

Red=Deletions

Blue=Additions

Black=Unchanged from Second Reading

Amendment 4: Open Space

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Section 2. Adding definitions to the County Land Development Regulations.

Open Space - Land areas which are set aside for landscaping, preservation of natural features, or passive recreation. ~~Open space may include portions of developable and undevelopable land areas.~~

22.3.6 Required Open Space (Open Space Network)

The following open space requirements shall apply:

- ~~A. At least 30% of land area of the total acreage to be subdivided, excluding undevelopable land, shall be set aside as protected open space for natural habitat preservation, passive recreation, and/or conservation for agriculture.~~

A. Required Open Space

| <u>Average Lot Size</u> | <u>Open Space Required</u> |
|-----------------------------|----------------------------|
| <u>2 Acres or Greater</u> | <u>None</u> |
| <u>1 Acre to 1.99 Acres</u> | <u>At least 10%</u> |
| <u>0.5 Acre to .99 Acre</u> | <u>At least 15%</u> |
| <u>Under 0.5 Acre</u> | <u>At least 25%</u> |

The Open Space required in the above table shall be the percentage of land area of the total acreage to be subdivided, which shall be set aside as protected open space for natural habitat preservation, passive recreation, and/or conservation for agriculture.

- B. Designated open space does not have to ~~shall~~ be contiguous with open space uses on adjacent parcels ~~in order to provide large uninterrupted expanses of open space.~~
- C. 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.
- D. ~~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.~~ Rights of way of existing and proposed streets, community swimming pool(s), tennis court(s), club houses, high tension power lines, fenced detention areas used for stormwater management and similar construction shall not be considered as Open Space or count towards the Open Space required. Buffers, existing or new conservation easements, and underground utility easements/utility rights of way shall be counted as open space.

- E. All required buffers may be credited toward meeting open space requirements.
- F. Septic drain fields as part of a community wastewater collection and treatment system may be permitted within the required open space.
- ~~G. For those parcels where the undevelopable land exceeds 40% of total acreage to be subdivided, the open space requirement is waived. However, the development must meet all required buffers.~~

22.3.1 Minimum Subdivision Area

Eligible subdivision sites shall consist of one or more contiguous parcels, ~~not~~ or it may be divided by an existing public or private road.

22.3.2 Minimum Lot Size

~~Subdivision lots shall conform to the minimum of six thousand square feet (6,000 sq. ft.) or sized in accordance with DHEC minimum standards for septic tanks.~~ Subdivision lots subject to this Article shall conform to a minimum of six thousand (6,000) square feet in size in areas where municipal sewer and water, provided by a municipal water or sewer utility, is available or planned to serve the lot or lots. In areas not served by a municipal sewer and/or water utility, the lot or lots must be properly sized to conform to the setback and spacing requirements established in South Carolina law and regulation for the installation of onsite wastewater and/or onsite drinking water systems.

22.3.5 Buffers and Screening

The following standards shall apply:

- A. A minimum fifty (50) foot buffer shall be provided for the perimeter of the development. However, if a buffer of at least 25 feet already exists in one or more adjoining subdivision(s) or propert(ies), a 25-foot buffer is required for the portion of the proposed development's perimeter where the 25-foot or larger

buffer already exists in the adjoining subdivision(s) or property(ies). Within the fifty (50) foot buffer, existing vegetation shall not be clear-cut and existing significant trees shall be preserved unless a plan is submitted to and approved by the Administrator that addresses site-specific conditions like the presence of invasive species, to remove dead or dying plants and trees, to improve screening, or other factors that may make removal of existing vegetation beneficial to the subdivision.

- B. In those areas where existing vegetation does not create a visual screen between the development and adjoining road frontages and adjoining parcels, 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.
- C. Berms, privacy fences and walls may not be utilized to meet the screening requirements and are not permitted within the required buffer area.
- D. 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:
 - 1. Street access.
 - 2. Walkways, paths, trails and other elements associated with passive recreation or the provision for continuous pedestrian and bicycle connections between adjoining properties.
 - 3. Entrance features and signage to the extent permitted.
 - 4. Clearing for sight distances as required for reasonable traffic safety.
- E. A minimum fifty (50) foot riparian buffer shall be provided on all waters of the state.

22.3.7 Ownership of Open Space

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:

- A. Homeowners Association, ~~or cooperative associations or organizations.~~
- B. Third-party corporation who can accept easements. ~~Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance.~~
- C. Public jurisdictions or agencies, subject to their acceptance.

Section 3. Add Article 22 to the County Land Development Regulations to provide Rural Conservation Subdivision Design Standards. Article 22 is hereby added to the County Land Development Regulations to read as follows:

ARTICLE 22 RURAL CONSERVATION SUBDIVISION

22.2 Preliminary Plan Procedure

22.2.1 Pre-Submittal Meeting

A Pre-Submittal Meeting is required for all Rural Conservation Subdivision applications. The purpose of this meeting is to determine and ensure a preliminary plan **complies with the Land Development Regulations of the County of Greenville** ~~is consistent with the purpose and intent of the Rural Conservation Subdivision as described in Section 22.1 Intent~~. Pre-Submittal Meetings for subdivisions are scheduled with Subdivision Administration in accordance with the Subdivision Activity Calendar.

Pre-submittal applications shall include a concept plan and site assessment diagram, both at a scale of not less than 1 inch to 100 feet. The site assessment diagram shall be conducted by a registered engineer, land surveyor, landscape architect, architect, or land planner. The pre-submittal application and checklist are available on the Subdivision Administration website.

