee; and

ii. Developed residential properties with an impervious building footprint area greater than 1,640 square feet, also known as a High-Tier residential fee.

b. Undeveloped residential property. The fee is the equivalent of the Low-Tier residential fee.

c. Developed commercial/industrial property. This includes, but is not limited to multiple-family dwellings, duplex dwellings, and condominiums. Developed commercial properties are to be charged for all impervious surfaces. The exception is duplex dwellings which are charged for the building footprint only. The fee is calculated as follows:

i. The total amount of impervious area is divided by 2,389 square feet to the number of Equivalent Residential Units (ERU) on the entire parcel. An ERU is the average amount of impervious area found on a single family parcel.

ii. The ERUs are rounded up to the next highest integer.

iii. Multiply the number of ERU's by the undeveloped commercial/industrial fee to get the total fee.

iv. No property in this category shall be charged less than the equivalent of the Low-Tier residential fee.

d. Undeveloped commercial/industrial property. The fee is the equivalent of the undeveloped commercial/industrial fee.

3. Credits/Fee Reduction

The City may provide a system of adjustments against stormwater management utility fees which can be applied to properties on which stormwater management facility construction, or other comparable provisions of construction or design of the premises, substantially mitigates the effect of stormwater runoff from the property on the City's stormwater management system or materially reduces the cost for the City to provide a system of stormwater management. To view a copy of the stormwater utility fee credit policy, contact the City's engineering division.

F. DETERMINATION OF AMOUNT OF IMPERVIOUS AREA

The Administrator or designee will determine the amount of impervious area on each developed commercial/industrial property. A determination will be made using information derived from digital and other photographic data, as maintained by the Administrator or designee, commonly designated as Geographic Information System (GIS) Data, and such additional information, if available, as may reliably supplement such data. Upon written request, an owner, or lawful occupant obligated to the owner for payment of the fee, must be provided a written determination of the amount of impervious area for which a fee has been established.

1. Collection of Fees

a. **Taxable Property**

The Administrator or designee must prepare and forward all information necessary to the county tax collector or designee for the purpose of an annual billing of the stormwater management utility fee. Notice of the fee must be included on the property owner's notice of ad valorem real property taxes, and the fee must be due and payable simultaneously with the taxes. By resolution, the City Council may authorize the City Manager to implement other reliable means of billing.

b. **Nontaxable Property**

The City Council recognizes that nontaxable as well as taxable properties generate stormwater runoff and benefit from the stormwater management system and that the principle of fairness dictates that such properties be charged. The Administrator or designee must make arrangements for billing for nontaxable property in the same manner as taxable property. By resolution, the City Council may authorize the City Manager to implement other reliable means of billing.

c. **Date of Imposition of Fee for Developed Properties**

Developed properties become subject to the imposition of the stormwater management utility fee at the billing cycle following final approval of site development by the City.

2. Use of Revenue; Investment of Funds; Borrowing

Funds generated for the stormwater management utility from fees, bond issues, other borrowing and other sources must be utilized only for those purposes for which the stormwater management utility has been established, including, but not limited to, regulation, planning, acquisition of interests in land,

including easements, design and construction of facilities, maintenance of the stormwater management system, billing and administration, and water quantity and water quality management, including monitoring, surveillance, private maintenance inspection, construction inspection and other activities which are reasonably required. Such funds must be invested and reinvested pursuant to the same procedures and practices established by the City for investment and reinvestment of funds. The City Council may use any form of borrowing authorized by law to fund capital acquisitions or expenditures for the stormwater management utility. The City Council, in its discretion and pursuant to standard budgetary procedures, may supplement such funds with amounts from the general fund.

3. **Requests for Reconsideration; Appeals**

   a. **Request for Reconsideration**

      i. A property owner of record, or a lawful occupant obligated to the owner for payment of the fee, may request a reconsideration of any determination or interpretation by the Administrator or designee in the operation of the stormwater management utility. Such request must be in writing and filed with the Administrator or designee, or such other person as the City Manager may designate, within 30 days of receipt of notification of the determination or interpretation.

      ii. The City must review the application and make a decision on the request within 30 days of receipt of the request.

      iii. The request must be made upon such forms and be accompanied by such information as the City, by written policy, requires.

   b. **Appeals**

      i. Persons who are authorized to make a request and who are aggrieved by a decision of the City under ***paragraph a.*** above have the right to appeal to the City Manager, or such person, committee or board as may be established for such purpose.

      ii. The appeal must be in writing and must set forth, in detail, the grounds upon which relief is sought. The person designated to review such appeal must provide a hearing on the appeal within 30 days of filing and render a decision within 60 days of filing.

      iii. The person designated to review such appeal must have full authority to affirm, modify or reverse a decision being reviewed upon determining whether the decision was made in compliance with the standards, policies and criteria of this division.

   c. **Payment of fee required**

      A provision of this division allowing for a request for reconsideration or for an administrative appeal cannot be deemed to suspend the due date of the fee with payment in full. Any adjustment in the fee for the person pursuing a request for reconsideration or appeal must be made by refund of the amount due.

19-5.3.5. STORMWATER PERMITS

A. Regulated Development

A person, firm, corporation or governmental agency cannot commence any development regulated by this Section on any lot or parcel of land without first obtaining a stormwater permit or a soil erosion and sediment control permit from the City. A permit must be issued if the proposed development meets the

requirements of this Section. A final certificate of occupancy will not be issued until the performance standards of this Section are met.

B. Stormwater Permit Fee

1. These fees are listed in the Code of Ordinances of the City of Greenville, South Carolina, ***Stormwater Appendix A – Fee Schedule.***

2. A stormwater permit is required for all development activity as outlined in Section 19-5.3.5.C. below.

C. Stormwater Permit Classification[1]

The stormwater permit has been developed such that the level of permitting required matches the scope of work. One of the following permits is required:

1. Major Stormwater Permit

A major stormwater permit requires hydrologic analysis and is required to address stormwater quality and quantity control, preparation of a stormwater pollution prevention plan, and may include additional requirements for activities in special management areas. A major stormwater permit is required when a development meets any of the following thresholds:[1]

a. Disturbs more than 1 acre or is part of a larger common plan that will ultimately disturb more than 1 acre;[1]

b. Creates a new impervious surface greater than or equal to 0.25 acres;

c. Is part of a larger common plan or a development that requires any type of public right-of-way improvements or dedication;[1]

d. Is located in a regulatory floodplain;

e. Modifies a riverine floodprone area where the tributary drainage area is greater than 40 acres;

f. Modifies a non-riverine floodprone area where the tributary drainage area is greater than 20 acres;

g. Is located in a depressional storage area which has a volume larger than 0.75 acre-foot;

h. Impacts a wetland or riparian environment of 1/10 acre or more within an area defined as waters of the U.S. or waters of the state; or

i. Public road or trail development that results in one and one-half acres or more of additional impervious surface per mile, for linear or nonlinear projects.

2. Minor Stormwater Permit

A minor stormwater permit is required to address stormwater quality, including preparation of a stormwater narrative, and may include additional requirements for activities in special management areas. A minor stormwater permit is required when a development meets any of the following thresholds:[1]

a. Disturbs more than 10,000 square feet;[1]

b. Disturbs 50% or more of the parcel or larger common plan; or[1]

c. Is a commercial or multifamily development that abuts and drains to a single-family detached use and includes any of the following criteria:

i. Disturbs 50 percent or more of the parcel, regardless of the total area of disturbance; or

ii. New construction, renovation, or reconstruction of existing structures that exceeds 25 percent of the current fair market value of the property. This shall be based on a market appraisal performed by a certified appraiser at the applicant's expense or shall be determined by the Greenville County Tax Office. This shall not be construed to require demolition of an existing structure in order to comply with these standards. In such cases, the administrator may grant a waiver of the requirements if presented with a certification by a registered architect or engineer that compliance is not practicable on an existing building. These standards shall not apply to routine maintenance and repair of a structure or other feature on the surrounding site.

D. Larger Common Plan

1. Larger common plans ultimately disturb 10,000 square feet or more and are defined as the following:

a. A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities; or

b. Any proposed development activity that occurs on a lot or parcel of land that has contiguous lots or parcels of lands currently or previously owned in whole, or in part, by the same property owner seeking permit coverage, then the criteria as defined in this Section will be applied to the total land area compiled from aggregate ownership parcels.

2. A larger common plan expires 5 years after the site is stabilized in compliance with the requirements of this Section, all proposed construction causing land-disturbing activities have been completed, and the notice of termination has been submitted and accepted by the state department of health and environmental control. In the case of single-family subdivisions permitted after January 1, 2013, the larger common plan remains in effect until all lots are constructed. Water quantity control cannot be required for modifications to these sites provided that the originally permitted curve number aligns with the proposed impervious surfaces. All other requirements of this Section must be met.

E. Exempted Development

All development must meet the minimum state, federal and local regulations. Upon review and verification by the Administrator, the following are exempt from the subsequent specific ordinance requirements: ***Sec 5.3.6.B., Minor Stormwater Permit***, ***Sec 5.3.6.C., Major Stormwater Permit*** (with the exception of the depressional storage requirements), ***Sec. 5.3.7.D., Buffer Areas***, and ***Sec 5.3.8., Stormwater Conveyance Systems.***

1. Agricultural land management and agricultural practices, or the construction of on-farm buildings and structures less than one acre in size used in a farming operation.

2. Construction or land improvement of a single-family residence, a duplex dwelling or their accessory structures which are separately built and are not part of a larger common plan. While no stormwater permit is required for most projects in this category, each project must control the net increase in stormwater quantity generated by the addition of impervious surfaces by the project on the premises by the use of one of the 6 Low Impact Development (LID) Best Management Practices, which can be found in the Design and Specifications Manual. Each BMP contains a table the applicant can use to determine

the size of the required structure. While no stormwater permit is required, the BMP to be utilized and sizing criteria must be submitted with the site plan or building permit application for review prior to approval.[1]

3. Single-family residences or duplex dwellings not part of a larger common plan. While no stormwater permit is required for most projects in this category, each project must control the net increase in stormwater quantity generated by the addition of impervious surfaces by the project on the premises by the use of one of the 6 Low Impact Development (LID) Best Management Practices, which can be found in the Design and Specifications Manual. Each BMP contains a table the applicant can use to determine the size of the required structure. While no stormwater permit is required, the BMP to be utilized and sizing criteria must be submitted with the site plan or building permit application for review prior to approval.[1]
4. Single-family residences or duplex dwellings part of a larger common plan that are constructed in compliance with the approved stormwater permit for the larger common plan.
5. Maintenance of existing buildings, facilities, parking lot seal coating and resurfacing of roadways when the overall drainage pattern has not been significantly altered and will not cause impact to adjacent properties. The use of coal-tar based pavement seal coat is prohibited.
6. Mining and mineral resource extraction operations conducted in accordance with a valid mining permit issued by the land and waste management division of the South Carolina department of health and environmental control.
7. Land-disturbing activities undertaken on forest land for the production and harvesting of timber and timber products regulated by the U.S. Forestry Service.
8. Emergency repairs of existing structures and facilities that require ground to be broken. Provided that the repairs are performed in a manner consistent with these regulations to the maximum extent feasible.
9. Construction activities of the state department of transportation conforming to the requirements of the latest edition of the South Carolina Standard Specifications for Highway Construction.
10. Activities relating to the routine maintenance and/or repair or rebuilding of railroad tracks, rights-of-way, bridges, communication facilities and any other related structures and facilities of a railroad company.
11. Land-disturbing activities that are conducted pursuant to, and are compliant with, another state or federal environmental permit, license or certification in which the state or federal permitting authority supersedes the City's authority as established by local ordinance and regulation.
12. Certain activities undertaken by utility providers that are not substantial land-disturbing activities and therefore are not intended to be regulated by this Subsection. Provided that the repairs are performed in a manner consistent with these regulations to the maximum extent feasible. These activities include, but are not limited to, the following:

    a. Installation of utilities on sites not part of larger common plan and which disturb less than 10,000 square feet.

    [1]

    b. Land-disturbing activities conducted pursuant to a federal environmental permit, including permits issued under Section 404 of the Federal Clean Water Act, and including permits issued by the Federal Energy Regulatory Commission.

c. Installation of utilities in a ditch Subsection 4 feet or less in width.

d. Installation of utility poles.

e. Maintenance of easements and rights-of-way.

f. Service connections, i.e., tapping main lines and/or setting meters, including installation of a manhole, bellhole, underground vault, valve box or fire hydrants.

13. Projects for which an encroachment permit has been issued by the state department of transportation that are not part of a larger common plan and which disturb less than 10,000 square feet.

14. Land-disturbing activities conducted by a utility provider filing environmental reports, assessments or impact statements with the United States Department of Agriculture, Rural Electrification Administration, in regard to a project.

15. Any case in which a waiver or variance has been granted for the permit requirements upon a determination that the integrity of this Subsection will not be violated by such action.

16. Fence installation, pole placement, drilling or other minor auxiliary construction activity which does not affect stormwater runoff rates, patterns, or volumes.

17. Annexation agreements, if the stormwater management systems are installed, functioning and in compliance with all applicable stormwater regulations of the appropriate jurisdictional entity in effect at the time of construction. Water quantity control cannot be required for modifications to the site provided that the originally permitted curve number aligns with the proposed impervious surfaces. All other requirements of this Section must be met.

18. Stormwater permits approved prior to January 1, 2008, if the stormwater management systems are installed and in general compliance with all applicable stormwater regulations then in effect.

F. Permit Extensions and Terminations

Among the causes for terminating a permit during its term or for denying a permit extension include, but are not limited to, the following:

1. Noncompliance with any condition of the permit; or

2. The permittee's failure to disclose fully all relevant facts in the application process or the permittee's misrepresentation of any relevant facts at any time; or

3. If the authorized work is not commenced within one year after issuance of the permit, or if the authorized work is suspended or abandoned for a period of 12 months after the time of commencing the work, unless an extension has been granted in writing by the Administrator or designee. The extension should be requested of the Administrator or designee in writing 30 days prior to the termination of the stormwater permit.

19-5.3.6. ALL DEVELOPMENT

The following performance standards, application requirements and other provisions apply to all development requiring a stormwater permit. All the following application requirements must be submitted when applicable to

the development as determined by the Administrator or designee. Subsequent Subsections include additional provisions for development in special management areas.

A. Minor Stormwater Permit[1]

The following requirements apply, at a minimum, for all development requiring a minor stormwater permit:

1. Application Requirements[1]

a. A minor stormwater permit and plans must be prepared, signed, and sealed by a professional engineer, Tier B land surveyor, or landscape architect. All licensees must be of the State.

b. A completed minor stormwater permit application signed by the applicant.

c. A report to include:

i. A written narrative description of the proposed phasing (construction sequencing) of development of the site, including stripping and clearing, rough grading and construction, and final grading and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of installation of temporary sediment control measures (including perimeter controls), clearing and grading, installation of temporary soil stabilization measures, installation of storm drainage, paving streets and parking areas, final grading, establishment of permanent vegetative cover, and the removal of temporary measures. It is the responsibility of the applicant to notify the Administrator or designee of any significant changes that occur in the site development schedule after the plan has been approved.

ii. A general description of the existing and proposed stormwater management system, including all discharge points, collection, conveyance, and storage facilities.

iii. Supporting maps to include a FIRMette, USGS quadrangle map, and NRCS soils map.

iv. A vicinity map identifying the parcel identification numbers of all parcels comprising the proposed development.

v. A capacity analysis of the stormwater management system components on- site. An off-site downstream capacity analysis may be required by the Administrator or designee when downstream flooding exists.

vi. Design calculations for sediment and erosion control measures with the drainage area tributary to each sediment control measure delineated on an overall map.

vii. Description of off-site fill or borrow volumes, locations, and methods of stabilization.

viii. A color coded map depicting the existing impervious surfaces and total new impervious surfaces along with a summary table.

ix. Any federal, state and local requirements, including, but not limited to, the applicable SCDES notice of intent, ACOE nationwide permit, FEMA letters of map change, jurisdictional wetland determination and endangered species permitting. Reference ***Appendix E*** for a partial list of additional permits that may be applicable.[4]

x. An area drainage plan locating the proposed development in the watershed.

xi. An exhibit for review which displays all deed or plat restrictions of record or to be recorded for the stormwater management system.

xii. Calculations verifying that the proposed LID or water quality stormwater control measures meet the treatment requirements as specified in the Section.

xiii. Drainage map identifying contributing areas to each stormwater control measure.

xiv. Calculations verifying that the stormwater control measure has the appropriate total flow rate for which the associated pipe network has been designed. Total flow rate includes treated flow and bypass flow.

xv. Fully executed maintenance agreement and plan for all post construction stormwater control measures and facilities.

xvi. Supporting documentation for method used to meet 50-percent hydrocarbon removal.

d. Minor stormwater permit plans must show all measures appropriate for the development as approved by the Administrator or designee, to meet the objectives of this Section throughout all phases of construction and permanently after completion of development of the site. Guidance regarding appropriate methods, procedures, controls measures, and implementation will be provided in the stormwater technical reference manual, but must include, at a minimum:

i. Proposed and existing elevations tied to the North American Vertical Datum of 1988. Horizontal datum survey control must be South Carolina State Plane NAD83 HARN International Feet coordinates.

ii. Off-site and on-site drainage features, overland flow paths, stormwater management system components.

iii. Existing and proposed utilities which may include septic systems and wells.

iv. Regulatory floodplains, wetland boundaries, buffer areas.

v. A survey grade topographic map of the existing conditions of the development site showing the location of all roads, all drainage ways, the boundaries of predominate soil types, the boundaries of predominate vegetation, and the location of any drainage easements, detention or retention basins, including their inflow and outflow structures, if any. The map must also include the location, size, and flow line elevations of all existing storm and other utility lines within the site. The map must be prepared using a 2-foot or less contour interval and must be prepared at an appropriate scale for the type of project and must include specifications and dimensions of any proposed stream channel modifications, location and orientation of cross-sections, if any, north arrow, and a graphic or numerical scale.

vi. Location and description, including standard details, of all sediment control measures, including, but not limited to, construction entrance, silt fence, inlet protection, dust control, stockpile areas management, concrete washout areas, and sediment basins/traps and corresponding outlet details.

vii. Location and description of all soil stabilization and erosion control measures, including seeding mixtures and rates, types of sod or vegetation, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of non-vegetative stabilization measures.

viii. Phased soil erosion and sediment control plans as required to meet the requirements of this Section and to mitigate off-site soil migration and erosion throughout construction.

ix. Adjoining lakes, streams, and other major drainage ways.

e. Other items as specified on the application form.

2. Erosion Control Performance Standards[1]

Soil erosion and sediment control related measures are required to be constructed and maintained for any land-disturbance activity permitted under ***Sec 19.5.3.5, Stormwater Permits***. In addition, the following requirements must be met:

a. Soil disturbance must be conducted in such a manner as to minimize erosion. Areas of the development site that are not to be graded must be protected from construction traffic or other disturbance until final seeding is performed. Soil stabilization measures must consider the time of year, site conditions and the use of temporary and/or permanent measures.

b. Properties and channels adjoining development sites must be protected from erosion and sedimentation. At points where concentrated flow leaves a development site, energy dissipation devices must be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity of flow from the structure to the watercourse so that the natural physical and biological characteristics and functions are maintained and protected.

c. Soil erosion and sediment control features must be constructed prior to the commencement of disturbance to upland areas.

d. Disturbed areas must be stabilized with temporary or permanent measures within 14 calendar days following the end of active disturbance, or re-disturbance, consistent with the following criteria or using an appropriate measure as approved by the Administrator or designee:

   i. Appropriate temporary or permanent stabilization measures must include seeding, mulching, sodding, and/or non-vegetative measures.

   ii. Areas or embankments having slopes greater than or equal to 3H:1V must be stabilized with staked in place sod, mat, flexible growth medium or blanket in combination with seeding. Slopes with less than four-foot vertical rise cannot be required to meet the requirements of this Subsection.

   iii. The 14-day stabilization requirement may be precluded where stabilization by the 14th day is prevented by snow cover or frozen ground conditions, in which case stabilization measures must be initiated as soon as practicable.

   iv. The site is considered permanently stabilized when all surface disturbing activities are complete and either of the two following criteria is met:

      a) A uniform (e.g., evenly disturbed, without large bare areas) perennial vegetative cover with a density of 70 percent per square yard of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures; or

      b) Equivalent permanent stabilization measures (such as rip rap, gabions, or geotextiles) have been employed.

e. Land-disturbance activities in streams must be avoided, where possible. If disturbance activities are unavoidable, the following requirements must be met:

   i. Approved permits from the ACOE will be submitted to the Administrator or designee.

   ii. Where stream construction crossings are necessary, temporary crossings must be constructed of non-erosive material.

iii. The time and area of disturbance of a stream must be kept to a minimum. The stream, including bed and banks, must be re-stabilized as soon as possible and ideally within 72 hours after channel disturbance is completed or interrupted.

f. Soil erosion and sediment control measures are appropriate with regard to the amount of tributary drainage area as follows:

i. Disturbed areas draining greater than 1,000 square feet but less than one acre must, at a minimum, be protected by a sediment barrier to control all off-site runoff. Sediment barriers may include silt fences meeting the applicable sections of the AASHTO Standard Specification M288 or ASTM Standard Specifications D6461 and D6462 or sediment tubes or other measures providing equivalent sediment control as demonstrated by ASTM D7351.

ii. Disturbed areas draining more than one but fewer than five acres must, at a minimum, be protected by a sediment trap with baffles or equivalent control measure at a point down slope of the disturbed area. Sediment traps must be sized based on 1,800 cubic feet per acre of contributing area unless the site drains to an impaired water body which then requires 3,600 cubic feet per acre.

iii. Disturbed areas draining more than five acres must, at a minimum, be protected by a sediment basin with baffles and a surface outlet such as a skimmer, flashboard riser, or approved equal. For construction periods exceeding one year, the one-year sediment load and a sediment removal schedule must be submitted. If the detention basin for the proposed development condition of the site is used for sediment basin, the above requirements will be explicitly met until the final site stabilization is complete.

iv. For sites draining greater than five acres, soil erosion and sediment control measures must, at a minimum, achieve an equivalent removal efficiency of 80 percent for suspended solids or 0.5 ML/L peak settleable solids concentration, whichever is less. The efficiency must be calculated for disturbed conditions for the ten-year 24-hour design event.

v. For sites draining more than five acres, release rates for the two-year and ten- year, 24-hour storm events during construction must be less than the pre- developed discharge rates.

g. All drainage features that are or will be functioning during construction must be protected by appropriate sediment control measure.

h. If dewatering services are used, adjoining properties and discharge locations must be protected from erosion. Discharges must be routed through an effective sediment control measure (e.g., sediment trap, sediment basin or other appropriate measure).

i. All temporary soil erosion and sediment control measures must be removed within 30 days after final site stabilization is achieved or after the temporary measures are no longer needed. Trapped sediment must be properly disposed.

j. A stabilized construction entrance consisting of aggregate underlain with non-woven geotextile (or other appropriate measure) must be located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley or parking area. Any sediment or soil reaching an improved public right-of-way, street, alley or parking area must be removed by sweeping or vacuuming as accumulations warrant and transported to a controlled sediment disposal area. The Administrator or designee may require additional stabilized construction entrance methods.

k. Earthen embankments must be constructed with appropriate stabilization and side slopes no steeper than 3H:1V. Steeper slopes may be constructed with appropriate stabilization as approved by the Administrator or designee.

l. Stormwater conveyance channels, including ditches, swales, and diversions, and the outlet of all channels and pipes must be designed and constructed to withstand, at a minimum, the expected flow velocity from the ten-year frequency storm with minimal erosion. All constructed or modified channels must be stabilized as soon as possible and no longer than 72 hours from disturbance.

m. Temporary diversions must be constructed as needed during construction to protect areas from upslope runoff and/or to divert sediment laden water to appropriate traps or stable outlets.

n. Soil stockpiles must not be located in a floodprone area or a designated buffer protecting waters of the United States or waters of the State. Soil stockpiles are defined as having greater than 100 cubic yards of soil and will remain in place for more than seven days. Soil stockpile locations must be shown on the soil erosion and sediment control plan and must have the appropriate measures installed at all times to prevent erosion of the stockpile.

o. Handbooks. Standards and specifications contained in The SCDES stormwater management BMP field manual and the stormwater technical reference manual, as amended, are referenced in this Section as guidance for presenting soil erosion and sediment control plan specifications and delineating procedures and methods of operation under site development for soil erosion and sediment control. In the event of conflict between provisions of said manuals and this Section, the stricter governs.[4]

p. The applicant must provide adequate receptacles for the deposition of all construction material debris generated during the development process. The applicant cannot cause or permit the dumping, depositing, dropping, throwing, discarding or leaving of construction material debris upon or into any development site, channel, waters of the United States or waters of the State.

q. Soil erosion and sediment control measures and stormwater management systems must be functional before construction begins. Where development of a site is to proceed in phases, the soil erosion and sediment control measures and the stormwater management systems needed for each phase must be functional before the construction of that phase begins.

3. **Erosion Control Inspection Program Standards**[1]

a. Inspections must be conducted on all sites greater than one acre by qualified personnel as defined by SCDES.[4]

b. An independent, third party erosion control inspector, hired by the applicant, is required for all development that exceeds ten acres of hydrologic disturbance or exceeds one acre of hydrologic disturbance and has a regulatory floodplain, waters of the United States or waters of the State on-site or on adjoining property.

c. *Sec. 19-5.3.10, Access and Inspection,* contains inspection requirements for any development meeting the above threshold.

d. The applicant must submit the name of the erosion control inspector to the Administrator or designee at or before the pre-construction meeting or commencement of disturbance for the

development. The Administrator or designee must be notified of a permanent change in the erosion control inspector within 14 days of the change.

e. The Administrator or designee must be notified of a permanent change in the erosion control inspector within 14 days of the change.

4. **Water Quality Performance Standards**[1]

Water quality treatment is required for minor stormwater permits.

a. Water quality controls must meet the following:

i. Water quality treatment must be provided prior to discharging to waters of the United States or adjoining properties.

ii. Water quality treatment volume must be provided over the entire disturbed area.

iii. BMPs used to accomplish the water quality treatment required must be chosen from the Tier 1 BMPs listed in the Design and Specifications Manual unless site conditions will not practically allow the Tier 1 BMPs to be installed. If Tier 1 BMPs cannot be utilized, the applicant may coordinate the use of Tier 2 or unlisted BMPs with the Administrator or designee.

iv. For detention, water quality treatment must be provided for a volume equal to the first inch over the required treatment area as specified above with a release rate over a 24-hour period. For wet detention, a littoral zone must be established for water quality treatment to enhance treatment effectiveness.

v. For alternate water quality methods (i.e., mechanical water quality), water quality treatment must be provided for a volume equal to the first inch over the required treatment area as specified above.

vi. When approved by the administrator, water quality may be provided by the use of one of the six Low Impact Development (LID) Best Management Practices, which can be found in the Design Standards Manual. Each BMP contains a table the applicant can use to determine the size of the required structure. The BMP to be utilized and sizing criteria must be submitted with the site plan for review prior to approval.

vii. For permanent infiltration trenches, water quality treatment must be provided for a volume equal to the first inch of runoff from all impervious surfaces. Infiltration trenches must be designed to completely drain of water within 72 hours. Soil must have adequate permeability to allow water to infiltrate; infiltration practices are limited to soils having an infiltration rate of at least 0.30 inches per hour.

viii. For those sites using alternate water quality methods that treat water quality based on a flow rate, the treated flow rate must be determined using the method for computing peak discharge for a water quality storm (adapted from Clayton and Schueler, 1996). This methodology relies on the volume of runoff computed using the Small Storm Hydrology Method (Pitt, 1994) and utilizes the NRCS, TR-55 Graphical Peak Discharge Method (USDA, 1986). A sample methodology is presented in the stormwater chapter of the Design and Specifications Manual. Alternate water quality methods must also provide storage volume equal to the first inch of runoff from all impervious surfaces designed to completely drain of water within 72 hours.[3]

ix. Hydrocarbon (e.g., oil and grease) removal technology is required for commercial and industrial development for all areas accepting flow from parking/loading areas, and vehicle drive surfaces (e.g., roadways and driveways). The hydrocarbon removal system must be sized to accommodate

the flow generated from 0.5 inches of runoff from the contributory impervious surfaces over a 1 hour period. The hydrocarbon removal rate must be a minimum of 50 percent. The volume for hydrocarbon removal must not be in addition to those volumes calculated in ***Minor Stormwater Permits, Sec. 19-5.3.6.A.2.ii through iv***, provided the method of treatment provides a hydrocarbon removal rate of 50 percent.

x. Waters of the State and waters of the U.S. must not be used for permanent or temporary placement of water quality treatment devices.

B. Major Stormwater Permit[1]

In addition to the above requirements, the following requirements apply at a minimum for all development requiring a major stormwater permit:

1. Application Requirements

A major stormwater permit and plans must be prepared, signed, and sealed by a professional engineer registered in the State of South Carolina.

a. **Report**

A report to include:

i. Discharge rate summary tables.

ii. Pre-development and post-development summary tables to include curve numbers and impervious areas.

iii. A pre-development drainage area map to include north arrow, graphical and numerical scale, the location of all existing conditions, contours, all drainage ways, flow arrows, watersheds, sub-watersheds, runoff characteristic of each, curve number, time of concentration flow path, current aerial photography. The map must be prepared at an appropriate legible scale for the type of project.

iv. A post-development drainage area map to include north arrow, graphical and numerical scale, the location of all existing conditions, contours, all drainage ways, flow arrows, watersheds, sub-watersheds, runoff characteristic of each, curve number, time of concentration flow path, current aerial photography. The map must be prepared at an appropriate legible scale for the type of project.

v. A report describing the hydrologic and hydraulic analysis performed for the project. The report must include the name of stream or body of water affected, a jurisdictional determination approved by the U.S. Army Corps of Engineers, a statement of purpose of proposed activity, and a detailed determination of the runoff for the project site under existing and developed conditions. This includes documentation of the design volumes and rates of the proposed runoff for each portion of the watershed tributary to the stormwater management system and receiving channel and high-water elevations. Runoff calculations must include all discharges entering the site from upstream areas.

vi. For detention facilities, a section in the hydrologic and hydraulic analysis report that includes a plot or tabulation of storage volumes and water surface areas with corresponding water surface elevations, stage-discharge or outlet rating curves, and design hydrographs of inflow and outflow for the 2-year, 10-year, 25-year and 100-year, 24-hour storm events under existing and developed conditions.

vii. A copy of a South Carolina dam safety permit or a letter stating that a dam safety permit is not required if the development includes a dam.

b. **Major Stormwater Permits Plans**

Major stormwater permit plans must show, at a minimum:

i. Cross-section details for the stormwater management facility showing existing and proposed conditions including principal dimensions of the work, and existing and proposed elevations, normal water and calculated base flood elevations, and overland flow depth and path. The elevations of lowest floor or lowest adjacent grade for structures must be included on the development plan as applicable.

ii. All elements necessary to meet the requirements of *Sec 5.3.7.*

c. **Bonds**

i. The applicant may be required by the Administrator to provide a performance bond or sureties or other such adequate security satisfactory to the Administrator in an amount deemed sufficient by the Administrator to cover all costs of the stormwater management system as minimally necessary to properly manage stormwater and establish permanent stabilization measures as required by the stormwater permit. If such performance bond or sureties or other such adequate security is required, the amount must be equal to 100 percent for a traditional bond and up to 125 percent for other acceptable sureties or other adequate security. The amount must be based on the estimated cost to complete construction of the stormwater management system and establish permanent stabilization measures. The estimated probable cost must be approved by the Administrator. Sureties and bonds must not be duplicated in relation to other bonds or sureties for the same project for the same work. Also, the total surety or bond may be reduced as work is completed and accepted by the Administrator.

ii. The bond must be in place prior to permit issuance and in place until the permit is closed out.

d. **As-Builts**

Upon completion of development, as-builts must be provided for the stormwater control measures by the engineer of record. As-builts must be prepared by a land surveyor licensed in the State of South Carolina. Horizontal survey datum control must be based upon, and referenced to, South Carolina State Plane, NAD83 HARN, International Feet coordinates. Vertical survey datum control must be based upon, and referenced to, the North American Vertical Datum of 1988 (NAVD 88). As-builts must include calculations showing the as-built volume of compensatory and site-runoff storage. All stormwater control measures and stormwater discharge points from the site will be located with northing and easting. The engineer of record must submit a statement certifying that the stormwater control measures were installed per plans. If the volumes or release rates of the stormwater control measures deviate from the approved plans, the engineer of record must provide updated design calculations.

