

# Unified Development Ordinance

*Greenville County, South Carolina*



## Article 3: Use Regulations for Zoned Areas

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## ARTICLE 3: USE REGULATIONS FOR ZONED AREAS

### 3.1 GENERAL PROVISIONS

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#### 3.1.1 PURPOSE

- A. **In General.** The purpose of this Article is to promote the public health, safety, morals, and general welfare, and to protect and preserve places and areas of historical, cultural, and architectural importance and significance. These regulations are adopted in accordance with the Comprehensive Plan and are designed to:
1. Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations;
  2. Ensure that new development is compatible with surrounding development in use, character, and size;
  3. Provide for land uses that serve important public needs, such as affordable housing and employment generators;
  4. Promote mixed-use districts and neighborhoods;
  5. Promote infill housing and retail and residential development;
  6. Integrate civic uses into neighborhoods;
  7. Integrate small-scale commercial uses into neighborhoods where appropriate;
  8. Protect natural resources; and
  9. Encourage retail development in urban, neighborhood, and regional centers in appropriate locations.
- B. **Regulation of Land Use.** In accordance with the purposes described in Paragraph A, this Article:
1. Establishes the land uses allowed in each zoning district;
  2. Establishes supplemental regulations for conditional and certain special exception uses, which have unique operational characteristics or impacts; and
  3. Establishes regulations for accessory and temporary uses.

### 3.1.2 APPLICABILITY

This Article regulates the use of land throughout the zoned areas of unincorporated Greenville County.

- A. Section 3.2: *Use Table* applies to all uses in all zoning districts.
- B. Section 3.3: *Conditional & Special Exception Uses* applies to all conditional uses and certain special exception uses (as specified in Section 3.2: *Use Table*). These standards supplement the other requirements of this Ordinance.
- C. Section 3.4: *Accessory Uses* applies to all accessory uses, buildings, and structures.
- D. Section 3.5: *Temporary Uses* applies to all temporary uses of land.

### 3.1.3 CERTIFICATE OF OCCUPANCY REQUIRED

- A. It shall be unlawful to use, occupy, or permit the use of any building or premises or part hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure or effect a change of tenancy/ownership until a certificate of occupancy has been issued by the Building Official stating that the proposed use of the building or land complies with the provisions of this Ordinance.<sup>1</sup>
- B. All special exception uses also require a certificate of occupancy, following approval by the Board of Zoning Appeals and prior to the establishment of the use.

### 3.1.4 OTHER APPLICABLE REGULATIONS AND PERMITTING REQUIREMENTS

- A. **Other Regulations Apply.** All land uses are also subject to all other applicable provisions of the Greenville County Code and this UDO, including:
  1. The zoning district dimensional standards (see **Article 2: Zoning Districts**);
  2. **Article 5: Parking & Loading**;
  3. ~~Article 6: *Tree Preservation, Buffers, & Screening*~~;
  - ~~3.4.~~ **Article 7: Tree Preservation**;
  - 4.5. **Article 8: Outdoor Lighting**; and
  - 5.6. **Article 9: Building Design**.

<sup>1</sup> Carries forward current text in Section 3:7.1.

- B. **Proof of Permits to be Provided with Application.** The applicant for any permit under this Article shall submit one complete digital (PDF) copy of all final approvals to operate from any other required local, state, and/or federal permitting agencies. All approvals must be demonstrated to be up-to-date and in effect.
  
- C. **Permit Not Issued at Time of Application.** In cases where final permitting agency approval is not issued without evidence of all necessary local zoning approvals, the applicant shall provide one complete digital (PDF) copy of the application submitted to all permitting agencies. Once final approval is received, the applicant shall provide one complete digital (PDF) copy of the permit to the Zoning Administrator prior to the start of operations.

### 3.2 USE TABLE

#### 3.2.1 INTRODUCTION

- A. Section 3.1: *Use Table* establishes the categories of uses specified in Table 3.2.1-1: *Categories of Uses* for all of the base and review zoning districts, except for the Planned Development District (PD) and Flexible Review District (FRD).
- ~~B.~~ Allowed uses in FRD and PD districts are specified in the rezoning ordinance that established the FRD or PD and any amendments thereto.
- B. Allowed uses in other review districts are specified in the use table, but may be modified by the rezoning ordinance that establishes the district and any amendments thereto (see [Article 2: Zoning Districts](#)).
- C. Any principal use allowed in a district is also allowed as an accessory use. Any use-specific standards in Section 3.3: *Conditional & Special Exception Uses* apply to the use whether it is established as the principal use or as an accessory use. Section 3.4: *Accessory Uses* also applies to all accessory uses.
- D. The column “Use Conditions (Section)” in Subsection 3.2.3: *Use Table* indicates whether use conditions apply to a particular conditional or special exception use. See Section 3.3: *Conditional & Special Exception Uses* or Section 3.4: *Accessory Uses* for applicable conditions.

**Table 3.2.1-1: Categories of Uses**

Notation	Category	Description
P	Permitted Use	The use is allowed in the respective zoning district, subject to compliance with all other applicable regulations of this Ordinance.
C	Conditional Use	The use is allowed only if it complies with the conditions specified in Section 3.3: <i>Conditional &amp; Special Exception Uses</i> and all other applicable regulations of this Ordinance.
SE	Special Exception Use	The use is allowed, if it is reviewed and approved by the Board of Zoning Appeals in accordance with the Special Exception procedure specified in <a href="#">Article 16: Zoning Procedures</a> , complies with any conditions specified in Section 3.3: <i>Conditional &amp; Special Exception Uses</i> , and complies with all other applicable regulations of this Ordinance.

Table 3.2.1-1: Categories of Uses		
Notation	Category	Description
[blank cell]	Prohibited Use	A use identified by a blank cell is not allowed the respective zoning district, unless otherwise expressly allowed by other regulations of this Ordinance.

**3.2.2 CLASSIFICATION OF NEW & UNLISTED USES<sup>2</sup>**

- A. The Zoning Administrator may determine that an unlisted use is allowed as a permitted use, conditional use, or special exception use if sufficiently similar in nature and impact to a permitted, conditional, or special exception use listed in Section 3.1: *Use Table*. In making this determination, the Zoning Administrator may refer to any of the following factors as guidance:
  - 1. Whether the use has similar visual, traffic, environmental, and similar impacts as an expressly listed use. The Zoning Administrator may refer to empirical studies or generally accepted planning or engineering sources in making this determination.
  - 2. Whether the use is within the same industry classification as another allowed use. In making this determination, the Zoning Administrator may refer to the most recent edition of the [North American Industry Classification Manual](#) (“NAICS”) (Executive Office of the President, Office of Management and Budget). If the use is not defined in the NAICS, the Planning Director may refer to the American Planning Association [Land-Based Classification Standards](#).
  - 3. Whether the use is consistent with the purpose statement of the zoning district in which it would be allowed.
- B. The burden is on the applicant to establish that the unlisted proposed use is similar to the expressly listed use. The applicant shall submit verification that shows the proposed use is similar to another permitted, conditional, or special exception use and could be allowed.
- C. The Zoning Administrator shall determine whether a proposed use is similar to another permitted, conditional, or special exception use in the zoning district and could be allowed, or is not similar and therefore prohibited. If the Zoning Administrator determines that:
  - 1. The proposed use is sufficiently similar in nature and impact to a permitted use, then the applicant may proceed with any application necessary to establish the use.

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<sup>2</sup> This Subsection carries forward the authority of the Zoning Administrator to make a “similar use interpretation” (Zoning Ordinance Subsection 6:1.5: *New or Unlisted Uses*) and provides additional guidance for staff and applicants.

2. The proposed use is sufficiently similar in nature and impact to a conditional use, then the applicant may proceed with any application necessary to establish the use subject to the conditions specified in Section 3.3: *Conditional & Special Exception Uses*.
  3. The proposed use is sufficiently similar in nature and impact to a special exception use, then the applicant may submit a special exception application (see [Article 16: Zoning Procedures](#)).
  4. The proposed use is not sufficiently similar in nature and impact to a permitted use, conditional use, or special exception use, then the Zoning Administrator shall deny the proposed use and notify the applicant in writing.
- D. The applicant may appeal this determination to the Board of Zoning Appeals (see [Article 16: Zoning Procedures](#)).
- E. The Zoning Administrator may provide a recommendation to the Planning Commission or County Council to initiate a text amendment (see [Article 16: Zoning Procedures](#)) to add provisions for the unlisted use.
- F. The Zoning Administrator shall maintain a record of all determinations made concerning unlisted uses. On at least an annual basis,<sup>3</sup> Greenville County shall update Article 3: *Use Regulations* to reflect the Zoning Administrator's determinations. [[See Article 16, Section 16.15: UDO Interpretations \(Zoning\)](#)]
- G. **Preemption.** Uses regulated by the State of South Carolina and exempt from local control are permitted subject to state regulations.

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<sup>3</sup> An annual UDO update is recommended to codify the Zoning Administrator's determinations concerning unlisted uses, as well as other UDO determinations made by the Zoning Administrator and the Board of Zoning Appeals.

**3.2.3 USE TABLE<sup>4</sup>**

Table 3.2.3-1: Use Table																							
USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
<b>ACCESSORY USES</b>																							
Accessory Dwellings	<b>3.4.5</b>	C		<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>														
Agritourism	<b>3.4.6</b>	C		<b>SE</b>	<b>SE</b>	<b>SE</b>							<b>SE</b>		<b>SE</b>	<b>SE</b>	<b>SE</b>	<b>SE</b>	<b>SE</b>			<b>SE</b>	
<b>Backyard</b> Chickens	<b>3.4.7</b>	<b>P</b>	<b>P</b>	P	P	P	C	<b>C</b>	C	C													
Boathouses	<b>3.4.8</b>			C	C	C	C	C	C	C	C												
Caretaker/Watchman's Quarters <sup>5</sup>	<b>3.4.9</b>											C	<b>C</b>	C	C	C	C	<b>C</b>	C	C			C
Columbaria	<b>3.4.10</b>	<b>C</b>	<b>C</b>	C	C	C	C	C	C	C	C	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>			<b>C</b>
Day Care Center in a Religious Facility	<b>3.4.11</b>	<b>C</b>	<b>C</b>	C	C	C	C	C	C	C	C	P	<b>P</b>	P	P	P	P	<b>P</b>	P	P			P
Farm Labor Dwellings <sup>6</sup>	<b>3.4.12</b>	C		<b>C</b>	<b>C</b>	<b>C</b>							<b>C</b>					<b>C</b>					
<u>Farmstands (permanent)</u>		<b>CP</b>		<b>C</b>	<b>C</b>	<b>C</b>							<b>CP</b>					<b>CP</b>					

<sup>4</sup> This Subsection carries forward, consolidates, and adjusts the list of uses allowed in each base zoning district and in the BT and I-2 districts. **Bold, blue text** indicates new districts, new uses, new uses allowed in a district, or changes to use classification (e.g., from conditional to special exception).

<sup>5</sup> Renamed from "Dwelling - accessory" to reflect current conditional use in commercial districts. New row added for accessory dwellings in residential districts.

<sup>6</sup> This new use was established in conjunction with the AG District in November 2021. It helps implement Plan Greenville County Strategy C-1.15.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Home Occupations <sup>7</sup>	3.4.13		C	C	C	C	C	C	C	C	C		C	C	C	C	C	C					
Horses <sup>8</sup>	<del>3.4.13</del>	P	C	P	P	P	C <sup>4</sup>	C															
Livestock	3.4.14	P						C															
Major Accessory Uses, unless otherwise listed		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Minor Accessory Uses, unless otherwise listed		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor Retail Displays	3.4.15														C	C	C	C					
Outdoor Storage	3.4.16	P																	P	C	C		
Recreation Area (Private) <sup>9</sup>	3.4.17	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C		C	C	C		C
Recycling Drop Boxes	3.4.18			C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P
Storage Buildings <sup>40</sup>		P		P	P	P	P	P	P	P	P												

<sup>7</sup> Expands allowance for home occupations to all districts that allow residential dwellings. Includes "Day Care in Home," a previously listed use in the use table.

<sup>8</sup> Renamed from "Horses in residential zones."

<sup>9</sup> Renamed from "Recreation Area (Private), game courts and swimming pools on single family lots." Removed from commercial districts, which are proposed to no longer allow detached house, townhouse, duplex, triplex, and quadplex dwellings.

<sup>40</sup> Renamed from "Storage Buildings for on-site residents."

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Workshops for Repair and Maintenance of Agricultural Equipment		P		P	P	P		P															
<b>ACCOMMODATIONS &amp; LODGING</b>																							
Bed and Breakfast Establishments	3.3.7	C		C	C	C	C	C	C	C			P	P	P	P	P						
Campgrounds	3.3.8	SE																SE					
Hotels, Motels																P	P	P	P				
Hotels, Motels (50 rooms or fewer)													P	P	P	P	P	P	P			P	
Recreational Vehicles (RVs)	3.3.29	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
RV Parks	3.3.30	SE																SE					
<b>AGRICULTURE &amp; HORTICULTURE</b>																							
Agricultural/ Horticultural Production, Indoor		P		P	P	P		P					P		P	P	P	P	P			P	
Agricultural/ Horticultural Production, Outdoor		P		P	P	P		P										P	P	P			
Agricultural Processing, Storage, and Support		P																P	P	P			

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Services (more than 20,000 sf) <sup>11</sup>																							
Agricultural Processing, Storage, and Support Services (20,000 sf or less) <sup>7</sup>		P											P				P	P	P	P			
Animal Production Facilities, <del>Large Scale</del> <sup>12</sup>	3.3.4	P																		P			
Animal Production Facilities, <del>Small Scale</del>	3.3.4	P	-	P	P	P	-	C	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-
<del>Barns, Stables</del>		<del>P</del>	=	<del>P</del>	<del>P</del>	<del>P</del>	=		=	=	=	=	=	=	=	=	=	=	=	=	=	=	=
Community Gardens, Non-Commercial	3.3.12	P	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
<del>Riding Academies</del> Equestrian Centers <sup>13</sup>		<del>P</del>		<del>SE</del>	<del>SE</del>	<del>PS</del> <del>E</del>		<del>PS</del> <del>E</del>										<del>P</del>					

<sup>11</sup> New use category to correspond with American Planning Association’s Land Based Classifications Standards (LBCS) F9200.

<sup>12</sup> New use category to correspond with LBCS F9300 (excluding slaughter).

<sup>13</sup> Renamed from “Riding Academies” and significantly expanded definition. Changed from permitted use to special exception use in R-S and R-20A due to expanded definition.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Equine Stables <sup>14</sup>	3.3.16	P	C	P	P	P	C <sup>1</sup>	C					P					P					
Farm Animals, Livestock, Barns, and Stables (unless otherwise listed)	3.3.17	P		P	P	P		C					P					P					
<del>Farmstands (permanent)</del>		<del>P</del>											<del>P</del>					<del>P</del>					
Forestry and Logging Activities		P		P														P					
<del>Processing of Forestry Products Processing (Sawmills)</del>																		<del>P</del>		<del>P</del>			
Landscape Businesses																P	P	P	P				
<del>Processing of Forestry Products (Sawmills)</del>	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	<del>P</del>	=	<del>P</del>	=	=	=
Retail Sales of Agricultural Products <sup>15</sup>		P											P		P	P	P	P	P	P			

<sup>14</sup> Renamed from “Horses in Residential Zones” and added as a permitted use in Rural Village and Rural Commercial. Note the current use table does not list “Horses in Residential Zones” as an allowed use in ESD-PM, but Use Condition (14) expressly allows horses in the district. Expanded use definition (for “equine stables”) to allow boarding.

<sup>15</sup> Renamed from "Feed and Seed Sales."

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Sales/Service of Agricultural Equipment		P																P	P				
<b>ANIMAL-RELATED USES (NON-FARM)</b>																							
Animal Shelters																P	P	P	P				
Kennels (outside runs)																		P	P				
Pet Day Care Facilities																P	P	P	P				
Pet Grooming, Training, Boarding (Indoor) <sup>16</sup>												P	P	P	P	P	P	P	P				
Veterinary Hospitals		P		SE	SE	SE												P	P				
Veterinary Offices and Clinics		P		SE	SE	SE					p <sup>17</sup>	P	P	P	P	P	P	P	P				SE
<b>ARTS, ENTERTAINMENT, &amp; RECREATION</b>																							
Adult Entertainment Establishments (Sexually Oriented Businesses)	3.3.3																		C				

<sup>16</sup> Corresponds with LBCS F2720.

<sup>17</sup> Changed to permitted in O-D (was SE).

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Amusement Parks, Theme Parks																			SE <sub>18</sub>				
Arenas, Stadiums, Exhibition Halls																	SE		SE	SE			
Art Galleries, Artisan Workshops or Studios	3.3.4	P										C	C	C	P	P	P	P	P	P	P	P	
Athletic Facilities		SE																					
Auditoriums, Concert Halls																SE	SE		SE				
Fairgrounds <sup>19</sup>																	SE	SE	SE				
Fishing Lakes and Ponds		P																					
Fitness Centers (Private) <sup>20</sup>													P	P	P	P	P	P	P	P	P		
Golf Courses				SE	SE	SE	SE	SE								P	P		P	P	P		
Go-Kart Facilities, Outdoor <sup>21</sup>	3.3.20																	C	C	C			

<sup>18</sup> Changed from permitted to special exception use in S-1.

<sup>19</sup> Renamed from "Fairgrounds - public." Removed from C-2 (was an SE use).

<sup>20</sup> Renamed from "Private Fitness Centers."

<sup>21</sup> New use to reflect County's existing go-kart regulations in County Code Chapter 3, Article III. Indoor go-kart facilities would be considered "Recreation & Amusements, Indoor."

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Marinas																			P				
Motor Sports Facilities, Racetracks	3.3.25																			C <sup>22</sup>			
Museums, Cultural Facilities				SE	SE	SE	SE	SE					P			P	P	P	P				
Recreation & Amusements, Indoor (Commercial) <sup>23</sup>													P	P	P	P	P	P	P	P			
Recreation & Amusements, Outdoor (Commercial) <sup>10</sup>																	P	P	P	P			
Recreation & Amusements, Indoor or Outdoor (Private/Public/Non-Profit) <sup>24</sup>				SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P	P			

<sup>22</sup> Changed from permitted to conditional use to reflect Motor Sports Ordinance #3851.

<sup>23</sup> Consolidates "Amusements, Commercial" with "Recreation, Commercial" and separates into indoor and outdoor uses. Renamed from "Recreation, Indoor (Commercial) (Indoor or Outdoor) including skating, swimming, game courts, health facilities, driving ranges."

<sup>24</sup> Renamed from "Recreation, Indoor or Outdoor (Private/Public/Non-Profit) (Indoor or Outdoor) including skating, swimming, game courts, health facilities, driving ranges."

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Recreation Areas, Neighborhood <sup>25</sup>	3.3.26		C	C	C	C	C	C	C	C	C												
Shooting Ranges, Outdoor <sup>26</sup>	3.3.34			SE	SE	SE												C	C	C			
Shooting Ranges, Indoor	3.3.34															C	C	C	C				
Special Event Facilities	3.3.36	C	SE	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P				C
Theaters, Drive-In	3.3.37																	SE	SE	SE			
Theater/Motion Pictures (Indoor) <sup>27</sup>																P	P						
Theater/Motion Pictures (Indoor), with 1 or 2 screens <sup>13</sup>													P	P	P	P	P						
Theaters (Outdoor), Amphitheaters	3.3.37																	SE	SE	SE			

<sup>25</sup> Renamed from “Recreation (community area)” to distinguish from Recreation & Amusements (above). Removed from non-residential districts (which are proposed to no longer allow residential uses except in mixed use buildings).

<sup>26</sup> Changed from SE to conditional use in S-1 and I-1.

<sup>27</sup> Rather than the only condition in C-1 being number of screens, proposed are two separate (permitted) uses--theaters and theaters with 1 or 2 screens.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
<b>BUSINESS, PROFESSIONAL, SCIENTIFIC, &amp; TECHNICAL</b>																							
Banks, Financial Institutions <sup>28</sup>												P	P	P	P	P	P	P	P			P	P
Business Incubator Centers												P			P	P	P	P	P	P	P	P	P
Communications & Information <sup>29</sup>												P			P	P	P	P	P			P	P
Data Centers																		P	P	P	P	P	
Professional Offices <sup>30</sup>												P	P	P	P	P	P	P	P	P	P	P	P
Research & Development Laboratory												<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>EDUCATIONAL</b>																							
Day Care Centers, Preschools	3.3.15		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	SE	SE	<u>SE</u>	P	P	P	P	P	P	P	P				P
<del>Riding Academies</del>	=	<del>P</del>	=	<del>SE</del>	<del>SE</del>	<del>P</del>	=	<del>P</del>	=	=	=	=	=	=	=	=	=	<del>P</del>	=	=	=	=	=

<sup>28</sup> Renamed from "Bank, Savings and Loan Association, or similar financial institution."

<sup>29</sup> New use category to correspond with LBCS F4200 and NAICS Sector 51. These are establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries. Consolidates previous uses "Broadcasting Studio, Radio or TV" and "Recording Studio."

<sup>30</sup> Renamed from Office - Business. Defined to include "Corporate Headquarters" and "Research & Development" (permitted uses in BTD).

