



# ZONING

## *A Story of Bad Neighbors, Incompatibility, Separation, and Eventual Reunion*

Presentation by City of Greenville Planning Staff

Shannon Lavrin, AICP – City Manager

Mary Douglas Hirsch, AICP – Planning Administrator

Michael Frixen, AICP – Principal Development Planner



city of  
**greenville**

# City of Greenville

## Dept. of Planning & Development Services

- Staff support for Design Review Board, Historic Review Board, Board of Zoning Appeals, and Planning Commission
- Comprehensive plan and Master Plans
- Review of development projects and proposals
- Building permit review
- Zoning administration and enforcement
- Subdivision review
- Addressing
- Sustainability
- Sign permits
- And much more!

**PLANNING & ZONING**

**MISSION STATEMENT**  
Our mission is to work towards improving the quality of life for the citizens of Greenville. Staff members work with various [boards and commissions](#) including the Planning Commission, the Design Review Board and the Board of Zoning Appeals.



**ZONING APPLICATIONS**  
Residential, subdivision, business, encroachment and zoning permits are online.



**SIGNS**  
Sign regulations ensure public safety, protect property values and maintain visual standards.



**COMPREHENSIVE PLAN**  
You are invited to participate as we create a vision for Greenville in the next 20 years.



**UPCOMING PROJECTS**  
All upcoming planning and zoning applications are available for public review.



**CONDITIONAL USE PERMITS**  
Businesses open after midnight need to apply for review and recommendation.



**LANDSCAPING & TREES**  
Learn about city ordinances about trees on public and private property in the city limits.

# Presentation Overview

- Zoning History
- Zoning in Greenville
- Overview of Planning Review Boards
- Activity Time!



## ZONING PERMIT APPLICATIONS

Planning and zoning permit applications are not accepted after 4 p.m. daily and not after 2 p.m. on the day of deadline.

### RESIDENTIAL DEVELOPMENT PERMITS

- [Address Change Form](#): Required when requesting a change in current address of a property.
- [Rezone - Basic](#): Required to change the zoning designation of a property, except Planned Development District

### SUBDIVISION PERMITS

- [Rezone - Planned Development \(PD\) Application](#): Required to change the zoning designation of a property to Planned Development District, or to modify an existing Planned Development District

### BUSINESS-RELATED PERMITS

- [Rezone - Flexible Review District \(FRD\) Application](#): Required to change the zoning designation of a property to Flexible Review District, or to modify an existing Flexible Review District

### ENCROACHMENT PERMITS

- [Final Development Plan \(PDF\)](#): Required to approval construction plans for all or a portion of a Planned Development District

### ZONING-RELATED PERMITS

- [Appeal of Administrator's Decision \(PDF\)](#): Required if it is alleged that a staff member misinterpreted or misapplied a provision of the Land Management Ordinance
- [Waiver of Time Limit \(PDF\)](#): Required for a denied application to be reconsidered earlier than prescribed in the Land Management Ordinance
- [Text Amendment \(PDF\)](#): Required to modify any provision of the Land Management Ordinance
- [Traffic Impact Analysis Warrant Form \(e-form\)](#): Complete this form to determine if a Traffic Impact Analysis is required for a project.
- [Street Name Change \(PDF\)](#): Required to establish or modify the name of a street
- [Storm Water Variance \(PDF\)](#): Required when requesting relief from the standards prescribed by the storm water provisions of the Land Management Ordinance