2. Water Quantity Performance Standards[1]

Water Quantity Control is required for major stormwater permits.

a. The following requirements must be met:

i. Runoff calculations, release rates and discharges.

a) Design runoff rates must be calculated using a volume-based hydrograph, such as ICPR, HEC-1, SEDCAD, Hydraflow Hydrographs, etc.

b) Rainfall data as presented in ***Stormwater Appendix F*** of this Section must be used for rainfall volume, storm distribution, return frequency and event duration.

c) Watershed specific release rates are tabulated in appendix H of the ordinance from which this Section is derived on file in the City's offices. Unless otherwise specified in ***Stormwater Appendix H***, a City-adopted basin plan or floodplain study, the detention volume required must be calculated using a 24-hour storm event and release rates must not exceed the 2-year, 10-year, and 25-year pre-development release rates.

d) Pre-Development curve numbers shall not exceed 75 within the project area.

e) Adopted basin plans and floodplain studies may be the basis for more specific regulations. These additional or more specific regulations will apply only in the specific study area of the basin plan or floodplain study and supersede those of this Section only upon amendment to the stormwater ordinance and formal adoption of the basin plan or floodplain study by the City.

f) Extreme flood and public safety protection must be provided by controlling and safely conveying the 100-year, 24-hour storm event such that flood velocities are not exacerbated and flood elevations are not increased to cause damage on adjacent properties.

g) The design of stormwater management systems must not result in the inter-basin transfer of drainage, unless no reasonable alternative exists. The Administrator or designee may also allow inter-basin transfers if the transfer relieves a known drainage hazard and there is adequate downstream stormwater capacity. In the event of an inter-basin transfer of drainage, detention must be provided for 2-year, 10-year, 25-year and 100-year, 24-hour storm events.

h) For determination of soil runoff characteristics, areas of the development that are disturbed and compacted must be changed to that soil types' next highest runoff potential/soil group classification. Conversely, soil groups that are not disturbed will retain their current runoff characteristics.

i) All concentrated stormwater discharges must be conveyed into an existing drainage outfall, including, but not limited to, pipes and ditches. No new discharges are permitted onto adjacent properties where there was not a discharge point previously, unless a recorded document is received in which the impacted property owner provides permission for such discharge. When the proposed stormwater discharge is near a property line where there is no existing outfall, a level spreader or equal is to be provided in addition to the outfall being situated 20 feet from the property line.

j) Existing depressional storage volume must be accounted for when determining the pre-developed runoff from each site. The function of any existing depressional storage must be hydrologically modeled to determine the existing volume of storage and runoff reduction characteristics. The depressional storage must be modeled as a pond whose outlet is a weir at an elevation where stormwater currently overflows the depressional storage area. Post-developed release rate for sites with depressional storage must be for the 2-year, 10-year, and 25-year, 24-hour storm events.

ii. Detention and retention facilities.

a) The BMPs used to accomplish the water quantity control required must be chosen from the Tier 1 BMPs listed in the Design and Specifications Manual, unless site conditions will

not practically allow the Tier 1 BMPs to be installed. If Tier 1 BMPs cannot be utilized, the applicant may coordinate the use of Tier 2 or unlisted BMPs with the Administrator or designee.

b) All stormwater facilities, when determined applicable by the Administrator or designee, must be provided with:

   1) An emergency overflow structure capable of passing the 100-year, 24-hour storm event without damages to downstream structures or property.

   2) The top of the impounding structure must be a minimum of one foot above the 100-year, 24-hour storm event peak stage.

   3) Features to facilitate maintenance and emergency ingress and egress capability.

c) Outlet pipe and orifice diameter must be designed to prevent clogging and in compliance with the stormwater technical reference manual.

d) Stormwater infiltration, retention and detention facilities required to meet a development's discharge requirements must be designed to by- pass off-site tributary flow from streams and channels unless approved by the Administrator or designee.

e) Low impact development measures, bioretention cells, infiltration, and other post-construction practices should be installed only after the drainage area to these practices has been stabilized unless approved by the Administrator or designee.

f) Any development involving the construction, modification or removal of a dam must obtain from the South Carolina department of health and environmental control a dam safety permit or a letter stating no permit is required. Any permit from the U.S. Army Corps of Engineers is required prior to the start of such activity.

g) Stormwater retention and detention facilities must not be constructed in a regulatory floodplain unless approved by the Administrator or designee. If a retention or detention facility is constructed in a regulatory floodplain, it must meet the special management area requirements of this Section. The volume of detention storage required to meet the release rate requirements must be in addition to the floodplain compensatory storage required for the development.

h) Safety ledges must be constructed on the slopes of all wet detention with a permanent pool greater than 3 feet deep. Two ledges must be constructed, each 4 to 6 feet in width. The first or upper ledge must be located between 1½ feet above the permanent pool level. The second or lower ledge must be located approximately 2.5 feet below the permanent pool level. Alternative safety designs may be considered by the Administrator but the littoral zone requirements must be met at a minimum.

i) Underground detention systems must provide the necessary volume through the design life of the structure. A typical design life is recognized as 50 years. The system is to account for lost volume due to sedimentation. The underground detention system is to be designed based on the number of total suspended solids (TSS) that will accumulate in the system over a 50-year design life.

j) Impounding berms or walls for stormwater retention and detention facilities must be designed and constructed to withstand all expected forces, including, but not limited to, erosion, pressure and uplift. The applicant must submit material and compaction design specifications for earthen impoundments and provide as-built information verifying that the constructed condition meets the design requirements. Impounding berms or walls must be represented

on the design plans and signed and sealed by a professional engineer with competency in this area.

k) On-stream detention is not an allowable practice.

l) All detention systems must be located and described within a deed or plat restriction. Detention systems that service a single parcel of property may be excused from this requirement upon approval of the Administrator or designee. Modifications to a deed or plat restriction for the detention system must be approved by the Administrator or designee.

19-5.3.7. SPECIAL MANAGEMENT AREAS

A. Regulatory Floodplains and Regulatory Floodways

This Section applies to all parcels of land that lie either wholly or partially within, or immediately adjacent to, areas of special flood hazard that are within the jurisdiction of the City of Greenville. These areas of special flood hazard are identified by the Department of Homeland Security, Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), in its flood insurance study, with accompanying maps and other supporting data, which are hereby adopted in ***Stormwater Appendix C*** of this Section and declared to be a part of this Section. Also adopted are any letters of map revision (LOMR) as approved by FEMA. Further, this Section applies to any areas of special flood hazard established and accepted by the City (City floodplain study) that utilize FEMA NFIP detailed flood study standards (***Stormwater Appendix B*** related to this Section), or better.

1. Location of the regulatory floodplain, base flood elevation (BFE) and regulatory floodway in the absence of Best Available Data as described below.[2]

   a. The location of the regulatory floodplain and floodway is determined by the more restrictive of:

      i. Overlaying the FEMA flood insurance rate map (FIRM) floodplain and floodway boundary onto the site.

      ii. Projecting the FEMA flood insurance study (FIS) BFE onto the site topography.

      iii. Projecting the City of Greenville floodplain study BFE onto the site topography and overlaying the City of Greenville floodplain study floodway onto the site.

   b. In the case of FEMA delineated AH Zones, the elevation noted on the map must be the BFE. In the case of FEMA delineated AO Zones, the BFE must be the depth number shown on the map added to the highest adjacent grade, or at least 2 feet above the highest adjacent grade if no depth number is provided.

   c. Standards for streams without established base flood elevations and floodways (A Zones):

      i. For all subdivision proposals containing at least 50 lots or 5 acres, whichever is less, the applicant must provide a hydrologic and hydraulic engineering analysis prepared by a professional engineer using FEMA approved methods that generate base flood elevations.

      ii. For all other developments containing less than 50 lots or 5 acres, when base flood elevation (BFE) data is not available from a federal, state, or other source, one of the following methods may be used to determine a BFE. For further information regarding the methods for determining BFEs listed below, refer to FEMA's manual on managing floodplain development in approximate Zone A areas.

a) Contour interpolation. Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE. Add one-half of the contour interval of the topographic map that is used to the BFE.

b) Data extrapolation. A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches. Hydraulic structures cannot be present. Hydrologic and hydraulic calculations. Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software.

iii. Encroachments, including fill, new construction, substantial improvements and new development are not permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments must not result in any increase in flood levels during the occurrence of the base flood discharge or a floodway is determined using appropriate FEMA methods.

d. Standards for streams with established base flood elevations but without floodways. Encroachments, including fill, new construction, substantial improvements, or other development, are not permitted unless the following is provided:

i. Certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community; or

ii. An engineering study performed by a registered professional engineer is submitted which will determine a floodway which meets the definition of a regulatory floodway and show that the proposed development will meet the requirements of this Section.

e. For all X Zones, the BFE must be determined by a registered professional engineer using a FEMA-approved method. This requirement applies to riverine floodprone areas with greater than 40 acres of tributary drainage area or non-riverine floodprone areas with greater than 20 acres of tributary drainage area. The BFE determination must be submitted to the City for approval prior to issuance of any permit. BFE determinations must be based on the critical duration event.

f. The application of these regulations to land that can be demonstrated by engineering survey to lie within any regulatory floodplain cannot be prohibited by anything contained herein. Conversely, any lands (except for those located in a regulatory floodway) that can be demonstrated by a topographic survey certified by a registered professional engineer or registered land surveyor to lie beyond the regulatory floodplain, and shown, to the satisfaction of the Administrator or designee, to have been higher than the BFE as of the effective date of the first floodplain mapping denoting the site to be in a special flood hazard area, cannot be subject to the regulations of this Subsection upon receipt of a letter of map change (LOMC) from FEMA.

g. Use Of Best Available Data - When base flood elevation data and floodway data Is available for review, and can be reasonably utilized by the Administrator as best available base flood elevation data and floodway data available from a federal, state, or other source, that data may be used in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source, which must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an

appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.[2]

2. Performance standards applicable to all regulatory floodplain development. The standards of this Subsection apply to all regulatory floodplain development except when superseded by more stringent requirements in the subsequent subsections.

   a. Modification and disturbance of natural riverine regulatory floodplains must be avoided to protect existing hydrologic and environmental functions. Such disturbances must be minimized and all negative impacts mitigated as described in a mitigation plan.

   b. No development is allowed in the regulatory floodplain that will singularly or cumulatively create a damaging or potentially damaging increase in flood heights or velocity or damages or threat to public health, safety and welfare or impair the natural hydrologic or hydraulic functions of the regulatory floodplain or channel.

   c. For all projects involving stream channel modification, fill, stream maintenance, or levees, the flood-carrying capacity of the regulatory floodplain must be maintained.

   d. Zones AH and AO require the identification of adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

   e. Public facilities must be constructed so as to minimize flood damage.

   f. Compensatory storage is required for all storage lost or displaced in a regulatory floodplain. Hydraulically equivalent compensatory storage requirements for fill or structures in a riverine regulatory floodplain must be at least equal to 1.5 times the volume of regulatory floodplain storage lost or displaced. Such compensation areas must be designed to drain freely and openly to the channel and must be located opposite or adjacent to fill areas. A deed or plat restriction is required to prohibit any modification to the compensation area. The regulatory floodplain storage volume lost below the existing 10-year frequency flood elevation must be replaced below the proposed 10-year frequency flood elevation. The regulatory floodplain storage volume lost above the 10-year existing frequency flood elevation must be replaced above the proposed 10-year frequency elevation.

   g. Requirement to Submit New Technical Data[2]

      For all development proposals that impact floodway/floodplain delineations or base flood elevations, the community shall ensure that a Letter of Map Revision reflecting the impacts be submitted to FEMA as soon as practicable, but no later than six months from the end of construction of the impact. A Letter of Map Revision due to fill does not preclude a development from meeting the compensatory storage requirements. These development proposals include but are not limited to:

      i. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

      ii. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;

      iii. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including stream restoration and the placement of culverts; and

      iv. Any development that will alter the boundaries of the area of special flood hazard.

It is the responsibility of the applicant to have technical data prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.

The local floodplain administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

i. Proposed floodway encroachments that increase the base flood elevation, OR

ii. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

The local floodplain administrator may require a Conditional Letter of Map Revision for a development prior to issuance of a permit.

Floodplain development permits issued by the local floodplain administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to this section.

Right to Submit New Technical Data - The floodplain administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

h. Upon approval of the Administrator or designee, shorelines or streambanks that have experienced erosion may be restored to their condition as of the current FIRM in that community without the need to provide compensatory storage for the fill used to restore the eroded area according to the following criteria:

i. The restoration fill must meet existing grades. Within riverine areas the current effective regulatory floodplain and regulatory floodway conveyance must be maintained.

ii. The amount of eroded property being restored must be documented and submitted by the applicant as part of the permit process. Proper documentation must be either field survey information or photo documentation of the erosion that has occurred for the property being restored.

iii. For rivers, lakes and streams where no floodway has been designated, no documentation of past shoreline erosion is required if the applicant does not exceed one cubic yard of fill per lineal foot for a maximum of 300 feet. In this case, the placing of the fill must not significantly alter the alignment of the shoreline with adjoining properties as determined by the Administrator or designee.

iv. Non-documentable fills are a one-time allowance on a per property basis and all fills exceeding 300 cubic yards must be regulated as specified in riparian environment and stream provisions (see ***paragraph C.*** below) and compensatory storage requirements of this Section.

v. Replacement of banks must be stabilized to withstand all events up to the base flood without increased erosion.

i. Top dressing is the placement of not more than 4 inches of topsoil within the regulatory floodplain for the purposes of stabilizing an existing erosion control problem or establishing vegetative cover. Top dressing may be allowed by permit on a per-parcel, one-time only allowance, and not impact

adjoining property drainage patterns. Upon approval of the Administrator or designee, floodplain compensatory storage is not required. Top dressing fill must comply with the soil erosion and sediment control standards and wetlands provisions of this Section. This provision is not applicable to the design process for new development.

j. **Public Health Protection Standards**

i. For property within the regulatory floodplain, no chemicals, petroleum (hydrocarbon) products, explosives, buoyant materials, animal waste, fertilizers, herbicides, flammable liquids, pollutants, or other hazardous or toxic materials must be placed or stored below the flood protection elevation.

ii. New and replacement water supply systems, wells, and sanitary sewer lines may be permitted providing all manholes or other aboveground openings located below the flood protection elevation (FPE) are watertight.

iii. On-site waste disposal systems must be located to avoid impairments to them or contamination from them during flooding.

k. **Building Protection Requirements**

i. All structures must be constructed by methods and practices that minimize flood damages.

ii. All new construction and substantial improvements must be anchored to prevent flotation, collapse, and lateral movement of the structure.

iii. All new construction and substantial improvements must be constructed with flood resistant materials and utility equipment resistant to flood damage in accordance with Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated August 2008, and available from the Federal Emergency Management Agency.

iv. Electrical, ventilation, plumbing, heating and air-conditioning equipment (including duct work), and other service facilities must be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus 2 feet. Water and sewer pipes, electrical and telephone lines, submersible pumps and other waterproofed service facilities may be located below the base flood elevation (BFE).

v. The lowest floor, including basement, of all new residential structures and lateral additions to existing structures must be elevated up to at least the flood protection elevation (FPE). An attached garage for a new structure must be elevated up to at least one foot above the BFE.

a) If placed on compacted fill, the top of the fill for residential structure must be above the FPE. The top of fill for an attached garage must be one foot above the BFE. The fill pad must be placed at the appropriate elevation and designed to extend a minimum of 10-feet out from the building's designed footprint unless the building is certified by a registered structural engineer to be protected from damages due to hydrostatic pressures. Additionally, the fill pad must meet 95 percent of standard proctor density in order to be demonstrated not to settle below the FPE for the residential structure and not below one foot above the BFE for an attached garage, and to be adequately protected against erosion, scour and differential settlement. Foundation excavations cannot extend more than 5 feet beyond the foundation footprint. When a structure is placed on compacted fill, compensatory storage requirements apply.

b) If elevated by means of walls, pilings, or other foundation, the building's supporting structure must be permanently open to floodwaters and not subject to damage by hydrostatic

pressures of the base flood. The permanent openings must be no more than one foot above the higher of the interior or exterior grade of the opening and below the BFE, and consist of a minimum of two openings on different walls. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. Only the portions on openings that are below the BFE can be counted towards the required net open area. The foundation and supporting members must be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice and floating debris. All areas below the FPE must be constructed with flood-resistant materials and must solely be used for parking, access, and storage. An attached garage must be elevated to at least one foot above the BFE.

vi. The lowest floor including, basement, of all new nonresidential structures and lateral additions to existing structures must be elevated at least to the FPE or be structurally dry floodproofed to at least the FPE. A nonresidential building may be structurally dry floodproofed (in lieu of elevation) provided that a registered professional engineer or registered structural engineer certify that the building has been structurally dry floodproofed below the FPE and the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design must take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice. Floodproofing measures must be operable without human intervention and without an outside source of electricity. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this Subsection. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise.

   a) If placed on compacted fill, the top of the fill for the nonresidential structure must be above the FPE. The fill pad must be placed at the appropriate elevation and designed to extend a minimum of 10 feet out from the building's designed footprint unless the building is certified by a registered structural engineer to be protected from damages due to hydrostatic pressures. Additionally, the fill pad must meet 95 percent of standard proctor density in order to be demonstrated not to settle below the FPE for the residential structure and not below one foot above the BFE for an attached garage, and to be adequately protected against erosion, scour and differential settlement. Foundation excavations cannot extend more than 5 feet beyond the foundation footprint. When a structure is placed on compacted fill, compensatory storage requirements apply.

   b) If elevated by means of walls, pilings, or other foundation, the building's supporting structure must be permanently open to floodwaters and not subject to damage by hydrostatic pressures of the base flood. The permanent openings must be no more than one foot above the higher of the interior or exterior grade of the opening and below the BFE, and consist of a minimum of two openings on different walls. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. Only the portions on openings that are below the BFE can be counted towards the required net open area. The foundation and supporting members must be aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice and floating debris. All areas below the FPE must be constructed with flood- resistant materials and must solely be used for parking, access, and storage.

vii. **Substantial Improvement**

   a) The lowest floor, including basements, of an existing residential structure less than one foot above the BFE with a substantial improvement must be elevated to the FPE. An

attached garage must be elevated to at least one foot above the BFE. The structural design requirements in ***Special Management Areas, subsection 19-5.3.7.A.2.k.v.a and b.*** also apply.

b) For all new nonresidential building and lateral additions to nonresidential buildings, the lowest floor, including the basement, must be elevated at least to the FPE or be structurally dry floodproofed to at least the FPE. For all new nonresidential buildings less than one foot above the BFE, with a substantial improvement the lowest floor, including the basement, must be elevated at least to the FPE or be structurally dry floodproofed to at least the FPE. The structural design requirements in ***Special Management Areas, subsection 19-5.3.7.A.1.k.vi.a. and b.*** of this Subsection also apply. A nonresidential building may be structurally dry floodproofed (in lieu of elevation) provided that a registered professional engineer or registered structural engineer certify that the building has been structurally dry floodproofed below the FPE and the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design must take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice. Floodproofing measures must be operable without human intervention and without an outside source of electricity. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this Subsection.

viii. Manufactured homes, substantially improved manufactured homes, and recreational vehicles to be installed on a site for more than 180 days must be elevated to or above the FPE and must be anchored to resist flotation, collapse, or lateral movement in accordance with section 19-425.39 of the state manufactured housing board regulations, effective date May 25, 1990, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, reinforced piers or other foundation elements of at least equivalent strength must support the chassis. When the elevation of the chassis is above 36 inches in height an engineering certification is required.

ix. Accessory structures on an existing single-family lot may be constructed with the lowest floor below the FPE in accordance with the following:

a) The building cost, less installation, cannot exceed $6,000.00 and not be used for human habitation.

b) Structures must be designed to have low flood damage potential.

c) The structure must be wet floodproofed.

d) The structure must be constructed and placed on a building site so as to offer the minimum resistance to the flow of floodwaters.

e) The structure must be anchored to prevent flotation, collapse or lateral movement.

f) Service facilities such as electrical and heating equipment must be elevated or floodproofed to the FPE.

g) The structure must have appropriate flood opening as specified in this Section.

h) The building must be used only for storage and all public health protection standards apply.

x. A nonconforming structure damaged by flood, fire, wind or other natural or man-made disaster may be restored unless the damage meets or exceeds 50 percent of its market value before it was damaged, in which case it must conform to the provisions of this Section.

xi. If the proposed development would result in a change in the mapped regulatory floodplain, regulatory floodway, or the BFE on a site, the applicant must submit sufficient data to the City

and FEMA to obtain the appropriate letter of map change (LOMC). All adjacent property owners, communities, and the state department of natural resources must be notified prior to any alteration or relocation of a floodplain, and submit copies of such notifications to the City.

xii. Any work involving construction or modification or removal of a dam or an on- stream structure to impound water must obtain a state department of health and environmental control dam safety permit, a U.S. Army Corps of Engineers permit, or letters indicating permits are not required prior to the start of development activity.

xiii. If floodproofing construction is required beyond the outside dimensions of an existing habitable, residential or commercial building, the outside perimeter of the floodproofing construction must be placed no further than 10 feet from the outside of the building. Compensation of lost storage and conveyance will not be required for floodproofing activities.

xiv. Critical facilities must be elevated at a minimum to the 0.2 percent chance (500- year) flood elevation or the highest known historical flood elevation (where records are available), whichever is greater. If no data exists, establishing the 0.2 percent chance flood elevation or the highest known historical flood elevation, the applicant must provide a hydrologic and hydraulic engineering analysis that generates the 0.2 percent chance flood elevation data. Primary access ways to the critical facility entrance must also be elevated at a minimum to the 0.2 percent flood elevation.

l. **Parking Lots**

i. Parking lots (where the existing depth of flooding for the base event is less than one foot) and aircraft parking aprons are permitted.

ii. The depth of flooding can be greater than one foot for short-term parking lots where the applicant agrees to restrict access during overbank flooding events and agrees to accept liability for all damages caused by vehicular access during all overbank flooding events. In these cases, the parking spaces must be appropriately signed.

m. **Standards for Subdivision Proposals and Other Development**

i. All subdivision proposals and other proposed new development must be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations.

ii. All subdivision proposals and other proposed new development must have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

iii. All subdivision proposals and other proposed new development must have adequate drainage provided to reduce exposure to flood damage.

n. All permit applications must be reviewed to determine whether proposed building sites will be reasonably safe from flooding.

3. Additional Performance Standards for the Regulatory Floodway

The only development in a regulatory floodway which will be allowed are appropriate uses which will not cause an increase in flood heights for all flood events up to and including the base flood. Appropriate uses do not include the construction or placement of any fill, building additions, buildings or additions thereto on stilts, new structures, fencing (including landscaping or planting designed to act as a fence), and storage of materials except as specifically defined below as an appropriate use. If the development is

proposed for the regulatory floodway portion of the regulatory floodplain the following standards apply in addition to the previously stated standards for the regulatory floodplain:

a. Only the construction, modification, repair or replacement of the following appropriate uses will be allowed in the regulatory floodway:
    i. Public flood control projects and private improvements relating to the control of drainage, flooding of existing buildings, erosion, water quality or habitat for fish and wildlife.
    ii. Structures or facilities relating to functionally water dependent uses such as facilities and improvements relating to recreational boating and as modifications or additions to existing wastewater treatment facilities.
    iii. Storm and sanitary sewer outfalls.
    iv. Underground and overhead utilities sufficiently floodproofed.
    v. Recreational facilities such as playing fields and trail systems including associated parking and any related fencing (at least 50 percent open when viewed from any one direction) built parallel to the direction of flood flows, and including open air pavilions.
    vi. Bridges, culverts and associated roadways, sidewalks and railways necessary for crossing over the regulatory floodway or for providing access to other appropriate uses in the regulatory floodway and any modification thereto.
    vii. Regulatory floodway re-grading, without fill, to create a positive non-erosive slope toward a channel.
    viii. Floodproofing activities to protect previously existing lawful structures including the construction of watertight window wells, elevating structures, or the construction of floodwalls around residential, commercial or industrial principal structures where the outside toe of the floodwall must be no more than 10 feet away from the exterior wall of the existing structure, and which are not considered to be substantial improvements to the structure.
    ix. The replacement, reconstruction or repair of a damaged building, provided that the outside dimensions of the building are not increased and provided that the building is not damaged to 50 percent or more of the building's market value before it was damaged. When damage is 50 percent or more, the activity must be relocated beyond the limits of the floodway and conform to the building protection provisions and other applicable requirements of this Section.
    x. Modifications to an existing building, which are not substantial improvements, that would not increase the enclosed floor area of the building below the base flood elevation, and which will not block flood flows, including, but not limited to, fireplaces, decks, and patios.

b. All appropriate uses require a permit from the City and must be in accordance with all provisions of this Section.

c. Construction of an appropriate use will be considered permissible provided that the proposed project meets the following engineering and mitigation criteria and that of the special management area provisions and is so stated in writing with supporting plans, calculations and data prepared by a registered professional engineer:
    i. All effective regulatory floodway conveyance lost due to the development of appropriate uses, other than bridge or culvert crossings or on-stream structures or dams, must be replaced for all flood events up to and including the base flood. In calculating effective regulatory floodway conveyance, the following factors must be taken into consideration:

a) Regulatory floodway conveyance (K): K = (1.486/n) AR,2/3 where "n" is Manning's roughness coefficient, "A" is the effective area of the cross- section, and "R" is the ratio of the area to the wetted perimeter.

b) The same Manning's n-value must be used for both existing and proposed conditions unless a recorded maintenance agreement with a federal, state, or local unit of government can ensure the proposed conditions will be maintained or the land cover is changing from a vegetative to a non-vegetative land cover.

ii. Transition sections must be provided and used in calculations of effective regulatory floodway conveyance, in the design of excavations in the regulatory floodway, between cross-sections with rapid expansions and contractions, and when meeting the regulatory floodway delineation on adjoining properties. Calculation of transition sections must be based on state or federal engineering guidance and must meet the following guidelines unless specific field information can substantiate an alternative value:

a) The water expansion ratio (horizontal length to flooded stream's length) should not exceed 4:1, nor should it be less than 0.5:1.

b) The water contraction ratio (horizontal length to flooded stream's length) should not exceed 2.3:1, nor should it be less than 0.7:1.

c) Water will not expand or contract faster than one-foot vertical for every 10-feet of flooded stream length.

d) All cross-sections used in the calculations must be located perpendicular to flood flows.

e) In the design of excavations in the regulatory floodway, erosion/scour protection must be provided on land upstream and downstream of proposed transition sections.

iii. The development of all appropriate uses must not result in an increase in the average channel or regulatory floodway velocities or stage, for all flood events up to and including the base flood event. However, in the case of bridges or culverts or on stream structures built for the purpose of backing up water in the stream during normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of appropriate design measures.

iv. In the case of on-stream structures built for the purpose of backing up water, an increase in upstream stage when compared to existing conditions for all flood events up to and including the base flood event must be contained within recorded easements. A dam safety permit, or letter indicating a permit is not required, must be obtained from SCDHEC Dam Safety Section. A U.S. Army Corps of Engineers permit, or waiver, must be obtained for any structure built for the purpose of backing up water in the stream during normal or flood flow.

v. General Criteria for Analysis of Flood Elevations

a) The flood profiles, flows and regulatory floodway data in the regulatory floodway studies by the City or FEMA must be used for analysis of the base conditions. If the study data appears to be in error or conditions have changed, the City must be contacted for approval and concurrence on the appropriate base conditions data to use.

b) If the special flood hazard area at the site of the proposed development is affected by backwater from a downstream receiving stream, this must be accounted for in the model.

c) If the applicant is informed by local governments or a private owner that a downstream or upstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified,

or a regional flood control project is scheduled to be built, removed, constructed or modified within the next 5 years, the proposed development must be analyzed and shown to meet the requirements of this Subsection for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built.

vi. If the appropriate use will result in a change in the regulatory floodway location or a change in the BFE the applicant must submit to the City the information required to be issued a conditional letter of map revision (CLOMR) from FEMA. The application will not be considered complete until the CLOMR is received. Filling, grading, dredging or excavating cannot take place until a conditional approval is issued by the Administrator or designee. The construction or placement of structures within the currently effective floodway boundary must not take place until a final letter of map revision (LOMR) is issued by FEMA, which revises the floodway boundary.

d. Requirements for the construction of new bridges or culvert crossings and roadway approaches or the reconstruction or modification of existing bridges, culvert crossings or roadway approaches.

i. The following information must be submitted to the City:

a) Analysis of the flood profile due to a proposed bridge, culvert crossings and roadway approaches.

b) An engineer's determination that an existing bridge or culvert crossing or approach road is not a source of flood damage and the analysis indicating the proposed flood profile.

c) Alternative transition sections and hydraulically equivalent storage.

ii. Special Considerations

a) A proposed new structure must not result in an increase or decrease of upstream or downstream flood stages when compared to the existing conditions for all flood events up to and including the base flood event. If the proposed new structure would result in a change in the upstream or downstream flood stages, the applicant must submit sufficient data to the City and FEMA to obtain the appropriate letter of map change (LOMC).

b) Lost regulatory floodway storage must be compensated for per the regulatory floodplain performance standards of this Section except that artificially created storage that is lost or displaced due to a reduction in upstream head loss caused by a bridge, culvert, storm sewer or constructed embankment is not required to be replaced, provided no flood damage will be incurred downstream.

c) Velocity increases must be mitigated per the regulatory floodway performance section of this Section except that in the case of bridges or culverts or on stream structures built for the purpose of backing up water in the stream during normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of appropriate measures.

d) If the structure is a source of flood damage, the applicant's engineer must submit justification to allow the damage to continue and evaluate the feasibility of relieving the structure's impact. Modifications or replacement structures must not increase flood stages compared to the existing condition for all flood events up to and including the base flood event.

e) The hydraulic analysis for the backwater caused by the bridge showing the existing condition and proposed regulatory profile must be submitted to FEMA for concurrence that a conditional letter of map revision (CLOMR) is not required.

f) For an in-kind culvert replacement, the Administrator may choose to waive the hydraulic modeling requirements.