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Schools - Colleges, Universities <sup>31</sup>	3.3.32											C		C	C	C	C	C	C				C
Schools - Commercial <sup>32</sup>												P			P	P	P	P	P				
Schools - Primary, Secondary			SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE				SE
<b>GOVERNMENT &amp; CIVIC</b>																							
Cemeteries <sup>33</sup>	3.3.10	SE		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			SE
Community Centers <sup>34</sup>	3.3.12		C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P				P
Emergency Service, Fire, Police, & EMS Facilities				SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P	P	P	SE	
Funeral Homes	3.3.16			SE	SE	SE	SE	SE	SE	SE					C	P	P	P	P				
Governmental Facilities and Operations		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Libraries				SE	SE	SE	SE	SE	SE	SE			P	P	P	P	P	P	P				

<sup>31</sup> Removed from Residential Districts (was a conditional use).

<sup>32</sup> Added as a permitted use in O-D. Includes previous use "Music Teachers/ Schools."

<sup>33</sup> Definition of cemetery includes columbaria and mausoleums. Removed as an allowed use in I-2 (was SE).

<sup>34</sup> County Council added this use to the use table on September 20, 2022 in conjunction with other text amendments related to community centers.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Post Offices <sup>35</sup>												P	P	P	P	P	P	P	P				P
Religious Facilities <sup>36</sup>	3.3.31	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	P	P	P	P	P			P
Religious Facilities, Large <sup>37</sup>	3.3.31														P	P	P	P	P	P			
<b>HEALTHCARE</b>																							
Care Centers	3.3.9	-	-	-	-	-	-	-	C	-	-	P	P	P	P	P	P	P	P	-	-	-	P
Group Homes <sup>38</sup>	3.3.21	C	=	=	=	=	C	C	C	C	=	=	=	=	=	=	=	=	=	=	=	=	=
Hospitals												P				SE	P		SE				P
Medical Offices & Clinics <sup>39</sup>												P	P	P	P	P	P	P	P				P
Care Centers	3.3.9	-	-	-	-	-	-	-	C	-	-	P	P	P	P	P	P	P	P	-	-	-	P

<sup>35</sup> Changed from conditional use to permitted use. The only condition was for stacking lanes to be contained on-site. This will be addressed through vehicle queuing regulations that will apply to all land uses that require vehicle stacking area (UDO Article 5: *Parking & Loading*).

<sup>36</sup> Renamed from "church."

<sup>37</sup> Renamed from "mega-church."

<sup>38</sup> Consolidated "Group Care Home" and "Group Home" since they had similar definitions in the current code. "Group Home" was a conditional use in all the residential districts (including ESD-PM). "Group Care Home" was a special exception use in the Mixed Residential and Multi-Family Districts. Unclear why this use required a SE, but the more intensive "Care Center" use (which can have non-resident employees and 6+ residents) is conditional.

<sup>39</sup> Consolidated "Office - Medical" with "Medical Clinic." Removed as permitted use in I-1 and I-2.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
<del>Group Homes<sup>40</sup></del>	<del>3.3.20</del>	€	=	=	=	=	€	€	€	€	=	=	=	=	=	=	=	=	=	=	=	=	=
Nursing Care Facilities												P			P	P	P	P	P				P
Nursing Care in Home				SE	SE	SE	SE	SE	SE	SE	SE												
HEAVY COMMERCIAL & INDUSTRIAL																							
Craft Breweries, Micro-Distilleries, Wineries <sup>41</sup>																		P	P	P	P	P	
Crematoria																				P	P		
Gas Sales, Bulk <sup>42</sup>																			P	P			
Industrial Service, unless otherwise listed <sup>43</sup>																		P	P	P	P	P	
Industrial Light, unless otherwise listed																				P	P		
Industrial Heavy, unless otherwise listed																				P			

<sup>40</sup> Consolidated "Group Care Home" and "Group Home" since they had similar definitions in the current code. "Group Home" was a conditional use in all the residential districts (including ESD-PM). "Group Care Home" was a special exception use in the Mixed Residential and Multi-Family Districts. Unclear why this use required a SE, but the more intensive "Care Center" use (which can have non-resident employees and 6+ residents) is conditional.

<sup>41</sup> New uses. Larger facilities are considered "industrial/service." Also added a line for "brewpubs."

<sup>42</sup> Renamed from "Gas Sales - commercial and industrial."

<sup>43</sup> Modified definition of "Industrial, Service" to include linen/laundry and dry cleaning facilities and tire recapping and retreading plants.

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)	
Lumber Yards																		P	P					
Sign Fabrication, Painting																P	P	P	P					
Specialty Trade Contractors, General Contractors, Homebuilders <sup>44</sup>													P				P	P	P	P				
Welding Shops																		P	P	P				
<b>MIXED USE</b>																								
<u>Mixed Use Buildings<sup>45</sup></u>	<b>3.3.24</b>									<u>C</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>						
<u>Mixed Use Developments</u>									<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
<b>NATURAL RESOURCE EXTRACTION</b>																								
Quarries																		SE		P				
Quarries, Limited to Sand and Gravel Pits																		P	P	P				

<sup>44</sup> New use category to correspond with LBCS F7100 ("Building, developing, and general contracting") and LBCS F7300 ("Special trade contractor"). Consolidates previous uses "Cabinets/Carpentry/Carpenter Shop," "Plumbing Business," "Pest or Insect Control Business," and "Locksmith."

<sup>45</sup> New use to allow residential dwellings in commercial districts, while prohibiting buildings that contain solely residential uses. Proposed definition: "A building that contains at least one dwelling unit and one or more non-residential uses allowed in the zoning district in which the mixed use building is located."

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
<b>RESIDENTIAL<sup>46</sup></b>																							
<del>Single-Family</del> Detached House Dwellings <sup>47</sup>		P	P	P	P	P	P	P	P	P			<del>P</del>	<del>P</del>									P
<del>Two-Family</del> Duplex Dwellings ( <del>Duplexes</del> ) <sup>48</sup>	3.3.38						C	C	P	P													P
Group Living, including Dormitories, Fraternity & Sorority Houses, and Transitional Housing <sup>49</sup>									P	P													
Manufactured Homes, Multi-Section <sup>50</sup>	3.3.22	C		C	C	C	C	C	C	C	C												
Manufactured Homes, Single-Section <sup>51</sup>	3.3.22	C		C	C	C				C	C												
Manufactured Home Parks	3.3.23										C												

<sup>46</sup> Removed "Zero Lot Line Dwellings" from use table. Instead "Zero Lot Line Developments" will be added as a subdivision type in Article 11: *Subdivision Design* as an allowed subdivision design technique for major subdivisions in the Single-Family Residential and Mixed Residential Districts. Zero Lot Line Dwellings/ Developments are proposed to be removed from C-N and POD, since these are commercial districts; and from R-R3, R-R1, R-S, and ESD-PM, as this dwelling type generally is not consistent with the purpose and character of those more rural districts.

<sup>47</sup> Removed from C-1, C-2, and C-3 (was a conditional use). ~~Removed from NC (was a permitted use).~~

<sup>48</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from NC (was a permitted use).

<sup>49</sup> Renamed from "Group Homes" to avoid confusion with "Group Care Homes." Consolidated with "Fraternity & Sorority Houses."

<sup>50</sup> Renamed from "Dwelling - manufactured multi-section home."

<sup>51</sup> Renamed from "Dwelling - manufactured single-section home."

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Manufactured Home Park Offices	3.3.23										C												
<del>Mixed Use Buildings<sup>52</sup></del>	<del>3.3.23</del>	=	=	=	=	=	=	=	=	P	=	=	P	P	P	P	P	=	=	=	=	=	=
Multi <del>plex</del> -Family Dwellings <sup>53</sup>									P	P													P
Quadplex Dwellings									P	P													
Single-Family AttachedTownhouse Dwellings <sup>54</sup>	3.3.38						C	C	P	P													P
Triplex Dwellings									P	P													
RETAIL, SERVICE, FOOD & BEVERAGE																							
ABC (Liquor Sales)															P	P	P	P	P				
Auction Houses, Auction Lots <sup>55</sup>																P	P	P	P				

<sup>52</sup> ~~New use to allow residential dwellings in commercial districts, while prohibiting buildings that contain solely residential uses. Proposed definition: "A building that contains at least one dwelling unit and one or more non-residential uses allowed in the zoning district in which the mixed use building is located."~~

<sup>53</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from NC (was a permitted use). See new use "Mixed Use Building" (above).

<sup>54</sup> Removed from C-1, C-2, and C-3 (was a conditional use). Removed from NC (was a permitted use). The Site Design Standards article will include standards specific to townhouse developments.

<sup>55</sup> Renamed from "Auction House/Auction Lots - cars equipment."

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Bakeries <sup>56</sup>													P	P	P	P	P	P	P				
Barber Shops, Beauty Shops													P	P	P	P	P	P	P				
Bookstores, Newsstands <sup>39</sup>													P	P	P	P	P	P					
Brewpubs													P	P	P	P	P	P					
Business & Facilities Support Services <sup>57</sup>											P					P	P	P	P	P		P	
Butcher Shops <sup>39</sup>													P	P	P	P	P	P					
Catering Establishments																P	P	P	P				
Corner Stores <sup>58</sup>	3.3.14								C	C													

<sup>56</sup> Bakeries, bookstores/newsstands, butcher shops, grocery stores, pet supply stores, and pharmacies are proposed to be added to the use table as separate lines. These new uses could instead be categorized as simply “retail.” The C-N District limits GFA, which will control uses to some extent. However, listing these uses individually provides more control in the C-N District, which is intended to be located near residential districts. Neighborhood residents may desire tighter controls on the type of retail uses allowed. If that is not a concern, these should be consolidated under retail/mercantile.

<sup>57</sup> New use category that corresponds with LBCS F2422 and LBCS F2424.

<sup>58</sup> The corner store use is intended to introduce small (less than 2K sf) retail and service uses into higher density residential districts. The definition limits the type of businesses that could be established as a corner store. This also could be handled by allowing retail and personal service uses as conditional uses in the same districts, with the same conditions proposed in Article 3. However, including a separate line for this use helps clarify the intent and scale of the use. The proposed definition limits corner store businesses to newsstands, bookstores, barbershops, beauty salons, bakeries, ice cream and yogurt shops, coffee shops, delis, food and convenience markets, and art galleries. Proposed conditions limit location and size (2,000 sf max) and prohibit drive-throughs.

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Electronics and Home Appliance Repair																P	P	P	P				
Equipment Sales and Rental																P	P	P	P	P			
Flea Markets																P	P	P					
Florists, Flower and Gift Shops												P	P	P	P	P	P	P					P
Furniture & Upholstery Shops <sup>59</sup>															P	P	P	P					
Grocery Stores <sup>39</sup>													P	P	P	P	P	P					
Gunsmiths <sup>60</sup>															P	P	P	P	P				
Laundromats, Self-Service													P	P	P	P	P	P	P				
Manufactured Home Sales																P	P	P	P				
Nightclubs, Taverns																P	P						
Non-Depository Financial Services	3.3.27																C		C				

<sup>59</sup> The use table currently lists "Trim/Upholstery" as a use; however, it is not defined. It is unclear whether the use is intended to apply to vehicles or furniture or both. Added this use and a vehicle-related use to clarify.

<sup>60</sup> Removed as a permitted use in C-N.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Pawn Shops																P	P						
Personal Services <sup>61</sup>													P	P	P	P	P	P	P				
Pet Supply Stores <sup>39</sup>													P	P	P	P	P	P					
Pharmacies <sup>39</sup>													P	P	P	P	P	P					
Photography Studios												P	P	P	P	P	P	P	P				P
Restaurants													P	P	P	P	P	P	P				
Retail/Mercantile, unless otherwise listed <sup>62</sup>													P		P	P	P	P					
Retail/Mercantile (40,000 sf or greater) <sup>63</sup>																P	P						
<u>Shopping Center</u>													<u>P</u>										

<sup>61</sup> New use category to correspond with LBCS F2600. Includes establishments that provide a wide range of services, such as hair care, nail care, dry cleaning, etc. Consolidates previous uses "Clothing Alteration" and "Dry cleaning/laundry (on premises if clothing is brought in by customers)."

<sup>62</sup> Changed to permitted in C-1. The condition in C-N (NC) and C-1 was only for "Automobile Wash (Automated) in Conjunction with a Convenience Food Store with Gasoline Sales." Added use regulations applicable to all car washes in these districts. Removed as a permitted use in C-N and replaced with specific individual uses in that district.

<sup>63</sup> Renamed from "big box retail." Changed to permitted in C-2 and C-3 (was conditional). The current use conditions will be carried forward in the building and site design articles.

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
<b>TEMPORARY USES</b>																							
All Temporary Uses	See Section 3.5: <i>Temporary Uses</i>																						
<b>TRANSPORTATION, WAREHOUSING, &amp; STORAGE</b>																							
Automobile Wrecking Facilities, Junkyards, Salvage Yards, and Scrap Processors <sup>64</sup>	3.3.6																			SE			
Outdoor Storage, unless otherwise listed																			P				
Passenger Transportation Stations or Terminals <sup>65</sup>																			P	P			
Runways		SE																					
Self-Storage Facilities <sup>66</sup>	3.3.33															C	C	P	P	P			
Truck Terminals																			P	P			
Vehicle Storage Facilities, including Automobile, Boat,	3.3.39															C	C	C	C	P			

<sup>64</sup> Consolidates the uses regulated by current Zoning Ordinance Section 11:10.

<sup>65</sup> Includes bus, rail, air, and boat.

<sup>66</sup> Renamed from "Mini-Warehouses."

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Motorcycle, and RV Storage																							
Wholesaling, Warehousing, Flex Space, and Distribution																		P	P	P	P	P	
<b>UTILITIES</b>																							
Communication Towers <sup>67</sup>	3.3.11	SE		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	C	C	C	C	C	SE	SE	SE
Public Utility Stations, Buildings, and Uses <sup>68</sup>	3.3.28	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Sewage Pump Stations		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sewage Treatment Facilities																			SE	SE			
Small Wireless Facilities	3.3.35	<del>C</del> <del>S</del> <del>ee</del> <del>\$t</del> <del>bs</del> <del>ect</del> <del>ion</del>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>						

<sup>67</sup> Changed from permitted use to conditional use in C-2, C-3, S-1, and I-1.

<sup>68</sup> Public Utility Station does not include storage or treatment of sewage, solid waste, or hazardous waste.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)	
		3.3 3.4 + SM all Wi rel ess Fac iliti es for all ow ed dis tric ts																						
<b>VEHICLE-RELATED</b>																								
Automobile Service Facilities																P	P	P	P					
Automobile Washes (All types)	3.3.5													C	C	P	P	P	P					

**Table 3.2.3-1: Use Table**

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Gas Stations <sup>69</sup>	3.3.19															C	C	C	C				
Parking Facilities (indoor/outdoor)															P	P	P		P				
Personal Motorized Vehicle Sales, Service, & Rental	3.3.40															C	C	C	C				
Vehicle Repair Facilities <sup>70</sup>	3.3.39																	C	C	C			
Vehicle Sales & Rental, including Automobiles, Boats, and RVs <sup>71</sup>	3.3.40															C	C	C	C				
Vehicle Trim/Upholstery Shops																P	P	P	P				
<b>WASTE MANAGEMENT</b>																							
Commercial Incinerators <sup>72</sup>																				SE			
Composting Facilities		P																	P	P			

<sup>69</sup> New use to clarify where gas stations are allowed.

<sup>70</sup> Renamed from "Automobile Repair Facility" so it's clear it applies to all motor vehicles (in keeping with the current definition), except "Personal motorized vehicle sales, service, and rental" (which is a separate line above).

<sup>71</sup> Renamed from "Automobile Sales and Rental." Expanded use to include boats and RVs so that the use conditions apply to all.

<sup>72</sup> New use for use table. This use is expressly prohibited in BTD District but was not listed in the use table.

Table 3.2.3-1: Use Table

USE	Use Conditions (Section)	AG	ESD - PM	R-R3	R-R1	R-S	R-20—R-6	R - 20A	R-M8—R-M20	R-MA	R- MHP	O-D	RU-V	C-N	C-1	C-2	C-3	RU-C	S-1	I-1	I-2	BTD	POD (LEGACY)
Landfills - Class 1 <sup>73</sup>		P		SE	SE	SE												P	P	P			
Landfills - Class 2 <sup>56</sup>																			P	P			
Landfills - Class 3 <sup>74</sup>																			P	P			
Recycling Collection and Processing Centers																				SE			
Recycling Convenience Centers																P	P	P	P	P			
Recycling Trailers												P		P	P	P	P		P	P			P

<sup>1</sup> Horses are allowed in the R-20 and R-15 Districts, but are not allowed in the R-12, R-10, R-7.5, and/or R-6 Districts.

<sup>73</sup> Added to align with SCDHEC regulations.

<sup>74</sup> Renamed from "Landfills - Sanitary" to align with SCDHEC regulations. Removed as a permitted use in Rural Residential Districts and instead allowed Class 1 landfills as an SE use in those districts.

### 3.3 CONDITIONAL AND SPECIAL EXCEPTION USES<sup>75</sup>

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#### 3.3.1 PURPOSE

- A. This Article provides supplemental regulations for certain uses, structures, and facilities. These regulations are in addition to the other applicable standards of this UDO.
- B. The purpose of this Article is to:
1. Provide supplemental standards for individual uses to protect surrounding property values and uses;
  2. Protect the public health, safety, and general welfare; and
  3. Implement the comprehensive plan.

#### 3.3.2 APPLICABILITY

This Section applies to uses that the Use Table in Section 3.2: *Use Table* designates as conditional and special exception uses and indicates that “Use Conditions” apply.

#### 3.3.3 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments (sexually oriented businesses) may only be allowed subject to the district requirements and the current provisions of the Greenville County Adult Oriented Business Ordinance No. 2673, which is codified as Greenville County Code of Ordinances, Chapter 2.5, Article Three: *Adult-Oriented Entertainment Establishments*.

#### ~~3.3.4 ANIMAL PRODUCTION FACILITIES<sup>76</sup>~~

- ~~A. **Accessory Structures.** The landowner must provide an enclosed area or shelter for all livestock to be kept and fed for animal production use.~~

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<sup>75</sup> This Section carries forward most of the current conditional and special exception use regulations in ZO Section 6:2 *Use Conditions* and Article 11: *Provisions for Uses by Special Exception*. This Section does not carry forward the use regulations for post offices (ZO Section 6:2(16)) since UDO Section 4.8: *Vehicle Queuing* will generally apply to all land uses that require vehicle stacking space. Minimum separation distances between certain land uses and zoning districts are required for some uses, such as non-depository financial services. UDO Article 21: *Rules of Interpretation & Measurement* will specify how to measure these distances.

~~<sup>76</sup> This Subsection provides new conditional use regulations for the new use of animal production. It is modelled on the current regulations for livestock in the R-20A District in § 6:2(25).~~

**~~B. Setbacks.~~**

- ~~1. Accessory structures for keeping and feeding livestock, such as barns, stables, or other enclosures shall be located at least 100 feet from any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width. In such cases, the zoning district minimum setback applies.~~
- ~~2. Animal production uses also are subject to all setbacks required by SCDHEC.~~

**~~3.3.5~~ 3.3.4 ART GALLERIES AND ARTISAN WORKSHOPS OR STUDIOS**

~~**Floor Area Limitation.** If an art gallery or artisan workshop or studio includes on-site creation, preparation, and fabrication of works, including artwork, jewelry, metal work, furniture, sculpture, pottery, leathercraft, and hand-woven articles, then the use may not exceed 2,000 square feet of floor area.~~

~~**A. Exception.** This Subsection does not apply to artist studios and workshops that are an accessory use to a principal residential use.~~

**~~3.3.6~~ 3.3.5 AUTOMOBILE WASHES<sup>77</sup>**

- A. Applicability.** This Subsection applies to any automobile wash that is a principal or accessory use.
- B. Separation Requirements.**
  1. An automobile wash facility is not permitted within 50 feet of any residentially-zoned property.
  2. Entrances and exits to the automobile wash facility shall not face any residentially zoned property.
- C. Water Management.** All exits from those automobile wash facilities not equipped with automated dryers or blowers to remove excess water from vehicles shall not be permitted within 50 feet of any street right-of-way, if the exit lane is not curbed and sloped to return the excess water into the automobile wash facility.

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<sup>77</sup> This subsection carries forward the conditional use regulations for automated automobile washes contained in §6:2(3). Proposed is to expand the applicability of these conditions to all car washes in C-1, whether established as a principal or accessory use.

