

# UNIFIED DEVELOPMENT ORDINANCE

*Greenville County, South Carolina*



## Article 13: Transportation Corridor Preservation

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# CONTENTS

<b>ARTICLE 13: TRANSPORTATION CORRIDOR PRESERVATION .....</b>	<b>3</b>
<b>13.1 PURPOSE.....</b>	<b>3</b>
<b>13.2 APPLICABILITY .....</b>	<b>3</b>
<b>13.3 ADMINISTRATION .....</b>	<b>4</b>
<b>13.4 ADDITIONAL SETBACK REQUIRED .....</b>	<b>4</b>
13.4.1 ROADS SUBJECT TO ADDITIONAL SETBACKS .....	4
13.4.2 ESTABLISHMENT.....	4
13.4.3 RELATION TO GENERALLY REQUIRED SETBACKS .....	5
13.4.4 ALLOWABLE INTERIM USES OF SETBACK AREA .....	5
13.4.5 UTILITIES.....	6
13.4.6 RIGHT-OF-WAY BUFFERS .....	6

# ARTICLE 13: TRANSPORTATION CORRIDOR PRESERVATION<sup>1</sup>

## 13.1 PURPOSE

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The Greenville County Council finds that additional setbacks for planned road improvements:

- A. Assist in the preservation of public health, safety, and welfare and to aid in the harmonious, orderly, and beneficial development of the county in accordance with the Comprehensive Plan;
- B. Provide for the preservation and protection of corridors where transportation improvements are scheduled to occur; and
- C. Minimizes impacts associated with road widening and new road construction.

## 13.2 APPLICABILITY

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This Article applies to all land within Greenville County that abuts or is located within corridors planned and funded for improvements in the current GPATS Transportation Improvement Program, in the current South Carolina Transportation Infrastructure Bank program, and/or in another adopted plan or capital improvement program that identifies planned and funded transportation corridor improvements.

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<sup>1</sup> This Article carries forward (with minor edits) and reorganizes the County’s Transportation Corridor Preservation Ordinance ([Ordinance No. 4326](#)), adopted November 3, 2009. It updates references to the current TIP and adds corridors planned for improvement through other programs, including a Capital Improvement Program should Greenville County adopt one in the future. This Article proposes to maintain the list of subject roads and applicable setbacks in a document entitled *Greenville County Transportation Preservation Corridors* which will be maintained outside the UDO. This allows the roads and setbacks to be updated as projects are completed and new projects are funded, without needing a formal UDO text amendment—which will ensure the additional setbacks can be applied immediately following approval of the transportation project. Since the transportation projects are approved through other formal processes, such as the adoption of the TIP by the GPATS Policy Coordinating Committee, there is no need to also require a UDO text amendment.

The following sections are proposed for consolidation with other UDO articles:

- Section 2: *Authority* is proposed to be consolidated with related provisions in UDO Article 1: *Introduction*;
- Section 7: *Variance Procedure* is proposed to be consolidated with provisions for “waivers” in [UDO Article 17: Land Development Procedures](#);
- Section 13: *Penalties for Non-Compliance* is proposed to be consolidated with related provisions in [UDO Article 20: Violations & Enforcement](#); and
- Sections 14: *Separability and Validity*, 15: *Repeal of Conflicting Ordinances*, and 16: *Effective Date* are proposed to be consolidated with related provisions in [UDO Article 21: Legal Provisions](#).

### 13.3 ADMINISTRATION

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- A. **Development Review.** Any proposed structure, development, or subdivision that abuts or is located within a corridor subject to this Article requires review by the Greenville County Traffic Engineer (subdivisions) or Zoning Administrator (all other development) prior to the issuance of a land disturbance permit, in order to assess the impact of any proposed structure or development on the road improvement and to ensure the cumulative setback requirement is being met.
- B. **Administrative Setback Waivers.** When it is determined during the design phase of a transportation corridor project subject to this Article that the additional setback specified by *Greenville County Transportation Preservation Corridors* is not needed, the Traffic Engineer or Zoning Administrator, as applicable, may waive the additional setback for a proposed structure, development, or subdivision. The applicant must submit written verification from the entity managing the transportation project that the additional setback is not needed.

### 13.4 ADDITIONAL SETBACK REQUIRED

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#### 13.4.1 ROADS SUBJECT TO ADDITIONAL SETBACKS

- A. The corridors subject to this Article and the extent of each preservation setback are set forth in *Greenville County Transportation Preservation Corridors*, a document maintained and kept on file with the Transportation Division of the Greenville County Planning Department.
- B. *Greenville County Transportation Preservation Corridors* is updated when new transportation projects are approved and funded through other approval processes, such as the periodic adoption of the GPATS Transportation Improvement Program by the GPATS Policy Coordinating Committee, and when projects are completed and can be removed from the list.