4. Application Requirements for Development in the Regulatory Floodplain or Floodway

In addition to the applicable engineering analyses required above, the applicant must provide the following information:

a. Site location of the property, drawn to scale on the regulatory floodplain map.

b. A plan view of the project showing:

   i. The regulatory floodplain and floodway limits, streams, and water bodies as defined by SCDNR, SCDHEC, or the U.S. Army Corps of Engineers.

   ii. Cross-section views of the project for the impacted reach showing existing and proposed conditions including principal dimensions of the work as shown in plan view, existing and proposed elevations, normal water elevation, 10-year frequency flood elevation, 100-year frequency flood elevation, and graphic or numerical scales (horizontal and vertical).

c. Copies of any and all necessary permits from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

d. Engineering calculations and supporting data (including model inputs and outputs) showing that the proposed work will meet the performance standards of this Section.

e. All changes in grade resulting from any proposed excavation or filling; and existing and proposed regulatory floodplain and regulatory floodway limits; the location and dimension of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of this Section.

5. Elevation Certificate Requirements for Development in the Regulatory Floodplain

All structures in or adjacent to the regulatory floodplain must certify building location and elevations as detailed below.

a. For buildings adjacent to the regulatory floodplain, a foundation survey is required once piling or other foundation is installed. This survey must show the actual location and dimensions of the foundation, lowest adjacent grade to the foundation, and the location of the special flood hazard area as defined above.

b. For buildings within the regulatory floodplain, an "under construction" FEMA elevation certificate must be provided in conformance with the FEMA guidelines within 21 days of establishing the top of the lowest finished floor level (including basements and attached garages). The elevation certificate completed at this time is an interim document intended to verify that the lowest floor of the structure will be adequately elevated at a stage of construction when any deficiency can be easily corrected.

c. Prior to issuing a certificate of occupancy, a "finished construction" FEMA elevation certificate must be submitted along with an as-built survey of the structure.

d. Prior to issuing a certificate of occupancy for all nonresidential buildings that are floodproofed, a FEMA flood insurance floodproofing certificate must be provided.

B. Wetland Provisions

All impacts to jurisdictional waters of the U.S. and waters of the State must be permitted in compliance with all federal and state standards.

1. Wetland Performance Standards

a. The following hierarchy will be observed by all applicants:

i. The proposed project will avoid adverse impacts to the greatest extent possible based on consideration of hydrologic conditions, existing topography, vegetation and human activity as it relates to stormwater management.

ii. The proposed project will minimize the adverse impacts to the greatest extent possible based on consideration of hydrology conditions, water quality, existing topography, vegetation and human activity as it relates to stormwater management.

b. Wetlands may be used for on-site stormwater detention subject to the following:

i. It must be demonstrated that the use of the wetland for detention will maintain or improve the wetland's beneficial functions.

ii. Stormwater quality requirements of this Section must be satisfied prior to discharging to the wetland.

iii. Existing depressional storage in wetlands must be maintained and the volume of detention storage provided to meet the requirements of this Section must be in addition to the existing storage.

iv. High-aquatic resource wetlands based upon their functional assessment cannot be used for satisfying on-site detention requirements.

2. Submittal Requirements

a. The applicant must delineate all wetland area boundaries in accordance with the current federal wetland determination methodology on the plans.

b. All federal and state permitting documents relating to wetlands must be provided to the City along with all permits issued.

c. All federal and state wetland monitoring reports must be provided to the City.

3. Restrictions

Preservation of wetlands must be provided by deed or plat restrictions.

C. Riparian Environment and Stream Provisions

Stream systems are comprised of both the stream channel conveyance and the riparian environment adjacent to the conveyance channel. Stream systems must be preserved to the greatest extent possible.

1. Riparian Environments

a. Riparian environments should be protected to maintain their functions as follows:

i. Reduce flood flow rates, velocities, and volumes.

ii. Prevent erosion and promotes bank stability of streams, lakes, ponds, or wetland shorelines.

iii. Control sediment from upland areas thus reducing the impact of urbanization on stream habitat and water quality by filtering and assimilating nutrients discharged from surrounding uplands.

iv. Insulate and moderate daily and seasonal stream temperature fluctuations by maintaining cooler in stream temperatures for areas with overhanging vegetation.

v. Serve as important sites for de-nitrification, which reduces development of algal blooms and subsequent depressed levels of dissolved oxygen in-stream.

vi. Provide an effective mechanism for treatment of contaminated surface runoff.

vii. Provide habitat corridors for both aquatic and terrestrial fauna and flora.

viii. Provide recreational and aesthetics values for human use.

b. Any applicant proposing development in a riparian environment must identify the boundaries as the vegetative areas along waterways within the limits of the regulatory floodplain.

c. Tree-cutting and vegetation removal must be minimized within riparian environments, and native revegetation of disturbed areas must take place as soon as possible. Avoidance and minimization is not necessary for removal of invasive or problematic species.

d. To the extent practicable, development in a riparian environment cannot, without mitigation:

i. Adversely change the quantity, quality, or temporal and areal distribution of flows entering any adjacent wetlands or waters;

ii. Destroy or damage vegetation (unless part of a plan for removing non-native, invasive species) that overhangs, stabilizes, provides overland flow filtration, or shades stream channels, wetlands, or impoundments that normally contain water; nor

iii. Adversely affect any groundwater infiltration functions.

e. (The length of any mitigated riparian environment must be equal to or greater than the length of the disturbed area.

f. Mitigation requirements for riparian environments must meet the wetland mitigation requirements of this Section.

2. Stream Channel Conveyance

a. Clearing of channel vegetation must be limited to that which is essential for construction of the channel.

b. If a stream meeting the definition of waters of the United States or water of the State is modified, an approved permit from the U.S. Army Corps of Engineers, in addition to a stream mitigation plan, must be submitted for review and approval to the Administrator or designee. The plan must show how the physical characteristics of the modified channel meet the existing channel length, cross-section, slope, sinuosity and carrying capacity of the original channel. The plan must also provide specifications and details necessary to effectively re-establish vegetation within the stream channel modification. Native plants must be used for the re-vegetation plan.

c. All disturbed areas associated with a stream modification must be seeded or otherwise stabilized immediately according to the requirements of this Section.

d. An approved and effective means to reduce and degradation of downstream water quality must be installed before excavation begins and must be maintained throughout construction until final stabilization is achieved.

e. New or relocated stream channels must be built in the dry and all elements of construction, including vegetation, must be completed prior to diversion of water into the new channel.

f. Streams channels are expected to withstand all storm events up to the base flood without increased erosion. The armoring of banks using bulkheads, rip-rap and other materials must be avoided. Structural armoring must only be used where erosion cannot be prevented in any other way. Preference must be given to bio-engineering methods of stabilization. Armoring must have minimal impact on other properties, and the existing land configuration.

g. Construction vehicles must cross streams by the means of existing bridges or culverts. Where an existing crossing is not available, a temporary crossing must be constructed in conformance with the following:

   i. Water quality is maintained.

   ii. The approach roads will be 0.5 foot or less above natural grade.

   iii. The crossing will allow stream flow to pass without backing up the water above the streambank vegetation line or above any drainage tile or outfall.

   iv. Any fill in the channel must be non-erosive material such as rip-rap or aggregate.

   v. All disturbed streambanks will be seeded or otherwise stabilized as soon as possible in accordance with the provisions of this Section upon installation and again upon removal of construction crossings.

   vi. The access road and temporary crossings will be removed within one year after installation and the stream channel restored to its original condition, unless an extension of time is granted by the Administrator or designee.

D. Buffer Areas

Buffer areas must be required for all areas known as waters of the United States, waters of the State, and wetlands as defined in the *1987 Corps of Engineers Wetlands Delineation Manual,* collectively defined as "Aquatic Resources." Buffer areas are divided into two types, linear buffers and water body buffers.[4]

1. The terms "waters of the United States" and "waters of the State" are defined in ***Stormwater Appendix A*** related to this Section and refer to areas that are under the jurisdictional authority and regulated by the U.S. Army Corps of Engineers or the South Carolina Department of Environmental Services, respectively.[4]

   a. Linear buffers must be designated along both sides of all channels meeting the definition of Aquatic Resources. The buffer width must be determined as follows:[4]

      i. When the channel has a watershed greater than 20 acres but less than one square mile, the minimum buffer must be 30 feet on each side of the channel.

      ii. When the channel has a watershed greater than one square mile, the minimum buffer must be 50 feet on each side of the channel.

   b. Water body buffers must encompass all nonlinear bodies of water meeting the definition of Aquatic Resources. The buffer width is determined as follows:[4]

i. For all water bodies or wetlands with a total surface area greater than one- tenth acre but less than one acre, a minimum buffer width of 30 feet must be established.

ii. For all water bodies or wetlands with a total surface area greater than or equal to one acre but less than 2.5 acres, a minimum buffer width of 40 feet must be established.

iii. For all water bodies or wetlands with a total surface area greater than or equal to 2.5 acres, a minimum buffer width of 50 feet must be established.

2. In areas where state or federal threatened and endangered species are present, buffer widths must be a minimum of 100 feet.

3. Buffer areas for water bodies meeting the definition of Aquatic Resources must extend from the ordinary high-water mark. Buffer areas for wetlands must extend from the edge of the delineated wetland. A property may contain a buffer area that originates from Aquatic Resources on another property.[4]

4. Features of the stormwater management system approved by the City may be within the buffer area of a development.

5. Access through buffer areas must be provided, when necessary, for maintenance purposes.

6. All roadside drainage ditches, existing excavated detention facilities, existing borrow pits, existing quarries and improvements to existing public road or trail developments or alignments not meeting the definition of Aquatic Resources are exempt from buffer requirements.[4]

7. Stormwater discharges that enter a buffer must have appropriate energy dissipation measures to prevent erosion and scour.

   a. Buffers are to be measured laterally using State Plane (2D).

   b. Buffers are to be illustrated on all plats.

   c. Allowable buffer activities include those permitted with appropriate 404/401 permits.

8. All buffer areas must be maintained as in-situ vegetation and free from development, including disturbance of the soil, dumping or filling, erection of structures and placement of impervious surfaces, except as follows:

   a. A buffer area may be used for passive recreation (e.g., bird watching, walking, jogging, bicycling, horseback riding and picnicking) and it may contain pedestrian, bicycle or equestrian trails.

   b. Structures and impervious surfaces (including trails, paths) may occupy a maximum of 20 percent of the buffer surface area provided the runoff from such facilities is diverted away from the waters of the United States or waters of the State or such runoff is directed to enter the buffer area as non-concentrated flow.

   c. Utility maintenance and construction of utility facilities, as approved by the City and appropriate jurisdictional agencies, are allowed.

   d. Boat docks, boathouses and piers are allowed and the provisions of ***subsection 19-5.3.7.D.7.*** of this Subsection apply.

   e. Buffer areas disturbed by allowing construction or as part of a re-vegetation plan must be re-vegetated using native vegetation.

f. Removal of invasive species.

9. A minimum of a 5-foot temporary construction buffer from the limits of Aquatic Resources must be required. The 5-foot temporary construction buffer must be marked by construction fencing and installed prior to the start of all other construction activities. All other construction activities, including soil erosion and sediment control features, must take place on the non-wetland side of the construction fencing.[4]

10. Buffer averaging. The buffer width for a development site may be varied to a minimum of one- half of the buffer width required, upon approval of the Administrator or designee, provided that the total buffer area required is achieved adjacent to the waters of the United States or waters of the State being buffered.

11. Preservation of buffer areas must be provided by deed or plat restrictions.

12. The buffer area of a development site may be excluded in the determination of the water quality volume requirement.

19-5.3.8. STORMWATER CONVEYANCE SYSTEMS

A. Storm Sewers and Swales

1. The 10-year design storm must be used as a minimum for the design of storm sewers, swales and appurtenances. Runoff must be conveyed to the detention facility for all storms for which runoff is required to be detained. Conveyance may be a combination of overland, channelized and pipe flow. Overland flow areas must be unobstructed and stabilized to withstand anticipated velocities. Storm sewer design analysis must be calculated under full flow conditions, unless prior approval from the Administrator or designee is received for an alternate flow condition (e.g., pressure flow).

2. For major arterial and multi-lane collector roadways, the storm sewer must be designed to contain and convey the peak runoff from the 25-year design storm. For minor roads and residential streets, the storm sewer must be designed to contain and convey the peak runoff from the 10-year design storm. Rerouted off-site drainage must be designed to contain and convey the peak runoff from the 25-year design storm. Storm sewers within the public right-of-way cannot have an internal diameter less than 18 inches unless otherwise approved by the Administrator or designee.

3. Development must not connect to sanitary sewers as an outflow for the stormwater management system.

4. All storm sewers not located in a public road right-of-way must provide an easement of sufficient width for the maintenance or re-construction of the storm sewer. The easement is to be dedicated to the homeowners' association, property manager, or entity responsible for maintenance.

5. All stormwater conveyance systems must be designed and constructed to withstand the anticipated velocity from the 10-year design storm event with minimal erosion.

6. Stabilization adequate to prevent erosion for the 10-year design storm event must be provided at the outlets for all pipes and channel transitions except for detention outlet pipes which must withstand the 25-year design storm event without erosion.

7. Swales being used as part of the stormwater management system for a development must be located within a deed or plat restricted area of sufficient size to maintain or reconstruct the swale.

8. Surface outflows onto adjoining properties must be designed to release as sheet flow using level spreader trenches, or equivalent, unless alternative designs are approved by the Administrator or designee.

9. At the completion of storm sewer installation and prior to project closeout, the owner must provide the City with an as-built location of the outfalls to any receiving waterways. Horizontal survey datum control must be based upon, and referenced to, South Carolina State Plane, NAD83 HARN, International Feet coordinates. Vertical survey datum control must be based upon, and referenced to, the North American Vertical Datum of 1988 (NAVD 88).

B. Overland Flow Paths

The following items are general performance standards for overland flow paths and do not excuse development from meeting all other requirements of this Section:

1. On-Site Tributary Drainage Areas

a. The overland flow paths must be protected from any activity, such as fencing, landscaping, or storage shed placement, which could impair its function.

b. All areas of development requiring major and minor stormwater permits must be provided with an overland flow path to the detention pond or stabilized discharge point that will pass the base flood flow without damage to structures or property.

c. For overland flow paths with less than 40 acres tributary drainage area, all structures in parcels containing or adjacent to an overland flow path or other high water level designation must have a lowest adjacent grade a minimum of one foot above the design high water elevation.

2. Off-Site Tributary Drainage Areas

a. All areas of development requiring a stormwater permit must be provided with an overland flow path for off-site tributary drainage areas through the proposed development that will pass the base flood flow without damage to structures or property.

b. A deed or plat restriction must be established for the flow paths conveying off-site tributary areas. The overland flow paths must be protected from any activity, such as fencing, landscaping, or storage shed placement, which could impair its function.

3. Flow Rate

The flow rate for a base flood must be used to establish overland flow path limits, and it must include all on-site and off-site tributary areas in accordance with the runoff calculations, release rates and discharges outlined in the *Design and Specifications Manual*.

4. Overland Flow Paths

Overland flow paths with greater than 40 acres tributary drainage area are considered to be floodprone areas and are subject to the regulatory floodplain and regulatory floodway requirements.

19-5.3.9. VARIANCES, WAIVERS AND APPEALS.

A. Variances

1. For the regulatory floodplains and regulatory floodways provisions, the City Council upon Planning Commission recommendation, upon application, after hearing, and subject to the process and standards that follow, may grant variances to the provisions of this Section as will not cause detriment to the public good, safety, or welfare nor be contrary to the spirit, purpose, and intent of this Section where, by reason of unique and exceptional physical circumstances or condition of a particular property, the literal enforcement of the provisions of this Section would result in an unreasonable hardship.

2. For minor stormwater permits, major stormwater permits, and special management areas (other than the regulatory floodplain and regulatory floodways) provisions, the Planning Commission, upon application, after hearing, and subject to the process and standards that follow, may grant variances to the provisions of this Section as will not cause detriment to the public good, safety, or welfare, nor be contrary to the spirit, purpose, and intent of this Section where, by reason of unique and exception physical circumstances or condition of a particular property, the literal enforcement of the provisions of this Section would result in an unreasonable hardship.

3. Variances may be granted only upon:

    a. Showing of good and sufficient cause; and

    b. A determination that the variance is the minimum necessary to afford relief; and

    c. A finding that failure to grant the variance would result in exceptional hardship to the applicant; and

    d. A finding that the granting of a variance would not result in increased flood heights, additional threats to public safety, or any public expense, nor create nuisances, cause fraud or victimization of the public, nor conflict with existing local laws or ordinances and that all buildings will be protected by methods that minimize flood damage during the base flood elevation; and

    e. A finding that the development activity cannot be located outside the regulatory floodplain; and

    f. A determination that the activity is not in a regulatory floodway, or if the activity is located within a regulatory floodway, a determination that: (i) the property associated with the development activity contained either a primary structure used for commercial purposes which was damaged or destroyed as a result of a casualty, or a secondary structure integral to the business operated on the property which was damaged or destroyed as a result of a casualty; (ii) no portion of the property was located within a regulatory floodway at the time the owner acquired the property; (iii) no portion of the property was located within a regulatory floodway when the structure was originally constructed; (iv) the structure was in use as an active business being operated as a going concern at such time that any portion of the property was placed in the regulatory floodway by virtue of regulatory action; (v) said use was continuously in operation until such time as the structure was damaged or destroyed as a result of a casualty; (vi) it would be inequitable to deny the property owner of the opportunity to rebuild a structure of the same footprint or less such that the business activity occurring prior to the casualty may be resumed; and (vii) the development activity would not result in any increase in flood levels during the base flood discharge. For development located within a regulatory floodway, a variance cannot be granted where the variance was requested more than 5 years after the damage or

destruction of the structure as a result of a casualty. Otherwise, a variance cannot be granted to any development located in a regulatory floodway; and[1]

g. The applicant's circumstances are unique and do not represent a general problem; and

h. The granting of the variance will not alter the essential character of the area involved including existing stream uses.

4. A public notice will be issued inviting public comment on all proposed variances. The City must publish a copy of the public notice 15 days before public hearing to allow for community comment. The Planning Commission must hold the public hearing.

5. Variances requested in connection with restoration of a historic site or building listed on the National Register of Historical Places or documented as worthy of preservation by the South Carolina Historic Preservation Agency may be granted using criteria more permissive than the requirements contained in this Section.

6. The Administrator or designee must notify an applicant in writing that a variance from the requirements of the regulatory floodplains and regulatory floodways requirements that would lessen the degree of protection to a building will result in increased premium rates for flood insurance up to amounts as high as $25.00 for every $100.00 of insurance coverage, increase the risks to life and property, and require that the applicant will acknowledge in a signed exception to title the assumption of the risks and liability and will pay upon approval of the variance a recording fee above and beyond the usual permit review fee.

7. In a regulatory floodplain, a variance cannot be granted that will result in a loss of the regulatory floodplain storage.

8. Variances requested in connection with the redevelopment of previously developed sites that will further the public policy goals of downtown redevelopment and neighborhood revitalization and meet the requirements of ***paragraph A.*** above may be granted provided the variance would not result in an increase in the pre-redevelopment runoff rate for the 25-year, 10-year and 2-year storm events and existing adequate downstream stormwater capacity exists.

9. Due to the unique nature of a public road project by a public entity occurring in an existing narrow right-of-way instead of an expansive tract of land, variances requested in connection with a public road that will further the public policy of minimizing the condemnation of private or public property may be granted using criteria more permissive than the requirements of this Section to the minimum extent necessary to achieve the least amount of condemnation.

10. Written findings must be made public for all variances and must be on file with the City.

B. Waivers

For soil erosion and sediment control and stormwater conveyance system provisions, the Administrator or designee, upon application, may grant a waiver to these provisions as will not cause detriment to the public good, safety, or welfare, nor be contrary to the spirit, purpose, and intent of this Section where, by reason of unique and exceptional physical circumstances or condition of a particular property, the literal enforcement of the provisions of this Section would result in an unreasonable hardship. The conditions for granting a waiver must be the same as those enumerated above for a variance.

C. Appeals

Appeals to the decision of the Administrator or designee as it relates to waivers must be appealed to the Planning Commission as detailed in the variance process. A person having a substantial interest affected by a decision of the Planning Commission may appeal the decision to the circuit court of Greenville County by filing with the clerk of the court a petition setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the written decision of the council is issued.

19-5.3.10. ACCESS AND INSPECTION.

A. Access

Representatives of the City and of any federal and state unit of government are authorized to enter upon any land or water to inspect development activity, to verify the existing conditions of a development site that is currently under permit review, and to verify compliance with this Section whenever the City deems necessary.

B. Inspection

The City of Greenville adopts the inspections subsection of the most current SCDES construction general permit with amendments listed below:[4]

1. If at any stage of the grading of any development site the Administrator or designee determines that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, stream, lake, wetland, or drainage structure, the Administrator or designee may require, as a condition of allowing the work to be done, that such reasonable special precautions be taken as is considered advisable to avoid the likelihood of such peril. Special precautions may include, but must not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, installation of plant materials for erosion control, and recommendations of a licensed soils engineer and/or engineering geologist which may be made requirements for further work.

2. Where the Administrator or designee determines that storm damage may result or has resulted during development, work may be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. The Administrator or designee may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.

19-5.3.11. ILLICIT DISCHARGES, CONNECTIONS, SPILLS AND NUISANCES

A. Purpose and Intent

The purpose and intent of this Subsection is to provide for the health, safety and general welfare of the citizens of Greenville through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Subsection establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Section are:

1. To regulate the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges by any user;
2. To prohibit illicit connections and discharges to the municipal separate storm sewer system;
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Section.

B. Illicit Discharges

A person cannot discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. Prohibited substances include, but are not limited to, oil, anti-freeze, chemicals, animal waste, paints, garbage, and litter. Dumping, depositing, dropping, throwing, discarding or leaving of litter, construction material debris, yard waste and all other illicit discharges into the stormwater management system are prohibited. Saltwater pools must not be discharged to the stormwater management system. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by this Section: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air-conditioning condensation, springs, noncommercial washing of vehicles, commercial car washes that are in compliance with the NPDES general permit for vehicle wash water discharges, natural riparian habitat or wetland flows, swimming pools or fountain drains (dechlorinated, less than 0.01 parts per million chlorine), firefighting activities, street wash water, and any other water source not containing pollutants.
2. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.
3. Dye testing is an allowable discharge, but requires notification to the authorized enforcement agency prior to the time of the test.
4. The prohibition must not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency or SCDES, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.[4]

C. Illicit Connections

1. Connections to a stormwater conveyance or stormwater conveyance system that allow the discharge of non-stormwater, other than the exclusions described in ***paragraph B.*** above, are unlawful. Prohibited connections include, but are not limited to: floor drains, wastewater from washing machines or sanitary sewers, and wastewater from septic systems. Where it is determined that said connection:
    a. May result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat; or

b. Was made in violation of any applicable regulation or ordinance, other than this Subsection; the Administrator or designee must designate the time within which the connection must be removed. In setting the time limit for compliance, the Administrator or designee must take into consideration:

i. The quantity and complexity of the work,

ii. The consequences of delay,

iii. The potential harm to the environment, to the public health, and

iv. The cost of remedying the damage.

D. Spills

Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to the stormwater conveyance system must be contained, controlled, collected, and properly disposed. All affected areas must be restored to their pre-existing condition. Persons in control of the polluting substances immediately prior to their release or discharge, and persons owning the property on which the substances were released or discharged, must immediately notify the City of Greenville emergency management coordinator and the public works department of the release or discharge, as well as making any required notifications under state and federal law. Notification cannot relieve any person of any expenses related to the restoration, loss, damage, or any other liability which may be incurred as a result of said spill or leak, nor can such notification relieve any person from other liability which may be imposed by state or other law.

E. Nuisances

Any condition caused or permitted to exist in violation of any of the provisions of this Subsection is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

19-5.3.12. ENFORCEMENT

A. Violations; Penalties; Maintenance; Restoration

1. A person is in violation of this Section when he:

   a. Commences or conducts an activity described in this Section without prior approval from the environmental bureau;

   b. Deviates from an approved stormwater permit or drainage plan;

   c. Fails to maintain drainage facilities under that person's ownership or control; or

   d. Changes the drainage patterns along the property line or stormwater conveyance system and as a result water has flooded or is reasonably likely to flood land or a building other than that of the property owner.

2. Any activity undertaken in violation of this Section must be halted immediately after written notice by the City is issued. The violator must be required to restore any altered land to its undisturbed condition or restore it to such condition in which it would not shed stormwater in violation of the control

requirements for stormwater runoff. In the event that restoration is not undertaken within 30 days, the City may perform restoration on the property. The cost of the restoration will become a lien upon the real estate where such restoration occurred and must be collectible in the same manner as the municipal taxes.

B. Procedure for Maintenance or Restoration and Placing of Liens

1. Notice of Violation

If land has been altered in violation of this Subsection or drainage facilities are not maintained as required by this Section, the record owner of the property must be notified in writing and the notice must demand that such owner cause the condition to be remedied. Notice will be deemed achieved when sent by regular United States mail to the last known address reflected on county tax records, or such address as has been provided by the person to the City. Notice must also be posted upon the property on which the violation exists. Notice may be served by hand delivery to the owner of record of the property in lieu of mailing.

2. Recorded Violation

The City may record a notice of violation on the title to the property at the Greenville County recorder of deeds office.

3. Appeals

Within 10 days after the date of the notice, the owner or the designated agent of the owner may file an appeal to show that the violation alleged in the notice does not exist or has not occurred. The appeal must be in writing and must be provided to the environmental engineering division of public works.

4. Condition May Be Remedied by City

If no appeal has been made, the violation has not been remedied within 30 days, or remediation has not commenced within a timeline acceptable to the City, the City may elect to cause the condition to be remedied. The costs of remedying the condition as well as such administrative and other costs as are necessary will be charged against the property as a lien upon the real estate where such restoration occurred and must be collectible in the same manner as the municipal taxes.

5. Preparation of Lien

After causing the condition to be remedied, the City will determine the cost involved in remedying the condition, including all administrative and other costs as are necessary to correct the violation, and will determine the proportionate costs that each property should bear.

6. No Duty on the City

This Subsection creates no affirmative duty on the City to inspect, and it imposes no liability of any kind whatsoever on the City for omissions in inspecting. The landowner must hold the City harmless from any liability in the event the stormwater management system fails to operate properly due to the landowner's failure to abide by the terms of this Section.

C. Stop Work Order

Whenever the Administrator or designee finds a violation of this Section or of any permit or order issued pursuant thereto, within their respective jurisdiction, the Administrator or designee may issue a stop work order on all development activity on the subject property or on the portion of the activity in direct violation of the Section. In every case, the Administrator or designee must issue an order that:

1. Describes the violation;
2. Specifies the time period for remediation; and
3. Requires compliance with this Section prior to the completion of the activity in violation.

D. Fine

Failure by the owner or responsible party to comply with any of the requirements of this Section, including conditions and safeguards established in connection with grants of variance or special exceptions, constitutes a violation. Any violation thereof is subject to a fine of not more than $1,000.00, or such additional maximum amount as may become authorized by state law, for each violation. Each day the violation continues is considered a separate offense.

E. Civil Penalty

Any person who violates any provision of this Section is subject to a civil penalty of not more than $1,000.00, or such additional maximum amount as may become authorized by state law, provided the owner or other person deemed to be in violation has been notified of a violation. Notice will be deemed achieved when sent by regular United States mail to the last known address reflected on the county tax records, or such other address as has been provided by the person to the City. This provision is in addition to the enforcement provisions of the City of Greenville, Code of Ordinances ***Sec 19-6.4.***

F. Other Legal Action

The City may also take any other legal action necessary to prevent or remedy any violation, including appropriate equitable or injunctive relief and, if applicable, an assessment to the violator for the removal, correction, or termination of any adverse effects upon any property resulting from any unauthorized activity for which legal action under this Subsection may have been brought.

G. National Flood Insurance Act

The Administrator or designee must inform the owner that any such violation is considered a willful act to increase flood damages and, therefore, may cause FEMA to initiate a Section 1316 of the National Flood Insurance Act of 1968 action.

H. Exclusivity

The remedies listed in this Section are not exclusive of any other remedies available under any applicable federal, state, or local law and is within the discretion of the authorized enforcement agency to seek cumulative remedies.

19-5.3.13. DISCLAIMER OF LIABILITY

It is recognized that although the[1] degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations, on occasions greater floods can and will occur, and flood heights may be increased by man-made or natural causes. These provisions do not imply that land outside the floodplain areas or that uses permitted within such areas will be free from flooding or flood damages. These provisions must not create liability on the part of the City of Greenville nor any officer or employee thereof, for any claims, damages or liabilities that result from reliance on this Section or any administrative decision lawfully made hereunder.

19-5.3.14. ABROGATION AND GREATER RESTRICTIONS

This Section is not intended to repeal, abrogate or impair any existing deed or plat restrictions. Where this Section and other ordinance deed or plat restrictions conflict or overlap, whichever imposes the more stringent restrictions prevail. This Section is intended to repeal the original ordinance or resolution which was adopted to meet the National Flood Insurance Program regulations, but is not intended to repeal the resolution which the City of Greenville passed in order to establish initial eligibility for the program.

DIV. 19-5.4. ENVIRONMENTAL PROTECTION APPENDICES

19-5.4.1. APPENDIX A: DEFINITIONS

The following words, terms and phrases, when used in this appendix or applying the provisions thereof, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning:

Accessory structure. Structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal investment, may not be used for human habitation, and shall be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Addition (to an existing building). An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or load-bearing wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.[2]

Adequate downstream stormwater capacity. A stormwater management system shall be considered to have adequate downstream stormwater capacity if the system can be shown to store or convey up to and including the 100-year stormwater runoff without increasing damage to adjoining properties or to a point downstream known to the administrator or designee to be a restriction causing significant backwater.