# Presentation Overview



**zoning** noun

zon·ing | \ 'zō-niŋ  \

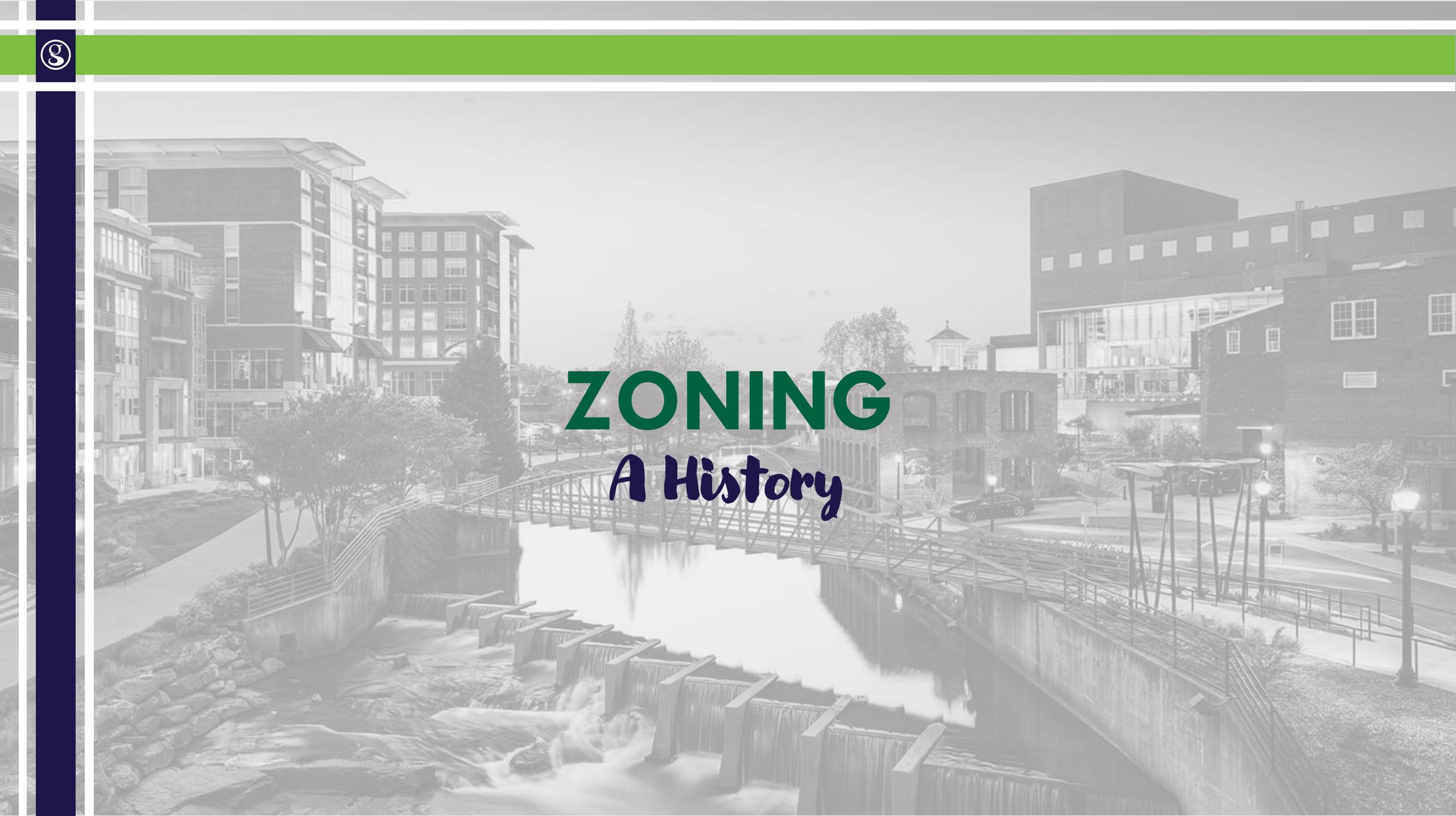
## **Definition of zoning**

: the act or process of partitioning a city, town, or borough into zones reserved for different purposes (such as residence or business)

*also* : the set of ordinances by which such zones are established and regulated

*//* voted to change the town's *zoning*

*// zoning laws*



# ZONING

*A History*

# Why Zoning? Historical Forces



Industrialization



Urbanization



Population Increase



Public Health



Urban Planning

Planning & Development



Automobile

# Aldred's Case (1611)

- Historical nuisance case
- “No right to maintain a structure upon his own land, which, by reason of disgusting smells, loud or unusual noises, thick smoke, noxious vapors, the jarring of machinery, or the unwarrantable collection of flies, renders the occupancy of adjoining property dangerous, intolerable, or even uncomfortable to its tenants...”



<https://imgflip.com/mememplate/114061905/Pig-sty>

# Zoning in the United States

- Police powers of state and local governments
  - “health, safety, and public welfare”
- First zoning ordinances in U.S.
  - Los Angeles, CA (1908)
  - New York City (1916)
- Standard State Zoning Enabling Act (1924)



# Legal Challenges

- **Hadacheck v. Sebastian (1915)** – upheld LA zoning laws restricting industrial uses in residential areas
- **Euclid v. Ambler Realty (1926)** – upheld constitutionality of zoning ordinances; necessary instrument for municipal planning
- **Warth v. Seldin (1975)** – court dismissed a lawsuit by housing activists alleging zoning was making housing unaffordable
- **Renton v. Playtime Theatres, Inc. (1986)** – local governments can regulate adult businesses, including time, manner, and place
- **Reed v. Town of Gilbert (2015)** – restricted the ability of local governments to regulate signs based on content

# Zoning in South Carolina

- General Assembly authorized municipal planning and zoning in 1924; county zoning in 1942
- Today, all comprehensive plans, zoning regulations, and land development plans must comply with the **Local Government Comprehensive Planning Enabling Act of 1994**



# Zoning in South Carolina

## **SECTION 6-29-710.** Zoning ordinances; purposes.

(A) Zoning ordinances must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. To these ends, zoning ordinances must be made with reasonable consideration of the following purposes, where applicable:

- (1) to provide for adequate light, air, and open space;
- (2) to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- (3) to facilitate the creation of a convenient, attractive, and harmonious community;
- (4) to protect and preserve scenic, historic, or ecologically sensitive areas;

# Zoning in South Carolina

- (5) to regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- (6) to facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks, and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements. "Other public requirements" which the local governing body intends to address by a particular ordinance or action must be specified in the preamble or some other part of the ordinance or action;
- (7) to secure safety from fire, flood, and other dangers; and
- (8) to further the public welfare in any other regard specified by a local governing body.



