

**Zoning Docket from February 22, 2016 Public Hearing**

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2016-14	Greenville County Scuffletown Area Plan RCD, Rural Conservation District	27	Approval	Approval 2/24/16		
Public Comments	<p><b>Some of the general comments made by Speakers at the Public Hearing on February 22, 2016 were:</b></p> <p><u>Speakers For:</u> 25 present and recognized</p> <p>1) Vice President of HOA Stillwood Community</p> <ul style="list-style-type: none"> <li>• The plan is an excellent plan</li> <li>• People move here because of the character</li> <li>• Traffic is still tough, and proposed buffers will help with storm water run off</li> </ul> <p>2) Resident</p> <ul style="list-style-type: none"> <li>• Stripping of land for development site is a great reason to support this plan.</li> <li>• Against clear-cutting</li> </ul> <p>3) Resident</p> <ul style="list-style-type: none"> <li>• Resident for 15 years in Scuffletown, native to Greenville</li> <li>• The rural character is the reason why I moved there</li> <li>• Developers make devastation during development</li> <li>• Currently a 45-minute drive to Greenville, and with more development slated will commit additional vehicles to the roads.</li> <li>• It's an equestrian community I'd like to see preserved</li> </ul> <p>4) Resident</p> <ul style="list-style-type: none"> <li>• Invited the Council to visit the site</li> <li>• Traffic is bad and the tree removal is significant</li> </ul> <p><u>Speakers Against:</u> None</p> <p><b>List of meetings/ online activity</b></p> <ul style="list-style-type: none"> <li>• Public Meeting: April, 14 2015 – <i>124 attended</i></li> <li>• Public Meeting: May 10, 2015 – <i>129 attended</i></li> <li>• Public Meeting: December 15, 2015 – <i>82 attended</i></li> <li>• Online survey, forums, comments</li> </ul>					<p><b>Petition/Letter</b></p> <p><u>For:</u> 4</p> <p><u>Against:</u> 0</p>
Staff Report	The proposed amendment will revise the Zoning Ordinance, Article 8 Special Purpose and Review District to include the Scuffletown RCD, Rural Conservation District.					



**Greenville County Community Planning & Development**

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## Memorandum

**To:** Planning and Development Committee  
**cc:** Paula Gucker, Eric Vinson, Tom Meeks, Helen Hahn  
**From:** Patrea St John, AICP, LEED AP, RLA  
**Date:** February 26, 2016  
**Re:** CZ-2016-14: Scuffletown Rural Conservation District

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### **Scuffletown Rural Conservation District**

Over the past year, community residents, stakeholders, planners, and public officials participated in a series of meetings to update the Scuffletown Area Plan which was originally adopted in 2006.

The Scuffletown Area Plan 2015 recommends establishing the Scuffletown Rural Conservation District that is intended to provide for residential development that supports the goals of the plan and retains the predominantly rural character of the area.

Therefore, staff is requesting that the Planning and Development Committee recommends approval of the Zoning Ordinance Text and Map Amendments, Exhibit A and B attached, and forward to County Council for consideration.

A copy of the plan is located on the Greenville County Planning website at <http://www.greenvillecounty.org/apps/LongRangePlanning/uploads/ScuffyAreaPlanReview.pdf>

## **Exhibit A**

### **8:9 Scuffletown Rural Conservation District**

#### 8:9.1 Intent and Purpose

The Scuffletown Rural Conservation (SRC) District is intended to provide for residential development that supports the development goals of the Scuffletown Plan Area, protects open space and natural resources, and retains the predominantly rural character of the area and is established to serve the following purposes:

1. To preserve open space, including those areas containing unique and sensitive features such as steep slopes, streams, wetlands and floodplains.
2. To preserve the rural atmosphere by maintaining and protecting the rural landscape, including large estate lots, farmland, natural rolling topography, significant tree coverage, and scenic views by minimizing views of new development from existing roads.
3. To preserve and maintain historic and archaeological sites and structures that serve as significant reminders of the county's cultural and architectural history.
4. To provide for active and passive recreational needs of county residents.
5. To provide greater efficiency in the location of services and infrastructure by reducing road length, utility runs and the amount of paving for development; and provide connectivity of subdivisions to existing and proposed street network.
6. To create an interconnected network of open space that supports wildlife habitat and corridors.
7. To minimize the impacts of development on flooding and water quality.