The Concept Plan is a draft preliminary plan with basic plan elements to include the following:

- North arrow, legend, graphic scale, date.
- Topography, not greater than 12 foot intervals.
- Boundaries of tract with bearings and distances.
- Existing zoning of subject area and all abutting property.
- Current county tax identification number.
- The utility provider name and location of existing sewer and size, water and size(if known), gas mains, and other utilities immediately adjacent to the subdivision (if water and sewer are not on or adjacent to the tract, indicate the direction, distance to, and size of nearest accessible main and the name of the utility providers).
- The location of adjacent existing streets/roads (with right-of-way widths) county/state owned and inventory number and public or private, bridges, culverts, railroads, etc.
- The location of watercourses, live streams, marshes, known wetlands, wooded areas, water impoundments, existing cemeteries and burial grounds.
- Floodplain information / 1% Areas of Special Flood Hazard.
- The location of houses, barns, garages, or storage sheds and other significant features on the land proposed for approval.
- Locations and widths of proposed streets and associated right-of-way, road centerline radii, etc.
- Proposed lot lines, approximate dimensions, and lot numbers.
- Location of the Cluster Box unit and appropriate pull-off.
- Location and dimensions of open space tract.
- Location and delineation of required buffers

- Areas held in common ownership, or areas that are required for storm water or other infrastructure facilities (mailbox areas, detention ponds, etc.) labeled “Undeveloped Area – A, B, C, etc.” and identified as to use, responsibility, and ownership in plan notes and other areas proposed to be dedicated to the public or intended for public use.

The Site Assessment Diagram is a base map with site analysis notes that identifies development opportunities and constraints associated with the proposed development site at the same scale as the draft preliminary plan. The site assessment map shall include a delineation of site characteristics and considerations such as:

- Topography, slope, and soils
- Property configuration
- Existing vegetation
- Water, wetlands, drainage, and floodplains
- Adjacent land uses
- Views and visual characteristics
- Access and potential circulation patterns
- Utility locations and existing easements
- Existing development encumbrances on the site

22.2.2 Preliminary Subdivision Approval

In addition to the requirements in Article 3, General Subdivision Standards, the following information must be provided at the time of submittal for preliminary approval.

- A. Required buffer yards shall be shown on the preliminary plat.
- B. Open space delineation: all property designated for open space shall be delineated on the preliminary plat.
- C. Open space table: a breakdown of developable open space and undevelopable open space should be shown on the preliminary plat in total acres.
- D. Access to open space: All open space shall have a minimum of one primary access point from an internal subdivision road. Additional secondary access points may be included. Access points to the open space shall have the following restrictions:
 1. The primary access point shall be twenty (20) feet in width.
 2. Additional secondary access point(s) shall be not less than six (6) feet in width.
 3. The primary and any secondary access points to the 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.

~~E. Areas with standing timber, areas of 30% or greater slope, and other natural features should be shown on the preliminary plat.~~

22.3.8 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:

- A. Reforestation, forest management;
- B. Pasture or cropland management;
- C. Landscaping to enhance appearance and screening;
- D. Stream bank protection; and
- E. Passive recreation such as trails, picnic areas, common greens.

22.1 Intent

This section is intended to serve as guidelines for the submittal of preliminary plans for all major subdivisions in the unzoned areas. ~~The purpose of the Conservation Subdivision is to preserve agricultural and forestry lands, natural and cultural features, provide open areas for rest and recreation, and encourage the development of more attractive neighborhoods with economical site design. Specific objectives are as follows:~~

- ~~A. To preserve open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, steep slopes, streams, wetlands, and floodplains.~~
- ~~B. To preserve scenic views and elements of the county's rural character and to minimize perceived density by minimizing views of new development from existing roads.~~
- ~~C. To minimize site disturbance and erosion through retention of existing vegetation and avoiding development on steep slopes.~~
- ~~D. To provide for the active and passive recreational needs of residents and/or the general public.~~
- ~~E. To provide greater efficiency in the siting of services and infrastructure by reducing road length, utility runs, and the amount of paving for development~~
- ~~F. To preserve areas of the county with productive soils for continued agricultural and forestry use by preserving blocks of land large enough to allow for efficient operations.~~
- ~~G. To encourage the maintenance and enhancement of habitat for various forms of wildlife and to create new woodlands through natural succession and reforestation where appropriate.~~
- ~~H. To preserve and maintain historic and archaeological sites and structures that serve as significant visible reminders of the county's social and architectural history.~~
- ~~I. To create compact neighborhoods accessible to open space amenities and with a strong identity.~~

Section 2. Adding definitions to the County Land Development Regulations.

~~**Undevelopable Open Space**—Land which is unsuitable for structures that is set aside as open~~

~~space due to one of the following constraining factors: land with a slope greater than 30 percent; lakes, marshes, sloughs, wetlands; utility easements and rights of way; areas within the Area of Special Flood Hazard, defined as the land in the floodplain within a community subject to inundation by the base flood having a one percent or greater chance of being equaled or exceeded in any given year; and areas of recent or active landslides.~~

~~**Developable Open Space**—Land which is suitable as a location for structures that is not occupied by buildings, structures, parking areas, streets, alleys or required yards. Developable open space shall be permitted to be utilized for landscaping, preservation of natural features, and passive recreation.~~

~~**Undevelopable Land**—Land which is unsuitable for structures due to one of the following constraining factors: land with a slope greater than 30 percent; lakes, marshes, sloughs, wetlands; utility easements and rights of way; areas within the Area of Special Flood Hazard, defined as the land in the floodplain within a community subject to inundation by the base flood having a one percent or greater chance of being equaled or exceeded in any given year; and areas of recent or active landslides.~~

~~**Developable Land**—Land which is suitable as a location for structures.~~