AGENDA
GREER CITY COUNCIL

April 9, 2024

MEETING LOCATION: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

6:30 PM

COUNCIL REGULAR MEETING

Call to Order

Mayor Rick Danner

Invocation and Pledge of Allegiance

Councilman Lee Dumas

Public Forum

Minutes of Council Meeting

1. March 26, 2024
   (Action Required)

Special Recognition

1. 2024 City of Greer Juried Art Show winners
   Robin Byouk, Cultural Arts Supervisor

Administrator's Report

Andy Merriman, City Administrator

Appointments to Boards and Commissions

1. Construction Board of Adjustments and Appeals
   Recommended replacement for Ralph Johnson who is deceased. His term will expire December 31, 2024. (Action Required)

Old Business

1. Second and Final Reading of Ordinance Number 15-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY BRIAN FOWLER, GREG TAYLOR AND ETC CUSTODIAN FBO GREGORY TAYLOR IRA LOCATED ON NORTH MAIN STREET AND WILDWOOD DRIVE FROM DRD (DESIGN REVIEW DISTRICT) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

2. Second and Final Reading of Ordinance Number 16-2024

   AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY CLAUDIA C. JARAMILLO AND ANDRES RAMIREZ LOCATED AT 107 MIMOSA DRIVE FROM MD (MEDIUM DENSITY RESIDENTIAL) TO OP (OFFICE PROFESSIONAL) (Action Required)

3. Second and Final Reading of Ordinance Number 17-2024

   AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ADELAIDA GARCIA LOCATED AT 600 HAMPTON ROAD FROM MD (MEDIUM DENSITY RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

4. Second and Final Reading of Ordinance Number 19-2024

   A THIRTEENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF GREER, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING $21,700,000; AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR AND THE CHAIRMAN OR GENERAL MANAGER OF THE GREER COMMISSION OF PUBLIC WORKS TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AND OTHER MATTERS RELATING THERETO. (Action Required)

New Business

1. Pavement Preservation Project - HA5 Surface Sealer

   In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another HA5 application project this year in the City. The proposed locations are all streets in the Riverside Chase, Dillard Creek Crossing, Heartwood Place and Richglen subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page. These streets were crack-sealed in the last few years and it is a common practice to apply a surface seal after crack sealing. Total length to be treated is approximately 4.2 miles. The contractor is Holbrook Asphalt from Florida and they are the only approved single-source applicator in South Carolina

per the manufacturer of HA5 as stated on attachment. See attached proposal from Holbrook for this work in the amount of $264,240.28. Funding is from the Road Paving Fund. (Action Required)

Steve Grant, City Engineer

2. Pavement Preservation Project - Reclamite Rejuvenator

   In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another Reclamite application project in the City this year. The proposed locations are all streets in the Cypress Landing, Crosswinds, Creekside Manor and Freeman Farms subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page. The total length being treated is approximately 2.3 miles. The Contractor is Pavement Technology, Inc. from Westlake, OH and they are the only approved single-source applicator in South Carolina per the manufacturer of Reclamite as stated on attachments. See attached proposal from Pavement Technology Inc. for this work in the amount of $38,556.00. Funding is from the Road Paving Fund. (Action Required)

   Steve Grant, City Engineer

3. First and Final Reading of Resolution Number 5-2024

   A RESOLUTION TO AUTHORIZE AN AGREEMENT WITH MITSUBISHI CHEMICAL AMERICA, INC. (Action Required)

   Andy Merriman, City Administrator

4. First and Final Reading of Resolution Number 10-2024

   ALLOCATION OF GREENVILLE COUNTY CDBG AND HOME FUNDS FOR PROGRAM YEAR 2024 (Action Required)

   Mike Sell, Deputy City Administrator

5. First and Final Reading of Resolution Number 12-2024

   A RESOLUTION IN CONSIDERATION OF A REQUEST FOR CLOSURE OF AN ALLEY IN THE CITY OF GREER AND TO REFER THE CLOSURE TO THE CITY ATTORNEY PURSUANT TO CITY ORDINANCE 78-11 (Action Required)

   Andy Merriman, City Administrator

6. First and Final Reading of Resolution Number 13-2024

   A RESOLUTION OF THE CITY OF GREER, SOUTH CAROLINA CONFIRMING ITS PARTICIPATION IN AN INSTALLMENT PURCHASE-TYPE ARRANGEMENT AND PLAN OF FINANCE RELATING TO VARIOUS CAPITAL PROJECTS IN THE CITY; AND OTHER RELATED MATTERS. (Action Required)

   Andy Merriman, City Administrator

7. First Reading of Ordinance Number 13-2024
AN ORDINANCE TO AMEND THE CITY OF GREER UNIFIED DEVELOPMENT ORDINANCE (UDO) (Action Required)

Ordinance 13-2024 is a request to adopt a package of amendments to the Unified Development Ordinance (UDO) as outlined in Exhibits A and B. The Planning Commission conducted a public hearing on March 18, 2024 and recommended approval of all but one amendment, for which they offered suggestions for edits; this amendment has been removed from the exhibits and will be brought back individually at a future meeting for consideration.
Ashley Kaade, Planning Manager

Executive Session

Council may take action on matters discussed in executive session.

Adjournment

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, activity or public meeting of the City of Greer should contact Keith Choate, ADA Coordinator at (864) 848-5386 as soon as possible, but no later than 48 hours prior to the scheduled event.

Category Number:
Item Number:

AGENDA
GREER CITY COUNCIL
4/9/2024

Councilman Lee Dumas

ATTACHMENTS:

	Description	Upload Date	Type
	2024 Council Invocation Schedule	3/26/2024	Backup Material

Greer City Council
2024 Invocation Schedule

January 9, 2024	Councilmember Wryley Bettis
January 23, 2024	Councilmember Judy Albert
February 13, 2024	Mayor Rick Danner
February 27, 2024	Councilmember Jay Arrowood
March 12, 2024	Councilmember Karuiam Booker
March 26, 2024	Councilmember Mark Hopper
April 9, 2024	Councilmember Lee Dumas
April 23, 2024	Councilmember Wryley Bettis
May 14, 2024	Councilmember Judy Albert
May 28, 2024	Mayor Rick Danner
June 11, 2024	Councilmember Jay Arrowood
June 25, 2024	Councilmember Karuiam Booker
July 9, 2024	Councilmember Mark Hopper
July 23, 2024	Councilmember Lee Dumas
August 13, 2024	Councilmember Wryley Bettis
August 27, 2024	Councilmember Judy Albert
September 10, 2024	Mayor Rick Danner
September 24, 2024	Councilmember Jay Arrowood
October 8, 2024	Councilmember Karuiam Booker
October 22, 2024	Councilmember Mark Hopper
November 12, 2024	Councilmember Lee Dumas
November 26, 2024	Councilmember Wryley Bettis
December 10, 2024	Councilmember Judy Albert

Category Number:
Item Number: 1.

AGENDA
GREER CITY COUNCIL
4/9/2024

March 26, 2024

Summary:

(Action Required)

ATTACHMENTS:

Description	Upload Date	Type
March 26, 2024 Council Meeting Minutes	4/2/2024	Backup Material

CITY OF GREER, SOUTH CAROLINA

MINUTES of the PUBLIC HEARING of GREER CITY COUNCIL
March 26, 2024

Meeting Location: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

Call to Order of the Public Hearing Mayor Rick Danner – 6:32 P.M.

The following members of Council were in attendance: Jay Arrowood, Karuiam Booker, Mark Hopper, Lee Dumas, Wryley Bettis and Judy Albert.

Others present: Andy Merriman, City Administrator, Tammela Duncan, Municipal Clerk, Mike Sell, Deputy City Administrator, Catrina Woodruff, Assistant City Administrator and various other staff.

Subject: NOTICE OF PUBLIC HEARING FOR GREENVILLE COUNTY PROGRAM YEAR 2024 ANNUAL ACTION PLAN / CITY OF GREER

Imma Nwobodu, Program Director with the Greenville County Redevelopment Authority presented the report. (Attached)

The City of Greer participates in the Greenville County Community Development Block Grant (CDBG) Program and HOME Investment Partnerships Program funded by the U.S. Department of Housing and Urban Development. The Greenville County Redevelopment Authority is preparing its Annual Action Plan for the 2024 program year (7/1/24-6/30/25).

An in-person public hearing will be held at the Greer City Hall, located at 301 E. Poinsett Street, Greer, on Tuesday, March 26, 2024, at 6:30 PM. Community development and housing needs and activities eligible for funding under the CDBG and HOME programs will be discussed. Public comment and proposals will be invited on the County's strategy for the City of Greer, including objectives and projected uses of funds. An estimated $314,994 in CDBG fund and $135,751 in HOME fund will become available in July. An estimated $90,648 in CDBG program income and $238,385 in HOME program income are also expected to become available through the program year. Comments are also invited on past and present housing and community development performance and needs. CDBG funds can be used to assist low- and moderate-income persons, prevent or eliminate slums and blight, or to meet an urgent community need where no other funding is available. HOME funds are used to increase the supply of decent, safe, sanitary, and affordable housing for lower income persons.

DRAFT

Written comments may also be sent to John Castile, Executive Director, Greenville County Redevelopment Authority, 301 University Ridge, Suite South-4300, Greenville SC 29601, until Monday, May 6, 2024.
Discussion was held.

Mayor Danner asked three times if anyone would like to speak and no one indicated an interest in speaking.

Adjournment – 7:00 P.M.

MINUTES of the FORMAL MEETING of GREER CITY COUNCIL
March 26, 2024

Meeting Location: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

Call to Order of the Formal Meeting Mayor Rick Danner – 7:00 P.M.

The following members of Council were in attendance: Jay Arrowood, Karuiam Booker, Mark Hopper, Lee Dumas, Wryley Bettis and Judy Albert.

Others present: Andy Merriman, City Administrator, Tammela Duncan, Municipal Clerk, Mike Sell, Deputy City Administrator, Catrina Woodruff, Assistant City Administrator and various other staff.

Invocation and Pledge of Allegiance Councilman Mark Hopper

Public Forum

Don Wall, 115 Peachtree Drive, Greer spoke in opposition to Ordinance Number 14-2024.

Minutes of the Council Meeting

March 12, 2024

ACTION – Councilmember Wryley Bettis made a motion that the minutes of March 12, 2024 be received as written. Councilmember Judy Albert seconded the motion.

VOTE - Motion carried unanimously.

DRAFT

Special Recognition

Mayor Rick Danner recognized two wrestlers that are a part of the Tomahawk Youth Wrestling program within our Parks, Recreation & Tourism Department. These wrestlers were medalists in the South Carolina Youth Wrestling Association State Tournaments that took place in January and March. This is the fourth consecutive season that Tomahawk Youth Wrestling had multiple wrestler's medal in state tournaments.

- Coy Barnett won the State Championship in the 12U Heavyweight Open Tournament. This is his 5th consecutive State Championship. He went 15-0 in state tournaments this season, all 15 wins were via pin.

- Lucan Stellwagen won bronze medal in the 10U Rookie State Tournament - 66 LB weight division. There were 10 other wrestlers in his bracket.

Head Coach Brian Levinson was in attendance and spoke briefly.

David Holtzclaw, Athletics Coordinator stated "Brian and all of the coaches do a fantastic job with the youth wrestling program. They put their heart and soul into this program and continue to help build it into one in which the City of Greer can be proud. Tomahawk Youth Wrestling hosted its own tournament for the second straight year, where 150 local youth wrestlers participated."

Congratulations to these young men on their great accomplishment and to the coaches that volunteer their time to coach them!

Departmental Reports

Building and Development Standards, Engineering, Finance, Fire Department, Municipal Court, Parks, Recreation & Tourism, Police Department, Public Services and the Website Activity Reports for February 2024 were included in the packet for informational purposes.

Finance
David Seifert, Chief Financial Officer presented the Financial Report for February 2024. (Attached)

General Fund Cash Balance: $21,771,364.
Revenue: $30,653,601.
Total Expenditures: $29,637,747.
Total Percentage: 5% Under Budget

Revenue Benchmark Variance: $1,076,773.
Expenditure Benchmark Variance: $(1,062,874.)
Overall Benchmark Variance: $13,899.

Hospitality Fund Cash Balance: $2,242,647.
Storm Water Fund Cash Balance: $2,852,285.

DRAFT

Andy Merriman, City Administrator presented the following:

Cultural Arts - Congratulations to Robin Byouk, the Cultural Arts Supervisor, on her 50th show as the artistic director with the Greer Children's Theatre. Robin has been the Cultural Arts Supervisor since 2009!

Citywide Litter Cleanup Challenge - Join the citywide litter cleanup challenge during the month of April. Make a difference and beautify our community while enjoying the outdoors! All supplies are provided! We've got you covered with bags, gloves, safety vests and pickup sticks. We will even pickup your bags after your cleanup event. Simply focus on collecting litter! See the City of Greer website or social media for details.

OLD BUSINESS

Second and Final Reading of Ordinance Number 16-2023

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A CERTAIN PROPERTY OWNED BY LEON HIX REAL ESTATE LLC LOCATED ON WEST WADE HAMPTON BOULEVARD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF C-3 (HIGHWAY COMMERCIAL DISTRICT) FOR SAID PROPERTY.

Claire Byers, Planner stated the Planning Commission held a Public Hearing June 19, 2023 and recommended approval.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 16-2023. Councilmember Jay Arrowood seconded the motion.

Brief discussion. Neither the owner nor a representation was present.

VOTE – Motion carried unanimously.

Second and Final Reading of Ordinance Number 34-2023

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY NICOLASA JARDON LOCATED AT 408 EAST POINSETT STREET FROM RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO C-2 (COMMERCIAL DISTRICT).

Claire Byers, Planner stated there were no updates.

ACTION – Councilmember Karuiam Booker made a motion to approve Second and Final Reading of Ordinance Number 34-2023. Councilmember Judy Albert seconded the motion.

Neither the owner nor a representative was present. Brief discussion.

VOTE – Motion carried unanimously.

DRAFT

Second and Final Reading of Ordinance Number 12-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF A CERTAIN PROPERTY OWNED BY WOOD MEMORIAL PARK LOCATED AT 863 GAP CREEK ROAD FROM SN (SUBURBAN NEIGHBORHOOD) TO CC (COMMERCIAL CORRIDOR)

Claire Byers, Planner stated there were no updates.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 12-2024. Councilmember Jay Arrowood seconded the motion.

VOTE – Motion carried unanimously.

Second and Final Reading of Ordinance Number 14-2024

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED THE CITY'S CONSTITUTIONAL DEBT LIMITATION AS THAT LIMIT MAY CHANGE FROM TIME TO TIME, TO PROVIDE FOR THE FUNDING OF VARIOUS CAPITAL PROJECTS AS PART OF AN INSTALLMENT PURCHASE-TYPE ARRANGEMENT; AUTHORIZING THE CITY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; PROVIDING FOR THE DISPOSITION OF PROPERTY RELATED TO THE BONDS; PROVIDING AUTHORITY FOR THE CITY TO REIMBURSE ITSELF FOR EXPENDITURES PRIOR TO BORROWING; PROVIDING FOR THE CREATION AND/OR UTILIZATION OF ONE OR MORE ENTITIES TO FACILITATE AN INSTALLMENT PURCHASE-TYPE ARRANGEMENT; PROVIDING FOR OTHER RELATED MATTERS.

ACTION – Councilmember Mark Hopper made a motion to approve Second and Final Reading of Ordinance Number 14-2024. Councilmember Lee Dumas seconded the motion.

Lengthy discussion held.

VOTE – Motion carried 5-2 with Councilmembers Wryley Bettis and Judy Albert voting in opposition.

NEW BUSINESS

First Reading of Ordinance Number 15-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY BRIAN FOWLER, GREG TAYLOR AND

DRAFT

ETC CUSTODIAN FBO GREGORY TAYLOR IRA LOCATED ON NORTH MAIN STREET AND WILDWOOD DRIVE FROM DRD (DESIGN REVIEW DISTRICT) TO TN (TRADITIONAL NEIGHBORHOOD)

Ashley Kaade, Planning Manager presented the request. She stated staff recommended approval. Planning Commission held a Public Hearing March 18, 2024 and recommended approval. Neither the owner nor a representative was present.

Discussion held.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 15-2024. Councilmember Judy Albert seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 16-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY CLAUDIA C. JARAMILLO AND ANDRES RAMIREZ LOCATED AT 107 MIMOSA DRIVE FROM MD (MEDIUM DENSITY RESIDENTIAL) TO OP (OFFICE PROFESSIONAL)

Ashley Kaade, Planning Manager presented the request. She stated staff recommended approval. Planning Commission held a Public Hearing March 18, 2024 and recommended approval. Neither the owner nor a representative was present.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 16-2024. Councilmember Judy Albert seconded the motion.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 17-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ADELAIDA GARCIA LOCATED AT 600 HAMPTON ROAD FROM MD (MEDIUM DENSITY RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

Ashley Kaade, Planning Manager presented the request. She stated staff recommended approval. Planning Commission held a Public Hearing March 18, 2024 and recommended approval.

Brief discussion held.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 17-2024. Councilmember Jay Arrowood seconded the motion.

DRAFT

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 18-2024

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF CERTAIN PROPERTIES OWNED BY SWAFFORD PROPERTIES, LLC LOCATED ON FARMERS CIRCLE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF ML (MANUFACTORING AND LOGISTICS) FOR SAID PROPERTIES

Ashley Kaade, Planning Manager presented the request. She stated staff recommended approval. Planning Commission will hold a Public Hearing April 15, 2024.

ACTION – Councilmember Jay Arrowood made a motion to approve First Reading of Ordinance Number 18-2024. Councilmember Wryley Bettis seconded the motion.

A representative was present but did not speak. Discussion held.

VOTE – Motion carried unanimously.

First Reading of Ordinance Number 19-2024

A THIRTEENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF GREER, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING $21,700,000; AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR AND THE CHAIRMAN OR GENERAL MANAGER OF THE GREER COMMISSION OF PUBLIC WORKS TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AND OTHER MATTERS RELATING THERETO.

Mike Richard, General Manager with Greer Commission pf Public Works presented the request.

ACTION – Councilmember Mark Hopper made a motion to approve First Reading of Ordinance Number 19-2024. Councilmember Karuiam Booker seconded the motion.

Discussion held.

VOTE – Motion carried 6-1 with Councilmember Jay Arrowood voting in opposition.

Executive Session

1. Contractual Matter – Project Ridge

DRAFT

ACTION – In (9:02 p.m.) – Councilmember Lee Dumas made a motion to enter into Executive Session to discuss a Contractual Matter pertaining to Project Ridge; as allowed by State Statute Section 30-4-70(a)(2). Councilmember Wryley Bettis seconded the motion. Motion carried unanimously.

Mayor Danner stated during Executive Session they considered the above matter and no action was taken.

ACTION - Out (9:10 p.m.) – Councilmember Lee Dumas made a motion to come out of Executive Session. Councilmember Judy Albert seconded the motion. Motion carried unanimously.

Motion after Executive Session

ACTION – Councilmember Lee Dumas made a motion to authorize the City Administrator to make a property purchase on behalf of Project Ridge. Councilmember Wryley Bettis seconded the motion.

VOTE – Motion carried unanimously.

Adjournment – 9:11 P.M.

_____ _____

Tammela Duncan, Municipal Clerk Richard W. Danner, Mayor

Notifications: Agenda posted in City Hall and email notifications sent to The Greenville News, The Greer Citizen, GreerToday.com and the Spartanburg Herald Journal Friday, March 22, 2024.

DRAFT

Category Number:
Item Number: 1.

AGENDA
GREER CITY COUNCIL
4/9/2024

Construction Board of Adjustments and Appeals

Summary:

Recommended replacement for Ralph Johnson who is deceased. His term will expire December 31, 2024. (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
	Construction Board of Adjustments and Appeals	3/28/2024	Backup Material
	Recommendation from Ruthie Helms	4/2/2024	Backup Material

CITY OF GREER CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

Five Year Terms

	Date of Appointment	Term Expiration
Gwinn Harvey, AIA 309 Taylor Road Greer, SC 29651 Home Phone 864-801-8225 Cell Phone 864-414-5020 Work Phone 864-242-0761 Email gharvey@cgdarch.com	August 25, 2020	December 31, 2024
Bill Rettew 3616 Brushy Creek Road Greer, SC 29650 Phone 877-9435	November 23, 2021 November 22, 2016 November 28, 2011 August 8, 2006	December 31, 2026 December 31, 2021 December 31, 2016 December 31, 2011
Greg Crusco, PE 310 Whilden Court Lyman, SC 29365 Phone 380-4375	November 24, 2015 November 23, 2010 August 23, 2005	December 31, 2025 December 31, 2015 December 31, 2010
George H. McCall, PE., F.NSPE, FSFPE Nine Stratton Place Greenville, SC 29615 Phone (864)908-9999	December 13, 2022 November 28, 2017 November 13, 2012 November 13, 2007 May 11, 2004	December 31, 2027 December 31, 2022 December 31, 2017 December 31, 2012 December 31, 2007
Ralph Johnson 4222 Ridge Road Greer, SC 29651 Phone 877-5101	November 12, 2019 November 25, 2014 November 10, 2009 May 11, 2004	December 31, 2024 December 31, 2019 December 31, 2014 December 31, 2009
Buddy Waters PO Box 447 Greer, SC 29652 Phone 877-3326	November 23, 2021 November 22, 2016 November 28, 2011 August 8, 2006	December 31, 2026 December 31, 2021 December 31, 2016 December 31, 2011
Keith Smith 316 C Trade Street Greer, SC 29651 Home Phone – 864-292-0466 Work Phone – 864-801-8701 Email: keith@keithsmithbuilders.com	November 23, 2021 November 22, 2016 January 24, 2012	December 31, 2026 December 31, 2021 December 31, 2016

Updated: February 7, 2023

From:	Ruthie Helms
To:	Tammela Duncan
Cc:	Mike Sell; Andrew Merriman
Subject:	Appointment Construction Board of Adjustments and Appeals
Date:	Tuesday, April 2, 2024 3:44:11 PM

I would like to recommend that council consider appointing Keith Flynn of Keith Flynn Electrical to the Construction Board of Adjustments and Appeals. Mr. Flynn is a Master Electrician and is very knowledgeable of the codes. He has been in business for more than 35 years.

Mr. Ralph Johnson passed away and was our electrical expert on the board. This is a specialized position. Mr. Flynn does not live in Greer but does a lot of work in our area.

Please let me know if you have any questions.

Ruthie

Category Number:
Item Number: 1.

AGENDA
GREER CITY COUNCIL
4/9/2024

Second and Final Reading of Ordinance Number 15-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY BRIAN FOWLER, GREG TAYLOR AND ETC CUSTODIAN FBO GREGORY TAYLOR IRA LOCATED ON NORTH MAIN STREET AND WILDWOOD DRIVE FROM DRD (DESIGN REVIEW DISTRICT) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
	Ordinance Number 15-2024	3/28/2024	Ordinance
	Ord 15-2024 Exhibit A Map	3/28/2024	Exhibit
	Ord 15-2024 Exhibit B Title to Real Estate	3/28/2024	Exhibit
	Ord 15-2024 Exhibit C Survey	3/28/2024	Exhibit
	Ord 15-2024 Rezoning Application	3/28/2024	Backup Material
	Ord 15-2024 Planning Commission Minutes	3/28/2024	Backup Material

ORDINANCE NUMBER 15-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES OWNED BY BRIAN FOWLER, GREG TAYLOR AND ETC CUSTODIAN FBO GREGORY TAYLOR IRA LOCATED ON NORTH MAIN STREET AND WILDWOOD DRIVE FROM DRD (DESIGN REVIEW DISTRICT) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to certain properties owned by Brian Fowler, Greg Taylor and ETC Custodian FBO Gregory Taylor IRA located on North Main Street and Wildwood Drive and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Numbers G016000100700, G016000100800 and G016000100900 containing approximately 0.81 +/- acres attached hereto marked as Exhibit A, the Title to Real Estate attached hereto marked as Exhibit B; and the Survey attached hereto marked at Exhibit C.

1. The owners desire to change the zoning classification of their properties and have shown the need for such use to the Greer Planning Commission at a public hearing held on March 18, 2024.

2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to TN (Traditional Neighborhood).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of properties located on North Main Street and Wildwood Drive more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Numbers G016000100700, G016000100800 and G016000100900 containing approximately 0.81 +/- acres attached hereto marked as Exhibit A shall be changed from DRD (Design Review District) to TN (Traditional Neighborhood).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

_____
Richard W. Danner, Mayor

ATTEST:

_____
Tammela Duncan, Municipal Clerk

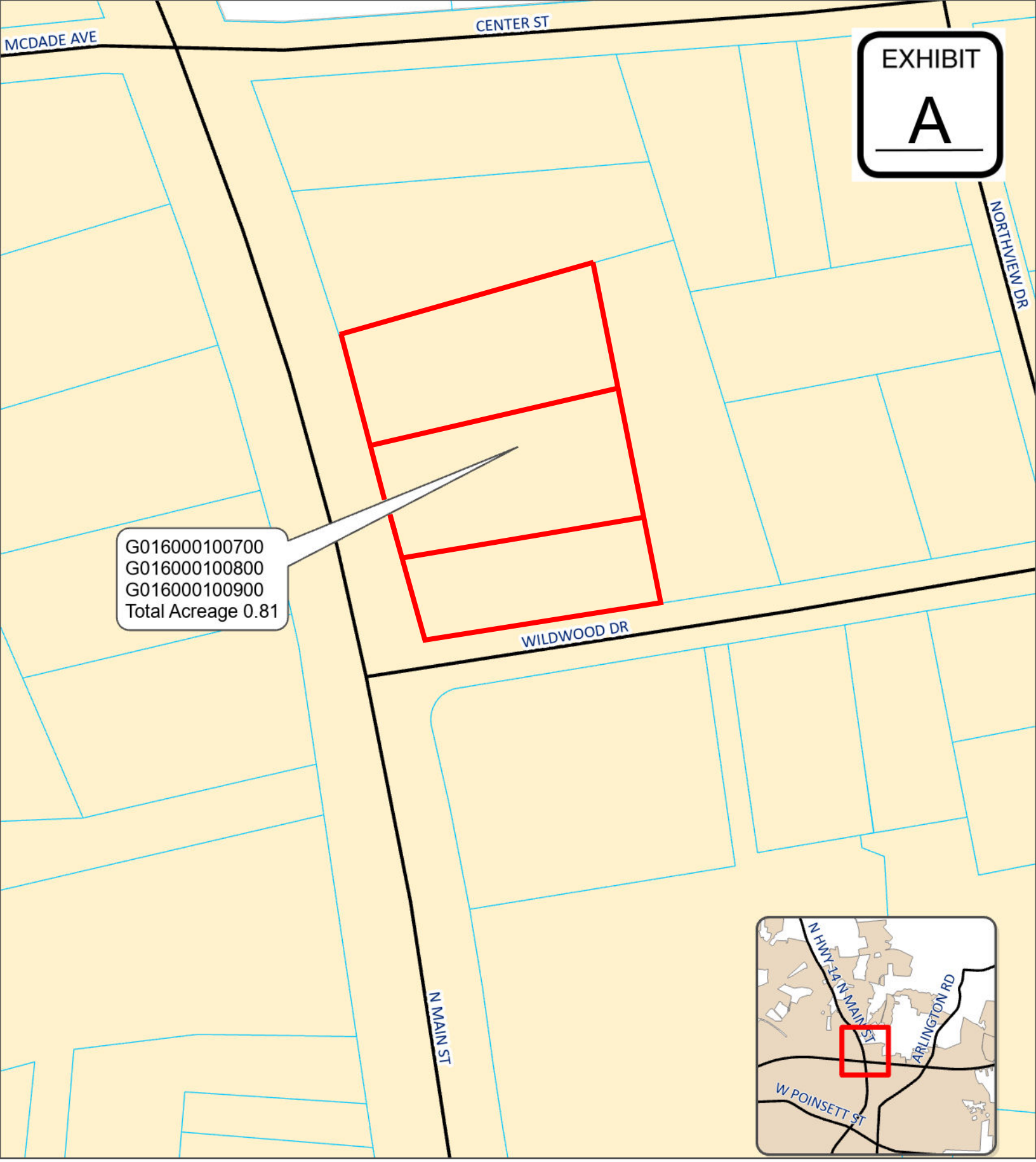
Introduced by: Councilman Wryley Bettis

First Reading: March 26, 2024

Second and
Final Reading: April 9, 2024

Approved as to Form:

_____
Daniel R. Hughes, City Attorney



Ordinance 15-2024

N

0 25 50 75 100 Feet

Streets

City Limits

Parcels

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Created 3/18/2024 by City of Greer GIS

EXHIBIT

B

202112

DEED Book: DE 2644 Page: 1604 - 1606
December 21, 2021 10:24:22 AM Cons: $260,000.00
Rec: $15.00 Cnty Tax: $286.00 State Tax: $676.00
E-FILED IN GREENVILLE COUNTY, SC

Hammond Law, LLC
410 E. Butler Road, Suite E
Mauldin, SC 29662
864-373-9154

State of South Carolina

Title to Real Estate

County of Greenville

KNOW ALL MEN BY THESE PRESENTS, THAT John R. Stewart, Jr (the "Grantor") in consideration of the sum of **TWO HUNDRED SIXTY THOUSAND AND 00/100 Dollars ($260,000.00)** to me in hand paid at and before the sealing of these presents by **Brian K. Fowler (50% Undivided Interest), Gregory S. Taylor (25% Undivided Interest), and ETC Custodian FBO Gregory Taylor IRA (25% Undivided Interest) (the "Grantee"),** the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions ("Exceptions") set forth below unto the said **Brian K. Fowler (50% Undivided Interest), Gregory S. Taylor (25% Undivided Interest), and ETC Custodian FBO Gregory Taylor IRA (25% Undivided Interest), subject to the below stated Exceptions, their successors and assigns,** the following described real estate, to wit:

THIS CONVEYANCE IS MADE SUBJECT TO: All covenants, restrictions, easements and rights-of-ways affecting the property.

All that certain piece, parcel or lot of land in Chick Springs Township, Greenville County, South Carolina, just north from the corporate limits of the City of Greer, lying in the eastern side of the Mosteller Road or North Main Street, being shown and designated as Lot No. 34 on Plat of property prepared.by H.S. Brockman, Surveyor, dated June 24, 1941 and being one of the lots conveyed to me by deed from Nancy W. Finley and Ellen W. Crain during the year 1941, thence with the dividing line of lots 34 and 35 S 74-29 W 253.5 feet to beginning corner. Tax Map No.: G016.00-01-009.00

AND

All that certain piece, parcel or lot of land in Chick Springs Township, Greenville County, South Carolina just north from the corporate limits of the City of Greer, lying in the intersection of the North Main Street and Wilson Avenue and being shown and designated as Lot No. 32 on Plat of Property of Nancy W. Finley and Ellen W. Crain said plat prepared by H. S. Brockman, Surveyor, June 24, 1941 and having the following courses and distances, to wit:

BEGINNING on an iron pin, joint corner, of Lots 32 and 33 and runs thence with the dividing line of Lots 32 and 33 N 81-06 E 245.4 feet to an iron pin, joint corner of Lots 30, 31, 32 and 33; thence with the dividing line of Lots 30 and 32 S 17-12 E 60 feet to in iron pin on the northern bank of Wilson Avenue; thence with

the northern side of Wilson Avenue S 81-06 W 250 feet to an iron pin in the intersecting corner of Wilson Avenue and North Main Street, thence wit the eastern side of North Main Street N 11-50 W 60 feet to .beginning corner. Tax Map No.: G616.00-01-007.00

AND

All that certain piece, parcel or lot of land in Chick Springs Township, Greenville County, South Carolina, East on Mostella Road and north of the new Super Highway No. 29 and shown as Lot No. 33 on a plat of property of Nancy W. Finley and Ellen W. Crain, prepared by H.S. Brockman, Surveyor, June 24, 1941 and shown as follows:

BEGINNING at a stake on North Main Street and running thence N 78-06 E 236.6 feet to a stake on line of Lot No. 37; thence S 17-12 E 86 feet to a stake, corner of Lot No 32; thence with the Lot No. 32 line S 81-06-W 245.4 feet to a stake on North Main Street, thence with North Main Street (the same Mostella Road) N 12-19 W 72.3 feet to the BEGINNING. Tax Map No.: G016.00-01-008.00

This being the same property conveyed to John R. Stewart, Jr by deed from John R. Stewart, Jr., Trustee of Trust Created Under the Last Will and Testament of John R. Stewart dated August 1, 2000 dated 09/10/2013 and recorded with Greenville County Recording Office on 09/13/2013 in Book 2431, Page 2956.

Greenville County Tax Map # G0160001008.00, G016000100900, and G016000100700

Grantee's Mailing Address: 207 River Falls Drive, Duncan, SC 29334

Property Address: 712 North Main Street, Greer, SC 29651

TOGETHER with, subject to the above Exceptions, all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD, subject to the above Exceptions, all and singular, the said Premises before mentioned unto the said **Grantee, and Grantee's heirs, successors and assigns** forever.

AND Grantor does hereby bind **Grantor and Grantor's Heirs, Successors, Assigns, Executors and/or Administrators**, as applicable, to warrant and forever defend, all and singular, the said Premises, subject to the above Exceptions, unto the said **Grantee, and Grantee's heirs, successors and/or assigns** against **Grantor** and **Grantor's Heirs, Successors, Assigns, Executors and/or Administrators**, as applicable, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our hands and seals this 20th day of December, 2021.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Witness

Witness

John R. Stewart, Jr (SEAL)

State of South Carolina
County of Greenville

The foregoing instrument was acknowledged before me this 20th day of December, 2021 by John R. Stewart, Jr.

Notary Public for SC
My Commission Expires: 9-28-31

ROBERT BLAKE COOPER
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 09-28-31

EXHIBIT C

BOUNDARY LINE
BUILDING
BACK OF CURB
CENTER LINE
CONCRETE
DASH
ELECTRIC
EDGE OF PAVEMENT
FENCE
GRAVEL
R-O-W
SETBACK
SEWER
STREAM
TS
UTILITY
TREES – EVERGREEN
TREES – HARDWOOD

LEGEND:

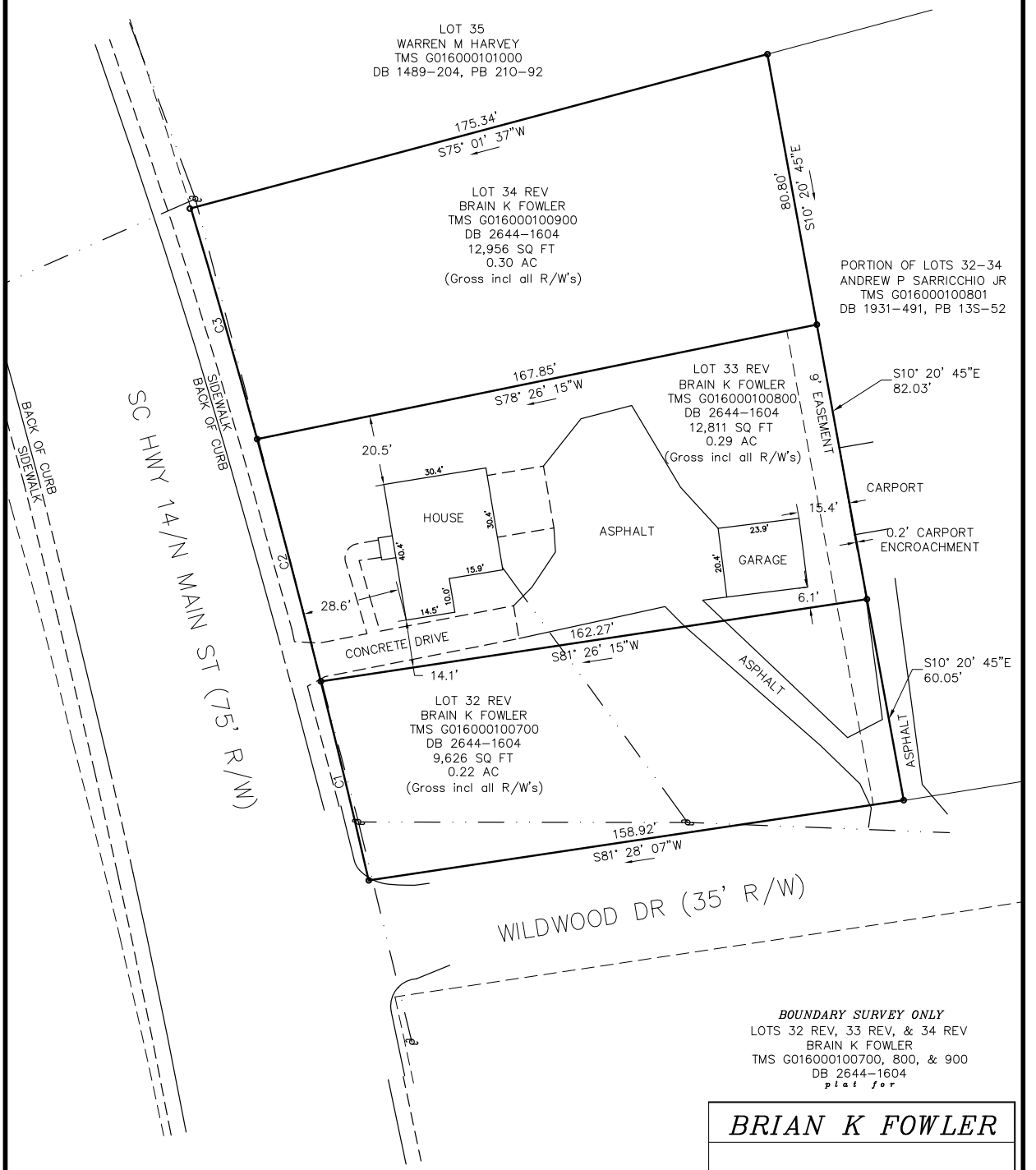
WM	WATER VALVE, METER
X	FENCE
UP	POWER POLE
MH	SANITARY SEWER MANHOLE
RBS	REBAR SET (1/2")
RBF/IPF	REBAR/IRON PIN FOUND
OE	OVERHEAD ELECTRIC LINE
LP	LIGHT POLE

EXEMPTION FROM REVIEW PROCESS
This plat is a RESURVEY of an existing lot of record with no changes to existing lot lines.

_____
SC Professional Land Surveyor
Todd B Beam
PLS # 29506

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	60.16	3220.17	N13° 32' 00"W	60.16
C2	73.63	3220.17	N14° 43' 25"W	73.63
C3	70.57	3220.17	N16° 00' 23"W	943.41

location map n-t-s



BOUNDARY SURVEY ONLY
LOTS 32 REV, 33 REV, & 34 REV
BRAIN K FOWLER
TMS G016000100700, 800, & 900
DB 2644-1604
plat for

BRIAN K FOWLER

GREENVILLE COUNTY	*SOUTH CAROLINA*
CITY OF GREER	*APRIL 13, 2022*
SCALE 1" = 30'	*JOB 17-FOWLER GREER*

BEAM SURVEYING LLC
Registered Land Surveyors
PO BOX 981
Clemson, SC 29633
Phone 864-490-4610
SURVEYING – GPS CONTROL – PLANNING

SOUTH CAROLINA
BEAM SURVEYING LLC
No 5925
CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA
REGISTERED PROFESSIONAL LAND SURVEYOR
29506
TODD B. BEAM

I hereby certify that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class "B" survey as specified therein. This house is not located in a current designated flood hazard area. This property is subject to any easements & restrictions on record.

_____ Todd B Beam SC PLS 29506

Greer
City of Greer, SC

ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 2-2-2024

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) G016.00-01-009.00 G016.00-01-008.00, G016.00-01-007.00

Property Address(s) 712 N. MAIN ST GREER

Acreage of Properties 0.77 ACRES County GREENVILLE,

Applicant Information

Name Greg Taylor
Address 207 RIVER FALLS DR
DUNCAN, SC 29334
Contact Number 864-616-7200
Email ~~[illegible]~~
greg@4SELLUPSTATE.COM

Property Owner Information
(If multiple owners, see back of sheet)

Name Greg Taylor
Address 207 River Falls DR
DUNCAN, SC 29334
Contact Number 864-616-7200
Email ~~[illegible]~~
greg@4SELLUPSTATE.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ____ No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned

from DRD to TRADITIONAL NEIGHBORHOOD

Existing Use: TOWNHOUSES Proposed Use: Single family homes.

Signature(s) [signature]

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____ Case No. _____

Meeting Date _____

See Reverse

Complete the section below if multiple property owners

Name BRIAN FOWLER
Address 5 REDGOLD CT, GREER
Contact Number 864-449-5324
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

Name
Address
Contact Number
Signature

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, March 18, 2024

DOCKET:	RZ 24-02
APPLICANT:	Greg Taylor
PROPERTY LOCATION:	712 Main Street
TAX MAP NUMBER:	G016000100800; G016000100700; G016000100900
EXISTING ZONING:	DRD, Design Review District
REQUEST:	Rezone to Traditional Neighborhood (TN)
SIZE:	0.81 acres
COMPREHENSIVE PLAN:	Traditional Neighborhood

ANALYSIS: **RZ 24-02**

RZ 24-02 is a rezoning request for three parcels located at 712 Main Street. The request is to rezone the properties from Design Review District to Traditional Neighborhood. The intent of the rezoning is to build one detached single-family unit on each lot.

Surrounding land uses and zoning include:

North:	Medium Density Residential - Residential
East:	Medium Density Residential - Residential
South:	Commercial Corridor – Medical office
West:	Suburban Neighborhood - Residential

Traditional Neighborhoods surround Downtown Greer and are generally more directly connected to it. Key features include an interconnected street grid and a mix of housing types. This area offers opportunity to infill around the existing mixture of residential, commercial, and institutional uses. Building types could include single-family homes, fourplexes, small-scale apartment buildings, attached townhomes, and neighborhood-scale retail. Single-lot infill development should be of a compatible scale and character with surrounding homes.

- Primary Uses: Single-family attached and detached residential, multiplexes, townhomes, parks
- Secondary Uses: Apartment/condominium buildings, accessory dwelling units, civic and institutional facilities, small-scale commercial uses

The request is compatible with surrounding land uses; therefore, staff supports the request. The parcels are bordered on three sides by existing residential and rezoning will allow for compatible development of the lots.

STAFF RECOMMENDATION: Approval

ACTION – Mr. Acierno made a motion to approve the request. Ms. Jones seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.

Category Number:
Item Number: 2.

AGENDA
GREER CITY COUNCIL
4/9/2024

Second and Final Reading of Ordinance Number 16-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY CLAUDIA C. JARAMILLO AND ANDRES RAMIREZ LOCATED AT 107 MIMOSA DRIVE FROM MD (MEDIUM DENSITY RESIDENTIAL) TO OP (OFFICE PROFESSIONAL) (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
	Ordinance Number 16-2024	3/28/2024	Ordinance
	Ord 16-2024 Exhibit A Map	3/28/2024	Exhibit
	Ord 16-2024 Exhibit B General Warranty Deed	3/28/2024	Exhibit
	Ord 16-2024 Exhibit C Survey	3/28/2024	Exhibit
	Ord 16-2024 Rezoning Application	3/28/2024	Backup Material
	Ord 16-2024 Planning Commission Minutes	3/28/2024	Backup Material

ORDINANCE NUMBER 16-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY CLAUDIA C. JARAMILLO AND ANDRES RAMIREZ LOCATED AT 107 MIMOSA DRIVE FROM MD (MEDIUM DENSITY RESIDENTIAL) TO OP (OFFICE PROFESSIONAL)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Claudia C. Jaramillo and Andres Ramirez located at 107 Mimosa Drive and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G010000500100 containing approximately 0.4 +/- acres attached hereto marked as Exhibit A, the General Warranty Deed attached hereto marked as Exhibit B; and the Survey attached hereto marked at Exhibit C.

1. The owners desire to change the zoning classification of their property and have shown the need for such use to the Greer Planning Commission at a public hearing held on March 18, 2024.

2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to OP (Office Professional).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of a property located at 107 Mimosa Drive more particularly identified by the attached City of Greer Map specifying Greenville County Parcel Number G010000500100 containing approximately 0.4 +/- acres attached hereto marked as Exhibit A shall be changed from MD (Medium Density Residential) to OP (Office Professional).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

_____
Richard W. Danner, Mayor

ATTEST:

_____
Tammela Duncan, Municipal Clerk

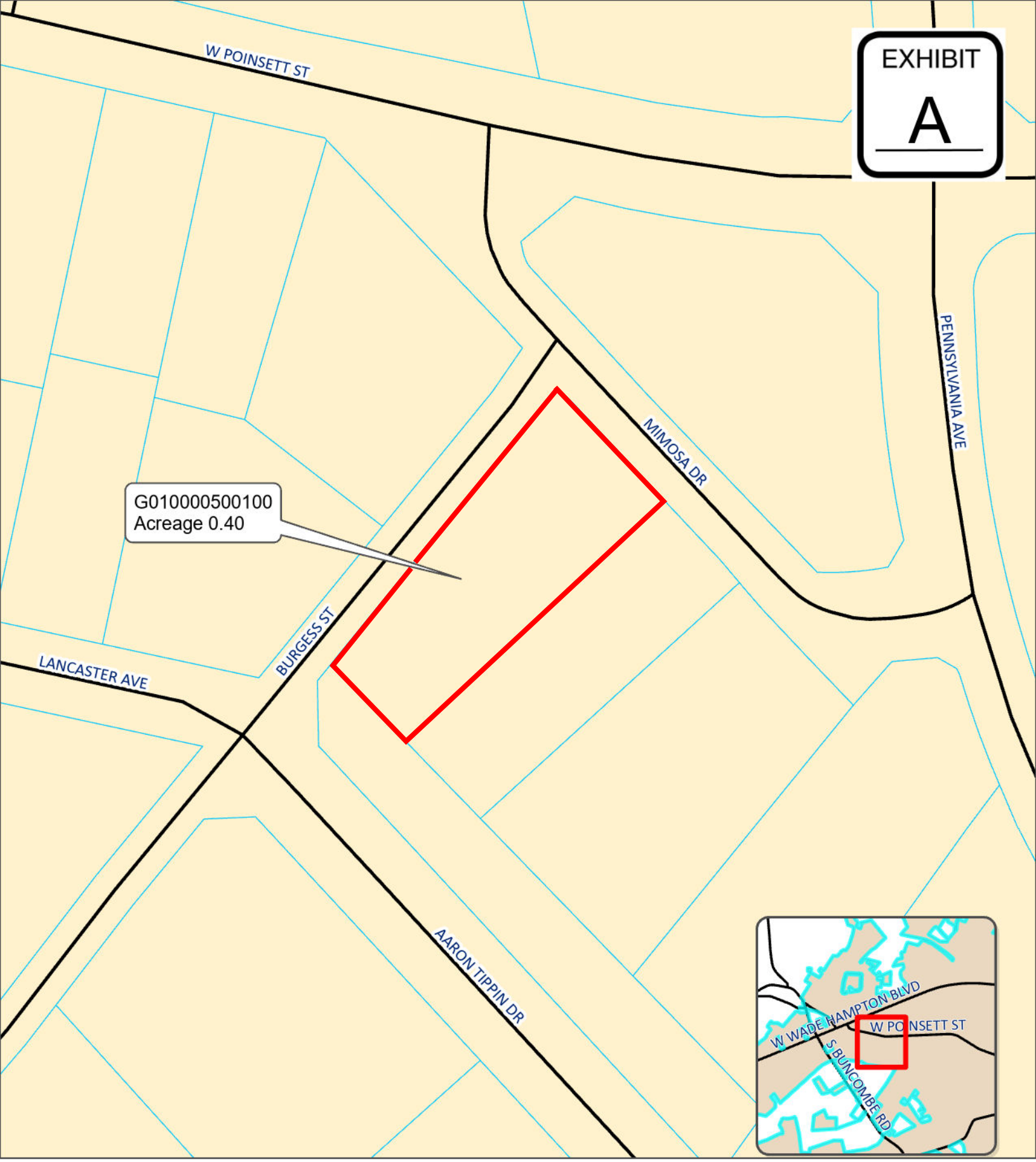
Introduced by: Councilman Wryley Bettis

First Reading: March 26, 2024

Second and
Final Reading: April 9, 2024

Approved as to Form:

_____
Daniel R. Hughes, City Attorney



Ordinance 16-2024

N

0 25 50 75 100 Feet

Streets

City Limits

Parcels

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Created 3/18/2024 by City of Greer GIS

EXHIBIT

B

Prepared By:

Blair Cato Pickren Casterline, LLC
406-A East Butler Road
Mauldin, SC 29662

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

GENERAL WARRANTY DEED

The designation Grantor and Grantee as used herein shall include the named parties and their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

KNOW ALL MEN BY THESE PRESENTS, that **Edgar A. Carbera and Nohemy Cabrera**, (hereinafter "Grantor") in the State aforesaid, for and in consideration of the sum of TWO HUNDRED NINETY THOUSAND AND NO/100 DOLLARS ($290,000.00), the receipt and sufficiency of which is hereby acknowledged, and subject to all easements and restrictions of record and otherwise affecting the property, has granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said:

Claudia C Jaramillo and Andres F Ramirez

as Joint Tenants with Right of Survivorship and Not as Tenants in Common (hereinafter "Grantee") Grantee's successors and assignees forever all Grantee's right, title and equitable or legal interest in and to:

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Greenville, City of Greer, at the Southwest corner of the junction of Overbrook Drive with Mimosa Drive, being shown and designated on a plat of said property prepared for Clint W. Greene by John A. Simmons, Registered Land Surveyor, dated April 6, 1961 and recorded in the Office of the Register of Deeds for said County in Plat Book WW, at Page 61, and being more recently shown on a plat prepared for Maria L. Gambrell by Chapman Surveying Co., dated February 10, 1993 and recorded in Plat Book 24-J at Page 97; reference to said plat being hereby made for a more complete metes and bounds description thereof.

DERIVATION:
This being the same property conveyed to Edgar A. Cabrera by deed of Michael Chad Roddy dated February 22, 2019 and recorded February 22, 2019 in Book 2559 at Page 2982; thereafter conveyed to Edgar A. Cabrera and Nohemy Cabrera by deed of Edgar A. Cabrera dated February 22, 2019 and recorded February 28, 2019 in Book 2559 at Page 5996; thereafter conveyed to Edgar A. Cabrera by deed of Maria L. Gambrell n/k/a Maria D. Lynn dated October 8, 2019 and recorded October 15, 2019 in Book 2578 at Page 1551 in the Greenville County Register of Deeds Office.

Greenville County Tax Map No.: G010.00-05-001.00

Property Address: 107 Mimosa Drive, Greer, SC 29650

Grantee Address: 107 Mimosa Drive, Greer, SC 29650

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee, Claudia C Jaramillo and Andres F Ramirez, as joint tenants with rights of survivorship and not as tenants in common.

AND GRANTOR DOES hereby promise, for themselves and Grantor's heirs, successors, assigns, and representatives, to warrant and forever defend the above premises unto the Grantee, Grantee's heirs and assigns, against the Grantor and Grantor's heirs, successors, assigns, and representatives and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the Hand and Seal of Edgar A. Carbera this **16th day of February** and in the year of our Lord, Two Thousand and Twenty-Four (2024) and in the Two Hundred Forty Eighth (248th) year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the presence of:

Witness No. 1

Witness No. 2 (NOTARY)

Edgar A. Carbera

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

The foregoing instrument was acknowledged before me by Edgar A. Carbera.

Witness my hand and seal this 16th day of February, 2024.

Notary Public for South Carolina

My Commission Expires: 11-06-2029

J. CHRIS BROWN
Notary Public, State of South Carolina
My Commission Expires 11/6/2029

WITNESS the Hand and Seal of Nohemy Cabrera this **16th day of February** and in the year of our Lord, Two Thousand and Twenty-Four (2024) and in the Two Hundred Forty Eighth (248th) year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the presence of:

Witness No. 1

Witness No. 2 (NOTARY)

Nohemy Cabrera

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

The foregoing instrument was acknowledged before me by Nohemy Cabrera.

Witness my hand and seal this 16th day of February, 2024.

Notary Public for South Carolina

My Commission Expires: 11·06·2029

J. CHRIS BROWN
Notary Public, State of South Carolina
My Commission Expires 11/6/2029

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY, appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.

2. The property being transferred is located at 107 Mimosa Drive, Greer, SC 29650 bearing Greenville County Tax Map Number G010.00-05-001.00, was transferred by Edgar A. Carbera and Nohemy Cabrera to Claudia C Jaramillo and Andres F Ramirez on February 16, 2024.

3. Check one of the following: The DEED is:

   a. ☑ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.

   b. ☐ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or a distribution to a trust beneficiary.

   c. ☐ exempt from the deed recording fee because (see information section of affidavit):

   _____

   (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)

   If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

   Check Yes ☐ or No ☑

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):

   a. ☑ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $290,000.00.

   b. ☐ The fee is computed on the fair market value of the realty which is $_____.

   c. ☐ The fee is computed on the fair market value of the realty as established for property tax purposes which is $_____.

5. Check YES ☐ or NO ☑ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "YES", the amount of the outstanding balance of this lien or encumbrance is $_____.

6. The deed recording fee is computed as follows:

   a. Place the amount listed in the item 4 above here: $ 290,000.00

   b. Place the amount listed in item 5 above here: $ 0.00
   (if no amount is listing, place zero here.)

   c. Subtract Line 6(b) from Line 6(a) and place the result here: $ 290,000.00

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is: $ 1,073.00.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

   Seller(s) _____

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

_____
Edgar A. Carbera

_____
Nohemy Cabrera

Subscribed and sworn to before me this 16 day of February, 2024.

By _____

J. Chris Brown
Notary Public

J. CHRIS BROWN
Notary Public, State of South Carolina
My Commission Expires 11/6/2029

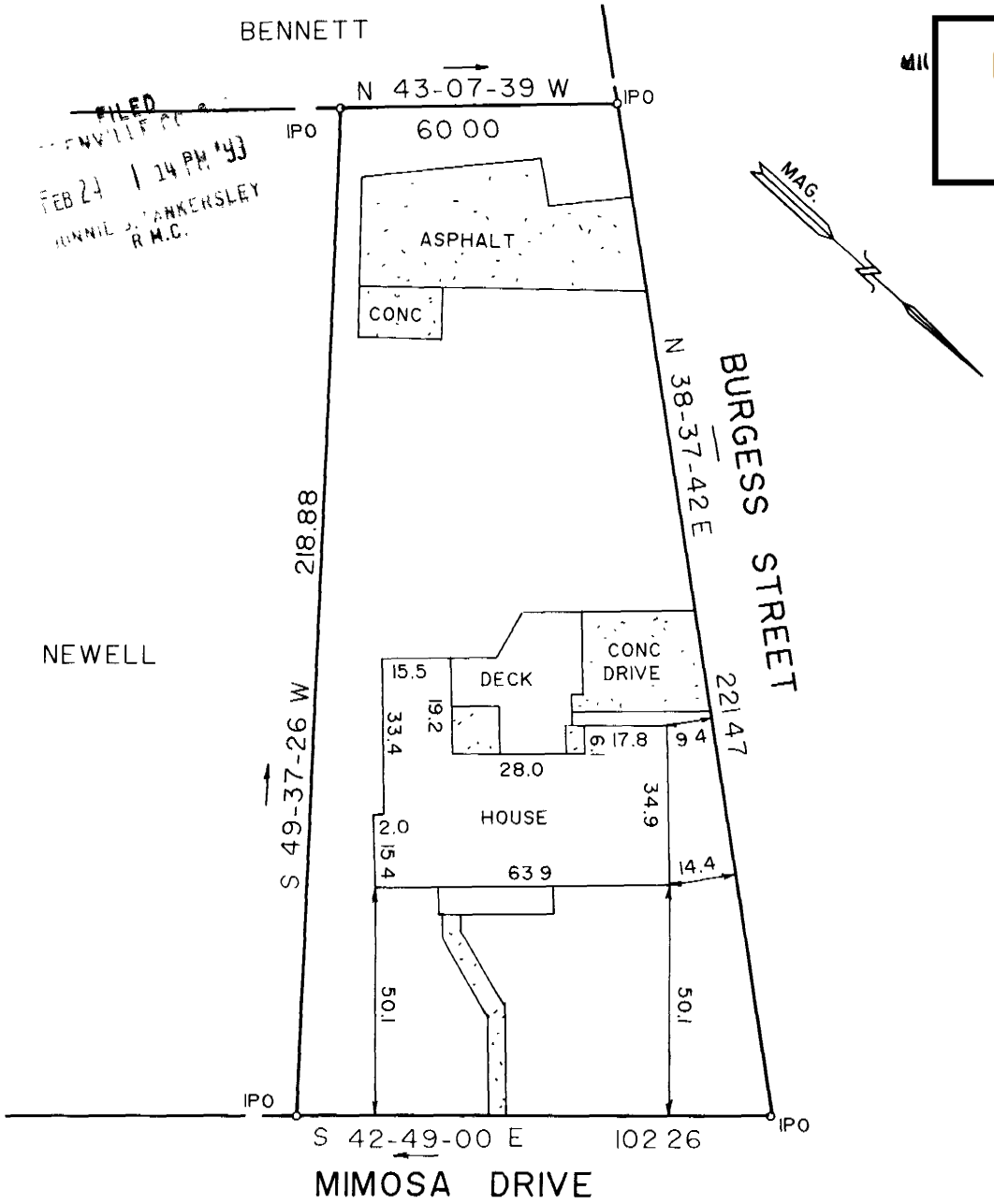
INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership, interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), and lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

(1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
(2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
(3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
(4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
(5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other then the interests in the realty that are being exchanged in order to partition the realty;
(6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
(7) that constitutes a contract for the sale of timber to be cut;
(8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred to another corporation, a partnership, or trust;
(9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
(10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
(11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
(12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
(13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceeding;
(14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty; and
(15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

EXHIBIT C



FILED
GREENVILLE CO.
FEB 24 1 14 PM '93
DONNIE S. TANKERSLEY
R.M.C.

SURVEY FOR MARIA L. GAMBRELL

FEB 24 1993

STATE OF SOUTH CAROLINA GREENVILLE COUNTY

FEBRUARY 10, 1993

11871

REF:
PLAT BOOK WW PAGE 61
DEED BOOK 1295 PAGE 12
TAX MAP G 10-5-1

24- J- 97

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

0 10' 20' 30' 60' 90'

SCALE 1" = 30'

CHAPMAN SURVEYING CO.
P.O. BOX 104 TAYLORS S.C. 29687
(803) 322-7610

MACK L. CHAPMAN JR RLS 10038

2-24-93

500

JOB NO. 1047

THE PRINT MACHINE, INC N77579

Greer
City of Greer, SC

ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date _____

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) G010000500100

Property Address(s) 107 Mimosa Dr. Greer SC. 29650

Acreage of Properties .43 County Greenville

Applicant Information

Name Claudia C. Jaramillo
Address 15 Hessell ct
Greer S.C. 29650
Contact Number 864 230·9162
Email Stepbystepfamilycounseling@gmail.com.

Property Owner Information
(If multiple owners, see back of sheet)

Name Andres Ramirez
Address 15 Hessell ct
Greer S.C. 29650
Contact Number 864·3043961
Email baracoa4@hotmail.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ____ No ✱

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from Single-family residence **to** Commercial space.

Existing Use: Family Residence **Proposed Use:** Family Counseling

Signature(s) _____

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____ Case No. _____

Meeting Date _____

See Reverse

See Reverse

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, March 18, 2024

DOCKET:	RZ 24-03
APPLICANT:	Claudia Jaramillo
PROPERTY LOCATION:	107 Mimosa Drive
TAX MAP NUMBER:	G010000500100
EXISTING ZONING:	MD, Medium Density Residential
REQUEST:	Rezone to OP, Office Professional
SIZE:	0.4 acres
COMPREHENSIVE PLAN:	Traditional Neighborhood

ANALYSIS: **RZ 24-03**

RZ 24-03 is a rezoning request for the parcel located at 107 Mimosa Drive. The request is to rezone the property from Medium Density Residential to Office Professional. The intent of the rezoning is to open a family counseling office.

Surrounding land uses and zoning include:

North:	Commercial General - Commercial
East:	Office Professional - Medical office
South:	Medium Density Residential - vacant
West:	Commercial General - Residential

Traditional Neighborhoods surround Downtown Greer and are generally more directly connected to it. Key features include an interconnected street grid and a mix of housing types. This area offers opportunity to infill around the existing mixture of residential, commercial, and institutional uses. Building types could include single-family homes, fourplexes, small-scale apartment buildings, attached townhomes, and neighborhood-scale retail. Single-lot infill development should be of a compatible scale and character with surrounding homes.

- Primary Uses: Single-family attached and detached residential, multiplexes, townhomes, parks
- Secondary Uses: Apartment/condominium buildings, accessory dwelling units, civic and institutional facilities, small-scale commercial uses

The request is compatible with surrounding land uses; therefore, staff supports the request. The use is compatible with surrounding land uses and a good transition to the office professional properties located to the rear.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

ACTION – Mr. Jones made a motion to approve the request. Mr. Booker seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.

Category Number:
Item Number: 3.

AGENDA
GREER CITY COUNCIL
4/9/2024

Second and Final Reading of Ordinance Number 17-2024

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ADELAIDA GARCIA LOCATED AT 600 HAMPTON ROAD FROM MD (MEDIUM DENSITY RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD) (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
	Ordinance Number 17-2027	3/28/2024	Ordinance
	Ord 17-2024 Exhibit A Map	3/28/2024	Exhibit
	Ord 17-2027 Exhibit B Title to Real Estate	3/28/2024	Exhibit
	Ord 17-2027 Exhibit C Survey	3/28/2024	Exhibit
	Ord 17-2024 Rezoning Application	3/28/2024	Backup Material
	Ord 17-2027 Planning Commission Minutes	3/28/2024	Backup Material

ORDINANCE NUMBER 17-2024

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY OWNED BY ADELAIDA GARCIA LOCATED AT 600 HAMPTON ROAD FROM MD (MEDIUM DENSITY RESIDENTIAL) TO TN (TRADITIONAL NEIGHBORHOOD)

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Adelaide Garcia located at 600 Hampton Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-03-10-122.00 containing approximately 0.26 +/- acres attached hereto marked as Exhibit A, the Title to Real Estate attached hereto marked as Exhibit B; and the Survey attached hereto marked at Exhibit C.

1. The owner desires to change the zoning classification of her property and has shown the need for such use to the Greer Planning Commission at a public hearing held on March 18, 2024.

2. To accomplish the desired change in use in the most effective manner, the zoning classification should be changed to TN (Traditional Neighborhood).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of a property located at 600 Hampton Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-03-10-122.00 containing approximately 0.26 +/- acres

attached hereto marked as Exhibit A shall be changed from MD (Medium Density Residential) to TN (Traditional Neighborhood).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

_____
Richard W. Danner, Mayor

ATTEST:

_____
Tammela Duncan, Municipal Clerk

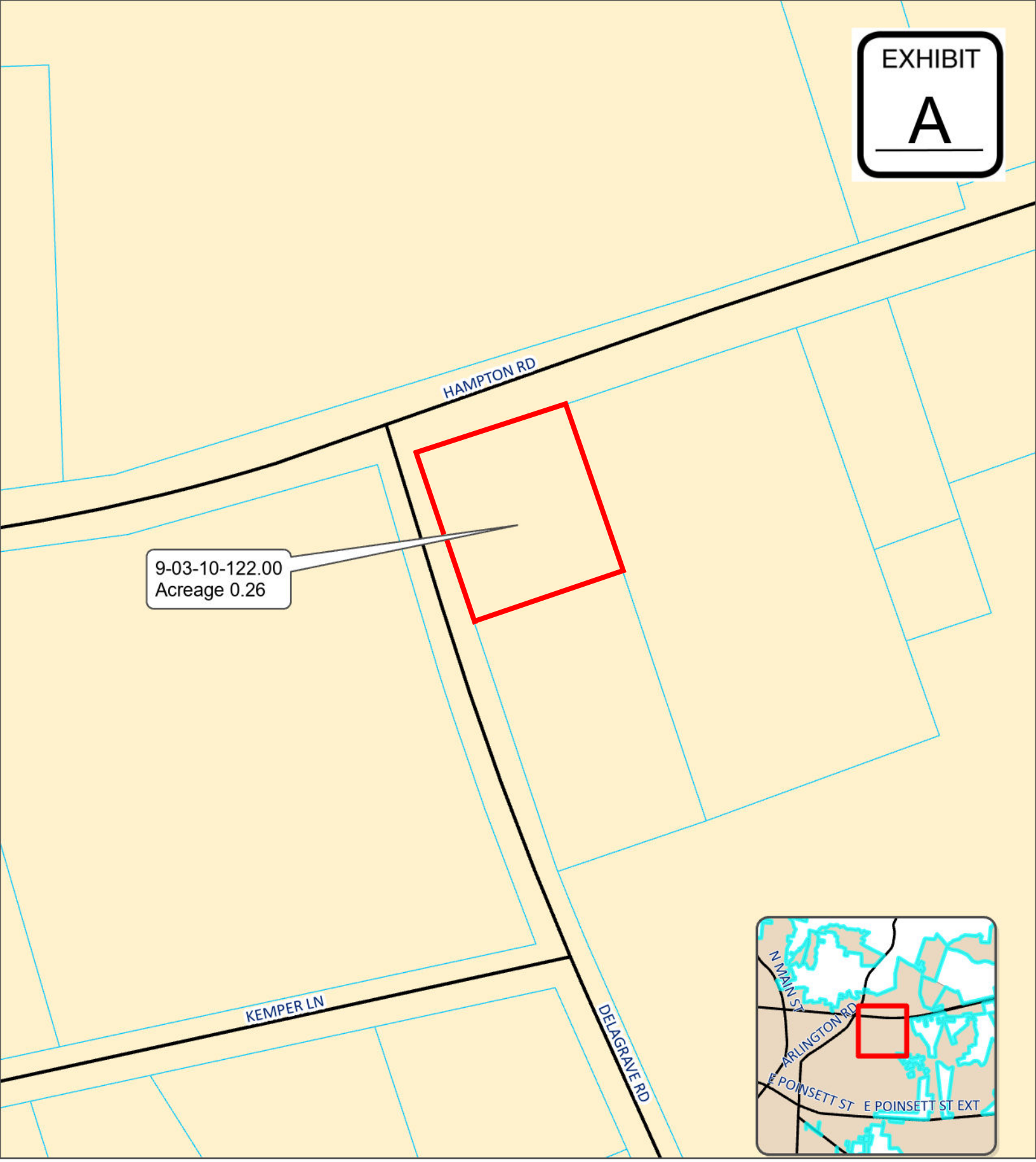
Introduced by: Councilman Wryley Bettis

First Reading: March 26, 2024

Second and
Final Reading: April 9, 2024

Approved as to Form:

_____
Daniel R. Hughes, City Attorney



Ordinance 17-2024

N

0 25 50 75 100 Feet

Streets

City Limits

Parcels

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Created 3/18/2024 by City of Greer GIS

EXHIBIT

B

Grantee's Address: 104 Circle Grove
Of Greer S.C. 29650.

DEE-2017-30037

DEE BK 116-F PG 740-742

Recorded 3 Pages on 06/29/2017 09:32:18 AM
Recording Fee: $10.00 County Taxes: $148.50 State Taxes: $351.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

Space above this line for recording information

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF SPARTANBURG)

KNOW ALL MEN BY THESE PRESENTS THAT, HAKIM NAQAWE herein referred to as Grantor for and in consideration of the sum of ONE HUNDRED THIRTY FIVE THOUSAND AND 00/100 (135,000.00) Dollars paid by ADELAIDA GARCIA, hereinafter referred to as Grantee in the State aforesaid, the receipt of which is hereby acknowledged, granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee, heirs, successors, and assigns forever:

ALL of that certain piece, parcel or lot of land in Beech Springs Township, County of Spartanburg, State of South Carolina, near the Town of Greer, being known and designated as .641 acres, more or less, at the corner of Hampton Road and Delgrave Street, with improvements thereon, as shown on a survey dated August 30, 2006 prepared by Chapman Surveying Co., Inc., entitled "SURVEY FOR HAKIM NAQAWE", and recorded in the ROD for Spartanburg County, SC in Plat Book 160 at Page 537, reference is hereby made to said plat for a more complete and accurate metes and bounds description thereof.

TMS#9-03-10-122.00

This being the same property conveyed to Hakim Naqawe by deed of Mobin Sayed Naqawe recorded 10/06/2016 in the ROD for Spartanburg County, SC In Deed Book 113P at Page 135.

This conveyance is made subject to all easements, conditions, covenants, restrictions and rights-of-way which are a matter of public record and/or actually existing upon the grounds affecting the above-described property.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee and the Grantee's heirs or successors and assigns forever.

AND THE GRANTOR does hereby bind the Grantor and the Grantors' heirs, successors or assigns, and personal representatives to warrant and forever defend all and singular said premises unto the Grantee and Grantee's heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantors' hand and seals this 20th day of June, in the year of 2017

Signed, Sealed and Delivered
in the Presence of:

Hakim Naqawe

STATE OF SOUTH CAROLINA
COUNTY OF ~~SPARTANBURG~~ Greenville

Personally appeared before me the undersigned witness and made oath that (s)he saw the within named Grantor sign, seal and as the Grantors' act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
20th day of June, 2017

Notary Public for the State of South Carolina
My Commission Expires: 12-29-20

J. DARRYL HOLLAND
NOTARY PUBLIC
My Commission Expires 12/29/2020
SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

AFFIDAVIT

Now comes, Chris Alderson, having been duly sworn, does on oath declare that the subscribing witnesses to the signature of Hakim Naqawe certified to the notary, J. Darryl Holland, under oath or by affirmation that the subscribing witnesses are not parties to or beneficiaries of the transaction.

FURTHER AFFIANT SAYETH NOT!

Chris Alderson

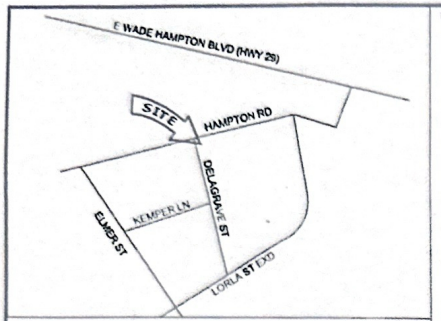
Sworn to before me this 27th day of June, 2017.

Notary Public for South Carolina
My Commission Expires: 12-31-23

AMY ERVIN
NOTARY
PUBLIC
SOUTH CAROLINA

EXHIBIT C

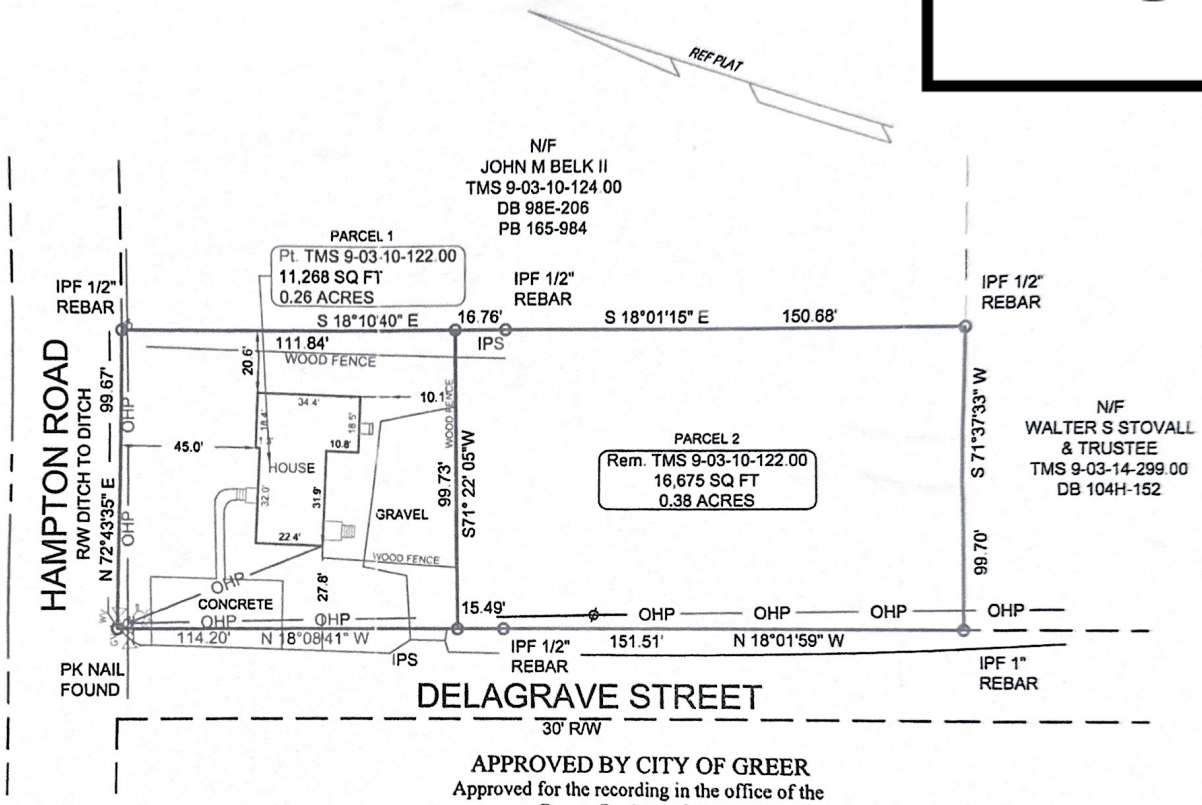
© 2017 KEVIN W TOLLISON, PLS



LOCATION MAP (NTS)

This plat was prepared as a professional service for the exclusive use of the person, persons, or entity named within the hereon statement and/or title. Said statement does not extend to any unnamed person, persons or entity without the expressed written permission of Kevin W Tollison, PLS naming said person, persons, or entity.

Except as specifically shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making this survey; building setback lines, restrictive covenants, subdivision restrictions; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose.



LEGEND:

— X —	FENCE
PP	POWER POLE
SSMH	SANITARY SEWER MANHOLE
IPS	IRON PIN SET (1/2" REBAR)
IPF	IRON PIN FOUND
—OHP—	OVERHEAD ELECTRIC LINE

APPROVED BY CITY OF GREER
Approved for the recording in the office of the County Register of Deeds

BBlake
Director, Building & Zoning, or
Planning & Zoning Coordinator
Date: 4-11-18

PLT-2018-15614

PLT BK 173 PG 946-946
Recorded 1 Pages on 04/11/2018 01 40 38 PM
Recording Fee $10 00
Office of REGISTER OF DEEDS SPARTANBURG S C
Dorothy Earle Register Of Deeds

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	2/26/2018	Revised Lot line	KWT

SOUTH CAROLINA PROFESSIONAL No 22747 KEVIN W TOLLISON LAND SURVEYOR

PLS: KEVIN W TOLLISON
PLS NO 22747

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY AND APPLICABLE ZONING OF RECORD OR NOT OF RECORD. SUBSURFACE AND ENVIRONMENTAL CONDITIONS HAVE NOT BEEN EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY EXCEPT AS SHOWN HEREON

KEVIN W TOLLISON, PLS
PO BOX 1084
SIMPSONVILLE, SOUTH CAROLINA 29681
(864) 313-0192

REF PLAT BOOK	160-537
REF DEED BOOK	116-740
TAX MAP	9-03-10-122 00
PARTY CHIEF	RJ
DRAWN	KT
DATE	07/26/2017
PROJECT NO	217048

SURVEY FOR ADELAIDA GARCIA

CITY OF GREER
SPARTANBURG COUNTY, SOUTH CAROLINA

40 0 40 80
SCALE IN FEET

KW Tollison
PO Box 1084
Simpsonville, SC 29681-1084
Phone (864) 313-0192
info@kwtassoc.com

Greer
City of Greer, SC

ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 02/07/2024

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 9-03-10-122.00

Property Address(s) 600 Hampton Rd. Greer, SC 29651

Acreage of Properties 0.26 County Spartanburg

Applicant Information

Name Adelaida Garcia
Address 104 Circle Grove Ct
Greer, SC 29650
Contact Number (864) 704-7920
Email pachobarrero96@gmail.com

Property Owner Information
(If multiple owners, see back of sheet)

Name Adelaida Garcia
Address 104 Circle Grove Ct
Greer, SC 29650
Contact Number (864) 704-7920
Email pachobarrero96@gmail.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ____ No ✓

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from MD, Medium Density Residential **to** TN, Traditional Neighborhood.

Existing Use: MD, Medium Density Residential **Proposed Use:** TN, Traditional Neighborhood

Signature(s) Adelaida Garcia

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____ Case No. _____

Meeting Date _____

See Reverse

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, March 18, 2024

DOCKET:	RZ 24-04
APPLICANT:	Adelaida Garcia
PROPERTY LOCATION:	600 Hampton Road
TAX MAP NUMBER:	9-03-10-122.00
EXISTING ZONING:	MD, Medium Density Residential
REQUEST:	Rezone to TN, Traditional Neighborhood
SIZE:	0.26 acres
COMPREHENSIVE PLAN:	Traditional Neighborhood

ANALYSIS: **RZ 24-04**

RZ 24-04 is a rezoning request for the parcel located at 600 Hampton Road. The request is to rezone the property from Medium Density Residential to Traditional Neighborhood. The intent of the rezoning is to increase the size of the lot by shifting the rear property line.

Surrounding land uses and zoning include:

North:	Commercial Corridor - Commercial
East:	Medium Density Residential - Apartments
South:	Traditional Neighborhood - vacant
West:	Commercial General – Parking lot

Traditional Neighborhoods surround Downtown Greer and are generally more directly connected to it. Key features include an interconnected street grid and a mix of housing types. This area offers opportunity to infill around the existing mixture of residential, commercial, and institutional uses. Building types could include single-family homes, fourplexes, small-scale apartment buildings, attached townhomes, and neighborhood-scale retail. Single-lot infill development should be of a compatible scale and character with surrounding homes.

- Primary Uses: Single-family attached and detached residential, multiplexes, townhomes, parks
- Secondary Uses: Apartment/condominium buildings, accessory dwelling units, civic and institutional facilities, small-scale commercial uses

The request is compatible with surrounding land uses; therefore, staff supports the request.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval

ACTION – Mr. Booker made a motion to approve the request. Ms. Jones seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.

Category Number:
Item Number: 4.

AGENDA
GREER CITY COUNCIL
4/9/2024

Second and Final Reading of Ordinance Number 19-2024

Summary:

A THIRTEENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF GREER, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING $21,700,000; AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR AND THE CHAIRMAN OR GENERAL MANAGER OF THE GREER COMMISSION OF PUBLIC WORKS TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AND OTHER MATTERS RELATING THERETO. (Action Required)

ATTACHMENTS:

	Description	Upload Date	Type
	Ordinance Number 19-2024 Updated Version	4/5/2024	Ordinance
	Ord 19-2024 Summary of Revisions	4/5/2024	Backup Material
	Ord 19-2024 Letter of Request	3/28/2024	Backup Material

CITY OF GREER, SOUTH CAROLINA

THIRTEENTH SUPPLEMENTAL ORDINANCE NO. _____

A THIRTEENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF GREER, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING $21,700,000; AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR AND THE CHAIRMAN OR GENERAL MANAGER OF THE GREER COMMISSION OF PUBLIC WORKS TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AND OTHER MATTERS RELATING THERETO.

Enacted: ~~_____ ___,~~April 9, 2023

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREER, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. Definitions. The terms in this Section 1 and all words and terms defined in General Bond Ordinance No. 27-97 (the "General Bond Ordinance") enacted by the Council on July 22, 1997 (such General Bond Ordinance as from time to time amended or supplemented by Supplemental Ordinances being defined as the "Ordinance") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Thirteenth Supplemental Ordinance have the respective meanings given to them in the General Bond Ordinance and in Section 1 hereof.

"2004 SRF Note" shall mean the $9,258,873 original principal amount Promissory Note of the City, Series 2004, dated June 24, 2004, and outstanding as of the date hereof in the principal amount of $4,092,536.36 and payable to the State Authority for South Carolina Drinking Water Revolving Fund Loan No. 3-018-04-2310005-02.

"2005 SRF Note" shall mean the $7,412,143 original principal amount Promissory Note of the City, Series 2005, dated June 30, 2005, and outstanding as of the date hereof in the principal amount of $3,346,875.14 and payable to the State Authority for South Carolina Drinking Water Revolving Fund Loan No. 3-022-05-2310005-03.

"2007 SRF Note" shall mean the $13,484,454 original principal amount Promissory Note of the City, Series 2007, dated November 16, 2007, and outstanding as of the date hereof in the principal amount of $4,008,561.59 and payable to the State Authority for South Carolina Water Pollution Control Revolving Fund Loan No. X1-110-07-463-11.

"2009 SRF Note" shall mean the $5,310,000 original principal amount Promissory Note of the City, Series 2009, dated September 25, 2009, and outstanding as of the date hereof in the principal amount of $3,089,103.61 and payable to the State Authority for South Carolina South Carolina Drinking Water Revolving Fund Loan No. S3-043-09-2310005-04.

"2024 Projects" shall mean certain improvements, extensions and enlargements to the System, to wit: (a) Lyman Gas Transmission System and Gate Station; (b) SC Highway 414 Gas Transmission Lateral; and (c) South Highway 101 Gas Transmission Upgrades; and (d) any other improvements relating to the foregoing and such other improvements as the Commission may deem necessary or incidental to the System.

"Beneficial Owner" shall mean any purchaser who acquires beneficial ownership interest in any Initial Bond held by the Depository. In determining any Beneficial Owner, the City, the Registrar and the Paying Agent may rely exclusively upon written representations made and information given to the City, the Registrar and the Paying Agent, as the case may be, by the Depository or its Participants with respect to any Series 2024 Bond held by the Depository or its Participants in which a beneficial ownership interest is claimed.

"Bond of 2007" shall mean the $5,700,000 original principal amount Combined Utility System Revenue Bond, Series 2007, dated May 24, 2007, and outstanding as of the date hereof in the principal amount of $1,524,415.

"Bond of 2015" shall mean the $4,590,000 original principal amount Combined Utility System Refunding Revenue Bond, Series 2015, dated September 1, 2015, and outstanding as of the date hereof in the principal amount of $990,000.

"Bond of 2017" shall mean the $14,740,000 original principal amount Combined Utility System Refunding Revenue Bond, Series 2017, dated June 8, 2017, and outstanding as of the date hereof in the principal amount of $3,850,000.

"Bond Purchase Agreement" shall mean, collectively, one or more bond purchase agreements to be dated the date of execution and delivery thereof among the City, the Commission and one or more Underwriters, related to the applicable Series of Series 2024 Bonds.

"Bonds of 2002" shall mean the $25,060,000 original principal amount Combined Utility System Revenue Bonds, Series 2002, dated May 15, 2002, and outstanding as of the date hereof in the principal amount of $21,~~020~~330,000.

"Book-Entry Form" or "Book-Entry System" shall mean with respect to the Initial Bonds, a form or system, as applicable, under which (a) the ownership of beneficial interests in the Initial Bonds may be transferred only through a book-entry and (b) physical bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Holder, with the physical bond certificates "immobilized" in the custody of the Depository. The book-entry maintained by the Depository is the record that identifies the owners of participatory interests in the Initial Bonds when subject to the Book-Entry System.

"Chairman" shall mean the Chairman of the Commission.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Commission" shall mean the Board of Commissioners of Public Works of the City of Greer, South Carolina.

"Commission Representative" shall mean those persons designated by certificate of the Chairman or General Manager as persons authorized to act as representatives of the Commission with respect to the Resolution, the General Bond Ordinance, this Thirteenth Supplemental Ordinance and the Series 2024 Bonds, for the purpose of performing any act of the Commission hereunder.

"Continuing Disclosure Agreement" shall have the meaning given that term in Section 15 hereof.

"Credit Facility" shall mean one or more instruments provided by a Credit Facility Issuer, which may include a bond insurance policy, letter of credit, contract, agreement or similar credit facility with respect to any Series of Series 2024 Bonds.

"Credit Facility Agreement" shall mean the agreement or agreements, if any, among the City, the Credit Facility Issuer, and any other necessary party (including the Commission) relating to a Credit Facility.

"Credit Facility Issuer" shall mean, if a Credit Facility is in effect, the institution issuing the Credit Facility.

"Depository" shall mean, if applicable, any securities depository that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial

interests in the Series 2024 Bonds, and to effect transfers of the Series 2024 Bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Eleventh Supplemental Ordinance" shall mean Eleventh Supplemental Ordinance No. 13-2015 enacted on April 14, 2015, by the Council of the City authorizing the issuance of the Bond of 2015.

"Fifth Supplemental Ordinance" shall mean Fifth Supplemental Ordinance No. 20-2005 enacted on May 24, 2005, by the Council of the City authorizing the issuance of the 2005 SRF Note.

"Finance Manager" shall mean the Finance Manager of the Commission, or equivalent position.

"Fourth Supplemental Ordinance" shall mean the Fourth Supplemental Ordinance No. 7-2004 enacted on May 25, 2004, by the Council of the City authorizing the issuance of the 2004 SRF Note.

"General Bond Ordinance" shall mean General Bond Ordinance No. 27-97 duly enacted on July 22, 1997, by the Council of the City authorizing and providing for the issuance of Combined Utility System Revenue Bonds, as such Ordinance has been amended, and as such Ordinance may be modified, amended or supplemented from time to time.

"General Manager" shall mean the General Manager of the Commission.

"Initial Bonds" shall mean, if applicable, the Series 2024 Bonds initially issued in Book-Entry Form as provided in Section 5 hereof.

"Insurer Default" shall mean there shall occur or exist a default in the payment by the Credit Facility Issuer or Reserve Fund Instrument Provider of principal of or any interest on the applicable Series 2024 Bonds when required to be made by the Credit Facility or Reserve Fund Instrument relating thereto, as the case may be.

"Interest Payment Date" shall mean March 1 and September 1 of each year, or such other date or dates as the Mayor or the City Administrator and the Chairman or General Manager may determine pursuant to Section 4 hereof, and commencing on such date as may be determined by the Mayor or the City Administrator and the Chairman or General Manager pursuant to Section 4 hereof.

"Ninth Supplemental Ordinance" shall mean Ninth Supplemental Ordinance No. 20-2009 enacted on September 8, 2009, by the Council of the City authorizing the issuance of the 2009 SRF Note.

"Parity Bonds" shall mean, collectively, the Bonds of 2002, the 2004 SRF Note, the 2005 SRF Note, the 2007 SRF Note, the Bond of 2007 Bond, the 2009 SRF Note, the Bond of 2015, the Bond of 2017 and any Series of Series 2024 Bonds then Outstanding.

"Participant" shall mean, if applicable, any bank, brokerage house or other financial institution for which, from time to time, the Depository effects book-entry transfers and pledges of securities deposited with the Depository.

"Paying Agent" shall mean Truist Bank, in Wilson, North Carolina, as Paying Agent for the Series 2024 Bonds.