#### 8:9.2 Applicability

The Scuffletown Rural Conservation District shall include the following areas identified in the Scuffletown Area Plan and shown in this ordinance. This district when in use does not change the underlying zoning classification where existing.

Conservation Subdivision Design shall be required for all new Major Subdivisions within this district. Planned Developments within the district, approved at the date of adoption will be exempt from this requirement.

All residential subdivisions shall comply with the requirements and standards specified herein and in all respects with other applicable codes and ordinances to the extent that they are not in conflict with these provisions. Where these standards are in conflict with the other sections of this ordinance, these standards shall apply.

Authorization to develop a tract in a conventional manner, without open space, rather than utilizing Conservation Subdivision Design, may be granted as a conditional use pursuant to Section 3. Rural Estate Lot Development Option.

### **8:9.3 Conservation Subdivision Design Standards**

#### **8:9.3-1 Minimum Area**

The minimum pre-developed area or tract size of a Conservation Subdivision shall be eight (8) acres. The minimum pre-developed area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.

#### **8:9.3-2 Minimum Lot Size**

Minimum lot size for lots within a Conservation Subdivision shall be 6,000 square feet.

#### **8:9.3-3 Setbacks**

Buildings shall not be erected within the required buffer yard areas, otherwise front, side and rear setbacks shall be in accordance with the requirements outlined in the appropriate zoning district and listed in Section 7:3 Table 7:3.1

#### **8:9.3-4 Density (lots per acre)**

The maximum gross density (number of lots allowed per acre) is determined by the parcels underlying zoning (Table 7.1 in this Ordinance). The lot density calculation is based on total gross acreage of the parent tract or parcel, excluding any utility right-of-way. Pre-developed parcels used to calculate lot density must be contiguous. In instances where pre-developed parcels are noncontiguous or a parent tract is separated by a road, the lot density and required open space will be calculated separately based on the gross acreage of each tract or noncontiguous parcel. Density may not be transferred to noncontiguous parcels of land or tracts separated by a road.

#### **8:9.3-5 Open Space Requirement**

1. At least 50% of land area of the total acreage to be subdivided, including developable and undevelopable land, shall be set aside as protected open space for natural habitat preservation, passive recreation, and/or conservation for agriculture.
2. Designated open space shall be contiguous with open space uses on adjacent parcels in order to provide large uninterrupted expanses of open space.
3. All open space areas shall have a minimum of one primary access point from an internal subdivision road. Additional secondary access points are encouraged. The primary access points shall not be less than twenty (20) feet in width. Additional secondary access points shall not be less than six (6) feet in width. Primary and secondary access points to open space shall be shown as part of the open space and shall not be part of an individual lot nor shall it be an easement.
4. Land dedicated for open space shall not include rights-of-way of high tension electrical transmission lines, oil or natural gas lines, the rights-of-way of existing and proposed streets or such uses as community swimming pool(s), clubhouses and similar uses. Recreational lake or ponds may be included in the land

designated as open space. Fenced detention or retention areas used for storm water management shall not be included in the calculation of the required open space.

5. All required buffers may be credited toward meeting open space requirements
6. No more than 50% of designated open space shall be wetlands and or/floodplains.
7. Septic drain fields as part of a community wastewater collection and treatment system may be permitted within the required open space.

#### 8:9.3-6 Open Space Network

Land dedicated as open space shall be of meaningful proportions and dimensions so as to be consistent with the purpose and intent of this section. Open space shall be physically connected, whenever possible, to the larger Scuffletown Area open space system outlined in the Scuffletown Area Plan and configured to create and maintain interconnected networks of conservation lands.

#### 8:9.3-7 Open Space Ownership and Management

The developer or subdivider shall select the land dedicated for open space and type of ownership. Ownership of the designated open space may be held by:

1. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;
2. Homeowners Association, or cooperative associations or organizations;
3. Shared, undivided interest by all property owners within the subdivision.
4. Public jurisdictions or agencies, subject to their acceptance.