### **3.3.6 AUTOMOBILE WRECKING FACILITIES, JUNKYARDS, SALVAGE YARDS, AND SCRAP PROCESSORS<sup>78</sup>**

- A. **Purpose.** The purpose of this Subsection is to:
1. Preserve the character of residential areas by minimizing the effects of dust, noise, smoke, vibrations, and odors on area residents;
  2. Provide appropriate locations and use standards for auto wrecking facilities, junkyards, salvage yards, and scrap processors;
  3. Promote the public health, safety, and general welfare; and
  4. Implement the Comprehensive Plan.
- B. **In General.** Auto wrecking facilities, junkyards, salvage yards, and scrap processors may only be permitted subject to the district requirements and the current provisions of the County's Junkyard Ordinance, Ordinance No. 1777, which is codified as Greenville County Code of Ordinances, Chapter 9, [Article IV: Junkyards](#).
- C. **Minimum Lot Size.** Auto wrecking facilities, junkyards, salvage yards and scrap processors shall be located on a site of at least 2 acres.
- D. **Separation Requirements.** The property line of an auto wrecking facility, junkyard, salvage yard, or scrap processor nearest any residential property existing at the time business operations are started must be at least 500 feet from the property line of the nearest residential property.
- E. **Buffers.** The site must provide screening and landscaping that comply with the requirements for industrial uses stated [Section 6.2: Perimeter & Right-of-Way Buffers](#).
- F. **Noise.**
1. The facility may not originate any noise or sound in such a manner to create a maximum event measured on the 'A' weighting scale that exceeds the limits as set forth below:
    - (a) Monday through Friday 7:00am to 7:00 pm may not exceed 70 Db(A); and
    - (b) Monday through Friday 7:00pm to 7:00 am, all day Saturday and Sunday, and all legally designated holidays may not exceed 55 Db(A).

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<sup>78</sup> This section carries forward the regulations of § 11:10 with a clarification of buffers and screening must comply with the requirements for industrial uses stated Section 5.3: *Perimeter and Right-of-Way Buffers*.

2. All sound level readings must be measured at the point on the boundary planes of the property line of the affected residential property.

### ~~3.3.83.3.7~~ **BED & BREAKFAST ESTABLISHMENTS**<sup>79</sup>

- A. **Owner-Occupancy Required.** The owner or operator of the bed and breakfast establishment must reside within the same structure as the bed and breakfast establishment.
- B. **Structures to Maintain Residential Appearance.** The appearance of the home shall remain as a residence, not as a commercial lodging establishment.
- C. **Guest Rooms.**
  1. Accommodations are limited to a maximum of four guest rooms.
  2. Cooking facilities are not permitted in any of the bed and breakfast guest rooms.
- D. **Guest Register Required.**
  1. Operators of all bed and breakfast establishment must maintain a guest register that contains the following guest information:
    - (a) Names;
    - (b) Vehicle license plate numbers;
    - (c) Home addresses; and
    - (d) Work and home telephone numbers.
  2. The guest register shall be available for inspection by law enforcement personnel.
- E. **Off-Street Parking.** All parking for bed and breakfast establishments must be located in the rear or on the side of the primary building on the lot.<sup>80</sup>
- F. **Special Events and Gatherings Prohibited in Residential Zoning Districts.** Luncheons, banquets, charitable fund raisers, commercially advertised activities or other gatherings for direct or indirect compensation are prohibited at a bed and breakfast establishment located in a

<sup>79</sup> This subsection carries forward the conditional use regulations for bed and breakfast establishments contained in §6:2(4) with two changes: it clarifies that there is an owner occupancy requirement and eliminates specific sign regulations. All establishments must comply with the sign code. In addition, this subsection eliminates the requirement to obtain a variance for changes to an existing structure, as this does not appear to be a valid use of the variance procedure under SC Code 6-29-800(A)(2).

<sup>80</sup> The required parking ratio of one space per guest room will be relocated to UDO Section 4.2: *Parking Ratios*.

residential district (R-R3, R-R1, R-S, R-20A, R-20, R-15, R-12, R-10, R-7.5, R-6, R-M8, R-M10, R-M16, R-M20, and R-MA).

- G. **Access to Private Community Amenities.** Approval of a bed and breakfast establishment by Greenville County does not grant the guest(s) the right to use or access ~~to~~ private community amenities, including tennis courts, golf courses, pools, and lakes. Use and access of private community amenities is provided to guests at the discretion of the bed and breakfast establishment owner and in accordance with any private covenants that regulate access and use of such common neighborhood facilities.
- H. **Other Applicable Regulatory Requirements.** All bed and breakfast establishments must comply with all applicable local and state regulatory requirements before beginning operations and continuously while operating.

### ~~3.3.93.3.8~~ **CAMPGROUNDS**

See **Article 4:** *Use Regulations for Zoned & Un-Zoned Areas.*

### ~~3.3.103.3.9~~ **CARE CENTERS**<sup>81</sup>

- A. **Minimum Lot Area.** The minimum lot area for a care center is 30,000 square feet.
- B. **Setback Requirements.** No structure shall be located closer than 25 feet to an exterior property line.
- C. **Residential Appearance.** All buildings shall have a residential appearance.
- D. **Density.**
1. The density for a care center may be greater than the density for the zoning district. The maximum allowable number of dwelling units shall be the zoning district's maximum allowable density multiplied by a factor of 1.5.
  2. For properties fronting on and accessing arterial roads, the maximum allowable number of dwelling units shall be the zoning district's maximum allowable density multiplied by a factor of 1.8.
  3. The total number of nursing beds and dwelling units combined shall not exceed the increased density allowed for a care center under this Subsection.
- E. **Buffers and Landscaping.**

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<sup>81</sup> This subsection carries forward the conditional use regulations for care centers contained in §6:2(6).

1. Care centers must provide a 15-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts.
2. Screening shall be provided as required by **Section 6.2: Perimeter and Right-of-Way Buffers.**

### ~~3.3.11~~ 3.3.10 CEMETERIES<sup>82</sup>

- A. **Applicability.** The standards in this Subsection apply to all cemeteries, except private (family) cemeteries.<sup>83</sup>
- B. **Minimum Area.** The minimum area for a cemetery is 30 acres.
- C. **Location.** A cemetery shall not be located in a special flood hazard area.
- D. **Access.** All cemetery access shall be provided from an arterial or collector street.
- E. **Minimum Setbacks.**
  1. Where a cemetery adjoins non-residentially-zoned property, no setback is required. However, if a setback is provided, it shall be at least five feet in width.
  2. Where a cemetery adjoins residentially-zoned property:
    - (a) All buildings, structures, burial plots, and storage areas shall be located at least 35 feet from all property lines; and
    - (b) Mausolea, columbaria, and chapels shall be located at least 50 feet from all property lines.
- F. **Off-Street Queuing Space Required.** Adequate off-street queuing space shall be provided for funeral processions so that no vehicle stands or waits in a road right-of-way.
- G. **Additional Requirements.**
  1. Mausolea may be located only within the boundaries of approved cemeteries.

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<sup>82</sup> This Subsection carries forward the current use regulations for cemeteries in ZO Section 11:2, except 11:2.7 *Preexisting Cemeteries* which applied only to existing cemeteries and cemeteries in the approval process when the previous Zoning Ordinance was adopted; and 11:2.3 *Screening and Buffering* which simply cross-references the buffer regulations.

<sup>83</sup> This Paragraph clarifies that the regulations do not apply to family cemeteries. While there are state laws regarding abandoned cemeteries and access to cemeteries on private property, South Carolina statutes do not prohibit family cemeteries. The County could consider adding use regulations that apply to family cemeteries, such as minimum area or setbacks.

2. A stormwater plan must be submitted and approved by the Greenville County ~~Soil and Water Conservation District~~ Land Development Division before cemetery approval may be granted.

### ~~3.3.12~~ 3.3.11 COMMUNICATION TOWERS<sup>84</sup>

- A. **Purpose.** The purpose and intent of this Subsection is to:
1. Promote the health, safety, and general welfare of the public by regulating the siting of wireless communications facilities;
  2. Minimize the impacts of communication towers on surrounding areas by establishing standards for location, structural integrity, and compatibility;
  3. Encourage the location and collocation of wireless communication equipment on existing structures, thereby minimizing visual, aesthetic, and public safety impacts and effects upon the natural environment and wildlife, and reducing the need for additional communications towers;
  4. Accommodate the growing need and demand for wireless communication services;
  5. Encourage coordination between providers of communication services in Greenville County;
  6. Protect the character, scale, stability, and aesthetic quality of the residential districts of Greenville County by imposing certain reasonable restrictions on the placement of communication towers;
  7. Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as to not unreasonably discriminate between providers of functionally equivalent personal wireless service or to prohibit or have the effect of prohibiting personal wireless service in Greenville County;

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<sup>84</sup> This Subsection significantly revises the process for approval of communication towers and antennas in § 11:4. FCC Regulations require a local body to approve proposed changes that do not “substantially change” an existing communications tower. The FCC has interpreted “substantial” change to be specific changes in dimensions that require local approval, and this distinction is implemented by the new major/minor modification framework. The factors for “substantial” increase are listed in Subsection C.3. FCC regulations also require a local body to comply with specific deadlines to review applications depending on the extent of the increase. While this Section only applies in the zoned areas of the County, the FCC regulations will require that Building Permitting comply with the 90-day time limit to respond to applications to co-locate new equipment on an existing tower and the 150-day limit for the installation of a new tower. These and other FCC procedural requirements will also be included in Article 15: *Zoning Procedures*. In addition, the proposed Subsection significantly revises the screening and landscaping requirements to resolve stakeholder feedback that communications towers are incompatible with other uses. Finally, the revisions and definitions create a threshold minimum for regulation of this use to distinguish it from small wireless facilities and accommodate reception of space-based signals.

8. Establish predictable and balanced regulations governing the construction and location of wireless communications facilities within the confines of permissible local regulation;
9. Establish review procedures to ensure that applications for wireless communications facilities are reviewed and acted upon within a reasonable period of time;
10. Provide for the removal of unused communications towers; and
11. Provide for the replacement or removal of nonconforming communications towers and other antenna supporting structures.

**B. Applicability.**

1. *In General.* This Subsection applies to all communication towers that are specified as conditional or special exception uses in Section 3.2: *Use Table* and to all communication antennas affixed to communication towers.
2. *Other Applicable Standards.* The general requirements for all structures are applicable to communication towers, antennas, and related support facilities. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the specific requirements of this Subsection. Regulations covering visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning district regulations except those specifically superseded by this communication tower Subsection apply to the use.
3. *Exempt Communications Towers and Antennas.* This Subsection does not apply to any tower or antenna:
  - (a) Used for private home satellite dishes and television reception; or
  - (b) That is used solely by an FCC-licensed amateur radio operator.
4. *Exempt Communications Antennas.* This Subsection does not apply to:
  - (a) Ground-based receiving antennas up to five meters in diameter, including antennas less than one meter in diameter used for space-based services for residences; or
  - (b) Ground-based antennas less than two meters in diameter used in non-residential areas for space-based services.

**C. Major and Minor Modifications.**

1. *Major Modifications.* Major modifications are changes to existing communications towers or communications antennas that result in a substantial increase to the existing structure. As described in this Subsection, major modifications and new

communications towers require a special exception permit approved by the Board of Zoning Appeal.

2. *Minor Modifications.* Minor modifications are modifications to existing communications tower, existing communications antennas, or the collocation of new communications antennas that result in a material change to the facility or support structure but are of a level, quality, or intensity that is less than a substantial increase. As described in this Subsection, a certificate of use for a minor modification may be approved by the Zoning Administrator.
3. *Substantial Increases.* For the purposes of this Subsection, a substantial increase to an existing structure occurs when:
  - (a) The mounting of the proposed communications antenna on an existing communications tower would increase the height of the existing structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas;
  - (b) The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter;
  - (c) The mounting of the proposed antenna would involve adding an appurtenance to the body of the existing tower that would protrude from the edge of the existing tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
  - (d) The mounting of the proposed antenna would involve excavation outside the current communications tower site, defined as the current boundaries of the leased or owned property surrounding the existing tower and any access or utility easements currently related to the site.

**D. Minor Modifications to Existing Towers.**

1. *Permit Required for Changes to Communications Towers and Antennas.* All communication providers must obtain a certificate of use (see [Article 16: Zoning Procedures](#)) prior to locating a new antenna on an approved tower or modifying an existing tower.

2. *Changes Requiring Approval.* Minor modifications, including new collocations, shall be permitted in any zoning district after administrative review and administrative approval in accordance with the standards set forth in this Subsection.
  3. *Standard for Approval of Minor Modifications.* An application meeting the standards for a minor modification will be approved by the Zoning Administrator. An application that is determined not to meet the standards for a minor modification shall be reviewed as a major modification.
  4. *Design Standards.* The following standards will apply to the review of applications for minor modifications to existing towers:
    - (a) The additional loading on the tower caused by the proposed changes shall not exceed the tower's design as previously submitted; and
    - (b) Changes will be made to the tower's design and construction to safely accommodate the additional antenna(s).
- E. **New Communications Towers and Major Modifications to Existing Towers.** In zoning districts where communications towers are a special exception use, a certificate of use for a new communications tower may be issued by the Zoning Administrator only after approval by the Zoning Board of Appeals of a special exception permit application based on information required by this Subsection, information and evidence provided during the public review and public hearing, and compliance with all requirements and standards established by this Section and [Article 16: Zoning Procedures](#).
- F. **Locations for Use.**<sup>85</sup> Communication towers may be located in the following zoned areas of Greenville County:
1. Communication towers are permitted as a principal or accessory use in the S-1, I-1, C-2, and C-3 Zoning Districts.
  2. Communication towers are permitted as an accessory use in non-residential zoning districts where another use is already established as the principal use of the property, provided the principal use complies with this ordinance.
  3. Communication towers are a special exception use in all other districts, subject to the following standards:
    - (a) In residential districts, communication towers must be an accessory use on parcels where a use other than ~~single-family detached house, townhouse,~~ or

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<sup>85</sup> This section carries forward current district location/siting regulations. FCC Regulations prevent location limitations that effectively prohibit provision of telecom services. Location restrictions may not be effective depending on the actual mapping of districts, availability of sites, and topography.

duplex use, such as a school, church, ~~multifamily residential~~ apartment complex, or public utility site, is established as the principal use of the property, provided the principal use of the property complies with this Ordinance. On such residentially zoned sites, the minimum setback of the zoning district in which it is located shall be increased by one foot for each one foot of tower height in excess of 40 feet. The maximum required separation shall be 200 feet.

- (b) In the C-1 and O-D Zoning Districts, communication towers are permitted as a use permitted by special exception reviewed by the Board of Zoning Appeals.
- (c) In the review zoning districts, communication towers are allowed as a special exception use reviewed by the Greenville County Board of Zoning Appeals.<sup>86</sup>

4. In any zoning district, communication antennas are a permitted use when attached to existing electrical high-tension towers (transmission towers), so long as:
  - (a) The increase in height to the existing transmission tower does not exceed 25 feet;
  - (b) The total number of antennas added to an existing transmission tower does not exceed 12; and
  - (c) The applicant provides a structural analysis of the existing transmission tower that shows the additional loads from the proposed antennas are within the design tolerances for the tower.

G. **Criteria for Communications Tower Use.** The following criteria shall apply to the review of all new communication tower uses in all districts in which communication towers are a conditional or special exception use:

1. Each parcel on which a communication tower is located must have access to a public road 20 feet in width;
2. The applicant must demonstrate compliance with radio frequency emissions standards adopted by the Federal Communications Commission;<sup>87</sup>
3. Communication towers and their foundations shall meet the requirements of the current Building Code for wind and seismic loads;

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<sup>86</sup> The current Zoning Code provides for review by the Planning Commission. This draft changes the review body to the Board of Zoning Appeals because the S.C. Planning Enabling Act authorizes that board to hear special exception use requests.

<sup>87</sup> This section replaces the requirement in § 11:4 that the applicant must show compliance with the lowest adopted standard for radiation by the government and private regulatory bodies. The FCC's regulations preempt local standards on radiation from towers and antennas, but localities can ensure compliance with the FCC's standards.

4. For a freestanding communication tower, the applicant must show that that alternative towers, buildings, or other structures do not exist within the applicant's tower site search area that are structurally capable of supporting the intended antenna, meet the applicant's necessary height criteria, or provide a location free of interference from other towers;
5. The proposed structure will not endanger the health and safety of residents, employees, or travelers, including, but not limited to, the likelihood of the failure of such structure;
6. The proposed structure will not impair the use of or prove detrimental to neighboring properties;
7. The proposed structure is necessary to provide a service that is beneficial to the surrounding community; and
8. The proposed tower is located in an area where it does not substantially detract from aesthetics and neighborhood character.

**H. Height and Appearance Standards.**

1. *Freestanding Towers.* Freestanding communication towers must not exceed a height of 300 feet.
2. *Communication Towers on Buildings.* Communications towers on buildings must not exceed a height that is:
  - (a) 20 feet above the roofline of buildings 50 feet or less in height; and
  - (b) 40 feet above the roofline of buildings 50 feet in height or greater.
3. *Increased Height for Minor Modifications.* The height requirement of this Subsection apply to all towers and antennas except for increases in height to existing towers that qualify as minor modifications.
4. *FAA Compliance Required.* Communication towers must comply with Federal Aviation Regulations (FAA) for height limitations for existing or proposed runways at any publicly owned airport.
5. *Color.* Unless otherwise required by the Federal Communications Commission (FCC) or the FAA, communication towers shall be light gray in color.

**I. Setbacks.**

1. Communication towers in the S-1, I-1, C-2, and C-3 Zoning Districts are subject to the applicable setback requirements of the district in which they are located.

2. Communication towers as an accessory use in non-residential zoning districts must comply with the applicable setback requirements of the district in which they are located.
  3. Communications towers in residential districts are subject to the minimum setback of the zoning district in which it is located with an additional one foot in setback added for each one foot of tower height over 40 feet. The maximum required separation shall be 200 feet.
- J. **Separation Requirements.** Communication towers in a residential district shall not be located within 1,000 feet of an existing communication tower unless the towers are located on the same property.
- K. **Fencing and Screening.**<sup>88</sup>
1. *Fencing.* Eight-foot high fencing shall be installed around the communication tower and any associated structures.
  2. *Screening.* Screening with landscape material around the exterior fence must comply with the industrial district buffer requirements in **Section 6.2: Perimeter & Right-of-Way Buffers**.
- L. **Illumination.** Communication towers shall only be illuminated if required by FCC or FAA regulations.
- M. **Identification of Owner.** One sign no more than two square feet in area must be placed in a visible location on the required fencing identifying the owner's name, street address, an all-hours emergency telephone number, and the owner's identification number for the tower. The sign may also identify other users of the tower.
- N. **Removal of Towers Not in Use.** A communication tower must be removed within 120 days of the date such tower ceases to be used for communication purposes.

### **3.3.13 3.3.12 COMMUNITY CENTERS**<sup>89</sup>

- A. **Adaptive Reuse of Existing Buildings.**

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<sup>88</sup> This Subsection carries forward the previous fencing requirement from § 11:4 but incorporates the new screening standards to be developed in the UDO. Stakeholders identified that the current screening requirements create some incompatibilities.

<sup>89</sup> This Subsection carries forward the use conditions for community centers adopted by County Council on September 20, 2022.

1. A community center may locate in an existing building, including a nonconforming building, if the building meets all applicable Building Code requirements.
2. Other improvements, such as the addition of landscaping and screening, are not required in order to establish a community center in an existing building. However, sufficient parking must be provided pursuant to Paragraph B, below.

**B. Parking.**

1. All parking shall be accommodated in off-street parking spaces. Parking on-street or in grassed areas is prohibited except during major special events.
2. Due to the variety of activities that occur at a community center, parking needs may vary significantly from site to site. If the minimum parking ratio specified for community centers in **Table 5.2.2-1: Minimum Number of Parking Spaces Required by Land Use** is not appropriate for a particular site, the applicant may submit a parking analysis that:
  - (a) Documents the total number of existing off-street parking spaces and the total number of new spaces, as applicable;
  - (b) Identifies the types of activities proposed to occur, along with the anticipated hours of operation and number of attendees for each activity; and
  - (c) Demonstrates the existing and/or proposed parking sufficiently meets the anticipated parking demands of the various activities and does not produce conflicts (e.g., between parking spaces and day care drop-off lanes).

**3.3.14 3.3.13 COMMUNITY GARDEN, NON-COMMERCIAL**

- A. **In General.** Community Gardens may only be used for the cultivation of fruits, flowers, vegetables, or ornamental plants.
- B. **Livestock Prohibited.** Community gardens may not be used to raise or keep livestock or domesticated animals except for honey bees and chickens.
- C. **Commercial Use Prohibited.** Commercial sale of produce from a community garden is prohibited.

### ~~3.3.15~~ 3.3.14 CORNER STORES<sup>90</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Maintain the character of residential districts; and
  2. Promote mixed use neighborhoods in appropriate locations; and
  3. Encourage entrepreneurship and remove barriers to the establishment of small businesses; and
  4. Reduce vehicle trips and encourage walkable neighborhoods by making it convenient for neighbors to walk down the street to make quick, incidental purchases; and
  5. Help build a sense of community amongst neighborhood residents.
- B. **Maximum Number Per Intersection.** A maximum of two corner stores may be located at a single intersection.
- C. **Maximum Gross Leasable Area.** The maximum gross leasable area of a corner store is 2,000 square feet.
- D. **Drive-Throughs Prohibited.** A corner store shall not contain drive-through facilities.

### ~~3.3.16~~ 3.3.15 DAY CARE CENTERS, PRESCHOOLS<sup>91</sup>

- A. **In General.** Day care centers (child and adult) are subject to the general zoning district requirements, the South Carolina Department of Social Services Rules and Regulations relating to licensing of care facilities and care centers, and the requirements in this Subsection.
- B. **Lot Area.** The minimum lot area for a day care center is 20,000 square feet. At least 75 square feet of outdoor exercise area must be provided for each person based on the maximum enrollment.
- C. **Fencing.** The outdoor exercise area must be enclosed by a fence that is at least 6 feet high.
- D. **Indoor Area.** The building must provide at least of 35 square feet of floor area for each person based on the maximum enrollment.