# ZONING IN GREENVILLE

# ZONING TOOLS



Comprehensive Plan



Zoning Ordinance



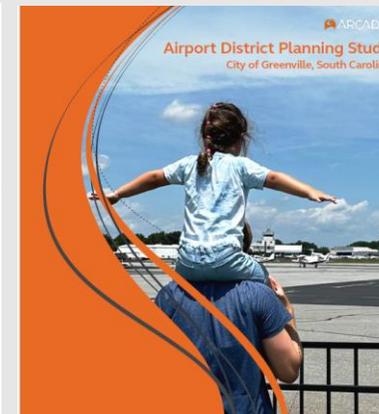
Zoning Map



Future Land Use Map (FLUM)



Strategic Plans & Master Plans



# Zoning Elements

- Establishment of zoning districts (Euclidean Zoning)
- Permitted and prohibited uses
- Dimensional standards: height, setbacks, density, building width and mass
- Lot layout and building orientation
- Parking requirements
- Landscaping requirements and tree protection
- Street and sidewalk standards
- Sign regulations
- Open space
- Affordable housing incentives
- Use-specific standards

Use Category Specific Use	HOUSE-SCALE			NEIGHBORHOOD-SCALE				COMMUNITY-SCALE		MIXED USE			SHOPFRONT MIXED USE			BUSINESS		INDUSTRIAL		SPECIAL		Use Standards	
	RH-A	RH-B	RH-C	RN-A	RN-B	RN-C	RN-C	RC-2	RC-3	MX-2	MX-3	MX-5	MXS-2	MXS-3	MXS-5	MXS-D	BG	BH	IX	IG	CV		CM
<b>Food and Beverage</b>																							
General food and beverage (up to 6,000 SF)	-	-	-	-	-	S*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	-	P	-
General food and beverage (6,000+ SF)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	P	-
Bar or nightclub	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-
Brewpub	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-
Microbrewery, small winery or microdistillery	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-
<b>Lodging</b>																							
General lodging (up to 10 guest rooms)	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-
General lodging (10+ guest rooms)	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	P*	-
<b>Medical</b>																							
General medical (up to 6,000 SF)	-	-	-	-	-	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	-
General medical (6,000+ SF)	-	-	-	-	-	-	P*	-	-	P	P	P	P	P	P	P	P	P	P	-	P	P	-
Hospital	-	-	-	-	-	-	-	-	-	-	-	S	-	-	P	-	P	P	-	-	P	P	-
Medical collection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	-	-
Medical laboratory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-
<b>Office</b>																							
General office (up to 6,000 SF)	-	-	-	-	-	P	-	P	P*	P*	P*	P	P	P	P	P	P	P	P	S	P	P	-
General office (6,000+ SF)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	S	P	P	P	-
Data center	-	-	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	-	P*	-
Bail bond service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	P	-
<b>Parking</b>																							
Commercial surface parking	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	P*	P*	-
Commercial structured parking	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	-	P*	P*	P*	P*	P*	P*	-
Remote Parking	-	-	-	-	-	P*	-	P*	P*	P*	P*	-	-	-	-	-	P*	P*	P*	P*	P*	P*	-

KEY: P = Use allowed S = Use requires Special Exception approval \* = Use standards apply - = Use not allowed

# City of Greenville Zoning Districts

## Residential Districts

- **RH-A, RH-B, RH-C, RH-D** House-Scale Districts
- **RN-A, RN-B, RNX-B, RN-C, RNX-C** Neighborhood-Scale Districts
- **RC-2, RC-3, RC-5** Community-Scale Districts

## Mixed-Use, Industrial, and Other Districts

- **MX-2, MX-3, MX-5, MX-D** Mixed-Use Districts
- **MXS-2, MXS-3, MXS-5, MXS-D** Mixed-Use Shopfront Districts
- **BG, BH** – Business Districts
- **IX, IG** – Industrial Districts
- **CV, CM, PK** – Special Districts

