
ARTICLE 1 PURPOSE, AUTHORITY

Section 1:1 Purpose

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan and are designed to lessen traffic congestion; to secure safety from fire, panic, and other danger; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations have been made with reasonable consideration, among other things, to the character of each district and to its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Greer.

Section 1:2 Authority

The provisions of this ordinance are adopted under authority of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code Title 6, Chapter 29.
ARTICLE 2 JURISDICTION

The regulations set forth in this ordinance shall be applicable within the corporate limits of the City of Greer, now or hereafter, as designated on the official Zoning Map. City Council shall consider all territory, which may hereafter be annexed to the City of Greer by petition under a zoning classification to be proposed by the petitioner(s) and stated in the petition. All territory which may hereafter be annexed to the City of Greer by referendum shall be considered by City Council under a zoning classification to be proposed by City Council. No property shall be annexed into the City of Greer under any zoning classification until a public hearing is conducted and proper notice given thereof as set forth in the zoning amendment procedures of Article 11 of this ordinance.
ARTICLE 3  ZONING DISTRICTS AND OFFICIAL ZONING MAP

Section 3:1 Zoning Districts

The City of Greer, as now or hereafter established, is hereby divided into the following districts:

R-S    Residential Suburban District
R-20   Single-Family Residential District
R-12   Single-Family Residential District
R-10   Single-Family Residential District
R-7.5  Single-Family Residential District
R-5    Single-Family Residential District
R-M1 & R-M2  Multiple-Family Residential District
O-D    Office District
C-1    Central Business District
C-2    Commercial District
C-3    Highway Commercial District
CD     Cluster Development
PD     Planned Development District
S-1    Service District
I-1    Industrial District
FP     Flood Protective Area
GIBC   Gateway International Business Center

Section 3:2 Official Zoning Map

The boundaries of each zoning district are shown on a map entitled, Official Zoning Map, Greer, South Carolina, which is hereby adopted and declared to be a part of this ordinance. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bear the seal of the city under the following words: “This is to certify that this is the Official Zoning Map referred to in Article 3 of the zoning ordinance adopted by the Council of the City of Greer on July 1, 1971”.

3:2.1 Amendments

Amendments to the Official Zoning Map shall be made as necessary so that the map at all times portrays the current status of the zoning districts or zoning district boundaries.

3:2.2 Custodian of Map

A reproducible copy of the Official Zoning Map shall be kept on file in the office of the City of Greer Planning Commission and copies shall be available at all times for inspection by the public. Copies shall likewise be available at the office of the City Clerk.
Section 3:3 Interpretation of District Boundaries

When uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply.

3:3.1 Delineation

District boundary lines are intended to follow the centerlines of streets, highways, alleys, easements, and other rights-of-way; the centerlines of streams or other water channels; and follow platted lot or other property lines. In the absence of visual district boundaries or specified distances on the Official Zoning Map, dimensions or distances shall be determined by scaling the distance on the Official Zoning Map.

3:3.2 Interpretation

When the physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Board of Zoning Appeals shall interpret the district boundaries.

3:3.3 Divided Lot

Where a district boundary divides a lot which was in single ownership at the time of passage of this ordinance, the Board of Zoning Appeals may permit the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.
ARTICLE 4     DEFINITIONS

Except where specifically defined herein, all words used in this ordinance shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

Accessory Use - A use of land or of a building or portion thereof customarily incidental to the principal use of the land or building and located on the same lot with such principal use. For the purpose of this Ordinance, accessory uses include swimming pools, game courts, satellite dishes, solar panels, windmills, and similar devices.

Apartment - Any building which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of more than two families or persons living independently of each other.

Assisted Living/Nursing Home – A facility or institution providing continuous medical and skilled nursing care to two or more individuals who are unable to properly care for themselves as well as some who are independent of continuous care, but do need some assistance.

Bar - Any establishment including cocktail lounges, taverns, etc., however designated, whose primary function is the sale of beer, wine, or other alcoholic beverages for consumption on the premises and cannot be licensed as a restaurant under State A.B.C. regulations.

Bed and Breakfast - Private home offering lodging and breakfast to guests. Accommodations are limited to a maximum of four (4) guestrooms. This type of establishment is primarily a private home offering lodging and breakfast to guests. The appearance and primary function of the home shall remain as a residence, not as a lodging establishment.

Berm – An earthen mound formed to shield undesirable views, decrease noise, and/or add topographical interest. The slope of a berm should not exceed a rise of one (1) foot in two (2) horizontal feet.

Buffer - An area consisting of landscaping, walls, fences, or berms designated to ensure against real or potential incompatibility between adjoining land uses of different types and/or intensities, and to soften the visual effect of development from public rights-of-way.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, process, equipment, or goods including all boxing, overhang, and attached canopies.

Building, Accessory - A structure attached to or detached from a principal building on the same lot and customarily incidental in use to the principal building.
Building, Principal - A building in which is conducted the principal use of the lot.

Building Setback Line - A line establishing the minimum allowable distance between the nearest portion of any building, and the property line when measured perpendicularly thereto. Steps, gutters, and similar fixtures and boxing no greater than 2 feet in width are excluded as part of the building when determining this line.

Caliper - A unit of physical measure for defining the diameter of a newly planted tree measured 6 inches above ground level.

Canopy - A roof like, unenclosed (except when connected to a building) shelter having various means of support and generally used for protection from weather for pedestrians.

Cemetery – Land used or intended to be used for the burial of the dead, including columbarium’s, mausoleums, and chapels when operated in conjunction with and within the boundaries of such cemetery.

Certificate of Occupancy - A statement signed by the Zoning Administrator setting forth that the building, structure, or use complies with the zoning ordinance and that the same may be used for the purpose stated herein.

Child Care Center or Day Care Center - A structure in which care, maintenance, and supervision are provided for children who are not related to the operator whether for compensation, reward, or otherwise during part or all of the day or night and any number of successive days or nights.

Child Care Home - One in which care is given in a family home for one and not more than six children. Only those residing in the home may be involved in the day-to-day operation of the Child Care Home.

Cluster Subdivision – A form of residential subdivision that permits housing units to be grouped on sites or lots with dimensions, frontages, and setbacks reduced from conventional sizes, provided the density of the tract as a whole shall not exceed the density allowed by the zoning district under existing regulations and the remaining land area is devoted to common open space.

Columbaria – A building or structure designed with niches for the location of urns to hold the ashes of cremated persons. Columbaria shall be operated only within the boundaries of cemeteries and churches.
**Common Open Space** – Land and/or water or related to a cluster residential development, not individually owned, which is designed and intended for the common use or enjoyment of the residents of the development, or the public, which may contain such accessory structures and improvements as are necessary and appropriate for passive recreational purposes and utilities. A condition of the cluster residential development approval shall be that common open space may not be further subdivided.

**Communication Tower** - A tower of any size which supports communication (broadcast or receiving equipment) utilized by commercial, governmental, or other public or quasi-public users. This does not include private home use of satellite dishes and television antennas, or amateur radio operators as licensed by the Federal Communications Commission.

**Developable Acreage** – As it pertains to cluster residential developments, land that is located outside of designated floodplains and has a slope of less than 30%.

**Diameter Breast Height (DBH)** - Tree trunk diameter measured 4 ½ feet above ground level.

**District, Zoning** - Any section of the City of Greer in which zoning regulations are uniform.

**Dwelling** - Any building used exclusively for human habitation including any permitted home occupation but excluding hotels, motels, and rooming and boarding houses.

**Dwelling Unit** - One or more rooms with cooking and toilet facilities used as a place of residence for one family.

**Dwelling, Four-Family** - A building used as a place of residence for four families occupying separate dwelling units.

**Dwelling, Garden Court** - A single-family dwelling unit, also known as a patio house, which is located on its lot, nearer to one side and/or rear property lines than is allowed for normal single-family dwellings; however, such structure cannot be located closer than 5 feet to the side and/or rear property lines.

**Dwelling, Mobile Home** - A single-family residential unit constructed as a mobile home as defined by this ordinance.

**Dwelling, Modular** - A factory-fabricated, transportable building consisting of two or more sections designed to be used on a home site where it is placed on a permanent foundation and joined to make a permanent single-family dwelling. Such units will comply with all state and locally adopted building codes.
Dwelling, Multiple-Family - A building used exclusively as a place of residence and containing three or more dwelling units.

Dwelling, Single-Family - A detached building used exclusively as a place of residence for one family.

Dwelling, Three-Family - A building used as a place of residence for three families occupying separate dwelling units.

Dwelling, Two-Family - A building used as a place of residence for two families occupying separate dwelling units.

Evergreen Shrub - Any self-supporting woody plant with several stems, retaining leaves throughout the year, easily maintained at thirty (30) to forty (40) inches in height.

Expressway - Expressways involve those facilities containing some at-grade intersections but with limited access.

Family - One or more persons living together as a single housekeeping unit. For the purposes, of this ordinance such persons may include gratuitous guests, foster children, and domestic servants employed on the same premises.

Freeway - Freeways involve those facilities with complete control of access through the use of grade separation and interchanges.

Group Residential Development - A building or group of buildings containing five or more dwelling units located on a single lot or parcel of ground and subject to the provisions of Section 7:9.

Gross Leasable Area - The total floor area designed for tenant occupancy and exclusive use including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Historic Overlay District – Those properties designated by the Board of Architectural Review to qualify as local historic landmarks.

Height - The vertical distance measured from the average finished grade at the front building line to the highest point of the structure.

Homeowners Association – A private non-profit association which is organized by the developer of a residential development in which individual owners share common interest in open space and/or facilities and are in charge of preserving, managing, and maintaining the common property, and enforces certain covenants and restrictions.
**Home Occupation** - Any use of principal and accessory buildings clearly incidental to their uses for dwelling purposes and conducted for compensation by a resident thereof, within a residential district and meeting the requirements of Article 6, Section 6:12 of this ordinance.

**Hotel or Motel** - A building or group of buildings containing individual sleeping or living units designed for the temporary occupancy of automobile tourists or transient guests and which has a garage attached or parking space conveniently located to each unit.

**Junk Yard** - Any land or area used, in whole or in part, for commercial storage and/or sale of waste paper, rags, scrap metal, or other junk and including storage of vehicles and machinery and/or dismantling of such vehicles or machinery.

**Lot** - A parcel of land designated by number or other symbol as a part of a legally approved and recorded subdivision, or as described by metes and bounds and recorded in the office of the Greenville County or Spartanburg County Register of Mesne Conveyance.

**Lot, Corner** - A lot abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or of the street lines as extended is the corner.

**Lot, Depth** - The average horizontal distance between the front and rear property lines of a lot.

**Lot, Double Frontage** - A lot which extends through a block having frontage on two streets.

**Lot Line, Front** - That line which separates the lot from a street right-of-way.

**Lot Line, Rear** - Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at the maximum distance from the front lot line, or a chord thereof if the front lot line is curved, shall be considered as the rear lot line for purposes of determining the required rear yard.

**Lot of Record** - A lot existing before the adoption of the Zoning Ordinance and as shown or described on a plat or deed in the records of the Greenville or Spartanburg County Register of Mesne Conveyance.

**Lot, Width** - The distance between the side lot lines at the setback line as measured along a straight line parallel to the front lot line or parallel to the chord thereof.

**Lot, Zoning** - A parcel of land which is indicated by the owner at the time of application for a building or zoning permit as being that land which he proposes to develop under one ownership.
Manufactured Home - See Sectional Home

Mausoleum – A building or structure designed with vaults to hold caskets or crematory urns. Mausoleums shall be operated only within boundaries of approved cemeteries.

Mini-Warehouse - A facility composed of one or multiple structures divided into sections for use as storage of items either temporary or long-term and not be used for any other purpose (such as small office, garage, etc.). Such a facility may include one accessory manager’s office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.

Mobile Home - A mobile home is a portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed to be used without a permanent foundation for a permanent residence. A unit may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. Mobile units can be designed to be used for residential, commercial, educational, or for industrial purposes excluding, however, travel trailers, travel motorized homes, pick-up coaches, and camping trailers. For the purposes of this ordinance, mobile homes do not include modular homes.

Mobile Home Park – See Section 7:2

Mobile Home Space - That portion of land in a mobile home park allotted to or designed for the accommodation of one mobile home.

Mobile Module - A mobile module is a factory fabricated transportable building unit designed to be incorporated at a building site into a permanent structure to be used for residential, commercial, educational, or industrial purposes.

Motel - (See Hotel - Motel)

Mulch-A protective covering (such as pine straw, shredded bark, or other materials) spread evenly around trees, shrubs, and ground covers to reduce evaporation, maintain even root temperatures, prevent erosion, and control weeds.

Nonconforming Lot - A lot of record at the time of passage of this ordinance which does not meet the requirements for area and/or width generally applicable in the district in which such lot is located.

Nonconforming Use or Structure - A land use or structure which existed lawfully on the date this zoning ordinance became effective and which does not conform with the permitted uses for the zoning district in which it is situated. Nonconforming uses are incompatible with permitted uses in the districts involved. Such nonconformity’s are permitted to continue until they are removed.
**Parking Space** - The storage space for one automobile of not less than 9 feet by 20 feet, or as described in Section 6:9.5 and shown on the parking standards, plus the necessary access space, and located outside the dedicated street right-of-way.

**Planned Shopping Center** - A group of commercial establishments planned, developed, owned, and managed as a unit related in location, size, and type of shops to the trade area that the unit serves; it provides on-site parking in definite relationship to the types and sizes of stores.

**Planned Unit Development** - For purposes of this ordinance a planned unit development shall be a group of detached, semi-detached, attached, groups of attached, clustered, or multistoried residential structures, or any combination thereof on a parcel of land, residually zoned, under single, corporation, firm partnership, or association ownership, planned and developed as an integrated unit, in a single development operation or a definitely programmed series of development operations in accordance with an approved development plan.

**Private Recreation Area** - A recreation area owned and maintained by members and operated as a nonprofit organization.

**Private Street** - A right-of-way of undetermined width with a roadway of undetermined width which has not been dedicated, recorded, or publicly accepted by the county.

**Rest Home** - The rooming or boarding of any aged or convalescent persons, whether ambulatory or nonambulatory, for which a license is required by a county, state, or federal agency.

**Restaurant** - Any establishment including drive-ins, however designated, whose primary function is the sale of food for consumption on the premises; and includes any establishment which has been licensed by the State A.B.C. Board as a restaurant.

**Roadside Buffer** - The designated area between the road right-of-way and the parking area used to soften the impact of dissimilar land uses and provide screening to satisfy the requirements of this section.

**Rooming or Boarding House** - A dwelling other than a hotel where lodging and/or meals for three or more persons are provided for compensation.

**School** - A public, parochial, private school or college, school of special education, or a school for the mentally or physically handicapped giving regular instruction for a normal school year. This does not include a child care or day care facility unless conducted as part of a school of general education.

**Sectional Home** - A sectional home consists of two or more units factory fabricated and transported to the home site where they are put on a permanent foundation and joined to make a permanent single-family house.
**Service Station** - An establishment used for the servicing of automobiles including the sale of gasoline, oil, grease, minor accessories and washing and polishing but excluding the sale of automobiles, body repairing, major motor repairing, and painting.

**Setback Line** - That line which is parallel to and a given distance from the front lot line of a lot or parcel of land at such distance as is required in this ordinance.

**Shade Tree** - Any tree, evergreen or deciduous, of a species which normally reaches a height of thirty feet or more and a crown spread of twenty (2) feet or more at maturity.

**Small Tree** - A single or multi-stem tree of a species that normally reaches a mature height between eight (8) and thirty (30) feet and a crown spread of less than twenty (20) feet at maturity.

**Sports Complex** - A building or group of buildings housing sports fields for athletic activities.

**Street** - A dedicated public right-of-way which affords the principal means of access to abutting property and which has been accepted for maintenance by the City of Greer or the State Highway Department. For the purposes of these regulations, the term street or streets shall also mean avenues, boulevards, roads, lanes, and other public ways.

- **Residential Service Street** - A public or private way used primarily for providing direct access to abutting property.
- **Collector Street** - A public way designed primarily to connect residential service streets with arterial streets or to provide a direct connection between two arterial streets and may be expected to carry a significant volume of traffic having neither origin nor destination on the street.
- **Arterial Street** - A federal or state highway designed primarily for the movement of large volumes of traffic from one area to another.

**Structure** - Anything constructed or erected which requires a permanent location above grade. For purposes of this ordinance, “structure” does not include landscape features such as ornamental pools, planting boxes, sculpture, bird baths, open terraces, walkways, driveways, walls, or fences; shelters for pets, playhouses, open stairs, recreational equipment, flagpoles, game courts, swimming pools, underground fallout shelters, air conditioning compressors, pump houses or wells, mailboxes, outdoor fireplaces, gate houses, burial vaults, bus shelters, or that portion of a roof overhang or boxing not exceeding 2 feet.

**Tract** – An area, parcel, site, piece of land, or property which is the subject of a development proposal and applications.

**Travel Trailer** - Any vehicle mounted on wheels and not more than 26 feet in length designed and intended to serve primarily as short-term shelter.
**Tattoo Facility** - “Tattoo facility” means any room, space, location, area, structure, or business, or any part of any of these places, where tattooing is practiced or where the business of tattooing is conducted.

**Uses Permitted By Special Exception** - Uses allowable where facts and conditions detailed in this ordinance, as those upon which a use may be permitted, are found to exist.

**Utility, Public** - Any agency which, under public franchise or ownership, provides the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other service.

**Variance** - A variance is a relaxation of the dimensional terms of the zoning ordinance where such variance will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship and does not involve a change in the use of property.

**View Shed** - The volume of space through which a significant natural feature is visible from a designated point or area.

**Yard, Required** - The open space between a lot line and the buildable area within which no structure may be located except as otherwise provided in this ordinance. All yards referred to in this ordinance are minimum required yards.

**Yard, Front** - An area extending across the full width of the lot and lying between the front lot line and the setback line as required in the applicable district.

**Yard, Rear** - An area extending across the full width of the lot and lying between the rear lot line parallel thereto at a distance therefrom as required in the applicable district.

**Yard, Side** - An area extending along the length of the lot between the required front yard and the required rear yard, and between the side lot line and a line parallel thereto and a distance therefrom as required in the various districts.
ARTICLE 5  ZONING DISTRICT REGULATIONS

Section 5:1 General Regulations for All Residential Districts

5:1.1 Water and Sewerage

It shall be unlawful to construct or occupy any residential dwelling that is not connected to an approved water supply and sewerage disposal facility. Wherever public or community water and sewerage systems are available, dwellings shall be connected to such systems. In every other case, individual water supply sewerage disposal facilities must meet the requirements set by the Greenville and/or Spartanburg County Health Departments.

5:1.2 Facility Approval

Area requirements for individual lots in all districts are minimum requirements with an approved water and sewerage disposal system accessible to the lot. If a lot of record with less than the minimum approved water and sewerage system available, a certificate from the Greenville and/or Spartanburg County Boards of Health approving the proposed facilities must accompany a request for a zoning certificate.
Section 5:2 R-S, Residential Suburban District

The purpose of this district is to provide reasonable safeguards for areas which are in the process of development with predominately single-family dwellings but are generally still rural in character.