#### 8:9.3-8 Maintenance of Open Space

Designated open space shall be maintained in a natural condition, but may be modified to improve appearance, functioning or overall condition. Normal maintenance and the removal of dead or fallen trees are permitted and recommended. The cost and responsibility of maintaining open space and any facilities located thereon shall be borne by the property owner and/or homeowners association. Permitted modifications may include:

1. Reforestation, Forest management;
2. Pasture or cropland management;
3. Landscaping to enhance appearance and screening;
4. Stream bank protection;
5. Passive recreation such as trails, picnic areas, common greens.

#### 8:9.3-9 Screening and Buffers

1. A minimum fifty (50) foot buffer shall be provided for the perimeter of the development. Within the fifty (50) foot buffer existing vegetation shall not be clear-cut and existing significant trees shall be preserved.
2. In those areas where existing landscape does not create a visual screen between the development and adjoining road frontages, a landscape screen at least 6 feet in height shall be provided. Screening shall consist of evergreen plant material at least 6 feet in height at time of planting, and capable of forming a continuous

screen. Screening plant material shall not be placed within twenty-five (25) feet of the road right-of-way and shall be arranged in an informal manner.

3. Berms, privacy fences and walls may not be utilized to meet the screening requirements and are not permitted within the required buffer area.
4. The 50 foot buffer provided along the existing road frontage adjoining the subdivision shall be designated as open space or common area. Permitted activities and development within the road frontage buffer are as follows:
  - a. Street or driveway access
  - b. Walkways, paths, trails and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties.
  - c. Entrance features and signage to the extent permitted
  - d. Clearing for sight distances as required for reasonable traffic safety.

### **8:9.4 Rural Estate Lot Development Option**

#### 8:9.4-1 Applicability

Rural Estate Lot Development may be conditionally approved provided that the applicant demonstrates compliance with the standards and criteria contained in this Section and establishes the following:

1. That a Rural Estate Lot Development setting aside little or no open space for permanent protection would preserve environmental resources, natural and scenic features, and historic resources to a degree equal to or greater than development utilizing open space design principles. The applicant may be required to protect such features, sites and resources from further development with appropriate covenants or easements running with the land.

#### 8:9.4-2 Minimum Lot Size

The minimum lot size shall be four (4) acres for all Estate Lot Subdivisions. Family Subdivisions are exempt from the four (4) acre lot size requirement.

#### 8:9.4-3 Rural Estate Lot Subdivision with New Roads (*Major Subdivisions*)

For lots created as part of a Rural Estate Lot Development, the following standards apply:

1. Building Setbacks:
  - a) Front setback        75 feet minimum
  - b) Side setback         50 feet minimum
  - c) Rear setback         25 feet minimum

#### 8:9.4-4 Rural Estate Lot Subdivision on Existing Roads (*Minor Subdivisions*)

For lots created through the minor subdivision process, the following standards apply:

1. Building Setbacks:
  - a) Front setback        150 feet minimum
  - b) Side setback         50 feet minimum
  - c) Rear setback         25 feet minimum

## 2. Minimum Driveway Separation

In addition to SCDOT or county requirements, minimum separation between private residential driveways shall be four hundred (400) feet.

### **8:9.5 Stream Protection Buffer**

#### 8:9.5-1 Stream Buffer Area

A minimum fifty (50) foot buffer as measured from the stream bank shall be established along each side of all blue line streams draining 50 acres or more and shall be included in a developments required open space where applicable. Within this buffer the existing vegetation shall not be cleared or disturbed. Grading, stripping of topsoil, plowing, cultivating filling or storage of materials and machinery are prohibited within the buffer.