## Previous Districts (Removed from New Code)

- **PD** - Planned Development District
- **FRD** - Flexible Review District

### DIV. 19-2.3. NEIGHBORHOOD-SCALE (RN-, RNX-)

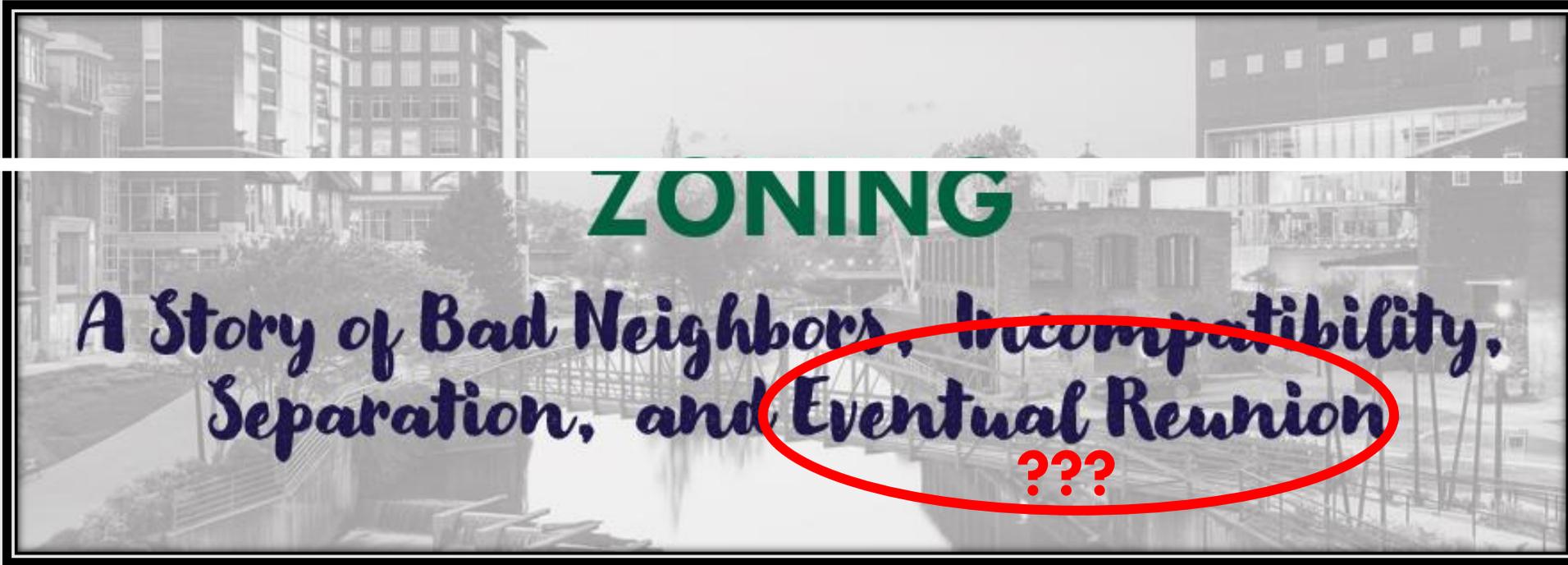


#### 19-2.3.1. INTENT

A walkable neighborhood environment intended to accommodate a variety of low-intensity housing options including single-family homes, duplexes, triplexes, fourplexes, townhouses and small apartments, supporting and within walking distance of neighborhood-serving retail, food and service uses.

Neighborhood-Scale Flex (RNX-) districts allow for additional neighborhood-serving commercial uses that are limited in scale and extent.

RN-A	RN-B	RNX-B	RN-C	RNX-C
4 dwelling units (max)	8 dwelling units, 10 with bonus (max)	8 dwelling units, 10 with bonus (max)	12 dwelling units, 16 with bonus (max)	12 dwelling units, 16 with bonus (max)
25' lot width (min)	25' lot width (min)	25' lot width (min)	25' lot width (min)	25' lot width (min)
2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	2.5 stories / 32' in height (max)	3 stories / 42' in height (max)	3 stories / 42' in height (max)
40' building width (max)	40' building width (max)	40' building width (max)	70' building width (max)	100' building width (max)
		Limited small-scale commercial		Limited small-scale commercial



- Mixing of uses now encouraged in modern zoning codes
- Promotes high-quality urban form
- Contributes to active, walkable, desirable neighborhoods
- Mixed-use + density = efficient use of infrastructure

# How does zoning affect my neighborhood and me?

- Assigned zoning district applies specific standards from the zoning ordinance.
- Determines what can be constructed on your property.
- Determines what can be constructed on your neighbor's property.
- Helps establish and preserve neighborhood character.
- Sets minimum standards for lot size, open space, setbacks, and height.



# Who decides the Zoning Ordinance?

## THE COMMUNITY:

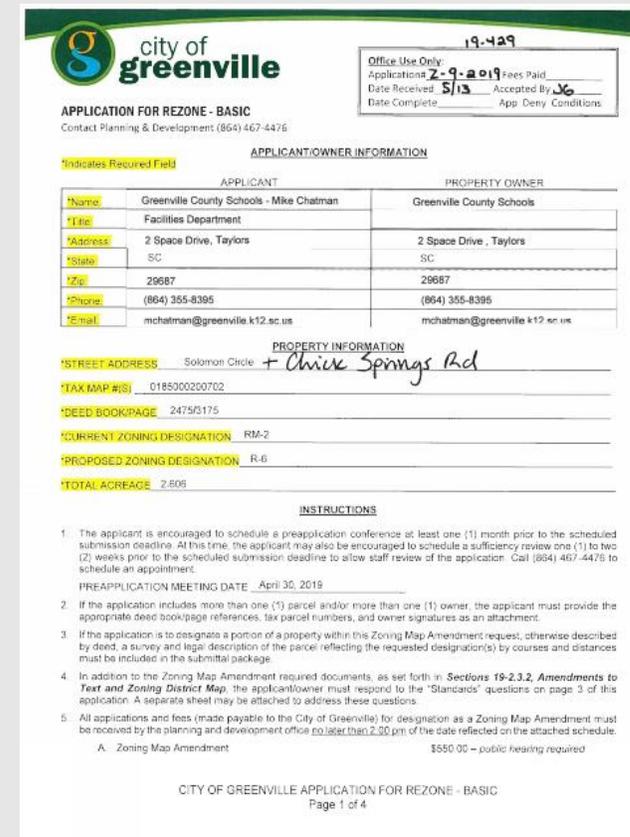
- General public
- Property owners
- Development community
- Business owners
- Taxpayers
- Community groups
- Neighborhood groups
- Professional staff
- Planning Commission
- **City Council – Final Approval**