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<sup>90</sup> This new use is intended to promote mixed-use neighborhoods by allowing “corner stores” in higher density residential districts. The proposed definition of “corner store” is: *A small retail or service business located on a corner lot at the street level. Corner store businesses are limited to newsstands, bookstores, barbershops, beauty salons, bakeries, ice cream and yogurt shops, coffee shops, delis, food and convenience markets, and art galleries.*

<sup>91</sup> This subsection carries forward the special exception regulations for day care centers contained in §11:5.

- E. **Impact of Facility.**<sup>92</sup> The applicant must provide information about the impacts of traffic, noise, delivery vehicles, and site access on surrounding residential areas.

### 3.3.16 HORSES IN RESIDENTIAL DISTRICTS/EQUINE STABLES<sup>93</sup>

#### A. Purpose. The purpose of this Subsection is to:

1. Support limited equestrian/equine uses in residential areas to allow residents to engage in recreation and leisure;
2. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
3. Promote the public health, safety, and general welfare; and
4. Implement the Comprehensive Plan.

#### B. Applicability.

1. Scope. This Subsection does not limit the right to raise and keep livestock/equines in districts where the use is allowed under other applicable regulations.
2. Allowed Districts. This Subsection allows the conditional accessory residential use of raising and keeping domesticated horses and ponies/equines subject to the conditions of this Subsection in the R-20, R-15, R-20A, and ESD-PM Districts.

#### C. Lot Size Requirements.

1. Horses and ponies/Equines may not be kept and/or raised on any lot smaller than 1.5 acres.
2. Only one horse or pony/equine may be permitted/is allowed for each ½-acre of lot area, except in the R-S District.

#### D. Conditions of Use.

<sup>92</sup> This Paragraph may be removed once the special exception use procedure is drafted. The special exception procedure is anticipated to include a general requirement for all special exception uses to provide this information.

<sup>93</sup> This Subsection carries forward the current regulations on horses in residential districts in § 6:2(14) and renames the use as "equine stables." The proposed definition of *equine stables* is "a facility where equines are kept or raised, which may include areas for boarding, training, and riding." The definition of equine is "Connected or related to horses, donkeys, mules, or other members of the taxonomic family Equidae." This proposed revision and the definitions address several stakeholder comments suggesting the UDO expressly allow boarding of horses and that the UDO rename "horses" as "equines" in order to accommodate donkeys and mules as well.

## DISTRICT

1. Accessory Structures. The landowner must provide an enclosed area or shelter for all livestock equines to be kept and fed.
2. Setbacks. Accessory s
  - (a) In the R-20A District, structures for keeping and feeding equines may not be located within 100 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width.
  - (b) In all other districts, s structures for keeping and feeding livestock equines may not be located within 50 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 50 feet in width.

Transportation Corridor Improvements. Additional setbacks required by Article 12: Transportation Corridor Preservation will be cumulative to the setbacks for accessory structures required by this Subsection.

### 3.3.17 FARM ANIMALS, LIVESTOCK, BARNs, AND STABLES IN R-20A ZONING DISTRICT<sup>94</sup>

#### A. Purpose. The purpose of this Subsection is to:

1. Support agricultural uses in the R-20A District to promote economically self-supporting farms;
2. Preserve the character of rural areas, including agricultural uses and scenic views;
3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
4. Promote the public health, safety, and general welfare; and
5. Implement the Comprehensive Plan.

#### B. Applicability.

1. Scope. This Subsection does not limit the right to raise and keep farm animals livestock in districts where the use is allowed under other applicable regulations and in un-zoned areas. This Subsection does not apply to chickens kept in accordance with Subsection 3.4.7: Backyard Chickens.

<sup>94</sup> This Subsection carries forward the current regulations on the conditional use of livestock farming in the R-20A District [§ 6:2(25)].

2. *Allowed Districts.* This Subsection allows the conditional accessory residential use of raising and keeping of farm animals livestock as a conditional use subject to the conditions of this sSubsection in the R-20A District.

C. **Conditions of Use.**

1. *Accessory Structures.* The landowner must provide enclosed area or shelter for all farm animals livestock to be kept and fed.

1.2. *Setbacks. Accessory s*

(a) *Structures for keeping and feeding farm animals livestock may not be located within 100 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width.*

(b) *Farm animal production uses also are subject to all setbacks required by SCDHEC, if applicable.*

**3.3.173.3.18 FUNERAL HOMES**<sup>95</sup>

- A. **Minimum Lot Area.** The minimum lot area for a funeral home is 2 acres.
- B. **Location.** A funeral home shall be located on a collector or arterial street.
- C. **Off-Street Queuing Space Required.** Aisles and other space within the off-street parking area shall be adequate to allow funeral processions to be formed entirely on site without hindering traffic on public streets.
- D. **Screening and Buffering.** Screening and buffering shall comply with **Article 6: Tree Preservation, Buffers, & Screening**, except that the minimum buffer width is 12.5 feet.

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<sup>95</sup> This Subsection generally carries forward and combines the conditional and special exception use regulations for funeral homes in ZO Sections 6:2(27) and 11:2, except: (1) the requirement in 6:2(27)A. and 11:2.9 *Location* that a funeral home is located on the same site as a cemetery or on a lot within 1,000 feet of a cemetery; (2) 6:2(27)3. and 11:2.10 B. and C. which are simply cross-references to off-street parking and parking lot landscaping requirements; (3) 6:2(27)4. and 11:2.11 *Height and Setbacks* which simply cross-references the non-residential setback requirements; (4) 6:2(27)7. and 11:2.14 *Signage* since signs are separately regulated by the Sign Ordinance; and (5) 6:2(27)6. and 11:2.13 *Lighting* which is a cross-reference to lighting standards and is not necessary since UDO Article 7: *Outdoor Lighting* is anticipated to apply to all non-residential uses in the zoned and un-zoned areas.

**3.3.193.3.19 GAS STATIONS<sup>96</sup>**

- A. **Setbacks for Pump Islands and Canopies.** Commercial gasoline pump islands and canopies shall be set back from all property lines adjacent to street rights-of-way at least 15 feet.
- B. **Accessory Automobile Washes.**
1. Automobile washes are allowed as an accessory use to a gas station if the zoning district allows automobile washes (see Section 3.2: *Use Table*).
  2. Automobile washes established as an accessory use to a gas station shall meet the conditions specified in Subsection 3.3.5: Automobile Washes.

**3.3.193.3.20 GO-KART FACILITIES, OUTDOOR<sup>97</sup>**

Go-kart facilities may only be allowed subject to the district requirements and the current provisions of the Greenville County Go-Karts Ordinance No. 5236, which is codified as Greenville County Code of Ordinances, Chapter 3, *Article III: Outdoor Go-Kart Tracks*.

**3.3.203.3.21 GROUP HOMES<sup>98</sup>**

- A. **In General.** A group home that is not licensed by the South Carolina Department of Social Services shall not house more than six unrelated persons.
- B. **Setbacks.** Group homes must comply with the zoning district setback requirements for ~~single-family homes~~detached house dwellings.
- C. **Separation Requirements.** A group home that is not licensed by the South Carolina Department of Social Services must be at least 1,320 feet from any existing group home.
- D. **Exterior Appearance.** A group home shall be ~~single-family residential in character~~similar in exterior appearance to a detached house dwelling.

<sup>96</sup> This Subsection carries forward the gas canopy setbacks specified in ZO Sec. 7:3.6 and clarifies the applicable use regulations for other uses that commonly occur with a gas station.

<sup>97</sup> This new use incorporates the regulations for outdoor go-kart facilities adopted in November 2020.

<sup>98</sup> This subsection carries forward and combines the conditional and special exception use regulations for group care homes contained in §6:2(12) and §11:6 but removes limitations on signage and language relating to the concentration of group care homes in a particular area. Signs are separately regulated by the Sign Ordinance, and the separation requirements provide an objective location standard.

**3.3.213.3.22 MANUFACTURED HOMES**

See **Article 4**: *Use Regulations for Zoned & Un-Zoned Areas*.

**3.3.223.3.23 MANUFACTURED HOME PARKS**

See **Article 4**: *Use Regulations for Zoned & Un-Zoned Areas*.

**3.3.233.3.24 MIXED USE BUILDINGS<sup>99</sup>****A. Mixed Use Buildings in the R-MA District.**

1. *Permitted Non-Residential Uses*. In addition to those non-residential uses allowed by Section 3.2: *Use Table*, the following non-residential uses are permitted in mixed use buildings located in the R-MA District:
  - (a) Art galleries, artisan workshops, and art studios;
  - (b) Fitness centers (private);
  - (c) Museums and cultural facilities;
  - (d) Theater/motion pictures (indoor), with 1 or 2 screens;
  - (e) Banks and financial institutions;
  - (f) Business incubator centers;
  - (g) Professional offices;
  - (h) Medical offices and clinics;
  - (i) Bakeries;
  - (j) Barber shops and beauty shops;
  - (k) Bookstores and newsstands;
  - (l) Butcher shops;

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<sup>99</sup> This Subsection carries forward the use conditions for mixed use structures and developments in ZO Section 6:2(28). Density is specified in Article 2: *Zoning Districts*. However, most of these requirements may be relocated to other UDO articles (e.g., Article 9: *Building Design*, Article 12: *Access & Connectivity*)

- (m) Electronics and home appliance repair;
- (n) Florists, flower shops, and gift shops;
- (o) Grocery stores;
- (p) Laundromats, self-service;
- (q) Personal services;
- (r) Pet supply stores;
- (s) Pharmacies;
- (t) Photography studios;
- (u) Restaurants; and
- (v) Retail/mercantile.

2. *Maximum Gross Floor Area Per Tenant Space.* Each non-residential tenant space may contain a maximum gross floor area of 10,000 square feet.

B. **Architectural Requirements.** All walls visible from roadways and parking areas should incorporate design features including arcades, windows, entry areas, overhangs, and other architectural features to ensure no blank walls are visible from these areas.

C. **Setbacks.** When there are two or more mixed use buildings on a lot, the setbacks of the underlying zoning district apply on the exterior of the project with no internal setbacks enforced between uses.

D. **Connectivity.**

1. *Vehicular.*

- (a) Vehicular access shall be provided internally between all uses, drives, and parking areas.
- (b) If developed adjacent to a multi~~plex-family~~, office, commercial use, or similar use as deemed by County Staff, an attempt to provide vehicular access to such uses shall be made.

2. *Pedestrian.*

- (a) Pedestrian access shall be provided internally between all uses, drives, and parking areas.

- (b) Pedestrian access shall be provided between parking areas, buildings, open space areas, recreation areas, and other amenity areas where provided.
- (c) All developments must provide sidewalks to connect to an external sidewalk. If an external sidewalk is not available, the development will be required to install sidewalks along all roadways.
- (d) All pedestrian pathways and sidewalks shall be at least 5 feet in width.

**E. Parking.**

- 1. Parking areas shall be located on the interior of the development, with no parking allowed between buildings and adjacent roadways. Sites shall be designed to accomplish this requirement.
- 2. Parking areas must be distinguished from pedestrian walkways through curbing or wheel-stops.

**F. Landscaping.**

- 1. All developments shall meet the standards for parking lot landscaping in [Section 5.4: Parking Lot Landscaping](#).
- 2. Landscaping or grassed areas are required between impervious surfaces, such as parking areas and sidewalks, and building frontages.

**G. Screening and Buffering.**

- 1. All dumpsters, service areas, and mechanical equipment shall be screened from public view as specified in [Section 6.6: Screening for Commercial Uses](#).
- 2. The site must provide buffers on the perimeter that comply with the standards of [Section 6.2: Perimeter & Right-of-Way Buffers](#). Internal adjoining uses do not require buffers.

**H. Lighting.** Lighting shall be designed to minimize light trespass on adjoining parcels. For outdoor lighting, cutoff fixtures shall be used. These outdoor lighting fixtures shall be aimed, located, designed, fitted, and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as to reduce obtrusive light on neighboring properties or public areas.

**I. Stormwater.** All [multifamily mixed use](#) development in commercial districts shall meet the standards of the stormwater ordinance. Stricter provisions may be required by Greenville County to address existing downstream restrictions.

**3.3.24 3.25 MOTOR SPORTS FACILITIES, RACETRACKS**

Motor sports facilities and racetracks may only be allowed subject to the district requirements and the current provisions of the Greenville County Motor Sports Facilities Ordinance No. 3851, which is codified as Greenville County Code of Ordinances, Chapter 3, Article II: Motor Sports Facilities.

**3.3.25 3.26 NEIGHBORHOOD RECREATION AREAS<sup>100</sup>**

- A. Private neighborhood recreation areas, including country clubs, are allowed subject to the district requirements and the conditions in this Subsection.
- B. Neighborhood recreation areas must be located on the preliminary and final subdivision plat or approved site plan.
- C. The minimum lot area for a neighborhood recreation area is equal to the district's minimum lot size.
- D. The provision of food and entertainment for members and guests is allowed if it does not cause a nuisance in the residential district. No commercial activity is allowed.
- E. Off-street parking shall be provided in accordance with the provisions set forth in **Article 5: Parking & Loading**.
- F. Screening shall be provided in accordance with the provisions set forth in **Section 6.2: Perimeter & Right-of-Way Buffers**.

**3.3.26 3.27 NON-DEPOSITORY FINANCIAL SERVICES<sup>101</sup>**

- A. **Purpose.**
  - 1. Non-depository financial service uses potentially degrade surrounding neighborhoods by drawing disposable income and savings from residents, which has a detrimental impact on their property values, crime rates, home maintenance, and appearance.
  - 2. The clustering of non-depository financial service uses in certain areas of Greenville County can have a detrimental impact on the surrounding commercial and residential areas.

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<sup>100</sup> This Subsection carries forward the use regulations for Community Recreation Areas in ZO Section 6:2(17). The parking and screening requirements may be revised once revisions to these sections are complete.

<sup>101</sup> This Subsection proposes new use regulations for non-depository financial service uses (e.g., payday lenders, check cashing services). The *Zoning Code & Land Development Regulations Assessment* recommends the UDO specifically address this use (see pp. 19-20).

3. The purpose of this Subsection, therefore, is to impose separation and location requirements for these businesses in order to:
  - (a) Protect and promote the public health, safety, and general welfare;
  - (b) Protect the character of established residential neighborhoods; and
  - (c) Maintain economically vibrant and visually attractive business and commercial areas.

**B. Separation Requirements.** A non-depository financial service use shall be located:

1. At least 3,000 feet<sup>102</sup> from any other non-depository financial service use; and
2. At least 660 feet<sup>103</sup> from:
  - (a) Any lots located in AG, ESD-PM, or any residential zoning district; and
  - (b) Any lots containing dwelling units, schools, religious facilities, public parks, and designated historic districts and landmarks, whether or not such lots are located in the incorporated or unincorporated area of Greenville County.

**C. Location.** All non-depository financial service uses shall be located within either a multi-tenant commercial building or entirely within a grocery store or other non-residential building that has a minimum area of 30,000 square feet.<sup>104</sup>

### ~~3.3.27~~ 3.3.28 PUBLIC UTILITY STATIONS, BUILDINGS, & USES<sup>105</sup>

**A. Where Allowed.** Public utility stations, buildings, and uses (e.g., sewage lift stations, pump stations, electrical substations, and telephone equipment) that are not detrimental to other uses allowed in the district may be allowed as a special exception use in any district.

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<sup>102</sup> Separation distances vary by community. Rock Hill requires 1,000 feet between non-depository financial service uses. Greenville, Mauldin, Columbia, Charleston County, Walterboro, and Camden require at least 3,000 feet between these uses. Chesterfield County, Virginia requires at least 5,280 ft (one mile) between these uses.

<sup>103</sup> Some communities in South Carolina require separation of this use from residential and public/civic uses. Proposed here is to require a minimum separation of 660 feet (1/8 of a mile).

<sup>104</sup> This appears to be a common requirement in South Carolina communities. Most jurisdictions, including Greenville and Mauldin, require a non-depository financial service use to be located in a multi-tenant building comprising at least 30,000 square feet, or within a grocery store or other retail store comprising at least 30,000 sf. Columbia requires this use to be located in a building that is at least 12,000 sf in area.

<sup>105</sup> This Subsection carries forward the special exception use conditions in ZO Section 11:7 *Public Utility Buildings and Uses*. It proposes to replace the requirement for “a suitable fence” with a requirement for a “fence, wall, or evergreen plant materials,” which is consistent with screening requirements for other uses.

- B. **Screening Required.** Public utility stations, buildings, and uses shall be enclosed within a building or by a fence, wall, or evergreen plant materials providing protection and screening against light, noise, fumes, or unsightliness.
- C. **Landscaping Required.** Open areas on the premises shall be landscaped.

### ~~3.3.28~~ 3.3.29 RECREATIONAL VEHICLES

See **Article 4:** *Use Regulations for Zoned & Un-Zoned Areas.*

### ~~3.3.29~~ 3.3.30 RECREATIONAL VEHICLE PARKS

See **Article 4:** *Use Regulations for Zoned & Un-Zoned Areas.*

### ~~3.3.30~~ 3.3.31 RELIGIOUS FACILITIES<sup>106</sup>

- A. **Lot Area.** The minimum lot area for a religious facility is 40,000 square feet.
- B. **Setbacks.** All buildings shall be located at least 50 feet from the front, side, and rear property lines.
- C. **Religious Activities in ~~Single-Family~~ Residences.** ~~The County shall~~ This UDO does not prohibit religious activities in a ~~single-family~~ residence. “Religious activities” specifically excludes regularly scheduled worship services.

### ~~3.3.31~~ 3.3.32 SCHOOLS – COLLEGES & UNIVERSITIES<sup>107</sup>

- A. **Establishment & Expansion of Use.** Establishment and expansion of uses associated with a college, university, seminary, or other institution of higher learning (e.g., administrative facilities, athletic facilities, and conference centers) are allowed subject to the district requirements and conditions in this Subsection.

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<sup>106</sup> This Subsection carries forward the current use regulations for churches in ZO Section 11:3, except 11:3.3 and 11:3.5, which are cross-references to the generally applicable off-street parking and buffer/screening standards; and 11:3.4, which will instead be carried forward in UDO Article 7: *Outdoor Lighting*.

<sup>107</sup> This Subsection generally carries forward the use regulation for colleges and universities in ZO Section 6:2(21), and expands applicability to all colleges and universities rather than just those that are associated with “non-state supported” institutions of higher learning.

- B. **Dormitories.**<sup>108</sup> Dormitories are allowed under the provisions of this Subsection only when located on the campus of an institution of higher learning. As the principal use on a lot, dormitories are only allowed where “group living” is specified as an allowed use in Section 3.2: *Use Table*.
- C. **Dimensional Standards.**
1. *Setbacks, Lot Width, & Lot Coverage.*
    - (a) No structure shall be erected within 25 feet from any external lot line.
    - (b) Minimum lot width, minimum yard sizes, and maximum lot coverage are not otherwise regulated.
  2. *Height.* All buildings may exceed the height limitations of the zoning district if the minimum depth of rear yards and the minimum width of side yards required in the district regulations are increased one foot for each three feet by which the height of such building exceeds the prescribed height limit.

### ~~3.3.32~~ 3.33 SELF-STORAGE FACILITIES<sup>109</sup>

- A. Where sites abut residentially zoned properties, buildings adjacent to the 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.
- D. Any outdoor vehicle storage associated with the facility shall meet the requirements in Subsection 3.3.39: Vehicle Repair & Storage.

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<sup>108</sup> The current use conditions in ZO Section 6:2(21) expressly list “dormitories” as an allowed use. Proposed here is to only allow dormitories when part of a larger campus. Dormitories as the principal use of a lot are proposed to be allowed where the use table allows “Group Living, including Dormitories, Fraternity & Sorority Houses, and Transitional Housing.”

<sup>109</sup> This Subsection carries forward the use conditions for “mini-warehouses” (renamed as self-storage facilities) from ZO Section 6:2(15), except Paragraph D which is a cross-reference to the standard buffer/screening requirements. Adds a requirement that outdoor vehicle storage meets the use regulations for vehicle storage.

**3.3.33 3.34 SHOOTING RANGES (INDOOR & OUTDOOR)<sup>110</sup>**

A. **Purpose.** This Subsection is adopted for the following purposes:

1. To promote public safety by preventing unintended on-site and off-site injuries arising from the use of shooting ranges;
2. To ensure that the appearance of and noise created by the facilities are compatible with surrounding land uses;
3. To protect and preserve residents' right to keep and bear arms under the Second Amendment to the United States Constitution;
- ~~3.4.~~ To preserve the character of neighborhoods where facilities are located; and
- ~~4.5.~~ To otherwise promote the public health, safety, and general welfare.

B. **Operations Regulations for All Shooting Ranges.**

1. *On-Site Management.* An on-site manager shall be present and available during all hours of operation. Updated contact information for the on-site manager shall be provided to the Zoning Administrator anytime the on-site manager's contact information changes.
2. *Noise.* At all times, the facility shall comply with Chapter 15, Article IV: Noise of the County Code of Ordinances.