Section 5:2.1 Uses Permitted

Animal hospitals/large and small animals
Cemetery
Country Club
Dwelling, single-family detached
Farms and ranches, including the raising of crops and livestock
Farm products, warehousing and storage
Home Occupation (subject to requirements in Section 6:12)
Kennels
Nursery/greenhouse/landscaping business
Riding academies/stables
Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.
Tree farm
Uses and structures customarily accessory to the permitted uses

Section 5:2.2 Uses Permitted by Special Exception

The following uses may be permitted by special exception by the Board of Zoning Appeals in accordance with provision in Article 7.

Bed and Breakfast
Cemetery
Churches, Synagogues, etc.
Fire Stations
Golf Courses
Library
Portable or temporary school classroom
Private airstrip
Private recreation area
Public park and playground
Public utility building and use
Day care homes
Radio Broadcasting Studios
Livestock wholesale
Lumberyards
Roadside stand for the sale of crops, produce, fruit, etc., produced on the property
Schools - public, parochial or private
Utility towers, substations, tanks, pressure control stations, etc.
Parks and recreational facilities
Police facilities
Transportation and utility easement and right-of-way
Other public and semipublic uses which are considered to be compatible with the
aforementioned uses
Water storage

Section 5:2.3 Lot Area

The minimum lot area for single-family residential uses shall be 32,000 square feet; for
agricultural and other allowed uses, one acre.

Section 5:2.4 Lot Width

Minimum lot width for a single-family detached dwelling shall be 100 feet.

Section 5:2.5 Minimum Yard Requirements

A. Front Yard: 50 feet
B. Rear Yard: 50 feet
C. Side Yard: 30 feet

Section 5:2.6 Off Street Parking

Off street parking shall be provided in accordance with provisions set forth in Section
6:9.
Section 5:3  R-20, R-15, R-12, R-10, and R-7.5 Residential Districts

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

5:3.1 Uses Permitted

Detached single-family dwelling
Home occupation, subject to requirements in Article 6, Section 6:12
A portable temporary school classroom
Uses and structures customarily accessory to the permitted uses

5:3.2 Uses Permitted by Special Exception

The following uses may be permitted by special exception by the Board of Zoning Appeals in accordance with provision in Article 7.

Bed and Breakfast
Cemetery
Church subject to Section 7:6
Fire Station
Golf course including a clubhouse and other improvements
Private recreation area
Public park and playground
Public utility building and use
School, public, parochial and private
Transportation and utility easement and right-of way
Other public and semipublic uses which are considered to be compatible with the aforementioned uses

5:3.3 Accessory Building Setback

Accessory buildings may be located in the rear yard, provided that they are set back not less than 5 feet from any lot line and occupy not more than 20 percent of the rear yard.

5:3.4 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.
### 5:3.5 Minimum Requirements - Residential Lots

<table>
<thead>
<tr>
<th></th>
<th>R-20</th>
<th>R-15</th>
<th>R-12</th>
<th>R-10</th>
<th>R-7.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (Sq. Ft.)</td>
<td>20,000</td>
<td>15,000</td>
<td>12,000</td>
<td>10,000</td>
<td>7,500</td>
</tr>
<tr>
<td>Lot Width</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>30 ft.</td>
<td>30 ft.</td>
</tr>
<tr>
<td>Lot Frontage</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>See No. 2</td>
<td>See No. 2</td>
<td>See No. 2</td>
<td>See No. 2</td>
<td>See No. 2</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
</tr>
</tbody>
</table>

### 5:3.6 Minimum Requirements - Nonresidential Lots

<table>
<thead>
<tr>
<th></th>
<th>R-20</th>
<th>R-15</th>
<th>R-12</th>
<th>R-10</th>
<th>R-7.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (Sq. Ft.)</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
</tr>
<tr>
<td>Lot Width</td>
<td>200 ft.</td>
<td>100 ft.</td>
<td>100 ft.</td>
<td>100 ft.</td>
<td>100 ft.</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
<td>See No. 1</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>15 ft.</td>
</tr>
</tbody>
</table>
No. 1
The minimum depth of the front yard measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street, except that when a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way. These setback requirements also apply to corner lots.

No. 2
The minimum width of a residential side yard shall be 10 percent of the total lot width but not less than 5 feet. If it is a corner lot, the setback requirements of No. 1 will apply.
Section 5:4 R-5, Special Provisions for Lots Zoned for a Garden Court or Patio House

Section 5:4.1 Minimum Requirements

Lot Area (Square Feet)  5,000
Lot Width  30 Feet
Lot Frontage  20 Feet
Front Yard Setback  Refer to Article 5, Section 5:2.6 Note 1
Side Yard Setback  No closer than 5 feet
Rear Yard Setback  No closer than 5 feet

Section 5:4.2 Uses Permitted

Provisions of Section 5:3.1 on uses permitted are incorporated by reference.

Section 5:4.3 Uses Permitted by Special Exception

The provisions of Section 5:3.2 on uses permitted on review are incorporated herein by reference.

Section 5:4.4 Minimum Parcel Required for Development

No lot may qualify as R-5 unless that lot is part of a residential development consisting of not less than three (3) acres.

Section 5:4.5 Recreation Area Required

No development shall be approved as R-5 unless it provides a minimum of 200 square feet of recreational area for each dwelling unit in the development for purposes of outdoor recreation. Such recreational area shall be in addition to dwelling yards and development common areas. However, whenever any R-5 development is within one-half mile (road mileage) or less of a public recreational facility which meets the same size requirements set forth herein, then no recreational area shall be required of the development.
Section 5:5 R-M1 and R-M2, Multifamily Residential Districts

The R-M1 and R-M2 districts are established to provide for medium and high population density. The principal use of land is for two-family and multiple-family dwellings and mobile home parks, and the recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area. The regulations for these districts are intended to discourage any use which, because of its character, would interfere with the development of, or be detrimental to, the residential nature of the area included in the district.

5:5.1 Uses Permitted

Dwelling, one-family
Dwelling, modular
Dwelling, two-family
Dwelling, three-family
Dwelling, four-family
Home occupation subject to requirements in Article 6, Section 6:12
School classroom, portable or temporary
Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items which are located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed; or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.
Uses and structures customarily accessory to the permitted uses.

5:5.2 Uses Permitted by Special Exception

The following uses may be permitted on review by the Zoning Board of Appeals in accordance with the provisions in Article 7.

Cemetery
Church subject to Section 7:6
Child care center
Fire station
Golf course including a clubhouse and other improvements
Group Residential
Mobile Home Parks
Public park and/or playground
Private recreation area
School
Transportation and utility easement and rights-of-way
Other public and semipublic uses which are considered to be compatible with the aforementioned uses

5:5.3 Height Limitations

No structure shall exceed a height of 45 feet, except as provided in Article 6, Section 6:7.

5:5.4 Dimensional Requirements

5:4-1 Minimum Area Requirements

<table>
<thead>
<tr>
<th></th>
<th>R-M1</th>
<th>R-M2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwelling</td>
<td>9,000 sq. ft.</td>
<td>7,500 sq. ft.</td>
</tr>
<tr>
<td>Two-family dwelling</td>
<td>12,000 sq. ft.</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>Three-family dwelling</td>
<td>15,000 sq. ft.</td>
<td>12,500 sq. ft.</td>
</tr>
<tr>
<td>Four-family dwelling</td>
<td>18,000 sq. ft.</td>
<td>15,000 sq. ft.</td>
</tr>
<tr>
<td>Group Residential</td>
<td>2 acres</td>
<td>2 acres</td>
</tr>
<tr>
<td>Development</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Density Requirements for Group Residential Development

<table>
<thead>
<tr>
<th></th>
<th>R-M1</th>
<th>R-M2</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Unit</td>
<td>9,000 sq. ft.</td>
<td>7,500 sq. ft.</td>
</tr>
<tr>
<td>All Other Units</td>
<td>3,000 sq. ft.</td>
<td>2,500 sq. ft.</td>
</tr>
</tbody>
</table>

The minimum lot area for a mobile home park is 5 acres.

For nonresidential buildings, the lot area shall be adequate to provide the yard areas required by this section of the off-street parking and loading areas required in Article 6, Section 6:9 and 10; provided however, that the lot area for each nonresidential building shall not be less than 30,000 square feet.

5:5.4-2 Minimum Width Requirement

The minimum lot width requirement in the R-M1 and R-M2 districts shall be 30 feet.
5:5.4-3 Front Yard

The minimum depth of a front yard for single-family, two-family, or an apartment house measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street; and fifty (50) feet on an arterial street. When a lot has double frontage or is a corner lot, the front yard requirements shall be complied with on both streets. Front yard requirements for mobile home park developments shall be determined by the provisions of Article 7:8.4.

5:5.4-4 Side Yard

The minimum width of any residential side yard shall be 10 percent of the lot width measured from the property line, but not less than 5 feet.

The minimum width of a nonresidential side yard shall be 15 feet, measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a residential service street; 30 feet on a collector street; and 50 feet on an arterial street.

5:5.4-5 Accessory Building Setback

Accessory buildings may be located in the rear yard provided that they are set back not less than 5 feet from any lot line and occupy not more than 20 percent of the rear yard.

5:5.4-6 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.
Section 5:6 O-D Office District

This district is established to provide an office district for the convenience of local residents. The uses permitted in this district are limited to office and research facilities and shall not include any use engaged in retail sales or the stocking and storage of goods or merchandise. No use shall be permitted in this district which will be detrimental to the development of the district as an office research park.

5:6.1 Uses Permitted

Accountant
Advertising agency
Bank/Savings and Loan
Broadcasting studio
Brokerage house
Employment agency
Insurance
Nursing Home/Assisted Living Facility
Professional offices
Real Estate
Research facilities
Accessory buildings and uses customarily incidental to the above uses
Other uses which are considered to be compatible with the aforementioned uses

5:6.2 Uses Permitted by Special Exception

Cemetery
Child care center
Church subject to Section 7:6
Educational institution
Exhibition buildings
Fire station
Hospital
Library
Post Office
School

5:6.2-1 Accessory Retail Uses Permitted by Special Exception by the Board of Zoning Appeals in the O-D District

Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses such as, but not limited to, the following:

Apothecary
Barber shop
Beauty shop
Cafeteria
Florist shop
Newsstand
Optician
Restaurant
Sale or rental of medical supplies and prosthetic devices
Sandwich shop

Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to the principal permitted office uses.

5:6.3 Height Limitation

No structure shall exceed a height of 35 feet except as provided in Article 6, Section 6:7.

5:6.4 Dimensional Requirements

5:6.4-1 Front Setback

All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet.

5:6.4-2 Side Setback

None is required except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than 5 feet in width.

5:6.4-3 Rear Setback

No building shall be located closer than 20 feet to a rear lot line.

5:6.5 Screening

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district. Plant material will be six feet in height when planted.

5:6.6 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.
Section 5:7  C-1, Central Business District

The Central Business District is a concentration of commercial and related business uses located in the downtown area. The standards herein are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, commercial, financial, professional, service and compatible residential development (permitted upon review) which benefit from being located in close proximity to one another.

The C-1 zoning district encourages development in accordance with adopted and approved policy statements and promotes harmonious land uses and provides a more gradual and orderly transition between areas of business activity and the surrounding single-family residential areas.

5:7.1  Uses Permitted

Accountant
Antique shop
Apparel store
Appliance store
Art store
Auto parking
Bakery
Bank
Barber shop
Beauty shop
Book store
Bus station
Cafeteria
Camera shop
Candy store
Dance studio
Delicatessen
Department store
Doctor and dentist office
Drug store
Dry goods store
Dry cleaning establishment
Fire station
Florist shop
Frame shop
Fraternal and civic club rooms
Furniture store
Governmental office and uses
Grocery store
Hardware store
Hobby shop
Insurance agency
Interior decorating shop
Jewelry store
Key shop
Lawn and garden center
Loan company
Music store
Newsstand
Office, business and professional
Office supplies and equipment store
Optical goods sales
Pharmacy
Photography studio
Pool room
Printing shop
Public utility building and use
Railroad depot
Realtor
Restaurant
Savings and loan company
Shoe store and repair shop
Sporting goods store
Stationery store
Tailor
Taxi stand
Temporary building, incidental to construction of buildings
Theater (walk-in)
Toy store
Transportation and utility easement and right-of-way
Travel bureau
Uses and structures customarily accessory to permitted uses
Other uses which are considered to be compatible with the aforementioned uses

5:7.2 Accessory Uses Permitted

One or more dwelling units are permitted as part of a mixed use provided they are located above the first story of buildings occupied by other uses permitted in this district and these dwelling units meet the City’s Building and Housing Codes.
5:7.3 Uses Permitted by Special Exception

Automobile tire sales, service, and storage
Bed and Breakfast
Church
Dwelling, multi-family
Liquor store

It is the purpose of these uses to provide the desirable and feasible residential development in conjunction with the concentration of commercial and related office development in the Central Business District. The nature of this residential development will require different parking and area requirements than those of the city’s R-M zoning classification. Therefore, the Board of Zoning Appeals may permit a multi-family dwelling on review in accordance with the provisions in Section 5:5.2.

5:7.3-1 Accessory Retail Uses Permitted in Conjunction with the Multifamily Dwelling Development

Barber shop
Beauty shop
Church
Laundry
Newsstand
Sandwich shop/delicatessen
Similar retail uses as approved by the Board of Zoning Appeals

5:7.3-2 Special Requirements For Accessory Retail Uses Permitted in Conjunction with the Multi-Family Development Permitted in the Central Business District.

A. They shall be designed, constructed, and operated with orientation toward the interior of the structure.

B. There shall be no external evidence of such accessory retail use.

C. Such accessory retail use shall be located on the main entrance floor and shall not occupy more than 10 percent of the gross useable floor area of the structure.

5:7.4 General Requirements

5:7.4-1 Height Limitations

No structure shall exceed a height of 60 feet except as provided in Article 6, Section 6:7.
5:7.4-2 Minimum Yard Requirements

There shall be no minimum front, side, or rear yard requirements.

5:7.4-3 Minimum Lot Area

No minimum lot area shall be required except as provided in Section 5:5.4-1.

5:7.4-4 Off-Street Parking

No off-street parking shall be required except as provided in Section 6:9.

5:7.5 Requirements For Multifamily Development

5:7.5-1 Minimum Lot Area

The minimum lot area for Multifamily Development shall be 1 acre.

5:7.5-2 Density Requirement

The density requirement shall be based on 1,000 square feet for each dwelling unit.

5:7.5-3 Off-Street Parking

Off-street parking shall be 1 space for each dwelling unit and be in accordance with the other provisions set forth in Section 6:9.

5:7.5-4 Lighting

There shall be adequate lighting for parking and open space areas.

5:7.5-5 Screening

A wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery, at least 6 feet in height when planted or erected shall be provided and properly maintained along any side or rear lot lines which are adjacent to any residential district.

5:7.5-6 Application Procedure

Application for multi-family development shall be made in accordance with the provisions of Section 9:2.2, and include two copies of a site plan drawn to a scale of not less than 1 inch equal to 100 feet and shall include all criteria set forth above, in addition to any other information upon which to determine if the provision’s of Section 5:7.5 are met.
Section 5:8  C-2, Commercial District
This district is established to provide commercial establishments for the convenience of local residents.

5:8.1  Uses Permitted

Accountant
Airline or transportation ticket office (no depot)
Antique shop
Apparel store
Art store
Automobile parking lot
Automobile parts, providing no repair services
Bakery goods store
Bank
Barber shop
Beauty shop or parlor
Book store
Broker, stocks and bonds
Building and loan association
Cafe
Cafeteria
Camera shop
Candy store
Church subject to Section 7:6
Clothing store
Confectionery store
Dairy products store
Dance studio
Delicatessen store
Department store
Detective or police agency
Dressmaking shop
Drug store
Electric appliance, radio, or television store
Employment agency
Exhibition building
Florist
Funeral home
Furniture store
Gasoline Sales in Conjunction with Convenience Store
Garden supply
Gift shop
Grocery store
Hardware shop
Hobby shop
Interior decorating shop
Jewelry store
Laundry agency (pick-up station)
Loan company
Music store
Newsstand
Novelty store
Nursery or garden supply store
Office, business or professional
Office supply and equipment store
Optical goods sales
Paint store
Pet shop
Photography studio
Radio or television repair
Reducing salon
Restaurant
Sandwich shop
Self service laundry and cleaning
Sewing machine sales and service
Shoe repair store
Shoe store
Shopping center
Sporting goods store
Stationery store
Tailor shop
Theater (indoor)
Toy store
Utility easement
Accessory buildings and uses customarily incidental to the above uses
Other uses which are considered to be compatible with the aforementioned uses

5:8.2 Uses Permitted by Special Exception

Automobile service station
Automobile wash or clean-up shop
Cemetery
Child care center
Church
Educational institution
Fire station
Library
Muffler shop
Nursing Home/Assisted Living Facility
Post office
Accessory dwelling subject to Section 7:11
School
Used car lot
Mini-Warehouses subject to the following:

A. Where sites abut residentially zoned properties, buildings adjacent to perimeter must face inward with their doors oriented to the interior of the site.

B. The facility shall not be utilized for the manufacture or sale of any commercial commodity or the provision of any service, such as the commercial repair of automobiles, boats, motors, or other items.

C. The facility shall not be utilized for the storage of flammable chemical substances.

5:8.3 Height Limitation

No structure shall exceed a height of 35 feet, except as provided in Article 6, Section 6:7.

5:8.4 Dimensional Requirements

5:8.4-1 Front Setback

All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet except commercial gasoline islands and canopies which shall be set back from all street right-of-way lines not less than 15 feet.

5:8.4-2 Side Setback

None is required except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than 5 feet in width.

5:8.4-3 Rear Setback

No building shall be located closer than 20 feet to a rear lot line.

5:8.5 Screening

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.
5:8.6 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

5:8.7 Off-Street Loading

Off-street loading shall be provided in accordance with the provisions set forth in Article 6, Section 6:10.
Section 5:9 C-3, Highway Commercial District

This district is established to provide for the development, on major thoroughfares, of commercial land uses which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.