# Who can modify the zoning ordinance?

## Section 19-6.2.2.B.1.

- City Council
- Planning Commission
- Zoning Administrator
- Any person, firm, corporation, or agency that owns property or is an authorized representative of a property owner



19-429

Office Use Only  
Applications 2-9-2019 Fees Paid \_\_\_\_\_  
Date Received 5/13 Accepted By JG  
Date Complete \_\_\_\_\_ App. Deny Conditions \_\_\_\_\_

**APPLICATION FOR REZONE - BASIC**  
Contact Planning & Development (864) 467-4476

**APPLICANT/OWNER INFORMATION**

*(Indicates Required Field)*

APPLICANT		PROPERTY OWNER
Name	Greenville County Schools - Mike Chatman	Greenville County Schools
Title	Facilities Department	
Address	2 Space Drive, Taylors	2 Space Drive, Taylors
State	SC	SC
Zip	29687	29687
Phone	(864) 355-8395	(864) 355-8395
Email	mchatman@greenville.k12.sc.us	mchatman@greenville.k12.sc.us

**PROPERTY INFORMATION**

STREET ADDRESS Solomon Circle + Chick Springs Rd  
TAX MAP #/S 0185900200702  
DEED BOOK/PAGE 2475/3175  
CURRENT ZONING DESIGNATION RM-2  
PROPOSED ZONING DESIGNATION R-6  
TOTAL ACREAGE 2.606

**INSTRUCTIONS**

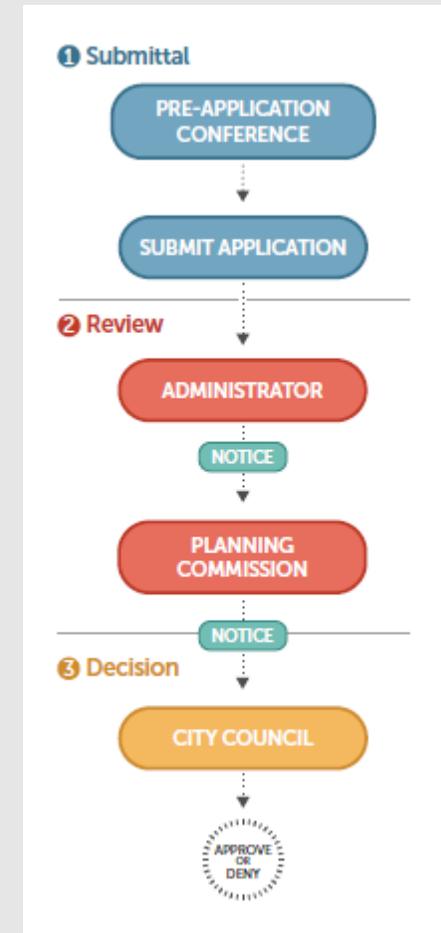
1. The applicant is encouraged to schedule a preapplication conference at least one (1) month prior to the scheduled submission deadline. At this time, the applicant may also be encouraged to schedule a sufficiency review one (1) to two (2) weeks prior to the scheduled submission deadline to allow staff review of the application. Call (864) 467-4476 to schedule an appointment.
- PRE-APPLICATION MEETING DATE April 30, 2019
2. If the application includes more than one (1) parcel and/or more than one (1) owner, the applicant must provide the appropriate deed book/page references, tax parcel numbers, and owner signatures as an attachment.
3. If the application is to designate a portion of a property within this Zoning Map Amendment request, otherwise described by deed, a survey and legal description of the parcel reflecting the requested designation(s) by courses and distances must be included in the submittal package.
4. In addition to the Zoning Map Amendment required documents, as set forth in Sections 19-2.3.2, Amendments to Text and Zoning District Map, the applicant/owner must respond to the "Stencards" questions on page 3 of this application. A separate sheet may be attached to address these questions.
5. All applications and fees (made payable to the City of Greenville) for designation as a Zoning Map Amendment must be received by the planning and development office no later than 2:00 pm of the date reflected on the attached schedule.
  - A. Zoning Map Amendment \$550.00 - public hearing required

CITY OF GREENVILLE APPLICATION FOR REZONE - BASIC  
Page 1 of 4

# Map & Text Amendment Process

## Sec. 19-6.2.2. Legislative Review

1. Pre-application meeting with staff
2. Share proposal at Project Preview Meeting
3. Submit application
4. Public notice (15 days before public hearing)
  - Newspaper advertisement
  - Signs posted on property
  - Application materials posted online
5. Staff analysis & publication of staff reports
6. Planning Commission public hearing and recommendation
7. Final Action by City Council (2 readings)



# What CAN'T zoning do?

- Regulate owner vs. rental housing
- Restrict occupancy based on race or ethnicity
- Mandate affordable housing (varies by state)
- Force an owner to sell his or her land
- Discriminate between functionally equivalent businesses
- Prohibit national chain stores or restaurants
- Violate state or federal law