C. **Development Standards for Outdoor Shooting Ranges.**

1. *Minimum Lot Size.* All outdoor shooting ranges must be located on a parcel of at least 5 acres in size.
2. *Setbacks.* All elements of the outdoor shooting range facility must be located at least 300 feet from all property lines of the lot on which it is located, except that access roads and utilities may be located in the 300-foot setback area.
3. *Buffers.* The site must provide screening and landscaping that comply with the requirements for industrial uses stated Section 6.2: Perimeter & Right-of-Way Buffers.
4. *Separation Requirements.* The exterior boundary of the shooting area at an outdoor shooting range shall be located at least 1,000 feet from:

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<sup>110</sup> This Subsection combines use regulations for indoor shooting ranges, currently controlled by 6:2(22), and outdoor shooting ranges, do not currently have use conditions. The Subsection increases the standards for design and operations of facilities. The current code only requires that noise is not audible outside indoor shooting ranges.

- (a) Any lots located in the R-20 to R-6, R-20A, R-M8, R-M10, R-M16, R-M20, R-MA, and R-MHP Zoning Districts; and
- (b) Any lots containing dwelling units, schools, day care centers religious facilities, public parks, and designated historic districts and landmarks, whether or not the lots are located in the incorporated or unincorporated area of Greenville County.

**3.3.35 SMALL WIRELESS FACILITIES**

See [Article 4: Use Regulations for Zoned & Un-Zoned Areas.](#)

~~3.3.34 SMALL WIRELESS FACILITIES<sup>144</sup>~~

~~A. Purpose. This Subsection is adopted for the following purposes:~~

- ~~1. To promote public safety by preventing interference with the use of streets, sidewalks, traffic light poles, or other utility poles, and other public ways;~~
- ~~2. To ensure that the design and appearance of the facilities are compatible with surrounding land uses;~~
- ~~3. To ensure traffic safety by preventing visual and physical obstructions that are hazardous to vehicular and pedestrian traffic;~~
- ~~4. To prevent interference with the operations of existing facilities located in rights of way or on public property;~~
- ~~5. To preserve the character of neighborhoods where facilities are installed;~~
- ~~6. To preserve the integrity, dignity, and aesthetic quality of the natural, cultural, and scenic resources and developed environments and promote the quality of our citizens' lives;~~
- ~~7. To promote the most efficient use of existing structures for collocating small wireless facilities, and to properly site new small wireless facilities;~~

<sup>144</sup> This new Subsection adopts standards for small wireless facilities, which are not regulated in the current code. The Middle Class Tax Relief Act of 2012 and FCC regulations require a locality to allow right of way access for communications providers to install these facilities. In addition, the South Carolina Small Wireless Facilities Deployment Act limits localities' substantive and procedural authority to regulate these uses. The use must be permitted in all districts and is subject only to administrative review. The Small Wireless Facilities Deployment Act took effect in September 2020.

8. ~~To comply with requirements imposed by State and Federal laws and regulations in the permitting of small wireless facilities; and~~
9. ~~To otherwise promote the public health, safety, and general welfare.~~

**B. ~~Applicability.~~**

1. ~~*In General.* This Subsection applies to all small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, that are specified as conditional or special exception uses in Section 3.2: Use Table, including those located on private property and in rights-of-way.~~
2. ~~*Applicable Only to Small Wireless Facilities.* Nothing in this Subsection limits the County's powers with respect to wireless facilities that are not small wireless facilities or to communications towers or poles that are used for purposes other than installation of small wireless facilities.~~

**C. ~~Permitting.~~**

1. ~~*In the Right of Way.*~~
  - (a) ~~Small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, are permitted in rights-of-way in all districts and are subject to the supplemental regulations contained in this Subsection. A small wireless permit is required to collocate small wireless facilities and to install a new, modified, or replacement pole or support structure associated with a small wireless facility in the right-of-way.~~
  - (b) ~~Before approval of the small wireless permit application, small wireless facilities proposed in a right-of-way must receive an encroachment permit from the County or the State Department of Transportation, depending on the entity that controls the right of way. The applicant may apply concurrently for any permits applicable to the particular deployment.~~
2. ~~*Outside the Right of Way.*~~
  - (a) ~~Small wireless facilities, either installed on a new pole or collocated on an existing pole or wireless support structure, are permitted outside the right-of-way on private property subject to the supplemental regulations contained in this Subsection. A small wireless permit is required to collocate small wireless facilities and to install a new, modified, or replacement pole or support structure associated with a small wireless facility on private property.~~
  - (b) ~~Small wireless facilities proposed outside a right-of-way must receive a zoning certificate of use. The applicant may apply concurrently for any permits applicable to the particular deployment.~~

3. ~~Compliance with Other Requirements.~~ The general requirements for all structures are applicable to small wireless facilities. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the specific requirements of this Subsection, except that the applicant shall not be required to obtain or pay for a separate building permit, as the permit granted under this Subsection constitutes the building permit for the small wireless facilities and poles. The County will publish and keep current a list of each additional permit that is required for the collocation of a small wireless facility or the installation of a new, modified, or replacement pole.
4. ~~Permit Applications.~~ All applications for permits under this Subsection shall be governed by this Subsection and additional procedures for review of permit applications (see [Article 16: Zoning Procedures](#)).
5. ~~Application Requirements.~~<sup>442</sup> The applicant must comply with the application requirements and provide the information required by [Article 16: Zoning Procedures](#).
- D. ~~Review of Applications.~~<sup>443</sup> The Building Official will review the application and issue a small wireless permit if it meets the requirements of this Subsection and the procedural requirements of [Article 16: Zoning Procedures](#). The applicant must consider the following factors, and the County may deny an applicant's proposed collocation of a small wireless facility or a proposed installation, modification, or replacement of a pole, decorative pole, or support structure if the proposed collocation, installation, modification, or replacement:
1. ~~Interferes with the safe operation of traffic control or public safety equipment;~~
  2. ~~Interferes with sight lines or clear zones for transportation or pedestrians;~~
  3. ~~Interferes with compliance with the Americans with Disabilities Act or similar federal or State standards regarding pedestrian access or movement;~~
  4. ~~Requests that ground-mounted Small Wireless Facility equipment be located more than seven and one-half feet in radial circumference from the base of the pole, decorative pole, or support structure to which the wireless antenna is to be attached, provided that the County shall not deny the application if a greater distance from the base of the pole, decorative pole, or support structure is necessary to avoid interfering with sight lines or clear zones for transportation or pedestrians or to otherwise protect public safety;~~

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<sup>442</sup> These are the statutory requirements for an application under the S.C. Small Wireless Facilities Deployment Act. The County cannot implement additional requirements.

<sup>443</sup> These are the statutory bases for rejection of application under the S.C. Small Wireless Facilities Deployment Act. The County cannot deny permits for any other reason.

5. ~~Fails to comply with the height limitations permitted by this Subsection or (if applicable) in the Design Manual, or with the reasonable and nondiscriminatory horizontal spacing requirements of for new poles set out in this Subsection;~~
  6. ~~Designates the location of a new pole, decorative pole, or support structure for the purpose of collocating a small wireless facility within seven feet in any direction of an electrical conductor, unless the wireless provider obtains the written consent of the power supplier that owns or manages the electrical conductor;~~
  7. ~~Fails to comply with applicable codes;~~
  8. ~~Fails to comply with the requirements applicable to the aesthetic, stealth, and concealment requirements contained in this Subsection or with the requirements applicable to review districts;~~
  9. ~~Fails to comply with laws of general applicability that address pedestrian and vehicular traffic and safety requirements; or~~
  10. ~~Fails to comply with laws of general applicability that address the occupancy or management of the right of way and that are not otherwise inconsistent with this article.~~
- E. ~~**Site Selection in Residential Districts.** For applications to place poles in residential zoning districts to deploy small wireless facilities, the County may propose an alternate location in the right of way within 150 feet of the location set forth in the application, and the applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. If the applicant does not agree to the alternative location, the applicant shall certify that it has made such a determination in good faith, based on the assessment of an engineer licensed in South Carolina, and it shall provide a written summary of the basis for this determination.~~
- F. ~~**Decorative Poles.** An applicant may be permitted to collocate on or replace decorative poles when necessary to deploy a small wireless facility. Collocation on or replacement of decorative poles is subject to the following conditions:~~
1. ~~A replacement must be with a decorative pole that reasonably conforms to the design aesthetics of the original decorative pole, provided these requirements are technically feasible.~~
  2. ~~For applications to collocate small wireless facilities on decorative poles or to replace decorative poles to deploy small wireless facilities, the County may propose an alternate location in the right of way within 150 feet of the location set forth in the application. The applicant shall use the County's proposed alternate location unless the location is not technically feasible or imposes significant additional costs. The applicant shall certify that it has made such a determination in good faith, based on the assessment of an~~

engineer licensed in South Carolina, and it shall provide a written summary of the basis for such determination.

**G. ~~Standards for Small Wireless Facilities.~~**

1. ~~*Cabinet Size.* Cabinets serving small wireless facilities must meet both of the following qualifications:
 
  - (a) ~~Each wireless provider's antenna could fit within an enclosure of no more than 6 cubic feet in volume; and~~
  - (b) ~~All other wireless equipment associated with the small wireless facility, whether ground or pole mounted, is cumulatively no more than 28 cubic feet in volume.~~~~
2. ~~*Maximum Height of Support Structures.* Wireless support structures that support small wireless facilities shall not exceed the greater of the following height limitations:
 
  - (a) ~~50 feet above ground level; or~~
  - (b) ~~No more than 10 feet in height above the tallest existing pole in place as of the effective date of this article located within 500 feet of the new pole in the right-of-way of the same road.~~~~
3. ~~*Maximum Height of Small Wireless Facilities.* New small wireless facilities (including any related antennas) may not extend more than 10 feet above an existing pole in place as of the effective date of this Subsection, or for small wireless facilities (including any related antennas) on a new pole, above the height permitted for a new pole pursuant to this Subsection.~~
4. ~~*Identification of Wireless Provider.* One sign no more than one square foot in area must be placed on the pole or small wireless support structure identifying the owner's name, street address, an all-hours emergency telephone number, and the owner's identification number for the pole or structure.~~

**H. ~~Collocations on County Poles or Structures.~~**

1. ~~*Annual Rate.* The rate to collocate a small wireless facility on a County pole shall be \$50 per year. The County reserves the right to require a pole attachment agreement to further define the terms and conditions of attachments to County poles. The rates specified in this Subsection shall not apply to poles owned, or operated and accounted for as an asset of, a County electric utility.~~
2. ~~*Make Ready Work.* The applicant is responsible to reimburse the County for make ready work or to undertake the make ready work, as provided by this Subsection. The rates, fees, terms, and conditions for make ready work to collocate on a County pole will be~~

nondiscriminatory, competitively neutral, commercially reasonable, and in compliance with this Subsection.

- (a) ~~The County will provide a good faith estimate for any make-ready work necessary to enable the pole to support the requested collocation by a wireless provider, including pole replacement if necessary, within 60 days after receipt of a complete application. Alternatively, the County may require the wireless provider to perform the make-ready work and notify the wireless provider of such within the sixty-day period. If the wireless provider or its contractor performs the make-ready work, the wireless provider shall indemnify the County for any negligence by the wireless provider or its contractor in the performance of such make-ready work and the work shall otherwise comply with applicable law.~~
- (b) ~~Make-ready work performed by or on behalf of the County, including any pole replacement, will be completed within 60 days of written acceptance of the good faith estimate by the applicant. The County may require replacement of the pole if it demonstrates that the collocation would make the pole structurally unsound.~~

~~I. **Maintenance, Repair, and Other Changes That Do Not Require a Permit.**~~

- ~~1. *Routine Maintenance and Changes.* A small wireless permit shall not be required for the following:
 
  - (a) ~~Routine maintenance;~~
  - (b) ~~The replacement of a small wireless facility with another that is substantially similar or smaller; or~~
  - (c) ~~The removal of antennas or antenna equipment from an existing small wireless facility.~~~~
- ~~2. *Micro Wireless Facilities.* A permit shall not be required for the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables that are suspended between existing poles or support structures that are in compliance with applicable codes by a wireless provider that is authorized to occupy the right of way and that is remitting a consent, franchise, or administrative fee pursuant to S.C. Code Ann. § 58-9-2230.~~
- ~~3. *Special Situations Requiring Permits.* Notwithstanding the foregoing, the County may require that prior to performing any activity described above, an applicant must apply for and receive a permit for work that requires excavation or closure of sidewalks or vehicular lanes within the right of way for such activity.~~

4. ~~*Repair of Damage.* A wireless provider shall repair all damage to the right-of-way directly caused by the activities of the wireless provider in the right-of-way and shall return the right-of-way to its functional equivalence before the damage. If the wireless provider fails to repair damage to the right-of-way in compliance with this division within 30 calendar days after written notice, the county may repair such damage and charge the applicable party the reasonable, documented cost of such repairs; provided, however, that the wireless provider may request additional time to make such repairs, and the county shall not unreasonably deny such a request.~~
- J. ~~**Discontinuation of Use.** A wireless provider shall notify the County at least 30 days before its abandonment of a small wireless facility in the right-of-way. Following receipt of such notice, the County may direct the wireless provider to remove all or any portion of the small wireless facility if the County determines that such removal is in the best interest of the public safety and public welfare. If the wireless provider fails to remove the abandoned facility within 90 days after such notice, the County may undertake to do so and recover the actual and reasonable expenses of doing so from the wireless provider, its successors, or assigns.~~
- K. ~~**Removal and Relocation.** The small wireless facility must be removed or relocated at the wireless services provider's expense at the request of the County or the South Carolina Department of Transportation for the purpose of road maintenance, construction, or other work within the right-of-way adjacent to the wireless facility.~~

### **3.3.35 3.3.36 SPECIAL EVENT FACILITIES<sup>114</sup>**

#### **A. All Special Event Facilities.**

1. Special event facilities must include improvements to accommodate special events, including access and circulation improvements, parking areas, water supplies & sewer systems, gathering areas, and other physical improvements necessary to accommodate special events.
2. All structures must comply with all applicable health, fire, building, and life safety requirements.<sup>115</sup>

#### **B. Special Event Facilities in Residential Districts.**

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<sup>114</sup> This Subsection carries forward the use conditions for special event facilities in Section 6:2(30), except Paragraph A.a. (scaled site plan) which is redundant to the Certificate of Use requirements in UDO Subsections 3.1.3: *Certificate of Use Required* and UDO Section 15.3: *Certificate of Use*. This Subsection also eliminates specific sign regulations; all establishments must comply with the sign code.

<sup>115</sup> This condition was added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

1. *Accessory Use Only.* Special event facilities may only be allowed in the RR-3, RR-1, R-S, R-6 through R-20, R-20A, R-M8 through R-M20, R-MA, and R-MHP districts as an accessory use to a lawful principal use.
2. *Off-Street Parking.* Off-street parking shall be contained on-site.

C. **Special Event Facilities in the AG District.**<sup>116</sup>

1. All parking shall comply with **Article 5: Parking & Loading.**
2. All signage must comply with all requirements as stated in the Greenville County Sign Ordinance.
3. If the property is adjacent to a parcel containing a ~~single-family residential-used detached house dwelling~~, then all activity must be set back at least 150 feet to the property line containing the ~~single-family residential-used detached house dwelling~~.

~~3.3.36~~ **3.3.37 THEATERS (DRIVE-IN), THEATERS (OUTDOOR), AND AMPHITHEATERS**<sup>117</sup>

- A. **Minimum Separation Between Uses and Districts.** All screens and stages associated with a new drive-in theater, outdoor theater, or amphitheater shall be located at least 500 feet from:
1. Any lots located in AG, ESD-PM, or any residential zoning district; and
  2. Any lots containing dwelling units, whether or not such lots are located in the incorporated or unincorporated area of Greenville County.
- B. **Orientation of Screen or Stage.** All screens and stages associated with a drive-in theater, outdoor theater, or amphitheater shall be sited and oriented so as to limit visibility from adjacent lots and rights-of-way.
- C. **Maximum Capacity.**<sup>118</sup> A drive-in theater shall have a maximum capacity of 350 automobiles.
- D. **Vehicular Access and Circulation.**

<sup>116</sup> These conditions were added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>117</sup> These are new uses.

<sup>118</sup> Drive-in theaters range in capacity from 150 to 1,500 or more cars, with the largest drive-ins accommodating 3,000 cars. "In 2014, the average drive-in theatre had 1.7 screens and capacity for 500 vehicles. Most drive-ins had just one or two screens: 61% of drive-ins had just one screen, with an average capacity per screen of 383 vehicles. 22% of drive-ins had two screens with an average capacity per screen of 278 vehicles" [Fox, Mark. (2015). [The Economics of Drive-in Theatres: From Mainstream Entertainment to Nostalgia on the Margins](#). Economics, Management and Financial Markets. 10. 43-56.]. For reference purposes, Greenville County requires three parking spaces per 1,000 sf of leasable floor area for retail uses; a 350-car capacity drive-in theater is approximately equivalent to a parking lot for a 116,650 sf retail development.

1. *Vehicular Access.* The site shall have access from an arterial street.
2. *Separate Entrances and Exits Required.*
  - (a) Separate vehicular entrances and exits shall be provided.
  - (b) Entrances and exits shall meet the curb cut separation and other requirements specified in [Article 12: Access & Connectivity](#).
3. *Circulation Plan.* The applicant for a drive-in theater, outdoor theater, or amphitheater use shall submit a vehicular circulation plan that demonstrates:<sup>119</sup>
  - (a) Adequate space for vehicle queuing will be provided on-site at each vehicular entrance to reduce congestion on adjacent roads;
  - (b) An adequate number of vehicular entrances and exits are provided based on the maximum capacity of the theater; and
  - (c) The site design provides sufficient drive aisle width, turning radii, and vertical clearance for access by fire and emergency apparatus.

**E. Parking Areas.**

1. Accessible parking spaces and drive aisles shall be paved, but all other parking spaces may be surfaced with pervious materials including grass.
2. Drive-in theaters are not subject to the parking lot landscaping requirements in [Article 5: Parking & Loading](#).
3. All other applicable provisions of [Article 5: Parking & Loading](#) apply to the use.

**F. Screening.<sup>120</sup>**

1. All drive-in theater, outdoor theater, and amphitheater uses shall be screened by a wall, fence, berm, evergreen screening plant material, or a combination of these elements with a minimum height of 6 feet above grade.
2. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height. Individual plantings shall be spaced not more than 5 feet apart.

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<sup>119</sup> These uses require Special Exception approval, so the Board of Zoning Appeals will determine whether the circulation plan is sufficient.

<sup>120</sup> These are the same screening requirements that currently apply to big box retail uses (ZO Section 6:2(26)H.).

3. Berms shall have a side slope no greater than 3:1.

### ~~3.3.37~~ 3.3.38 TOWNHOUSES & DUPLEXES<sup>121</sup>

- A. Townhouses (~~single-family attached dwellings~~) and duplexes (~~two-family dwellings~~) are allowed subject to the district requirements and the conditions specified in this Subsection.
- B. In R-20, R-20A, R-15, and R-12, the units must be located within a subdivision submitted and reviewed under **Section 11.6: Open Space Residential Subdivisions**.
- C. In R-10, R-7.5, and R-6, the units are subject to the following:<sup>122</sup>
1. For townhouses, side setbacks for interior units may be reduced to 0 feet. The minimum setback between an end townhouse unit and its side lot line is the same as the district minimum.
  - 1.2. If a duplex is located on two separate lots, the side setback at the common wall may be reduced to 0 feet.
  - 2.3. No more than 6 townhouse units shall be joined together with the same or staggered minimum required front setback. This requirement is not eligible for a variance.
  - 3.4. If a development is proposed with staggered front setback lines, the unit that is established closest to the front property line must maintain ~~a 20-foot~~ the minimum front setback required for the zoning district. No building will be allowed to encroach beyond the established minimum required front setback nor shall any building encroach more than 25% in depth of the adjoining building.
  - 4.5. Five-foot sidewalks are required in these developments.
  - 5.6. Lot averaging may be utilized.
  - 6.7. Roof pitch for all townhouses must be at least 4:12.

<sup>121</sup> This Subsection carries forward the use conditions for Single-Family Attached Dwellings and Two-Family Dwellings from ZO Sec. 6:2(10).

<sup>122</sup> This Paragraph removes the requirements pertaining to minimum front setbacks and minimum lot widths, since they are the same as those required by the base districts (see Article 2, Subsection 2.3.5: *Single-Family Residential Districts*).

**~~3.3.38~~3.39 VEHICLE REPAIR & STORAGE<sup>123</sup>**

- A. **Applicability.** This Subsection applies to establishments that operate the following vehicle repair and storage uses:
1. Vehicle repair facility;
  2. Automobile service facility; and
  3. Vehicle storage facilities, including automobile, boat, motorcycle, and RV storage and repair.
- B. **Vehicle Storage Areas.** A vehicle storage area is the portion of the property intended for the parking of vehicles being repaired or being serviced in connection with the repair or service facility. Vehicles may be arranged in this area in any manner that allows adequate emergency access as outlined in applicable codes.
1. *Temporary Storage of Vehicles.* A vehicle undergoing repairs or service must not be stored by the repair or service facility for more than 30 days.
  2. *Setbacks.* If a vehicle sales and rental use includes vehicle storage areas, the vehicle storage areas must be set back at least:
    - (a) 100 feet from any road right-of-way; and
    - (b) 15 feet from a property line abutting a residential use or residential district.
  3. *Screening.*
    - (a) Vehicle storage areas must be screened by an opaque wall, fence, or evergreen plant material or a combination thereof measuring at least ~~eight~~8 feet in height.
    - (b) If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 8 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
  4. *Storage of Wrecked, Damaged, Dismantled, or Inoperable Vehicles.*
    - (a) Wrecked, damaged, or dismantled vehicles must not be stored on lots in the C-2 and C-3 Commercial Districts. Inoperable vehicles that are being repaired or serviced in connection with the repair or service facility may be stored in the

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<sup>123</sup> This section significantly expands the use regulations for the storage of vehicles while they are being repaired and serviced. The current version is § 6:2(2). This version applies the setback and screening requirements for storage of vehicles from the Auto Sales and Rental use regulations (§ 6:2(31)) to repair and service facilities.

storage area while they are being serviced and must be parked overnight inside a building or in the storage area during this time.