"Permitted Investments" shall mean, with respect to a Series Debt Service Reserve Fund established in connection with any Series 2024 Bonds for which a Credit Facility is in effect, and only for the time during which such Credit Facility is in effect and no Insurer Default has occurred and is continuing, only such Permitted Investments, as defined in the General Bond Ordinance, as also qualify pursuant to the terms and conditions set forth in the applicable Credit Facility Agreement relating thereto.

"Placement Agent" shall mean the bank, financial institution or other entity designated pursuant to Section 4 hereof to serve as placement agent for one or more Series of Series 2024 Bonds, if applicable.

"Principal Payment Date" shall have the meaning given to such term in Section 3(a) hereof.

"Purchasers" shall mean, if applicable, the original purchaser or purchasers of a Series of Series 2024 Bonds and their successors or assignees.

"Registrar" shall mean Truist Bank, in Wilson, North Carolina, as Registrar for the Series 2024 Bonds.

"Reserve Fund Instrument" shall mean any surety bond, insurance policy, letter of credit or other instrument provided to meet, in whole or in part, a Series Reserve Fund Requirement for a Series Debt Service Reserve Fund, if any.

"Reserve Fund Instrument Agreement" shall mean the agreement or agreements, if any, among the City, the Reserve Fund Instrument Provider, and any other necessary party (including the Commission), relating to a Reserve Fund Instrument, if any.

"Reserve Fund Instrument Provider" shall mean, with respect to any Series of Series 2024 Bonds, if a Reserve Fund Instrument is in effect, the institution providing the Reserve Fund Instrument.

"Series 2024 Bonds" shall mean the City of Greer, South Carolina, Combined Utility System Revenue Bonds, with appropriate series designations and descriptions as applicable (regardless of whether such Bonds are issued in calendar year 2024), in the aggregate principal amount of not exceeding $21,700,000 authorized to be issued hereunder. The Series 2024 Bonds may be issued in one or more Series.

"Series Capitalized Interest Account" shall mean one or more accounts, if any, within a respective Series Debt Service Fund, established pursuant to Section 8 hereof, to provide for the payment of all or a portion of the interest due and payable on the applicable Series of Series 2024 Bonds.

"Series Construction Fund" shall mean one or more funds with an appropriate Series designation, established pursuant to Section 10 hereof, to defray the Cost of Acquisition and Construction of all or a portion of the 2024 Projects. Funds in a Series Construction Fund may also be used to pay the Cost of Issuance of the applicable Series 2024 Bonds relating thereto.

"Series Costs of Issuance Account" shall mean, if established pursuant to Section 11 hereof, one or more accounts, further identified or designated to relate to a specific Series of the Series 2024 Bonds issued hereunder, to defray the cost of all or a portion of the Cost of Issuance of such Series of Series 2024 Bonds.

"Series Debt Service Fund" shall mean the Fund or Funds (with an appropriate Series designation) established pursuant to Section 8 hereof, and to be used for the purposes set forth in Section 6.4 of the

General Bond Ordinance. Pursuant to Section 8, each Series Debt Service Fund shall be further identified or designated to relate to the specific Series of Series 2024 Bonds issued hereunder.

"Series Debt Service Reserve Fund" shall mean one or more Funds, if any, established pursuant to Section 9 hereof, and to be used for the purposes set forth in Section 6.5 of the General Bond Ordinance. Pursuant to Section 9, each Series Debt Service Reserve Fund shall be further identified or designated to relate to the specific Series of the Series 2024 Bonds issued hereunder.

"Series Reserve Fund Requirement" shall mean the amount, if any, established pursuant to Section 4 or Section 9 hereof, with respect to a specific Series of Series 2024 Bonds issued hereunder.

"Seventh Supplemental Ordinance" shall mean Seventh Supplemental Ordinance No. 45-2007 enacted on October 23, 2007, by the Council of the City authorizing the issuance of the 2007 SRF Note.

"Sixth Supplemental Ordinance" shall mean Sixth Supplemental Ordinance No. 15-2007 enacted on May 8, 2007, by the Council of the City authorizing the issuance of the Bond of 2007.

"State Authority" shall mean the South Carolina Water Quality Revolving Fund Authority.

"Third Supplemental Ordinance" shall mean Third Supplemental Ordinance No. 10-2002 enacted on May 14, 2002, by the Council of the City authorizing the issuance of the Bonds of 2002.

"Twelfth Supplemental Ordinance" shall mean Twelfth Supplemental Ordinance No. 11-2017 enacted on March 28, 2017, by the Council of the City authorizing the issuance of the Bond of 2017.

"Underwriter" shall mean, if applicable, the original underwriter or underwriters of the applicable Series of Series 2024 Bonds.

Section 2. Certain Findings and Determinations.

The City hereby finds and determines:

(a) The City is an incorporated municipality located in Greenville County and Spartanburg County, State of South Carolina, and as such has all powers granted to municipalities by the Constitution and the general law of the State of South Carolina.

(b) The System is operated by and under the control of the Commission.

(c) Pursuant to a Resolution adopted on October 23, 2023 (the "Resolution"), the Commission requested the City Council to enact this Thirteenth Supplemental Ordinance and issue the Series 2024 Bonds.

(d) The Series 2024 Bonds must be issued pursuant to the terms and conditions of the General Bond Ordinance in order for the Series 2024 Bonds to be issued on a parity in all respects to the pledge of Net Revenues securing the Parity Bonds.

(e) The Council is enacting this Thirteenth Supplemental Ordinance in order to:

(i) authorize the execution and delivery, on behalf of the City, of the Series 2024

Bonds in order to defray the Cost of Acquisition and Construction of one or more of the 2024 Projects; and

(ii) authorize the execution and delivery, on behalf of the City, of such other agreements and certificates and the taking of such other action by the City and its officers as shall be necessary or desirable in connection with the Series 2024 Bonds and the 2024 Projects in order to carry out the intent of this Thirteenth Supplemental Ordinance.

(f) This Thirteenth Supplemental Ordinance supplements the General Bond Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of such quoted term as defined and used in the General Bond Ordinance, and is enacted under and pursuant to the General Bond Ordinance.

(g) The Series 2024 Bonds will constitute and will be "Bonds" within the meaning of the quoted word as defined and used in the General Bond Ordinance.

(h) The Net Revenues pledged under the General Bond Ordinance are not encumbered by any lien and charge thereon or pledge thereof, other than the lien and charge thereon and pledge created by the General Bond Ordinance and the following Supplemental Ordinances: (i) the Third Supplemental Ordinance for payment and security of the Bonds of 2002; (ii) the Fourth Supplemental Ordinance for payment and security of the 2004 SRF Note; (iii) the Fifth Supplemental Ordinance for payment and security of the 2005 SRF Note; (iv) the Sixth Supplement Ordinance for payment and security of the Bond of 2007; (v) the Seventh Supplemental Ordinance for the payment and security of the 2007 SRF Note; (vi) the Ninth Supplemental Ordinance for the payment and security of the 2009 SRF Note; (vii) the Eleventh Supplemental Ordinance for the payment and security of the Bond of 2015; (viii) the Twelfth Supplemental Ordinance for the payment and security of the Bond of 2017; and (ix) upon the issuance of the Series 2024 Bonds, the lien and charge thereon and pledge thereof created by the General Bond Ordinance and this Thirteenth Supplemental Ordinance for payment and security of the Series 2024 Bonds.

(i) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute such Event of Default.

(j) The Commission has advised the City that the period of usefulness of the System is in excess of forty (40) years from the date hereof.

(k) The Commission has advised the City that the estimated Cost of Acquisition and Construction of the 2024 Projects (exclusive of (i) funding the applicable Series Debt Service Reserve Fund (if any) in an amount equal to the Series Reserve Fund Requirement through the deposit of cash, the purchase of a Reserve Fund Instrument, or any combination thereof; (ii) paying a portion of the interest coming due on one or more Series of Series 2024 Bonds; and (iii) paying the Cost of Issuance of the applicable Series 2024 Bonds including, if applicable, premiums due to the provider of any Credit Facility or Reserve Fund Instrument capitalized interest, Costs of Issuance) is not less than $15,000,000.

(l) Section 3.3 of the General Bond Ordinance provides that one or more Series of Bonds (exclusive of refunding Bonds) may be issued for such purposes as may be permitted by the Act upon compliance with certain provisions of the General Bond Ordinance for the purpose of paying the Cost of Acquisition and Construction of one or more Projects at the written request of the Commission. Bonds issued upon compliance with Section 3.2 and Section 3.3 of the General Bond Ordinance shall be issued on a parity with respect to the pledge and lien upon Net Revenues of the System inter sese, but not with regard

to the particular Debt Service Fund or Debt Service Reserve Fund established in connection therewith.

(m) In compliance with the provisions of Section 3.3 of the General Bond Ordinance, the Council further finds and determines the following:

(i) The issuance of the Series 2024 Bonds is authorized under and pursuant to an ordinance supplemental to the General Bond Ordinance as provided in Article III and Article IX of the General Bond Ordinance.

(ii) Prior to the issuance of the Series 2024 Bonds there shall be executed the certificate required by paragraph A of Section 3.3 of the General Bond Ordinance.

(iii) Prior to the issuance of the Series 2024 Bonds, there shall be delivered a report, based upon the latest available audit of the System as required by Section 7.4 of the General Bond Ordinance, in compliance with paragraph C of Section 3.3 of the General Bond Ordinance.

(iv) The Series 2024 Bonds are being issued for the purpose of improving the System, i.e., the 2024 Projects.

(n) Pursuant to the authority granted in Section 4 hereof, the Mayor or City Administrator and the Chairman or General Manager may determine whether to establish one or more Series Debt Service Reserve Funds (with appropriate Series designations) for the respective Series of Series 2024 Bonds. If a Series Debt Service Reserve Fund is established hereunder, it shall secure only the Series of Series 2024 Bonds relating thereto, and the Series Reserve Fund Requirement (if any) will either be satisfied through the deposit of cash, the purchase of a Reserve Fund Instrument, or any combination of the foregoing, for the benefit of the Holders of applicable Series of the Series 2024 Bonds.

(o) The Series 2024 Bonds are being issued for one or more of the following purposes: (i) defraying the Cost of Acquisition and Construction of one or more of the 2024 Projects; (ii) funding the applicable Series Debt Service Reserve Fund (if any) in an amount equal to the Series Reserve Fund Requirement through the deposit of cash, the purchase of a Reserve Fund Instrument, or any combination thereof; (iii) paying a portion of the interest coming due on one or more Series of Series 2024 Bonds; and (iv) paying the Cost of Issuance of the applicable Series 2024 Bonds including, if applicable, premiums due to the provider of any Credit Facility or Reserve Fund Instrument.

(p) It is necessary and in the best interest of the City for the Commission to undertake one or more of the 2024 Projects and for the City to issue the Series 2024 Bonds, in one or more Series, in the aggregate principal amount of not exceeding $21,700,000 in accordance with the General Bond Ordinance, the Act and this Thirteenth Supplemental Ordinance for the purposes set forth above, which Series 2024 Bonds shall be issued on a parity with the Parity Bonds and any other Bonds which may hereafter be issued.

Section 3. Authorization of Series 2024 Bonds.

(a) There is hereby authorized to be issued one or more Series of Series 2024 Bonds designated "City of Greer, South Carolina, Combined Utility System Revenue Bonds, Series [____]" (the "Series 2024 Bonds"), in the aggregate principal amount of not exceeding $21,700,000. The Series 2024 Bonds may be issued in a year subsequent to calendar year 2024, and may be issued in one or more Series. Accordingly, the Series 2024 Bonds may have such other descriptive terms in its series designation as may

be necessary to properly identify the applicable Series of Series 2024 Bonds. The proceeds of the Series 2024 Bonds shall be used for one or more of the purposes set forth in Section 2(o) hereof.

Unless otherwise determined by the Mayor or City Administrator and the Chairman or General Manager pursuant to Section 4 hereof, the Series 2024 Bonds shall mature on September 1 in each of the years (the "Principal Payment Dates") and in the principal amounts, and bear interest at the rates per annum as determined by the Mayor or City Administrator and the Chairman or General Manager, pursuant to Section 4 hereof.

(b) Such of the Series 2024 Bonds as the Mayor or City Administrator and Chairman or General Manager shall determine pursuant to Section 4 hereof may be subject to mandatory redemption at a redemption price equal to the principal amount of the Series 2024 Bonds to be redeemed, together with interest accrued from the date of redemption, in the years and in the amounts determined by the Mayor or City Administrator and Chairman or General Manager pursuant to Section 4 hereof.

At its option, to be exercised on or before the sixtieth (60th) day prior to any mandatory redemption date, the City may (i) deliver to the Trustee for cancellation Series 2024 Bonds which are subject to mandatory redemption in any aggregate principal amount desired or (ii) receive a credit in respect of its mandatory redemption obligation for any such Series 2024 Bonds which, prior to such date, have been purchased or redeemed (otherwise than through the operation of the mandatory redemption requirement) by the City and cancelled by the Trustee and not theretofore applied as a credit against any mandatory redemption obligation. Each Series 2024 Bond so delivered or previously purchased or redeemed shall be credited by the Trustee, at one hundred percent (100%) of the principal amount thereof, to the obligation of the City on those respective mandatory redemption obligations in chronological order or such other order as may be directed in writing by the City to the Trustee, and the principal amount of the Series 2024 Bonds to be redeemed by operation of the mandatory redemption requirement shall be accordingly reduced.

The Registrar, without further authorization or direction from the City, shall give notice of all mandatory redemptions within the time periods and in the manner specified in Article V of the General Bond Ordinance.

(c) The Series 2024 Bonds shall originally be dated the date of their respective delivery, or such other date as the Mayor or City Administrator and the Chairman or General Manager shall determine pursuant to Section 4 hereof, and shall be issued as fully registered Bonds in the denominations of $5,000 and integral multiples of $5,000, or in such other denominations as the Mayor or City Administrator and the Chairman or General Manager shall determine pursuant to Section 4 hereof. The Series 2024 Bonds shall be numbered and lettered in such a fashion as to maintain a proper record thereof.

(d) Principal of and redemption premium, if any, on the Series 2024 Bonds shall be payable at the designated corporate trust office of the Paying Agent. Interest on the Series 2024 Bonds shall be payable on each Interest Payment Date, in each case to the Holders as of the immediately preceding Record Date, such interest to be paid by the Paying Agent by check or draft mailed to each Holder at the address as it appears on the Books of Registry maintained at the designated corporate trust office of the Registrar or, in the case of a Holder of $1,000,000 or more in principal amount of Series 2024 Bonds, by wire transfer to an account within the continental United States upon the timely receipt of a written request of such Holder.

Payment of the principal of and interest on such Series 2024 Bonds may be payable to the Holder thereof without presentation and surrender of such Series 2024 Bonds except upon maturity or final payment.

(e) The Series 2024 Bonds and the assignment provisions pertaining thereto shall be in substantially one of the forms set forth in Exhibit A hereto (depending on whether such Series 2024 Bonds are sold in a public or private offering), with such necessary or appropriate variations, omissions and insertions as are incidental to the series, numbers, denominations, maturities, dates, interest rate or rates, redemption provisions, the purpose of issuance and other details thereof or as are otherwise permitted or required by law, by the General Bond Ordinance or by this Thirteenth Supplemental Ordinance. The Series 2024 Bonds shall be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor or the Mayor Pro-Tempore and the Municipal Clerk.

(g) A copy of the approving opinion to be rendered on the Series 2024 Bonds may be attached to each Series 2024 Bond and, if so, preceding the same a certificate shall appear, which shall be signed on behalf of the City by a manual or facsimile signature of the Municipal Clerk of the City. Such certificate shall be in the form substantially as follows:

> IT IS HEREBY CERTIFIED that the following is a true and correct copy of the approving opinion of Burr & Forman LLP, Greenville, South Carolina, the original of which was manually executed, dated and issued as of the date of the delivery of and payment for the bonds, and a copy of which is on file with the City of Greer, South Carolina.
>
> CITY OF GREER, SOUTH CAROLINA
>
> By: _____
> Municipal Clerk

(h) In the event a Credit Facility is purchased with respect to a Series of Series 2024 Bonds, a "statement of insurance" or similar provision may be attached to each applicable Series of Series 2024 Bonds in the form provided in the applicable Credit Facility Agreement.

(i) In the event a Series of Series 2024 Bonds is sold on a private placement basis to a Purchaser, such Series 2024 Bond may be represented by a single, fully-registered Bond, registered in the name of the Purchaser thereof. To the extent agreed to by the applicable Purchaser, such Series 2024 Bond may be sold or transferred by the initial Purchaser only to purchasers ("Qualified Investors") who execute an investment letter delivered to the City and the Commission, in form satisfactory to the City and the Commission (the "Investment Letter"), containing certain representations, warranties and covenants as to the suitability of such purchasers to purchase and hold such Series 2024 Bond to be transferred. Such restriction shall be set forth on the face of such Series 2024 Bond and shall be complied with by each transferee thereof.

Section 4. Sale and Issuance of Series 2024 Bonds; Authority of the Mayor or City Administrator and Chairman or General Manager.

(a) Without further authorization, the Council hereby authorizes and directs the Mayor or City Administrator and the Chairman or General Manager to:

(i) determine the original issue date of each Series of the Series 2024 Bonds (if different

from than the date of delivery thereof);

(ii) determine whether to issue the Series 2024 Bonds in one or more Series;

(iii) determine the aggregate principal amounts and authorized denominations (if different from that set forth herein) of the applicable Series 2024 Bonds;

(iv) determine the principal repayment schedule for the applicable Series 2024 Bonds and the Principal Payment Dates of the applicable Series 2024 Bonds if different from that set forth herein;

(v) determine the date and time of sale of the applicable Series 2024 Bonds, and the interest rates for each Series of Series 2024 Bonds;

(vi) determine the Interest Payment Dates and initial Interest Payment Date for the applicable Series 2024 Bonds if different from that set forth herein;

(vii) determine the optional and mandatory redemption dates and terms of redemption for the applicable Series 2024 Bonds;

(viii) determine whether a Series Debt Service Reserve Fund will be established and funded with respect to one or more Series 2024 Bonds and, if so, the amount of the Series Reserve Fund Requirement and the manner and timing of which the Series Reserve Fund Requirement will be satisfied (including, but not limited to determine whether to purchase a Reserve Fund Instrument);

(ix) approve any original issue discount or original issue premium at which a Series of Series 2024 Bonds may be sold, or whether any Underwriter's discount or other fee will be paid to the purchaser of such Series of Series 2024 Bonds;

(x) determine whether a Credit Facility will be purchased with respect to the respective Series 2024 Bonds;

(xi) determine whether a portion of the proceeds of a Series of New Bonds shall be used to pay a portion of the interest due and payable on such Series of New Bonds.

(xii) determine the manner in which the New Bonds will be offered for sale (i.e., as a private-placement or as a public-offering), and determine the identity of the Placement Agent or Underwriter (if any) with respect thereto;

(xiii) if a Series of Series 2024 Bonds is not sold to the Underwriter, (a) approve the forms of one or more Requests for Proposals under which such Series 2024 Bonds will be offered for sale and the distribution of such Requests for Proposals to various banks and other financial institutions as the General Manager or Finance Manager determine; (b) determine the date and time for receipt of bids under such Requests for Proposals, and (c) approve the sale of such Series 2024 Bonds to the bidders providing the most advantageous proposals therefor, in accordance with the terms of such Requests for Proposals;

(xiv) determine whether the applicable Series 2024 Bonds will be issued as obligations the interest on which is exempt from federal income taxation; and

(xv) agree to any other covenants, terms, provisions and matters necessary or advisable to

effect the issuance of the Series 2024 Bonds, including such terms as may be requested by the respective Underwriters or Purchasers thereof.

(b) The Mayor or City Administrator and the Chairman or General Manager are hereby authorized and empowered to take such actions as may be necessary or desirable to conduct a public offering of a Series of Series 2024 Bonds, and are hereby authorized and empowered to enter into, on behalf of the City, one or more Bond Purchase Agreements relating thereto. In connection with any public offering of a Series of Series 2024 Bonds, the Mayor or City Administrator and the Chairman or General Manager are hereby authorized and directed:

(1) to execute and deliver such executed Bond Purchase Agreement to the Underwriter, such execution and delivery of the Bond Purchase Agreement constituting conclusive evidence of their approval of the matters therein contained;

(2) to approve the form of a Preliminary Official Statement relating to the City, the Commission and the Series 2024 Bonds (the "Preliminary Official Statement"), and to "deem final" the Preliminary Official Statement for purposes of complying with the requirements set forth in Rule 15c2-12 of the Securities and Exchange Commission promulgated under the Securities Exchange Act of 1934, as amended;

(3) to approve the form of a final Official Statement relating to the City, the Commission and the Series 2024 Bonds substantially in the form of the Preliminary Official Statement, with such modifications as the Mayor or City Administrator and the Chairman or General Manager may approve, and to deliver the same to the Underwriter, which delivery shall be conclusive evidence of the approval of any such modifications; and

(4) to authorize the use of the Preliminary Official Statement, the final Official Statement, the General Bond Ordinance, this Thirteenth Supplemental Ordinance, the Resolution, and the information contained herein and therein in connection with the public offering and sale of the Series 2024 Bonds by the Underwriter.

(d) A copy of this Thirteenth Supplemental Ordinance shall be filed with the minutes of the meeting of Council at which this Thirteenth Supplemental Ordinance was enacted.

(e) The Mayor or City Administrator and the Chairman or General Manager are hereby authorized and empowered to execute and deliver investment agreements, forward delivery agreements, repurchase agreements, guaranteed investment contracts, Credit Facility Agreements, Reserve Fund Instrument Agreements, letters of credit, surety bonds, and any other agreements (including agreements relating to any credit enhancement) in connection with each Series of Series 2024 Bonds, to prepare and solicit bids for providers of such agreements, and to execute, in the name and on behalf of the City, written confirmations of any such agreements and other documents as may be necessary in connection therewith.

(f) The City hereby authorizes and directs all of the officers and employees of the City to carry out or cause to be carried out all obligations of the City and to perform such other actions as they shall consider necessary or advisable in connection with the issuance, sale and delivery of each Series of Series 2024 Bonds.

Section 5. Book-Entry System; Recording and Transfer of Ownership of the Series 2024 Bonds.

If requested by the Holder, the Initial Bonds will be eligible securities for the purposes of the Book-Entry System of transfer maintained by the Depository, and transfers of beneficial ownership of the Initial Bonds shall be made only through the Depository and its participants in accordance with rules specified by the Depository. Such beneficial ownership must be of $5,000 principal amount of Initial Bonds of the same Series and maturity or any integral multiple of $5,000.

The Initial Bonds will be issued in fully-registered form, as a single bond representing the entire principal amount of each Series of the Series 2024 Bonds or one bond for each of the maturities of each Series of the Series 2024 Bonds, in the name of Cede & Co., as the nominee of the Depository. When any principal of, premium, if any, or interest on the Initial Bonds becomes due, the City shall transmit or cause the Paying Agent to transmit to the Depository an amount equal to such installment of principal, premium, if any, and interest. Such payments will be made to Cede & Co. or other nominee of the Depository as long as it is the owner of record on the applicable Record Date. Cede & Co. or other nominee of the Depository shall be considered to be the owner of the Initial Bonds so registered for all purposes of this Thirteenth Supplemental Ordinance, including, without limitation, payments as aforesaid and receipt of notices. The Depository shall remit such payments to the Beneficial Owners of the Series 2024 Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to the Depository in accordance with the provisions of the General Bond Ordinance.

The Depository is expected to maintain records of the positions of Participants in the Initial Bonds, and the Participants and persons acting through Participants are expected to maintain records of the Beneficial Owners in the Initial Bonds. The City, the Trustee, the Registrar and the Paying Agent make no assurances that the Depository and its Participants will act in accordance with such rules or expectations on a timely basis, and the City, the Trustee, the Registrar and the Paying Agent shall have no responsibility for any such maintenance of records or transfer of payments by the Depository to its Participants, or by the Participants or persons acting through Participants to the Beneficial Owners.

The City, the Trustee, the Paying Agent and the Registrar may treat the Depository (or its nominee) as the sole and exclusive owner of the Series 2024 Bonds registered in its name for the purpose of payment of the principal of, interest or premium, if any, on the Series 2024 Bonds, giving any notice permitted or required to be given to Bondholders under the General Bond Ordinance and this Thirteenth Supplemental Ordinance, registering the transfer of the Series 2024 Bonds, obtaining any consent or other action to be taken by Bondholders, and for all other purposes whatsoever, and shall not be affected by any notice to the contrary. The City, the Paying Agent and the Registrar shall not have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Series 2024 Bonds under or through the Depository or any Participant, or any other person which is not shown on the Books of Registry of the City maintained by the Registrar as being a Bondholder, with respect to: the accuracy of any records maintained by the Depository or any Participant or the maintenance of any records; the payment by the Depository or any Participant of any amount in respect of the principal of, interest or premium, if any, on the Series 2024 Bonds; or the sending of any transaction statements; the delivery or timeliness of delivery by the Depository or any Participant of any notice which is permitted or required to be given to Bondholders thereunder; the selection of Bondholders to receive payments upon any partial redemption of the Series 2024 Bonds; or any consent given or other actions taken by the Depository as a Bondholder.

If (a) the Depository determines not to continue to act as securities depository for the Series 2024 Bonds and gives reasonable notice to the Registrar or the City, or (b) the City has advised the Depository of

the City's determination that the Depository is incapable of discharging its duties, then the City shall attempt to retain another qualified securities depository to replace the Depository. Upon receipt by the City or the Registrar of the Initial Bonds together with an assignment duly executed by the Depository, the City shall execute and deliver to the successor depository, Series 2024 Bonds of the same principal amount, interest rate and maturity. If the City is unable to retain a qualified successor to the Depository, or the City has determined that it is in its best interest not to continue the Book-Entry System of transfer or that interests of the Beneficial Owners of the Series 2024 Bonds might be adversely affected if the Book-Entry System of transfer is continued (the City undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify Beneficial Owners of the Series 2024 Bonds by mailing an appropriate notice to the Depository, upon receipt by the City of the Initial Bonds together with an assignment duly executed by the Depository, the City shall execute, authenticate and deliver to the Participants the Series 2024 Bonds in fully-registered form, in authorized denominations; provided, however, that the discontinuation of the Book Entry System of registration and transfer with respect to the Series 2024 Bonds or the replacement of the Depository or any successor depository shall be subject to the applicable rules and procedures of the Depository or such successor depository on file or otherwise approved by the Securities and Exchange Commission. Prior to any transfer of the Series 2024 Bonds outside the Book-Entry Only system (including, but not limited to, the initial transfer outside the Book-Entry Only system) the transferor shall provide or cause to be provided to the Trustee all information necessary to allow the Trustee to comply with any applicable tax reporting obligations, including without limitation any cost basis reporting obligations under Section 6045 of the Code. The Trustee shall conclusively rely on the information provided to it and shall have no responsibility to verify or ensure the accuracy of such information.

Notwithstanding the foregoing, in the event a Series of Series 2024 Bonds is sold in a private-placement basis to a Purchaser, such Series 2024 Bonds may be issued in fully-registered form, as a single Bond representing the entire principal amount of the applicable Series 2024 Bonds in the name of the respective Purchaser thereof. The City, the Paying Agent and the Registrar may treat the respective Purchaser or subsequent Holder of such Series 2024 Bonds as the sole and exclusive owner of such Series 2024 Bonds registered in its name for the purpose of payment of the principal of, and interest or premium, if any, on the Series 2024 Bonds, giving any notice permitted or required to be given to the Purchaser or subsequent Holder under the General Bond Ordinance or this Thirteenth Supplemental Ordinance, registering the transfer of the applicable Series 2024 Bonds, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever, and shall not be affected or by any notice to the contrary.

Section 6. Optional Redemption of Series 2024 Bonds. Such of the Series 2024 Bonds as may be determined by the Mayor or City Administrator and the Chairman or General Manager pursuant to Section 4 hereof shall be subject to redemption prior to maturity, at the option of the City upon the written direction of the Commission, in whole or in part at any time in such order of their maturities as the Commission shall determine and by lot within a maturity, at the respective redemption prices with respect to each Bond, which may include redemption premiums (if any) thereof or be expressed as a percentage of principal amount of the Series 2024 Bonds to be redeemed, as shall be determined by the Mayor or City Administrator and the Chairman or General Manager pursuant to Section 4 hereof, together, in each such case, with the interest accrued on such principal amount to the date fixed for redemption.

In the event a particular Series 2024 Bond is called for redemption, the Registrar shall give notice of redemption by first-class mail, postage prepaid, to the registered Holder thereof as shown on the Books of Registry of the City in accordance with the provisions of the General Bond Ordinance; provided however, (a) in the event such Series of Series 2024 Bonds is placed on a private placement basis with a Purchaser,

notice of redemption to the Holder thereof shall be provided in accordance with the redemption terms agreed upon between the City and the Purchaser; and (b) the notice of redemption may state that the redemption of the Series 2024 Bonds being called for redemption is conditioned upon the Trustee receiving on or before the redemption date sufficient money for the redemption thereof.

Section 7. Payment of the Series 2024 Bonds. The Series 2024 Bonds, together with the interest thereon, shall be payable, in such coin or currency of the United States of America which at the time of such payment is legal tender for public and private debts, solely from the Net Revenues of the System in accordance with the provisions of the General Bond Ordinance and this Thirteenth Supplemental Ordinance. The applicable Series 2024 Bonds shall be secured by a pledge of Net Revenues on a parity with the pledge of Net Revenues securing the Outstanding Parity Bonds and any other Bonds (as defined in the General Bond Ordinance) hereafter issued under the General Bond Ordinance.

The Series 2024 Bonds, and the interest thereon, shall not be a debt of the City, nor a charge, lien or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts or revenues of the City other than the Net Revenues of the System which are hereby pledged to the payment thereof.

No recourse shall be had for the payment of the Series 2024 Bonds, or the interest thereon, or any part thereof, against the general fund of the City, nor shall the credit or taxing powers of the City be deemed to be pledged to the payment of the principal of and interest on the Series 2024 Bonds. The full faith, credit and taxing powers of the State of South Carolina or of the City are not pledged to the payment of the principal of or the interest on the Series 2024 Bonds, and the Series 2024 Bonds shall never constitute an indebtedness of the City within the meaning of any State constitutional provision (other than Article X, Section 14, Paragraph 10, of the South Carolina Constitution authorizing obligations payable solely from special sources not involving revenues from any tax or license) or statutory limitation.

Section 8. Establishment of Series Debt Service Funds. In accordance with Section 6.4 of the General Bond Ordinance, a Series Debt Service Fund is hereby directed to be established by the Trustee on the date of the original delivery of a Series of Series 2024 Bonds for the benefit of the Holders of the such Series of Series 2024 Bonds; provided, however, that upon the issuance of one or more Series of Series 2024 Bonds, separate funds or accounts may be established for the payment of debt service on such Series 2024 Bonds, with such additional numbers or letters to identify its relevance, but each such separate fund or account will be considered the "Series Debt Service Fund" with respect to the related Series of Series 2024 Bonds. In accordance with Section 6.4(a) and (b) of the General Bond Ordinance, there is hereby directed to be established within each respective Series Debt Service Fund an Interest Account and a Principal Account for the payment of interest, principal and sinking fund installment requirements on a Series of Series 2024 Bonds as the same become due and payable. In addition, to the extent it is determined by the Mayor or City Administrator and the Chairman or General Manager pursuant to Section 4 that a portion of the proceeds of a Series of Series 2024 Bonds shall be used to pay a portion of the interest due and payable on such Series of Series 2024 Bonds, there shall be established within the applicable Series Debt Service Fund a Series Capitalized Interest Account into which such proceeds shall be deposited.

Section 9. Establishment of the Series Reserve Fund Requirement and Series Debt Service Reserve Funds. In accordance with Section 6.5 of the General Bond Ordinance, and pursuant to the authority granted to the Mayor or City Administrator and the Chairman or General Manager in Section 4 hereof, there may be established one or more Series Debt Service Reserve Funds for the benefit of the Holders of one or more Series of Series 2024 Bonds (if any), the amount and timing of funding of the Series Reserve Fund

Requirement, and, if so, such Series Debt Service Reserve Fund shall be established on the date of the original delivery of such Series of Series 2024 Bonds and held by the Trustee, all as provided in the General Bond Ordinance; provided, however, that upon the issuance of one or more Series of Series 2024 Bonds, separate funds or accounts may be established (if at all) for each Series of Series 2024 Bonds, with such additional numbers or letters to identify its relevance, but each such separate fund or account will be considered the "Series Debt Service Reserve Fund" with respect to the related Series of Series 2024 Bonds. If a Series Debt Service Reserve Fund is established with respect to a Series of Series 2024 Bonds, the method of satisfying the applicable Series Reserve Fund Requirement will be determined by the Mayor or City Administrator and the Chairman or General Manager pursuant to Section 4 hereof. A Series Reserve Fund Requirement shall be deemed permanently satisfied to the extent of the original policy amount of any Reserve Fund Instrument deposited with the Trustee for the benefit of the Holders of the applicable Series of Series 2024 Bonds notwithstanding any downgrade to bond insurer ratings of the Reserve Fund Instrument Provider.

Section 10. Series Construction Funds. There is hereby authorized to be created and established one or more Series Construction Funds with such further words, numbers or letters as may be necessary or desirable to distinguish such fund or funds, which fund or funds shall be held by one or more Custodians selected by the General Manager or Finance Manager. The Series Construction Funds may be accounted for as a single fund or as multiple funds, however the moneys on deposit therein may be held by one or more Custodians designated by the City. The moneys on deposit in the Series Construction Funds shall be used and applied to the payment of the Cost of Acquisition and Construction of one or more 2024 Projects, and to pay Cost of Issuance.

Moneys held for the credit of the Series Construction Funds shall be invested, at the written direction of the General Manager or Finance Manager, to the fullest extent practicable and reasonable, in Permitted Investments, maturing at such times and in such amounts as shall be required to provide moneys to make the payments required to be made from such Series Construction Fund. Withdrawals from a Series Construction Fund shall be made in the manner withdrawals from other funds of the Commission are made.

If, after the payment in full of all Cost of Acquisition and Construction of the applicable 2024 Projects and Cost of Issuance, any moneys remain in the applicable Series Construction Fund, such excess shall, pursuant to written instructions of the Commission, be paid to the Trustee, which shall deposit such moneys into a subaccount to be created only for the benefit of the Holders of the respective Series of Series 2024 Bonds in the applicable Series Debt Service Fund which shall be applied to pay the principal of or the interest on, or both, the applicable Series of Series 2024 Bonds.

Section 11. Series Costs of Issuance Account. There is hereby authorized to be created and established one or more Series Costs of Issuance Accounts which fund shall be held by one or more Custodians; provided, however, that upon the issuance of one or more Series of Series 2024 Bonds, separate funds or accounts may be established for such Series of Series 2024 Bonds, with such additional numbers or letters to identify its relevance, but each such separate fund or account will be considered the "Series Costs of Issuance Account" with respect to the related Series of Series 2024 Bonds. The Series Costs of Issuance Account established for a particular Series of Series 2024 Bonds shall be accounted for as a single fund, however the moneys on deposit therein may be held by one or more Custodians designated by the General Manager or Finance Manager. The moneys on deposit in the Series Costs of Issuance Account shall be used and applied to pay Costs of Issuance incidental to the issuance and sale of the applicable Series 2024 Bonds.

Moneys held for the credit of the Series Costs of Issuance Account may be invested in Permitted Investments, maturing at such times and in such amounts as shall be required to provide moneys to make the

payments required to be made from such account. Withdrawals from the Series Costs of Issuance Account shall be made in the manner withdrawals from other funds of the Commission are made.

If any moneys remain in the Series Costs of Issuance Account after the payment in full (or after adequate provision has been made therefor) of all Costs of Issuance, such excess shall be paid into the related Series Construction Fund or the related Series Debt Service Fund, as determined by a Commission Representative.

Section 12. Designation of Registrar, Paying Agent and Custodian. The Council hereby designates Truist Bank as Registrar and as Paying Agent for the Series 2024 Bonds. The Registrar and Paying Agent shall signify its acceptance of its respective duties upon delivery of the respective Series 2024 Bonds. The initial Custodian of the respective Series Construction Fund and the Series Costs of Issuance Account, if any, shall be selected by the General Manager or Finance Manager, and the General Manager or Finance Manager may, at any time, remove the initial Custodian of any Series Construction Fund or Series Costs of Issuance Account, and replace such initial Custodian with one or more alternate Custodians.

Section 13. Disposition of Proceeds of Series 2024 Bonds. The proceeds derived from the sale of the Series 2024 Bonds, net of (1) the net original issue discount or original issue premium, or both, and the Underwriter's discount, if applicable; or (2) any fees payable to the Purchaser thereof, if applicable, shall be used for the following purposes:

(a) A portion of the proceeds thereof shall be deposited in a Series Construction Fund established pursuant to Section 10 hereof to be used for and applied to the payment of Cost of Acquisition and Construction of one or more of the 2024 Projects. A portion of the proceeds deposited in such Series Construction Fund may also be used to pay all or a portion of the Costs of Issuance of the Series 2024 Bonds relating thereto.

(b) If the Mayor or City Administrator and the Chairman or General Manager determine that a Series Debt Service Reserve Fund shall be established for a Series of Series 2024 Bonds and the Series Reserve Fund Requirement shall be funded with a portion of the proceeds of a Series of Series 2024 Bonds, there shall be deposited with the Trustee for deposit into such Series Debt Service Reserve Fund an amount which, together with other available funds, equals the applicable Series Reserve Fund Requirement.

(c) If the Mayor or City Administrator and the Chairman or General Manager determine that a portion of the proceeds of a Series of Series 2024 Bonds shall be used to pay a portion of the interest due and payable on such Series of Series 2024 Bonds, such amount shall be deposited with the Trustee for deposit into the applicable Series Capitalized Interest Account within the applicable Series Debt Service Fund

(d) If the Mayor or City Administrator and the Chairman or General Manager determine that a Credit Facility or Reserve Fund Instrument shall be acquired in connection with a Series of Series 2024 Bonds, a portion of the proceeds may be paid directly to the Credit Facility Issuer or Reserve Fund Instrument Provider, respectively, for the cost of provision such Credit Facility or Reserve Fund Instrument.

(d) A portion of the proceeds of the Series 2024 Bonds may be deposited with a Custodian into a Cost of Issuance Account authorized to be established pursuant to Section 11 hereof to be used and applied to the payment of Cost of Issuance to the extent such Cost of Issuance are not paid from the applicable Series Construction Fund as provided in subsection (a) of this Section 13.

The respective amounts specified in this Section 13 shall be determined by the General Manager or Finance Manager upon delivery of the applicable Series 2024 Bonds.

Section 14. Federal Tax Covenant. To the extent that a Series of Series 2024 Bonds is issued on a federal tax-exempt basis, as determined pursuant to Section 4 hereof, the City (and pursuant to the Resolution, the Commission) hereby covenants and agrees with the Holders of such Series 2024 Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on such Series 2024 Bonds to become includable in the gross income of the Holders for federal income tax purposes pursuant to the applicable provisions of Section 103 and Sections 141 through 150 of the Code and regulations promulgated thereunder in effect on the date of original issuance so long as any of such Series 2024 Bonds are Outstanding. The City (and pursuant to the Resolution, the Commission) further covenants and agrees that no use of the proceeds of such Series 2024 Bonds shall be made which, if such use had been reasonably expected on the date of issue of such Series 2024 Bonds would have caused such Series 2024 Bonds to be "arbitrage bonds," as defined in the Code; and to that end the City (and pursuant to the Resolution, the Commission) shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the Code and any regulations promulgated thereunder so long as any of such Series 2024 Bonds are Outstanding;

(b) establish such funds, make such calculations and pay such amounts, if necessary, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebate of certain amounts to the United States; and

(c) make such reports of such information at the times and places required by the Code.

The Mayor or City Administrator and the Chairman or General Manager are hereby authorized to adopt written procedures to ensure the City's and the Commission's compliance with federal tax matters relating to the Series 2024 Bonds, if applicable.

The Mayor or City Administrator and the Chairman or General Manager are authorized to determine whether one or more of the respective Series of Series 2024 Bonds shall be designated as "qualified tax-exempt obligations" as defined in the Code. In such event, the City and all subordinate entities thereof will not anticipate issuing more than $10,000,000 (or the applicable limitation effect at the time of issuance of such Series of Series 2024 Bonds) in tax-exempt bonds or other tax-exempt obligations in the calendar year in which such Series 2024 Bonds are issued other than private activity bonds (except for qualified 501(c)(3) bonds) within the meaning of the Code.

This Thirteenth Supplemental Ordinance shall constitute the City's declaration of official intent pursuant to Regulation §1.150-2 of the Code to reimburse the City or the Commission from a portion of the proceeds of the Series 2024 Bonds for expenditures the City or Commission anticipates incurring (the "Expenditures") with respect to the 2024 Projects prior to the issuance of the Series of Series 2024 Bonds relating thereto. Expenditures which may be reimbursed are limited to Expenditures which are: (a) properly chargeable to capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2 of the Code) under general federal income tax principals; or (b) certain *de minimis* or preliminary Expenditures satisfying the requirements of Regulation §1.150-2(f) of the Code. The source of funds for the Expenditures with respect to the 2024 Projects will be the Revenues, cash on hand, and available reserves of the System. To be eligible for reimbursement of the

Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid; or (b) the date the applicable 2024 Projects were placed in service, but in no event more than three (3) years after the original Expenditures.

Both the principal of and interest on the Series 2024 Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the South Carolina Code from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

Section 15. Continuing Disclosure. (a) To the extent that Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934 applies to a particular Series of Series 2024 Bonds, the Mayor or City Administrator and the Chairman or General Manager or the Finance Manager are hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement related to such Series of Series 2024 Bonds as required by applicable law, the execution and delivery of the Continuing Disclosure Agreement constituting conclusive evidence of approval of the matters therein contained. Notwithstanding any other provisions of this Thirteenth Supplemental Ordinance, failure of the City or Commission to comply with the Continuing Disclosure Agreement shall not be considered an Event of Default, and no liability for damages shall attach therefor. The sole remedy for such failure to comply shall be that any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City or Commission to comply with such Continuing Disclosure Agreement. The City and the Commission are authorized to adopt written procedures relating to compliance with continuing disclosure obligations in connection with the Series 2024 Bonds, if applicable.

(b) The City covenants, so long as and to the extent required pursuant to Section 11-1-85, Code of Laws of South Carolina 1976, as amended, to file with a central repository for availability in the secondary bond market when requested:

(i) an annual independent audit, within thirty (30) days of the City's receipt of the audit; and

(ii) event specific information within thirty (30) days of an event adversely affecting more than five percent (5%) of the Revenues or the City's tax base.

The only remedy for failure by the City to comply with the covenant in this Section 15(b) shall be an action for specific performance of this covenant; and failure to comply shall not constitute a default or an "Event of Default" under the General Bond Ordinance or this Thirteenth Supplemental Ordinance. Notwithstanding anything to the contrary contained in the General Bond Ordinance, the Trustee, the Registrar and the Paying Agent shall have no responsibility to monitor the City's compliance with this covenant. The City specifically reserves the right to amend or delete this covenant in order to reflect any change in Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended, without the consent of the Trustee, the Registrar and the Paying Agent or the Holder of any Series 2021 Bond.

Section 16. Headings. The headings and titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Thirteenth Supplemental Ordinance.

Section 17. Further Actions. The Mayor (or in his or her absence the Mayor Pro-Tempore), City Administrator, City Clerk, City Attorney and any Commission Representative are hereby authorized and

directed to take any and all such further actions as shall be deemed necessary or desirable in order to effectuate issuance of the Series 2024 Bonds, to carry out the provisions of this Thirteenth Supplemental Ordinance, to fulfill the requirements of any Bond Purchase Agreement, to purchase any Credit Facility or Reserve Fund Instrument in connection with a Series of Series 2024 Bonds, and execute any agreements (including any Credit Facility Agreements or Reserve Fund Instrument Agreements) with the providers thereof.

Section 18. Credit Facility. In the event that the Mayor or City Administrator and the Chairman or General Manager determine pursuant to the authorization set forth in Section 4 hereof that one or more Credit Facilities shall be purchased with respect to a Series of Series 2024 Bonds, the City Administrator and the General Manager are hereby authorized to approve the form of any Credit Facility Agreement and the City Administrator and General Manager are hereby directed and authorized to execute the Credit Facility Agreement and deliver the Credit Facility Agreement to the Credit Facility Issuer, the execution and delivery of the Credit Facility Agreement constituting conclusive evidence of approval of the matters therein contained.

Section 19. Reserve Fund Instrument. In the event that the Mayor or City Administrator and the Chairman or General Manager determine pursuant to the authorization set forth in Section 4 hereof that one or more Reserve Fund Instruments shall be purchased with respect to a Series of Series 2024 Bonds, the City Administrator and the General Manager are hereby authorized to approve the form of any Reserve Fund Instrument Agreement and the City Administrator and General Manager are hereby directed and authorized to execute the Reserve Fund Instrument Agreement and deliver the Reserve Fund Instrument Agreement to the Reserve Fund Instrument Provider, the execution and delivery of the Reserve Fund Instrument Agreement constituting conclusive evidence of approval of the matters therein contained.

Section 20. Amendments to General Bond Ordinance. The following provisions of the General Bond Ordinance are hereby amended, which amendments to the General Bond Ordinance hereinafter set forth below shall not become effective until the earlier of: (1) all the Outstanding Parity Bonds (other than to the extent such Parity Bonds constitute Series 2024 Bonds) shall cease to be Outstanding; or (2) the Holders of 66 2/3% in principal amount of the Bonds (as defined in the General Bond Ordinance) then Outstanding assent to and authorize any modification or amendment to the General Bond Ordinance as amended in accordance with Article IX of the General Bond Ordinance. Notwithstanding the foregoing, to the extent that the following amendments are assented to and authorized pursuant to one or more assents executed by the Underwriter of a Series of Series 2024 Bonds, or the underwriter of any subsequent Series of Bonds, such amendments will not become effective until the earlier of: (1) all the Outstanding Parity Bonds (other than to the extent such Parity Bonds constitute Series 2024 Bonds) shall case to be Outstanding; or (2) the Holders of all Outstanding Parity Bonds (other than to the extent such Parity Bonds constitute Series 2024 Bonds) assent to and authorize such amendments. Any Bonds (as defined in the General Bond Ordinance), including the Series 2024 Bonds, issued after the date of enactment of this Thirteenth Supplemental Ordinance shall contain a reference to the amendments herein made.

(a) Section 9.1 of the General Bond Ordinance is hereby amended by adding the following text at the end thereof:

> The City expressly authorizes the underwriter or purchaser of any Series of Bonds, or provider of bond insurance for any Series of Bonds, to assent to and consent to such amendments to this General Bond Ordinance as contemplated by this paragraph in the same manner as the Holders of the Bonds.

(b) The definition of "Expenses of Operating and Maintaining the System" shall be amended by deleting the last sentence thereof and replacing it with the following text in its entirety:

> Notwithstanding the foregoing, Expenses of Operating and Maintaining the System shall not include (i) the payment of interest on Bonds, (ii) any allowance for depreciation or renewals or replacements of capital assets of the System, (iii) any amounts deemed to be payments in lieu of taxes or other equity transfers, (iv) any pension-related and other post-employment benefit-related expenses (other than such amounts actually paid) of the System, (v) any payment or amortization of financing expenses, underwriting discounts, call premiums, losses on the extinguishment of debt due to refinancing of the same, and other related and non-recurring expenses resulting from the issuance or refinancing of long term indebtedness, or (vi) any losses on the sale or other disposition of investments or fixed or capital assets.

(c) The definition of "Custodian" shall be amended by replacing the existing definition with the following:

> "Custodian" shall mean any bank, depository or trust company duly qualified and doing business within the State, or the South Carolina Pooled Investment Fund, selected by the Commission as a depository of moneys or securities held in the Construction Fund or other fund or account used to pay Cost of Issuance.

(d) Section 3.3(C) of the General Bond Ordinance is amended by deleting the previous language thereunder and replacing it with the following:

> C. For the issuance of Bonds to finance the Cost of Acquisition and Construction, or a portion thereof, of any Project, there shall be delivered either (i) a certificate or report, based upon the latest available audit of the System as required by Section 7.4 hereof, from the General Manager or Finance Manager of the Commission, or an Accountant or Consulting Engineer, stating that the amount of the Net Revenues of the System is not less than 120% of the sum of the Maximum Debt Service on Bonds then Outstanding and the Bonds then proposed to be issued, or (ii) a certificate from the General Manager or Finance Manager of the Commission, or an Accountant or Consulting Engineer, stating that the amount of the Net Revenues of the System, as shall have been forecasted by the General Manager or Finance Manager of the Commission, an Accountant or Consulting Engineer, is not less than 120% of the actual Debt Service on all Bonds then Outstanding and the Bonds then proposed to be issued for each of the three (3) Fiscal Years following the later of the date of the delivery of the Bonds of such Series, or the period (if any) for which interest is funded from the proceeds of such Bonds; provided the amount of Net Revenues for the periods referred to above may be adjusted by adding the following:
>
> > (1) in case the rates and charges for the services furnished by the System shall have been revised and such revised rates and charges shall have gone into effect or will be effective on a future date or dates as evidenced by a resolution adopted by the Commission prior to the delivery of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized

during the periods referred to above if such rates and charges had been in effect during such periods as determined by the General Manager or Finance Manager of the Commission, or an Accountant or Consulting Engineer, and

(2) in case an existing sewer system, existing water system, existing electric system, existing natural gas system, or any other public utility system is to be acquired and combined or made a part of the System from the proceeds of the Bonds proposed to be issued, the additional amount of Net Revenues which would have been realized during the periods referred to above if such existing system or systems to be acquired had been a part of the System during such periods (which computation of the additional amount of Net Revenues shall be based upon the method of computing Net Revenues under this Ordinance and approved by the General Manager or Finance Manager of the Commission, or an Accountant or Consulting Engineer).

(e) Section 8.6 of the General Bond Ordinance is amended by adding the following language at the end thereof:

Each of the Trustee, Paying Agent and Registrar agrees to accept and act on instructions or directions pursuant to this Ordinance sent by the City or the Commission by unsecured e-mail, facsimile transmission, or other similar unsecured electronic methods, provided, however, that the City and the Commission shall provide to the Trustee, Paying Agent, and/or Registrar, as applicable, an incumbency certificate listing designated persons with the authority to provide such instructions, which incumbency certificate shall be amended whenever a person is to be added or deleted from the listing, and the City and the Commission may act through an authorized signatory shown on such listing. If the City or the Commission elects to give the Trustee, Paying Agent, and/or Registrar, as applicable, e-mail or facsimile instructions (or instructions by a similar electronic method) and the Trustee, Paying Agent, and/or Registrar, as applicable, acts upon such instructions, the Trustee's, Paying Agent's, and/or Registrar's understanding of such instructions shall be deemed controlling. The Trustee, Paying Agent, and/or Registrar, as applicable, shall not be liable for any losses, costs, or expenses arising directly or indirectly from the Trustee's Paying Agent's, and/or Registrar's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction that the Trustee, Paying Agent, and/or Registrar receives after the Trustee, Paying Agent, and/or Registrar has acted on a previous direction. Each of the City and the Commission, as applicable, agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Trustee, Paying Agent, and/or Registrar including without limitation the risk of the Trustee, Paying Agent, and/or Registrar acting on instructions, and the risk of interception or misuse of any information by third parties.

Section 21. Notices. All notices, certificates or other communications hereunder shall be given or made in writing and shall be delivered personally, or sent by registered mail, postage prepaid, return receipt requested, or overnight delivery service, to the party to whom they are directed at the following addresses, or at such other addresses as may be designated by notice from such party to all other parties:

If to the City:

City of Greer
Attn: City Administrator
301 E. Poinsett Street
Greer, South Carolina 29651-3708

If to the Commission:

Greer Commission of Public Works
Attn: General Manager
301 McCall Street
Greer, South Carolina 29650

If to the Paying Agent:

Truist Bank
~~Department Attention~~Attn: Corporate Trust Department
~~223 West Nash Street~~
2713 Forest Hills Road, SW, Building 2, Floor 2
Mail Code: 100-50-02-80
Wilson, North Carolina 27893

If to the Registrar:

Truist Bank
~~Department Attention~~Attn: Corporate Trust Department
~~223 West Nash Street~~
2713 Forest Hills Road, SW, Building 2, Floor 2
Mail Code: 100-50-02-80
Wilson, North Carolina 27893

If to the Trustee:

Truist Bank
~~Department Attention~~ Attn: Corporate Trust Department
~~223 West Nash Street~~
2713 Forest Hills Road, SW, Building 2, Floor 2
Mail Code: 100-50-02-80
Wilson, North Carolina 27893

The City, the Commission, the Paying Agent, the Registrar and the Trustee may, by notice given to the other parties, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

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Section 22. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the City, and any part of any ordinance or resolution, inconsistent with this Thirteenth Supplemental Ordinance are hereby repealed to the extent of such inconsistency.

Section 23. Effective Date. This Thirteenth Supplemental Ordinance shall become effective upon its enactment.

[Execution follows on next page]

Enacted by the City Council of the City of Greer, South Carolina, this 9th day of April, 2023.

CITY COUNCIL OF THE CITY OF GREER,
SOUTH CAROLINA

By:_____
Richard W. Danner, Mayor
City of Greer, South Carolina

(SEAL)

ATTEST:

_____
Tammela V. Duncan, Municipal Clerk
City of Greer, South Carolina

Introduced By: _____

Date of First Reading: March 26, 2024

Date of Second Reading: April 9, 2024

[Signature Page]

EXHIBIT A

FORM OF SERIES 2023 BOND
[PRIVATE PLACEMENT]

[TRANSFER RESTRICTED

THIS BOND MAY BE SOLD OR TRANSFERRED IN WHOLE OR IN PART ONLY TO A PURCHASER OR TRANSFEREE CONSTITUTING A QUALIFIED INVESTOR (AS SUCH TERM IS DEFINED IN THE HEREAFTER DEFINED TWELFTH SUPPLEMENTAL ORDINANCE UNDER WHICH THIS BOND IS ISSUED), AND ONLY UPON SUCH QUALIFIED INVESTOR DELIVERING TO THE CITY AN INVESTMENT LETTER IN THE FORM REQUIRED UNDER THE TWELFTH SUPPLEMENTAL ORDINANCE]

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF GREER
COMBINED UTILITY SYSTEM REVENUE BOND
[TAXABLE] SERIES 20__ __

The City of Greer, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to _____, in _____, _____ (the "Purchaser"), its successors or registered assigns, but solely from the Net Revenues hereinafter mentioned and not otherwise, the principal amount of $_____ together with interest, but solely from such Net Revenues and not otherwise, on the outstanding principal balance hereof at the rate of _____% per annum until this Bond matures or is earlier redeemed. This Bond is payable in annual installments on September 1 in each of the years and in the principal amounts as follows:

[Insert principal repayment schedule]

Interest on the unpaid principal balance of this Bond is payable on _____ ___, ____, and [semi]annually thereafter [on March 1 and] September 1 of each year. [Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.]

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY STATE CONSTITUTIONAL PROVISION (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE) OR STATUTORY LIMITATION. THIS BOND SHALL NOT BE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR UPON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY, NOR SHALL THE CREDIT OR TAXING POWER OF THE CITY BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE

NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

Both the principal of and interest on this Bond are payable at the principal office of Truist Bank in Wilson, North Carolina, as Paying Agent (as defined in the hereinafter-defined Bond Ordinance), without presentation and surrender of this Bond, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

This Bond shall not be entitled to any benefit under the Bond Ordinance, nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

This Bond is issued by the City for the purpose of defraying all or a portion of the Cost of Acquisition and Construction of the 2024 Projects and paying Cost of Issuance of this Bond (as such terms are defined in the Bond Ordinance). This Bond is issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Article X, Section 14(10) of the South Carolina Constitution and Title 6, Chapter 17, of the Code of Laws of South Carolina 1976, as amended (collectively, the "Act"). This Bond is issued under and pursuant to a General Bond Ordinance (the "General Bond Ordinance") of the City Council of the City duly enacted on July 22, 1997, as amended, and as supplemented by Thirteenth Supplemental Ordinance No. ____ of the City Council of the City enacted on ~~_____ ___, 20__~~April 9, 2024 (the "Thirteenth Supplemental Ordinance," and together with the General Bond Ordinance, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law. Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the Bond Ordinance.

This Bond and the interest thereon is a special obligation of the City and are secured by and payable solely from, and secured equally and ratably by a pledge of and lien upon, the Net Revenues derived from the System on a parity with any pledge of and lien upon Net Revenues securing the Parity Bonds, the [other Series 2024 Bonds previously issued, if any] and any Series of Bonds hereafter issued under the General Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

The principal amounts of this Bond [are subject to prepayment and redemption, in whole or in part, at any time at the principal amount thereof to be redeemed, and interest accrued on such principal amount to be redeemed, to the date fixed for redemption, without payment of any premium or penalty.] In the event this Bond is called for redemption, the Registrar shall give notice of redemption hereof by first-class mail, postage prepaid, to the Holder hereof as shown on the Books of Registry of the City not less than [five (5) Business Days] prior to the date fixed for the redemption thereof.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series which have heretofore or may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the Holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which have been issued or upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in

the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any Holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the Holder of this Bond.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City in certain cases, without the consent of any Holders and, in other cases, with the written consent of the Holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds of the Series of which this Bond is one then outstanding under the Bond Ordinance (including the Bonds of the series of which this Bond is one); provided, that no such amendment or modification shall (i) extend the time of payment of principal of or the interest on any Bond, or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, or (ii) give to any Bond or Bonds any preference over any other Bond or Bonds, or (iii) authorize the creation of any pledge prior to, or except as provided in the Bond Ordinance for the issuance of Series of Bonds, on a parity with the pledge afforded by the Bond Ordinance, or (iv) reduce the percentage in principal amount of the Bonds required to assent to or authorize any such modification to the Bond Ordinance.

The provisions of the General Bond Ordinance relating to Debt Service Reserve Funds have been amended by the Eighth Supplemental Ordinance and the Ninth Supplemental Ordinance. The provisions of the General Bond Ordinance relating to the definition of Debt Service and Maximum Debt Service have been amended by the Tenth Supplemental Ordinance. The provisions of the General Bond Ordinance relating to the definition of Expenses of Operating and Maintaining the System and Custodian, the ability of underwriters or purchasers of any Series of Bonds to consent to amendments to the General Bond Ordinance, and the conditions for the issuance of Bonds to finance the Cost of Acquisition and Construction, or a portion thereof, of any Project, have been amended by the Thirteenth Supplemental Ordinance.

The amendments set forth in the Eighth Supplemental Ordinance and the Ninth Supplemental Ordinance are in effect. The amendments set forth in the Tenth Supplemental Ordinance will not become effective until the earlier of: (1) all of the Bonds of 2002, the 2004 SRF Note, the 2005 SRF Note, the Bond of 2007, the 2007 SRF Note, the Bond of 2009 and the 2009 SRF Note shall cease to be Outstanding; or (2) the Holders of 66 2/3% in principal amount of the Bonds then Outstanding assent to and authorize such amendments; provided, any such assent provided by an underwriter of a Series of Bonds shall not become effective until the Holders of all Bonds affected by such amendments (other than the prospective purchasers for whom the underwriter has provided such assent) have also consented to such amendments. The amendments set forth in the Thirteenth Supplemental Ordinance will not become effective until the earlier of: (1) all the Outstanding Parity Bonds [(other than the [other Series 2024 Bonds])] shall cease to be Outstanding; or (2) the Holders of 66 2/3% in principal amount of the Bonds then Outstanding assent to and authorize such amendment; provided, any such assent provided by an underwriter of a Series of Bonds shall not become effective until the Holders of all Bonds affected by such amendments (other than the prospective purchasers for whom the underwriter has provided such assent) have also consented to such amendments.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the City of Greer, South Carolina, has caused this bond to be executed in its name by the manual signature of the Mayor of the City and attested by the manual signature of the Municipal Clerk of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF GREER, SOUTH CAROLINA

By:_____
Mayor

(SEAL)

ATTEST:

_____
Municipal Clerk

(FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION)

This bond is the bond described in the within-mentioned Ordinance of City of Greer, South Carolina.

Truist Bank
Registrar

Dated:_____

By:_____
Authorized Officer

FORM OF SERIES 2021 BOND
[PUBLIC ISSUE]

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF GREER
COMBINED UTILITY SYSTEM REVENUE BOND
[TAXABLE] SERIES 20__ __

REGISTERED

No. R-_____

ORIGINAL ISSUE DATE	MATURITY DATE	INTEREST RATE	CUSIP

REGISTERED HOLDER: CEDE & CO.

PRINCIPAL AMOUNT: $_____

The City of Greer, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the Registered Holder (named above), or registered assigns, but solely from the Net Revenues hereinafter mentioned and not otherwise, the Principal Amount shown above on the Maturity Date shown above (unless the within Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of redemption price made or provided for), upon presentation and surrender of this Bond at the designated office of Truist Bank, as paying agent (the "Paying Agent"), and to pay interest, but solely from the Net Revenues hereinafter mentioned and not otherwise, on such principal amount from the date hereof at the Interest Rate per annum shown above (calculated on the basis of a 360-day year of twelve 30-day months) until this Bond matures. Interest on this Bond is payable semiannually on March 1 and September 1 of each year commencing _____ 1, _____ until this Bond matures or is earlier redeemed, and shall be payable by wire transfer to the registered holder owning at least $1,000,000 aggregate principal amount of the Bonds to an account within the continental United States or by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by Truist Bank, as registrar (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of

America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully registered Bond shall be paid by wire transfer, check or draft as set forth above.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17 CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED (THE "ACT"), AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY STATE CONSTITUTIONAL PROVISION (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE) OR STATUTORY LIMITATION. THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID REVENUES OF THE SYSTEM (AS DEFINED HEREIN) PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

This Bond shall not be entitled to any benefit under the Bond Ordinance (hereinafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

This Bond is one of an authorized series of Bonds (as defined in the Bond Ordinance) of the aggregate principal amount of _____ Dollars ($_____) of like date of original issue, tenor and effect, except as to number, date of maturity, principal amount, date of authentication, registered holder, redemption provisions and rate of interest, issued by the City for the purpose of defraying all or a portion of the Costs of Acquisition and Construction of the 2024 Projects and paying Cost of Issuance relating to the Bonds (as such terms are defined in the Bond Ordinance). This Bond and the Series of Bonds of which it is one are authorized to be issued and are issued under, pursuant to and in full compliance with the Constitution and statutes of the State of South Carolina, including particularly Article X, Section 14(10) of the South Carolina Constitution and the Act. This Bond and the series of Bonds of which it is one are also authorized to be issued and are issued under and pursuant to a General Bond Ordinance of the City duly enacted on July 22, 1997, as amended (the "General Bond Ordinance"), and Thirteenth Supplemental Ordinance No. _____ of the City duly enacted on ~~_____ __, 20__~~April 9, 2024 (the "Thirteenth Supplemental Ordinance" and, together with the General Bond Ordinance, the "Bond Ordinance"), under the Act which Bond Ordinance has been duly codified and indexed as prescribed by law. Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the Bond Ordinance.

This Bond and the series of which it is one, and the interest thereon is a special obligation of the City and are secured by and payable solely from, and secured equally and ratably by a pledge of and lien upon, the Net Revenues derived from the System on a parity with any pledge of and lien upon Net Revenues securing the Parity Bonds, [the [other Series 2024 Bonds] previously issued, if any] and any Series of Bonds hereafter issued under the General Bond Ordinance payable from such Net Revenues on a parity and equally and ratably secured therewith.

This Bond and the series of Bonds of which it is one maturing on or prior to September 1, ____, shall not be subject to redemption prior to their stated maturities. This Bond and the series of Bonds of

which it is one maturing on or after September 1, _____, shall be subject to redemption prior to maturity, at the option of the City, on and after September 1, _____, in whole or in part at any time in such order of their maturities as the City shall determine and by lot within a maturity, at the redemption price equal to 100% of the principal amount of this Bond and the series of Bonds of which it is one to be redeemed together with the interest accrued on such principal amount to the date fixed for redemption.

If less than all the Bonds of the series of which this Bond is one of any maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot by the Registrar. In the event this Bond is redeemable, as aforesaid, and shall be called for redemption, notice of the redemption hereof, describing this Bond and specifying the redemption date, the premium payable upon such redemption and any conditions applicable to such redemption, including but not limited to the availability of money therefor, shall be given by the Registrar by first class mail, postage prepaid, to the registered owner thereof not less than thirty (30) days and not more than sixty (60) days prior to the redemption date at the last address appearing upon the registration books of the City. If this Bond be redeemable and shall have been duly called for redemption and notice of the redemption hereof mailed as aforesaid, and if on or before the date fixed for such redemption, payment hereof shall be duly made or provided for, interest hereon shall cease to accrue from and after the redemption date hereof.

[The Bonds of the series of which this Bond is one maturing in the year 20__ shall be retired by sinking fund installments which shall be accumulated in the Series Debt Service Fund established for the Bonds in amounts sufficient to redeem on September 1 of each year, at a redemption price equal to the principal amount of the Bond or Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, the principal amount of such Bonds specified for each of the years shown below:

Year	Principal Amount

At its option, to be exercised on or before the sixtieth (60th) day prior to any mandatory redemption date, the City may (i) deliver to the Registrar for cancellation Bonds which are subject to mandatory redemption in any aggregate principal amount desired or (ii) receive a credit in respect of its mandatory redemption obligation for any such Bonds which, prior to such date, have been purchased or redeemed (otherwise than through the operation of the mandatory redemption requirement) by the City and cancelled by the Registrar and not therefore applied as a credit against any mandatory redemption obligation. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registrar, at 100% of the principal amount thereof, to the obligation of the City on those respective mandatory redemption obligations in chronological order or such other order as the City may direct in writing, and the principal amount of the Bonds of the series of which this Bond is one to be redeemed by operation of the mandatory redemption requirement shall be accordingly reduced.]

This Bond is transferable, as provided in the Bond Ordinance, only upon the books of the City kept for that purpose at the designated office of the Registrar by the registered owner in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond or Bonds of the same aggregate principal amount, rate of interest and maturity shall be issued to the transferee in exchange therefor as provided in the Bond Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is

registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption premium, if any, hereof and interest due hereon and for all other purposes.

The Bond Ordinance contains provisions defining terms, including the properties comprising the System; sets forth the revenues pledged for the payment of the principal of and interest on this Bond and the Bonds of other series which have heretofore or may hereafter be issued on a parity herewith under the Bond Ordinance; sets forth the nature, extent and manner of enforcement of the security of this Bond and of such pledge, and the rights and remedies of the Holder hereof with respect thereto; sets forth the terms and conditions upon which and the extent to which the Bond Ordinance may be altered, modified and amended; sets forth the terms and conditions upon which have been issued or upon which other bonds may be hereinafter issued payable as to principal, premium, if any, and interest on a parity with this Bond and equally and ratably secured herewith; sets forth the rights, duties and obligations of the City thereunder; and sets forth the terms and conditions upon which the pledge made in the Bond Ordinance for the security of this Bond and upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity or redemption of this Bond with provisions for the payment thereof in the manner set forth in the Bond Ordinance. Reference is hereby made to the Bond Ordinance to all of the provisions of which any Holder of this Bond by the acceptance hereof thereby assents. The provisions of the Act and the Bond Ordinance shall be a contract with the Holder of this Bond.

To the extent and in the manner permitted by the terms of the Bond Ordinance, the provisions of the Bond Ordinance, or any ordinance amendatory thereof or supplemental thereto, may be amended or modified by the City in certain cases, without the consent of any Holders and, in other cases, with the written consent of the Holders of at least sixty-six and two-thirds percent (66-2/3%) in principal amount of the Bonds of the Series of which this Bond is one then outstanding under the Bond Ordinance (including the Bonds of the series of which this Bond is one); provided, that no such amendment or modification shall (i) extend the time of payment of principal of or the interest on any Bond, or reduce the principal amount thereof or the rate of interest thereon or the premium payable upon the redemption thereof, or (ii) give to any Bond or Bonds any preference over any other Bond or Bonds, or (iii) authorize the creation of any pledge prior to, or except as provided in the Bond Ordinance for the issuance of Series of Bonds, on a parity with the pledge afforded by the Bond Ordinance, or (iv) reduce the percentage in principal amount of the Bonds required to assent to or authorize any such modification to the Bond Ordinance.

The provisions of the General Bond Ordinance relating to Debt Service Reserve Funds have been amended by the Eighth Supplemental Ordinance and the Ninth Supplemental Ordinance. The provisions of the General Bond Ordinance relating to the definition of Debt Service and Maximum Debt Service have been amended by the Tenth Supplemental Ordinance. The provisions of the General Bond Ordinance relating to the definition of Expenses of Operating and Maintaining the System and Custodian, the ability of underwriters or purchasers of any Series of Bonds to consent to amendments to the General Bond Ordinance, and the conditions for the issuance of Bonds to finance the Cost of Acquisition and Construction, or a portion thereof, of any Project, have been amended by the Thirteenth Supplemental Ordinance.

The amendments set forth in the Eighth Supplemental Ordinance and the Ninth Supplemental Ordinance are in effect. The amendments set forth in the Tenth Supplemental Ordinance will not become effective until the earlier of: (1) all of the Bonds of 2002, the 2004 SRF Note, the 2005 SRF Note, the Bond of 2007, the 2007 SRF Note, the Bond of 2009 and the 2009 SRF Note shall cease to be Outstanding; or (2) the Holders of 66 2/3% in principal amount of the Bonds then Outstanding assent to and authorize such amendments; provided, any such assent provided by an underwriter of a Series of Bonds shall not become effective until the Holders of all Bonds affected by such amendments (other than the prospective purchasers

for whom the underwriter has provided such assent) have also consented to such amendments. The amendments set forth in the Thirteenth Supplemental Ordinance will not become effective until the earlier of: (1) all the Outstanding Parity Bonds [(other than the [other Series 2024 Bonds])] shall cease to be Outstanding; or (2) the Holders of 66 2/3% in principal amount of the Bonds then Outstanding assent to and authorize such amendment; provided, any such assent provided by an underwriter of a Series of Bonds shall not become effective until the Holders of all Bonds affected by such amendments (other than the prospective purchasers for whom the underwriter has provided such assent) have also consented to such amendments.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and statutes of the State of South Carolina to exist, to happen and to be performed precedent to and in the issuance of this Bond, do exist, have happened and have been performed in due time, form and manner as required by law; that the series of which this Bond is a part does not exceed any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this Bond and the series of which it is a part, as provided in the Bond Ordinance.

IN WITNESS WHEREOF, the City of Greer, South Carolina, has caused this Bond to be executed in its name by the facsimile/manual signature of the Mayor of the City and attested by the facsimile/manual signature of the Municipal Clerk of the City under the seal of the City impressed, imprinted or reproduced hereon.

CITY OF GREER, SOUTH CAROLINA

By: _____
Mayor

(SEAL)

ATTEST:

_____
Municipal Clerk

(FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION)

This Bond is one of the Bonds described in the within-mentioned Thirteenth Supplemental Ordinance of City of Greer, South Carolina.

TRUIST BANK, as Registrar

Dated: _____

By: _____
Authorized Officer

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ By: _____
(Authorized Officer)

Signature Guaranteed

_____
Notice: Signature must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

_____
Notice: The signature to the assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT -

_____ Custodian _____
(Cust) (Minor)
under Uniform Gifts to
Minors Act _____
(State)

Additional abbreviations may also be used though not in above list.

CERTIFICATE

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete legal opinion (except for date, letterhead and signature) of Burr & Forman LLP, Greenville, South Carolina, the original of which was manually executed, dated and issued as of the date of the delivery of and payment for the bonds, and a copy of which is on file with the City of Greer, South Carolina.

CITY OF GREER, SOUTH CAROLINA

By: _____
Municipal Clerk

The revisions are:

1. Correcting the current outstanding balance of the 2002 Combined Utility System Revenue Bonds.

2. Adding a provision (requested by Truist Bank - the Bond Trustee) that permits the Trustee to act pursuant to instructions communicated electronically (by email, for example).

3. Updating the notice address of Truist Bank in its capacity as Bond Trustee, Registrar and Paying Agent.

Mike Burns
Partner

BURR FORMAN LLP

104 South Main Street, Suite 700
Greenville, SC 29601

main 864-271-4940
fax 864-250-2055
mburns@burr.com
Web

301 McCall Street
Greer, SC 29650
(864) 848-5500
info@greercpw.com

Commissioners
Eugene G. Gibson - Chairman
Jeffery M. Howell
Perry J. Williams

Michael Richard, P.E.
General Manager

03/21/2024

Mr. Andy Merriman
City Administrator
City of Greer
301 E. Poinsett Street
Greer, SC 29651

Re: Greer Commission of Public Works ("Greer CPW") requesting City of Greer, South Carolina ("Greer") to approve 2024 Bond Issue.

Dear Mr. Merriman:

Greer CPW respectfully requests that Greer concur with Greer CPW Board of Commissioners in approving the 2024 Bond Issue with a Not-to-Exceed amount of $21,700,000.

To meet growing demand, the proceeds from this borrowing will be used to increase the capacity of our Natural Gas Transmission system. The three projects are:

1) Lyman Gas Transmission System and New Gate Station.
2) SC Highway 414 Gas Transmission Lateral.
3) South Highway 101 Gas Transmission Upgrades.

If you have any questions, please let me know.

Sincerely,

Mike Richard

Mike Richard
General Manager

Category Number:
Item Number: 1.

AGENDA
GREER CITY COUNCIL
4/9/2024

Pavement Preservation Project - HA5 Surface Sealer

Summary:

In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another HA5 application project this year in the City. The proposed locations are all streets in the Riverside Chase, Dillard Creek Crossing, Heartwood Place and Richglen subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page. These streets were crack-sealed in the last few years and it is a common practice to apply a surface seal after crack sealing. Total length to be treated is approximately 4.2 miles. The contractor is Holbrook Asphalt from Florida and they are the only approved single-source applicator in South Carolina per the manufacturer of HA5 as stated on attachment. See attached proposal from Holbrook for this work in the amount of $264,240.28. Funding is from the Road Paving Fund. (Action Required)

Executive Summary:

Steve Grant, City Engineer

ATTACHMENTS:

Description	Upload Date	Type
Cover Memo	3/29/2024	Cover Memo
Summary List of Locations	3/29/2024	Backup Material
2024 Pavement Preservations Map	3/29/2024	Backup Material
HA5 Sole Source Letter	3/29/2024	Backup Material
Holbrook Asphalt Co. Proposal	3/29/2024	Backup Material

March 28, 2024

MEMO

To: Andy Merriman, City Administrator

From: Steve Grant, City Engineer

Subject: Pavement Preservation Project – HA5 Surface Sealer

In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another HA5 application project this year in the City.

The proposed locations are all streets in the Riverside Chase, Dillard Creek Crossing, Heartwood Place and Richglen subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page.

These streets were crack-sealed in the last few years and it is a common practice to apply a surface seal after crack sealing. Total length to be treated is approximately 4.2 miles.

The contractor is Holbrook Asphalt from Florida and they are the only approved single-source applicator in South Carolina per the manufacturer of HA5 as stated on attachment.

See attached proposal from Holbrook for this work in the amount of $264,240.28.

Funding is from the Road Paving Fund.

Staff presents this to Council as information and requests approval from Council to proceed.

Summary of 2024 Proposed Pavement Preservation Locations

HA5 Surface Sealant – (4.2 miles)

Riverside Chase: Fawnbrook Dr., Riverside Chase Cir., Big Fox Ln., Little Fox Ct., Ivy Springs Dr.

Dillard Creek Crossing**:** Harkins Bluff Dr., Jameswood Ct., Horton Grove Rd.

Heartwood Place: Faye Ct., Lindbergh Ct., Savage Ct., March Ct., Jones Ct., Cohen Ct., Flat Ct., Log Ct., Trevor Ct., Thurmond Ct., Mint Ct., Wheat Ct., Heart Ct., Chad Dr.

Richglen: Richglen Way, Glencreek Dr., Covey Ct., Glencrest Ct., Glenaire Dr.

Reclamite Rejuvenator – (2.3 miles)

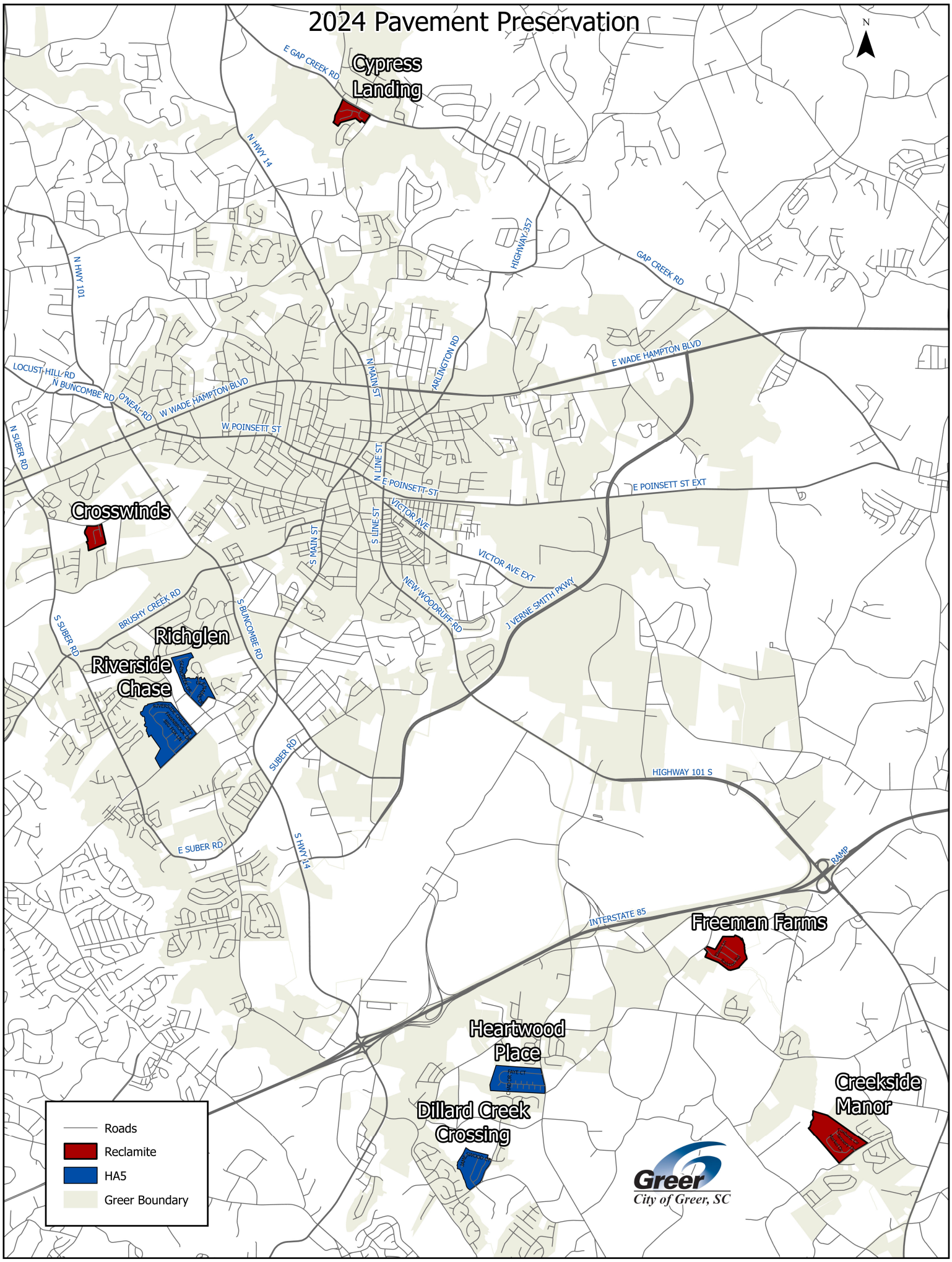
Cypress Landing: Cypress Landing Dr., Spyglen Way, Cabot Hill Ln.

Crosswinds: Ramshackle Way, Everard Ln.

Creekside Manor: Tannery Dr., Foxbank Cir., Merkel Dr.

Freeman Farms: Ralston Ln., Elwin Ln., Edenvale Dr.

2024 Pavement Preservation



March 7, 2024

To: City of Greer, SC
Attn: Steve Grant, City Engineer
113A Berry Ave.
Greer, SC 29651

Subject: HA5 – Sole Source

Mr. Grant,

This letter serves as documentation that Holbrook Asphalt is the only approved contractor authorized and qualified by Integrated Pavement Solutions to install HA5 High Density Mineral Bond in the state of South Carolina.

HA5 High Density Mineral Bond is a sole source product and the only product meeting the rigorous specification of a High Density Mineral Bond established by engineering professionals.

Holbrook Asphalt has invested in all the necessary equipment and trained crews to successfully complete High Density Mineral Bond projects.

Why Sole Source? A High Density Mineral Bond requires specific emulsification properties and fine aggregates that combine for time-tested performance results. The differentiator is the durability of the product and its effectiveness at reducing the deterioration of the asphalt binder as demonstrated over the previous 20 years in various climate types around the U.S.

If you would like a High Density Mineral Bond specification, or have questions about it, please contact me at (435) 862-8064.

Warm Regards,

Mark Beatty
Sr. Vice President
Integrated Pavement Solutions (IPS)

Proposal

Project Location	Proposal #	Date Issued	PO/LD #
City of Greer SC Various Streets Greer SC 29651	HAU949187	2/9/2024	

Terms

Due Upon Completion

Bill To

City of Greer, SC
attn: Steve Grant
113A Berry Ave
Greer SC 29651

Adviser Information

Keith Stephens
P: 404-358-5894 | E: keith@holbrookasphalt.com

Description

HA5 High Density Mineral Bond

Item	Quantity	UM	Rate	Amount
HA5 Clean & prepare surface using high pressure air & wire bristle brooms. Install "HA5" High Density Mineral Bond advanced performance pavement preservation treatment. No guarantee surface treatments will adhere to areas saturated with motor oil. HA5 meets demands of High Density Mineral Bond Specification established by agency engineers.	68,632	SqYd	3.79	260,115.28
Traffic Control HA5 Traffic Control		LS		4,125.00
			Total	$264,240.28

Please sign for proposal acceptance: **Do not sign this page, see final page for signing**

HAUB13795

Proposal

Date	Number
2/9/2024	HAUB13795

Terms and Conditions

TERMS AND CONDITIONS: Any proposals returned to Holbrook Asphalt Company ("Contractor") more than 14 days after the proposal is submitted to the Client is subject to revision, updated pricing, or may be voided by Contactor. Engineering, tests, permits, inspection fees and bonding fees are not included in price unless stated otherwise. Pricing based on no more than area and depth dimensions listed. Upon construction, if it is determined that concrete or asphalt area or depth is greater than the estimation, client agrees to pricing adjustment as a result of project overrun. Client specifically represents and warrants that either the Client is the owner of the premises where the work is to be performed, or, in the alternative, Client has authority from the owner of the premises authorizing the Work to be performed on the said premises.

GENERAL EXCLUSIONS: Contractor is not liable for any ADA compliance, if needed, Client should consult with an ADA compliance professional prior to specific project approval. Contractor not responsible for claims related to pavement markings or lack thereof during or following project work. Contractor will not be responsible for its product failure if said failure is directly or indirectly caused by "Existing Surface Conditions," as defined below, and any written or implied warranty will become void. Existing Surface Conditions are defined as: water drainage issues or delamination or failure of existing paint, asphalt, surface sealer, wearing course or any other material that is in a failing or in an unstable state. If any portion of the project area has Existing Surface Conditions not caused or created by Contractor that impact Contractor's HA5 product or any other product Contractor applies to project area, the warranty is void. Client is responsible for having entry gates open on day of work. Any damage to gates, sensors or loop sensors above or below asphalt are responsibility of Client. Any hot-applied sealants will not be exactly level with pavement surface as material settles to fill voids. There may also be excess material on pavement surface. Regarding asphalt, concrete and excavation work: Contractor is not responsible for subgrade scarification, re-compaction or concrete damage due to removal of asphalt. Contractor is not responsible for existing condition of subgrade, drainage in areas of less than 1% grade, adjustments of utilities, manholes and valve covers. Contractor is not responsible for any damage to underground utilities and cost to repair the same.

PAYMENT TERMS: Payment is due upon completion of work (Completion by line item 'Progress Billing' and/or completion of project core). Payment is due upon Client receipt of invoice. Client understands and agrees that it will be billed for towing as incurred and will be due on receipt. If the Client has a discrepancy with the Contractor regarding the contracted work, a retention of 5% of invoice up to a maximum of $750.00 may be retained by Client up to 45 days. Client agrees that it may be billed as each line item is completed and each item may become their own respective invoice and due upon receipt of the same. Contractor reserves the right to charge up to 50% of Proposal Total if client cancels project within 25 days of scheduled project commencement. Upon request, post-project walk-throughs may be scheduled to review concerns.

Client agrees that interest accrues on all past-due amounts at 24% per annum from invoice date, until paid in full; and may be billed collection fees of up to 40% and all fees incurred by collection efforts. Total Proposal price includes one mobilization unless stated otherwise. Additional mobilizations may be billed up to $3,500 per additional mobilization. This agreement provides Client written Notice of Right to Lien. Pricing does not include bonding or prevailing wage/Davis Bacon Certification, unless stated otherwise. By signing this proposal (contract), Client agrees that Contractor may not be held liable for delays, conditions, or Acts of God beyond their control, which situations may delay or cause cancelation partially or entirely on any project. Delays include project demand and material supply.

INSURANCE: These insurance limits are listed by Contractor to inform Client of such. Any premiums above the following to be paid by Client. This disclosure overrules any other contract language wherein Contractor agrees to differing limits. Certificates available upon request. GENERAL LIABILITY: $1m (inc.), $2m (agg.) AUTO: $1m UMBRELLA: $2m (inc.), $2m (agg.) PERSONAL INJ: $1m WORKERS COMP: $1m

ADDITIONAL HA5 WARRANTY LIMITATIONS AND EXCLUSIONS: No claim will be honored unless Holbrook Asphalt has been notified in writing and is given the opportunity to inspect the claimed failure. Surface treatments applied previous to HA5 being installed are not covered under this warranty. (For example, if a previously applied preservation treatment is peeling or delaminating from the pavement surface—even if the surface was cleaned and prepped prior to HA5 being installed on top of it—this warranty does not cover HA5 in these circumstances.) Any attempt to repair the surface prior to Holbrook Asphalt's inspection will render this warranty invalid. Areas where HA5 was installed over pavements with motor oil, brake fluid, hydraulic fluid, or other substances that disturb the adhesion of HA5 and that lead to delamination are not covered under warranty. This warranty does not cover structural defects in the asphalt (e.g. base failure or damage caused by faulty construction and or design), cracks, exposure to fuel, oil, or other chemicals determined to be harmful to the HA5 treatment, areas exposed to frequent sprinkler water run-off, or standing and/or ponding water, damage caused by heavy truck or equipment traffic, damage caused by equipment inflicting excessive stress or scraping to the pavement surface, damage caused by landscaping installation, or damage caused by earthquakes or other acts of God. Mechanical disturbances by snowplow chatter, studded tires, etc. are excluded from warranty. This warranty is not valid for areas located in elevations above 6500 feet. A valid Warranty Certificate must be signed with a copy returned to Holbrook Asphalt within 60 days of the HA5 installation for the warranty to be valid and executable.