Administrator. The person or persons designated by the city manager to interpret, implement, and enforce all or portions of the stormwater ordinance.

Agricultural practices. These practices include normal farming, silviculture and ranching activities such as gardening, plowing, seeding, cultivating, harvesting for the production of food, fiber, forest products, nursery stock and livestock; maintenance of agricultural drain tiles, irrigation and drainage ditches; maintenance of farm roads and other access areas for farm vehicles and equipment use.

Apartment buildings. See "dwelling,multiple-family."

Apartment complex. Multiple apartment buildings located on the same lot.

Applicant. Any person, firm or governmental agency who owns property or the duly appointed representative that wishes to develop that property and one who executes the necessary forms to procure a permit to carry out such development from the city.

Aquatic Resources. Areas known as waters of the United States, waters of the State, and wetlands as defined in the *1987 Corps of Engineers Wetlands Delineation Manual*.[4]

As-built drawings. As-built surveys, drawings or plans must be prepared by a land surveyor licensed in the state of South Carolina. Horizontal survey datum control shall be based upon, and referenced to, South Carolina State Plane, NAD83 HARN, International Feet coordinates. Vertical survey datum control shall be based upon, and referenced to, the North America Vertical Datum of 1988 (NAVD 88).

Base flood. The flood having a one percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year frequency flood event.

Base flood elevation (BFE). The elevation delineating the level of flooding resulting from the one percent chance (100-year flood) frequency storm event.

Basement. Any enclosed area of a building (below grade) on all sides.

Basin. Sub-watershed area within the City of Greenville.

Basin plan. A study and evaluation of an individual drainage basin's stormwater management, flood control, and restoration/mitigation needs.

Best management practice (BMPs). Design, construction, and maintenance practices and criteria for stormwater facilities that minimize the impact of stormwater runoff rates and volumes, prevent erosion and capture pollutants.

Building. See "Structure."

Buffer. An area of predominantly vegetated land to be left open, adjacent to drainageways, wetlands, lakes, ponds or other surface waters for the purpose of eliminating or minimizing adverse impacts to such areas.

Bypass. To route tributary drainage area runoff around and not through a stormwater control structure.

Channel modification. Alteration of a stream channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating and lining and significant removal of bottom or woody vegetation of the channel. Channel modification does not include the clearing of dead or dying vegetation, debris, or trash from the channel.

Compensatory storage. An excavated, hydraulically equivalent volume of storage used to offset the loss of natural flood storage capacity when artificial fill or structures are placed within a regulatory floodplain.

Conditional approval regulatory floodway map change. Preconstruction approval by the Federal Emergency Management Agency of a proposed change to the regulatory floodway map and/or BFE. This pre-construction approval, pursuant to this part, gives assurance to the property owner that once an appropriate use is constructed according to permitted plans, the regulatory floodway map and/or BFE can be changed, as previously agreed, upon review and acceptance of as-built plans.

Conditional letter of map revision (CLOMR). A letter which indicated that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or regulatory floodway and/or BFE as shown on an effective flood hazard boundary map or flood insurance rate map, once the as-built plans are submitted and approved.

Condominium. A type of development in which the dwelling units, offices, floor area, etc., are owned individually and the structure, common area, and joint facilities are owned by all of the individual owners on a proportional and undivided basis.

Control structure. A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

Critical facility. A facility that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house

occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical facilities include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

Dam. Any artificial barrier, together with appurtenant works, including, but not limited to, dams, levees, dikes or floodwalls for the impoundment or diversion of water or other fluids where failure may cause danger to life or property.

Damage. A measurable rise in flood heights on property currently subject to flooding, flooding of property currently not subject to flooding unless it is contained within the streambanks or a deed or plat restricted area or increases in velocity to the point where the rate of land lost to erosion and scour is significantly increased.

Deed or plat restriction. Permanent easements, covenants, deed restricted open spaces, outlots, reserved plat areas, and conservation easements dedicated to meet the requirements of this article, or public road rights-of-way that contain any part of the stormwater management system of a development.

Depressional storage areas. Nonriverine depressions where stormwater collects.

Design storm. A selected storm event, described in terms of the probability of occurring once within a given number of years, for which stormwater or flood control improvements are designed and built.

Detention facility. A man-made structure for the temporary storage of stormwater runoff with controlled release during or immediately following a storm.

Detention volume safety factor. A multiplication factor applied to a development's detention volume when the detention facility is constructed on-stream.

Developed commercial/industrial property. Developed property which does not serve the primary purpose of providing permanent dwelling units for single-family attached units and single-family detached units, regardless of the zoning district in which such property is located. Such property shall include all multiple-family dwellings and nonresidential property, including, but not limited to, duplex dwellings, apartment buildings and complexes, condominiums, boardinghouses, commercial properties, industrial properties, parking lots, streets, trails, recreational, institutional and governmental facilities, hotels, offices, schools and other educational facilities, theaters and other facilities for performances, and churches and other religious institutions.

Developed property. Real property which has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures or other impervious area. For new construction, property shall be considered developed property upon final approval of site improvements by the city.

Developed residential property. Developed property which serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which such property is located, for single-family detached units and duplexes, and which may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings, or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

Disturbance. An area where the land surface has been cleared, grubbed, compacted, or otherwise modified to alter stormwater runoff, volumes, rates, flow direction, or inundation duration.

Drainage area. The land area above a given point that contributes stormwater to that point.

Dry detention facility. A dry detention facility is a detention facility designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

Dwelling, duplex. A residential building containing two dwelling units located on a single lot.

Dwelling, multiple-family. A residential building containing three or more dwelling units located on a single lot. This includes apartment buildings.

Dwelling, single-family attached. Two or more single-family dwelling units located on separate lots each with its own outside entrance which are joined together by a common party wall or connecting permanent structures such as breezeways, carports or garages.

Dwelling, single-family detached. A residential building containing not more than one dwelling unit and not physically attached to any other principal structure, specifically excluding manufactured homes.

Dwelling unit. A building or portion of a building designed and used as independent living facilities for a single household and that includes permanent provisions for living, sleeping, cooking, eating, and sanitation.

Elevation certificate. A form published by the Federal Emergency Management Agency that is used to certify the elevation to which a building has been constructed.

Emergency overflow. The structure in a stormwater management system designed to protect the system in the event of a malfunction of the primary flow structure or a storm event greater than the system design. The emergency overflow capacity initiates at the facility design high water level or base flood elevation.

Equivalent residential unit (ERU). The total impervious area of a typical single-family residential property, and is defined as the median impervious area of a representative sample of all developed residential properties in the single-family residential category. The equivalent residential unit is 2,389 square feet.

Erosion. The process whereby soil is removed by flowing water or wave action.

Existing manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an existing manufactured home park. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Fee. The annual monetary amount charged to a property owner of record of real property for the services provided by the stormwater utility system and program.

FEMA. The Department of Homeland Security, Federal Emergency Management Agency and its regulations codified as 44 CFR 59-79. The following documents are incorporated by reference and may be used by the local floodplain administrator to provide further guidance and interpretation of this article as found on FEMA's website at *www.fema.gov*:

a. All FEMA technical bulletins.

b. All FEMA floodplain management bulletins.

c. FEMA 348 protecting building utilities from flood damage.

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood frequency. A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

Flood insurance rate maps (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special hazard and the risk premium zones applicable to the community.

Flood insurance study. The official report provided by the Federal Emergency Management Agency with contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain (regulatory). See "Regulatory floodplain."

Floodplain management. An overall program of corrective and preventive measures for avoiding or reducing future flood damage.

Floodplain study. A study, formally adopted by the city, excluding base flood determinations performed for a specific development site, that examines, analyzes, evaluates or determines the hydraulic and hydrologic characteristics of flood hazards for a basin or partial basin area. To be used as a regulatory instrument the study shall, at a minimum, meet the FEMA criteria specified in Guidelines and Specifications for Flood Hazard Mapping Partners, most current version.

Floodprone area. Any area inundated by the base flood.

Floodproofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures or property which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodproofing certificate. A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

Flood protection elevation (FPE). The base flood elevation plus two feet of freeboard required and four feet of freeboard recommended at the discretion of the administrator or designee.

Flood-resistant material. Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable, are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2,

Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Floodway (regulatory). See "Regulatory floodway."

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. The term "freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

High quality aquatic resources (HQAR). Waters of the United States or waters of the state that are determined to be critical due to their uniqueness, scarcity, function, and/or value.

Historic structure. Any structure that is:

a. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the national register;

b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

c. Individually listed on the state inventory of historic places; or

d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:

   i. By an approved state program as determined by the Secretary of Interior; or

   ii. Directly by the Secretary of Interior in states without approved programs.

Some structures or districts listed on the state or local inventories may not be "historic," as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the historic structure criteria of the Department of Interior. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina department of archives and history has individually determined that the structure or district meets Department of Interior historic structure criteria.

Hydraulically equivalent compensatory storage. Compensatory storage placed between the proposed normal water elevation and the proposed 100-year flood elevation. All storage lost or displaced below the existing ten-year flood elevation is replaced below the proposed ten-year flood elevation. All storage lost or displaced above the existing ten-year flood elevation is replaced above the proposed ten-year flood elevation.

Hydrologic and hydraulic calculations. Engineering analysis which determines expected flood flows and flood elevations based on land characteristics and rainfall events.

Hydrophytic vegetation. Plant life typically adapted for life in saturated soil conditions or water.

Illicit discharge. Any discharge or dumping of material into the stormwater management system, a floodprone area, or a water of the U.S./state that is not composed entirely of stormwater, except for discharges allowed under a National Pollution Discharge Elimination System (NPDES) permit or nonpolluting flows.

Impervious surface. Any hard-surfaced, man-made area that does not readily absorb or retain water, including, but not limited to, building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

Impervious surface area ratio. Refers to the ratio of impervious surface to total parcel area.

In-kind replacement (culvert). An in-kind culvert replacement has an equivalent cross-sectional area, shape, roughness coefficient, and inlet and outlet elevations; or the replacement may be shown to have an equivalent hydraulic capacity using appropriate engineering calculations.

Lake. A natural or artificial body of water encompassing an area of two or more acres which retains water throughout the year.

Lateral addition. Improvements that increase the building footprint square footage. If the common wall is demolished as part of the project, then the entire structure must be elevated. If only a doorway is knocked through the existing structure, then only the additional has to be elevated.

Letter of map amendment (LOMA). The official determination by FEMA that a specific structure is not in a special flood hazard area; amends the effective flood hazard boundary map (FHBM) or flood insurance rate map (FIRM).

Letter of map revision (LOMR). A letter issued by FEMA that revises base flood elevation, flood insurance rate zones, flood boundaries or regulatory floodways as shown on an effective flood hazard boundary map or flood insurance rate map.

Littoral zones.

a. The littoral zone is that portion of a wet detention pond which is designed to contain rooted aquatic plants. The littoral area is usually provided by extending and gently sloping the sides of the pond down to a depth of two to three feet below the normal water level or control elevation. Also, the littoral zone can be provided in other areas of the pond that have suitable depths (i.e., a shallow shelf in the middle of the lake).

a. The littoral zone is established with native aquatic plants by planting and/or the placement of wetland soils containing seeds of native aquatic plants. A specific vegetation establishment plan must be prepared for the littoral zone. The plan must consider the hydroperiod of the pond and the type of plants to be established.

Low impact development (LID). A stormwater management strategy concerned with maintaining or restoring the natural hydrologic functions of a site to achieve natural resource protection objectives and fulfill environmental regulatory requirements.

Lowest adjacent grade. An elevation of the lowest finished ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Lowest floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of the Code of Federal Regulations 44, Part 60.3.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" also includes park trailers, recreational vehicles, and other similar vehicles installed on-site for more than 180 consecutive days.

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. Market value shall be determined based on:

a. An independent appraisal by a professional appraiser. The appraisal must exclude the value of the land and not use the income capitalization approach which bases value on the use of the property, not the structure; or

b. Detailed estimates of the structure's actual cash value. The replacement cost for a building, minus a depreciation percentage based on age and condition.

Mitigation. Measures taken to eliminate or minimize damage from development activities, such as construction in wetlands or regulatory floodplain filling, by replacement of the resource.

Natural. When used in reference to streams and channels, means those streams and channels formed by the existing surface topography of the earth prior to changes made by man. A modified stream and channel which has regained natural characteristics over time as it meanders and reestablishes vegetation may be considered natural.

NAVD. North American Vertical Datum of 1988. The datum listed as the reference datum on flood insurance rate maps should be used for elevation certificate and floodproofing certificate completion.

New construction. For the purposes of determining insurance rates, means structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and included any subsequent improvements to such structures. For floodplain management purposes, the term "new construction" means structures for which the start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and included any subsequent improvements to such structures.

New impervious surface. Area which is created after the original effective date (February 1, 2008) of this chapter.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulation adopted by a community.

Nonriverine regulatory floodplain. Regulatory floodplains not associated with streams, creeks, or rivers, such as isolated depressional storage area or lakes.

On-stream detention. A detention facility constructed in whole or in part on a jurisdictional watercourse.

Ordinary high-water mark. The point on the bank or shore established by the fluctuations of water and indicated by physical characteristics. Distinctive marks may be present, such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other such recognized characteristics.

Ownership parcel. Any legally described parcel of land. This includes contiguous lots or parcels of land, owned in whole, or in part, by the same property owner.

Pollutant. Any substance harmful to the environment that is not authorized for discharge from a storm sewer by a SCDHEC MS4 or NPDES permit.

Pond. A natural or artificial body of water of less than two acres which retains water year-round.

Pre-development. Pre-development conditions for the purpose of this chapter assume land use conditions prior to the proposed development or re-development. In such cases where development is initiated prior to receiving appropriate local, state, and federal permits, the existing land use condition will be assumed to be native forest.

Property owner of record. The person identified as owner by county tax records.

Public flood control project. A flood control project within a deed or plat restricted area, which will be operated and maintained by a public agency to reduce flood damages to existing buildings or structures. A land stewardship not-for-profit corporation, or similar entity, may also own, operate, or maintain a public flood control project. In this circumstance, there shall also be an executed agreement with a public agency to take over ownership, operation, or maintenance if the corporation dissolves or fails to meet the operation and maintenance requirements for the project area. The project shall include a hydrologic and hydraulic study of the existing and proposed conditions of the watershed area affected by the project. Nothing in this definition shall preclude the design, engineering, construction, or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

Public road or trail development. Means any development activities which take place in a public right-of-way or part thereof or easement that is administered and funded, in whole or in part, by a public agency under its respective roadway jurisdiction. A public road development located within a regulatory floodway and which has been approved by the South Carolina department of transportation is exempt from the hydraulic analysis requirements of this chapter. Individual recreation trail systems being constructed as part of another development project are not considered public road or trail development.

Reconstruction. The act of rebuilding a structure.

Recreational vehicle. A vehicle which is:

a. Built on a single chassis;

b. Four hundred square feet or less when measured at the largest horizontal projection;

c. Designed to be self-propelled or permanently towable by a light duty truck; and

d. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered professional engineer. An engineer licensed in the state under the S.C. Code of Regulations Chapter 49.

Regulatory floodplain. As defined in subsection *19-5.3.7.*

Regulatory floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Repair, remodeling or maintenance. Activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

Repetitive loss. Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Retention facilities. A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, or pumping.

Revenues. All fees, assessments or other income received by the stormwater utility, including, but not limited to, amounts received from the investment or deposit of monies in any fund or account, and all amounts received as gifts or donations, and the proceeds from the sale of bonds to finance the stormwater management program, or any other type of funds derived from grants, charges or loans which by purpose or effect relate to stormwater management activities.

Riparian environment. Vegetated areas within the limits of the regulatory floodplain or floodprone area conveyance path, bordering a waterway that provides habitat or amenities dependent on the proximity to water.

Riverine. Relating to, formed by, or resembling a river, creek or stream.

Roadside ditches. Drainage ditches within 25 feet from the edge of the outside travel lane.

Section 1316 of the National Flood Insurance Act of 1968. The act that provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

Sedimentation. The process that deposits soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

Special flood hazard area (SFHA). Means any area subject to inundation by the base flood from a river, creek, stream, or any other identified channel or ponding and shown on the regulatory floodplain map as listed in appendices B and C.

Start of construction. The date the permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement was within 180 days of the permit date. The actual start date includes the first day of any land preparation, including clearing, grading, filling, or excavation. For substantial improvements, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Stormwater facility. See "Stormwater management system."

Stormwater management. A set of actions taken to control stormwater runoff with the objectives of providing controlled surface drainage, flood control, and pollutant reduction in runoff.

Stormwater management system. All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and man-made impoundments, wetlands, wetland buffers, riparian environment, tile, swales, sewers, BMPs or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

Stormwater permit. A permit established by this article and issued through the city prior to the approval of a building permit signifying conformance with provisions of this article.

Stormwater technical reference manual (TRM). The city's technical reference manual. This manual contains design guidance for a development site to meet the stormwater ordinance performance standards.

Stream channel. Any river, stream, creek, brook, or branch in or into which surface or groundwater flows, either perennially or intermittently.

Structure. A walled or roofed building, a manufactured home, including a gas or liquid storage tank, that is principally above ground.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. See Substantial improvement.

Substantial improvement. Any repair, reconstruction, addition, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement or repair. The term includes all structures that have incurred repetitive loss or substantial damage, regardless of the actual repair work performed. The term "does not, however, include either:

a. Any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions; or

b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Permits shall be cumulative for a period of ten years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether substantial improvement will occur.

Swale. A vegetated channel, ditch, or low-lying or depressional tract of land that is periodically inundated by conveying stormwater from one point to another.

Transition section. The reaches of the stream or regulatory floodway where water flows from a narrow cross-section to a wide cross-section or vice-versa.

Undeveloped commercial/industrial property. Undeveloped property located within a zoning district in which multifamily, industrial, service or commercial uses are included as permitted uses.

Undeveloped residential property. Undeveloped property with permitted uses for single-family attached dwellings and single family detached dwellings, specifically excluding multiple-family dwellings, condominiums, duplex dwellings, industrial, service, and commercial permitted uses.

Violation. Failure of a structure, development, or stormwater discharge to be fully compliant with the regulations identified by ordinance.

Water dependent. Structures or facilities relating to the use of, or requiring access to, the water or shoreline. Examples of water-dependent uses include, but are not limited to, pumping facilities, wastewater treatment facilities, facilities and improvements related to recreation boating or commercial shipping.

Watershed. The land area above a given point on a channel that contributes stormwater to that point.

Watershed benefit. A decrease in flood damages to structures or an improvement in water quality upstream or downstream of the development site created by installation of the stormwater management system. The benefit must be beyond the benefit provided by meeting the minimum stormwater ordinance standards and stormwater technical reference manual guidance.

Waters of the state. The South Carolina Pollution Control Act defines waters of the state as: lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits of the state and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the state or within its jurisdiction. The definition includes, but is not limited to:

a. All waters such as lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, wet meadows, or natural ponds.

b. All impoundments of waters not otherwise defined as waters of the state under the definition.

c. Tributaries of waters identified above.

d. Wetlands adjacent to waters identified above.

For clarification, waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the state. It should also be noted that the following waters are generally not considered to be waters of the state:

a. Drainage and irrigation ditches excavated on dry land.

b. Artificially irrigated areas that would revert to upland if the irrigation ceased.

c. Artificial lakes created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stormwater storage, stock watering, irrigation, or settling basins.

d. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.

e. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the state.

Waters of the United States. For the purpose of this chapter, means those water bodies and wetland areas that are under the U.S. Army Corps of Engineers' jurisdiction.

Wet detention facility. A wet detention facility designed to maintain a permanent pool of water at least three feet in depth after the temporary storage of stormwater runoff.

Wetland. Lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation) defined as wetlands in the *1987 Corps of Engineers Wetlands Delineation Manual.* A wetland is identified based upon the three attributes:[4]

a. Hydrology;

b. Soils; and

c. Vegetation as mandated by the current federal wetland determination methodology.

Wetland impact. Aquatic Resources that are disturbed or otherwise adversely affected by flooding, filling, excavation, or drainage which results from implementation of a development activity.[4]

19-5.4.2. APPENDIX B: CITY OF GREENVILLE FLOODPLAIN STUDIES

The adopted City Floodplain Study is the "2019 City of Greenville Floodplain Study" as defined in the "City of Greenville Stormwater 2.0 Modeling Summary Report" dated June 2019.

19-5.4.3. APPENDIX C: FEMA FLOOD INSURANCE STUDY MAPS AND PROFILES

PRODUCT ITEM ID	ITEM NAME	EFFECTIVE DATE
45045CV001D	Flood Insurance Study (FIS)	5/4/2021
45045CV002D	Flood Insurance Study (FIS)	5/4/2021
45045CV003D	Flood Insurance Study (FIS)	5/4/2021
45045CV004D	Flood Insurance Study (FIS)	5/4/2021
45045CV005D	Flood Insurance Study (FIS)	5/4/2021
45045CV006D	Flood Insurance Study (FIS)	5/4/2021
45045CV007D	Flood Insurance Study (FIS)	5/4/2021
45045CV008D	Flood Insurance Study (FIS)	5/4/2021
45045CV009D	Flood Insurance Study (FIS)	5/4/2021
45045CV010D	Flood Insurance Study (FIS)	5/4/2021

PANEL NUMBER	ITEM NAME	EFFECTIVE DATE
45045CIND3D	Flood Insurance Rate Map (FIRM)	5/4/2021
45045CIND2D	Flood Insurance Rate Map (FIRM)	5/4/2021
45045CIND1D	Flood Insurance Rate Map (FIRM)	5/4/2021
45045C_NTU_LETTER	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C_NTU_20210624	Flood Insurance Rate Map (FIRM)	5/4/2021

PANEL NUMBER	ITEM NAME	EFFECTIVE DATE
45045C0414E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0413E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0412E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0411E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0408E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0406E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0404E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0403E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0402E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0401E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0392F	Flood Insurance Rate Map (FIRM)	1/18/2019
45045C0391F	Flood Insurance Rate Map (FIRM)	1/18/2019
45045C0384E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0383E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0382E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0381E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0338E	Flood Insurance Rate Map (FIRM)	8/18/2014
45045C0319E	Flood Insurance Rate Map (FIRM)	8/18/2014

19-5.4.4. APPENDIX D: ADMINISTRATOR OR DESIGNEE DUTIES

This appendix delineates requirements or duties required of its designated administrator or designee. Certain requirements or duties specified by FEMA and SCDES are for the purposes of the city maintaining eligibility for participation in the National Flood Insurance Program and delegation of state permit authority. These certain requirements or duties relate only to the intergovernmental relationship between the city and FEMA or SCDES and they do not and are not intended to create any third party beneficial rights in or for applicants, property owners, or others.[4]

A. One of the primary duties of the administrator or designee shall be to oversee the review all stormwater permit applications and issue permits for those projects that are in general compliance with the provisions of the chapter. The administrator or designee shall be responsible for the administration and enforcement of this chapter.

B. The administrator or designee shall determine for each development if it is in a special flood hazard area (SFHA) using the criteria specified in ***Section 19-5.3.7***. If a site is in a SFHA, a determination is required as to whether it is in a regulatory floodway, or a regulatory floodplain on which a detailed study has not been conducted, or a floodprone area with a tributary drainage area equal to or greater than 640 acres, greater than 40 acres, or greater than 20 acres.

C. The administrator or designee shall ensure that a SCDES dam safety permit or a letter stating that no dam safety permit is required is obtained if the development includes a dam before the issuance of a stormwater permit.[4]

D. The administrator or designee may require deed restrictions, performance bonds or sureties, as-built certification, or maintenance guarantees as stipulated in this chapter to ensure projects are built and maintained according to permitted plans. The administrator or designee must approve the estimated probable cost used in determination of the performance bond or other surety.

E. A registered professional engineer employed by or under contract with the city, or a reviewer under the direct supervision of a registered professional engineer, shall review any plans, calculations, or analyses submitted by a registered professional engineer pursuant to the requirements of this article.

F. The administrator or designee shall ensure that proposed amendments to this article and appendices are done in accordance with applicable state or federal law and approved by SCDES and SCDNR.[4]

G. Prior to the issuance of a stormwater permit, and based on the reliance that the application requirements have been met, the administrator or designee shall further ensure, to the best of their knowledge and belief, that the applicant has obtained and provided copies of any and all required federal, state permits for all development. Reference appendix F of this article for a partial list of permits that may be applicable.

H. The administrator or designee shall inspect all development projects before, during, and upon completion of construction to ensure proper elevation of the structure and to ensure compliance with the provisions of this chapter. The administrator or designee may require a pre-construction meeting as a condition of issuing a permit.

I. For the following types of regulatory approvals or permit authority, the city has jurisdiction within depressional floodprone areas with greater than 20 acres of tributary area and riverine floodprone areas with greater than 40 acres of tributary area. FEMA has jurisdiction within all regulatory floodways or floodplains with greater than 640 acres (one square mile) of tributary area.

    1. Base flood elevation determinations where none now exist.

    2. Any changes in the base flood elevation.

    3. Determination that the development is a public flood control project.

J. City has regulatory approval or permit authority for the following types of development:

    1. Determination that an existing bridge or culvert crossing proposed to be modified is not a source of flood damage and the analysis indicating the proposed flood profile.

    2. Alternative transition sections and hydraulically equivalent compensatory storage.

    3. Other development as specified within intergovernmental agreements with the City of Greenville.

K. The administrator or designee shall administer the submittal of the required data to the Federal Emergency Management Agency (FEMA) and the South Carolina Department of Natural Resources Land (SCDNR), water and conservation division, for proposed revisions to the base flood elevation of a regulatory floodplain study or a relocation of a regulatory floodway boundary. The administrator or designee shall submit reports as required for the National Flood Insurance Program.

L. The city will maintain a repository of stormwater management data for the city. Toward that end, the administrator or designee shall:

1. Maintain records for a period of five years from project completion for every stormwater permit application, permit, variance, hydrologic and hydraulic data, and enforcement action, and as-built drawings of the stormwater management system required by this chapter and shall allow periodic inspections of the records by FEMA or SCDES personnel.[4]

2. Maintain an elevation certificate and floodproofing certificate file, to certify the elevation of the lowest floor (including basement) of a residential or nonresidential building or the elevation to which a nonresidential building has been floodproofed, for all buildings constructed in the regulatory floodplain.

3. Maintain for public inspection and provide copies upon request of base flood data and maps, variance documentation, conditional letters of map revision, letters of map revision, letters of map amendment, elevation and floodproofing certificate, other stormwater permit related materials, and elevation and floodproofing as-built drawings for all buildings requiring floodproofing or constructed subject to the elevation criteria provisions of this chapter.

M. When base flood elevation data and floodway data is not available from FEMA, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, state, or other source, including data developed pursuant to the standards for subdivision proposals outlined in ***19-5.3.7.A.1.c.***, in order to administer the provisions of this ordinance. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data from a federal, state, or other source. Data must be developed using hydraulic models meeting the minimum requirement of NFIP approved model. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Part 67.5 and 67.6, the data does not have to be used.

N. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation.

O. Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program within six (6) months, of any annexations or detachments that include special flood hazard areas.

19-5.4.5. **APPENDIX E: PARTIAL LIST OF PERMITS REQUIRED** *(when applicable)*

A. United States Army Corps of Engineers (ACOE).

B. South Carolina Department of Transportation (SCDOT).

C. South Carolina Department of Environmental Services (SCDES).[4]

D. South Carolina Department of Natural Resources (SCDNR).

E. Greenville building permits.

F. State Historical Preservation Agency.

G. United States Fish and Wildlife Service.

H. Federal Emergency Management Agency (FEMA).

19-5.4.6. APPENDIX F: RAINFALL DEPTH DURATION FREQUENCY TABLES FOR CITY OF GREENVILLE

Rainfall duration frequency tables are located in the Engineering Design and Specifications Manual.

ART. 19-5 AMENDMENTS

1. *Code 2023, §19-5; Ord. No. 2024-16, §19-5, 3-11-2024*
2. *Code 2023, §19-5; Ord. No. 2024-63, §19-5, 10-14-2024*
3. *Code 2023, §19-5; Ord. No. 2025-14, §19-5, 2-10-2025*
4. *Code 2023, §19-5; Ord. No. 2025-59, §19-5, 8-25-2025*

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ART. 19-6. **ADMINISTRATION**

Div. 19-6.1. Authority 6-2
19-6.1.1. Summary of Review Authority 6-2
19-6.1.2. City Council 6-4
19-6.1.3. Planning Commission 6-4
19-6.1.4. Board of Zoning Appeals 6-5
19-6.1.5. Historic Review Board 6-5
19-6.1.6. Design Review Board 6-6
19-6.1.7. Administrator 6-6

Div. 19-6.2. Approval Processes 6-9
19-6.2.1. Common Review Procedures 6-9
19-6.2.2. Legislative Review 6-17
19-6.2.3. Minor Subdivision 6-21
19-6.2.4. Major Subdivision 6-25
19-6.2.5. Street Name Change 6-28
19-6.2.6. Minor Historic Certificate of Appropriateness 6-30
19-6.2.7. Major Historic Certificate of Appropriateness 6-32
19-6.2.8. Minor Urban Design Certificate of Appropriateness . . 6-36
19-6.2.9. Major Urban Design Certificate of Appropriateness . . . 6-38
19-6.2.10. Minor Site Plan 6-41
19-6.2.11. Major Site Plan 6-42
19-6.2.12. Sign Permit 6-44
19-6.2.13. Temporary Use Permit 6-45
19-6.2.14. Administrative Relief 6-46
19-6.2.15. Quasi-Judicial Review 6-47
19-6.2.16. Local Landmark Designation 6-50
19-6.2.17. Historically Significant Structures 6-53

Div. 19-6.3. Nonconformities 6-57
19-6.3.1. General 6-57
19-6.3.2. Nonconforming Use 6-58
19-6.3.3. Nonconforming Buildings 6-59
19-6.3.4. Nonconforming Signs 6-62
19-6.3.5. Nonconforming Parking Lots 6-63
19-6.3.6. Nonconforming lots of record 6-63

Div. 19-6.4. Enforcement 6-64
19-6.4.1. Purpose 6-64
19-6.4.2. General 6-64
19-6.4.3. Violations 6-65
19-6.4.4. Remedies and Penalties 6-66

DIV. 19-6.1. AUTHORITY

19-6.1.1. SUMMARY OF REVIEW AUTHORITY

The following table summarizes the review and approval authority of various review bodies and officials that implement and administer this Code.