- (b) Wrecked, damaged, dismantled, or inoperable vehicles may be stored on lots in the S-1 Service District if the vehicles are being repaired by or in connection with the repair and service facility.
- (c) Storage of wrecked, disassembled, damaged, and inoperable vehicles for more than 30 days is subject to the requirements of County Junk Yard Ordinance #1777.

### ~~3.3.393~~ **3.3.40 VEHICLE SALES & RENTAL**<sup>124</sup>

- A. **Applicability.** This subsection applies to establishments that operate the following vehicle sales and rental uses:
  - 1. Vehicle sales and rental, including automobiles, boats, and recreational vehicles; and
  - 2. Personal motorized vehicle sales, service, and rental.
- B. **Minimum Lot Size.**
  - 1. The minimum parcel size for vehicle sales and rental is one acre.
  - 2. If the lot includes multiple uses or tenants that require separate zoning permits, only the area designated for vehicle sales and rental use will be calculated to meet the minimum parcel size requirement.
- C. **Design of Sales and Rental Area.** The sales and rental area is the outside area intended for display or placement of vehicles for sale or rent. The sales and rental area must be clearly demarked from storage and parking areas. The sales and rental area must be paved, and the surface must be striped to identify drive aisles and spaces for individual vehicles for sale or rental.
  - 1. *Dimensions of Parking Spaces for Vehicle Sales and Rental Areas.*
    - (a) Parking spaces in the vehicle sales and rental area must measure no less than 9 feet wide by 20 feet deep unless approved by the Zoning Administrator pursuant to this section.

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<sup>124</sup> This subsection carries forward the conditional use regulations for automobile and personal motorized vehicle sales and rental contained in §6:2(31) and expands the scope to include boat and recreational vehicle sales and rental.

- (b) The Zoning Administrator may allow for a reduction in size of sales and rental spaces for vehicles that are customarily smaller than automobiles, such as motorcycles or golf carts.
  - 2. *Drive Aisles.* Drive aisles must be at least 20 feet wide.
  - 3. *Fencing.* Chain link fencing is not permitted around the sales and rental area.
- D. **Vehicle Storage Areas.** A vehicle storage area is the portion of the property intended for the parking of vehicles being prepared for sale or rental or being serviced in connection with the sales and rental business. Vehicles may be arranged in this area in any manner that allows adequate emergency access as outlined in applicable codes.
- 1. *Setbacks.* If a vehicle sales and rental use includes vehicle storage areas, the vehicle storage areas must be set back at least:
    - (a) 100 feet from any road right-of-way; and
    - (b) 15 feet from a property line abutting a residential use and/or district.
  - 2. *Screening.*
    - (a) Vehicle storage areas must be screened by an opaque wall, fence or evergreen plant material or a combination thereof measuring at least ~~eight~~8 feet in height.
    - (b) If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 8 feet in height. Individual plantings shall be spaced not more than 5 feet apart.
  - 3. *Storage of Wrecked, Damaged, Dismantled, or Inoperable Vehicles.*
    - (a) Wrecked, damaged, or dismantled vehicles must not be stored on lots in the C-2 and C-3 Commercial Districts. Inoperable vehicles that are being serviced in connection with the sales and rental business may be stored in the storage area while they are being serviced and must be parked overnight inside a building or in the storage area during this time.
    - (b) Wrecked, damaged, dismantled, or inoperable vehicles may be stored on lots in the S-1 Service District if the vehicles are being repaired by or in connection with the sales and rental business. The storage of a vehicle undergoing repairs must not exceed 30 days.
- E. **Parking.** Vehicle sales and rental uses must comply with the minimum parking requirements outlined in Article 4: *Parking and Loading* but must provide at least three parking spaces. Shared or remote parking is not permitted for this use.

**F. Landscaping.**

1. *Roadside Buffer.* Vehicle sales and rental uses must provide a buffer based on the following standards.
  - (a) The minimum roadside buffer width shall be eight feet from the edge of pavement or curb. The roadside buffer shall be planted with grass or other living landscape material.
  - (b) Within the roadside buffer, an average of one shade tree for every 60 feet of linear road frontage shall be planted, spaced so that there is a minimum of one tree for every 200 linear feet of road frontage.
  - (c) Shade trees shall have a minimum planting size of two (2) inches measured eighteen (18) inches above grade.
  - (d) Where existing overhead power utility lines preclude sufficient space for a shade tree to grow then two small trees may be substituted for each required shade tree.
  - (e) Small trees and multi-stem trees shall be at least six feet tall at the time of planting.
  - (f) The species of trees used to meet the requirements of this Subpart should comply with the plant list in [Section 6.2: Perimeter and Right-of-Way Buffers](#).
  - (g) No vehicles or fencing, or signage are permitted within the roadside buffer.
2. *Interior Plantings.* Interior plantings outlined in [Section 5.4: Parking Lot Landscaping](#) are not required for the sales and rental area or vehicle storage area on a vehicle sales and rental lot.
3. *Screening and Buffering.* All other screening and buffering shall be provided in accordance with the provisions set forth in [Section 6.2: Perimeter and Right-of-Way Buffers](#).

## 3.4 ACCESSORY USES

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### 3.4.1 APPLICABILITY

- A. This Section applies to any subordinate use of a building or other structure or a use of land that is:
1. Conducted on the same lot as the principal use to which it is related; and
  2. Clearly incidental to, and customarily found in connection with, the principal use or structure.
- B. Where Section 3.2: *Use Table* allows a principal use or structure, the principal use or structure also includes accessory uses and structures, subject to the regulations in this Section.

### 3.4.2 ESTABLISHMENT

**A. Permitted Accessory Uses and Structures.**

1. Accessory uses and structures that are subordinate and incidental to and customarily associated with the principal use or structure and that are located on the same lot with the principal use are generally allowed, subject to the regulations in this Section.
- 1-2. Any principal use allowed in a district is also allowed as an accessory use, subject to Paragraph 3.4.2.B., below.

**B. ~~Principal~~ Use Conditions Apply.**

1. Accessory uses and structures shall comply with any applicable use conditions specified in this Section.
2. An accessory use that may alternatively be established as a principal use shall comply with this Section and with any standards in Section 3.3: *Conditional & Special Exception Uses*, that apply to such principal use in the zoning district in which the accessory use is located.

B-C. **Use Must be Accessory.** Accessory uses and structures shall not be constructed or established without an associated principal structure or use. An accessory structure may be constructed at the same time as the principal structure. However, a certificate of occupancy for the accessory structure shall not be issued prior to the certificate of occupancy for the associated principal structure.

**C.D.** **Accessory Use Must be Located on Same Lot as Principal Use.** An accessory use or structure may only be located on the same lot as the principal structure or use that it serves. An accessory use or structure may not be established on a vacant lot.

### **3.4.3 MAJOR & MINOR ACCESSORY STRUCTURES DEFINED<sup>125</sup>**

**A.** **Generally.** For the purposes of this Section, accessory structures are categorized as major or minor depending on their characteristics.

**B.** **Major Accessory Structures.**

- 1.** Major accessory structures are substantial structures that are generally obvious from outside the parcel and vary by district and associated principal land use. Major accessory structures require issuance of a building permit prior to construction or placement.
- 2.** Examples of major residential accessory structures include detached garages and carports, storage sheds, workshops, utility buildings, gazebos, pergolas, barns and stables, recreation areas (private), outdoor kitchens, and outdoor fireplaces.
- 3.** Examples of major commercial and industrial accessory structures include detached garages, storage buildings, utility buildings, garbage dumpster surrounds and pads, loading docks, and storage tanks.

**C.** **Minor Accessory Structures.**

- 1.** Minor accessory structures include structures that are not unique to a particular land use. Minor accessory structures do not require issuance of a building permit prior to construction or placement.
- 2.** Examples include landscape features such as ornamental pools, planting boxes, sculptures, bird baths, and open terraces; walkways; driveways; walls and fences; shelters for pets; playhouses; open stairs; flagpoles; light fixtures; underground fallout shelters; air conditioning compressors; pump houses and wells; mailboxes; gatehouses; burial vaults; utility lines; and transit shelters.<sup>126</sup>

<sup>125</sup> This Subsection proposes two tiers of accessory uses and structures—major and minor. Major accessory uses and structures are subject to district setback requirements and require a building permit, while minor accessory uses and structures are not subject to setbacks nor do they require a building permit. This is proposed in order to simplify the definition of “structure,” which currently expressly excludes a number of structures solely to exempt such structures from setback requirements.

<sup>126</sup> These examples of minor accessory uses and structures are the exceptions listed in the current Zoning Ordinance definition of “structure.” However, the list here in 3.4.3.C.2 excludes recreational equipment, game courts, and swimming

**3.4.33.4.4 DIMENSIONAL STANDARDS**

Accessory ~~uses and~~ structures are subject to the dimensional standards specified ~~for the zoning district in which the accessory use or structure is located (see Article 2: Zoning Districts)~~ in Table 3.4.4-1: Setbacks and Height for Accessory Structures, except where different standards are provided in this Section.

**Table 3.4.4-1: Setbacks and Height for Accessory Structures**

<u>Accessory Use or Structure</u>	<u>Setbacks (min)</u>				<u>Height (max)</u>
	<u>Front</u>	<u>Side (Internal)</u>	<u>Side (Corner Lot)</u>	<u>Rear</u>	
<u>Major Accessory Uses and Structures, unless otherwise listed</u>	Same as zoning district (see Article 2: <i>Zoning Districts</i> )				
<u>Minor Accessory Uses and Structures, unless otherwise listed</u>	0 ft	0 ft	0 ft	0 ft	Same as zoning district (see Article 2: <i>Zoning Districts</i> )
<u>Boathouses</u>	See Section 3.4.8				
<u>Columbaria</u>	See Section 3.4.10				
<u>Farmstands (Permanent)</u>	See Section 3.4.13				Same as zoning district (see Article 2: <i>Zoning Districts</i> )
<u>Recreation Areas (Private)</u>	See Section 3.4.17				Same as zoning district (see Article 2: <i>Zoning Districts</i> )
<u>Recycling Drop Boxes</u>	See Section 3.4.18				Same as zoning district (see Article 2: <i>Zoning Districts</i> )

**Key:** min = minimum required | max = maximum allowed | ft = feet

pools, which are regulated in Subsection 3.4.17: Recreation Areas (Private). This list also excludes outdoor fireplaces, which are considered a major accessory structure pursuant to staff input.

**3.4.43.4.5 ACCESSORY DWELLINGS<sup>127</sup>****A. Purpose.** The purpose of this Subsection is to:

1. Provide supplemental standards for accessory dwellings ~~units~~ in order to promote the development of a diverse and affordable housing stock;
2. Promote the public health, safety, and general welfare; and
3. Implement the Comprehensive Plan.

**B. Applicability.**

1. Accessory dwellings ~~units~~ are allowed as:
  - (a) A conditional accessory use to a ~~single-family~~ detached house dwelling in the AG, R-R3, R-R1, R-S, R-20-R-6, R-20A, R-M8, R-M10, R-M16, R-M20, and R-MA Districts; and
  - (b) A special exception accessory use to a school or park in any district.
2. This Subsection does not apply to caretaker/watchman's quarters, which are subject to the regulations in Subsection 3.4.9: *Caretaker/Watchman's Quarters*.

**C. Accessory Dwellings for Detached Houses.****3-1. Prohibited Dwelling Types.**

- (a) A mobile home, recreational vehicle, tiny house on wheels, travel trailer, or camper shall not be used as an accessory dwelling ~~unit~~.
- (b) In the AG District, a manufactured home may be used as an accessory dwelling ~~unit~~ if it meets all requirements in this Subsection and the requirements for manufactured homes in **Article 4: Use Regulations for Zoned & Un-Zoned Areas**. A manufactured home shall not be used as an accessory dwelling ~~unit~~ in any other district, except as a temporary accessory dwelling in accordance with Subsection 3.5.11: *Temporary Accessory Dwellings*.

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<sup>127</sup> This section significantly expands the use of accessory dwelling units (ADUs) to implement Plan Greenville County, Objective G-2, Strategy 5, and to codify the County's current practice of allowing single-family homes to have attached "mother-in-law suites." Under the previous regulation, accessory dwelling units were allowed in commercial districts and as caretaker residences for schools and parks. The proposed regulations allow attached ADUs by right in all residential districts, allow attached or detached ADUs on 2+ acre lots, and set dimensional standards to ensure that ADUs are appropriately sized and set back from property lines. This Subsection carries forward the recently adopted use conditions for ADUs located in the AG District (Sec. 6:2(9)2.).

4.2. *Limit on Number of Accessory Dwelling Units.* Only one accessory dwelling unit may be constructed or established per lot.

5.3. *Configuration.*

~~(a) Lots Less Than Two Acres in Area. On lots less than 2 acres in area, an accessory dwelling unit shall be located within or attached to the principal dwelling unit.~~

~~(b)~~(a) Lots Two Acres or More in Area ADUs in ESD-PM, R-R3, R-R1, and R-S. On lots that are 2 acres or more in area located in the ESD-PM, R-R3, R-R1, and R-S Districts, an accessory dwelling unit may be located:

(1) Within or attached to the principal dwelling unit; or

~~(2)~~ In a separate building detached from the principal dwelling unit, including within the same structure as the garage, if:

~~(3)~~ The lot area is at least twice the minimum required for the zoning district; and

~~(2)~~ The accessory dwelling unit is situated on the lot such that all applicable lot area, lot width, beside or behind the principal dwelling and meets the setbacks requirements are met for both dwellings as if they were established on individual lots for the principal dwelling.

~~(b) Lots Less Than Two Acres in Area ADUs in All Other Districts. On lots less than 2 acres in area in all other zoning districts, an accessory dwelling unit shall be located within or attached to the principal dwelling unit.~~

6.4. *Dimensional Standards.*

(a) *Setbacks.* An accessory dwelling unit must comply with all applicable setbacks for the district in which it is located.

(b) *Maximum Size.* The gross floor area of an ~~attached~~ accessory dwelling unit, ~~whether attached or detached,~~ must not exceed ~~50% of the gross floor area of the principal dwelling unit on the lot~~ 800 square feet.

7.5. *Required Features.*

(a) *Living Facilities.* An accessory dwelling unit must contain a kitchen and at least one bedroom and at least one full bathroom.

~~(b) *Parking Requirement.* An accessory dwelling unit must have at least one off-street parking space per bedroom, in addition to the parking spaces required for the principal dwelling unit.~~

~~(e)~~(b) *Materials and Design.* An accessory dwelling unit must have the same or similar roof pitch, roofing material, siding material, and exterior color palette as the principal dwelling unit.

C.D. **Accessory Dwellings Units for Schools and Parks.**

1. *Special Exception Use Standards.*
  - (a) An accessory dwelling unit may be allowed on lot whose principal use is a public or private school or a park with a special exception permit from the Board of Zoning Appeals (BZA).
  - (b) The BZA may grant the exception to continue indefinitely, until a certain time, or subject to periodic review by the BZA.
  - (c) The BZA may impose any other requirements which it deems necessary and appropriate in order to ensure that the accessory dwelling unit will have a minimum impact on adjoining uses and the character of the neighborhood.
  - (d) In determining whether to grant or deny a special exception, the BZA may consider the following factors:
    - (1) The availability of professional law enforcement service;
    - (2) History of criminal incidents in the vicinity;
    - (3) Experience of crime or damage at the school in question;
    - (4) The adequacy of alternate means of securing the premises;
    - (5) The location and placement of the accessory dwelling unit on the site;
    - (6) The design quality of the accessory dwelling unit; and
    - (7) Other aspects of the proposed accessory dwelling unit, site, or use.
2. *Limit on Number of Accessory Dwelling Units.* Only one accessory dwelling unit may be allowed on a lot whose principal use is a public or private school or a park.
3. *Location Standards.* The following location standards apply to an accessory dwelling unit on a lot used as a school or park:
  - (a) An accessory dwelling unit must not be located in the front yard of a school; and
  - (b) An accessory dwelling unit must comply with all applicable district setbacks.

4. *Prohibited Dwelling Types.* A manufactured home, mobile home, recreational vehicle, tiny house on wheels, travel trailer, or camper shall not be used as an accessory dwelling unit.

### ~~3.4.5~~ 3.4.6 AGRITOURISM<sup>128</sup>

- A. **Purpose.** The purpose of this Subsection is to:
  1. Support agricultural uses to promote economically self-supporting farms;
  2. Preserve the character of rural areas, including agricultural uses and scenic views;
  3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
  4. Support local and regional tourism by encouraging the development of opportunities for visitors and residents to experience heritage and cultural tourism; and
  5. Encourage entrepreneurship and remove barriers to the establishment of small businesses;
  6. Promote the public health, safety, and general welfare; and
  7. Implement the Comprehensive Plan.
- B. **Applicability.** Agritourism is allowed as a conditional accessory use to farming activities in the AG, RU-V, RU-C, R-R3, R-R1, and R-S Districts. All agritourism uses must comply with the conditions of this Subsection and UDO standards applicable to principal uses (e.g., parking, loading, and outdoor lighting).
- C. **Establishment and Use.**
  1. *In General.* Agritourism use is an activity carried out on a working farm or ranch that allows the public to participate in rural activities for recreational, entertainment, or educational purposes. Agritourism uses must be incidental to and directly supportive of the agricultural use of the property and shall not have significant impacts on the agricultural viability or rural character of neighboring properties.<sup>129</sup>

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<sup>128</sup> This Subsection carries forward and expands the conditions for agritourism that were added to the Zoning Ordinance in conjunction with adoption of the Agricultural Preservation District (November 2021).

<sup>129</sup> From Lancaster County, Pennsylvania.

2. *Participation in State Agritourism Program Required.* Agritourism uses may only be maintained by members of the [South Carolina Agritourism Association](#), a program managed by the South Carolina Department of Agriculture.
- D. **Maximum Number of Participants.** Agritourism uses must ~~only~~ be designed to accommodate 500 or fewer customers or participants.<sup>130</sup>
- E. **Hours of Operation.**
1. Staff may begin work no earlier than 5:00 a.m. and work no later than 11:00 p.m.
  2. Open hours to the general public may be between 7:00 a.m. and 10:00 p.m.
- F. **Screening Adjacent to R-R1 and R-S.** When an agritourism use is located within 300 feet of a parcel zoned R-R1 or R-S, a Type C buffer shall be provided along the common property line in accordance with [Article 6: Tree Preservation, Buffers, & Screening](#).<sup>131</sup>
- G. **Parking.** Off-street parking must be provided in accordance with [Article 5: Parking & Loading](#) except that parking may be constructed of pervious materials. However, accessible parking spaces must be constructed in accordance with ADA Standards for Accessible Design.
- H. **Safety.** All structures associated with an agritourism use shall comply with all applicable health, fire, building, and life-safety requirements.
- I. **Operational Plan Required.** In conjunction with the conditional use application, the applicant must submit an operational plan that includes, at a minimum, the following information:
1. Type of agritourism activity(ies) offered;
  2. Anticipated dates and hours of operation; and
  3. Anticipated number of participants.

### ~~3.4.63.4.7~~ 3.4.7 BACKYARD CHICKENS<sup>132</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Support limited agricultural uses in residential areas to allow residents to access safe, convenient, and economical food resources;

<sup>130</sup> Any activities that attract more than 500 participants would require approval of a special event temporary use (see Section 3.5.9: *Special Events*).

<sup>131</sup> This provision will be reviewed and possibly revised in conjunction with Article 6: *Trees, Buffers, & Screening*.

<sup>132</sup> This Subsection carries forward the current regulations on domestic chickens in § 6:2(29).

2. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
3. Promote the public health, safety, and general welfare; and
4. Implement the Comprehensive Plan.

**B. Applicability.**

1. *Scope.* This Subsection does not limit the right to raise and keep farm animals and livestock in districts where the use is allowed under other applicable regulations.
2. *Allowed Districts.* This Subsection allows the conditional accessory ~~residential~~ use of raising and keeping domesticated chickens, subject to the conditions of this ~~s~~Subsection, in the following districts:
  - (a) R-6, R-7.5, R-10, R-12, R-15, ~~and R-20, and R-20A~~ Single-Family Residential Zoning Districts;
  - (b) R-M8, R-M10, R-M16, R-M20 Mixed Residential Zoning Districts;
  - (c) R-MA Multiplex-Family Residential Zoning District; and
  - (d) On lots with ~~single-family detached house, townhouse, two-family duplex~~, or multiplex-family residential uses that are located in non-residential zoning districts.