# PLANNING REVIEW BOARDS

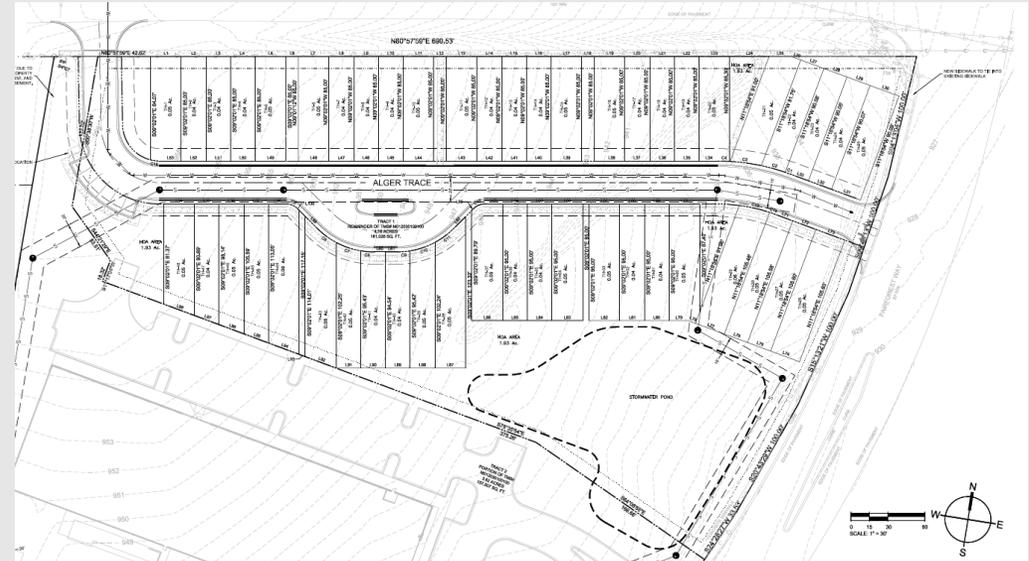
# Planning Commission

## Review and Recommend:

- Comprehensive Plan adoption and amendments
- Zoning text amendments (of the Greenville Development Code)
- Zoning map amendments (re-zonings)

## Final Action:

- Preliminary Plats for Major Subdivisions
- Street name applications and changes
- Approval of certain Final Development Plans
- Approval of the Engineering Design and Specifications Manual
- Stormwater regulation variances



# Design Review Board

## Review and Recommend:

- Establish or modify design guidelines for the Downtown Design Overlay District
- Modify boundaries of the Downtown Design Overlay District

## Final Action:

- Major design certificates of appropriateness
- Appeals of staff decisions for minor certificates of appropriateness
- Unreasonable hardship exemptions

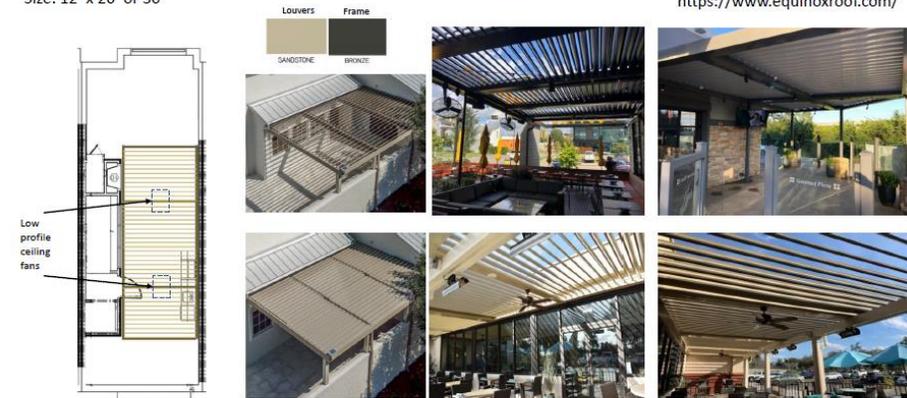
## M West Townhomes Rooftop Pergola System

Package for Certificate of Appropriateness Design Review Board

June 28, 2020

M West Townhomes Rooftop Pergola  
Proposed Equinox Louvered Roof System as pergola covering for existing rooftop terraces.  
Size: 12' x 26' or 30'

