

# Unified Development Ordinance

*Greenville County, South Carolina*



## Article 1: Introduction

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# ARTICLE 1: INTRODUCTION

## 1.1 TITLE

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

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

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

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<sup>1</sup> This Section carries forward and consolidates the purposes of the Zoning Ordinance (Section 1:1) and Land Development Regulations (Sections 1.1 and 1.2) in B.1. through B.13., and adds new purposes in B.14. through B.19~~20~~.

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

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

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

### 1.4 APPLICABILITY

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- A. In general, the regulations in this Ordinance apply to all land and improvements thereon in the unincorporated areas of Greenville County, South Carolina. However, certain regulations are

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

not applicable in un-zoned areas of Greenville County. Table 1.4-1: *Applicability of UDO Articles to Zoned and Un-Zoned Areas* indicates which article apply in zoned areas, un-zoned areas, or both.

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

**Table 1.4-1: Applicability of UDO Articles to Zoned and Un-Zoned Areas<sup>5</sup>**

UDO Article	Applies in Zoned Area	Applies in Un-Zoned Area
Article 1: <i>Introduction</i>	●	●
Article 2: <i>Zoning Districts</i>	●	X
Article 3: <i>Use Regulations for Zoned Areas</i>	●	X
Article 4: <i>Use Regulations for Zoned and Un-Zoned Areas</i>	●	●
Article 5: <i>Parking &amp; Loading</i>	●	X <sup>6</sup>
Article 6: <del><i>Tree Preservation, Buffers, &amp; Screening</i></del>	●	●
Article 7: <del><i>Tree Preservation Parks &amp; Open Space<sup>7</sup></i></del>	●	●
Article 8: <i>Outdoor Lighting</i>	●	●

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

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

<sup>5</sup> This table will be updated if, during UDO drafting, it is determined that additional articles will or will not apply in un-zoned areas.

<sup>6</sup> [Article 5: Parking & Loading is currently under review, and may apply in all or certain parts of the un-zoned area.](#)

<sup>7</sup> [The open space provisions are currently planned for consolidation with the subdivision and group development regulations in Article 11.](#)

**Table 1.4-1: Applicability of UDO Articles to Zoned and Un-Zoned Areas<sup>5</sup>**

UDO Article	Applies in Zoned Area	Applies in Un-Zoned Area
Article 9: <i>Building Design</i>	●	●
<del>Article 10: <i>Site Design</i></del>	<del>●</del>	<del>●</del>
Article 11: <i>Subdivisions <del>Design</del> &amp; Group Developments<sup>8</sup></i>	●	●
Article 12: <i>Access &amp; Connectivity</i>	●	●
Article 13: <i>Transportation Corridor Preservation</i>	●	●
Article 14: <i>Low Impact Development</i>	●	●
Article 15: <i>Utilities</i>	●	●
Article 16: <i>Zoning Procedures</i>	●	X <sup>9</sup>
Article 17: <i>Land Development Procedures</i>	●	●
Article 18: <i>Agencies</i>	●	●
Article 19: <i>Nonconformities &amp; Vested Rights</i>	●	●
Article 20: <i>Violations &amp; Enforcement</i>	●	●
Article 21: <i>Legal Provisions</i>	●	●
Article 22: <i>Rules of Interpretation &amp; Measurement</i>	●	●
Article 23: <i>Definitions &amp; Acronyms</i>	●	●
Article 24: <i>Submittal Requirements</i>	●	●

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

<sup>8</sup> This and subsequent articles will need to be renumbered.

<sup>9</sup> Will revisit in Module 3, as the initial zoning procedure would apply in un-zoned areas.

## 1.5 RELATIONSHIP TO COMPREHENSIVE PLAN

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- A. Pursuant to S.C. Code § 6-29-720, this Ordinance is intended to implement the goals, objectives, and policies of the Comprehensive Plan, as adopted or as it may be amended from time to time. Greenville County finds this Ordinance to be consistent and in accordance with the Comprehensive Plan.
- B. Any amendments to this Ordinance, including any rezoning or initial zoning approved pursuant to Article 16: Zoning Procedures, shall be made in accordance with the adopted Comprehensive Plan in effect at the time of such request for amendment.<sup>10</sup> An amendment to the text of this Ordinance is consistent with and in accordance with the Comprehensive Plan if it complies with the goals and policies stated in the Comprehensive Plan, as it may be amended from time to time.

## 1.6 RELATIONSHIP TO OTHER REGULATIONS

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- A. This Ordinance works in conjunction with the following chapters of the Greenville County Code, as well as administrative policy documents, to regulate the development, redevelopment, and use of land and structures in ~~the~~ Greenville County:
1. Chapter 2.5: Adult-Oriented Businesses;
  2. Chapter 3: Amusements;
  3. Chapter 8: Flood Control, Drainage, Stormwater Management;
  4. Chapter 17: Planning and Development;
  5. Chapter 18: Roads, Highways, and Rights-of-Way; and
  6. Chapter 19: Signs.; and
  - ~~7. Appendix E: Stormwater Banking Program Manual.~~
- B. The use and development of land and structures is subject to all applicable requirements of this Ordinance<sup>11</sup> and all other applicable requirements of the Greenville County Code and state and federal law.
- C. In their interpretation and application, the provisions of this Ordinance are considered the minimum requirements adopted for the promotion of public health, safety, comfort,

<sup>10</sup> SC Code Ann. Section 6-29-720(B) requires zoning “regulations [to] be made in accordance with the comprehensive plan for the jurisdiction.”

<sup>11</sup> Generally carries forward the first sentence in ZO Section 9.1.

convenience, and general welfare. Meeting minimum requirements of this Ordinance may not be sufficient to meet minimum requirements of other chapters of the County Code or state or federal law.

- D. When applicable regulations conflict with one another, the provisions of **Section 21.2: *Conflicting Rules*** apply.

### **1.7 RELATIONSHIP OF BUILDINGS TO LOTS<sup>12</sup>**

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There shall be not more than one principal building and its accessory buildings on one lot except as allowed in group ~~residential and group commercial/office~~ developments as provided in **Section 11.4: ~~<insert reference once drafted>; Provisions for Group Developments.~~**

### **1.8 PROJECTIONS INTO PUBLIC STREETS AND STREET RIGHTS-OF-WAY<sup>13</sup>**

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

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

<sup>13</sup> Carries forward ZO Section 12:6.