		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE		
APPROVAL PROCESS		Administrator	Design Review Board	Historic Review Board	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted
Legislative Review	*Sec. 6.2.2.*									
Text Amendment		R				R-PH	D-PM		Y	
Zoning Map Amendment (Rezoning)		R				R-PH	D-PM	Y	Y	Y
Subdivision Review										
Minor Subdivision[2]	*Sec. 6.2.3.*									
Summary Plat		D								
Preliminary Plat		D								
Final Plat		D								
Major Subdivision	*Sec. 6.2.4.*									
Preliminary Plat		R				D-PM				
Final Plat		D								
Street Name Change[2]	*Sec. 6.2.5.*	R				D-PH		Y	Y	
Historic Review										
Minor Historic Certificate of Appropriateness	*Sec. 6.2.6.*	D								
Major Historic Certificate of Appropriateness	*Sec. 6.2.7.*	R		D-PM						Y
Local Landmark Designation[1]	*Sec. 6.2.16.*	R		D-PM						Y
Designation of Historically Significant Structures[1]	*Sec. 6.2.17.*	R		R-PH			D	Y	Y	Y
Demolition of Historically Significant Structures[1]	*Sec. 6.2.17.*	D								Y
Design Review										
Minor Urban Design Certificate of Appropriateness	*Sec. 6.2.8.*	D								

KEY: R = Review/Recommend D = Final Decision -PH = Public Hearing -PM = Public Meeting Y = Required

APPROVAL PROCESS		REVIEW AND APPROVAL AUTHORITY						PUBLIC NOTICE		
		Administrator	Design Review Board	Historic Review Board	Board of Zoning Appeals	Planning Commission	City Council	Mailed	Published	Posted
Major Urban Design Certificate of Appropriateness	*Sec. 6.2.9.*	R	D-PM							Y
Permit Review										
Minor Site Plan	*Sec. 6.2.10.*	D								
Major Site Plan	*Sec. 6.2.11.*	D								
Sign Permit	*Sec. 6.2.12.*	D								
Temporary Use Permit	*Sec. 6.2.13.*	D								
Administrative Relief	*Sec. 6.2.14.*	D								
Quasi-Judicial Review	*Sec. 6.2.15.*									
Variance		R			D-PH			Y	Y	Y
Special Exception Permit		R			D-PH			Y	Y	Y

KEY: R = Review/Recommend D = Final Decision -PH = Public Hearing -PM = Public Meeting Y = Required

19-6.1.2. CITY COUNCIL

A. General

The City Council is established as authorized in SC Code of Laws and ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Approval Authority

The City Council is responsible for final action regarding:

1. Comprehensive Plan adoption and amendments;
2. Master plan and neighborhood plan adoption and amendment;
3. Design guideline adoption and amendment;
4. Text amendments to this Code;
5. Map amendments to the official zoning map (rezoning);
6. Acceptance of public improvements during subdivision;
7. Encroachments into the public right-of-way; and
8. Any other action not delegated to the Planning Commission, Board of Zoning Appeals, Historic Review Board, Design Review Board or the Administrator.
9. Variances from provisions governing regulatory floodplains and regulatory floodways.[1]

19-6.1.3. PLANNING COMMISSION

A. General

The Planning Commission is established as authorized in ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Authority

1. Review and Recommend

The Planning Commission is responsible for review and recommendation regarding:

a. Comprehensive Plan adoption and amendments;

b. Text amendments to this Code; and

c. Map amendments to the official zoning map (rezoning).

d. Variances from provisions governing regulatory floodplains and regulatory floodways pursuant to ***Sec. 19-5.3.9.A.1.***[1]

2. **Approval**

The Planning Commission is responsible for final action regarding:

a. Engineering Design and Specifications Manual adoption, amendments, and appeals pertaining thereto; and[1]

b. Major Subdivision - Preliminary Plats.

c. Appeals of administrative decisions regarding Minor Subdivisions.

d. Variances and appeals from certain stormwater provisions as provided in ***Sec. 19-5.3.9.***[1]

19-6.1.4. BOARD OF ZONING APPEALS

A. General

The Board of Zoning Appeals is established as authorized in ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Authority

1. **Approval**

The Board of Zoning Appeals is responsible for final action regarding:

a. Variances;

b. Special Exception Permits; and

c. Appeals from administrative decisions on all approval processes of this Code, except:

i. Appeals considered by either the Historic Review Board or Design Review Board,

ii. Appeals of administrative decisions regarding Minor Subdivisions

19-6.1.5. HISTORIC REVIEW BOARD

A. General

The Historic Review Board is established as authorized in ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Authority

1. **Review and Recommend**

The Historic Review Board is responsible for review and recommendation regarding:

a. Establishment or modification to design guidelines for Preservation (-P) overlay districts and designated local landmarks;

b. Establishment or modification to boundaries for Preservation (-P) overlay districts; and

c. List of structures designated as Historically Significant Structures.[1]

2. **Approval**

The Historic Review Board is responsible for final action regarding:

a. Major Historic Certificates of Appropriateness in Preservation (-P) overlay districts and designated local landmarks;

b. Unreasonable hardship exemptions from Preservation (-P) overlay district design guidelines; and

c. Appeals from administrative decisions on Minor Historic Certificates of Appropriateness.

d. Designation of local landmarks.

19-6.1.6. DESIGN REVIEW BOARD

A. General

The Design Review Board is established as authorized in ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Authority

1. **Review and Recommend Authority**

The Design Review Board is responsible for review and recommendation regarding:

a. Establishment or modification to design guidelines for the ***Downtown Design (-DD) overlay district***; and

b. Establishment or modification to boundaries for the ***Downtown Design (-DD) overlay district***.

2. **Approval Authority**

The Design Review Board is responsible for final action regarding:

a. Major Design Certificates of Appropriateness;

b. Unreasonable hardship exemptions from Downtown Design (-DD) overlay district design guidelines; and

c. Appeals from administrative decisions on Minor Design Certificates of Appropriateness.

19-6.1.7. ADMINISTRATOR

A. General

The Administrator is established as authorized in ***Chapter 2, Administration*** of the Municipal Code, and has the following powers and duties under this Code.

B. Authority

1. General

The functions and duties of the Administrator under this Code include:

a. Administration of this Code, the official zoning map, and any official materials related to the adoption, amendment, enforcement, or administration of this Code;

b. Delegation of any act authorized by this Code to be carried out by the Administrator to an appropriate designee;

c. Enforcement of the provisions of this Code; and

d. Provision of expertise and technical assistance to the City Council, Planning Commission, Board of Zoning Appeals, Historic Review Board, and Design Review Board.

2. Review and Recommend

The Administrator is responsible for review and recommendation regarding:

a. Comprehensive Plan amendments;

b. Text amendments to the Code;

c. Map amendments to the official zoning map (rezoning);

d. Major subdivision preliminary plats;

e. Major historic certificates of appropriateness;

f. Major design certificates of appropriateness;

g. Variances;

h. Special exception permits; and

i. Engineering Design and Specifications Manual adoption and amendments.

j. Local Landmark Designations[1]

k. Historically Significant Strucures[1]

3. Approval

The Administrator is responsible for final action regarding:

a. Minor subdivision plats;

b. Major subdivision final plats;

c. Minor historic certificates of appropriateness;

d. Minor site plans;

e. Major site plans;

f. Minor design certificates of appropriateness;

g. Sign permits;

h. Temporary use permits; and

i. Administrative relief.

j. Demolition of Historically Significant Structures[1]

DIV. 19-6.2. APPROVAL PROCESSES

19-6.2.1. COMMON REVIEW PROCEDURES

A. Applicability

The following requirements are common to many of the procedures contained in this Code and apply to applications submitted under this Code. Additional details may be included for each specific approval process.

B. Application Requirements

1. Public Engagement

a. **Public engagement and community meetings.**[1]

The City of Greenville encourages proactive engagement and communication between applicants and the community throughout all stages of the development process, with opportunities for the public to provide input on development projects and applications prior to the Applicant submitting for permit. Applicants should contact nearby property owners, occupants, multifamily communities, neighborhood associations, and other potential interested parties early in their project planning process to share their proposal, receive input, resolve conflicts where possible, and identify a communications plan between the applicant and community. These engagement efforts must begin before submitting a formal application and are encouraged to continue throughout the application review and approval process. Applicants should document all public engagement efforts and provide a record of such activities with their application.

b. **Project Preview Meeting**[1]

Project preview meetings provide an opportunity for the community to learn about upcoming projects in a recurring, familiar setting.

i. Project preview meetings are required for the following applications:

a) Zoning map amendment (rezoning), except those associated with an annexation application;

b) Preliminary plat for a major subdivision or a minor subdivision that results in 3 or more residentially zoned lots;[3]

c) Street naming or re-naming;

d) Major Urban Design Certificate of Appropriateness for new construction and building additions over 5,000 square feet;

e) Major Historic Certificate of Appropriateness for new construction and building additions over 5,000 square feet, or for the demolition of a building, structure, or site;[1]

f) Site Plan application for a residential project containing 12 or more dwelling units; and

g) Special exception permit for projects within, or on a lot abutting, an RH-, RN-, or RC zoning district.

ii. In addition to the project categories listed above, the Administrator may require other projects of general community interest participate in a project preview meeting.

iii. The Administrator is responsible for establishing procedures for project preview meetings including scheduling, location, format, and notification. Notification may consist of mailed or electronic notice. The meeting itself may be conducted virtually or in a single location. The Administrator must publish the meeting procedures on the City website. An application will be deemed incomplete if it fails to substantially comply with the published meeting procedures.

iv. When required under this section, the project preview meeting must occur before submitting a formal application. A formal application must be submitted within 6 months after the project preview meeting. Failure to submit an application within 6 months will require participation in another project preview meeting.

v. Projects presented at a project preview meeting must generally comply with the requirements of this Code. A preapplication meeting is required before a project is presented at a project preview meeting to identify any major design or zoning issues. The Administrator may request that an applicant defer to a future project preview meeting if major revisions are required.

vi. The Administrator may require a project be presented at a second project preview meeting if the scope or design of the proposed project has changed substantially since it was first presented to allow the community to respond to the revised plans.

vii. The Administrator may waive the requirement for a project preview meeting for an application deemed to be technical or immaterial in nature and which will have little or no impact on surrounding properties, existing development or land use patterns, traffic or transit systems, or public or private infrastructure.[3]

2. Application Submittal

a. All applications for development approval must be submitted in accordance with the requirements of this Code and must be filed with the Planning and Development Department.

b. Requirements for application contents, forms, submission and review schedule, and fees are found in the City of Greenville Code of Ordinances.

c. Before review of an application, all filing fees must be paid in full.

3. Completeness Determination

a. All applications must be complete before the City is required to review the application.

b. An application is considered complete when it contains all of the information necessary to decide whether or not the application will comply with all of the applicable requirements of this Code.

c. It is assumed that all of the information required in the City's application forms is necessary to satisfy the requirements of this Code. However, it is recognized that each application is unique, and more or less information may be required according to the specifics of a particular case. The applicant may rely on the Administrator to determine whether more or less information has to be submitted to be considered complete.

d. If an application is considered to be incomplete, the applicant will be notified of the deficiencies in writing. The applicant may correct deficiencies and resubmit the application for review. If the applicant fails to respond within 30 calendar days, the application will be considered withdrawn.[1]

e. A complete application may proceed through the designated review process. If, upon review, a complete application is found noncompliant with a standard of this Chapter or other applicable

provision, it may be approved with conditions or modifications, revised, deferred, disapproved, or subject to other appropriate action, as provided in this Chapter.[1]

4. **Application Deadline**

Complete applications must be submitted in accordance with the City's filing calendar. A calendar indicating submittal dates must be developed by the Administrator each year.

5. **Revised Application Materials**

a. All revised applications materials must be submitted to the Planning and Development Department, who will route the material to the appropriate review bodies. No plans may be sent directly to the Planning Commission, Historic Review Board, Design Review Board, or City Council.

b. No application requiring a public hearing or public meeting may be modified after the Administrator submits the required notice for publication to the newspaper of general circulation.[1]

c. In response to questions or comments by persons appearing at the hearing or to suggestions or recommendations by the reviewing board, the applicant may agree to modify the application, including the plans and specifications submitted. Unless such modifications are so substantial or extensive that the reviewing board cannot reasonably be expected to perceive the nature and impact of the proposed changes without reviewing revised plans, the reviewing board may approve the application with the stipulation that the permit will not be issued until plans reflecting the agreed-upon changes are submitted and verified by the Administrator.

d. A minor deviation to an approved plan or permit may be approved by the Administrator. A minor deviation must be limited to technical considerations which could not be reasonably anticipated during the approval process or any other change which has no material effect on the character of the approved development or any of its approved terms or conditions. The minor deviation must comply with the standards of this Code, the approved plan, and the original permit.

6. **Withdrawal of an Application**

a. Any application may be withdrawn at any time at the discretion of the applicant by providing written notice to the Administrator.

b. No portion of a required application fee will be refunded on any application withdrawal.

7. **Notice of Decision**

Within a reasonable period of time after a decision is made, a copy of the decision must be sent to the applicant by the Administrator. A copy of the decision must also be made available to the public at the offices of the Administrator. In the case of permit issuance, the permit constitutes written notice of the decision.

8. **Simultaneous Processing of Applications**

When two or more forms of review and approval are required under this Code, the applications may be processed simultaneously, at the request of the applicant or at the option of the Administrator, so long as all applicable state and local requirements are satisfied. The decision-making entity may defer action on an application pending the decision of another decision-making entity or it may approve an application subject to conditions designated to ensure compliance with the requirements of this Code and to protect the integrity of the decision-making entity's decision.

9. Time Limit for Disapproved Applications

a. Whenever any application for which a public hearing or public meeting is required is disapproved, the same type of application for all or a part of the same site will not be considered for a period of one year after the date of disapproval unless a waiver of time limit is approved by the decision-making body. Only one request for waiver of time limit may be submitted by the land owner during the one-year period.[1]

b. Only the owner of the site or the owner's authorized agent may submit a request for waiver of time limit.

c. A request may be initiated by the owner or the owner's authorized agent by submitting a request for waiver of time limit to the administrator along with a fee established by the City Manager.

d. After receipt of a request for waiver of time limit, the Administrator will prepare a staff report, which includes copies of the minutes and vote on the original application, and schedule the matter for the next regularly scheduled meeting of the decision-making body.

e. At the meeting for which the request for waiver of time limit is scheduled, the decision-making body will consider the request, the staff report, other relevant support materials, statements made by the owner or the owner's authorized agent and approve, approve with modifications, or disapprove the request.

f. The waiver of time limit will be approved only by a favorable vote by two-thirds of the membership of the decision-making body that the owner presented substantial evidence that demonstrates:

   i. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed in the application;

   ii. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body's application of the relevant review standards to the development proposed;

   iii. A new application is proposed to be submitted that is materially different from the prior application; or

   iv. The final decision on the application was based on a material mistake of fact.

C. Public Notice and Hearing Requirements

For public notice and hearing requirements, see ***Sec. 6.2.1.*** All notices are a courtesy and the fact that notice is not received due to an error that was not the fault of the City does not prevent the public hearing from happening, change any decision made at the public hearing, or prevent the application from continuing to move forward through the process.

1. Mailed Notice

a. When a mailed notice is required, notice must be mailed to the following:[4]

   i. All property owners and occupants of the land subject to the application; and

   ii. Surrounding property owners and occupants within 500 feet of the land subject to the application within the City limits, whose address is known by reference to the latest *ad valorem* tax records.

b. Notice must be deemed mailed by its deposit in the United States mail, properly addressed, postage paid. The Applicant must sign an affidavit that notice meeting the content requirements of this section was mailed. A copy of the mailed notice must be maintained in the office of the Administrator for public inspection during normal business hours.

c. Notices must be mailed at least 15 calendar days prior to the public hearing.

2. Published Notice

a. When a published notice is required, the Administrator is responsible for preparing the content of the notice and publishing the notice in a newspaper of general circulation in the City. The content and form of the published notice must be consistent with the requirements of the SC Code of Laws.

b. Notices must be published at least 15 calendar days prior to a public hearing.

3. Posted Notice

a. When posted notice is required, notice must comply with the following requirements:

i. Notice must be posted on signs in a form established by the Administrator;

ii. The signs must be placed by the applicant on the property that is subject to the application along each public street that abuts or transects the property, at intervals of not more than 500 feet; and

iii. The signs must be posted in a manner that ensures visibility from public streets, with the exception of streets classified as interstates.

b. The applicant must sign and provide to the Administrator a certificate stating that posted notice has been provided in accordance with the requirements of this section. The affidavit must be submitted to the Administrator prior to the public hearing for the subject application.

c. The applicant must ensure that the posted notice is maintained on the property until the completion of the public hearing on the application.

d. Signs must be posted no more than 18 calendar days or less than 15 calendar days prior to a public hearing. Additionally, the signs must be removed by the applicant within 5 calendar days after the public hearing on the application.

4. Content of Notice

a. Mailed and published notices for public hearings must include:

i. Application number and the name of the applicant or the applicant's agent;

ii. Date, time and place of the public hearing, or indicate the earliest date an administrative decision will be made;

iii. Description of the site involved by street address or the nearest cross streets, and by tax map number;

iv. Current zoning district designation of the site subject to the application;

v. Nature, scope and purpose of the application or proposal;

vi. Date and hours of availability and describe in which department the application, staff report, and related materials may be inspected by the public;

vii. Statement describing where interested members of the public and adjoining property owners may submit written comments or evidence prior to the public hearing, or an administrative decision; and

viii. Statement that interested members of the public and adjoining property owners may appear at the public hearing, be heard, and submit evidence and written comments with respect to the application.

b. Posted notices must provide a phone number, email, or website by which the information required for mailed and published notices listed above is available.

5. Notice of Deferral of an Application

a. An applicant may request that an advisory or decision-making body's consideration of an application at a public hearing be deferred by submitting a written request for deferral to the Administrator.

b. The Administrator will consider and decide deferral requests if the public can be notified of the deferral within a reasonable period of time prior to the public hearing at which the application is to be heard. Such notification will also provide the date of the re-scheduled public hearing at which the application will be considered by the advisory or decision-making body.

c. If the public cannot be notified of the deferral within a reasonable period of time prior to the public hearing at which the application is to be heard, the request for deferral will be placed on the public hearing agenda of the advisory or decision-making body on the date the application is to be considered and acted upon by the body.

D. Conditions of Approval

1. Where the Administrator or a reviewing board may approve a permit or development with conditions, the Administrator or reviewing board may impose restrictions and conditions on the approval, the proposed use, and the premises to be developed or used pursuant to such approval as are required to ensure compliance with the general goals and policies or with particular standards of the Development Code to prevent or minimize adverse effects from the proposed development on surrounding lands.

2. The restrictions and conditions imposed must be related in both type and scale to the impact that the proposed development would have on the public and surrounding development. All conditions imposed must be expressly set forth in the permit approval.

E. Phased Development

A development may be constructed in phases or stages and the provisions of the Development Code will be applied to each phase as if it were the entire development. As part of the application contents, the landowner must submit plans that clearly show the various phases of the proposed development. When factors beyond the control of the landowner or when the decision-making body imposes additional requirements upon the landowner, the decision-making body may authorize the landowner to commence the intended use of the property or to occupy any building or to sell any subdivision lots before all of the requirements are fulfilled if the following standards are met:

1. A performance bond or other security satisfactory to the decision-making body is furnished;

2. A condition is imposed establishing an automatic expiration date on the permit, ensuring that the permit recipient's compliance will be reviewed when application for renewal is made;

3. The nature of the requirements is such that sufficient assurance of compliance is given by the application of prevailing remedies and penalties according to *Div. 19-6.4.*

F. Lapse of Approval or Vested Rights

1. General

a. Lapse of approval can occur for the following permits: major and minor historic certificates of appropriateness, major and minor design certificates of appropriateness, special exception, variance, major site plan, or major subdivision preliminary plat.

b. A landowner submitting an application any of the applicable permits may propose to construct the development in phases. With the decision-making body's approval, the landowner may submit a phased development plan for the entire development which does not satisfy the requirements of a site specific development plan provided the landowner submits for the decision-making body's approval a site specific development plan for each phase in accordance with provisions of the ordinance in effect at the time of vesting.

c. Lapse will occur if development authorized by the permit is not commenced or a subsequent permit is not obtained within 2 years of the date of original granting of the permit, within 5 years for a conditionally approved phased development plan, or within one year of the date of granting an extension to the permit. If the permit lapses, all development must be suspended until a new permit is granted in accordance with the current procedures and standards established in this Section. The permit will run with the land and is not affected by a change in ownership.

d. At least 60 days prior to the end of the vesting period, the landowner of real property with a vested right may apply for a one-year extension of a permit pursuant to the procedures and standards established for its original approval. The decision-making body must approve the application provided that no amendment to the Development Code or applicable design guidelines has been adopted that would prohibit approval. The decision-making body must approve no more than 5 such annual extensions provided that the landowner requests an extension in the prescribed manner.[1]

e. All applications for permits under the Development Code will be reviewed by the Administrator who will determine whether the application is complete and includes information in sufficient detail to evaluate whether it complies with the requirements of the Development Code. The decision-making body may impose conditions and restrictions on its approval to ensure compliance with the goals, policies, and standards of the Development Code and to prevent or minimize adverse effects from the development on surrounding lands.

f. A vested right is not a personal right, but attaches to and runs with the applicable real property. The landowner and all successors to the landowner who secure a vested right may rely upon and exercise the vested right for its duration subject to applicable federal, state, and City laws adopted to protect public health, safety, and welfare, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. This section does not preclude judicial determination that a vested right exists pursuant to other statutory provisions. This section does not affect provisions of a development agreement executed pursuant to the South Carolina Local Government Development Agreement Act.

2. Conditions and Limitations on Vested Rights

A vested right established by this Section and in accordance with the standards and procedures of the Development Code is subject to the following conditions and limitations:

a. If the decision-making body establishes a vested right for a phased development plan, a site specific development plan is required for approval with respect to each phase in accordance with regulations in effect at the time of vesting.

b. A vested right established under a conditionally approved site specific development plan or conditionally approved phased development plan may be terminated by the decision-making body upon its determination, following notice and public hearing, that the landowner has failed to meet the terms of the conditional approval.

c. A site specific development plan or phased development plan for which a variance, regulation, or special exception is necessary does not confer a vested right until the variance, regulation, or special exception is obtained.

d. A vested site specific development plan or vested phased development plan may be amended if approved by the decision-making body.

e. A validly issued building permit does not expire or is not revoked upon expiration of a vested right, except for public safety reasons or as prescribed by the South Carolina Building Code.

f. A vested right to a site specific development plan or phased development plan is subject to revocation by the decision-making body upon its determination, after notice and public hearing, that there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval.

g. A vested site specific development plan or vested phased development plan is subject to later-enacted federal, state, or local laws adopted to protect public health, safety, and welfare, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the building, fire, plumbing, electrical, and mechanical codes in force at the time of the issuance of the building permit.

h. A vested site specific development plan or vested phased development plan is subject to later-enacted governmental overlay zoning that imposes site plan-related requirements but does not affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses.

i. Changes in the zoning district designation or the text of this chapter adopted subsequent to the vesting that affect real property does not operate to affect, prevent, or delay development of the real property under a vested site specific development plan or vested phased development plan without consent of the owner.

j. If real property having a vested site specific development plan or vested phased development plan is annexed into the City, the City Council must determine, after notice and public hearing, in which the landowner is allowed to present evidence, if the vested right is effective after the annexation.

k. The decision-making body will not require a landowner to waive his vested rights as a condition of approval or conditional approval of a site specific development plan or a phased development plan.

19-6.2.2. LEGISLATIVE REVIEW

A. Applicability

1. Legislative Review is required for the following:

   a. **Comprehensive Plan Adoption and Amendment.** Applies to the adoption of a new Comprehensive Plan, or a request to amend the current Comprehensive Plan.

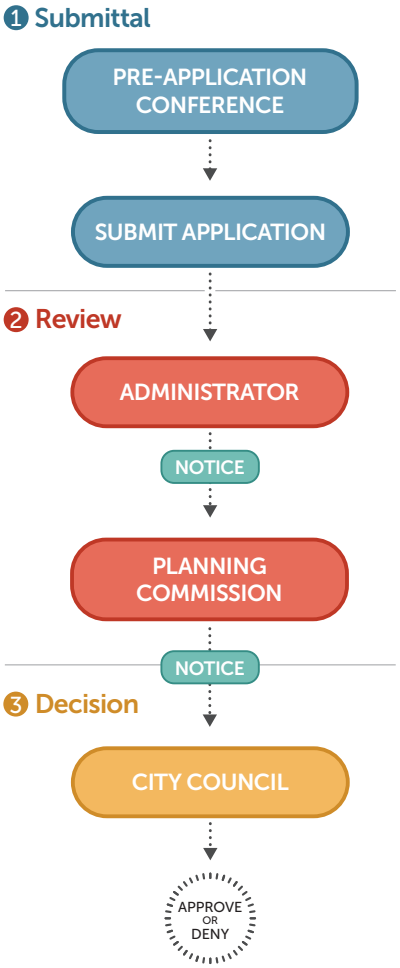
   b. **Master plans and Neighborhood Plans Adoption and Amendment.** Applies to the adoption of master plans or neighborhood plans, or a request to amend current master plans or neighborhood plans.

   c. **Design Guidelines Adoption and Amendment.** Applies to the adoption of design guidelines and associated review processes, or a request to amend current design guidelines or associated review processes.

   d. **Text Amendment.** Applies to a request to amend the text of this Code.

   e. **Zoning Map Amendment (Rezoning).** Applies to a request to amend the Official Zoning Map from one zoning district to another, or to change the boundaries of an existing zoning district, including overlay districts.

2. The City Council decides applications for Legislative Review.



B. Application Requirements

1. Application Initiation

An application for Legislative Review may be initiated by any of the following:

a. The City Council, Planning Commission or Administrator;

b. Any person, firm, corporation, or agency provided they are the owner or the owner's representative of the subject property; or

c. The Historic Review Board or Design Review Board may initiate amendments that pertain to the Preservation (-P) and Downtown Design (-DD) overlay districts.

2. Application Submittal

a. **Pre-Application Conference**

Before submitting an application for Legislative Review, an applicant must schedule a pre-application conference with

the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

b. **Submitting an Application**

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

c. **Additional Requirements for Preservation (-P) Overlay District and Historic Landmark Applications**

i. Requests to establish or modify a Preservation (-P) overlay district may originate with the City Council, the Historic Review Board, the Planning Commission, the Administrator, any interested citizen, or citizen group and must be presented to the Historic Review Board for review and recommendation.

ii. The Historic Review Board must conduct a preliminary consideration of the eligibility of the proposed area based on the standards in this section. The Historic Review Board may conduct informal meetings with residents and property owners of the community, seek the advice of preservation professionals and historians, and conduct or receive any preliminary research or studies to assist with its decision regarding eligibility. The Historic Review Board will provide a report and recommendation on the application.

iii. The Administrator will forward the application and the Historic Review Board recommendation to the Planning Commission. The application will then be processed according to the procedures in this Section.

C. Review and Action Process

1. Administrative Action

a. The Administrator will review the application for the proposed legislation and will provide a staff report to Planning Commission in advance of the public hearing. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

b. Notice of the public hearing must be given in accordance with *Sec. 6.1.1.* and *Sec. 6.2.1.*

2. Planning Commission Action

a. On the date of the referral of the application from the Administrator, the Planning Commission will conduct a public hearing on the application. At the public hearing, the Planning Commission must consider the application, the relevant support materials, the staff report, the evidence presented at the hearing, and make a report to the City Council recommending to approve, disapprove, or modify the application based on the standards in this Code.

b. If the Planning Commission fails to forward the report to City Council within 30 calendar days from the date of referral (date of public hearing), the application is deemed to have been recommended for approval.

c. Upon request or consent of the applicant, the Planning Commission may defer action on the application to a fixed date, time, and place, with the exception of a Comprehensive Plan Amendment.

Comprehensive Plan Amendments may not request a deferral; a recommendation must be forwarded to City Council within 30 calendar days from the date of the public hearing.

3. City Council Action

a. After receipt of the report from the Planning Commission, the City Council may receive public comments in addition to those provided at the public hearing. At the public meeting, the City Council must consider the application, the relevant support materials, the staff report, the report of the Planning Commission, and any testimony or other evidence submitted to the Planning Commission or to the City Council.

b. In considering a rezoning, the City Council may adopt a change for only part of the area requested or for a less intense zoning district than requested by the applicant, or both. If the City Council chooses to consider rezoning an area larger than requested or a more intense zoning district, the matter must be referred to the Planning Commission for public hearing and recommendation consistent with the provisions of this Code.[2]

c. In its discretion, the City Council may refer the matter to the Planning Commission for further study and recommendation on specific issues and for a supplemental report to be submitted to the City Council within 65 days. If the referral requires additional public notification, it must be given in accordance with ***Sec. 6.1.1.***

d. The City Council will either adopt an ordinance or disapprove the application.

e. In the event the Planning Commission recommends denial of an application, in order for City Council to adopt the ordinance as requested in the application, a favorable vote of two-thirds of all City Council members is required.

D. Criteria for Review and Action

1. Text Amendments[2]

In determining whether to adopt or disapprove a proposed amendment, the City Council will consider and weight the relevance of the following factors:

a. **Consistent with Comprehensive Plan.** Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

b. **Consistent with Code.** Whether, and the extent to which, the proposed amendment is consistent with the provisions of this Code and related City regulations.

c. **Community Need.** Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

d. **Development Impacts.** Whether, and the extent to which, the amendment will affect review and approval processes or impact physical development within the community.

2. Zoning Map Amendments (Rezonings)[2]

In determining whether to adopt or disapprove the proposed amendment, the City Council will consider and weight the relevance of the factors below:

a. **Consistent with Comprehensive Plan.** Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan and Future Land Use Map.

b. **Consistent with Applicable Plans and Studies.** Whether, and the extent to which, the proposed amendment is consistent with relevant small area plans, corridor plans, or other strategic plans or studies adopted by the City.

c. **Compatible with Surrounding Land Uses.** Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this Code, will promote compatibility among uses, and will promote efficient and responsible development within the City.

d. **Development Patterns.** Whether, and the extent to which, the proposed amendment will result in a logical and orderly development pattern.

3. Preservation (-P) Overlay District

In considering areas for designation as a Preservation (-P) overlay district, the following minimum criteria for properties may be considered:

a. Represent the work of noteworthy architects or builders, possess high artistic value, or represent a type, period or method of construction;

b. Include a site of a significant historical event;

c. Are associated with a person who contributed to the culture and development of the community, state or nation;

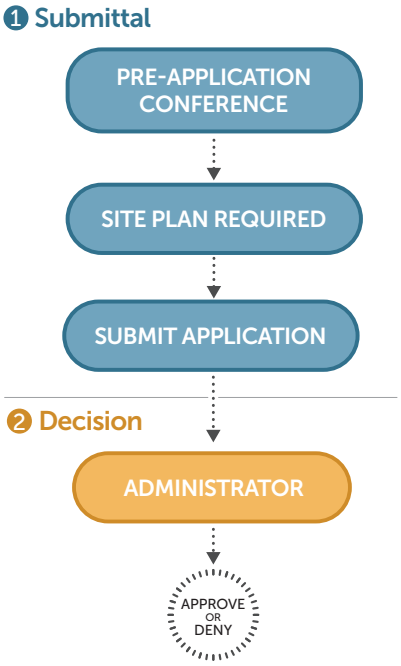
d. Taken as a whole, the properties embody distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or

e. Have been designated a historic district in the National Register of Historic Places.