#### 13.4.2 ESTABLISHMENT

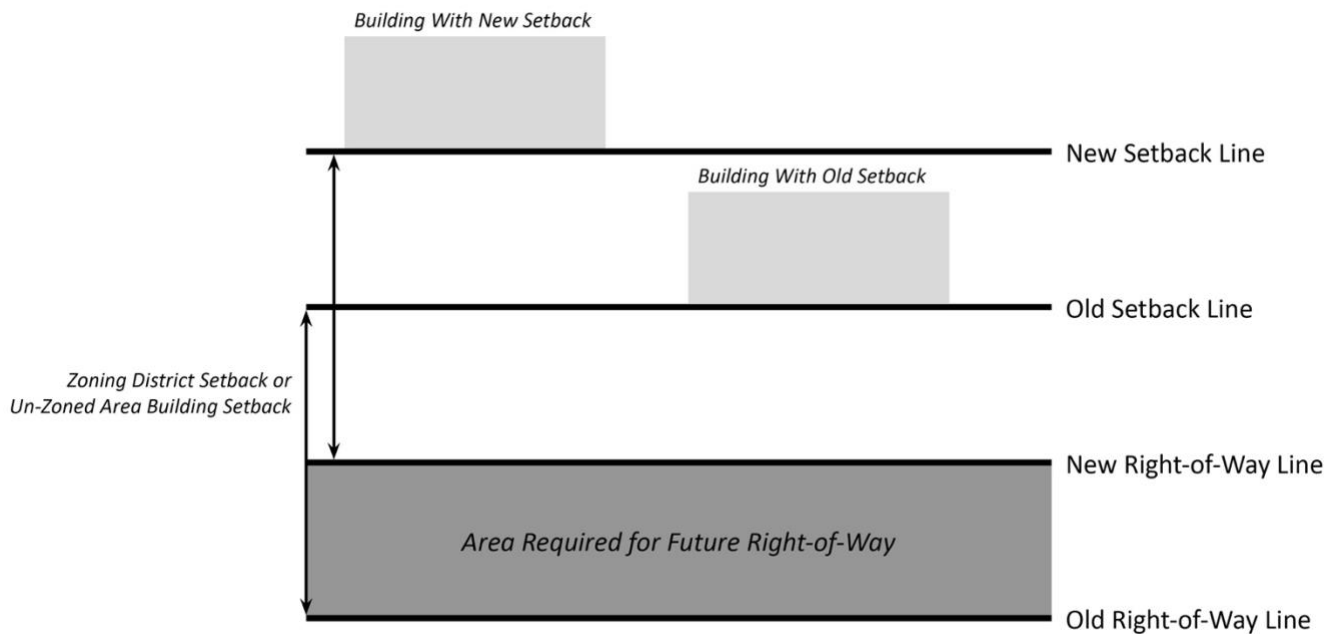
- A. **Generally.** No building, structure, or stormwater management facility shall be erected, constructed, reconstructed, moved, added to, or structurally altered within the future right-of-way of any corridor subject to this Article or within the minimum additional setback area specified by *Greenville County Transportation Preservation Corridors*, except as provided in Section 13.4.4: *Allowable Interim Uses of Setback Area*.
- B. **Identified Alignments.** Where a future alignment for a road improvement has been established, the setback requirement specified in *Greenville County Transportation Preservation Corridors* shall be applied to the approved alignment.

- C. **Undetermined Alignments.** Where an alignment has not been determined, an approximate alignment shall be established based on the existing street centerline. The setbacks prescribed by *Greenville County Transportation Preservation Corridors* are based on the right-of way cross section established for each project.

**13.4.3 RELATION TO GENERALLY REQUIRED SETBACKS**

When determining the cumulative setback requirement for property within the identified corridors, the setback requirement specified in *Greenville County Transportation Preservation Corridors* is in addition to the setback requirement of the zoning district in which the property is located or **Section 9.2: Building Setbacks in Un-Zoned Areas**, as applicable. See Figure 13.4.3-1: *Example Setback Application*.

**Figure 13.4.3-1: Example Setback Application**



**13.4.4 ALLOWABLE INTERIM USES OF SETBACK AREA**

The following uses, directly and indirectly related to the primary use of the affected property, may be allowable within the setback area on an interim basis. In zoned areas, the use must also be allowed in the zoning district.

- A. The construction of parking is allowed, however, any parking spaces constructed within the area required for future right-of-way will not be considered toward the minimum off-street parking required by **Article 5: Parking & Loading**;

- B. Signs, landscaping, and fencing;
- C. Temporary sales and leasing offices;
- D. Produce stands and farmers markets;
- E. Agricultural uses;
- F. Storage yards; and
- G. Other uses considered to be compatible with the aforementioned uses.

### 13.4.5 UTILITIES<sup>2</sup>

Utilities installed to serve new development shall be located in a manner that will not require their relocation as part of the improvement project identified in *Greenville County Transportation Preservation Corridors*.

### 13.4.6 RIGHT-OF-WAY BUFFERS<sup>3</sup>

Right-of-way buffers required by **Article 6: Buffers & Screening** shall be located outside the current and future rights-of-way of all roads identified in *Greenville County Transportation Preservation Corridors*.

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<sup>2</sup> This Section is new.

<sup>3</sup> This Section carries forward part of the first paragraph in ZO Section 12:4 *Parking Lot Landscaping*.