5:9.1 Uses Permitted

Accountant
Air conditioning equipment, sales, and service
Airline ticket office
Ambulance service
Amusement, commercial
Animal shelter
Antique shop
Apparel store
Appliance repair
Aquarium
Archery range
Art school
Art shop
Auction house or store
Automobile club
Automobile garage
Automobile laundry or wash
Automobile painting
Automobile parking
Automobile parts or accessories
Automobile rental
Automobile repairing
Automobile sales area
Automobile service station
Automobile storage garage
Automobile upholstering
Awning store or shop
Bakery
Bank or savings and loan
Bar
Barber college
Barber shop
Baseball batting range
Battery store or shop
Beauty college
Beauty shop
Bicycle, motorcycle, and motor scooter rental
Bicycle repair shop
Billiard hall or parlor
Blueprinting or Photostatting
Boats, sales or rental
Bookstore
Bowling alley
Broadcasting studio
Building materials
Burglar alarm business
Business college
Cabinet shop
Cafe
Cafeteria
Catering establishment
Child care center
Church subject to Section 7:6
Clothing store
Cocktail lounge
Collection agency
Communication Tower, subject to provisions of Section 6:11
Concert hall
Contractor's credit association or union
Dairy products store
Dancing school
Dance studio
Day nursery
Decorating store
Delicatessen
Dental clinic
Dental equipment and supplies store
Dental laboratory
Department store
Detective or police agency
Diaper supply service
Dressmaker
Drive-in Business (theaters, refreshment stands, restaurants, food stores, etc.)
Drug store
Electric appliance store
Electric motor repair
Employment agency or bureau
Engravers
Farm machinery sales
Feed and seed store
Florist
Frozen food locker rental
Frozen food store
Funeral home
Fur cleaning
Furniture cleaning
Furniture store
Garden supply store
Gift shop
Golf, driving range, miniature or pitch and putt
Greenhouse
Grocery store
Gunsmith store
Hardware store
Hat cleaning and blocking
Hobby shop
Horse show
Household appliance repair
Ice skating rink
Ice storage house
Interior decorating store
Jewelry store
Laundry or cleaning establishment
Leather goods
Linen or towel supply business
Liquor store
Lithographing
Loan company
Locksmith store
Lumber yard
Mail order house
Massage parlor
Mattress shop
Medical clinic or laboratory
Mimeographing service
Mini-warehouse
Mission, rescue
Mobile home sales
Monuments and tombstones sales
Motel
Motion picture theater
Motorcycle or motor scooter sales and service
Music school or studio
Newspaper establishment
Newsstand
Night club
Novelty store
Nursery, flower, plant or tree
Office, business or professional
Office supply and equipment
Optical goods sales
Optician
Paint store
Pawn shop
Pest or insect control business
Pet shop
Photo developing and finishing store
Photography studio
Plumbing shop
Pony riding rink
Pottery and ceramic store
Printing establishment or mimeographing service
Radio broadcasting studio
Radio or television repair shop
Record recording studio
Recreation building
Reducing salon
Refreshment stand
Restaurant
Roller skating rink
Safe and vault repairing and servicing
Sandwich shop
Self service laundry and cleaners
Sewing machine sales and service
Sheet metal shop
Shoe shining stand
Shoe store
Shopping center
Sign painting shop
Sporting goods store
Station, transportation
Stationery shop
Swimming pool, commercial
Tailor shops
Taxi business
Taxidermist
Telephone exchange
Television broadcasting studio
Tire shop (including retreading or recapping)
Theater (indoor)
Toy store
Used car lot
Utility easement or right-of-way
Venetian blinds, laundry, servicing, and repairing
Veterinary clinic
Accessory buildings and uses customarily incidental to the above uses
Other uses which are considered to be compatible with the aforementioned uses

5:9.2 Uses Permitted by Special Exception

Accessory dwelling subject to Section 7:11
Armory
Auditorium
Baseball park
Cemetery
Educational institution
Fire station
Football stadium
Gymnasium
Home for aged
Hospital
Library
Museum
Nursing Home/Assisted Living Facility
Police or fire station
Post office
Private school

5:9.3 Height Limitation

No structure shall exceed a height of 45 feet, except as provided in Article 6, Section 6:7.

5:9.4 Dimensional Requirements

5:9.4-1 Front Setback

All buildings and structures shall be set back from all street right-of-way lines not less than 45 feet, except commercial gasoline islands and canopies which shall be set back from all street right-of-way lines not less than 15 feet.

5:9.4-2 Side Setback

None is required except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided, it shall be not less than 5 feet in width.

5:9.4-3 Rear Setback

No building shall be located closer than 20 feet to a rear lot line.
5:9.5 Screening

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

5:9.6 Off-Street Parking.

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

5:9.7 Off-Street Loading

Off-street loading shall be provided in accordance with the provisions set forth in Article 6, Section 6:10.
Section 5:10  S-1, Services District

This district is established to provide a transition between commercial and industrial districts by allowing 1) commercial uses which are service related; 2) service-related commercial uses which sell merchandise related directly to the service performed; 3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and 4) light industries which in their normal operations would have a minimal effect on adjoining properties. All of the uses permitted in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, dust, or noise will be admitted beyond the property line of the lot on which the use is located.

5:10.1 Uses Permitted

Air conditioning equipment, sales and service  
Ambulance service  
Amusements, commercial  
Animal shelters  
Auction house  
Automobile body shop  
Automobile garage  
Automobile parking  
Automobile painting  
Automobile parts or accessories  
Automobile rental  
Automobile repairing  
Automobile sales  
Automobile service station  
Automobile upholstering  
Automobile wash  
Barber shop  
Baseball batting range  
Beauty shop  
Broadcasting studios, radio or television  
Building materials  
Churches subject to Section 7:6  
Communication Tower, subject to provisions in Section 6:11  
Dental laboratories  
Diaper supply service  
Drive-in business (theaters, restaurants, etc.)  
Eating establishments  
Electric motor repair  
Engravers  
Exhibition buildings, galleries, or showrooms  
Farm machinery sales  
Feed and seed store  
Funeral home
Gas sales, commercial and industrial (oxygen and acetylene)
Golf courses
Golf courses - par three
Golf driving ranges
Gunsmith
Horse show
Household appliance repair
Ice skating rink
Laboratories, analytical, experimental, testing, or industrial processes
Laundries, dry cleaning, or linen supply service
Linen or towel supply business
Lithographing
Lumber yards
Manufacturing:
  A. Processing of: foodstuffs, beverages
  B. Fabrication of: cloth, wood, leather, paper, plastic, or metal
Mattress shop
Medical clinic or laboratory
Mimeographing service
Mobile home sales
Monuments and tombstones sales
Motel
Motorcycle sales and service
Newspaper establishment
Nursery, flower, plant, or tree
Nursery supply
Offices
Office supply and equipment
Parking areas
Parking structures, commercial
Pest or insect control business
Photo developing and refinishing
Plumbing shop
Printing or binding
Radio or television broadcasting studio
Radio or television repair
Recording studio
Restaurant
Riding stables
Roller skating rink
Safe and vault repair
Service stations
Sign painting
Sporting goods sales
Swimming pool, commercial
Taxi business
Taxidermist  
Telephone exchange  
Tire shop  
Truck terminals  
Utility easement or right-of-way  
Utilities, public or private Venetian blinds, laundry, servicing, and repairing  
Veterinary clinics  
Veterinary hospitals  
Veterinary offices  
Welding  
Wholesaling and warehousing  
Other uses that are considered to be compatible with the aforementioned uses

5:10.2 Uses Permitted by Special Exception

Auditorium  
Baseball Park  
Cemetery  
Correctional Institution  
Exhibition Buildings  
Fairgrounds  
Fire Station  
Hospital  
Police Station  
Sports Complex  
Stadium  
Station, bus or railway  
Tattoo Facility (Subject to Greer Code Chapter 18 Article X section 18-481)

5:10.3 Height Limitation

No building or structure shall exceed 45 feet in height except as provided in Article 6, Section 6:7. No building or structure on a lot in the Services District which is adjacent to a residential district shall exceed the maximum building height permitted in the residential district, unless there is 1 additional foot of setback on the sides adjacent to the residential district for each additional foot of height.

5:10.4 Dimensional Requirements

5:10.4-1 Front Setback

All buildings shall be set back from all street right-of-way lines not less than 45 feet.
5:10.4-2 Side Setback

No building shall be located closer than 25 feet to a side lot line, except next to rail siding.

5:10.4-3 Rear Setback

No building shall be located closer than 25 feet to a rear lot line, except next to rail siding.

5:10.5 Screening

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

5:10.6 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

5:10.7 Off-Street Loading

Off-street loading shall be provided in accordance with the provisions set forth in Article 6, Section 6:10.
Section 5:11 I-1, Industrial District

This district is established as a district for manufacturing plants, assembly plants, and warehouses. The regulations are intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, stream pollution, or other objectionable effects.

5:11.1 Uses Permitted

Apparel manufacturing and other finished products made from fabrics, leather, and similar materials
Automobile and truck repair and rebuilding shop
Building contractor and related activities
Building materials sales and storage
Cemetery
Chemicals and allied products-manufacturing
Communication Tower, subject to provisions of Section 6:11
Fabricated metal products-manufacturing
Farm implements and machinery sales and storage
Feed and seed sales and storage
Food and kindred products-manufacturing
Furniture and fixtures-manufacturing
Household and industrial cleaning products-manufacturing
Offices
Mini-warehouses (with accessory dwelling unit) as manager apartment
Paper and allied products-manufacturing
Petroleum refining and related industries
Plastic products-manufacturing
Primary metal industries
Printing, publishing, and allied industries
Restaurant
Salvage yard for automobiles, junk building materials, provided that all operations shall be screened by permanent walls, fences, or evergreen planting Section 7:4
Sexually Oriented Business (Subject to Greer Code Section 16-200)
Stone, clay, and glass products-manufacturing
Textile mill products-manufacturing
Tire recapping and retreading plant
Truck terminal
Wholesaling and warehousing

All of the uses permitted in this district shall be conducted in such a manner as not to pollute any streams of waterway or that no noxious odor, fumes, smoke, or dust will be emitted beyond the property line of the lot on which the use is located.

5:11.1-1 Uses Permitted by Special Exception

Tattoo Facility (Subject to Greer Code Chapter 18 Article X section 18-481)
5:11.2 Height Limitation

No building or structure shall exceed 90 feet in height except as provided in Article 6, Section 6:7. No building or structure on a lot in the Services District which is adjacent to a residential district shall exceed the maximum building height permitted in the residential district, unless there is 1 additional foot of setback on the sides adjacent to the residential district for each additional foot of height.

5:11.3 Dimensional Requirements

5:11.3-1 Front Setback

No buildings shall be set back from all street right-of-way lines not less than 50 feet.

5:11.3-2 Side Setback

No building shall be located closer than 25 feet to a rear lot line except next to rail siding.

5:11.4 Screening

A wall, compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least 6 feet in height when planted or erected shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

5:11.5 Off-Street Parking

Off-street parking shall be provided in accordance with the provisions set forth in Article 6, Section 6:9.

5:11.6 Off-Street Loading

Off-street loading shall be provided in accordance with the provisions set forth in Article 6, Section 6:10.
Section 5:12 Flood Prevention

Section 5:12.1 General Standards

A. Statutory Authorization.

The Legislature of the State of South Carolina has in SC Code of Laws, Title 5, Chapters 7, 23, and 25 (Articles 5 and 7) and Title 6, Chapter 7, and amendments thereto, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Greer, South Carolina does ordain as follows:

B. Statement of Purpose and Objectives.

It is the purpose of this ordinance to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction. Uses of the floodplain which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion are restricted or prohibited. These provisions attempt to control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters, and control filling, grading, dredging and other development which may increase flood damage or erosion. Additionally, the ordinance prevents or regulates the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

The objectives of this ordinance are to protect human life and health, to help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas, and to insure that potential home buyers are notified that property is in a flood area. The provisions of the ordinance are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions. Also, an important floodplain management objective of this ordinance is to minimize expenditure of public money for costly flood control projects and rescue and relief efforts associated with flooding.

Floodplains are an important asset to the community. They perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, habitat for diverse natural wildlife populations, recreational opportunities, and aesthetic quality. These functions are best served if floodplains are kept in their natural state.
Wherever possible, the natural characteristics of floodplains and their associated wetlands and water bodies should be preserved and enhanced. Decisions to alter floodplains, especially floodways and stream channels, should be the result of careful planning processes that evaluate resource conditions and human needs.

C. Lands to Which this Ordinance Applies.

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Greer as identified by the Federal Emergency Management Agency in its Flood Insurance Study, dated December 2, 2004 with accompanying maps and other supporting data that are hereby adopted by reference and declared to be a part of this ordinance. Upon annexation any special flood hazard areas identified by the Federal Emergency Management Agency in its Flood Insurance Study for the unincorporated areas of Greenville and Spartanburg County, with accompanying map and other data are adopted by reference and declared part of this ordinance.

D. Establishment of Development Permit. A Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities.

E. Compliance. No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

F. Interpretation In the interpretation and application of this ordinance all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under State law. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

G. Partial Invalidity and Severability If any part of this Ordinance is declared invalid, the remainder of the Ordinance shall not be affected and shall remain in force.

H. Warning and Disclaimer of Liability. The degree of flood protection
required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Greer or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

I. Penalties for Violation. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more that $500.00 or imprisoned for not more than 30 days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Greer from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 5:12.2 DEFINITIONS

A. General. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

1. 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. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

2. 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.

3. Agricultural structure - a structure used solely for agricultural purposes in which the use is exclusively in connection with the
production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this ordinance.

4. **Appeal** - a request for a review of the local administrator's interpretation of any provision of this ordinance.

5. **Area of shallow flooding** - a designated AO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

6. **Area of special flood hazard** - the land in the floodplain within a community subject to a one percent or greater chance of being equaled or exceeded in any given year.

7. **Base flood** - the flood having a one percent chance of being equaled or exceeded in any given year.

8. **Basement** - means any enclosed area of a building that is below grade on all sides.

9. **Building** - any structure built for support, shelter, or enclosure for any occupancy or storage.

10. **Critical Development** - Development 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 development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

11. **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.

12. **Elevated building** - a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

13. **Executive Order 11988 (Floodplain Management)** - Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect
identified special flood hazard areas, unless there is no practicable alternative.

14. **Existing construction** - means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM, or before January 1, 1975, for FIRMs effective before that date.

15. **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 September 28, 1979.

16. **Expansion to an existing manufactured home park or subdivision** - 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 slabs).

17. **Flood** - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

18. **Flood Hazard Boundary Map (FHBM)** - an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

19. **Flood Insurance Rate Map (FIRM)** - an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

20. **Flood Insurance Study** - the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

21. **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 2-93, *Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program*, document number FIA-TB-2, dated 4/93, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

22. **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.

23. **Flood proofing** - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water and sanitary facilities, structures, or their contents.

24. **Freeboard** - a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “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.

25. **Functionally dependent facility** - a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

26. **Highest Adjacent Grade** - the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

27. **Historic Structure** - any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) 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 historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) 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 DOI. 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 DOI historic structure criteria.

28. **Increased Cost of Compliance (ICC)** - applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

29. **Limited storage** - an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of Article IV.A.4 of this ordinance.

30. **Lowest Adjacent Grade (LAG)** - is an elevation of the lowest ground surface that touches any of the exterior walls of a building or proposed building walls.

31. **Lowest Floor** - the lowest floor of the lowest enclosed area. Any 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 an enclosure is not built so as to render the structure in violation of other provisions of this ordinance.
32. **Manufactured home** - a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

33. **Manufactured Home Park or subdivision** - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

34. **Mean Sea Level** - the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

35. **National Geodetic Vertical Datum (NGVD)** - as corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

36. **North American Vertical Datum (NAVD)** - datum point established at Pointe-au-Père on the St. Lawrence River, Quebec Province, Canada, based on the mass or density of the earth. The datum listed as the reference datum on Flood Insurance Rate Maps should be used for Elevation Certificate and floodproofing certificate completion.

37. **New construction** - structure for which the start of construction commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date). The term also includes any subsequent improvements to such structure.

38. **New manufactured home park or 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 slabs) is completed on or before September 28, 1979.

39. **Recreational vehicle** - a vehicle which is: (a) built on a single chassis; (b) 400 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.
40. **Repetitive Loss** - a building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

41. **Section 1316 of the National Flood insurance Act of 1968** - The act 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.

42. **Start of construction** - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

43. **Structure** - a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other man-made facility or infrastructure that is principally above ground.

44. **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. Please refer to the definition of "substantial improvement".
45. **Substantial improvement** - any repair, 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 includes structures that have incurred 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 assure safe living conditions (does not include American with Disabilities Act compliance standards); or,

b) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

c) Permits shall be cumulative for a period of five 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.

46. **Substantially improved existing manufactured home park or subdivision** - where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

47. **Variance** - is a grant of relief from a term or terms of this ordinance.

48. **Violation** - the failure of a structure or other development to be fully compliant with these regulations.

---

**Section 5:12.3 ADMINISTRATION**

**A. Designation of Local Administrator.** The Planning And Zoning Coordinator is hereby appointed to administer and implement the provisions of this ordinance.

**B. Adoption of Letter of Map Revisions (LOMR)** - Adopt all LOMRs that are issued in the areas identified in Article I Section D of this ordinance.
C. Designation of Party Responsible for Biennial Report - The Planning and Zoning Coordinator is hereby designated as the party responsible to submit the Biennial Report to FEMA.

D. Development Permit and Certification Requirements.

1. Development Permit: Application for a development permit shall be made to the local administrator on forms furnished by him or her prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas, and drainage facilities. Specifically, the following information is required:

a) A plot plan that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either the Duties and Responsibilities of the Local Administrators of Section 5:12.3.E.11 or the Standards for Subdivision Proposals of Section 5:12.4.B.12 and the Standards for streams without Estimated Base Flood Elevations and/or Floodways of Section 5:12.4.C. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by it. The plot plan must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either the duties or responsibilities of the local administrators of Section 5:12.3.E.11 or the standards for subdivision proposals of Section 5:12.4.B.12 and the standards for streams without estimated base flood elevations and/or floodways of Section 5:12.4.C.

b) Where base flood elevation data is provided as set forth in Section 5:12.1.B or the duties and responsibilities of the local administrators of Section 5:12.3.E.11 the application for a development permit within the flood hazard area shall show:

(1) the elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures, and
(2) if the structure will be floodproofed in accordance with the Non-Residential Construction requirements of Section 5:12.4.B.2 the elevation (in relation to mean sea level) to which the structure will be floodproofed.

c) Where Base Flood Elevation Data Is Not Provided. If no base flood elevation data is provided as set forth in Section 5:12.1.B or the duties and responsibilities of the local administrators of Section 5:12.3.E.11, then the provisions in the standards for streams without estimated base flood elevations and/or floodways of Section 5:12.4.C. must be met.

d) Alteration of Watercourse: Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and, a map showing the location of the proposed watercourse alteration or relocation.

2. Certifications

a) Floodproofing Certification - When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the non-residential, floodproofed structure meets the floodproofing criteria in the non-residential construction requirements of Section 5:12.4.B.2.

b) Certification During Construction - A lowest floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the elevation of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered
land surveyor or professional engineer and certified by it. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

c) **As-built Certification** - Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of Section 5:12.3.D.2a and 2b, that the development is built in accordance with the submitted plans and previous pre-development certifications.

### E. Duties and Responsibilities of the Local Administrator

Duties of the local administrator shall include, but not be limited to:

1. **Permit Review** - Review all development permits to assure that the requirements of this ordinance have been satisfied.