19-6.2.3. MINOR SUBDIVISION

A. Applicability

Minor Subdivision applies to the division of land into lots or sublots for the purpose of sale, lease, or building development when no new publicly-dedicated or private streets are created to serve the development. For the purposes of this section, the creation or extension of alleys constitutes a minor subdivision. Minor subdivisions are subject to the following review processes:[2]



1. Summary Plat

May be used for a Minor Subdivision on an existing street where new infrastructure, including but not limited to right-of-way improvements, sidewalks, and utilities, is not required. A Summary Plat may be used for lot recombinations, re-subdivision of existing parcels, lot line adjustments, and recording of sublots meeting these criteria. A Summary Plat may be recorded following approval by the Administrator.

2. Preliminary Plat

Used for a Minor Subdivision on an existing street where new infrastructure, including but not limited to right-of-way improvements, sidewalks, and utilities, is required. The Preliminary Plat review process identifies the improvements and conditions that are required prior to final plat approval. Upon approval of a Preliminary Plat, the applicant must obtain a Land Disturbance Permit. A Final Plat must be submitted within 24 months from the date of approval of the Preliminary Plat.

3. Final Plat

Used for official recording of a Minor Subdivision subject to the Preliminary Plat review process. A final plat is submitted within 24 months after approval of a Preliminary Plat and after all required improvements have been completed or a bond or cash has been posted in lieu of the required improvements. A Final Plat may be recorded following approval by the Administrator.

B. Application Requirements

1. Pre-Application Conference

a. A pre-application conference is not required to submit an application for a Minor Subdivision Summary Plat.[2]

b. Before submitting an application for a Preliminary Plat for a Minor Subdivision, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures,

standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.[2]

c. At the pre-application conference, the Administrator will determine if the application qualifies as a Minor Subdivision. If the Administrator determines the application qualifies as a Major Subdivision, the application will be processed according to the procedures in *Sec. 6.2.4.*

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process for Summary Plat[2]

1. Administrative Action[2]

a. The Administrator is authorized to approve requests for a Minor Subdivision Summary Plat.

b. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual. This decision must occur within 60 days of the date the application was deemed sufficient.

2. Recordation[2]

a. Upon approval by the Administrator, the subdivider must file for recording an approved Minor Subdivision Summary Plat with the office of the County Register of Deeds within 7 calendar days after the date of approval and prior to the recording of any individual deeds for the subdivided lots or sublots.

b. The subdivider must submit proof to the Administrator that the Summary Plat has been recorded.

D. Review and Action Process for Preliminary and Final Plat[2]

1. Preliminary Plat Plan

a. Submit Minor Subdivision Preliminary Plat

After the pre-application conference, the applicant may submit an application for a Minor Subdivision Preliminary Plat. The submission must include all plans and details required by the application checklist.

b. Administrative Action

i. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual. This decision must occur within 60 days of the date the application was deemed sufficient.

ii. In approving a Minor Subdivision Preliminary Plat, the Administrator may impose conditions on the permit approval.

iii. Approval of a Minor Subdivision Preliminary Plat constitutes approval of the development with the lot dimensions and alignments of streets identified on the Preliminary Plat.

iv. The approval of a Minor Subdivision Preliminary Plat will expire at the end of 24 months from the date approval was granted by the Planning Commission unless the applicant has submitted an application for approval of a Final Plat for subdivision for at least 10% of the land area of the subdivision.

2. Engineering Review

a. Submit Land Disturbance Permit

Upon approval of the Minor Subdivision Preliminary Plat, the applicant must obtain a Land Disturbance Permit before clearing and grading of land and installation of improvements for the subdivision may begin.

b. Administrative Action

i. The Administrator is authorized to approve a Land Disturbance Permit.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

c. Grading and Installation of Improvements

i. Upon approval of the Land Disturbance Permit, clearing and grading of land and installation of improvements for the subdivision may begin.

ii. Upon completion of the grading and the placement of monuments, the Administrator will conduct an inspection of the rough grade and alignment of the proposed streets.

iii. Upon completion of the inspection, if the grading and alignment of the streets are in conformance with the approved plans, the Administrator will issue a letter to Greenville Water stating that the subgrade and alignment of the streets are in conformance with the approved plans. The installation of water infrastructure or facilities may then begin according to the existing policy of Greenville Water.

3. Final Plat

a. Submit Final Plat

i. Within 24 months after approval of a Minor Subdivision Preliminary Plat and upon fulfillment of the conditions of the preliminary approval, and after the required improvements have been completed or a bond or cash has been posted in lieu of the improvements, the applicant must submit an application for Final Plat.

b. Administrative Action

i. The Administrator is authorized to approve Final Plats for subdivisions.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

iii. Upon a finding that the application complies with all applicable standards and all required dedications and improvements, or payments and guarantees in lieu thereof, have been installed

on or finalized for the property, the Administrator will approve the application by signing the "Certificate of Approval for Recording" on each copy of the final plat for subdivision.

4. Recording

The applicant must file the approved final plat for subdivision with the Office of the County Register of Deeds for Recording within 7 calendar days after the date of approval of the final plat for subdivision. E. Effect of Minor Subdivision Summary Plat, Preliminary Plat, or Final Plat The approval of a plat for subdivision will not be deemed to constitute or affect the acceptance by the City of the dedication of any street or other ground, public utility line or other public facility shown on the plat. However, the City Council may by resolution accept any dedication made to the public of lands or facilities for streets, parks, or public utility lines. The City has no obligation to open any street even after acceptance of dedication.

E. Appeal of Administrative Decision

Appeals of administrative decisions on Minor Subdivisions may be taken to the Planning Commission and must follow the procedures in *Sec. 6.2.4.*

19-6.2.4. MAJOR SUBDIVISION

A. Applicability

Major Subdivision applies to the division of land into lots or sublots for the purpose of sale, lease, or building development when new publicly-dedicated or private streets are created to serve the development.[4]

B. Application Requirements

1. Pre-Application Conference

Before submitting an application for a Major Subdivision, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Preliminary Plat Plan

a. Submit Preliminary Plat

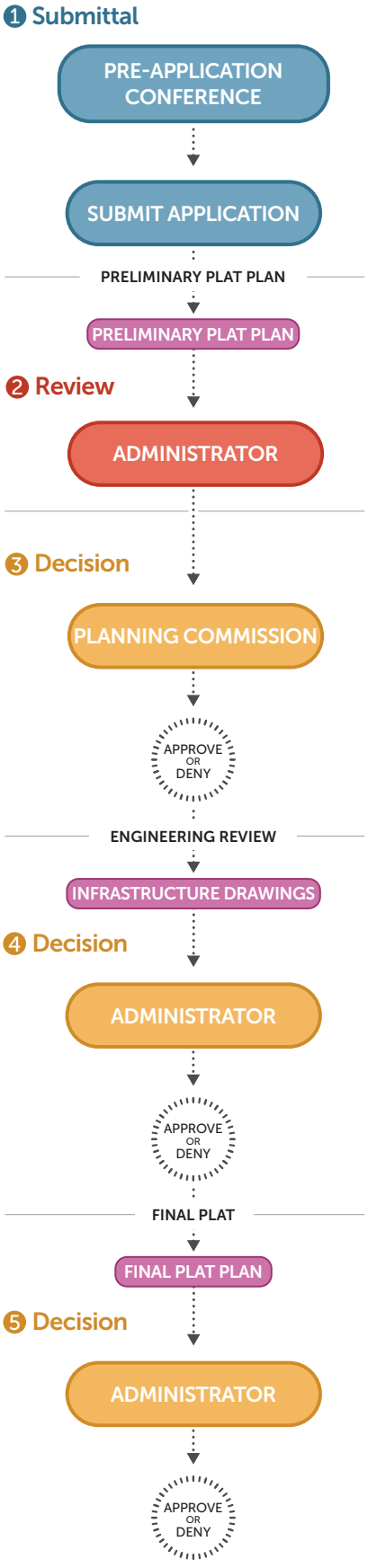
Review of a Preliminary Plat is the initial step in Major Subdivision review. The submission must include all plans and details required by the application checklist.

b. Administrative Action

The Administrator will review the Preliminary Plat application and will provide a staff report to the Planning Commission in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

c. Planning Commission Action

i. After referral of the application from the Administrator, the Planning Commission must conduct a public meeting on the application. At the public meeting, the Planning Commission must consider the application, the relevant



support materials, the staff report, and the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

ii. The Planning Commission must approve, approve with modifications, approve with conditions, or disapprove the Preliminary Plat for subdivision within 60 days of the date the application was deemed sufficient.

iii. In approving a Preliminary Plat for subdivision, the Planning Commission may impose conditions on the permit approval.

iv. Approval of a Preliminary Plat for subdivision will constitute approval of the development with the lot dimensions and alignments of streets identified on the Preliminary Plat.

v. The approval of a Preliminary Plat for subdivision will expire at the end of 24 months from the date approval was granted by the Planning Commission unless the applicant has submitted an application for approval of a Final Plat for subdivision for at least 10% of the land area of the subdivision.

2. Engineering Review

a. Submit Land Disturbance Permit

Upon approval of the Preliminary Plat for subdivision, the applicant must obtain a Land Disturbance Permit before clearing and grading of land and installation of improvements for the subdivision may begin.

b. Administrative Action

i. The Administrator is authorized to approve a Land Disturbance Permit.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

c. Grading and Installation of Improvements

i. Upon approval of the Land Disturbance Permit clearing and grading of land and installation of improvements for the subdivision may begin.

ii. Upon completion of the grading and the placement of monuments, the Administrator will conduct an inspection of the rough grade and alignment of the proposed streets.

iii. Upon completion of the inspection, if the grading and alignment of the streets are in conformance with the approved plans, the Administrator will issue a letter to Greenville Water stating that the subgrade and alignment of the streets are in conformance with the approved plans. The installation of water infrastructure or facilities may then begin according to the existing policy of Greenville Water.

3. Final Plat

a. Submit Final Plat

Within 24 months after approval of a Preliminary Plat and upon fulfillment of the conditions of the preliminary approval and, after the required improvements have been completed or a bond or cash has been posted in lieu of the improvements, the applicant must submit an application for Final Plat for subdivision.

b. **Administrative Action**

i. The Administrator is authorized to approve Final Plats for subdivision.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

iii. Upon a finding that the application complies with all applicable standards and all required dedications and improvements, or payments and guarantees in lieu thereof, have been installed on or finalized for the property, the Administrator will approve the application by signing the "Certificate of Approval for Recording" on each copy of the final plat for subdivision.

4. **Recordation**

The applicant must file the approved final plat for subdivision with the Office of the County Register of Deeds for Recording within 7 calendar days after the date of approval of the final plat for subdivision.

D. Effect of Final Plat

The approval of a Final Plat for subdivision will not be deemed to constitute or affect the acceptance by the City of the dedication of any street or other ground, public utility line or other public facility shown on the plat. However, the City Council may by resolution accept any dedication made to the public of lands or facilities for streets, parks, or public utility lines. The City has no obligation to open any street even after acceptance of dedication.

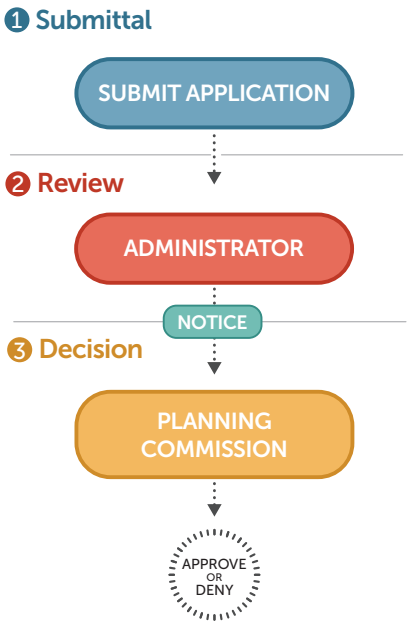
E. Appeals

Appeals of administrative decisions on Major Subdivisions may be taken to the Planning Commission and must follow the procedures in Sec. 19-6.2.4. Appeals of decisions of the Planning Commission must be taken to the circuit court within 30 days consistent with SC Code 1976, § 6-29-1150.[3]

19-6.2.5. STREET NAME CHANGE [2]

A. Applicability

Street Name Change applies to the change in name of any public or private street within the City, including, but not limited to, a street name on a subdivision plat, the marking of the name of a street anywhere along its location, or identification of a street in a deed or instrument. Street Name Change does not apply to the initial naming of a street.[2]



B. Application Requirements[2]

1. To apply for a Street Name Change, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. The Administrator will review the application for the Street Name Change and will provide a staff report to Planning Commission in advance of the public hearing. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.[2]

b. Notice of the public hearing must be given in accordance with *Sec. 6.1.1.* and *Sec. 6.2.1.*

2. Planning Commission Action

a. After referral of the application from the Administrator, the Planning Commission must conduct a public hearing on the application. At the public hearing, the Planning Commission must consider the application, the relevant support materials, the staff report, the standards as defined in the Development Code and the Engineering Design and Specifications Manual, and the evidence presented at the public hearing.

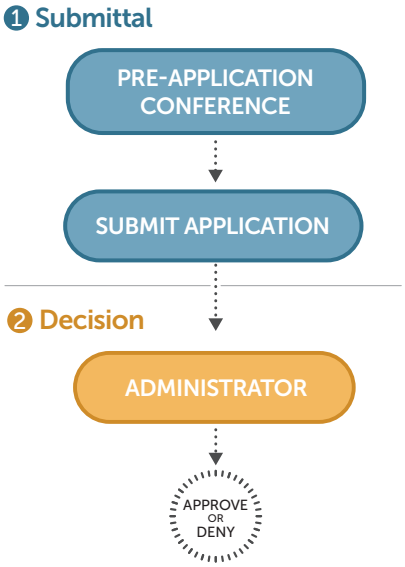
b. After the close of the public hearing, the Planning Commission must approve or disapprove the application.

3. Recordation

Upon approval of a Street Name Change, the applicant must file a request for recordation with the County Register of Deeds with a plat that reflects the approved street names. Upon a street name being changed, the Administrator will issue a certificate on behalf of the Planning Commission designating the change which must be recorded in the Office of the County Register of Deeds.[2]

19-6.2.6. MINOR HISTORIC CERTIFICATE OF APPROPRIATENESS

A. Applicability



1. A Minor Historic Certificate of Appropriateness is required for any property located in a Preservation (-P) overlay district or property designated as a local Landmark or listed on the National Register of Historic Places that is located outside of a Preservation (-P) overlay district.
2. Minor Historic Certificate of Appropriateness review applies to modifications to the following:
    a. Additions to buildings that do not exceed 25% of the existing building footprint, except in the West End Preservation Overlay district;
    b. Residential accessory structures not visible from the public right-of-way;
    c. Storage sheds;
    d. Color change;
    e. Replacement of windows and doors;
    f. Addition, deletion, or replacement of awnings;
    g. Roofing and skylights;
    h. Siding, trim, and railings;
    i. Exterior lighting;
    j. HVAC equipment;
    k. Exhaust and supply fans and plumbing vents;
    l. Utility meters, including electric, gas, and cables;
    m. Fences, gates, walls, landscaping, tree removal, and drainage;
    n. Signs; and
    o. Other similar changes as determined by the Administrator with the consent of the chair of the Historic Review Board.
3. Any project also located in the ***Downtown Design (-DD) overlay district*** will not be reviewed under this Section, it will be reviewed under *Sec. 6.2.8.* or *Sec. 6.2.9.*

B. Application Requirements

1. Pre-Application Conference

a. Before submitting an application for a Minor Historic Certificate of Appropriateness, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

b. At the pre-application conference, the Administrator will determine if the application qualifies as a Minor Historic Certificate of Appropriateness. If the Administrator determines the application qualifies as a Major Historic Certificate of Appropriateness, the application will be processed according to the procedures in *Sec.6.2.7.*

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. The Administrator is authorized to approve requests for a Minor Historic Certificate of Appropriateness.

b. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and any applicable design guidelines.

D. Appeal of Administrative Decision

Appeals of administrative decisions on Minor Historic Certificate of Appropriateness may be taken to the Historic Review Board and must follow the procedures in *Sec. 6.2.7.*

19-6.2.7. MAJOR HISTORIC CERTIFICATE OF APPROPRIATENESS

A. Applicability

1. A Major Historic Certificate of Appropriateness is required for any property located in a Preservation (-P) overlay district or property designated as a local Landmark or listed on the National Register of Historic Places that is located outside of a Preservation (-P) overlay district.
2. A Major Historic Certificate of Appropriateness is required for the following project types:
   a. New construction, including any activity that requires a building permit, visible from the public right-of-way;
   b. Building additions, parking lot and site expansions;
   c. Demolition of buildings, structures, and sites;
   d. Any other project activity that is deemed not applicable to a Minor Historic Certificate of Appropriateness.
   e. Any renovation of historic property (RHP-Preliminary and RHP-Final) for the purposes of tax abatement.
3. A Major Historic Certificate of Appropriateness includes unreasonable hardship exemptions to allow relief from some standards of the design guidelines.
4. Any project also located in the ***Downtown Design (-DD) overlay district***, with the exception of item A.2.e. (RHP designation) above, will not be reviewed under this Section, it will be reviewed under *Sec. 6.2.8* or *Sec. 6.2.9.*[1]



B. Application Requirements

1. Pre-Application Conference

Before submitting an application for a Major Historic Certificate of Appropriateness, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

The Administrator will review the Major Historic Certificate of Appropriateness application and will provide a staff report to the Historic Review Board in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

2. Historic Review Board Action

a. After referral of the application from the Administrator, the Historic Review Board must conduct a public meeting on the application. At the public meeting, the Historic Review Board must consider the application, the relevant support materials, the staff report, the standards as defined in the Development Code and any applicable design guidelines.

b. At the public meeting, the Historic Review Board must approve, approve with modifications, approve with conditions, defer for modifications, or disapprove the application.[1]

c. No application can be deferred more than 60 days beyond the date of its submission without the consent of the applicant. If an application is deferred for modifications, the chairperson may select 2 panel members to apprise the applicant of perceived issues and possible options that might lead to approval.

3. After Hearing Action

After a Major Historic Certificate of Appropriateness is issued that authorizes the demolition of a building, structure, or site, the authorization date of the certificate will be delayed for 30 days from the date of issuance. During the delay period, the Administrator will provide public notice during which any person may notify the owner of their interest in acquiring the structure and premises, acquiring the structure along with the right to move it from the premises, or acquiring fixtures and components of the structure. Upon expiration of the 30 days, the applicant will be entitled to an authorized certificate regardless of whether negotiations have occurred.

D. Criteria for Review and Action

1. New Construction, Additions, or Alterations of Exterior Features

A Major Historic Certificate of Appropriateness for new construction, additions, or alterations of exterior features in a Preservation (-P) overlay district or to a designated local landmark will be approved only upon finding the applicant demonstrates the proposed new construction, additions or alterations of exterior features are consistent with the design guidelines established for the district and, where applicable, the standards and design guidelines for the landmark.

2. Demolition

The demolition of structures in a Preservation (-P) overlay district or of designated local landmarks may constitute an irreplaceable loss to the quality and character of the City. Absent an imminent threat to public safety as determined by the chief building official, no structure in a Preservation (-P) overlay district or designated as a local landmark can be demolished without first receiving a Major Historic Certificate of Appropriateness for demolition. The Historic Review Board, in considering an application for demolition of a structure will be guided by balancing the contribution of the particular structure to the character of

the district against the design merits of the proposed replacement project. In particular, the board must consider the following:

a. The historic or architectural significance of the structure.

b. The importance of the structure to the integrity and character of the district.

c. The difficulty or impossibility of reproducing such a structure because of its design, material, detail or unique location.

d. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the City, the region, the state, or the nation.

e. Whether reasonable measures can be taken to save the structure from further deterioration, neglect, or collapse. For structures listed on the National Register of Historic Places or designated local landmark structures, reasonable measures shall include any and all measures provided for in the Secretary of Interior Standards for Rehabilitation.

f. Evidence presented by the applicant proving unreasonable hardship to save a non-designated local landmark. Structures listed on the National Register of Historic Places or designated local landmarks shall be exempt from economic hardship consideration as a determining factor in demolition requests.

g. The merit of the proposed replacement project in enhancing the character, harmony, and economic health of the community.

3. Unreasonable Hardship Exemption

An unreasonable hardship exemption will be approved only upon a finding the applicant demonstrates all the following standards are met:

a. There are exceptional conditions and unreasonable circumstances relevant to the property for which the unreasonable hardship exemption is sought which do not generally apply to other properties in the district.

b. The application of the standards required for a Major Historic Certificate of Appropriateness would effectively prohibit or unreasonably restrict the utilization of the property and result in an unreasonable hardship.

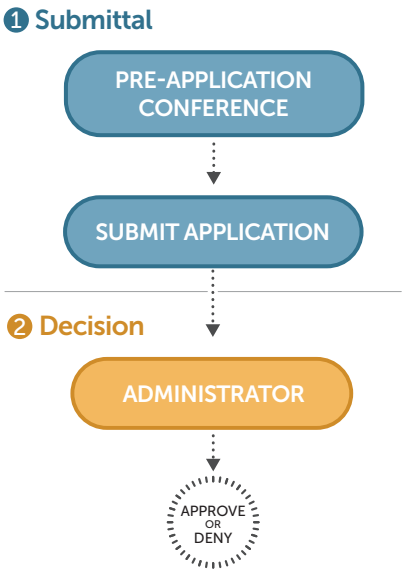
c. The granting of the Unreasonable Hardship Exemption is the minimum action that will make possible the reasonable use of the land or structure that is not contrary to the purpose and intent of the approved design guidelines for the district.

d. The unreasonable hardship exemption is consistent with the intent of the design guidelines for the district.

E. Administrative Modification

The Administrator may determine that any person having in good faith substantially complied with the terms and conditions of a Major Historic Certificate of Appropriateness may be exempted from strict compliance with technical details when a change is necessitated by an unforeseen problem discovered during permitting or construction, or for any minor change which does not substantially alter the character of the project as originally approved.

19-6.2.8. MINOR URBAN DESIGN CERTIFICATE OF APPROPRIATENESS



A. Applicability

1. A Minor Urban Design Certificate of Appropriateness is required for any property located in the ***Downtown Design (-DD) overlay district*** or property located in a Neighborhood Revitalization (-NR) overlay district.
2. In ***Downtown Design (-DD) overlay district,*** Minor Urban Design Certificate of Appropriateness review applies to the following project types:
    a. New construction and renovation of residential and nonresidential buildings less than or equal to 5,000 square feet of gross floor area, outside of MX-D and MXS-D.
    b. Building additions to residential and nonresidential buildings less than or equal to 5,000 square feet of gross floor area, outside of MX-D and MXS-D.
    c. Site expansions or additions less than or equal to 5,000 square feet of improved site area.
    d. Any site and structure improvements required by the Americans with Disabilities Act (ADA);
    e. Repainting of an existing building to the same or substantially similar color to that originally approved;
    f. Repair or reconstruction of existing freestanding retaining walls, decorative walls, or fences, when repaired or replaced with materials that are the same or substantially similar to those originally approved;
    g. Modification or replacement of outdoor light fixtures provided that the type of lighting and material used for the fixtures is the same or substantially similar to those originally approved;
    h. Signs;
    i. Other similar changes as determined by the Administrator with the consent of the chair of the Design Review Board.

B. Application Requirements

1. Pre-Application Conference

a. Before submitting an application for a Minor Urban Design Certificate of Appropriateness, an applicant must schedule

a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

b. At the pre-application conference, the Administrator will determine if the application qualifies as a Minor Urban Design Certificate of Appropriateness. If the Administrator determines the application qualifies as a Major Urban Design Certificate of Appropriateness, the application will be processed according to the procedures in ***Sec. 6.2.9.***

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in ***Sec. 6.2.1.***

C. Review and Action Process

1. Administrative Action

a. The Administrator is authorized to approve requests for a Minor Urban Design Certificate of Appropriateness.

b. Any project also located in a Preservation (-P) overlay district or designated as a local landmark will be informally reviewed by a 2-member panel of the Historic Review Board. The comments and recommendations from this review will be taken into consideration by the Administrator.

c. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and any applicable design guidelines.

D. Appeal of Administrative Decision

Appeals of administrative decisions on Minor Urban Design Certificate of Appropriateness may be taken to the Design Review Board and must follow the procedures in ***Sec. 6.2.9.***

19-6.2.9. MAJOR URBAN DESIGN CERTIFICATE OF APPROPRIATENESS



A. Applicability

1. A Major Urban Design Certificate of Appropriateness is required for any property located in the *Downtown Design (-DD) overlay district.*
2. A Major Urban Design Certificate of Appropriateness is required for the following project types:
   a. New construction;[1]
   b. Building additions, parking lot and site expansions;
   c. Demolition of buildings, structures, and sites;
   d. Land disturbance, or grading activity; and
   e. Any other project activity that is deemed not applicable to a Minor Urban Design Certificate of Appropriateness.
3. A Major Urban Design Certificate of Appropriateness includes unreasonable hardship exemptions to allow relief from some standards of the design guidelines.

B. Application Requirements

1. Pre-Application Conference

Before submitting an application for a Major Urban Design Certificate of Appropriateness, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. The Administrator will review the Major Urban Design Certificate of Appropriateness application and will provide a staff report to

the Design Review Board in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

b. Any project also located in a Preservation (-P) overlay district or designated as a local landmark will be informally reviewed by a 2-member panel of the Historic Review Board. The comments and recommendations from this review will be incorporated into the Administrator's staff report for consideration by the Design Review Board.

2. Design Review Board Action

a. After referral of the application from the Administrator, the Design Review Board must conduct a public meeting on the application. At the public meeting, the Design Review Board must consider the application, the relevant support materials, the staff report, the standards as defined in the Development Code and any applicable design guidelines.

b. At the public meeting, the Design Review Board must approve, approve with modifications, approve with conditions, defer for modifications, or disapprove the application.[1]

c. No application can be deferred more than 60 days beyond the date of its submission without the consent of the applicant. If an application is deferred for modifications, the chairperson may select 2 panel members to apprise the applicant of perceived issues and possible options that might lead to approval.

D. Criteria for Review and Action

1. New Construction, Additions, or Alterations of Exterior Features

A Major Urban Design Certificate of Appropriateness for new construction, additions, or alterations of exterior features in the ***Downtown Design (-DD) overlay district*** will be approved only upon finding the applicant demonstrates the proposed new construction, additions or alterations of exterior features are consistent with the design guidelines established for the district.

2. Unreasonable Hardship Exemption

An unreasonable hardship exemption will be approved only upon a finding the applicant demonstrates all the following standards are met:

a. There are exceptional conditions and unreasonable circumstances relevant to the property for which the unreasonable hardship exemption is sought which do not generally apply to other properties in the district.

b. The application of the standards required for a Major Urban Design Certificate of Appropriateness would effectively prohibit or unreasonably restrict the utilization of the property and result in an unreasonable hardship.

c. The granting of the Unreasonable Hardship Exemption is the minimum action that will make possible the reasonable use of the land or structure that is not contrary to the purpose and intent of the approved design guidelines for the district.

d. The unreasonable hardship exemption is consistent with the intent of the design guidelines for the district.

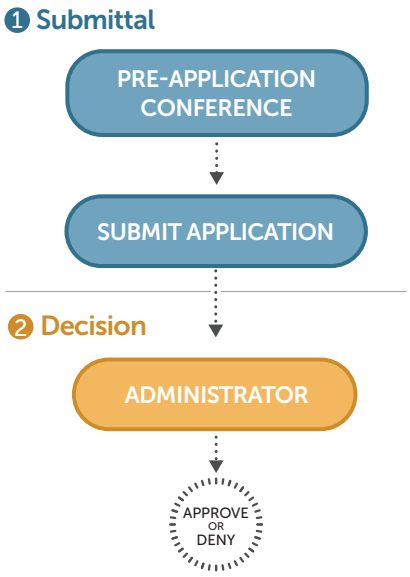
E. Administrative Modification

The Administrator may determine that any person having in good faith substantially complied with the terms and conditions of a Major Urban Design Certificate of Appropriateness may be exempted from strict compliance with technical details when a change is necessitated by an unforeseen problem discovered during permitting or construction, or for any minor change which does not substantially alter the character of the project as originally approved.

19-6.2.10. MINOR SITE PLAN

A. Applicability

Minor Site Plan applies to development projects that do not require a Major Stormwater Permit.



B. Application Requirements

1. Pre-Application Conference

a. Before submitting an application for a Minor Site Plan, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

b. At the pre-application conference, the Administrator will determine if the application qualifies as a Minor Site Plan. If the Administrator determines the application qualifies as a Major Site Plan, the application will be processed according to the procedures in *Sec. 6.2.11.*

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1*.

C. Review and Action Process

1. Administrative Action

a. The Administrator is authorized to approve requests for a Minor Site Plan.

b. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

D. Appeal of Administrative Decision

Appeals of administrative decisions on Minor Site Plans may be taken to the Board of Zoning Appeals and must follow the procedures in *Sec. 6.2.15.*

19-6.2.11. MAJOR SITE PLAN

A. Applicability

Major Site Plan applies to development projects that require a Major Stormwater Permit or that are determined by the Administrator to not be Minor Site Plans.

B. Application Requirements

1. Pre-Application Conference

Before submitting an application for a Major Site Plan, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

2. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Preliminary Site Plan

a. Submit Preliminary Site Plan

Review of a Preliminary Site Plan is the initial step in Major Site Plan review. The submission must include all plans and details required by the application checklist.