Pre-mature wear of HA5 during the five-year period is defined as anything less than 70% residual inter-aggregate coverage of HA5 to the asphalt binder of the treated surface. If premature failure of HA5 is deemed by Holbrook Asphalt or an approved third-party expert within the five year period, reinstallation will take place at no charge or at the reduced rate identified on the Warranty Certificate for the project. Contractor reserves the right appoint the third-party expert should there be a dispute regarding the premature failure between the Client and Contractor. Client and Contractor agree to be bound by and abide by the decision of the third party expert regarding whether a premature failure has occurred.

I have read and agree with these terms and conditions. I elect to proceed with the signed option below.

HAU949187 - HA5 High Density Mineral Bond (Sign to accept this proposal)

Name _____ Signature _____ Date _____ Contractor _____

Category Number:
Item Number: 2.

AGENDA
GREER CITY COUNCIL
4/9/2024

Pavement Preservation Project - Reclamite Rejuvenator

Summary:

In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another Reclamite application project in the City this year. The proposed locations are all streets in the Cypress Landing, Crosswinds, Creekside Manor and Freeman Farms subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page. The total length being treated is approximately 2.3 miles. The Contractor is Pavement Technology, Inc. from Westlake, OH and they are the only approved single-source applicator in South Carolina per the manufacturer of Reclamite as stated on attachments. See attached proposal from Pavement Technology Inc. for this work in the amount of $38,556.00. Funding is from the Road Paving Fund. (Action Required)

Executive Summary:

Steve Grant, City Engineer

ATTACHMENTS:

	Description	Upload Date	Type
	Cover Memo	3/29/2024	Cover Memo
	Summary of Proposed Pavement Locations	3/29/2024	Backup Material
	2024 Pavement Preservation Map	3/29/2024	Backup Material
	Pavement Technology, Inc. Proposal	3/29/2024	Backup Material
	Pavement Technology, Inc. Sole Source Provider Letter	3/29/2024	Backup Material
	Pavement Technology, Inc. - Tricor Refining, LLC Sole Source Letter	3/29/2024	Backup Material

March 28, 2024

MEMO

To: Andy Merriman, City Administrator

From: Steve Grant, City Engineer

Subject: Pavement Preservation Project – Reclamite Rejuvenator

In an effort to preserve our pavements, one of our most expensive assets, staff is proposing another Reclamite application project in the City this year.

The proposed locations are all streets in the Cypress Landing, Crosswinds, Creekside Manor and Freeman Farms subdivisions. Streets to be treated are shown on the attached map and listed on the Summary page. The total length being treated is approximately 2.3 miles.

The Contractor is Pavement Technology, Inc. from Westlake, OH and they are the only approved single-source applicator in South Carolina per the manufacturer of Reclamite as stated on attachments.

See attached proposal from Pavement Technology Inc. for this work in the amount of $38,556.00.

Funding is from the Road Paving Fund.

Staff presents this to Council as information and requests approval from Council to proceed.

Summary of 2024 Proposed Pavement Preservation Locations

HA5 Surface Sealant – (4.2 miles)

Riverside Chase: Fawnbrook Dr., Riverside Chase Cir., Big Fox Ln., Little Fox Ct., Ivy Springs Dr.

Dillard Creek Crossing**:** Harkins Bluff Dr., Jameswood Ct., Horton Grove Rd.

Heartwood Place: Faye Ct., Lindbergh Ct., Savage Ct., March Ct., Jones Ct., Cohen Ct., Flat Ct., Log Ct., Trevor Ct., Thurmond Ct., Mint Ct., Wheat Ct., Heart Ct., Chad Dr.

Richglen: Richglen Way, Glencreek Dr., Covey Ct., Glencrest Ct., Glenaire Dr.

Reclamite Rejuvenator – (2.3 miles)

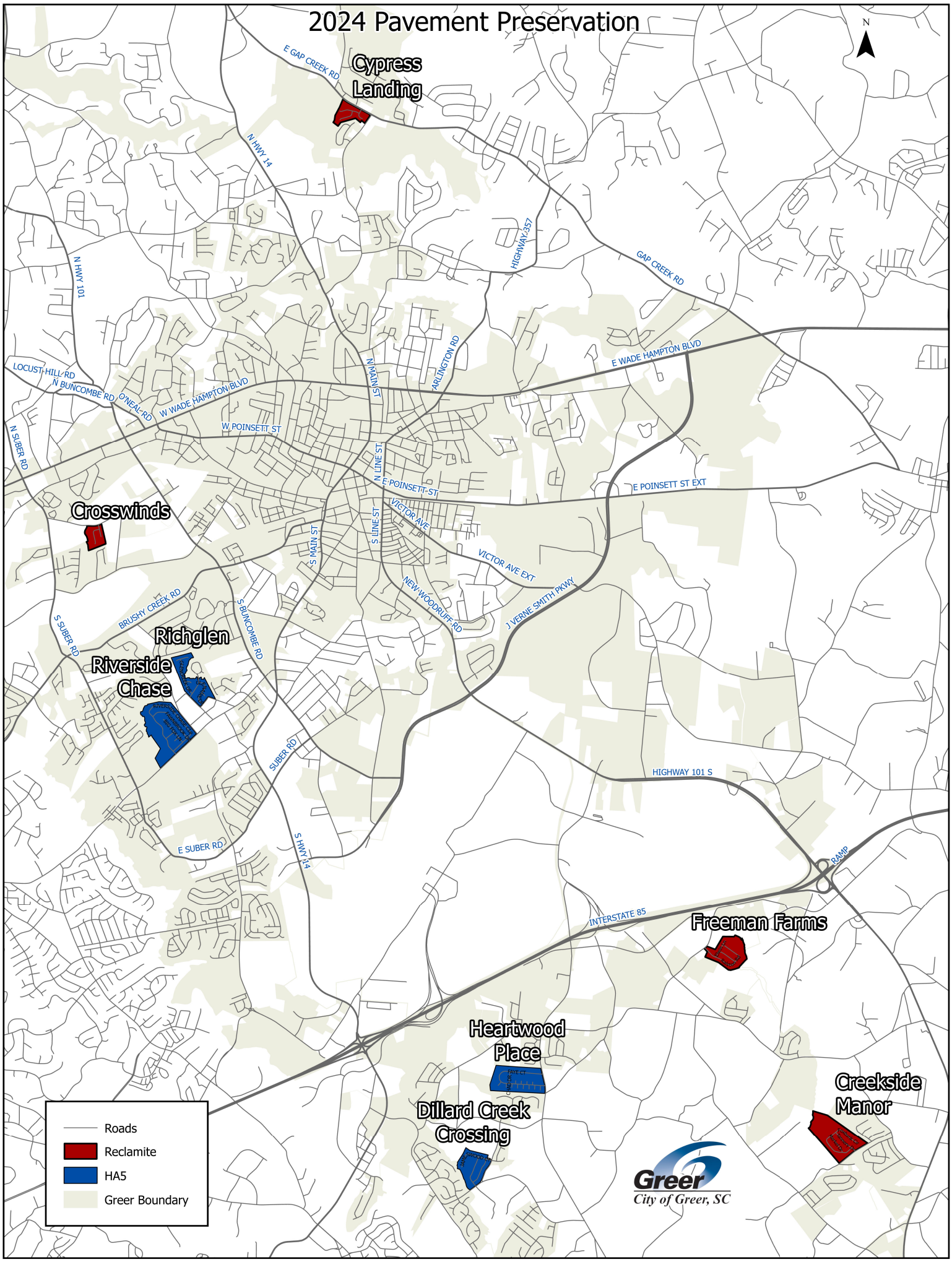
Cypress Landing: Cypress Landing Dr., Spyglen Way, Cabot Hill Ln.

Crosswinds: Ramshackle Way, Everard Ln.

Creekside Manor: Tannery Dr., Foxbank Cir., Merkel Dr.

Freeman Farms: Ralston Ln., Elwin Ln., Edenvale Dr.

2024 Pavement Preservation



Pavement Technology, Inc.

24144 Detroit Rd.
Westlake, Ohio 44145

Phone: 800-333-6309 440-892-1895
Fax: 440-892-0953

January 31, 2024

Mr. Steve Grant, P.E., CFM
City Engineer
City of Greer
446 Pennsylvania Avenue
Greer, SC 29650

Dear Mr. Grant:

We are pleased to offer our proposal to apply Reclamite® asphalt rejuvenator to the streets listed below.

Street	From	To	Square Yards	Amount
Cypress Landing				
Cypress Landing Pl	E Gap Creek Rd	CDS		
Spyglen Way	Cabot Hill Ln	CDS		
Cabot Hill Ln	Cypress Landing Pl	CDS		
Total			**5,731**	**$6,877.20**
Crosswinds				
Ramshackle Way	Suber Mill Rd	CDS		
Everard Ln	Ramshackle Way	CDS		
Total			**3,210**	**$3,852.00**
Creekside Manor				
Tannery Dr	St Rd S 42-4218	Foxbank Cir		
Foxbank Cir	Tannery Dr	CDS		
Merkel Dr	Foxbank Cir	Foxbank Cir		
Total			**13,613**	**$16,335.60**
Freeman Farms				
Ralston Rd	St Rd S 42-4218	Elwin Ln		

Elwin Ln	Ralston Rd	CDS		
Edenvale Dr	Elwin Ln	Ralston Rd		
Total			**9,576**	**$11,491.20**

Grand Total	**32,130**	**$38,556.00**

Our unit price of $1.20 per square yard is inclusive of traffic control, notification of residents and all labor and material necessary to complete the work. No mobilization will be charged as long as we are able to coordinate with other work in the area.

Actual field measurements will determine final quantities.

Thank you for your continued interest in pavement preservation with Reclamite®.

Sincerely,

Ken Holton

Ken Holton
kholton@pavetechinc.com

D&D EMULSIONS INC.

Quality Products and Dependable Service Since 1981

February 1, 2024

To Whom It May Concern:

This is to inform you that Pavement Technology, Inc. is our only licensed RECLAMITE® Application Contractor in the State of Ohio, Tennessee, North Carolina, South Carolina, Georgia, Florida, Maryland, Michigan, Pennsylvania, Virginia and West Virginia. They have served this area since 1972.

Charles Dawson V.P.

Charles Dawson
Vice President

TRICOR REFINING, LLC
Producers of GOLDEN BEAR PRESERVATION PRODUCTS
1134 Manor St. • Oildale, CA 93308 / P.O. Box 5877 • Bakersfield, CA 93388 Phone 661.337.9979 – Email: brettt@tricorrefining.com

February 1, 2024

Mr. Steve Grant, PE, CFM
City Engineer
City of Greer
446 Pennsylvania Ave.
Greer, SC 29650

This letter will confirm that Pavement Technology, Inc. with business address location at 24144 Detroit Road, Westlake, Ohio 44145 is the approved sole source applicator and supplier of Reclamite® asphalt rejuvenator and CRF Emulsion in the State of South Carolina. D&D Emulsions, Inc., Mansfield, Ohio is the approved and authorized manufacturer of Reclamite® by Tricor Refining, LLC servicing your market area. Through D&D Emulsions, Inc. Tricor Refining, LLC supplies finished emulsion for application by Pavement Technology, Inc. There is not another source for Reclamite®or CRF to be supplied into South Carolina.

Tricor Refining, LLC maintains an authorized manufacturing network in North America and through this we supply our approved product applicators. The reason for this is to control the emulsion quality and correct product application in each region. Pavement Technology, Inc. maintains and operates several crews which only apply Reclamite® asphalt rejuvenator.

Please let me know if you need further information or have other questions.

Respectfully,

Brett Towns

Brett Towns
Tricor Refining, LLC
Specialty Products Sales Manager
Cell: 530-491-8251
brettt@tricorrefining.com

Category Number:
Item Number: 3.

AGENDA
GREER CITY COUNCIL
4/9/2024

First and Final Reading of Resolution Number 5-2024

Summary:

A RESOLUTION TO AUTHORIZE AN AGREEMENT WITH MITSUBISHI CHEMICAL AMERICA, INC.
(Action Required)

Executive Summary:

Andy Merriman, City Administrator

ATTACHMENTS:

	Description	Upload Date	Type
	Resolution Number 5-2024	4/5/2024	Resolution
	Res 5-2024 Exhibit 1 Agreement	4/5/2024	Exhibit
	Res 5-2024 Exhibit A to Exhibit 1	4/5/2024	Backup Material
	Res 5-2024 First Amendment of Declaration	4/5/2024	Backup Material

RESOLUTION NUMBER 5-2024

A RESOLUTION TO AUTHORIZE AN AGREEMENT WITH MITSUBISHI CHEMICAL AMERICA, INC.

WHEREAS, the City of Greer and Mitsubishi Polyester Film, LLC n/k/a Mitsubishi Chemical America, Inc. ("MCA") entered into an agreement dated November 29, 2010 (the "prior agreement") whereby the City agreed to provide certain city services to MCA in exchange for monetary compensation; and,

WHEREAS, the prior agreement expired on November 30, 2023, and the City and MCA have negotiated a new agreement with an effective date of December 1, 2023, a copy of which is attached hereto as Exhibit "1" (the "Agreement"); and,

WHEREAS, City Council finds and determines that it is necessary to enter into the Agreement with MCA according to the terms and conditions of the Agreement attached hereto as Exhibit "1"; and,

WHEREAS, City Council finds and determines that the Agreement are appropriate and in the best interests of the City.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Greer, South Carolina, in council assembled and by the authority thereof:

Section 1. The City Council hereby approves and authorizes the execution by the City Administrator, on behalf of the City, the Agreement attached hereto as Exhibit "1" or with such minor changes as are not materially adverse to the City and which are not inconsistent with the matters contained herein.

ADOPTED this 9th day of April, 2024.

CITY OF GREER

BY: _____
Richard W. Danner, Mayor

ATTEST:

_____
Tammela Duncan, Municipal Clerk

APPROVED AS TO FORM:

_____
Daniel R. Hughes, City Attorney

EXHIBIT 1

STATE OF SOUTH CAROLINA)
) AGREEMENT
COUNTY OF GREENVILLE)

THIS AGREEMENT (this "Agreement") is made and entered into effective as of this 23rd day of November, 2023 by and among Mitsubishi Chemical America, Inc. – Polyester Film Division ("MCA"), a Delaware corporation registered and authorized to do business in the State of South Carolina, and successor in interest to Mitsubishi Polyester Film, Inc. by way of merger effective as of April 1, 2021, which entity was converted to a corporation from Mitsubishi Polyester Film, LLC, on July 1, 2005, and the City of Greer (the "City"), a South Carolina municipal corporation.

RECITALS:

WHEREAS, MCA owns 176 +/- acres of unincorporated land located on Hood Road and identified by Greenville County Tax Map Nos. G006000301102; G006000301103; T010030100103; and, T010030100300. For purposes of this Agreement the MCA Property also includes that property owned by Greenville County identified as Greenville County Tax Map No. T010030100109. Collectively, the foregoing properties are referred to herein as the "MCA Property"; and

WHEREAS, the Parties entered into an Agreement dated November 29, 2010 ("Prior Agreement") whereby the City agreed to provide certain city services to MCA in exchange for the monetary compensation as described therein; and

WHEREAS, the Prior Agreement expired November 30, 2023, and in order to continue their mutually beneficial working relationship, the City and MCA desire to enter into a new agreement whereby the City will continue to provide certain services to MCA in exchange for certain monetary compensation and the donation of certain real property from MCA.

NOW THEREFORE, in consideration of the recitals set forth above, and the consents, mutual covenants and agreements set forth below, MCA and the City agree as follows:

1. **Term**. The term of this Agreement shall be for a period of ten (10) years to be effective beginning December 1, 2023 (the "Effective Date") and terminating on November 30, 2033.

2. **Payment to the City**. MCA shall make an annual payment to the City in the amount of One Hundred Fifteen Thousand and No/100ths ($115,000.00) ("the Payment") as follows:

a. The amount of Seventy-Five Thousand and No/100ths ($75,000.00) Dollars per year for Fire and EMS/first responder services provided by the City for the MCA Property.

b. The amount of Forty Thousand and No/100ths ($40,000.00) Dollars per year for the City's purchase of emergency response equipment and systems upgrades.

c. The Payment shall be due on or before December 1, 2023, and each successive payment shall be due on or before December 1 of each subsequent year during the Term of this Agreement.

3. **Land Donation**. In addition to the Payment from MCA, within sixty (60) days from the Effective Date, MCA shall convey the property identified as +/- 4.735 acres on the survey attached hereto as **Exhibit "A"** (the "Property") to the City for Ten Dollars and No/100ths ($10.00) by quit claim deed, which conveyance shall be subject to the City's inspection of the Property. The City shall be responsible for the costs of the survey, any title abstracts or title insurance it may require and recording costs. MCA agrees to provide any environmental studies in its possession to the City within ten (10) days of the Effective Date. The City reserves the right to terminate or renegotiate the terms of this Agreement in the event the City determines that Property is not suitable for its intended use in its reasonable discretion. The conveyance described above is specifically contingent upon the release of the Property from the Declaration of Covenants and Restrictions recorded December 16, 2014 in Deed Book 2456 at Page 4037, Greenville County ROD Office. MCA and the City agree that the value of the donated Property is the amount of Two Hundred and Five Thousand and No/100ths ($205,000.00).

4. **City Obligations.** In exchange for the Payment, the City will provide Fire and EMS services for the MCA Property and law enforcement services to the MCA Property pursuant to the terms of an Intergovernmental Agreement between the City and the Greenville County Sheriff's Office. City represents and warrants to MCA that it possesses the requisite expertise, knowledge, skill, and ability to perform and complete the services, and it shall perform the services using personnel of required skill, experience, and qualifications, in a professional, timely, and workmanlike manner in accordance with best standards for fire protection, EMS, and law enforcement services, and shall devote adequate resources to meet its obligations under this Agreement. The City shall promptly answer alarms to actual or suspected fires and will use appropriate fire suppression measures and tactics for fires on all parcels of MCA land and all rights of way with at least the same standard of care it would provide similar services to any business or resident within the city limits of Greer. City shall comply with all laws applicable to its performance under this Agreement, and will maintain in effect all the licenses, permissions, authorizations, consents, and permits that it needs to carry out its obligations under this Agreement. The City shall maintain an ISO rating of ISO 1/1X during the Term of this Agreement. Subject to any applicable limitations of liability under the South Carolina Tort Claims Act, the City shall be liable for any damages or injuries to persons, personal

property or real property located on or being a part of the MCA Property caused by the City's provision of services in connection with this Agreement.

5. **Notices.** All notices requests, demands or other communications hereunder shall be in writing and deemed given (a) by depositing same in the United States mail, certified mail, return receipt requested, with postage prepaid, addressed to the party at the address shown below, (b) when delivered personally, (c) the day following the date said in communication is deposited for next morning delivery with a nationally recognized overnight courier service, or (d) on the day said communication is sent by e-mail, with receipt confirmed, as follows:

City: **The City of Greer**
ATTN: City Administrator
301 East Poinsett Street
Greer, SC 29651
amerriman@cityofgreer.org

MCA: **Site Manager_____**
MCA_____
2001 Hood Road, Greer, South Carolina, 29650_____

Copy to:

MCA Legal
655 3rd Ave., 12th Floor
NY, NY, 10017

5. **Absence of Certain Commercial Practices.** Neither MCA nor any officer, member, director, employee or agent of them (nor any person acting on behalf of any of the foregoing), has given or agreed to give any gift or similar benefit, including, without limitation, any contribution, payment or expenditure, of more than normal value to any customer, supplier, City or other governmental employee or official or any other person who is or may be in a position to help or hinder the foregoing entities or assist them in connection with any actual or proposed activity described in this Agreement, nor has the City requested any such gratuity.

6. **Attorneys' Fees and Costs of Collection.** In the event of any litigation, contest, dispute, suit, proceeding or action (collectively an "Action") instituted by a party to this agreement regarding this Agreement, the non-prevailing party to this agreement shall pay the prevailing party reasonable expenses and attorneys' fees to be determined by the court. Each of the parties shall be responsible for its own professional fees and

expenses incurred in connection with the drafting and review of this Agreement and any amendments thereto.

7. **No Joint Venture.** Neither this Agreement nor any agreements, instruments, documents or transactions contemplated hereby shall in any respect be interpreted, deemed or construed as making MCA a partner or joint venturer with the City or as creating any similar relationship or entity. Neither party has the authority to act on behalf of or bind the other party concerning this Agreement.

8. **Defaults and Remedies.**

A. Events of Default. The following are "Events of Default" under this Agreement:

i. Failure by MCA to make the Payment, which failure has not been cured within thirty (30) days following receipt of written notice from the City specifying the delinquency in payment and requesting that it be remedied;

ii. Failure by MCA to perform any of the terms, conditions, obligations, or covenants under this Agreement, which failure has not been cured within thirty (30) days following receipt of written notice from the City specifying such failure and requesting that it be remedied, unless MCA has instituted corrective action within the thirty (30) day period and is diligently pursuing corrective action until the default is corrected, in which case the thirty (30) day period is extended to include the period during which MCA is diligently pursuing corrective action;

iii. Failure by the City to perform any of the terms, conditions, obligations, or covenants hereunder, which failure has not been cured within thirty (30) days after written notice from MCA to the City specifying such failure and requesting that it be remedied, unless the City, as the case may be, has instituted corrective action within the thirty (30) day period and is diligently pursuing corrective action until the default is corrected, in which case the thirty (30) day period is extended to include the period during which the City is diligently pursuing corrective action.

B. Remedies on Default.

i. If an Event of Default by MCA has occurred and is continuing, then the City may take any one or more of the following remedial actions: (i) terminate the Agreement; or (ii) take whatever action at law or in

equity may appear necessary or desirable to collect amounts due or otherwise remedy the Event of Default.

ii. If an Event of Default by the City has occurred and is continuing, MCA may take one or more of the following actions: (i) terminate the Agreement; or (ii) take whatever action at law or in equity may appear necessary to remedy the Event of Default.

C. Remedies Not Exclusive. No remedy described in this Agreement is intended to be exclusive of any other remedy or remedies, and each and every such remedy is cumulative and in addition to every other remedy given under this Agreement or existing at law or in equity or by statute.

9. **Mediation.** Prior to the commencement of any litigation, the parties agree to mediate any dispute concerning this Agreement and will share equally the costs for the mediation except that each will pay their own attorney. The parties agree to agree upon a mediator located within twenty-five (25) miles of the City of Greer.

10. **Organization and Power.** MCA represents and warrants to the City that it (i) is a corporation organized, validly existing, and in good standing under the laws of the State of Delaware, (ii) has the power to engage in the transactions contemplated hereby; and (iii) has the full power, authority and legal right to execute and deliver this Agreement and other documents and to perform and observe the terms and provisions thereof. The City represents and warrants to MCA that it has the right, power and authority to execute and deliver this Agreement and to perform and observe the terms thereof. This Agreement, when executed and delivered by the parties, is a valid and binding obligation of the parties and is enforceable in accordance with its terms, subject to the conditions precedent set forth above.

11. **Miscellaneous.**

A. This Agreement, including the terms of the Recitals, and all of exhibits and incorporated documents, constitute the entire integrated agreement among the parties relating to the work and items described herein, and supersedes all prior negotiations, representations, understandings and agreements, either written or oral.

B. The City and MCA acknowledge that they and their counsel have reviewed and had the opportunity to revise this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any exhibits or amendments hereto.

C. Failure of any party hereto to exercise any right given hereunder or to insist upon strict compliance with regard to any term, condition or covenant specified herein, shall not constitute a waiver by any party of its right to exercise such right or to demand strict compliance with any term, condition or covenant under this Agreement.

D. This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of South Carolina.

E. The invalidity or unenforceability of a particular provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.

F. Any period of time described in this Agreement by reference to a number of days includes Saturdays, Sundays and any state or national holidays. If the date or last date to perform any act or to give any notice is a Saturday, Sunday, or state or national holiday, that act or notice may be timely performed or given on the next succeeding day which is not Saturday, Sunday, or state or national holiday.

G. This Agreement may be executed in several counterparts, each of which may be deemed an original, and all of such counterparts together shall constitute on and the same Agreement. Executed counterparts of this Agreement transmitted by facsimile shall be deemed to constitute an original for all purposes.

H. This Agreement cannot be amended, changed, discharged or terminated orally, but only by an instrument in writing signed by the parties to this Agreement.

I. The commitments made by the City in this Agreement are commitments to MCA, only, and are otherwise nontransferable.

[SIGNATURE PAGES TO FOLLOW]

WHEREFORE, in consideration of the foregoing, the parties do bind themselves by terms and conditions of the Agreement by providing below the signature of their authorized officers.

WITNESSES: Mitsubishi Chemical America, Inc.

_____ BY: _____

_____ ITS: _____

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF _____)

The forgoing instrument was acknowledged before me this ___ day of _____, 2024, by _____ as _____ of Mitsubishi Polyester Film, LLC.

_____ _____
Notary Public for South Carolina Printed Name of Notary
My Commission Expires: _____

WITNESSES:

_____

_____

CITY OF GREER

BY: _____
Richard W. Danner
ITS: Mayor

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF GREENVILLE)

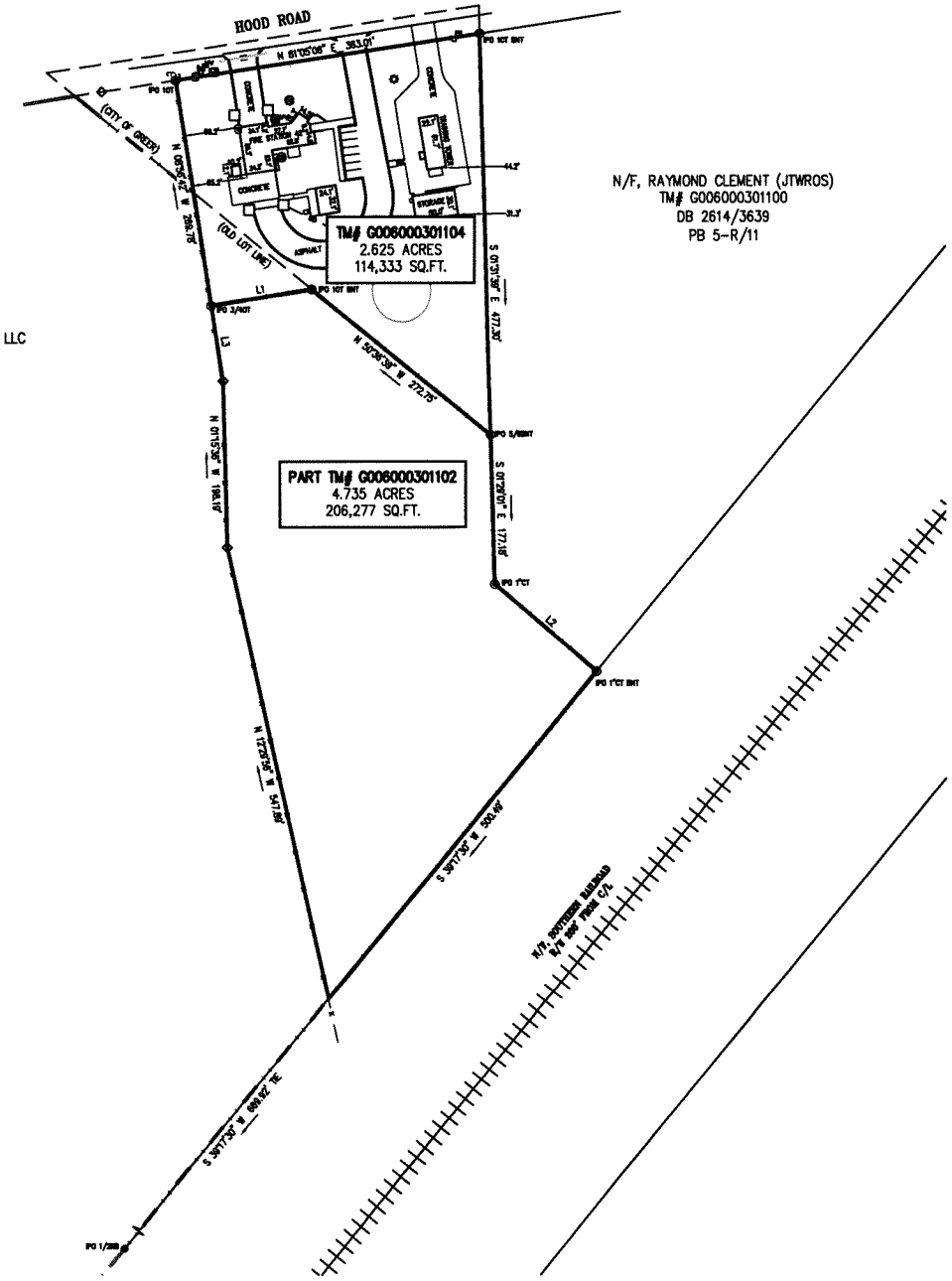
The forgoing instrument was acknowledged before me this ___ day of _____, 2024, by Richard W. Danner as Mayor for the City of Greer.

_____
Notary Public for South Carolina
My Commission Expires: _____

_____
Printed Name of Notary

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. – ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. – THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR. – THIS SURVEY, AND ALL COPIES THEREOF, ARE SOLD WITHOUT THE ORIGINAL SIGNATURE, DATE, AND EMBOSSED SEAL OF A REGISTERED SURVEYOR WITH THIS FINAL THE WORD "CERTIFY" OR "CERTIFICATE" IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

EXHIBIT "A"



LINE	BEARING	DISTANCE
L1	S 81°01'57" W	120.08'
L2	S 49°10'17" E	158.54'
L3	N 08°58'42" W	90.54'

NOTES:
THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, ZONING ORDINANCES, AND RESTRICTIONS OF RECORD OR NOT OF RECORD, THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

LEGEND

BL	BUILDING LINE	DIP	DUCTILE IRON	CB	CATCH BASIN
CT	CRIMP TOP PIPE	VCP	VITRIFIED CLAY	DI	DROP INLET
DE	DRAINAGE EASEMENT	RCP	REINFORCED CONCRETE		ELEC TRANS
EP	EDGE OF PAVEMENT	CMP	CORRUGATED METAL	000.0	ELEVATION
IPO	IRON PIN OLD	HPDE	H.D. POLY STORM		FIRE HYDRANT
IPS	IRON PIN SET	—CTV—	CABLE TV		GAS METER
N/C	NAIL & CAP	—X—	FENCE LINE		GAS VALVE
OT	OPEN TOP PIPE	—FOC—	FIBER OPTIC CABLE	LP	LIGHT POLE
RB	REBAR	—GAS—	GAS LINE	PP	POWER POLE
R/W	RIGHT OF WAY	—OHP—	OVERHEAD POWER	GP	GUY ANCHOR
SD	STORM DRAIN	—OHT—	OVERHEAD TEL	TEL	TEL PEDESTAL
SS	SANITARY SEWER	—SD—	STORM DRAIN		CLEAN OUT
SSE	SS EASEMENT	—SS—	SANITARY SEWER		WATER METER
	STORM MANHOLE	—UGP—	UNDERGROUND POWER		WATER VALVE
	SEWER MANHOLE	—UGT—	UNDERGROUND TEL		ELECTRIC METER
	TEL MANHOLE	—W—	WATER LINE		

Know what's **below.**
Call before you dig.

SOUTH CAROLINA PROFESSIONAL SURVEYOR 28138 WILLIAM T. LAVENDER

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREON; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

KEVIN E. GAINES,PS#25433
WILLIAM T. LAVENDER,PS#28138

SURVEY FOR
MITSUBISHI POLYESTER FILM LLC
GREENVILLE COUNTY, SOUTH CAROLINA

DATE	PROPERTY ADDRESS	TAX PAR	G006000301104		
DATE	1985 HOOD ROAD	& PT	G006000301102	FIELD CREW	BW
				2PO	BB
SCALE 1" = 100'	100 0 100 200				WTL

SOUTH CAROLINA UPSTATE SURVEYING ASSOCIATES LLC No. C05317 CERTIFICATE OF AUTHORIZATION

PROJECT # 220179

UPSTATE SURVEYING ASSOCIATES
PO BOX 888 GREER, SC 29652
PH: (864) 723-1043 GREER
PH: (864) 630-8190 EASLEY

STATE OF SOUTH CAROLINA	)	**FIRST AMENDMENT OF**
	)	**DECLARATION OF COVENANTS**
	)	**AND RESTRICTIONS**
COUNTY OF GREENVILLE	)	**(Book 2456, Page 4037)**

THIS FIRST AMENDMENT OF DECLARATION OF COVENANTS AND RESTRICTIONS ("AMENDMENT") is made and entered into this ____day of _____ 2024 by and among Mitsubishi Chemical America, Inc., a Delaware corporation, successor in interest to Mitsubishi Polyester Film, Inc. by way of merger ("MCAI"), Greenville County, South Carolina ("Greenville County"), and the South Carolina Department of Health and Environmental Control (the "Department").

RECITALS

WHEREAS, MCAI is the owner of certain real property in Greenville County, South Carolina, which is the subject of certain environmental remediation efforts under Hazardous Waste Permit Number SCD097631691 ("Permit") issued by the Department pursuant to the South Carolina Hazardous Waste Management Act ("HWMA"), S.C. Code Ann. §§ 44-56-10 *et seq*., and the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6901 *et seq*.;

WHEREAS, Greenville County has an ownership interest in a small portion of the property subject to the Permit as a result of a deed from MCAI to Greenville County filed November 30, 2004, in the Greenville County Register of Deeds Office at Book 2119, Page 606, as part of a fee in lieu of tax transaction pursuant to the Code of Laws of South Carolina 1976, as amended, and Greenville County Ordinance 3849; and

WHEREAS, MCAI and Greenville County agreed to certain restrictions as set forth in the Declaration of Covenants and Restrictions dated December 11, 2014, and recorded on December 16, 2014, in the Greenville County Register of Deeds Office at Book 2456, Page 4037 ("2014 DCR"), such restrictions to run with the land and inure to the benefit of and to be enforceable by the Department and its successor agencies. The property subject to the 2014 DCR is more particularly described in Exhibit A to the 2014 DCR, which is incorporated by reference herein ("DCR Property");

WHEREAS, MCAI has agreed to convey to the City of Greer ("City") a 4.735-acre undeveloped portion of the DCR Property which is adjacent to a fire station owned by the City ("Undeveloped Parcel"). The Undeveloped Parcel is more particularly described as "PART TM# G006000301102 4.735 ACRES

206,277 SQ.FT." on a Plat entitled "SURVEY FOR MITSUBISHI POLYESTER FIRM LLC," prepared by Upstate Surveying Associates LLC and dated [insert date], attached hereto as Exhibit I;

WHEREAS, no solid waste management units or areas of concern identified in the Permit are located on or affect the Undeveloped Parcel; and

WHEREAS, the parties hereto desire to amend the 2014 DCR to exclude the Undeveloped Parcel from the DCR Property to allow the Undeveloped Parcel to be conveyed to the City free of the restrictions imposed by the 2014 DCR.

NOW, THEREFORE, IT IS AGREED that the 2014 DCR is hereby amended to exclude the Undeveloped Parcel, consisting of approximately 4.735 acres and described with more particularly in Exhibit I, attached hereto, from the DCR Property, and the Undeveloped Parcel may be held, mortgaged, transferred, sold, conveyed, leased, occupied, and used free of the restrictions contained in the 2014 DCR.

FURTHER IT IS AGREED, that this Amendment in no way affects or the 2014 DCR except as specifically provided herein, and such 2014 DCR remains in full force and effect subject to this Amendment.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, Mitsubishi Chemical America, Inc. has caused this instrument to be executed as of the date first above written.

MITSUBISHI CHEMICAL AMERICA, INC.,
A DELAWARE CORPORATION

WITNESSES:

_____ By: _____

_____ _____
(Name and Title)

STATE OF _____)
) ACKNOWLEDGEMENT
COUNTY OF _____)

I, _____ (Notary Public), do hereby certify that, _____, an authorized representative of Mitsubishi Chemical America, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument, on behalf of Mitsubishi Chemical America, Inc.

Witness my hand and official seal this _____ day of _____, 20__.

_____
Notary Public for _____
My Commission Expires: _____

IN WITNESS WHEREOF, Greenville County, South Carolina, has caused this instrument to be executed as of the date first above written.

GREENVILLE COUNTY, SOUTH CAROLINA

WITNESSES:

_____ By: _____

_____ _____

(Name and Title)

STATE OF _____)

) ACKNOWLEDGEMENT

COUNTY OF _____)

I, _____ (Notary Public), do hereby certify that, _____, an authorized representative of Greenville County, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument, on behalf of Greenville County, South Carolina.

Witness my hand and official seal this _____ day of _____, 20__.

_____

Notary Public for _____

My Commission Expires: _____

IN WITNESS WHEREOF, the Department has caused this instrument to be executed as of the date first above written.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

WITNESSES:

By: _____

_____

_____

Henry J. Porter, Chief
Bureau of Land and Waste Management,
Environmental Quality Control

STATE OF _____)
) ACKNOWLEDGEMENT
COUNTY OF _____)

I, _____ (Notary Public), do hereby certify that Henry J. Porter, Chief of the Bureau Land and Waste Management in the South Carolina Department of Health and Environmental Control, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 20__.

_____
Notary Public for _____
My Commission Expires: _____

EXHIBIT I

Category Number:
Item Number: 4.

AGENDA
GREER CITY COUNCIL
4/9/2024

First and Final Reading of Resolution Number 10-2024

Summary:

ALLOCATION OF GREENVILLE COUNTY CDBG AND HOME FUNDS FOR PROGRAM YEAR 2024 (Action Required)

Executive Summary:

Mike Sell, Deputy City Administrator

ATTACHMENTS:

	Description	Upload Date	Type
	Resolution Number 10-2024	4/1/2024	Resolution
	Res 10-2024 2024 Annual Action Plan Information	4/1/2024	Backup Material

RESOLUTION NUMBER 10-2024

ALLOCATION OF GREENVILLE COUNTY CDBG AND HOME FUNDS FOR PROGRAM YEAR 2024

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE **CITY OF GREER**

WHEREAS, the City of Greer participates in the Greenville County Urban County Program; and

WHEREAS, the funds received by Greenville County available for allocation by the City of Greer are as follows:

	CDBG	HOME
City Allocation	**$314,994**	**$135,751**
Program Income	**$ 90,648**	**$ 238,385**
Total	**$405,642**	**$374,136**

WHEREAS, the HOME funds may only be used to increase the supply of decent affordable housing for modest income persons, and CDBG funds may only be used to assist low and moderate income persons, reduce or eliminate slum and community blight, or meet an urgent community need where no other funding is available; and

WHEREAS, a public hearing was held at **6:30 PM on March 26, 2024** at Greer City Hall to provide opportunity for the public and the Mayor and Council of the City of Greer to review, discuss, and propose projects and activities for which these funds should be allocated by Greenville County;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Greer accepts the allocation of funds as set forth above and budgets use of the funds as follows:

HOME funds – the amount of **$374,136** or such other amount as may be received in HOME funds in the **2024** program year to be used for new home construction of

affordable housing for the Fairview Townhomes for eligible low and moderate income households in the City of Greer;

CDBG funds – the amount of **$405,642** or such other amount as may be received in CDBG funds in the **2024** program year to be used for the following activities: **$194,994** for community facility and infrastructure improvements; **$30,000** for façade improvements; **$75,648** for demolition of slum and blight properties; **$25,000** for Economic Development Loans; and, **$20,000** for disposition activity. A total of **$60,000** in sub-recipient funding for public services/special programs will be allocated as follows: **$7,000** to the City of Greer Needmore Youth Summer Program; **$3,000** to the City of Greer Needmore Senior Program; **$6,510** to the Creative Advancement Center Afterschool Program; **$15,000** to the Greer Community Ministries; and, **$28,490** to the Greer Relief and Resources Agency.

ANY CHANGE in CDBG and HOME funding allocations, increase or decrease in funding, will be distributed on a pro rata basis to all activities.

PASSED, ADOPTED AND APPROVED, by the Council of the City of Greer on this 9th day of April 2024

CITY OF GREER, SOUTH CAROLINA

_____
Richard W. Danner, Mayor

Attest:

_____
Tammela Duncan, Municipal Clerk

Reviewed:

_____
Andrew Merriman, City Administrator

Greenville County
2024 Annual Action Plan

City of Greer

Presented by: Greenville County Redevelopment Authority

Public Hearing: City of Greer

Location: 301 E. Poinsett Street, Greer, SC

Date: March 26, 2024 @ 6:30 pm

Agenda

01. Introduction

GCRA Staff:

GCRA Board Member(s)

02. What is Annual Action Plan and Program Year 2024

03. Funding Types National Objectives and Eligible uses

1. CDBG
2. HOME

04. Estimated 2024 Funding Allocations for the City

Grant and Program Income

05. Proposed Uses and GCRA programs

Housing

Infrastructure Improvement

Demolition

Public Service

Economic Development and Façade Improvement

What is Annual Action Plan?

Program 2024 Annual Action Plan

- The Annual Action Plan is Greenville County's Application to the Federal Government (US Department of Housing and Urban Development) proposing the use of Community Development Block Grant (CDBG), HOME and Emergency Solutions Grant (ESG).
- FY 2024 funds is for the period beginning July 1, 2024 to June 30, 2025.
- This funding period also marks the 5th year allocation of funds and activities for the Greenville County's 2020-2024 Consolidated Plan.

Community Development Block Grant (CDBG)

At least 70% must be used for activities that benefit individuals with low to moderate incomes.

All activities must meet one of three national objectives:

- Benefit low- and moderate-income persons (by area or for limited clientele or presumed benefit).
- Prevention or elimination of slums or blight
- Urgent community development need (there must be an immediate threat to the health or welfare of community)

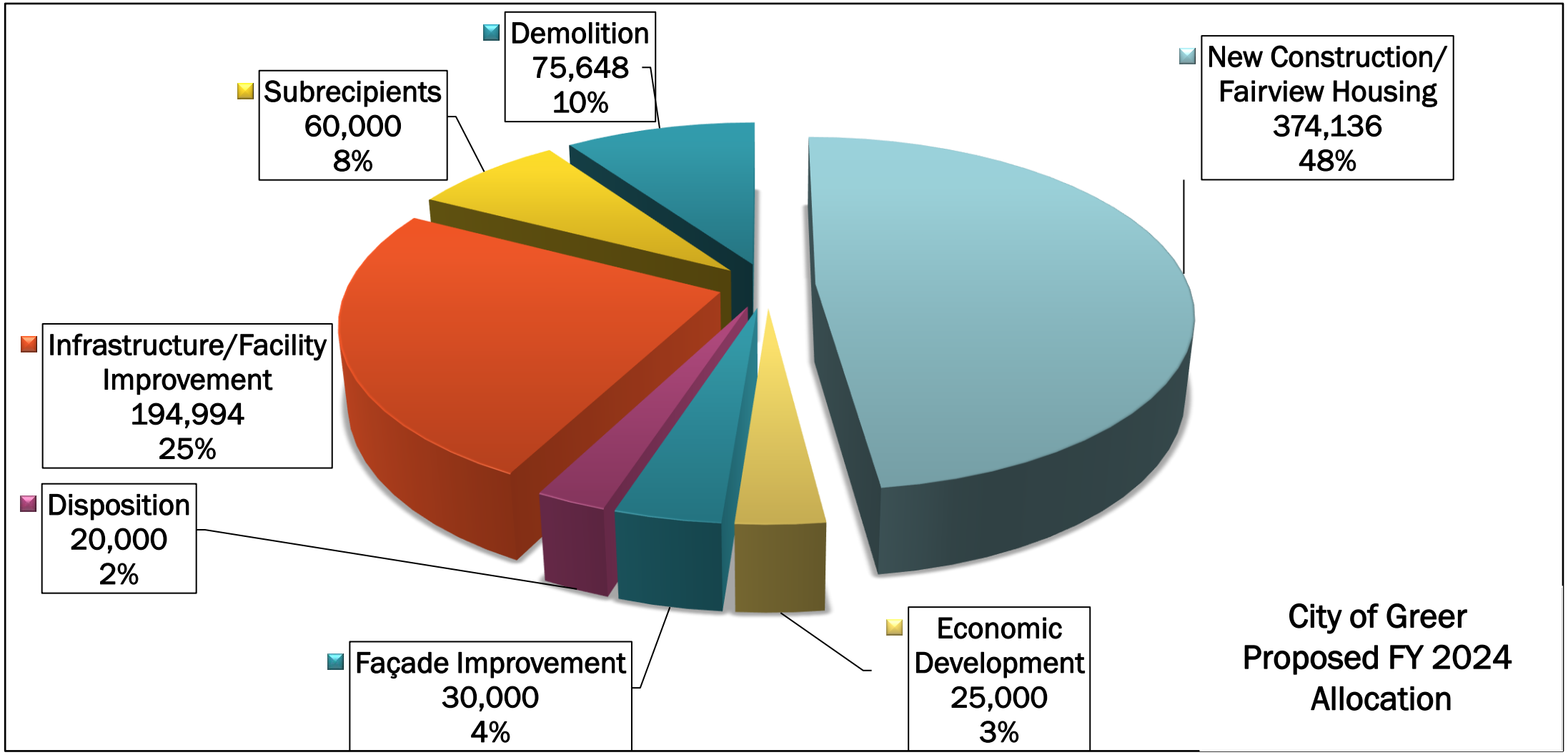
Home Investment Partnership (HOME)

- A Federal grant program designed to help jurisdictions expand the supply of decent and affordable rental and homeownership housing for low- and very low-income families and households.

A Three-Year Allocation

Fund type	Final 2022	Final 2023	Proposed 2024
CDBG	$307,512	$314,994	$314,994
CDBG - PI	$ 40,000	$ 45,000	$90,648
HOME	$136,854	$135,751	$135,751
HOME – PI	$ 43,000	$ 70,000	$238,385
Total	$527,366	$565,745	$779,778
CDBG PI Rental			$31,894
HOME- PI – Rental			$38,582

2024 Funding Allocation: $779,778



GCRA – Housing Programs

Homeownership Units (New & Rehabbed - GCRA and Housing Partners)

Rental Units – (New and Rehabbed - GCRA & Housing Partners)

First Time Homebuyers Program (DPT & Closing Cost Assistance – CWC)

Investor Program- Rental Rehab

Owner-Occupied Rehabilitation Programs

1. Major – Homeowner Rehab - GCRA
2. Emergency Repair – Program – GCRA & Partner

MLF-Permanent Financing – GCRA funded homes

Rental Assistance - Homelessness Prevention – At risk of homelessness

Rental Assistance - Homelessness-Rapid Rehousing – Literally homeless

Site: 3.1 acre site in the Sunnyside neighborhood
Mixed-income housing

Proposed income range: 50% - 100% AMI

Must be First Time Home buyers.

Down payment/closing cost financial assistance will be available.

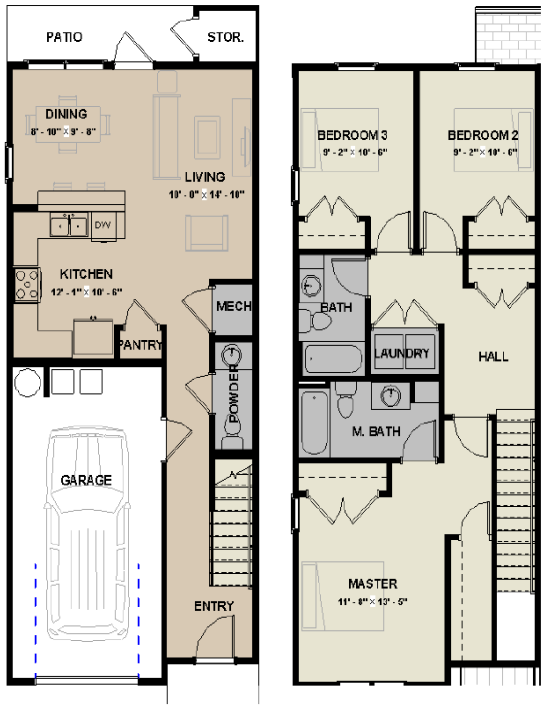
Homebuyer pre-purchase counseling is required.

Phase 1 Under construction
14 units (up to 80% AMI)

Phase 1

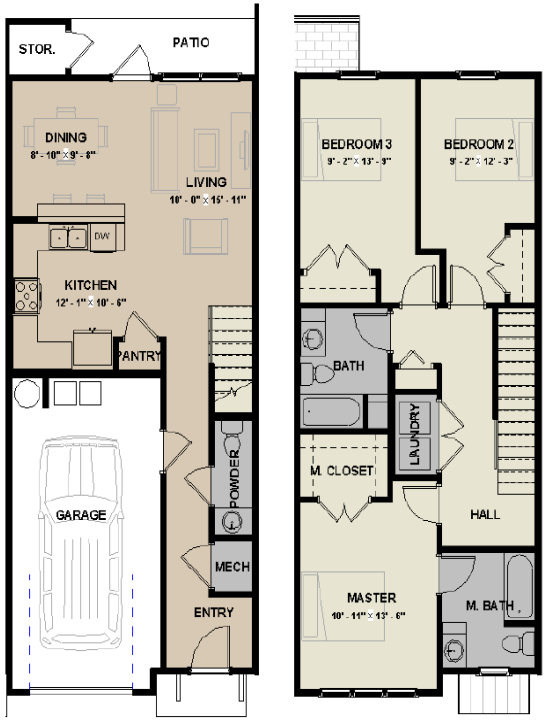
Building A

UNIT 1 – 1,345 SQ. FT.



Level 1 Level 2

UNIT 2 – 1,345 SQ. FT.



Level 1 Level 2

CRAIG GAULDEN DAVIS

BUILDING A

GCRA-Community & Economic Development Activities

- Infrastructure Improvement
- Demolition – Address Slum & Blight
- Facility Improvement
- Property Acquisition
- Disposition

- Public Service activities – CDBG Subrecipients

Economic Development

- Small Business Loans
- Façade Improvement Program
-

FY 2024 CDBG – Public Service Activities Subrecipients Allocations: $60,000

	Name of Public Service Agency	Proposed Use CDBG fund	Recommended Allocation
1	Greer Parks and Recreation – Needmore Youth Summer Program	Summer Program – supplies and materials Requested $7,000	$7,000
2	Greer Parks and Recreation – Needmore Senior Program	Yoga Mats and lessons. Requested $3,000	$3,000
3	Greer Relief & Resources	Emergency financial assistance towards rent/utility payments, prescription for LMI, case management and Charity Tracker. Requested $28,490	$28,490

	Name of Public Service Agency	Proposed Use CDBG fund	Recommended Allocation
4	Greer Community Ministries, Inc.	Home Bound Meals, Food Pantry Program, Requested $20,000	$15,000
5	Creative Advancement Center	Afterschool Program –lease of facility, counselor, scholarships, supplies and materials Requested $20,000	$6,510

Total Recommended amount: $60,000

Small Business Loan Criteria

Loan amount:
$5,000 - $25,000

Loan term: 5 years

Interest rate: 3-7%

Payment Deferment Option: up to 1 year

Security shall be provided for the loan (real estate, equipment, inventory, etc.) at a value equaling or exceeding the loan value

The loan committee may require personal guarantees or co-signors.

Annual Action Plan Timeframe

5 January 2024

NOFA published

Application Training – Thursday January 17 and 18, 2024

Feb 8, 2024,

Electronic Submission of funding request applications.

Application Review and Scoring

GCRA – committee and Board proposal approvals.

March 12 & 26, 2024

Feb 8 - Mar. 21, 2024

Municipal Public Hearings - Fountain Inn, Greer, Mauldin, Simpsonville and Travelers Rest.

Approvals from Greenville County Council - Finance Committee Approval and Committee of the Whole approval

May TBD 2024

April TBD 2024

General Public Hearing.

Submission to HUD – **May 16, 2024**

Funding Available from **July 1, 2024**

1 July 2024

April 25, 2024

GCRA Board approval – 2024 AAP

Thank you

We look forward to hearing from you.

Contact GCRA office for comments at 864-242-9801

Or PH@gcra-sc.org

Comments are received until May 6, 2024

GCRA

Category Number:
Item Number: 5.

AGENDA
GREER CITY COUNCIL
4/9/2024

First and Final Reading of Resolution Number 12-2024

Summary:

A RESOLUTION IN CONSIDERATION OF A REQUEST FOR CLOSURE OF AN ALLEY IN THE CITY OF GREER AND TO REFER THE CLOSURE TO THE CITY ATTORNEY PURSUANT TO CITY ORDINANCE 78-11 (Action Required)

Executive Summary:

Andy Merriman, City Administrator

ATTACHMENTS:

	Description	Upload Date	Type
	Resolution Number 12-2024	4/5/2024	Resolution
	Res 12-2024 Exhibit A Survey	4/5/2024	Exhibit
	Res 12-2024 Exhibit B Map	4/5/2024	Exhibit
	Res 12-2024 Exhibit C Notice to Abandon	4/5/2024	Exhibit

RESOLUTION NUMBER 12-2024

A RESOLUTION IN CONSIDERATION OF A REQUEST FOR CLOSURE OF AN ALLEY IN THE CITY OF GREER AND TO REFER THE CLOSURE TO THE CITY ATTORNEY PURSUANT TO CITY ORDINANCE 78-11

WHEREAS, the City received a request from Mamanens, LLC ("Mamanens") to permanently close and deed to Mamanens any interest it may have in an abandoned 6' alley located on property owned by Mamanens identified as Spartanburg County Tax Map No. 9-03-13-014.00 and further identified on the survey and GIS map attached hereto as Exhibits "A" and "B"; and,

WHEREAS, pursuant to Ordinance 78-11, the City Attorney notified the public utilities companies, AT&T, Greer Commission of Public Works, and Duke Energy, of the proposed road closure as shown by the letter attached hereto as Exhibit "C"; and,

WHEREAS, the utility companies did not assert any objection or response to the closure; and,

WHEREAS, pursuant to Ordinance 78-11, prior to Council's decision to close the alley, the City Attorney shall notify all abutting property owners, notice shall be provided by newspaper publication once a week for three weeks, and this matter shall be scheduled for a public hearing at a future council meeting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of Council of the City of Greer, in Council assembled that:

Section 1. That the request for the closure and abandonment of the 6' alley shown in the survey attached hereto as Exhibit "A" shall be forwarded to the City Attorney to proceed according to the requirements of Greer City Ordinance 78-11.

DONE AND RATIFIED this 9th day, of April, 2024.

_____
Richard W. Danner, Mayor

ATTEST:

_____
Tammela Duncan, Municipal Clerk

Introduced by:

First and Final Reading:

Approved as to Form:

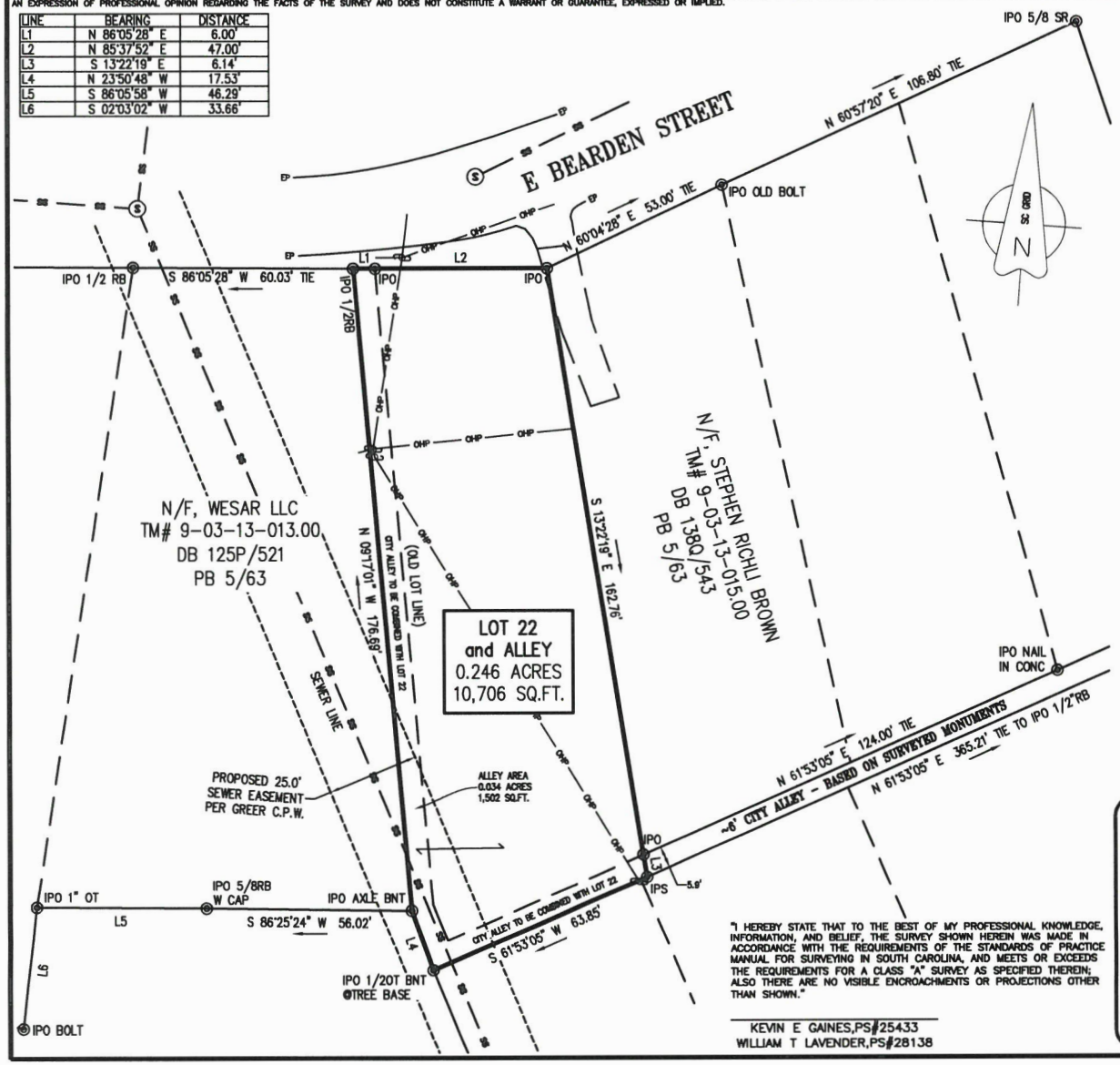
_____

Daniel R. Hughes
City Attorney

EXHIBIT "A"

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. – ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. – THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR. – THIS SURVEY, AND ALL COPIES THEREOF, ARE INVALID WITHOUT THE ORIGINAL SIGNATURE, DATE, AND EMBOSSED SEAL OF A REGISTERED SURVEYOR WITH THIS FIRM. THE WORD "CERTIFY" OR "CERTIFICATE" IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANT OR GUARANTEE, EXPRESSED OR IMPLIED.

LINE	BEARING	DISTANCE
L1	N 86°05'28" E	6.00'
L2	N 85°37'52" E	47.00'
L3	S 13°22'19" E	6.14'
L4	N 23°50'48" W	17.53'
L5	S 86°05'58" W	46.29'
L6	S 02°03'02" W	33.66'



NOTES:
THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, ZONING ORDINANCES, AND RESTRICTIONS OF RECORD OR NOT OF RECORD, THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

REFERENCE SURVEYS:
PB 90/886
PB 90/887
PB 113/833
PB 132/895
PB 156/283
PB 159/952
PB 171/824
PB 171/825

Know what's **below.**
Call before you dig.

THE PROPERTY SHOWN IS KNOWN AS LOT 22 DILLWORTH PARK SURVEY BY TERRY RESPESS 12/14/1916, RECORDED IN PLAT BOOK 5, PAGE 63, OFFICE OF R.O.D., SPARTANBURG COUNTY, SC.

LEGEND

BL	BUILDING LINE	DIP	DUCTILE IRON	CB	CATCH BASIN
CT	CRIMP TOP PIPE	VCP	VITRIFIED CLAY	DI	DROP INLET
DE	DRAINAGE EASEMENT	RCP	REINFORCED CONCRETE		ELEC TRANS
EP	EDGE OF PAVEMENT	CMP	CORRUGATED METAL	90.0	ELEVATION
IPO	IRON PIN OLD	HPDE	H.D. POLY STORM		FIRE HYDRANT
IPS	IRON PIN SET	CTV	CABLE TV		GAS METER
N/C	NAIL & CAP	X	FENCE LINE		GAS VALVE
OT	OPEN TOP PIPE	FOC	FIBER OPTIC CABLE	LP	LIGHT POLE
RB	REBAR	GAS	GAS LINE	PP	POWER POLE
R/W	RIGHT OF WAY	OHP	OVERHEAD POWER	GP	GUY ANCHOR
SD	STORM DRAIN	OHT	OVERHEAD TEL	TEL	TEL PEDESTAL
SS	SANITARY SEWER	SD	STORM DRAIN		CLEAN OUT
SSE	SS EASEMENT	SS	SANITARY SEWER		WATER METER
	STORM MANHOLE	UGP	UNDERGROUND POWER		WATER VALVE
	SEWER MANHOLE	UGT	UNDERGROUND TEL		ELECTRIC METER
	TEL MANHOLE	W	WATER LINE		

"I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

KEVIN E GAINES,PS#25433
WILLIAM T LAVENDER,PS#28138

RECOMBINATION SURVEY FOR
KEITH SMITH BUILDERS
CITY OF GREER
SPARTANBURG COUNTY, SOUTH CAROLINA

PROPERTY ADDRESS: 208 E BEARDEN STREET
TAX PIN: 9-03-13-014.00
DATE: 3/3/23
SCALE: 1" = 30'
FIELD CREW: JR-JT
DRAWN BY: WTL

SOUTH CAROLINA
UPSTATE SURVEYING ASSOCIATES LLC
No. C05317
CERTIFICATE OF AUTHORIZATION

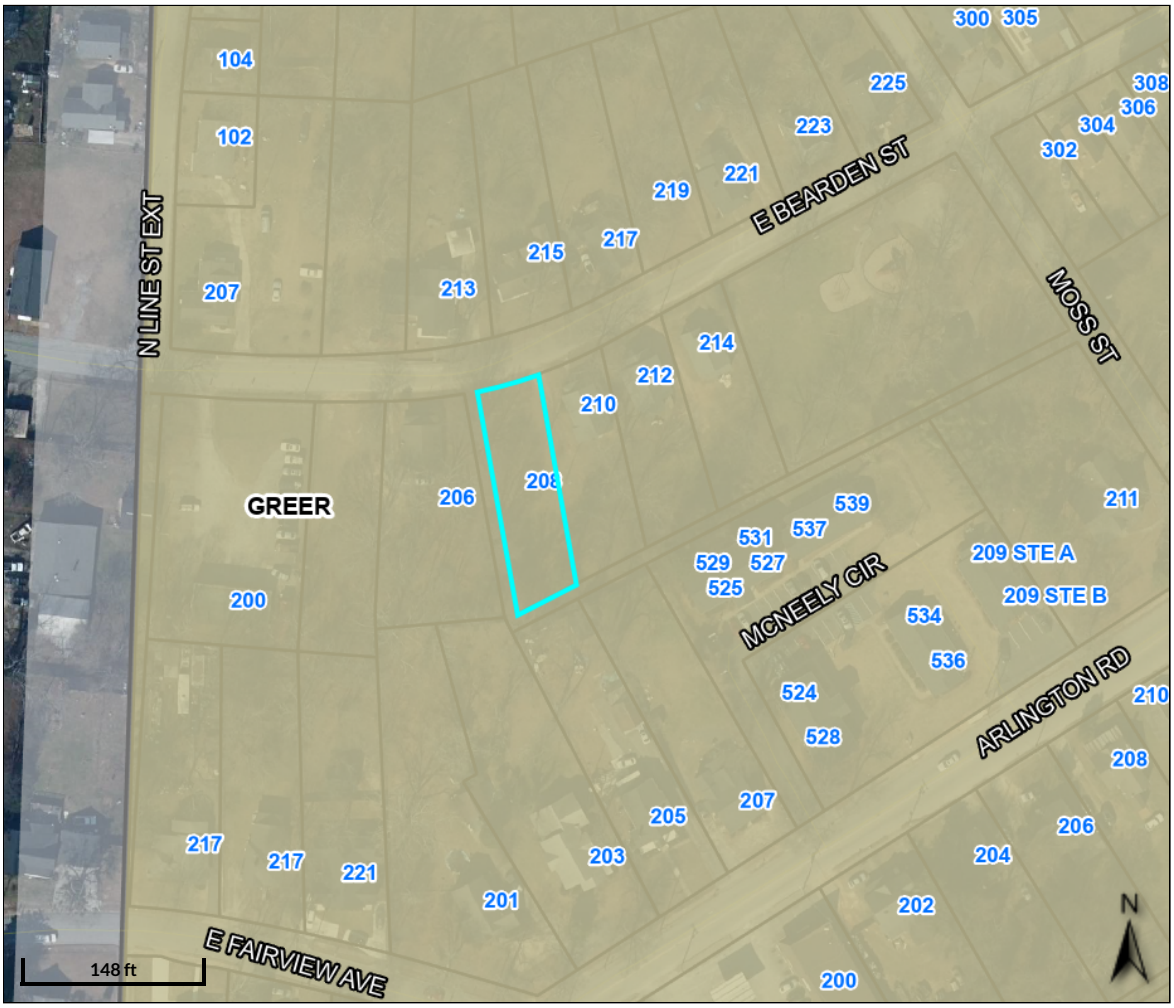
PROJECT # 230056

UPSTATE SURVEYING ASSOCIATES

PO BOX 566 GREER, SC 29652
PH: (864) 723-1043 GREER
PH: (864) 630-5190 EASLEY

EXHIBIT "B"

qPublic.net™ Spartanburg County, SC



Overview

Legend

- Parcels
- Address Numbers

Flood Zones

- A,
- AE,
- AE,FLOODWAY
- AREA NOT INCLUDED,
- X,0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X,0.2 PCT ANNUAL CHANCE FLOOD HAZARD CONTAINED IN CHANNEL
- <all other values>

Parcel ID	9-03-13-014.00	**Alternate ID**	161938	**Owner Address**	MAMANEMS LLC
Sec/Twp/Rng	n/a	**Class**	Non-Qualified Regular Residential Vacant		206 W CHURCH ST
Property Address	208 E BEARDEN ST GREER	**Acreage**	0.21		GREER, SC 29650
District	n/a				
Brief Tax Description	LOT 22 BLK C DILLWORTH PARK PB 183-429 (Note: Not to be used on legal documents)				

Date created: 4/4/2024
Last Data Uploaded: 4/4/2024 4:01:15 AM

Developed by Schneider GEOSPATIAL

EXHIBIT "C"

DUGGAN & HUGHES, LLC

ATTORNEYS AND COUNSELORS AT LAW

Daniel R. Hughes
Evan C. Bramhall
J. Alexander Zimmerman

457-B Pennsylvania Avenue
Greer, South Carolina 29650
Telephone: (864) 879-0144 or (864) 334-2500
Facsimile: (864) 879-0149

Mailing Address
Post Office Box 449
Greer, S.C. 29652

March 13, 2024

AT&T
c/o C.T. Corporation System
2 Office Park
Columbia, SC 29223

Greer CPW
301 McCall Street
Greer, SC 29650

Duke Energy Carolinas, LLC
c/o C.T. Corporation System
2 Office Park
Columbia, SC 29223

Re: 6' alley adjacent to 208 E. Bearden Street, Greer, SC 29650 (Spartanburg County Tax Map No. 9-03-13-014.00)
Our File No.: GR99.0456

Dear Sir or Madam:

This firm represents the City of Greer. Pursuant to Section 78-11 of the City of Greer Code of Ordinances, the City received a request to abandon and close a 6' alley identified on the Survey for Keith Smith Builders dated March 3, 2023 attached hereto located directly behind the property at 208 E. Bearden Street, Greer, SC 29650 owned by Mamanens, LLC.

Pursuant to the requirements of the City of Greer Code Section 78-11, I am notifying all public utilities which may have an interest in this property to provide you an opportunity to respond to the request to close the alley. Pursuant to the City's ordinance, you have one week from the date of this letter to respond to this request. Please contact me directly at (864) 334-2501.

Sincerely,

DUGGAN & HUGHES, LLC

Daniel R. Hughes, Esquire

DRH/tab
Enclosures (survey)
cc:
Via: Email Only
Tammy Duncan (tduncan@cityofgreer.org)
Keith Smith (keith@keithsmithbuilders.com).

Category Number:
Item Number: 6.

AGENDA
GREER CITY COUNCIL
4/9/2024

First and Final Reading of Resolution Number 13-2024

Summary:

A RESOLUTION OF THE CITY OF GREER, SOUTH CAROLINA CONFIRMING ITS PARTICIPATION IN AN INSTALLMENT PURCHASE-TYPE ARRANGEMENT AND PLAN OF FINANCE RELATING TO VARIOUS CAPITAL PROJECTS IN THE CITY; AND OTHER RELATED MATTERS. (Action Required)

Executive Summary:

Andy Merriman, City Administrator

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Resolution Number 13-2024	4/5/2024	Resolution

RESOLUTION NUMBER 13-2024

A RESOLUTION OF THE CITY OF GREER, SOUTH CAROLINA CONFIRMING ITS PARTICIPATION IN AN INSTALLMENT PURCHASE-TYPE ARRANGEMENT AND PLAN OF FINANCE RELATING TO VARIOUS CAPITAL PROJECTS IN THE CITY; AND OTHER RELATED MATTERS.

WHEREAS, the City Council ("Council") of the City of Greer, South Carolina ("City") previously enacted Ordinance No. 14-2024, on March 26, 2024 ("Ordinance");

WHEREAS, pursuant to the Ordinance, the City authorized the issuance of general obligation bonds in support of, and provided its consent to, an installment purchase-type arrangement for various capital projects in the City;

WHEREAS, Corporation ForGreer, a South Carolina nonprofit corporation ("Corporation") was previously formed solely for the purpose of supporting the governmental mission and certain activities of the City of Greer, South Carolina ("City");

WHEREAS, the City understands the Corporation desires to assist the City by designing, constructing, installing, renovating, furnishing, equipping, and making various improvements to real property and, in some cases, acquiring real property and/or interests in real property (i) for the items listed as "Projects" in Exhibit A hereto (collectively, "Projects") to be used by the City on real property owned, or to be acquired, by the City ("City Real Property," and, with the Projects, collectively, "Facilities"), (ii) for the items listed as "Ancillary Projects" in Exhibit A hereto, which are certain additional facilities to be used by the City, on real property owned, or to be acquired, by the City, which are exempt from the Trust Estate (as described in the Trust Agreement ("Trust Agreement"), as described in the Resolution adopted by the Corporation on March 29, 2024 ("Corporation Resolution") and certain aspects of the Purchase and Use Agreement (as described in the Corporate Resolution) (collectively, "Ancillary Projects"), and (iii) such "Additional Projects," if any, as may be listed in Exhibit A hereto, which projects may or may not be exempt from the Trust Estate and certain aspects of the Purchase and Use Agreement depending on whether such Additional Projects, if any, are designated as "Projects" or "Ancillary Projects," as defined above (collectively, "Additional Projects");

WHEREAS, to provide funds for the payment of the costs of the Projects, the Ancillary Projects, and any, if any, Additional Projects, the City understands the Corporation intends to issue taxable or tax-exempt Installment Purchase Revenue Bonds (City Improvement Projects) in one or more series, with such series and subseries designation as may be appropriate (collectively, "Bonds") under and by the terms of one or more trust agreements (each, a "Trust Agreement") by and between the Corporation and Regions Bank, as initial trustee (as such trustee may be separate and distinct for each series and/or subseries of Bonds, collectively, "Trustee");

WHEREAS, to effectuate the financing of the Projects, the Ancillary Projects, and any, if any,

Additional Projects, the City and the Corporation desire to enter into (i) one or more base lease and conveyance agreement(s) or other similar agreement(s) (each, a "Base Lease"), pursuant to which the City will lease to the Corporation the City Real Property and convey to the Corporation any existing facilities, as may be described in the Base Lease, and (ii) one or more installment purchase and use agreement(s) or other similar agreement(s) (each, a "Purchase and Use Agreement") pursuant to which the City understands the Corporation will make certain improvements and renovations on the City Real Property in the form of the Projects, the Ancillary Projects, and any, if any, Additional Projects, and the City will then purchase from the Corporation the Facilities and will be entitled to occupy the Projects pending completion of the payment therefor; and

WHEREAS, the Base Lease, and the Purchase and Use Agreement are, collectively, "Financing Documents";

WHEREAS, the City desires to adopt this Resolution approving the Base Lease, the Purchase and Use Agreement, and consenting to the Trust Agreement and the sale, issuance, and delivery of the Bonds (collectively, "Transaction"), pursuant to United States federal law and regulation and the provisions of the Constitution and laws of the State of South Carolina and to satisfy the requirements of Section 22 of the Ordinance;

NOW, THEREFORE, the Council resolves:

ARTICLE I
AUTHORIZATION OF AND CONSENT TO FINANCING DOCUMENTS

SECTION 1.01. ***Base Lease and Purchase and Use Agreement***. The City is authorized to enter into the Financing Documents with the Corporation to effect the Transaction and the sale, issuance, and delivery of the Bonds. The Mayor, and the City Administrator, and designees, are each authorized to negotiate and approve the form, terms, and provisions of the Financing Documents on behalf of the City and the Mayor and Municipal Clerk are authorized to execute the Financing Documents on behalf of the City and deliver the same to the Corporation.

SECTION 1.02. ***Consent to Trust Agreement***. The Council consents to the Corporation's execution of a Trust Agreement pursuant to which the Corporation will issue the Bonds to effect the Transaction.

SECTION 2.01. ***Official Statement.*** The City acknowledges and consents to the Corporation's preparation, distribution, and use offering documents (including any amendments or supplements as may be requested, collectively, "Official Statement") prepared in conjunction with the issuance of the Bonds, which may include certain information and data relating to the City, in connection with the offer and sale of the Bonds. After the acceptance of an offer to purchase the Bonds, the City acknowledges and consents to the Corporation's preparation, distribution, and use of a final Official Statement. The Mayor, the City Administrator, and their designees, are each authorized to deem "final" the preliminary Official Statement, and any amendments or supplements, for purposes of S.E.C. Rule 15c2-12. The City approves and consents to the execution and delivery by the Corporation and the Mayor and the City Administrator, or either of them acting alone, of a final Official Statement.

SECTION 2.02. ***Bond Sale.*** The City acknowledges that the Corporation may engage appropriate professionals to assist the Corporation in arranging for the sale, issuance, placement, and distribution of the Bonds and consents to the Corporation's engagement of those professionals and the execution of documents necessary or desirable to effect the sale, issuance, placement, and distribution, of the Bonds.

SECTION 2.03. ***Use of Bond Proceeds***. The City acknowledges that the proceeds of the Bonds, net of original issue discount and premium, and underwriter's discount as provided in any bond purchase agreement, or other similar agreement, between the Corporation and the underwriter/placement agent for the Bonds, shall be applied, as provided in the Trust Agreement, to (i) provide the amounts necessary for the Corporation to lease the City Real Property from the City, (ii) pay the costs of the Facilities, the Ancillary Projects, and any, if any, Additional Projects (including any capitalized interest with respect thereto), (iii) provide for reserve funds, if any, to further secure the Bonds, which provision may be made by surety bond or other financial guaranty, (iv) pay the premium of a municipal bond insurance policy, if any, issued in connection with the Bonds, and (v) pay costs of issuance of the Bonds. The Projects, the Ancillary Projects, and any, if any, Additional Projects. shall be listed generally in the Official Statement prepared in conjunction with the issuance of the Bonds. The City authorizes each of the Mayor and the City Administrator, and their designees, to work with the Corporation to determine and fix any details of the Bonds and the Projects, Ancillary Projects, and any, if any, Additional Projects, as may be necessary or desirable to effect the Transaction and the sale, issuance, and delivery of the Bonds.

ARTICLE III
GENERAL AUTHORIZATION

SECTION 3.01. General Authorization. The Mayor, the City Administrator, and the Municipal Clerk, and their designees, are each authorized to execute and deliver whatever documents and take whatever actions are necessary or desirable to effect the Transaction, and the intent of this Resolution.

SECTION 3.02. Financing Terms and Professionals. The City consents to the retention by the Corporation of King Kozlarek Root Law LLC, as bond counsel, disclosure, special tax, and issuer's counsel, and waives any conflict with that firm serving in these roles while still serving as the City's bond and economic development counsel, in connection with the issuance and sale of the Bonds. The City Administrator, and designees, are authorized to hire other professionals, including other financial professionals and legal counsel, as may be necessary or prudent to facilitate the Transaction, and the sale, issuance, and delivery of the Bonds, and the execution and delivery of the Financing Documents.

SECTION 3.04. Section 22 Requirement. This Resolution satisfies the requirements of Section 22 of the Ordinance, including (notwithstanding reference to any other entity in the Ordinance) the final approval of the Corporation as the specific entity contemplated by Section 22 of the Ordinance and being employed to accomplish the City's objectives as contemplated by the Ordinance and as described in this Resolution, acknowledging and accepting the Corporate Resolution, and shall be construed liberally to effect the Council's intent.

SECTION 3.04. Effective Date. This Resolution is immediately effective and no further authorization is required to execute and deliver all documents necessary or desirable to effect the

Transaction and the sale, issuance, and delivery of the Bonds.

[ONE SIGNATURE PAGE AND ONE EXHIBIT FOLLOW]
[REMAINDER OF PAGE SUBSTANTIVELY BLANK]

Adopted: April 9, 2024.

CITY OF GREER, SOUTH CAROLINA

_____

Richard W. Danner, Mayor

[SEAL]
ATTEST:

_____

Tammela Duncan, Municipal Clerk

EXHIBIT A
LIST OF PROJECTS

The following sites and projects are subject to the Base Lease and the Purchase and Use Agreement, each as described in the Resolution adopted by Corporation ForGreer on March 29, 2024, subject to adjustment, as provided in the Base Lease, Purchase and Use Agreement, or Trust Agreement (as described in the Resolution adopted by Corporation ForGreer on March 29, 2024), by the Chair/President of the Corporation ForGreer, in consultation with the City Administrator, but with the present intention that these Projects be ordered in the following groups.

Initial Bond Issue

Public Safety Training Facilities
Parking Garage

Subsequent Bond Issue(s)

Sports and Event Center†
Fire Station

LIST OF ANCILLARY PROJECTS

The following sites and projects, which are exempt from the Trust Estate, and which are subject to adjustment, as provided in the Base Lease, Purchase and Use Agreement, or Trust Agreement, by the Chair/President of the Corporation ForGreer, in consultation with the City Administrator, but with the present intention that these Ancillary Projects be ordered in the following groups.

Initial Bond Issue

Sports and Event Center†

Subsequent Bond Issue(s)

None

ADDITIONAL PROJECTS

The Chair/President of the Corporation ForGreer, in consultation with the City Administrator, may amend, in any respect, the list of Projects and/or Ancillary Projects to include and/or substitute one or more of the following projects and may otherwise amend the list of Projects and/or Ancillary Projects as and if provided in the Base Lease, Purchase and Use Agreement, or Trust Agreement, which Additional Projects, if any, may or may be not be exempt from the Trust Estate depending on whether such Additional Projects are designed as Projects or Ancillary Projects.

Initial Bond Issue

None

Subsequent Bond Issue(s)

None

[†]The City contemplates the portion of the Sports and Event Center being financed as part of the initial bond issue will be an Ancillary Project, but that initial portion along with the remainder of the Sports and Event Center being financed as part of one or more subsequent bond issues will be, in total, a "Project" for purposes of treatment under a subsequent base lease, purchase and use agreement, and trust agreement.

Category Number:
Item Number: 7.

AGENDA
GREER CITY COUNCIL
4/9/2024

First Reading of Ordinance Number 13-2024

Summary:

AN ORDINANCE TO AMEND THE CITY OF GREER UNIFIED DEVELOPMENT ORDINANCE (UDO)
(Action Required)

Executive Summary:

Ordinance 13-2024 is a request to adopt a package of amendments to the Unified Development Ordinance (UDO) as outlined in Exhibits A and B. The Planning Commission conducted a public hearing on March 18, 2024 and recommended approval of all but one amendment, for which they offered suggestions for edits; this amendment has been removed from the exhibits and will be brought back individually at a future meeting for consideration.
Ashley Kaade, Planning Manager

ATTACHMENTS:

	Description	Upload Date	Type
	Ordinance Number 13-2024	4/4/2024	Ordinance
	Ord 13-2024 Exhibit A Amendment Draft	4/4/2024	Exhibit
	Ord 13-2024 Exhibit B Summary of Amendments	4/4/2024	Exhibit
	Ord 13-2024 Exhibit C Planning Commission Minutes	4/4/2024	Exhibit

ORDINANCE NUMBER 13-2024

AN ORDINANCE TO AMEND THE CITY OF GREER UNIFIED DEVELOPMENT ORDINANCE (UDO)

WHEREAS, on December 12, 2023, City Council adopted the Unified Development Ordinance (UDO) to replace the Zoning Ordinance and Land Development Regulations, providing a streamlined document to regulate development and redevelopment within the City; and

WHEREAS, to ensure that the UDO is responsive to development and delivers on the goals and policies of the 2030 Comprehensive Plan, the City Planning Staff will conduct periodic reviews to address technical issues or concerns and will make recommendations of amendments to the Planning Commission and City Council as needed to address those issues and concerns; and

WHEREAS, the City of Greer Planning Commission held a public hearing on February 26, 2024 after due notice was given by publication of the public hearing in the Greer Citizen a newspaper in Greer, South Carolina, with general circulation in the Greer area, for the purpose of considering proposed amendments to the City of Greer UDO. The red-lined draft UDO and summary table of amendments are attached hereto as Exhibits "A" and "B;" and,

WHEREAS, the Planning Commission voted unanimously (6-0) to recommend approval of the of all but one amendment, which has been removed from consideration at this time. The minutes and staff report from this meeting are attached hereto as Exhibit "C;" and,

WHEREAS, the City Council, after considering all of the facts, do hereby find that the proposed UDO amendments are in the best interests of the City of Greer.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Greer, the UDO be amended as outlined in Exhibit "A."

This Ordinance shall become effective immediately upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

_____

Richard W. Danner, Mayor

ATTEST:

_____

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: April 9, 2024

Second Reading
And Final Approval: April 23, 2023

Approved as to Form:

_____

Daniel Hughes
City Attorney

EXHIBIT

A

City of Greer Unified Development Ordinance (UDO)

FINAL DRAFT

Adopted November 28, 2023

Greer UDO
Unified Development Ordinance

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1. ADMINISTRATION

1.1. INTRODUCTORY PROVISIONS

1.1.1 PURPOSE OF SECTION

This Section intends to define all development review processes of this UDO and is comprised of the following components:

A. **General Terms (1.1.2).** Section 1.1.2 defines the general terms or words used in this UDO.
B. **Procedures and Review Processes (Section 1.2)**. Section 1.2 includes a summary table, Table 1.2., that describes all development application review processes in this UDO and the review and decision-making bodies which decide them.
    1. **Summary of Development Review Procedures (Section 1.2.1).** Section 1.2.1 includes a table listing the development review processes with in this UDO and summarizes the development review process.
    2. **Review and Decision-Making Bodies (Section 1.2.2)**. Section 1.2.2 describes all review and decision-making bodies with responsibilities in this UDO.
C. **Development Review Procedures (Section 1.3).** Section 1.3 describes common development review procedures that apply to multiple review processes and each individual review process, including Administrative Adjustments, as defined in this UDO. This includes requirements for meetings, applications, hearings, and process review procedures.
D. **Regulatory Provisions (Section 1.4)**. Section 1.4 describes the regulatory provisions applicable to review processes described in this Section.

1.1.2. GENERAL TERMS

For the purpose of this UDO, certain terms or words used in this UDO shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

2. The words "shall" and “will” is mandatory; the word "may" is permissive.

1.2. PROCEDURES AND REVIEW PROCESSES

1.2.1. SUMMARY DEVELOPMENT PROCESS TABLE

The summary development process table lists each development review process under this UDO and the review and decision-making bodies involved in the decision-making process. Processes are organized Ordinance Amendments, Development Permits, Subdivision Procedures, and Flexibility and Relief processes.

Table 1.2.1 Summary of Development Reviews and Processes

KEY: R = Review and Recommendation D = Review and Decision A = Appeal							
Procedure		**Review and Decision-Making Bodies**					
		Planning Advisory Committee (PAC)	**Building and Development Director (Director)**	**Board of Architectural Review (BAR)**	**Board of Zoning Appeals (BZA)**	**Planning Commission (PC)**	**City Council (CC)**
Ordinance Amendments							
Zoning Map Amendment			R			R	D
PD District Amendment	Minor		D				
	Major		R			R	D
UDO Text Amendment			R			R	D
Comprehensive Plan Amendment			R			R	D
Development Projects/Permits							
Site Development Plan		R	D				
Signage Plan			D				
Permit [Note 1]			D				
Certificate of Appropriateness				D			
Subdivision Procedures							
Minor Subdivision			D				
Summary Plat			D				
Preliminary Plat		R				D	
Final Plat			D				
Flexibility and Relief Procedures							
Variance			R		D		
Special Exception			R		D		
Appeal of Director Decision					D		
Administrative Adjustment			D				
UDO Interpretation			D				

Note 1: Projects requiring permits including but not limited to fence, signage, and building. The words "used or occupied" include the words "intended, designed or arranged to be used or occupied."

KEY: R = Review and Recommendation D = Review and Decision A = Appeal	

1.2.2. REVIEW AND DECISION-MAKING BODIES.

The following review and decision-making bodies have powers and duties in administering review processes in this UDO:

A. Planning Advisory Committee (PAC) – Section 1.2.2.1

B. Building and Development Director (Director) – Section 1.2.2.2

C. Board of Architectural Review (BAR) – Section 1.2.2.3

D. Board of Zoning Appeals (BZA) – Section 1.2.2.4

E. Planning Commission (PC) – Section 1.2.2.5

F. City Council (CC) – Section 1.2.2.6

SECTION 1.2.2.1 PLANNING ADVISORY COMMITTEE (PAC)

A. **Designation and Responsibility**. The Planning Advisory Committee, who may be referred to in this UDO as the "PAC", is a technical review committee for projects that have been submitted to the City of Greer.
   1. **Technical Review**. The PAC is responsible for providing technical review for the following areas of expertise including, but not limited to, stormwater, engineering, public services and utilities, building codes, and fire/emergency standards.
   2. **Meetings.** For the applicable projects, the PAC meeting schedule shall be consistent with the schedule of Planning Commission meetings. No formal approval of projects shall be made at PAC meetings.