<https://www.equinoxroof.com/>



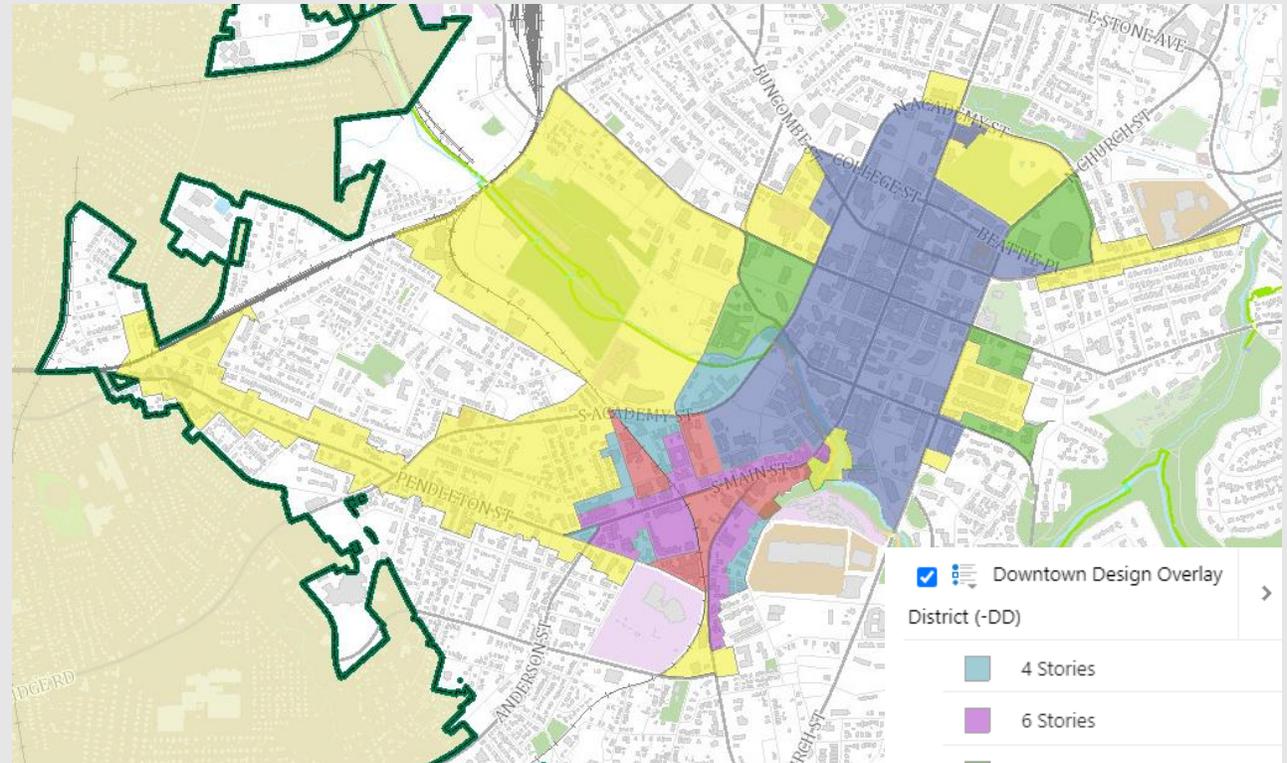
# Design Review Board

## GREENVILLE DOWNTOWN DESIGN GUIDELINES

PREPARED FOR THE CITY OF GREENVILLE  
MAY 2017



PREPARED BY  
**DESIGNWORKSHOP**  
800 BRAZOS STREET, SUITE 490  
AUSTIN, TX 78701  
512-499-0222



Downtown Design Overlay

District (-DD)

- 4 Stories
- 6 Stories
- 7 Stories
- 10 Stories
- See Zoning for Height
- Height Subject to Design

Review

# Historic Review Board

## Review and Recommend:

- Establish or modify design guidelines for Preservation Overlay Districts
- Modify boundaries of Preservation Overlay Districts

## Final Action:

- Major historic certificates of appropriateness
- Appeals of staff decisions for minor historic certificates of appropriateness
- Unreasonable hardship exemptions
- Designation of local landmarks