**C. Conditions of Use.** The following conditions apply to the keeping and raising chickens as a residential accessory use:

1. No more than 8 chickens are permitted on a single property;
2. Roosters are prohibited;
3. Chickens must be confined to the backyard of the property and must not be allowed to roam off the owner's property;
4. Chickens must be maintained in a healthy and sanitary manner to avoid potential health hazards or offensive odors;
5. Pens, coops, and enclosures are accessory structures and must meet all applicable provisions of this Ordinance relating to accessory structures;
6. If a property owner keeps chickens without a pen, coop, or enclosure, the area where the chickens are kept must be fenced;

7. Pens, coops, and enclosures must meet all setback and location requirements for accessory structures.

D. **Effect on Private Property Controls.** This Ordinance does not override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.

### ~~3.4.7~~ 3.4.8 BOATHOUSES<sup>133</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Preserve the character of waterfront areas by minimizing the effects of visual clutter along the waterfront; and
2. Promote the public health, safety, and general welfare.

B. **Applicability.** Boathouses are permitted as an accessory use to a principal residential use.

C. **Boathouses Not to Be Used as Dwellings.** Boathouses shall not be used as a temporary or permanent residences.

D. **Maximum Height.** A boathouse shall not exceed one story or 16 feet in height.

E. **Setbacks.** The zoning district rear setback may be reduced to zero feet for the express purpose of locating a boathouse along the shore of a lake or navigable body of water.

### ~~3.4.8~~ 3.4.9 CARETAKER/WATCHMAN'S QUARTERS<sup>134</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Provide supplemental standards for caretaker/watchman's quarters in order to preserve the commercial character of non-residential districts; and
2. Promote the public health, safety, and general welfare.

B. **Conditions on Caretaker/Watchman's Quarters Use.** The caretaker/watchman's quarters shall not interfere with the operation of the principal use, nor shall the operation being carried on by

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<sup>133</sup> This Subsection carries forward the current regulations for boathouses in § 6:2(5) and § 7:3.5.

<sup>134</sup> This Subsection carries forward the current regulations for accessory dwelling units in § 6:2(9) and applies them to a new use, "caretaker/watchman's quarters." This is intended to distinguish this use from Accessory Dwelling Units, which are proposed to be allowed as an accessory use to detached single-family residential uses.

the principal use create conditions which are adverse or hazardous to the person or persons occupying the caretaker/watchman's quarters.

- C. **Limit on Number of Caretaker/Watchman's Quarters.** Only one caretaker/watchman's quarters may be constructed or established per lot.
- D. **Configuration.** In the OD, C-1, C-2, and C-3 districts, the caretaker/watchman's quarters shall be located entirely within the structure containing the principal use.

#### **3.4.93.4.10 COLUMBARIA<sup>135</sup>**

- A. **Applicability.** Columbaria are allowed as an accessory use to a cemetery or religious institution.
- B. **Height.** Columbaria are limited to a maximum height of 8 feet.
- C. **Appearance.** Columbaria shall be constructed of brick or stone, or similar durable material.
- D. **Setbacks.** Columbaria shall be located at least:
  1. 50 feet from property lines of adjacent residentially-zoned property; and
  2. 25 feet from all road rights-of-way.

#### **3.4.103.4.11 DAY CARE CENTER IN A RELIGIOUS FACILITY<sup>136</sup>**

- A. **In General.** A day care center that is accessory to a religious facility may be permitted subject to the district requirements and the conditions of this Subsection.
- B. **Floor Area.** The day care center must not occupy more than 25% of the floor area of the religious facility, not including the sanctuary. The applicant must submit a floor plan with the application that designates the day care center operation area and the religious facility operation area.
- C. **Vehicular Access.** The site should be designed so that traffic from the day care center will not have an adverse impact on existing streets and residential areas.
- D. **Building Design.** The day care center should be constructed of materials and in a style that is similar to the religious facility.

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<sup>135</sup> This Subsection carries forward the current regulations for columbaria in ZO Section 6:2(8).

<sup>136</sup> This subsection carries forward the conditional use regulations for day care centers in a church contained in §6:2(7) but removes limitations on signage. Signs are separately regulated by the Sign Ordinance.

- E. **Landscaping and Buffering.** Landscaping and screening of outdoor day care recreation areas must comply with the standards of [Section 6.2: Perimeter & Right-of-Way Buffers](#).

### ~~3.4.11~~ 3.4.12 FARM LABOR DWELLINGS<sup>137</sup>

- A. **Occupancy.** All dwellings must be used by ~~work laborers associated with~~ individuals that support the daily operation of the principal agricultural use.
- B. **Maximum Number of Dwelling Units Per Parcel.** May consist of one dwelling unit per 5 acres not to exceed 10 total units.
- C. **Manufactured Homes Allowed.** A maximum of one farm labor dwelling per parcel may consist of a manufactured home.
- D. **Recreational Vehicles Prohibited.** A recreational vehicle shall not be used as a farm labor dwelling.
- E. **Sewage System Required.** Farm labor dwellings shall be connected to a public sewer system or shall adhere to all applicable SCDHEC requirements for septic tanks.

### 3.4.13 FARMSTANDS (PERMANENT)

- A. **Vehicular Access.** Permanent farmstands shall provide safe ingress and egress. Vehicles must be able to enter and exit the site without using a right-of-way for maneuvering area.
- B. **Setbacks.** Permanent farmstands shall be located at least 5 feet from the edge of the right-of-way.

### ~~3.4.12~~ 3.4.14 HOME OCCUPATIONS<sup>138</sup>

- A. **Purpose.** The purpose of this Subsection is to:
1. Allow residents of the County to use their residences as places to enhance or fulfill personal economic goals, under certain specified standards, conditions, and criteria;

<sup>137</sup> This Subsection carries forward the use conditions for farm labor dwellings adopted in conjunction with the AG District (November 2021).

<sup>138</sup> This Subsection significantly revises the regulation of home occupations in § 6:2(13), which was raised in the RFP and by stakeholders. The revision attempts to maintain the current standards but creates a new list of home occupations that are allowed without a permit. In addition, the Subsection proposes a distinction between small and large lot home occupations that would allow more intensive home occupations in rural areas. Please refer to the comments and footnote on this proposed Subsection, below.

2. Ensure that home occupations are compatible with, and do not have a deleterious effect on, adjacent and nearby residential properties and uses;
3. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
4. Ensure that public and private services, such as streets, sewers, or water or utility systems, are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;
5. Enable the fair and consistent enforcement of these home occupation regulations;
6. Promote the public health, safety, and general welfare; and
7. Implement the Comprehensive Plan.

**B. Applicability.**

1. This Subsection applies to any occupation, profession, or business activity that is customarily conducted, incidental, and subordinate to the use of a dwelling unit for dwelling purposes. A home occupation is carried on by a resident of the dwelling unit and does not change the residential character of the dwelling unit.
2. A home occupation is allowed as a conditional accessory use to a dwelling unit in any zoning district if it meets the requirements of this Subsection.

**C. Home Occupation Permit Required.**

1. *Permit Required.* Except as provided by this Subsection, home occupations use may not be initiated, established, or maintained without a valid home occupation permit (see [Article 15: Zoning Procedures](#)).
2. *Validity.* After a home occupation permit has been issued, it must be renewed whenever there is a change in the type of use or the intensity of the approved use.

**D. Exempt Home Occupations.**<sup>139</sup> The activities listed in Paragraphs (1) through (6), below, are subject to all applicable home occupation regulations and standards of this Subsection, but are not required to obtain a home occupation permit, if all persons engaged in the home occupation reside on the premises:

1. Internet retail sales, such as the sale or resale of clothing and goods through online marketplaces;

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<sup>139</sup> This Subsection allows the least intensive uses without a permit in order to match resident's expectations, improve compliance, and alleviate permitting administration for staff. The scope of this list can be modified as needed.

2. Artists, sculptors, and composers, with no retail sales permitted on the premises except through internet retail sales;
3. Craft work, such as jewelry-making and pottery but excluding woodworking, with no retail sales permitted on the premises except through internet retail sales;
4. Home offices with no client visits to the home permitted;
5. Telephone answering and message services; and
6. Home-based food production operations, as defined by [S.C. Code § 44-1-143](#).

**E. Classification of Home Occupations by Lot Area.<sup>140</sup>**

1. *Classification of Home Occupations.* For the purposes of this Subsection, a home occupation use is classified as either a large lot home occupation or a small lot home occupation.
  - (a) A large lot home occupation is allowed on a lot that is at least 2 acres in size. Large lot home occupation uses may be more intensive than small lot home occupations.
  - (b) A small lot home occupation is allowed on a lot that is less than 2 acres in size. Stricter performance standards apply for small lot home occupation uses.
  - (c) Table 3.4.10-1: Home Occupation Uses identifies uses allowed as home occupations uses on large and small lots and those that are expressly prohibited as home occupations.
2. *Unlisted Uses.* New and unlisted uses may only be approved by a special exception permit from the Board of Zoning Appeals based on the performance standards for home occupations in Table 3.4.10-2.

**Table 3.4.10-1: Home Occupation Uses**

Use or Activity	Large Lot Home Occupation	Small Lot Home Occupation
Academic tutors	●	●
Automotive repair	<u>X</u>	<u>X</u>

<sup>140</sup> This Subsection proposes a distinction between large-lot and small-lot home occupations. The distinction allows more intensive uses on larger lots. This type of distinction allows for more home-based businesses in rural areas, including contractors, landscapers, etc. The criteria for each classification of home occupation can be modified based on feedback.

Table 3.4.10-1: Home Occupation Uses		
Use or Activity	Large Lot Home Occupation	Small Lot Home Occupation
Barber shops and beauty salons	●	●
Day care (with a maximum of six people)	●	●
Equipment repair and maintenance within an enclosed structure	●	X
Hotels or motels	X	X
Locksmiths	●	●
Massage services provided by a licensed massage therapist	●	●
Music, art, craft, or similar instruction	●	●
Professional offices, such as accountants and bookkeepers, attorneys, insurance agents, information technology professionals, notary publics, and secretarial and administrative services	●	●
On-site retail sales, except for the sale of products directly related to a service performed on-site, such as beauty products	X	X
Outdoor recreation	X	X
Public or private clubs	X	X
Restaurants or commercial food preparation (except home-based food production operations, as defined by <a href="#">S.C. Code § 44-1-143</a> )	X	X
Tailoring services	●	●
Tattoo and body piercing establishments	X	X
Woodworking	●	X

Key: ● = the use is allowed | X = the use is prohibited

3. *Performance Standards.* Home occupations shall comply with the performance standards set forth in Table 3.4.10-2: *Home Occupation Performance Standards.*

**Table 3.4.10-2: Home Occupation Performance Standards**

Performance Standard	Large Lot Home Occupation	Small Lot Home Occupation
The use is clearly incidental and secondary to residential occupancy and there is no alteration of the residential character of the premises.	●	●
The total area occupied by the home occupation does not exceed 5,000 square feet.	●	<u>X</u>
The use is conducted entirely within the principal dwelling or entirely within an accessory building.	<u>X</u>	●
If conducted within the principal dwelling, not more than 25% of the gross floor area of the principal dwelling is used for the conduct of the home occupation.	<u>X</u>	●
If conducted within an accessory building, the accessory building does not exceed 1,500 square feet or the gross floor area of the principal dwelling, whichever is less.	<u>X</u>	●
Any outdoor activities, other than outdoor storage, occur at least 200 feet from any dwelling not located on the same lot as the home occupation use.	●	<u>X</u>
Any outdoor storage meets the requirements in Subsection 3.4.12.E.4., below.	●	<u>X</u>
Storage of goods and materials occurs inside and does not include flammable, combustible, or explosive materials.	<u>X</u>	●
Displays of merchandise are not visible from the street.	●	●
There is no entrance or exit way specifically provided in the dwelling or on the premises for the conduct of a home occupation.	●	●
The use involves up to two non-resident employees working on-site.	●	<u>X</u>
The use involves up to one non-resident employee working on-site.	<u>X</u>	●
The home occupation receives not more than four client visits per day (limit one visit per day per each client).	<u>X</u>	●

**Table 3.4.10-2: Home Occupation Performance Standards**

Performance Standard	Large Lot Home Occupation	Small Lot Home Occupation
The home occupation receives not more than six client visits per day (limit one visit per day per each client), except as specified below.	●	<u>X</u>
A music, art, craft, or similar instruction use receives not more than 12 client visits per day (limit one visit per day per each client).	●	<u>X</u>
Client visits occur between 8:00 a.m. and 8:00 p.m.	●	●
Parking areas are located at least 10 feet from the road right-of-way.	●	<u>X</u>
Parking is provided only in the driveway.	<u>X</u>	●
Any commercial vehicle associated with the home occupation is not parked outside of an enclosed building on a regular basis, except those used primarily as passenger vehicles. <sup>141</sup>	<u>X</u>	●
Mechanized equipment is used only in a completely enclosed building.	<u>X</u>	●
Any equipment or process does not create audible or visual interference in any radio or television receivers on any adjacent lots.	●	●
Dust, odors, noise, vibration, or electrical interference or fluctuation are not perceptible beyond the property line.	●	●
Deliveries and pickups are made by carriers that typically serve residential areas and do not block traffic circulation.	●	●
Public facilities and utilities are adequate to safely accommodate equipment used for home occupation.	●	●

**Key:** ● = the performance standard applies | ~~{blank-cell}~~X = the performance standard does not apply

4. *Outdoor Storage Performance Standards for Large Lot Home Occupations.* Outdoor storage shall comply with the following standards:

<sup>141</sup> The proposed definition of “passenger vehicle” is “a motor vehicle, except for motorcycles and mopeds, designed for carrying 10 or fewer passengers and used primarily for the transportation of people.”

- (a) Storage is limited to materials related to the business and does not involve any hazardous materials; and
- (b) Materials shall not be stacked to a height exceeding 4 feet and shall not be visible from the public right-of-way or an adjacent lot or parcel zoned or occupied for residential use. Any screening required to comply with this Paragraph shall use wood or masonry fencing or a vegetative hedge.

~~3.4.133-1.1 HORSES IN RESIDENTIAL DISTRICTS<sup>442</sup>~~

~~A. Purpose The purpose of this Subsection is to:~~

- ~~1. Support limited equestrian uses in residential areas to allow residents to engage in recreation and leisure;~~
- ~~2.1. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;~~
- ~~3.1. Promote the public health, safety, and general welfare; and~~
- ~~4.1. Implement the Comprehensive Plan.~~

~~B. A. Applicability~~

- ~~1. Scope. This Subsection does not limit the right to raise and keep livestock in districts where the use is allowed under other applicable regulations.~~
- ~~2.1. Allowed Districts. This Subsection allows the conditional accessory residential use of raising and keeping domesticated horses and ponies subject to the conditions of this Subsection in the R-20, R-15 and ESD-PM Districts.~~

~~C. A. Lot Size Requirements~~

- ~~1. Horses and ponies may not be kept and raised on any lot smaller than 1.5 acres.~~
- ~~2.1. Only one horse or pony may be permitted for each ½ acre of lot area.~~

~~D. A. Conditions of Use~~

- ~~1. Accessory Structures. The landowner must provide an enclosed area or shelter for all livestock to be kept and fed.~~

<sup>442</sup> This Subsection carries forward the current regulations on domestic chickens in § 6:2(14). The revision removed an exception in the R-S District for the number of horses based on land area.

~~2.1. **Setbacks.** Accessory structures for keeping and feeding livestock may not be located within 50 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 50 feet in width.~~

~~3.1. **Transportation Corridor Improvements.** Additional setbacks required by **Article 12: Transportation Corridor Preservation** will be cumulative to the setbacks for accessory structures required by this Subsection.~~

~~**3.4.143-1.1 LIVESTOCK IN R-20A ZONING DISTRICT**<sup>443</sup>~~

~~A. **Purpose.** The purpose of this Subsection is to:~~

- ~~1. Support agricultural uses in the R-20A District to promote economically self-supporting farms;~~
- ~~2.1. Preserve the character of rural areas, including agricultural uses and scenic views;~~
- ~~3.1. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;~~
- ~~4.1. Promote the public health, safety, and general welfare; and~~
- ~~5.1. Implement the Comprehensive Plan.~~

~~B.A. **Applicability.**~~

- ~~1. **Scope.** This Subsection does not limit the right to raise and keep livestock in districts where the use is allowed under other applicable regulations and in un-zoned areas.~~
- ~~2.1. **Allowed Districts.** This Subsection allows the conditional accessory residential use of raising and keeping livestock as a conditional use subject to the conditions of this subsection in the R-20A District.~~

~~C.A. **Conditions of Use.**~~

- ~~1. **Accessory Structures.** The landowner must provide enclosed area or shelter for all livestock to be kept and fed.~~
- ~~2.1. **Setbacks.** Accessory structures for keeping and feeding livestock may not be located within 100 feet of any property line, except where the property line abuts a street, railroad, or watercourse at least 100 feet in width.~~

<sup>443</sup> This Subsection carries forward the current regulations on the conditional accessory use of livestock farming in § 6-2(25).

### 3.4.15 OUTDOOR RETAIL DISPLAYS<sup>144</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Identify locations and conditions for merchants to display products offered for sale outdoors for customer access;
2. Preserve the aesthetics and scenic views from the public right-of-way;
3. Improve traffic safety by reducing visual clutter and the risk of driver distraction in the public right-of-way;
4. Preserve the character of residential areas by minimizing the effects of dust, noise, and odors on adjacent residents;
5. Promote the public health, safety, and general welfare; and
6. Implement the Comprehensive Plan.

B. **Applicability.**

1. This Subsection applies to the use of accessory outdoor retail displays, which is a conditional use in the C-1, C-2, C-3, and RU-C Districts.
2. This Subsection does not apply to outdoor storage uses, which are subject to the use regulations in Subsection 3.4.16: *Outdoor Storage*.

C. **Conditions of Outdoor Retail Display Use.**

1. *Site Plan Review.* The outdoor retail display area shall be designated as such on the site plan. No outdoor retail display is allowed in other areas.
2. *Location.* Outdoor retail displays shall:
  - (a) Be located to the side or rear of the principal building or within 25 feet in front of the building façade; and
  - (b) Not be located within an ADA accessible route, landscaped area, right-of-way, or required parking space.
3. *Screening.* When located to the side or rear of a building, an outdoor retail display area must be screened from adjacent street rights-of-way ~~with the fencing or evergreen~~

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<sup>144</sup> This new section regulates outdoor retail displays based on feedback from the stakeholders.

~~vegetative materials required in accordance with the requirements in Section 56.2: Add Citation When Drafted Perimeter & Right-of-Way Buffers.~~

### 3.4.16 OUTDOOR STORAGE<sup>145</sup>

A. **Purpose.** The purpose of this Subsection is to:

1. Identify locations and conditions for contractors, manufacturers, and other businesses to store goods, including inventory and raw materials, outdoors;
2. Preserve the aesthetics of and scenic views from the public right-of-way;
3. Improve traffic safety by reducing visual clutter and the risk of driver distraction in the public right-of-way;
4. Preserve the character of residential areas by minimizing the effects of visual clutter, dust, noise, and odors on adjacent residents;
5. Promote the public health, safety, and general welfare; and
6. Implement the Comprehensive Plan.

B. **Applicability.**

1. This Subsection applies to accessory outdoor storage, which is a conditional use in the I-1 and I-2 Districts.
2. This Subsection does not apply to accessory outdoor storage in the S-1 District; outdoor retail displays (see Subsection 3.4.15: *Outdoor Retail Displays*); vehicle repair and storage (see Subsection 3.3.39: *Vehicle Repair and Storage*); vehicle sales and rental (see Subsection 3.3.40: *Vehicle Sales and Rental*); and junkyards, which are separately regulated in Chapter 9, Article IV: Junkyards of the County Code of Ordinances.

C. **Conditions of Outdoor Storage Use.**

1. *In General.* Establishments engaged in manufacturing, industrial, fabrication, construction, and other commercial uses that require large volumes of inputs and materials or specialized equipment may establish permanent outdoor storage areas for materials and equipment in the I-1 and I-2 Districts, subject to the regulations of this Subsection.

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<sup>145</sup> This new section regulates outdoor storage based on feedback from the stakeholders.

2. *Storage as Accessory Use Only.* Outdoor storage may only occur as an accessory use to a principal use permitted in the district, and no lot may be used for outdoor storage as a principal use.
3. *Not Applicable to Junkyards.* The regulations of this Subsection apply only to goods and materials to be used in a construction, manufacturing, or other commercial operation and operable vehicles and equipment. The outdoor storage areas authorized in this Subsection must not be used for the storage of junked, salvaged, or inoperable vehicles, trucks, trailers, equipment, parts, and materials, which are subject to the regulations in Chapter 9, Article IV: Junkyards of the County Code of Ordinances.

D. **Screening Standards.** All outdoor storage areas authorized by this Subsection must be ~~enclosed by fencing or evergreen vegetative materials required screened in accordance with the requirements~~ in Section 6.65-3: Add Citation When Drafted Screening for Commercial Uses.

### 3.4.17 RECREATION AREAS (PRIVATE)

- A. **Purpose.** The purpose of this Subsection is to:
  1. Facilitate the development of private recreation areas in residential areas to allow residents to engage in active recreation and leisure;
  2. Preserve the character of residential areas by minimizing the effects of artificial lighting noise on adjacent residents;
  3. Promote the public health, safety, and general welfare; and
  4. Implement the Comprehensive Plan.
- B. **Applicability.** This Subsection allows the conditional accessory residential use of private recreation areas on ~~single family~~ residential lots in all residential districts subject to the district requirements and the conditions of this Subsection.
- C. **Conditions for Game Courts.**<sup>146</sup>
  1. Game courts must be located in the rear yard (see Paragraph 3.4.17.E., below).
  2. Game courts must be set back at least 5 feet from any lot line.