2. **Requirement of Federal and/or state permits** - Advise permittee that additional federal or State permits may be required, and if specific federal or State permits are known, require that copies of such permits be provided and maintained on file with the development permit.

3. **Watercourse alterations** -
   a) Notify adjacent communities and the South Carolina Department of Natural Resources, Land Resources and Conservation Districts Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

   b) In addition to the notifications required watercourse alterations per Section 5:12.3.E.3a, written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.
c) If the proposed project will impact the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of actual construction.

d) Within 60 days of completion of an alteration of a watercourse, referenced in the certification requirements of Section 5:12.3.D.2.c, the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

4. **Floodway encroachments** - Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 5:12.4.B.5 are met.

5. **Development Proposals** - Require development proposals for proposed developments prior to signing off on and CLOMRs or LOMRs.

6. **Adjoining Floodplains** - Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

7. **Notifying Adjacent Communities** - Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards.

8. **Certification requirements** -
   a) Obtain and review actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures, in accordance with administrative procedures outlined in Section 5:12.3.D.2.b.
   b) Obtain the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed, in accordance with the floodproofing certification outlined in Article III.D.2.a.
   c) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the non-residential construction requirements outlined in Article IV.B.2.
9. **Map Interpretation** - 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. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

10. **Prevailing Authority** - Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in Section 5:12.4.B.7.b.

11. **Use Of Best Available Data** - When base flood elevation data or floodway data has not been provided in accordance with Section 5:12.1.B, 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 Section 5:12.4.D.4, 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.

12. **Special Flood hazard Area/topographic Boundaries Conflict** - When the exact location of boundaries of the areas special flood hazards conflict with the current, natural topography information at the site the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA.

13. **On-Site inspections** - Make on-site inspections of projects in accordance with the administrative procedures outlined in Section 5:12.3.F.4.

14. **Administrative Notices** - Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in
accordance with the administrative procedures in Section 5:123.F.

15. **Records Maintenance** - Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.

16. **Annexations and Detachments** - Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, within six (6) months, of any annexations or detachments that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this ordinance within 90 days of date of the annexation.

17. **Federally Funded Development** - The President issued Executive Order 11988, Floodplain Management May 1977. E.O. 11988 directs federal agencies to assert a leadership role in reducing flood losses and losses to environmental values served by floodplains. Proposed developments must go through an eight-step review process. Evidence of compliance with the executive order must be submitted as part of the permit review process.

18. **Substantial Damage Determination** - Perform an assessment of damage from any origin to the structure using FEMA's Residential Substantial Damage Estimator (RSDE) software to determine if the damage equals or exceeds 50 percent of the market value of the structure before the damage occurred.

19. **Substantial Improvement Determinations** - Perform an assessment of permit applications for improvements or repairs to be made to a building or structure equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If the improvement project is conducted in phases the total of all cost associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether “substantial improvement” will occur.

   a) **Methods of Market Value Determination.** The market values shall be determined by one of the following methods:
(1) the current assessed building value as determined by the county’s assessor’s office or the value of an appraisal performed by a licensed appraiser at the expense of the owner; or,

(2) one or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less depreciation for functionality and obsolescence and site improvements. The Marshall & Swift Residential Cost Handbook shall be used to determine costs for buildings or structures.

(3) Real Estate purchase contract within 12 months prior to the date of the application for a permit.

F. Administrative Procedures.

1. Inspections of Work in Progress: As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.

2. Stop-Work Orders: Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

3. Revocation of Permits: The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure
to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable State or local law may also be revoked.

4. **Periodic Inspections**: The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

5. **Violations to be Corrected**: When the local administrator finds violations of applicable State and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

6. **Actions in Event of Failure to Take Corrective Action**: If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:

   a) the building or property is in violation of the Flood Damage Prevention Ordinance,

   b) a hearing will be held before the local administrator at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,

   c) following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.

7. **Order to Take Corrective Action**: If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.

8. **Appeal**: Any owner who has received an order to take corrective action may appeal from the order to the local elected
governing body by giving notice of appeal in writing to the administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

9. **Failure to Comply with Order**: If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

10. **Denial of Flood Insurance under the NFIP** If a structure is declared in violation of this ordinance and the violation is not remedied then the local administrator shall notify the Federal Emergency Management Agency to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.

11. The following documents are incorporated by reference and may be used by the local administrator to provide further guidance and interpretation of this ordinance as found on FEMA’s website at [www.fema.gov](http://www.fema.gov):

1. All FEMA Technical Bulletins
2. All FEMA Floodplain Management Bulletins
3. FEMA 348 Protecting Building Utilities from Flood Damage

**Section 5:12.4 PROVISIONS FOR FLOOD HAZARD REDUCTION**

**A. General Standards.** Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard the following provisions are required:

1. **Anchoring** - All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure,

2. **Flood Resistant Materials and Equipment** - All new construction and substantial improvements shall be constructed with flood resistant materials and utility equipment resistant to
flood damage,

3. **Minimize Flood Damage** - All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages,

4. **Critical Development** - shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data,

5. **Utilities** - Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus 3 ft. This requirement does not preclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building,

6. **Water Supply Systems** - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system,

7. **Sanitary Sewage Systems** - New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding,

8. **Gas Or Liquid Storage Tanks** - All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

9. **Alteration, Repair, Reconstruction, Or Improvements** - Any alteration, repair, reconstruction, or improvement to a structure that is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance. This includes post-FIRM development and structures.
10. **Non-Conforming Buildings or Uses.** Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

11. **American with Disabilities Act (ADA).** A building must meet the specific standards for floodplain construction outlined in Section 5:12.4.B, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

**B. Specific Standards.** In all areas of special flood hazard (Zones A, AE, AH, AO, A1-30, V, and VE) where base flood elevation data has been provided, as set forth in Article I.D or outlined in the Duties and Responsibilities of the Local Administrator Article III.E. the following provisions are required:

1. **Residential Construction.** New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 3 feet above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 5:12.4 B.4.

2. **Non-Residential Construction** New construction or substantial improvement of any commercial, industrial, or non-residential structure (including manufactured homes) shall have the lowest floor elevated no lower than 3 feet, above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the elevated buildings requirements in Section 5:12.4 B.4. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation provided that all
areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in the floodproofing certification requirements in Section 5:12.3.D.2.a. Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.

3. Manufactured Homes.

a) Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than 3 feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

b) Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions for residential construction in Section 5:12.4.B.1 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower than 3 feet above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.

c) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, or lateral movement in accordance with Section 19-425.39 of the South Carolina 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 shall support the chassis. When the elevation of the chassis is above 36 inches in height an engineering certification is required.

d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local administrator and the local Emergency Preparedness Coordinator.

4. Elevated Buildings New construction or substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(1) Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding,

(2) The bottom of all openings shall be no higher than one foot above grade,

(3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and,

(4) Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

b) Hazardous Velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to
damaging flood flows are minimized.

c) **Enclosures below BFE**

(1) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

(2) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required, and cannot be temperature controlled.

(3) One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in the specific standards outlined in Section 5:12.4.B.1, 2 and 3.

(4) All construction materials below the required lowest floor elevation specified in the specific standards outlined in Section 5:12.4.B 1, 2 and 3 should be of flood resistant materials.

5. **Floodways.** Located within areas of special flood hazard established in section 5:12.1.B, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

a) No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator.

b) If Section 5:12.4.B.5a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section
5:12.4.

c) Stream crossings for any purpose (i.e. timber harvesting operations), if temporary, shall be permitted in accordance with floodway requirements of Section 5:12.4.B.5 and the temporary development provisions of Section 5:12.4.B.11. Otherwise, the development shall comply with all applicable flood hazard reduction provisions of Article IV.

d) No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of Section 5:12.4.B.3 are met.

e) Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations or changes to the floodway configuration.

6. **Recreational Vehicles**

a) A recreational vehicle is ready for highway use if it is:

1. on wheels or jacking system;
2. attached to the site only by quick-disconnect type utilities and security devices; and,
3. has no permanently attached additions.

b) Recreational vehicles placed on sites shall either be:

1. on site for fewer than 180 consecutive days; and,
2. be fully licensed and ready for highway use, or meet the development permit and certification requirements of section 5:12.3.D, general standards outlined in Section 5:12.4.A, and manufacture homes.
7. **Map Maintenance Activities** - The National Flood Insurance Program requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in section 5:12.1.B accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

a) **Requirement to Submit New Technical Data**

(1) For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:

(a) Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;

(b) 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;

(c) Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and

(d) Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with Section 5:12.4.B.12.d.

(2) It is the responsibility of the applicant to have technical data, required in accordance with Section 5:12.4.B.7, 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.

(3) The Floodplain Administrator shall require a
Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

(4) Proposed floodway encroachments that increase the base flood elevation; and

(5) 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.

(6) Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 5:12.4B.7.

(7) Conditional Letter of Map revisions (CLOMR) and/or Letters of Map Revision (LOMR) must go through the variance process outlined in Section 5:12.5.

b) **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.

8. **Accessory Structures.**

a) A detached accessory structure or garage, the cost of which is greater than $3,000, must comply with the requirements as outlined in FEMA’s Technical Bulletin 7-93 *Wet Floodproofing Requirements or be elevated in accordance with Section 5:12.4.B.1 and B.4 or dry floodproofed in accordance with Section 5:12.4.B.2.*

b) When accessory structures of $3,000 or less are to be placed in the floodplain, the following additional criteria shall be met:

(1) Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas),

(2) Accessory structures shall be designed to have
low flood damage potential,

(3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,

(4) Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure,

(5) Service facilities such as electrical and heating equipment shall be installed in accordance with Section 5:12.4.A.5; and

(6) Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 5:12.4.B.4a

9. **Swimming Pool Utility Equipment Rooms**
   If the building can not be built at or above the BFE, because of functionality of the equipment then a structure to house the utilities for the pool may be built below the BFE with the following provisions:
   
   a) Meet the requirements for accessory structures in Section 5:12.4.B.8

   b) The utilities must be anchored to prevent flotation and shall be designed to prevent water from entering or accumulating within the components during conditions of the base flood.

   c) A variance may be granted to allow wet floodproofing of the structure.

10. **Elevators**
   a) Install a float switch system or another system that provides the same level of safety is necessary for all elevators where there is a potential for the elevator cab to descend below the BFE during a flood per FEMA’s Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas.

   b) All equipment that may have to be installed below the BFE such as counter weight roller guides, compensation cable and pulleys, and oil buffers for traction elevators and the jack assembly for a hydraulic elevator must be constructed using flood-resistant materials where possible per FEMA’s Technical Bulletin 4-93 Elevator Installation for Buildings Located in Special Flood Hazard Areas..
11. **Temporary Development** Certain types of structures (e.g. fruit stands, construction site offices, portable toilets, etc.) may be situated temporarily on flood-prone property without having to comply with the elevation or floodproofing criteria of Section 5:12.4.B.1 and Section 5:12.4B.2, respectively, provided that the following criteria are met:

a) All applicants must submit to the local administrator, prior to the issuance of the development permit, a written plan for the removal of any temporary structures or development in the event of a flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:

   (1) a specified time period for which the temporary use will be permitted,

   (2) the name, address and phone number of the individual responsible for the removal of temporary structures or development;

   (3) the time frame prior to the event at which any structures will be removed (i.e. immediately upon flood warning notification);

   (4) a copy of the contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed,

   (5) designation, accompanied by documentation, of a location outside the floodplain to which any temporary structure will be moved;

   (6) a determination of permanent structures which would be adversely affected by increased flooding upstream or downstream, and a method for covering this liability, such as a performance bond; and,

   (7) a plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.

b) The structure is mobile, or can be made so, and is capable of being removed from the site with a maximum of four (4) hours warning.

c) The structure will not remain on the property for more than 180 days.
12. **Fill.** An applicant shall demonstrate that fill is the only alternative to raising the building to meet the residential and non-residential construction requirements of Section 5:12.4B.1 or B.2, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

   a) Fill may not be placed in the floodway unless it is in accordance with the requirements in Section 5:12.4.B.5a,

   b) Fill may not be placed in tidal or non-tidal wetlands without the required State and federal permits,

   c) Fill must consist of soil and rock materials only. A registered professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps, and sanitary fills are not permitted in the floodplain,

   d) Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered, professional engineer,

   e) Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion; and,

   f) The use of fill shall not increase flooding or cause drainage problems on neighboring properties.

   g) Will meet the requirements of FEMA Technical Bulletin 10-01, *Ensuring That Structures Built On Fill In Or Near Special Flood Hazard Areas Are Reasonable Safe From Flooding.*

13. **Standards for Subdivision Proposals.**

   a) All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;

   b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

   c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
d) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.

e) If the areas of special flood hazard is identified as an area of open space and is deeded as such then a hydrologic and hydraulic engineering analysis that generates base flood elevations for the subdivision proposal would not be required.

f) The applicant shall meet the requirement to submit technical data to FEMA in Section 5:12.4B.7. when a hydrologic and hydraulic analysis is completed that generates base flood elevations.

C. Standards for Streams without Established Base Flood Elevations and/ or Floodways: Located within the areas of special flood hazard (Zone A) established in Section 5:12.1.B, are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:

1. No encroachments, including fill, new construction, substantial improvements or new development shall be 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 shall not result in any increase in flood levels during the occurrence of the base flood discharge.

2. If Section 5:12.4.C.1 is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within such areas shall comply with all applicable flood hazard ordinance provisions of Section 5:12.4 and shall be elevated or floodproofed in accordance with elevations established in accordance with Section 5:12.3.E.11.

3. Data from preliminary, draft, and final Flood Insurance Studies constitutes best available data. Refer to FEMA Floodplain Management Technical Bulletin 1-98 Use of Flood Insurance Study (FIS) Data as Available Data. 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.

4. When base flood elevation 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 Managing Floodplain Development in Approximate Zone A Areas.
a) Contour Interpolation
   (1) Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.
   (2) 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.

c) Hydrologic and Hydraulic Calculations - Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software. These methods include, but are not limited to the following:
   (1) HEC-RAS 3.1.1 and up
   (2) HEC-1 4.0.1 and up
   (3) HEC-2 4.6.2
   (4) HEC-HMS 1.1 and up
   (5) FLO-2D
   (6) QUICK-2
   (7) SFD
   (8) WSPRO

D. Standards for Streams with Established Base Flood Elevations but without Floodways. Along rivers and streams where Base Flood Elevation (BFE) data is provided but neither floodway are identified for a Special Flood Hazard Area on the FIRM or in the FIS. The following provisions apply within such areas:
   1. No encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless 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 more than one foot at any point within the community.

E. Standards for Areas of Shallow Flooding (AO Zones). Located within the areas of special flood hazard established in Section 5:12.1.B, are areas designated as shallow flooding. The following provisions shall apply within such areas:
   1. All new construction and substantial improvements of residential structures shall have the lowest floor elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the
highest adjacent grade.

2. All new construction and substantial improvements of non-residential structures shall:

   a) have the lowest floor elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or,

   b) be completely floodproofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Section 5:12.5  VARIANCE PROCEDURES

A. Establishment of Appeal Board. The Board of Appeals as established by the City of Greer shall hear and decide requests for variances from the requirements of this ordinance.

B. Right to Appeal. Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the Court.

C. Historic Structures. Variances may be issued for the repair of rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

D. Considerations. In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

   1. the danger that materials may be swept onto other lands to the injury of others;

   2. the danger to life and property due to flooding or erosion damage, and the safety of access to the property in times of flood for ordinary and emergency vehicles;

   3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual
owner;

4. the importance of the services provided by the proposed facility to the community;

5. the necessity to the facility of a waterfront location, where applicable;

6. the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

7. the compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

8. the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

9. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges and,

E. Findings. Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the Department of Natural Resources, Land, Water and Conservation Division, State Coordinator's Office, must be taken into account and included in the permit file.

F. Floodways. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result unless a CLOMR is obtained prior to issuance of the variance. In order to insure the project is built in compliance with the CLOMR for which the variance is granted the applicant must provide a bond for 100% of the cost to perform the development.

G. Conditions. Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance. The following conditions shall apply to all variances:

1. Variances may not be issued when the variance will make the structure in violation of other federal, State, or local laws, regulations, or ordinances.

2. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. Variances shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

4. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.

5. The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

6. Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this ordinance. Violations must be corrected in accordance with section 5:12.43.F.5 of this ordinance.

5:13 PD, Planned Development District

5:13.1 Intent

The PD district is established to encourage innovative and creative design of residential and/or commercial developments, to permit a greater amount of flexibility by removing some of the restrictions of conventional zoning. One of the goals of the Planned Development district is to promote efficient use of land and protect the natural features and scenic beauty of the land. Ideally, the development should be large scale and incorporate a variety of land uses or land use types. The district is also intended to encourage developments that provide a full range of residential types.

The PD district provides a mechanism for City Council and the Applicant to agree on the scope of the proposed development. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.
5:13.2 Site Size

The minimum site size for any Planned Development is one (1) acres.

5:13.3 Minimum Lot Width, Minimum Yard Requirements, Maximum Lot Coverage, Maximum Height of Structures

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

5:13.4 PD Application and Preliminary Development Plan Approval

A. An applicant shall communicate his intentions to establish a planned development district and the proposed characteristics thereof to the Greer City Planning staff prior to initiating an application for amendment to the Zoning Map in order to avoid undue delay in the review process after initiating such application.

B. Applications for a Planned Development District shall be by amendment to the Official Zoning Map in accordance with the provisions of Article 11 and shall include the following:

1. Preliminary Development Plan - The applicant shall submit 10 copies of the proposed planned development which shall include the following:

2. Vicinity map, title block, scale, north arrow, and the property line survey.

3. Total number of acres of overall site.

4. Location and number of acres of various areas by type of use (e.g. single-family detached, recreation, office, commercial, etc.).

5. Number of units and density of various residential types, such number to represent the maximum number of units.

6. Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.
7. Primary traffic circulation pattern reflecting major points of ingress and egress, and a traffic impact study approved by the Zoning Administrator or his/her designee as required by the Land Development Regulations. Section 1 General Provisions.

8. Approximate number of parking spaces per use.

9. An indication that an acceptable drainage system can be designed for the proposed project.

C. Statement of Intent – The applicant shall submit 10 copies of a descriptive statement setting forth the characteristics of the proposed planned development including the following:

1. A description of the procedures of any proposed homeowner’s association or other group maintenance agreement.

2. A statement setting forth the proposed development schedule.

3. A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing for providing such improvements.

4. A statement of impact on public facilities and infrastructure including estimated water consumption, sewage collection and treatment, schools, garbage collection, fire protection, and local vehicular traffic. Letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed planned development.

5. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.

D. A public hearing shall be held in accordance with procedures set forth in Article 11.

E. At the public hearing, Greer City Planning staff shall make a recommendation upon the proposed planned development which shall be advisory to the Planning Commission.

F. The Greer Planning Commission may, after fulfilling all applicable requirements of this section and all applicable requires of Article 11, either to
approve, approve with modifications, or disapprove the application for a planned development.