#### 8:9.5-2 Buffer Management

The following structures and activities if approved by Greenville County and/or the State of South Carolina are permitted within the stream buffer:

1. Road crossings, bridges, trails, storm water management facilities, and utilities
2. Stream restoration projects
3. Scientific studies, including water quality monitoring and stream gauging
4. Horticultural practices, including thinning and planting, may be used to maintain health of individual trees.
5. Removal of hazard trees and invasive species

### **8:9.6 Rural Scenic Road Buffer**

#### 8:9.6-1 Applicability

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

1. Jonesville Road
2. Scuffletown Road
3. Lee Vaughn Road
4. East Georgia Road
5. Bethany Road
6. Jones Mill Road
7. Hunter Road
8. League Road

#### 8:9.6-2 Buffer Requirements

1. A minimum buffer of one hundred fifty (150) feet width shall be provided between any lot of a Major Subdivision and the right-of-way of any designated Rural Scenic Road. Within this buffer area there should be minimal disturbance of existing trees.

2. The required buffer shall be designated as open space or common area.

#### 8:9.6-3 Screening

1. In those areas where existing landscape does not create the desired visual screen between the road and development, a landscape screen, at least 6 feet in height shall be provided. Screening plant material shall not be placed within twenty-five (25) feet of the road right-of-way and shall be arranged in an informal manner.
2. Berms, privacy fences and walls may not be utilized to meet the screening requirement and are not permitted within the required buffer area.

#### 8:9.6-4 Buffer Management

1. Horticultural practices, including thinning and planting, may be used to maintain health of individual trees. Hazard trees and invasive species in the buffer may be removed.
2. Forest management and timber cutting techniques approved by Greenville County and the State of South Carolina may be undertaken within the buffer if necessary to preserve health of the forest from extensive pest or disease infestation or threat from fire.
3. Permitted development within the road frontage buffer:
  - a. Street or driveway access
  - b. Walkways, paths, trails and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties.
  - c. Entrance features and signage to the extent permitted
  - d. Clearing for sight distances as required for reasonable traffic safety.

#### **Amend Section 4:1 to add the following definitions:**

**Blue Line Stream:** Any stream shown as a solid or broken blue line on 7.5 Minute Series quadrangle maps prepared by the U.S. Department of the Interior Geological Survey (USGS)

**Clear Cutting:** The removing of all trees and other vegetation from an area during land development.

**Conservation Subdivision:** A residential development where 50% percent or more of the developable land area is designated as permanent open space; thereby permanently protecting significant open space within the parcel. The remaining developable land is subdivided into buildable lots.

