

AN ORDINANCE

AN ORDINANCE TO AMEND THE GREENVILLE COUNTY ZONING ORDINANCE, AS AMENDED, TO PROVIDE CONDITIONS FOR “BIG BOX RETAIL” USES.

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Adoption of Text Amendment to the Greenville County Zoning Ordinance, as amended, (“GCZO”) for “Big Box Retail” Uses. The following conditional use requirements for “Big Box Retail” uses set forth are hereby adopted and incorporated into the GCZO:

PART 1:

The term “Big Box Retail” is added to Table 6.1 as conditional use permitted in the C-2 and C-3 commercial districts.

PART 2:

The following definitions are added to the definitions in Article 4.

- Arcade – an area contiguous to a street or plaza that is open and unobstructed, and that is accessible to the public at all times. Arcades may include building columns, landscaping, statuary and fountains. Arcades do not include off-street loading/unloading areas, driveways or parking areas.
- Articulate – to give emphasis to or distinctly identify a particular element. An articulated façade would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.
- Berm – an earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide a buffer from adjoining uses.
- Big Box Development - A shopping center, mall, or free standing site whose primary use is or was a retail sales facility with at least one tenant or occupant located in a forty thousand (40,000) square foot or larger building or structure. (Consistent with the terms of the “SC Retail Facilities Revitalization Act” originally House Bill H.3841)
- Breezeway – a structure for the principal purpose of connecting a main building or structure on a property with other buildings.
- Buffer –also known as a "screen". An area provided to reduce the conflict between two different land uses. Buffers are intended to mitigate undesired views, noise and glare – effectively providing greater privacy to neighboring land uses. Typical buffers consist of materials that serve this purpose and include, but are not limited to, plant materials, walls, fences and/or significant land area to separate the uses.

- Buffer Strip – a portion of a lot or property used to visually separate one use from another through the use of vegetation, distance or other approved method.
- Building Face, Front – any building face, which can be touched by a line, drawn perpendicular to street (public or private).
- Building Face, Public – any building side that is visible from public or private right-of-ways and/or the faces that contain public entry.
- Dormer – a window set vertically forming a gable projecting from a sloping roof.
- Facade – the portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
- Gable – a triangular wall section at the end of a pitched roof, bounded by the two roof slopes.
- Hip Roof – roof without gables.
- Parapet – the portion of a wall that extends above the roofline.
- Pedestrian Oriented Development – development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and buildings/structures rather than auto access. The buildings/structures are generally located close to the public or private right-of-way and the main entrance(s) is oriented to the street sidewalk.
There are generally windows or display cases along building facades. Although parking is provided, it is generally limited in size and location.
- Pedestrian Walkway – a surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.
- Portico – a porch or walkway with a roof supported by columns, leading to the entrance to a building.
- Public/Private Right of Way – any public or private road, access easement intended to provide public access to any lot/development, but excluding any service road or internal driving aisles (i.e., within parking lots).
- Streetscape – all elements of a development or area that are in view from other points along a street.

PART 3:

The following conditions are added to Section 6:2 -- conditional uses.

The following conditions require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts. The conditions are by no means intended to limit creativity. These conditions are intended to serve as a design aid for

developers proposing a shopping center, mall, or free standing site whose primary use is or was a retail sales facility with at least one tenant or occupant located in a forty thousand (40,000)square foot or larger building or structure. Exceptions to the conditions may be made under the following circumstances:

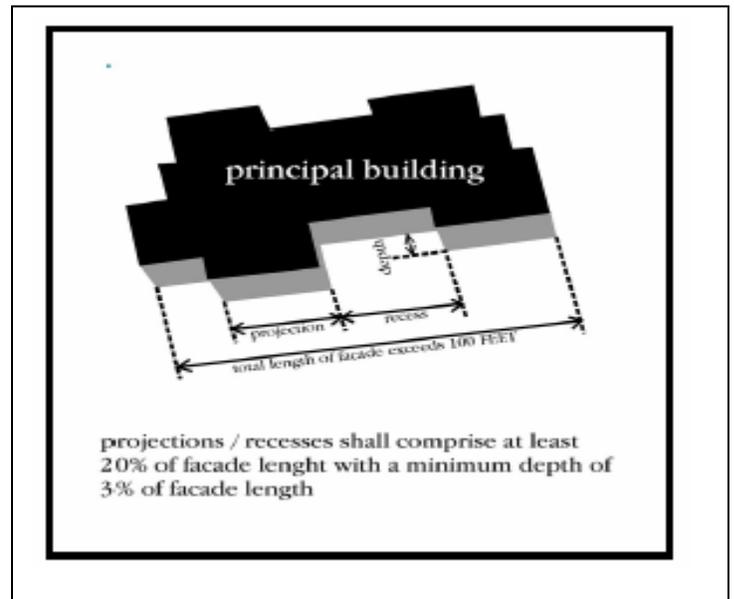
1. The strict application of the condition would result in peculiar and exceptional difficulties or exceptional and undue hardship upon the owner of the affected property; or
2. The alternative site planning and building design approach meets the design objectives as stated in the condition, equally well or better than would compliance with the condition; and
3. In either of the foregoing circumstances, the exception may be granted without substantial detriment to the public good.