G. Following City Council’s approval of a PD District, the Official Zoning Map shall be amended to reflect such approval. Approval of a planned development district shall constitute authority for the applicant to submit a Final Development Plan to the Greer City Planning Department for approval in accordance with the provisions of Section 5:13.14.

5:13.5 Failure to Submit a Final Development Plan

Approval of a PD District granted by City Council shall be valid for 1 year, at the end of which time a Final Development Plan must be submitted. Prior to the expiration of the approval, the Zoning Administrator shall submit a progress report to Council on the status of the development. One year extension(s) may be granted by City Council. If an extension(s) is not granted, City Council may rezone the property to its original classification in accordance with Article 11.

5:13.6 Final Development Plan

No building permit or Certificate of Occupancy shall be issued in a PD District until the Greer Planning Commission, acting upon the recommendation of the Greer City Planning staff, has approved and there is recorded a Final Development Plan meeting the requirements of this section. Three copies of the final plan, setting forth specific design characteristics of the planned development in accordance with the approved Preliminary Development Plan, shall be submitted on paper plats no larger than .22 x 27 inches to the Greer City Planning Department and shall include, but not be limited to, the following information:

A. Vicinity map, title block, scale, north arrow, and property line survey

B. Location arrangement and proposed use of all buildings or structures within the Planned Development

C. Names of boundary streets
D. Number of residential dwelling units by type and number of bedroom units in each

E. Sketches of typical proposed structures, design standards, outdoor lighting fixtures, signs, and landscaping.

F. Location of any utility easements

G. Total floor area for all nonresidential uses by type

H. Open space areas specifying the proposed treatment or improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities

I. All off-street parking and loading areas and structures and the total number of spaces

J. Traffic and pedestrian circulation system including the location and width of all streets, driveways, service areas, dumpster pads, entrances to parking areas, walkways, and bicycle paths.

K. Yard dimensions from the development boundaries and adjacent streets

L. A letter from the City Engineer stating that a detailed drainage plan has been submitted and approved


5:13.7 Greer Planning Commission

The Greer Planning Commission may approve or disapprove the Final Development Plan submitted by the applicant. In reviewing the Final Development Plan, the Greer Planning Commission may require any such design modifications as will assure compliance with the approved Preliminary Development Plan. In the event that the Greer Planning Commission finds that the Final Development Plan is not in accordance with approved Preliminary Development Plan, it shall disapprove the final plan.

5:13.8 Recording of Final Development Plan and Statement of Intent

Following approval of the Final Development Plan by the Greer Planning Commission, 1 copy of the Final Development Plan and Statement of Intent shall be recorded in the office of the Register of Mesne Conveyance of Greenville County; 1 copy of both documents shall be filed with the Zoning Administrator and 1 copy of both documents shall be filed with the City of Greer Planning Commission staff office.
5:13.9 Subdivision Plats

Approval of a Final Development Plan shall constitute authority for the applicant to prepare subdivision plats, if applicable, in accordance with procedures set forth in the Greer City Subdivision Regulations.

5:13.10 Changes to Planned Development Districts

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

A. Minor Changes – Changes to a planned development district which are of a design nature and which do not alter the original concept of use characteristics of the planned development district may be approved by the Greer Planning Commission in accordance with the procedures established by Section 5:13.14, provided that no minor change may be approved by the Greer Planning Commission which is in conflict with specific conceptual considerations previously contained in City Council’s preliminary approval.

B. Major Changes – Changes to a planned development district which would alter the basic concept and general characteristics of the Planned Development District may be approved by City Council in accordance with the procedures established by Section 5:13.12. Examples of major changes include, but are not limited to, the following: boundary changes; changes in the maximum number of structures or residential units, increased density, substantial changes to residential housing type, use changes, and modifications or amendments to the initial traffic ingress/egress plan or preliminary traffic plan as referenced in Section 5:13.12(B)(7). Approval of a major change by City Council must be followed by final approval of a detailed design plan showing such changes by the Greer Planning Commission in accordance with Section 5:13.12.

5:13.11 Failure to Begin, Failure to Complete, or Failure to Make Adequate Progress.

One year after final approval and each year thereafter, the Zoning Administrator shall present to City Council a status report on the progress of the approved development. If there is failure to begin, failure to complete, or failure to make adequate progress as set forth in the Statement of Intent, City Council may
change the district classification of the planned development in accordance with provisions of Article 11.

5:14 THE 101 CORRIDOR OVERLAY ZONING DISTRICT

5:14.1 PURPOSE AND INTENT

The purpose of the 101 Corridor Overlay Zoning District is to preserve, protect and enhance the unique visual, historic, and cultural experiences along SC Highway 101 from Interstate 85 to Downtown Greer; to promote the economic viability of business and industry; to protect and enhance property values; to provide for public and private improvements which encourage recreational use and alternative means of transportation along the corridor; and to promote the safe and efficient use of SC Highway 101.

5:14.2 DELINEATION OF ZONING DISTRICT

A. The 101 Corridor Overlay Zoning District shall include all lands which lie within the right-of-way of SC Highway 101; all lands within 750 feet of each side of SC Highway 101 from the southernmost limits of the City of Greer to the intersection of SC 101 and the planned South Parkway; and all lands within 400 feet of each side of SC Highway 101
from the planned South Parkway to the intersection of SC Highway 101 (Line Street) and SC Highway 290 (East Poinsett Street).

B. The 101 Corridor Overlay Zoning District shall be divided into two sub-districts based on anticipated land use patterns in the overall district. Because of anticipated land use patterns, some standards for development may differ between the two sub-districts.

1. The 101 Corridor Overlay Zoning District Industrial Sub-district shall include that portion of the district from the southernmost limits of the City of Greer to the intersection of SC Highway 101 and the planned South Parkway. Anticipated land uses in this sub-district are large scale industrial, with some highway-oriented commercial and recreational uses.

2. The 101 Corridor Overlay Zoning District Mixed Use Sub-district shall include that portion of the district from the intersection of SC Highway 101 and the planned South Parkway to the intersection of SC Highway 101 and SC 290. Land uses in this sub-district will include some industrial, office, neighborhood and highway-oriented commercial, single and multi-family residential, and recreational uses.

C. The approximate boundaries of this zoning district and any designated view sheds shall be shown on the Official Zoning Map of Greer, South Carolina, and shall be shown on the site plan, by the applicant, on each property subject to review.

D. All new development and changes to existing developments, except single and two family residential lots, in the 101 Corridor Overlay Zoning District shall be subject to the provisions of this District and shall be reviewed by the Zoning Administrator.

E. If development will not be seen from SC Highway 101 once the project is completed, the Zoning Administrator may waive architectural review of the development.

5:14.3 PRE-DESIGN MEETING REQUIRED

In order to attempt to identify any significant problems prior to the design phase of a development in the 101 Corridor Overlay Zoning District, a pre-design meeting between the developer and his site/building designers, and the Zoning Administrator shall be required. Additional meetings during the design phase and prior to submission of an application are strongly encouraged.

5:14.4 DEVELOPMENT ACTIVITY PERMITTED WITHIN THE DISTRICT
All changes to the existing condition of the lands, uses, or structures within the
101 Corridor Overlay Zoning District after March 28, 1995 shall be subject to the
provision of this District and other Sections of the Greer Zoning Ordinance.

5:14.5 ACCESS AND MEDIAN CUTS ON SC HIGHWAY 101

A. In the Industrial Sub-district. No street, driveway or other vehicle
access point shall enter SC Highway 101 at a point nearer than three
hundred fifty (350) feet from the centerline of an existing or approved
street, driveway or other vehicle access point to the centerline of the
proposed access, except where a lot of record would be rendered
unusable by the strict application of this requirement. New median
cuts on SC Highway 101 shall be at least one thousand (1000) feet
from existing or approved median cuts and shall have left-
turn/deceleration lanes in each direction at the median cut.

B. In the Mixed-Use Sub-district. No street, driveway or other vehicle
access point shall enter SC Highway 101 at a point nearer than one
hundred (100) feet from the centerline of an existing or approved
street, driveway or other vehicle access point to the centerline of the
proposed access, except where a lot of record would be rendered
unusable by the strict application of this requirement.

C. Radials of all streets, driveways or other vehicle access points entering
SC Highway 101 shall be curbed.

D. All proposed access and median cuts on SC Highway 101 shall require
approval by the South Carolina Department of Transportation prior to
site plan approval by the City of Greer.

E. Relief requested from this provision, in the form of a request for waiver
from the Zoning Administrator, must be accompanied by:

(1) Ownership and recording data associated with a lot of record.

(2) Written evidence that an applicant has explored all feasible
alternatives to the standard for controlled access, including, but not
limited to, joint use with adjoining properties, access from adjacent
secondary streets, including establishment of frontage road
access.

(3) Qualification of request must be consistent with the format of a
request for variance.

(4) Map or plan showing surveyed distance to the nearest existing
vehicle access points from those proposed.
(5) Demonstration through design that the access point is otherwise optimally located on the lot of record so as to maximize distance from the nearest access points, provide acceptable turning radii, and minimize potential adverse impact, including turning movements and visual impact of “strip development” resulting from the less than minimum separation of access points from the roadway.

5:14.6 UTILITIES

Utilities within the 101 Corridor Overlay Zoning District shall be overhead or underground, based on consultation with the utility supplier. All on-site utilities, including electrical distribution lines less than 25KV, shall be placed underground. On-site utilities shall include service to individual homes and residential developments; individual businesses and business parks and developments; commercial establishments, and individual industries and industrial parks.

5:14.7 SETBACKS

Setbacks for all structures shall be as prescribed in the base zoning district, or equal to the depth of buffers required in this Chapter, whichever is greater.

5:14.8 BUFFERS

Development within the 101 Corridor Overlay Zoning District shall provide buffers adjacent to street rights-of-way and adjacent to all property lines of conflicting land uses.

5:14.8-1 PURPOSE

The purposes of buffers are to soften the appearance of development from SC Highway 101; to screen vehicular use areas; to reduce the impact of conflicting land uses; and to promote the public health, safety and general welfare by reducing noise and air pollution, light glare, soil erosion, and thermal heating of the environment.

5:14.8-2 STREET BUFFERS

A. Property located in the Industrial Sub-district and fronting on SC Highway 101, shall provide a buffer of not less than 40 feet deep along the street, excluding utility easements. Property located in the Mixed-Use Sub-district and fronting on SC Highway 101, shall provide a
buffer of not less than 25 feet deep along the street. Property located in either sub-district, and fronting on other public streets in the district shall provide a buffer of not less than 15 feet deep along the street. Said buffers shall be measured from the existing right-of-way line, or from the new right-of-way line should the application under consideration be required to or voluntarily provide a dedication or easement for proposed roadway purposes. No street buffer shall be required for development in the C-1, Central Business Zoning District.

B. Street Buffers shall be landscaped at the following rate: not less than 1 deciduous or evergreen shade tree for every 20 feet or fraction thereof of street frontage, and not less than 5 shrubs per required shade tree, and not less than 1 spring-flowering tree for every 30 feet or fraction thereof of street frontage shall be provided in all street buffers. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall trees be more than 50 feet apart, nor shall shrubs be more than 30 feet apart in street buffers. The number of required trees may be reduced and replaced with low-growing plant material, at the discretion of the Zoning Administrator, if it is determined that the required trees and spacing will adversely interfere with a designated view shed.

C. Landscape materials may, at the discretion of the Zoning Administrator, be reduced by five percent for each additional five feet of depth added to the Street Buffer, except that planting of spring-flowering trees shall not be reduced less than one tree for each 50 feet or fraction thereof of street frontage.

5:14.8-3 CONFLICTING LAND USE BUFFERS

A vehicular use area, refuse container, or mechanical equipment, or an office, commercial or industrial use which is adjacent to a public park facility or land zoned for residential uses shall have a conflicting land use buffer between this use and the park or residential land. The conflicting land use buffer shall consist of:

A. A landscaped buffer strip at least 15 feet wide.

B. One shade tree for each 20 feet or fraction thereof of abutting land. At least 75 percent of the trees within a conflicting land use buffer shall be evergreen. Arrangement of trees in clusters or groupings is encouraged, but in no case shall trees be more than 50 feet apart.
C. A hedge, berm, fence or combination thereof forming a continuous screen at least six feet high.

5:14.9 DEVELOPMENT ACTIVITY PERMITTED IN BUFFERS

There shall be no development, clearing, grading or construction activity in required buffers, with the following exceptions:

A. Roadway and/or driveway access to the vehicular use area of the site provided the access is approximately perpendicular to the right-of-way or property line.

B. Provision for water, sanitary sewer, underground storm drainage, electrical, telephone, natural gas, cable, etc. service lines provided they are approximately perpendicular to the right-of-way or property line. Consolidation of vehicular access points and utility lines to the property is encouraged.

C. Above ground storm drainage, such as drainage swales and water retention facilities, which maintains the intent of the purpose statement for buffers.

D. Pedestrian and bicycle paths.

E. Signs in accordance with the regulations of Article 8.

F. Clearing of clear sight distances at the permitted vehicular access points to a development.

5:14.10 VEHICULAR USE AREAS

A vehicular use area is any area 1,600 square feet or more of a property which is not located in an enclosed structure and which is devoted to a use by or for motor vehicles, including parking, storage or display of automobiles, trucks or other vehicles; loading areas; service areas and drives. Any driveway which provides access to the site from a public right-of-way is not considered part of the vehicular use area.

In addition to the provisions of Section 6:9, Off-Street Parking Requirements, and Section 6:10, Off-Street Loading Requirements, the following standards shall apply in the 101 Corridor Overlay Zoning District:

A. Access to parking facilities shall be designed so as not to obstruct free traffic flow. There shall be adequate provision for ingress and egress to all parking spaces to insure ease of mobility, ample clearance, and safety of vehicles and pedestrians. In developments where vehicles may be expected to wait (including, but not limited to restaurants and
banks with drive-through windows, car washes, gated parking facilities), stacking for a minimum of 5 vehicles shall be required.

B. Where sidewalks occur in vehicular use areas, parked vehicles shall not overhand or extend over the sidewalk. Wheel stops shall be provided for parking spaces adjacent to a sidewalk, even if curbing is used.

C. Each parking bay shall be separated from other parking bays by an Interior Median. Not more than 15 continuous parking spaces shall be allowed in a row of parking without separation by a median. All Interior Medians shall be at least 8 feet wide, except that a median of at least 15 feet wide shall be provided at the ends of each parking bay. A Perimeter Median at least 10 feet wide shall be provided around the entire perimeter of the vehicular use area. Buffers required by Section 5:14.7 may be used to satisfy the requirements of the Perimeter Median provided the buffer is located within 15 feet of the vehicular use area, and provided landscaping is increased to meet the requirements of Section 5:14.9. Minor modifications of these provisions may be allowed by the Zoning Administrator in order to preserve existing trees or other vegetation. See Figure 5-1.

5:14.11 LANDSCAPING AND SCREENING OF VEHICULAR USE AREAS

A. Interior Medians required in vehicular use areas shall be landscaped at the minimum rate of 1 deciduous or evergreen tree and 10 shrubs for each 5 parking spaces provided. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall trees in any one median be more than 75 feet apart.

B. The Perimeter Median of vehicular use areas shall be screened at the minimum rate of 1 deciduous or evergreen tree for each 30 feet or fraction thereof of linear perimeter, and a minimum of 1 shrub for each 3 feet or fraction thereof of linear perimeter. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall shrubs in the Perimeter Median be more than 10 feet apart.

5:14.12 REFUSE CONTAINER AND MECHANICAL EQUIPMENT SCREENING

Refuse containers and mechanical equipment shall be screened from view from any adjacent property and public right-of-way, excluding alleys. Screening shall consist of a 6-foot high opaque wall or fence. Live plant material located so it
does not interfere with the function of the refuse container or mechanical equipment is encouraged in addition to the wall or fence.

5:14.13 FOUNDATION LANDSCAPE AREAS

A landscape area with a minimum depth of 8 feet shall be required around the entire base of all buildings on a site, except that provisions for pedestrian access to the building and vehicular access to service and loading areas shall be allowed, and shall not be calculated as part of the foundation landscape area. A minimum of 1 shrub for each 3 feet or fraction thereof of linear foundation landscape area shall be provided. Arrangement of shrubs in clusters or groupings is encouraged, but in no case shall shrubs be more than 10 feet apart. Groupings of shrubs at least 6 feet in height shall be required on sides of buildings where a change of building material occurs.

5:14.14 PLANT MATERIALS STANDARDS

Plant materials used to comply with the requirements of this District shall meet the following standards:

A. Artificial plants or trees shall not be used.

B. Where plant material is used for screening, at least 75 percent shall be evergreen. At planting, plant materials shall be a minimum of 30 inches tall and of a size, quantity and spacing to achieve 75 percent year-round opacity.

C. Landscaped areas shall be covered with grass, low vegetative ground cover not to exceed 18 inches in height, wildflowers or organic mulch. Stone or aggregate shall not be accepted to meet this requirement. If grass or vegetative ground cover is used, it shall be planted and maintained to present a finished appearance after one growing season. If the area is wider than 12 feet, grass or vegetative ground cover shall be used. In areas subject to erosion, erosion reducing blankets, or suitable reinforced mulch, shall be used.

D. Deciduous shade trees shall have a mature crown spread or greater than 15 feet. Permitted shade trees shall include Norway, Sugar and Red Maples, Oaks, Sycamores, Hickories, Persimmons, Sweet-Gums, Poplars, and Zelkovas. At planting, trees must have a minimum caliper of 2-1/2 inches at 6 inches above the root ball, a burlap ball size of at least 10 times the caliper size, and a clear stem of at least 5 feet (except within sight triangles where 9 feet is required per Section 6:8).
E. Evergreen trees shall be a minimum of 7 feet in height with a minimum spread of 3 feet, and a burlap ball size of at least 10 times the caliper size at the time of planting. Permitted evergreen trees include Cedars, Hollies, Laurel and Live Oaks, Magnolias and Pines.

F. Spring-flowering trees shall be a minimum of 6 feet in height with a minimum spread of 3 feet, and a burlap ball size of at least 10 times the caliper size at the time of planting. Permitted spring-flowering trees include Dogwoods, Crabapples, Redbuds, and fruit trees.

G. Existing vegetation on the property may be used to meet the requirements of this District if it meets the size, species and opacity requirements. This determination shall be made by the Zoning Administrator.

H. Xeriscaping, use of indigenous plant materials, and/or drought resistant plant material is strongly encouraged. A reliable means of irrigation for landscaped areas, at least for the first year after planting, shall be provided.

I. Berms shall have slopes not greater than one vertical foot for each two horizontal feet, and shall have at least 2 feet of flat area on top, and shall have adequate protection to prevent erosion.

J. Landscaped area in and adjacent to vehicular use area shall be protected by curbing, anchored wheel stops, or other durable materials, if approved by the Zoning Administrator. Alternative barrier designs which provide improved infiltration or storage of stormwater are encouraged.