B. **Powers and Duties**. The powers and duties of the PAC are provided within Table 1.2.1 Summary and Development Process Table.

SECTION 1.2.2.2 BUILDING AND DEVELOPMENT DIRECTOR (DIRECTOR)

A. **Designation and Responsibility**. The Building and Development Director, who may be referred to in this UDO as the "Director", is an administrative official that leads the Building and Development Services staff of the City. The Director is authorized to act through aides, assistants, and designated staff and is

responsible as the administrator of this UDO. The Director shall administer and enforce this UDO and may request the assistance of any appropriate officer or agency of the City.

B. Powers and Duties. The powers and duties of the Director are provided within Table 1.2.1 Summary and Development Process Table. The Director may also approve, approve with conditions, or disapprove of slight modifications or deviations from appropriate zoning standards as established within Section 1.3.3 Administrative Adjustments of this UDO.

SECTION 1.2.2.3 – BOARD OF ARCHITECTURAL REVIEW (BAR)

A. **Designation and Responsibility.** The responsibility of the Board of Architectural Review is to promote the purposes and objectives of this Section 1.2.2.3 – Board of Architectural Review (BAR) and Section 3.1 Historic District Overlay, to review and recommend to the Planning Commission the designation of individual historic properties and Historic Districts on the Zoning Map, and to review plans and applications, as provided in this UDO, for all construction within Historic Districts and uniform design standards for nonresidential buildings and any zoning overlay districts and construction or demolition pertaining to duly designated historic properties. The Board of Architectural Review shall have the power to approve, approve with modifications or deny approval for such applications in accordance with the prescribed procedures and guidelines of this section.

B. **Membership.** The Board of Architectural Review, referred to in this UDO as the "BAR", is an administrative body and shall consist of five (5) members appointed by the City Council. The BAR shall be made up of the following:
   1. A historian, knowledgeable in local history.
   2. An architect or, if an architect is not available to serve, someone knowledgeable in building design and construction.
   3. A business owner, property owner or a representative of those interest within the Historic District.
   4. Two at large members.
      a. Other designated members can be listed, designated members may be selected from other relevant backgrounds and disciplines such as a lawyer, a real estate agent, an engineer, an urban planner and

designer, and representative of the historical society. No members shall hold any other municipal office.

C. **Member Term.** The members of the Board of Architectural Review shall serve three-year terms.

D. **Officers.** The Board of Architectural Review shall elect from its membership a chair and a vice-chair who shall serve for one year or until their successors are elected. The Board of Architectural Review shall appoint a secretary. The secretary of the Board of Architectural Review shall have the following duties:

1. Take minutes at each board meeting;
2. Be responsible for publication and distribution of copies of the minutes, reports and decisions of the Board of Architectural Review to its members and filing the minutes, reports and decisions with City Council;
3. Notify the city clerk of vacancies on the board, including the expiring term of members.

E. **Powers and Duties.** The responsibility of the Board of Architectural Review is to promote the purposes and objectives of this Section 1.2.2.3 – Board of Architectural Review (BAR) and Section 3.1 Historic District Overlay, to review and recommend to the Planning Commission the designation of individual historic properties and Historic Districts on the Zoning Map, and to review plans and applications, as provided in this UDO, for all Zoning Map Amendments or construction within Historic Districts and uniform design standards for nonresidential buildings and any zoning overlay districts and construction or demolition pertaining to duly designated historic properties. The Board of Architectural Review shall have the power to approve, approve with modifications or deny approval for such applications in accordance with the prescribed procedures and guidelines.

1. **Local Historic Property.** A property may be designated historic if it:
   a. Has significant inherent character, interest, or value as part of the development or heritage of the community, state, or nation;
   b. Is the site of an event significant in history;
   c. Is associated with a person or persons who contributed significantly to the culture and development of the community, state, or nation;
   d. Exemplifies the cultural, political, economic, social, ethnic, or historic

heritage of the community, state, or nation;

e. Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architectural or engineering;
f. Is the work of a designer whose work has influenced significantly the development of the community, state or nation;
g. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;
h. Is part of or related to a square or other distinctive element of community planning;
i. Represents an established and familiar visual feature of the neighborhood or community; or
j. Has yielded, or may be likely to yield, information important in pre-history or history.

2. **Nominations to the National Register of Historic Places or Landmarks.** The Board of Architectural Review shall conduct first review and evaluation of all proposed nominations for the National Register of Historic Places for properties that are within its jurisdiction, prior to consideration by the state board of review. The board of architectural review may send its recommendations to the state historic preservation office for consideration at the meeting of the state board of review. The Board of Architectural Review shall not nominate properties directly to the national register; only the state board of review shall have this final review authority.
3. **Zoning Procedure.** The Board of Architectural Review make recommendation to Planning Commission to make zoning map amendment to locally designated historic property to the City of Greer Zoning Map.

F. **Certificate of Appropriateness.**

Restrictions on certain actions within the historic district. No building or structure within the historic district may be erected, demolished or removed in whole or in part, nor may the exterior appearance or architectural character of such a structure be altered until a certificate of appropriateness has been issued by the board of architectural review. The term "structure" shall include walls, fences, signs, light fixtures, steps, pavement or other appurtenant features, excluding traffic control devices. No certificate of appropriateness shall be necessary to perform ordinary maintenance or repairs to correct an unsafe or

dangerous condition, or to correct deterioration of or damage to the original structure pursuant to section.

1. **General Regulation.** Restrictions on certain actions within the historic district. No building or structure within the historic district may be erected, demolished or removed in whole or in part, nor may the exterior appearance or architectural character of such a structure be altered until a certificate of appropriateness has been issued by the board of architectural review. The term "structure" shall include walls, fences, signs, light fixtures, steps, pavement or other appurtenant features, excluding traffic control devices. No certificate of appropriateness shall be necessary to perform ordinary maintenance or repairs to correct an unsafe or dangerous condition, or to correct deterioration of or damage to the original structure.
    a. **Certificate Required.**
        i. A certificate of appropriateness is required before a building permit can be issued for the demolition, new constructions, exterior alteration, modification or addition to a designated historic property. Any building permit not issued in conformity with this chapter shall be considered void.
        ii. Application for a certificate of appropriateness must be signed by the owner or his authorized representative and the form must be signed by the chair or vice-chair of the board of architectural review stating its approval, denial, or approval with conditions and the reasons for the decision.
    b. **Required Procedures.** An application for a certificate of appropriateness shall be obtained from and, when completed, filed with the director or other appropriate administrative official designated by the board of architectural review.
    c. **Time Limits.** Applications for a certificate of appropriateness shall be considered by the board of architectural review at its next regular meeting, provided they have been filed at least seven calendar days before the regularly scheduled meeting of the board. If the board of architectural review fails to take action upon any application within 45 days after the complete application is received, the application shall be considered approved, except in cases where the board has postponed

an application to demolish a structure under the provisions of this chapter.

d. **Board of Architectural Review Action on Application**. The board of architectural review shall review the application, using the design guidelines given in this section to make findings of fact to decide whether or not the applicant's plans are appropriate. The decision of the board of architectural review with the reasons for each decision will be recorded in the minutes that will be available as a public reference for preservation procedures.

e. **Contents of Application.** The board of architectural review shall, in its rules of procedure, require data as are reasonably necessary to determine the nature of the application. An application shall not be considered complete until all the required data have been submitted.

f. **Notification of Affected Property Owners.** Prior to the issuance of an approval or denial of a certificate of appropriateness, the board of architectural review shall inform the owners of any property likely to be materially affected by the application, and shall give the applicant and such owners an opportunity to be heard.

g. **Submission of a New Application.** If the board of architectural review determines that a certificate of appropriateness should be denied, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed construction, alteration or restoration.

h. **Maintenance, Repair, and Interior Projects.** Nothing in this document shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color, or outer appearance of the structure. The board of architectural review shall not consider the interior arrangements or alterations to the interior of a building unless the interior of a public building or the public space of a private building, is specifically described and designated as historic. The board of architectural review may authorize a staff member to approve minor projects involving repairs and ordinary maintenance that do not alter design, materialize, color or the outer appearance of a

structure or interior projects not subject to design review.

i. **Fines, Penalties and Fees.** The system of fines applied by the city for violation of the building code will apply to violations of this chapter. The city shall establish appropriate fees for the administration of this chapter.

j. Substantial Hardship.

i. If a certificate of appropriateness is denied, the property owner may apply for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic properties. Substantial hardship is to be considered by the board where there is one or more of the following unusual and compelling circumstances:

a. The property cannot reasonably be maintained in the manner dictated by this chapter;

b. There are no other reasonable means of saving the property from deterioration, or collapse; or

c. The property is owned by a nonprofit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

ii. The owner may be required to submit documents to show that he cannot comply with the design guidelines and earn a reasonable rate of return on his investment in the property. Information required may include:

a. Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the board of architectural review;

b. Structural report and/or a feasibility report;

c. Market value of the property in its present condition and after completion of the proposed project;

d. Cost of the property, date purchased, relationship, if any, between seller and buyer, terms of financing;

e. For the past two years, annual gross income from the

property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time; and

f. Other information considered necessary by the board of architectural review to determine whether or not the property may yield a reasonable return.

1. **Demolition of Building or Structure.**
    a. No building or structure designated as historic shall be demolished or otherwise removed until the owner thereof has received a certificate of appropriateness from the board of architectural review. The board of architectural review may delay the granting of the certificate of appropriateness for a period of up to 90 days from the time of the filing of the application with the designated city official. The board of architectural review may extend this postponement for certificate of appropriateness with regards to a request to demolish a structure for another 90 days after a finding by the board that the structure is of extreme historical importance to the people of the city.
    b. Within the period of postponement of such demolition of any building, the board of architectural review shall take steps to ascertain what can be done to preserve such building. Such steps shall include, but will not be limited to, consultation with civic groups, interested citizens and public boards and agencies.
    c. After the postponement period has elapsed and the board of architectural review has been unable to determine an adequate alternative to demolition, a certificate of appropriateness shall be granted.
    d. If the board of architectural review finds that a building proposed for demolition is of no particular historical significance or value toward maintaining the historical character of the city, it may issue the certificate of appropriateness in the normal manner.

G. **Design Guidelines.**

1. Intent. It is the intent of this chapter to ensure, insofar as possible, that buildings or structures designated as historic shall be in harmony with the

architectural and historical character of the city. In granting a certificate of appropriateness, the board shall take into account the architectural and historical significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure as well as the effect of such change or additions upon other structures in the vicinity.

2. The Secretary of the Interior's Standards for Rehabilitation. When considering an application for a certificate of appropriateness for new construction, alteration, repair, or restoration, the board shall use the Secretary of Interior's Standards for Rehabilitation as guidelines in making its decisions. In addition, the board may adopt more specific guidelines for local historic districts and local historic buildings. These guidelines serve as the basis for determining the approval, approval with modifications, or denial of an application. The Secretary's Standards for Rehabilitation are:
    a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
    b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
    c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
    d. Most properties change overtime; those changes that have acquired historic significance in their own right shall be retained and preserved.
    e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize property shall be preserved.
    f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where

possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

j. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

H. **Rules of Procedure.**

1. **Regular Meetings.** Regular meetings for transaction of business of the Board of Architectural Review may be held with such frequency as the board may determine.
2. **Annual Organizational Meeting.** The first regular meeting of the Board of Architectural Review following the beginning of the city's fiscal year shall be designated the annual organizational meeting for the election of officers and organization of the board.
3. **Special Meetings.** Special meetings of the Board of Architectural Review may be held at any time upon call by the chair.
4. **Filing of Appeals.** Any person aggrieved by a decision of the architectural review board rendered after a hearing may, within 30 days after notice thereof, file an appeal in circuit court for a review of the decision of the board pursuant to S.C. Code 1976, § 6-29-900, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994.
5. **Public Notice.** All meetings of the Board of Architectural Review shall be

open to the public and reasonable notice of the time and place shall be given to the public. Notices of the meeting of the Board of Architectural Review shall be posted at city hall and sent to the news media as required by the Freedom of Information Act.

6. **Rules and records.** The Board of Architectural Review shall adopt rules of procedure and shall keep records or minutes of its recommendations, findings and approvals and denials. These rules will govern the application process for a certificate of appropriateness and will be in compliance with state law and due process requirements of the United States Constitution. Such rules and all records will be made public record. A quorum, consisting of a majority of the total membership of the Board of Architectural Review, shall be required to conduct business.
7. **Board Action.** Decisions or actions by the Board of Architectural Review shall be by a majority vote of qualified members present and voting. Proxy votes shall not be permitted.
8. **Conflicts of Interest.** Any member of the Board of Architectural Review who has a personal or financial interest, either directly or indirectly, in any property which is the subject of, or affected by, a decision of the board shall be disqualified from participating in the decision of the Board of Architectural Review concerning the property.
9. **Liability of Members**. Any member of the Board of Architectural Review acting within powers granted by this chapter shall be relieved from personal liability for any damage and held harmless by the city. Any suit brought against any member of the Board of Architectural Review shall be defended by a legal representative furnished by the city until the termination of the proceedings.

SECTION 1.2.2.4 – BOARD OF ZONING APPEALS (BZA)

A. **Appointment and Terms of the Board of Zoning Appeals.**
   1. **Generally.** The Board of Zoning Appeals is an administrative body and shall consist of seven (7) members appointed by the City Council.
      a. Members of the BZA shall be residents of the City and shall be appointed by the City Council.

2. **Member Term.** BZA members shall be appointed for three-year terms.
    a. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.
    b. Members may continue to serve until their successors have been appointed.
    c. Members shall be removed for cause by a majority vote of the total membership of the City Council upon written charges and after public hearing.
3. **Officers.** The BZA shall elect one of its membership as a chair and vice-chair, who shall serve for one year or until their successors are elected and qualified. The BZA shall appoint a secretary who may be an officer of the governing authority or of the zoning board. The chairman, or in his absence, the vice-chairman, shall preside at all meetings, may administer oaths, and compel the attendance of witnesses by subpoena. If both the Chair and Vice-Chair are absent, the Board of Zoning Appeals shall vote to determine who shall serve as acting Chair for the meeting.

B. **Rules of Procedure.**
1. **Generally.** The BZA shall adopt rules for the transaction of its business and shall keep a record of its members' attendance and its resolutions, discussions, findings and recommendations, which record shall be public record.
2. **Meetings of the Board of Zoning Appeals.** Meetings of the board must be held at the call of the chair and at such other times as the BZA may determine. Public notice of all meetings of the board of appeals shall be provided by publication in a newspaper of general circulation in the City of Greer. In cases involving Variances or Special Exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property.
3. **Quorum.** No official business of the BZA may be conducted without a quorum present. A majority of the BZA shall constitute a quorum.
4. **Participating and Voting.** The concurring vote of majority of the board members present shall be necessary to grant a Special Use and/or Variance. A majority of the members shall be required to decide any other quasi-judicial matter or to provide administrative review of decision of planning staff.

a. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.
b. Once a member is physically present at a BZA meeting, any subsequent failure to vote will be recorded as an affirmative vote unless the member has recused himself or herself, or been excused in accordance with the paragraph below.
c. A member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. For purposes of this section, a "close familial relationship" means a spouse, significant other, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. In addition, a member who was not present at the hearing at which evidence relevant to the matter at issue was taken shall not vote on the matter.

5. **Board Member Attendance.** Any member of the BZA who misses more than three consecutive regular meetings or more than half of the regular meetings in a calendar year may be subject to removal and replacement by CC.

C. **Powers and Duties.** The BZA shall all the powers and duties authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 codified as Section 6-29-780 through Section 6-29-860, and in the manner provided for in this UDO. Generally, such power and duties shall include, but not be restricted to, the following:
   a. Administrative review of decision of the Director or a designee of the Director;
   b. Granting Uses Permitted by a Special Exception within Section 4 – Uses of

this UDO.

c. Granting Variances to Uses within this UDO.

SECTION 1.2.2.5 –PLANNING COMMISSION (PC)

A. **Appointment and Terms of the Planning Commission.**

1. **Generally.** The Planning Commission provides an advisory function, except where otherwise noted, to assist in decisions pertaining to amendments of the Comprehensive Plan and this UDO, and applications for development approval. The Planning Commission is an administrative body and shall consist of seven (7) members appointed by the City Council. Members of the Planning Commission shall be residents of the City. Upon appointment of a member to the Planning Commission, the City Council shall consider the following:
    a. Professional experience,
    b. Knowledge of the community, and
    c. Concern for the future welfare of the total community and its citizens.
2. **Member Terms.** Planning Commission members shall be appointed for three-year terms.
    a. Any vacancy in the membership shall be filled for the unexpired term.
    b. Members may continue to serve until their successor have been appointed.
3. **Officers.** The Planning Commission shall elect from its membership a chair and a vice-chair whose term must be for one year. City of Greer staff serves as the secretary.

B. **Rules of Procedure.**

1. **Generally.** The PC shall adopt rules of organizational procedures and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which shall be a public record.
2. **Meetings of the Planning Commission.**
    a. The PC may hold such special meetings as conduct of its business may require. The PC shall meet upon request of the chair and at such times as the chair or commission may determine.
    b. All meetings shall be open to the public.
    c. The PC shall keep minutes of its proceedings, showing the vote of each

member upon every action or, if absent or failing to vote, indicate such fact.

d. Unless otherwise provided by law, all records shall be public record.

3. **Quorum.** No official business of the PC may be conducted without a quorum present.
4. **Participating and Voting.** The concurring vote of a majority of the board members present shall be required on all matters. A majority of the members shall be required to decide any other matter or to determine an appeal made in the nature of certiorari.
   a. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.
      Once a member is physically present at a PC meeting, any subsequent failure to vote will be recorded as an affirmative vote unless the member has recused himself or herself, or been excused in accordance with the paragraph below.
   b. Members shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild.
5. **Attendance.** Any member of the PC who misses more than three (3) consecutive regular meetings or more than half the regular meetings in a calendar year may be subject to removal and replacement by the CC.

C. **Power and Duties.** The powers and duties of the Planning Commission are provided within Table 1.2.1 Summary and Development Process Table.

SECTION 1.2.2.6 – CITY COUNCIL (CC)

A. **Purpose and Intent.** The City Council, who may be referred to in this UDO as "CC", is the elected, governing body of the City of Greer. The City Council shall render final decisions pertaining to amendments to the Comprehensive Plan and this UDO, except where authority for a final decision is delegated to another agency by State Code or other superior authority. The City Council shall render final decisions pertaining to applications for development approval where such authority is assigned pursuant to this UDO.

B. **Powers and Duties.** The powers and duties of the City Council are provided within Table 1.2.1 Summary and Development Process Table.

   1. Zoning Map Amendment: The City Council shall hear and approve, approve with conditions, or deny proposed Official Zoning Map Amendments(rezoning) to this Ordinance after receiving comments and recommendations from the Planning Commission.
   2. Unified Development Ordinance Text Amendment: The City Council shall hear and approve, approve with conditions, or deny proposed Text Amendments to this Ordinance after receiving comments and recommendations from the Planning Commission.
   3. Comprehensive Plan Amendment: To initiate, adopt, and amend a Comprehensive Plan after receiving comments and recommendations from the Planning Commission.
   4. Historic Designation: To designate historic landmarks and amendments to the existing historic district(s) after receiving comments and recommendations from the Board of Architectural Review.

C. **Appointments.** The City Council shall appoint members to the Planning Commission, the Board of Zoning Appeals, and the Board of Architectural Review.

D. **Other Duties.** To take such other action not otherwise delegated, as the City Council may deem desirable and necessary to implement the provisions of this Ordinance and the Comprehensive Plan.

E. Prior to acting on any proposed zoning amendment, City Council shall consider the recommendation of the Planning Commission. If the Planning Commission recommends denial of a proposed zoning amendment, the City Council may

reject the Planning Commission's recommendation only by a vote of two-thirds of the members of Council who are present and voting. If no recommendation is received from the Planning Commission within 30 days from the date of the public hearing, it shall be deemed to have approved the proposed amendment.

1.3. REVIEW PROCESSES

1.3.1. DEVELOPMENT REVIEW PROCESSES

A. **Purpose and Intent.**

1. This Section describes the standard procedural steps and rules generally applicable to all development applications reviewed under this UDO.
2. The procedures provided in this Section are utilized by the City for the processing of applications for development permits or approvals.
3. It is the intent of this Section to establish a uniform set of procedures for development applications to be more effective and efficient for applicants, adjacent properties, elected officials and City staff.
4. The use made of property may not be substantially changed, and substantial clearing, grading, or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to this UDO.
5. Any deviation from these procedures, other than those required by statute, shall not be grounds for invalidating an otherwise valid decision.

B. **Pre-Application Meeting**.

1. The purpose of a pre-application meeting is to provide an opportunity for the applicant to meet with City staff to learn about the submittal requirements, procedures, and standards applicable to a particular development application.
2. The pre-application meeting also provides an opportunity for City staff to become familiar with the proposed project and offer preliminary comments about the scope of the proposed development, as it relates to the standards in this Ordinance.
3. The Pre-Application Meeting is not always required but is encouraged. Refer to Table 1.3.1 Summary of Development Review Procedures.

C. **Applications.**

1. Development applications reviewed under this Ordinance shall be submitted by the landowner, contract purchaser, agent, or other person having a recognized property interest in the land on which development is proposed.
2. City staff shall establish application content and forms, which shall be maintained by the Director. The Director may change requirements for submission of required information when, in the Director's opinion, such information is otherwise available or is not necessary to review the application.
3. The CC shall establish application fees, which shall be identified in the City's adopted fee schedule and may amend and update those fees as necessary.
4. No application shall be considered for review until it is deemed complete. If the application is incomplete, the Director shall notify the applicant of their deficiencies. A complete application shall:
    a. Contain all information and materials as required in the application form as designated by City staff;
    b. Provide the number of copies required per the application;
    c. Be signed by the person with the authority to file the application;
    d. Be legible and printed to scale;
    e. Include information in sufficient detail to evaluate whether or not the application complies with the applicable review standards in this Ordinance; and
    f. Include the required fee for the particular type of application.
    If the application is incomplete, the Director shall notify the applicant of the deficiencies.
5. An application shall be considered withdrawn after 6 months of inactivity, unless granted an extension by the Director. The Director may approve an extension of no more than 6 months.

D. **Staff Review of Applications.**

1. **Formal Review**. After Staff deems an application complete, the application shall be considered as officially submitted. Staff shall begin formal review of the application.
    a. The application shall be distributed to all appropriate review bodies within the PAC and other appropriate local agencies.
    b. Each appropriate review body shall review and comment on the application. If any deficiencies exist, review bodies shall contact the applicant and inform them of said deficiencies. The applicant shall be provided opportunity to discuss any deficiencies and resubmit any required information in the form of a resubmittal.
    c. Upon receiving all required information, the appropriate review body shall deem the application complete through formal review and summarize its findings in a staff report to be reviewed by the decision-making body and discussed at a public hearing (if required).

2. **Conflicts of Interest**. No staff member shall make a final decision on an administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. In addition, a member who was not present at the hearing at which evidence relevant to the matter at issue was taken shall not vote on the matter.

E. **Public Meeting and Hearing Notice Requirements**

1. **Public Meetings and Public Hearings**. Public Meetings and Public Hearings shall comply with the provisions below.
2. **Public Notice Requirements**. Notice shall be given as follows:

Table 1.3.1 Public Notice Requirements

APPLICATION TYPE		TYPE OF REQUIRED NOTIFICATION		
		APPROVING AUTHORITY	PUBLISHED NOTICE	POSTED NOTICE
Ordinance Amendment				
Zoning Map Amendment (Rezoning), Zoning of Annexed Property, Overlay Designation (Including Historic Designation)		City Council	Published at least 15 days before hearing date	Posted at least 10 days before hearing date
Rezoning to Planned Development District		City Council	Published at least 15 days before hearing date	Posted at least 10 days before hearing date
PD District Amendment and/or Design Review District	Minor	Director		
	Major	City Council	Published at least 15 days before hearing date	Posted at least 10 days before hearing date
Unified Development Ordinance Text Amendment		City Council	Published at least 30 days before hearing date	
Comprehensive Plan Amendment		City Council	Published at least 30 days before hearing date	
Flexibility and Relief				
Variance		Board of Zoning Appeals	Published at least 15 days before hearing date	Posted at least 10 days before hearing date
Special Exception		Board of Zoning Appeals	Published at least 15 days before hearing date	Posted at least 10 days before hearing date
Administrative Adjustment		NR		
Vested Rights		Pursuant to the applicable site-specific development plan		
Appeal			✓	✓
UDO Interpretation		NR		

1.3.2. ADMINISTRATIVE ADJUSTMENTS

A. **Purpose.** This section describes the review and approval procedures for administrative adjustments, which are slight modifications or deviations from appropriate zoning standards outlined in this UDO that may be permitted by Staff. The intent of Administrative Adjustments is to allow greater flexibility without requiring a formal zoning amendment or variance for a slight modification or deviation. The administrative adjustment is not intended to serve as a method to waive current standards of the UDO or to circumvent the variance procedure.

B. **Applicability.** The administrative adjustment procedure shall apply to the standards and limitations established in Table 1.3.3, Allowable Administrative Adjustments.

The administrative adjustment procedure shall not apply to any proposed modification that results in:

i. An increase in the overall project density;
ii. A change in permitted uses or mix of uses;
iii. A deviation from the specific use standards in Section 4 of this UDO.
iv. A deviation from environmental protection standards in this UDO.
v. A deviation from floodplain regulations in this UDO.
vi. A change to a development standard already modified through previous approved and separate administrative adjustment or variance; or
vii. Requirements for public roadways, utilities, or other public infrastructure or facilities.

C. **Administrative Adjustment Procedure.**

This subsection establishes a uniform set of procedures for administrative adjustment applications to be more effective and efficient for applicants, adjacent properties, elected officials, and City Staff. Any deviation from the procedure outlined below, shall be grounds for invalidating an otherwise valid decision.

A. Pre-Application Meeting

a. The purpose of a pre-application meeting is to provide an opportunity for the applicant to meet with City Staff to learn about the submittal requirements, procedures, and standards applicable to the requested Administrative Adjustment.

b. A pre-application meeting is not required but is encouraged.

B. Application Submittal, Acceptance, Revision, and Withdrawal

a. The administrative adjustment application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Subsection 1.3 The application shall include all required information as in the Development Review Procedure, and any additional information requested by City staff.

b. An application for an administrative adjustment shall only be submitted and reviewed concurrently with an application for a special exception, temporary use permit, change of use permit, site plan approval (minor or major), or plat approval (preliminary or final).

Table 1.3.3 Allowable Administrative Adjustments

UDO Standard	Allowable Administrative Adjustment (maximum)
Site Standards	
Lot area, minimum	20%
Lot coverage, maximum	20%
Block length, maximum	15%
Front setback, minimum	50%
Side setback, minimum	50%
Rear setback, minimum	50%
Encroachment into setback, maximum	15%
Building Standards	
Building height, maximum	20%
Accessory structure height, maximum	20%
Window Transparency	100%
Development Standards	
Number of required parking spaces	25%
Lighting height, maximum	15%
Sign height, maximum	15%
Minimum landscape requirements	15%
Buffer Type	± 1

C. Staff Review, Correspondence, and Action

a. Review and Decision

i. Shall be reviewed by the Building and Development Department for consistency with the regulations of this UDO and any other relevant City ordinances and adopted plans as defined in Section 1.3 Development Review Procedures.

ii. City staff shall review all administrative adjustment applications and shall approve, approve with conditions, or deny the adjustment request based on the criteria below.

b. Administrative Adjustment Approval Criteria

i. In reviewing a proposed Administrative Adjustment, City staff shall consider whether and to what extent the adjustment:

a. Is consistent with the Comprehensive Plan;

b. Is consistent with the purpose of the applicable zoning district;

c. Will not result in incompatible development; and

d. Will not result in adverse impacts unless adequately mitigated; and/or

e. Is of a technical nature and is required to:

a. Compensate for an unusual site condition;

b. Eliminate a minor inadvertent failure to comply with a UDO standard; or

c. To protect a sensitive resource or natural feature.

D. Post-Decision Actions and Limitations

Post-decision actions and limitations in the Development Review Procedures shall apply, with the following modifications:

A. Effect of Approval

a. Approval of an administrative adjustment authorizes only the particular adjustment of standards approved, and only to the subject property of the application.

B. Expiration of Approval

a. Approval of an administrative adjustment shall automatically expire if the associated development application is denied or if approval of the concurrently reviewed application expires, is revoked, or otherwise becomes invalid.

1.4. REGULATORY PROVISIONS

1.4.1. NONCONFORMITIES

A. **Purpose and Intent**. The purpose of this Section is to regulate and limit the continued existence of uses and structures established prior to the date of the UDO (or any subsequent amendment) that do not conform to the UDO. Any nonconformity created by a change in the classification of property or by the text of these regulations shall also be regulated by the provisions of this chapter. The provisions of this chapter are intended to limit substantial investment in nonconformities/or lessen their impact upon surrounding conforming uses in order to preserve the integrity of the areas in which they are located.

B. **Applicability**. To avoid undue hardship, the use of any building or land use that was lawful at the time of the enactment of this ordinance, but which does not conform to the provisions of this ordinance, shall be permitted to continue subject to the provisions of this chapter. The thresholds at which nonconforming uses or structures must be brought into compliance relate to the cumulative expansion, reconstruction or other modification of nonconforming uses or structures relative to the condition in which they existed on the date of adoption of this ordinance.

C. **General Provisions and Procedures.**

a. **Modifications to Nonconformities**.

i. **Applicability:** The Director shall hear applications from any landowner for modifications and decide to:

1. Authorize a change in use of a nonconforming use to a different, less-intense nonconforming use;
2. Authorize a change in location of a nonconforming use of land to another location on the same property; or
3. Allow the replacement of a structure with a nonconforming use.

ii. **Criteria for Approval:** The property owner wishing to have a property or building declared a legal nonconforming use shall

submit such request in writing and shall bear the burden of proof in providing the Director with any and all required documentation. The Director may only grant a change for a nonconforming use or replacement of a nonconforming structure which has been destroyed after determining that:

1. Said change will be no less suitable and appropriate for the lot(s) on which it is located than the existing or previous situation; and,
2. The proposed change will not have a greater harmful effect than the existing or previous situation on the properties surrounding the lot(s) in question; and,
3. The decision to grant the change will be in harmony with the general purpose and intent of the UDO and will not be injurious to the neighborhood or otherwise be detrimental to the public welfare.

iii. Conditions of Approval: Staff, in granting such changes, may prescribe appropriate conditions and safeguards in conformity with the UDO. Violation of such conditions and safeguards, when made a part of the terms upon which the change was granted, shall be deemed a violation of the UDO and shall be subject to enforcement provisions.

b. Unsafe Structures.

i. Deficiencies Due to Lack of Maintenance: Any structure or other development of land, or portion thereof, devoted to a nonconforming use or having a nonconforming feature that is declared unsafe by the building inspector because of lack of repairs and maintenance shall not be restored, repaired, reconstructed, or used except in conformity with the provisions of the UDO.

ii. Other Deficiencies: Any structure or other development of land, or portion thereof, devoted to a nonconforming use or having a nonconforming structure that is declared unsafe by the building inspector, but not because of lack of repairs and maintenance, may be repaired and restored.

c. **Abandonment/Discontinuance**. A nonconforming use of a building or premises which has/have been discontinued shall not thereafter be returned to such nonconforming use except in accordance with the provisions of this section.
    i. Determination of Discontinuance: A nonconforming use shall be presumed discontinued when any of the following has occurred:
        1. A conforming use has replaced the preceding nonconforming use.
        2. All of the buildings or structures on the subject property housing the nonconforming use have been removed.
        3. The owner has physically changed the building or structure, or its permanent equipment, in such a way as to clearly indicate a change in use or activity to something other than the nonconforming use.
        4. The property, structure or use has been vacant or inactive for a continuous period of more than 90 days.
            a. This may be implied from acts or the failure to act, including, but not limited to: the removal of and failure to replace the characteristic equipment and furnishings; lack of utility consumption necessary to maintain the use at an operable level; or documented vacancy.
            b. If operations have ceased for more than 90 consecutive days, the presence of characteristic equipment and furnishings is not, in and of itself, sufficient to establish the continuity/operation of the use.
            c. The mere vacancy of a structure for a period exceeding 90 consecutive days that was initially constructed as a single-family dwelling and whose most recent use was as a single-family dwelling shall not constitute a discontinuance of the use.

D. **Nonconforming Uses**

a. **Applicability.** Any use of a building or land existing at the time of the enactment of this section which does not conform with the provisions of the UDO for the District in which it is located shall be deemed to be a nonconforming use and is subject to the standards of this section. Once a nonconforming use is discontinued, it may not later be reestablished or converted to any other nonconforming use.

b. **Expansion of Use.** A nonconforming use of land or building shall not be enlarged, intensified, or expanded unless the building or structure is altered to conform with the UDO.

c. **Damage or Destruction.**

i. When a building or structure devoted to a nonconforming use is damaged by fire, flood, explosions, wind, earthquake, war, riot or other act, to the extent of more than 50% of the property's "total improvements full market value" as shown on the county tax records at the time of such damage, such a building, if restored, shall thereafter be devoted to conforming uses.

ii. If a building or structure devoted to a nonconforming use is damaged by fire, flood, explosions, wind, earthquake, war, riot or other act, to a lesser extent than designated above, it may be repaired and continued provided that any such repair does not increase the degree of any nonconformance.

E. **Nonconforming Structures.**

a. **Applicability.** A nonconforming structure is a physical feature or characteristic of a building, structure, or other development of land that was lawfully established prior to the effective date of the UDO, but does not conform to dimensional, design, locational, or other requirements of the UDO. This also includes nonconforming features such as buffer yards, landscaping, mechanical and utility structures, and parking. The nonconformity may result from adoption of the UDO or any subsequent amendment. The provisions of this section shall not apply to single-family dwellings used for residential purposes.

b. **Continuation of Existing Structure.** Any structure existing at the time of the enactment of the UDO which does not conform with the provisions of the UDO for the district in which it is located shall be deemed to be a

nonconforming structure and is subject to the standards of this section. Once a nonconforming structure is discontinued, it may not later be reestablished or converted to any other nonconforming use.

c. **Repairs, Alterations, And Maintenance.** Any nonconforming building or structure that is renovated, repaired, altered, or otherwise improved by more than 50% of the property's "total improvements full market value" as shown on the tax records at the time of such renovation, repair, or alteration shall be brought into full conformance to the greatest extent practical as determined by Staff.

d. **Damage or Destruction.** The following provisions shall not apply to any single-family dwelling used for residential purposes:

   i. When a building or structure devoted to a nonconforming structure is damaged by fire, flood, explosions, wind, earthquake, war, riot or other act, to the extent of more than 50% of the property's "total improvements full market value" as shown on the tax records at the time of such damage, such a building, if restored, shall thereafter be devoted to conforming uses.

   ii. If a building or structure devoted to a nonconforming structure is damaged by fire, flood, explosions, wind, earthquake, war, riot or other act, to a lesser extent than designated above, it may be repaired and continued provided that any such repair does not increase the degree of any nonconformance and a building permit for the reconstruction or repair work is obtained within 120 days of the date of such damage.

e. **Reconstruction.** A nonconforming structure shall not be demolished and rebuilt as a nonconforming structure except that a nonconforming structure listed in the Historic District may be allowed to be rebuilt within the original (pre-demolition) footprint.

F. **Nonconforming Lots**.

a. **Definition And Applicability.** A nonconforming lot is a lot that was lawfully created prior to the effective date of the UDO, but that does not meet the dimensional requirements of Section 2 - Zoning, Districts, for the district in which it is located. A nonconforming vacant lot of record is one

that was recorded by plat or description in the Office of the Register of Deeds of the relevant County prior to the adoption of the UDO or prior to the time that the lot was brought into the City's jurisdiction. This definition shall not be interpreted to include recorded lots that were in violation of any prior subdivision regulations of City of Greer and which will remain in violation.

b. **Standards for Development.**
    i. When, in the opinion of Staff, a nonconforming lot can be used in conformity with all of the regulations applicable to the intended use, except that the lot is smaller in area and/or width than the required minimum set forth in Chapter 2, Districts, then the lot may be used just as if it were conforming.
    ii. When the use proposed for a nonconforming lot is one that is conforming in all other respects, but the applicable setback requirements set forth in Section 2, Zonings, cannot reasonably be complied with, then Staff may issue a permit for the proposed use and may allow deviations from the setback requirements if Staff finds that:
        1. The property cannot reasonably be developed for the use proposed without such deviations;
        2. These deviations are necessitated by the size or shape of the nonconforming lot;
        3. The property can be developed as proposed without any significant adverse impact on surrounding properties or the public health or safety.
    iii. For purposes of paragraph B above, compliance with applicable building setback requirements is not reasonably possible if a building serving the minimal needs of the proposed use cannot practicably be constructed and located on the lot in conformity with such setback requirements.

G. **Nonconforming Plans**.
    a. **Applicability.** Any site-specific plan – including, but not limited to, Site Plans, Preliminary Plats, and Final Plats for the development of property and/or construction of a building which has received final approval by the

applicable authority, but does not conform to this ordinance -- may be developed and/or constructed in accordance with the ordinance rules and regulations in force when such plan was approved, including any conditions and details imposed by the approving authority. Any plan approved prior to the adoption of this ordinance, but which conforms to its provisions, shall be administered, interpreted, amended and implemented in accordance with the provisions of this ordinance

b. **Option To Make Conforming**. The owner of property which contains an approved site-specific plan may elect to develop such property and/or construct such building in accordance with the terms and provisions of this ordinance in lieu of the rules and regulations under which the plan was approved. An owner who wishes to make such election shall notify Staff, who shall approve the plan and notify the property owner in writing of the additional approvals or modifications, if any, which may be necessary in order for the plan to conform to this ordinance. In making such finding, City Staff shall require additional approvals and/or modifications only if such are necessary in order to maintain conformity under the original approved plan or under a new review process set out in this ordinance.

c. **Amendments And Modifications.** Any amendment or modification to an approved site-specific plan shall be reviewed and acted upon in accordance with the terms and provisions of this ordinance as if it were an amendment or modification to a plan originally approved under this ordinance.

d. **Vested Rights.** Nothing herein is intended to prohibit the exercise of any vested right established by common law, ordinance or statute.

H. **Nonconforming Signs**.

a. **Applicability.** Determination of Nonconformity: Any sign constructed after the adoption date of the UDO and which is found to exist in violation of the UDO shall be declared to be illegally nonconforming and shall be removed after 30 days' notice.

i. Requirement for Removal: If the owner or lessee fails to remove the sign during the permitted time, then Staff, or an independent

contractor secured by the City shall remove the sign and the ensuing charges shall be assessed to the owner or lessee.

ii. Loss of Legal Nonconforming Status: A legal nonconforming sign may lose this designation if:
    1. The sign is relocated or replaced; or
    2. The structure or size of the sign is altered in any way. This does not refer to normal maintenance or lettering changes on changeable copy signs;
    3. A tenant vacates a building, in which case all existing signs on awnings or canopies shall be removed.

iii. **Maintenance And Repair of Nonconforming Signs.** An existing nonconforming sign cannot be modified in any way aside from routine maintenance without bringing the sign into conformity with this subject to the requirements

iv. **Mandatory Compliance.** All signs must comply with the standards of the UDO with the following provisions:
    1. Any existing sign not meeting the requirements of the UDO shall be brought into compliance with the UDO before a business license will be issued for a new resident business. (This shall not apply to existing businesses annexed into the City). Any existing sign not meeting the requirements of the UDO shall be brought into compliance with this section before a business name can be changed.
    2. Temporary nonconforming signs having obtained a sign permit before the adoption date of the UDO, shall be permitted to remain for the life of the permit.
    3. Nonconforming supports and brackets and unused signs must be completely removed before a new sign is installed. Any holes in the building must be appropriately patched.
    4. When any site or building alterations or expansions are proposed or the building remains vacant for more than 180 days, all non-conforming signs shall come into full compliance.

l. **Nonconforming Sites.**

a. **Site Nonconformities.** When building or parking area expansions exceed 50% of the building floor area or parking area, all existing site-related non-conformities (open space, parking, screening, landscaping, or lighting) shall be brought into compliance to the greatest extent practical.

1.4.2. VESTED RIGHTS

A. A vested right is established in accordance with State law only upon the approval or conditional approval of a site-specific development plan in accordance with the standards and procedures of this Ordinance.

B. A vested right established in accordance with this section is subject to the conditions and limitations as prescribed by State law.

C. A vested right for a site-specific development plan shall expire two years after vesting. No extensions of the vested right are authorized. Any requests for an extension of a vested right shall be denied.

D. A vested site-specific development plan may be amended if the amendment conforms to, or does not cause greater nonconformity with the current provisions of this Ordinance. Approval or conditional approval of an amendment to an established vested right does not reset its expiration period.

1.4.3. ANNEXATION

A. Any area or property to be annexed into the City of Greer shall adhere to one of the methods within Title 5 – Municipal Corporations, Chapter 3 – Change of Corporate Limits of the South Carolina Code of Laws.

B. Any property which may hereafter be annexed by the City of Greer shall be classified in the zoning district which most closely corresponds to its intended use at the time of annexation unless a different classification is recommended by the Director, or unless the petitioner requests a specific zoning district. Request for a specific zoning district shall be requested via a Zoning Map Amendment as outlined in Table 1.2.1.

1.5. CODE ENFORCEMENT

1.5.1. AUTHORITY

A. The Director or Code Enforcement Officer shall have the authority to enter upon the premises of any person subject to this ordinance for the purpose of enforcing the provisions of this ordinance.

1.5.2. NOTIFICATION

A. Notice of violation shall be sufficient if directed to the owner, the agent of the owner, or the contractor and left at his known place of residence or place of business.

1.5.3 REMEDIES

A. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained; or any building, structure, or land is used in violation of this ordinance, the Director or Code Enforcement Officer, in addition to other remedies, may institute injunction or any other appropriate action in proceeding to prevent the occupancy of such building, structure, or land.

B. When a sign requiring a permit is erected, relocated, or altered without a sign permit, or a sign is found to be in violation of Article 5.X.X, the Director or Code Enforcement Officer shall issue a notice of violation. Upon failure to comply with this requirement, the Administrator may remove the sign and/or sign structure.

a. In the event the sign or sign structure is not claimed within 10 days from the date of impoundment, the Administrator shall have the authority to dispose of such sign or sign structure without compensation to the owner.

1.5.4 PENALTIES

A. Any person, firm, or corporation violating any provisions of this ordinance, or who shall violate or fail to comply with any order made thereunder, or who shall continue to work upon any structure after having received written notice shall be guilty of a misdemeanor and punishable by a fine not to exceed 100 dollars or imprisoned for not more than 30 days, or both.

B. Each day such violation shall be permitted to exist shall constitute a separate offense.

C. Cost of removal, disposal or other actions to enforce Article 1.5.3 shall be paid by the owner, either by direct payment or as a lien on the property.

2. ZONING

A. The official zoning map of the City is divided into residential zoning districts, nonresidential zoning districts, planned districts, and mixed-use zoning districts (each with their own distinct standards). The zoning map is adopted by reference herein; however, has been officially adopted by the City of Greer as part of Ordinance No. _____ Dated, _____, as may be amended by the City from time to time, together with all of the explanatory material thereon. The official zoning map shall be identified by the signature of the mayor, City attorney, and attested by the City Clerk.
B. No changes shall be made in the official zoning map except in conformity with the procedures set forth in this UDO.
C. The official zoning map is the final authority as to the zoning status of all lands and waters in the City.

2.1. RESIDENTIAL DISTRICTS

2.1.1. RURAL RESIDENTIAL (RR)

A. **Purpose and Intent**. The Rural Residential (RR) zoning district is established to:

1. Allow for the use of land for single-family detached dwellings in a generally rural setting.
2. Promote the design of conservation subdivisions that are designed to allow for low-density residential areas that offer opportunities for low-intensity development.
3. Allow for designs that take into consideration natural features such as large stands of trees, steep slopes, vistas, floodplains and water bodies.
4. Allow for cluster subdivisions.
5. Provide regulations that discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district.

B. **Development Standards**. The RR district shall conform to the standards identified below.

Table 2.1.1. RR Standards

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	20,000 SQ FT
LOT WIDTH (MIN)	50 FT
LOT COVERAGE (MAX)	30%
DENSITY (MAX)	1.5 DU/AC
DENSITY (MAX WITH CLUSTER)	2.25 DU/AC
SETBACK AND HEIGHT STANDARDS	
FRONT (MIN)	30 FT
REAR (MIN)	50 FT
SIDE (MIN)	30 FT
BUILDING HEIGHT (MAX)	35 FT
OTHER STANDARDS	
USE REGULATIONS	SECTION 4
DEVELOPMENT STANDARDS	SECTION 5
SUBDIVISION STANDARDS	SECTION 7
CLUSTER SUBDIVISION STANDARDS	SECTION 7.4

2.1.2. SUBURBAN NEIGHBORHOOD (SN)

A. **Purpose and Intent**. The Suburban Neighborhood (SN) zoning district is established to:

1. Allow for the use of land for single-family detached dwellings in a generally suburban character that is shaped by residential subdivisions of medium-lot homes with relatively uniform housing types and densities.

2. Promote the design of local streets in a curvilinear pattern with occasional cul-de-sacs to respond to and protect natural features
3. Allow for subdivisions that provide sidewalks, street trees, neighborhood parks, trails, and interconnected community open space.
4. Allow for cluster subdivisions.
5. Provide regulations that discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district.

B. **Development Standards**. The SN district shall conform to the standards identified below.

Table 2.1.2. SN Standards

SN STANDARDS	RESIDENTIAL		NONRESIDENTIAL
	DETACHED	ATTACHED	
LOT AND DENSITY STANDARDS			
LOT AREA (MIN)	10,000 SQ FT	3,500 SQ FT	30,000 SQ FT
LOT WIDTH (MIN)	40 FT	20 FT	100 FT
LOT COVERAGE (MAX)	40%	60 %	50%
DENSITY (MAX)	4.0 DU/AC		N/A
DENSITY (MAX WITH CLUSTER)	5.0 DU/AC		N/A
SETBACK AND HEIGHT STANDARDS			
FRONT (MIN)	20 FT		30 FT
REAR (MIN)	15 FT (INTERIOR LOT); 20 FT (THROUGH LOT)		15 FT
SIDE (MIN)	10 FT		20 FT

BUILDING HEIGHT (MAX)	35 FT	35 FT
OTHER STANDARDS		
USE REGULATIONS	SECTION 4	
DEVELOPMENT STANDARDS	SECTION 5	
BUILDING AND SITE DESIGN STANDARDS	SECTION 6	
SUBDIVISION STANDARDS	SECTION 7	
CLUSTER SUBDIVISION STANDARDS	SECTION 7.4	

2.1.3. TRADITIONAL NEIGHBORHOOD (TN)

A. **Purpose and Intent**. The Traditional Neighborhood (TN) zoning district is established to:

1. Allow for the use of land for single-family dwellings (attached and detached) in a traditional city neighborhood setting with a mix of housing types.
2. Promote infill around the existing mixture of residential, commercial, and institutional uses that are of a compatible scale and character with surrounding homes.
3. Discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

B. **Development Standards**. The TN district shall conform to the standards identified below.

Table 2.1.3. TN Standards

TN STANDARDS	RESIDENTIAL		NONRESIDENTIAL
	DETACHED	ATTACHED	
LOT AND DENSITY STANDARDS			
LOT AREA (MIN)	5,000 SQ FT	3,500 SQ FT	30,000 SQ FT
LOT WIDTH (MIN)	30 FT	20 FT	100 FT
LOT COVERAGE (MAX)	45%	60%	60%
DENSITY (MAX)	10 DU/AC		N/A
DENSITY (MAX WITH CLUSTER)	12 DU/AC		N/A
SETBACK AND HEIGHT STANDARDS			
FRONT (MIN)	20 FT	20/15 FT Note 1	15 FT
REAR (MIN)	10 FT		15 FT
SIDE (MIN)	5 FT	5 FT Note 2	10 FT
BUILDING HEIGHT (MAX)	35 FT		35 FT
OTHER STANDARDS			
USE REGULATIONS	SECTION 4		
DEVELOPMENT STANDARDS	SECTION 5		
BUILDING AND SITE DESIGN STANDARDS	SECTION 6		

SUBDIVISION STANDARDS	SECTION 7
CLUSTER SUBDIVISION STANDARDS	SECTION 7.4
Note 1: 15-foot minimum front setback applies if parking is provided to the rear of the building, if parking area/garage is recessed or common parking area is provided in lieu of conventional driveway and or garage design. Note 2: The exterior/outermost dwelling units of a residential attached product is subject to the required side setback.	

2.1.4. MEDIUM DENSITY RESIDENTIAL (MD)

A. **Purpose and Intent**.

1. The Medium Density Residential (MD) zoning district is established as a district in which the principal use of land is for multi-family dwellings including apartments and condominiums.
2. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

B. **Development Standards**. The MD district shall conform to the standards identified below.

Table 2.1.4. MD Standards

MD STANDARDS	RESIDENTIAL		NONRESIDENTIAL
	DETACHED	ATTACHED	
LOT AND DENSITY STANDARDS			
LOT AREA (MIN)	4,000 SQ FT	2,000 SQ FT	20,000 SQ FT
LOT WIDTH (MIN)	30 FT	20 FT	100 FT
LOT COVERAGE	45%	60%	60%
DENSITY (MAX)	17.5 DU/AC		N/A
SETBACK AND HEIGHT STANDARDS			

FRONT (MIN)	**20 FT**	**20/15 FT Note 1**	**20 FT**
REAR (MIN)	**10 FT**		**10 FT**
SIDE (MIN)	**5 FT**	**5 FT/15 FT Notes 2 and 4**	**15 FT**
BUILDING HEIGHT (MAX)	**45 FT**	**45 FT/60 FT Note 3**	**45 FT**
OTHER STANDARDS			
USE REGULATIONS	**SECTION 4**		
DEVELOPMENT STANDARDS	**SECTION 5**		
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**		
SUBDIVISION STANDARDS	**SECTION 7**		

Note 1: 15-foot minimum front setback applies if parking is provided to the rear of the building if parking area/garage is recessed or common parking area is provided in lieu of conventional driveway and or garage design.

Note 2: The exterior/outermost dwelling units of a residential attached product is subject to the required side setback.

Note 3: 45-foot maximum where adjacent to single family residential (not part of the subject property/development); 60-foot maximum permitted otherwise.

Note 4: Multi-family projects

2.1.5. HIGH DENSITY RESIDENTIAL (HD)

A. **Purpose and Intent**.

1. The High Density Residential (HD) zoning district is established as a district in which the principal use of land is for high density development, including multi-family dwellings such as apartments and condominiums; single family detached and attached are not permitted.
2. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the residential nature of areas included within this district.

B. **Development Standards**. The HD district shall conform to the standards identified below.

Table 2.1.5. HD Standards

HD STANDARDS	RESIDENTIAL		NONRESIDENTIAL
	DETACHED	ATTACHED	
LOT AND DENSITY STANDARDS			
LOT AREA (MIN)	2,500 SQ FT	2,000 SQ FT	15,000 SQ FT
LOT WIDTH (MIN)	30 FT	20 FT	100 FT
LOT COVERAGE (MAX)	60%	60%	70%
DENSITY (MAX)	25 DU/AC (BY-RIGHT) 40 DU/AC (SPECIAL EXCEPTION)		N/A
SETBACK AND HEIGHT STANDARDS			
FRONT (MIN)	15 FT/20 FT Note 1		20 FT
REAR (MIN)	10 FT/35 FT Note 2		10 FT
SIDE (MIN)	10 FT/35 FT Note 2		15 FT
BUILDING HEIGHT (MAX)	60 FT/75 FT Note 3		45 FT
OTHER STANDARDS			
USE REGULATIONS	SECTION 4		
DEVELOPMENT STANDARDS	SECTION 5		
BUILDING AND SITE DESIGN STANDARDS	SECTION 6		
SUBDIVISION STANDARDS	SECTION 7		

Note 1: 15-foot minimum front setback applies if parking is provided to the rear of the building if parking area/garage is recessed or common parking area is provided in lieu of conventional driveway and or garage design.

Note 2: 35-foot where adjacent to existing single family residential.

Note 3: building height above 60 feet require stepback of no less than 15 feet along front and where adjacent to RR, SN, TN districts.

2.2. NONRESIDENTIAL DISTRICTS

2.2.1. OFFICE PROFESSIONAL (OP)

A. **Purpose and Intent**.

1. The Office Professional (OP) zoning district is established as a district in which the principal use of land is for office and medical uses.
2. Residential uses may be permitted as part of a Special Exception. Where residential is proposed, it shall comply with the SN standards with respect to Lot and Density Standards, Setback and Height Standards, and Other Standards. Residential uses may not exceed 25 percent of the total acreage/project boundary of the OP parcel.
3. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of office and medical uses.

B. **Development Standards**. The OP district shall conform to the standards identified below.

Table 2.2.1. OP Standards

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**See SN Zoning District & Related Standards**
SETBACK AND HEIGHT STANDARDS	
FRONT (MIN)	**25 FT**
REAR (MIN)	**20 FT** Note 2
SIDE (MIN)	**5 FT/15 FT** Note 1,2
BUILDING HEIGHT (MAX)	**50 FT**
OTHER STANDARDS	
USE REGULATIONS	**SECTION 4**

DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**
Note 1: Corner lots or adjacent to residential zones **Note 2: Except when adjacent to railroad right-of-way, and then minimum of 5'**	

2.2.2. COMMERCIAL GENERAL (CG)

A. **Purpose and Intent**.

1. The Commercial General (CG) zoning district is established as a district in which the principal use of land is intended for commercial establishments.

B. **Development Standards**. The CG district shall conform to the standards identified below.

Table 2.2.2. CG Standards

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**N/A**
SETBACK AND HEIGHT STANDARDS	
FRONT (MIN)	**25 FT**
REAR (MIN)	**20 FT** [Note 2]
SIDE (MIN)	**5 FT/15 FT** [Note 1, 2]
BUILDING HEIGHT (MAX)	**45 FT**
OTHER STANDARDS	
USE REGULATIONS	**SECTION 4**
DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**

Note 1: Corner lots or adjacent to residential zones
Note 2: Except when adjacent to railroad right-of-way, and then minimum of 5'

2.2.3. BUSINESS TECHNOLOGY (BT)

A. **Purpose and Intent**.

1. The Business Technology (BT) zoning district is established to provide a transition between commercial and industrial districts, allowing for a wide range of uses including personal services and civic and institutional uses.

B. **Development Standards**. The BT district shall conform to the standards identified below.

Table 2.2.3. BT Standards

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**N/A**
SETBACK AND HEIGHT STANDARDS	
FRONT (MIN)	**25 FT/ 40 FT** Note 1
REAR (MIN)	**25 FT** Note 2, 4
SIDE (MIN)	**10 FT/25 FT** Note 3, 4
BUILDING HEIGHT (MAX)	**60 FT**
OTHER STANDARDS	
USE REGULATIONS	**SECTION 4**
DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**
Note 1: 25-foot minimum front setback applies if parking is to the rear of the building.	

Note 2: Rear setback does not apply to rail siding. **Note 3: 25-foot minimum side setback applies where adjacent to residential zoned properties; additional setbacks may be required to achieve the Buffer Standards required in Section 5.** **Note 4: Except when adjacent to railroad right-of-way, and then minimum of 5'**

2.2.4. MANUFACTURING AND LOGISTICS (ML)

A. **Purpose and Intent**. The Manufacturing and Logistics (ML) zoning district is established to:

1. Allow for a range of industrial and logistic uses close to major transportation facilities.
2. Create development standards and building and site design standards which protect neighboring uses from nuisances and potentially harmful effects.
3. Support large-scale manufacturing and production, including assembly and processing, regional warehousing and distribution, bulk storage, and utilities.
4. Require landscaping requirements that screen development from the right-of-way and neighboring residential areas.

B. **Development Standards**. The ML district shall conform to the standards identified below.

Table 2.2.4. ML Standards

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**N/A**
SETBACK AND HEIGHT STANDARDS	
FRONT (MIN)	**50 FT**
REAR (MIN)	**25 FT** Note 1,2 3

SIDE (MIN)	**25 FT** Note 1,2 3
BUILDING HEIGHT (MAX)	**90 FT**
OTHER STANDARDS	
USE REGULATIONS	**SECTION 4**
DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**

Note 1: Side and Rear setback does not apply to rail siding.

Note 2: 25-foot minimum side setback applies where adjacent to residential zoned properties; additional setbacks may be required to achieve the Buffer Standards required in Section 5.

Note 3: Except when adjacent to railroad right-of-way, and then minimum of 5'

2.3. MIXED-USE DISTRICTS

2.3.1. GREER STATION DOWNTOWN (GS)

A. **Purpose and Intent**. The Greer Station Downtown (GS) zoning district is established to:

1. Implement the 2017 Downtown Streetscape Master Plan.
2. Allow for urban, high-quality development that features a mixture of uses including civic, entertainment, cultural, mixed-use buildings, detached and attached single-family homes, and mid-sized multi-family and commercial development.
3. Create a compact, walkable, and well-connected urban environment with a wide sidewalk network and it support for multi-modal transportation.
4. Implement where applicable the design and development standards of the City's Board of Architectural Review.

B. **Development Standards**. The GS district shall conform to the standards identified below.

Table 2.3.1. Greer Station Downtown (GS)

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	N/A
LOT WIDTH (MIN)	N/A
DENSITY (MAX)	N/A Note 1
BUILDING PLACEMENT AND HEIGHT STANDARDS	
FRONT (MIN)	N/A Note 2
REAR (MIN)	N/A Note 2
SIDE (MIN)	N/A Note 2
BUILDING HEIGHT (MAX)	60 FT
FRONTAGE STANDARDS	
PERCENTAGE REQUIREMENT (MIN)	60%
ENTRANCE LOCATION	FRONT ONLY (PRIMARY)
OFF-STREET PARKING/ LOCATION	
OFF-STREET PARKING/LOCATION	RESIDENTIAL: 1 SPACE/UNIT; LOCATION: REAR/SIDE ONLY
SIDEWALKS	
WIDTH	UP TO 8 FT
OTHER STANDARDS	
USE REGULATIONS	SECTION 4
DEVELOPMENT STANDARDS	SECTION 5
BUILDING AND SITE DESIGN STANDARDS Note 3	SECTION 6
SUBDIVISION STANDARDS	SECTION 7

Note 1: Density is not regulated by dwelling units per acre but by building height and required residential off-street parking.

Note 2: Subject to International Building Code and Stormwater Ordinance standards

Note 3: Certain areas of the GS zoning are subject to additional design and development standards and are require Board of Architectural Review (BAR) review and approval; See also C below.

C. **Additional Development Standards.** The following standards are required in addition to those within the Board of Architecture Standards, those within Section 6. Building and Site Design Standards, and the requirements and standards within Section 3.1. Downtown Greer Historic Preservation Overlay.

1. ADUs are not permitted as part of a commercial/office use; ADUs within residential projects are permitted as Special Exception within the GS district.

    a. ADUs where provided shall be designed and constructed using the same architectural components as well a similar material to provide a consistent appearance; however, the use of vinyl siding is not permitted.

2. Fences may be provided; however, are limited to brick, stone, wrought iron or other similar architecturally significant material; the use of chain-link or similar is not permitted. Fences provided along a property's frontage with a public street and along the side lot lines to a point extending along the face of the building shall be limited to four (4) feet in height.
3. Parking, where provided shall be limited to the side and or rear of the building.
4. Signage shall be provided consistent with Section 5.2 and shall be limited to the following sign types:

    a. Wall
    b. Canopy/awning
    c. Projecting/blade
    d. Sidewalk

e. Window

2.3.2. NEIGHBORHOOD CENTER (NC)

A. **Purpose and Intent**. The Neighborhood Center (NC) zoning district is established to:

1. Implement the Neighborhood Center character area in the Comprehensive Plan through a zoning map amendment.
2. Allow for high quality development that features a mixture of uses in Comprehensive Plan compliant areas of the City.
3. Promote the development of mixed-use centers are within a roughly 1/8-mile radius of identified crossroads/nodes where non-residential, neighborhood-serving uses should be clustered.
4. Allow for the development of walkable, compact, neighborhood-scale development that are connected to their surroundings.
5. Provide goods and services to immediate neighborhoods.
6. Require development to comply with the standards defined in Table 2.3.2.

B. **Development Standards**. The NC district shall conform to the standards identified below.

Table 2.3.2. Neighborhood Center (NC)

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**N/A**
BUILDING PLACEMENT AND HEIGHT STANDARDS (BUILD-TO-ZONE; BTZ)	
FRONT	**15 TO 75 FT**
REAR	**10 TO 50 FT**
SIDE	**10 TO 20 FT** [Note 1]

BUILDING HEIGHT (MAX)	**35 FT**
FRONTAGE STANDARDS	
PERCENTAGE REQUIREMENT (MIN)	**50 %**
ENTRANCE LOCATION	**SEE SECTION 6.1 REGARDING FAÇADE STANDARDS**
OFF-STREET PARKING LOCATION	
LOCATION OF OFF-STREET PARKING	**SUBJECT TO BUILDING PLACEMENT STANDARDS**
SIDEWALKS	
WIDTH	**MINIMUM 8 FT**
OTHER STANDARDS	
USE REGULATIONS	**SECTION 4**
DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**
Note 1: Where side and rear parking are provided, the build-to zone may be increased to accommodate those parking areas.	

2.3.3. REGIONAL CENTER (RC)

A. **Purpose and Intent**. The Regional Center (RC) zoning district is established to:

1. Implement the Regional Center character area in the Comprehensive Plan through a zoning map amendment.
2. Allow for high quality development that features a mixture of uses in Comprehensive Plan compliant areas of the City.
3. Promote the development of mixed-use centers that are within a roughly 1/2-mile radius of identified crossroads/nodes where commercial,

employment, and entertainment uses are clustered to serve a population beyond Greer.

4. Allow for large-scale developments that are located near major highways and interstate exits that include outparcel buildings along major highways.
5. Regulate development for the RC district per the standards defined in Table 2.3.3.

B. **Development Standards**. The RC district shall conform to the standards identified below.

Table 2.3.3. Regional Center (RC)

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**10 DU/AC**
BUILDING PLACEMENT AND HEIGHT STANDARDS (BUILD-TO-ZONE; BTZ)	
FRONT	**10 TO 100 FT**
REAR	**10 TO 50 FT**
SIDE	**10 TO 50 FT**
BUILDING HEIGHT (MAX)	**75 FT**
FRONTAGE STANDARDS	
PERCENTAGE REQUIREMENT (MIN)	**50 %**
OFF-STREET PARKING LOCATION	
LOCATION OF OFF-STREET PARKING	**FRONT, SIDE, OR REAR**
SIDEWALKS	
WIDTH	**MINIMUM 10 FT**
OTHER STANDARDS	

USE REGULATIONS	**SECTION 4**
DEVELOPMENT STANDARDS	**SECTION 5**
BUILDING AND SITE DESIGN STANDARDS	**SECTION 6**
SUBDIVISION STANDARDS	**SECTION 7**

2.3.4. COMMERCIAL CORRIDOR (CC)

A. **Purpose and Intent**. The Commercial Corridor (CC) zoning district is established to:

1. Implement the Suburban Commercial Corridor Overlay character area in the Comprehensive Plan.
2. Allow for high quality development that features a mixture of arterial/highway-oriented retail uses and centers that serve community-wide shopping and service needs. These uses are along the established US 29 corridor, as well as areas of the Hwy 101 Hwy 14 corridors.
3. Allow for large-scale developments that include outparcel buildings along the US 29 corridor.
4. Regulate development for the CC district per the standards defined in Table 2.3.4.

B. **Development Standards**. The CC district shall conform to the standards identified below.

Table 2.3.4. Commercial Corridor (CC)

LOT AND DENSITY STANDARDS	
LOT AREA (MIN)	**N/A**
LOT WIDTH (MIN)	**N/A**
DENSITY (MAX)	**10 DU/AC**
BUILDING PLACEMENT AND HEIGHT STANDARDS (BUILD-TO-ZONE; BTZ)	

FRONT (MIN)	25 FT TO 150
REAR (MIN)	5 TO 75 FT [Note 1]
SIDE (MIN)	5 TO 50 FT [Note 1]
BUILDING HEIGHT (MAX)	45 FT
FRONTAGE STANDARDS	
PERCENTAGE REQUIREMENT (MIN)	50 %
OFF-STREET PARKING LOCATION	
LOCATION OF OFF-STREET PARKING	FRONT, SIDE, OR REAR
SIDEWALKS	
WIDTH	MINIMUM 8 FT
OTHER STANDARDS	
USE REGULATIONS	SECTION 4
DEVELOPMENT STANDARDS	SECTION 5
BUILDING AND SITE DESIGN STANDARDS	SECTION 6
SUBDIVISION STANDARDS	SECTION 7
Note 1: Except when adjacent to railroad right-of-way, and then minimum of 5'	

2.4. SPECIAL DISTRICTS

2.4.1. PLANNED DEVELOPMENT (PD)

A. Purpose and Intent.

1. The Planned Development (PD) zoning district is established to allow for coordinated mixed-use developments separate and apart from the Mixed-Use districts provided in Section 2.3 above and can only be established through a zoning map amendment to Planned Development (PD).
2. It is the intent of the PD zoning district to allow for creative design, improved living environments, and harmonious variety in physical development through integrated land uses. A PD should allow for a broad range of housing types and densities, non-residential uses (commercial and or office uses), and open space. Uses shall be permitted consistent with those in the TN and NC zoning districts.
3. Non-residential uses are limited to neighborhood scale consistent with the TN district standards and are limited to placement internal to the project or at the intersection of collector or higher roadways.
4. A PD can accomplish the purpose of zoning, subdivision design standard regulations and other applicable City regulations to the same degree as in instances where such City regulations are intended to control development on a lot-by-lot basis rather than on a unified development approach.

B. General Requirements. In addition to the specific requirements stated in the following sections, for each specific planned development district, all PD development shall meet the following standards.

1. **Planned Development Size**. The Planned Development size(s) are provided in Table 2.4.1 below.
2. **Site Characteristics and Relation to Surrounding Property(s).** The tract/property shall be or shall be made to be suitable for development in a manner proposed without hazard to persons or property, on or off the tract, risk of erosion, flood hazard, destruction of environmental lands or

other dangers. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of the proposed use. Additional buffering and screening may be required depending on the nature and type of the PD and the surrounding properties.

3. **Housing Types (defined).** For the purposes of the PD district, the following Housing Types are defined:
   a. SF Type 1: 10,001 SF Lot or greater
   b. SF Type 2: 7,501 – 10,000 SF Lot
   c. SF Type 3: 5,001 - 7500 SF Lot
   d. SF Type 4: up to 5,000 SF LOT
   e. SF Attached Type 5: TN standards
   f. Multifamily Type 6
4. **Relation to Public Utilities, Facilities and Services.** Planned development districts shall be located in relation to sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations to ensure that services can reasonably be provided at time of occupancy.
5. **Relation to Transportation Facilities.** Planned development districts shall be located with respect to access to alternative modes of transportation. Planned developments shall take into consideration the surrounding areas and be designed to minimize impact to those surrounding or adjacent streets, developments, and neighborhoods.
6. **Compatibility.** Planned development districts shall be located and designed so as to minimize the potential negative effects of external impacts resulting from factors such as building height, use, traffic, noise, or lights.
7. **Streets, Drives, Parking and Service Areas**. Streets, driveways, parking, and service areas shall provide safe and convenient access to all properties within the PD. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent

interference with pedestrian traffic. Loading zones where customers pick up goods shall be located and arranged so as to prevent interference with pedestrian movement, fire lanes, and other vehicular travel ways.

8. **Modifications.** Modifications from the standards required in the UDO may be requested for a planned development (unless explicitly stated otherwise in this UDO). All modifications must be requested at time of the filing of the binding master plan, shall be labeled and identified on the master plan, and shall be accompanied by justifications demonstrating that the modification is necessary and meets the intent of the UDO.
9. **Land Use Mix.** Table 2.4.1 summarizes the required land use mix for a PD, as a percent of total gross acreage of land area.

C. Planned Development Tiers. PDs are classified into tiers for certain requirements. Tiers are based on the total area of the proposed PD. The tiers are defined In Table 2.4.1.

Table 2.4.1. Planned Development (PD) Tiered Requirements

District Development Standards			
Building Height	Maximum 45 feet		
Land Use Mix/Percentage of Uses (based on gross acreage of site)	RESIDENTIAL: Minimum 50 percent; Maximum 65 percent. NON-RESIDENTIAL: 0 percent; Maximum 10 percent (may be increased to 15 percent where located along an arterial roadway) OPEN SPACE: 35 percent (as defined within Section 5.3. Landscaping, Buffering, and Open Space))		
Uses	As permitted in Section 4. Uses		
Additional Standards	Except where otherwise approved during the Planned Development process, setbacks, heights and similar shall be consistent with the standards per the TN district.		
	TIER 1 **5.0 acres to 10.0 acres**	**TIER 2** **10.1 acres to 25.0 acres**	**TIER 3** **25.1 acres or greater**
RESIDENTIAL DENSITY (DU/ACRE)	**Up to 5.0 DU/AC**	**Up to 10.0 DU/AC**	**Up to 10.0 DU/ac**
COMMERCIAL/RETAIL (FLOOR AREA RATIO)	**Up to 0.25 FAR**	**Up to 0.50 FAR**	**Up to 0.50 FAR**
HOUSING USE TYPES REQUIRED **Note 1 Note 2**	**2**	**3**	**4**
Note 1: No single housing type may exceed 75 percent of the total housing provided; except Tier 1, no less than 10 percent of any housing type may be provided. Note 2: Housing type e and type f may only be located internal to the project and not located along the perimeter unless a Type 4 buffer is provided			

D. **Application Requirements.** A PD Master Plan Application depicting the zoning standards and requirements of the proposed planned district shall include the following at a minimum:

1. **Location Information and Site Data.** The general location and associated data for:

   a. The title of the project and the names of the professional project planner and the developer.
   b. Scale, date, north arrow and general location map.
   c. Boundaries of the property involved including tabulations for gross acreage, all existing streets, buildings, watercourses, easements, section lines and other existing important physical features in and adjoining the project.
   d. Density/intensity of land uses (number of dwelling units and square footage by use types)
   e. Landscaped areas and typical cross sections.
   f. Buffers including typical cross sections.
   g. Location of fencing and berms including typical cross sections.
   h. Open space, common use areas, and amenities.
   i. Stormwater areas.
   j. Vehicular use areas and access.
   k. Utilities by type and connection points to the public systems.
   l. Street network.
   m. Pedestrian and multimodal systems.
   n. Use areas by use types (square footage non-residential and number of units by dwelling type).
2. **Zoning Standards.** For the purpose of documentation, the following standards may be either stand alone or combined documents or plan sheets, provided the following standards are clearly defined.

   a. Permitted uses and accessory uses, and use restrictions
   b. Maximum nonresidential square footage permitted (if applicable).
   c. Maximum number of dwelling units permitted (if applicable).
   d. Type and number of dwelling units.
   e. Mobility Plan including street types identifying circulation elements including driveways, transit, vehicular, pedestrian and bicycle components, as applicable.
   f. Open space plan including standards for functional and conservation (minimum percentage/acreages by type).
   g. Maximum heights for of all proposed structures.

h. Setbacks and lot/tract dimensions.
i. Parking Plan providing standards for all use types.
j. Signage plan.
k. Architectural and design components (renderings and elevations).
l. Landscaping plan.
m. Outdoor lighting plan.
n. References to all UDO sections where the PD proposes to utilize existing UDO language in lieu of creating standards specific to the proposed PD. If not specified, the standards for the closest applicable zoning district will apply.

3. **Statements of Intent**. Applicants shall provide:
   a. A description of procedures of any proposed homeowner's association, property owner's association, or similar group maintenance agreement.
   b. A statement identifying the proposed development schedule.
   c. A statement of public improvements, both on and off-site, that are proposed for dedication and/or construction and an estimate of timing for providing such improvements.
   d. A statement of impact on public facilities and infrastructure including estimated water consumption, sewage collection and treatment, schools, garbage collection, fire protection, and local vehicular traffic. Letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed planned development.
   e. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed open space, pond, lake, or retention pond/stormwater facility contained in the development.

E. Changes to a PD Master Plan. PD master plans are binding in nature. Changes to an approved plan may be permitted in accordance with one of the following procedures as determined by the UDO Administrator.

1. **Minor Changes.** Changes to a planned development plan that are of a design nature and do not alter the use characteristics of the planned development may be approved by Planning Staff.

2. **Major Changes.** Changes to a PD master plan that alter the concept and characteristics of a planned development may be approved by City Council. Examples of major changes include, but are not limited to:

   a. Expansion of the project boundary;

b. Change in use within 100 feet of the property perimeter (i.e., change from single family to multi-family; change from multi-family to non-residential specifically those in the Commercial Use Group);

c. Reduction in buffering where adjacent to existing single family residential uses.

d. Changes in maximum number of dwelling units exceeding 10% of the maximum approved (not to exceed the maximum allowable density per the corresponding Tier) or;

e. Changes in non-residential square footage by more than 10 percent;

f. Modifications or amendments to the initial traffic ingress/egress plan or preliminary traffic plan including but not limited to providing additional roadways (excluding driveways).

F. Expiration. PD approvals expire two (2) years after final approval by the City Council if subdivision plans and or site plans are not submitted to the City for approval. PD approvals may be extended up to a total of five (5) years upon approval of the City Council or upon approval of subdivision plans and or site plans.

2.4.2. DESIGN REVIEW DISTRICT (DRD)

A. Purpose and Intent. The Design Review District (DRD) is established to:

1. Allow for unique residential developments that require a variety of residential uses as defined in Section 4.3.1.
2. Promote the design of compact residential developments that are walkable and connected.
3. Provide regulations that discourage the removal and/or disturbance of natural habitats.

B. General Requirements. In addition to the specific requirements stated in the following sections, for each specific Development Review District (DRD), all DRD development shall meet the following standards.

1. **Design Review District Size**. The Design Review District size(s) are provided in Table 2.4.2 below.
2. **Site Characteristics and Relation to Surrounding Property(ies).** The tract/property shall be or shall be made to be suitable for development in a manner proposed without hazard to persons or property, on or off the tract, risk of erosion, flood hazard, destruction of environmental lands or other dangers. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of the proposed use. Additional buffering and screening may be required depending on the nature and type of the DRD and the surrounding properties.
3. **Residential Uses.** For the purposes of the DRD, the following Residential Uses are allowed as defined in section 4.3.1:
    a. Dwelling, Single-Family Detached
    b. Dwelling, Single-Family Attached
    c. Dwelling, Duplex, Triplex, or Quadplex
    d. Dwelling, Multi-Family
4. **Non-Residential Uses.** For the purposes of the DRD the following Non-Residential Uses are allowed as defined in section 4.3.2:
    a. Community Garden
    b. Parks
5. **Relation to Public Utilities, Facilities and Services.** Design Review Districts shall be located in relation to sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations to ensure that services can reasonably be provided at time of occupancy.
6. **Relation to Transportation Facilities.** Design Review Districts shall be located with respect to access to alternative modes of transportation. Planned developments shall take into consideration the surrounding areas

and be designed to minimize impact to those surrounding or adjacent streets, developments, and neighborhoods.

7. **Compatibility.** Design Review Districts shall be located and designed so as to minimize the potential negative effects of external impacts resulting from factors such as building height, use, traffic, noise, or lights.
8. **Streets, Drives, Parking and Service Areas**. Streets, driveways, parking, and service areas shall provide safe and convenient access to all properties within the DRD. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent interference with pedestrian traffic.
9. **Modifications.** Modifications from the standards required in the UDO may be requested for a DRD (unless explicitly stated otherwise in this UDO). All modifications must be requested at time of the filing of the binding master plan, shall be labeled and identified on the master plan, and shall be accompanied by justifications demonstrating that the modification is necessary and meets the intent of the UDO.
10. **Land Use Mix.** Table 2.4.2 summarizes the required land use mix for a DRD, as a percent of total gross acreage of land area.

G. Design Review Standards

Table 2.4.2. Design Review District (DRD) Tiered Requirements

Design Review District Development Standards			
Building Height	Maximum 45 feet*		
Land Use Mix/Percentage of Uses (based on gross acreage of site)	RESIDENTIAL: Minimum 50 percent; Maximum 65 percent. NON-RESIDENTIAL: 0 percent; Maximum 10 percent (may be increased to 15 percent where located along an arterial roadway) OPEN SPACE: 35 percent (as defined within Section 5.3. Landscaping, Buffering, and Open Space)		
Uses	As permitted in Section 4. Uses		
Additional Standards	Except where otherwise approved during the Design Review process, setbacks, heights and similar shall be consistent with the standards per the MD district.		
	TIER 1 **5.0 acres to 10.0 acres**	**TIER 2** **10.1 acres to 25.0 acres**	**TIER 3** **25.1 acres or greater**
RESIDENTIAL DENSITY (DU/ACRE)	Up to 10.0 DU/AC	Up to 12.0 DU/AC	Up to 15.0 DU/ac
NON-RESIDENTIAL USES			
RESIDENTIAL TYPES REQUIRED Note 1 Note 2	2	3	4

Note 1: No single housing type may exceed 75 percent of the total housing provided; except Tier 1, no less than 10 percent of any housing type may be provided.

Note 2: Housing type e and type f may only be located internal to the project and not located along the perimeter unless a Type 4 buffer is provided

1. Where land uses within the DRD are the same as uses permitted in the adjoining properties outside the DRD, a lesser setback that is consistent with the uses or zoning on the adjoining properties may be permitted.
2. Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within the DRD provided, however, that the Planning Commission and City Council shall ascertain that the characteristics of building location shall be appropriate as related

to structures within the district and otherwise fulfill the intent of this Ordinance Section.

3. All other development standards may be varied within a DRD. Variations to required development standards are permitted and shall be clearly included in any application for a DRD.

H. Application Requirements. A DRD Master Plan Application depicting the zoning standards and requirements of the proposed planned district shall include the following at a minimum:

1. **Location Information and Site Data.** The general location and associated data for:

   c. The title of the project and the names of the professional project planner and the developer.
   d. Scale, date, north arrow and general location map.
   e. Boundaries of the property involved including tabulations for gross acreage, all existing streets, buildings, watercourses, easements, section lines and other existing important physical features in and adjoining the project.
   f. Density/intensity of land uses (number of dwelling units and square footage by use types)
   g. Landscaped areas and typical cross sections.
   h. Buffers including typical cross sections.
   i. Location of fencing and berms including typical cross sections.
   j. Open space, common use areas, and amenities.
   k. Stormwater areas.
   l. Vehicular use areas and access.
   m. Utilities by type and connection points to the public systems.
   n. Street network.
   o. Pedestrian and multimodal systems.
   p. Use areas by use types (square footage non-residential and number of units by dwelling type).

2. **Zoning Standards.** For the purpose of documentation, the following standards may be either stand alone, combined documents or plan sheets, provided the following standards are clearly defined.

a. Permitted uses and accessory uses, and use restrictions
b. Maximum nonresidential square footage permitted (if applicable).
c. Maximum number of dwelling units permitted (if applicable).
d. Type and number of dwelling units.
e. Mobility Plan including street types identifying circulation elements including driveways, transit, vehicular, pedestrian and bicycle components, as applicable.
f. Open space plan including standards for functional and conservation (minimum percentage/acreages by type).
g. Maximum heights for of all proposed structures.
h. Setbacks and lot/tract dimensions.
i. Parking Plan providing standards for all use types.
j. Signage plan.
k. Architectural and design components (renderings and elevations).
l. Landscaping plan.
m. Outdoor lighting plan.
n. References to all UDO sections where the DRD proposes to utilize existing UDO language in lieu of creating standards specific to the proposed DRD. If not specified, the standards for the closest applicable zoning district will apply.

3. **Statements of Intent**. Applicants shall provide:
   a. A description of procedures of any proposed homeowner's association, property owner's association, or similar group maintenance agreement.
   b. A statement identifying the proposed development schedule.
   c. A statement of public improvements, both on and off-site, that are proposed for dedication and/or construction and an estimate of timing for providing such improvements.
   d. A statement of impact on public facilities and infrastructure including estimated water consumption, sewage collection and treatment, schools, garbage collection, fire protection, and local vehicular traffic. Letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed planned development.
   e. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed open space, pond, lake, or retention pond/stormwater facility contained in the development.

C. Final Development Plan. Approval of a Concept Plan shall constitute authority for the applicant to prepare a Final Development Plan. All Final Development Plans in the DRD district will require a site plan review and approval by the Director or designee. The Director or designee reserves the right to require site plan review and approval be conducted by the Greer Planning Commission.

D. Subdivision Plats. Approval of a Final Development Plan shall constitute authority for the applicant to prepare subdivision plats if applicable in accordance with procedures set forth in Section 7: Subdivision Regulations. No building permit or certificate of occupancy shall be issued until the Planning Commission has approved a final subdivision plat.

E. Changes to DRDs. Changes to an approved DRD may be permitted. The Director or designee shall determine whether any proposed change is major or minor using the criteria below. The Director's determination shall be a part of the DRD records.

1. Minor Changes. Changes to an approved DRD that are of a design nature and do not alter the use characteristics of the planned development may be approved by Planning Staff.
2. Major Changes. Changes to an approved DRD district that would significantly alter the basic concept and general characteristics of the district shall be approved by City Council in accordance with the amendment procedures established in Section 1.3.1.2 of this ordinance. Examples of major changes may include, but are not limited to the following:
    a. Expansion or reduction in boundaries;
    b. Decrease in provided open space;
    c. Increase or decrease in number of ingress and egress points;
    d. Changes in number of residential uses type;
    e. Increase in residential density exceeding 10 percent.

3. OVERLAYS AND DESIGN STANDARDS

3.1. HISTORIC DISTRICT OVERLAY

A. **Purpose and Intent.** The purpose of the Historic District (HD) overlay is to promote harmonious and compatible development within the Downtown Greer Central Business District, which compliments the character and charm of this unique mixed-use center. The overlay intends to:

1. Encourage urban design elements that create safe and comfortable environments for pedestrians and cyclists by promoting attractive compact development and multi-modal infrastructure;
2. Promote a diverse mix of uses that provides citizens and visitors of Greer with housing options, employment opportunities, and places of recreation;
3. To protect, preserve, and enhance the distinctive architectural and cultural heritage implementing and maintaining high quality design of buildings and fixtures;

Properties in the overlay are also further subject to the Board of Architecture Review (BAR); the boundaries of which are per Section 3.1.B Overlay Boundary below.

B. **Overlay Boundary.** The boundary of the Historic District overlay is shown on the Official Zoning Map.

C. **Underlying Zoning**. The use and development on any land or structures within the Historic District overlay shall comply with regulations applicable to the underlying zoning districts, as well as the requirements of this section, where applicable. All regulations of the underlying zoning district as provided in this UDO shall apply except when modified, eliminated, superseded, or additional regulations added by the provisions of this section and in the case of conflict between the Overlay and the underlying district standards, the stricter standard(s) shall apply.

D. **Use**. Allowable Uses for the Historic District overlay is provided in the in Table 4.2 Principal Uses of the Greer Station Zoning District.

E. **Architectural Design Style**. The Architectural Design Style for the Historic Downtown overlay is a design vernacular found between 1890 and 1930. The style of architecture found during this period represents the style most common to buildings of the Historic District overlay. This design vernacular allows for individuality while promoting the purpose of the Historic District overlay. If there is conflict between the Historic District overlay standards and requirements, Board of Architecture Review standards, and those within Section 6. Building and Site Design Standards, the stricter of the three are required.

1. **Exterior Facades**. Acceptable visible exterior wall finish materials are:

   a. Brick – unpainted, stained and painted, appropriate size (modular, standard, queen, engineer or modular queen).

   b. Stucco –can be used for trim work or detailing. Shall not be use as the field.

2. **Exterior Facades – Visible Attachments**. Acceptable visible attachment (chimney, flues, decks, balconies, signs, awnings, railings) finish materials are:

   a. Chimney – brick, stucco.
   b. Chimney Caps – copper or vitrified clay.
   c. Flues – stainless steel, manufacturer painted metal, copper or clay.
   d. Decks – shall comply with all applicable requirements of the International Building Code and with color characteristics in keeping with the Architectural Design Style.
   e. Signs – wood (painted or unpainted), manufacturer painted metal, stainless steel or copper.
   f. Awnings – canvas membrane with painted light metal frame, painted metal, stainless steel or copper.
   g. Railings and Fencing – painted metal, brick or ornamental iron (no chain link fencing).

3. **Exterior Façade – Roof Finish Materials**. Acceptable visible roof finish materials are:

a. Roofs and Overhangs – terra cotta tile, copper, slate, synthetic slate, gold leaf, manufacturer painted metal shingles and/or standing seam manufacturer painted roofs with color characteristics in keeping with the Architectural Design Style.
b. Gutter and Downspout Systems – copper and manufacturer painted metal with color characteristics in keeping with the Architectural Design Style.