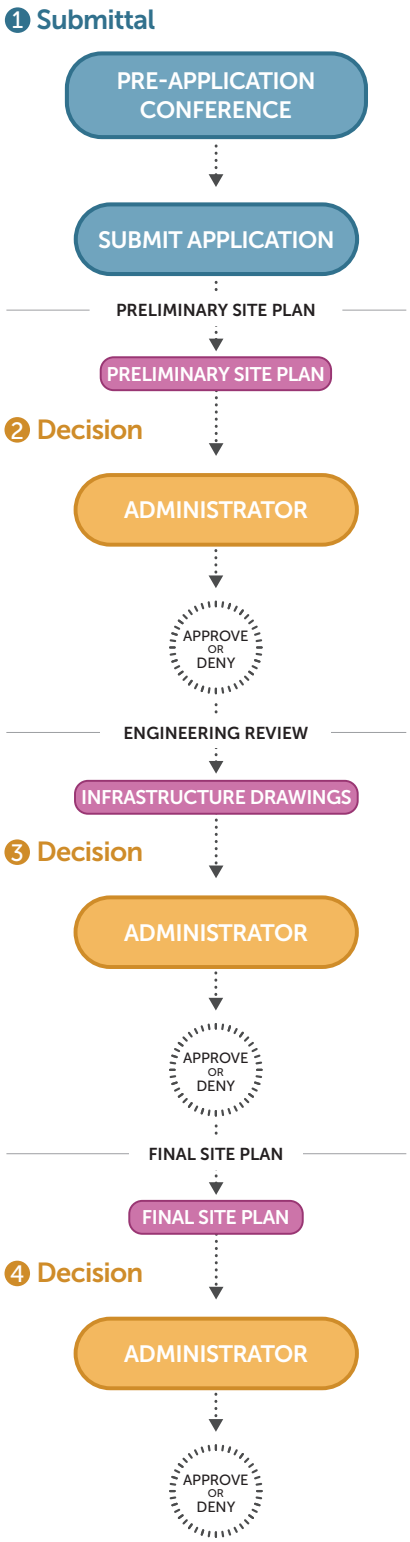
b. Administrative Action

The Administrator must review each Preliminary Site Plan and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

2. Engineering Review

a. Submit Major Stormwater Permit and Land Disturbance Permit

Upon approval of the Preliminary Site Plan, the applicant must obtain a Major Stormwater Permit and Land Disturbance Permit.



b. **Administrative Action**

i. The Administrator is authorized to approve a Major Stormwater Permit and a Land Disturbance Permit.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

3. Final Site Plan

a. **Submit Final Site Plan**

After approval of a Major Stormwater Permit and Land Disturbance Permit the applicant must submit a Final Site Plan for review.

b. **Administrative Action**

i. The Administrator is authorized to approve Final Site Plans.

ii. The Administrator must review the application and approve, approve with conditions, or deny the application based on the standards as defined in the Development Code and the Engineering Design and Specifications Manual.

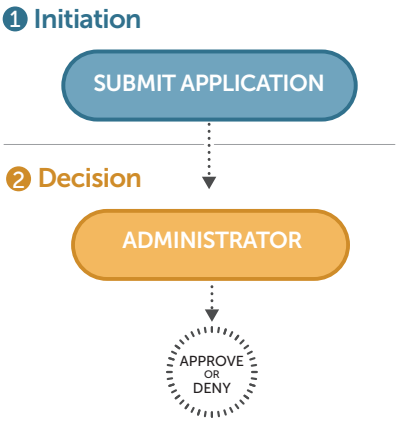
D. Appeal of Administrative Decision

Appeals of administrative decisions on Major Site Plans may be taken to the Board of Zoning Appeals and must follow the procedures in ***Sec. 6.2.15.***

19-6.2.12. SIGN PERMIT

A. Applicability

Sign permit review is required for the erection of any sign, except those not requiring a permit as defined in *Div. 19-4.11.*



B. Application Requirements

To apply for a Sign Permit, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. During the permit review process, the Administrator is authorized to approve requests for a Sign Permit.

b. Within 30 days of submittal of an application for a sign permit determined to be complete pursuant to *Sec. 19-6.2.1.B.3*, the Administrator will either approve or deny the application. If additional information or modifications are required to determine compliance with this chapter, the Administrator will notify the applicant in writing that additional information or modifications are required. Submission of a revised application will initiate a new 30-day review period. If the Administrator does not take action on the original or modified application within 30 days, then the application will be deemed denied as of the day immediately following such time period, provided that the applicant and Administrator may mutually agree to extend the review period without a denial determination. Denial of any application for a sign permit may be appealed to the Board of Zoning Appeals in the same manner as other appeals from a decision of the Administrator.

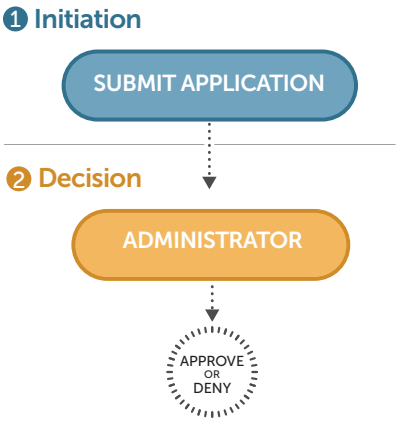
D. Appeal of Administrative Decision

Appeals of administrative decisions on Sign Permits may be taken to the Board of Zoning Appeals and must follow the procedures in *Sec. 6.2.15.*

19-6.2.13. TEMPORARY USE PERMIT

A. Applicability

Temporary Use Permits are required for certain uses, as defined in ***Div. 19-3.6.,*** occurring on private property outside of the public right-of-way.



B. Application Requirements

To apply for a Temporary Use Permit, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in ***Sec. 6.2.1.***

C. Review and Action Process

1. Administrative Action

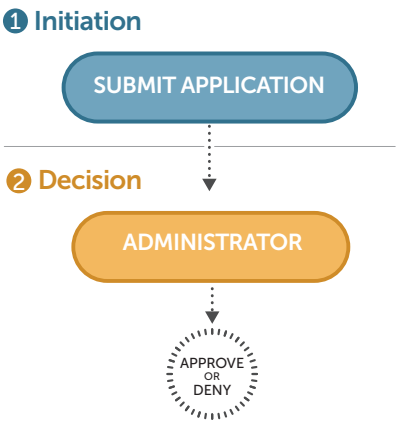
a. During the permit review process, the Administrator is authorized to approve requests for a Temporary Use Permit.

b. The Administrator must review each application and approve, approve with conditions, or deny the application based on the standards as defined in ***Sec. 19.3.6.***

D. Appeal of Administrative Decision

Appeals of administrative decisions on Temporary Use Permits may be taken to the Board of Zoning Appeals and must follow the procedures in ***Sec. 6.2.15.***

19-6.2.14. ADMINISTRATIVE RELIEF



A. Applicability

1. Administrative Relief is a modification of 10% or less of any numeric standard.
2. This optional process may occur only where the applicant requests relief from a standard specifically authorized in *Div. 19-2.11.* and *Art. 19-4.*

B. Application Requirements

An application for Administrative Relief must be submitted to the Planning and Development Department along with the development application to which the request for Administrative Relief pertains. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. During the permit review process, the Administrator is authorized to approve requests for Administrative Relief.

b. The Administrator must review each application and approve, approve with conditions, or deny the application based on the approval criteria below.

D. Criteria for Review and Action

In approving an application for Administrative Relief, the Administrator must determine:

1. The application is consistent with the spirit, purpose, and intent of this Development Code;
2. The application is consistent with the intent of the applicable standards for which relief is requested;
3. That there are practical difficulties that prevent strict adherence to the code requirement for which relief is requested; and
4. The request for relief is the minimum amount necessary to eliminate the practical difficulty.

E. Appeal of Administrative Decision

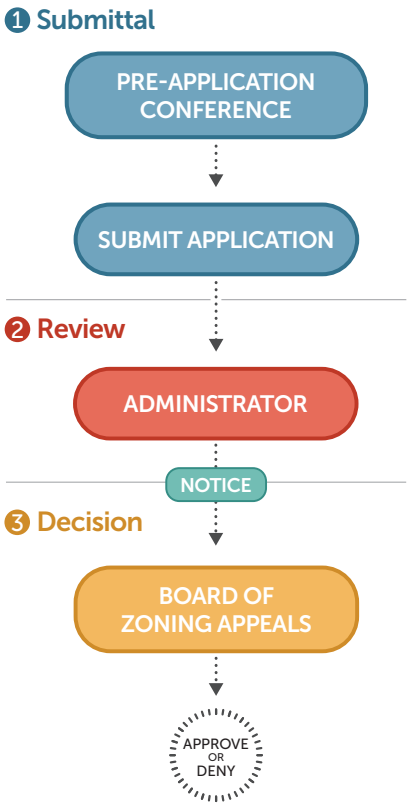
Appeals of administrative decisions may be taken to the Board of Zoning Appeals and must follow the procedures in *Sec. 6.2.15.*[2]

19-6.2.15. QUASI-JUDICIAL REVIEW

A. Applicability

Quasi-judicial review is required for the following:

1. **Variance.** A request for a deviation from certain provisions of this Code when meeting specific hardship criteria.
2. **Special Exception Permit.** Certain uses within each zoning district that may be appropriate in the district, but because of the potential for incompatibility with adjacent uses, require individual review by the Board of Zoning Appeals.
3. The Board of Zoning Appeals decides applications for Quasi-Judicial Review.



B. Application Requirements

1. Application Initiation

An application for Quasi-Judicial Review may be initiated by any person, firm, corporation, or agency provided they are the owner or the owner's representative of the subject property.

2. Application Submittal

a. **Pre-Application Conference**

Before submitting an application for Quasi-Judicial Review, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

b. **Submitting an Application**

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required plans, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in Sec. 6.2.1.

c. **Additional Requirements for Properties in Downtown Design (-DD) or Preservation (-P) Overlay Districts and Historic Landmark Properties**

i. For properties located within the *Downtown Design (-DD) overlay district*, the Design Review Board review the application based on the following:

a) Where a Minor Design Permit is required, the Design Review Board must conduct a preliminary consideration of the eligibility of the proposal based on the standards in this Section. The Design Review Board will provide a report and recommendation on the application.

b) Where a Major Design Permit is required, the application must obtain an approval on the Major Design Permit before the application can considered by the Board of Zoning Appeals.

ii. For properties located within a Preservation (-P) overlay district or are designated as a local landmark, the Historic Review Board must review the application based on the following:

a) Where a Minor Historic Certificate of Appropriateness is required, the Historic Review Board must conduct a preliminary consideration of the eligibility of the proposed area based on the standards in this Section. The Historic Review Board will provide a report and recommendation on the application.

b) Where a Major Historic Certificate of Appropriateness is required, the application must obtain an approval before the application can be considered by the Board of Zoning Appeals.

iii. The Administrator will forward the application, reviewing board recommendation, and additional approvals to the Board of Zoning Appeals. The application will then be processed according to the procedures in this Section.

C. Review and Action Process

1. Administrative Action

a. The Administrator will review the application and will provide a staff report to the Board of Zoning Appeals in advance of the public hearing. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

b. Notice of the public hearing must be given in accordance with ***Sec. 6.1.1.*** and Sec. 6.2.1.

2. Board of Zoning Appeals Action

a. The Board of Zoning Appeals will conduct a public hearing on the application. At the public hearing, the Board of Zoning Appeals will consider the application, the relevant support materials, the staff report, and the evidence presented at the public hearing.

b. After the close of the public hearing, the Board of Zoning Appeals will approve, approve with modifications, approve with conditions, or disapprove the application based on the standards in this Section.

D. Criteria for Review and Action

1. Variance

a. A variance permit may be approved only upon a finding that the applicant will suffer undue hardship if the Code is strictly enforced and the Board of Zoning Appeals finds that all of the following standards are met:

i. There are extraordinary and exceptional conditions (such as size, shape, topography) pertaining to the particular piece of property for which the variance is sought that do not generally apply to other land or structures in the vicinity.

ii. The special circumstances are not the result of the actions of the applicant.

iii. Due to the following conditions, the application of this Code to the property would effectively prohibit or unreasonably restrict the utilization of the property:

a) Extraordinary and exceptional conditions. There are extraordinary and exceptional conditions (such as size, shape, topography) pertaining to the particular piece of property for which the variance is sought that do not generally apply to other land or structures in the vicinity.

iv. The granting of the variance is the minimum action that will make possible the reasonable use of the land or structure which is not contrary to the public interest and which will carry out the spirit of this Code.

v. The authorization of the variance will not result in 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.

vi. The granting of the variance will be generally consistent with the purposes and intent of this Code.

b. The following do not constitute grounds for a variance:

i. The nonconforming use of neighboring lands, structures or buildings in the same zoning district that applies to the property for which the variance is sought.

ii. The existence of an approved special exception permit for the subject property.

iii. The fact that the subject property could be used more profitably if a variance permit were granted.

c. No variance permit will be granted to:

i. Allow a use not permitted by right, conditional use, or by special exception in the district in which the property subject to the variance is located.

ii. Change the zoning district boundaries on the zoning district map.

2. Special Exception Permit

A special exception may be granted for a use identified as a special exception in ***Div. 19-3.2.,*** if the Board of Zoning Appeals finds that the applicant demonstrates the following standards are met:

a. The proposed special exception is consistent with the Comprehensive Plan.

b. The proposed special exception complies with all use standards in ***Div. 19-3.4.***

c. The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zoning districts of surrounding lands, and will not reduce property values of surrounding lands.

d. The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception does not impose significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, vibration, and does not create a nuisance.

19-6.2.16. LOCAL LANDMARK DESIGNATION [1]

A. Applicability



1. Local Landmarks are buildings, structures, sites, or cemeteries which have historic, architectural, aesthetic, social, or cultural significance to the city, state, region, or nation. Through the Local Landmark Designation process, these features receive protection from demolition, encroachment, removal to inappropriate sites, or other adverse actions that would endanger the qualities of the feature which impact its value as a Local Landmark.
2. A historic property seeking a Special Tax Assessment for Rehabilitated Historic Property under Article IV of the City of Greenville Code of Ordinances, and which is not already listed on the National Register of Historic Places or within a Preservation (-P) overlay district at the time of application, must receive Local Landmark Designation prior to approval of the Special Tax Assessment.
3. A building, structure, site, or cemetery located outside the city limits that has been designated as a Historic Landmark or similar classification in another jurisdiction will automatically receive a Local Landmark Designation upon annexation into the City limits, unless otherwise prescribed by the annexation ordinance.

B. Application Requirements

1. Applicant Requirements

The Applicant must be either the subject property's owner or the owner's representative.

2. Pre-Application Conference

Before submitting an application for a Local Landmark Designation, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

3. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required materials, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

C. Review and Action Process

1. Administrative Action

a. The Administrator will review the Local Landmark Designation application and will provide a staff report to the Historic Review Board in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

2. Historic Review Board Action

a. On the date of the referral of the application from the Administrator, the Historic Review Board will conduct a public meeting on the application. At the public meeting, the Historic Review Board must consider the application, the relevant support materials, the staff report, and applicable standards in the Development Code.

b. The Historic Review Board must approve, approve with modifications, approve with conditions, or disapprove the application.

c. No application can be deferred more than 60 days beyond the date of its submission without the consent of the applicant. If an application is deferred for modifications, the chairperson may select 2 panel members to apprise the applicant of perceived issues and possible options that might lead to approval.

D. Criteria for Review and Action

1. Local Landmark Designation

To qualify as a designated local landmark, the Historic Review Board must consider the following criteria:

a. The historic or architectural significance of the landmark as it may relate to an event, person, design/ construction, or information potential.

b. The importance of the structure to the integrity and character of a district or area.

c. The difficulty or impossibility or reproducing such a landmark because of its design, material, detail, or unique location.

d. Whether the landmark is one of the last remaining examples of its kind in the neighborhood, the city, the region, the state, or the nation.

e. The landmark is at least 50 years in age, unless the Historic Review Board finds it to be in the best interest of the community to provide an exception to the age requirement for ensuring protection and recognition of significant local resources.

f. Whether the property is listed on the National Register of Historic Places or National Historic Landmarks.

E. Effect of Local Landmark Designation

Designated Local Landmarks are subject to the following general preservation standards. These standards and design guidelines are considered a material part of the designation and may be modified by the Historic Review Board at the time of the public hearing.

1. The Secretary of Interior Standards for Rehabilitation must be followed with any modifications, additions, demolitions, relocations, or similar treatments to a designated local landmark.
2. If the landmark is located within a Preservation (-P) overlay district or within the Downtown Design (-DD) overlay district, then any proposed work to the local landmark must comply with the applicable design guidelines and standards, in addition to the Secretary of Interior Standards for Rehabilitation.
3. A structure designated as a local landmark will be added to the City's historic structures inventory, if not already included.
4. Proposed demolition or relocation of a designated local landmark requires a Major Historic Certificate of Appropriateness prior to submittal of a demolition permit request. The Historic Review Board will consider the request per *Sec. 19-6.2.7.*

19-6.2.17. HISTORICALLY SIGNIFICANT STRUCTURES [1]

A. Designation of Historically Significant Structures

1. Applicability

The City of Greenville maintains a list of historically significant structures that require public notice prior to demolition of such structure. The purpose of the public notice is to provide a reasonable amount of time for interested parties to address the issues of acquisition or salvage of structures, fixtures, or components of structures proposed for demolition. The list of historically significant structures is designated in accordance with this section.

2. Application Requirements

a. Applicant Requirements

The Applicant must be either the subject property's owner or the owner's representative, or the City of Greenville.

b. Pre-Application Conference

Before submitting an application for designation as a historically significant structure, an applicant must schedule a pre-application conference with the Administrator to discuss the procedures, standards, and regulations required for approval. This requirement may be waived at the discretion of the Administrator.

c. Application Submittal

Following the pre-application conference, an applicant may start the application process. To begin, a complete application form, required materials, and review fees must be filed with the Planning and Development Department. Other general submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

3. Review and Action Process

a. Administrative Action

i. The Administrator will review the application and will provide a staff report to the Historic Review Board in advance of the public hearing. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

ii. Notice of the public hearing must be given in accordance with *Sec. 6.1.1*. and *Sec. 6.2.1*.



b. **Historic Review Board Action**

i. On the date of the referral of the application from the Administrator, the Historic Review Board will conduct a public hearing on the application. At the public hearing, the Historic Review Board must consider the application, the relevant support materials, the staff report, and the evidence presented at the hearing.

ii. After the close of the public hearing, the Historic Review Board must recommend approval or disapprove the application.

c. **City Council Action**

i. After receipt of the report from the Historic Review Board, the City Council may adopt the list or amend the list by resolution.

4. Criteria for Review and Action

Structures proposed for designation as a historically significant structure must:

a. Meet the criteria of federal or state statures and regulations intended to protect or promote the preservation of historic structures;

b. Be included in an inventory of historic structures commissioned by city council or the city manager; or

c. Be recommended for inclusion on the list by a community nonprofit organization having among its purposes architectural preservation or historic study of locations within the city. The recommendation must be substantiated by photographs and a factually documented written report establishing that:

i. The structure was once occupied by a person who achieved fame or notoriety;

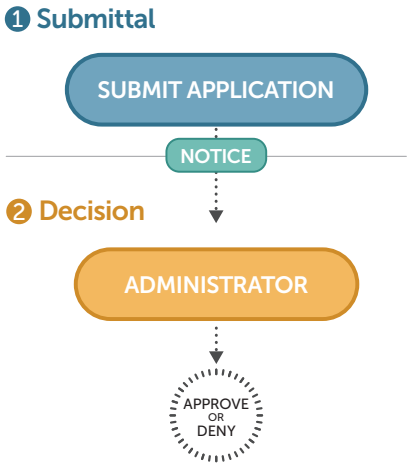
ii. The structure was once used in a manner which was important to the city; or

iii. The structure has special architectural merits representative of architectural styles important to the city's history.

5. Effect of Designation as a Historically Significant Structure

Once a structure has been added to the list of historically significant structures, it is subject to the demolition requirements in *Sec. 19-6.2.17.B*.

B. Demolition of Historically Significant Structures



1. Applicability

a. No structure which is included in the list of structures with historic significance established under *Sec. 19-2.6.17.A*. be demolished without first providing public notice so that interested persons are afforded an opportunity to negotiate with the owner on the acquisition of the parcel and structure, the acquisition of the structure and its removal from the premises, or the acquisition of fixtures and components of the structure.

b. In addition to this section, the demolition of structures located in a Preservation (-P) overlay district or property designated as a local Landmark or listed on the National Register of Historic Places are required to receive demolition approval by the Historic Review Board (HRB), per the provisions of *Sec. 19-6.2.7*.

c. In addition to this section, the demolition of structures located in the Downtown Design (-DD) overlay district are required to receive demolition approval by the Design Review Board (DRB), per the provisions of *Sec. 19-6.2.9*,

d. This section does not alter the requirements under other sections of the City Code governing property maintenance, building permits, or demolition permits except to the limited extent of imposing additional public notice requirements as provided in this section.

2. Application Requirements

a. **Application Submittal**

An applicant may apply for a demolition permit for a structure contained within the list of historically significant structures by submitting a complete application form along with the required materials and review fees. General submittal requirements for all development review applications are listed in *Sec. 6.2.1.*

3. Review and Action Process

a. **Administrative Action**

Upon receipt of a demolition permit application, the Administrator must provide public notice in accordance with *Sec. 6.1.1.* The published and posted notice period is 45 calendar days.[3]

b. **45-Day Public Notice Period**[3]

Within 45 days of the date of posting of notice, any person may notify the owner of his interest in acquiring the structure and premises, acquiring the structure along with the right to move it from the premises, or acquiring fixtures and components of the structure.[3,4]

c. **After 45-Day Public Notice Period**[3]

Upon expiration of the 45-day public notice period, the applicant for the demolition permit is entitled to a permit regardless of whether negotiations have occurred.[3]

d. **Imminent threat to public safety**

The Administrator may waive or reduce the otherwise-required provisions of this section upon finding that the delay in demolition made necessary by strict adherence to this Section will result in a threat to public safety.

4. Appeal of Administrative Decision

Appeals of administrative decisions on demolition permits for historically significant structures may be taken to the Historic Review Board and must follow the procedures in *Sec. 6.2.7.*

DIV. 19-6.3. NONCONFORMITIES

19-6.3.1. GENERAL

A. Intent

The provisions of this Section provide relief from the requirements of the Development Code for any existing nonconformity, defined as any lot, building or structure, or use that conformed to the zoning regulations at the time they were established, but do not conform to current requirements of this Development Code.

B. General Rules

The following general rules apply to nonconformities. Specific rules in the following Sections may provide additional standards or exceptions to these general rules:

1. A nonconforming building, structure, or use may conduct minor renovation and ordinary maintenance and repair project activities, as defined in ***Sec. 2.1.2,*** without triggering any of the standards of this Section. Renovations are considered minor as long as the value of the project over a 5-year period does not exceed 50% of the fair market value of the building or structure.
2. No new construction, addition, site modification, facade modification, change of use, minor renovation project activities, as defined in ***Sec. 2.1.2.***, may occur on any nonconforming lot or to any nonconforming building or structure, or nonconforming use, that increases the degree of nonconformity with any individual standard in this Development Code, except where allowed in the following Sections.[3]
3. Demolition that reduces compliance with the standards or rules in any zoning district is not allowed, except in conjunction with a new project activity that allows the project to meet the minimum requirements.

C. Relief

1. Relief from the requirements of this Section are available through ***Sec. 6.2.14.*** and ***Sec. 6.2.15.***.
2. The Administrator may allow for relief through alternative compliance to bring a project into conformity if the project meets or exceeds the intent of the standards of the Development Code.
3. When relief is granted through any discretionary action taken consistent with this Section, the element that is the subject of the discretionary action is no longer considered nonconforming under this Development Code.
4. The Administrator may allow reconstruction of a nonconforming residential dwelling containing no more than 3 units in the event it is destroyed by fire or other natural disaster.
5. The Historic Review Board may grant an exception for a nonconforming historic building from having to comply with from a development standard triggered pursuant to Sec. 19-6.3.1.B. above if the facade modification, materials, or other applicable requirement would detract from the historic character of the building.[1]

19-6.3.2. NONCONFORMING USE

A nonconforming use is allowed to continue legally even though such use does not conform with the provisions of the Development Code so long as the following provisions are met:

A. Expansion of Use

1. The nonconforming use must not be expanded to occupy a greater area of land or building.
2. The nonconforming use must continue in the original building, structure, or lot that was originally occupied by the nonconforming use.

B. Use Continuance and Reestablishment

1. The nonconforming use will not be reestablished after it has been abandoned. A use is considered abandoned when the use is discontinued for 12 months or greater.[2]
2. A nonconforming use can be reestablished after repairs, maintenance, and minor renovation if the reestablishment occurs within 3 months from the time construction is complete.
3. Nothing in this Section will be construed to allow a use that is dangerous to the general public to continue to exist.

C. Change of Use

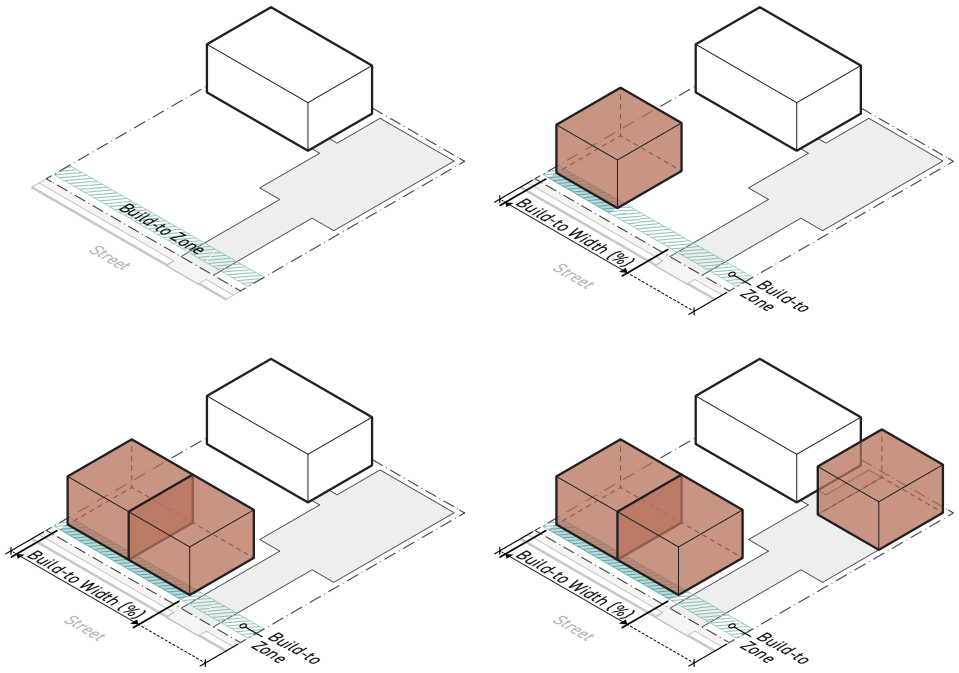
1. The nonconforming use must not be changed to another nonconforming use.
2. Changes of tenancy, ownership, or management of a nonconforming use, where the use does not change, are permitted with the following exception. The transfer of ownership or management of a sexually oriented business located within 1,000 feet of another sexually oriented business is not permitted.

19-6.3.3. NONCONFORMING BUILDINGS

When an existing building is being expanded or a new building is being constructed, and the building or lot does not meet the build-to width requirement, the following provisions apply.

A. New Buildings on an Interior Lot

All new construction must occupy the build-to zone until the build-to width requirement has been met. Until all build-to width standards have been met, new buildings must occupy the build-to zone for 100% of their building width.

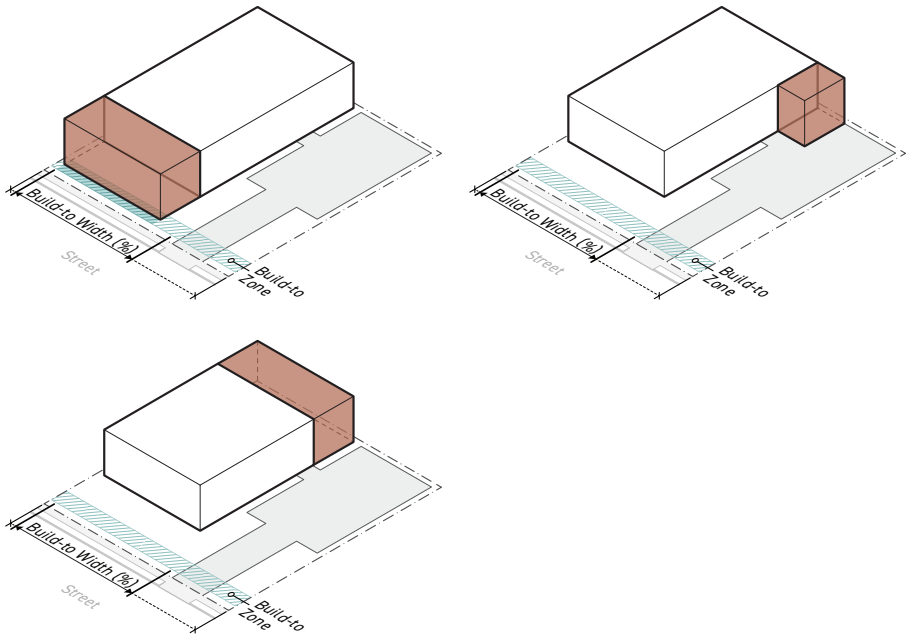


B. Additions on an Interior Lot

1. Any additions to the front of an existing building must occupy the build-to zone. The addition does not have to meet the required build-to width for the entire lot. Front additions with a maximum floor area of 10% of the existing building footprint are allowed behind the build-to zone.

2. Side additions having a floor area less than 20% of the existing building footprint are allowed. Once the build-to width standard has been met, side additions of any size are allowed.

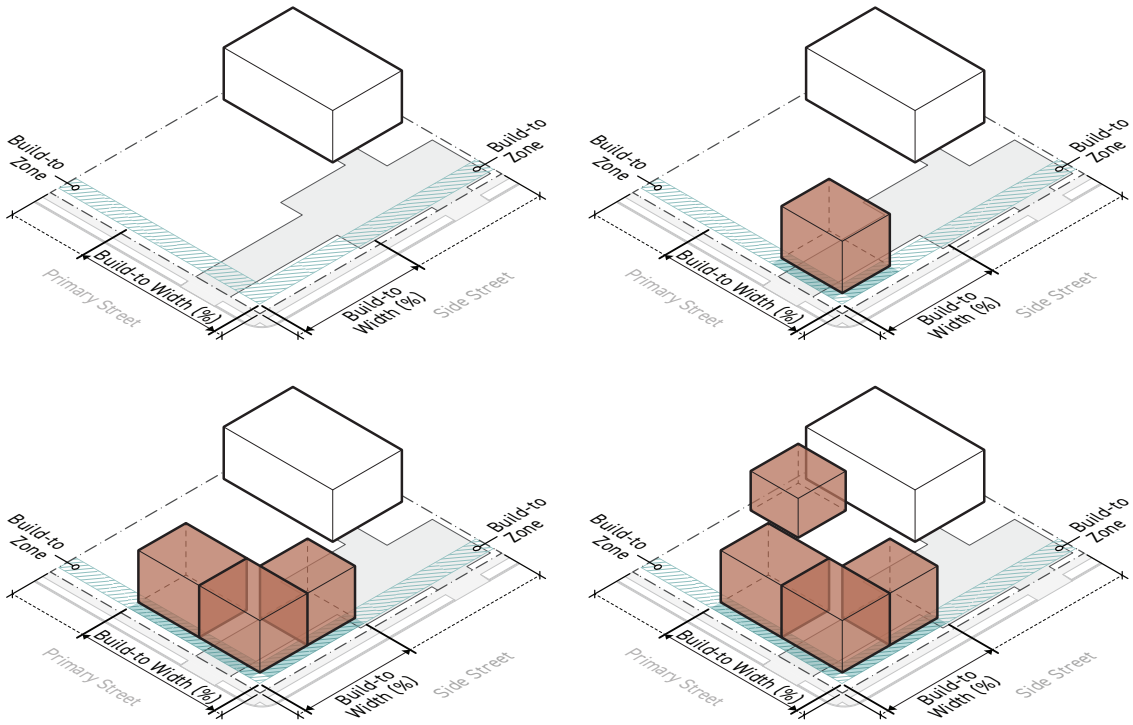
3. Rear additions of any size are allowed. Transition setbacks may apply, see *Div. 19-4.8.*



C. New Buildings on a Corner Lot

1. All new buildings must occupy the build-to zone until the build-to width requirement for both streets have been met.

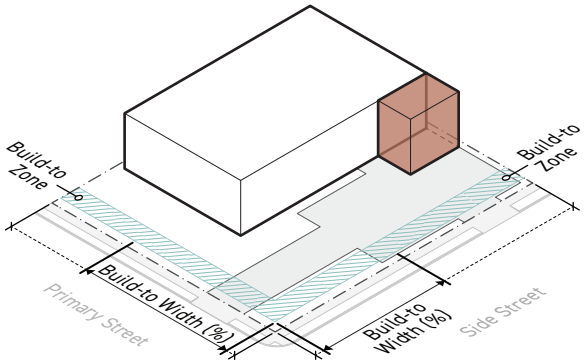
2. Once the build-to width requirement has been met for both streets, new buildings may be placed behind the build-to zone.