K. All landscaping or other screening material within a sight triangle shall not be greater than 30 inches tall, and all trees within a sight triangle shall have all branches trimmed to provide clear vision for a vertical height of 9 feet above the street surface. Evergreen trees shall not be permitted within sight triangles. Sight triangles are defined in Section 6:8.

5:14.15 SITE AND EXTERIOR LIGHTING

All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

A. Fixture (Luminaire). The light source shall be completely concealed within an opaque housing and shall not be visible from any street right-
of-way. Decorative, non-concealed fixtures may be used as accent lighting only.

B. Light Source (Lamp). Only incandescent, florescent, metal halide, or color corrected high-pressure sodium may be used.

C. Mounting. Fixtures must be mounted in such a manner that its cone of light does not cross any property line of the site. Fixtures shall not be mounted higher than 25 feet from the ground.

5:14.16 ARCHITECTURAL REVIEW

Purpose. The compatible relationship of proposed development in the 101 Corridor Overlay Zoning District is of critical public concern for any building or site improvements. The intent of the design review is to encourage innovative architecture, and to insure respect for and enhancement of the positive visual, historical, and cultural experience from SC Highway 101. To accomplish this purpose, the following guidelines shall apply.

5:14.16-1 Development shall avoid excessive or indiscriminate grading, earth moving or clearing of property and removal of trees. Grading down to reduce the height of improvements in designated view sheds is strongly encouraged.

5:14.16-2 Development shall be located and configured in a visually harmonious manner with the terrain and vegetation of the site and surrounding sites. Structures shall impede, as little as reasonable practical, scenic views of the natural environment from SC Highway 101.

5:14.16-3 Structures should not dominate, in an incompatible manner, any general development or adjacent building which is substantially in compliance with this article. This may be accomplished by the use of proper site design, architectural features, and/or landscaping to reduce the appearance of excessive and inappropriate height or mass of proposed structures.

5:14.16-4 The architectural design of structures and their materials and colors shall be visually harmonious with the overall positive appearance, history and culture of Greer.

5:14.16-5 Structures shall demonstrate the general principles of good design, including but not limited to, those dealing with form, mass, scale, height, texture, and color. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with this District.
A. Buildings located in the Mixed-Use Sub-district shall be designed with pitched roofs, or the appearance of pitched roofs, with a minimum slope of 5/12. Wide overhangs are strongly encouraged. Shingles, metal standing seam, tile or similar roof materials shall be used.

B. Buildings located in the Industrial Sub-district may be designed with flat or substantially flat roofs. Parapet walls shall be used to disguise roofs which have a slope less than 5/12. Where practical, the use of pitched roofs, or the appearance of pitched roofs, is strongly encouraged.

C. Long monotonous façade design including, but not limited to those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided. This shall be reviewed in relation to the mass of the building.

D. Stucco, brick, stone, split-faced block, natural wood siding, glass, stainless steel panels or other materials with similar texture and appearance shall be used on at least 80 percent of the façade, excluding doors and windows, facing SC Highway 101 and on the front 25 percent of the length of the side facades visible from SC Highway 101. These materials shall be used on at least 80 percent of all building sides visible from SC Highway 101 on buildings with a footprint less than 5000 square feet.

E. The dominant color of structures shall be neutral (e.g. white, shades of gray or brown) or the natural color of the building material. Non-neutral colors may be used to accent architectural features of a structure. Generally, not more than 3 colors per building shall be used.

F. Mechanical equipment, service areas and loading facilities shall not be visible from SC Highway 101.

5:14.17 SIGNS IN THE 101 CORRIDOR OVERLAY ZONING DISTRICT

In addition to the provisions of Article 8, Signs, the following standards shall apply to signs in the 101 Corridor Overlay Zoning District.

A. The design of freestanding signs shall include at least one color and/or building material used in the building which the sign represents.

B. Signs on buildings shall be integrated in the design of the building.

5:14.18 ALTERNATIVE COMPLIANCE

Applicants may request that the Greer Planning and Zoning Board review a plan which does not meet the specific requirements set forth in this 101 Corridor
Overlay Zoning District, but whose design meets the intent of these requirements. In addition to submitting the required application and plans, the applicant shall, in writing, explain in detail how the proposal meets the intent of the stated requirements and why it is better than what would be required under the specific requirements of this District.

5:14.19 FOLLOWING PROJECT COMPLETION

All appearance features and landscaping required by this zoning district or shown on the approved application shall be maintained in good condition by the present owner and all subsequent owners of the property. Changes beyond the owner's control shall be restored by the owner, unless otherwise provided. Any changes proposed by the owner shall receive approval by the Zoning Administrator.

5:15 GATEWAY INTERNATIONAL BUSINESS CENTER ZONING DISTRICT

5:15.1 PURPOSE AND INTENT

The purpose of the GIBC District is to insure proper and orderly development and use of the property within the business park as an integrated part of an office/warehouse/distribution/manufacturing park; to protect the owners of adjacent property against improper development and use that might depreciate the value of adjoining property; to prevent the erection of structures of improper and incompatible design or material; to maintain proper setbacks and adequate open space. The overall goal is to enhance and protect the value, aesthetics, and desirability of the property in accordance with the uniform plan of development.

5:15.2 USES PERMITTED IN THE GIBC DISTRICT

- Office (with Accessory Retail Uses)
- Office/Warehouse
- Office/Warehouse/Distribution
- Manufacturing

5:15.3 ACCESSORY RETAIL USES
Accessory Retail Uses which are allowed in conjunction with Offices:

1. Are to be incidental to the principal use and located within the principal structure.

2. They shall be designed, constructed, and operated with orientation toward the interior of the structure.

3. There shall be no external evidence of such accessory retail use.

5:15.4 DELINEATION OF ZONING DISTRICT

A. The GIBC District shall include those lands which lie between SC Highway 290 and SC Highway 101, more specifically shown on the attached Exhibit One. The District may be expanded from time-to-time as contiguous properties are integrated and become a part of GIBC. Properties currently in the Highway 101 Corridor District that become a part of the GIBC shall be required to comply only with the GIBC District regulations.

B. The GIBC District shall have two sub-districts, the Mixed-Use Sub-district and the Industrial Sub-district, as shown on the attached Exhibit Two.

5:15.5 PRE-DESIGN MEETING REQUIRED

In order to attempt to identify any significant problems prior to the design phase of a development in the GIBC Zoning District, a pre-design meeting between the developer and his site/building designers and the Zoning Administrator shall be required. Additional meetings during the design phase and prior to submission of an application are strongly encouraged.

5:15.6 DEVELOPMENT ACTIVITY PERMITTED WITHIN THE DISTRICT

All changes to the existing condition of the lands, uses, or structures within the GIBC Zoning District after the adoption of this ordinance shall be subject to the provisions of the GIBC District and other appropriate section of the City of Greer Zoning Ordinance and shall be reviewed by the Zoning Administrator.

5:15.7 UTILITIES

All electric service lines from a transformer to a building or other customer location shall be located underground. It is the general intent that all electric lines located adjacent to and parallel to public roadways shall be located underground whenever practical and technically feasible. Other electric service
lines may be located either overhead or underground. All other utilities shall be underground.

5:15.8 ACCESS CUTS

No street, driveway or other vehicle access point shall enter a roadway at a point nearer than one hundred (100) feet from the centerline of the total asphalt area of an existing or approved roadway, driveway or other vehicle access point to the centerline of the proposed access, except where a lot of record would be rendered unusable by the strict application of this requirement.

A. Radials of all streets, driveways or other vehicle access points entering an existing roadway shall be curbed.

B. Relief requested from this provision, in the form of a request for waiver from the Zoning Administrator, must be accompanied by:

1. Ownership and recording data associated with a lot of record.

2. Written evidence that an applicant has explored all feasible alternatives to the standard for controlled access, including, but not limited to, joint use with adjoining properties, access from adjacent secondary streets, including establishment of frontage road access.

3. Qualification of request must be consistent with format of a request for a variance.

4. Map or plans showing survey distance to the nearest existing vehicle access points from those proposed.

5. Demonstration through design that the access point is otherwise optimally located on the lot of record so as to maximize distance from the nearest access points, provide acceptable turning radii, and minimize potential adverse impact, including turning movements and visual impact of "strip development" resulting from the less than minimum separation of access points from the roadway.

5:15.9 BUILDING SETBACKS

Setbacks for all structures in the mixed use sub-district shall be equal to at least 25 feet from the edge of any property line or equal to the depth of buffers required in this district, whichever is greater; setbacks for all structures in the industrial sub-district shall be 50 feet from the road right-of-way on the front; 25 feet from side property lines; and 25 feet from the rear property line, or equal to the depth of buffers required in this section, whichever is greater.
5:15.10 BUFFERS

Development within the GIBC Zoning District shall provide buffers adjacent to all street rights-of-way and adjacent to all property lines of conflicting land uses.

5:15.11 PURPOSE OF BUFFERS

The purpose of buffers is to soften the appearance of development within the industrial park by ensuring adequate green space around each building; to screen vehicular use areas; to reduce the impact of conflicting land uses; and to promote the public health, safety and general welfare by reducing noise and air pollution, light glare, soil erosion, and thermal heating of the environment.

5:15.12 STREET BUFFERS

A. Property located in the industrial sub-district shall provide a street buffer of not less than 15 feet deep along the roadway. Property located in the mixed-use sub-district shall provide a street buffer of not less than 6 feet deep along the roadway. Said buffers shall be measured perpendicularly from the existing roadway right-of-way line, or from a new right-of-way line should the application under consideration be required to or voluntarily provide a dedication or easement for proposed roadway purposes. In lieu of the street buffers stated above, all property located in the GIBC District and fronting on or contiguous to SC Highway 101, or the Greer South Parkway shall provide a street buffer along the above named streets of not less than 40 feet deep along the roadway; street buffers required along other property lines shall be as stated in the requirements for the industrial and mixed use sub-districts above. The street buffers described above may include utility or other easement and rights-of-way located outside the roadway rights-of-way so long as all other requirements of the street buffers are met.

B. Street buffers in the industrial sub-district shall be landscaped at the following rate: not less than one canopy or evergreen tree for every 50 feet or fraction thereof of street frontage, and not less than 5 shrubs per required shade tree. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall trees be more than 70 feet apart, nor shall individual shrubs be more than 30 feet apart. The number of required trees may be reduced and replaced with 30 shrubs per tree at the discretion of the Zoning Administrator, if it is determined that the required trees and spacing will adversely interfere with a proposed development design. See Exhibit Three for a graphic representation of landscaping requirements in the industrial sub-district.
C. Street buffers in the mixed use sub-district shall be landscaped at the rate of not less than 30 shrubs for every 50 feet or fraction thereof of street frontage. Arrangement of shrubs in clusters or groupings is encouraged, but in no case shall shrubs be more than 30 feet apart. See Exhibit Four for a graphic representation of landscaping requirements in the mixed use sub-district.

D. Street buffers along Highway 101 or the Greer South Parkway shall be landscaped at the following rate: not less than one canopy or evergreen tree for every 50 feet or fraction thereof of street frontage, and not less than 5 shrubs per required canopy tree, and not less than one (1) spring flowering tree for every 30 feet or fraction thereof of street frontage. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall trees be more than 70 feet apart, nor shall individual shrubs be more than 30 feet apart. See Exhibit Five for a graphic representation of landscaping requirements along Highway 101 or the Greer South Parkway.

E. Landscape materials may, at the discretion of the Zoning Administrator, be reduced by five (5) percent for each additional five feet of depth added to the street buffer, except the planting of spring flowering trees shall not be reduced less than one tree for each 50 feet or fraction thereof of street frontage.

5:15.13 CONFLICTING LAND USE BUFFERS

A vehicular use area, refuse container, mechanical equipment area, loading dock, service area, outside storage area, or industrial use which is adjacent to a public park facility or land zoned for or containing existing residential uses shall have a conflicting land use buffer between this use and the park or residential land. The conflicting land use buffer shall consist of:

A. A landscape buffer strip at least 15 feet wide.

B. One canopy or evergreen tree for each 50 feet or fraction thereof of abutting land. At least 75 percent of the trees within a conflicting land use buffer shall be evergreen. Arrangement of trees in clusters or groupings is encouraged, but in no case shall trees be more than 70 feet apart.

C. A hedge, berm, fence or combination thereof forming a continuous screen to at least six feet in height at planting. Plant material used for screening shall meet the requirements of 5:15.19(B). See Exhibit Six for a graphic representation of conflicting land use buffers.

5:15.14 DEVELOPMENT ACTIVITY PERMITTED IN BUFFERS
There shall be no development, clearing, grading or construction activity in required buffers, with the following exceptions:

A. Roadway and/or driveway access to a vehicular use area, provided the access is approximately perpendicular to the right-of-way or property line.

B. Provision for water, sanitary sewer, underground storm drainage, electrical, telephone, natural gas, cable, etc., service lines, provided they are approximately perpendicular to the right-of-way or property line. Consolidation of vehicular access points and utility lines to the property is encouraged.

C. Above ground storm drainage, such as drainage swales and water retention facilities, which maintains the intent of the purpose statement for buffers.

D. Pedestrian and bicycle paths.

E. Signs in accordance with the regulations of Section 5:15.27.

F. Clearing of clear sight distances at the permitted vehicular access points to a development.

G. Clearing required to comply with the landscaping requirements of the GIBC Zoning District.

5:15.15 VEHICULAR PARKING AREAS

In addition to the provisions of Section 6:9, Off-Street Parking Requirements, and Section 6:10, Off-Street Loading Requirements, of the Greer Zoning Ordinance, the following standards shall apply in the GIBC Zoning District.

A. Access to parking facilities shall be designed so as not to obstruct free traffic flow. There shall be adequate provision for ingress and egress to all parking spaces to insure ease of mobility, ample clearance, and safety of vehicles and pedestrians. Where parking bays or associated drives are located within 15 feet of a building, a sidewalk shall be provided parallel to the building and extending the length of the adjacent parking bay or drive.

B. Where sidewalks occur in vehicular use areas, parked vehicles shall not overhang or extend over the sidewalk unless the sidewalk has a minimum width of 6 feet. Where necessary, due to site and building constraints, curb locations may be adjusted to allow for a sidewalk at least 6 feet in width and a minimum parking length of 16 feet. Wheel
stops shall be provided for parking spaces adjacent to a sidewalk of less than 6 feet in width, even if curbing is used.

C. Not more than two adjacent parking bays may be constructed without separation by a bay median. Bay medians shall be at least 8 feet wide. See Exhibit 7 for a graphic representation of a bay median.

Not more than 15 continuous parking spaces shall be allowed, even along the perimeter, in a row of parking without separation by a parking space median. Parking space medians shall be at least 6 feet wide. See Exhibit 7 for a graphic representation of a parking space median.

A bay end median at least 15 feet wide shall be provided at the ends of each parking bay where there occur intersections between parking bays and driveway areas. See Exhibit 7 for a graphic representation of a bay end median.

A perimeter median at least 6 feet wide shall be provided around the entire perimeter of the vehicular use area. Buffers required by Section 5:15.11 and/or 5:15.12 may be used to satisfy the requirements of the perimeter median along certain sections of the vehicle use area provided the buffer is located within 15 feet of the vehicular use area, and provided landscaping requirements of the appropriate buffer area are met. See Exhibit 7 for a graphic representation of a perimeter median. Foundation landscape areas required by Section 5:15.18 may be used to satisfy the requirements of the perimeter median whenever the vehicular use area is located within 12 feet of a building.

5:15.16 LANDSCAPING AND SCREENING OF VEHICULAR USE AREAS

A. Bay medians required in vehicular use areas shall be landscaped at the minimum rate of 1 canopy tree and 10 shrubs for each 5 parking spaces provided. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall trees in any one median be more than 75 feet apart. See Exhibit Eight for a graphic representation of landscaping requirements for bay medians.

B. Parking space medians shall be landscaped at the rate of 1 canopy tree or 5 shrubs for each parking space provided. See Exhibit Nine for a graphic representation of landscaping requirements for parking space medians.

C. Bay end medians shall be landscaped with 2 canopy trees; 10 shrubs may be substituted for 1 tree. See Exhibit Ten for a graphic representation of landscaping requirements by bay end medians.
D. The perimeter median of vehicular use areas shall be screened at the rate of 1 canopy tree for each 50 feet or fraction thereof of linear perimeter, and a minimum of 1 shrub for each 3 feet or fraction thereof of linear perimeter. Arrangement of trees and shrubs in clusters or groupings is encouraged, but in no case shall shrubs in the perimeter median be more than 10 feet apart. See Exhibit Eleven for a graphic representation of landscaping requirements for perimeter medians.

5:15.17 REFUSE CONTAINER AND MECHANICAL EQUIPMENT SCREENING

Refuse containers and mechanical equipment shall be screened from view from any adjacent property and public right-of-way. Screening shall consist of an opaque wall or fence. Live plant material located so it does not interfere with the function of the refuse container or mechanical equipment is encouraged in addition to the wall or fence.

5:15.18 OUTSIDE STORAGE

No outside storage shall be visible from any public road right-of-way. Should outside storage be required as an incidental and temporary use to the primary use, screening shall consist of an opaque wall or fence. Live plant material is encouraged in addition to the wall or fence. Chain link fencing or other open fencing may be used in lieu of an opaque wall or fence provided that the requirements of Section 5:15.12 (Conflicting Land Use Buffers) are also met.

5:15.19 FOUNDATION LANDSCAPE AREAS

A landscape area with a minimum depth of 6 feet shall be required around the entire base of all buildings on a site, except that provisions for pedestrian access to the building and vehicular access to service and loading areas shall be allowed at approximately right angles to the buildings, and shall not be calculated as part of the foundation landscape area. A minimum of 1 shrub for each 3 feet or fraction thereof of linear foundation landscape area shall be provided. Arrangement of shrubs in clusters or groupings is encouraged, but in no case shall shrubs be more than 10 feet apart. Groupings of shrubs at least 6 feet in height shall be required on sides of buildings where a change of building material as stated in 5:15.26 D occurs.

5:15.20 PLANT MATERIALS STANDARDS

Plant materials used to comply with the requirements of this District shall meet the following standards:
A. Artificial plants or trees shall not be used.

B. Where plant material is used for screening, at least 75 percent shall be evergreen and of a size, quantity and spacing to achieve 75 percent year round opacity.

C. Landscaped areas shall be covered with grass, low vegetative ground cover not to exceed 18 inches in height, wildflowers or organic mulch. Stone or aggregate shall not be accepted to meet this requirement.

If grass or vegetative ground cover is used, it shall be planted and maintained to present a finished appearance after one growing season. If the area is wider than 12 feet, grass or vegetative ground cover shall be used. In areas subject to erosion, erosion reducing blankets, or suitable reinforced mulch, shall be used.

D. Canopy trees shall have a mature crown spread of greater than 15 feet. Permitted shade trees include Norway, Sugar and Red Maples, Oaks, Sycamores, Hickories, Persimmons, Sweet-Gums, Poplars and Zelkovas. At planting, trees must have a minimum caliper of 2-1/2 inches at 6 inches above the root ball, a burlap ball size of at least 10 times the caliper size, and branching no lower than 5 feet (except within sight triangles where 9 feet is required per Section 6:8).