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<sup>146</sup> The current Zoning Ordinance does not define “game courts.” The proposed definition is “an area of ground defined by surfacing, fencing, or other techniques and used for the purpose of playing tennis, basketball, handball, and similar recreational activities. A driveway or patio associated with a residential use is not considered a game court.”

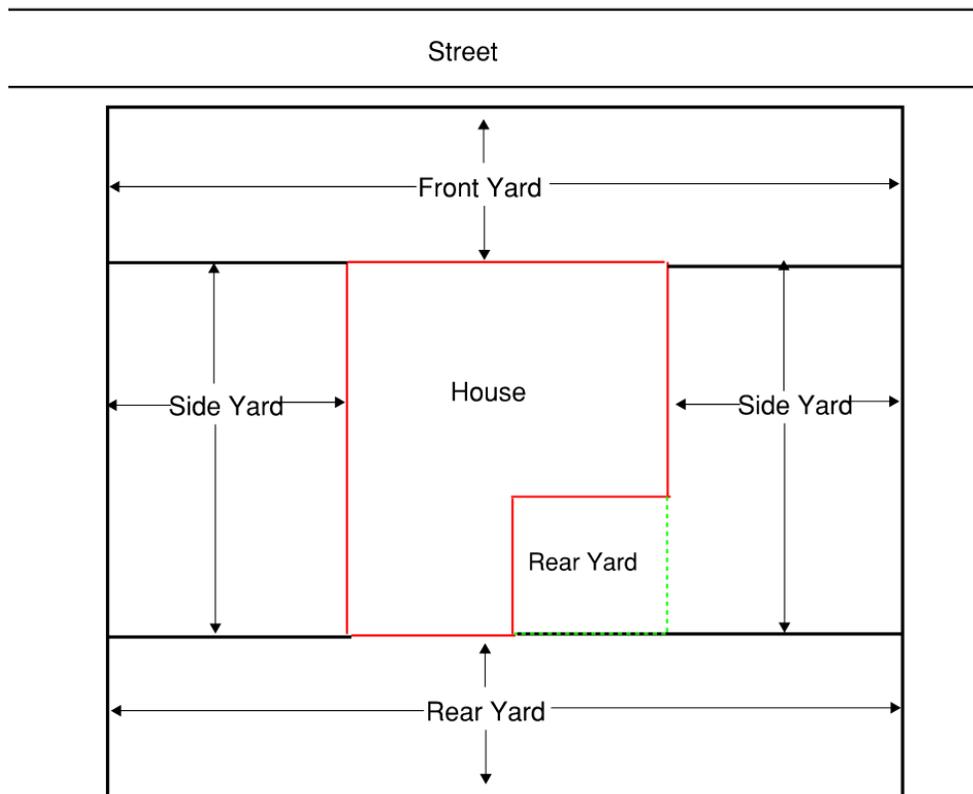
3. The side setbacks for corner lots as provided for each district in **Article 2: Zoning Districts** apply to the location of game courts on corner lots.
4. Game courts must not occupy more than 65% of area of the rear yard.
5. Lighting for game courts must have proper shielding from glare for adjacent residential lots.

**D. Conditions for Swimming Pools.**

1. Swimming pools must be located in the rear yard (see Paragraph 3.4.17.E., below).
2. Swimming pools must be set back at least 5 feet from side and rear lot lines.
3. The side setbacks for corner lots as provided for each district in **Article 2: Zoning Districts** apply to the location swimming pools on corner lots.
4. Swimming pools must not occupy more than 50% of the rear yard.
5. Lighting for swimming pools must have proper shielding from glare for adjacent residential lots.

- E. Rear Yard Defined.** For the purposes of this Subsection, areas of a lot located immediately behind a portion of the principal dwelling are considered part of the rear yard. See Figure 3.4.17-1: *Rear Yard Defined for Purposes of Locating a Recreation Area (Private)*.

**Figure 3.4.17-1: Rear Yard Defined for Purposes of Locating a Recreation Area (Private)**



**3.4.18 RECYCLING DROP BOXES<sup>147</sup>**

- A. **Purpose.** The purpose of this Subsection is to:
1. Identify locations and conditions for placement of recycling drop boxes;
  2. Promote and facility recycling to reduce the environmental impacts of resource extraction and solid waste disposal;
  3. Preserve the character of residential areas by minimizing the effects of visual clutter, dust, noise, and odors on adjacent residents;
  4. Promote the public health, safety, and general welfare; and
  5. Implement the Comprehensive Plan.

<sup>147</sup> This Subsection carries forward the current regulations on the accessory use of recycling drop boxes in § 6:2(19).

- B. **Applicability.** This Subsection applies to recycling drop boxes, which are allowed in all districts, subject to the conditions of this Subsection.
- C. **Recycling Drop Boxes in Non-Residential Districts.** Recycling drop boxes may be located on any lot as an accessory use in all non-residential districts.
- D. **Recycling Drop Boxes in Residential Districts.** Recycling drop boxes in residential districts are a conditional use, subject to the district requirements and subject to the following conditions:
1. Recycling drop boxes may be located on a site with a permitted non-residential use, such as a church, school, parks, or fire station. The location of a drop box on the site is subject to review by the Zoning Administrator to minimize impact on the adjoining properties.
  2. If provided, recycling drop boxes must be located within commonly maintained amenity areas in residential developments.

## 3.5 TEMPORARY USES

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### 3.5.1 PURPOSE

Temporary uses and structures are allowed in accordance with the provisions of this Section, which is intended to minimize or mitigate potential negative impacts of temporary uses and structures on the surrounding area and to provide safe and convenient access to permitted temporary uses and structures.

### 3.5.2 APPLICABILITY

- A. This Section applies to temporary commercial uses of land that are listed in Table 3.5.4-1: *Temporary Uses*.
- B. This Section does not apply to lawful picketing and demonstrations; or to weddings, receptions, parties, and similar private, non-commercial events held on private property.

### 3.5.3 CERTIFICATE OF OCCUPANCY REQUIRED<sup>148</sup>

#### A. Temporary Certificate of Occupancy.

1. An applicant must obtain a temporary Certificate of Occupancy before establishing a temporary use identified in Table 3.5.4-1: *Temporary Uses*, if the table indicates that a Certificate of Occupancy is required.
2. The Building Official may issue temporary Certificates of Occupancy for a period not to exceed six months.
3. The temporary certificate may require conditions and safeguards to protect the participants and the general public.
4. Temporary uses that do not require a temporary Certificate of Occupancy must comply with all applicable provisions of this Section.

- B. **Application Requirements.** In addition to the requirements of [Section 16.4: Certificate of Occupancy](#), applications for a temporary Certificate of Occupancy must be accompanied by a site plan depicting, at a minimum, the following items as applicable:

1. Location of the temporary use and associated temporary structures;

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<sup>148</sup> This section expands and clarifies the authority of the Zoning Administrator to approve temporary certificates of use for uses lasting less than six months, as provided in § 3:7.3. The revised section adds specific application requirements.

2. Location of permanent structures;
  3. Location and number of parking spaces;
  4. Location of vehicular access(es) to the site;
  5. Type, size, and location of all temporary signs associated with the temporary use;
  6. Location and description of all temporary lighting;
  7. Location of restroom facilities; and
  8. Method of solid waste disposal.
- C. For temporary uses, other than special events, that require a temporary Certificate of Occupancy where the applicant anticipates minimal or no resulting impact on surrounding properties, the Building Official may, following a pre-application meeting with the applicant, waive any or all of the site plan submittal requirements.

### 3.5.4 TEMPORARY USE TABLE<sup>149</sup>

- A. **Generally.** Temporary uses are allowed for the length of time and in the locations specified in Table 3.5.4-1: *Temporary Uses*, if the use complies with all applicable supplemental regulations and other provisions of this Article.
- B. **Unlisted Temporary Uses.**
1. The Zoning Administrator shall determine whether a proposed temporary use or structure not otherwise listed in the table in this Section is compatible with the particular zoning district in which it is proposed, based on the following criteria:
    - (a) Whether the temporary use meets the purpose and intent of the zoning district in which it is proposed to be located;
    - (b) Whether the temporary use is allowed as a principal use in the zoning district in which it is proposed to be located;
    - (c) Whether the temporary use is compatible with other uses allowed in the zoning district in which it is proposed to be located;
    - (d) Whether similar temporary uses are permitted in the same zoning district; and

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<sup>149</sup> This section adds a Table of Temporary Uses to the temporary use regulations to assist the reader without having to refer to the general use table. The current code specifies temporary uses in the general use table.

- (e) Whether similar temporary uses have supplemental regulations that should be applied to the proposed use.
2. The Zoning Administrator’s written determination shall be maintained in the files of the Planning Department and a copy provided to the applicant.

**Table 3.5.4-1: Temporary Uses**

Temporary Use	Use Conditions	Certificate of Occupancy Required?	Maximum Duration of Use (per site)	Permitted Location(s)
Construction-related activities, offices, and storage	None	Yes	No maximum if the associated construction is active.  Must be removed within 30 days of issuance of a final certificate of occupancy.	All districts if the use/structure is located on or adjacent to the associated construction site.  C-1, C-2, C-3, RU-C, S-1, I-1, and I-2 if the use is not located on or adjacent to the same site as the associated construction.
Commercial filming and film production activities (outdoor)	None	No	No maximum	All districts
Laydown & Storage Yards	Subsection 3.5.7	Yes, if the use is not located on or adjacent to the same site as the associated construction.	No maximum if the associated construction is active.  Must be removed within 30 days of issuance of a final certificate of occupancy or completion of the utility or road project.	All districts if the use is located on or adjacent to the associated construction site.  C-1, C-2, C-3, RU-C, S-1, I-1, and I-2 if the use is not located on or adjacent to the same site as the associated construction.

**Table 3.5.4-1: Temporary Uses**

Temporary Use	Use Conditions	Certificate of Occupancy Required?	Maximum Duration of Use (per site)	Permitted Location(s)
<u>Mobile Vending</u>	<u>None</u>	<u>No</u>	<u>No maximum, but mobile vending units shall not remain on-site overnight</u>	<u>RU-V, C-N, C-1, C-2, C-3, RU-C, S-1</u>
<u>Portable Classrooms</u>	<u>None</u>	<u>Yes</u>	<u>No maximum</u>	<u>All districts that allow schools</u>
Portable Storage Units	Subsection 3.5.8	No	30-day limit in all residential districts 60-day limit in all non-residential districts	All districts
Recycling Drop-Off Trailers	None	No	No maximum	O-D, POD, RU-V, NC, C-1, C-2, C-3, RU-C, S-1, I-1
Seasonal Farmstands	None	No	215 cumulative days per calendar year <sup>150</sup>	<u>R-R3, R-R1, R-S, O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, I-1, I-2, BT, D, POD, AG</u>
Seasonal Outdoor Sales, Including Trees or Pumpkins	None	No	150 cumulative days per calendar year	R-R3, R-R1, R-S, O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, I-1, I-2, BT, D, POD, AG
Special Events	Subsection 3.5.9	Yes	7 consecutive days; up to 2 events per calendar year	All districts
			14 consecutive days; up to 4 events per calendar year	O-D, RU-V, C-N, C-1, C-2, C-3, RU-C, S-1, I-1, I-2, BT, D, POD
Subdivision Sales Centers	None	Yes	Must be removed within 30 days of	R-R3, R-R1, R-S, <u>R-20A</u> , R-20 - R-6, R-M8,

<sup>150</sup> The typical growing season in Greenville County is approximately 215 days per year.

**Table 3.5.4-1: Temporary Uses**

Temporary Use	Use Conditions	Certificate of Occupancy Required?	Maximum Duration of Use (per site)	Permitted Location(s)
			issuance of the final certificate of occupancy	R-M10, R-M16, R-M20, R-MA, R-MHP
Temporary Accessory Dwellings	Subsection 3.5.11	Yes	1 year	All districts
Temporary Fireworks Stands	Subsection 3.5.12	Yes	180 cumulative days per calendar year	C-1, C-2, C-3, S-1
Temporary Retail Sales (unless otherwise listed)	None	Yes	180 cumulative days per calendar year	C-1, C-2, C-3, RU-C, S-1

**3.5.5 DEVELOPMENT STANDARDS**

**A. Parking.**

1. For all temporary uses that require a Certificate of Occupancy pursuant to Table 3.5.4-1: *Temporary Uses*, parking shall be provided in the amounts specified in **Article 5: Parking & Loading** unless otherwise specified in this Section.
2. Based on the operational characteristics of the proposed temporary use, the Zoning Administrator may make a written determination requiring additional or fewer parking spaces as needed to adequately serve the use. The determination will include the basis for the Zoning Administrator’s determination and shall be maintained on file and provided to the applicant.
3. Parking may be located on the same site as the temporary use or may be located off-site, provided the off-site parking area provides safe, accessible pedestrian access to the site on which the temporary use is located, and the property owner provides written permission.

**B. Lighting.** Lighting associated with a temporary use or structure shall be shielded or directed away from adjoining properties and streets in order to minimize light trespass and glare.

**C. Temporary Structures.** Temporary structures shall:

1. Meet all applicable principal structure setback requirements for the district in which the temporary use is located;
2. Not be located within a required buffer yard; and
3. Meet all applicable Building and Fire Code requirements.

### 3.5.6 PROPERTY OWNER CONSENT REQUIRED

- A. The applicant proposing a temporary use must obtain permission from the property owner to operate at the proposed location.
- B. For temporary uses that require a Certificate of Occupancy, the applicant shall provide with the application written permission from the property owner to operate at the proposed location.

### 3.5.7 LAYDOWN & STORAGE YARDS<sup>151</sup>

- A. **In General.** A laydown or storage yard must be associated with one or more specific projects with an approved land disturbance, building, or demolition permit or an approved utility or road construction project.
- B. **Access.**
  1. A laydown yard must allow direct vehicular access to a public street, highway, road, or other public way or private road as provided by [Section 12.2: Driveways](#).
  2. Proposed curb cuts require approval of an encroachment permit by the Greenville County Public Works Department or SCDOT, as applicable.
- C. **Emergency Access.** A laydown yard must meet design and construction standards for fire and emergency apparatus access.

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<sup>151</sup> This section significantly expands and clarifies the requirements for “waste lots during the development of lots, and similar uses” contained in § 9:3.9. It also builds on the definition of “temporary building” in ZO Article 4 that allows construction offices, storage buildings, and subdivisions sales offices. The proposed definition of “laydown and storage yard” is: Land used temporarily for the storage of equipment, vehicles, machinery, and building materials that is intended to be used in an associated active construction site.

**3.5.8 PORTABLE STORAGE UNITS<sup>152</sup>**

- A. **Portable Storage Units in Residential Districts.** In residential districts, portable storage units must comply with the district requirements and the following conditions:
1. Storage units must not be located on a residential lot longer than 30 days;
  2. Storage units must not be located in the public right-of-way or any easement; and
  3. Storage units must not obstruct the vision of vehicular or pedestrian traffic.
- B. **Portable Storage Units in Non-Residential Districts.** In non-residential districts, portable storage units must comply with the district requirements and the following conditions:
1. Storage units must not be located on a non-residential lot longer than 60 days;
  2. Storage units must not be located in any applicable setback;
  3. Storage units must not be located in the public right of way or any easement; and
  4. Storage units must not obstruct the vision of vehicular or pedestrian traffic.

**3.5.9 SEASONAL FARMSTANDS**

- A. **Vehicular Access.** Seasonal farmstands shall provide safe ingress and egress. Vehicles must be able to enter and exit the site without using a right-of-way for maneuvering area.
- B. **Setbacks.** Seasonal farmstands shall be located at least 5 feet from the edge of the right-of-way.

**3.5.93.5.10 SPECIAL EVENTS<sup>153</sup>**

- A. **Applicability.**
1. This Subsection applies to all special events located on private or public property, except those conducted on the premises of a special event facility as defined in **Article 23: Definitions & Acronyms** and those conducted as an ancillary use to a religious facility (e.g., weddings, funerals).

<sup>152</sup> This section carries forward the regulations of portable storage units in residential districts provided by § 6:2(23) and expands the storage unit regulations to non-residential districts with a 60-day time limit and requirement that the use comply with district setbacks. The proposed revised definition of “portable storage unit” is: Any container designed for the temporary storage of personal or business property and that is delivered and removed by truck.

<sup>153</sup> This section significantly expands and clarifies the requirements for “carnivals...and similar uses” contained in § 9:3.9.

2. Special events that are accessory to a ~~single-family~~ residential use and are not subject to a use agreement are not defined as a special event and are not regulated under this Ordinance.
- B. **Event Plan Required.** An event plan must be submitted in conjunction with the temporary Certificate of Occupancy application. The event plan must include the following items as applicable:
1. Description of the proposed event and associated activities;
  2. Anticipated number of attendees/participants;
  3. Emergency access and public safety plan; and
  4. Letter(s) of coordination from other departments or agencies, as applicable, including the Sheriff's Office, Department of Fire Safety, SCDHEC, private sanitation or solid waste collection company, and additional coordination letters as requested by the Zoning Administrator.
- C. **Special Events on Public Property.**
1. A venue agreement must be executed prior to approval of a Certificate of Occupancy application for a special event located on public property or in a public right-of-way.
  2. The maximum duration of use specified in Table 3.5.4-1: *Temporary Uses* applies per applicant, rather than per site.
  3. This Subsection does not apply to County-sponsored events held on County-owned property.

### ~~3.5.10~~ **3.5.11 TEMPORARY ACCESSORY DWELLINGS**<sup>154</sup>

- A. A manufactured home<sup>155</sup> may be permitted in any zoning district as a temporary accessory residential use to a ~~single-family~~ detached house dwelling or manufactured home but is subject to the requirements listed below. In authorizing the temporary accessory residential use, the Board of Zoning Appeals may impose any reasonable and additional stipulations, conditions, or safeguards that in the Board's judgment will better fulfill the intent of this UDO.
- B. The Board of Zoning Appeals may authorize the issuance of a permit for the use of a temporary accessory dwelling for a period not to exceed one year. At the end of the year and after each subsequent year, the Zoning Administrator may authorize an extension of the permit as initially

<sup>154</sup> This section carries forward the use regulations for a manufactured home as a temporary accessory dwelling unit from § 11:9.

<sup>155</sup> The County could consider allowing additional dwelling types, such as RVs, as temporary accessory dwellings.

granted by the Board for a period not to exceed one year, based on a complete review of the request. The review procedure by the Zoning Administrator will be conducted annually to ensure compliance with the ruling by the Board including the requirements outlined in this Section. The Zoning Administrator will notify the applicant of the annual review will present a status report to the Board after each review.

- C. The Board of Zoning Appeals may terminate the authorization at any time at the request of the initiating applicant or on a finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services must be removed from the premises within 30 days after notice of termination.
- D. In order to qualify for temporary accessory dwelling use under this section, the Board must find that the following requirements have been satisfied:
1. The use must be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. An attending physician must certify the physical or mental condition of the person in question.
  2. The use is intended only to meet a temporary need or hardship.
  3. If the principal residential use is nonconforming, the provisions of **Article 19: Nonconformities and Vested Rights**, must be satisfied.
  4. The temporary accessory residential use must meet all of the requirements contained in this UDO for accessory uses.
  5. The temporary accessory residential use must meet all of the requirements for uses permitted by special exception as set forth in Section 3.3: *Conditional and Special Exception Uses*.
  6. Minimum lot area and lot width requirements will not be required for the temporary accessory residential use.
  7. The temporary accessory residential use must conform to the front, side, and rear yard requirements established for the district in which the use is located.
  8. Off-street parking for the principal residential dwelling must be provided in accordance with the provisions set forth in **Article 5: Parking and Loading**.
  9. A manufactured home used as a temporary accessory residential use may not be physically attached to or be a part of the principal structure located on the lot.
  10. A temporary accessory residential use requires compliance with all applicable regulations of the Greenville County Building Safety Department. In additions, the applicant must demonstrate to the Board of Zoning Appeals that facilities and services

exist for the adequate provision of water, sewer, access, electrical service, and fire protection.

11. The principal for whom the accessory use is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.
12. To ensure notification of the permit application to surrounding property owners, the applicant must provide to the Board of Zoning Appeals signatures of the following:
  - (a) All property owners who own property abutting the subject property; and
  - (b) All property owners of property located directly across a street from the subject property.

### ~~3.5.11~~ 3.5.12 TEMPORARY FIREWORKS STANDS<sup>156</sup>

- A. **In General.** Temporary fireworks stands may operate in a temporary structure, building, or kiosk, excluding a manufactured home.
- B. **Design Standards.** A temporary fireworks stand must be sited so that it is immobile and cannot be shifted or blown over by wind. Tie down devices must be affixed to secure the stand. All wheels must be removed from the stand.
- C. **License Required.** Sales of fireworks in a temporary fireworks stand must only be made by a licensee of the South Carolina Board of Pyrotechnic Safety and must comply with all State pyrotechnic regulations.

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<sup>156</sup> This section builds on the definition of “Fireworks Stand, Temporary” in ZO Article 4 that allows fireworks stands with certain safety precautions.