4. **Exterior Façade – Opening Finish Materials**. Acceptable visible opening finish materials are:
   a. Windows – manufacturer painted aluminum, metal or wood with clear glass or stained glass.
   b. Shutters – painted wood or synthetic composite (no vinyl) in a louvered or paneled style
   c. Doors and Garage Doors – painted aluminum, metal, wood or composite wood.
   d. Storefronts – manufacturer painted aluminum, metal or wood.
5. **Exterior Façade – Visible Configuration Elements.** Acceptable visible configuration exterior façade elements are:
   a. Brick – shall not exceed a projection over 1 inch in any single course.
   b. Stone and Cast Stone – stone rustication at the base of the building or as accents around main entrances; stone accents and trim are appropriate.
   c. Stucco – painted smooth sand finish is appropriate other finish types must be approved by the Director. The stucco must be cement type.
   d. Chimney – simple forms with articulation at the top are preferred. Chimneys may be used to screen ventilation piping.
   e. Chimney Caps – may be used to screen ventilation piping.
   f. Signs – shall be either suspended from the façade by a painted light metal frame or attached directly to the façade and not project more than 4 inches from the adjacent surface.
   g. Awnings – shall match the existing awnings when facing on Trade Street or shall be rectangular in shape. Awnings not fronting Trade

Street shall be rectangular in shape without sides or bottom soffit panels.

h. Railings and Fencing – shall consist of top rails and bottom rails with clearance beneath the bottom rail. Rails shall be centered on the support balusters.
i. Balconies – shall be located a minimum of 12 feet above the grade or sidewalk below. Supporting brackets are preferred. Cantilevered balconies shall not project more than 3 feet.
j. Storefronts and Signage – shall be a gloss finish.
k. Address and Postal Numbers – both the principal façade and the rear or alley facing façade shall bear the numbers. Numbers shall comply with local fire and emergency authorities' requirements for height but shall conform to the color and style defined herein.
l. General Building Utility Service Meters and Equipment – shall be located on rear of the buildings. HVAC, satellite dishes, and the like shall be located in the rear side of the building or on the roof of the building and screened from sight. Overhead service of any utility or future service is not allowed.
m. Multiple Buildings – Sites containing multiple buildings or structures shall have a cohesive design vernacular including materials and proportions.
n. Trash Containers – shall be located in permanent enclosures screening them from site.
o. Sloped Roofs – visible from street level shall be sloped at an angle of 6:12 or greater. Canopy and porch roofs may have slopes less than, equal to or greater than 6:12.
p. Flat Roofs – shall be screened from view by parapet walls.
q. Parapets Walls – shall not have crenulations.
r. Arched Roofs – all types shall be permitted.
s. Eaves – with less than 1 foot of overhang shall be permitted to enclosed; those with more than 1 foot shall have either exposed rafters or be enclosed with exposed supporting brackets. Eaves shall be continuous.

t. Gutters and Downspouts – Gutters shall match the profile of the soffits. Half-round gutters are permitted. Downspouts shall connect to horizontal leaders and piped underground away all building structures and either connect to the city storm water system or dispense into a landscaped area designed to handle the storm water runoff.
u. Roof Penetrations – shall not be visible from the street level.
v. Ancillary Roofs – shall not be less that 3:12 roof slope.
w. Dormers – shall not be located within 3 feet from a side building wall. They shall be habitable. The window side of the dormer shall be configured to allow the window to fill the wall front with the exception of trim and gable front above the window.
x. Windows – shall not be flush mounted to the exterior or interior. Multiple window configurations shall have a 4" minimum post separating the window units. Transoms shall be vertically proportioned panes of glass and oriented horizontally over the opening below.
y. Window Muntins – shall be true divided panes or simulated divided panes with dividers permanently fixed to the interior and exterior window surfaces. Proportion of the panes shall be similar throughout the building.
z. Shutters – shall be proportioned to match the adjoining openings.
aa. All Colors – shall be selected from the Sherwin-Williams Exterior Color Preservation-Victorian and Arts & Crafts Color Palette or similar colors approved by Director or designee:
    i. Use colors to tie together the entire building front by considering the building as a whole, and then decide which details to emphasize, avoid colors that visually split the upper floors from the lower floor, and using the same color on the same architectural elements (i.e., window frames) can reinforce the patterns which tie together the building.
    ii. When choosing a color, consider the context or major colors on the surrounding buildings such as the commonality of brick and masonry colors in Downtown, muted a compatible tone to

characterize a building and the avoidance of bright high-intensity colors.

bb. Utility Lines – shall be underground.

F. **Signage.** Signs within the Historic District overlay shall be designed not to detract from the character of the district. Signs shall comply with the standards of Section 5.2: Signs, and the following additional provisions below. Where there is a conflict, the standards of this section prevail.

1. **Wall Signs.** A wall sign is an on-premise sign, attached directly to a building wall above the entrance. Wall signs are allowed provided:
   a. One (1) wall sign shall be allowed per location or one (1) wall sign per building frontage, whichever is greater. Buildings with multiple tenants are allowed (1) wall sign per tenant per building frontage, signs shall be identical in dimensions and of the same material. Signs of multi-tenant buildings shall be arranged in a uniform fashion horizontally or vertically.
   b. The sign shall not be larger than 10% of the facades' surface area or 32 square foot of building frontage not to exceed 50 square feet.
   c. Signs may be wall mounted or projecting signs. Wall mounted signs shall project no more than 15 inches from the wall. Projecting signs may project up to four (4) feet away from the building if the sign is placed no lower than 10 feet nor higher than 15 feet from the street side sidewalk.
   d. Murals shall not be allowed as a wall sign within the HD overlay unless permitted by the City Council as a part of a public art program.
2. **Canopy/awning**. A canopy/awning sign is a canopy/awning that is attached to and extends from the building, with attached signage. A sign permit is required. Refer to Section 5.2 Signs for additional standards.
3. **Projecting/blade.** A projecting/blade sign is a sign that is attached directly to a supporting building wall and intersects the building wall at a right angle. Refer to Section 5.2 Signs for additional standards.
4. **Sidewalk.** A sidewalk sign (also commonly referred to as a sandwich board or A-Frame) is a sign dedicated for the display of a message on a

sidewalk in front of a business. A sign permit is not required. Refer to Section 5.2 Signs for additional standards.

5. **Additional Sign Standards**. All signs shall conform to the following standards:
    a. Signs shall not blink, flash, rotate, scroll, or animate.
    b. Signs shall not utilize colored lighting for internal or external illumination.
    c. Signs shall not utilize neon lighting.

3.2 DOWNTOWN TRANSITIONAL OVERLAY

A. **Purpose and Intent.** The purpose of the Downtown Transitional (DT) overlay is to preserve and protect the character of the corridors and the supporting areas adjacent to Downtown Greer. Downtown Greer is the urban core of Greer with unique visual, historic, and cultural experience; the DT preserves the unique identity of the traditional neighborhoods that surround downtown and the main corridors that connect downtown to the other communities throughout Greer. The overlay intends to:
    1. Promote a diverse mix of retail, entertainment, and office commercial, live-work units, multi-family residential, civic uses and spaces within the Downtown Living Community and promote commercial and retail uses along Neighborhood Corridors that support and encourage multi-modal transportation.
    2. Promote redevelopment that allows for compact development closer to the street that is of appropriate scale.
    3. Encourage consistent and unified design standards that create a sense of place.
    4. Emphasize improved sidewalk connectivity, street trees, and storefronts that address the street.
    5. Allow for vertical integration of uses.

B. **Applicability.** All new development and changes to existing developments, shall be subject to the provisions of this District and shall be reviewed by the Director.

C. **Overlay Boundary.** The boundary of the DT overlay is shown on the Official Zoning Map. The general boundaries for this overlay include Vandiventer Drive, Earl Street/N. Line Street, Mayfield Street/Moore Street and Morrow Street.

D. **Development and Design Standards.**

1. **Pedestrian Connectivity and Access**
   a. All new construction or major redevelopment is required to install exterior sidewalks up to eight (8) feet wide as determined by the Director.
   b. All residential units shall have a minimum of one (1) off-street space per unit for new developments of three (1) or more units. Any parking provided shall meet the design standards in Section 5.4.
   c. All parking facilities shall be located to the side or rear of the building.
   d. All sites shall provide pedestrian access. Driveways are not considered pedestrian access.
2. **Building Orientation.**
   a. Primary entrances to nonresidential buildings shall face the street.
   b. New buildings on corner lots shall be oriented towards the streets and at least one public entrance shall be oriented toward the front lot line or side lot line.
   c. Accessory structures, if present, shall be located to the side or rear of the primary structure.
3. **Site and Building Access.**
   a. Driveway access to a site shall be shared with adjacent properties and parking shall be located to the rear wherever feasible.
   b. Service areas associated with multi-family and commercial uses shall be accessed from the rear of the site.
4. **New and Mixed-Use Buildings**
   a. New buildings with a live-work use or a vertical integration of uses shall maintain the first floor as non-residential.
   b. Buildings with non-residential uses on the first floor shall have non-reflective transparent area covering at least sixty (60) percent of the façade at pedestrian eye-level (between three and eight feet).

5. **Architectural Design Style.** The architectural design style for the Downtown Transitional overlay encompasses the elements of the architectural styles within the Greer Downtown Historic District.
   a. **Exterior Materials and Colors.** Exterior building materials and colors contribute significantly to the aesthetics and character of an environmental. To maintain a visually appealing corridor with unique character, all structures shall have façade of one of the following exterior materials.
      i. **Exterior Materials.** At least 80 percent of the façade visible from the corridor:
         1) Brick - unpainted, stained, or painted
         2) Stone and Cast Stone - stone rustication at the base of the building or as accents around main entrances; stone accents and trim are appropriate.
         3) Stucco - painted smooth sand finish.
         4) Natural wood or cementitious siding.
      ii. **Exterior Colors.** No more than 3 colors per structure shall be used.
   b. **Roof Design.**
      i. Structures located within the overlay that are not built to the side lot lines shall be designed with pitched, arched, or gable roofs.
      ii. Structures located within the overlay that are built to the side lot lines and have a flat roof shall be not be equal in height to an adjacent building.
   c. **Windows/Transparency and Entryways.**
      i. Buildings with non-residential uses on the first floor shall have non-reflective transparent area covering at least sixty (60) percent of the façade at pedestrian eye-level (between three and eight feet). All non-residential first floor shall be transparent.
   d. **Signage.** Signs within the DT overlay shall be designed not to detract from the character of the district. Signs shall comply with the standards of Section 5.2: Signs, and the following provisions below. Where there is a conflict, the standards of this section prevail.

i. **Wall Signs.** Wall signs are allowed provided:
   1. One (1) wall sign shall be allowed per location or one (1) wall sign per building frontage, whichever is greater. Buildings with multiple tenants are allowed (1) wall sign per tenant per building frontage, signs shall be identical in dimensions and of the same material. Signs of multi-tenant buildings shall be arranged in a uniform fashion horizontally or vertically.
   2. The sign shall not be larger than 10% of the facades' surface area not to exceed 100 square feet, or 32 square feet minimum.
   3. Signs may be painted, wall mounted or projecting signs. Wall mounted signs shall project no more than 15 inches from the wall. Projecting signs may project up to four (4) feet away from the building if the sign is placed no lower than 10 feet nor higher than 15 feet from the street side sidewalk.
   4. Murals shall not be allowed as a wall sign within the DT overlay unless approved by the City Council as a part of the City of Greer's Public Art program.

ii. **Canopy/awning.** A canopy/awning sign is a canopy/awning that is attached to and extends from the building, with attached signage. A sign permit is required. Refer to Section 5.2 Signs for additional standards.

iii. **Projecting/blade.** A projecting/blade sign is a sign that is attached directly to a supporting building wall and intersects the building wall at a right angle. Refer to Section 5.2 Signs for additional standards.

iv. **Sidewalk.** A sidewalk sign (also commonly referred to as a sandwich board or A-Frame) is a sign dedicated for the display of a message on a sidewalk in front of a business. A sign permit is not required. Refer to Section 5.2 Signs for additional standards.

v. **Additional Sign Standards**. All signs shall conform to the following standards:
   1. Electronic Message Centers (EMC) are prohibited
   2. Signs shall not blink, flash, rotate, scroll, or animate.

3. Signs shall not utilize colored lighting for internal or external illumination.
4. Signs shall not utilize neon lighting.

e. **Fences.**

i. Fences within the Downtown Transitional overlay are subject to the standards within Section 5.5. Fences, Walls, and Berms.

ii. Chain link fences are prohibited within the Downtown Transitional overlay.

3.3. DOWNTOWN ENTRYWAY OVERLAY

A. **Purposed and Intent.** The purpose of the Downtown Entryway (DE) overlay is to protect the character of the corridors that serve as entryways to Downtown Greer and Greer station. The intent of the overlay is to encourage orderly development and redevelopment that is similar in character to Downtown Greer and Greer Station and provide an enhanced experience traveling to and from Downtown Greer. The overlay intends to:

1. Encourage and enhance the quality of architectural and site development along the corridors.
2. Encourage well-planned development that employs consistent and unifying site design themes, that provide quality site amenities, and that emphasize coordinated lighting, pedestrian improvements, landscaping, architectural elements.
3. Encourage coordinated development of corridors to reduce access problems on thoroughfares.

B. **Applicability.** All development and redevelopment along a corridor with the DE overlay shall be subject to the standards and requirements in this overlay.

C. **Overlay Boundary.** The boundary of the DE overlay is shown on the Official Zoning Map of Greer, South Carolina. The general boundaries for this overlay include all parcels within the City of Greer abutting

1. Highway 101 from Victor Avenue to J. Verne Smith Parkway
2. E. Poinsett Street from 4th to J. Verne Smith Parkway
3. N. Main Street from Arlington Avenue to W. Wade Hampton Boulevard

4. W. Poinsett Street from S. Miller Street to W. Wade Hampton Boulevard
5. S. Main Street from Moore Street to Buncombe Road

D. **Development and Design Standards**

1. **Access Management.** Development and redevelopment within the Downtown Entryway are subject to standards intended to prevent and/or decrease congestion along thoroughfares
   a. **Pedestrian Connectivity and Access.**
      i. All new construction or major redevelopment is required to install exterior sidewalks up to six (6) feet wide as determined by the Director.
      ii.
      iii. Parking shall be located to the rear or the side of the building. Parking facilities in front of a building shall not exceed one row in depth.
      iv. All non-residential or mixed-use sites shall provide pedestrian access to the primary entrance. Pedestrian access when intersecting with driveways shall be paved of a different texture. Driveways are not considered pedestrian access.
2. **Exterior Materials and Colors.** Exterior building materials and colors contribute significantly to the aesthetics and character of an environment. To maintain a visually appealing corridor with unique character, all structures shall have façade of one of the following exterior materials.
   a. **Exterior Materials.** At least 80 percent of the façade visible from the corridor:
      i. Brick - unpainted, stained, or painted.
      ii. Stone and Cast Stone - stone rustication at the base of the building or as accents around main entrances; stone accents and trim are appropriate.
      iii. Stucco - painted smooth sand finish.
      iv. Natural wood or cementitious siding.
   b. **Exterior Colors.** No more than 3 colors per structure shall be used.
3. **Roof Design.**

i. Structures located within the overlay that are not built to the side lot lines shall be designed with pitched, arched, or gable roofs.
ii. Structures located within the overlay that are built to the side lot lines and have a flat roof shall be not be equal in height to an adjacent building.

4. **Windows/Transparency and Entryways.**
   i. Buildings with non-residential uses on the first floor shall have non-reflective transparent area covering at least sixty (60) percent of the façade at pedestrian eye-level (between three and eight feet). All non-residential first floor shall be transparent
   ii. All glass for non-residential uses shall be clear, not dark, or reflective.

5. **Building Orientation.**
   i. Buildings shall be orientated to shield parking surfaces from view of the right-of-way.
   ii. Primary entrances to nonresidential buildings shall face the street.
   iii. New buildings on corner lots shall be oriented towards the streets and at least one public entrance shall be oriented toward the front lot line or side lot line.
   iv. Accessory structures, if present, shall be located at the rear of the primary structure and similar in architectural style.
6. **Signage.** Signs within the DE overlay shall be designed not to detract from the character of the district. Signs shall comply with the standards of Section 5.2: Signs, and the following provisions below. Where there is a conflict, the standards of this section prevail.
   i. **Wall Signs.** Wall signs are allowed provided:
      1. One (1) wall sign shall be allowed per location or one (1) wall sign per building frontage, whichever is greater. Buildings with multiple tenants are allowed (1) wall sign per tenant per building frontage, signs shall be identical in dimensions and of the same material. Signs of multi-tenant buildings shall be arranged in a uniform fashion horizontally or vertically.

2. The sign shall not be larger than 10% of the facades' surface area not to exceed 100 square feet, or 32 square feet minimum.
3. Signs may be painted, wall mounted or projecting signs. Wall mounted signs shall project no more than 15 inches from the wall. Projecting signs may project up to four (4) feet away from the building.
4. Murals shall not be allowed as a wall sign within the DE overlay unless approved by the City Council as a part of the City of Greer's Public Art program.

ii. **Canopy/awning.** A canopy/awning sign is a canopy/awning that is attached to and extends from the building, with attached signage. A sign permit is required. Refer to Section 5.2 Signs for additional standards.

iii. **Projecting/blade.** A projecting/blade sign is a sign that is attached directly to a supporting building wall and intersects the building wall at a right angle. Refer to Section 5.2 Signs for additional standards.

iv. **Sidewalk.** A sidewalk sign (also commonly referred to as a sandwich board or A-Frame) is a sign dedicated for the display of a message on a sidewalk in front of a business. A sign permit is not required. Refer to Section 5.2 Signs for additional standards.

v. **Additional Sign Standards**. All signs shall conform to the following standards:

1. Electronic Message Centers (EMC) are prohibited
2. Signs shall not blink, flash, rotate, scroll, or animate.
3. Signs shall not utilize colored lighting for internal or external illumination.
4. Signs shall not utilize neon lighting.

7. **Fences.** Fences within the Downtown Entryway overlay are subject to the standards within Section 5.5. Fences, Walls, and Berms.

i. Chain link fences are prohibited within the DE overlay.

E. **New and Mixed-Use Buildings**

a. New buildings with of live-work use or a vertical integration of uses shall maintain the first floor as non-residential.

b. Buildings with non-residential uses on the first floor shall have non-reflective transparent area covering at least sixty (60) percent of the façade at pedestrian eye-level (between three and eight feet).

3.4. GREENVILLE-SPARTANBURG AIRPORT OVERLAY

A. **Purpose and Intent**. The purpose of the Greenville-Spartanburg Airport (GSA) overlay is to ensure compliance with the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, as amended. The Greenville-Spartanburg Airport Environs Area Zoning Ordinance implements the powers granted to the Airport Environs Planning Commission under South Carolina Code Annotated § 55-11-230 (1995), as amended, to maintain the safety of people and protect the property within the boundaries of the Greenville-Spartanburg Airport Environs Area, and to accommodate the future growth and development of the Greenville-Spartanburg Airport.

B. **Applicability**. All new development, redevelopment, and uses within the boundaries of the GSA overlay as shown on the Official Zoning Map, Greer, South Carolina, shall comply with the standards and requirements of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, as amended.

C. **Overlay Boundary**. The GSA overlay boundary shall include those lands within the Greenville-Spartanburg Airport Environs Area (Environs Area) as established by Greenville-Spartanburg Airport Environs Planning Commission, as amended. Parcels of the land that are partially within the boundaries of the Environs Area are subject to regulations adopted in the Greenville-Spartanburg Airport Environs Area Zoning Ordinance.

D. **Process**. Whenever a permit is received by the city for any proposed building, structure, development, or use, the city shall coordinate review with the Greenville-Spartanburg Airport. The Greenville-Spartanburg Airport shall review the permit for compliance with the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, as amended. No approvals can be granted, for any permit, until official approval is granted by the Greenville-Spartanburg Airport.

4. USES AND STANDARDS

4.1. INTRODUCTION

A. This Section identifies permitted principal uses within the City of Greer. All principal uses shall comply with the standards of this Section.

4.1.1. PRINCIPAL USES

A. "Principal use" shall be defined as the primary or predominant use of which a property, building, unit, site, or premises is devoted. All other uses on the premises are deemed accessory. All principal uses shall be listed on the corresponding Principal Uses Table.

4.1.2. ACCESSORY USES AND STRUCTURES

A. "Accessory Use" shall be defined as the secondary or subordinate use of which a property, building, unit, site, or premises is devoted. "Accessory Structure" shall be defined as the secondary or subordinate structure and is located on the same lot as the principal structure.

4.1.3. CONSIDERATIONS

A. **Considerations**.

1. Uses are assigned to the category whose description most closely describes the nature of the principal use. The characteristics subsection of each use category describes the characteristics of each use category. Developments may have more than one principal use. Developments may also have one or more accessory uses. Accessory uses are addressed in subsection 4.5 below.
2. The following items are considered to determine what use category the use is in, and whether the activities constitute principal uses or accessory uses:
    a. The description of the activity(ies) in relationship to the characteristics of each use category;
    b. The relative amount of site or floor space and equipment devoted to the activity;
    c. Relative amounts of sales from each activity;

d. The customer type for each activity;
e. The relative number of employees in each activity;
f. Hours of operation;
g. Building and site arrangement;
h. Vehicles used with the activity;
i. The relative number of vehicle trips generated by the activity;
j. Signs;
k. How the use advertises itself; and
l. Whether the activity would be likely to be found independent of the other activities on the site.

B. **Developments with Multiple Principal Uses.** When all the principal uses of a development fall within one use category, then the development is assigned to that use category. For example, a development that contains a retail bakery and a cafe would be classified in the retail sales and service category because all of the principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and is subject to the regulations for that category.

C. **Accessory Uses.** Accessory uses are allowed by right in conjunction with the principal use unless stated otherwise in the UDO. Also, unless otherwise stated, they are subject to the same regulations as the principal use.

D. **Examples.** Examples are listed for each definition. Examples are intended to provide a base for consideration of a similar use (if a similar use is not listed); however, additional standards may be required for certain, specific uses.

E. **Uses Not Included.** For uses not listed in Table 4.2, Principal Use Table, not listed as a part of a use category or use type, and not listed as a prohibited use, the Director shall determine which use category or use type to which the use belongs in accordance with the following.

1. The Director shall determine whether an unlisted use is similar to a use identified in Table 4.2, Table of Permissible Uses, based on consistency with the City's adopted policy guidance and the following standards:
   a. The function, product, or physical characteristics of the use;
   b. The impact on adjacent lands created by the use;

c. The type, size, and nature of buildings and structures associated with the use;
d. The type of sales (retail, wholesale), and the size and type of items sold and displayed on the premises;
e. The types of items stored (such as vehicles, inventory, merchandise, chemicals, construction materials, scrap and junk, and raw materials including liquids and powders);
f. The volume and type of vehicle traffic generated by the use, and the parking demands of the use;
g. Any processing associated with the use, including assembly, manufacturing, warehousing, shipping, distribution, and whether it occurs inside or outside a building;
h. Any dangerous, hazardous, toxic, or explosive materials associated with the use;
i. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes; and
j. Any prior determinations made by the Director or decisions made by City Council or appointed City boards.

2. The Director's decision and explanation shall be made in writing, shall state the determination is final and subject to appeal as provided in Section 1 Administration.

F. **Use Standards.** Use standards for a particular use may be found with the definition of the use.

4.2. PRINCIPAL USE TABLE

KEY: P = Permitted, S = Special Exception	Section	Residential Districts					Nonresidential Districts				Mixed-Use Districts			
		RURAL RESIDENTIAL (RR)	SUBURBAN NEIGHBORHOOD (SN)	TRADITIONAL NEIGHBORHOOD (TN)	MEDIUM DENSITY (MD)	HIGH DENSITY (HD)	OFFICE PROFESSIONAL (OP)	COMMERCIAL GENERAL (CG)	BUSINESS TECHNOLOGY (BT)	MANUFACTURING AND LOGISTICS (ML)	GREER STATION DOWNTOWN (GS)	NEIGHBORHOO CENTER (NC)	REGIONAL CENTER (RC)	COMMERCIAL CORRIDOR (CC)
RESIDENTIAL														
Dwelling, Single-Family Detached	4.3.1.A	P	P	P	P	X	X	X	X	X	P	X	X	X
Dwelling, Single-Family Attached	4.3.1.B	X	S	P	P	P	S	X	X	X	P	X	X	X
Dwelling, Duplex, Triplex, or Quadplex	4.3.1.C	X	S	P	P	P	S	X	X	X	P	X	X	X
Dwelling, Live-Work	4.3.1.D	X	X	P	P	P	P	P	X	X	P	P	P	P
Dwelling, Multi-Family (Include Upperstory)	4.3.1.E	X	X	S	P	P	X	P	P	X	P	P	P	P
Child Care Home	4.3.1.F	S	S	S	S	X	X	X	X	X	S	S	X	X
Group Living	4.3.1.G	P	P	P	P	P	X	X	X	X	P	X	X	X
Residential Care	4.3.3.H	S	S	S	P	P	P	S	X	X	X	X	P	P
Manufactured/Mobile Home Park	4.3.3.I	X	X	S	X	X	X	X	X	X	X	X	X	X
NON-RESIDENTIAL														
AGRICULTURE AND OPEN SPACE														
Community Garden	4.3.2.A	P	P	P	P	P	P	X	X	X	P	P	S	S
Farm	4.3.2.B	P	X	X	X	X	X	X	X	X	X	X	X	X
Livestock (Wholesale)	4.3.2.C	S	X	X	X	X	X	X	X	X	X	X	X	X
Lumberyard	4.3.2.D	S	X	X	X	X	X	X	X	P	X	X	X	X
Nursery	4.3.2.E	P	S	X	X	X	X	X	X	P	X	X	X	X
Parks	4.3.2.F	P	P	P	P	P	P	P	P	P	P	P	P	P
Produce Stands	4.3.2.G	P	X	X	X	X	X	P	X	X	X	X	X	P
Stables	4.3.2.H	P	S	X	X	X	X	X	X	X	X	X	X	X
CIVIC AND INSTITUTIONAL														
Cemetery	4.3.3.A	P	S	S	S	S	S	S	X	X	S	X	X	X
Churches and Religious Institutions	4.3.3.B	S	S	S	S	X	P	P	P	P	P	S	P	P

KEY: P = Permitted, S = Special Exception	Section	Residential Districts					Nonresidential Districts				Mixed-Use Districts			
		RURAL RESIDENTIAL (RR)	SUBURBAN NEIGHBORHOOD (SN)	TRADITIONAL NEIGHBORHOOD (TN)	MEDIUM DENSITY (MD)	HIGH DENSITY (HD)	OFFICE PROFESSIONAL (OP)	COMMERCIAL GENERAL (CG)	BUSINESS TECHNOLOGY (BT)	MANUFACTURING AND LOGISTICS (ML)	GREER STATION DOWNTOWN (GS)	NEIGHBORHOO CENTER (NC)	REGIONAL CENTER (RC)	COMMERCIAL CORRIDOR (CC)
Cultural, Library and Museum Facility	4.3.3.C	S	S	S	S	S	P	P	P	X	P	P	P	P
Day Care (Adult or Child)	4.3.3.D	X	X	S	S	S	P	P	P	X	S	S	P	P
Government	4.3.3.E	X	X	X	X	X	P	P	P	X	P	P	P	P
Higher Education (College, University, Technical)	4.3.3.F	X	X	X	X	X	P	P	P	X	X	X	P	X
Infrastructure and Utilities	4.3.3.G	S	S	S	S	S	S	P	P	P	S	P	P	X
Post Office (Mail and Packages)	4.3.3.H	S	S	S	S	P	P	P	P	X	P	P	P	P
Public Safety (Fire/Police/Correctional)	4.3.3.I	S	S	S	S	S	P	P	P	P	P	P	P	P
School (K-12)	4.3.3.J	S	S	S	S	X	P	P	S	X	S	S	P	P
Social Services	4.3.3.K	S	S	S	S	S	P	P	X	X	P	X	X	X
Transit	4.3.3.L	S	S	S	P	P	P	P	P	X	P	P	P	X
PERSONAL SERVICE														
Bank/Financial Institution	4.3.4.A	X	X	P	X	X	P	P	P	X	P	P	P	P
Dry Cleaning	4.3.4.B	X	X	P	X	X	S	P	X	X	X	P	P	P
Funeral Home	4.3.4.C	X	X	X	X	X	P	P	X	X	P	X	P	P
Pharmacy (Maximum 10,000 SF)	4.3.4.D	X	X	P	X	X	P	P	X	X	P	P	P	P
Personal Services	4.3.4.E	X	X	P	X	X	P	P	P	X	P	P	P	P
Tattoo Parlor	4.3.4.F	X	X	X	X	X	X	S	X	P	X	X	P	P
Private Clubs	4.3.4.G	X	X	X	X	X	S	P	X	X	P	P	P	P
COMMERCIAL														
Animal Kennel	4.3.5.A	P	X	X	X	X	X	P	X	P	X	X	X	P
Automobile Service	4.3.5.B	X	X	X	X	X	X	P	X	P	X	X	S	P
Bed and Breakfast	4.3.5.C	S	S	S	P	P	X	P	X	X	P	S	X	P
Brewery	4.3.5.D	X	X	X	X	X	X	P	X	X	X	P	P	P
Brewpub	4.3.5.E	X	X	X	X	X	X	P	X	X	P	P	P	P
Bar/Tavern/Nightclub	4.3.5.F	X	X	X	X	X	X	P	X	X	X	P	P	P
Car Wash	4.3.5.G	X	X	X	X	X	X	P	X	X	X	X	P	P
Parking Lot	4.3.5.H	X	X	X	X	S	P	P	P	S	X	P	P	P
Parking Structure	4.3.5.I	X	X	X	X	S	P	P	P	S	X	P	P	P

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Distillery	4.3.5.J	X	X	X	X	X	S	P	X	X	X	X	P	P
Event Center	4.3.5.K	X	X	X	X	X	X	S	P	X	X	X	P	P
Gas Station	4.3.5.L	X	X	X	X	X	S	P	X	X	X	S	P	P
Hotel/Motel	4.3.5.M	X	X	X	X	X	X	P	P	X	P	P	P	P
Indoor Amusement/Entertainment Facilities	4.3.5.N	X	X	X	X	X	X	P	X	X	P	P	P	P
Liquor Store	4.3.5.O	X	X	X	X	X	X	S	X	X	X	S	P	P
Microbrewery	4.3.5.P	X	X	X	X	X	P	P	X	X	P	P	P	P
Micro-Distillery	4.3.5.Q	X	X	X	X	X	P	P	X	X	P	P	P	P
Outdoor Recreation	4.3.5.R	S	S	X	X	X	X	P	X	X	X	S	P	P
Pawn Shop	4.3.5.S	X	X	X	X	X	X	P	X	X	X	S	X	P
Restaurant	4.3.5.T	X	X	X	X	X	P	P	X	X	P	P	P	P
Neighborhood Retail (Maximum 10,000 SF)	4.3.5.U	X	X	P	S	P	X	P	P	X	P	P	P	P
General Retail (Maximum 50,000 SF)	4.3.5.V	X	X	X	X	X	X	P	X	X	X	S	P	P
Regional Retail (Above 50,000 SF)	4.3.5.W	X	X	X	X	X	X	P	X	X	X	S	P	X
Recreational Vehicle Park/Campground	4.3.5.X	S	X	X	X	X	X	X	X	S	X	X	X	X
Sexually-Oriented Business/Adult Business	4.3.5.Y	X	X	X	X	X	X	X	X	S	X	X	X	X
Vehicle Sales and Rental	4.3.5.AA	X	X	X	X	X	X	~~X~~ P	X	~~P~~ X	X	X	~~S~~ X	P
OFFICE AND MEDICAL														
Animal Care	4.3.6.A	P	X	X	X	X	P	P	X	X	X	X	X	P
Medical/Dental Facility	4.3.6.B	X	X	X	X	X	P	P	P	X	P	P	P	P
Hospital	4.3.6.C	X	X	X	X	X	S	S	X	X	X	X	S	S
Professional Office	4.3.6.E	X	X	P	X	X	P	P	P	X	P	P	P	P
Urgent Care	4.3.6.F	X	X	X	X	X	P	P	X	X	X	P	P	P
Rehabilitative/Mental Health Facility	4.3.6.G	X	X	X	X	X	S	P	S	X	X	X	X	P

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INDUSTRIAL AND LOGISTIC														
Artisanal Manufacturing	4.3.7.A	S	X	X	X	X	X	P	P	X	X	P	X	P
Broadcast Facility	4.3.7.B	S	X	X	X	X	P	P	P	X	X	X	X	X
Communication/Cell Tower	4.3.7.X	S	S	S	S	S	S	S	S	S	S	S	S	S
Flex Facility	4.3.7.C	X	X	X	X	X	P	S	P	S	X	S	S	S
Industrial - Light	4.3.7.D	X	X	X	X	X	X	S	X	P	X	X	X	X
Industrial - Heavy	4.3.7.E	X	X	X	X	X	X	X	X	P	X	X	X	X
Salvage Yard	4.3.7.F	X	X	X	X	X	X	X	X	P	X	X	X	X
Land Fill	4.3.7.G	X	X	X	X	X	X	X	X	P	X	X	X	X
Manufacturing	4.3.7.H	X	X	X	X	X	X	X	P	P	X	X	X	X
Outdoor Storage	4.3.7.I	X	X	X	X	X	X	X	X	X	X	X	X	X
Wholesale Trade	4.3.7.K	X	X	X	X	X	X	X	X	P	X	X	X	X
Recycling	4.3.7.L	X	X	X	X	X	X	X	X	P	X	X	X	X
Self-Storage	4.3.7.M	X	X	X	X	X	X	S	P	P	X	X	X	P
Solar Farm	4.3.7.N	S	X	X	X	X	X	X	X	P	X	X	X	X
Warehouse/Distribution	4.3.7.O	X	X	X	X	X	X	X	X	P	X	X	X	X

4.3. PRINCIPAL USES – DEFINITION AND USE STANDARDS

4.3.1. RESIDENTIAL USES

A. **Dwelling, Single-Family Detached**

1. Characteristics. A residential building containing only one (1) dwelling unit, to be occupied by one family. For regulatory purposes, the term is not to be construed as including manufactured/mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers, and docks, and or accessory structures such as a garage or shed. In certain instances, home occupations as regulated by this UDO may be permitted as an accessory use, subject to the standards in Section 4.8. Accessory dwelling units may be permitted as an accessory structure, subject to the standards in Section 4.4.C.
3. Examples. Examples include single-family homes on a variety of lot sizes and types.
4. Use Standards
   a. All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
   ~~a.~~b. No commercial vehicles shall be parked or stored.

B. **Dwelling, Single-Family Attached**

1. Characteristics. A residential building that may be attached or semi attached, consisting of split-level dwelling units, each dwelling unit typically owned by separate ownership. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing. ~~Camping in a tent is allowed in~~

~~any residential zoning district for a maximum of fourteen (14) days out of the year. An approved sanitary facility must be available at all times.~~

2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
3. Examples. Examples include townhomes or villas.
5. Use Standards.
   a. Single-Family attached buildings shall be limited to six (6) dwelling units.
   b. All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
   ~~b.~~c. No commercial vehicles shall be parked or stored.

C. **Dwelling, Duplex, Triplex, or Quadplex.**

1. Characteristics. A residential building containing two (2) or more dwelling units, usually under single ownership, consolidated into a single structure. This dwelling type is typically on a single lot and contains common walls. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
3. Examples. Examples include a duplex.
4. Use Standards
   a. The main entrance to each ground floor unit shall be accessed directly from and face the street.
   b. All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
   ~~b.~~c. No commercial vehicles shall be parked or stored.

D. **Dwelling, Live-Work.**

1. Characteristics. Live-work units typically occur within a building used jointly for commercial or industrial and residential purposes. Live-work buildings are generally constructed for commercial or industrial uses and allow for both living and work space uses. All permitted uses may occupy any story of a live-work building. Customers are permitted to come to and from. The occupations must provide a service or product that is conducted wholly within a residential dwelling that allows employees and customers to visit.
2. Accessory Uses. Accessory uses may include associated office, ancillary indoor storage, parking for resident and customer cars.
3. Examples. Examples may include a commercial or industrial building built out to include units which allow for commercial activity and a residential use. This may include lofts which feature a workshop and bedroom so the owner/occupant of the unit may run a business and also live where they conduct the business. General examples of business conducted in a live-work may be an artisanal workshop or gallery, wood, or metal workshop (using only the use of hand tools and small-scale, light equipment), demonstration kitchens, office, resale of items such as antiques and clothing made or altered on site.
4. Use Standards.
   a. A live-work business shall be subject to all applicable City occupational license and other business taxes.
   b. Any potential resident must be legally notified that the structure is a live-work structure and allows for commercial activity in units within the structure.
   c. A minimum of one (1) individual must occupy the live-work unit as their primary residence.
      d. The live-work unit may not employ more than two (2) individuals (not including the primary resident) not living on the premises at any one time.
      e. Occupations or businesses catering to groups may not have any groups larger than five (5) persons at one time. No more than five (5) customers at once are to be permitted inside.

f. No storage or warehousing of material is permitted outdoors.

g. No visible evidence of the occupation inside (other than a permitted sign).

~~g.~~h. No commercial vehicles shall be parked or stored.

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E. **Dwelling, Multi-Family.**

1. Characteristics. Multi-family dwelling units are characterized by a building that contains more than four (4) dwelling units, or may consist of upper-story residential in a mixed-use building (i.e. a building that contains a separate use on the bottom floor, and dwelling units on the floors above). This definition includes condominiums or multifamily apartments. Tenancy is arranged for periods longer than one (1) week. Uses where tenancy may be arranged for a shorter period are not considered residential.

2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as a garage or shed.

3. Examples. Uses include apartments, condominiums, and multiplexes.

F. **Dwelling, Manufactured/Mobile Home.**

1. Characteristics. Manufactured homes are built on an integral chassis, with or without permanent foundation, and are used as a dwelling unit. These units are portable and built to be towed. Manufactured homes are subject to any state standards for safety and occupancy.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
3. Examples. Examples include any type of park model or travel trailer designed as a dwelling unit, built on an integral chassis, with or without permanent foundation. This term includes mobile homes, park trailers, travel trailers and similar transportable structures intended to be improved property.
4. Uses Not Included.

a. Modular homes are not considered to be manufactured/mobile homes.

G. **Child Care Home.**

1. Characteristics. A residential building in which care is given in a family home environment for at least one (1) and not more than six (6) children. Only those residing in the home may be involved in the day-to-day operation of the Child Care Home.

2. Accessory Uses. Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, and accessory structures such as a garage or shed.

H. **Group Living.**

1. Characteristics. A facility with lodging for one or more persons in a group that does not constitute a single-family unit.
2. Accessory Uses. Accessory uses commonly found are recreational activities, hobbies, and parking of the occupants' vehicles.
3. Examples. Uses include a boarding house for an educational facility, rooming house, congregate care home, group home, fraternity, or sorority.

I. **Residential Care.**

1. Characteristics. ALF (Assisted Living Facility), ILF (Independent Living Facilities), and CCF (Convalescent Care Facilities) are all considered residential care and provide residential facilities with on-site 24-hour medical care for adults. This use category describes building or buildings, section or distinct part of a building, private home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. This includes nursing homes.

2. Accessory Uses. Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
3. Examples. Uses include living in nursing homes, skilled nursing facilities, assisted living facilities, convalescent care facilities, and other senior living facilities.
4. Uses Not Included.
    a. Lodging where tenancy is arranged for thirty (30) days or less are considered to be a form of transient lodging (see commercial categories).
5. Use Standards.
    a. Residential care facilities are subject to density standard of the applicable district following standards below:
        i. Each separate room or group of rooms designed or intended for use as a residence by an individual or family and having kitchen facilities shall be equal to one dwelling unit.
        ii. Each separate bedroom or bedroom and associated rooms containing two beds, designed, or intended for use as a residence and not having kitchen facilities but having access to a common dining area, shall be equal to one-half dwelling unit.
        iii. Each separate bedroom or bedroom and associated rooms containing only one bed, designed, or intended for use as a residence by an individual or couple and not having kitchen facilities but having access to a common dining area, shall be equal to one-quarter dwelling unit.
        iv. Where beds are provided for residents in the nature of a hospital or nursing home wardrooms, as opposed to residential dwelling units with three or more beds, each bed shall be equal to one-quarter dwelling unit.
    b. Structures shall demonstrate a pedestrian circulation plan, including internal walkways, and shall include provisions for alternative transportation options for residents of the facility.

J. **Manufactured/Mobile Home Park.**

1. Characteristics. A mobile home park is characterized by site that contains more than one manufactured or mobile home as defined in Section 8. Definitions on approved spaces rented to individuals. The land within the park shall be under single ownership and provide on-site management of the park.
2. Accessory Uses. Accessory uses commonly found are recreational facilities, conventional building structure for the management of the park, community gardens, dumpsters, and building services.
3. Design and Development Standards. Mobile Home Parks are subject to the standards in 7.5 Mobile Home Park Design and Development Standards.

4.3.2. AGRICULTURE AND OPEN SPACE USES

A. **Community Garden.**

1. Characteristics. A dedicated space for the growing of plants for personal use, community distribution, education, or beautification of a community. Community gardens may be permitted within a residential subdivision. Community gardens are not intended for commercial, wholesale, or retail sales.
2. Examples. Small open spaces dedicated to a community garden for the cultivation of plants, flowers, and other vegetation.
3. Uses Not Included. Agriculture, agricultural sales, produce stand.
4. Use Standards.
    a. Community gardens shall be limited to 2,500 square feet in area.
    b. No retail sales are permitted on site.
    c. Overhead lighting is prohibited.
    d. Accessory buildings (i.e. shade structures, pavilion, trellises, and/or sheds) shall be limited to 500 square feet.

e. Shall be regulated and maintained by an HOA, POA or similar entity.

B. **Farm.**

1. Characteristics. An agricultural use for the raising of crops intended for commercial sale and distribution.
2. Examples: A commercial farm raising vegetables, wheat, and similar crops.
3. Use Standards.
   a. A produce stand may be permitted on-site or along adjacent roadway, limited to 500 square feet. An identified off-street parking area must be included. The parking area may be temporary.

C. **Livestock (Wholesale).**

1. Characteristics. An open space use dedicated to raising and selling livestock.
2. Examples. A pasture dedicated to raising livestock and associated uses (including livestock auction, milk processing, packing house and similar uses).
3. Use Standards.
   a. The minimum lot area upon which livestock may be kept is one (1) acre.
   b. No more than one (1) head of livestock shall be permitted for each one-half (1/2) acre of lot area.
   c. No structure shall be closer than 50 feet to the property line except where such property line abuts a street, railroad, or watercourse at least 50 feet in width.

D. **Lumberyard.**

1. Characteristic. A facility dedicated to processing fallen lumber for the use of production in consumer of construction goods, intended to provide only wholesale.

2. Examples. A lumberyard facility.
3. Uses Not Included.
    a. Retail sales of lumber to individual customers.
4. Use Standards
    a. Any facility vehicles, equipment, or products shall be kept a minimum 50 feet from property lines and screened from view from public rights-of-way.

E. **Nursery.**

1. Characteristics. An establishment whose primary function is the retail sales of live plants and trees, mulch, compost, and the like to individual customers or wholesale.
2. Accessory Uses. The sale of landscape supplies.
3. Examples. A plant nursery or tree farm.
4. Use Standards.
    a. Live plants (including ornamentals, fruit and nut crops, and herbaceous plants) included within a nursery shall not be considered outdoor storage.
    b. Bulk material and landscape supplies (including wheelbarrows, hoses and garden tools intended for residential uses) shall be screened.
    c. Outdoor storage yards of bulk material (i.e. mulch, compost) shall comply with the standards of Section 4.8.B.14. Mulch is defined as any material used as ground covering for the protection and enhancement of the soil.
    d. Heavy machinery sales is not permitted.
    e. Any landscape supply vehicles or equipment shall be kept a minimum 50 feet from property lines and screened from view from public rights-of-way.

F. **Parks.**

1. Characteristics. Parks are uses of land which allow for recreation for the general public or land intended to provide opportunities for the enjoyment, conservation or preservation of natural features and resources.
2. Accessory Uses. Accessory uses may include maintenance facilities, concessions, caretaker's quarters, and parking.
3. Examples. Examples include parks, preservation areas, and recreational trails.

G. **Produce Stands.**

1. Characteristics. A stand alone, temporary or permanent stand intended for commercial purchasing of agricultural goods.
2. Examples. Examples include a roadside produce stand.
3. Uses Not Included.
   a. A temporary farmers market, classified as a special event.
4. Use Standards.
   a. Sales shall be limited to five-hundred (500) square feet of gross floor area per acre of land.

H. **Stables.**

1. Characteristics. An establishment which allows for the keeping of horses or ponies for private use.
2. Accessory Uses. Accessory uses and structures such as feeing areas, barns, and similar uses customary to the keeping of horses or ponies, riding academy with teaching facilities and training courses.
3. Examples. Horse stables, riding academy.
4. Use Standards.
   a. All structures for the keeping of horses or ponies shall be located a minimum 100 feet of any property line.
   b. Horses and ponies shall be kept in a fenced enclosure.

4.3.3. CIVIC AND INSTITUTIONAL USES

A. **Cemetery.**

1. Characteristics. An area established for the burial of the dead and dedicated for cemetery purposes.

B. **Churches and Religious Institutions.**

1. Characteristics. A facility intended as a house of worship that hosts organized religious services.
2. Accessory Uses. Accessory uses may include recreational facilities intended to be used by members and cemeteries.
3. Examples. A church, temple, mosque, or similar religious house of worship.

C. Cultural, Library and Museum Facility.

1. Characteristics. A facility or site open to the public for cultural services and events operated by the government or a certified non-profit entity.
2. Accessory Uses. Accessory uses may include cafeterias, snack bars, parking, ancillary assembly, retail, or restaurant.
3. Examples. Examples include community centers, libraries, museums, and historical societies.

Day Care (Adult and Child).

1. Characteristics. An establishment dedicated to the care of adults or children in a protected, supervisory setting. May require additional state permits.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking, cafeteria.
3. Use Standards.
    a. Areas dedicated for drop off and pick up must be included for any site plan or permit request for a day care.
    b. Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.

Government.

1. Characteristics. A building, or portion of a building, wherein government activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and where professional services are rendered. For the purpose of this ordinance "government" includes local, state, and federal government agencies including but not limited to City of Greer, Greenville County, Spartanburg County, and United States Postal Service.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include city hall buildings, government offices, court houses, public work facilities, municipal government buildings.

Higher Education (College, University, Technical).

1. Characteristics. Universities, colleges, or vocational schools are higher learning establishments that provide post public school (including associate, bachelor, graduate, doctoral), vocational, and technical degrees and skills.
2. Accessory Uses. Accessory uses may include associated offices, parking, cafeteria, facilities such as a cafeteria, fitness facility, on and off campus dormitories owned and operated by the school, and on campus.
3. Examples. Examples include a trade school, secondary education, career center, vocational college, college, university, satellite campus or satellite branch of a university, college, or vocational school.
4. Use Standards.
    a. All activities associated with a vocational school (or trade school) that cause excess noise or nuisance shall be within a completely enclosed building.
    b. University, college, or vocational schools may occur in existing buildings suitable for commercial activity, such as a shopping center.

Infrastructure and Utilities.

1. Characteristics. Public or private infrastructure facilities. May be public or privately provided.
2. Accessory Uses. Accessory uses may include parking, control, monitoring, data, or transmission equipment.
3. Examples. Examples include water and sewer pump stations, water towers, electrical substations, and similar uses.

4. Uses Not Included.
   a. Utility offices where employees and customers are generally present are classified as professional office or government.
5. Use Standards
   a. Any infrastructure and utility facilities shall be screened from view from public rights-of-way and surrounding uses.

Post Office (Mail and Packages).

1. Characteristics. Includes any facility which accepts customers to mail or deliver letters, packages, and goods. May be publicly or privately owned.
2. Accessory Uses. Accessory uses may include a cafeteria for staff, parking for workers and customers, parking area for mail or delivery trucks.
3. Examples. United States Postal Services Facilities and commercial mail and delivery services such as storefront FedEx and UPS operations.
4. Exclusions. Mail kiosks, lockers, and mailboxes are not subject to use standards and may be permitted as accessory structures.

Public Safety.

1. Characteristics. Facilities operated by a public safety agency, commonly governmental, for the purpose of providing safety related services including fire and police, to the general public.
2. Accessory Uses. Accessory uses may include parking, cooking facilities, or holding cells within a police station.
3. Examples. Public safety facilities including fire stations, police stations, jail/detention/correctional facilities, and emergency communication broadcast facilities.

School.

Residential care facilities shall be designed and used to serve its residents and their guests only.

1. Characteristics. This category includes public and private schools, including charter and grades K-12, that provide state mandated basic education.
2. Accessory Uses. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school care.
3. Examples. Examples include public and private daytime schools, high schools, boarding schools, and military academies.
4. Use Standards.
    a. Must meet the curricular teaching certification of instruction approved by the State Board of Education.
    b. All mobile or portable classrooms shall be located in rear yards. Administrative approval by the Planning Department may allow the placement inside front or side yards if placement in the rear cannot be accommodated.

Social Services.

1. Characteristics. Facilities that provide psychosocial rehabilitation, skill development activities, temporary sleeping facilities for displaced persons, employment services and pre-vocational training.
2. Accessory Uses. Accessory uses may include cafeteria, soup kitchens, maintenance facilities, caretaker's quarters, and parking.
3. Examples. Examples include temporary shelters, rehabilitation facilities, and work training centers for displaced persons.
4. Exceptions.
    a. Jails or detention centers
    b. Facilities which provide only rehabilitation from substances (see office/medical use – rehabilitative and mental health facilities).
5. Use Standards
    a. An employee or volunteer must maintain continuous on-site supervision during operation hours.

b. May not be within 500 feet of a school or another social services establishment.
c. A six (6) foot fence or wall shall be required along any outdoor recreation areas, in addition to any required landscape buffer.

Transit.

1. Characteristics. Public or private transit facility serving a regional area. May have regular employees on-site. Services may be public or privately provided.
2. Accessory Uses. Accessory uses may include parking; control, monitoring, data, or transmission equipment.
3. Examples. Examples include transit facilities, park-and-ride facilities for mass transit, other intense transit based regional uses.

4.3.4. PERSONAL SERVICE USES

A. **Bank/Financial Institution.**

1. Characteristics. Banks and financial institutions characterized by activities conducted in an office setting and generally focusing on personal or financial services. Drive-throughs are permitted.
2. Accessory Uses. Accessory uses may include parking for use of employees and customers.
3. Examples. Bank, financial institution, credit unions, and similar financial establishments.
4. Use Standards.
    a. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
    b. Drive-through shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.

c. Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.

B. **Dry Cleaning.**

1. Characteristics. Establishment dedicated to onsite cleaning of clothes, offering the renting of on-site equipment for the cleaning, and washing of laundry to individual customers or pick-up dry-cleaning services. These establishments are intended to offer personal services to individual customers and not wholesale dry cleaning.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking.
3. Uses Not Included
    a. Wholesale laundry cleaning facilities (see industrial uses).

C. **Funeral Home.**

1. Characteristics. A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
2. Accessory Uses. Accessory uses may include ancillary indoor storage, associated office, parking, storage of funeral vehicles, crematorium meeting all related laws and regulations and cemetery/mausoleum.

D. **Pharmacy.**

1. Characteristics. An establishment dedicated to the sales and dispensing of prescription and non-prescription drugs and limited retail sales.
2. Examples. Examples include drug stores.
3. Use Standards.
    a. Establishment size shall be limited to 15,000 square feet. Any establishment greater than 15,000 square feet is considered general retail.

E. **Personal Services.**

1. Characteristics. Establishments that cater to personal services for a community. May also provide personal services or entertainment or provide product repair or services for consumer and business goods.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Examples include barbers, hair salons, nail salons, tanning facilities, day spa, personal care services, animal grooming, product repair or services for consumer and business goods (i.e. computer repair shop, watch repair).

F. **Tattoo and Body Piercing Parlor.**

1. Characteristics. Any establishment that practices the inserting of permanent markings of coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method. Additionally, establishments that practice permanent body modifications by the piercing of human flesh. Micro-blading and temporary tattoos are not considered to constitute as a tattoo and body piercing parlor.
    a. A Tattoo and Body Piercing Parlor cannot be operated within 1000 feet of:
        i. A place of worship;
        ii. Public or private elementary or secondary school;
        iii. Any outdoor recreational facility at which minors are likely to congregate;
        iv. A lot devoted to residential use;
        v. A day care facility;

G. **Private Clubs.**

1. Characteristics. Private clubs are used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and constitution and by-laws. Facilities may contain one or more buildings and structures operated only for the benefit of its members and their guests.

2. Accessory Uses. Accessory uses may include offices, meeting areas, clubhouses, parking, and restaurants open only to members of the private club.
3. Examples. Private clubs such as fraternal organizations and country clubs.
4. Uses Not Included.
    a. Event centers or convention centers catering to outside groups or audiences.
    b. Health and fitness facilities (i.e. commercial gym, see general retail).
5. Use Standards.
    a. All dumpsters and other building service areas shall be located where they are concealed from view from the public right of way, see section 4.4.B.9
    b. Meals or beverages may be sold to members and their guests only.

4.3.5. COMMERCIAL USES

A. **Animal Kennel.**

1. Characteristics. The use of land for the purpose of boarding animals. May include a pet resort which provides day care for pets in addition to grooming and training/classes.
2. Accessory Uses. Outdoor play areas for animals, office, indoor storage, limited retail sales of pet associated items.
3. Examples. Animal kennel or boarding facility, animal shelter.
4. Use Standards.
    a. All outdoor areas intended for animal use shall be fenced with a minimum six (6) foot fence.
    b. Animals shall be kept within an enclosed building between the hours of 10:00 PM and 6:00 AM.
    c. Animal waste shall not be stored closer than ten (10) feet from the property line.

B. **Automobile Service.**

1. Characteristics. An establishment which provides vehicle services and repair in an enclosed building, including but not limited to brake adjustments, oil changes, realignments, repair, paint and/or detailing
2. Accessory Uses. Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.
3. Examples. Vehicle service establishments.
4. Use Standards.
   a. No outdoor storage of parts or salvaging of vehicle parts unless properly screened.
   b. No storage of wrecked or unregistered vehicles outside of the building.
   c. No outdoor speaker system.
   d. All work performed shall be within an enclosed building, however bay doors may be open during hours of operation.
   e. In addition to service vehicles necessary for the operation of business, only vehicles awaiting repair may be stored on site. No inoperable vehicles may be left on site for more than seven (7) days.

C. **Bed and Breakfast.**

1. Characteristics. Private home offering lodging and breakfast to guests. Accommodations are limited to a maximum of six (6) guestrooms. This type of establishment is primarily a private home offering lodging and breakfast to guests. The appearance and primary function of the home shall remain as a residence, not as a lodging establishment.
2. Accessory Uses. Accessory uses customary to single-family residences are permitted.

D. **Brewery.**

1. Characteristics. Any establishment where malt liquors are manufactured and packaged on-premise, manufacturing more than 15,000 barrels of malt liquor on its licensed premise each calendar year. One barrel equals 31 gallons.

2. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room.

3. Use Standards.

    a. Outdoor entertainment is limited to 10:00 PM.

E. **Brewpub.**

1. Characteristics. A restaurant, which produces on premise a maximum of two thousand barrels a year of beer for sale on the premise. One barrel equals 31 gallons.

2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility, bar seating, limited catering.

3. Use Standards.
    a. Outdoor entertainment is limited to 10:00 PM.

F. **Bar/Tavern/Nightclub.**

1. Characteristics. Any establishment whose primary function is the sale of beer, wine, or other alcoholic beverages for consumption on the premises and cannot be licensed as a restaurant under State A.B.C. regulations.
2. Accessory Uses. Ancillary indoor storage, associated office, outdoor patron areas (if permitted under the State A.B.C. regulations), and parking.
3. Examples. Bars, taverns, cocktail lounge.
4. Use Standards.
    a. Outdoor entertainment is limited to 10:00 PM.

G. **Car Wash.**

1. Characteristics. Commercial establishments which allow for the washing of motor vehicles and vehicle cleaning services.
2. Accessory Uses. Accessory uses may include parking, retail sales of items associated with the cleaning of motor vehicles.
3. Examples. Full-service carwash, self-service carwash facilities.
4. Use Standards.

a. All washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.
b. No vehicle bays or openings shall face a residential use.

H. **Parking Lot.**

1. Characteristics. A surface parking area or structure which is available to the public, but may also be used to accommodate employees, customers, and clients.
2. Accessory Uses. Valet parking, parking booth, vehicle charging units.
3. Examples. Examples include a commercial parking lot or parking garage.
4. Exceptions.
   a. Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage.)
5. Use Standards.
   a. A parking structure may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant in mixed-use districts.
   b. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.

I. **Parking Structure.**

1. Characteristics. Parking structure (i.e. parking garage) which is available to the public, but may also be used to accommodate employees, customers, and clients. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal.
2. Accessory Uses. Valet parking.
3. Examples. Examples include a commercial parking garage.
4. Uses Not Included.
   a. Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage.)
   b. Trucks, trailers, delivery vehicle parking.

5. Use Standards.
   a. In an effort to promote mixed-use, a parking structure may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant if the underlying zone district allows for the accessory use as a permitted right.

J. **Distillery.**

1. Characteristics. A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than seventeen percent and who produces more than one hundred twenty-five thousand cases per year at the licensed premises.
2. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.
3. Use Standards.
   a. Outdoor entertainment is limited to 10:00 PM in the Neighborhood Center zoning district.

K. **Event Center.**

1. Characteristics. Venues or facilities specifically for temporary events such as conferences, sports, wedding/banquet/event halls, concerts, or similar temporary events.
2. Accessory Uses. Accessory uses include offices, meeting rooms, indoor restaurant, bar, lounge, cabanas; boat docks, parking, indoor or outdoor recreation such as swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
3. Examples. Examples may include a convention center, coordinated wedding and banquet halls, sports stadium, or concert hall. A hotel/motel may have an attached event center as an accessory use.
4. Exceptions.
   a. Any fraternal organization (see civic and private club)
   b. Community centers and private clubs

c. Halls or rooms available to rent from public safety facilities including fire and police stations.

5. Use Standards.
   a. Additional landscape buffer widths where adjacent to a residential zoned property are required consistent with Section 5.3. of this UDO.

L. **Gas Station.**

1. Characteristics. Gas stations are involved in the retail sale of fuel for motor vehicles, and convenience items including but not limited to prepackaged food, beverages, tobacco products, lottery, and other similar products as its primary sale.
2. Accessory Uses. Accessory uses may include convenience store, offices, food sales, restaurants located within principal building, storage or repackaging of goods for on-site sale, parking, and car wash.
3. Examples. Examples include retail establishments not to exceed 10,000 SF accompanied by fueling stations.
4. Use Standards.
   a. No equipment for vehicle fueling shall be closer than fifteen (15) feet to any public right-of-way and ten (10) to any property line.

M. **Hotel/Motel.**

1. Characteristics. Transient accommodations arranged for short term stays for compensation. This does not include patient transient accommodations, shelters for the homeless or short-term rentals.
2. Accessory Uses. Attached meeting rooms, dining facilities, bar or lounge, restaurant, laundry facility, swimming pool, other recreational facilities.
3. Examples. Examples include hotels and motels.

N. **Indoor Amusement/Entertainment Facilities.**

1. Characteristics. Establishments that provide indoor amusement and entertainment services for a fee or admission charge.
2. Accessory Uses. Accessory uses include ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.

3. Examples. Examples include, but are not limited to fitness center and gym, pool hall, bowling alley, axe throwing, indoor sports facility (including pickleball and tennis courts), indoor rock climbing, roller rink, indoor ice rink, indoor archery and shooting ranges, gymnastic facility, karate, dance studio, movie theater, music hall, escape rooms.
4. Use Standards.
   a. Indoor shooting ranges that are designed and operated for the use of rifles, shotguns, pistols, or any other weapons including firearms, air guns, and airsoft guns are subject to the following standards.
      i. All shooting activities must be indoor only.
      ii. Must be located in stand-alone building, cannot be in planned center, strip developments, share walls or parking.
      iii. All indoor shooting ranges shall be of soundproof construction whereby sound from discharge of any firearm and the impact of projectile shall not be plainly audible across any adjoining property line.
      iv. Sale and consumption of alcoholic beverages on-site is prohibited.

O. **Liquor Store.**

1. Characteristics. A retail establishment engaged in the sale of packaged alcohol including, beer, ale, wine, and spirits for consumption off premises.
2. Accessory Uses. Accessory uses include temporary, indoor, promotional display and the sale of prepackaged food, tobacco products, and lottery.

P. **Microbrewery.**

1. Characteristics. Any establishment where malt liquors are manufactured and packaged on-premise or off-premise, manufacturing no more than 15,000 barrels of malt liquor on its licensed premise each calendar year. One barrel equals 31 gallons.
2. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room.
3. Use Standards.

a. Outdoor entertainment is limited to 10:00 PM in the Neighborhood Center zoning district.

Q. **Micro-Distillery.**

1. Characteristics. A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than seventeen percent and who produces a maximum, quantity of one hundred twenty-five thousands cases per year at the licensed premises.
2. Accessory Uses. Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.
3. Use Standards.
   a. Outdoor entertainment is limited to 10:00 PM in the Neighborhood Center zoning district.

R. **Outdoor Recreation.**

1. Characteristics. Uses which provide recreation-oriented activities predominately outdoors.
2. Accessory Uses. Accessory uses include associated office, concession stands, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
3. Examples. Examples include but are not limited to outdoor entertainment activities taking place outside of an enclosed building such as tennis, pickleball, miniature golf, golf courses, obstacle or ropes course, drive-in theater, campground, paintball, outdoor skating facilities, outdoor shooting range, outdoor sport facilities.
4. Use Standards.
   a. If the outdoor entertainment involves any projectiles, berms or backstops are required at the perimeter boundary of the activity to ensure safety to off-site areas.
   b. No associated outdoor features shall be located between the front façade of the building and the street fronting the lot.

c. The use requested to be conducted shall not have adverse effects without mitigation techniques including (but not limited to) stormwater, dust, odor, smoke, vibration, lighting, or noise.

S. **Pawn Shop.**

1. Characteristics. Pawn shops are involved with the retail sales of secondhand merchandise and may offer personal loans secured by consumer goods or other personal property.
2. Accessory Uses. Accessory uses may include limited retail sales.
3. Examples. Pawn shops that may deal in items such as coins, jewelry, and secondhand merchandise and deal in personal loans secured by personal property.

T. **Restaurant.**

1. Characteristics. Establishments that prepare and sell food for on-premises consumption or off-premises consumption. May include a customer service area consisting of tables, chairs, or customer counters.
2. Accessory Uses. Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking, valet parking facility, bar seating, limited catering, drive through (unless prohibited).
3. Examples. Examples include all types of restaurants such as a diner, café, take-out, or fine dining restaurants.
4. Use Standards.
   a. Outdoor speakers associated with a drive-through shall be at least 50 feet from any property line.
   b. Drive-throughs are not permitted in the following districts:
      i. Greer Station Downtown District
      ii. Neighborhood Center

U. **Retail – Neighborhood.**

1. Characteristics. General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. Neighborhood retail shall be a maximum 15,000 square feet for a single use.

2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling, leasing, or renting consumer, home, and business goods including general merchandize, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.
4. Use Standards.
   a. Drive-through establishments are not permitted including but not limited to pharmacies/drug stores, restaurants, and financial institutions, etc.
   b. Outdoor events including but not limited to live music, are not permitted after 10:00 p.m.

V. **Retail – General.**

1. Characteristics. General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. General retail shall be a maximum 50,000 square feet for a single use.
2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Establishments selling, leasing, or renting consumer, home, and business goods including general merchandize, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.

W. **Retail – Regional.**

1. Characteristics. Regional retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the regional area. Regional retail shall permit a range of uses and sizes; however, no single use may exceed 100,000

square feet except where approved by Variance. This does not apply to uses which when aggregated exceed 100,000 square feet.

2. Accessory Uses. Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
3. Examples. Large retail stores, shopping malls, shopping centers.

X. **Recreational Vehicle (RV) Park/Campground.**

1. Characteristics. A place with six or more sites set aside and offered by a person or public body, for lease, rent or sale in any form to be occupied by recreational vehicles or tents utilized for sleeping or eating. The term also includes accessory buildings, sites set aside for group camping, and similar recreational facilities. A recreational vehicle park is not intended to be used for permanent, year-round occupancy and no recreational vehicle in any such park shall be occupied on a permanent basis. The terms campground, camping resort, RV resort, travel resort, and travel park or any variations of these terms, shall be considered synonymous with the term recreational vehicle park.
2. Accessory Uses. Accessory uses commonly found include management headquarters, recreational facilities, toilets, dumping stations, showers, coin operated laundry facilities, recreational vehicle and boat storage areas, and other uses and structures customarily incidental to operation of a recreational vehicle park and campground are permitted as accessory uses to the park.
3. Design and Development Standards. Mobile Home Parks are subject to the standards in 7.6 Recreational Vehicle Park/Campground Design and Development Standards.

Y. **Adult Business/Sexually-Oriented Business.**

1. Characteristics. A nightclub, bar, restaurant, or other similar establishment in which a person appears in a state of sexually explicit nudity or semi-nudity in the performance of their duties. Additionally, a business offering its patrons goods of which a substantial portion are sexually-oriented

materials. A business in which more than ten percent of the display space is used for sexually-oriented materials is presumed to be a sexually-oriented business. Defined in State of South Carolina Code of Laws Sections 57-25-120(7) and 57-25-120(9).

2. Accessory Uses. Accessory use may include an associated office.
3. Use Standards.
   a. Nudity, semi-nudity, sexually explicit material/content is prohibited in any outdoor displays including signs.
   b. Adult Business/Sexually-oriented Business cannot be operated within 1000 feet of:
      i. A place of worship;
      ii. Public or private elementary or secondary school;
      iii. A boundary of any residential district;
      iv. Any outdoor recreational facility at which minors are likely to congregate;
      v. A lot devoted to residential use;
      vi. A day care facility;
      vii. Cemetery;
      viii. Funeral Home; or
      ix. Another Sexually-oriented/Adult Business.

Z. **Transient Lodging.**

1. Characteristics. Transient accommodations arranged for short term stays, thirty (30) or less days, in exchange for compensation. This does not include patient transient accommodations or shelters for the homeless.

AA. **Vehicle Sales and Rental.**

1. Characteristics. Establishments that are involved with the sale or lease of motor vehicles (including but not limited to cars and boats), renting of motor vehicles, and display of motor vehicles for sale, lease, or rental.
2. Accessory Uses. Accessory uses may include showroom, associated office and storage, vehicle fueling (only for vehicles for sale or lease, not

open to the general public), car wash (only for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.

3. Examples. Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.
4. Use Standards.
   a. Minimum lot size for car, boat, other vehicle sales and rental establishments shall be one (1) acre except where previously approved and or are in use at the time of adoption of this UDO.
   b. Vehicle display areas shall not be raised above general topography of the site.
   c. Vehicle display areas with frontage along a street right-of-way shall include an additional 10-foot landscaped buffer beyond the buffer standard required.
   d. Vehicles shall not be displayed in any required buffer.
   e. Repair and or service areas shall not be located adjacent to a residentially zoned property.
   f. Light fixture heights, where adjacent to residential shall be limited to 12 feet.
   g. The use of loudspeakers or similar noise amplifying device shall be prohibited.

4.3.6. OFFICE AND MEDICAL USES

A. Animal Care.

1. Characteristics. A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building.
2. Accessory Uses. Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
3. Examples. Vet clinic, private veterinarian practice, animal hospital.
4. Uses Not Included.

a. Animal boarding is classified as Animal Shelter/Kennel.

5. Use Standards.
   a. All outdoor areas for animals must be fenced.
   b. Outdoor activity is permitted only during the day.

B. Medical/Dental Facility.

1. Characteristics. A facility engaged in the examination, diagnosis, and treatment of medical, dental, chiropractic, ophthalmologic, pediatric care, or other health care practices.
2. Accessory Uses. Accessory uses may include parking and office.
3. Examples. Examples include dentist or orthodontics offices, doctor offices, medical clinics, medical labs, outpatient facilities without ambulatory care, and blood testing facilities, dental clinics, dental labs, and dental surgery centers.
4. Uses Not Included. Does not include overnight facilities for patients.
5. Use Standards.
   a. Indoor waiting area is required so that patients are not allowed to queue for services outdoors.

C. Hospital.

1. Characteristics. An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, and ambulatory and emergency care.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees.
3. Examples. Examples may include a hospital or freestanding emergency rooms with ambulatory care.
4. Use Standards.
   a. Drive up lanes for ambulances shall not be located within 100 feet of a residential use.

D. Professional Office.

1. Characteristics. A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include professional services such as lawyers, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, sales offices, and similar uses.
4. Uses Not Included.
   a. Offices that are part of and/or located with a firm in another category are considered accessory to the firm's principal activity.
   b. Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

E. Urgent Care.

1. Characteristics. A walk-in medical establishment offering care for injuries or illnesses requiring immediate care, but not serious enough as to require hospital care.
2. Accessory Uses. Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
3. Examples. Examples include urgent care facilities without ambulatory care. If ambulatory care is included, the use will be considered a hospital use.

F. Rehabilitative and Mental Health Facility.

1. Characteristics. A healthcare facility that provides substance abuse treatment and/or mental health services. Such facilities provide overnight, yet short-term, care and treatment and may include sleeping rooms for healthcare providers and members of the patients' families.
2. Accessory Uses. Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
3. Examples. Examples includes inpatient drug and alcohol treatment facilities and inpatient mental health services.

4.3.7. INDUSTRIAL AND LOGISTIC USES

A. Artisanal Manufacturing.

1. Characteristics. A small-scale fabrication or production use by skilled workers which involves or assembly of food or goods with no noxious by-products. May include a showroom or ancillary sales of products.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, parking or similar; residential unit(s) for employees and or associated services (i.e., night watchman) may not exceed one (1) dwelling unit per acre and shall only be allowed for employees or associated services and not rental to the general community.
3. Examples. Small scale fabrication of arts, 3-D printing, crafts, food or beverages for packaged sales, welding, sculpting, arts and crafts, pottery, and small-batch bakeries.
4. Use Standards.
    a. Establishment size is limited to 15,000 square feet. Any establishment greater than 15,000 square feet shall be considered Industrial – Light.

b. No processes or equipment may be used that creates dust, smoke, fumes, odors, or vibration which can be detected off property.

c. Outdoor storage is prohibited.

d. Deliveries are limited to parcel and small freight carries and is not intended for large tractor trailers.

B. Broadcast Facility.

1. Characteristics. Any facility which deals in the broadcasting of television, radio, or satellite programming.
2. Accessory Uses may include (but are not limited to) associated office and parking.
3. Examples. TV broadcasting station.

C. Communication/Cell Tower.

1. Characteristics. Any tower, pole, or similar structure of any size that supports wireless communication antenna for commercial or governmental use.

2. Design and Development Standards. Additional design and developments standards relating to communication/cell towers can be found in Section 5.8 of this UDO.

D. Flex Facility.

1. Characteristics. Uses which take place within a flex space building, allowing a flexible range of office, warehouse uses research and development uses. Flex use buildings allow for a combination of offices, wholesale, and light manufacturing with proportions of each use subject to the needs of a user.

2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.

3. Examples. Flex use buildings typically in an industrial park or business park environment.

E. Industrial – Light.

1. Characteristics. Any business or establishment which deals in light industrial uses including light manufacturing (such as assembly, printing, repair), research and development, and self-service storage.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
3. Examples. Monument sales and manufacturing, landscaping contractor, clothing manufacturing, publishing firm, bottling, lawn or tree service, sheet metal, stone, or concrete products (but not concrete manufacturing), commercial packing for fruits and vegetables, trailer storage or freight facility, sale or rental of machinery and heavy equipment.
4. Exemptions
    a. Heavy industrial or noxious uses such as concrete manufacturing.
5. Use Standards.
    a. Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced. A minimum six (6) feet opaque screen or fence is required around the outdoor storage area.

F. Industrial – Heavy.

1. Characteristics. Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, noise, vibration, or threats to safety and general wellbeing of the public.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
3. Use Standards.

a. All buildings shall be setback a minimum of fifty (50) feet from property line.

b. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than eight (8) feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

G. Salvage Yard.

1. Characteristics. Any use dedicated to the storage and dismantling of vehicles, scrap metal and associated waste.

2. Accessory Uses. Accessory uses may include (but are not limited to) associated office, cafeteria, parking.

3. Examples. Salvage yards, wrecking yard, junkyards, or automobile graveyards.

4. Use Standards.

   a. All buildings shall be setback a minimum of fifty (50) feet from property line.

   b. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than eight (8) feet.

   c. No material, refuse or items within storage yard shall be visible from a public street.

H. Manufacturing.

1. Characteristics. Manufacturing includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, made for transfer to other plants, or made to order for firms or consumers.

2. Accessory Uses. May include limited retail sales and wholesale sales, offices, cafeterias/eating establishments, warehouses, storage areas, repair facilities, truck fleets, parking for employees.

I. Outdoor Storage.

1. Characteristics. An outdoor area designated for the extended outdoor storage of cars, boats, other vehicles. This use is not to be confused with commercial parking, which excludes outdoor storage. Outdoor storage is for the extended storage of cars, boats, and other vehicles, machinery, and equipment or material.
2. Accessory Uses. Accessory uses may include associated office, parking.
3. Use Standards. See Section 4.5.B.14.

J. Wholesale Trade.

1. Characteristics. Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted.
2. Accessory Uses. Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes.
3. Examples. Sale of machinery, janitorial supplies, restaurant equipment supplies.

K. Recycling and Waste Related Services.

1. Characteristics. Any facility which deals in the recycling, disposal, or elimination of used materials or waste.
2. Accessory Uses may include (but are not limited to) associated office, outdoor storage associated with principal use, parking.
3. Examples. Landfill, recyclable material storage, recycling facility, solid or liquid waste transfer or composting.
4. Use Standards.
   a. All buildings shall be setback a minimum of fifty (50) feet from property line.

b. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line.
c. Outdoor storage yards shall comply with the standards of Section 4.7.B.
d. Any associated outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

L. Self-Storage.

1. Characteristics. A structure or premises where the principal use is the indoor storage of personally owned items and goods, for a fee or charge.
2. Uses Not Included.
   a. General warehousing or logistics (see Industrial uses).
3. Examples. Includes self-storage facilities.
4. Use Standards.
   a. Self-storage facilities shall be located on a minimum lot size of one (1) acre.
   b. Building height shall be limited to one (2) stories; where adjacent to a residential district the district standards will apply.
   c. Commercial activity which offers the sale of any item, personal property, or service and/or the conducting of any business other than the leasing of storage units is prohibited. The sale of customary equipment for moving and loading/unloading of supplies such as tape, straps, boxes, and similar items may be permitted in the main office only.
   d. Residential use (i.e. dwelling) within a storage unit is prohibited.
   e. Outdoor storage is prohibited (other than the storage of recreational vehicles).
   f. Required parking spaces shall not be utilized for the storage of recreational vehicles.

M. Solar Farms.

1. Characteristics. An area of land designated for the purpose of deploying solar power generating panels and devices to create electric energy.
2. Accessory Uses. Associated office, parking, outdoor storage of related equipment.
3. Uses Not Included.
   a. Personal solar energy systems for private residential dwelling unit use. These are permitted as an accessory use for residential dwellings.
4. Use Standards.
   a. If existing in or abutting any residential district, solar farms shall require a buffer intensity of buffer class 3.
   b. If existing in or abutting any residential district, an additional 100-foot conservation buffer shall be provided and maintained by the operating entity along all boundaries.
   c. Any portion of the solar farm or array shall not exceed 20 feet in height.

N. Warehouse/Distribution.

1. Characteristics. A facility primarily engaged in the storage and distribution of manufactured product, supplies, and equipment with little to no sales on site. May also include truck terminals or similar where semi-trucks, trailers and or high-cube/box trucks may be utilized for the transportation of goods; may also include areas for truck, trailer, etc., parking and storage.
2. Accessory Uses. Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
3. Examples. Warehousing, distribution centers, truck terminals, fulfillment centers for online retailers, fulfillment centers are intended to provide deliveries to homes.
4. Use Standards. Warehouse/Distribution are subject to the following use standards:
   a. The parking and storage of commercial class trucks and loading docks must be located to the rear or side of the facility;

b. Buffers must be of buffer class 4.

c. Facilities must have direct access to an arterial or collector roadway. Access for commercial class trucks via local roads is prohibited.

4.4. ACCESSORY USE AND STRUCTURE TABLE

KEY: P = Permitted, S = Special Exception	Section	Residential Districts					Nonresidential Districts				Mixed-Use Districts			
		RURAL RESIDENTIAL (RR)	SUBURBAN NEIGHBORHOOD (SN)	TRADITIONAL NEIGHBORHOOD (TN)	MEDIUM DENSITY (MD)	HIGH DENSITY (HD)	OFFICE PROFESSIONAL (OP)	COMMERCIAL GENERAL (CG)	MIXED EMPLOYMENT (ME)	MANUFACTURING AND LOGISTICS (ML)	GREER STATION DOWNTOWN (GS)	NEIGHBORHOO CENTER (NC)	REGIONAL CENTER (RC)	COMMERCIAL CORRIDOR (CC)
Carports	4.5.B.1	P	P	P	X	X	X	X	X	X	P	X	X	X
Garages	4.5.B.2	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor Storage Structures	4.5.B.3	P	P	P	P	P	P	P	P	P	P	P	P	P
Pools	4.5.B.4	P	P	P	P	P	X	P	P	X	P	P	P	P
Gazebos/Pavilions	4.5.B.5	P	P	P	P	P	P	P	P	P	P	P	P	P
Drive-Through Facilities	4.5.B.6	X	X	X	X	X	P	P	P	P	X	X	P	P
Outdoor Display	4.5.B.7	X	X	X	X	X	X	P	X	X	P	P	P	P
Outdoor Seating	4.5.B.8	X	X	P	X	X	P	P	X	X	P	P	P	P
Outdoor Entertainment	4.5.B.9	X	X	P	X	X	X	P	X	X	P	P	P	P
Bicycle Parking	4.5.B.10	P	P	P	P	P	P	P	P	P	P	P	P	P
Mail and Newspaper Boxes	4.5.B.11	X	X	X	P	P	P	P	P	P	P	P	P	P
Donation Boxes	4.5.B.12	X	X	X	X	X	X	P	P	P	X	X	P	P
Dumpsters/Other Building Services	4.5.B.13	X	X	X	P	P	P	P	P	P	P	P	P	P
Outdoor Storage	4.5.B.14	X	X	X	X	X	X	X	P	P	X	X	P	P
Dwelling Unit, Accessory	4.5.C	P	P	P	X	X	X	X	X	X	X	X	X	X
Storage Container	4.5.D	X	X	X	X	X	X	X	P	P	P	P	P	P

4.5. ACCESSORY USES AND STRUCTURES

A. **General Standards.**

1. Accessory uses shall be consistent with all standards in the district for the principal use.
2. Uses and structures, with the exception of Accessory Dwelling Units, shall:
    a. Be accessory and clearly incidental and subordinate to permitted uses and structures;
    b. Be located on the same lot as the permitted uses or structures and structures shall be placed to the rear or side of the principal structure;
    c. Not involve operations or structures inconsistent with the character of the principal use or principal structure served; and
    d. Not likely to attract visitors in larger numbers than would normally be expected.
3. No accessory building or structure shall be erected in any easement or within five (5) feet of property lines.
4. An accessory use or structure shall only be allowed when a principal use exists.
5. Accessory structures shall comply with maximum lot coverage requirements.
6. Accessory structures shall have a similar appearance to the principal structure.
7. Accessory structures, except for Accessory Dwellings Units, are limited to a maximum thirty-five (35) feet in height or the height of the principal structure, whichever is lesser.
8. An accessory building sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this ordinance and must meet all yard requirements applied to the principal building.
9. Mailboxes and any structure less than one (1) foot above grade are exempt from accessory use standards.

10. Accessory Uses and Structures including accessory dwelling units within the Rural Residential zoning may vary from the standards set forth in this section relating to height, placement, and size. Any variations may be granted after review from the Director or designee as outlined in Section 1. Administration.

B. **Specific Standards.**

1. **Carports.** Carports shall be architecturally similar to the principal structure.
2. **Garages.** Attached or detached facilities that provide a storage area for motor vehicles.
3. **Outdoor Storage Structures.** Detached facilities that provide a separate storage area for personal property. Examples include a shed.
4. **Pools.** An above or in ground structure filled with water for the purpose of recreation and swimming.
5. **Gazebos/Pavilions.** A detached wall-less structure intended for outdoor use.
6. **Drive-Through Facilities.**
    a. Drive-through facilities shall be designed to avoid obstructions to pedestrian circulation along sidewalks or between parking spaces.
    b. Canopies, awnings, or roofs over drive-through lanes shall be similar in appearance and consist of the same building materials as the principal building.
    c. Drive-through facilities shall comply with all stacking requirements of Section 5.4: Parking and Loading.
7. **Outdoor Display.** Outdoor display, defined as the outdoor display of products available for sale, including soft drink dispensing machines, propane gas storage racks, outdoor merchandise, and the like, is permitted as an accessory use for commercial uses. Outdoor display shall comply with the standards below:
    a. Outdoor display shall be removed and placed in a fully enclosed structure at the end of every business day. Due to their commercial and pedestrian oriented nature, propane storage racks, soft drink

dispensing machines, and ice storage bins, may remain outside overnight.

b. Outdoor display shall only be displayed in front or on the side of the primary façade and may not extend more than five (5) feet from the building. Outdoor display areas shall not be placed in any drive aisles, parking spaces, loading zones, or fire lanes.

c. No more than twenty-five (25) percent of the horizontal length or maximum ten (10) feet of the façade, whichever is lesser, shall feature outdoor display items.

d. Outdoor display areas shall not inhibit pedestrian travel paths (i.e. sidewalks). ADA accessibility shall be maintained.

8. **Outdoor Seating**. Outdoor seating may be permitted as an accessory use for any eating and drinking establishment, subject to the following standards:

a. Hours of operation for the outdoor seating area shall be the same as the restaurant.

b. Food preparation shall take place within the enclosed building and not in the open air.

c. Outdoor seating shall be limited to active use areas designated on a site plan or through a request form as designated by the City.

d. No objects may be placed along publicly traversed sidewalks which form a barrier to pedestrian movement.

e. The visual design of tables, chairs, umbrellas, canopies, or similar furnishings for outdoor seating areas shall be of high-quality design, craftsmanship, be retained in good condition, and shall be compatible with adjacent uses.

9. **Outdoor Entertainment.** Outdoor entertainment may be permitted as an accessory use for restaurants and also establishments where the principal use is the manufacturing of malt liquor or alcoholic liquors intended for

sale and consumption on the premises. Outdoor entertainment may also be permitted as an accessory use of outdoor principal uses including Farmers' Markets and Parks. The use of parking areas, driveways, loading/unloading facilities, public sidewalks, or similar shall not be permitted.

10. **Bicycle Parking**. Bicycle parking racks may be located in any district. No advertising signs shall be permitted on such structures. Setback requirements are waived for bicycle racks.

11. **Mail and Newspaper Boxes**. Mail, newspaper delivery boxes, and delivery lockers may be placed in accordance with U.S. Postal Service regulations, and are exempt from district setbacks.

12. **Donation Boxes**. Donation boxes may be located in any district and are limited to one donation box per lot. Donation boxes are shall not be located within 500 feet of each other within the Neighborhood Center zoning district.

13. **Dumpsters and Other Building Services.** Dumpsters and other building services may be located in Medium Density (MD), High Density (HD), Office Professional (OP), Commercial General (CG), Mixed Employment (ME), Manufacturing and logistics (ML), Greer Station Downtown (GS), Neighborhood Center (NC), Regional Center (RC), and Commercial Corridor (CC) districts. Dumpsters and other building service areas shall be located where they are concealed from view of the public right of way and are not exempt from district setbacks.

14. **Outdoor Storage**. Outdoor storage is categorized as either limited outdoor storage or intense outdoor storage. For the purpose of this subsection, outdoor storage is defined as the outdoor storage of materials, goods, and merchandise.

    a. Limited Outdoor Storage. Limited outdoor storage includes outdoor storage of merchandise which cannot easily be taken in and out of an enclosed structure as the end of the day, including items such as garden supplies, plants, sporting goods, and storage of fleet

vehicles, such as delivery vehicles. Limited outdoor storage is only permitted in the commercial or industrial districts and shall comply with the following standards:

i. Limited outdoor storage is limited to eight (8) feet in height and must be fully screened from the view of any public right-of-way, parking areas and adjacent properties. Fences, hedges, and plant material may be used to screen the limited outdoor storage.

b. Intense Outdoor Storage. Intense outdoor storage includes outdoor storage of raw, unfinished goods, materials and commercial vehicle fleets, often associated with the manufacturing of another good. Common intense outdoor storage items include steel, salvage material, recycle materials, lumber, contractor equipment, and other raw material. Intense outdoor storage is only permitted in industrial districts and shall comply with the following standards:

i. Intense storage shall be located at least twenty (20) feet from any public right-of-way.

ii. Intense outdoor storage must be fully screened from the view of any public right-of-way, parking areas and adjacent properties. An eight (8) foot fence is required around the perimeter of the outdoor storage area.

C. **Dwelling Unit, Accessory.**

1. Also known as or may be referenced as Accessory Dwelling Unit, ADU or similar. An ADU is a secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot. An accessory dwelling unit shall comply with the South Carolina Building Code and following standards:

a. Districts allowed. Accessory dwelling units shall be allowed as accessory uses to principal residential uses pursuant to Table 4.4, Accessory Use and Structure Table.

b. Limit on number. There shall be no more than one accessory dwelling unit on a lot in addition to the principal single-family detached dwelling.

c. Where permitted on lot. A permitted accessory dwelling unit shall comply with all applicable development standards for principal dwelling units in the zoning district in which the accessory dwelling unit will be located.

d. Mobile homes, recreational vehicles and travel trailers shall not be used as accessory dwelling units.

e. The property owner shall occupy either the principal dwelling or the accessory dwelling unit

f. Size of accessory unit. No accessory dwelling unit shall exceed 800 square feet unless the accessory dwelling unit is constructed within the existing footprint of the principal dwelling unit.

g. Off-street parking. At least one off-street parking space shall be provided for an accessory dwelling unit.

h. Density. Accessory dwelling units shall not count toward any applicable maximum residential density requirements.

i. Height and Architectural Style. The accessory dwelling unit shall not exceed 150% of the height of the principal structure. The accessory dwelling unit shall have a similar architectural style, roof style, building materials, to the principal structure. Facades of an accessory dwelling unit visible from the public right of way shall be comprised of a minimum of 80% of the same building material as the principal structure.

j. Resale. Accessory dwelling units shall not be sold apart from the principal dwelling unit upon the same lot where they are located. No lot shall be split post development approval and occupancy of the accessory dwelling unit.

k. Home occupations. One home occupation is permitted per lot. Home occupations shall be allowed within the primary dwelling unit or the accessory dwelling unit but not both.

l. Other standards.

i. Kitchen. The accessory dwelling unit may include a kitchen.

ii. Conversion of existing structures. Conversion of existing structures i.e. garage or similar structure, is subject to the provisions of this UDO, as well as applicable building codes.

iii. Comply with all other applicable standards of the UDO. An accessory dwelling unit shall comply with all other applicable standards, including setbacks, for principal dwelling units in the zoning district in which the accessory dwelling will be located.

iv. Case of conflict. In the case of any conflict between the accessory dwelling unit standards of this section and any other requirement of the UDO, the standards of this section shall control.

D. **Storage Containers.**

1. Characteristics. The storage of products, whether for sale or as material for processes occurring on the site, generally for more than 24 hours a day, with the exception of temporary moving pods. This definition expressly includes any products in shipping containers, storage barrels, or crates or similar used in the transfer, shipment and or storage of materials and goods.

2. Accessory Uses. Accessory uses may include associated office, industrial, and/or manufacturing uses.

3. Screening. Storage containers shall be screened and out of view from adjacent properties and public rights-of-way. Such screening shall be constructed so as to visually obstruct, minimize and or reduce the visibility of the containers.

4. Temporary Use. Temporary storage containers are allowed within Residential, Mixed Use, and Commercial districts with the approval of a

building permit~~temporary Certificate of Occupancy as outlined in section 4.7.C~~.