E. Evergreen trees shall be a minimum of 7 feet in height with a minimum spread of 3 feet, and a burlap ball size of at least 10 times the caliper size at the time of planting. Permitted evergreen trees include Cedars, Hollies, Laurel and Live Oaks, Magnolias and Pines.

F. Spring-flowering trees shall be a minimum of 6 feet in height with a minimum spread of 3 feet, and a burlap ball size of at least 10 times the caliper size at the time of planting. Permitted spring-flowering trees include Dogwoods, Crabapples, Redbuds, and fruit trees.

G. Shrubs shall have a minimum height at planting of 24 inches.

H. Existing vegetation on the property may be used to meet the requirements of this District if it meets the size, species and opacity requirements. The determination shall be made by the Zoning Administrator.

I. Xeriscaping, use of indigenous plant materials, and/or drought resistant plant material is strongly encouraged. A reliable means of irrigation for landscaped areas, at least for the first year after planting, shall be provided.
J. Berms shall have slopes not greater than one vertical foot for each two horizontal feet, and shall have at least 2 feet of flat area on tope, and shall have adequate protection to prevent erosion.

K. Landscaped areas in and adjacent to vehicular use areas shall be protected by curbing, anchored wheel stops, or other durable materials, if approved by the Zoning Administrator. Alternative barrier designs which provide improved infiltration or storage of stormwater are encouraged.

L. All landscaping or other screening material within a sight triangle shall be not greater than 30 inches tall, and all trees within a sight triangle shall have all branches trimmed to provide clear vision for a vertical height of 9 feet above the street surface. Evergreen trees shall not be permitted within sight triangles. Sight triangles are defined in Section 6:8.

5:15.21 SITE AND EXTERIOR LIGHTING

All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

A. Fixture (Luminaire). The light source shall be completely concealed within an opaque housing and shall not be visible from any street right-of-way. Decorative, non-concealed fixtures may be used as accent lighting only.

B. Light Source (Lamp). Only incandescent, fluorescent, metal halide, or color corrected high-pressure sodium may be used.

C. Mounting. Fixtures must be mounted in such a manner that its cone of light does not cross any property line of the site. Fixtures shall not be mounted higher than 25 feet from the ground.

5:15.22 ARCHITECTURAL REVIEW
Purpose. The compatible relationship of proposed development in the GIBC District is of critical public concern for any building or site improvements. To accomplish this purpose, the following guidelines shall apply.

5:15.23 Development shall avoid wherever possible excessive or indiscriminate grading, earth moving, or clearing of property, and removal of trees. Grading down to reduce the height of improvements in the designated view sheds shown on Exhibit Twelve is strongly encouraged.

5:15.24 Development shall be located and configured in a visually harmonious manner with the terrain and vegetation of the site and surrounding sites. Structures shall impede, as little as reasonable practical, scenic views of the natural environment.

5:15.25 Structures should not dominate, in an incompatible manner, any general development of adjacent building which is substantially in compliance with this article. This may be accomplished by the use of proper site design, architectural features, and/or landscaping to reduce the appearance of excessive and inappropriate mass of proposed structures.

5:15.26 The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance of the park.

5:15.27 Structures shall demonstrate the general principles of good design, including but not limited to, those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with this District.

A. Buildings located in the Mixed-Use District are expected to exhibit a detailed architectural character as appropriate to dense, smaller scale development. Roofs may be flat or pitched, with roof pitches of less than 5/12 hidden from view by parapet walls. Particular emphasis should be given to the creation of well defined entrances; placement of offices and the use of glass on the front façade of the building is strongly encouraged.

B. Buildings located in the Industrial Sub-district may be designed with flat or substantially flat roofs. The front façade of buildings shall, at a minimum, present a well-defined entry, mixture of materials, sense of scale and greater detailing than is present throughout the rest of the building. Articulation of a base and cornice on the front façade is encouraged.
C. Long monotonous façade design including, but not limited to those characterized by unrelieved repetition of shape or form or by unbroken extension of line shall be avoided. This shall be reviewed in relation to the mass of the building. Larger monolithic materials including concrete panels should be scored or textured to break their mass, disguise their scale and add architectural interest. Metal panels may be permitted, but must be designed and mixed with other materials so as to meet the intent of this paragraph.

D. In the Industrial Sub-district, pre-cast concrete, tilt-up concrete, stucco, brick, stone, split-faced block, natural wood siding, glass, stainless steel panels or other materials with similar texture and appearance shall be required on at least 80 percent of the front façade, excluding doors and windows, facing public rights-of-way, and on the front 25 percent of the length of the side facades visible from public rights-of-way. In the Mixed-Use Sub-district, pre-cast concrete, tilt-up concrete, stucco, brick, stone, split-faced block, natural wood siding, glass, stainless steel panels or other materials with similar texture and appearance shall be required on 100 percent of the front façade, excluding doors and windows, and on the front 25 feet of the length of the side facades visible from public rights-of-way.

E. The dominant color of structures shall be neutral (e.g. white, shade of gray or brown) or the natural color of the building material. Non-neutral colors may be used to accent architectural features of a structure. Generally, not more than 3 colors per building shall be used.

F. Mechanical equipment (whether roof mounted or ground mounted), service areas and loading facilities shall not be visible from public rights-of-way following the landscape requirements of Section 5:15.12 (Conflicting Land Use Buffers).

5:15.28 SIGNS IN THE GIBC DISTRICT

The following standards shall apply to signs in the GIBC District.

Plans and specifications for any sign shall include, but not be limited to, the color(s), dimensions, location on the site, height, copy, type of illumination, and other characteristics. No sign shall be erected, substituted, changed, or modified on the property without the prior written approval of the Zoning Administrator through the permitting process.

A. Signage must conform to the following standards:

1. In marketing properties within the Gateway Industrial Business Center, no sign shall contain the “Gateway” logo without permission, and no marketing sign shall contain wording which would indicate a sub-park within the GIBC.
2. Signs for single tenant buildings shall be restricted to advertising of the person, firm, company, or corporation operating the use conducted on the site or the product sold or produced thereon.

3. For multi-tenant buildings, only one identification sign per tenant will be approved.

4. All information signage, including instructions to visitors, vendors, and customers; directional signage; designated parking areas; driveway entrance signs; or any sign other than building identification sign must be uniform both with regard to sign panel design and lettering style.

5. All signs, including construction signs, “For Lease” or “For Sale” signs shall be approved by the Zoning Administrator.

6. Signs may be illuminated, but will be non-moving and non-flashing.

7. Signs may not project above the roof line of a building.

8. Signs may not be located within dedicated easements or rights-of-way and must be placed five (5’) feet behind the road right-of-way.

9. The above notwithstanding, the Zoning Administrator, may approve/refuse request variance to this paragraph on a case by case basis.

B. Signs and Graphics:

Approval: A plan showing all signage with dimensions, color, materials and location on the site shall be submitted to the Zoning Administrator for approval and a permit shall be obtained prior to installation.

Temporary Signs: During the period of development and prior to the completion of the primary building on each building site, the site shall have only one (1) temporary construction sign, not to exceed 8 feet in height with a 32 square foot sign face, said sign to be removed within one (1) week after completion of the project. After completion of the primary building on each building site, the availability for sale or lease or all or any part of the primary building shall be advertised by one (1) temporary marketing sign, each sign not to exceed 8 feet in height with a 32 square foot sign face.

Tenant Identification Signs: Each tenant shall be allowed one (1) identification sign as follows:
(1) Only the company name and/or company logo

(2) The maximum size of a tenant identification sign shall be 10% of the useable wall space

(3) The sign shall be constructed of permanent materials and shall be consistent with the general architectural design of the building

**Incidental Signs:** Incidental signs are secondary to the use of the premises on which they are located, such as “no parking”, “entrance”, “loading only”, and other similar directives.

- **Size:** Not to exceed 6 square feet with a required width of 2 feet.
- **Color:** The colors to be used on the incidental signs will be Pantone 355MC (green) and Pantone 301MC (blue) with 301MC being the primary color against a white background.
- **Style of Lettering:** The style of letter shall be Swis 721 black italic.

**Freestanding Signs:**

(1) All freestanding signs within the park will be a monument type, with a maximum height of 8 feet. On parcels with buildings 50,000 square feet and under, the sign face shall be a maximum of 32 square feet. On parcels with buildings over 50,000 square feet, the sign face may be up to 72 square feet.

(2) The sign shall be constructed of permanent materials and shall be consistent with the general architectural design of the building.

(3) All illumination shall be provided by a concealed source and all back-lighting shall be contained within the area of the sign.

(4) No neon, traveling, flashing or intermittent illumination of any kind shall be permitted.

(5) All wiring and appurtenant electrical equipment shall be installed underground or within the sign.

**5:15.29 FOLLOWING PROJECT COMPLETION**
All appearance features and landscaping required by this zoning district or shown on the approved application shall be maintained in good condition by the present owner and all subsequent owners of the property. Changes beyond the owner’s control shall be restored by the owner, unless otherwise provided. Any changes proposed by the owner shall receive approval by the Zoning Administrator.

5:15.30 FOLLOWING PROJECT COMPLETION

All appearance features and landscaping required by this zoning district or shown on the approved application shall be maintained in good condition by the present owner and all subsequent owners of the property. Changes beyond the owner’s control shall be restored by the owner, unless otherwise provided. Any changes proposed by the owner shall receive approval by the Zoning Administrator.
EXHIBIT 1

GATEWAY INTERNATIONAL BUSINESS CENTER
OVERLAY ZONING DISTRICT
INDUSTRIAL DISTRICT

15' LANDSCAPE AREA

REQUIRED 50'
1 CANOPY TREE (OR)
1 EVERGREEN TREE
5 SHRUBS PER TREE

ALTERNATIVE
30 SHRUBS EVERY 50' (FEET)
MIXED USE
DISTRICT

6' LANDSCAPE
AREA

60' RAW

SECTION 'B'

REQUIRE 50',
30 SHRUBS EVERY 50' (FEET)
EXHIBIT 5

HWY 101/GREER SOUTH PARKWAY

REQUIRED 50'
1 CANOPY TREE (OR)
1 EVERGREEN TREE
1 SPRING FLOWERING TREE
5 SHRUBS PER TREE
REQUIRED 50'
1 CANOPY TREE (OR)
1 EVERGREEN TREE
5 SHRUBS PER TREE WHEN BERM IS USED
6' HIGH BERM (OR)
6' FENCE (OR)
SCREENING PLANT MATERIAL TO CREATE
75% YEAR ROUND OPACITY
VEHICULAR PARKING AREAS

- BAY MEDIAN
  (NO MORE THAN 2 BAYS ARE ALLOWED WITHOUT MEDIAN)
- PARKING SPACE MEDIAN
  (EVERY 15 SPACES)
- BAY END MEDIAN
- PERIMETER MEDIAN
EXHIBIT 8

BAY MEDIAN

5 SPACES

REQUIRED
EVERY 5 SPACES
1 CANOPY TREE
10 SHRUBS
EXHIBIT 9

PARKING SPACE MEDIAN

REQUIRED
1 CANOPY TREE

PARKING SPACE MEDIAN

ALTERNATIVE
5 SHRUBS
EXHIBIT 10

BAY END MEDIAN

REQUIRED
2 CANOPY TREES

BAY END MEDIAN

ALTERNATIVE
10 SHRUBS
EXHIBIT 11

PERIMETER
MEDIAN

REQUIRED
1 CANOPY TREE EVERY 50'
1 SHRUB EVERY 3'

6'

50'
EXHIBIT 12

GATEWAY INTERNATIONAL BUSINESS CENTER VIEWSHEDS
5:16 HIGHWAY TRANSITIONAL OVERLAY ZONING DISTRICT

5:16.1 PURPOSE AND INTENT

The purpose of the Highway Transitional Overlay Zoning District is to preserve, protect and enhance the unique visual, historic, and cultural experiences along West Poinsett Street from Memorial Drive to Downtown Greer; to protect and enhance property values; and to promote the safe and efficient use of West Poinsett Street.

5:16.2 DELINEATION OF ZONING DISTRICT

A. The Highway Transitional Overlay Zoning District shall include all lands which lie within the right-of-way of West Poinsett Street; all lands which fronts on each side of West Poinsett Street from the intersection of Memorial Drive and the intersection of North and South Miller Street.

B. The approximate boundaries of this zoning district shall be shown on the Official Zoning Map of Greer, South Carolina, and shall be shown on the site plan, by the applicant, on each property subject to review.

5:16.3 PRE-DESIGN MEETING REQUIRED

In order to attempt to identify any significant problems prior to the design phase of a development in the Highway Transitional Overlay Zoning District, a pre-design meeting between the developer and his site/building designers, and the Board of Architectural Review shall be required. Additional meetings during the design phase and prior to submission of an application are strongly encouraged.

5:16.4 DEVELOPMENT ACTIVITY PERMITTED WITHIN THE DISTRICT

All changes to the existing condition of the lands, uses, or structures within the Highway Transitional Overlay Zoning District after October 14, 2003 shall be subject to the provision of this District and other Sections of the Greer Zoning Ordinance.

A. All new development and changes to existing developments, except single and two family residential lots, in the Highway Transitional Overlay Zoning District shall be subject to the provisions of this District and shall be reviewed by the Zoning Administrator

5:16.5 SETBACKS

Setbacks for all structures shall be as prescribed in the base zoning district.
5:16.6 BUFFERS

Development within the Highway Transitional Overlay Zoning District shall provide buffers adjacent to street rights-of-way and adjacent to all property lines of conflicting land uses.

5:16.6-1 PURPOSE

The purposes of buffers are to soften the appearance of development from the street; to screen vehicular use areas; to reduce the impact of conflicting land uses; and to promote the public health, safety and general welfare by reducing noise and air pollution, light glare, soil erosion, and thermal heating of the environment.

5:16.6-2 STREET BUFFERS

A. Property located in the Highway Transitional Overlay District and fronting on a public street shall provide a buffer of not less than the front setbacks as prescribed in the base zoning district. Said buffers shall be measured from the existing right-of-way line, or from the new right-of-way line should the application under consideration be required to or voluntarily provide a dedication or easement for proposed roadway purposes. No street buffer shall be required for development in the C-1, Central Business Zoning District.

5:16.6-3 CONFLICTING LAND USE BUFFERS

A vehicular use area, refuse container, or mechanical equipment, or an office, commercial use which is adjacent to a public park facility or land zoned for residential uses shall have a conflicting land use buffer between this use and the park or residential land. The conflicting land use buffer shall consist of:

A. A landscaped buffer strip at least 15 feet wide.

B. At least 75 percent of the trees within a conflicting land use buffer shall be evergreen.

C. A hedge, berms, fence or combination thereof forming a continuous screen at least six feet high.
5:16.7 DEVELOPMENT ACTIVITIES PERMITTED IN BUFFERS

There shall be no development, clearing, grading or construction activity in required buffers, with the following exceptions:

A. Roadway and/or driveway access to the vehicular use area of the site provided the access is approximately perpendicular to the right-of-way or property line.

B. Provision for water, sanitary sewer, underground storm drainage, electrical, telephone, natural gas, cable, etc. service lines provided they are approximately perpendicular to the right-of-way or property line. Consolidation of vehicular access points and utility lines to the property is encouraged.

C. Above ground storm drainage, such as drainage swales and water retention facilities, which maintains the intent of the purpose statement for buffers.

D. Pedestrian and bicycle paths.

E. Signs in accordance with the regulations of Article 8 & 5:16.14.

F. Clearing of clear sight distances at the permitted vehicular access points to a development.

5:16.8 VEHICULAR USE AREAS

A vehicular use area of a property which is not located in an enclosed structure and which is devoted to a use by or for motor vehicles, including parking, storage or display of automobiles, trucks or other vehicles; loading areas; service areas and drives. Any driveway which provides access to the site from a public right-of-way is not considered part of the vehicular use area.

In addition to the provisions of Section 6:9, Off-Street Parking Requirements, and Section 6:10, Off-Street Loading Requirements, the following standards shall apply in the Highway Transitional Overlay Zoning District:

A. No vehicular use area shall be allowed in the front of any structure, other than access to parking facilities.

B. Access to parking facilities shall be designed so as not to obstruct free traffic flow. There shall be adequate provision for ingress and egress to all parking spaces to insure ease of mobility, ample clearance, and safety of vehicles and pedestrians.
C. Where sidewalks occur in vehicular use areas, parked vehicles shall not overhang or extend over the sidewalk. Wheel stops shall be provided for parking spaces adjacent to a sidewalk, even if curbing is used.

5:16.9 LANDSCAPING AND SCREENING OF VEHICULAR USE AREAS

Landscaping of all vehicular use areas shall be in accordance with Section 6:9.8 Parking Lot Landscape Requirements.

5:16.10 REFUSE CONTAINER AND MECHANICAL EQUIPMENT SCREENING

Refuse containers and mechanical equipment shall be screened from view from any adjacent property and public right-of-way, excluding alleys. Screening shall consist of a 6-foot high opaque wall or fence. Live plant material located so it does not interfere with the function of the refuse container or mechanical equipment is encouraged in addition to the wall or fence.

5:16.11 PLANT MATERIALS STANDARDS

Plant materials used to comply with the requirements of this District shall meet the following standards:

A. Where plant material is used for screening, at least 75 percent shall be evergreen. If only plant materials are used for screening, the plants shall be a minimum of six (6) feet tall at planting and of a size, quantity and spacing to achieve 75 percent year-round opacity.

B. Landscaped areas shall be covered with grass, low vegetative ground cover not to exceed 18 inches in height, wildflowers or organic mulch. Stone or aggregate shall not be accepted to meet this requirement. If grass or vegetative ground cover is used, it shall be planted and maintained to present a finished appearance after one growing season. If the area is wider than 12 feet, grass or vegetative ground cover shall be used. In areas subject to erosion, erosion reducing blankets, or suitable reinforced mulch, shall be used.

C. Existing vegetation on the property may be used to meet the requirements of this District if it meets the size, species and opacity requirements. This determination shall be made by the Zoning Administrator.

D. Berms shall have slopes not greater than one vertical foot for each two horizontal feet, and shall have at least 2 feet of flat area on top, and shall have adequate protection to prevent erosion.
E. All landscaping or other screening material within a sight triangle shall not be greater than 30 inches tall, and all trees within a sight triangle shall have all branches trimmed to provide clear vision for a vertical height of 9 feet above the street surface. Evergreen trees shall not be permitted within sight triangles. Sight triangles are defined in Section 6:8.

5:16.12 SITE AND EXTERIOR LIGHTING

All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

A. Mounting. Fixtures must be mounted in such a manner that its cone of light does not cross any property line of the site. Fixtures shall not be mounted higher than 25 feet from the ground.

5:16.13 ARCHITECTURAL REVIEW

The compatible relationship of proposed development in the Highway Transitional Overlay Zoning District is of critical public concern for any building or site improvements. The intent of the design review is to encourage innovative architecture, and to insure respect for and enhancement of the positive visual, historical, and cultural experience from. To accomplish this purpose, the following guidelines shall apply.