1. Facades and Exterior Walls

The design of the exterior façade, shall include standards stated either A or B below or a combination standards from both A and B.

A. The building must have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.

Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet. Smooth-faced concrete block, tilt-up concrete panels, or pre-fabricated steel panels are prohibited as the predominant exterior building materials.



B. Ground floor facades that face public streets shall have a combination of arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of the horizontal length of the building. Smaller retail stores located within the larger principal building and that occupy an outside wall shall have display windows.

2. Roofs

Variations in roof lines should be used to add visual interest to, and reduce the massive scale of, large buildings. Roof features should complement the character of adjoining neighborhoods. Roof designs must incorporate no fewer than two of the following features:

- Parapets screening flat roofs and rooftop equipment;
- Overhanging eaves,
- Sloped roofs,

- Three or more roof slope planes,
- Repeating pattern of change in color, texture, and material modules.

3. Materials and Colors

The exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.

a. The predominant exterior building materials should include, without limitation:

- brick
- wood
- sandstone
- other natural stone
- tinted and textured concrete masonry units

b. Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors is prohibited.

c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

d. The predominant exterior building materials should not include the following:

- smooth-faced concrete block
- tilt-up concrete panels
- pre-fabricated steel panels

4. Entryways

The entryway design should include elements and variations that give orientation and aesthetically pleasing character to the building.

Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- canopies or porticos
- overhangs
- recesses/projections
- arcades
- raised corniced parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are integrated into the building structure and design
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting

5. Pedestrian access

- Require sidewalks along all sides of the lot that abut a public street,"

The internal pedestrian walkways shall be distinguished from driving surfaces through the use of design features such as: special pavers, bricks, or scored concrete or stamped asphalt to enhance pedestrian safety and the attractiveness of the walkways

- Internal pedestrian walkways shall provide a weather protection feature such as a building overhang or awning which extends at least 10 feet from the building and runs parallel along the building for a distance of at least 30 feet from all customer entrances
- Features such as benches, seating or bus shelters shall be provided on the portion of the sidewalk beneath the awning or building overhang.
- Walkways shall connect the main entrance to transit stops.

6. Rear and Side Facades

- Colors shall be of low reflectance, subtle, neutral or earth tone colors.
- The use of high intensity colors, metallic colors, black or fluorescent colors or neon tubing is not permitted.

7. Rear and Side Setbacks

No structure shall be erected within 25 feet from any external lot line, however, where land uses within the proposed development are the same as uses permitted in the adjoining properties, a lesser setback that is consistent with the zoning on the adjoining properties may be permitted. Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated.

8. Screening

The proposed ordinance will reference section 12.9 of the current County Zoning Ordinance which states: *Screening must be provided along side and rear exterior lot lines where any non-residential use is adjacent to a residential use and/or district for the purpose of screening non-residential activities from view. Unless otherwise required, the following landscaping and screening provisions will apply.*

A 6 foot wall, fence, berm, evergreen screening plant material, or a combination of wall, fence, berm or evergreen screening plant material with a combined minimum height of 6 feet above grade shall be used for the purposes of screening. If evergreen plant material is used, it must be at least 4 feet in height at the time of planting and capable of forming a continuous opaque screen at least 6 feet in height, with individual plantings spaced not more than 5 feet apart. Berms shall have a side slope no greater than 3:1.

9. Outdoor Storage, Trash Collection, and Loading Areas

Loading docks, trash collection, outdoor storage and similar facilities and functions must be incorporated into the overall design of the building and landscaped so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

- No areas for outdoor storage, trash collection or compaction, loading, HVAC equipment or similar uses shall be located within 25 feet of any public street, public sidewalk, or internal pedestrian way residentially zoned property.

- The display of items for sale such as but not limited to: temporary storage trailers, storage sheds, storage buildings, temporary movable storage buildings, lumber, masonry products, must comply with the front set back requirement of the zoning district of the site on which the primary structure is located, but in any case such materials may not be placed closer than 25 feet from a street right of way line.

10. Parking Lot Landscaping

Parking lot landscaping is an important element in reducing reflective heating, controlling water runoff and improving the aesthetics of a site. Increasing the landscape requirements may also help in the adaptive reuse of large scale retail buildings.

The landscaping requirements are listed below:

- The amount of landscape material required in section 12.4 of the Greenville County Zoning Ordinance shall be increased by 50%.
- The required spacing of landscape materials required in section 12.4 of the Greenville County Zoning Ordinance shall be reduced by 50%

Section 2. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2007.

 Herman G. Kirven, Jr., Chairman
 Greenville County Council

 Joseph M. Kernell
 County Administrator

ATTEST:

 Theresa B. Kizer
 Clerk to Council