5. Additional Standards:

   a. A building permit is required prior to placement of a storage structure that is permanent and larger than 199 square feet in area. All such storage structures must comply with the requirements of the most current edition of International Building Code (IBC), to ensure, among other things, proper anchoring and foundation. The building permit application shall show the proposed storage structure is accessory to the permitted use of the property and meets the placement criteria for the zoning designation of the property.

   b. Storage structures shall meet the setback requirements of the underlying zoning designation of the property.
   c. Storage structures shall not occupy off-street parking, loading, or landscaping areas.
   d. Storage structures shall not be used for living quarters and shall not contain plumbing, or heating/cooling systems.
   e. All storage structures must be located outside of floodplains, or comply with Code of Ordinances for the City of Greer, Chapter 35, Flood Damage Prevention, Article 3, Provisions for Flood Hazard Reduction.
   f. Storage structures shall not store materials considered to be hazardous according to the most current edition of the International Fire Code (IFC).
   g. Storage structures shall not possess wheels/axles that could potentially make the container mobile.
   h. Storage structures that are permanent and requiring a permit shall not be used for any advertising purpose.
   i. Intermodal containers
      i. Are allowed on property zoned commercial if the containers do not exceed 20 feet in length and eight (8) feet six (6) inches in height.

ii. Intermodal containers shall not be stacked on top of each other.
iii. The amount of space allowed for Intermodal container(s) on property zoned commercial shall not exceed 400 square feet regardless of the size of the container(s).
iv. Intermodal containers shall not exceed a stack height of two (2) containers.

j. Conflicts. In the event any conflict exists between the provisions of this section and other currently existing provisions of the City of Greer Zoning Ordinance or other ordinances of the city, the terms and provisions of this section shall take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of ordinances of the city shall be and hereby are amended insofar as necessary to conform to this section. This Ordinance shall not be imposed or construed to apply on any establishments for the interchange of freight, such as truck terminals, railroad freight depots and air freight terminals.

4.6. TEMPORARY USES

A. **Purpose.** This Section allows for the establishment of specific temporary uses of limited duration, provided that such uses do not negatively affect adjacent land, and provided that such temporary uses are discontinued upon the expiration of a set time period. These temporary uses shall not involve the construction of any permanent building or structures. Typical temporary uses may include (but are not limited to) grand opening events, tent sales, outdoor vehicle shows, special events, food trucks, and street vendors.

B. **Applicability.** The standards in this Section are intended to allow for the short-term placement of uses, many of which would not be allowed on a permanent basis. The activities listed in this section require the issuance of a temporary use permit on a form designated by the City.

C. **General Standards for Temporary Uses and Structures.** All temporary uses and structures shall comply with the following standards, unless otherwise specified in this UDO.

1. Temporary uses shall be in compliance with all applicable provisions of this UDO.
2. Duration of temporary uses that exceed 30 days shall require a temporary certificate of occupancy. Duration of temporary uses that exceed 30 days shall be at the discretion of the Director.
3. A period of at least 30 days shall intervene between the termination of a temporary certificate of occupancy and the issuance of another temporary certificate of occupancy for the same location.
4. Temporary uses shall not violate any applicable conditions of approval that apply to a site or use on the site.
5. Temporary uses shall feature hours of operation compatible with adjacent uses, shall not generate noise which may disrupt adjacent land uses, shall remove any litter generated at no expense to the City, and shall have parking accommodations arranged so not to disrupt the normal flow of traffic.
6. All temporary uses shall meet the parking and accessibility standards as provided for in Section 5.4. Parking.
7. Written permission of the property owner shall be required for any temporary use permit.
8. The temporary use shall have all appropriate permits and licenses from the City and other agencies.
9. No temporary use permit shall block fire lanes or pedestrian and vehicular access. Temporary uses may temporarily utilize required parking spaces; however, adequate parking shall be identified via a parking plan to be submitted with any temporary use permit.

10. Temporary uses shall not be located in required landscaping or vegetated areas.
11. Evidence that adequate provisions for trash disposal and sanitary facilities shall be provided.
12. Adequate on-site restrooms facilities shall be provided or made available.
13. All temporary structures shall be cleared from the site within 5 days after the temporary use is terminated.
14. The City may require the applicant post a bond to ensure compliance with the requirements of this Section.
15. If the temporary use permit requires additional services or equipment on behalf of the City, the applicant shall be required to pay the City for the cost of these services or equipment.

D. **Standards for Specific Temporary Uses.**

1. **Produce Stands.**

    a. The produce stand operator must obtain a temporary use permit on a form designed by the City.

    b. Any request for a produce stand shall describes the type of sales involved, the location, and the duration of the sales operation.

    c. Produce stands are only permitted in zoning districts as set forth in the Principal Use Table 4.2.

    d. The owner of the property, if not the same as the produce stand operator/owner, shall provide written permission to the operator/owner to be included with any permit.

    e. Produce stands may operate on a site for up to 60 days and require renewal of a temporary use permit.

    f. One (1) sign, maximum 20 square feet, may be displayed.

g. The use, including all sale items, parking, and maneuvering shall observe a minimum setback of 20 feet from the edge of any right-of-way and shall not be located in the sight distance triangle.

h. There shall be only one (1) produce stand at any one (1) time at one (1) location.

i. The produce stand operator is responsible for the removal of all trash and spoiled product on a daily basis.

j. Sufficient on-site parking shall be provided and evidence of identified on-site parking included with any temporary use permit.

k. A sketch plan shall be required of the site showing all structures to be used, access, parking, signage, and setbacks.

l. No additional lighting shall be permitted.

m. The entire produce stand including display areas shall be 1,000 square feet or less.

2. **Temporary Structures.**

a. **Temporary Sales Office or Model Home.**

i. The use of the office shall be for the initial sale or lease of properties or buildings within the residential development being sold or leased.

ii. There shall be no signage for residential development sales office or model home on the premises in a residential zoning district, except for one (1) unlit ground sign not to exceed six (6) square feet in area. The sign shall be located on the sales office or model home lot.

iii. For a developing residential subdivision, any phase containing a residential development sales office or model home shall contain a minimum of five (5) acres and be intended for a minimum of ten (10) residential properties.

iv. The temporary residential development sales office or model home shall be converted into a dwelling or remove within 30 days after all units are sold or leased.

v. No sales office or model home shall be used for any other retail purpose.

3. **Portable On-Site Storage/Temporary Dumpster.**

    a. **Portable On-Site Storage.** A portable on-site storage unit is any container designed for the storage of personal property and for transport by commercial vehicle that is typically rented to owners or occupants of property for their temporary use. A portable on-site storage unit is not a building or structure and shall not use as an accessory structure on a permanent basis in a residential district.

        i. Associated with an Active Building Permit. A portable on-site storage unit can be located on a residential property without a temporary use permit while the property is the job address listed on an active building permit issued by the City.

        ii. Not Associated Building Permit. A portable on-site storage unit shall require a temporary use permit if it is located on a residential property for more than 30 days. No more than one portable on-site storage unit shall be located on a single lot or parcel of land. A portable on-site storage unit may be located in a driveway, a designated parking area or behind a dwelling.

    b. **Temporary Dumpster.** A temporary dumpster is for the sole purpose of collecting and removing refuse generated from the same property of the dumpster location.

        i. **Associated with an Active Building Permit.** A property with the job address listed on an active building permit issued by the City may locate a temporary dumpster on the property. If the temporary dumpster is placed within the front setback, it may not block the sight triangle and it must be located on impervious surface.

        ii. **No Building Permit.** Only one dumpster shall be allowed per dwelling unit. The temporary dumpster is prohibited from being placed within the front setback.

4. **Outdoor Sales.**

    a. **Seasonal Sales.** Outdoor seasonal sales are permitted within nonresidential zoning districts, subject to the following standards:

        i. Outdoor seasonal sales shall be limited in duration to a maximum of 60 continuous days, up to twice a year, from the date the temporary use permit is issued.

ii. All products, equipment and related materials shall be removed from the site within five (5) days following the sale.

5. **Food Trucks.** Food trucks are defined as a licensed, motorized vehicle or mobile food unit licensed by the state, designed, and equipped to serve food and beverages. Food trucks are allowed subject to the following standards.

   a. To locate on a property the property must have a principal use. An example of a principal use would be a building with an active use or an improved stand-alone parking lot. An unimproved grass or dirt lot is not a principal use.
   b. Food trucks are allowed at non-residential sites within CG, OP, BT, ML, RC, and CC zoning districts. Allowed at special events or temporary uses and on active construction sites.
   c. Not allowed less than five (5) feet from driveways, sidewalks, utility boxes, handicap ramps, building entrances or exits, or emergency call boxes. Food trucks are prohibiting from block sight triangles or utilizing required parking spaces.
   d. Not allowed within fifteen (15) feet from any fire hydrant.
   e. Food truck vendors are responsible for the proper disposal of waste and trash associated with the operation. Vendors shall remove all waste and vehicles/trailers from their location at the end of each day or as needed to maintain the health and safety to the public.
   f. There shall be no audio amplifiers.
   g. Advertising consisting of business name, logo, and items available for sale may be displayed onto the food truck. No other form of advertising is permitted.
   h. Food trucks, and any related temporary amenities (chairs, tables, etc.) are prohibited from being left unattended or left at sales site overnight.
   i. Permanent fixtures accessory to a food truck are subject to zoning regulations and building code.

4.7. HOME OCCUPATIONS

A. **Home Occupations.** Home occupations are permitted for all residential uses only as an accessory use to a residential principal use and shall comply with the following regulations:

1. No person other than a resident of the dwelling shall be engaged in such occupation.
2. No more than twenty-five (25) percent of the total actual floor area of the dwelling or 500 square feet, whichever is less, shall be used in the conduct of the home occupation.
3. No outdoor sales or storage nor commercial vehicles shall be permitted in connection with the home occupation.
4. The exterior appearance and overall use of the dwelling shall not be altered to cause the premises to differ from its residential character.
5. The home occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.
6. No home occupation shall involve the use of electrical or mechanical equipment that would change the fire rating of the structure in which the home occupation is conducted.
7. Appointments must be staggered so that there is no more appointment than one at a time.
8. No customers, clients, or patrons other than the residents of the household may be on the premises in connection with the home occupation before 7:00 AM or after 9:00 PM.
9. Permitted home occupations include businesses conducted exclusively by phone or computer, internet-based sales, personal services such as instruction, home-based food productions that does not require commercial equipment.

10. Additionally, home occupations that meet the standards of this section but are not listed within this section may be approved by the Director or designee.
11. Prohibited Uses include landscaping, automotive repair, and contractor's business or cleaning services, other than office uses.
12. Violation of this subsection may result in the revocation of the home occupation as determined by the Director or designee.

4.8. OUTDOOR DISPLAY

A. **Outdoor Display.** Outdoor display is defined as the outdoor display of products available for sale, including soft drink dispensing machines, propane gas storage racks, ice machines, kiosks, outdoor merchandise, and the like. Outdoor display shall comply with the standards below:

1. Outdoor display shall be removed and placed in a fully enclosed structure at the end of every business day. Due to their commercial and pedestrian oriented nature, propane storage racks, soft drink dispensing machines, ice storage bins, may remain outside overnight.
2. Outdoor display shall not extend more than eight (8) feet. No more than twenty-five (25) percent of the horizontal length of the façade shall have outdoor display items.
3. Outdoor display areas shall not inhibit pedestrian travel paths (i.e. sidewalks) and ADA accessibility shall be maintained.

5. DESIGN AND DEVELOPMENT STANDARDS

5.1. STANDARDS OF GENERAL APPLICABILITY

Standards of general applicability shall include the subsections below. These standards shall be defined and make up the requirements of each district's development standards table. Development is also subject to standards in the City of Greer Engineering Manual.

A. **Building Height.** Building Height shall be defined by a maximum building height and/or number of stories; however, each story shall have maximum height limitations expressed in feet. The measurement of a "story" is assumed to range between 12 to 15 feet in height; additional heights are permitted taking into consideration non-residential development. Height is limited per each district's standard development table except where otherwise noted.

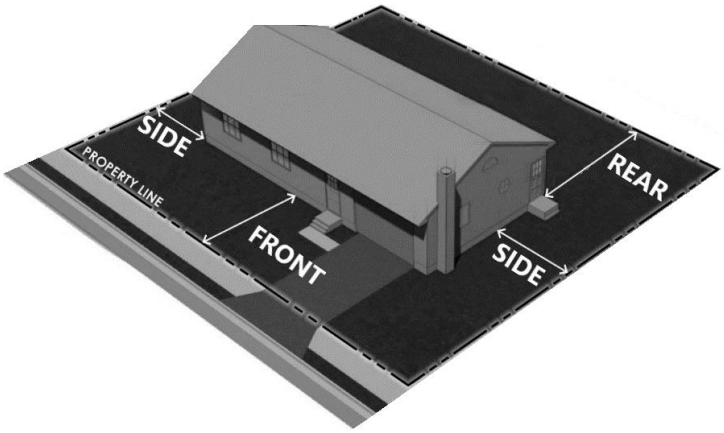
Figure 5.1.1. Building Height Illustrations

2. **Measurement of Height.** For the purpose of calculating heights, heights are measured using habitable space, excluding rooflines, architectural features or similar. If there is habitable space on the rooftop of a structure (i.e. an active eating area, pool, or rooftop lounge), it is understood these shall be counted as habitable space and included within the maximum building height and as defined in this UDO. Non-habitable rooftop elements, such as cornices, porch roofs, turrets, towers, or dormers, are limited to ten (10) feet in height. Non-habitable rooftop structures, such as structures used for sheltering mechanical and electrical equipment, tanks, elevators and related machinery, shall be limited to fifteen (15) feet in height, not including base floor elevation (B.F.E.)

B. **Building Placement (Setbacks).** *Building Placement (Setbacks)*, shall be measured from the nearest part of the applicable building, structure or sign, measured perpendicularly to the lot line or street right-of-way line. Setbacks are designated by a front setback requirement, side setback requirements, and a rear setback requirement. Provisions for setbacks for accessory structures are made in each respective district below, or in Section 7: Permissible Uses and Standards, of the UDO for each respective use. It is understood, for the purpose of calculating setback requirements and yards, three configurations of lots exist: interior lots, corner lots, and through lots. A lot which abuts a cul-de-sac street design, featuring a radial primary street yard, shall measure its primary street setback at the point in which the side and front lot lines would have met without rounding.

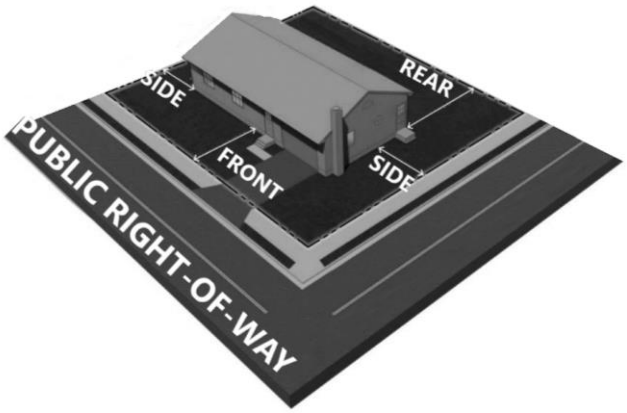
1. **Interior Lot.** A lot bounded by a street on only one side. For the purpose of setbacks and yards, the street yard shall be recognized as the primary (i.e. front) yard. An interior lot shall have one primary front yard, two side yards, and one rear yard. Orientation of the home, driveway and entrances shall be required respective of the primary front yard.

Figure 5.1.2. Setback – Interior Lot



2. **Corner Lot**. A lot which abuts two or more streets, other than an alley or easement. Each corner lot shall be required, either on its plat or building permit for new home, to designate its primary front yard, which shall dictate its front setback requirement. Orientation of the home, driveways and entrances on the lot shall be required respective of the primary front yard, but may also be permitted on a non-primary front yard. Additional side yard setbacks may be required for corner lots.

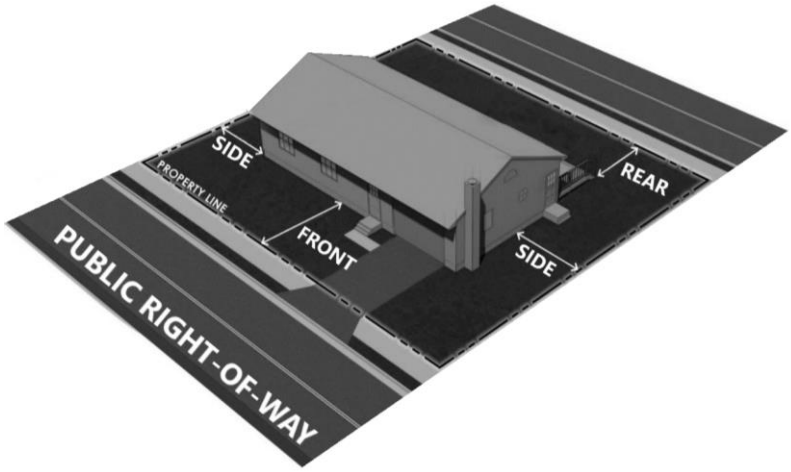
Figure 5.1.3. Corner Lot



3. **Through Lot**. A lot which has frontage on two parallel streets. Each through lot shall be required to designate its primary front yard, which

shall dictate its front setback requirements. Orientation of the house, driveways and entrances on the lot shall be required in the primary front yard and may not be permitted on a non-primary front yard. Additional side or rear yard setbacks may be required for a through lot. If one of the streets is designated as a local street or alleyway, garage access may be permitted from the local street or alleyway.

Figure 5.1.4. Setback – Through Lot



C. **Lot Measurements.** Lot requirements shall include the following terms defined:

A. **Lot**. Lots are parcels of land, either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership or possession or for development.

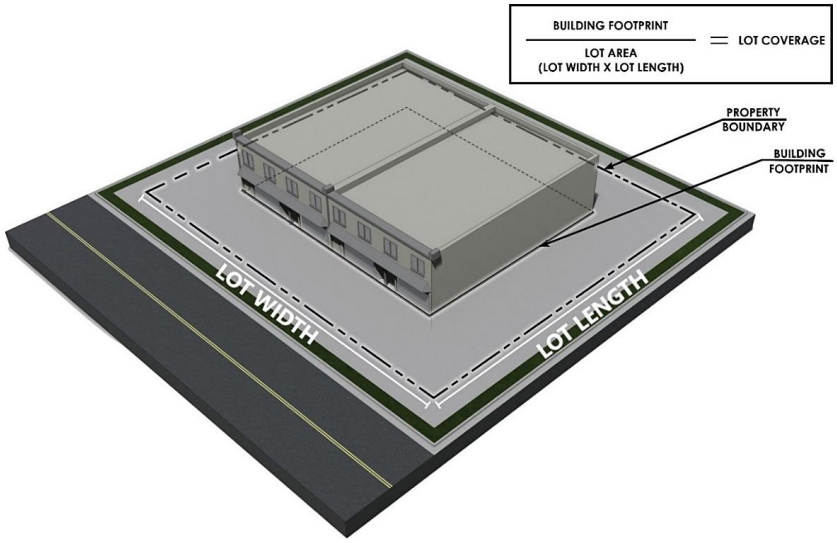
B. **Lot Width**. Lot width is the distance between the side lot lines (generally running perpendicular to a street) measured at the primary street property line along a straight line or along the chord of the property line.

C. **Lot Length**. Lot length is the distance between the front and rear property lines measured along a line midway between the side property lines.

D. **Coverage**. Lot coverage is the minimum and maximum area of a lot that is permitted to be covered by roofed structures. Lot coverage does not include paved areas such as parking lots, driveways or pedestrian

walkways.

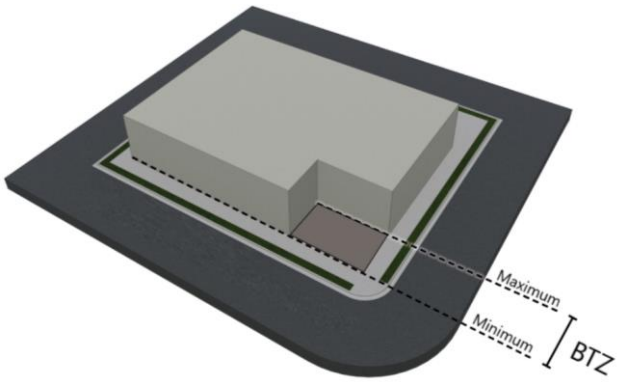
Figure 5.1.5. Lot Measurements



D. **Equipment Considerations.** Mechanical, electrical, and plumbing equipment (including air-conditioning and pool equipment) are exempt from side and rear yard requirements, but shall not be located any closer than three (3) feet from the property line.

E. **Building Placement.**
   1. Each mixed-use zoning district shall define standards for building placement in the form of a Build-To Zone (BTZ).
   2. The BTZ shall include a range of distances, expressed as a minimum and maximum setback, and is defined as the range at which construction of a building façade is to occur on the lot.
   3. The BTZ runs parallel to the property line, ensuring a uniform building façade along the street.
   4. The BTZ shall include a front/street, side, and rear measurement requirements.

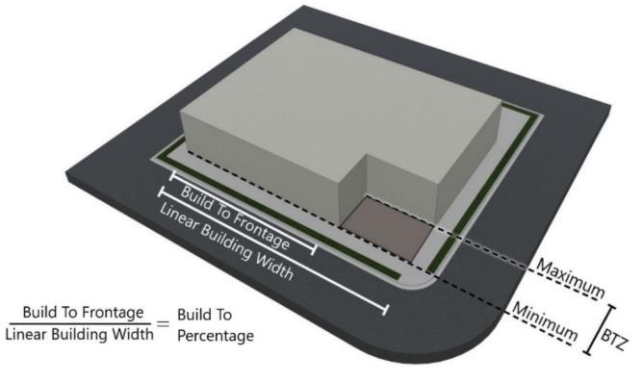
Figure 5.1.6 Building Placement



F. **Frontage.** Frontage, also referred to as the Build To Percentage Requirement, defines the percentage of the width of the building in relationship to the width of the lot. Frontage dictates what percentage of the linear distance of the building facade that must be located along the lot width.

1. **Active Use Areas**. *Active Use Areas* are defined as those areas along a frontage that provide for active uses such as a forecourt, courtyards, opportunities for outdoor dining, merchandise display, and/or shared gardens. Active use areas are encouraged and may be used to achieve frontage requirements. .

Figure 5.1.7. Frontage



5.2. SIGNS

5.2.1. PURPOSE, INTENT, AND APPLICABILITY

A. **Purpose and Intent.** The provisions of this section shall govern all signs within

the City, as applicable. The erection and maintenance of signs is controlled and regulated to promote health, safety, welfare, convenience, and the design standards provide an overall sense of aesthetics. Any sign not expressly permitted or exempted in this UDO is prohibited. This section intends to:

1. Encourage effective use of signs as a means of communication for businesses, organizations, and individuals in the City while preserving the rights of free speech under the First Amendment to the United States Constitution;
2. Enhance property values and aesthetics of land and structures by promoting high quality designs;
3. Improve pedestrian and vehicular safety;
4. Minimize adverse effects of signs on nearby properties and rights-of-way; and
5. Enable the consistent enforcement of these sign regulations.

B. **Applicability.** The provisions of this section shall govern all signs within the City. No sign shall be altered, replaced, converted, changed, or modified except in accordance with the requirements of this UDO, unless exempted in accordance with Section 5.2.8 below. Specific standards for overlays may also be required. See Section 3: Overlays.

C. **Non-Commercial Copy Substitution.** Non-commercial copy may be substituted for commercial copy on any sign that is otherwise permitted in this section.

5.2.2. GENERAL SIGN STANDARDS

A. **Location.** Types of signs authorized by this section are permitted in zoning districts as provided in Section 5.2.5: Permitted Signs by Zoning District.

1. No sign structure shall obstruct any cross-visibility area or traffic control device.
2. In the sight triangle, no freestanding sign may exceed 30 inches in height above the established grade of the street property line.
3. No sign structure shall be within ten (10) feet of utility easements and/or overhead power lines.
4. Signs shall maintain a five (5) foot setback from all rights of way and property lines.

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B. **General Sign Design Standards.**

1. Signs shall be, or appear to be, constructed of stone, masonry, metal, ceramic, glass, plastic, or, wood and shall utilize similar architectural styles and treatments to the primary structure. Signs within overlays shall be subject to additional standards including architectural styles, treatments/finishes, color(s), location, and size. Refer to Section 3 Overlays for additional standards.
2. Fluorescent colors except where part of a logo, trademark or similar, are prohibited.
3. All signs shall be erected in compliance with building, electrical, and fire codes, and shall comply with the standards below:
    a. Supports and braces shall be designed as an integral part of the sign structure and be hidden from public view to the extent technically feasible.
    b. Audio components are prohibited as part of any sign with the exception of drive-through menu signs.
    c. Signs shall be securely fastened per building code requirements so that the sign cannot moved by wind or other forces of nature and cause injury to persons or property.
4. Audio components or speakers are prohibited as part of any sign, except drive-through signs.
5. External Illumination.
    a. Only stationary and shielded light sources directed solely onto the sign are permitted.
    b. External illumination shall not shine or provide glare directly on rights-of-way or adjacent residential uses.
    c. Flashing and intermittent lights are prohibited.
    d. Outline, strip lighting, and neon tube lighting on the exterior of sign structures are not permitted.
6. Internal Illumination.
    a. Only illumination with a designation of “white” or “daylite” shall be emitted.
    b. Poles and other supporting structures shall not be internally illuminated.

7. Illumination in signs shall not impair the vision of motor vehicle drivers.
8. Signs shall not exceed 0.2 footcandles at the property line.

~~C. **Freestanding Signs.**~~

~~1. Freestanding signs shall not be placed within two-hundred (200) feet of an existing freestanding sign.~~

~~2. Freestanding signs shall maintain a five (5) foot setback from all public rights of way.~~

~~D. **Landscaping.** Freestanding signs shall, to the extent practicable, be placed in a landscaped setting appropriate to the size and scale of the sign, and character of the site.~~

~~1. In no case shall the planted area be less than twenty-five (25) square feet, unless restricted by the amount or size of land upon which the sign is situated that is owned or controlled by the applicant.~~

~~2. The planted landscape area shall contain materials such as, but not limited to: vegetative freestanding covers, perennials, shrubs, ornamental trees and mulch, but excluding paving and artificial plant materials.~~

~~E.~~C. **Public Rights-of-Way**. Signs are prohibited within any public right-of-way except where the responsible entity provides, in writing, that such encroachment is permitted pursuant to its regular procedures for reviewing and approving encroachments within public rights-of-way. No signs, other than the exempted signs below, may be placed in the rights-of-way:

1. Regulatory signage erected by the City of Greer;
2. Traffic control signs;
3. Signage erected by SCDOT; and
4. At work signs or emergency signage erected by a governmental agency, utility, or contractor performing permitted work.

Applicants shall provide the City with evidence of such encroachment agreement or license prior to issuance of any permit. Signs erected in violation of this section are subject to removal by the governmental authority having control of such right-of-way without notice.

~~F.~~D. **Drive-Through Signs.** For each parcel with a lawful, permitted use that utilizes a drive-through lane, a maximum two (2) drive-through menu signs shall be allowed for each drive-through lane and shown on the signage plan.

1. Each allowed drive-through sign may be either a freestanding monument

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sign or an attached sign and shall not exceed forty-two (42) square feet in sign area.

2. Drive-through signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this section.

~~G.~~E. **Changeable Copy/Electronic Message Board Signs.** Changeable copy and/or electronic message board signs are permitted ~~only on monument signs~~ in RC and CC zoning districts, and drive-through signs. Changeable copy shall comply with the following standards:

1. Up to fifty (50) percent of the permitted sign area ~~of the monument sign~~ may be used for changeable copy. The sign area dedicated for changeable copy shall not exceed thirty-two (32) square feet.
2. Video, animated, scrolling or moving changeable electronic variable messages are not permitted. This provision shall not restrict the copy from changing from one message to another.
3. Period of time between each copy or message shall be a minimum ten (10) seconds.

~~H.~~F. **Temporary Signs.**

1. Where allowed with a temporary sign permit, such signage may be permitted up to the maximum square footage allowed for permanent signage, up to 30 days 3 times per year, up to 2 times concurrently.

~~I.~~G. **Painted Art and Murals**. Murals and painted art shall comply with the following standards:

1. Painted art or printed murals are not considered signage so long as it does not incorporate a tradename, trademark or name of the establishment in the art.
2. If painted art or printed murals contain tradenames, trademarks or the name of the establishment in the art, it shall be considered a sign and shall meet the standards of this section and require a sign permit.
3. All painted art and murals, regardless of whether or not they are considered a sign, shall be regularly maintained, cleaned and refurbished so the art or mural remains visible and consistent with its approved design.

~~J.~~H. **Maintenance.**

1. All signs must be maintained to retain structural integrity and shall be maintained in their approved, permitted state.

2. Repainting of or cleaning a sign shall not require a permit and shall be considered maintenance.
3. Replacement of an existing sign face (to the same existing size and specifications, like for like) shall require a permit and shall be considered maintenance.
4. A sign which is abandoned or that is not properly maintained, shall be removed after due notice is given by the City.

~~K.~~ I. **Nonconforming Signs.**

1. Normal maintenance of nonconforming signs, including repainting or cleaning of the sign face shall not be considered an alteration or require a permit.
2. Maintenance of nonconforming signs, including the replacing of the sign face (to the same existing size and specifications, like for like) shall require a permit.
3. Changes to the structure of the sign or size of the sign shall constitute an alteration of the nonconforming sign.
4. Any nonconforming sign structure which is moved or altered must be brought up to the standards of this section.

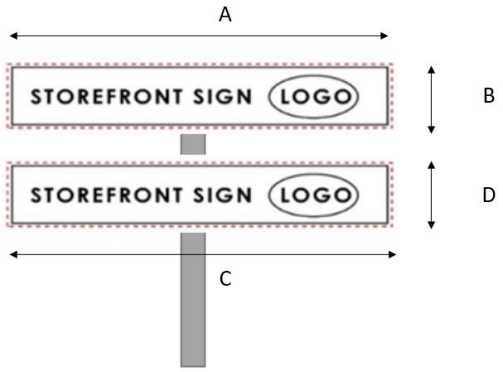
5.2.3. CALCULATION OF SIGN AREA AND SIGN HEIGHT

A. **Calculating Sign Area.** The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Calculating sign area shall comply with the following standards below:

1. Where a sign consists of individual letters, words or symbols attached to a building, canopy, awning or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall. Where such sign includes multiple words, each word located in the same plane shall be counted together.

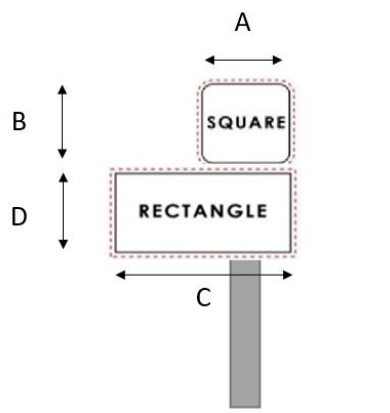
2. Channel letter signs, mounted logos, and similar devices are treated differently than signs in cabinets. The wall area between multiple elements does not count as sign area.
3. The area for a sign with more than one face shall be computed by adding together the area of all sign faces, except where the angle at which the two sign faces are placed does not exceed sixty (60) degrees.
4. The entire surface area of a multitenant sign that depicts the names of the individual tenants shall count toward the total aggregate area of the sign.

Figure 5.2.3.1 Sign Area Calculation for Multiple Signs on Single Pole Illustration



Total Sign Surface Area =
(A)(B) + (C)(D)

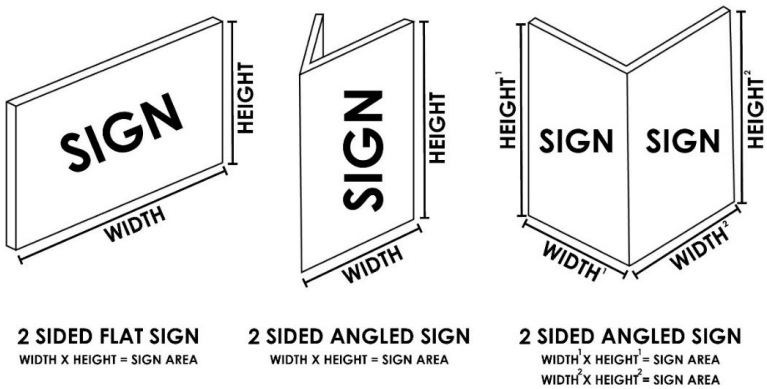
Figure 5.2.3.2 Sign Area Calculation for Multiple Signs on Single Pole Illustration



Total Sign Surface Area =

(A)(B) + (C)(D)

Figure 5.2.3.3 Multiple Faces on a Sign Illustration



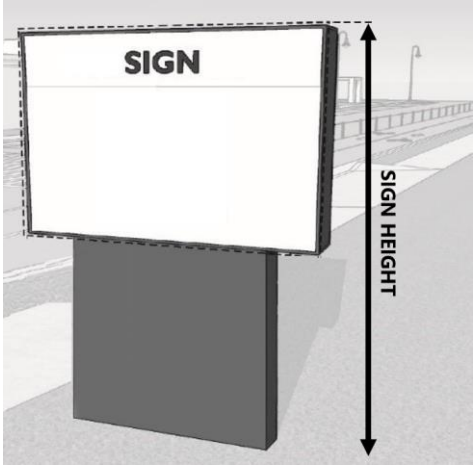
B. **Sign Height and Clearance.**

1. Sign height shall be measured as the vertical distance from the base of a

sign (or sign structure) to the highest point of the sign (or sign structure) including any appurtenances or architectural features (see Figure 5.2.3.2).

2. Sign clearance for signs attached to a structure shall be measured vertically from the sidewalk level to the lowest point of the sign.

Figure 5.2.3.4. Sign Height Illustration



5.2.4. PERMITTED SIGN AREA AND NUMBER OF SIGNS

A. **Building Signs.** Building signs include wall, window, canopy/awning, and projecting/blade signs. For the purposes of this section, the maximum area of all building signs shall not exceed the standards below. Additional specific standards are required for each sign type per Section 5.2.6: Sign Type Specific Standards

1. **Residential Districts.** All permitted building signs in residential districts shall not exceed the standards below:
   a. Building signs for permitted uses in residential districts shall not exceed twenty-five (25) square feet in sign area.

2. **Non-Residential Districts.** All permitted building signs in non-residential districts shall not exceed the standards in Table 5.2.4. Additional specific standards are required for each sign type per Section 5.2.6: Sign Type Specific Standards.

Table 5.2.4. Non-Residential Building Sign

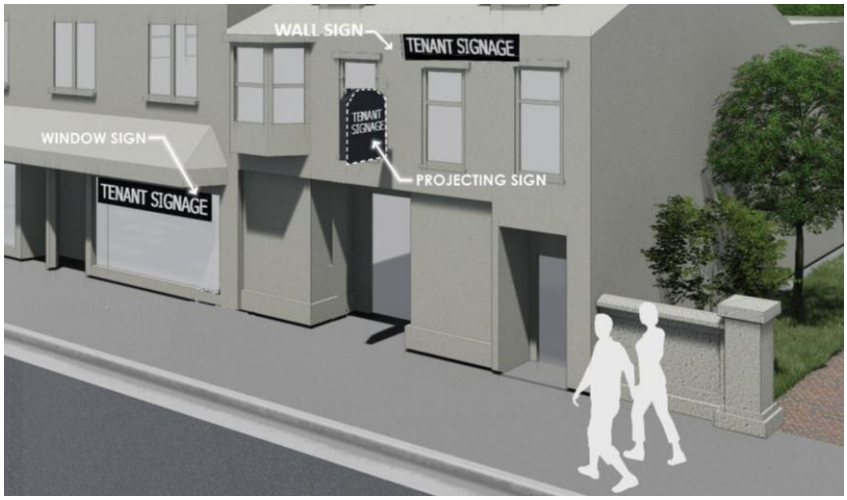
Length of Building or Tenant Space (Requires Public Entrance)	Sign Area Per Building/Tenant Frontage
Up to 100 linear feet of building frontage (single use or multitenant)	Eight (8) percent of the facade not to exceed 200 square feet in total
101 or more linear feet of building frontage (single use or multitenant)	Twelve (12) percent of the facade not to exceed 200 SF total

B. **Freestanding Signs.** Freestanding signs include monument and subdivision signs as defined in this section. Additional specific standards are required for each sign type per Section 5.2.6: Sign Type Specific Standards.

C. **Total Number of Signs.** A tenant/business is permitted a maximum number of signs as identified below. A tenant/business shall be defined as an owner or lease holder of the individual building/unit within a building.

1. **Building Signs**. A total of three (3) building signs may be permitted per tenant/business. Such signs shall be permitted only on a building frontage along a public or private roadway, or along a parking lot serving the building.

Figure 5.2.4. Illustrative Example of Building Signs



a. **More Than One Street Frontage**. For buildings with more than one (1) street frontage, the total maximum area of building signs shall be based only on the linear feet of the building frontage or tenant space fronting along the primary frontage which includes a public entrance.

2. **Freestanding Signs.** A maximum of three (3) freestanding signs are permitted per development, subject to the specific standards for the type of freestanding sign per Section 5.2.6: Sign Type Specific Standards.

5.2.5. PERMITTED SIGNS BY ZONING DISTRICT

A. **Permitted Signs**. Signs subject to the standards of this section are permitted in zoning districts per Table 5.2.5.

Table 5.2.5. Permitted Sign Types By Zoning District

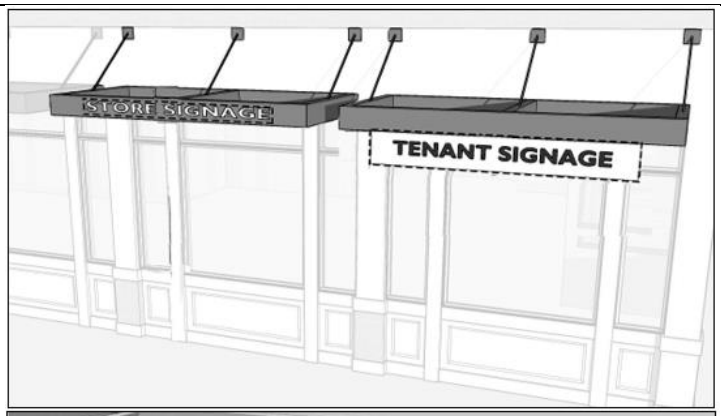
PERMITTED SIGNS		RURAL RESIDENTIAL (RR)	SUBURBAN NEIGHBORHOOD (SN)	TRADITIONAL NEIGHBORHOOD (TN)	MEDIUM DENSITY (MD)	HIGH DENSITY (HD)		OFFICE PROFESSIONAL (OP)	COMMERCIAL GENERAL (CG)	BUSINESS AND TECHNOLOGY (BT)	MANUFACTURING AND LOGISTICS (ML)		GREER STATION DOWNTOWN (GS)	NEIGHBORHOO CENTER (NC)	REGIONAL CENTER (RC)	COMMERCIAL CORRIDOR (CC)
BUILDING SIGNS	RESIDENTIAL DISTRICTS						NONRESIDENTIAL DISTRICTS					MIXED-USE DISTRICTS				
Wall		X	X	X	P	P		P	P	P	P		P	P	P	P
Canopy/Awning		X	X	X	X	X		X	X	P	X		X	X	X	P
Projecting		X	X	X	X	X		X	P	X	X		P	P	P	P
FREESTANDING																
Monument		X	X	X	X	X		P	P	P	P		P	P	P	P
Subdivision		P	P	P	P	P		P	P	P	P		P	P	P	P
Pole/Pylon		X	X	X	X	X		X	P	P	P		X	X	X	P
OTHER SIGNS																
Sidewalk		P	P	P	P	P		P	P	P	P		P	P	P	P
Window		X	X	X	P	P		P	P	P	P		P	P	P	P

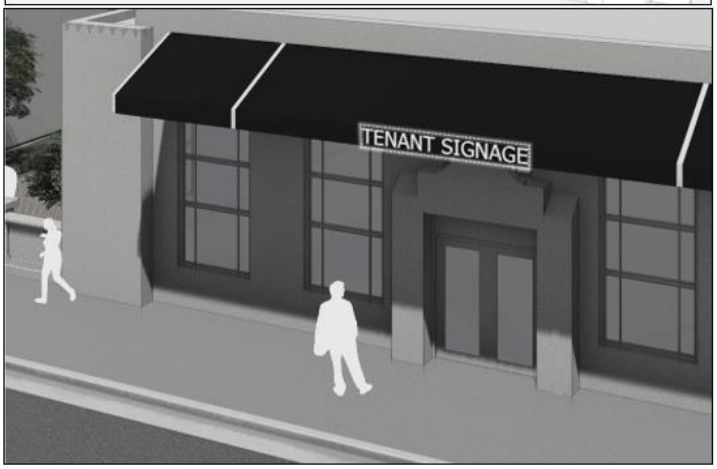
5.2.6. SIGN TYPE SPECIFIC STANDARDS

A. **Wall Signs**

A. Definition	Wall signs are an on-premise sign, attached directly to a building wall ~~above the entrance.~~ A wall sign may include murals conveying the name of a business or a commercial message. A sign permit is required.
B. Location	~~Directly above entrance, located on the supporting building wall~~. May not extend above any parapet wall or roof line more than twelve (12) inches. May not project more than twelve (12) inches from the building face.
C. Specific Standards	Wall signs are limited to one (1) per facade, per building tenant. ~~Wall signs shall not be placed on a wall that does not face a public street or parking area.~~ A maximum three (3) complimenting colors may be permitted per wall sign. Sign materials shall be of similar style and compliment the building facade material.

B. **Canopy/Awning Sign**





A. Definition	A canopy/awning sign is a canopy/awning that is attached to and extends from the building, with attached signage. A sign permit is required.
B. Location	Canopy/awning signs shall have a minimum clearance of ten (10) feet from the surface below and a maximum height of four (4) feet above the clearance.
C. Specific Standards	Signs may not extend outside the overall length or width of a canopy/awning or extend above the height of the building wall to which the canopy/awning is attached. Sign materials shall be of similar style and compliment building facade material. Only awnings on the first story may contain signs.

C. **Projecting Sign**

A. Definition	A projecting sign is a sign that is attached directly to a supporting building wall and intersects the building wall at a right angle. A projecting sign typically extends more than one (1) foot from the building wall. The sign may be flat or three -dimensional. A sign permit is required.
B. Location	No projecting sign is allowed to extend above the roof line or the parapet wall.
C. Specific Standards	One (1) sign per tenant, maximum. Projecting signs on multi-tenant building shall be evenly, horizontally distributed along the façade of the building.

D. **Monument Sign**

A. Definition	A monument sign is a freestanding sign with a supporting structure with columns on the ends of the sign, with or without a continuous base. A sign permit is required.
B. Size Standards	Sign Height: Maximum twelve (12) feet, including support structures, columns or other features including sign face. A development over 100,000 square feet may be permitted a maximum fifteen (15) feet in height sign as part of a site plan.

	Sign Area: For projects/developments up to five (5) acres, a maximum fifty (50) square feet (single tenant) and one-hundred (100) square feet (multi-tenant). For projects/developments five (5) acres or greater, a maximum one-hundred (100) square feet (single tenant) and two-hundred (200) square feet (multi-tenant). The sign area per sign of multi-tenant projects/developments may be calculated collectively to allow for the sign area to be proportionate to the area of the site occupied by each tenant.
C. Location	Projects/developments up to five (5) acres: One (1) primary sign and one (1) secondary sign. Projects/developments 5.0 acres or greater: One (1) primary sign and one (1) secondary sign per driveway/location from the public roadway, up to three (3) secondary signs maximum (total).
D. Specific Standards	Multi-tenant projects/developments with more than two tenants may not exceed the maximum number of signs or sign types as stated in 5.2.6.D.C.

E. **Subdivision Sign**

A. Definition	Subdivision signs are a freestanding sign identifying entry to a neighborhood or a subdivision. A sign permit is required.
B. Size Standards	Maximum Sign Width: Maximum twenty-five (25), excluding support structures, columns or decorative features without a sign face. Maxium Sign Height: Maximum eight (8), inculding support structures, columns or other features including sign face. Maximum Sign Area: For projects/developments up to five (5) acres, a maximum fifty (50) square feet (single tenant). For Projects/developments five (5) acres or greater, a maximum one-hundred (100) square feet (single tenant).
C. Location	Two (2) signs per entrance, maximum.
D. Specific Standards	Subdivision signs may be placed on a subdivision wall or fence provided that no part of the wall or fence exceeds six (6) feet in height.

F. **Sidewalk/A-Frame Sign**

A. Description	A sidewalk sign (also commonly referred to as a sandwich board or A-Frame) is a sign dedicated for the display of a message on a sidewalk in front of a business. A sign permit is not required.
B. Size Standards	Sign Text Area: Maximum eight (8) square feet per side. Sign Width: Maximum two (2) feet. Sign Height: Maximum four (4) feet.
C. Location	Each business is limited to one sidewalk sign, located only in front of the buidling entrance. A sidewalk sign may not be placed so as to obstruct the normal flow of pedestrian traffic.

G. **Window Sign**

A. Description	A window sign is a sign attached flat, but parallel, to the inside of a window, or within twelve (12) inches of the inside of the window. A sign permit is not required.
B. Size Standards	Sign Area: Maximum fifty (50) percent of all windows may be covered by a window sign per façade.
C. Location	Window signs may only be placed on first floor windows of buildings with street frontage.

H. Pole/Pylon Sign

E. Definition	A pole/pylon sign is a detached sign supported by one (1) centered pole structure or two (2) supporting poles structure on the ends of the sign. A sign permit is required.
F. Size Standards	Sign Width: Maximum eight (8) feet, excluding support structures, columns or decorative features without a sign face. Sign Height: Maximum six (6) feet, excluding support structrues, columns, or decorative features without a sign face. The maximum height including the signs supporting pole structures shall not exceed 30 feet.
G. Location	Minimum spacing 200 feet between pole/pylon signs. ~~Pole/pylon signs shall have a minimum clearance of fourteen (14) feet from the surface below and a maximum height of six (6) feet above the clearance.~~
H. Specific Standards	Sign materials shall be of similar style and compliment building façade material.

5.2.7. PROHIBITED SIGNS

A. **Types of Prohibited Signs**. The following signs and sign-types are prohibited within the City and shall not be erected. Any lawfully existing permanent sign or sign-type that is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign. Prohibited signs include:
   1. Signs prohibited by Federal or State law.
   2. Signs that emit sound (except for drive-through signs), vapor, smoke, odor, particles or gaseous matter.
   3. Revolving signs, flashing signs, inflatable signs, and wind signs.
   4. Portable signs, except for human held signs or those with a Temporary Sign Permit, which are exempt from this section.
   5. Roof signs.
   6. Any sign located on real property without the permission of the property owner.
   7. Off-premise signs that advertises goods provided on a different lot, tract, or site from where the sign is located. This provision shall not apply to neighborhood/subdivision signs. Billboards and outdoor advertising are not permitted but may continue as a nonconforming use. Billboards and outdoor advertising are required to be consistent with the South Carolina Highway Advertising Control Act.

5.2.8. EXEMPT SIGNS

A. **Types of Exempt Signs**. The following signs are permitted and may be erected in any zoning district (unless explicitly prohibited elsewhere in the UDO) without securing a permit. Exempt signs shall comply with all general sign standards. Exempt signs include:
   1. Signs required by Federal, State, or local laws, ordinances, codes, or regulations.
   2. Any sign integrated into or on an ATM, coin-operated machine, gasoline pump, vending machine, mailboxes, ice containers, or similar equipment or machine.
   3. Street address signs.
   4. Identification signs at the entrance of the property limited to three (3) square feet in area.

5. Signs inside a building or structure
6. On-site directional signs not exceeding three (3) square feet in sign area and three (3) feet in height.
7. On-site parking space signs not exceeding one (1) square foot of sign face per sign. One such sign shall be allowed for each parking space on the property.
8. Government signs located in public right-of-way.
9. Flagpoles and flags; Flagpoles shall not exceed twenty-five (25) feet in height in residential districts, thirty (35) feet in nonresidential districts.
10. Signage on fence wraps affixed to perimeter fencing at a construction site.
11. Signs, lights, figurines, and decorations that are temporarily displayed for a maximum of sixty (60) days at a time, three (3) times a year. Maximum four (4) square feet for any sign.
12. Human held signs that do not obstruct the flow of vehicular or pedestrian traffic.
13. Additional exemptions for individual residential lots:
    a. No internal or external lighting of the sign is permitted.
    b. Up to six (6) square feet of signage placed in a window or in a yard.
    c. An additional six (6) square feet of signage may be placed in a window or in a yard:
        i. Beginning forty-five (45) days before, and ending five (5) days after, a Federal, State, or local government election;
        ii. While the property where the sign is located is offered for sale or rent; or
        iii. Beginning three (3) days before, and ending one day after, a garage or yard sale.

B. **Standards for Exempt Signs.** Except for government signs, exempt signs may not be closer than five (5) feet from any property line. No sign may be closer than five (5) feet from any driveway, curb or edge of pavement. Signs which become visibly damaged must be removed.

5.2.9. NONCONFORMING SIGNS

A. **Applicability.** Determination of Nonconformity: Any sign constructed after the adoption date of the UDO and which is found to exist in violation of the UDO shall be declared to be illegally nonconforming and shall be removed after 30 days'

notice.

1. Requirement for Removal: If the owner or lessee fails to remove the sign during the permitted time, then Staff, or an independent contractor secured by the City shall remove the sign and the ensuing charges shall be assessed to the owner or lessee.
2. Loss of Legal Nonconforming Status: A legal nonconforming sign may lose this designation if:
    1. The sign is relocated or replaced; or
    2. The structure or size of the sign is altered in any way. This does not refer to normal maintenance or lettering changes on changeable copy signs;
    3. A tenant vacates a building, in which case all existing signs on awnings or canopies shall be removed.
3. **Maintenance And Repair of Nonconforming Signs.** An existing nonconforming sign cannot be modified in any way aside from routine maintenance without bringing the sign into conformity with this subject to the requirements

ii. **Mandatory Compliance.** All signs must comply with the standards of the UDO with the following provisions:

1. Any existing sign not meeting the requirements of the UDO shall be brought into compliance with the UDO before a business license will be issued for a new resident business. (This shall not apply to existing businesses annexed into the City). Any existing sign not meeting the requirements of the UDO shall be brought into compliance with this section before a business name can be changed.
2. Temporary nonconforming signs having obtained a sign permit before the adoption date of the UDO, shall be permitted to remain for the life of the permit.
3. Nonconforming supports and brackets and unused signs must be completely removed before a new sign is installed. Any holes in the building must be appropriately patched.
4. When any site or building alterations or expansions are proposed or the building remains vacant for more than 180 days, all non-conforming signs shall come into full compliance.

5.3. LANDSCAPING, BUFFERING, SCREENING, AND OPEN SPACE

5.3.1. LANDSCAPING

A. **Purpose and Intent.** The purpose of this section is to establish the minimum standards for landscaping within the city. The standards identified in this section intend to:

1. Reduce excessive heat, glare, and accumulation of dust;
2. Lessen visual pollution;
3. Ensure landscaped yards and screening that reduce the negative impacts of visual nuisances, noise, trash, and odors;
4. Enhance the appearance of buildings, parking areas, and sites by requiring landscaping;
5. Allow for innovative, cost-effective, and conservation friendly designs;
6. Aid in stabilizing the environment's ecological balance by contributing to air purification, oxygen regeneration, and limiting stormwater runoff;
7. Safeguard the public health, safety, and welfare; and
8. Ensure that the appearance of the city contributes positively to its growth, economic prosperity, and long-term wellbeing.

B. **Applicability.** All new development shall comply with the standards of this section.

1. **Repair or Renovation.** A building may be repaired or renovated without meeting the requirements of this section, provided there is no increase in gross floor area.
2. **Minor Site Change**. When a building or site is increased in gross floor area or improved site area by less than twenty-five (25) percent or twenty (20) parking spaces required landscaping is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.

3. **Major Site Change**. When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent or twenty (20) parking spaces, both the additional area and existing area must conform to the landscaping standards in this UDO, with the exception of interior parking island standards. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
4. **Change in Use.** A change in principal use shall not require compliance with this section, unless explicitly stated otherwise in this UDO.

C. **Landscape Plan / Submittal.** All applicable developments shall submit and receive approval of a landscape plan [as part of the required site plan] and may incorporate the parking/paving plan, provided the scale is not less than 1-inch equals 40 feet. Protection of existing vegetation, trees and plants [excluding invasive species] is encouraged and may be used to meet requirements of this section where permitted. The landscape plan at a minimum shall include the following:

1. Title of project
2. Dimensions, graphic scale, boundary lines and north arrow;
3. Name of Owner and Title, the identification of the person or firm responsible for the plan;
4. All landscaped areas as well as all required open space;
5. Existing vegetation, indigenous or native and trees which are to be maintained or preserved for credit;
6. Location, installation size, quantity, spacing and scientific / common name of landscaping plants to be installed;
7. Location of proposed structures and storage area;
8. Vehicle use areas, including parking, aisles, driveways, stalls, bays and lanes, paved surfaces and curbs;
9. Roadways, access and entry points;
10. Existing and proposed utility lines [overhead & underground] and easements;
11. Drainage features, proposed contours and 100-year floodplain, if applicable.

12. Tree / Vegetation Protection Plan, if applicable.

D. Alternative Landscaping Plan. If due to unique topography, location of site features, or size of a parcel makes the strict compliance of this section impossible, the Planning Director may approve an alternative landscaping plan. The alternative landscaping plan shall include visual examples of the alternative landscaping proposed and comply with the following:

1. The alternative landscaping plan achieves landscaping that is consistent with the intent of this section;
2. Tree planting requirements are not reduced and no invasive vegetation is included in the alternative landscaping plan;
3. All tree protection requirements of this section are met; and
4. The alternative landscaping plan provides landscaping that is equal or superior to the standards of this section.

E. Installation and Inspections. Required landscaping shall comply with the following standards:

1. All required plant materials shall be installed in accordance with the approved landscape plan and requirements of this section before a certificate of occupancy is issued by the city.
2. The City shall inspect landscaping prior to the issuance of a certificate of occupancy [unless a temporary certificate of occupancy or certificate of compliance has been granted]. An as-built plan shall be provided to the city for landscape improvements if the final design varies in substance from the original plan as determined by staff.
3. It is recognized that land development occurs continuously and that vegetation used in buffers should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this article and to reduce the potential expense of replacing buffering, landscaping or screening materials which were installed in an untimely or improper fashion, a letter of compliance must be filed with the Director at the time of zoning compliance review. A letter of compliance will allow the issuance of a conditional certificate of occupancy. This letter will

acknowledge that the applicant for a certificate of zoning compliance is aware of any buffer, landscaping or screening requirements which may apply to their property and that the applicant will comply with those requirements by a specific date, generally to be within the next planting season, but in no case more than one year after the completion of construction of that portion of the project or building for which the certificate was issued. In no event shall a final certificate of occupancy be issued prior to emplacement and approval of the required buffer, landscaping or screening. Failure to comply with the provisions of this section within the time noted in the letter of compliance will be a violation of the unified development ordinance.

F. **General Landscaping Standards.** The following general standards shall apply to all landscaping requirements in this article.

1. **Purpose and Intent.** The purpose of this section is to identify acceptable plant species for landscape, buffer, and screening requirements. Further, this section intends to optimize landscaped areas by approving:
   a. Plant species that are suitable for the climate of the City of Greer, South Carolina area. The type of plants used can be those on the approved "Species List," ~~or~~ plants on the USDA Hardiness List of Plants in Zones 7 & 8, or plans on the American Standard for Nursery Stock Z-60.1.~~.~~
   b. Plant species that are native or non-invasive, providing shelter and/or food to native wildlife species.
   c. Plant species that are low maintenance by decreasing the need for irrigation and fertilizer.
2. **Placement.** Unless otherwise specified, the exact placement of required plants and structures shall be the decision of the developer and conform to ANSI A300 Standards. The type of plants used can be those on the approved "Species List" or plants on the USDA Hardiness List of Plants in Zones 7 & 8. Required landscaping shall be designed in such a manner as to impart its aesthetic character when viewed from any area accessible to the public or from adjacent properties.

3. **Plant Material.** Plant materials used for installation shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock," for each type (i.e., canopy tree, shrub, etc.) with minimum size as appropriate for the minimum caliper size designated below. Grass sod, when made a part of a buffer, must be healthy, clean and reasonably free of weeds, noxious pests or diseases. Plants shall be chosen from the recommended list.
   a. Alternate species may be substituted with the approval of the Planning and Zoning Staff Administrator.
   b. In no case shall a plant which has been identifies as invasive be included.
4. **Installation.** All landscaping/screening shall be installed in a sound, workmanlike manner and according to accepted good planting procedures with the quantity and quality of plant materials as described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements. All landscaping material shall be installed in a professional manner, and according to accepted planting procedures.
   a. **Planting Season.** It is recommended that all plant material be planted within the fall, ~~and/or~~ spring or winter growing seasons (October-March). If schedule or weather does not allow for the installation of the plant material within these windows, a temporary certificate of occupancy may be granted per this section.
5. **Species Diversity.** All developments shall provide a diverse plant palette to promote diverse habitats, fungus, and disease control, as well as enhance the city's natural aesthetic.
   a. In developments with multiple roadway alignments, tree species should vary from street to street.
   b. When the total number of trees required under the provisions of this article equals 20 or more, then no single tree species shall comprise more than 25 percent of the trees planted on the development site.

Total number of required trees	Minimum number of species required	Maximum percent of each species allowed
Less than 20	2	60%

20-50	3	40%
50-100	4	30%
100-150	5	25%
More than 150	6	20%

Total number of required shrubs	Minimum number of species required	Maximum percent of each species allowed
Less than 20	1	100%
20-50	2	60%
50-100	3	40%
100-150	4	30%
More than 150	5	25%

6. **Plant Sizes.** All plants used to meet the requirements of this UDO shall adhere to the following size standards.

Table 5.3.1. Plant Typologies and General Descriptions

TYPE	SIZE / SPREAD (AT PLANTING)	NOTES
Canopy (Large Shade) Trees		
Deciduous Canopy (≥ 35' height; ≥ 30' spread)	2.5" caliper 8' min. height	Installed along sidewalks in tree lawn / tree pit, parking lots, buffers and may be installed as a building / understory tree
Evergreen Canopy (≥ 18' height; ≥ 25' spread)	2.5" caliper 6' min. height	Installed along sidewalks in tree lawn / tree pit, parking lots, buffers and may be installed as a building / understory tree
*All multi-stem trees shall have at least 3 stalks with a minimum caliper of 2.0"		
Understory (Small/Medium) Trees		
Deciduous Understory/ Ornamental (≥ 15' height; ≥ 15' spread)	2" caliper 8' min. height	Installed along sidewalks May be installed as screening or accent. May be used to replace

		canopy tree where overhead utilities are present.
Evergreen (≥ 18' height; ≥ 15' spread)	2" caliper 8' min. height	Planted as a buffer between uses or used as screening or accent.
*All multi-stem trees shall have at least 3 stalks with a minimum caliper of 1.5"		
Shrubs		
Evergreen Shrubs	3 gallon or 24" height minimum (unless otherwise required)	
Deciduous / Ornamental Shrubs	2 gallon or 18" height minimum (unless otherwise required)	
Perennials	1 gallon minimum	
Ornamental Grasses	1 gallon minimum	
Ground Cover	1 gallon minimum / 4" pot for vining or spreading plants	

7. **Recommended Plant Species.** Recommended plant species are included in the table below.
   a. Alternate species may be substituted with the approval of the Planning and Zoning Staff Administrator.
   b. In no case shall a plant which has been identifies as invasive be included.

Table 5.3.2. Recommended Plant Species

Canopy (Large Shade) Trees		**STREET**	**BUFFER**
American Sycamore	Platanus occidentalis	X	X
Bald Cypress	Taxodium distichum		X
Chinese Elm	Ulmus parvifolia	X	
Cryptomeria	Cryptomeria japonica		X
Dawn Redwood	Metasequoia beodar		X
Cedar	Cedrus deodara		X

Ginkgo	Ginkgo biloba	X	
Japanese Zelkova	Zelkova serrata	X	
Japanese Pagoda	Styphnolobium japonica		
Little leaf Linden	Tilia cordata		
Live Oak	Quercus virginiana	X	X
Laurel oak	Quercus laurifolia		X
Red Maple	Acer rubrum	X	
River Birch	Betula nigra		
Schumard oak	Quercus schumardii	X	
Southern Magnolia	Magnolia grandiflora		X
Tulip Poplar	Liriodendron tulipifera		X
Water Oak	Quercus nigra	X	
White Ash	Fraxinus americana	X	
White Oak	Quercus alba		X
Willow Oak	Quercus phellos		X

Understory (Small/Medium) Trees		**STREET**	**BUFFER**
American Holly	Ilex opaca		X
Amur maple	Acer ginnala		X
Carolina Silverbell	Halesia Carolina		X
Crape Myrtle	Lagerstroemia indica	X	
Eastern Redbud	Cercis canadensis		X
Flowering Dogwood	Cornus florida	X	
~~Golden raintree~~	~~Koelreuteria paniculata~~	~~X~~	

Japanese Maple	Acer palmatum		
Kousa Dogwood	Cornus kousa		X
Kwanzan Cherry	Prunus serrucata		X
Little Gem Magnolia	Magnolia grandiflora 'little gem'		X
Pissard plum	Prunus cerasifera		X
Saucer Magnolia	Magnolia Soulangiana		X
Yoshino cherry	Prunus yedoensis		

SHRUBS		**SCREEN**	**BUFFER**
Azalea	Rhododendron obtusum		
Carissa Holly	Ilex cornuta 'Carissa'	X	X
Dwarf Boxwood	Buxus sempervirens	X	X
Dwarf Yaupon Holly	Ilex vomitoria	X	X
Dwarf Buford Holly	Ilex cornuta 'bufordii'	X	X
~~Evergreen Euonymus~~	~~Euonymus japonicus~~	~~X~~	~~X~~
Glossy abelia	Linnaea x grandiflora	X	
Inkberry Holly	Ilex glabra	X	X
Japanese Holly	Ilex crenata	X	X
Leatherleaf Viburnum	Viburnum rhytidophyllum		X
Loropetalum	Loropetalum chinensis	X	X
Parson's Juniper	Juniperus chinensis 'Parsonii'		

Pittosporum	Pittosporum tobira		
Podocarpus	Podocarpus macrophyllus	X	X
Sweet viburnum	Viburnum odoratissimum	X	X
~~Tamarix Juniper~~	~~Juniperus sabina~~		

8. **Prohibited Plant Species.** The following are prohibited from being used to meet these requirements due to problems with hardiness, maintenance, and nuisance. All invasive species, including but not limited to the species listed below, shall be prohibited.~~:~~
   d. Bradford pear
   e. Kudzu vine
   f. Purple loosestrife
   g. Japanese honeysuckle
   h. Shrub honeysuckle
   i. Autumn olive
   j. Common privet
   k. Tree of Heaven
   l. Lespedeza
   m. Wisteria
   n. Garlic Mustard
   o. Paulownia
   p. Multiflora Rose
   q. Siberian Elm
   r. Mimosa
   s. Mulberry
   t. Silver Maple
   u. Princess Tree
   ~~t.~~v. Nandina
9. **Site Elements**
   a. **Fences/Walls.** All fences and walls are required to comply with the standards of Section 5.5: Fences, Walls, and Berms.

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b. **Stabilization.** All required landscaping shall be stabilized and maintained with vegetative cover or mulch. Vegetative cover shall be installed and utilized to minimize erosion on all slopes greater than fifteen (15) percent or 3:1. Mulch material shall consist of shredded softwood or hardwood mulch, pine straw, rocks, brick chips, and similar items. [Rubber mulch is not acceptable]. Mulch shall be placed to a minimum depth of two inches. Each tree must have a ring of mulch no less than 24 inches beyond its trunk, and no greater than its dripline, in all directions.

c. **Planters.** If a development provides planters, the following standards shall apply:
    1. Minimum height of plant material in the planter shall be six (6) inches at time of planting.
    2. Planters shall be constructed of masonry, stone, treated lumber, steel, aluminum, concrete, and similar durable and high-quality materials. Other materials may be approved by the Planning Department.

d. **Multi-Phased Developments.** Multi-phased development shall install landscaping that is associated with the active phase or phases only, unless an alternative arrangement is otherwise agreed to. An active phase of a development is the one that is subject to permitted and on-going development activity.

e. **Overhead/Underground Utilities.** Landscaping plans, including plant spacing and species selection shall be such that landscaping required under this article does not conflict with overhead/underground utilities.

f. **Water Conservation.**
    1. Irrigation systems, if used shall be operated by an automatic irrigation controller and/or timer.
    2. All required irrigation systems must be designed to minimize the application of water to impervious areas.

G. Maintenance Standards. Maintenance of landscaping shall be the responsibility of the owner of the property (including Homeowner's Association, Property Owner's Association, or similar entity). Standards for tree maintenance should

align with best management practices according to the International Society of Arboriculture (ISA) and the Tree Care Industry Associate (TCIA).

1. All Landscaping, including landscaping used for buffers and screening purposes, shall be designed, and maintained according to sound landscape and horticultural practices. All plant material shall be maintained in an attractive and healthy condition. All plant material shall meet or exceed size and shape relationships specified in the latest edition of The American Standard for Nursery Stock published by the American Association of Nurserymen
2. All fences/walls shall be maintained in the condition in which they were originally permitted (i.e. in good, clean condition).
3. Dead or diseased plant material shall be removed and replaced in accordance with this section. In instances where existing plant material has been disturbed or damaged, replacement of plant material shall comply with the below standards:
   a. Any tree with a caliper of at least eight (8) inches shall be replaced with one (1) or more tress which have a caliper of at least two (2) and one-half (1/2) inches and a cumulative caliper equal to or greater than one half (1/2) of the original tree.

H. Tree Protection and Replacement / General Purpose

1. **Purpose and Intent.** The purpose and intent of this subsection is to protect existing tree cover; facilitate the incremental growth of the city's tree canopy; enhance and preserve the environmental and aesthetic qualities of the city; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.
2. **Applicability.** Except as stated herein, the requirements of this section shall apply to all land disturbing activities that require permit for existing and new development.
3. **Exemptions:** The following developments and activities shall be exempt from this section except where otherwise noted below:
   a. Any residential development two or less acres in size;

b. The removal of diseased, dead or naturally fallen trees, or trees that are found by the administrator to be a threat to the public health, safety, or welfare;
c. The selective and limited removal of vegetation or trees under ten inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
d. The selective and limited clearing of utility easements to maintain their intended function

4. **Tree Save Area Requirement.** At least ten (10) percent of the site area shall be preserved for existing trees.
   a. The preserved Tree Save Area must be fully forested. Gaps or clearings in the tree cover must be replanted at a rate of 36 trees per acre.
   b. Non- native or invasive plants shall not be used as Tree Save Area.
   c. If less than 10 percent of the site area contains existing trees, new trees must be planted in the Tree Save Area at a rate of 36 trees per acre so that the total Tree Save Area equals 10 percent of the site area.
5. **Significant Tree Mitigation.** Significant trees, defined as trees at least twenty (20) inches diameter at breast height (DBH) and in good health, shall be tagged prior to any site clearance and be preserved if within required buffers or setback areas. Any significant tree removed must be replaced with 1 unit/2" of caliper.
   a. In any case where a significant tree is removed from a required buffer or setback area, it shall be replaced with at least four (4) or more trees of similar species and a minimum caliper of two (2) inches as measured from two and one-half (2½) feet above grade level
6. **Heritage Trees.** Trees ~~sixty~~ thirty (~~60~~30) inches or greater DBH, native species and in good health, regardless of location on site, must be preserved and shall not be removed. [A certified Arborist may be used to certify the health of a tree].
7. **Credits and Incentives to preserve vegetation.** If existing trees are preserved to meet buffer or interior planting requirements, then a

reduction in new planting requirements shall be buffer or interior planting requirements, then a reduction in new planting requirements shall be given.

a. Protected trees may be credited toward the landscaping and buffering requirements of this UDO at the following rate:
   1. 1 tree (6”-12” DBH) = 1 planted tree credit
   2. 1 tree (12”-20” DBH) = 2 planted tree credits
   3. 1 tree (over 20” DBH) = 4 planted tree credits
b. Diseased, dead, pine trees, and invasive species cannot count towards the tree credit.
c. In order to receive credit, protected vegetation must be in good health and condition. Trees designated to be protected must be indicated on the site plan and on landscape and grading plans. Protective barriers, if utilized in accordance with section 8 below, must also be shown on the landscape and grading plans. A protected tree shall be replaced with the total number of trees which were credited to the existing tree under the following circumstances:
   1. When the developer has elected to protect existing trees during construction in accordance with section 8 below, if the protected tree dies within five years of completion of the project;
   2. When the developer has not elected to protect existing trees in accordance with section 8 below, if the protected tree dies within ten years of completion of the project.

2. **Protection of Existing Trees during construction.** The regulations contained in this paragraph shall apply in those circumstances when a developer has elected to protect trees during construction.
   a. **Critical Root Zone.** The critical root zone of each preserved tree must be within the protective yard. No tree disturbing activity is permitted within the critical root zone.
   b. **Grading.** No grading or other land-disturbing activity can occur on a site with existing trees which are designated to be preserved in order to meet landscaping requirements until protective barriers are installed by the developer and approved by the community development director or a designee appointed by the community

development director. Trees designated for preservation which are counted toward the landscape requirements must be protected by barriers, while trees designated for preservation which do not count toward the landscape requirements are encouraged to be protected by barriers. The diameter of the preserved trees and the location of protective barriers must be shown on landscape and grading plans with the dimension between the tree trunk and barrier indicated

c. **Protection.** Barricades shall be placed around the critical root zone of preserved trees that are within 50 feet of any grading or construction activity. The critical root zone is a circle extending around the tree with a one-foot radius for every one inch of tree diameter. For example, a ten-inch diameter tree would have a barricade surrounding it, erected ten feet away from the trunk. All protective barriers must be maintained throughout the building construction process. Protective barriers shall consist of either:
    1. A fence which is at least three feet high and constructed in a post and rail configuration, using two-by-four posts and one-by-four rails; or
    2. A fence with two-by-four posts placed no farther than ten feet apart covered with a four-foot orange polyethylene laminar safety fencing.
d. All contractors must be made aware of the areas designated for protection. No disturbance can occur within the tree protection areas including the following:
    1. Parking and Storage of debris or materials, including topsoil or the disposal of hazardous wastes or concrete washout is prohibited within the dripline of protected trees.
    2. Attaching of nails, ropes, cables, signs, or fencing to any tree designated for protection.
e. If any area within the critical root zone will be disturbed for any reason, a registered landscape architect or certified arborist, may recommend measures to minimize any potential impact and certify that the activity will not damage the tree under normal circumstances.

f. The developer should coordinate with utility companies early in the design process to resolve potential conflicts about the placement of utilities and landscape requirements. Utilities must either be placed outside of the tree protection area or, with planning department approval, tunneled at least two feet directly below the tree roots, to minimize root damage.
g. If silt fencing is required to control sedimentation, the fencing must be placed along the uphill edge of a tree protection zone in order to prevent sediment from accumulating in the critical root zone area.

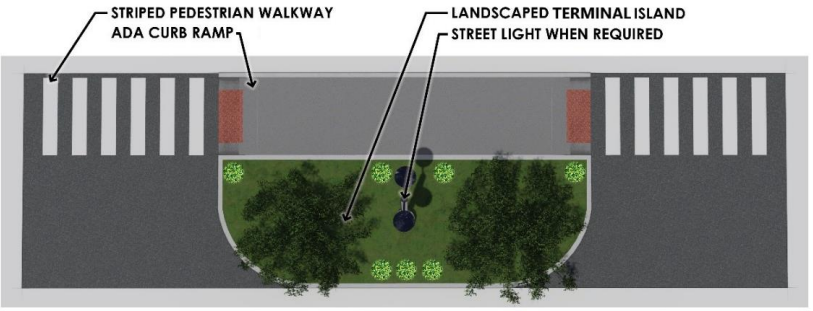
3. **Maintenance and replacement.** The owner of the property shall be responsible for protecting and maintaining the plants in the designated preservation areas in a healthy, growing condition and for keeping the area free of refuse and debris. The owner of the property shall be responsible for replacing the vegetation if they are destroyed or substantially damaged with trees whose total diameters equals the damaged or destroyed tree or trees at BHD.
4. **Protection Plan.** A Protection plan may be required as part of any landscaping plan as determined by the Director. Protection plans shall include and comply with the following standards:
   a. The Protection plan shall include a location plan and boundary line survey of the property.
   b. The Protection plan shall show the areas where trees, vegetation, and soils are to be protected and preserved and the areas where trees, vegetation, and soil are to be removed or modified.
   c. The protection plan shall demonstrate compliance with all vegetation protection standards of this section
   d. The Protection plan must show there will be no disturbances within critical root zones of trees. A critical root zone shall be protected from encroachment and damage. The preferred method is to restrict access by installing a barrier to keep materials, people, or equipment out of the critical root zone. The critical root zone area shall remain free of all building materials and debris
   e. Once a protection plan has been approved, no preserved tree shall be removed unless the city determines that there is no reasonable way the

property can be otherwise developed, improved, or properly maintained, and the tree itself retained.

I. Parking Area Landscaping Standards

1. **Accessibility**. Nothing in this section shall deny ADA accessibility within parking lots nor deny the placement of crosswalks and sidewalks through parking lots (including terminal islands, interior islands, and divider medians) required for pedestrian safety.
2. **Parking Terminal Islands Standards.** The following standard shall apply to all terminal islands within parking lots:
   a. Each row of parking spaces shall end with terminal islands to separate parking from adjacent drive lanes.
   b. Each terminal island shall measure at least two-hundred-seventy-five (275) square feet.
   c. Within terminal islands, one (1) canopy tree shall be required for every two-hundred (200) square feet (or fraction above one half thereof), with a minimum of one (1) canopy tree required per terminal island. Two (2) understory trees may be used to meet the requirement of this subsection.
   d. Terminal islands shall be landscaped with shrubs, accent plants, ornamental grasses, and ground cover, excluding sod, which is planted to provide one-hundred (100) percent coverage within two (2) years.
   e. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two (2) feet behind the back of the curb to provide for pedestrian access to parked vehicles.
   f. Lighting may be installed in parking terminal islands.
   g. Parking areas not visible from the street, excluding alleys, shall not be required to install terminal islands.

Figure 5.3.1. Terminal Island Landscaping Illustrative Example

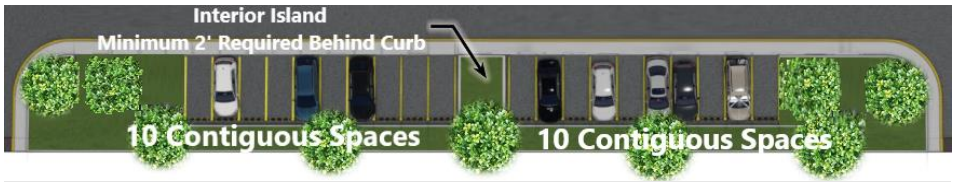


3. **Parking Interior Islands Standards.** The following standard shall apply to all interior islands:

    a. Interior islands shall be used to ensure there are no more than ten (10) contiguous parking spaces.
    b. Each interior island shall measure at least ten (8) feet in width by eighteen (18) feet in length, measured from the inside of the curb.
    c. The Planning Director may reduce the required width and/or length by up to three (3) feet where existing site constraints make compliance impracticable, or where such reduction will allow preservation of existing trees.
    d. Interior islands less than five (5) feet in width, measured from the inside of the curb, may be utilized but shall not be credited towards interior landscaping.
    e. Within interior islands, one canopy tree shall be required for every two-hundred (200) square feet (or fraction above one half thereof), with a minimum of one (1) tree required per interior island.
    f. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two (2) feet behind the back of the curb to provide for pedestrian access to parked vehicles.
    g. Lighting may be installed in parking interior islands but shall be at least fifteen (15) feet from trees.
    h. Bioswales, rain gardens, and other forms of low impact development (LID) located within parking lot islands are encouraged to help mitigate stormwater runoff. These applications

should follow best management practices for landscape design and planting

Figure 5.3.2. Interior Island Landscaping Illustrative Example



4. **Parking Divider Medians Standards.** The following standard shall apply to all parking divider medians:
    a. Landscaped divider medians shall form a continuous landscaped strip between abutting rows of parking areas or access drives.
    b. The minimum width of a divider median shall be a minimum seven (7) feet, measured from the inside of the curb.
    c. One (1) canopy tree or two (2) small understory trees shall be required for each thirty (30) linear feet of divider median (or fraction above one half thereof).
    d. Shrubs shall be planted in divider medians which separate parking areas from access drives to form a continuous hedge the full length of the divider median.
    e. Lighting must be provided within divider median(s).
5. **Parking Perimeter Plantings.** Parking perimeter plantings shall be provided on the perimeter of all parking lots. Parking perimeter plantings shall comply with the following standards:
    a. Required plant material shall be placed adjacent to the perimeter of the parking area.
    b. Parking perimeter plantings shall consist of a single continuous row of shrubs planted no greater than three (3) feet on-center and within five (5) feet of the parking lot edge and may also include trees.
    c. Shrubs used for parking perimeter planting shall be of a minimum height of thirty (30) inches above grade within three years of

planting. Shrubs may not exceed a height of four (4) feet and shall be pruned and maintained.

d. Where parking lots are adjacent on different lots, parking perimeter plantings or other forms of screening are not required along the common boundary between the two parking lots. This includes developments configured as a single, unified development.

Figure 5.3.3. Parking Landscaping Illustrative Example

5.3.2. BUFFERING

A. **Purpose and Intent.**

1. This section defines the minimum required buffering standards for the City of Greer.
2. The buffering standards of this section intend to minimize potential nuisances between adjacent properties and rights-of-way, including noise, pollution, lights, buildings, and / or parking areas through physical and visual separation.

B. **Applicability.** All new development shall comply with the standards of this section.

1. **Repair or Renovation.** A building may be repaired or renovated without requiring buffering per the requirements of this UDO provided there is no increase in gross floor area.

2. **Minor Site Change**. When a building or site is increased in gross floor area or improved site area by twenty-five (25) percent or less, buffering is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
3. **Major Site Change**. When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, both the additional area and existing area must conform to the buffering standards in this UDO, to the maximum extent possible. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
4. **Change in Use.** A change in principal use shall not require compliance with this section, unless explicitly stated otherwise in this UDO.
5. **Single-Family Exemption.** Development or redevelopment of individual single-family dwellings, not part of a new subdivision approval, are exempt from the standards of this section.

C. **Perimeter Buffer General Standards.** A perimeter buffer (i.e., buffer) area is determined exclusive of any required setback, however perimeter buffers may be located in required setback. Perimeter buffering shall comply with the standards below:

1. Perimeter buffer areas must be located within the outer perimeter of the lot, parallel to and extending to the lot line. Buffers are understood to be located and measured from the property line.
2. Perimeter buffer areas shall consist of a landscaped buffer intended to mitigate and screen the property from adjacent properties. No buildings, structures, principal or accessory uses, nor parking or drive aisles are allowed in the buffer. Uses such as driveways, pedestrian or bicycle trails, utilities, stormwater, parks, and general open space are allowed within required buffers.
3. Perimeter buffers begin at the common property line, immediately abutting the adjacent property.

4. Where there is a perimeter easement (such as a drainage or utility easement) that does not allow for the installation of the buffer, then the required buffer shall be placed as close to the property line, adjacent to the easement, as possible.
5. Required plant material shall be planted within the buffer.
6. Plant material may be planted parallel to the buffer perimeter or may be meandered for aesthetic purposes. Buffers may incorporate greater width and additional plant materials.
7. Fences, walls, and berms shall be installed inside the buffer, not along outer perimeter and / or boundary line. The highest point of any berm shall exist in the middle of the required buffer. Any required fence or wall shall be installed at the highest point of the berm.
8. Where non-residential uses abut residential uses, required plant material shall be installed in front of any required fence so the required plant material is completely visible from the adjacent property or right-of-way and meet the standards of this UDO. The reverse applies when residential uses abut non-residential.
9. Trees and plants may be clustered. A Maximum ten (10) foot gap between plantings is permitted.
10. Minimum shrubs and hedges may be double staggered.
11. Buffers may be waived in areas where existing vegetated areas will remain undisturbed. Supplemental planting may be required.
12. Minimum planting standards for canopy trees:
    - **i.** *250 sf of planting area*
    - **ii.** *8' minimum width*
    - **iii.** *10' minimum distance from structures*
    - **iv.** *10' minimum distance from utilities*
13. Minimum planting standards for understory trees:
    - **i.** *200 sf of planting area*
    - **ii.** *8' minimum width*
    - **iii.** *8' minimum distance from structures*
    - ~~*i.*~~ *8' minimum distance from utilities*

D. **Perimeter Buffer Table.** Table 5.3.2.1 provides four (4) different perimeter buffers: Buffer 1, Buffer 2, Buffer 3, and Buffer 4.

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Table 5.3.2.1. Perimeter Buffer Table

	BUFFER 1	BUFFER 2	BUFFER 3	BUFFER 4
WIDTH	10 FT	15 FT	25 FT	50 FT
CANOPY TREES	2	3	4	8
UNDERSTORY TREES	0	1	2	4
SHRUBS	40	50	60	CONTINUOUS
FENCE HEIGHT	N/R	6 FT	N/P	N/P
WALL HEIGHT	N/R	N/R	6 FT	8 FT
BERM HEIGHT	N/R	N/R	N/R	5 FT

Notes:

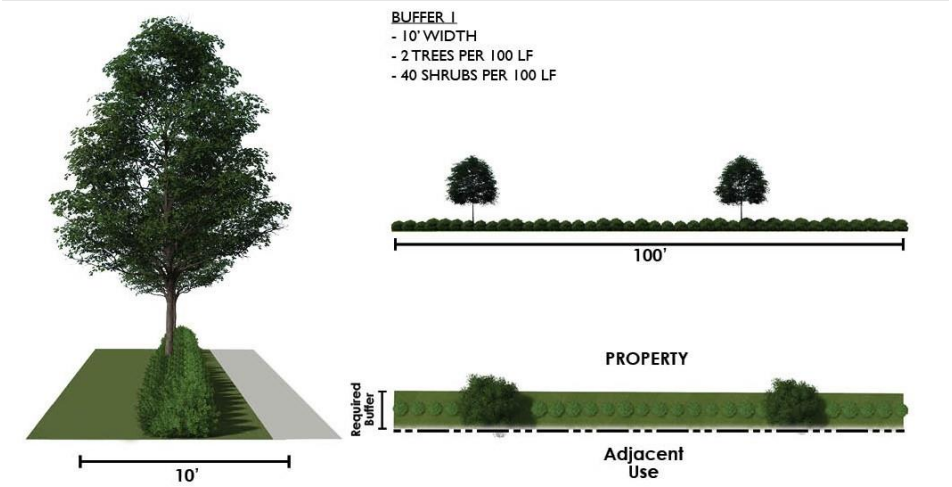
"N/R" = Not Required "N/P" = Not Permitted "Min" = Minimum

Measurements provided are per 100 linear feet and are minimum standards.

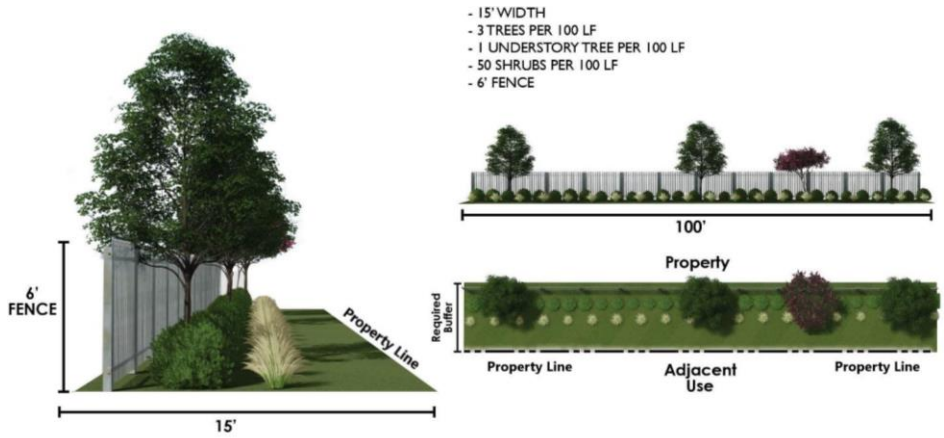
Plant materials required are quantities.

E. **Perimeter Buffers Illustration.** The following provides illustrative examples of buffers identified in Table 5.3.2.1.

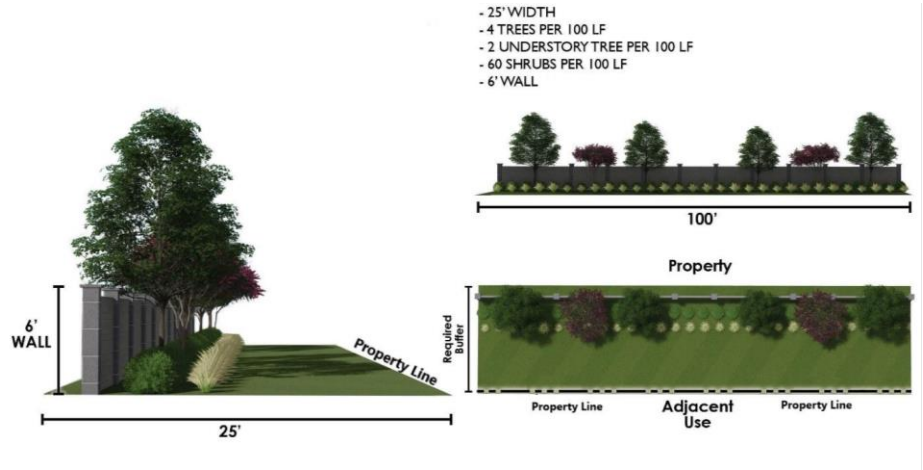
1. **Perimeter Buffer Type 1**



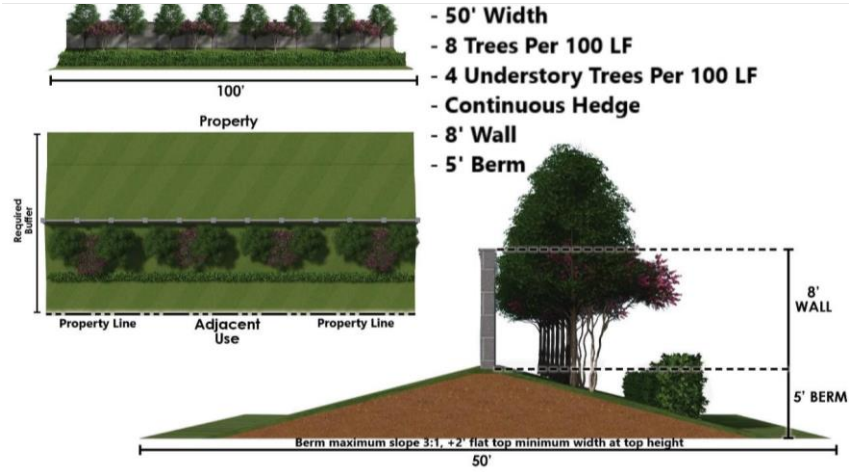
2. **Perimeter Buffer Type 2**



3. **Perimeter Buffer Type 3**



4. **Perimeter Buffer Type 4**



F. **Perimeter Buffer by District**

1. **Perimeter Buffer Table**. Table 5.3.2.2. identifies the required perimeter buffers required between zoning districts.
2. **Determination of Perimeter Buffer**. To determine the perimeter buffer type required, identify the zoning district of the land in which a development is proposed. Using Table 5.3.2.2, the intersection of the row associated with the zoning district of the proposed development and the column associated with the adjacent zoning district shows the buffer type required.
3. **Standards**. Buffer types required shall comply with the standards defined in Table 5.3.2.1: Perimeter Buffer Types Table.