A. Development shall comply with Section 5:19 HP, Historic Preservation Overlay Zoning District, Subsection III-New Construction.

B. Any removal of trees shall comply with standards set forth in City of Greer Land Development Regulations Article 12 Tree Protection.

C. Structures should not dominate, in an incompatible manner, any general development or adjacent building which is substantially in compliance with this article. This may be accomplished by the use of proper site design, architectural features, and/or landscaping to reduce the appearance of excessive and inappropriate height or mass of proposed structures.

D. Structures shall demonstrate the general principles of good design, including but not limited to, those dealing with form, mass, scale, height, texture, and color. Specific consideration shall be given to compatibility with adjacent structures where such structures are substantially in compliance with this District.
I. Buildings located in the district shall be designed with pitched roofs, or the appearance of pitched roofs, with a minimum slope of 5/12. Overhangs are strongly encouraged. Shingles, metal standing seam, tile or similar roof materials shall be used.

II. Stucco, brick, stone, natural wood siding, glass or other materials with similar texture and appearance shall be used on at least 80 percent of the façade, excluding doors and windows. These materials shall be used on at least 80 percent of all building sides visible from a Highway Transitional Street.

III. The dominant color of structures shall be neutral (e.g. white, shades of gray or brown) or the natural color of the building material. Non-neutral colors may be used to accent architectural features of a structure. Generally, not more than 3 colors per building shall be used.

IV. Mechanical equipment, service areas and loading facilities shall not be visible from a Highway Transitional Street.

5:16.14 SIGNS IN THE HIGHWAY TRANSITIONAL OVERLAY ZONING DISTRICT

In addition to the provisions of Article 8, Signs, the following standards shall apply to signs in the Highway Transitional Overlay Zoning District.

A. The design of freestanding signs shall include at least one color and/or building material used in the building which the sign represents.

B. Signs on buildings shall be integrated in the design of the building.

C. Signs shall be setback a minimum of 10 feet from right of way.

D. Signs made nonconforming by this ordinance shall be defined as a legally established sign existing on October 14, 2003 which could not be erected or displayed under the provisions of this Article or the provisions of other City, state of federal laws. A nonconforming sign shall be allowed to continue under the provisions of this Section and other provisions of this Article.
E. A nonconforming sign shall not be modified in any way which increases the nonconformity of the sign, but may be maintained only by painting or refinishing the surface of the sign face or sign structure so as to keep the appearance of the sign as approved when the permit was issued. Any modification to a nonconforming sign, other than painting or refinishing the surface, shall render the prior permit void and shall result in the reclassification of such sign as an illegal sign pursuant to Section 8:2.1.

F. A nonconforming sign shall not be moved or relocated unless it is brought into compliance with the provisions of this Article. A nonconforming sign which is removed or destroyed by natural or manmade actions shall not be replaced unless it complies with the provisions of this Article. A nonconforming sign which is damaged, but not destroyed, may be replaced or repaired to the condition or the sign immediately prior to the damage. Any improvement, other than painting and refinishing, which extends the life of a nonconforming sign, shall not be allowed.

G. All signs in the Highway Transitional Overlay Zoning District shall be of monument type with a maximum sign face of 24 square feet and a maximum of 8 feet in height.

5:16.15 ALTERNATIVE COMPLIANCE

Applicants may request that the City of Greer Board of Zoning Appeals review a plan which does not meet the specific requirements set forth in this Highway Transitional Overlay Zoning District, but whose design meets the intent of these requirements. In addition to submitting the required application and plans, the applicant shall, in writing, explain in detail how the proposal meets the intent of the stated requirements and why it is better than what would be required under the specific requirements of this District.
5:16.16 District Map
Highway Transitional Overlay
Section 5:17 Cemeteries

Cemeteries are allowed in all districts, with the exception of the C-1 Central Business District, as a use by special exception by the City of Greer Zoning Board of Appeals.

5:17.1 Area

The minimum area for a cemetery shall be 5 acres.

5:17.2 Setback

Where a cemetery adjoins non-residentially-zoned property, no setback is required. However, if a setback is provided, it shall not be less than 5 feet in width.

When a cemetery adjoins residentially zoned property, no building, structure, burial plot or storage of equipment or materials shall have a minimum setback of 50 feet of the adjacent residentially zoned property and have a minimum setback of 25 feet from all road right-of-ways.

5:17.3 Screening and Buffering

Screening must be provided along side and rear exterior lot lines where any non-residential use is adjacent to a residential use and/or district for the purpose of screening non-residential activities from view. Unless otherwise required, the following landscaping and screening provisions will apply.

A 6 foot wall, fence, berm, evergreen screening plant material, or a combination of wall, fence, berm or evergreen screening plant material with a combined height of 6 feet above grade shall be used for the purposes of screening. If evergreen plant material is used, it must be at least 4 feet in height at time of planting and capable of forming a continuous opaque screen at least 6 feet height, with individual plantings spaced not more than 5 feet apart. Berms shall have a side slope no greater than 3:1.

5:17.4 Off-Street Parking

Adequate off-street waiting space shall be provided for funeral processions so that no vehicle stands or waits in a road right-of-way.

5:17.5 Access

All cemetery access shall be provided from an arterial or collector street.
5:17.6 Additional Requirements

A. Mausoleums may be located only within the boundaries of approved cemeteries.
B. Cemetery review standards shall apply to all cemeteries, regardless of zoning classification.
C. A storm water plan must be submitted and approved by the City of Greer before cemetery approval may be granted.
D. A cemetery may not be located in a flood plain or floodway (i.e. an area of special flood hazard).
E. Perpetual care cemeteries must also comply with SC Code of Laws, Title 40 Chapter 8.

5:17.7 Preexisting Cemeteries

Any cemetery or portion of a cemetery that is preexisting on the date of adoption of this Ordinance shall be considered a nonconforming use. All other shall be subject to the specific provisions of this ordinance.
Section 5:18 DT – DOWNTOWN GREER OVERLAY DISTRICT

5:18.1. Purpose

The purpose of the Downtown Greer Overlay District (DT) is to promote harmonious and compatible development within the Downtown Greer Central Business District which compliments the character and charm of this unique mixed use center.

5:18.2. Area Designation

The Downtown Greer Overlay District is delineated on the Official Zoning Maps for the City of Greer.

5:18.3. Underlying Zoning Regulations

The use and development on any land or structures within the designated Downtown Greer Overlay District shall comply with regulations applicable to the underlying zoning districts, as well as the requirements of this Article, if applicable. All regulations of the underlying zoning district as provided in this Ordinance shall apply except when modified, eliminated, superseded, or additional regulations added by the provisions of this Article.

5:18.4. Development Standards

5:18.4.2. Permitted Uses Not Allowed

All permitted uses within the underlying zoning district shall be allowed as permitted uses except the following:

Automobile Parts  
Dry Cleaning/Laundry Establishment  
Radio or Television Repair

5:18.4.3. Conditional Uses

All conditional uses within the underlying zoning district shall be allowed as permitted uses except the following:

Automobile Tire Sales, Service and Storage  
Automobile Service Station  
Automobile Wash or Clean-Up Shop  
Cemetery  
Muffler Shop  
Used Car Lot  
Mini-Warehouses
5:18.4.4. Accessory Uses

A. Exterior Storage Areas – All exterior storage areas shall be completely screened from view from all adjacent property lines or road rights-of-way.

5:18.4.5. Accessory Structures

A. Accessory Buildings – No accessory buildings or portable structures/buildings shall be allowed.

B. Fences and Walls – Fences and walls shall be constructed of a permanent material such as masonry, brick, and wrought iron. Chain link fencing shall not be allowed. Fences and walls may extend to the property line.

C. Permanent Structures – All land uses must be housed in a permanent structure as defined by the International Building Code and shall comply with standards as set forth by Section 5:18.5. Building Design Standards.

D. Dumpsters – Subject to the provisions of Article 6 Section 9.13 of the City of Greer Zoning Ordinance.

5:18.5. Building Design Standards

5:18.5.1. Purpose.
Design Review is a mechanism by which the City can ensure that site development and structures in specific zoning districts or in specific locations are of high design quality and conform to the requirements of the Land Use Code and the requirements of an applicable concomitant agreement.

5:18.5.2. Design Review Criteria

The Planning and Zoning Coordinator will consider the extent to which a proposal complies with the following criteria. Additional design criteria from other sections of the Zoning Manual may also apply to specific projects. The design of all buildings shall meet the standards as outlined.
A. Parking – No parking is required within the Downtown Greer Overlay District. Any parking provided shall meet the design standards of Article 6, Section 9: Off-Street Parking Requirements.

5:18.5.3. Architectural Design Style

The Architectural Design Style for the DT is a design vernacular found between 1890 and 1930 (see appendix “A”). The style of architecture found during this period represents the style most common to buildings of the DT. This design vernacular allows for individuality while promoting the Purpose of the DT as defined in Article 5:18.1.

5:18.5.4. Exterior Façade – Wall Finish Materials

Acceptable visible exterior wall finish materials are:

A. Brick – unpainted, stained and painted, appropriate size (modular, standard, queen, engineer or modular queen); color should be consistent with the existing context and light colored brick can be used sparingly as an accent.

B. Stucco – should be used sparingly as an accent; it can be used for trim work or detailing. Shall not be use as the field.

5:18.5.5. Exterior Façade – Visible Attachments

Acceptable visible attachment (chimney, flues, decks, balconies, signs, awnings, railings) finish materials are:

A. Chimney – brick, stucco.

B. Chimney Caps – copper or vitrified clay.

C. Flues – stainless steel, manufacturer painted metal, copper or clay.

* - The Front of the lot shall be determined as facing the higher order street (i.e. Trade Street)
D. Decks – shall comply with all applicable requirements of the International Building Code and with color characteristics in keeping with the Architectural Design Style.

E. Signs – wood (painted or unpainted), manufacturer painted metal, stainless steel or copper.

F. Awnings – canvas membrane with painted light metal frame, painted metal, stainless steel or copper.

G. Railings and Fencing – painted metal, brick or ornamental iron (no chain link fencing).

5:18.5.6. Exterior Façade – Roof Finish Materials

Acceptable visible roof finish materials are:

A. Roofs and Overhangs – terra cotta tile, copper, slate, synthetic slate, gold leaf, manufacturer painted metal shingles and/or standing seam manufacturer painted roofs with color characteristics in keeping with the Architectural Design Style.

B. Gutter and Downspout Systems – copper and manufacturer painted metal with color characteristics in keeping with the Architectural Design Style.

5:18.5.7. Exterior Façade – Opening Finish Materials

Acceptable visible opening finish materials are:

A. Windows – manufacturer painted aluminum, metal or wood with clear glass or stained glass.

B. Shutters – painted wood or synthetic composite (no vinyl) in a louvered or paneled style.

C. Doors and Garage Doors – painted aluminum, metal, wood or composite wood.

D. Storefronts – manufacturer painted aluminum, metal or wood.
5:18.5.8. Exterior Façade – Visible Configuration Elements

Acceptable visible configuration exterior façade elements are:

A. Brick – shall not exceed a projection over 1 inch in any single course.

B. Stone and Cast Stone – stone rustication at the base of the building or as accents around main entrances; stone accents and trim are appropriate.

C. Stucco – painted smooth sand finish is appropriate other finish types must be approved by the Planning & Zoning Coordinator. The stucco must be cement type.

D. Chimney – simple forms with articulation at the top are preferred. Chimneys may be used to screen ventilation piping.

E. Chimney Caps – may be used to screen ventilation piping.

F. Signs – shall be either suspended from the façade by a painted light metal frame or attached directly to the façade and not project more that 4 inches from the adjacent surface.

G. Awnings – shall match the existing awnings when facing on Trade Street or shall be rectangular in shape. Awnings not fronting Trade Street shall be rectangular in shape without sides or bottom soffit panels.

H. Railings and Fencing – shall consist of top rails and bottom rails with clearance beneath the bottom rail. Rails shall be centered on the support balusters.

I. Balconies – shall be located a minimum of 12 feet above the grade or sidewalk below. Supporting brackets are preferred. Cantilevered balconies shall not project more than 3 feet.

J. Storefronts and Signage – shall be a gloss finish.

K. Address and Postal Numbers – both the principal façade and the rear or alley facing façade shall bear the numbers. Numbers shall comply with local fire and emergency authorities’ requirements for height, but shall conform to the color and style defined herein.

L. General Building Utility Service Meters and Equipment – shall be located on rear of the buildings. HVAC, satellite dishes, hot tubs, and the like shall be located in the rear side of the building and screened from sight. Overhead service of any utility or future service is not allowed.
M. Multiple Buildings – Sites containing multiple buildings or structures shall have a cohesive design vernacular including materials and proportions.

N. Trash Containers – shall be located in permanent enclosures screening them from site.

O. Sloped Roofs – visible from street level shall be sloped at an angle of 6:12 or greater. Canopy and porch roofs may have slopes less than, equal to or greater than 6:12.

P. Flat Roofs – shall be screened from view by parapet walls.

Q. Parapets Walls – shall not have crenulations.

R. Arched Roofs – all types shall be permitted.

S. Eaves – with less than 1 foot of overhang shall be permitted to enclosed; those with more that 1 foot shall have either exposed rafters or be enclosed with exposed supporting brackets. Eaves shall be continuous.

T. Gutters and Downspouts – Gutters shall match the profile of the soffits. Half-round gutters are permitted. Downspouts shall connect to horizontal leaders and piped underground away all building structures and either connect to the city storm water system or dispense into a landscaped area designed to handle the storm water runoff.

U. Roof Penetrations – shall not be visible from the street level.

V. Ancillary Roofs – shall not be less that 3:12 roof slope.

W. Dormers – shall not be located within 3 feet from a side building wall. They shall be habitable. The window side of the dormer shall be configured to allow the window to fill the wall front with the exception of trim and gable front above the window.

X. Windows – shall not be flush mounted to the exterior or interior. Multiple window configurations shall have a 4" minimum post separating the window units. Transoms shall be vertically proportioned panes of glass and oriented horizontally over the opening below.

Y. Window Muntins – shall be true divided panes or simulated divided panes with dividers permanently fixed to the interior and exterior window surfaces. Proportion of the panes shall be similar throughout the building.

Z. Shutters – shall be proportioned to match the adjoining openings.
AA. All Colors – shall be selected from the Sherwin-Williams Exterior Color Preservation-Victorian and Arts & Crafts Color Palette:

   a. Use colors to tie together the entire building front by considering the building as a whole, and then decide which details to emphasize, avoid colors that visually split the upper floors from the lower floor, and using the same color on the same architectural elements (i.e., window frames) can reinforce the patterns which tie together the building.
   b. When choosing a color, consider the context or major colors on the surrounding buildings such as the commonality of brick and masonry colors in Downtown, muted compatible tones to characterize a building and the avoidance of bright high-intensity colors.

BB. Utility Lines – shall be underground.

5:18.6.1. Signage

Signs within the Downtown Greer Overlay District shall be designed not to detract from the character of the district. The following provisions are established for the identification of land uses.

A. Freestanding Signs – One (1) freestanding sign per location provided:

   a. The sign shall not be larger than 50 square feet in sign area.
   b. The maximum height of the sign shall not exceed 10 feet.
   c. The sign must be a monument (ground mounted) sign
   d. The sign must contain no more than two colors not including black or white.

B. Wall Signs – Wall signs are allowed provided:

   a. One (1) wall sign shall be allowed per location or one (1) wall sign per building frontage, whichever is greater.
   b. The sign shall not be larger than one (1) square foot of building frontage not to exceed 50 square feet.
   c. Signs may be wall mounted or projecting signs. Wall mounted signs shall project no more than 15 inches from the wall. Projecting signs may project up to four (4) feet away from the building if the sign is placed no lower than 10 feet nor higher than 15 feet from the streetside sidewalk.
   d. Murals shall not be allowed as a wall sign.

C. Window Signs – Window signs shall not exceed more than 20% of the gross window area and shall not include windows above the ground level.
D. Portable Signs – Portable signs are not allowed.

E. Sign Standards – All signs shall conform to the following standards:
   a. Signs shall not blink, flash, rotate, scroll, or animate.
   b. Signs shall not utilize colored lighting for internal or external illumination.
   c. Signs shall not utilize neon lighting.

5:18.7.1. Maintenance

All undeveloped land or parcels after demolition of a structure in the Downtown Greer Overlay District shall be maintained with sod or other permanent groundcover as determined by the Planning & Zoning Coordinator.
City of Greer 1930’s
TYPICAL FAÇADE ELEMENTS

CORNICE and/or PARAPET
Many types of cornice and parapet styles are used throughout Downtown Greer. Materials include metal work, stone and brick.

UPPER FAÇADE
Two window shapes are common in Downtown Greer, arch top and rectangular.

BELT LINE & SIGN BAND

TRANSMOM WINDOWS

DISPLAY WINDOWS
The frame of all windows and doors should be substantial in dimension. A minimum of a 4" post should be used to separate multiple window configurations.

KICKPLATE
Various materials are present throughout Downtown Greer, but more traditional materials include wood (composite wood material is acceptable), brick, traditional hard coat stucco and stone.

RECESSED ENTRANCE
Both angled and straight recesses are common in Downtown. Recessed entrances provide shelter from weather and allow pedestrian traffic full use of the Sidewalk while door is open.

THESE FAÇADE ELEMENTS WERE PRESENT ON MANY BUILDINGS IN THE DOWNTOWN AREA AND STILL EXIST IN SOME AREAS.
APPENDIX B

ALTERED ORIGINAL FAÇADE ELEMENTS

CORNICE and/or PARAPET
Repair original parapet and install a pre-finished aluminum parapet cap.

UPPER FAÇADE
Windows have been filled in with solid panels. Masonry has been painted.

BRICK WORK (MASONRY)
Most of the original brick work has been painted. Painting brick with standard exterior paints damages the brick over time by trapping moisture which leads to spalling of the brick face.

TRANSOM WINDOWS
Windows have been filled in solid panels.

AWNINGS
Inappropriate, should reflect 1890 to 1930 time period.

DISPLAY WINDOWS
The original display windows have been removed on the lower façade.

ENTRANCES
The original entrance has been removed.

THE ORIGINAL FAÇADE ELEMENTS OF THE BUILDING HAVE BEEN ALTERED AS INDICATED IN THE NOTES ON THE LEFT.
APPENDIX B

WINDOW AND DOOR AWNINGS

STOREFRONT AWNING

APPROPRIATE AWNING LOCATIONS
APPENDIX B

Diagrams for replacing a window

Most Appropriate Replacement

Next Most Appropriate Replacement
(surrounding trim is modified to rectangular shape)

Inappropriate Replacement
(lower portion is filled in with brick)

Inappropriate Replacement
(upper portion is filled in with siding)
APPENDIX B

Selection of Some Appropriate Awning Shapes

Scalloped Top

Open End Rectangle

Half Dome

Closed End Rectangle

Arch Top