## Design Guidelines for Preservation Overlay Districts



City of Greenville, South Carolina

September 2000

# Historic Review Board

Colonel Elias Earle Historic District

East Park Avenue Historic District

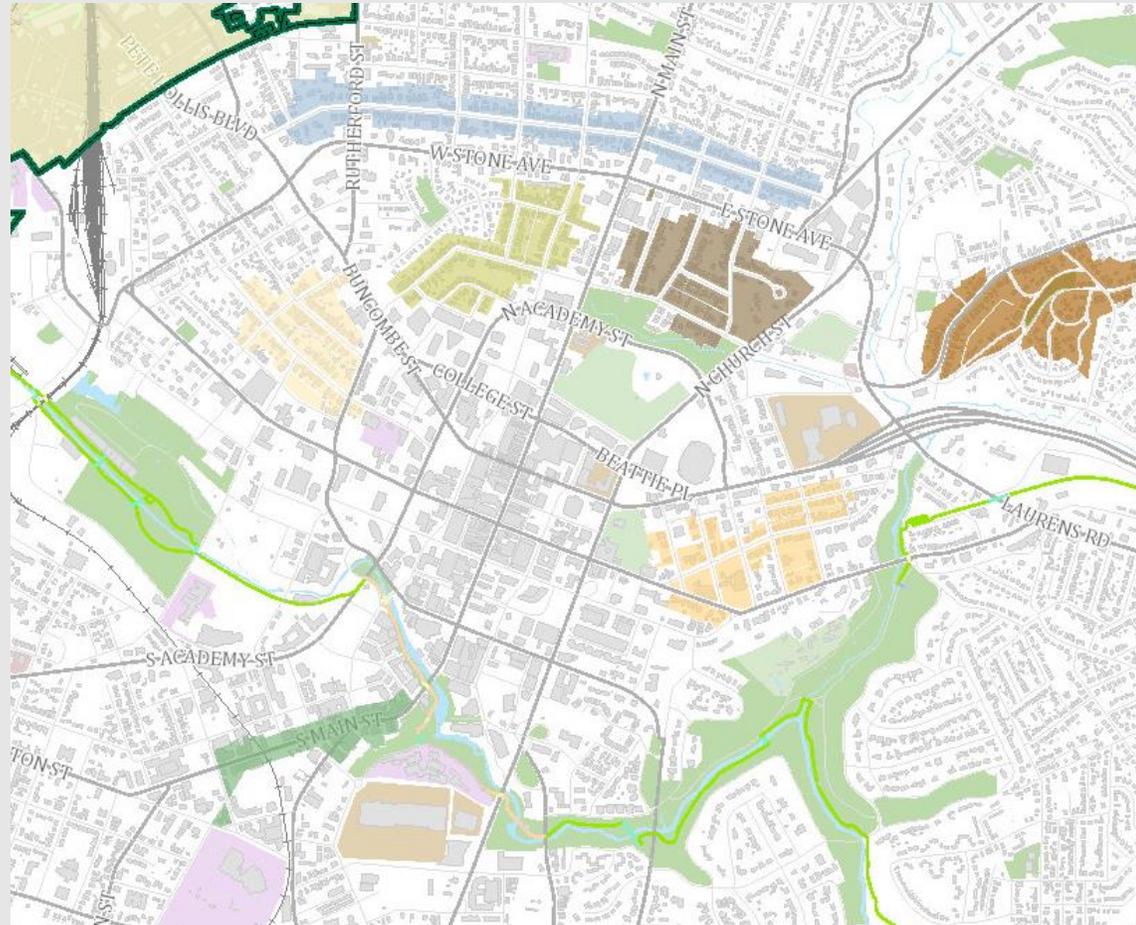
Hampton-Pinckney Historic District

Heritage Historic District

Overbrook Historic District

Pettigru Historic District

West End Historic District



# Board of Zoning Appeals

- Review of variance applications (deviations from the Greenville Development Code)
- Review of Special Exception Permits (development proposals requiring additional public review)
- Appeals of staff/administrator decisions



# Serving on a Board or Commission

- All board and commission members are appointed by City Council
- Appointments are usually for 2 or 4-year terms
- Must live or work in the city limits
- Must complete annual training requirements
- Diversity of backgrounds and professional experience
  - Engineers, developers, architects, attorneys, urban planners, conservationists, bankers, and general community representatives, and more
- More information at <https://www.greenvillesc.gov/478/Boards-Commissions>





# ZONING SCAVENGER HUNT

# Zoning Scavenger Hunt

## Question #1

How tall can you build a house in the RNX-B district?

(Hint: Article 19-2)

## Answer:

**2.5 stories/35 feet**

*Under “Height” on page 2-21*

# Zoning Scavenger Hunt

## Question #2

True or False? Special exception permits require approval by Greenville City Council.

(Hint: Article 19-6)

## Answer:

**False.** *Special exception permits are only reviewed and voted on by the Board of Zoning Appeals (pg. 6-2)*

# Zoning Scavenger Hunt

## Question #3

Describe the “active depth” requirement for a building.

(Hint: Article 19-2)

## Answer:

Active depth requirements limit the placement of storage rooms, stairwells, elevator shafts, and other inactive spaces at the front of a building.

This minimizes dead spaces along the public realm and promotes a comfortable, safe (“eyes on the street”), engaging, and attractive built environment.

*Page 2-116*

# Zoning Scavenger Hunt

## Question #4

Which zoning districts allow a bowling alley?

(Hint: Article 19-3)

## Answer:

**MX-2, MX-3, MX-5, MX-D, MXS-2, MXS-3, MXS-5, MXS-D, BG, BH, IX, IG, CV, CM**

*Bowling alleys are listed as “General Indoor Entertainment and Recreation” in Sec. 19-3.3.4.A.1. (pg. 3-14)*

# Zoning Scavenger Hunt

## Question #5

A shop in a Business district would like to place a banner 12 square feet in size on their property advertising an upcoming Halloween social. Today is October 4 and the event is October 31. The signs will be removed the day after the event. Does the banner require a sign permit?

(Hint: Div. 19-4.11)

## Answer:

**No.** *“Small temporary signs” in the Business district do not require a permit if the total sign area is less than 32 SF and the signs are posted less than 60 days. (pg. 4-93)*

# Zoning Scavenger Hunt

## Question #6

True or False? A developer can build a 4-story building in an MX-2 district if they provide 15% of units as affordable housing and pay a mitigation fee of \$1.75 per square foot of bonus area.

(Hint: Article 19-2 and Division 19-4.2.)

## Answer:

**False.** *The open space mitigation fee is \$2.50 per square foot of bonus area. (pg. 4-5)*

# Zoning Scavenger Hunt

## Question #7

You are building a mixed-use building with 4,800 SF of doctor's office, 5,000 SF of restaurant customer space, and 80 market-rate apartments. How much parking is required, at a minimum?

(Hint: None!)

## Answer:

***128 spaces total***

***1 space per 600 SF of general medical = 8 spaces***

***1 space per 125 feet of general food and beverage = 40 spaces***

***1 space per dwelling unit = 80 spaces***



# QUESTIONS & DISCUSSION

**PLANNING & DEVELOPMENT**

**206 S Main Street**

**City Hall 6th Floor**

**Greenville, SC 29601**

**Phone: 864-467-4476**

**Email: [planning@greenvillesc.gov](mailto:planning@greenvillesc.gov)**