Table 5.3.2.2. Required Perimeter Buffer by District

ZONING DISTRICT	RR, SN, TN	MD , HD	OP	CG	BT, ML	GS, NC	RC, CC
RR, SN, TN	1	2	2	3	4	2	3
MD, HD	2	1	2	2	3	2	2~~3~~
OP	2	2	X	2	2	1	2
CG	3	2	2	X	2	2	2
BT, ML	4	3	2	2	X	3	2
GS, NC	2	2	1	2	3	X	3
RC, CC	3	2~~3~~	2	2	2	3	X

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G. **Perimeter Buffer Adjacent to Like District.**

1. When adjacent to property with the same zoning district, alternative buffer standards may be granted administratively by the Director or a designee.

H. **Perimeter Buffer Adjacent to Unincorporated Property.**

1. When adjacent to unincorporated properties, buffer requirements still apply. Staff will interpret the closest applicable zoning district. Alternative

buffer standards may be granted administratively by increasing the width of the buffer or the number of trees, both canopy and understory.

I. **Street Trees.** Any applicable development per this section that involves the construction of a new principal building along a right-of-way must provide the installation of street trees as follows:
    1. A minimum of one (1) street tree must be installed on the adjacent public rights-of-way, excluding any alleys, for each forty (40) linear feet of right-of-way frontage.
    2. All required street trees must be installed before the issuance of a certificate of occupancy. Street trees must be maintained in a healthy and growing condition until full maturity, or replaced as necessary by HOA, POA or similar entity.
    3. Street tree requirements may be waived or decreased at the discretion of the Planning Director if there are already the required number of trees established on the street or if specific locations of curb cuts, utilities, or other features conflict with the placement of trees. If there are overhead utilities, the Planning Director may also approve shrubs or small maturing trees instead of large maturing trees.

5.3.3. SCREENING OF SERVICE AREAS, MECHANICAL EQUIPMENT, AND DISPLAY

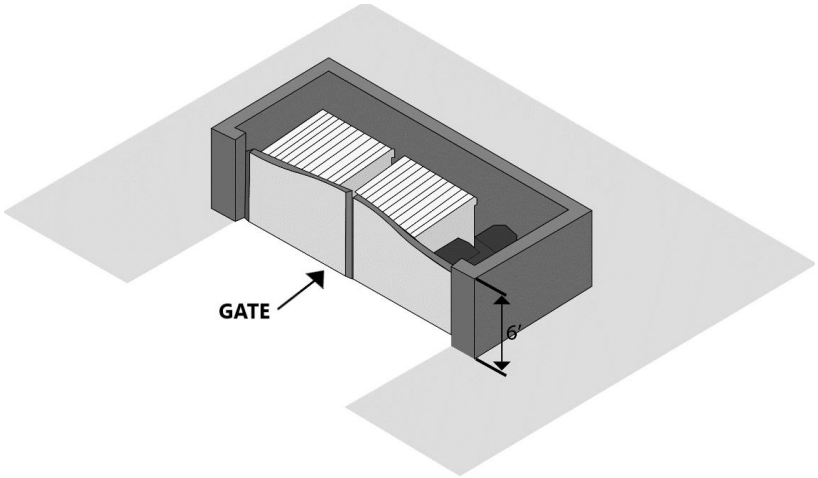
A. **Purpose and Intent.** This section defines the minimum required screening standards for service areas, mechanical equipment and commercial vehicle storage areas within the City of Greer. The standards of this section intend to minimize potential nuisances between services areas and mechanical equipment from neighboring properties including noise, pollution, and lights.

B. **Applicability**. All new service areas, installation of mechanical equipment, and commercial vehicle storage areas shall comply with the standards of this section.

C. **Service Areas**. Service areas shall include all trash and recycling (dumpsters), compactor, and similar areas.
    1. Service areas shall only be located on the rear or side of buildings.
    2. Service areas shall be screened on three (3) sides by a fence or wall enclosure a minimum six (6) feet in height. The fourth side shall be a solid

gate a minimum six (6) feet in height. The fence or wall shall comply with the design and material standards of this UDO.

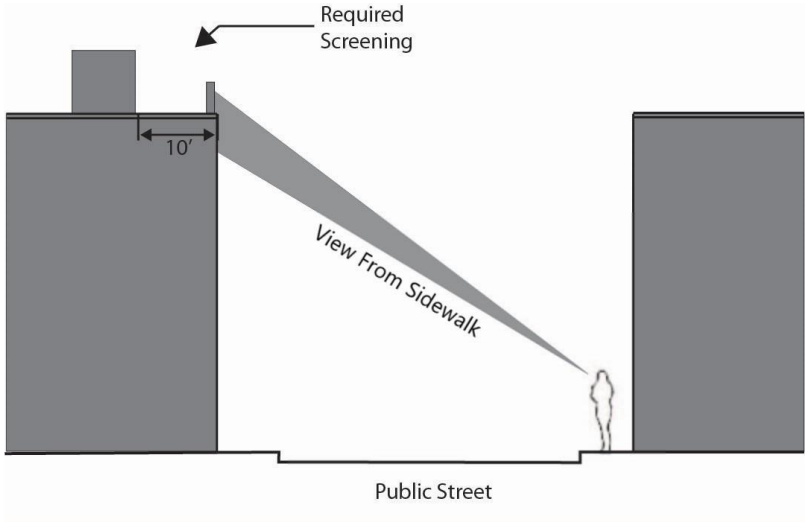
Figure 5.3.3.1 Service Area Illustrative Example



3. The enclosure and gate shall be maintained in clean, good, working order and be maintained in its permitted state. The gate shall remain closed except when trash pick-up occurs.

D. **Roof Mounted Mechanical Equipment**. Rooftop mechanical equipment shall comply with the following standards:
   1. Be setback from the edge of the roof at least ten (10) feet.
   2. Be screened from view of pedestrians at the ground level of the abutting public street or adjacent property through the use of a screen, parapet wall, or architectural element.
   3. The required screen, parapet wall, or architectural element shall consist of a design that is similar to the principal building in terms of material, texture, and color.

Figure 5.3.3.2. Roof Mounted Visual Appearance Illustrative

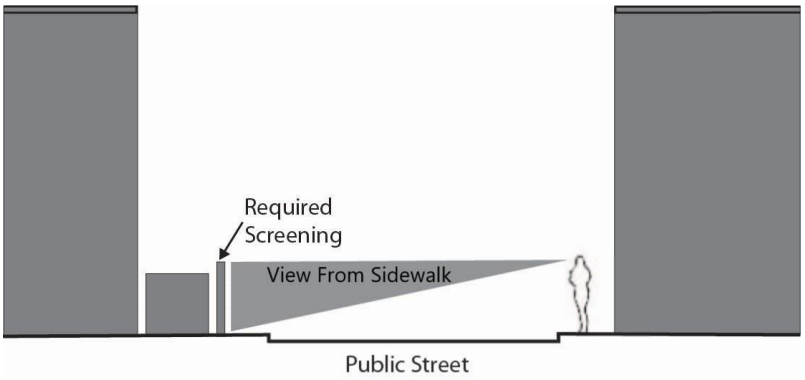


E. **Ground Mechanical Equipment.** Mechanical equipment located on ground level, and in-ground dumpsters, shall comply with the following standards:

1. Be located so that equipment is minimally visible from all pedestrian paths and rights-of-way.
2. Not encroach into pedestrian paths or sidewalks.
3. If visible from public rights-of-way or pedestrian path (not including an alley), the mechanical equipment shall be screened by a screen, landscaping, wall, or fence that meets the standards of this section. The required screen, wall, or fence shall be similar to the principal building in terms of material, texture, and color.
4. Screening of the mechanical equipment shall be equal to or greater than the height of the mechanical equipment.

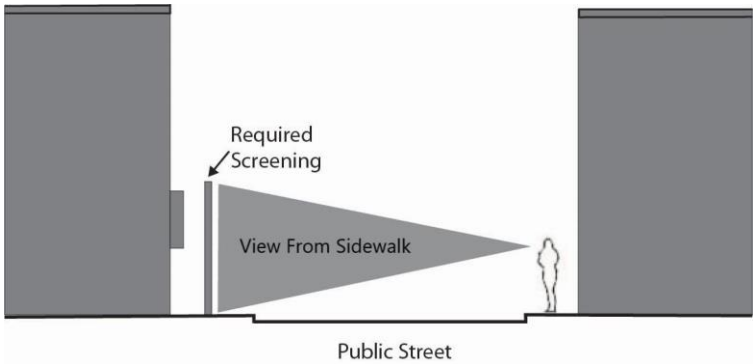
~~4.~~5. The Planning Director may reduce or waive screening requirements where existing site constraints make compliance impractical.

Figure 5.3.3.3. Ground Mounted Equipment Visual Illustrative



F. **Wall Mounted Equipment.** All equipment mounted on the walls of buildings shall comply with the following standards:
   1. Unless equipment is required for life-safety, wall mounted equipment shall not be installed on a wall within ten (10) feet of a sidewalk.
   2. If visible from public rights-of-way or sidewalk (not including an alley), the mechanical equipment shall be screened by a screen, landscaping, wall, or fence that meets the standards of this section. The required screen, wall, or fence shall be similar to the principal building in terms of material, texture, and color.
   3. Screening of the mechanical equipment shall be equal to or greater than the height of the mechanical equipment.

Figure 5.3.3.4 Wall Mounted Equipment Illustrative.



G. **Miscellaneous Utility Service Areas.** Utility service areas located outside the public right-of-way must be screened from public view. Screening shall consist of landscaping, fence or wall meeting the design requirements of this section. Screening is not required for utility service areas that are related to emergency services (i.e. fire hydrants).

H. **Commercial Vehicle Storage Areas.** Areas used to store commercial vehicles categorized as class 4 or higher of the Federal Highway Administration 13 Vehicle Category Classification must be screened from public view when viewed from the public right-of-way. Screening shall consist of landscaping, fence or wall meeting the design requirements of this section.

5.3.4. OPEN SPACE

A. **Purpose and Intent.** The purpose of this section is to require open space that requires preservation of natural features, ensures access to open areas, provides active and passive recreational opportunities, adds to the visual character of a development, and provides other public health benefits. Further, this section intends to:

1. Define minimum open space requirements;
2. Require for maintenance and upkeep of open spaces;
3. Promote open space that is accessible to the public in applicable developments; and
4. Expand opportunities for connectivity and quality of open spaces provided in the City.

B. **Applicability**. All new residential or mixed-use development shall comply with the standards of this section.

1. **Repair or Renovation.** A building may be repaired or renovated without requiring open space per the requirements of this UDO provided there is no increase in gross floor area.
2. **Minor**. When a building or site is increased in gross floor area or improved site area by twenty-five (25) percent or less, open space is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
3. **Major**. When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, open space must be provided for the total of the entire property. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
4. **Change in Use.** A change in use shall not require compliance with this section.

C. **Exemptions.**

1. **Single-Family**. Development or redevelopment of individual single-family dwellings, not part of a new subdivision approval, are exempt from the standards of this section.

D. **Open Space Forms.** Required open space shall be implemented through permitted open space forms identified in this section. Open spaces forms shall allow for public areas, semi-public areas, and / or private outdoor areas. All open space areas shall be landscaped in accordance with this UDO and provide uniform design and coordinated experiences for the user. The following open space forms are identified below:

1. **Pocket Park.** Pocket parks are intended to be implemented within residential developments and shall comply with the following standards.

a. Pocket parks provide may provide active and / or passive recreation uses.
b. Pocket parks shall include components such as (but not limited to) shade structures, gazebos, seating areas, multi-purpose lawn space, dog park, playground/play space, public art, sculptures, community gardens, landscaping, and trails.
c. Pocket parks may be designed around and include an environmental feature such as a stream, creek, but excluding wetland.
d. Pocket parks shall be a minimum five hundred (500) square feet in size.

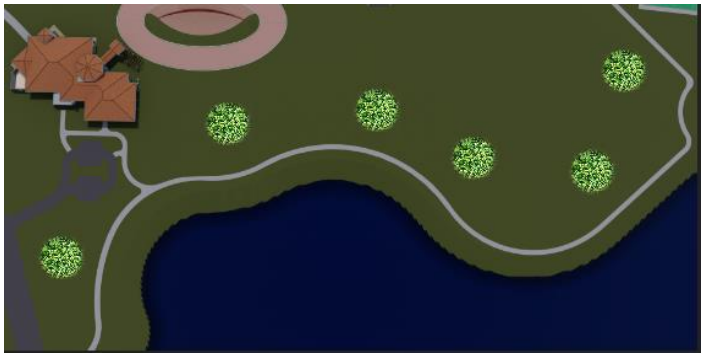
2. **Amenity Centers.** Amenity centers are primarily implemented in residential developments and shall comply with the following standards.

a. Provide recreational opportunities in residential developments.
b. May include (but is not limited to) features including pools, fitness facilities, splash pads, outdoor seating, clubhouse, small scale recreational facilities such as pickleball, soccer, or shuffleboard, and lawn games.
c. All features are intended to be utilized by residents and their guests only.

3. **Green.** A green provides larger, more informal spaces and are implemented in residential developments and shall comply with the following standards.

a. Shall provide for both active and passive recreation.
b. Shall be located within a ½ mile radius of the majority of residents.
c. May include but is not limited to shade structures, gazebos, seating areas, multi-purpose lawn space, playground/play space, limited/small scale recreational facilities.
d. Shall be a minimum ½ acre in size.

4. **Linear Park/Greenway.** Linear Park/greenway is an open space form that provides passive and active recreation and a formalized function (provides multimodal options and connectivity). Linear parks may be implemented in residential and nonresidential developments and shall comply with the following standards:



a. May be designed around a natural feature such as a stream, wetland system, stormwater facility, or other man-made or natural feature.
b. Shall connect with other open spaces or linear parks where practicable.
c. Shall feature improved or non-improved walkways that respect the natural environment in which they are constructed.
d. Walkways shall be a minimum eight (8) feet in width.
e. May include accessory structures such as gazebos, seating areas, playgrounds, and shade structures.

5. **Neighborhood Park.** Neighborhood parks provide active and passive recreational activities to residents of a residential development. Neighborhood parks shall comply with the following standards:

a. Shall provide for both active and passive recreation.
b. Shall include at minimum shade structures, seating areas, multipurpose lawns, and/or sport fields.
c. May include gazebos, community center, playground, pool, fitness center, and other appropriate uses.
d. A minimum twenty-five (25) precent of the park area shall be dedicated to active recreation uses as defined in this section.
e. Shall be a minimum one (1) acre in size.

6. **Active Use Areas.** Active use areas are primarily intended to allow for pedestrian activity within nonresidential developments and shall comply with the following standards.

a. Active use areas shall provide attractive, safe, and functional environments for the gathering of people, eating and drinking, and small-scale outdoor uses in a nonresidential environment.
b. Active use areas may include outdoor dining, small outdoor music venues, or flexible urban space.
c. Active use areas shall be a minimum one-hundred (100) square feet in area.

7. **Plaza/Square.** The plaza/square open space form serves as a more formal open space for the gathering of people for a wide variety of civic, social,

and commercial purposes. This open space form is primarily intended to be implemented in nonresidential developments. Plazas and square shall meet the following standards:

a. Shall provide a uniform and coordinated design of compatible materials, colors, pavers, seating, and structures.
b. Shall include outdoor lighting meeting the requirements of this UDO.
c. Shall require landscaping, foundation plantings, and green space in addition to impervious surfaces.
d. Shall be partially paved with brick, permeable pavers, or similar materials.
e. Shall require a focal point such as public art installations, fountains, gazebo, or similar structures.
f. Shall be a minimum ½ acre in size.

E. **Minimum Open Space Requirement**. The required amount of minimum open space in an applicable development shall be in accordance with this section. Open space shall be calculated as a percentage of the total square footage of a development. Each development shall also require a minimum number of open space forms (as identified in Section 5.3.4.D: Open Space Forms). For example, a

residential development in a residential district shall require that ten (10) percent of the total square footage of the development is open space. The open space shall be in the form of at least two (2) distinct open space forms, such as a pocket park and green.

Table 5.3.4.1. Open Space Requirements

MINIMUM OPEN SPACE REQUIREMENT		
ZONING DISTRICT	**MINIMUM OPEN SPACE PERCENTAGE (%)**	**MINIMUM REQUIRED OPEN SPACE FORM(S)**
Residential Districts		
0-10 Acres	10%	1
10-30 Acres	10%	2
Greater Than 30 Acres	20%	3 *1
~~**Nonresidential Districts**~~		
~~Less Than 25 Acres~~	~~5%~~	~~1~~
~~25-50 Acres~~	~~10%~~	~~2~~
~~Industrial Districts~~	~~0%~~	~~0~~
Mixed-Use Districts		
Less Than 25 Acres	10%	2
Greater Than 25 Acres	15%	2
Planned Developments and Design Review Districts are required to meet Open Space standards set forth in Section 2.4		
Notes: *1 - At least fifty (50) percent of dwelling units must be within one-half (½) mile of the majority of open space within the residential development.		

Cluster Subdivision Developments are subject to Open Space standards set forth in Section 7 – Cluster Subdivision Development.

F. **Open Space Design Standards.** The design and incorporation of open space in a development shall comply with the following standards:
   1. **Evenly Distributed**. Required open space shall be, to the maximum amount practicable with respect to environmental considerations and subdivision design, evenly distributed throughout the development.
   2. **Consolidation**. Required open space requirements shall not be consolidated to meet the standards of this section. It is the intent of this section to require multiple open space forms of varying sizes in each development where required.
      a. If the design, layout, or proposed uses within a development makes consolidation of open space appropriate, the applicant may request a waiver of this requirement from the Planning Director. The applicant shall provide a written narrative and graphical illustrations justifying the request.
   3. **Distance**. No two open space forms shall be adjacent or within one-hundred (100) feet of each other. Active use areas are exempted from this standard.
   4. **Accessible**. Open space shall be located and designed to be easily accessible for residents and/or users of the development. Open spaces shall make accommodations to provide universal designs that can be enjoyed by different target users and provide for ADA accessibility.
   5. **Public Seating**. Public seating shall be required. Public seating shall be appropriate to the intended use of the park area (i.e. benches may be appropriate for active spaces; Adirondack chairs and landscape terraces may be appropriate for passive spaces).
   6. **Receptacles**. Refuse and recycling receptacles are required at each entrance and gathering space.
   7. **Stormwater**. A maximum fifty (50) percent of total required passive open space may be stormwater facilities if publicly accessible, with an additional ten (10) percent allowance for projects utilizing Low Impact

Development (LID).through improved or primitive trail. For the purpose of this section, improved and primitive trails are defined below:

a. **Improved Trail**. An improved trail shall be defined as a clearly marked, paved, impervious trail.

b.7. **Primitive Trail**. A primitive trail shall be defined as an unpaved, pervious trail that consists of mulch, crushed stone, or similar material.

8. **Environmentally Sensitive/Unique Lands and Floodplains.** A maximum twenty (20) percent of total required passive open space may be environmentally sensitive or unique lands such as wetlands, protected stream buffers, rock outcroppings, and floodplains.
9. **Ponds and Lakes**. A maximum of five (5) percent of total required passive open space may be ponds and lakes not associated with stormwater retention if at least twenty-five (25) percent of the shoreline is a public edge, and public access is provided that is equivalent to the access provided to private landowners around the lake.
10. **Multi-Phased Developments.** In multi-phased developments, open space shall be provided for each phase in an amount sufficient to satisfy the open space requirements for the subject phase of development and all preceding phases of development.
11. **Areas Not Included In Open Space**. The following are not considered open space and cannot be counted toward minimum open space requirements:
    a. Private yards not part of an open space or conservation easement;
    b. Street rights-of-way or private easements
    c. Vehicular parking areas; and
    d. Designated outdoor storage areas.
12. **Active and Passive Features**. Within residential developments, a minimum of twenty-five (25) percent of all required open space (gross square footage) shall be dedicated and designed to allow for active recreation features. Active recreation and passive features are identified in Table 5.3.4.2.
    a. Active recreation is defined as recreational features, often requiring equipment and taking place at prescribed places, sites or

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fields, which allow for the active recreational needs of residents or users of the development which they serve.

b. Passive recreation is defined as recreational features that do not require prepared facilities like sports fields or pavilions and require minimal disruption to a site. These include such activities as walking paths and other features defined in Table 5.3.4.2.

Table 5.3.4.2 Active and Passive Features

ACTIVE FEATURES	PASSIVE FEATURES
Lawn Games and Concrete Gaming Tables	Walking Trails
Hard Courts (Pickleball, Tennis, Etc.)	Boardwalks
Playgrounds	Gardens
Swimming Pools and Splash Pads	Greens
Athletic Fields (Pickleball, Baseball, Etc.)	Picnic Areas
Clubhouse, Pavilions, Amenity Centers, Gazebos, Shade Structures	Lakes and Ponds
Exercise Facilities	Lawns and Natural Areas
Plazas	Greenways

G. **Ownership of Open Space.** Open space is intended to remain under private ownership while still being available for public use by residents and users of a development. Ownership of open space shall remain with the owner of the land unless one of the following circumstances exist:

1. **Homeowners Association (HOA) / Property Owners Association (POA).** Open space may be owned in common by the owners of a

development through a recognized homeowners association (or similar ownership association).

2. **Nonprofit.** Open space may be conveyed to a nonprofit organization (i.e. a conservation ground, land trust, etc.) for management. The nonprofit shall be required to manage and maintain the open space.
3. **Dedication.** Open space may be dedicated to the city during the review process if an agreement is made between the applicant and city. The city shall have final authority on which lands are dedicated to the city.

H. **Maintenance of Open Space.** The owner of open space shall be required to maintain the open space. This shall include regular maintenance of vegetation as well as infrastructure components (stormwater facilities, paths, impervious surfaces, amenities, etc.). Failure to maintain the open space in the condition in which it was approved will result in code enforcement action and potential penalty by the city.

5.4. PARKING AND LOADING

5.4.1. PURPOSE, INTENT, AND APPLICABILITY

A. **Purpose and Intent**. The provisions of this section must govern off-street parking and loading areas within the City. The purpose of this section is to ensure the City is served by adequate parking and loading facilities that are proportional to market demands and the generalized need for such uses. This section intends to:

1. Recognize parking and loading demands of uses;
2. Provide a range of adequate parking, vehicular and bicycle, and loading standards, receptive to market demand while providing flexibility to developments;
3. Provide for the safe movement of vehicles and pedestrians through off-street parking areas;
4. Allow for alternative parking options in certain defined circumstances;
5. Minimize (reduce) excessive areas of impervious surfaces dedicated to parking;

6. Provide for compatibility between parking and loading areas and adjacent uses as may be applicable; and
7. Provide for high quality, safe designs that will add to the aesthetic well-being of the City.

B. **Applicability**. No parking must be altered, replaced, converted, changed, or modified except in accordance with the requirements of this section. Off-street parking and loading areas must comply with the applicability standards below:

1. Off-street parking and loading areas must be provided in accordance with this UDO for all new development and redevelopment.
2. Permitted off-street parking and loading areas must be maintained and continued; modifications must require approval per this section.
3. Surface off-street parking and loading areas shall be constructed of concrete, asphalt or similar materials. Alternative parking surfaces are permitted per the standards within Section 5.4.4.A.16.
4. Off-street parking must be located on the same plot or parcel of land it is intended to serve, unless specifically permitted otherwise in this section.
5. No permit for new construction or an addition/expansion may be permitted until the parking requirements of this UDO have been met. If there is an increase in floor area, number of dwelling units, or seating capacity exceeding ten (10) percent, the required number of parking spaces and loading areas must be provided per requirements of this section.
6. A change in the use of a building must meet the parking requirements for that new use.
7. Maintenance, repair, restriping and similar providing there is no increase in the number of spaces of more than five (5) percent or 20 spaces, whichever is less, must not require improvement of the existing parking facilities to meet the standards of this UDO.

5.4.2. OFF-STREET PARKING REQUIREMENTS

A. **Off-Street Parking Plan**. Developments applications subject to the applicability of this section must include a parking plan. Parking plans must include:

1. Number of proposed parking spaces;
2. Location of proposed parking spaces, drive aisles, driveways, and access points;
3. Relation of vehicular use areas, including how parking facilities interface with vehicular, pedestrian, and multi-modal circulation systems.

B. **Off-Street Parking Table.** Off-street parking must be provided in accordance with Table 5.4.1: Off-Street Parking Table.

1. **Minimum.** Table 5.4.1: Off-Street Parking Table, provides the minimum parking required for permitted uses within the City. For example, under the "Minimum Required" column, "1.0/Dwelling Unit" must be understood to mean at minimum one (1) parking space per dwelling unit is required.
2. **Gross Floor Area**. Parking standards are to be calculated per 1,000 SF (square feet) of gross floor area, unless otherwise noted. Fractional calculations must round to the nearest whole number. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, then such fraction equal to or greater than one-half (0.5) must require a full off-street parking space. Where the parking standards are based on floor area, it must be understood to be gross floor area, except the following areas of a structure which may be excluded
    a. Common restrooms.
    b. Elevator structures.
    c. Parking structures.
    d. Public corridors.

3. **Uses Not Listed.** In situations where a proposed use is not identified in Table 5.4.1, the Director or designee may apply an alternative off-street parking standard based on the use determined to be the most similar to the proposed use. A parking study or similar analysis prepared by a Professional Engineer or Certified Land Use Planner with experience in parking studies may be provided to the Director which can be used in applying an alternative parking standard.

A. **Parking Requirements Table**. Parking must be provided in accordance with Table 5.4.1: Parking Requirements.

Table 5.4.1 Required Parking

USES	MINIMUM REQUIRED	ADDITIONAL STANDARDS
RESIDENTIAL		
Dwelling, Single-Family Detached	2.0/Dwelling Unit	Garage excluded from required parking. Minimum driveway length 20 feet unless rear loaded.
Accessory Dwelling Unit	1.0/Dwelling Unit	
Dwelling, Single-Family Attached	2.5/Dwelling Unit	Minimum driveway length 20 feet unless rear loaded.

Dwelling, Duplex, Triplex, or Quadplex	2.0/Dwelling Unit	Garage excluded from required parking. Minimum driveway length 20 feet unless rear loaded.
Dwelling, Live-Work	2.0/Dwelling Unit	
Dwelling, Manufactured	1.0/Dwelling Unit	
Dwelling, Multi-family	1.75/Dwelling Unit	
Child Care Home	1.0/Dwelling Unit	
Group Living	1.5/Dwelling Unit	
Residential Care	0.25/Dwelling Unit	
Manufactured/Mobile Home Park	2.0/Dwelling Unit	Section 7.5 Manufactured/Mobile Home Park Standards
AGRICULTURE AND OPEN SPACE		
Community Garden	N/A	
Farm	N/A	
Livestock (Wholesale)	1.0/1,000 SF	
Lumberyard	1.0/1,000 SF	
AGRICULTURE AND OPEN SPACE (CONT.)		
Nursery	2.0/1,000 SF	
Parks	2.0/Acre	
Produce Stand	N/A	
Stables	N/A	
CIVIC AND INSTITUTIONAL		
Cemetery	N/A	
Churches and Religious Institutions	1.0/4.0 Seats	Seats in the sanctuary/assembly room must be used for calculation
Cultural, Library and Museum Facility	2.0/1,000 SF	
Government	2.0/1,000 SF	Based on office/public space
Higher Education (College, University, Technical)	5.0/1,000 SF	
Infrastructure and Utilities	2.0/1,000 SF	
Post Office (Mail and Packages)	4.0/1,000 SF	

Public Safety (Fire/Police/Correctional)	2.0/1,000 SF	
School (K-8)	2.0/Classroom	
School (9-12)	7.0/Classroom	
Social Services	2.0/1,000 SF	
Transit	N/A	
PERSONAL SERVICE		
Automobile Service	3/Service Bay	
Barber/Beauty Salon	2.0/1,000 SF	
Bank/Financial Institution	2.5/1,000 SF	
Dry Cleaning	2.0/1,000 SF	
Day Care (Adult and Child)	2.0/1,000 SF	
Funeral Home	2.0/1,000 SF	
Pharmacy	2.5/1,000 SF	
Personal Services	3.0/1,000 SF	
Tattoo and Body Piercing Parlor	2.5/1,000 SF	
Private Clubs	4.0/1,000 SF	
COMMERCIAL		
Animal Kennel	2.0/1,000 SF	
Automobile Service	2.0/1,000 SF	
Bed and Breakfast	1.0/Room	
Brewery	5.0/1,000 SF	Only customer service areas and outdoor seating areas included in calculation.
Brewpub	5.0/1,000 SF	Only customer service areas and outdoor seating areas included in calculation.
Bar/Tavern/Nightclub	5.0/1,000 SF	Only customer service areas and outdoor seating areas included in calculation.
Car Wash	2.0/1,000 SF	Excludes self-service car washes. Stacking for five vehicles for automatic car wash lane.
Parking Lot	None	

Parking Structure	None	
Distillery	5.0/1,000 SF	
Event Center	5.0/1,000 SF	
Gas Station	2.0/1,000 SF	Filling station/gas pump must not constitute parking
Hotel/Motel	0.5/Room	
Indoor Amusement/Entertainment Facilities	2.5/1,000 SF	
Liquor Store	4.0/1,000 SF	
Microbrewery	5.0/1,000 SF	
Micro-Distillery	5.0/1,000 SF	
Outdoor Recreation	1.0/5,000 SF	
Pawn Shop	2.0/1,000 SF	
Restaurant	7.0/1,000 SF	Only customer service areas and outdoor seating areas must be included in calculation
Neighborhood Retail (Maximum 10,000 SF)	4.0/1,000 SF	
General Retail (Maximum 50,000 SF)	4.0/1,000 SF	Shopping centers will be based on an aggregate of square feet to determine required parking
Retail - Regional (Above 50,000 SF)	4.0/1,000 SF	Shopping centers will be based on an aggregate of square feet to determine required parking
Sexually-Oriented Business/Adult Business	4.0/1,000 SF	
Recreational Vehicle Park/Campground	0.5/Lot	7.6. Recreational Vehicle Park/Campground Design and Development Standards
Vehicle Sales and Rental	4/1,000 SF	
OFFICE AND MEDICAL		
Animal Care	2.0/1,000 SF	
Medical/Dental Facility	3.0/1,000 SF	
Hospital	2.0/1,000 SF	

Professional Office	2.5/1,000 SF	
Urgent Care	2.0/1,000 SF	
Rehabilitative/Mental Health Facility	1.5/Dwelling Unit	
INDUSTRIAL AND LOGISTIC		
Artisanal Manufacturing	1.0/1,000 SF	
Broadcast Facility	2.0/1,000 SF	
Communication/Cell Tower		
Flex Facility	1.0/1,000 SF	
Fulfillment Center	1.0/1,000 SF	
Industrial - Light	1.0/1,000 SF	
Industrial - Heavy	1.0/1,000 SF	
Salvage Yard	1.0/1,000 SF	Only office facilities must be included in calculation
Land Fill	1.0/1,000 SF	Only office facilities must be included in calculation
Manufacturing	1.0/1,000 SF	
Outdoor Storage	1.0/1,000 SF	Only office facilities must be included in calculation
Wholesale Trade	1.0/1,000 SF	
Recycling	1.0/1,000 SF	
Self-Storage	2.0/1,000 SF	Only office facilities must be included in calculation
Solar Farm	N/A	
Warehouse/Distribution	1.0/1,000 SF	

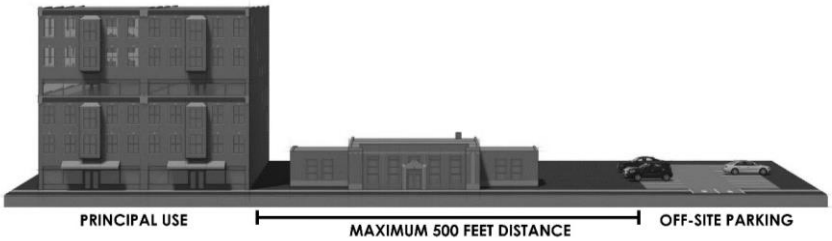
5.4.3. ALTERNATIVE OFF-STREET PARKING STANDARDS

A. **Administrative Adjustment for Parking.** The parking requirements of this section may be modified through an Administrative Adjustment. If proposed parking is less than the minimum required or more than the maximum allowed, an applicant may submit for an Administrative Adjustment in accordance with Section 1 of this UDO.

B. **Off-Site Parking.** Required off-street parking spaces may be located on a separate lot or parcel from which the principal use is located (i.e., "off-site"), only if the off-site parking complies with the following standards:

1. Off-site parking must be under the same ownership as the principal use, or otherwise leased by a lease of no less than the term of lease for the principal use.
2. All necessary legal instruments must be executed and recorded and copies provided to the Director. Renewal agreements must continue to be provided to the Director.
3. Off-Site Parking must be located within 500 feet of the nearest lot line of the principal use.
4. A sidewalk, paved pedestrian walkway, and/or crosswalk must be provided to the off-site parking area from the principal use.
5. Satellite parking lots must abide by all parking design and construction standards set forth in the UDO.
6. No more than 25 percent of parking space requirements may be provided by a satellite parking location.
7. Satellite parking must not consist of any required parking of another use unless a shared parking arrangement exists. Any shared parking arrangement must be provided to the Director and identify uses existing or proposed, identify the peak parking demands of the uses, and provided calculations and a narrative explaining how the shared parking arrangement will meet the provisions of this section.
8. A sidewalk or paved pedestrian walkway must be provided to the satellite parking area from the subject use.

Figure 5.4.3. Off-Site Parking (Illustrative Example)



C. **Valet Parking.** Required off-street parking may be located on a separate lot or parcel from which the principal use is located and be operated by a valet service, only if the valet operations and the parking comply with the following standards:
   1. The valet service provider must have the same ownership as the principal use, the lessee of the principal use, or a third-party valet service provider that has been contracted by the principal use owner or principal use lessee.
   2. To increase the yield of off-street parking facilities utilized solely for valet operations
      i. Spaces may be designed in tandem configurations.
      ii. Spaces may be reduced to a minimum width of 8' and a minimum length of 38'.
   3. If at any time, valet operations are discontinued, the owner must submit an Off-Street Parking Plan to the Director, if the proposed parking configuration does not meet the standards of subsection 5.4.3.B.
   4. Valet stands are not permitted within the public right-of-way.
   5. Valet operators may utilize facilities that adhere to the standards of subsection 5.4.3.D. Shared Parking if proposed uses served by the shared parking arrangement have different peak parking demands. Tandem parking configurations are not allowed in Shared Parking facilities.

D. **Shared Parking.** If a development qualifies for shared parking, shared parking reduces the overall required minimum off-street parking by ten (10) percent. An application for shared parking requires an analysis, provided to the Director to reduce the number of required off-street parking spaces. The shared parking analysis, at minimum, must include and comply with the following:

   1. Identification of proposed uses within the development.
   2. Calculation of the ten (10) percent shared parking reduction that will be applied, per proposed use.
   3. Proposed uses served by the shared parking arrangement must have different peak parking demands or operate in a manner that the uses sharing parking have access to the required minimum number of off-street parking spaces when in operation.
   4. Narrative and calculations must be provided as part of the shared parking analysis explaining the merit of the shared parking arrangement.

5. Cross access agreements (i.e. legal instruments), if required, for the principal property and adjacent properties to ensure shared parking can function must be provided to the Director.
6. Shared parking arrangements must be a formal legal instrument and be provided to the Director.
7. If a shared parking arrangement ceases, parking for the uses must be recognized as a nonconformity.

5.4.4. OFF-STREET PARKING STANDARDS

A. **General Standards.**

1. **Arrangement.** Off-street parking must be arranged so that vehicles may be parked/unparked without moving other vehicles, except for parking structures which may be designed to allow tandem parking and/or valet services.

2. **Encroachment.** No parking space may be designed in such a way to encroach or block a public or private roadway, alley, or sidewalk. Parking spaces may be allowed in a setback or build-to-zone (BTZ) as permitted in this UDO.

3. **Fire Lane.** At least one (1) fire access lane must be provided and approved by the fire marshal.

4. **Overhang.** Where parking spaces are located such that the parked vehicle will overhang a sidewalk, the minimum sidewalk clear width must be maintained by providing additional sidewalk width equal to width of the overhang.

5. **Driveways.** Driveways, drive aisles, and joint access easements must not be used for parking vehicles except for residential.

6. **Wheel Stops.** Wheel stops must be prefabricated, concrete or recycled plastic product manufactured specifically for this use. The use of railroad ties or other non-traditional wheel stops must not be permitted. Facilities must have curbs or motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into adjacent property, or from encroaching into required landscaped areas.

7. **Drainage.** Parking areas must be drained so as not to cause any nuisance on adjoining or nearby properties. Stormwater management facilities must comply with the standards of this UDO.
8. **Access and Maneuvering.** Parking areas must be arranged for convenient access, maneuvering and safety of pedestrians and vehicles. Parking areas must be arranged so that no vehicle must be required to back up from such facilities directly onto designated arterial or collector streets. Parking areas must be designed, maintained and regulated so that no parking or maneuvering incidental to parking must be on any public street, sidewalk, or alley.
9. **Marking of Spaces.** All off-street parking area spaces must be clearly marked.
10. **Lighting.** Exterior lighting in parking areas must comply with the standards defined in Section 5.7: Lighting.
11. **Landscaping and Buffering.** Landscaping and buffering in parking areas must comply with the standards defined in Section 5.3: Landscaping, Buffering, Screening and Open Space.
12. **Maintenance.** Off-street parking must be maintained in a safe condition and good repair. Parking space lines and markings must also be maintained so that parking spaces are clearly striped.
13. **Pedestrian Paths.** Parking areas containing 200 or more spaces must provide improved pedestrian pathways of at least five (5) feet width, providing access from the parking area to an entrance of the principal use, protected by wheel stops, curb or similar.
14. **Compact Vehicle Parking**
    a. Up to ten (10) percent of the off-street parking spaces required by Section 5.4.2. may be uses and designated as compact vehicle parking.
    b. Parking spaces used as compact vehicle parking in accordance with subsection a above, must:

i. Be consolidated into group(s) of contiguous spaces where they can be readily identified by compact vehicle operators (e.g. signage or pavement markers);

ii. Located near the primary entrance of the principal use; and

iii. Be a minimum of 8' in width and a minimum in 16' in length.

15. **Vehicle Charging Stations**

a. Up to five (5) percent of the off-street parking spaces required by Section 5.4.2, may be used and designated as vehicle charging stations. The Director maintains the authority to approve the use and designation of additional required parking spaces as vehicle charging stations up to a maximum of ten (10) percent of the total off-street parking provided.

b. Parking spaces used as vehicle charging stations in accordance with subsection a above, must:

i. Be consolidated into group(s) of contiguous spaces located where they can be readily identified by vehicle drivers (e.g., through signage); and

ii. Not be operated for commercial purposes, other than as an accessory use to a principal commercial use

16. **Alternative Parking Surfaces.** All minimum required parking surfaces are required to be paved with asphalt or concrete pavement or similar materials. Parking surfaces that exceed the minimum required may utilize alternative parking surfaces, not to exceed twenty-five (25) percent of the total parking area for nonresidential sites greater than 60,000 square feet may be constructed of the following materials:

a. Porous asphalt

b. Porous concrete

c. Permeable interlocking pavement systems

d. Grass-block systems

e. Other similar materials

B. **Dimensional Standards.**

Table 5.4.4. Size of Off-Street Parking Space

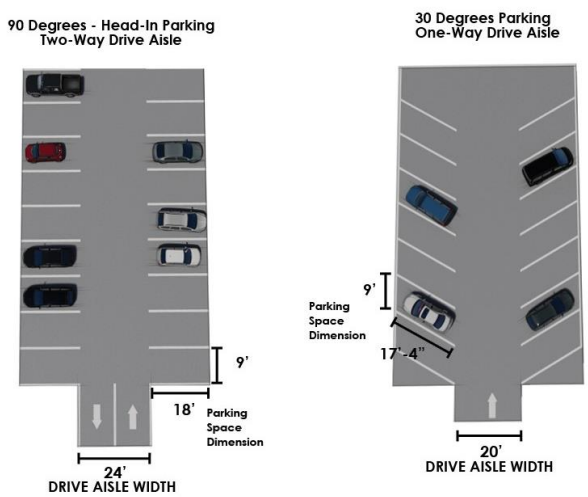
Angle of Parking (Degrees)	Minimum Width of Stall	Length Depth of Width	Driveway Car	Curb Per
0	9’	23’-0”	12’	23’-0”
30	9’	17’-4”	11’	18’-0”
45	9’	19’-10”	13’	12’-9”
60	9’	21’-0”	18’	10’-5”
90	9’	18’-0”	24’	9’-0”

Additional Standards:

A. Minimum driveway widths must be maintained to the point of intersection with the adjoining public or private right-of-way.

B. In 90-degree parking stalls, the depth of the stall may be reduced to 18’ where a grassed or landscaped median, with a minimum 2’ width per row of parking stalls, has been provided for automobile overhand. Wheel-stops or curbing must be provided to protect and delineate the median from the parking stalls.

Figure 5.4.4 Parking Area Dimensional Standards Graphic



5.4.5. LOADING AND UNLOADING AREAS

A. **Generally**. Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided to accommodate the delivery or shipment operations in a safe and convenient manner.

B. **Loading Areas Design Standards**. Loading and unloading areas must be so located and designed as follows:

1. So that vehicles can maneuver safely and conveniently to and from a public right-of-way.
2. So that vehicles can complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot drive aisle.
3. Loading areas must be located outside of a public right-of-way when practicable and be indicated through signage.
4. The size of loading areas must be based upon the needs of the use in a building. The minimum size of a loading area must be the same size as the minimum parking space. For uses that require commercial delivery trucks or semi-trailers, loading areas must be made to accommodate the typical commercial delivery vehicle.
5. Loading areas that serve commercial delivery trucks, semi-trailers and similar vehicles must be designed to include screen walls, landscaping, or other treatments to limit visibility of the loading area.

C. **Area Requirements**. No area allocated to loading and unloading may be used to satisfy the area requirements for off-street parking, nor must any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

D. **Compliance**. For lots with existing structures predating the effective date of this UDO, and for a change in use that does not involve any enlargement of a

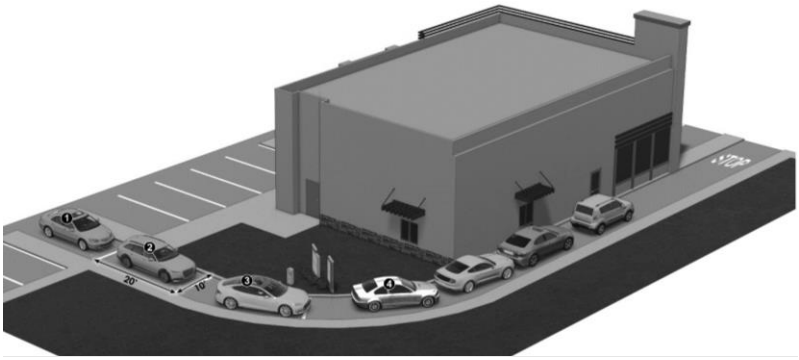
structure, the loading area requirements of this section need only comply to the extent practicable.

5.4.6. STACKING REQUIREMENTS

A. **Stacking.** Whenever a structure or use provides for the off-loading of passengers or involves a drive-through (i.e., allows for a use without exiting the vehicle), stacking spaces must be provided for and marked on the site. The following requirements must be met**:**

1. A stacking space must be a minimum of ten (10) feet by twenty (20) feet.
2. *Stacking spaces must not* obstruct, endanger, or interfere with on-site or off-site access, maneuvering, or traffic patterns.
3. For restaurant drive-through facilities, a minimum of four (4) stacking spaces must be required. Nothing must limit providing more than the minimum.
4. All other uses that involve stacking of vehicles, such as banks, pharmacies, and similar uses, must require a minimum two (2) stacking spaces per dedicated drive-through lane. Nothing must limit providing more than the minimum.
5. A design alternative may be approved by the Director for a reduced number of stacking spaces if market demand does not require the minimum stacking spaces required per this section. A narrative and analysis detailing the proposed use and similar establishments within South Carolina must be required.

Fig. 5.4.6.A. Stacking Requirements



5.5. ACCESS AND CIRCULATION

A. **Purpose and Intent.** The purpose of this section is to support the creation of a highly connected transportation system in order to protect the public health, safety, and welfare in order to ensure adequate access for emergency and service vehicles, connect neighborhoods to each other and to local destinations such as schools, parks, and shopping centers, reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; encourage connections to redevelopable property; and free up arterial road capacity to better serve regional long distance travel needs.

1. **Access for residential developments.** In order to create a more connected transportation system and accommodate emergency and service vehicles, the following standards shall apply:
   a. Developments where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
   b. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
   c. The City of Greer Fire Marshal shall have authority to waive or increase requirements.
2. **Access for Multifamily Residential Developments.** In order to create a more connected transportation system and accommodate emergency and service vehicles, the following standards shall apply to Multifamily Residential developments:

a. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.
b. The City of Greer Fire Marshal shall have authority to waive or increase requirements.

3. **Cross Access.** The Director in coordination with the City Engineer shall be authorized to require cross access between adjacent developments (residential and or non-residential) or to designate cross-access corridors on properties adjacent to arterial and major collector roadways. The Director and City Engineer shall review such location(s) as well as the type of development proposed (e.g. multifamily and commercial; commercial and office; however, residential to industrial is not assumed to require such cross access). Such requirement or designation may be made in connection with the approval of any subdivision or site plan within the affected area, or as part of an overall planning program.
   a. Each site plan shall provide for appropriate stub-outs to support cross access between adjacent parcels.
   b. If the adjacent parcel to the proposed development is vacant, an access easement shall be executed and recorded with the Greenville or Spartanburg County Register of Deeds.

5.6. FENCES, WALLS, BERMS

A. **Purpose and Intent.** The purpose of this section is to regulate the appearance, height, and location of fences, walls, and berms within the City. The intent of this section is to:

1. Ensure the safety and privacy of land;
2. Require construction of fences, walls, and berms that are of high-quality visual design; and
3. Provide standards for fences, walls, and berms that serve as transitions between public and private spaces.

B. **Applicability.** The standards of this section shall apply to all construction or replacement of fences, walls, and berms, unless exempted in subsection 5.6.C

below. Permit requirements: Any person wishing to erect, alter, or relocate a fence must first obtain a fence permit from the Building and Development Department.

C. **Exemptions**. The following are exempt from the standards of this section:

1. Fences and walls used for permitted farm purposes and agricultural activities;
2. Fences for active construction sites, where a permit has been issued by the City;
3. Silt fencing used during construction;
4. Fencing used for tree protection;
5. Fences required for safety purposes around swimming pools; and
6. Noise attenuation walls installed by government entities along roadways or highways.

D. **Review**. Review of all fences, walls, and berms applicable under this section shall be reviewed during the site plan process for any new development or building.

E. **General Standards**.

1. **Location**. Fences, walls, and berms shall not encroach into or inhabit:
   a. Public right-of-way;
   b. Required sight triangle;
   c. Required ingress or egress points;'
   d. Access to fire hydrants.
2. **Setbacks**. Fences, walls, and berms can encroach into required rear and side setbacks.
3. **Utility Easements**. Fences, walls, and berms can encroach into utility easements if written authorization from the easement holder is provided.
4. **Drainage**. Fences, walls, and berms shall not inhibit or block drainage flows on site.

5. **Materials of Fences and Walls**. Fences and walls shall be constructed of permanent, high-quality materials including masonry, brick and stone, stucco over concrete masonry blocks, treated wood, wrought iron/aluminum. Fences and walls shall be of the same or compatible material as the material of the principal building. Materials for the support of living vegetation may also be clad to fences and walls. Chain link fencing is permitted within the Manufacturing and Logistics zoning district. Chain link fencing is prohibited in all other zoning districts except for when used to screen Industrial and Logistics Uses with section 4.3.7.
6. **Design of Fences and Walls.**
    a. All fence support structures must be located on the inside of the fence.
    b. All fences and walls shall be installed with the finished side facing the exterior/adjoining properties and rights-of-way.
    c. All fences and walls shall be constructed in accordance with the South Carolina Building Code.
    d. Bright colors, including orange, yellow, and red, are not permitted for permanent fences or walls.
7. **Landscaping For Fences and Walls.** For any fence or wall six (6) feet in height or greater, the property owner, Home Owner's Association, Property Owner's Association, or similar group shall landscape the area between the street side of the wall or fence and the right-of-way line if within five (5) feet of the right-of-way line.
    a. For any subdivision perimeter wall, required landscaping shall include sufficient quantities, types, heights and densities of materials to provide at least fifty (50) percent opacity within five (5) years of planting. All other fences and walls shall utilize shrubs, plant material and ornamental grasses.
    b. Required landscape buffers shall be planted within sixty (60) days of the completion of the wall.

F. **Height of Fences and Walls.** Height shall be measured from the top of the fence or wall, (not including architectural features such as columns), above grade to the lowest grade on the side of the finished grade for all fences and walls.

1. The maximum height of a fence or wall shall be eight (8) feet in nonresidential zoning districts. Exceptions may be by the Director or designee granted for unique uses such as sports facilities, utilities, or where required for the safety of pedestrians or motorists.
2. All fences shall be required to obtain zoning approval.
3. Subdivision walls along the perimeter of residential development are permitted to be a maximum of eight (8) feet in height.
4. An additional maximum eighteen (18) inches of height may be permitted for decorative, architectural details (such as posts, columns, and light fixtures).
5. All gates must be approved by the Fire Marshall or a designee.

G. **Prohibited Fences.**

1. **Electric Fences**. Electric fences are only permitted in conjunction with permitted bona fide agricultural activities. Warning signs shall be required on all-electric fences and meet all safety and emergency services requirements. Underground electric fences that are used in conjunction with electric transponder collars for pets may be permitted in all districts.
2. **Barbed Wire Fences.** Barbed wire fences or fences of similar material including but not limited to razor wire are only permitted in conjunction with permitted agricultural activities or to protect the public health and safety in association with industrial uses, utility structures, landfills, airports, law enforcement, or similar civil uses. If a barbered wire fences is proposed for public health and safety, a written narrative shall be provided to the Director.

H. **Specific Berm Standards.** Berms shall conform to the following standards:

1. **Grading of Berms**. Berms shall not exceed a grade of one (1) foot of rise in three (3) feet of length.

2. **Landscaping.** Berms shall be landscaped and meet all landscape requirements of this UDO.
3. **Height**. Berms shall not exceed a total of eight (8) feet above the toe of the berm.
4. **Flat Top.** Berms shall have a minimum two (2) foot flat top width at the top of the berm height.
5. **Fences and Walls on Berms**. Fences and walls that comply with the standards of this section may be permitted on top of a berm.

I. **Maintenance.**

1. Fences, walls, and berms shall be maintained in the state in which they were approved. Maintenance is the responsibility of property owner, homeowner's association, property owner's association, or similar group.
2. Any missing or deteriorated portions shall be replaced or repaired as necessary.
3. No fence, wall, or berm shall pose a threat to people or property due to neglect or lack of repair.

5.7. LIGHTING

A. **Purpose and Intent.** The purpose of this section is to regulate exterior lighting for applicable buildings, lots, and developments. This section intends to:

1. Require exterior lighting at minimum levels for safety and security of motorists and pedestrians;
2. Provide standards to prevent light from excessively illuminating other properties and street rights-of-way;
3. Minimize glare;
4. Reduce light pollution;
5. Protection of the night skies and; and
6. Minimize other adverse impacts from light intensity.

B. **Applicability**. The standards of this section shall apply to all new subdivisions, multi-family, group living, nonresidential, and mixed-use developments. The following shall also apply in instances of repairs, renovations, and/or or additions:
   1. **Minor**. When a building or site area is improved by twenty-five (25) percent or less of the building or site's gross square footage, lighting subject to the standards of this section is required only for the additional improved site area.
   2. **Major**. When a building or site area is improved by greater than twenty-five (25) percent of the building or site's gross square footage, both the additional area and existing area must conform to the lighting standards in this section.

C. **Exemptions.** The following are exempt from the standards of this section:
   1. Lighting for residential uses that are not part of a site plan or subdivision plan;
   2. Lighting located within rights-of-way;
   3. Lighting exempt from this UDO under state or federal law;
   4. Security lighting required for public spaces consistent with *Crime Prevention Through Environmental Design* (CPTED) or similar safety requirements;
   5. Lighting for permitted temporary uses, including grand openings, special events and celebrations;
   6. Holiday displays;
   7. FAA-required lighting on buildings and telecommunication towers;
   8. Temporary lighting for construction work and/or emergency personnel; and
   9. Lighting for flags, public monuments, and public statutes.

D. **Maximum Illumination.**

   1. All required maximum lighting levels are identified, calculated, and measured in maintained foot-candles.

   2. Table 5.6.1: Maximum Illumination at Property Line, identifies maximum illumination values. Illumination shall not exceed the maximum illumination permitted at the edge of any lot line (i.e. property line).

3. Where a single development occupies multiple lots, the maximum illumination shall be required around the perimeter of the development.

Table 5.6.1 Maximum Illumination at Property Line

USE	MAXIMUM FOOT-CANDLES (FC)
Multi-Family Residential	1.0 FC
Nonresidential Uses	2.0 FC
Industrial and Logistic Uses	3.0 FC

E. **Lighting Plan.** All applicable development per this section shall provide a lighting plan to be reviewed in conjunction with a site plan and/or subdivision plan. Lighting plans, required to be provided by a licensed engineer, at minimum shall comply with the following:

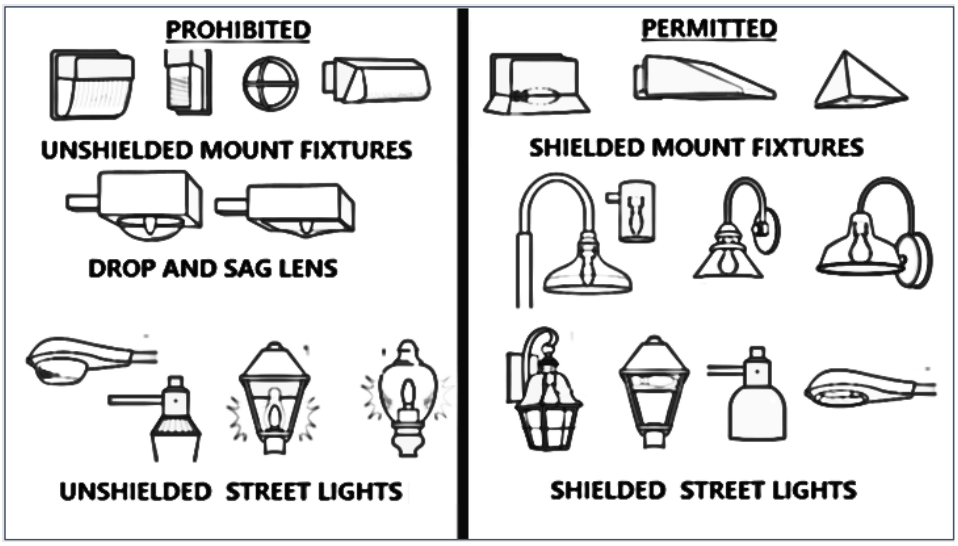
1. All proposed and existing buildings on the site.
2. Pedestrian and vehicular areas.
3. Other above-ground improvements.
4. The horizontal location of all proposed and existing outdoor lighting fixtures, including pole and wall-mounted fixtures.
5. Mounting heights of each fixture.
6. Overall height of each pole above grade.
7. Fixture details.
8. Location of externally illuminated signs and associated fixtures.
9. The location of all architectural and landscape lighting fixtures.
10. The plan must include a foot-candle plan that provides typical foot-candle contours and a point photometric grid that indicates foot-candle levels measured at grade across the site.

11. Maximum, average and minimum site foot-candles, uniformity ratio (average and minimum), and depreciation factors also are required.
12. The plan must show initial horizontal illuminance values in foot-candles for the area to be illuminated.
13. Values must be calculated at grade and include contributions from all onsite fixtures.
14. The plan must plot foot-candles of illumination at ground level to the nearest tenth of a foot-candle, and at horizontal grid intervals of no more than ten feet.
15. The plan shall show illumination level at the lot line (or perimeter of a development, if applicable) to ensure maximum illumination levels are not exceeded.
16. The manufacturer's cut sheets (specifications) for each proposed fixture must be submitted.
17. The plan shall also include fixture type, including the manufacturer's product identification catalog number, and fixture mounting height.

F. **General Design Standards**.

1. All fixtures, except for streetlighting fixtures, including security lighting, must be cutoff fixtures.
2. Cutoff fixtures shall emit no direct up-light and shall project all of its light in a downward motion. All lighting fixtures shall be constructed and designed to prevent light from emitting upwards toward the dark night sky. Fixtures shall conform to the permitted fixture types as identified in Figure 5.7.1.

Figure 5.7.1. Permitted Fixture Types



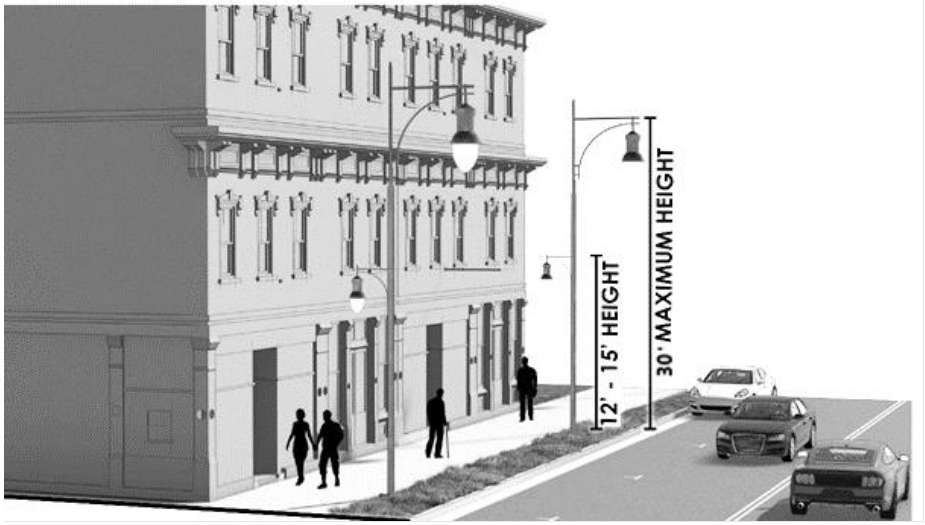
3. Street lights shall be designed to be uniform throughout a subdivision or development, including the design of light structure and light color.
4. Canopy lighting fixtures shall be designed to be completely recessed within the canopy.
5. All fixtures must be incorporated into the building or site as an integrated design element through the use of common or complementary style, material, and color.
6. Interior fixtures used to light the interior of parking garages must be shielded to prevent light spilling from the garage.
7. Light fixtures on the top deck of a parking garage shall not exceed fifteen (15) feet in height and must be shielded to prevent light spilling from the boundary of the garage deck.
8. Rooftop lighting of parking garages must be setback a minimum fifteen (15) feet from the perimeter of the rooftop parking structure.
9. Lighting for permitted rooftop uses (such as a restaurant or lounge) shall be pedestrian in scale and not exceed twelve (12) feet in height (this does

not include any FAA mandated lighting).

a. Rooftop lighting fixtures used for permitted rooftop uses shall be located toward the center of the rooftop, away from its edges and not face outward.
b. Safety lighting may be utilized along walls or rails. All lighting shall be designed to effectively eliminate glare, shielded to prevent light spilling over the side of the building, and shall be turned off when the rooftop area is not in use.

10. Wall packs on buildings may be used at entrances to a building or to light potentially unsafe areas. They should not be intended to draw attention to the building or provide general building or site lighting. Wall packs shall be fully shielded, cutoff type fixtures with concealed light sources. The lighting must be directed downward.
11. Loading/unloading docks shall only be illuminated by fixtures which feature full cutoff design and shall be affixed to an outside building wall or pole.
12. All outdoor lighting fixtures not mounted on buildings (i.e. ground based) shall be located a minimum of ten (10) feet from a property line or right-of-way line and should be no closer than two (2) feet from any required perimeter or streetscape buffer. Undergrounding service is encouraged.
13. Light fixtures shall not exceed thirty (30) feet in height in vehicle use areas. Additional standards for parking areas are required in this section.
14. Light fixtures shall be twelve (12) to fifteen (15) feet in height in nonvehicular pedestrian areas.
15. An illustrative example of permitted light fixture heights is provided in 5.7.2.

Figure 5.7.2. Fixture Height



G. **External Building Lighting Standards.** External building lighting shall comply with the following standards:

1. Fixtures that decoratively light a building or wall may not light above the parapet of the building or the top of the wall.
2. Landscape and decorative lights are hereby made exempt from this subsection.
3. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate buildings or other site features.
4. On-site lighting may be used to accent architectural elements but not used to illuminate entire portions of building(s) or sign(s).
5. Where accent lighting is used, the maximum illumination on any vertical surface or angular roof surface shall not exceed 5.0 foot-candles.
6. Building façade and accent lighting will not be approved unless the light fixtures are carefully selected, located, aimed, and shielded so that light is directed only onto the building façade and spillover light is negligible.
7. Motion-activated lighting shall go on only when activated and turn off within five (5) minutes of activation. Motion-activated lighting shall not be

triggered by movement off the property.

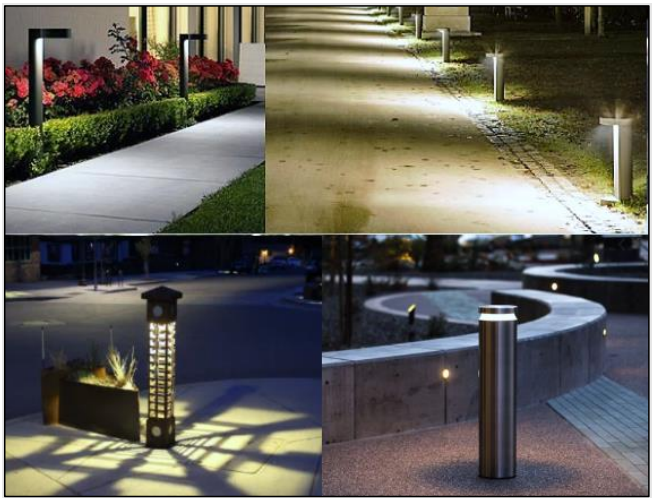
H. **Parking Area Lighting Standards**. Lighting is required within parking areas. The height of light fixtures within a parking area shall comply with the following standards:

1. Parking area lighting fixtures shall be required to stagger the heights of light fixtures so that the tallest fixtures are in the center of the parking lot, and the lowest heights are at the perimeter of the parking lot.
2. Light fixtures height shall not exceed thirty (30) feet within the center of a parking area and shall decrease height to twelve (12) to fifteen (15) feet at the boundary of the parking area.
3. To avoid conflict in layout, parking lot lighting must be coordinated with parking area landscaping.
4. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination.

Figure 5.7.1. Parking Area Lighting Standards Illustrative Example

I. **Pedestrian Lighting**. Pedestrian lighting is required and includes lighting along internal sidewalks, multimodal paths, civic spaces, and public gathering spaces; street lighting is excluded from this. Bollard or path lighting shall not exceed a four (4) foot in height. Pedestrian lighting shall provide at least 1.0 foot-candle of illumination and shall not exceed 2.0 foot-candles.

Figure 5.7.2 Examples of Bollard/Path Lighting



J. **Sign Lighting Standards.** All external lighting for signs shall be designed and

located to assure there is no spillover light. Signs shall be in compliance with Section 5.2: Signs.

K. **Athletic Field Lighting Standards.** Lighting for athletic fields may be in excess of permitted fixture heights and illumination levels. Recreation lighting levels established by *Illuminating Engineering Society of North America* (IESNA) are to be used as the standard for all athletic field lighting. All sports fields, areas, or courts must meet the following minimum standards:

1. Fixtures must be fitted with manufacturer's glare control package.
2. Lighting must be turned off no later than one (1) hour after any event ends.
3. Fixtures must be designed with a sharp cutoff and aimed so that their beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted.
4. Lighting fixtures shall not exceed eighty (80) feet in height.
5. Spillover illumination levels at the field property lines shall not exceed 0.5 foot-candles.

L. **Gas Station Lighting.**

1. All light fixtures for gas stations that are mounted on the lower surface of canopies must be fully shielded; canopy edges do not qualify as shielding.
2. Light fixtures mounted on canopies shall be recessed so that lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to seventy (70) degrees or less from vertical.
3. Lighting levels shall be no greater than 15.0 foot-candles at the edge of the canopy.
4. Areas outside service station pump island canopy shall be illuminated so that the maximum horizontal luminance at grade level is no more than 10.0 foot-candles.

M. **Residential Lighting Standards**

1. **Lighting Design.** Lighting shall ensure adequate illumination while minimizing light pollution and glare. The lighting shall be consistent with the character and architectural standards of the residential area. Full-cutoff or semi-cutoff fixtures should be used to direct light downward and reduce light pollution.
2. **Illumination Levels.** Illumination levels on residential streets shall be between 0.5 and 2 footcandles.
3. **Spacing.** Spacing between two adjacent poles should be no more than 200 feet, and should be evenly distributed along the street to provide safe visibility to both pedestrians and motorists.
4. Height. Except as otherwise required under this article, the height of an outdoor lighting fixture (inclusive of the pole and light source) shall be a maximum of 16 feet.
5. **Exterior Lighting Plan.** An exterior lighting plan, including a photometric plan (which covers the parcel which is the site of the development in question), appropriate pole, fixture, and lamp technical specifications, descriptions of lenses and optical systems and appropriate data tables shall be submitted for review. The exterior lighting plan shall be prepared by a professional engineer, landscape architect or professional architect registered in South Carolina who shall certify on the photometric plan that the exterior lighting plan complies with this article. The photometric plan shall be prepared in a scale that is easily legible.

N. **Prohibited Lighting.**

1. **Flashing Lights**. Lights that flash, move, rotate, blink, flicker, vary in intensity, or color, or use intermittent electrical pulses are prohibited. Such techniques used for signs that are internal to a building and located behind windows are exempt from this requirement.
2. **Floodlights**. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as

an integral architectural element on the site plan.

3. **Tube Lighting**. Tube lighting in the form of neon or rope lighting is prohibited on building exteriors and along façade trims where it defines a window, door, or elevation. The utilization of tube lighting behind windows is exempt.

4. **Traffic Control**. Lighting that is similar to or could be confused as being a traffic control device are prohibited.

5.8. REQUIRED IMPROVEMENTS AND COORDINATION FOR ALL DEVELOPMENT

A. **Required Improvements**. Improvements for specific project(s) and types of development and or redevelopment are identified in the Engineering Manual.

1. **Lighting**. All new developments and subdivisions shall provide street lighting along public right-of-way, or right-of-way to be dedicated to the City, and at the entrances of the development and/or subdivision. The required lighting must meet the standards within this section.
   i. Street lights shall be designed to be uniform throughout a subdivision or development, including the design of light structure and light color. Metal poles and fixtures color should match the lighting fixtures within the development or match existing color of street lighting poles with the exception of wood utility poles. Wooden utility poles are prohibited.
   ii. Street lights shall be installed with an underground power source.
   iii. Street lights shall adhere to the standards within Section 5.7 of this UDO. Unshielded street lights are prohibited.
   iv. Street lights shall be placed every 200 feet along the public rights-of-way and street lights shall be a minimum of 20 feet but shall not exceed 30 feet in height.
2. **Utilities and Drainage.**
   i. Public Water and Hydrants. Public water distribution systems and hydrants shall be installed in accordance with the standards of the Greer Commission of Public Works (CPW) or other applicable agency and the South Carolina Board of Health and shall be

approved by the Greer Commissions of Public Works (CPW) or another applicable agency.

ii. Public Sewer Facilities. Public sewer collection systems shall be installed in accordance with the standards of the Greer Commission of Public Works (CPW) or other applicable agency and the South Carolina Board of Health and shall be approved by the Greer Commission of Public Works (CPW) or another applicable agency.

iii. Underground Utility Required. Development may be served by electric power, natural gas, telephone, and cable television services, consistent with the plans and standards of the appropriate agency. All plans must be reviewed and approved by the Director for consistency with plans proposed for streets and public utilities. All utility distribution lines, pipes, conduit, and cable television must be installed underground except as authorized by the Director and approved by the City Engineer in consideration of the unique characteristics of the subject development and the utility agency's standards of service. This Section does not prohibit the installation of aboveground cabinets and pedestals, or comparable structures or fixtures, that are necessary to support the required underground facilities, nor does it require the burial of utilities when existing aboveground lines, pipes, conduit, and cable are repaired, replaced, or installed to improve service in developed areas that are not being redeveloped.

iv. Storm Drainage and Water Management. All development shall comply with the stormwater standards within this UDO and with the City of Greer Engineering Manual.

3. **Exterior Sidewalks.** Exterior sidewalks of a minimum of five (5) feet in width are required along all roadways for the development and redevelopment in all zoning districts. Requests for waivers based on practical hardships (which may include but are not limited to lack of right-of-way available, extreme topography or grade differentials, etc.) shall be made to the City Engineer and a payment in lieu to be placed in a general sidewalk fund may be required. Appeals to this decision shall follow the process outlined in Section 1.3.

4. **Roads and Right-of-Way.** Roads and right-of-way in and adjacent to new developments and redevelopments are required to be constructed to the standards within the City of Greer Engineering Manual including but not limited width, pavement depth, and condition.

B. **Improvements for Existing Substandard Conditions**. Where the existing right of way is substandard, the developer shall be required to dedicate the appropriate amount of right-of-way (as measured from the centerline of the existing street) and widen the roadway to City standards as well as install all noted sidewalk zone improvements including expanded sidewalks and street trees, lighting, storm drain improvements and street furniture as a part of the development process. Requests for waivers based on practical hardships (which may include but are not limited to lack of right-of-way available, extreme topography or grade differentials, etc.) shall be made to the City Engineer and a payment in lieu may be required. Appeals to this decision shall follow the process outlined in Section 1.3.

C. **Traffic Impact Analysis.** The City Engineer or Designee (the Designee can be City engineering, planning staff, or a third-party/on-call consultant under City direction) will provide the scope of study for the TIA. The review of the TIA application will be completed by a third-party/on-call consultant under City direction at the expense of the Applicant.

The standards adopted by the South Carolina Department of Transportation's “Access and Roadside Management Standards Manual, Chapter 6 -Traffic Impact Studies” shall serve as a guide for the TIA study. All TIAs shall include verification of the number of drives, sight distance, and spacing based on the South Carolina Department of Transportation’s “Access and Roadside Management Standards Manual, Chapters 3 - Driveways and 7 - Sight Distance.”

1. **Traffic Impact Analysis Requirements**
   i. A Traffic Impact Analysis (TIA) shall be required for any development, phasing to a development, change of use of property, or redevelopment that would generate more than 50 peak hour trips on the adjacent street based upon the ITE Trip Generation Manual, latest edition, or similar situational traffic counts that match the proposed development. A TIA can also be required as determined by the City Engineer or Designee, in their discretion, when there is

a possibility that the proposed development may have an adverse impact on the surrounding infrastructure.

ii. The submittal of a comprehensive TIA is the responsibility of the applicant. Failure by the applicant to provide a complete TIA may result in review delays and denial of development approvals.

2. **Traffic Impact Analysis Provisions**

i. The TIA shall be conducted by a South Carolina Registered Professional Engineer that has experience in conducting traffic studies

ii. Prior to beginning a TIA, the applicant shall supply the City Planning Department with the following:

1. Narrative describing the proposed land use(s), size, and projected opening date of the project and any subsequent phases.
2. Site location map showing surrounding features within an approximately ½ mile radius of the proposed development property.
3. Proposed site plan or preliminary subdivision plat illustrating all access points to include private roads and cross parcel connectivity.
4. Verification of peak hour trips for a TIA and the horizon year growth factor application for traffic. Traffic Build models will incorporate the Build year plus 1 year for final analysis.

iii. The Planning Department will forward this information to the City Engineer or Designee for study scope. The City Engineer or Designee may consult with SCDOT and/or County due to possible impacts to their road system and will verify in writing the scope of study that will take into account the intersections and driveways to be included in the analysis.

iv. After determination of the TIA's scope, the City will provide the Applicant an invoice for the third-party consultant's review by the third-party/on-call consultant under City direction of the final TIA presented by the Applicant. Approval of the TIA will be based upon receipt of payment for this invoice. Additional fees may be required

due to amendments or changes to the TIA that requires additional review and/or meetings that would necessitate the third-party/on call engineer attend for clarification and discussion with the Planning Commission, City Council, or with regional or state agencies or boards. The Applicant will be required to reimburse the City for these additional charges through an invoice prior to the development plan or plat approval.

v. The TIA should include proposed improvements that will mitigate any Level of Service changes to LOS D or worse and/or major increased delays per lane movements. If changes in traffic control such as multi-way stop or signal control are recommended, a warrant analysis shall be included in the TIA. The City Engineer or Designee reserves the right to require improvements to safety and function for all modes of transportation as a result of infrastructure usage by the development. All TIA mitigation and any City requirements will be the responsibility of the applicant and will be noted in the Planning Review Process for approval. If recommended improvements could not be accomplished at the time of the development due to right of way constraints, utility issues, etc., the City may require payment of the associated project cost in lieu of. These funds will be utilized for infrastructure improvements as needed in the City.

vi. No grading/building permits or certificate of occupancy shall be issued unless provisions of the TIA and City recommendations are shown to be met.

vii. The Applicant may appeal some or all requirements of the required improvements or fee in lieu of improvements to the City of Greer Planning Commission in writing. The City of Greer Planning Commission will act upon the appeal within 60 days, and all actions by the Planning Commission are final.

viii. The Applicant shall be responsible to comply with all other requirements of the City for it proposed development.

5.9. COMMUNICATION/CELL TOWERS

A. **Purpose and Intent.** The purpose of this section is to regulate Communication/Cell Towers as described in section 4.3.7.C. The standards and regulations within this section is intended 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 City of Greer;
6. Protect the character, scale, stability, and aesthetic quality of the residential districts of City of Greer 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 the City of Greer;
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 Special exception uses in Section 4.2: Principal 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.

C. **Standards**

1. Height. Freestanding communication towers shall have a maximum height of 300 feet. For communication towers on buildings, the maximum height shall be 20 feet above the roofline of buildings less than 50 feet in height, and 40 feet above the roofline of buildings 50 feet in height or greater.

2. Spacing. No communication tower shall be closer than 2,500 feet from an existing or approved communication tower.

3. Sharing Towers. Applicants proposing communication towers shall first consider sharing existing towers. The Planning Administrator, upon proper written proof by the applicant, may grant a waiver of this requirement if:

   a. The FCC will not permit sharing of a specific tower; or

   b. Shared equipment would be incompatible, in that signals from each would cause interference with the others; or

   c. The owner of a tower will not permit his tower to be shared; or

d. Use of a particular tower will not provide coverage of the proposed service area.

4. Landscaping. Landscaping shall be required as follows:

a. Around the base of the communication tower, outside of the security fence, at least one (1) row of evergreen shrubs capable of forming a continuous hedge at least six (6) feet in height shall be provided, with individual plants spaced not more than four (4) feet apart. In addition, at least one (1) row of evergreen trees with a minimum caliper of 1¾ inches at the time of planting and spaced not more than 25 feet apart shall be provided within 50 feet of the perimeter security fence.

b. The landscaping requirements may be waived in whole or in part by the Planning Administrator if it is determined that existing natural vegetation provides adequate screening or if the Planning Administrator determines that the landscaping requirements are not feasible due to physical constraints or characteristics of the site on which the communication tower is to be located.

c. All required landscaping shall be installed according to established planting procedures using good quality plant materials.

d. A Certificate of Occupancy shall not be issued until the required landscaping is completed in accordance with the approved Landscape Plan and verified by an on-site inspection by the Planning Administrator or the Planning Administrator's designee, unless such landscaping has been waived in an accordance with [subsection] (l), above. A temporary Certificate of Occupancy may, however, be issued prior to completion of the required landscaping if the owner or developer provides to the City a form of surety satisfactory to the City Attorney and in an amount equal to the remaining plant materials, related materials, and installation costs as agreed upon by the Planning Administrator and the owner or developer.

e. All required landscaping must be installed and approved by the first planting season following issuance of the temporary Certificate of Occupancy or the surety bond will be forfeited to the City of Greer.

f. The owners and their agents shall be responsible for providing, protecting, and maintaining all landscaping in healthy and growing condition, replacing unhealthy or dead plant materials within one (1) year or by the next planting season, whichever first occurs. Replacement materials shall conform to the original intent of the Landscape Plan.

g. Eight (8) foot high fencing shall be provided around the communication tower and any associated building.

5. Illumination. All communication towers located within the first 12,000 feet of the approach surface of an existing or proposed runway, or within the horizontal surface associated with such runway(s) as described in Title 14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77 as amended, "Objects Affecting Navigable Airspace," shall be lighted. Otherwise, communication towers shall be lighted in accordance with Federal Aviation Administration (FAA) Advisory Circular 70/7460-1, "Obstruction Marking and Lighting," as amended from time-to-time. All communication towers shall be illuminated by strobe lights during daylight and twilight hours and red lights during nighttime hours.

6. Signs. A single sign for the purpose of emergency identification shall be permitted. The permitted sign shall not exceed two (2) square feet in area and shall be attached to the fence surrounding the tower. Under no circumstance shall any signs for purposes of commercial advertisement be permitted.

7. Access to Site. Each parcel on which a communication tower is located must have access to a public road 20 feet in width.

8. General Requirements. Communication towers, in addition to the requirements set forth above, must also comply with the following requirements:

   a. A statement shall be submitted from a registered engineer that the NIER (Non-ionizing Electromagnetic Radiation) emitted therefor does

not result in a ground level exposure at any point outside such facility which exceeds the lowest applicable exposure standards by a regulatory agency of the United States Government or the American National Standards Institute. For roof-mounted communication towers, the statement regarding the NIER shall address spaces which are capable of being occupied within the structure on which the communication tower is mounted.

b. Communication towers and their foundations shall meet the requirements of the International Building Code for wind and seismic loads. Drawings and calculations shall be prepared and sealed by a South Carolina Registered Professional Engineer and shall be submitted with the building permit application.

c. All communications towers and supporting facilities shall be subject to periodic reinspection(s) by the Building Codes Department. If any additions, changes, or modifications are proposed to the site or its components, proper plans, specifications, and calculations shall be submitted for permit approval to the Building Codes Department. Prototypical drawings indicating various types of antenna(s) to be located on the communication tower may be submitted at the time of the appropriate permit application. Additional antennas may be added to the communication tower without additional permits or inspections so long as electrical wiring is not required.

d. Unless otherwise required by the F.C.C. or the F.A.A., communication towers shall be light grey in color.

e. Satisfactory evidence shall be submitted, with the building permit application for a freestanding communication tower, 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 or meeting the applicant's necessary height criteria, or provide a location free of interference for AM towers.

f. With the exception of towers constructed for aeronautical purposes, communication towers may not penetrate any imaginary surface, as

described in FAR Part 77, associated with existing or proposed runways at a publicly owned airport. Prior to issuance of a building permit, applicants shall provide documentation that the proposed communication tower has been reviewed by the FAA, if so required and that a finding of no hazard to air navigation has been determined. Copies of the plans shall also be provided for comment to the Greenville-Spartanburg International Airport. If the Airport has an objection to the proposed tower, an Advisory Conference composed of Airport officials, City officials and representatives of the communications company(ies) shall be convened. The results and findings of such conference shall be presented to the City Zoning Administrator prior to any permit being issued. Because the proximity of communication towers near aeronautical facilities affects the safety of the public, careful consideration should be given to the results and findings and such may be grounds for the Planning Administrator denying the issuance of a permit or requiring that certain additional requirements be imposed as a condition for the issuance of a permit. Care shall also be taken in locating communication towers in the vicinity of any private airport whether or not it is open to the public.

g. A communication tower must be removed within 120 days of the date such tower ceases to be used for communication purposes.

6. BUILDING AND SITE DESIGN STANDARDS

The purpose and intent of this Section is to provide minimum requirements for the design and configuration of multifamily (including triplexes and quadplexes), and non-residential (commercial, office and industrial) developments. These standards are intended to provide the City's expectations for the quality and appearance of certain development through the use of architectural designs, building features, exterior materials and colors, desirable design elements, and detailing. This Section is intended to provide flexibility in the development of compatible mixed uses and other non-residential areas. These standards are intended:

1. To encourage clustering of commercial (non-residential), multifamily and industrial activities within specifically designed areas and to discourage strip commercial development along major thoroughfares and non-commercial areas;
2. Provide for orderly development of commercial activities so that adverse impacts on adjacent property(s) and traffic flow can be limited; and
3. Encourage an orderly and systematic development design providing rational placement of activities, parking, circulation, landscaping, pedestrian circulation, loading, and access.

All figures, images, and rendered photographs are for illustrative purposes only; the text, dimensions and standards shall apply in all cases where there is a conflict.

6.1. NONRESIDENTIAL BUILDING DESIGN STANDARDS

A. **Purpose and Intent.** The purpose and intent of this Section is to provide minimum requirements for building and site design. Non-residential design standards are additional standards intended to supplement the required zoning district development standards and specific use standards provided in this Code. This includes specific design and development standards within the Mixed Use which may reference "Build-To" zones, "Frontage Standards" (requirements) or similar as defined in Section 5.1 "Standards of General Applicability".

   These standards are intended to:

1. Provide the City's expectations for the quality and appearance of new development;
2. Ensure high quality design through the use of design requirements including architectural components, building features, exterior materials and colors, desirable design elements, and detailing;
3. Feature appropriate levels of building articulation, transparency, and design elements;
4. Screen loading and delivery areas and mechanical use areas, including those on roofs;
5. Encourage ground floor activity and pedestrian friendly design for pedestrian comfort and activity; long expanses of inactivity are strongly discouraged; and
6. Require standards for building design that are appropriate to context and location.

B. **Applicability.**

1. All new buildings and sites shall comply with the standards of this section unless specifically exempted in subsection (D) below.
2. Development existing prior to the adopted date of this UDO, as well as redevelopment of buildings established prior to the adopted date of this UDO, are encouraged but not required to comply with these standards, unless required by subsection (C) below.
3. Overlays and/or designated architectural review districts may have separate design and development standards including but not limited to application and review processes. Where such standards are adopted, those standards shall prevail.

C. **Repairs, Renovations, and Additions.**

1. A building may be repaired or renovated without complying with the requirements of this section, provided there is no increase in gross floor area. When a building or site is increased in gross floor area or improved

site area by greater than twenty-five (25) percent, both the additional building and/or site area must conform to the standards of this section.

2. Notwithstanding any standards of this section to the contrary, any additions to a building which is constructed in compliance with the standards of this section may continue the design of the existing building, including building materials, colors, textures, architecture, roofs, façades, and other detailing.

D. **Exemptions.** The standards of this section shall not apply to the following:

1. New non-residential buildings less than five-thousand (5,000) square feet.
2. Development located in the Industrial zoning district (see Section 6.8.7: Industrial Design Standards).
3. Conversion of a building from one (1) permitted principal use to another permitted principal use.

E. **Required Design Elements.** The following design elements, which promote a high-quality development or redevelopment, are required for all buildings:

1. Consistent architectural style, detail and trim;
2. Facades which break down large elements of mass and scale where appropriate;
3. Architectural details and articulation;
4. Material changes reflective of function and appropriately placed;
5. Canopies, porches, stoops, roof overhangs or other pedestrian friendly features;
6. Shade and weather protection for ground floor entrances;
7. Design elements such as cornice lines, columns, arches; and
8. Various fenestration and transparency elements.

F. **Prohibited Design Elements**. The following design elements, which do not promote high quality development or redevelopment, are prohibited:

1. Large, unarticulated blank wall surfaces;
2. Exposed and untreated block walls;

3. barbed wires;
4. Mirror window glazing;
5. False fronts;
6. Loading bays or loading doors;
7. Lack of architectural features; and
8. Lack of change in materials.

G. **Overlays.** Buildings and sites located within defined overlays as identified in Section 3: Overlays and the official zoning map shall conform to the adopted standards of the Overlay except where otherwise noted. Where there exists a conflict, the standards of the overlays shall govern.

H. **Images.** This section Utilize figures, images, and rendered photographs for illustrative purposes only; the text, dimensions and/or standards shall apply in all cases where there is a conflict.

I. **Nonresidential Building Design Standards.** These standards provide the City's expectations for the quality and appearance of new buildings through the use of architectural designs, building features, exterior materials and colors, desirable design elements, and detailing.

Figure 6.1.2. Facade with Multiple Materials

Note: Figure 6.1.2 above provides an illustrative example of the standards identified in subsections 3. Façade Colors and 4. Façade Design.

1. **Façade Colors.** Building façade colors shall help unify buildings within a

development. Building façade colors should be similar and consistent within a development. Building colors shall comply with the following standards:

a. Primary colors shall be earth tones, muted, subtle, or neutral colors. Neon colors are prohibited. Exterior color schemes that attract undue attention, or that cause the building to appear as a sign or advertisement, are not permitted.

b. Accent colors and colors on details and trims may be of brighter hue and variation than façade colors.

c. Color should be integral to the materials. The use of complementing hues is required where painted or applied finishes are utilized

d. Traditional and standard franchise colors shall also comply with this section.