D. Additions on a Corner Lot

1. Any addition to the front of an existing building must be located within the build-to zone on the primary street. The addition does not have to meet the minimum build-to width for the entire lot. Front additions with floor area no greater than 10% of the existing building footprint are allowed behind the build-to zone.

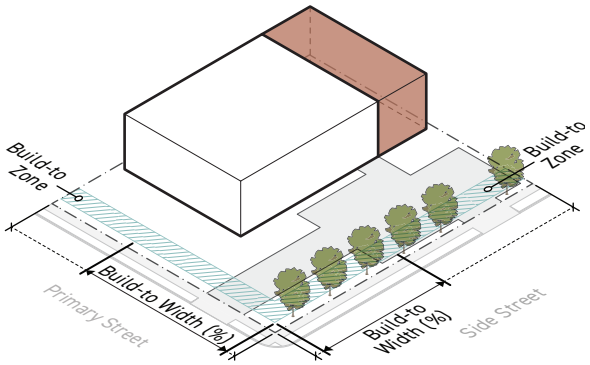
2. Side additions with floor area no greater than 20% of the existing building footprint are allowed. Once the build-to width standard has been met for both streets, side additions of any size are allowed.



3. Rear additions of any size, located behind the build-to zone, are allowed provided:

   a. A landscape area at least 6 feet wide adjacent to the side street lot line is installed across the entire length of the side street frontage. Breaks for pedestrian, bicycle, and vehicular access of the minimum practical width are allowed.

   b. The landscape area must include medium or large trees planted an average of 30 feet on-center along the entire landscape area.



   c. Trees should be planted offset from street trees to maximize space for canopy growth.

   d. All landscaping must meet the applicable standards of *Div. 19-4.10.*

19-6.3.4. NONCONFORMING SIGNS

A. General

1. Nonconforming signs may continue in operation provided the following standards are met:
    a. Sign will not be changed to or replaced with another nonconforming sign.
    b. Faceplates and tenant panels cannot be replaced or changed on a nonconforming single-tenant freestanding sign.[2]
    c. Sign will not be structurally altered to extend useful life;
    d. Sign will not be expanded;
    e. Sign will not be relocated, except in compliance with this Division; or
    f. Sign will not be reestablished after damage or destruction of more than 50% of the replacement value of the same type of sign at the time of such damage or destruction. Any damage to a nonconforming sign that is not repaired constitutes damage or destruction for purposes of this Section, and that damage will be cumulative;
    g. Sign must be removed when the business or other activity which the sign advertises is no longer in operation on the same parcel as the sign; and
    h. Sign must be removed if the site or building on the same parcel as the sign is demolished, redeveloped, or reconstructed.
2. This section will not prevent normal maintenance operations performed on a nonconforming sign or sign structure, provided structural elements are not removed and replaced. Nonconforming signs declared to be structurally unsafe by the Administrator must be removed and not repaired.

B. Nonconforming Signs Due to Condemnation

When a sign is located on land condemned for road right-of-way acquisition, the following standards will apply:

1. Any sign not located within, and which does not overhang, the land acquired for right-of-way may remain in place.
2. Any sign located within the new right-of-way for a state or federal highway must, at a minimum, comply with state standards for relocation.
3. Any sign located within the right-of-way acquired for a City street or for other purposes must comply with the provisions of this Subsection.

19-6.3.5. NONCONFORMING PARKING LOTS

A. Expansion, Paving, or Repaving

1. Nonconforming parking lots proposed to be expanded, paved, or repaved that are located on a corner lot or that increases the number of parking spaces or impervious surface by 25% or more must meet the requirements of *Sec. 4.6.3.* and *Sec. 4.8.3.*

2. Expansion, paving, or repaving of a nonconforming parking lot located on an interior lot that increases the number of parking spaces or impervious surface by less than 25% require the applicant to comply with 50% of the interior landscaping requirements in *Sec. 4.6.3.* and 50% of the frontage screening requirements in *Sec. 4.8.3.*[2]

3. Surfaces may be re-sealed without complying with the requirements of this Section provided the Administrator approves a plan reflecting to the extent practicable compliance with the requirements of *Sec. 4.6.2.* and *Sec. 4.6.4.*

B. Relief

The Administrator may balance the objectives of *Sec. 4.6.2.*, *Sec. 4.6.3.*, and *Sec. 4.8.3.*, and may reduce the proposed number of parking spaces or paved area by a maximum of 25% to accommodate the otherwise-required landscaping and screening.

19-6.3.6. NONCONFORMING LOTS OF RECORD [1]

A lot of record is a parcel of land that legally existed before the effective date of this Development Code and which does not meet the dimensional requirements of the zoning district in which it is located, does not meet the minimum frontage or access requirements on a privately or publicly maintained road or street, or both.

A. General

1. A nonconforming lot of record cannot be subdivided or re-subdivided except in conformance with this Development Code, including the dimensional standards for the applicable zoning district.

2. Per *Sec. 19-2.11.2.A.2.b*, any use allowed in the zoning district may be established on a lot of record regardless of size of the lot, provided that all other requirements of this Code are met. In no instance can a lot have a lot width of less than 15 feet.

3. The Administrator may require improvements to a street or alley providing access to a nonconforming lot of record based on the Project Activity. See *Sec. 19-4.1.1.* and *Sec. 19-4.4.1.*, Access must also meet the minimum standards required by the Fire Marshal.

DIV. 19-6.4. ENFORCEMENT

19-6.4.1. PURPOSE

This section establishes procedures through which the City seeks to ensure compliance with the provisions of this Code and obtain corrections for violations. It also describes the remedies and penalties that apply to violations of this Code. The provisions of this section are intended to encourage the voluntary correction of violations, where possible.

19-6.4.2. GENERAL

A. Compliance Required

Compliance with all provisions of this Code is required.

B. Responsible Persons

Any person who violates this Code will be subject to the remedies and penalties in this section.

C. Responsibility for Enforcement of Code Provisions

The Administrator is responsible for enforcing the provisions of this Code. The Administrator will be provided with the assistance of such other persons as the City Manager may direct.

D. Notice of Violations

When the Administrator finds that any building, structure, use, or land is in violation of this Code, the Administrator will send a written notice to the person responsible for such violation. The notice will be copied to the owner, if the owner is not responsible for the violation, and will indicate the nature of the violation, order the necessary action to abate the violation, and give a deadline for correcting the violation. If a violation is not corrected within a reasonable period of time as provided in the notification, the Administrator will take appropriate action available to City to correct and abate the violation and to ensure compliance with this Code.[2]

E. Complaints Regarding Violations

Whenever a violation of this code occurs, or is alleged to have occurred, any person may file a complaint. The complaint must state fully the alleged violation and the basis of the violation, and must be filed with the Administrator, who will maintain a record of the complaint. The complaint will be investigated promptly by the Administrator and action taken to abate or correct the violation.

F. Inspections to Ensure Compliance

Upon presentation of proper credentials, the Administrator may enter any building, structure, land, or premises to ensure compliance with the provisions of this Code. Inspections will be carried out during normal business hours unless the Administrator determines there is an emergency necessitating inspections at another time or times.

G. Right of Appeal

Any person aggrieved or affected by an enforcement action may appeal such action to the Board of Zoning Appeals. A written notice of appeal must be submitted to the Administrator within 10 city recognized business days of the date of the written decision or interpretation.[2]

19-6.4.3. VIOLATIONS

A. General Violations

1. Any failure to comply with a requirement, standard, prohibition, or limitation imposed by this Code or the terms or conditions of any permit or other development approval or authorization granted pursuant to this Code, constitutes a violation of this Code punishable as provided in this section.

2. Permits issued on the basis of plans and applications approved by the City Council, Planning Commission, Board of Zoning Appeals, Design Review Board or Historic Review Board, Administrator, or other officials or agencies where additional approval is required, authorize only the use, arrangement, location and construction set forth in such permits and development approvals, and no other use, arrangement, location or construction.

B. Specific Violations

1. It shall be a violation of this Code to do any of the following:

   a. Construct, reconstruct, alter, demolish, change the use of, or occupy any land, building, structure, or sign without first obtaining the appropriate permit or permit approval, or without complying with the terms and conditions of the permit or approval required to engage in such activity, or to engage in development or subdivision of any land in contravention of this chapter, including the conditions and terms of all required permits and development approvals.

   b. Excavate, grade, cut, clear, or undertake any other land-disturbing activity contrary to the requirements of this chapter or without first obtaining all necessary approvals required by this Code or other applicable regulations.

   c. Create, expand, replace, or change any nonconformity except in compliance with this Code.

   d. Reduce or diminish the requirements or development standards below the minimum required by this Code.

   e. Increase the intensity or density of use of any land or structure except in accordance with the requirements of this Code.

   f. Fail to comply with any terms, conditions, or limitations placed by the City Council, Planning Commission, Board of Zoning Appeals, Design Review Board or Historic Review Board, or Administrator, upon any development approval, including designation of a planned development (PD) zone district classification and PD plan, special exception permit, conditional use permit, variance permit, Major Historic Certificate of Appropriateness, sign permit, temporary use permit, certificate of compliance, site plan permit, final PD plan, final plat for minor subdivision, preliminary plat for subdivision, final plat for subdivision, land disturbance permit, street name or name change, certificate of conformity, or other form of authorization.[3]

g. Fail to remove any sign installed, created, erected, or maintained in violation of this Code, or for which the sign permit has lapsed.

h. Fail to comply with a Major Historic Certificate of Appropriateness, which shall include the discontinuance of work or lack of progress toward achieving compliance with a Major Historic Certificate of Appropriateness for a period of 6 months.

i. Operate, occupy, maintain, or allow use of any building, property, or land use in a manner that constitutes a nuisance to surrounding property owners or the general public, or presents a temporary or ongoing threat to the public health, safety, and welfare.[1]

19-6.4.4. REMEDIES AND PENALTIES

A. City Remedies and Penalties

The City may use any combination of the following enforcement actions, remedies, and penalties pursuant to ***Sec. 1-5*** of the Municipal Code to correct, stop, abate, and enjoin a violation of this Code.

1. Citation Noting Violation

The Administrator may issue a citation to the person pursuing the activity or activities in violation of this Code, requiring appearance before the Municipal Court.

2. Stop Work Order

The Administrator may issue and serve upon a person pursuing the activities in violation of this Code a stop work order requiring that the person stop all activities in violation of this chapter.

3. Permit Suspension or Revocation

a. Any development permit, approval, certificate, or other form of authorization required under this Code may be suspended or revoked if the Administrator determines that:

   i. There is a failure to comply with the approved plans, specifications, terms or conditions required under the permit or development approval;

   ii. The permit or development approval was procured by false representation; or

   iii. The permit or development approval was issued in error.

b. Written notice of suspension or revocation shall be mailed or served upon the property owner, agent, applicant, or other person to whom the permit was issued or such notice may be posted in a prominent location at the place of violation. No work or construction shall proceed after service of the notice.

B. Civil Remedies

In addition to all other remedies and penalties outlined in this section, the Administrator may initiate an action or proceeding for injunction or mandamus or other appropriate action or proceeding to prevent, abate, or correct a violation of this Code or to prevent the occupancy of the building, structure or land.

C. Criminal Remedies

Criminal penalties will be as provided by *Sec. 1-5* of the Municipal Code.

D. Private Civil Relief

In case a building, structure, or land is or is proposed to be used in violation of this Code, an adjacent or neighboring property owner or tenant who would be specially damaged by the violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy of the building, structure, or land.

E. Additional Remedies Available for Sign Violations

In addition to the remedies and penalties provided above, signs that are in violation of the provisions of this section are subject to the following provisions:

1. Notice of Violation

The Administrator may remove any unauthorized sign on public property or within a public right-of-way without notice. For other sign violations, the Administrator may send notice to the sign owner, the sign installer, and anyone deemed to have an interest in the subject sign stating the nature of the violation, and granting an appropriate period of time, not to exceed 30 days, to correct the violation.[2]

2. Impoundments[2]

a. The Administrator may dispose of snipe signs removed from public property or from within a public right-of-way immediately without notice.

b. For other sign violations, the Administrator may impound the sign and send notice stating that the sign has been impounded, the reason for the impoundment, and the process for claiming the sign. An impounded sign must be held for 10 calendar days from the date of the notice, during which time the sign owner may recover the sign. If the sign is not claimed within the 10-day period, the Administrator may dispose of the sign without compensation to the sign owner.

3. Posting of Violation Sticker

In addition, the Administrator may post the sign with a "Violation" sticker, which must not be removed by anyone other than the Administrator.

4. Payment of Costs of Sign Removal

Where the Administrator determines it is necessary to remove a sign, the sign removal may be assigned either to City staff or to a private contractor approved by the City pursuant to its rules of procurement. Upon completion of the removal, the City department or the City's contractor will submit an invoice to the City's finance officer for payment. The sign owner must pay the costs directly to the City or the costs will become a lien against the real property upon which incurred, and will be collected in the same manner as City taxes or by any other method permitted by law. Notice may be provided to the sign owner, tenant or property owner by email, where available; by regular US mail addressed to the last known address; by facsimile transmission; or any combination of these measures considered reasonable under the circumstances by the Administrator.

F. Remedies Cumulative

The remedies provided for violations of this Code, whether civil or criminal, are cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

ART. 19-6 AMENDMENTS

1. *Code 2023, §19-6; Ord. No. 2024-16, §19-6, 3-11-2024*
2. *Code 2023, §19-6; Ord. No. 2024-63, §19-6, 10-14-2024*
3. *Code 2023, §19-6; Ord. No. 2025-14, §19-6, 2-10-2025*
4. *Code 2023, §19-6; Ord. No. 2025-59, §19-6, 8-25-2025*

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ART. 19-7. **DEFINITIONS**

Div. 19-7.1. General 7-2
19-7.1.1. Interpretation of Terms and Provisions 7-2

Div. 19-7.2. Defined Terms 7-4

DIV. 19-7.1. GENERAL

19-7.1.1. INTERPRETATION OF TERMS AND PROVISIONS

The following rules apply for interpreting the terms and provisions of this Code:

A. Meanings and Intent

All provisions, terms, phrases, and expressions contained in this Code are interpreted according to the general purposes in ***Sec. 1.1.3.*** and the specific purpose and intent statements throughout this Code. When a specific section of this Code gives a different meaning than the general definition provided in this Division, the specific section's meaning and application of the term will control.

B. Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this Code and any heading, caption, figure, illustration, table, or map, the text will control.

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language, are intended to provide examples and are not exhaustive lists of all possibilities.

D. Computation of Time

The time in which an act is to be done is computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action is the next day that is not a Saturday, Sunday or holiday observed by the City. References to days are calendar days unless otherwise stated.

E. References to Other Regulations or Publications

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it will be interpreted as a reference to the most recent edition of the regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

F. Technical and Nontechnical Terms

Words and phrases will be interpreted according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law will be interpreted and understood according to such meaning.

G. Public Officials and Agencies

All public officials, bodies, and agencies to which references are made are those of the City, unless otherwise indicated.

H. Mandatory and Discretionary Terms

The words "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

I. Conjunctions

Unless the context clearly suggests the contrary, conjunctions are interpreted as follows:

1. The term "and" indicates that all connected items, conditions, provisions or events apply; and
2. The term "or" indicates that one or more of the connected items, conditions, provisions or events apply.

J. Tenses, Plurals, and Gender

1. Words used in the present tense include the future tense.
2. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
3. Words used in the masculine gender include the feminine gender, and vice versa.

DIV. 19-7.2. **DEFINED TERMS**

The following words, terms and phrases, when used in this Code, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Administrator. The person or persons designated by the City Manager to interpret, implement, and enforce all or portions of this chapter.

Accessory Equipment. Any equipment installed and owned by a third party used in connection with the delivery of a service (other than a communications service) to a wireless communications facility, such as an electric meter.

Accessory Structure. Any structure on the same lot as the principal building and serving a purpose incidental and subordinate to the principle building or use. Accessory structures include, but are not limited to, non-commercial greenhouses, detached garages, carports, sheds, gazebos, and swimming pools.[2]

Accessory Use. Any use of land or of a building serving a purpose incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Alley. A minor public or private accessway used primarily for vehicular service access to the back or the side for properties otherwise abutting on a street.

Antenna. Communications equipment that transmits, receives or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services; or similar equipment used for the transmission or reception of surface waves.

Appeal. A request for review of an administrative official's or decision-making body's interpretation or decision made under this chapter.

Applicant. The landowner of record or a person, business or organization having rights in contract in a subject property or their designated representative.

Architectural Metal Siding. Metal paneling used to cover the exterior of a structure that features clean, flat, or subtly profiled surfaces and features concealed fasteners (clip systems or interlocking joints). Metal siding not meeting this definition is generally classified as corrugated metal siding.[5]

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as either the "100-year flood" or the "one percent AEP."

Base Flood Elevation (BFE). The highest predicted flood elevation of a stream during the 100-year flood or the one percent AEP event.

Base Station. A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation:

1. Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul;

2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks); provided that, wireline connections in the rights-of-way linking antennas to other elements of a small cell, DAS or similar network will not be treated as part of the wireless communications facility and instead their placement shall be subject to review consistent with applicable provisions of the Greenville Municipal Code governing right-of-way use, and placement of utility facilities; the applicable franchise; and South Carolina law; or

3. Any structure other than a tower that, at the time the relevant application is filed with the City under this section, supports or houses the aforementioned equipment that has been reviewed and approved for placement of such equipment under the City's zoning process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support. However, for structures other than towers that support equipment described above in this definition, including but not limited to the sides of buildings, water towers, or utility poles, the term includes only that portion of a structure specifically approved to support the wireless equipment described above, and only relates to activities necessary to permit the installation, maintenance, replacement or collocation of wireless equipment described in the preceding paragraph. The exemption of a structure from review is not an approval.

Berm. An earthen mound formed to shield undesirable views, decrease noise, or add topographical interest.

Buffer. Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another.

Caliper. The diameter measurement of the stem or trunk of a plant. See ANSI Nursery Stock Standards for caliper measurement.

City. The City of Greenville, South Carolina.

Clear Height. The vertical dimension of the occupiable portion of an architectural feature at the shortest point.

Comprehensive Plan. The City's comprehensive plan, developed by the planning commission and adopted by the City Council intended to guide the physical development of the City, including any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

Concealment Element. Any design feature, including but not limited to painting, landscaping, shielding requirements and restrictions on location, proportions, or physical dimensions in relation to the surrounding area or supporting structures that are intended to make a wireless communications facility or any supporting structure supporting it less visible to the casual observer.

Copy. All words, letters, numbers, figures, characters, artwork, symbols, or insignia that are displayed on a sign face.

Corrugated Metal Siding. Metal paneling used to cover the exterior of a structure that features a wavy or ridged pattern formed by continuous corrugations. Fasteners may be exposed or concealed. Includes ribbed metal siding.[5]

Crematory incinerator. Any incinerator designed and used solely for the burning of human remains or animal remains pursuant to Department of Environmental Services (DES) Regulation 61-62.1, Section I. Such facility shall be properly licensed by DES and is considered a "High-impact industrial and manufacturing use" for the purposes of this Chapter.[1,5]

Customer Service Area. Area inside and outside a facility where patrons and/or customers of the facility are provided service and includes fixed and non-fixed seating areas, waiting areas, and any other areas where customers are served. Excludes kitchens, offices, restrooms, and storage rooms.[5]

Demolition. The razing of any structure, in whole or in part, including its ruin by neglect of maintenance or repairs. Includes removal of more than 50 percent of the roof and exterior walls of a building to its foundation.[5]

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; mining, dredging, grading, paving, excavation or drilling operations; deposit of refuse, debris, or fill materials; and, clearing of natural vegetative cover.

Diameter at Breast Height (DBH). The outside bark diameter measured at 4.5 feet above the ground plane on the uphill side of the tree. See ANSI Nursery Stock Standards for more details.

Dwelling Unit. A building, or a portion of a building, designed for occupancy of one household for residential purposes and having living, cooking, sleeping and sanitation facilities.

Easement. A grant or reservation of one or more property rights by the owner of land for the use of such land by others.

Eligible Facilities Request. A request for modification of an existing tower or base station that does not involve a substantial change in the physical dimensions of such tower or base station, involving: collocation of new transmission equipment; removal of transmission equipment, or replacement of transmission equipment.

Eligible Support Structure. Any tower or base station provided it was in existence at the time the relevant application is filed with the City under this ordinance.

Equipment Compound. An area surrounding or near the base of a wireless support structure within which are located wireless communications facilities.

Establishment. As used in the context of a sexually oriented business, any of the following:

1. The opening or commencement of any such business as a new business;
2. The conversion of an existing business, whether or not a sexually oriented business, to any of the sexually oriented businesses defined in this Division;
3. The addition of any of the sexually oriented businesses to any other existing sexually oriented business; or
4. The relocation of any such sexually oriented business.

EV Installed. A parking space served by a Level 2 or DC Fast Charging electric vehicle charging station.[5]

Existing Support Structure. A freestanding structure, other than a tower, upon which wireless communications facilities are already affixed at the time an application is received for placement of a wireless communications facility.

Extended Advertising Space. The area on Type I outdoor advertising signs that extends beyond the normal rectangular shape of the sign face.

External Reflectance. An amount of light that reflects on the outside portion of a building surface, like a window.

Fall Zone. The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.

Flag. Any fabric or other flexible material designed to be flown from a flagpole.

Flood Hazard Boundary Map (FHBM). Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development for a community, depicting approximate Special Flood Hazard Areas.

Flood Insurance Rate Map (FIRM). An official map of a community on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood hazard boundary-floodway map and the water surface elevation of the base flood.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot during the 100-year flood.

Footcandle. A unit of illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

Household. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Level of Service (LOS). Qualitative measures that characterize operational conditions within a traffic stream and their perception by motorists and passengers. The descriptions of individual levels of service characterize these conditions in terms of such factors as speed and travel time; freedom to maneuver; traffic interruptions; and comfort and convenience. Six levels of service are defined by the highway capacity manual for signalized intersections based upon available procedures. They are assigned letter designations from A to F, with LOS "A" representing the best operating conditions and LOS "F" as the worst.

Lumen (lm). The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture. For the purposes of this code, the lumen output values are the initial lumen output ratings of a lamp as defined by the manufacturer.[5]

Lumens per net acre. The total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.[5]

Micro Wireless Facility. A small wireless facility that meets the following qualifications:

1. Is not longer in dimension that 24 inches in length, 15 inches in width, and 12 inches in height; and
2. Any exterior antenna that is no longer than 11 inches.

Monopole. A single, freestanding pole-type tower designed to support one or more wireless communications facilities; a monopole is not a utility pole or a light pole.

North American Vertical Datum (NAVD). The datum points established at the Pointe-au-Pere on the Saint Lawrence River, Quebec Provence, Canada, based upon the mass or density of the earth. The datum listed as a reference on the community FIRMs and required to be used for elevation certificates and floodproofing certificates.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing copy, suspended from a rope, wire or string usually in a series and designed to move in the wind. Strings of lights shall be considered a pennant.

Primary Structure. A structure or building having significant or principal use and justifying its own utilization, such as a dwelling or office building, as contrasted to accessory structures which are incidental or subordinate to primary structures and do not alone justify their utilization, such as a tool shed or auto garage used in conjunction with a dwelling. Certain structures may be either principal or accessory depending upon utilization, such as a parking garage as an accessory structure to a high-rise apartment or as a principal structure when operated commercially in a business area.[2]

Principal Use. The dominant use of a site, as distinguished from accessory uses that support it. Principal uses can be determined by analysis of the use that takes up the most space on a site and derives the most commercial value.

Private Street/Private Access Way. A means of vehicular access conveyed to property owner's association or condominium regime incorporated pursuant to the South Carolina Code of Laws designed and constructed to the standards of the Design and Specifications Manual.

Repaving. To remove all layers of existing pavement and replace it in its entirety. Classified as a site modification.[5]

Residential District. Property with a City zoning designation of RH-, RN-, RNX-, RC- or equivalent designation if located outside of the City limits.[5]

Sight Triangle. A triangular area at an intersection with minimal visual obstructions to ensure safe and efficient vehicular, pedestrian, and multi-modal movement. It is measured by following the intersecting right-of-way lines for a prescribed distance and drawing an imaginary line connecting these points. Refer to Table 6.1: Street Design Criteria in the Engineering Design and Specifications Manual for applicable Sight Triangle measurements at street intersections.[2]

Sign, Cabinet. A fabricated sign box, which may contain a light source and a plastic or aluminum face over a frame, with letters or graphics. Cloud signs are considered a cabinet or box sign cut out in a different shape than the typical square or rectangular design.

Sign, Electronic Message Board. A sign that utilizes computer-generated messages or some other electronic means of fixed or changing sign copy. Electronic message boards include, but are not limited to, displays using incandescent lamps, LEDs, or LCDs.

Sign, Menu Board. A sign erected in conjunction with a use that incorporates a drive-thru or drive-in and is generally used to provide service and/or product options and pricing for patrons who remain in a vehicle.

Sign, Flat Panel. A flat, one-dimensional sign that is mounted on a wall and the face of which generally runs parallel to the wall. A flat panel sign contains information on a one-dimensional surface.

Sign, Inflatable. means a sign that requires air, whether contained or blown, to keep and maintain its shape, or which causes an object to flutter.

Sign, Off-Premises. A sign advertising goods, products, services, or facilities that are located on premises other than those upon which the sign is located.

Sign, Outdoor Advertising Type I. A permanent freestanding off-premises sign, commonly referred to as a billboard, and that is generally used to rent or lease advertising space.

Sign, Outdoor Advertising Type II. A sign located on, and designed as an integral part of, City-approved public transportation shelters and is generally used to rent or lease advertising space.

Sign, Pylon. A freestanding sign typically supported by one or two steel columns, and is dissimilar from a monument sign because its base is not solid to the ground.

Sign, Roof. A sign that is erected, constructed or maintained above the roof of any building.

Sign, Snipe. A temporary sign which is attached in any manner to a tree, pole, stake, fence, or other object.

Site Modification. Any substantial modification to a site, including landscaping, trees, fencing, walls, lighting, grading, flatwork, and parking lots including repaving of existing parking lots.[3]

Small Wireless Facilities. Has the same meaning as under 47 C.F.R. §1.6001, or under any definition of that term under South Carolina law that is binding on the City, but only as to the placements to which the definition is required to apply.

Stealth Facility. Any wireless communications facility designed to look like some feature other than a wireless tower or base station. Examples of stealth facilities include wireless facilities which are disguised as public art or markers, as flagpoles, as light poles, as indigenous trees, as rocks, or as architectural elements such as dormers, steeples and chimneys. To qualify as "stealth" design, the item in question must match the type of item that it is mimicking in size, scale, shape, dimensions, color, materials, function and other attributes as closely as possible, and placed in a manner and at a location appropriate to the item that it is mimicking. The elements that make a facility a stealth facility are concealment elements.

Street. A thoroughfare designed to provide the principal means of access to abutting property or designed to serve as a roadway for vehicular travel, or both. Excludes alleys.[5]

Structure. Any constructed object more than 30 inches in height.

Substantial Enlargement of a Sexually Oriented Business. The increase in floor areas occupied by the business by more than 25 percent, as the floor areas exist on the effective date of the ordinance from which this article is derived.

Substantial Improvement. A structure built prior to the enactment of the ordinance from which this section is derived, any reconstruction, rehabilitation, addition, or other improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term "substantial improvement" includes structures that have incurred repetitive loss or substantial damage, regardless of the actual repair work performed. For the purpose of this definition, the term "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structure. The term "substantial improvement" does not, however, include either any project for improvement of a structure to comply with state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions; or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Temporary Use. Any use not meant to be permanent in nature. Typically, "temporary" means for a duration of a few days to a single season.

Total outdoor light output. The total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value to be used in the calculation is the lumen value as defined in this Code. To get the total, add the lumen output attributed to each light fixture.[5]

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This definition includes a monopole, but does not include utility poles or light poles.

Transfer of Ownership or Control of a Sexually Oriented Business. The sale, lease, or sublease of the business The transfer of securities that constitute a controlling interest in the business, whether by sale, exchange, or similar means. The establishment of a trust, gift or other similar legal devise which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

Variance. A grant of relief to a person from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

Visual Light Transmittance. An amount of visible light that passes through an object, like a window.

Wireless Communications Facility or Wireless Communications Facilities. A facility at a fixed location used in the provision of personal wireless services, wireless internet access services to the general public or public agencies, or wireless utility, governmental or educational services. The term includes the base station, and accessory equipment, if any, associated with the same, but excludes the pole or support structure, to which the facility is or will be affixed, and does not include end user equipment.

Wireless Services. Any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public.

ART. 19-7 AMENDMENTS

1. *Code 2023, §19-7.3; Ord. No. 2023-80, §19-7.3, 11-13-2023*
2. *Code 2023, §19-7.2; Ord. No. 2024-16, §19-7.2, 3-11-2024*
3. *Code 2023, §19-7; Ord. No. 2024-63, §19-7, 10-14-2024*
4. *Code 2023, §19-7; Ord. No. 2025-14, §19-7, 2-10-2025*
5. *Code 2023, §19-7; Ord. No. 2025-59, §19-7, 8-25-2025*