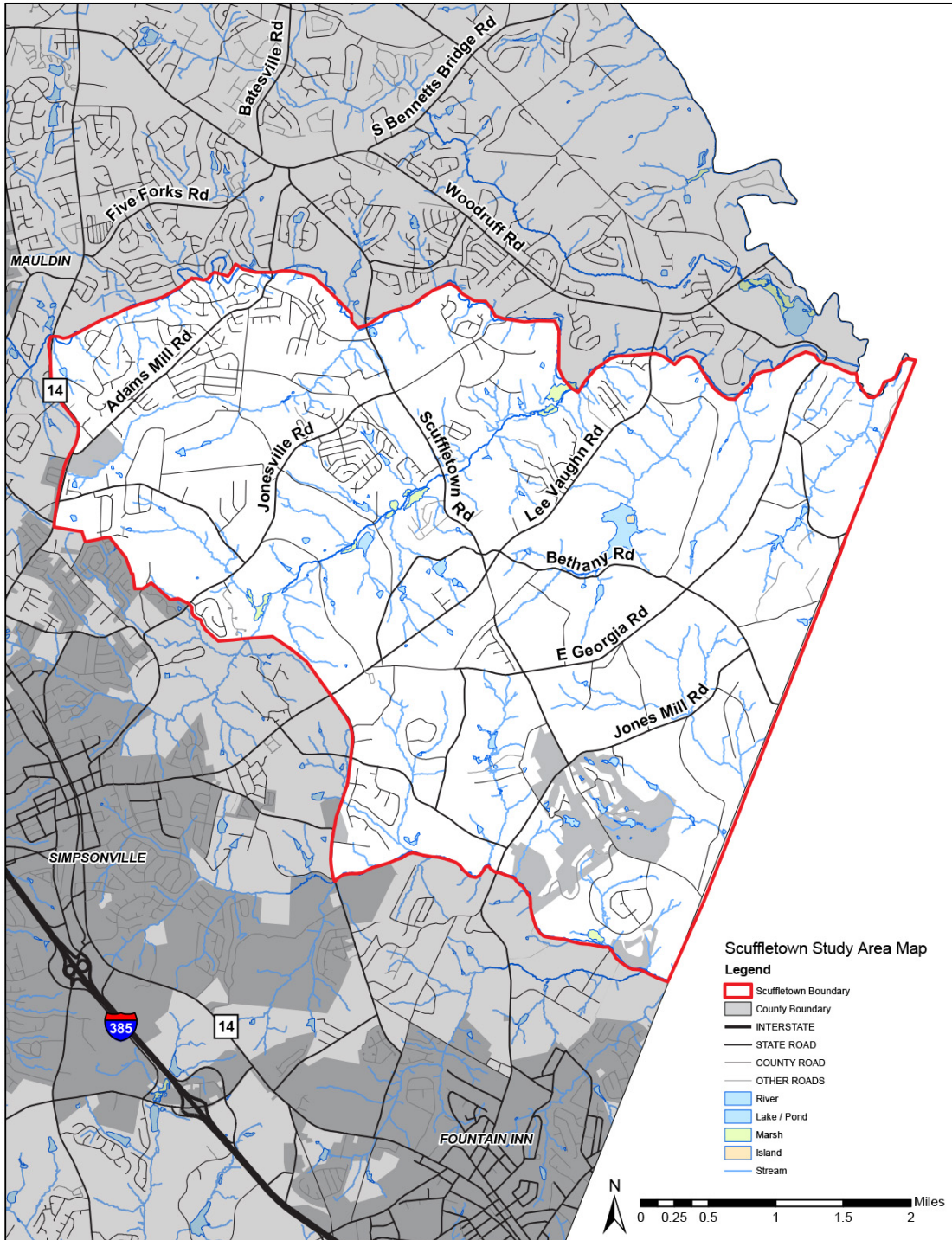
**Cropland:** Land suitable for or used for the cultivation of crops.

**Rural Estate Lot Development:** A residential development of large lots that are developed consistent with the preservation of rural character.



Significant Trees: Any tree of at least 12” DBH that is healthy and not listed on the USDA Natural Resources Conservation Service South Carolina State listed Noxious Weeds and the South Carolina Exotic Pest Plant Council list.

# Exhibit B.



**AN ORDINANCE**

**AN ORDINANCE TO AMEND ORDINANCE 3229, BEING THE OFFICIAL ZONING ORDINANCE AND MAP OF GREENVILLE COUNTY, SAID AMENDMENT BEING FOR THE PURPOSE OF ADDING SECTION 8:9, AS AMENDED, TO INCLUDE THE SCUFFLETOWN RURAL CONSERVATION DISTRICT.**

**WHEREAS**, the Scuffletown Rural Conservation (“SRC”) District is intended to provide for residential development that supports the development goals of the Scuffletown Area Plan, protects open space and natural resources, and retains the predominantly rural character of the area,

**NOW, THEREFORE, BE IT ORDAINED** by the Greenville County Council:

**Section 1. Add Section 8:9 to the Greenville County Zoning Ordinance to establish the Scuffletown Rural Conservation District for the Scuffletown area of the County; and Amend Section 4.1 of the Greenville County Zoning Ordinance to add Definitions.**

Add Section 8:9 and Amend Section 4.1, Definitions, of the Greenville County Zoning Ordinance, as amended, to read as follows and as provided in Exhibit “A”.

**Section 2. Amendment to the Greenville County Zoning Map.** The Greenville County Zoning Map is amended to include the changes to the zoning map as shown in Exhibit “B” so that the area is designated as the SRC District.

**Section 3. Severability.** Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 4. Repeal.** All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

**Section 5. Effective Date.** This Ordinance shall take effect upon the date of its adoption.

**DONE IN REGULAR MEETING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

ATTEST:

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Theresa B. Kizer  
Clerk to Council

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Bob Taylor., Chairman  
Greenville County Council

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Joseph M. Kernell  
County Administrator