2. **Façade Design.** Building facades shall be designed with a consistent architectural style, detail, and trim. All sides of a building shall require architectural detailing and windows that complement the primary façade. Facades greater than one-hundred (100) feet in length shall require a repeating, consistent pattern of change in color, texture, and material. Facades shall comply with the following additional standards:

a. **Vertical Mass**. The vertical mass of multistory buildings shall be visually broken at each story with architectural detail and articulation of at least one (1) foot in the vertical direction. Illustrated as “A” in Figure. 6.1.3.

b. **Roof Lines**. To limit box-like building forms, roofs shall include differing planes, pitches, forms, heights, or materials that are distinct from one another. Roof lines shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation. Illustrated as “B” in Figure 6.1.3.

c. **Horizontal Mass**. Building facades shall not exceed a linear distance of thirty-five (35) feet without the introduction of a physical

articulation no less than one (1) foot wide and extending in a horizontal direction along the façade. Illustrated as "C" in Figure 6.1.3.

d. **Wall Offsets**. Facades of 60 or greater feet in width shall incorporate wall offsets of at least one (1) foot of depth a minimum of every forty (40) feet. Illustrated as "D" in Figure 6.1.3.

Figure 6.1.3. Façade Design

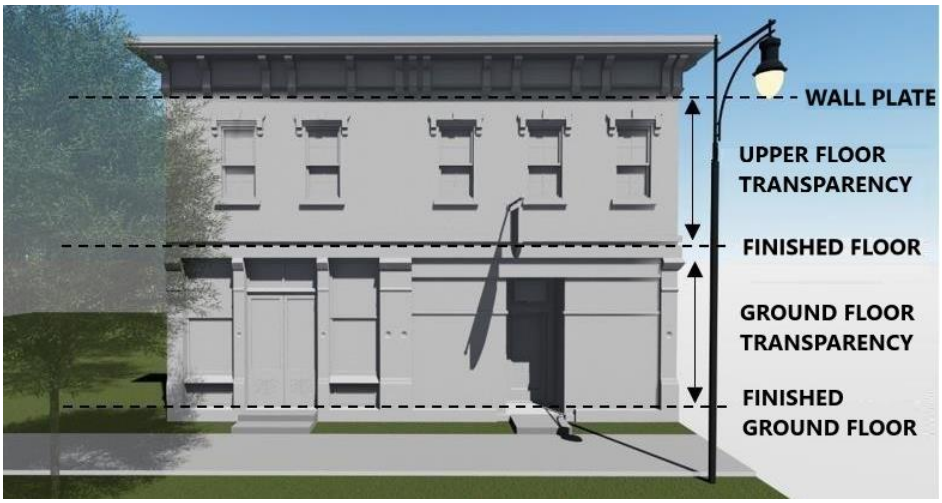
A-D	Façade Standards Illustrated
A	Vertical Mass
B	Roof Lines
C	Horizontal Mass
D	Wall Offsets

3. **Façade Transparency.** Building shall be designed to have a minimum transparency, through the use of windows and doors, on ground and upper floors as illustrated in Figure 6.1.4. Transparency applies to all sides of a buildings facing a public and/or private street. Transparency shall not be required for service areas, loading/unloading areas, or those areas not visible from the public and/or private street.

a. **Ground Floor Transparency.** Ground floor transparency shall be calculated based on the total façade area located between the finished ground floor level and beginning of the upper floor. All ground floor transparency shall be a minimum thirty (30) percent, unless stated otherwise in this UDO.

b. **Upper Floor Transparency.** Upper floor transparency is calculated based on total façade area located between the surface of any floor to the surface of the floor above it. If there is no floor above, then the measurement shall be taken from the surface of the floor to the top of the wall plate. All upper floor transparency shall be a minimum twenty (20) percent unless stated otherwise in this UDO.

Figure 6.1.4. Transparency



4. **Building Blank Wall Area.** Buildings shall be designed to limit blank wall areas. Blank wall areas are portions of an exterior façade that do not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change. Blank wall area shall be limited in building designs and comply with the

following standards:

a. Paint is not considered a substantial material change.

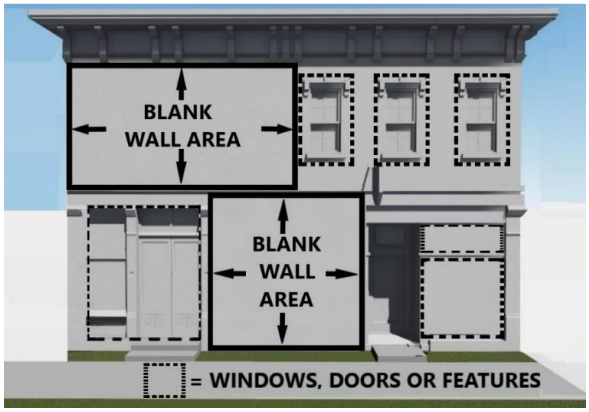
b. Blank wall area applies in both a vertical and horizontal direction and applies to ground floors and upper floors.

c. The maximum continuous blank wall area for any building shall be a maximum fifty (50) square feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change, unless explicitly stated elsewhere in this UDO.

d. When necessary to meet Fire Code requirements, blank wall area requirements may be waived by the Director.

e. Alternatively, where a facade faces adjacent residential uses, an earthen berm may be installed in lieu of meeting these requirements. The berm shall be no less than six (6) feet in height and contain, at a minimum, a double row of evergreen or deciduous trees, planted at intervals of fifteen (15) feet on center.

Figure 6.1.5. Blank Wall Area



5. **Roof Design Standards.** Building rooflines that face a street or public right-of-way shall not exceed a linear distance of one-hundred (100) feet without the introduction of a physical articulation of no less than one (1) foot in the vertical direction, gable, or building projection.

    a. **Rooftop Equipment**. Publicly visible mechanical equipment or stacks shall be screened from public view.
    b. **Parapets**. Parapets may extend thirty-six (36) inches above the roof line. Mansard are prohibited.
    c. **Roof Treatments.** Roofs shall have architecturally significant roof treatments including, but not limited to, cornices, brackets, roof overhangs, and textured materials. Compatible color materials are required.
6. **Entries.** Entrances should be differentiated architecturally to create a sense of human scale.

    a. Architectural elements like openings, sills, bulkheads, columns, and other architectural features should be used to establish human scale at the street level.
    b. All commercial and mixed-use buildings should accommodate active street level uses on all pedestrian-oriented frontages.
    c. Large buildings fronting multiple streets should provide multiple entrances**.**
7. **Buildings on Corners.**

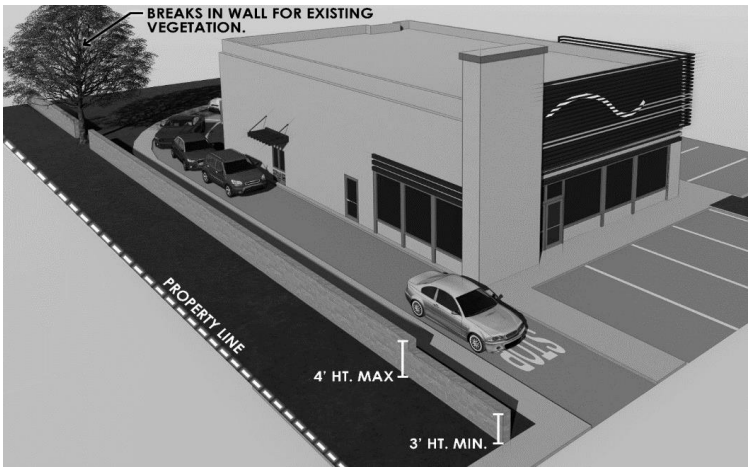
    a. Buildings that exist on a corner lot shall incorporate additional architectural features, utilize massing techniques, or implement other features to emphasize their prominent location and create a visual assist to turn the corner.
    b. Corner buildings should utilize massing techniques and architectural treatments to create an inviting pedestrian environment where a building wraps a street corner.
8. **Street Walls.**

    a. Where surface parking lots or drive aisles abut a public street right-of-way (or sidewalk), a street wall shall be required on the setback

line or edge of parking lot pavement. Street walls are required alongside boundaries of drive aisles along drive-through lanes. A design alternative may be requested for a hedge or other similar design feature(s).

b. Street walls shall be constructed of brick, masonry, stone, wrought iron or other solid decorative materials. Wood, fencing, and chain link shall not be considered permitted materials for a street wall.
c. Street walls shall be a minimum three (3) feet and a maximum four (four) feet in height.
d. Breaks in street walls may be permitted to allow for pedestrian or vehicular access, or tree protection.

Figure 6.1.5. Street Walls



6.2. NONRESIDENTIAL SITE DESIGN STANDARDS

A. **Building Siting**. Buildings shall be sited so that they support a walkable public realm and are generally aligned and compatible with one another. Parking should be placed to the side or rear of buildings. Furthermore, building siting shall comply with the following:

1. Large-scale, single-use buildings should be located behind or above habitable street front space and outparcel buildings. This shall not apply to industrial development

2. Spaces between buildings on outparcels or pad sites shall include enhanced pedestrian features or amenities such as plazas, paver walkways, seating areas, and gathering places in addition to off-street parking spaces.
3. Outparcel buildings, to the maximum extent practicable, shall be clustered along the street in order to define street edges and entry points, and promote a pedestrian scale. Outparcel buildings should help define street edges, development entry points, and spaces for gathering between buildings.
4. Outparcel buildings shall include a consistent level of architectural detail on all sides of the building and consist of similar exterior materials and compatible colors of the primary building in the development.
5. Buildings shall be located to break up the site into a series of smaller blocks defined by streets and pedestrian walkways, and to frame and enclose parking areas, outdoor dining areas, and/or gathering spaces for pedestrians between buildings.
6. If a parking lot separates the principal building from an outparcel building, a pedestrian path/sidewalk shall be provided connecting the two through a direct link as illustrated in Figure 6.2.1.
7. Outparcel buildings shall be placed as close to rights-of-way as possible and limit surface parking between the building and street.

Figure 6.2.1. Outparcel Buildings and Parking

B. **Multi-Building Developments.**

1. Sites comprised of multiple buildings shall be configured such that no more than sixty (60) percent of the provided off-street parking shall be located between a building's primary building façade and the street it faces, unless the principal building(s) and/or parking lots are screened from view by outparcel development.
2. Buildings within multiple-building developments shall be clustered to maximize organized open space opportunities.
3. Developments with multiple buildings shall break up the development area into a series of distinguishable smaller blocks which include on-site streets, vehicle accessways, pedestrian walkways and features, and provide interior circulation.
4. Buildings that abut streets shall be oriented parallel to the street. Buildings shall not be oriented at an angle to the street

Figure 6.2.2. Outparcels and Multi-Building Development

C. **Internal Connections.** Within developments including the construction of new streets, an interconnected network of streets shall be provided. Streets shall connect to adjacent existing streets outside of the development.

D. **Accessory Facilities.**

1. Uses, structures, and mechanical equipment that are accessory to the principal building (i.e. loading and unloading areas, trash collection areas, maintenance and storage, and mechanical equipment areas) shall be incorporated into the overall design, architecture, and landscape of the development.
2. Colors and materials used in accessory uses and structures shall be consistent with the principal structure
3. Visual impacts of these areas shall be fully contained and out of view from streets and public rights-of-way.
4. Accessory structures shall not exceed the height of the principal structure.

E. **Architectural Styles.**

1. In developments with multiple buildings, a consistent level of architectural style shall be maintained.
2. Where dissimilar architectural styles are required, building designs shall be made more consistent through the use of consistent architectural features, similar scale and proportions, and consistent location of signage.

6.3. NONRESIDENTIAL PEDESTRIAN CONSIDERATIONS

A. **Sidewalks.** Sidewalks shall be designed in accordance with the City of Greer Engineering Manual in width and shall be provided in the following locations:

1. Along any street-facing side(s) of any lot that abuts any roadway, including private roadways.
2. Along any façade(s) abutting public parking areas and along any facades featuring a customer entrance.
3. ML Zoned properties are exempt from this requirement except where adjacent to an existing sidewalk.
4. The Director and or designee shall have the ability to waive this requirement based on adjacent, existing development including improvements (i.e., existing location and condition of the sidewalk system).

B. **Pedestrian Crossings.** Street crossings, also referred to as a crosswalk, shall be required whenever a walkway intersects a vehicular area; and/or a pedestrian walkway intersects a vehicular area within a development or along its frontage. Crossings dedicated for pedestrians within vehicle use areas shall be marked in accordance with state and federal law and designed to draw special attention to alert vehicles to its location through:

1. Physical articulations such as bump-outs;
2. Signage or crossing light/notification mechanisms;
3. Change in materials;

4. Colored paint;
5. Grade change; and/or
6. A combination of these elements.

Figure 6.3.2. Pedestrian Crossing

C. **Design Alternative.** If site constraints make the standards of pedestrian access impractical, the Director may approve a design alternative in which the main primary entrance does not face the right-of-way provided the following standards are met:
   1. The main building entrance, when not facing the right-of-way, shall provide a safe and convenient access for pedestrians from the main building entrance to the right-of-way. The pedestrian way must provide additional landscape amenities.
   2. Entrances which are oriented on a diagonal are permitted, provided that they are integrated with the overall architectural design, and not merely angled appendages or alcoves.
   3. Ground floor windows or window displays shall be provided along at least ten percent (10%) of the building's (ground floor) street-facing elevation(s); windows and display boxes shall be integral to the building design and not mounted to an exterior wall. Customer entrances must

have weather protection features, such as awnings, arcades, or vestibules.

6.4. INDUSTRIAL BUILDING AND SITE DESIGN STANDARDS

A. **Industrial Design Standards.** Due to the nature of industrial uses, only limited design standards are required for buildings housing industrial uses.

B. **Blank Wall Length**.

1. Blank wall lengths greater than one-hundred (100) feet or twenty-five (25) percent of the building length for facades visible from the public ROW, whichever greater, shall require the introduction of physical articulations or material change**.**

C. **Lighting.** Industrial use buildings and required parking areas shall not exceed a maximum of thirty (30) feet fixture height and 0.5 foot-candle intensity at the perimeter boundary.

D. **Equipment and Loading Areas.** Equipment and loading areas shall comply with the following standards:

1. Cooling towers, HVAC and ventilation fans, mechanical units, etc., shall be either screened using a pitched roof façade, parapets, or constructed adjacent to the building and properly screened from view by either landscaping or the use of similar building materials.

2. Ground-mounted equipment and mechanical equipment visible from a public right-of-way shall be screened from view by an opaque wall, landscaping, or combination thereof.

3. Except where regulated otherwise, walls and landscaping shall have a minimum opacity of eighty-five (85) percent and shall be the height of the equipment or facility plus six (6) inches.

4. Where the configuration of the building or site makes it impractical to locate the loading areas in the rear of the building, front or side loading areas may be proposed with additional screening or landscape requirements.

E. **Prohibited Elements. The following design elements are prohibited:**

1. Reflective surfaces;
2. Exposed and untreated block walls; and
3. Barbed wire, unless required by law for security or safety purposes.

6.5. MULTIFAMILY BUILDING AND SITE DESIGN STANDARDS

A. **Intent and Applicability**. Multifamily buildings and sites are unique and require distinct design standards. The design standards of this subsection shall be required for all new multifamily buildings and developments. Single family uses, including townhouses or attached single family, are exempt from these standards except where otherwise noted and or located within an overlay or designated district. Multifamily design standards intend to:

1. Promote and enhance pedestrian scale;
2. Feature appropriate levels of building articulation, transparency, and design elements, per the standards of this section;
3. Limit undesirable design elements and promote desirable design elements, as defined in this UDO;
4. Screen loading and delivery areas and mechanical use areas, including roof top equipment; and
5. Position primary entrance of a building toward a street.

B. **Prohibited Design Elements.** Prohibited design elements include the following:

1. Large, unarticulated blank wall surfaces;
2. Exposed and untreated block walls;
3. False fronts; and
4. Designs which lack of architectural features and/or change in materials.

C. **Required Design Elements.** Design elements that promote a high-quality development or redevelopment include the following required design elements which shall be included for all multifamily buildings subject to this section:

1. Consistent architectural style, detail and trim;
2. Facades which break down large elements of mass and scale;
3. Architectural details and articulation;
4. Material changes reflective of function and appropriately placed;
5. Canopies, balconies, porches, stoops, roof overhangs;
6. Shade and weather protection for ground floor entrances;
7. Design elements such as cornice lines, columns, arches; and
8. Various fenestration and transparency elements.

D. **Architectural Variability.** The standards below are intended to prevent developments where dwellings appear identical or very similar. A row (i.e. two (2) or more dwellings in a row, including attached townhomes) of identical or near-identical buildings along a block or across the street along a block are prohibited. Buildings shall have varied and distinctly different facades within any phase of development. Residential buildings may qualify as distinctly different if two (2) of the following standards are met:

1. Variation of color, and not a variation of hue, shall be required and may count toward meeting the requirement of distinctly different facades;
2. Variation in exterior materials and utilization of materials on facades may count toward meeting the requirement of distinctly different facades;
3. Variation of habitable space within a dwelling by five-hundred (500) square feet or more;
4. Change in roof materials; or
5. Variation in number of building stories.

E. **Building Orientation and Placement.**

1. Multifamily buildings which abut streets shall be required to be oriented parallel to the street.
2. Developments with several multifamily buildings shall cluster buildings along streets or internal rights-of-way to allow for enhanced open space and recreation areas within the area of the development.

3. Developments with several multifamily buildings shall ensure no more than sixty (60) percent of the off-street parking area for the entire property is located between the front facade within the front yard of the principal building(s) and the primary abutting street unless the principal building(s) and/or parking lots are screened from view by outparcel development.

F. **Building Facades.** Building form design shall take into account mass, scale, and articulation. Building facades shall be designed with consistent architectural style, detail, and trim features. Facades which face a street shall provide at minimum four (4) of the following elements:

1. A change in plane, such as an offset, reveal, or projecting rib. Such plane projections or recesses shall have a width of no less than six (6) inches (columns, planters, arches, voids, etc.);
2. Architectural details such as raised bands and cornices;
3. Integrated planters that utilize landscaped areas for decorative details;
4. Awnings and or arcade;
5. Covered porches, terraces, lanais, or balconies intended for private use by residents of the multifamily structure;
6. Shutters;
7. Pillars or posts;
8. Bay windows;
9. Roof eaves of at least three (3) inch wide trim
10. Complementary change in color; and/or
11. Complementary change in material/texture.

G. **Transparency.**

1. Building facades shall be designed to have a minimum level of transparency, through the use of windows and doors, on ground floor and upper floors. Transparency standards shall apply to all sides of buildings facing a public and/or private street except where otherwise modified due to safety and security considerations.

2. Transparency shall not be required for service areas, loading/unloading

areas, or those areas not visible from the public and/or private street.

3. The minimum transparency for multifamily buildings is thirty (30) percent, unless stated otherwise in this UDO.

H. **Blank Wall/Articulation Standards.** Blank wall area is understood to be an undesirable design feature and shall be limited as follows. Blank wall area standards shall apply to the front and sides of buildings or any portion of a building fronting a residential area or public or private street, and shall comply with the standards below:

1. Blank wall area is the portion of an exterior façade that does not include windows, doors, columns, pilasters, architectural features greater than one (1) foot in depth, or a substantial material change. Paint shall not be considered a substantial material change.
2. Blank wall area applies in both a vertical and a horizontal direction of the building façade and applies to ground floors and upper floors.
3. The maximum continuous blank wall area shall be a maximum thirty-five (35) square feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial material change.
4. Except as otherwise regulated, the maximum permitted blank wall length for the rear of buildings shall be one-hundred (100) feet, or twenty-five (25) percent of the building length, whichever is less.

I. **Entrances.**

1. A street facing facade and main building entry shall face the right-of-way. Additional entrances are encouraged facing parking lots, plazas, and adjacent buildings.

2. Buildings adjacent to public rights-of-way shall have at least one (1) entrance providing access to the right-of-way. This entrance shall remain in operation and shall not be closed off to residents.

3. Separate entrances to units above the ground floor shall be prohibited from being visible from street rights-of-way.

4. All multifamily development and redevelopment shall provide no less than

three (3) of the following design elements for building entrances:

a. A change in plane indicating a building entrance;

b. Building wall projection;

c. Recess of entry at least three (3) feet;

d. Architectural features and fenestration;

e. Variety in color, material, or texture orienting pedestrians to the entrance;

f. Ornamental doors;

g. Covered entries including awnings, arcade or eave;

h. Windows;

i. Porches;

j. Arches, columns, stoops, cornices.

J. **Porches/Balconies**.

1. Porches, including covered porches, stoops, awnings, and bay windows and wings may only extend into the front yard up to five (5) feet. Encroachments may be permitted up to fifty (50) percent of the total length of the respective façade.

2. Balconies shall project or recess a minimum of three (3) feet from the façade.

K. **Accessory Structures**. All accessory structures for multifamily buildings and/or developments shall comply with the following standards:

1. Garages, carports, or covered parking areas shall be provided from local streets or alleys. Entrances to parking garages are exempt from this standard and may be accessed from street rights-of-way, alleys or internal courtyards or accesses.

2. Accessory structures shall have similar exterior materials, colors and roof forms as the principal structure.

L. **Other Requirements**.

1. All utility equipment (including meters and conduits) attached to a building shall be painted to match the primary surface color of the wall on which it is attached, painted to match accent colors used on the façade, or be blocked from view (where practicable) through the use of landscaping or screens.
2. Downspouts shall be painted to match the primary surface color of the wall on which it is attached, be painted to match accent colors used on the façade, or be constructed of materials that complement the architectural style of the structure.
3. Roofing materials should complement the color and texture of the building façade.
4. Refuse collection areas shall be distributed evenly throughout multiple building multifamily developments.
5. Internal storage space or lockers for bicycles, strollers, and other similar items are encouraged and should be provided close to the entries of the building.

7. SUBDIVISION REGULATIONS

7.1. GENERAL APPLICABILITY

A. **Purpose and Intent**. Pursuant to the authority granted to it under Title 6, Chapter 29, Article 7 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, the City of Greer Council does hereby adopt subdivision regulations to provide for the harmonious development of the City; coordination of streets within subdivisions with other existing or planned streets or with other features of the comprehensive development plan; adequate open spaces for traffic, recreation, light, and air; and for a distribution of population and traffic which will tend to create conditions favorable to the health, safety, and welfare of the general public.
Hereafter, no plat of a subdivision of land within the area described below and the Engineering Manual shall be filed or recorded until it has been submitted to and is approved by the City of Greer Planning Commission and such approval is entered in writing on the plat by the executive director or his authorized representative. The provisions of these regulations shall not apply to subdivision plat maps which, prior to the adoption of regulations governing the subdivision of lands, were recorded in the office of the Greenville or Spartanburg County Register of Deeds.

This Section shall:

1. Provide for the orderly growth and development of the City;
2. Ensure required infrastructure is adequate to serve areas with new development;
3. Facilitate the further re-subdivision of larger tracts into smaller parcels of lands and individual lots, where appropriate;
4. Ensure adequate services are available to any new development;
5. Ensure recreational opportunities are available to any new development;

6. Provide for the conservation, protection and preservation of natural resources and historical areas
7. Ensure necessary easements are created and provisions are made to allow for maintenance of infrastructure; and
8. Ensure that offers of dedication of infrastructure are properly made and accepted.

B. **Applicability**. For the purpose of this Section, these regulations are understood to supplement but do not replace those regulations and or standards included within the City of Greer Engineering Manual (herein may be referred to as the "Manual") which is adopted separate and apart from this UDO. Except where otherwise noted, when there is a conflict between this UDO and the Engineering Manual, the Manual shall take precedence.

Furthermore, these regulations in concert with the Engineering Manual are understood to require:

1. The developer/applicant shall be responsible for the installation and guarantee of required improvements according to the provisions of the UDO, except as may otherwise be specifically provided herein or by City policy or agreement.
2. Approval of a final plat shall be subject to the subdivider having installed the improvements designated in this section and or Engineering Manual, or having guaranteed, to the satisfaction of the City, the installation of said improvements.
3. All new development and redevelopment projects shall be required to install or construct the improvements specified in these regulations as well as those identified in the Engineering Manual, with those exceptions as may be noted.
4. Review of Exempt Subdivisions: Despite being exempt, the subdivider may still present the subdivision plat to City Staff for review and comment. After review, Staff may attach a statement qualifying the use of the lot of land that are: the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots

are equal to the standards of the governing authority; the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the City which shall indicate that fact on the plats; and the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

C. **Compliance**. In conjunction with the Manual, all development and redevelopment including subdivisions of land as required shall be in compliance with applicable State law and the following items, as applicable:

1. Compliance with State Law: All land subdivisions in the City shall be in accord within (Class A) Urban Land Surveys as promulgated by S.C. Code, 1976, Title 40, Chapter 21, as amended July 1, 1991, and described by the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.

2. Reference to Professional Standards: All infrastructure should be installed in accordance with the standards herein as well as other professional standards including, the latest approved edition of:

   - American Association of State Highway and Transportation Officials (AASHTO) Highway Safety Manual (Green Book)
   - Institute for Traffic Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
   - Federal Highway Administration (FHWA) Manual on Uniform Traffic Control Devices (MUTCD)
   - National Association of City Transportation Officials (NACTO) Design Guidelines

3. Conformance to Plans: Improvements in all cases shall conform to cross sections, dimensions, technical specifications, and grades shown on the approved plans. Major deviations (where the horizontal alignment is greater than one foot) from the plans during construction or otherwise shall require written approval by City Staff prior to the construction of all

deviations. Minor variations may be installed and shown on the as-built plans.

4. Licensed Professional Required: Only a licensed professional may prepare the necessary plats, analyses and plans for ascertaining whether or not the work performed and materials used in conjunction with the public infrastructure are in accordance with the requirements and intent of these specifications. The design engineer shall submit water and sewer utility plans to City Staff for final approval and coordinate with other utility providers as necessary prior to the installation of any utilities.
    i. Any work done or materials used without supervision or inspection of the licensed professional or his or her representatives may be ordered removed and replaced at the developer's expense.
    ii. Failure to reject any defective work or material shall not in any way prevent later rejection, when such defect is discovered.
    iii. Final inspection and acceptance of required infrastructure will be made by the Staff prior to approval for a Final Plat.
5. Responsibility of Developer:
    i. The developer and contractor shall procure all permits and licenses, pay all charges, fees, and taxes, and give all notice necessary and incident to the due and lawful prosecution of the work.
    ii. The developer shall at all times conduct the work in such a manner to:
        1. Provide for and ensure the safety and convenience of the traveling public and of the residents along and adjacent to the streets or roads; and
        2. Offer the least practicable obstruction to the flow of traffic.
6. Safeguarding the Work:

i. The developer shall provide, erect, and maintain in good condition, all necessary barricades, suitable and sufficient lights, danger signals, and other signs and take all necessary precautions for the protection and safety of the workers, contractors, the public and others in conformance with the Federal Highway Administration Manual on Uniform Traffic Control Devices, federal, state, and local safety codes and regulations.

ii. The developer shall indemnify agents, and employees from all suits or claims of any character brought because of injuries or damages received or sustained by any person or property on account of operations of the developer; or on account of or in consequence of any neglect in safeguarding the work; or because of any act of omission, neglect, or misconduct of the developer or contractor.

D. Acceptance of Dedication and Maintenance Improvements.

1. The dedication of public space, parks, easements, or the like on the plat shall not constitute an acceptance of the dedication by the City. Acceptance of the dedication of public space, parks, easements or the like on the plat shall be indicated by the recording of the Final Plat. The dedication of right-of-way shall not constitute an acceptance of the dedication by the City. For acceptance of the dedication of public right-of-way the following criteria must be met:

    i. The developer shall enter into a two (2) year warranty agreement.

    ii. The developer shall request acceptance of dedication at the time of build out.

    iii. The City Engineer shall inspect the street, and the street must meet the standards specified with in the City of Greer Engineering Manual.

    iv. The City Council must approve the acceptance of the dedication.

2. Provision of Services and Acceptance by the City: The following shall not occur upon any land for which a plat is required to be approved, unless

and until the requirements set forth in this ordinance have been complied with and the Final Plat has been approved and recorded with the County Register of Deeds and TMS numbers assigned:

i. No street shall be maintained or accepted by the City, and

ii. No water or sewer shall be extended to or connected with any subdivision of land, and

iii. No permit shall be issued by an administrative agent or department of the City for the construction of any building or other improvement requiring a permit.

E. **Ownership & Maintenance of Common Areas**: All developments containing land, amenities or other facilities under private common ownership shall provide for the ownership & maintenance of such areas. Multi-family developments that are subject to fee-simple lot/unit ownership shall convey all such common areas to a non-profit corporate homeowners' association with a membership of 100% of the lots/units in the development. The developer shall file with the County Register of Deeds a "dedication of covenants" and must meet the following criteria:

1. The homeowners' association must be established;
2. The homeowners' association is established as the responsible entity for the liability insurance, pertinent local taxes, and maintenance of all recreation and other facilities;
3. Sums levied by the homeowners' association that remain unpaid shall become a lien on the delinquent property;
4. For condominium development, documents must meet the requirements of SC Code of Laws Title 27, Chapter 31 Horizontal Property Act.
5. All easements over common areas for access, ingress, egress and parking shall be shown and recorded on a final plat with the County Register of Deeds

F. **Restrictive Covenants.** In accordance with S.C. Code Ann. Section 6-29-1145 of South Carolina Code of Laws, City Staff must inquire of any applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If City Staff has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity in the application for the permit; from materials or information submitted by the person or persons requesting the permit; or from any other source including, but not limited to, other property holders, City Staff must not issue the permit unless City Staff receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

G. **Attribution Rules.** Parcels may not be subdivided in such a manner as to avoid compliance with any regulations of this UDO and or the Manual. City Staff has the authority to interpret this provision in a reasonable manner in order to accomplish its intent.

7.2. LAND SUITABILITY

A. **Flood Hazard Area and Landfill Development**.

1. In accordance with the Flood Damage Prevention Ordinance, any development that contains land subject to flooding shall be accompanied by evidence that no appreciable expansion of the area subject to flooding would result from the proposed development of the land being subdivided, and that the proposed development will be adequately protected from inundation without appreciable interference with the flow of any watercourse or into an impounding basin. In no case shall any fill, levee, or other protective works be approved unless sufficient compensating adjustments of waterways, ditches, or impounding basins are made to prevent any appreciable expansion of flood hazard areas.

2. Land that has been used for the disposal of solid waste and not adequately mitigated shall not be subdivided into commercial or residential building sites. This includes areas that have been used, and not adequately mitigated, for the disposal of trash, demolition waste, construction debris, stumps, and other waste materials.

B. **Slope Protection Regulations:**

1. Prohibitions: No development is permitted on or within a distance of fifty feet (50') from Very Steep Slopes. An Area of Very Steep Slopes is defined as an area with a vertical rise of at least twenty-five feet (25') and a horizontal distance of fifty feet (50') or 2:1 in any direction.
2. Graded or Filled Slopes: The Applicant must attempt to avoid or minimize proposed cuts and fills. The creation of new or larger building sites through cutting and filling should be kept to a minimum and avoided whenever possible. Graded or filled slopes should not exceed a slope of 2 to 1. All graded slopes must be contoured to blend with the natural surrounding terrain.
3. Landscaping and Revegetation: Applicants are responsible for landscaping or revegetating exposed slopes. Topsoil from disturbed steep slopes must be preserved and used for revegetation. The fill soil used must be of sufficient quality to support plant growth.
4. Open Space and Density on Very Steep Slopes: One hundred percent (100%) of the Very Steep Slope Area must be maintained as open space. Vegetation within fifty vertical feet (50') of the Very Steep Slope Area should not be disturbed unless permitted by the City Engineer.
5. Reference Engineering Manual for additional regulations.

7.3. CLUSTER SUBDIVISION STANDARDS

A. Cluster Development. Cluster developments are permitted within certain Residential Districts as identified in Section 2.1 Residential Zoning Districts specifically the RR, SN and TN districts. Cluster developments require applicant consent, in writing, and shall be subject to the following standards including Section 6. Building and Site Design Standards. Cluster development shall be a minimum five (5) acres in size.

Cluster development allows an applicant to qualify for alternative minimum lot sizes per Table 7.4.1 and a corresponding increase in permitted density to the maximum identified in the respective Residential Districts of Section 2.1. In accordance with Section 1.3.1.15: Major Subdivision Preliminary Plat, cluster subdivision developments shall meet all requirements for a subdivision, site

plan and all other applicable City ordinances and this UDO, except as otherwise provided for in Section 7.4.

1. Open Space[1].[2] Cluster developments shall designate at least 30% of the site for contiguous open space as defined in Section 5.3.4. The locations of the open space shall be reviewed at the time of rezoning and be dependent upon the internal layout of the project and the adjacent uses. Where properties do not require rezoning, open space shall be reviewed as part of the subdivision preliminary plat. Internally located open space may be needed to compliment the overall project open space requirements, while perimeter open space may be needed to provide a transition or separation from an adjacent lower density residential or agricultural use. Open space areas may be used to fulfill the buffering required in Section 5.3.2.

2. Building and Design Standards. The building and design standards for cluster subdivisions are increased to ensure that cluster subdivisions align with the overall character of and vision for the City of Greer. Cluster subdivisions shall comply to the following building and design standards.

    a. Building Elevations. Building elevations shall be provided for each housing type within the cluster subdivision. Elevations shall not repeat for every three consecutive structures.

    b. Exterior Building Materials. Exterior building materials shall consist of one of the following:

        i. Brick or Brick Veneer

1 OPEN SPACE. Lands set aside for a development for the preservation of natural features, not individually owned, designed for the common use or enjoyment, not including lands occupied by streets, rights-of-way, or off-street parking. As defined in Section 8 General Definitions.
2 Purpose and Intent. The purpose of this section is to require open space that requires preservation of natural features, ensures access to open areas, provides active and passive recreational opportunities, adds to the visual character of a development, and provides other public health benefits. Purposed and intent of Open Space in Section 5.3.4.

ii. Stucco

iii. Fiber Cement Siding

iv. Other materials may be approved upon review and approval by the Director or their designee.

c. Accent Building Materials. A minimum of two exterior accent materials are required for each structure.

3. Mixture of Housing (Lot) Types. Each cluster development shall contain at least two~~three~~ (2~~3~~) different housing types from Table 7.1.1. No ~~less than 20% and no~~ more than 60% should be provided of one housing type or lot size out of the housing types to be provided:

Table 7.3.1. Mix of Housing Types

Type	Lot Size	Minimum Lot Width	Minimum Side Setback	~~Lot Arrangement/Placement~~
Perimeter Lot/Estate House	15,001 Square Feet or greater	100’	10’	~~External (perimeter) and Internal permitted~~
Single-Family Residential Type 1	10,001 – 15,000 Square Feet	65’/ 75’ where located along the perimeter	7.5’	~~External (perimeter) and Internal permitted~~
Single-Family Residential Type 2	7,501 - 10,000 Square Feet	50’	5’	~~Internal to site (i.e. not on periphery of boundary of development)~~
Single-Family Residential Type 3	5,000 – 7,500 Square Feet	45’	5’	~~Internal to site; no more than 25% of the total housing units~~

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Type	Lot Size	Minimum Lot Width	Minimum Side Setback	~~Lot Arrangement/Placement~~
Single-Family Attached Residential	Per TN Districts Standards for Attached Residential		5'	~~Internal to site; no more than 40% of the total housing units~~

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4. Buffering. A Type 2 buffer minimium, as defined in Section 5.3.2: Perimeter Buffer Standards, shall be provided for cluster developments. The Type 2 buffer may be counted towards no more than ~~50~~30% of the required open space percentage. These buffers may also allow pedestrian paths within the buffers. All buffers shall be platted as separate tracts to be owned and maintained by the Homeowner's Association, Property Owner's Association, or similar entity.

7.4. MANUFACTURED/MOBILE HOME PARK DESIGN AND DEVELOPMENT STANDARDS

A. **Purpose and Intent.** The intent of the Manufactured/Mobile Home Park (MHP) Design and Development Standard are to permit manufactured/mobile homes in a park on approved spaces rented to individuals. The Park shall be under one ownership and provide on-site management of the park. Manufactured/Mobile Home Parks are permitted in Zoning Districts as indicated in Table 4.2 Principal Use Table. The standards within this Section of the UDO are intended to:
   1. Ensure that Manufactured/Mobile Home Parks provide safe housing accommodations and quality amenities,
   2. Require Manufactures/Mobile Home Parks to developed in locations that pose minimal potential hazardous impacts,
   3. Ensure that Manufactured/Mobile Home Parks are compatible in design and density to surrounding development.

B. **Location.** Manufactured/Mobile Home Parks are prohibited in Special Flood Hazard areas as indicated on FEMA Flood Map. The Director or designee may also declare areas unsuitable for Manufactured/Mobile Home Parks due existing conditions including but not limited to slope and terrain.

C. **Uses and Structures.** The use of Manufactured/Mobile Home Park is defined in Section 4 of this UDO. Accessory structures and uses permitted within Manufactured/Mobile Home Parks are provided within Section 4 of this UDO.

D. **Development Standards.**

1. Size. Manufactured/Mobile Home Parks shall be a minimum ten (10) acres in size.
2. Recreation/Open Space. Five (5) percent of the park must be reserved for Open Space, as defined in Section 5 of this UDO, or Recreation Space with uses and structures restricted to the accessory structures of the Manufactured/Mobile Home Park as outlined in Section 4 of this UDO.
3. Access and Circulation. Manufactured/Mobile Home Parks are subject to the Access and Circulation standards within Section 5.5.
4. Lot and Density Standards.

Table7.5.1. Manufactured/Mobile Home Lot and Density Standards

LOT AND DENSITY STANDARDS		
LOT COVERAGE (MAX)	**50%**	
LOT SIZE	**4,250 SF (MIN)**	**7,250 SF (MAX)**
DENSITY (MAX)	**9 DU/AC**	
SETBACK AND HEIGHT STANDARDS		
FRONT (MIN)	**25 FT**	
REAR (MIN)	**25 FT**	
SIDE (MIN)	**25 FT**	
BUILDING HEIGHT (MAX)	**35 FT**	

5. Additional Standards. Additional Standards for Manufactured/Mobile Home Parks relating to Landscaping, Buffering, Screening, and Open Space, Parking and Loading, and Lighting are within Table 7.5.2.

Table 7.5.2. Manufactured/Mobile Home Park Additional Standards

ADDITIONAL STANDARDS	
LANDSCAPING, BUFFERING, SCREENING, AND OPEN SPACE STANDARDS	**SECTION 5.3[1]**
PARKING AND LOADING	**SECTION 5.4[2]**
LIGHTING	**SECTION 5.7**
NOTES: **[1] Manufactured/Mobile Home Parks are required to have a Type 3 Buffer.** **[2] Manufactured/Mobile Home Parks have a parking standard of two parking spaces per unit. Parking spaces shall have direct access from internal private paved street which provides safe and convenient access to a public street. Direct lot access to a public street is not permitted.**	

7.5. RECREATIONAL VEHICLE PARK/CAMPGROUND DESIGN AND DEVELOPMENT STANDARDS

A. **Purpose and Intent.** The intent of the Recreational Vehicle Park/Campground Design and Development Standard is to regulate recreational parks and campgrounds. Recreational Vehicle Parks/Campgrounds are permitted in Zoning Districts as indicated in Table 4.2 Principal Use Table. The standards within this Section of the UDO are intended to ensure that Recreational Vehicle Parks/Campgrounds provide safe accommodations and quality amenities and to minimize impacts to surrounding areas.

B. **Location.** Recreational Vehicle Parks/Campgrounds are prohibited in Special Flood Hazard areas as indicated on FEMA Flood Map. A recreational vehicle park and campground shall be so located that no entrance or exit from a park shall discharge traffic into any residential development and/or subdivision, nor require movement of traffic from the park through a residential development and/or subdivision.

C. **Uses and Structures.** The use of Recreational Vehicle Parks/Campgrounds is defined in Section 4 of this UDO. Accessory structures and uses permitted within Recreational Vehicle Parks/Campgrounds are provided within Section 4 of this UDO.

D. **Development Standards.**

1. Size. Recreational Vehicle Parks/Campgrounds shall be a minimum five (5) acres in size.
2. Recreation/Open Space. A minimum of eight (8) percent of the gross site area for the recreational vehicle park or campground shall be set aside and developed as common use areas for open or enclosed recreation facilities. No recreational vehicle or campground site, required buffer, street right-of-way, storage area, or utility site shall be counted as meeting recreational purposes.
3. Access and Circulation. Recreational Vehicle Parks/Campgrounds are subject to the Access and Circulation standards within Section 5.5.
4. Lot and Density Standards.

Table7.6.1. Recreational Vehicle Park/Campground Lot and Density Standards

LOT AND DENSITY STANDARDS		
LOT COVERAGE (MAX)	**50%**	
LOT SIZE	**2,500 SF (MIN)**	**7,250 SF (MAX)**
DENSITY (MAX)	**5 DU/AC**	
SETBACK AND HEIGHT STANDARDS		
FRONT (MIN)	**25 FT**	
REAR (MIN)	**25 FT**	
SIDE (MIN)	**25 FT**	
BUILDING HEIGHT (MAX)	**35 FT**	

5. Additional Standards. Additional Standards for Recreational Vehicle Parks/Campgrounds relating to Landscaping, Buffering, Screening, and Open Space, Parking and Loading, and Lighting are within Table 7.6.2.

Table7.6.2. Recreational Vehicle Park/Campground Additional Standards

ADDITIONAL STANDARDS	
LANDSCAPING, BUFFERING, SCREENING, AND OPEN SPACE STANDARDS	SECTION 5.3[1]
PARKING AND LOADING	SECTION 5.4[2]
LIGHTING	SECTION 5.7

NOTES:

[1] Recreational Vehicle Parks/Campgrounds are required to have a Type 4 Buffer.

[2] Recreational Vehicle Parks/Campgrounds have a parking standard of two parking spaces per unit. Parking spaces shall have direct access from internal private paved street which provides safe and convenient access to a public street. Direct lot access to a public street is not permitted.

8. GENERAL DEFINITIONS

8.1. INTRODUCTION

Except where specific definitions are used within a specific Section of the UDO, for the purpose of such Sections, the following terms, phrases, words, and their derivations shall have the meaning given herein when not inconsistent with the context. Principal uses, which correspond with the Principal Use Table, are defined in Section 4, Uses and Standards, of this UDO.

8.2. GENERAL USE CATERGORIES

A. To regulate use, categories of uses ("use categories") have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories or zoning districts with other similar or compatible uses. Use categories classify land uses and activities based on common functional, product or physical characteristics. Principal uses have been organized into the following categories and are defined in Section 4.3, Principal Uses – Definitions, of this UDO:

1. **Residential.** Residential uses promote a variety of housing options, ranging from low density single-family residential to high density multi-family residential apartments.
2. **Agriculture and Open Space**. Agriculture and open space uses promote agricultural oriented uses and preservation/conservation.
3. **Civic and Institutional.** Civic and institutional uses are publicly oriented uses, including government buildings and utilities.
4. **Personal Service**. Personal service uses are service-related uses which may include the sale of merchandize related directly to the service performed.
5. **Commercial**. Commercial uses include general retail uses.
6. **Office and Medical**. Office and medical uses include uses dedicated to general employment and medicinal/care uses.
7. **Industrial and Logistics**. Industrial and logistics include all industrial, manufacturing, and logistic oriented uses.

A

ABANDONMENT. The termination or relinquishment of property or use for a continuous period.

ABC STORE. An establishment regulated by the Alcoholic Beverage Control Board manufacturing, distributing, and/or selling alcoholic beverages including beer, wine, and liquors.

ABUTTING. The condition of two parcels of land having a common property line or boundary, including cases where two or more parcels of land adjoin at a corner, but not including cases where parcels of land are separated by a street, water body or right-of-way.

ACCESS. The right or ability of pedestrians and vehicles to enter and leave a lot or development.

ACCESSORY DWELLING UNIT. A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot.

ACCESSORY STRUCTURE. A subordinate or incidental structure, of which the use is incidental to the principal structure and is located on the same lot as the principal structure.

ACCESSORY USE. A use that is incidental, appropriate, and subordinate to the principal use of land or buildings and located on the same lot. Accessory uses are allowed by right in conjunction with the primary use unless stated otherwise in these regulations.

ADA (AMERICANS WITH DISABILITIES ACT). Civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life.

ADAPTIVE REUSE. The rehabilitation or renovation of existing buildings or structures for any use other than its current use.

ADJACENT PROPERTIES. A parcel or lot of land that shares part of a common lot line or boundary with another parcel or lot of land (or would abut if not for the presence of a street, waterbody or right-of-way).

ADULT CARE. An assisted living residence, in compliance with S.C. Code Ann. § 44-7-130(6), in a structure other than a single-family dwelling in which the housing management provides 24-hour scheduled and unscheduled personal care services to two or more residents, either directly or for scheduled needs, through formal written agreement with licensed home care or hospice agencies.

ADULT ESTABLISHMENT. Adult bookstore, adult motion picture theater, adult mini-motion picture-theater, adult live entertainment business, massage business, or other such adult establishment as outlined S.C. Code Ann. § 57-25-120(7) and 57-25-120(9) and in Section 4. Uses of this UDO.

AGENT. A person who has legal, authorized consent to act upon another's behalf.

AIRPORT. Greenville-Spartanburg International Airport. Also referred to as GSP.

AIRPORT ELEVATION. The highest point of the airport's useable landing area measured in feet above mean sea level (963.6 feet).

ALLEY. A local access service way providing a secondary means of public access to abutting property, typically used for service access to the back or side of properties.

ALTERATION. Any change in the construction, repair, size, configuration, or location of a structure; or a change in the use of a structure or lot from a previously approved or legally existing size, configuration, location or use.

AMORTIZATION. The process of providing for a timed expiration or extinction of a use which is not in compliance with this UDO.

ANTENNA. Communication equipment designed to transmit or receive electronic signals for all types of wireless telecommunication services and devices.

APPLICATION. A form designed by the City on which a development review process submission occurs.

APPROACH SURFACE. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope.

AREA OF SHALLOW FLOODING. A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD. The land within the floodplain subject to a 1% or greater chance of flooding in any given year.

AWNING. A plastic, canvas or metal shade structure, often foldable, covered over a storefront or doorway.

B

BALANCE OF WATERSHED. That part of a water supply watershed area that does not lie within a critical area.

BAR. Any business or commercial establishment which is devoted primarily to the retailing and on-premises consumption of alcoholic beverages (not made on-site) and

which is licensed by the state to dispense or sell alcoholic beverages. May be subject to locational requirements. See Bar/Tavern/Nightclub in use-definitions.

BASE FLOOD. The flood having a 1% chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

BASEMENT. The lowest level or story which has its floor sub grade on all sides.

BERM. An earthen mound designed to separate, screen and buffer adjacent uses or site features.

BEST MANAGEMENT PRACTICES (BMP'S). Measures or practices utilized to reduce pollution entering surface waters. May be structural or nonstructural and take the form of a process or planning.

BLOCK. Land within an area bounded by streets on all sides.

BONA FIDE FARM. Any land which actively engages in a substantial way in the commercial production or growing of crops, plants, livestock, or poultry.

BUFFER. A buffer is a specified land area located parallel to and within the outer perimeter of a lot or parcel. A buffer shall contain the required planting, landscaping, berm, fence or wall, or any combination required as set forth in this UDO.

BUILDING. A structure having a roof supported by walls for the shelter or support of persons, animals and goods.

BUILDING HEIGHT. For the purpose of calculating heights of a story, the ground floor (i.e. first story) of a structure shall be a maximum of 15 feet. Additional stories shall be a maximum of 12 feet for each individual story. Building heights are limited through the district development standards table for each mixed-use district. To allow for a wide variety of building designs, requests to modify the allowable height of stories, so long as the maximum permitted height of the structure is not exceeded, may be permitted.

BUILDING STEPBACK. A building stepback is an architectural design element applied to the upper- story of a development. It is a step-like recession in a wall or façade which allows for more daylight to reach the street level and create a more open, inviting pedestrian environment. Stepbacks reduce the scale of a building, increasing views of surrounding areas and emphasizes the ground floor of a structure to allow increased emphasis on pedestrian considerations. Stepbacks may be required for stories or features above a certain permitted height within a zoning district, per that district's development standards table and may be used as an additional compatibility mitigation.

C

CALIPER. A horticultural method of measuring the diameter of a tree trunk. This measurement is taken at six inches above ground level for trees up to four inches in caliper. For larger trees, measurement of ***CALIPER*** shall be taken at twelve inches above ground level.

CANOPY. A permanent structure attached to a building for the purpose of providing shelter or shade or as a decorative feature. A canopy is not completely enclosed.

CANOPY TREE. A species of tree which normally grows to a mature height of 40 feet or more with a minimum mature crown width of 30 feet, and which meets the specifications of the American Standards for Nursery Stock published by the American Association of Nurserymen.

CERTIFY. Whenever this UDO requires that some agency certify the existence of a fact or circumstance, such certification shall be made in any manner that provides reasonable assurance of the accuracy of the certification.

CERTIFICATE OF APPROPRIATENESS. A document issued by the board of architectural review, following a prescribed review procedure, certifying that the proposed actions by an *applicant are found to be acceptable in terms of design criteria relating to the individual property or the* historic district. Regulations and procedures for a Certificate of Appropriateness are in Article IV of Ordinance Number 27-2009.

CIRCULATION. The ability of a vehicle to utilize portion of the vehicle use area used for access to parking or loading areas, or other facilities on the lot.

CITY. The City of Greer, South Carolina.

CLUSTER DEVELOPMENT. Also referred to as **CLUSTER SUBDIVISIONS**. A type of subdivision that permits residential uses to be located on lots of a reduced size and width than required in conventional subdivisions for the preservation and conservation of common open space.

COMMERCIAL VEHICLE. Commercial vehicle means tractor cab, or tractor trailer or truck with a tandem rear axle or a gross vehicle weight of over ten thousand (10,000) pounds, or having a length greater than twenty-one (21) feet, or height greater than ten (10) feet, or buses used for transporting passengers for a fee, taxicabs, shuttle vans, limousines or vans used to transport passengers for a fee. Any vehicle with external modifications designed to be used for the purpose of lifting objects or persons above the height of the vehicle is included as a commercial vehicle. Step vans, flatbed and stake bed trucks, wreckers, farm equipment, dump trucks and earth moving equipment are included as commercial vehicles. Sport utility vehicles, family vans not transporting passengers for a fee and standard manufactured pick-up trucks, and duel rear wheel

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pick-up trucks used for personal use are expressly excluded from the definition of commercial vehicle.

COMMUNITY RESIDENTIAL CARE. An adult care home having more than two residents in accordance with S.C. Code Ann. § 44-7-130.

COPY. The linguistic or graphic content of a sign.

COUNCIL. The City Council of the City of Greer, South Carolina.

CRITICAL AREA. The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed.

CRITICAL ROOT ZONE (CRZ). A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained or protected for the tree's survival. ***CRZ*** is one foot of radial distance for every inch of tree diameter measured at 4.5 feet above ground level, with a minimum of eight feet. For significant trees, the formula changes to 1.5 feet for every inch of tree diameter at 4.5 feet above ground level, with a minimum of 12 feet. Also, the **CRZ** is the extent of the dripline of a tree with an unaltered canopy.

CROWN. See "Canopy".

D

DECIDUOUS. A plant or tree with foliage that is shed annually.

DEDICATION. Giving or dedicating land or infrastructure improvements to the City for their operation and maintenance.

DENSITY. The maximum number of residential dwelling units permitted per gross acre of land. In determining density, a fractional unit shall not entitle an additional unit.

DEVELOPER. Any person engaged in land, site or building development.

DEVELOPMENT. Any man-made changes to real property, including but not limited to buildings, filling, grading, paving, or storage of equipment or materials.

DIRECTOR. The Director of the Department of Building and Development Standards or a designee of the City of Greer, South Carolina.

DISTRICT, ZONING. – Any section within the City of Greer in which zoning regulations are uniform.

DRIP LINE. An imaginary vertical line extending from the outermost portion of the tree's canopy to the ground.

DRIVEWAY. That portion of the vehicle use area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

DWELLING UNIT. An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as a permanent residence by one family.

E

EASEMENT. The right to use or occupy real property of another owner for a purpose.

EASEMENT, PRIVATE ACCESS. A privately owned and maintained right-of-way created by express grant or reservation in an instrument of record in the Greenville County Register of Deeds or Spartanburg County Register of Deeds, which connects directly to a publicly maintained and dedicated street that provides vehicular access to no more than two lots.

ELECTRONIC GAMING OPERATIONS. Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance or skill, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This does not include any lottery approved by the State of South Carolina.

ENTERTAINMENT. Generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities.

ERECT. To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish; but it does not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign.

EVERGREEN. A plant with foliage that persists year-round.

EXPENDITURE. A sum of money paid out in return for some benefit or to fulfill some obligation. The term also includes binding, contractual commitments to make future expenditures, as well as any other substantial changes in position.

F

FAÇADE. The exterior wall of a building facing a lot line or right-of-way, from the grade to the eave or highest point of a roof. Facades may be on the front, side or rear of the building.

FEDERAL COMMUNICATIONS COMMISSION (FCC). The government agency responsible for regulating telecommunications in the United States.

FLAG. Any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity.

FLEA MARKET. An open-air market for new and/or second-hand articles and goods sold by one or more merchants which is conducted on an open, non-residential lot. Yard sales conducted by individuals shall not be considered flea markets.

FLOOD HAZARD BOUNDARY MAP (FHBM). An official map of a community, issued by the Federal Emergency Management Agency (FEMA), where the boundaries of the areas of special flood hazard have been defined as Zone A.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard, and the risk premium zones applicable to the city.

FLOOD INSURANCE STUDY. The official report provided by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

FLOODPLAIN. Any land area susceptible to be inundated by water from the base flood. As used in this UDO, the term refers to that area designated as subject to flooding from the base flood (100-year flood) on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. As used in this UDO, the terms refers to that area designated as a floodway on the "Flood Boundary and Floodway Map" prepared by the U.S. Department of Housing and Urban Development, a copy of which is one file in the planning department.

FLOOR. The top surface of an enclosed area in a building (including basement).

FLOOR AREA RATIO (FAR). FAR is calculated by dividing the total size of the building/structure (in square feet) by the total size (in square feet) of the lot on which the building is located.

FOOD TRUCK. Food trucks are defined as a licensed, motorized vehicle or mobile food unit licensed by the SC State Division of Motor Vehicles, designed and equipped to serve food and beverages

FRESH PRODUCE STAND. A temporary stand intended to allow for the sale of fresh produce and homemade baked goods. Typically an accessory use to agricultural activities.

FRONTAGE. The length of a building or use abutting a street, parking area, or other means of customer access.

G

GOVERNMENT FACILITIES. An office or other facility of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, government employment offices, public assistance offices, motor vehicle licensing.

GROSS FLOOR AREA. The sum in square feet of all floors of a building measured from the exterior face of the exterior walls.

GROUND COVER. Any plant material that reaches an average height of not more than 12 inches.

GROUND LEVEL. The finished grade of a parcel of land.

GROUP HOME DAY SERVICE. A Mental Health Facility, as licensed under the state, which provides only day services.

GROUP HOME – 24 HOUR SERVICE. A Mental Health Facility, as licensed under the state, which provides 24-hour service care.

H

HALFWAY HOUSE. A licensed home for persons released from restrictive confinement, where supervision and rehabilitation is provided to the resident.

HARDSHIP. An extenuating circumstance that places an unreasonable or disproportionate burden on an applicant or landowner.

HAZARD TO NAVIGATION. An obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable airspace.

HEIGHT LIMITS. For the purpose of determining the height limits in all zones set forth in the Airport Overlay and shown on the zoning map, the datum shall be a mean sea level elevation unless otherwise specified.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

HISTORIC TREES. Selected trees placed on a City inventory based on age, species, location, health and historic significance.

HOA (HOMEOWNER ASSOCIATION). An organization that makes and enforces rules for a subdivision, planned community, or condominium building.

HOME OCCUPATION. The use of a dwelling unit on the same lot for a commercial activity that is clearly subordinate to the principal use of the dwelling unit for residential purposes.

HORIZONTAL SURFACE. A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

I

INGRESS. Access to a building or site.

INTERIOR LANDSCAPING. Landscaping required within the parking lot perimeters, including the planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles, except those with no parking spaces to either side.

INTERMEDIATE CARE HOME. An Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID) is an institution that:

1. Functions primarily for the diagnosis, treatment or rehabilitation of individuals with intellectual disabilities or with a related condition
2. Provides ongoing evaluation, planning, 24-hour supervision, coordination and integration of health or rehabilitative services in a residential setting

INTERMEDIATE CARE FACILITY. An institutional facility maintained for the purpose of providing accommodations for more than seven persons needing ongoing evaluation, planning, 24-hour supervision, coordination and integration of health, treatment, rehabilitative services in a residential setting

J

JUNK YARD. Any property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

JURISDICTION. A geographic area of a municipal body in which that body has control or power to make legal decisions and judgements.

K

KENNEL. A commercial operation that:

1. Provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian); or
2. Engages in the breeding of animals for sale.

L

LAND DEBRIS. Stumps, limbs, leaves, concrete, brick, or uncontaminated earth commonly associated with land development activities, construction, grading, or paving of land.

LAND DEVELOPMENT. The changing of land characteristics through development, redevelopment, subdivision of land tracts into parcels, construction of buildings, structures, and uses defined in Section 4 of this UDO.

LANDFILL. A facility for disposal of solid waste on land in a sanitary manner in accordance with the minimum standards and regulated by the Department of Health and Environmental Control of South Carolina wherein "solid waste" as defined by State standards is disposed of by utilizing acceptable landfill engineering technology.

LANDSCAPING. The improvement of a lot or land with plant material. Any live plant material such as trees, shrubs, ground cover, and grass used in spaces void of any impervious material or building structure and areas left in their natural state.

LANDSCAPING PLAN. A plan, drawn to scale, which shows dimensions and details of the requirements of this Section. Such plan can be drawn by a landscape architect, engineer, arborist, architect, and the like.

LARGER THAN UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LEVEE. A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LOADING AREA. That portion of the vehicle use area used to allow for the loading and unloading of goods or materials from a vehicle.

LOT.

1. A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purposes of transfer of title.
2. If a public body or any authority with the power of eminent domain condemns, purchases, or otherwise obtains fee simple title to or a lesser interest in a strip of land cutting across a parcel of land otherwise characterized as a lot by this definition, or a private road is created across a parcel of land otherwise characterized as a lot by this definition, and the interest thus obtained or the road so created is such as effectively to prevent the use of this parcel as one lot, then the land on either side of this strip shall constitute a separate lot.
3. The permit-issuing authority and the owner of two or more contiguous lots may agree to regard the lots as one lot if necessary or convenient to comply with any of the requirements of this UDO.

LOT, CORNER. A lot which abuts two or more streets, other than an alley or easement. Each corner lot shall be required, either on its plat or building permit for new home, to designate its primary front street yard, which shall dictate its front setback requirement. Orientation of the home, driveways and entrances on the lot shall be required respective of the primary front street yard, but may also be permitted on a non-primary street yard.

LOT, EXISTING (LOT OF RECORD). A lot which has been recorded at the Union County Registry prior to the adoption of this UDO.

LOT, RESIDUAL. Any tract of land which exceeds ten acres in size resulting from a subdivision.

LOT, THROUGH. A lot which has frontage on two parallel streets. Each through lot shall be required to designate its primary front street yard, which shall dictate its front setback requirements. Orientation of the house, driveways and entrances on the lot shall be required in the primary front yard and may not be permitted on a non-primary street yard.

LOT AREA. Lot Area is the lot width multiplied by the lot length. Minimum lot areas shall exclude rights-of-way.

1. When the legal instrument creating a lot shows the boundary of the lot extending into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or if the right-of-line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street; and
2. In a residential district, when a private road that serves more than three dwelling units is located along any lot boundary, then the lot boundary for the purposes of computing the lot shall be the inside boundary of the traveled portion of that road.

LOT WIDTH. Lot Width is the distance between the side lot lines measured at the primary street property line along a straight line of the property line. Lot width may be averaged between the front lot width and rear lot width.

LOWEST FLOOR. The lowest floor or the lowest enclosed area (including basement).

M

MAJOR PRUNING. Removal of over 20% of a tree's canopy, tree topping, or disturbance of over 10% of the tree's root system.

MECHANICAL EQUIPMENT. Equipment used for AC, Pool, HVAC or associated uses.

MIXED-USE. The combination of either commercial, office, industrial and residential uses within a single building or within one single development. Mixed-use development may be vertically integrated within a single building or horizontally integrated where a development contains two or more buildings and/or uses.

MOBILE HOME, CLASS A. A mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

1. The home has a length not exceeding four times its width;
2. The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
3. The exterior siding consists of wood, fiber cement, stone (or stone-like material) or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
4. The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

MOBILE HOME, CLASS B. A mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to quality the house as a Class A mobile home.

MOBILE HOME, CLASS C. Any mobile home that does not meet the definitional criteria of a Class A or Class B mobile home.

MOBILE HOME PARK. A land development under single ownership where approved spaces are rented or leased to individuals for the installation of mobile and/or manufactured homes with on-site management and amenities.

MODULAR HOME. Also described as "**Modular Building Unit**". Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. All **Modular Building** Units including **Modular Homes** are required to meet the standards with the Modular Buildings Construction Act of the South Carolina Code.

MULTIFAMILY DEVELOPMENT. A tract of land planned and developed as an integral unit in a single development operation or in a definitely programmed series of development operations.

N

NONCONFORMING LOT. A lot of record that was lawful at the date it was established but no longer confirms to standards in this UDO.

NONCONFORMING PROJECT. Any structure, development, or undertaking that is incomplete at the effective date of this UDO and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

NONCONFORMING USE. A use which was lawful on the date it was established, but is no longer a permitted use within that zoning district.

NONPRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in no precision instrument approach procedure has been approved or planned.

O

OBSTRUCTION. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 3.4, Greenville-Spartanburg Airport Overlay, of this UDO.

OCCUPANCY. The act of residing or using a premises, lot, building or dwelling.

OFFICE. An establishment or building in with activities conducted in an office setting occur and generally focus on business, government, professional, medical or financial services.

OPACITY. A measurement which indicates the degree of visibility.

OPEN SPACE. Lands set aside for a development for the preservation of natural features, not individually owned, designed for the common use or enjoyment, not including lands occupied by streets, rights-of-way, or off-street parking.

ORDINANCE. A legislative enactment by the City of Greer, South Carolina.

OUTPARCEL. A lot in a multi-tenant development which may not have access from a public road. The lot is part of a larger development or commercial subdivision.

OWNER. The legal owner of land, including a mortgagee or vendee in possession, trustee, or commercial lessee.

P

PARAPET. A false front or wall extension above the roofline of a building.

PARCEL. Land which has been or is proposed to be used, developed, or built upon as a unit under single ownership.

PARKING AREA. A parking area shall be defined as any surface area used for off-street parking, storage or display of vehicles, areas for loading and unloading goods, and service areas and drive-throughs.

PARKING AREA AISLES. A portion of the vehicle accommodations area consisting of lanes providing access to parking spaces.

PARKS AND OPEN AREAS. Uses focusing on natural areas consisting of mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures.

PERENNIAL WATERS. All streams, lakes, rivers, and other bodies of water shown as perennial on the most recent versions of U.S.G.S. topographic maps, or as determined by SC DENR Division of Water Quality.

PERSON. An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

PERVIOUS SURFACE. A surface that presents an opportunity for precipitation to infiltrate into the ground.

PLANNED UNIT DEVELOPMENT (PUD). A development constructed on a tract under single ownership, planned and developed as an integral unit, and consisting of a combination of uses on land.

PLANNING JURISDICTION. The area within the city limits as well as the area beyond the city limits within which the city is authorized to plan for and regulate development.

PLANTING YARD. Area where required plantings are located.

POA (PROPERTY OWNERS ASSOCIATION). A governing body that may encompass HOAs and various mix of property types that supports other associations and their members.

PRACTICABLE. No practical or feasible alternative exists, as determined by the City. Economic considerations may play a role in determining what is **PRACTICABLE** but shall not be the primary or overriding factor determining what is **PRACTICABLE**.

PRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PREMISES. Any property owned, leased or controlled by the person actively engaged in business at that location.

PRIMARY SURFACE. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the ***PRIMARY SURFACE*** extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the ***PRIMARY SURFACE*** ends at each end of that runway.

PRINCIPAL USE (PRIMARY): A predominant or primary use of a lot. A use listed in the Table of Permissible Uses.

PRINCIPAL STRUCTURE (PRIMARY): The structure where the principal use occurs.

PRIVATE CLUB. An institution, a club, an organization, or place of accommodation that is not in fact open to the general public.

PUBLIC AND INSTITUTIONAL USES. The use of land, buildings or structures for a public, non-profit, or community purposes and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, civic clubs, public hospitals and government buildings.

PUBLIC WATER SUPPLY SYSTEM. Any water supply system furnishing potable water to ten or more dwelling units or businesses or any combination thereof.

R

RAIL TRANSPORTATION AND SUPPORT FACILITIES. An area of land, including any related support facilities, used for switching, storing, moving, repairing, and weighing of railroad cars, trains, or engines.

REAL PROPERTY. All land, buildings and other fixtures attached thereto.

RECREATION (ACTIVE). Recreational features, often requiring equipment and taking place at prescribed places, sites or fields, which allow for the active recreational needs of residents or users of the development which they serve.

RECREATION (PASSIVE). Recreational features that do not require prepared facilities like sports fields or pavilions and require minimal disruption to a site.

REDEVELOPMENT. Any installation of improvements, new construction, or reconstruction on a lot or site which already has pre-existing uses.

REFUSE COLLECTION (AREA). A container or area surrounding a container dedicated to the collection and temporary storage of refuse or solid waste.

REQUIRED DRAINAGE CHANNEL. The theoretical stream bed section which is required to discharge the runoff from a 100-year storm.

RESERVE STRIP. A strip of land (usually only a few feet wide) owned privately, and set aside around a subdivision in order to prevent access to adjoining property by way of public streets.

RESIDUAL LOT. See ***LOT, RESIDUAL.***

RESOURCE RECOVERY FACILITY. A facility in which garbage, minerals, glass, tin cans, paper, rags, and other materials are reclaimed or converted into energy.

RETAIL SALES AND SERVICE. Companies or individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public.

RIGHT-OF-WAY. Land located within and adjoining the streets, roads and highways within the City, which rights-of-way are owned or maintained by the City or State.

ROOF AREA. A single, unbroken, contiguous plane, measured at perpendicular slope.

ROOF, FLAT. The external covering of a building having a 2(v):12 (h) slope or less.

ROOF LINE. The highest continuous horizontal line of a roof. On a sloping roof, the ***ROOFLINE*** is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the ***ROOFLINE*** is the highest continuous line of a roof or parapet.

ROOF, PITCHED. The external covering of a building having a slope greater than 2 (v):12 (h).

ROOM RENTING. A single-family residential structure in which the renting of rooms shall be clearly incidental and secondary to the single -family use of the structure.

ROOT PROTECTION ZONE. Generally 18 to 24-inches deep at a distance from the trunk equal to one-half of its height or to its drip line, whichever is greater.

RUNWAY. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

S

SATELLITE DISH. An apparatus capable of receiving communications signal from a transmitter relay located in planetary orbit.

SCHOOL. An institution of learning, such as elementary and secondary schools, colleges and universities, which offers instruction in several branches of learning and study, but not including business colleges, nursery schools, dancing schools, riding academics, or business, technical, trade schools. Includes public, private, charter and community schools. See use-definitions for Schools (Elementary/Middle), Schools (High/Senior), and University, College, and Vocational School.

SCREENING. A method of visually shielding or obscuring one abutting or nearby structure from another by fencing, walls, berms, or densely planted vegetation. Screens are typically vertical objects providing visual separation.

SETBACK. The required distance measured from both the property line and the street right-of-way to the nearest part of the building, structure and/or sign.

SHADE TREE. Usually a deciduous tree, rarely an evergreen, planted primarily for its high crown of foliage or overhead canopy.

SHOPPING CENTER. Two or more uses planned, developed and managed as a unit and related in location, size and type of shop to the needs of the trade area which is being serviced, also to include all out parcels.

SHRUB. A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

SIDEWALK. A paved area running parallel to the street intended for pedestrian use and travel, providing access to adjacent streets and land.

SIGN. Any device, object, fixture, display, placard or structure, which uses color, form, graphics, illumination, projected images, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term ***SIGN*** includes sign structure.

SIGN AREA. The total square foot area of a sign area which contains the message being conveyed.

SIGN FACE. The part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation, which attracts or intends to attract the attention of the public for any purpose.

SIGN HEIGHT. Vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

SIGN PERMIT. A permit issued that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

SIGN STRUCTURE. Any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the ***SIGN STRUCTURE***.

SIGN, ABANDONED. A sign and associated sign structure that the sign owner has failed to operate or maintain for a period of 180 days or longer. The following conditions shall be considered as the failure to operate or maintain a sign:

1. A sign displaying advertising for a product or service which is no longer available or displaying advertising for a business which is no longer licensed; or
2. A sign which is blank.

SIGN, ADVERTISING. Sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property.

SIGN, CONSTRUCTION. A temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy that is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

SIGN, DILAPIDATED. A sign that is that has been poorly maintained, is in a state of disrepair or similar that poses a public safety hazard or is difficult to read.

SIGN, DIRECTIONAL. An on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., “entrance”, “exit”, “caution”, “no parking”, “one way only”, “no trespassing”, and the like.

SIGN, DOUBLE-FACED. A single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

SIGN, DRIVE-THROUGH. A sign placed so as to be viewed from a drive-through lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

SIGN, ELECTRONIC CHANGEABLE FACE. A sign, display, or device, or portion thereof, which electronically changes the fixed display screen composed of a series of lights, including light emitting diodes (LED’s), fiber optics, or other similar new technology where the message change sequence is accomplished immediately. Electronic changeable face outdoor advertising signs include computer programmable, microprocessor controlled electronic or digital displays that display electronic, static images, static graphics, or static pictures, with or without textual information.

SIGN, FLASHING. A sign, which permits light to be turned on or off intermittently more frequently than once per five seconds.

SIGN, FREESTANDING. A sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure. A ***FREESTANDING SIGN*** will be allowed as a monument sign in its allowed district, but may never be constructed as a single pole sign. A **FREESTANDING SIGN** is not a single pole/pylon Sign.

SIGN, GOVERNMENTAL. A sign posted by various local, state, and federal agencies, such as regulatory signs, welcome signs, seasonal signs/banners/decorations, and traffic control signs.

SIGN, IDENTIFICATION. A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or professional of an occupant or the name of any building on the premises.

SIGN, ILLUMINATED. Any sign or portion thereof, which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

SIGN, INTERNALLY ILLUMINATED. A sign where the source of the illumination is inside the sign and light emanates through the message of the sign rather than being

reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that:

1. Are filled with neon or some other gas that glows when an electric current passes through it; and
2. Are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered ***INTERNALLY ILLUMINATED SIGNS***.

SIGN, LIGHTED. A sign lighted only by light cast upon the sign from an external light source.

SIGN, NONCONFORMING. A sign, which does not conform to the regulations provided in this UDO.

SIGN, OFF-PREMISE or OFF-SITE. Any sign relating in its subject matter to commodities, accommodations, services or activities on a premise other than the premises on which the sign is located.

SIGN, PERMANENT. Any sign which, when installed, is intended for permanent use. Banner and banner like materials are not considered **PERMANENT *SIGNS***.

SIGN, POLE/PYLON. A detached sign erected and maintained on a single mast, or pole or on two masts, or poles and not attached to any building but not including ground-monument or freestanding monument signs.

SIGN, PORTABLE. Any sign, banner, or poster that is not permanently attached to the ground or structure.

SIGN, REAL ESTATE. A sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

SIGN, ROOF. Any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

SIGN, SAFETY RELATED. Any sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A ***SAFETY RELATED SIGN*** includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

SIGN, STATUTORY. A sign required by any code of law or regulation of the State of South Carolina or the United States.

SIGN, STREET ADDRESS. Any sign denoting the street address of the premises on which it is attached or located.

SIGN, STRIP LIGHTING. Any sign that features electric lighting by means of long glass tubes that are fluorescent lamps or neon, typically placed along the edges or strips of a canopy, building, or structure.

SIGN, TEMPORARY. A sign that is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign.

SIGN, WIND. A sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include ribbons, spinners, streamers or captive balloons; however, the term wind sign shall not include flags or feather banners.

SIGN, WINDOW. Any sign mounted in any fashion on the interior or exterior of the surface of a window.

SIGHT TRIANGLE. A triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

SITE WALLS. Retaining walls.

SPECIAL EVENTS. Temporary events undertaken that is not part of an establishment or group's daily activities. Examples include grand opening sales, fundraising, festivals, and tent revivals.

SPECIAL-USE PERMIT. A permit issued by the Board of Adjustment that authorizes the recipient to make use of property in accordance with the requirements of this UDO as well as any additional requirements by the Board of Adjustment.

STORAGE. Facilities providing separate storage areas for personal or business use designated to allow private access by the tenant for storing or removing personal property.

STORAGE UNIT, PORTABLE. Transport trailers, cargo containers, storage trailers, mobile storage facilities, sea/land containers, and similar structures designed for conveyance and used primarily for storage of goods and materials. Portable Storage Units are not intended to be used as permanent storage facilities in residential districts.

STORM, TEN-YEAR. The surface runoff resulting from a rainfall of intensity expected to be equaled or exceeded, on average, once in ten-years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

STORM, 25-YEAR. The surface runoff resulting from a rainfall of intensity expected to be equaled or exceeded, on average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

STORM, 100-YEAR. The surface runoff resulting from a rainfall of intensity expected to be equaled or exceeded, on average, once in 100 years, and of a duration which will produce the maximum peak rate of runoff for the watershed of interest under average antecedent wetness conditions.

STREET. A public street or a street with respect to which an offer of dedication has been made. Types of ***STREETS*** are identified in this UDO.

STREET TREE. A tree with a crown which provides shade to the portion of the street on which it is planted.

STREET, ARTERIAL. A federal and/or state highway designed primarily for the movement of large volumes of vehicular traffic from one area to another; a thoroughfare.

STREET, COLLECTOR. A public way designed primarily to connect residential streets with arterial streets and/or to provide direct connection between two or more arterial streets and which may be designed to carry significant volumes of vehicular traffic having neither origin nor designation on the street.

STREET, HALF. A proposed vehicular travel way intended to be developed by constructing one-half of a required multi-lane width with the remainder to be provided at some future date.

STREET, MINOR. A public way used primarily for providing direct access to abutting properties. ***MINOR STREETS*** are further classified as:

1. *Residential.* Those streets whose primary function is to provide direct access to residential property;
2. *Commercial-industrial.* Those streets whose primary function is to provide direct access to commercial-industrial property; and
3. *Cul-de-sac.* A short minor street having one end open to traffic and the other end permanently terminated with a vehicular turnaround. The maximum length of a cul-de-sac is 1,200 feet.

STREET, PRIVATE. A vehicular travel-way not dedicated as a public street.

STREETSCAPE. An area that abuts or is contained within a public or private street right-of-way that may contain sidewalks, street furniture, landscaping or trees, and similar features.

STRUCTURE. ~~Anything constructed or erected.~~ Anything constructed or erected which requires a permanent location above grade. For purposes of this ordinance, “structure” does not include landscape features such as ornamental pools, planting boxes, sculpture, bird baths, open terraces, walkways, driveways, walls, or fences; shelters for

pets, playhouses, open stairs, recreational equipment, flagpoles, game courts, swimming pools, underground fallout shelters, air conditioning compressors, pump houses or wells, mailboxes, outdoor fireplaces, gate houses, burial vaults, bus shelters, or that portion of a roof overhang or boxing not exceeding 2 feet.

SUBDIVISION. The division of a tract of land into two or more lots, building sites, or other divisions for the purpose of sale, lease, or land development (whether immediate or future) and including all divisions of land involving the dedication of a new street or a change in existing streets. See Section 7, Subdivision Regulations, for subdivision design standards and regulations.

SUBDIVISION, MAJOR. Any subdivision other than a minor subdivision, involving any of the following:

1. The creation of more than a total of four lots;
2. The creation of any new public streets;
3. The extension of a public water or sewer system; or
4. The installation of drainage improvements through one or more lots to serve one or more lots.

SUBDIVISION, MINOR. Any subdivision that does not qualify as a major subdivision.

SWIMMING POOL. An above or in ground structure filled with water for the purpose of recreation and swimming.

T

TEMPORARY USE PERMIT. A permit issued by the Director or designee that authorizes the recipient to temporarily modify the use of a property.

TOPPING. The severe cutting back of limbs to stubs three inches in diameter within the tree's crown to such a degree so as to remove the natural canopy and disfigure the tree.

TRACT. The term ***TRACT*** is used interchangeably with the term lot, particularly in the context of subdivisions, where one ***TRACT*** is subdivided into several "lots".

TRANSITIONAL SURFACES. These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the aides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. ***TRANSITIONAL SURFACES*** for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

TRANSPORTATION FACILITIES. Facilities for loading, unloading, and transferring passengers, baggage, and incidental freight between modes of transportation. These

uses include bus terminals, railroad stations, public transit stations, taxi cab facilities, and other similar uses.

TRAVEL TRAILER. A structure that:

1. Is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle); and
2. Is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definitional criteria of a mobile home.

TREE. A large, woody plant having one or several self-supporting stems or trunks and numerous branches.

U

UNDERSTORY TREE. A species of tree which normally grows to a mature height of 15 to 35 feet in height, and meets the specifications of the American Standards for Nursery Stock published by the American Association of Nurserymen.

URGENT CARE. A medical walk-in clinic or facility designed to provide emergency care for injuries or illness.

USE. The activity or function that actually takes place or is intended to take place on a lot.

UTILITIES. Public or private infrastructure serving a limited or regional area.

UTILITY FACILITIES, COMMUNITY OR REGIONAL. All utility facilities other than neighborhood facilities.

UTILITY FACILITIES, NEIGHBORHOOD. Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, are located in or near the neighborhood where such facilities are proposed to be located.

UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

V

VARIANCE. A grant of permission by the Board of Adjustment that authorizes the recipient to do that which, according to the strict letter of this UDO, the recipient could not otherwise legally do.

VEGETATIVE COVER. Grasses, shrubs, trees, and other vegetation, which holds and stabilizes soils.

VEHICLE USE AREA. That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

VISUAL RUNWAY. A runway intended solely for the operation of aircraft using visual approach procedures.

W

WASTE. Materials to be disposed resulting from consumption or developmental activity.

WASTE TRANSFER STATIONS. An area and/or building used to unload and temporarily store solid waste (for a period of less than 90 days) for the subsequent delivery of the solid waste to another transfer site, storage site, or disposal site. Such uses may involve intermediate processing such as compaction, sorting, or shredding. In addition to transferring solid waste, a waste transfer station may also include facilities for drop-off of recyclable materials.

WATERSHED. The entire land area contributing surface drainage to a specific point (for example, the water supply intake).

WHOLESALE SALES. On-premises sales of goods primarily to customers engaged in the business of reselling the goods. See Wholesale Trade in use-definitions.

WOODED AREA. An area of contiguous wooded vegetation where trees are at a density of at least one six-inch or greater caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

Y

YARD. Unoccupied space on a lot with a building between a building and property line.

YARD SALE. A temporary sale of personally owned goods on a yard (also referred to as a *GARAGE SALE*). ***YARD SALE*** may occur on a residential lot (no temporary use permit required) or a non-residential lot (a temporary use permit is required).

Z

ZONING MAP. The official zoning map of the City of Greer. The zoning map has been officially adopted by the City of Greer as part of Ordinance No. _____ dated _____.

ZONING PERMIT. A permit issued by the land-use administrator that authorizes the recipient to make use of property in accordance with the requirements of this UDO.

EXHIBIT B

Requested by:	Amendment Topic	Action	Referenc
Upstate Forever	Redefine heritage trees to align with nearby municipalities	Language updated to 30" DBH, and added 'native species'.	5.3.1.H.2.c.
	Consider a plant exclusion list that prohibits all species that are invasive and/or non-native	Added language re: invasive species. Additional prohibited species added to list.	5.3.1.F.8.
	If a recommended plant species list is used, then ensure the list is comprehensive by relying on tree recommendations from the South Carolina Forestry Commission and regional recommendations. Ensure that all species on the recommended plant list are native and/or non-invasive.	Removed golden rain tree, euonymus, and tamarix juniper from the recommendation list.	Table 5.3.2.
	Encourage natural features that mitigate stormwater runoff by allowing bioswales, rain gardens, and other forms of low impact development to count towards the open space requirement.	Added additional allowance of passive open sapce if utilizing LID.	5.3.4.F.7.
	Specify standards for tree maintenance should align with best management practices according to the International Society of Arboriculture (ISA) and the Tree Care Industry Associate (TCIA). Reference specific design standards and landscaping.	References to ISA and TCIA added to section.	5.3.1.G.
	Specify the standards readers should reference when selecting plant materials.	Added to section.	5.3.1.F.1.
	Clarify that tree installation should conform to ANSI A300 Standards.	Added to section.	5.3.1.F.2.
	Include winter within the recommended planting seasons (October-March).	Added to section.	5.3.1.F.3.
	Select more specific criteria to ensure species diversity.	Inserted species diversity criteria tables for trees and shrubs.	5.3.1.F.4.
	Specify design minimums to ensure adequate soil volume. Use the South Carolina Forestry Commission's Urban Tree Species Guide for South Carolina as a reference.	Minimum planting standards added.	5.3.2.1.
	Consider a plant exclusion list instead of a recommended plant species list.	No update proposed.	Table 5.3.2
	Consider leading with bullets that highlight the economic, health, and quality-of-life impacts of landscaping and tree preservation on the City of Greer.	Section already addresses bullets with recommended topics. No updates proposed.	5.3.1.A
	At Ensure an ISA Certified Arborist or ASHS Certified Horticulturist oversees inspections – or is consulted during inspections – prior to the issuance of a Certificate of Occupancy.	No update proposed.	5.3.1.E.2.
	Specify that the CRZ of a significant tree is a circle extending around the tree with a one-and-a-half-foot radius for every one inch of tree diameter.	No update proposed.	5.3.1.H.
	Redefine significant trees to include protections for understory trees. Consider defining significant trees based on tree type (e.g., canopy, understory) and DBH.	No update proposed.	5.3.1.H.
	Clarify that stormwater and detention ponds do not count towards the open space requirements.	No update proposed.	5.3.4.F.7.
	Consider increasing the minimum size of pocket parks to 1,000 square feet.	No update proposed.	5.3.4.D.1.D.
	Specify that only durable fencing – such as metal or wood – should be permitted during construction. Soft orange fencing should not be permitted.	No update proposed.	5.3.1.F.8.

Requested by:	Amendment Topic	Action	Reference
Hy Nguyen, PE DPR Design	We understood the text amendment to include the following proposed changes, among others, to the latest adopted UDO: 1. SN-Cluster to have 5' sideyard instead of 10'. 2. SN-Cluster can have 2 lot sizes, instead of 3. (Technically, builder can build same product size on 2 different lot sizes, as long it meets other architectural requirements). Different lot sizes can be distributed throughout the size organically and/or intentionally and are not subject to a specific "perimeter" or "inner" designation. 3. 100% of perimeter buffer, instead of currently allowed 50%, can not be counted towards the required 30% common open space. Staff to clarify if stream buffer are subject to the same potential change. I applaud staff effort in proposing the changes on the 1st 2 items. #1 gives builders and potential homebuyers more flexibility and choices, and would contribute in a healthy way towards the attainable ownership housing. #2, as we all agreed, is simply better from planning and social standpoint. The 3rd one, however, I respectfully request staff to reconsider. In my experience working currently with over a dozen different jurisdictions, the +/- 30% COS requirement is fairly universal and seems 'fair'. None though excludes perimeter buffer and stream buffer from counting towards the required 30%. Charlotte, for instance, and maybe a few more, does have a provision excluding counting more than 50% of the existing open waterbody of an existing farm pond, lake, etc towards the COS. In my opinion, streams, stream buffers are great source for conservation and should be counted 100% towards the required COS. I feel perimeter buffer definitely fits the COS definition too.	See Cluster Development below. Took suggestion re: #3 and reduced from initial 100% to 30%.	7.3. Table 7.3.1.
Staff	Site Devleopment Plan review process	Added provision that an application shall be considered withdrawn after six months of inactivity, unless granted extension.	Added 1.3.C.5
	Code Enforcement	Added language to address enforcement and penalties that was mistakenly left out of UDO. Added definition for commercial vehicles and restricted in residential districts.	Added 1.5. 4.3.1.
	Permitted uses	Updated table re: vehicle sales and rental.	Table 4.2.
	Signs	Moved 200' separation reference for freestanding signs.	5.2.6.
	Buffers	Reduced MD,HD and RC, CC buffer type from 3 to 2	Table 5.3.2.2.
	Screening	Updated provisions re: underground dumpsters.	5.3.3.E.
	Open space/passive amenities requirements	Updated open space table for nonresidential development.	5.3.4.B. Table 5.4.3.1.
	Cluster Development	Removed lot placement in table. Inserted side setbacks column in table. Reduced allowance for buffers to count toward open space requirements. Inserted 'minimum' to Type 2 buffer standards. Reduced number of required housing types from 3 to 2.	7.3 Table 7.3.1
	Definitions	Updated definition of 'structure'.	8

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
Monday, February 26, 2024

EXHIBIT C

DOCKET: MISCP 24-01

APPLICANT: City of Greer

REQUEST: Amendments to Unified Development Ordinance

ANALYSIS: **MISCP 24-01**

MISCP 24-01 is a request to amend the Unified Development Ordinance. The UDO was adopted Dec. 12, 2023, repealing and replacing the Zoning Ordinance and Land Development Regulations. Staff expects to bring bi-monthly amendments through the first year of implementation and quarterly to bi-annual following this period.

This first round of amendments includes updates as outlined in the enclosed summary table and red-lined draft UDO:

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: Approval with Conditions

Ms. Kaade asked the commission to use the chart of amendments and the redlined copy of the ordinance to refer to throughout the discussion. She stated that the first portion of amendments were pertaining to landscaping and provided by Upstate Forever.

There was a brief pause for fireworks testing over the parking garage.

The commission discussed the landscape review process and how staff ensures that the correct foliage is planted. Ms. Kaade stated that there is an Arborist on working in Parks & Recreation that staff can refer to if their expertise is needed.

Ms. Kaade then introduced the next section about cluster development, which came about as a result of discussions with developers. There was no discussion among commission members.

Ms. Kaade introduced the remaining amendments, which mostly arose from utilizing the UDO during project reviews. The amendments covered the SDP review process, code enforcement language, a change to the permitted use table, camping, signage, buffers and screening, open space requirements for non-residential properties, cluster development changes, and the definitions for structure and commercial vehicles.

ACTION – Mr. Lamb made a motion to approve the request. Mr. Lavender made a motion to approve the request with the condition that the camping amendment be revised. Mr. Lamb approved the condition and Mr. Acierno seconded the motion. The motion carried with a vote of 6 to 0. The motion passed.

Staff note: The amendment related to camping was the subject of lengthy conversation. This amendment has been removed from exhibits at this time and will be brought back as an individual amendment for consideration at a later date.